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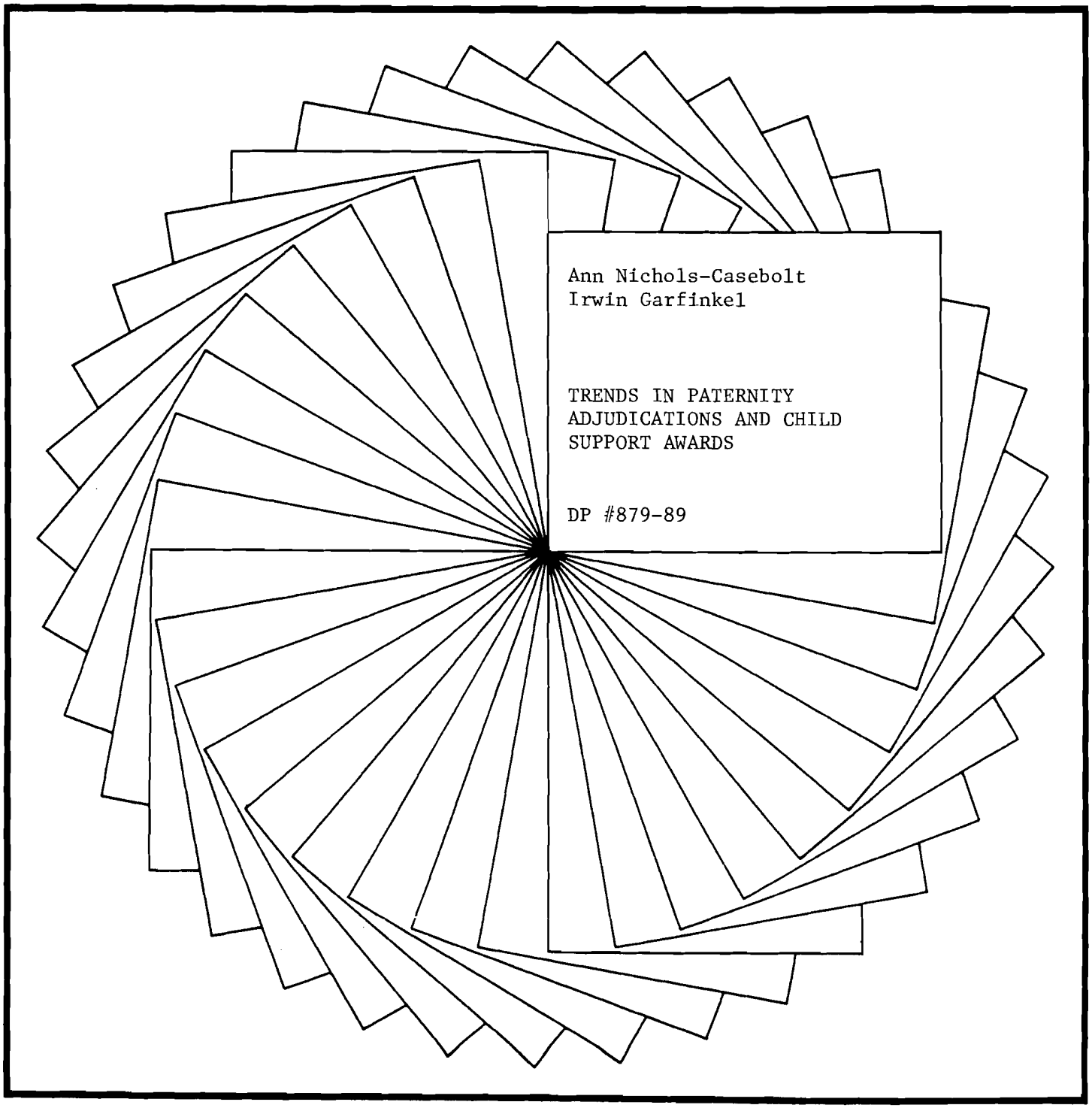

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TRENDS IN PATERNITY ADJUDICATIONS AND CHILD SUPPORT AWARDS

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Abstract

Welfare caseloads are increasingly made up of never-married mothers and their children. Of all single-parent families, these families are the least likely to receive child support from the children's father. We attempt to measure the extent to which changes in legal policy have generated improvement in establishing paternity and obtaining child support orders for this group of families. We construct crude time series of the ratios of paternity adjudications to out-of-wedlock births and then we use Census data to test whether any improvements in obtaining child support result from changes in the demographic characteristics of never-married women. We find that improvement is chiefly due to legal changes. Despite improvement, however, adjudication rates and rates of obtaining child support orders are very low. In 1986, 66 percent of all potentially eligible children born to never-married mothers between 1980 and 1986 were without the legal basis for a child support award.

TRENDS IN PATERNITY ADJUDICATIONS AND CHILD SUPPORT AWARDS

INTRODUCTION

Between 1980 and 1985, births to unmarried women rose from 18.4 percent of all births to 22 percent (U.S. Bureau of the Census, 1987: Tables 83 and 87). As the proportion of babies born to unmarried women continues to rise, the issue of paternity adjudication becomes increasingly important. Unlike the child born within a marital relationship, the nonmarital child is considered to be without a father unless his/her paternity has been established by law. Without a legally identified father these children are not eligible for certain paternal rights afforded them by law. Of particular importance because of its impact on children's economic well-being is the right to receive child support from their father. Among all groups of single-parent families, the ones created by a birth to an unmarried woman have the least likelihood of receiving child support, and they are at the greatest risk of being poor and welfare dependent (U.S. Bureau of the Census, 1987: Tables 83 and 87; U.S. House of Representatives, 1988: 430-431; Ellwood, 1986).

As welfare caseloads have become increasingly made up of families of children born out of wedlock--now about half of the children on AFDC (U.S. House of Representatives, 1988: 430-431)--the U.S. Congress and state legislatures have enacted legislation designed to facilitate the establishment of paternity and child support awards. Yet very little research has been done on the efficacy of these efforts.[1] Moreover, although a significant amount of information is now available on the

issue of child support as it relates to all potentially eligible families, very little research has specifically focused on the families of never-married mothers.[2]

In this paper we develop crude time series on the proportions of out-of-wedlock births in which both paternity and child support awards are established. We use these time series to examine the extent to which the establishment of paternity and child support awards have improved over time in response to changes in the legal structure. The paper begins by discussing the history of paternity adjudication as a public policy issue. Then, the time series of the ratios of paternity adjudications to nonmarital births and the proportions of never-married mothers with child support awards are presented. These data indicate that from 1979 to 1986 the ratio of paternity adjudications to nonmarital births has increased from .19 to .28, and the proportion of families with awards has increased from 8 to 15 percent. Next, using census data, we examine the hypothesis that the increases might be due to changes in demographic characteristics of never-married mothers rather than to changes in legal policy. In view of the low percentage of families of never-married mothers with awards in even the most recent years, we next examine the hypothesis that the percentage may underestimate award rates among new out-of-wedlock births. In the final section of the paper we use this information to suggest policy implications for increasing the number of paternity adjudications.

THE EVOLUTION OF PUBLIC POLICY

The identification of the father of a child born outside of marriage is governed by state statutory procedures called paternity actions. Although no federal or state law requires paternity to be established for nonmarital children, legal evidence of parentage is a prerequisite for child support. And, under current federal law, any unwed mother who applies for AFDC must cooperate with the welfare agency in pursuing paternity adjudication in an effort to obtain child support. Currently most cases of paternity adjudication are initiated by the state or county welfare agency on behalf of AFDC recipients (Kohn, 1987).

Paternity adjudication for children born out of wedlock has been a public policy concern since colonial times. As early as the mid-1700s, the courts attempted to establish paternity and impose financial obligations on the putative father if it was believed that the nonmarital child and his or her mother were likely to become public charges (Abramovitz, 1988). Then as now, the determination of paternity was used almost exclusively to obtain support from the father. Thus many states have historically allowed either the mother or the agency providing financial support to the child the right to initiate paternity suits. This right turned into a mandate in 1967, when the federal government enacted legislation requiring state welfare agencies to initiate action to establish paternity for AFDC children who were born out of wedlock. The most significant legislation, however, was enacted in 1975, when Congress added Part D to Title IV of the Social Security Act, thereby establishing the Child Support Enforcement (or IV-D) program. The states are responsible for running this program but are

reimbursed by the federal government for about 70 percent of the cost of establishing paternity, locating noncustodial parents, and collecting child support. The 1975 legislation also required that program services be provided to both welfare and nonwelfare families. The 1984 amendments to Title IV-D further reinforced federal involvement in the rights of nonmarital children by requiring states to extend restrictive statutes of limitations on paternity adjudications. Paternity suits can now be initiated at any time until the child reaches the age of 18.

Policy initiatives in paternity adjudication have also been incorporated into the latest federal welfare reform legislation. The 1988 Family Support Act encourages states to implement a simple civil process for voluntarily acknowledging paternity; mandates quotas in establishing paternity that must be met by states by 1991[3]; and increases the federal sharing rate for blood-testing costs incurred in the determination of paternity (Public Law 100-485, 1988: 102 STAT. 2343).

Prior to national mandates, however, several states had already enacted legislation to increase their rates of paternity adjudication. Several states have recently established timelines to expedite the process of paternity determination, and some allow voluntary acknowledgment of paternity, in lieu of a court proceeding, as a legal basis for establishing child support orders (Loyacono, 1988).

Another piece of significant legislation enacted in many states during the last decade allows the results of blood tests to be used as evidence in proving that the alleged father is the actual father of the child. When the alleged father denies paternity, the most common form of legal evidence is a blood test. Recent technological developments

have resulted in blood tests that can usually include, or exclude, a putative father with a 95 percent probability (Kohn, 1987: p. 16). Among those states that allow blood-test results as evidence, eight states actually specify that such results can create a presumption of parentage (Loyacono, 1988). In addition, it is argued that the improved accuracy of such tests increases the likelihood of settlement without a hearing (Kohn, 1987).

Clearly legislation during the last two decades has given states significant authority in establishing paternity. Because no data are available on paternity adjudication rates, however, it is unclear to what extent these efforts have increased the percentage of nonmarital children with a legally identified father. Recent estimates indicate that less than 20 percent of families of never-married mothers had a child support order in 1985, compared to 82 percent of families in which the mother was divorced (U.S. Bureau of the Census, 1987: Tables 83 and 87). And it is likely that the discrepancy in receipt of child support orders is in large measure due to the fact that a significant number of nonmarital children have not had paternity adjudicated.

PATERNITY ADJUDICATION TRENDS

Although no national data are available on the rate of paternity adjudication for nonmarital children, several sources provide information on which to make estimates of the adjudication rate and examine trends over time. A very rough estimate of trends in adjudication rates can be obtained by comparing the numbers of children born out of wedlock each year and the numbers of paternities established

each year (Table 1). The number of paternities established is reported by each state Office of Child Support Enforcement to the federal Office of Child Support Enforcement and published each year since 1976 in the Annual Report to Congress.[4] However, many states were not consistent in reporting this number until 1979. The number of nonmarital births is recorded and published by the National Center for Health Statistics from reports received from the birth registration offices of each state.[5] Although data on births have been reported since 1933, data on the marital status of the mother were not available from all states until 1980.[6]

Unfortunately, there are problems with using these data to estimate adjudication rates. First, year-by-year ratios of adjudications to births is not an accurate measure of the yearly adjudication rate because some adjudications will be for births that occurred in other years. To the extent that adjudications are for births in a prior year, the ratios will overestimate the annual adjudication rate. On the other hand, the ratios may underestimate the true rate because some of the nonmarital births will be "legitimated" by adoption or marriage of the parents, making paternity adjudication unnecessary. One study using Wisconsin birth-record data indicated that approximately 10 percent of the children born outside of marriage were subsequently adopted or legitimated by the marriage of their parents (Danziger, Nichols-Casebolt, and Nagatoshi, 1986). There is, however, no reason to believe the percentage of those adopted or legitimated has changed over time. Therefore, to the extent that the adjudication rate for children born in prior years has been increasing over time, the ratio will overstate the

improvement in adjudication rates for children born in more recent years.

There is another reason to believe that our estimates may be an overestimate of the true improvement over time. The numbers of paternities established are based on state self-reports to the Office of Child Support Enforcement, and there is some question as to the accuracy of these reports. For example, Kentucky reported that their increase in numbers of paternities adjudicated in that state between 1979 and 1983 was due to improved reporting (U.S. Department of Health and Human Services, 1983: 91). If inaccuracies in reporting are random, there should be no bias in the ratios across years. However, if, as we suspect, the performance of state child support agencies has been increasingly judged by their reported success or lack thereof in establishing paternity, it is likely that the agencies are taking greater care now than they have in the past to document and count the number of paternities that are established.

The ratios of established paternities to nonmarital births for states and the U.S. as a whole are presented in Table 1. These data indicate that the average national ratio of established paternities to births increased from .19 in 1979 to .28 in 1986.[7] This 50 percent increase suggests that recent legislation strengthening paternity enforcement has had a notable effect. On the other hand, the data indicate that even in 1986, paternity was not established in the vast majority of nonmarital births.

The table also reveals substantial variation among states. For example, in Connecticut, Michigan, and New Jersey the ratio of established paternities to out-of-wedlock births is .50 or greater. In

Table 1

Ratio of Adjudicated Paternities to Nonmarital Births,
50 States and the District of Columbia, 1979-1986

	1979	1980	1981	1982	1983	1984	1985	1986
Alabama	.451	.448	.352	.320	.344	.339	.453	.437
Alaska	.002	.036	.044	.052	.052	.041	.036	.010
Arizona	.019	.052	.057	.058	.050	.039	.035	.063
Arkansas	.362	.096	.090	.154	.194	.251	.372	.866
California	NA	.179	.250	.230	.215	.228	.206	.197
Colorado	.179	.201	.157	.149	.130	.143	.156	.146
Connecticut	NA	.434	.490	.557	.553	.488	.494	.538
Delaware	.100	.365	.312	.395	.548	.404	.444	.758
Washington D.C.	.073	.139	.173	.188	.156	.086	.104	.114
Florida	.260	.248	.229	.250	.286	.404	.342	.320
Georgia	NA	.232	.253	.234	.281	.282	.235	.462
Hawaii	.297	.206	.242	.311	.315	.248	.189	.225
Idaho	.205	.048	.048	.020	.048	.122	.202	.153
Illinois	.075	.104	.142	.145	.171	.105	.151	.226
Indiana	.128	.184	.092	.270	.207	.458	.321	.215
Iowa	.131	.220	.277	.221	.178	.202	.244	.318
Kansas	.151	.207	.224	.185	.130	.073	.056	.080
Kentucky	.095	.203	.245	.273	.331	.295	.338	.335
Louisiana	.072	.109	.148	.162	.153	.147	.182	.180
Maine	.184	.278	.143	.242	.238	.203	.269	.180
Maryland	NA	.553	.638	.488	.458	.445	.468	.385
Massachusetts	.200	.267	.300	.273	.295	.278	.346	.158
Michigan	NA	.372	.465	.579	.781	.577	.649	.666
Minnesota	.259	.326	.315	.321	.360	.343	.321	.340
Mississippi	.075	.126	.129	.129	.131	.151	.182	.138
Missouri	.000	.012	.035	.029	.1172	.1115	.869	.603
Montana	NA	.096	.051	.027	.018	.015	.024	.053
Nebraska	.000	.019	.082	.098	.121	.123	.113	.122
Nevada	NA	.106	.185	.306	.198	.170	.199	.191
New Hampshire	.027	.052	.046	.037	.018	.029	.006	.034
New Jersey	.423	.461	.553	.450	.488	.524	.590	.552
New Mexico	NA	.157	.234	.175	.179	.144	.097	.110
New York	NA	.247	.202	.201	.245	.258	.228	.218
North Carolina	.424	.461	.415	.406	.427	.395	.471	.470
North Dakota	.296	.304	.291	.215	.331	.383	.393	.594
Ohio	NA	.215	.251	.275	.250	.304	.267	.272
Oklahoma	.006	.062	.092	.138	.209	.064	.064	.046
Oregon	.271	.329	.343	.337	.335	.283	.296	.293
Pennsylvania	.164	.192	.244	.300	.374	.408	.427	.444
Rhode Island	.204	.251	.180	.166	.202	.245	.096	.037

Table 1, continued

	1979	1980	1981	1982	1983	1984	1985	1986
South Carolina	.124	.129	.125	.112	.199	.299	.254	.177
South Dakota	.039	.047	.079	.083	.085	.111	.138	.209
Tennessee	.383	.427	.415	.422	.457	.418	.423	.419
Texas	NA	.040	.048	.045	.025	.017	.017	.017
Utah	.215	.210	.397	.423	.519	.565	.435	.309
Vermont	.051	.167	.221	.198	.277	.297	.282	.506
Virginia	.102	.114	.130	.154	.141	.116	.106	.104
Washington	.080	.092	.097	.147	.157	.164	.169	.147
West Virginia	.044	.110	.130	.134	.116	.095	.053	.043
Wisconsin	.509	.393	.440	.449	.495	.569	.553	.551
Wyoming	.058	.077	.092	.106	.063	.029	.169	.094
U.S. Average	.190[a]	.217	.238	.241	.282	.285	.280	.279

[a]Average is for the 40 states with available data.

Note: NA = Ratio is not available because of missing data on the numbers of paternities adjudicated and/or the numbers of nonmarital births.

Sources: U.S. Department of Health and Human Services, Office of Child Support Enforcement (1983 and 1987); U.S. Department of Health and Human Services, National Center for Health Statistics (various years).

stark contrast, the ratios for Arizona, Montana, New Hampshire, and Texas, are well below .10. These figures suggest that substantial improvement in paternity establishment is clearly feasible. If the states with the worst records did as well as those with the best, the national average would increase dramatically. On the other hand, even in the best states, there are only half as many paternities adjudicated as there are nonmarital births.

TRENDS IN RECEIPT OF CHILD SUPPORT ORDERS

Although the adjudication of paternity may have important social and psychological benefits for the child,[8] the usual motivation for the initiation of a paternity suit is to obtain child support from the father. Therefore, the percentage of families of never-married mothers who receive a child support award as well as the percentage who establish paternity is of interest. Furthermore, because the establishment of paternity is a necessary prerequisite for a child support award, the proportion of never-married mothers with awards provides a lower-bound estimate of the adjudication rate of nonmarital children. Although we cannot assume that lack of an award means that paternity has not been adjudicated, data from the previously cited Wisconsin study indicated that once paternity was established, the likelihood of an award was relatively high. Approximately 80 percent of the Wisconsin paternity sample received a child support award (Danziger, Nichols-Casebolt, and Nagatoshi, 1986).

Data on child support awards and payments received by potentially eligible families are available from the Bureau of the Census. In 1979,

1982, 1984, and 1986, special supplements to the March Current Population Survey (CPS) were initiated. Those interviewed were women 18 years of age and older who had children under the age of 21 whose father was absent from the household. Data were collected on receipt of child support and alimony and other demographic and income matters.

While the CPS is probably the most accurate national data source for child support information, it has several limitations. First, information on paternity establishment is not available, so we must use the receipt of a child support award as a proxy for adjudication. This will be an underestimate of the true adjudication rate. Second, we can only identify those nonmarital children who currently reside with a never-married mother. We have no way of identifying those children who were born outside of marriage but whose mothers subsequently married. Nor can we determine if they are more or less likely than those residing with never-married mothers to have paternity adjudicated. Also, restricting the sample to women age 18 or over excludes many unwed teen mothers. The most recent natality statistics indicate that approximately 16 percent of all births to unmarried women were to women under the age of 18 (U.S. Department of Health and Human Services, 1988). If, as is likely, teenaged mothers under age 18 have a lower probability of receiving child support orders, these data will overestimate the true percentage of child support orders among potentially eligible never-married families.

The survey also included some women who were not eligible for child support. The original sample contained some families in which the absent father was no longer alive. In other cases, because of the survey design, the eligible child in the household could be the

grandchild of the respondent rather than the child. To correct for these inclusions we have limited the sample for this analysis to those cases in which the absent father was still alive, the respondent was under the age of 55, and the age of the respondent's youngest child was under age 19. Unfortunately, there was no way to correct for the other deficiencies in the data.

The first row of Table 2 presents the time series on the proportion of never-married mothers who have child support awards. The entries indicate that there has been a significant increase in the percentage with child support orders. In 1979 only 8.3 percent of these families reported having a child support order in the previous year compared to 15.0 percent in 1986.[9] The trend in child support awards is consistent with the trend in the ratio of established paternities to nonmarital births and reinforces the notion that recent legislation has had a notable effect. The child support award figures, however, are even more discouraging than the figures for paternity establishment. While the 15 percent of never-married mothers who had child support awards as of 1986 is nearly twice the comparable figure for 1979, it is still a very small percentage. More than eight of ten children born out of wedlock remain legally unentitled to child support from their nonresident parent.

On the other hand, that only 15 percent of never-married mothers had child support awards in 1986 whereas the 1986 paternity adjudication ratio was .28 need not mean that a substantial gap exists between establishing paternity and securing a child support award. The former figure refers to the stock of never-married mothers in 1986, some of whom gave birth to their children up to 18 years previously, whereas the

Table 2

Characteristics of Families of Never-Married Mothers, 1979, 1982, 1984, 1986

Characteristics	1979 N=528	1982 N=702	1984 N=765	1986 N=826
1. Percentage with child support order	8.3	11.4	12.9	15.0
2. Percentage of mothers who head households	59.1	57.5	57.0	62.1
3. Region				
Northeast	21.0	18.5	20.7	25.7
Northcentral	22.9	23.6	19.6	26.4
West	16.7	15.5	19.3	15.7
South	39.4	42.4	40.4	32.2
3. Average age of mother	25.2	25.9	26.4	27.3
4. Percentage of mothers				
18-19 years old	20.3	14.7	12.8	10.5
20-25 years old	43.2	45.6	41.4	37.9
26 + years old	36.6	39.7	45.8	51.6
5. Percentage of mothers high school graduates	57.2	60.4	63.5	66.3
6. Percentage black	59.5	61.5	58.8	53.9
7. Percentage Spanish	10.0	7.5	11.0	10.0
8. Percentage of mothers employed	57.2	49.6	51.4	54.1
9. Percentage AFDC recipients				
Average all ages	57.2	51.3	47.3	47.2
18-19 years old	47.7	42.7	41.8	31.0
20-25 years old	60.1	54.4	51.1	54.0
26 + years old	59.1	50.9	45.4	45.5

Note: All employment and income data are reported for the previous year. For example, the 1979 survey asked respondents about their earnings and welfare receipt for 1978.

latter refers to the flow of paternities established in 1986. We will return to this issue at the end of our analysis.

CAN DEMOGRAPHIC CHANGE ACCOUNT FOR INCREASES IN AWARD RATES?

Although increases in the rate of paternity adjudications and subsequent child support orders may be attributable to changes in public policy, it is also possible that they are attributable to changes in the characteristics of women who are having children outside of marriage. Because we have limited data on the factors that may be related to the likelihood of never-married mothers receiving child support awards, we have used variables found in previous research to be associated with the receipt of child support payments for all eligible families.[10] To the extent that the probability of payment is related to the probability of an award, these same variables are also likely to be important determinants of the receipt of a child support award. The variables relevant to predicting receipt of an award for the never-married population include the mother's age, headship status, region of residence, race, education, and employment status.[11] In addition to these characteristics we assume that for never-married mothers being an AFDC recipient will be related to the receipt of a child support award. Although one might expect that if those with awards receive adequate child support payments they may be less likely to be welfare recipients, Wisconsin data have indicated that the majority of paternity adjudications are initiated by the welfare system (Nichols-Casebolt and Klawitter, in press). Thus, for families of never-married mothers, AFDC

may actually be related to a higher probability of receiving a child support award.

Rows 2-9 in Table 2 indicate that systematic changes have occurred in the demographic composition of families of never-married mothers. Never-married mothers were more likely to head their own households in 1986 than in previous years and they were less likely to reside in the South. In addition, there was a gradual increase between 1979 and 1986 in the age of the mothers and their probability of completing high school. While one might assume that this somewhat older and better-educated group of mothers would be more likely to be employed, the percentage of mothers in the labor force actually decreased between 1979 and 1986. This may, of course, be due to the fact that they have somewhat younger children and therefore higher child care demands. On the other hand, compared to 1979, a smaller percentage of these families reported receiving AFDC in 1986. One factor which may explain some of the decrease in AFDC recipiency is the increase in the percentage of those who received a child support payment.[12]

Changes over time in these demographic factors suggest that individual characteristics may well be a major contributor to growth in the percentage of cases with child support orders and, by implication, to higher rates of paternity adjudication. In particular, increases over time in the average age and education of the mothers, as well as a smaller percentage of minorities in the sample, are all likely to lead to an increase in the percentage of cases with orders.

To assess the effect of demographic changes, compared to changes in policy and practice, on the probability of receiving a child support order, a multiple regression model was utilized. The sample includes

all families of never-married mothers in the CPS survey across years. We do not have specific measures for policy or practice changes. However, the emphasis on issues of child support has increased steadily since 1979. Therefore, the sample year has been used as a proxy for these potential changes.

The results of this analysis are presented in Table 3. The dependent variable is a measure equaling 1 if the mother had a child support order and a 0 if she did not. Because the dependent measure is dichotomous, logistic regression was used. While the interpretation of logit coefficients is not straightforward (the interpretation is literally the log-odds of receiving an order), the coefficients do indicate the direction, the relative magnitude, and the significance of each variable on the probability that a mother will have a child support order.

It is evident from the results presented in Table 3 that demographic characteristics are important determinants of the likelihood of receiving a child support order. Of the 11 demographic variables entered into the equation, 9 of them are statistically significant predictors. Household heads, those living in the South, high school graduates, whites, employed mothers, and AFDC mothers are all more likely to get child support awards. Only the age of the mother and the age of the youngest child have statistically insignificant effects on the probability of having a child support award.

The significance of the coefficients on the 1984 and 1986 sample year variables indicates that, independent of demographic characteristics, the likelihood of child support awards among never-married mothers is influenced by the sample year. The relative

Table 3

Logit Regression of Receipt of Child Support Order on Demographic Variables and Sample Year

Characteristics	Coefficient	Standard Error
Head of household	.170*	.069
Region[a]		
Northeast	-.197*	.084
Northcentral	-.221**	.081
West	-.255**	.096
Age of mother	-.006	.005
Age of youngest child	-.006	.007
High school graduate[b]	.195**	.067
Black[c]	-.160*	.069
Spanish[c]	-.317*	.132
Mother employed[b]	.143*	.068
AFDC recipient[b]	.146*	.068
Sample year[d]		
1982	.176	.100
1984	.257**	.098
1986	.340***	.096
Constant term	3.838***	.165
Sample Size	2,821	

[a]Relative to South.
[b]Dummy variable with listed category equal to 1.
[c]Relative to white.
[d]Relative to 1979.

*significant at the .05 level; **significant at the .01 level; ***significant at the .001 level.

magnitude of the coefficients shows that the probability of an award has been increasing each year since 1979. That is, all else equal, the likelihood of a never-married mother having a child support award was greater in 1986 than in 1984, and the likelihood in 1984 was greater than in 1982. To see more clearly the effect of sample year on child support award rates we use the coefficients in Table 3 to derive a predicted probability of having an award in each of the sample years while keeping all other independent variables at the mean. The predicted probabilities presented in Table 4 indicate that the average family in our sample would have a 14 percent probability of a child support award in 1986, almost double the 7.6 percent probability in 1979. The predicted probabilities are very close to the unadjusted actual probabilities. This indicates that although the demographic composition of families of never-married mothers has changed and demographic characteristics affect the probability of obtaining a child support award, the changes in demographic composition have offset one another. Thus we conclude that the increase in child support awards is not attributable to changing demographics. These results lend considerable support to the premise that changes in policy and practice are having a positive effect on the likelihood that nonmarital children will receive a child support award.

IS THE AWARD RATE PICTURE FOR NEW CASES ANY BETTER?

Although the proportion of never-married families with child support awards has improved considerably over the years, the percentage of families with awards in 1986 is still very low. It is possible,

Table 4

Probability of Having a Child Support Award
in Each Sample Year

Sample Year	Predicted Probability of Having a Child Support Award, Controlling for Demographic Change[a]	Actual Probability Unadjusted for Demographic Change
1979	7.6%	8.3%
1982	10.5	11.4
1984	12.1	12.9
1986	14.0	15.0

[a]The predicted probabilities are estimated at the sample means of the other independent variables.

however, that the extent to which the system is improving may be underestimated by the 15 percent probability in 1986. The families in each CPS sample year contain never-married mothers with children whose ages range from 1 to 18. If improvements in establishing paternity and securing child support awards affect primarily new cases flowing into the system, which is suggested by a Wisconsin study which indicates that nearly all paternities are established within the first two years after birth (Danziger and Nichols-Casebolt, 1988), the proportion of paternities and child support awards established in new cases will be much higher than 15 percent. To see this, suppose that half the mothers in the 1986 sample had children who were born before 1979, another quarter had children born between 1980 and 1983, and a quarter were born between 1983 and 1985. Suppose further that the rate of securing child support awards for new cases entering the system was 8 percent for cases prior to 1980, 14 percent for cases between 1980 and 1983, and 30 percent for cases between 1983 and 1986. The average award rate in the 1986 CPS sample would then be equal to (1/2 x 8%) + (1/4 x 14%) + (1/4 x 30%), or 15 percent! That is, the average award rate for nonmarital children born between 1983 and 1986 would be 30 percent when the average award rate for the entire 1986 sample is only 15 percent. We test the hypothesis that children born in more recent years have a greater likelihood of having a child support order by entering the birth year of the youngest child in the family into the logistic regression. Because the CPS only includes the age of the youngest child at the time of the survey, we estimated the birth year by subtracting the reported age of the child from the sample year. In addition to birth year we included a variable that indicates if the child was age 1 or younger during the

survey year. This variable controls for the possibility that court lag time in processing paternity cases will decrease the likelihood of an order for very young children. We have also excluded from the sample children born in 1986 because all of these children would be age 1 or younger. The results of this analysis are presented in Table 5.

We can see from the coefficients on the birth year variables that, compared to those born prior to 1976, there is no consistent pattern of an increasing probability of a support order for children born in later years.[13] Although, as expected, children age 1 or under at the time of the survey are less likely to have an order, the coefficient on this variable is not significant. In addition, only one birth-year coefficient is statistically significant, suggesting that, overall, birth year has no effect on the receipt of an order. We can offer no explanation for the significance and size of the coefficient for the 1981 birth-year variable.

From these results we can draw three possible conclusions. First, increasing paternity adjudication rates are independent of increasing child support award rates; second, adjudication rates are higher for children born in more recent years, but they are less likely to result in a child support order; or, third, adjudication rates and subsequent receipt of orders are increasing for children of all ages.

Given the parallel trends across time in the proportion of adjudications and awards, the first explanation seems the least plausible. It is also the easiest to test. We estimated a third model which used the variation in the likelihood of paternity adjudication across cases to examine the cross-sectional association between adjudication rates and award rates. If cases with a greater likelihood

Table 5

Logit Regression of Receipt of Child Support Order on Demographic Variables and Birth Year of Youngest Child

Characteristics N=2687	Coefficient	Standard Error
Head of household	.185**	.070
Region[a]		
Northeast	-.190*	.087
Northcentral	-.220**	.084
West	-.248*	.098
Age of mother	-.008	.006
High school graduate[b]	.189**	.069
Black[c]	-.163*	.071
Spanish[c]	-.335*	.135
Mother employed[b]	.166*	.070
AFDC recipient[b]	.127	.071
Birth year of youngest child[d]		
1976	.213	.146
1977	.141	.144
1978	.097	.140
1979	.152	.133
1980	.115	.130
1981	.321*	.128
1982	.121	.133
1983	.064	.160
1984	.204	.151
1985	.178	.227
Age of youngest child younger than or equal 1	-.111	.104
Sample year[e]		
1982	.130	.108
1984	.212	.113
1986	.297*	.129
Constant term	3.821***	.183

Table 5, cont.

Note: Children born in 1986 are omitted from the sample.

[a]Relative to South.
[b]Dummy variable with listed category equal to 1.
[c]Relative to white.
[d]Relative to children born in 1975 or earlier.
[e]Relative to 1979.

*significant at the .05 level; **significant at the .01 level;
***significant at the .001 level.

of adjudication are more likely to have child support awards, this would suggest that the rate of paternity establishment is positively related to increases in awards. Because we do not have data on paternity adjudications among the CPS sample, this model utilized the ratios of adjudications to nonmarital births from Table 1 as a proxy for the likelihood that a case in our sample would have paternity adjudicated. For simplicity in interpretation, and because the ranking of state paternity adjudication ratios from high to low generally remained the same across years, an average ratio of adjudications to births from 1980-1986 was calculated for each state. States were grouped by this ratio into four "performance" categories (Table 6), and cases in the CPS sample were placed in the category which corresponded to their state of residence. These categories were entered as variables in the logistic regression model.

The results of this analysis, presented in Table 7, show that, net of all other characteristics, the higher the paternity adjudication ratio in the state, the greater the likelihood that the family will have a child support order. The probabilities shown in Table 8 indicate that in each of the sample years an average family living in a state in which there were ten times as many nonmarital births as adjudications would more than triple their likelihood of an order if they resided in a state where the ratio was over .35. For example, in 1986 an average sample family living in a state with an adjudication to nonmarital birth ratio of less than .10 would have a 6 percent probability of an order. Whereas that same family would have an 18.9 percent probability in a state with a ratio over .35. On the other hand, independent of the adjudication-to-births ratio, the probability of a child support award

Table 6

Ratio of Paternity Adjudications to Nonmarital Births, 1980-1986, States Ranked from Low to High

State	Ratio
Texas	.028
New Hampshire	.031
Montana	.039
Arizona	.050
Alaska	.054
Wyoming	.092
Idaho	.095
West Virginia	.095
Oklahoma	.096
Nebraska	.099
South Dakota	.110
Virginia	.123
Kansas	.132
Washington, D.C.	.136
Mississippi	.141
Washington	.142
Illinois	.150
New Mexico	.152
Colorado	.153
Louisiana	.156
Rhode Island	.161
South Carolina	.187
Nevada	.195
California	.214
Maine	.221
New York	.228
Iowa	.239
Hawaii	.248
Indiana	.252
Ohio	.263
Massachusetts	.272
Vermont	.285
Georgia	.287
Kentucky	.290
Arkansas	.297
Florida	.302
Oregon	.315
Minnesota	.333
Pennsylvania	.350
North Dakota	.364
Alabama	.386
Utah	.409
Tennessee	.426
North Carolina	.436

Table 6, cont.

State	Ratio
Delaware	.468
Maryland	.484
Wisconsin	.499
Connecticut	.509
New Jersey	.519
Missouri	.570
Michigan	.585

Table 7

Logit Regression of Receipt of Child Support Order on Demographic Variables, Sample Year and Paternity Adjudication Ratios

Characteristics	Coefficient	Standard Error
Head of household	.175**	.069
Region[a]		
Northeast	-.327***	.088
Northcentral	-.301***	.083
West	-.224*	.099
Age of mother	-.006	.005
Age of youngest child	-.007	.007
High school graduate[b]	.181**	.067
Black[c]	-.199*	.070
Spanish[c]	-.293*	.133
Mother employed[b]	.167**	.069
AFDC recipient[b]	.150*	.069
Sample year[d]		
1982	.184*	.101
1984	.266**	.099
1986	.348***	.096
State paternity adjudication ratios[e]		
.10-.20	.340*	.142
.21-.35	.530***	.135
Over .35	.645***	.139
Constant term	3.424***	.172
Sample Size	2,821	

Table 7, cont.

[a]Relative to South.
[b]Dummy variable with listed category equal to 1.
[c]Relative to white.
[d]Relative to 1979.
[e]These variables indicate the average ratio of paternity adjudications to nonmarital births for the years 1980-1986. The omitted category is less than .10.

*significant at the .05 level; **significant at the .01 level; ***significant at the .001 level.

Table 8

Predicted Probability of Having a Child Support Award
By State Categories of Ratios of Paternity
Adjudications to Nonmarital Births in Each Sample Year

State Ratio of Paternity Adjudications to Nonmarital Births	Predicted Probability of Having a Child Support Award By Sample Year			
	1979	1982	1984	1986
Less than .10	3.1%	4.4%	5.2%	6.0%
.10-.20	5.9	8.3	9.7	11.2
.21-.35	8.4	11.7	13.6	15.6
Over .35	10.4	14.3	16.5	18.9

Note: The predicted probabilities are estimated at the sample means of the other independent variables.

has almost doubled between 1979 and 1986, suggesting that all states have improved policies and practices to obtain orders for families of never-married mother.

SUMMARY AND POLICY IMPLICATIONS

The results presented in this paper strongly suggest that we are increasing the paternity adjudication rate among nonmarital children and, net of demographic changes in the eligible population, we are doing much better in obtaining child support awards for the families of never-married mothers. But a significant number of these children still do not have legally identified fathers or child support orders. Between 1980 and 1986 there were almost 5.3 million children born outside of marriage, whereas just over 1,380,000 paternity adjudications were reported during that same period. Even if one were to assume that 10 percent of all nonmarital children are not in need of adjudication because their parents marry or they are adopted, and that all the adjudications were for babies born during that period, 3.5 million, or 66 percent of all potentially eligible children born to unmarried women between 1980 and 1986, are without the legal basis for a child support award. It is not surprising, therefore, that the percentage of nonmarital children with child support awards is even more discouraging than the figures for paternity establishment. Although the award rate among never-married mother families almost doubled between 1979 and 1986--from approximately 8 percent in 1979 to 15 percent in 1986--it is still very low.

It must be kept in mind, however, that these data do not capture the effects of the most recent legislation. Both the 1984 Child Support Amendments and the 1988 Family Support Act increase the emphasis on child support enforcement and the establishment of paternity for nonmarital children. As states respond to these new laws, one would expect to see significant growth in adjudication rates and subsequent child support awards for nonmarital children. On the other hand, given past public policy experience, it is apparent that more than legislation is needed to make a meaningful change in this area. For the last twenty years laws have been promulgated to facilitate the establishment of paternity and child support awards, yet, for families of never-married mothers, the performance of the current system is dismal at best.

Information is limited on why the child support system is relatively ineffective for families of never-married mothers. What little we know suggests that the primary incentive for paternity adjudication is short-term financial benefits to the child, and in many cases neither the mother nor IV-D program officials believe there is much to be gained (Kohn, 1987).

Several reports on state child support programs have noted that cases involving the establishment of paternity are frequently assigned a low priority because they are believed to be expensive and time-consuming.[14] The burden of first having to establish paternity usually makes these cases more costly to process than divorce cases. In addition, the negative perception of the fathers in paternity cases as young, financially unstable, and less willing to pay child support leads to the conclusion that these cases will result in lower child support awards and increased enforcement costs. As a further deterrent to

focusing on nonmarital cases, state IV-D programs receive federal incentive payments based on their total child support collections. This incentive plan effectively encourages states to target those cases they believe to have a greater potential for child support payment. The focus on immediate financial contributions from the father also provides minimal incentive for the unmarried mother to pursue paternity if she believes the father cannot currently pay child support.

Unfortunately, the focus on short-term benefits ignores the fact that eligibility for child support extends at least until the child reaches the age of 18. Research has shown that the likelihood of paternity adjudication drops dramatically as the child ages (Danziger and Nichols-Casebolt, 1988). Thus, without the early establishment of paternity, the child may be denied his or her right to benefits when the father's circumstances change. In addition, while the prevalent attitude may be that paternity cases are not cost effective, a study of paternity cases in three jurisdictions concluded that these cases begin to pay off within three years. There was also some evidence that payment performance in paternity cases is no worse than in nonpaternity cases in the AFDC caseload (U.S. Department of Health and Human Services, 1985).

The widespread belief that in the majority of cases paternity cannot be established conclusively and thus will be an unnecessary waste of resources is another impediment to the success of the system. This belief is unfounded. First, there is no evidence to suggest that most cases would be contested by the alleged father. In fact, the previously cited study found that between 60 and 90 percent of the alleged fathers voluntarily acknowledged paternity (U.S. Department of Health and Human

Services, 1985). Second, recent technological advances have increased both the cost-effectiveness and the reliability of blood tests. Through the use of these tests, jurisdications can dramatically increase the likelihood of establishing paternity.

The belief that paternity adjudication rates, and subsequent child support orders, can be increased significantly is substantiated somewhat by state-level data. In 1986, the ratio of paternities established to nonmarital children born ranged from a low of .03 in one state to a high of .59 in another. And, never-married mothers who reside in states that do better in establishing paternity are significantly more likely to have child support awards. Although investigating why there is such variation across states goes beyond the scope of this paper, there is some suggestion that it is due to differences in policy and practice rather than differences in the characteristics of families of never-married mothers. A comparison of paternity adjudication ratios between what one might consider to be similar states lends support to this suggestion. For example, in 1986 South Carolina had a ratio of .18, whereas North Carolina's ratio was .47, and New York had a ratio of .22 compared to New Jersey's ratio of .55. In addition, Michigan, the state with the highest average ratio across years, has consistently been lauded for its aggressive stance in the child support area.

Changing perceptions about the ability to adjudicate paternity and about the costs and benefits of paternity adjudication and child support enforcement for families of never-married mothers may be less the issue, however, than changing attitudes toward nonmarital children and their parents. There appears to still be ambivalence about the right of the nonmarital child to a legal relationship with his or her father. This

is evident in the judicial system: some judges believe that paternity cases should not be treated like divorce cases in terms of the father-child relationship (University of Southern California, 1979). It is evident in the child support system: the cost of establishing a legal relationship is thought to be reason enough for not pursuing paternity adjudication. And it is evident among the parents themselves: paternity is rarely adjudicated unless the mother is an AFDC recipient. Until all parties involved are willing to view nonmarital children as having the same rights to paternal relationship is as to children born to married couples' and until it is accepted that fathers have the same obligation to support their nonmarital children, as they do to support their legitimate offspring, the system will continue to be less effective for families of never-married mothers than for their ever-married counterparts.

Notes

[1]There do not appear to be any national research studies which examined the effects of changes in legislation on paternity adjudication rates and subsequent receipt of child support awards. One state level research study in this area is Danziger, Nichols-Casebolt, and Nagatoshi, (1986).

[2]Most studies on potentially eligible child support families merely include marital status as a control variable. One notable exception to this is Beller and Graham (1986), in which they ran separate regressions for ever-married and never-married families. However, sample size limitations precluded their examining trends over time.

[3]For each fiscal year after 1991, the state's paternity establishment percentage (PE%) must equal or exceed: (1) 50 percent, (2) the State's PE% for FY 1988 increased by 3 percentage points for each fiscal year between FY 1990 and such fiscal year, or (3) the PE% for all States for such fiscal year. The PE% for a State is obtained by dividing the number of nonmarital children receiving AFDC or IV-D services, and for whom paternity has been established, by the number of nonmarital children on AFDC.

[4]The Child Support Enforcement Program has been required by federal statute to submit a report to Congress every year since 1976. This report includes state financial and program data. For the most recent published report, see U.S. Department of Health and Human Services, Office of Child Support Enforcement, Washington, D.C. (1987).

[5]The most recent data on births in the U.S. is available in U.S. Department of Health and Human Services (1988).

[6]Some states still do not record the marital status of the mother on the birth certificate. However, since 1980, the Center for Health Statistics has assigned marital status based on the last names of the parents and child.

[7]Owing to missing data the ratios for 1979 pertain to only 40 states. If the national averages across years are limited to those 40 states, the picture changes very little. For example, in 1986, the national average for the 40 states reporting in 1979 is 30%, compared to 28% for all the states.

[8]See for example, Wattenberg (1987) and Nichols-Casebolt (1988).

[9]These figures are somewhat different from those reported by the Census Bureau because of the previously described adjustments made in the sample, however the trends are comparable.

[10]Although the Beller and Graham study cited earlier estimated the probability of an award for never-married mother families, only one of their predictors was significant for this group. Therefore, we have used variables from Robins and Dickinson (1985).

[11]Several of the characteristics identified in the research on all eligible families are applicable only to those mother's who have been previously married. They include such variables as length of the marriage and number of marriages prior to the last marriage ending in divorce.

[12]In 1979 6.8 percent of never-married mothers received child support payments; in 1982, 1984, and 1986 the percentages were 7.4, 10.1, and 11.3.

[13]We also ran an alternative regression model which grouped birth years into four categories (birth year prior to 1976; 1976-1979; 1980-1982; and 1983-1984) but the results were not appreciably different.

[14]See for example, U.S. Department of Health and Human Services (1986); and U.S. Department of Health and Human Services (1985).

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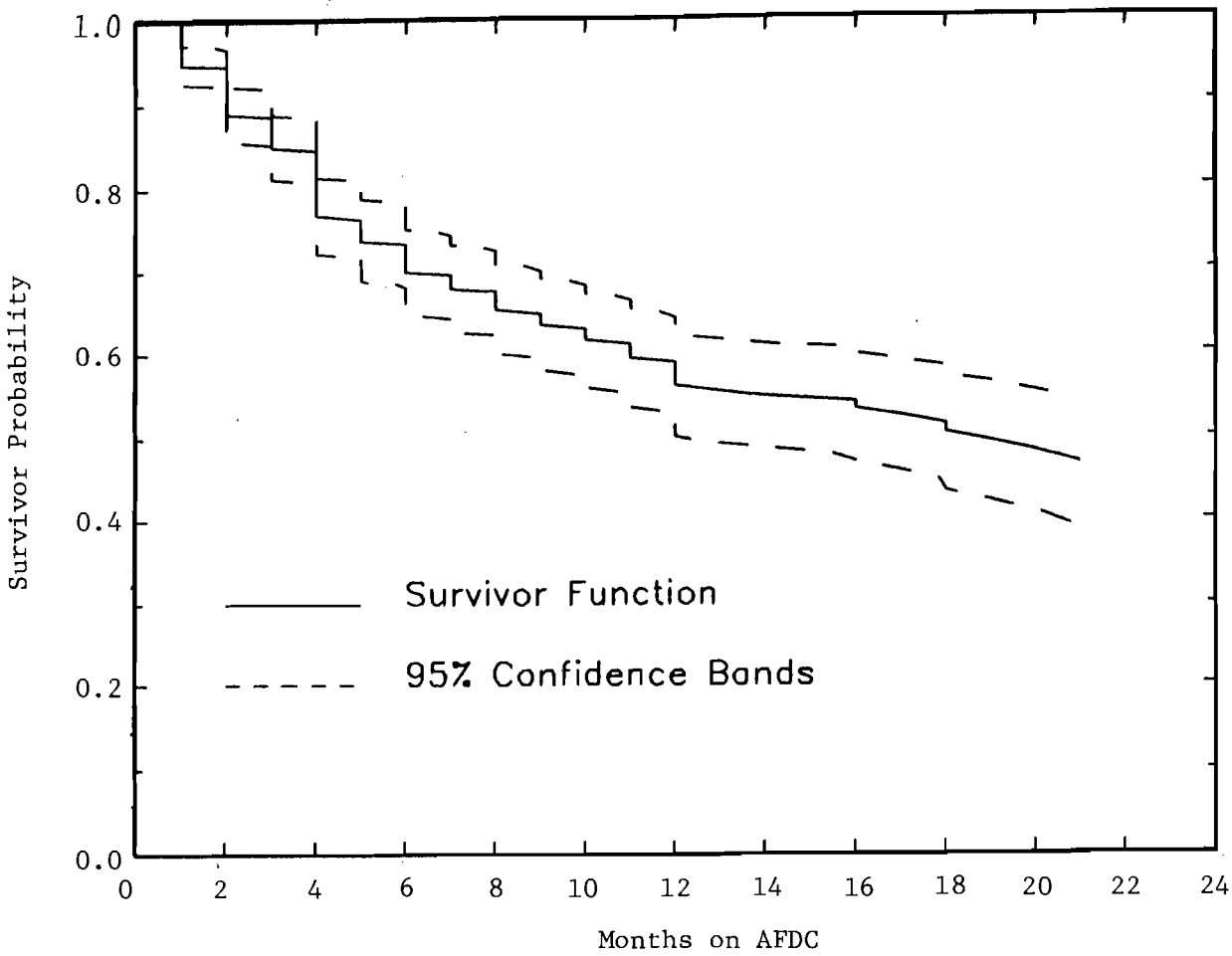


Figure 1

Survivor Function: All Races

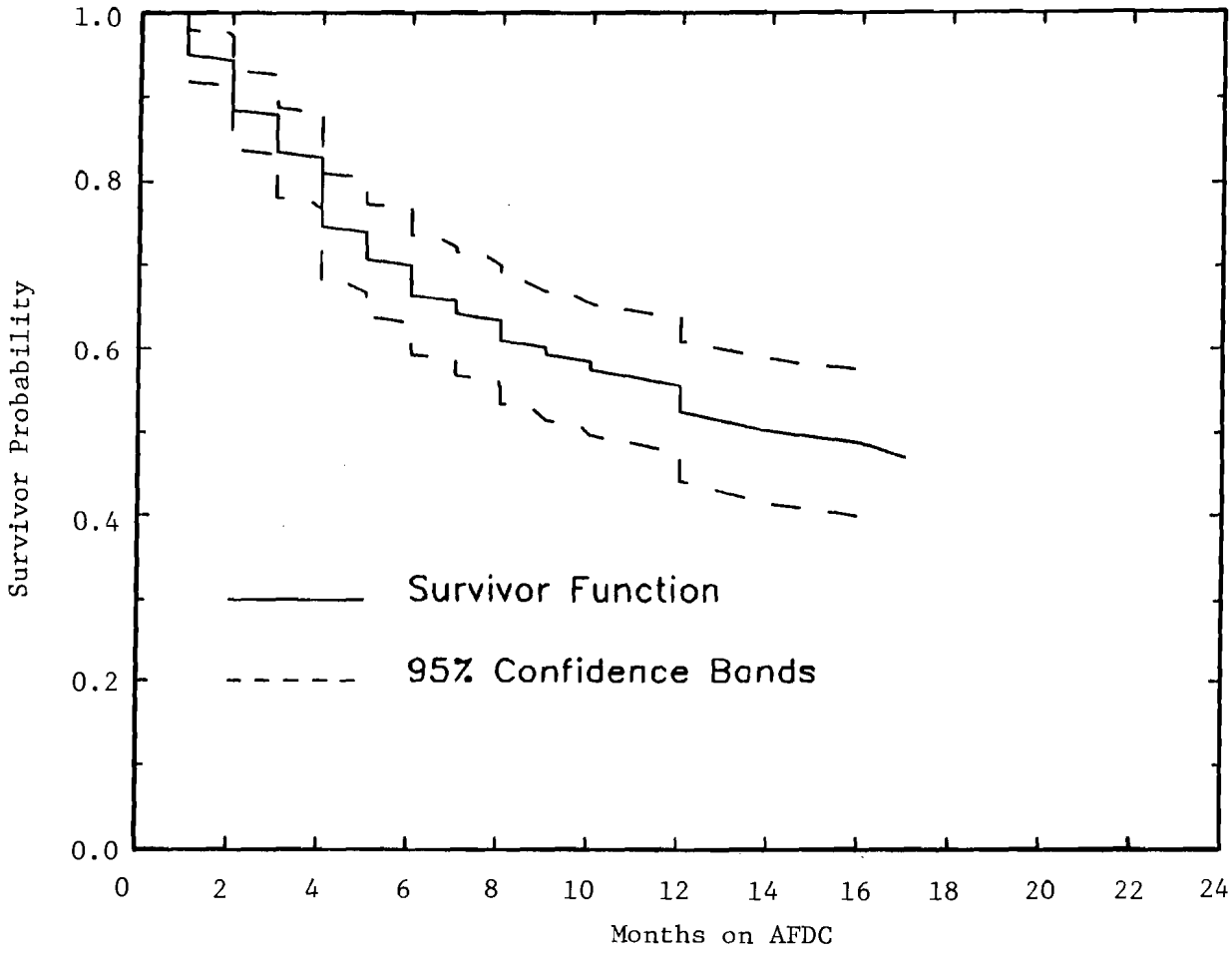


Figure 2

Survivor Function: Whites

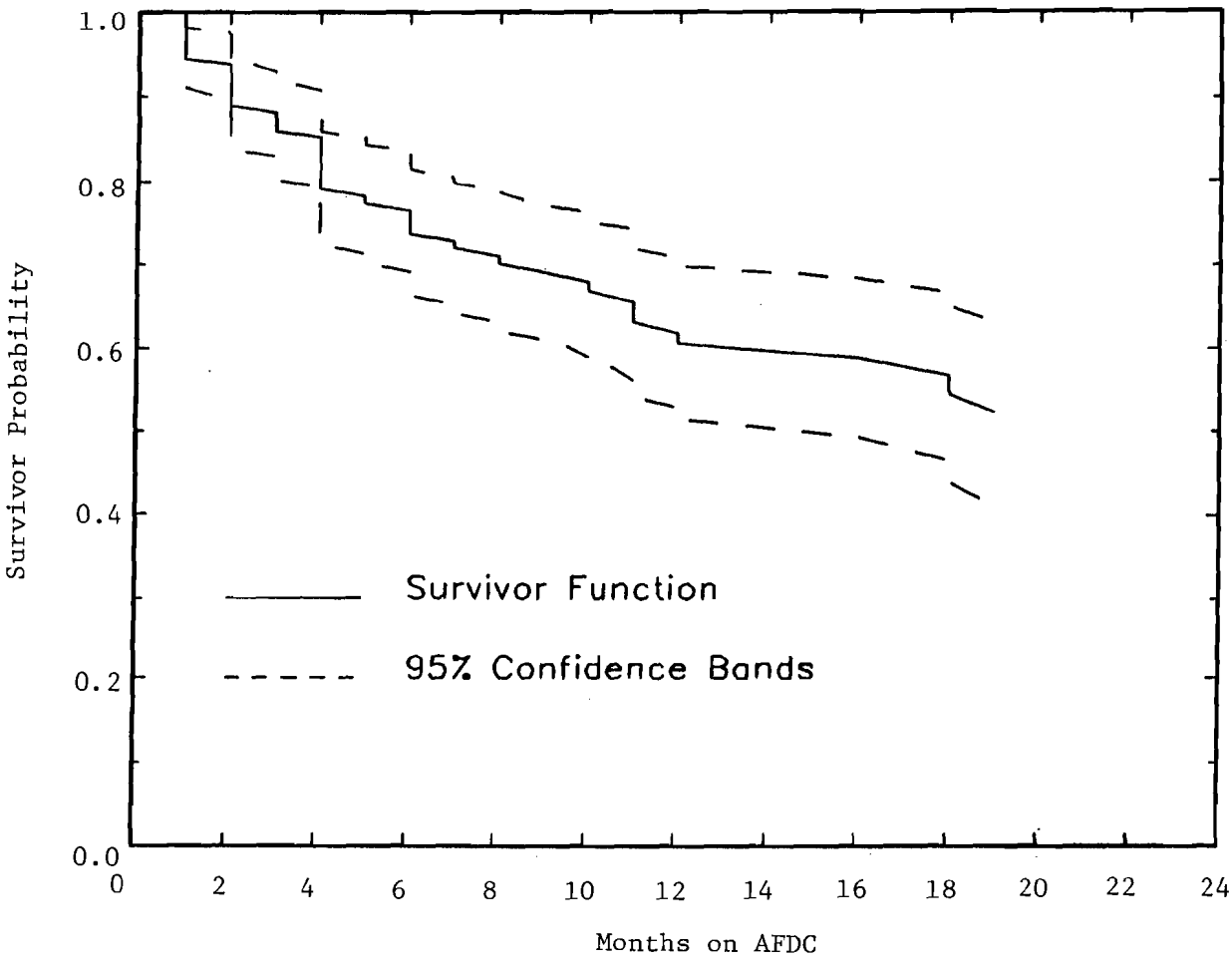
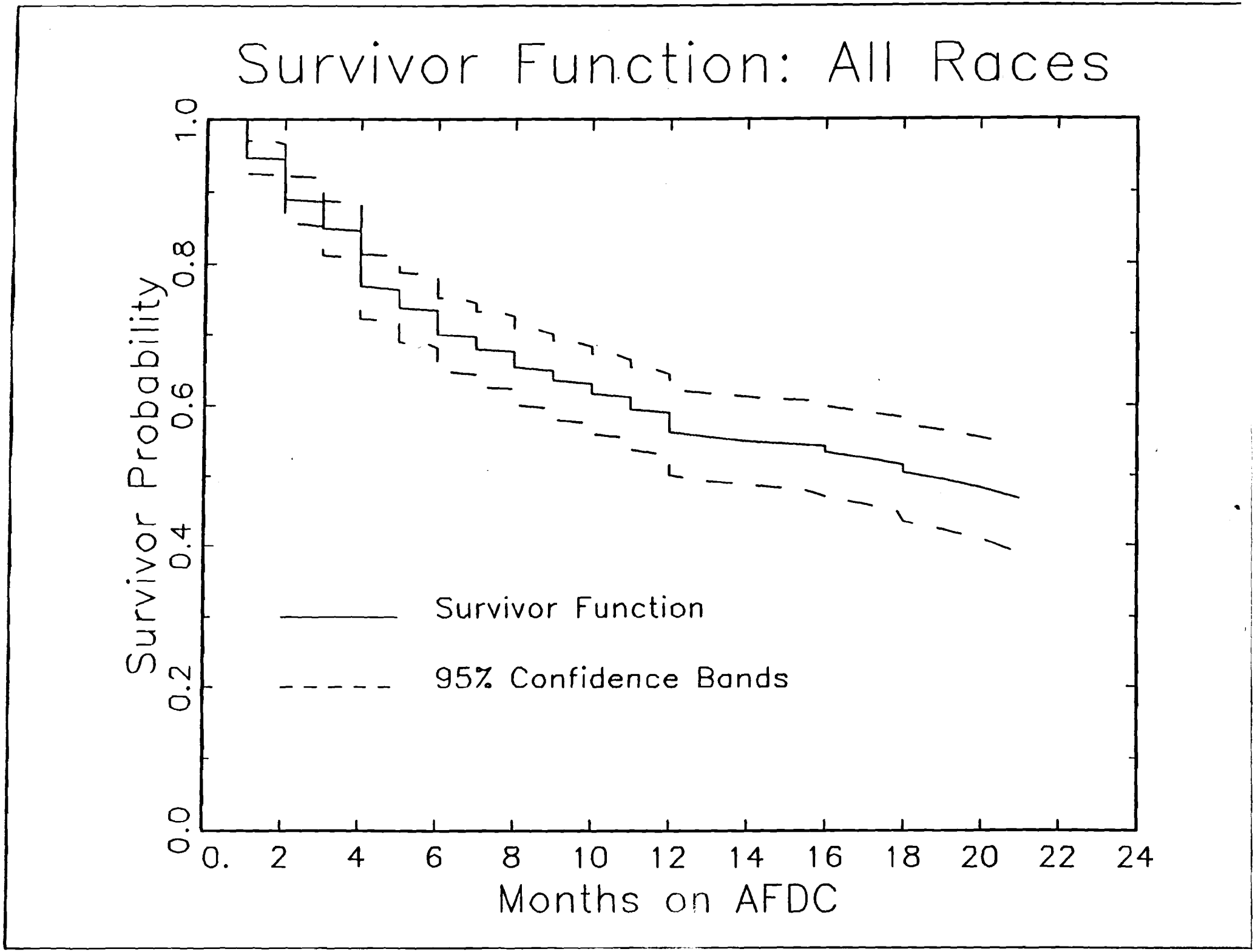


Figure 3

Survivor Function: Blacks

Figure


Survivor Function: All Races
Survivor Probability
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0.8
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Survivor Function
95% Confidence Bands
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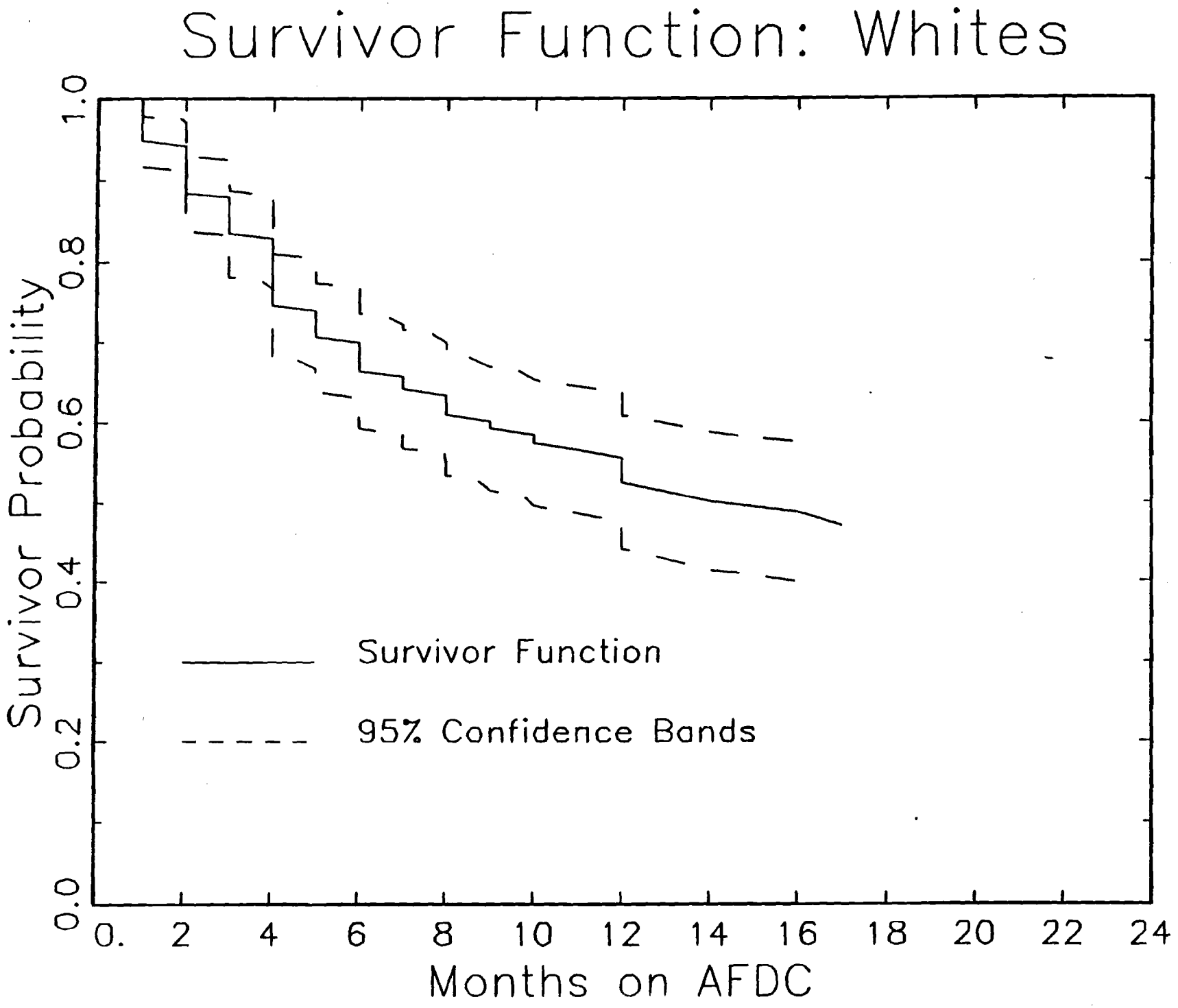
Months on AFDC

Figure 2


Survivor Function: Whites
Survivor Probability
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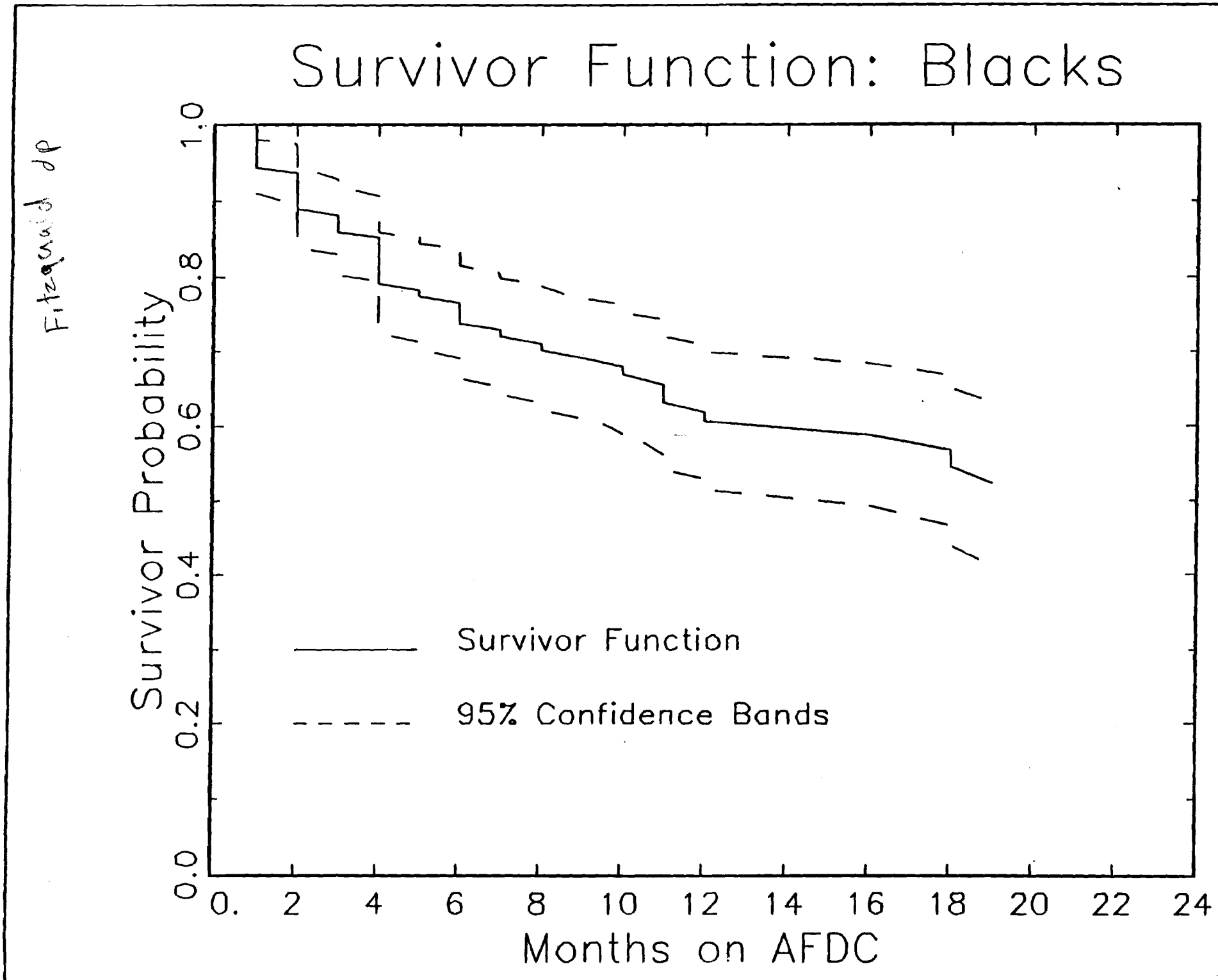
Months on AFDC
Survivor Function
95% Confidence Bands

Figure 3


Survivor Function: Blacks
Survivor Probability
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Survivor Function
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Months on AFDC