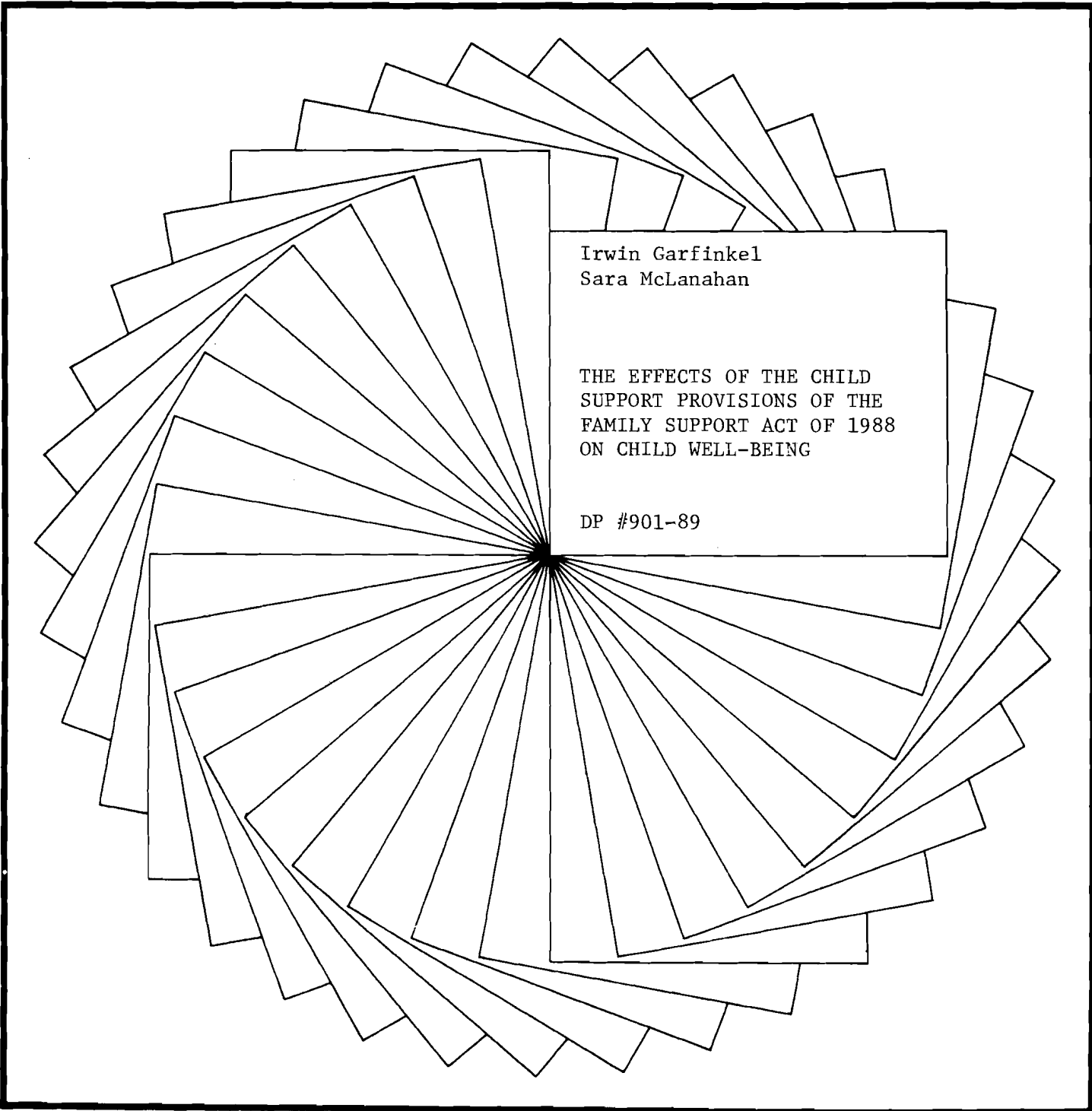

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SUPPORT PROVISIONS OF THE
FAMILY SUPPORT ACT OF 1988
ON CHILD WELL-BEING

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**The Effects of the Child Support Provisions of the
Family Support Act of 1988 on Child Well-Being**

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Abstract

The provisions for child support reform in the Family Support Act of 1988 are likely to have a large impact upon the well-being of children eligible for child support, a group expected to include half of the children in the country. The reform is expected to increase child support payments and thereby reduce the economic insecurity and poverty of children who live apart from a parent. It is also expected to lead to increased contact between nonresident parents and their children which may also enhance child well-being. This paper reviews the child support system in the United States, summarizes the empirical research that has been carried out on children from disrupted families, analyzes the impact that the Family Support Act may have on child well-being, and discusses the key variables that should be measured as well as the most promising sources of data to evaluate child support reform.

The Effects of the Child Support Provisions of the Family Support Act of 1988 on Child Well-Being

I. INTRODUCTION

A key feature of the Family Support Act of 1988 is a set of provisions for child support reform. These provisions are aimed at rationalizing the current child support system by increasing the proportion of eligible children who have awards, by developing guidelines for determining the size of the awards, and by strengthening procedures for collecting the money owed. While much of public attention has focused on the work provisions in the Family Support Act, the child support provisions may turn out to have a greater impact on child well-being. Currently, about 25 percent of all children in the United States are potentially eligible for child support, in that they have a parent living apart from the family.¹ According to recent estimates, over half of all children born during the past decade will be eligible at some point before reaching the age of 18.² Thus, changes in child support will have implications for over half of all children in this country. Conversely, the work provisions in the Family Support Act are relevant only for families who will receive welfare, less than a quarter of all children.³

One might also argue that the child support provisions will be more lasting than the work provisions. As we shall show below, the child support provisions are part of a broad trend that began during the mid-1970s and has strong bipartisan support, whereas attitudes toward requiring welfare mothers to work have shifted many times in the history of public assistance and are highly controversial at this time. We

believe that the increasing number of married mothers working outside the home lends considerable force to the new set of work provisions. Yet, there continues to be widespread resistance from both the left and right to requiring welfare mothers to work.⁴ Finally, whereas the work provisions allow for considerable local discretion in implementing work requirements, child support reform appears to be moving toward more universal principles. While one cannot be sure that this pattern will continue, the progress thus far has been impressive.

This paper examines the potential impact of child support reform on the long-term social and economic well-being of children. The new provisions are expected to lead to increases in child support payments which, in turn, should reduce the poverty and economic insecurity of children who live apart from a parent. The first big question about the effects of the Family Support Act, therefore, is how big will the increases in child support payments be?

Increased child support payments in turn are likely to lead to increased contact between nonresident parents and their children. We hypothesize that on average the increased contact will lead to improvements in child well-being. Thus, two additional questions are: (1) Will increased child support payments increase contact between the nonresident parent and the child? and (2) Will increased contact lead to further increases in child well-being, above and beyond the increases due to greater economic security?

Increased contact between the nonresident parent and child will also lead to greater contact between the two parents, which may generate conflict. This leads to the final critical question for evaluating the effects of the child support provisions of the 1988 Family Support Act:

Will greater contact between resident and nonresident parents generate conflict and thereby reduce child well-being?

The outcomes we have chosen to focus upon in this paper are not by any means exhaustive. Other consequences of child support reform of interest to policymakers are the effects on the labor supply, remarriage, and welfare dependence of both resident and nonresident parents. Each of these also could affect child well-being. Each is worthy of investigation. Elsewhere, we have described how these outcomes must be studied in a comprehensive evaluation of child support reforms.⁵ Because other effects of child support reform hinge upon changes in payments, any evaluation must begin with the effects on payments. Our rationale for focusing on changes in visitation and custody rather than changes in labor supply, remarriage, or welfare dependence is that we think the former are likely to be ignored in evaluations unless their potential effects are highlighted. Finally, we ignore the new children of parents obligated to pay child support because of space limitations and because they are generally better off than children eligible for child support.⁶ A comprehensive evaluation of the effects of child support reform on child well-being, however, must include children in the new families of nonresident parents.

The paper is divided into five parts. This introduction constitutes Part I. Part II provides a brief review of the child support system in the United States and the role of the Family Support Act of 1988 in changing that system. Part III contains an overview of the empirical research on children from disrupted families, including children living with divorced and separated parents as well as children

born out of wedlock. Most of these children are eligible for child support, and the new provisions in the Family Support Act are expected to directly affect their economic status. It is important, therefore, to know something about the long-term prospects of these children and the extent to which their overall well-being is determined by economic factors. In Part IV, we analyze the potential impact of the Family Support Act on child well-being broadly defined. Here we examine the different mechanisms for increasing child support payments and evaluate their potential effect in the light of existing research. In addition to examining the direct effect of increased payments on family income, we discuss how the provisions are expected to alter nonresident parent-child relationships and parental relationships. Finally, Part V of the paper discusses specific research issues for evaluating child support reform, including key variables that should be measured and potential sources of data.

II. THE FAMILY SUPPORT ACT: BACKGROUND AND PROVISIONS

The child support provisions of the Family Support Act of 1988 continue a decade and one-half trend toward enacting increasingly strong legislation to enforce the payment of child support. During this time--long in the lives of those who have witnessed it, but short in terms of twentieth-century American history--the child support system has taken giant strides away from a system best characterized by judicial discretion and toward the bureaucratic regularity characteristic of our social insurance and personal income tax systems.

Prior to 1975, child support was nearly exclusively a state and local matter. State laws established the duty of nonresident parents to pay child support but left all the details up to local courts.⁷ Judges had the authority to decide whether any child support should be paid and, if so, how much. They also had full authority over what to do if the nonresident parent failed to pay. Jail was the ultimate punishment for failure to pay.

Critics of the old system claimed that it condoned and therefore fostered parental irresponsibility, that it was rife with inequity, and that it contributed to poverty and welfare dependence.⁸ In 1979, the U.S. Census Bureau began gathering data on child support every other year. The first Census study indicated that slightly more than one in three nonresident parents paid some child support.⁹ Either way, this was a dismal record. The details of the study revealed weaknesses at every step in the child support process. Only six of ten mothers potentially eligible for child support had child support awards. (Only one of ten never-married mothers had legal entitlement to support.) Among mothers with legal awards, about half received the full amount to which they were entitled, and over a quarter received nothing. Few argued with the judgment that the system condoned parental irresponsibility. Other studies documented alleged inequities. Child support awards for children and parents in similar economic circumstances varied widely.¹⁰ Whereas most nonresident fathers paid no child support and suffered no consequences, thousands were sent to jail.¹¹ And poor nonresident fathers who were legally obligated to pay child support were required to pay a substantially higher proportion of

their incomes than middle- and especially upper-income nonresident fathers.¹² Finally, nearly half of single mothers and their children were poor and dependent on welfare.¹³

The critics suggested many specific reforms. The common element of virtually all of these suggestions was to replace judicial discretion with bureaucratic regularity. This tendency is most clearly articulated in the proposal to add to our menu of social security programs a new Child Support Assurance System (CSAS).¹⁴ Under the CSAS, nonresident parents are required to share their income with their nonresident children. More specifically, (1) nonresident parents are required to pay a fixed proportion of their annual income as determined by simple legislative guidelines; (2) the amount owed is withheld from wages and other sources of income just as income and payroll taxes are withheld from wages; and (3) the government guarantees a minimum level of child support to the child and custodial parent just as social insurance guarantees a minimum pension to all eligible recipients. It is remarkable how far the country has moved in the last five years toward implementation of the guidelines and withholding components of CSAS. There is no stronger evidence of the steady movement away from judicial discretion to bureaucratic regularity.

Federal interest in child support reform grew as the caseload of the Aid to Families with Dependent Children (AFDC) program grew and shifted from orphans to children with living absent parents. Although the first federal legislation to enforce child support was enacted in 1950, and although additional bills were passed in 1965 and 1967, the establishment of the Office of Child Support Enforcement in 1975 was a

particularly significant piece of legislation. The new law required all states to establish state offices of child support enforcement, and it provided federal reimbursement for about three-quarters of each state's enforcement costs. That is to say, the 1975 act created the public bureaucracy to enforce the private child support obligation.

The 1975 legislation provided federal matching funds for child support enforcement services for children who were not on welfare as well as for AFDC recipients, and it required states to provide services to nonrecipients upon request. Yet federal funding for nonrecipients was made available to the states only through 1976. After a series of temporary extensions, in 1980 Congress permanently extended federal support for child support services to all children potentially eligible for private child support, irrespective of income and AFDC status.

The Child Support Enforcement Amendments of 1984 moved the nation modestly toward two of the three key components of a new child support assurance system by requiring states to adopt numeric child support guidelines which courts could use to determine child support obligations, and by requiring them to withhold child support obligations from wages and other income of nonresident parents who become one month delinquent in their payments of child support. The 1984 bill also took an extremely cautious step in the direction of assuring a minimum child support benefit by directing the Secretary of the Department of Health and Human Services (DHHS) to grant the state of Wisconsin a waiver that would allow it to use federal AFDC monies to help fund an assured child support benefit.¹⁵ Finally, the 1984 bill contained two minor provisions relating to paternity establishment: one permitting paternity

to be established up until the child's eighteenth birthday, and the other encouraging states to develop expedited processes for establishing paternity, i.e., administrative or bureaucratic procedures rather than judicial procedures.

The 1988 Family Support Act immensely strengthened the 1984 guidelines and withholding provisions. While the 1984 amendments allowed the courts to ignore the guidelines, the 1988 legislation makes the guidelines the presumptive child support award. Judges may depart from the guidelines only if they construct a written justification which can be reviewed by a higher court. Furthermore, the Family Support Act requires that by 1993 states review and update child support awards of Title IV-D cases (those being handled by the Office of Child Support Enforcement) at least every three years and directs the DHHS Secretary to study the impact of requiring periodic review of all child support cases. With respect to routine income withholding, the 1988 legislation requires withholding of the child support obligation from the outset for all IV-D cases as of 1990, and for all child support cases as of 1994. As mentioned earlier, the previous legislation (1984) had required withholding only in cases of delinquency.

The Family Support Act also strengthens paternity requirements. It requires states (1) to either establish paternity in at least half of the out-of-wedlock cases on AFDC or increase the proportion of such cases in which they establish paternity by three percentage points each year; (2) to obtain the social security numbers of both parents in conjunction with the issuance of birth certificates; and (3) to require all parties in a contested paternity case to take a genetic test upon

the request of any party, with the federal government paying 90 percent of the cost of the test.

In addition to these major provisions, the Family Support Act contains some other notable changes. Whereas the 1984 Child Support Act urged states to expedite procedures for establishing paternity, the 1988 legislation further exhorts them to simplify paternity establishment by setting up a civil process for voluntarily acknowledging paternity and a civil procedure for determining paternity in contested cases. Further, whereas the 1984 statute urged states to develop demonstrations of more efficient techniques to enforce child support when the father was in a different state, the 1988 statute makes it more financially attractive for states to undertake such demonstrations and also establishes a federal advisory council to make recommendations for future legislation on interstate child support enforcement.

This brief review of the details of several of the key child support enforcement provisions of the Family Support Act of 1988 and their historical context makes it very clear that the Act's child support provisions do not represent a sharp break with the immediate past, but rather intensify a fifteen-year trend. The implication for the evaluation of these child support reforms is profound. Because the child support enforcement system has been changing slowly, we expect that (1) the effects also will take place gradually over time, and (2) the effects of any particular change will be much smaller than the effects of the overall change. The first implies that the effects should be measured over five- and ten-year periods. The second implies that an evaluation of the effects of strengthening the child support

system should seek to measure the overall change as opposed to the change in any one component. (The latter point is discussed in more detail in Part IV.)

III. RESEARCH ON CHILDREN IN DISRUPTED FAMILIES

Whether child support reform will improve the well-being of children depends upon whether children who live apart from a parent are in fact worse off than other children, and, if so, whether lack of child support is a cause of their disadvantage. Interestingly, academic as well as public perceptions of how family disruption affects children have undergone several revisions during the past three decades. In the 1950s and most of the 1960s the prevailing view was that divorce and out-of-wedlock births were harmful to children, in part because family instability was indicative of parental pathology that was transferred from generation to generation, and in part because the absence of a male role model was viewed as detrimental to children's psycho-sexual development. Much of the research at this time was based on highly selective samples, such as children being treated for psychological disorders or those who were wards of the criminal justice system. Thus it is not surprising that personal failure rather than structural factors or family income appeared to account for the disadvantages associated with growing up in a single-parent family.¹⁶

This perception began to change in the early 1970s, as evidenced by Elizabeth Herzog and Cecilia Sudia's lengthy review of the research on children in "fatherless families."¹⁷ The authors challenged earlier

interpretations of the relationship between family structure and children's well-being and showed that existing studies of mother-only families contained serious methodological flaws. In particular, they argued that many of the differences between one- and two-parent families could be explained by differences in race and socioeconomic status as opposed to differences in family culture or individual traits.

The Herzog and Sudia review offered a new perspective on single motherhood which, together with a changed political climate in which black families and nonmarried mothers of all races were viewed more positively, stimulated new studies focusing on the "strengths" of mother-only families, that is, the ways in which single mothers coped successfully with poverty and stress. Despite Herzog and Sudia's assertion that the absence of a father did have some negative consequences for children, their methodological critique was taken by many as evidence that differences between one- and two-parent families were minimal or due entirely to differences in social class.

More recently the academic community has moved away from the rather simplistic pathological and idealizing perspectives that prevailed during the 1970s, and a number of researchers have begun to reexamine the consequences of divorce and single parenthood with a more critical eye. Unlike earlier work, many of the recent studies are based on large, nationally representative surveys, some of which have longitudinal designs. Moreover, in addition to examining the immediate effects of divorce on children, which was characteristic of earlier studies, the more recent work has followed children through adolescence

and into young adulthood. Thus we now know something about both the immediate and long-term consequences of family disruption.

The new research indicates that children who grow up in mother-only and stepparent families are disadvantaged not only during childhood but during adolescence and young adulthood as well. Moreover, the negative consequences associated with family structure extend across a wide range of outcomes, many of which are directly associated with long-term economic insecurity and dependence. We know, for example, that children from single-parent and stepparent families are more likely to drop out of high school and less likely to attend college than children from intact families.¹⁸ Not surprisingly, these children have lower earnings in adulthood and are more likely to experience unemployment and poverty than other children.¹⁹

They are also disadvantaged with respect to the formation of their own families.²⁰ Children from single and stepparent families are more likely to marry and have babies while in their teens, and they are more likely to give birth out of wedlock than children from two-parent families. Those who marry are more likely to divorce. Consequently, daughters who grow up in such families are at greater risk of becoming single mothers themselves and of having to rely on welfare for their economic support than daughters who grow up with both natural parents.²¹ Finally, offspring from mother-only families are more likely to commit delinquent acts and to use drugs than are offspring from two-parent families.²²

In addition to demonstrating a negative association between single parenthood and children's attainment, several conclusions can be drawn

from the literature on the intergenerational consequences of family disruption. First, the effects of living in single-parent or stepparent families appear to be constant across a variety of racial and ethnic groups. Recent studies have shown that family disruption is associated with lower attainment among whites, Blacks, Mexican Americans, Puerto Ricans, Cubans, and Native Americans, although the effects are somewhat more negative for whites.²³ Second, children living with single fathers do not appear to be very different from children living with single mothers. Most important perhaps, remarriage does not reduce many of the disadvantages associated with family breakup, even though step-families have more income than single-parent families. Whether this is due to a lack of commitment on the part of the stepparent, or to a rejection of the parent on the part of the child, or to the stress arising from multiple transitions is not clear. But the evidence that remarriage itself is not a solution to all of the problems associated with family disruption has important policy implications.

What are the central mechanisms underlying the relationship between family instability and children's lower attainment, and, more important, which of these mechanisms are potentially affected by child support reform? At present two major hypotheses are relevant.²⁴ The first of these attributes lower attainment to economic deprivation. According to this view, family disruption reduces the economic resources available to children, and, in particular, children's access to the resources of the nonresident parent. This, in turn, affects the characteristics of offspring as well as their future opportunities. Economic deprivation may lead a child to assume an adult role early,

curtailing his or her education in order to contribute time and money to the household. Daughters with limited opportunities may see marriage and parenthood as a means of escaping hardship and establishing an adult identity.

The empirical evidence lends considerable support to the economic deprivation hypothesis. We know, for example, that mother-only families have much higher poverty rates than two-parent families and much lower median family incomes. In 1985 the poverty rates were 46 percent and 9.3 percent for the two family types, and median incomes were \$13,660 and \$31,100.²⁵ We also know that family disruption causes a decline in family resources. During the first year after divorce, women's incomes drop by about 30 percent.²⁶ For children born to never-married mothers, the income loss is more difficult to measure, since many of these mothers were living in poor families to begin with. However, it is reasonable to assume that the average expected income of children born to unwed mothers would have been higher had their parents married and remained together.²⁷ Finally, we know that income is the single most important factor in accounting for differences in the attainment of children in one-parent and two-parent homes. Differences in family income account for between 25 and 50 percent of the differential risk of dropping out of high school and for about 25 percent of the differential risk of premarital birth.²⁸

The second hypothesis for the lower attainment of children from one-parent and stepparent families stresses the importance of the socialization process. According to this view, family disruption (or nonmarriage) affects parent-child relationships by undermining parental

control and interfering with the transmission of parental values and expectations. A number of factors are involved in this process. First, in a one-parent family, a smaller quantity of parental time is available to children. Father's time is reduced because he does not live in the household, and mother's time may also be reduced because she has the dual roles of parent and breadwinner. Second, the quality of parent-child relationships is different in single-parent families. This occurs for several reasons. First, parents under stress are known to be less consistent and reasonable in their demands.²⁹ Second, single parents have less power over their children, either because the child can play one parent off against the other, or because the mother has less support. Finally, conflict or hostility between the parents undermines children's perceptions of their parents and may undermine the internalization of parental values.

The empirical evidence is consistent with the socialization hypothesis, although the effects of socialization on child well-being are weaker than the effects of family income. With respect to the quantity of time invested in children, recent estimates suggest that between 35 and 50 percent of children who live only with their mothers do not see their fathers at all and less than 20 percent see their fathers at least one day per week.³⁰ Similarly, analyses of time-use data indicate that single mothers spend less time with their children, primarily because they are more likely to work outside the home.³¹ Not surprisingly, single parents are less likely to supervise their children's social activities and to monitor their school work.³² There is also evidence both that mother-child relationships are less

hierarchical in mother-only families than in two-parent families and that single mothers are more likely to use "authoritarian" parenting styles (as opposed to "authoritative" styles).³³ Finally, there is considerable evidence that ongoing conflict between the parents is harmful for children's postdivorce adjustment.³⁴ Altogether these findings lend substantial support to the notion that single mothers have less power over and less influence on their children than parents in two-parent families.

Studies that confine themselves to the impact of divorce have found considerable evidence that children in single-parent families are exposed to somewhat different parenting practices from children whose parents remain married. It is not clear, however, that these differences are due entirely to the divorce itself. Furthermore, even if we knew for certain that divorce caused changes in parental behavior, it is not clear that the latter are critical in determining children's long-term well-being. While theory (and most small studies) indicates that having a good relationship with the nonresident father is an important predictor of children's postdivorce adjustment,³⁵ at least one large-scale study has raised serious questions about this assumption. Frank Furstenberg and his colleagues found that neither the quantity of father-child contact nor the quality of the father-child relationship was related to children's school achievement.³⁶ As these authors note, none of the fathers in their sample met all of the criteria for "high parental involvement," which may explain why contact with the father didn't matter very much. The significance of the father-

child relationship after divorce is an important issue for future research.

IV. THE POTENTIAL IMPACT OF CHILD SUPPORT REFORM

This section of the paper discusses the potential consequences of child support reform for child well-being. In discussing the effects of the new law, we focus on three intermediate outcomes: increases in child support payments, increases in father-child contact, and increases in parental contact and possible conflict. Increases in payments are by far the most important factor, since the relationship between family income and children's long-term economic well-being has been clearly established. Increases in father-child contact are believed to have benefits for child well-being, although the evidence for this is mixed. Finally, increases in parental contact may lead to greater parental conflict, which could reduce children's well-being and offset some of the gains from increases in payments and father-child contact.

A. Increases in Payments

The Family Support Act of 1988 solidifies a consistent fifteen-year trend which substantially strengthens several key components of the old child support system which was woefully inadequate. Thus, it is reasonable to expect a large increase in both child support payments and the incomes of children potentially eligible for child support. Conversely, there are some who argue that legislation will not really change anything.³⁷ If, as some allege, nonresident fathers cannot

afford to pay any more child support than they currently pay, it is hard to see how reforms will lead to substantial increases in payments.³⁸ The evidence on ability to pay suggests otherwise. Donald Oellerich, Irwin Garfinkel, and Philip Robins compared actual child support payments in 1983 (\$6.8 billion) to an estimate of maximum potential payments (\$28.0 to \$32.4 billion) under a perfect child support regime in which all eligible children had awards, all awards were established and updated according to either the Colorado or Wisconsin child support guidelines, and payments were equal to awards.³⁹ The gap between current payments and maximum payments was quite large--ranging from \$21.2 billion to \$25.6 billion. In short, nonresident fathers can afford to pay substantially more child support than they currently pay, which means that the potential for increases in child support enforcement dollars is quite large.

Whether the 1988 Family Support Act will actually succeed in increasing child support payments by a substantial amount is difficult to predict, since very little research bears directly on the question. For the most part, we must rely upon informed inferences. We begin by examining separately the likely effects on payments of the three main thrusts of the Act: increasing paternity establishment, mandating guidelines, and mandating routine income withholding. We conclude this section by comparing the potential magnitudes of the various reforms and showing how the various reforms reinforce one another.

Increasing Paternity Establishment. In response to incentives and prodding from the federal government, states are doing much better in establishing paternity than they did only a decade ago. The proportion

of paternities established to out-of-wedlock births doubled between 1975 and 1985--from 14 percent to 28 percent.⁴⁰ A doubling of any rate within a single decade is a big change. On the one hand, the trend suggests that the Family Support Act of 1988 is likely to lead to substantial improvements in the establishment of paternity and therefore in the proportion of cases with child support awards.

On the other hand, it may not. Not all unmarried mothers want a child support award. Of those without awards in 1985, 42 percent indicated they would prefer not to have an award. Another 50 percent said they have no award because the fathers of their children cannot be located.⁴¹ These data suggest that unless new incentives are created for mothers to establish paternity and unless the process begins earlier, there will not be much improvement in the proportion of cases in which paternity is established.

An assured child support benefit would create an incentive for unwed mothers to establish paternity. How strong the effects of such an incentive would be is not known at this time. The state of Wisconsin has not yet begun its assured benefit pilot program. Although New York state has started piloting an assured benefit, it is too early for results. Moreover, the New York benefit is limited to children who live in families with sufficiently low income to be eligible for welfare. Therefore it is unlikely to serve as an incentive for mothers not on welfare. Early establishment of paternity would also increase the number of children with child support awards, since the proportion of unwed mothers who continue to have a relationship with the father of their

child declines over time. At this point, no research has been done on the efficacy of earlier establishment of paternity.

Because the prognosis for improvement in the establishment of paternity hinges on efforts to begin earlier and to ensure the cooperation of the mother, and because we have no data on the likelihood and effects of these changes, it is difficult to predict how big any effects will be. About all that seems certain at this point is that some improvement will occur. The rate of improvement will probably be slow for some time to come and will depend ultimately upon whether legislation continues to change the system from judicial discretion to bureaucratic regularity.

Likely Effects of Guidelines on Child Support Payments. The effects of the numerical guidelines for establishing and maintaining adequate levels of child support are less ambiguous than the paternity provisions and should lead to substantial increases in child support payments. As mentioned earlier, all but a few states have adopted numerical guidelines similar to those of Wisconsin or Colorado. If these guidelines had been used to determine all current awards, and if all awards had been kept up to date, child support payments in 1985 would have totaled between \$19.6 billion and \$16.7 billion, respectively, rather than the current \$9.7 billion.⁴²

Since courts are permitted to depart from the guidelines if the outcome is deemed to be unfair to any of the parties, it is possible that this loophole will be used to undermine the intent of the law. Equally important, there may be a great deal of slippage in updating child support awards. The new federal law requires states to update

awards every three years. Updating every third year rather than annually is expected to reduce average award levels by about 5 percent.⁴³ A more serious concern is that, as yet, the updating applies only to IV-D cases. Whether this provision will be extended to all child support cases depends upon future legislation. Perhaps the most serious concern is that the courts will find the updating so burdensome and costly that they will refuse to comply. In the past, laws made it very difficult to revise child support awards in order to avoid overburdening the courts.⁴⁴ How burdensome and costly it will be to update child support awards will depend in large measure upon the complexity of the numerical guidelines and the extent to which the updating procedures can be handled administratively.⁴⁵ Under the best of circumstances some administrative costs will be associated with updating. At this point, we have no way of knowing whether these costs will be sufficient in many jurisdictions to deter the effort.

Skeptics might also note that the average real value of child support awards has decreased between 1978 and 1985 by 25 percent.⁴⁶ In the 1979 Current Population Survey Child Support Supplement, the average child support award was for \$2003. In 1985, it was \$2495. Adjusting for inflation, the average award in 1985 was worth only \$1683. This does not necessarily indicate a decline in child support awards between 1978 and 1985, however, since, in each survey, all women who have children under the age of 21 who are potentially eligible for child support are interviewed. Therefore, in each survey, the child support awards had been made between one and twenty years earlier.

An understanding of the causes of this decline, however, leads us to believe that child support will provide more protection for children in the future.⁴⁷ First, a good deal of the decline in real payments was due to the failure to update awards. Second, the most important factor in accounting for the decline was the increase in resident parents' earnings. Because mothers work so much more than they used to, the ratio of women's to men's earnings has increased substantially during the past twenty years. Many courts consider the income of both resident and nonresident parents in establishing child support. Therefore the proportion of their incomes that men are required to contribute to child support has declined. Finally, the composition of those eligible for child support awards has changed over time so that paternity cases make up a larger proportion of the total.

In short, the average real value of child support awards has decreased in the last decade because awards have not been updated, because the ratio of women's to men's earnings has increased, and because nonresident parents with less ability to pay have been brought into the system. The guidelines in the Family Support Act of 1988 address the first two problems. As noted above, updating is required for all IV-D cases. Moreover, the standards being used to determine child support obligations will increase awards even in families where the resident parent has substantial earnings.⁴⁸ The third factor--a shift in the composition of children with awards--is a sign of progress rather than a problem. To the extent that the country succeeds in increasing the proportion of children with child support awards, the average size of an award will continue to decrease. This is so because the ability

to pay is clearly lower among nonresident parents currently not required to pay than it is among those with child support obligations. On balance then, there is good reason to believe that the new child support standards and updating of awards required by the 1988 Family Support Act will substantially increase the average level of child support awards. But previous differences between laws on the books and laws in practice suggest that the implementation of the 1988 legislation should be monitored carefully.

Evidence of Effects of Routine Income Withholding on Child Support Payments. Wisconsin began piloting routine income withholding in 1984 in ten counties. An evaluation of the experience in these ten pilot counties and ten matched comparison counties suggests that routine withholding increased child support payments by between 11 percent and 30 percent.⁴⁹ The lower-bound estimate⁵⁰ suggests that routine income withholding would increase national child support payments by \$.7 billion while the upper-bound estimate suggests that the increase would be equal to \$2.0 billion.⁵¹ Although even the upper-bound estimate is only a fraction of the gap between actual and potential payments--\$25 billion--neither of the two figures is trivial in absolute terms.

It is important to note that the increase in child support payments resulting from routine income withholding will also take place slowly over time. States have until 1990 to implement withholding for IV-D cases and until 1994 to implement withholding for all child support cases.

The Relative and Cumulative Effects of Paternity, Guidelines, and Withholding. Total child support payments depend upon three elements:

(1) the proportion of children potentially eligible for support who actually have child support awards; (2) the size of the child support awards; and (3) the proportion of awards that are actually paid. Paternity establishment affects the first element, guidelines the second, and routine withholding the third.

In order to achieve substantial gains in child support payments, all three elements must be improved. Estimates indicate that increasing the proportion paid to 100 percent of the amount owed without increasing either the proportion with awards or the size of awards would increase payments by only \$2.9 billion. Increasing the proportion with awards to 100 percent without increasing either the size or the proportion paid would increase child support by 150 percent or \$4.4 billion. Increasing the size of awards to those prescribed in the Wisconsin percentage-of-income standard without increasing either of the other two components would increase payments by \$6.5 billion.⁵²

These estimates are useful for putting the different components of reform into proper perspective. For example, the reform that has gotten the most media attention is routine income withholding. Yet the estimates above indicate that, by itself, increasing the payment rate has the least potential for increasing child support payments.

Even more important, the estimates indicate the need to improve all parts of the system at once. If child support awards were established in all cases, if the amount of awards was based on reasonable standards (and updated), and if all that was owed was paid, child support payments in the United States would increase by \$25.6 billion. This is nearly twice the sum of the improvements gained by

perfecting each element by itself. Here is a case where the whole is greater than the sum of the parts. An improvement in any element makes an improvement in any other element more efficacious.

B. Increases in Father-Child Contact

In addition to having a direct effect on children's economic well-being, child support reform is also expected to increase the amount of time fathers spend with their children. As noted in the previous section, one of the explanations of the lower socioeconomic attainment of children from single-parent and stepparent families, compared to children in two-parent families, is that the father-child relationship is much weaker.

There are several reasons for expecting that changes in the child support system will lead to changes in father-child relations. First, paying child support may increase the amount of satisfaction a father experiences from spending time with his children and therefore increase his desire for visitation.⁵³ Given the importance of the breadwinner role in defining a "good father," it is likely that fathers who pay support feel better about themselves and better about their children than fathers who avoid paying support. Those who pay nothing or who pay irregularly are likely to avoid contact with their children, if only because such contact reminds them of their failure to perform their social duty.⁵⁴ Second, child support reform will also increase fathers' incentive to spend time with their children. According to Yoram Weiss and Robert Willis, one reason nonresident parents resist paying support is that they have no control over how their money is spent.⁵⁵ If this

is so, increases in payments should increase visitation between children and nonresident fathers if only so the fathers can monitor the mothers' expenditures.

Furthermore, as child support becomes more universal and awards become substantially higher, fathers' visitation rights will be strengthened. Obligations are normally linked to rights. One of the principal claims of fathers' rights organizations today is that nonpayment of child support is a response to a mother's refusal to let the father spend time with the child.⁵⁶ Some legislation has already been passed to strengthen fathers' access rights (e.g., Michigan now jails mothers who refuse access as well as fathers who refuse to pay child support), and there is likely to be more.

In addition to increasing the amount of visitation time, child support reform may affect both residential and legal custody arrangements. By securing joint residential custody, fathers can legitimately reduce their child support obligations. By securing sole residential custody, they eliminate it entirely and are entitled to child support from the mothers of their children. To the extent that child support reform increases child support payments, therefore, the incentive for fathers to obtain joint and sole residential custody will increase. Increases in either joint or sole residential custody of fathers will increase the time they spend with their children and presumably decrease the time that mothers spend with the children.

Child support reform should also increase the proportion of fathers who request and obtain joint legal custody. This should occur for reasons similar to those outlined above. First, the redistribution

of parental financial responsibility from mothers to fathers implies a similar redistribution of legal custodial rights. Whereas for the past century mothers have had the stronger claim on custodial rights, fathers' rights have been increasing during the past two decades. While child support reform is not responsible for the shift in fathers' rights, it is compatible with such a shift and will most likely strengthen the current trend. Second, as mentioned earlier, increasing payments will increase fathers' motivation to monitor the expenditure of child support dollars, and joint legal custody is one way of increasing fathers' decision-making power vis-à-vis the mother. We should note that some people believe that fathers will use joint legal custody not only as a means of controlling expenditures but as a way of reducing the amount of their child support obligation. If this is true, joint legal custody may have a negative feedback effect on child support awards and payments.

What can the empirical literature tell us about the relationships among child support, visitation, and custody? And what are the implications for child support reform? To answer the first question, numerous studies have found that paying child support and visitation are complementary activities, that is, fathers who pay child support are more likely to spend time with their children.⁵⁷ This relationship persists even after controlling for differences in socioeconomic characteristics such as parental income, education, length of marriage, and number of children, and it appears to grow stronger over time. With respect to legal custodial arrangements, Judith Seltzer has found that custody has no effect on the average size of payments once social class

is taken into account.⁵⁸ Fathers with joint legal custody pay more support than fathers without custody because the former have more resources than the latter. In sum, this research indicates that fathers are not using legal custody as a way of avoiding support, at least not those fathers who currently have joint custody.⁵⁹

No existing research demonstrates cause and effect relationships between payments, visitation, and custody. David Chambers suggests that fathers who pay support and visit their children regularly may simply have a stronger commitment to their family than fathers who fail to provide either economic or emotional support.⁶⁰ Whether child support reform can increase such a commitment remains to be seen.

C. Parental Contact and the Potential for Conflict

The arguments presented thus far emphasize the potential positive effects of child support reform. Increases in payments are expected to improve the economic status and security of mother-only families, which in turn should improve children's socioeconomic achievement. In addition, increases in payments, and anticipated increases in payments, are expected to strengthen father-child relations by increasing the amount of time fathers spend with their children and by increasing fathers' decision-making roles in child rearing.

Not everyone views child support reform in such a positive light. Some critics argue that increasing the amount of awards and strengthening collection will lead to greater parental conflict which, in turn, will reduce children's well-being. According to this view, divorced (or never-married) parents will not be able to carry out their

co-parenting activities without expressing the conflicts and hostilities that led them to separate in the first place. If this is true, joint custody and increases in father-mother contact may undermine the positive effects obtained from greater economic security and increased father-child contact.

There are several reasons for expecting contact between parents to increase. First, visitation and joint residential custody require parents to coordinate schedules and make arrangements for the father to pick up and return the children. Similarly, joint legal custody requires parents to discuss major decisions regarding their child's education as well as social activities. Thus increases in father-child contact imply increases in parent-parent contact which, if the parental relationship is negative to begin with, may reduce child well-being. Even in cases where the parents' relationship is not negative, forcing parents to cooperate when their individual interests diverge may lead to higher levels of conflict.

Does increased parental contact lead to increased conflict? The best evidence to date on this topic comes from a longitudinal studies by Eleanor Maccoby and Robert Mnookin, who have been following 1000 families who divorced during 1984 and 1985.⁶¹ Based on their analysis of a subgroup of families in which father-child contact was high (an average of at least 4 hours per week), they reached the following conclusions: (1) about 33 percent of parents who have a good deal of contact with one another also have high levels of conflict; (2) postdivorce conflict is strongly associated with initial level of parental conflict; and (3) custodial arrangements (sole-mother, joint

custody and dual residence), are not related to levels of conflict. Conflict in joint custody and dual-residence families is just as high (but no higher) than conflict in sole-mother custody families. On the other hand, by increasing the incentive for fathers to obtain joint or sole residential custody of their children, the child support reforms are likely to increase custody disputes.

While parental conflict is indeed an undesirable outcome, there are reasons for expecting the new child support reform to reduce conflict overall. To the extent that the current system encourages parental irresponsibility and to the extent that judicial discretion results in a considerable amount of horizontal inequity, the system itself may be said to increase uncertainty and parental conflict. Nearly all fathers know someone in similar economic circumstances who is paying less support and nearly all mothers know someone with the same needs and assets who is receiving more support. To the extent that the current system itself contributes to parental conflict, recent reforms may actually reduce hostilities. Thus while greater parent-parent contact increases the potential for conflict, and while more custody conflicts are likely to arise, the shift toward a more rationalized child support system should reduce conflict.

V. EVALUATING CHILD SUPPORT REFORM

This section discusses issues in evaluating the child support provisions of the Family Support Act of 1988. The section begins with a brief summary of the model that underlies the evaluation design and a recapitulation of what we view as the key variables that should be

measured. Although many of these variables could be taken either from official records or from survey data, we argue that the best strategy is to build upon existing surveys by selectively supplementing these data with both additional questions and some official record collection. Since we believe that the full impact of child support reform will occur over a number of years, it is essential that the data used to evaluate reform also extend over a period of time. This would mean using both longitudinal surveys and repeated cross-sectional surveys. Ideally, we would like to have baseline data on payments and other child support behavior from at least the early 1980s which could then be compared with payments and behavior through the mid to late 1990s.

A. The Model

Figure 1 presents a picture of our model for evaluating child support reform. Changes in child support laws--the box at the extreme left-hand side of the picture--start the whole process. The changes increase the proportion of potential children with awards, the average level of awards, and the proportion of awards that are paid. The total increase in child support payments is much larger than the independent effects of each of the components.

Increases in child support payments affect child well-being. In Figure 1, child well-being is at the extreme right-hand side of the

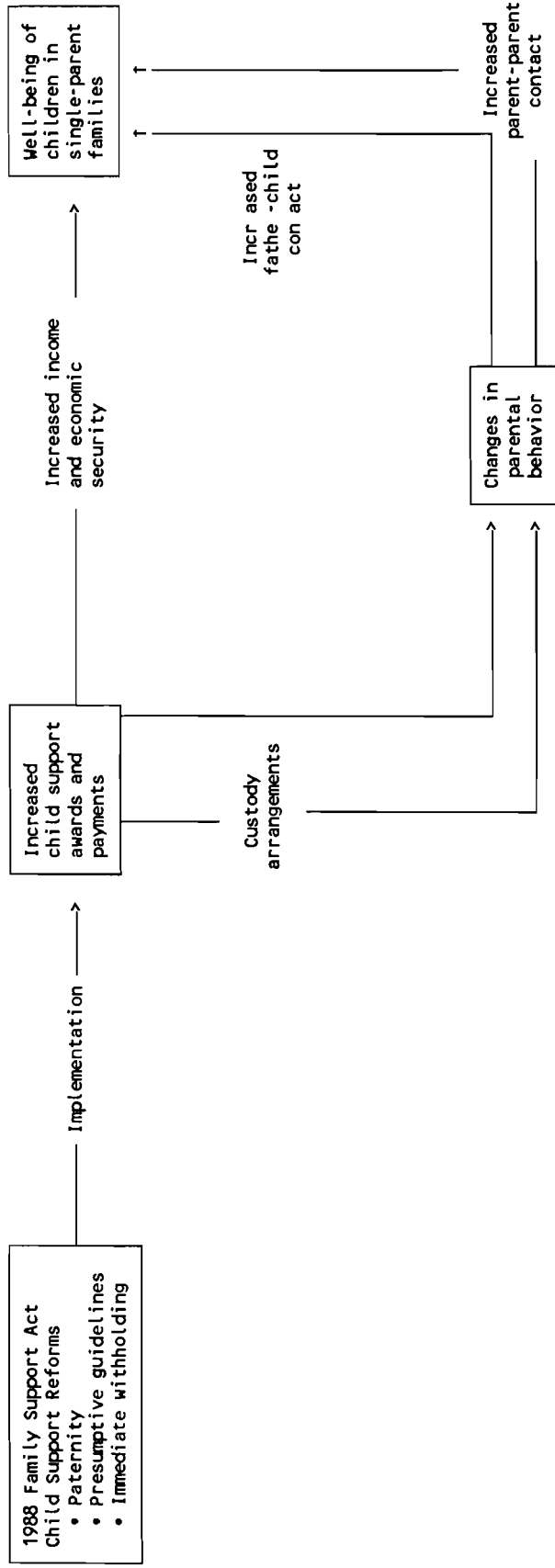


Figure 1. Model for Evaluating Child Support Reform

picture. The effects of child support payments on child well-being follow two routes. One is direct. Increased payments lead to increases in children's income. The second route is indirect and operates through the effect of increased payments on changes in the behavior of nonresident and resident parents. For example, we hypothesize that nonresident parents will spend more time with their children as a result of paying more child support. On average, this should improve child well-being.⁶² On the other hand, increases in the time nonresident parents spend with their children should increase contact between the parents (former spouses) which, assuming that parental conflict is high, could be harmful to child well-being. To the extent that legislative guidelines and more routine income withholding reduce conflict between the parents, increases in contact should have no negative consequences for children. Finally, child support reform also affects residential and legal custodial arrangements which, in turn, alter parent behavior and parent-child relationships.

B. Variables

The key variables in our model are (1) receipt of an award (whether a child with a nonresident parent has an award); (2) legal and physical custody agreements; (3) amount of the original award and whether payments are automatically withheld from earnings; (4) level and stability of payments; (5) amount of contact between the nonresident parent and the child, and quality of the parent-child relationship; (6) amount of contact between the resident and nonresident parents and the quality of the parent-parent relationship; and (7) indicators of child

well-being. The latter include measures of school achievement, such as grades, attendance, cognitive test scores, etc., and measures of social and psychological adjustment.

A critical problem for the evaluation will be to identify and isolate the effects of changes over time in other variables which may affect the outcome variables identified above. For example, increases in women's labor force participation may affect custody patterns and father-child relations independent of changes in child support enforcement. Thus, the variables used in the evaluation will need to be extended beyond those listed above.

C. The Major Data Sets

The strategy we recommend for evaluating the effects of the child support provisions of the Family Support Act of 1988 is to utilize existing nationally representative data sets and to selectively supplement these data collection efforts. The following discussion focuses on three data sets: the Child Support Supplements to the March Current Population Survey (CSS-CPS), the National Survey of Families and Households (NSFH), and the National Longitudinal Survey of Youth, Child Survey (NLSY-Child). Each of these data sets has unique advantages; and while no one of them is perfect, together they will enable us to identify changes in key variables and relationships between the variables in our evaluation model. Upon reflection, other data sets may be even better suited for some parts of the evaluation.

The Current Population Survey (CPS). The March CPS is a nationally representative sample of 50,000 households which gathers

information on income and demographics. Beginning in 1979 and continuing biannually since 1982,⁶³ the March Current Population Survey has been used to develop a sample of mothers with children potentially eligible for child support. These mothers are reinterviewed about their child support status in April of the same year, and the two files are merged. The Child Support Supplement, which contains 3500 mothers, includes questions about whether the mother was initially awarded child support. If the answer is no, she is asked to explain why; if the answer is yes, she is asked about the amount of payments due in the previous year and the amount actually paid. In addition, there are questions about child support services received.

The major advantages of the CPS-CSS are its large sample size, its long baseline data series of cross sections, and its detailed information on awards and payments. Irwin Garfinkel and Philip Robins have recently begun using the CPS-CSS to evaluate the effects of the 1984 Child Support Act.

A major weakness of the CPS-CSS survey is its limitation to children who live apart from their fathers. Eventually this design will vitiate its usefulness for evaluating the effects of child support reforms on child support payments. To the extent that one of the consequences of the child support reforms is that the number of children living with their fathers and apart from their mothers increases, the CPS-CSS sample will become increasingly unrepresentative of children potentially eligible for child support. For this reason, we recommend that the CPS-CSS sample be extended to include children who live apart from their mothers.

Another limitation in the CPS-CSS is the lack of data on visitation or other forms of contact between the nonresident parent and the child, and the lack of data on child well-being. The only information the survey contains on child well-being is school enrollment (available for children currently living in the household). This can be used to determine whether child support payments are related to finishing high school. For the CPS-CSS to regularly include questions on visitation, contact, and child well-being would increase the length of the interview and thereby increase costs and perhaps decrease quality by increasing refusals and noncompletions. Moreover, as discussed below, other surveys contain such data. If the sample sizes of these other surveys prove to be too small, however, it may make sense to collect such data in the CSS every third or fifth time.

The National Longitudinal Survey of Youth (NLSY). The NLSY is a survey of approximately 13,000 young men and women who have been interviewed annually since 1979. The sample consists of a national sample of civilian and military respondents between the ages of 14 and 21, with overrepresentation of poor whites, blacks, and Hispanics. The panel contains extensive information on respondents' school, employment, and family formation behavior as well as information on the amount of annual household income and its sources (earnings, public and private transfers). For respondents who become parents, the survey asks about child care utilization and parental time with children. For respondents who become single parents, either because of divorce or out-of-wedlock birth, the survey asks about child support payments and visitation between the child and nonresident father.

In 1986 and 1988, the children of NLSY **female** respondents were given an extensive set of tests designed to measure their cognitive, socio-emotional, and physiological development. The child measures vary according to the age of the child, which ranges from 1 month to 12 years. The child sample consists of nearly 5000 children, including about 2400 whites, 1600 blacks, and 900 Hispanics. When combined with the information on parents in the NLSY panel, the child assessment data provide an excellent means of examining the relationship between family environment and child well-being. Analyses of the NLSY-child data are currently under way and will provide baseline data for subsequent evaluations of child support reform.⁶⁴

The major advantages of the NLSY data are the high quality of the child well-being measures, the longitudinal design, and the large sample of children. As currently structured, the NLSY survey can be used to evaluate several components of the child support reform model outlined above. Specifically, the annual information on child support, alimony, and visitation can be used to estimate (1) changes in the level of payments, (2) the effects of child support payments on child well-being, and (3) the effects of payments on father-child contact and child well-being. The fact that children are followed over time allows us to examine the effects of **changes** in child support payments on **changes** in child well-being.

The major limitations of the NLSY data are (1) that school-age children are not a representative sample, and (2) that information on children living with their fathers is absent. Since the child sample is limited to children born to mothers who were between 14 and 21 in 1979,

it is not representative of children in every age range. Specifically, all children over 8 years old in the 1986 supplement were born to teen mothers, since none of the mothers are over 28. Thus, while the child survey is ideal for studying the effects of child support reform on preschool children, it is less useful for examining the effects on school-age children. This limitation is self-correcting to some extent: as the NLSY women grow older, the child sample will become increasingly representative. However, the upper age ranges will continue to overrepresent children born to teenage mothers.

The second limitation in the NLSY data arises from the fact that all of the children in the survey are living with their natural mothers. Thus we cannot examine the effects of child support on the well-being of children who live apart from their mothers. Moreover, the information on payments and father-child contact is based on the mother's report. While at first glance these would appear to be serious problems, recent analyses comparing mothers' and fathers' responses to questions about child support indicate that the mother's report is consistent with information on court records.⁶⁵ Moreover, even though we cannot examine the well-being of children living with their fathers, we can determine where the child lives and therefore whether child support reform alters residential custody. Since we have complete fertility histories on all of the NLSY women, we can identify cases in which children no longer live with their mothers.

We recommend several additions to the current NLSY questionnaire that would increase its usefulness for evaluating child support reform. First, adding a question on the **regularity** of payments would enhance our

ability to evaluate the impact of stability of payments along with the level of payments on child well-being. Ideally, we would like to obtain retrospective information on the stability of payments dating back to the time of the original award. Second, obtaining mothers' reports of the quality of father-child relations and the level of parental conflict would be useful in helping to assess the net effect of payments on child well-being.

The National Survey of Families and Households (NSFH). The NSFH is a representative sample of approximately 13,000 households in the United States in 1987, including an oversample of single-parent families, black families, and recently married couples. The survey contains detailed information on family relationships, including parent-child relationships and parent-parent relationships. For children with a nonresident parent, the survey asks about legal agreements regarding child support and physical custody, the level and stability of current child support payments, the quantity and quality of time spent with nonresident parents, and the level of agreement or conflict between parents. Child well-being is based on parent's response to questions concerning school achievement as well as psychological and social adjustment. Several projects supported by the National Institute of Child Health and Human Development (NICHD) are currently using the NSFH data to examine the relationships among child support payments, custodial arrangements, visitation, parent-child relations, parent-parent relations, and child well-being.⁶⁶ A follow-up survey of NSFH respondents is planned for 1992 and should include about 500 children whose parents divorce between 1987 and 1992.

The NSFH survey has three major advantages over other data sets: First, no other survey contains such extensive information on the financial aspects of child support (including level and stability of formal payments, informal contributions, and property settlements) and custodial arrangements (including legal custody, residential custody, and visitation).⁶⁷ Second, no other survey contains such detailed information on the quality of parent-child relationships and parent-parent relationships. Finally, no other survey collects information on children living apart from their mothers and no other survey collects fathers' reports as well as mothers' reports on all aspects of parental behavior and child well-being.

The major limitation of the NSFH is sample size. The 1987 survey contains information on approximately 1500 children who were eligible for child support. Estimates indicate that the follow-up survey will yield approximately 500 additional children whose parents divorce between 1987 and 1992. This makes it difficult to examine race differences in child support patterns and it also limits our ability to examine atypical family arrangements, such as children of divorced families who live with their fathers. In addition to supporting the planned follow-up of the NSFH survey, we recommend two changes or additions: first we suggest that retrospective information be collected on the original amount of child-support awards for respondents who divorced or had an out-of-wedlock birth between 1987 and 1992, and second we recommend that information on child well-being be supplemented with data from children's school records.

The three surveys discussed above are by no means the only possible databases for evaluating child support reform. Given our interests in children's well-being, however, they seem the most likely candidates at the present time. Other longitudinal data sets that should be considered in light of possible extensions and modifications are the Panel Study of Income Dynamics (PSID), the NLS Class of 1972 survey, and the High School and Beyond.

Notes

¹In 1987, 24% of American children lived in single-parent families (U.S. House of Representatives, Committee on Ways and Means, Background Material and Data on Programs Within the Jurisdiction of the Committee on Ways and Means, 1989 edition [Washington, D.C.: U.S. Government Printing Office, 1989], Table 2, p. 834).

²Larry Bumpass, "Children and Marital Disruption: A Replication and Update," Demography 21 (1984):71-82.

³In 1987, 11.4 percent of children below age 18 received welfare, whereas close to a quarter were eligible for child support. Assuming that the rate of welfare receipt among mothers eligible for child support remains constant, the work provisions of the Family Support Act should affect less than half as many children as the child support provisions. For information on welfare receipt, see U.S. House of Representatives, Background Material, Table 21, p. 560.

⁴Sara S. McLanahan and Karen Booth, "Mother-Only Families: Problems, Prospects, and Politics," Journal of Marriage and the Family 51 (1989):557-580.

⁵Irwin Garfinkel, et al., "Evaluation Design for the Wisconsin Child Support Assurance Demonstration," Institute for Research on Poverty, University of Wisconsin, Madison, June 1988.

⁶In 1983, the average income of nonresident fathers was about \$19,000 (Irwin Garfinkel and Donald Oellerich, "Noncustodial Fathers' Ability to Pay Child Support," Demography 26 [1989]:219-233). About 45% of them lived with new children (Donald T. Oellerich, "The Income Distributional Impacts of Private Child Support Transfers in the United

States," paper presented at International Conference: Prospects and Limits of Simulation Models in Tax Transfer Policy, Justus Liebig University, Giessen, Germany, October 12-15, 1988, p. 17). By comparison, the average income of the families of children potentially eligible for child support was \$9792 (which includes child support received) (U.S. Bureau of the Census, Current Population Reports (CPR), series P-23, No. 148, Child Support and Alimony 1983 [Washington, D.C.: U.S. Government Printing Office, 1986], Figure 1, p. 6).

⁷For the best single description, see Harry O. Krause, Child Support in America: The Legal Perspective (Charlottesville, Va.: Michie, 1981). For flavor, see David Chambers, Making Fathers Pay: The Enforcement of Child Support (Chicago: University of Chicago Press, 1979). For numbers, see Judith Cassetty, Child Support and Public Policy: Securing Support from Absent Fathers (Lexington, Mass.: D.C. Heath, 1978).

⁸Cassetty, Child Support and Public Policy; Chambers, Making Fathers Pay; Irwin Garfinkel and Marygold Melli, "Child Support: Weaknesses of the Old and Features of a Proposed New System," Special Report 32A, Institute for Research on Poverty, University of Wisconsin, Madison, 1982; Isabel V. Sawhill, "Developing Normative Standards for Child Support Payments," in The Parental Child Support Obligation, ed. Judith Cassetty (Lexington, Mass.: D.C. Heath, 1983).

⁹U.S. Bureau of the Census, CPR, Series P-23, No. 112, Child Support and Alimony: 1978 (Washington, D.C.: U.S. Government Printing Office, 1981), Table B, p. 5.

¹⁰Kenneth R. White and R. Thomas Stone, "A Study of Alimony and Child Support Rulings with Some Recommendations," Family Law Quarterly

10 (1976):83; L.M. Yee, "What Really Happens in Child Support Cases: An Empirical Study of the Establishment and Enforcement of Child Support Awards in the Denver District Court," Denver Law Quarterly 57 (1979):21.

¹¹Chambers, Making Fathers Pay.

¹²Cassetty, Child Support and Public Policy; Garfinkel and Melli, "Child Support: Weaknesses of the Old and Features of a Proposed New System."

¹³Irwin Garfinkel and Sara S. McLanahan, Single Mothers and Their Children: A New American Dilemma (Washington, D.C.: Urban Institute Press, 1986).

¹⁴"Wisconsin Welfare Study 1978: Report and Recommendations of the Welfare Reform Study Advisory Committee," Wisconsin Department of Health and Social Services, 1979; Garfinkel and Melli, "Child Support: Weaknesses of the Old and Features of a Proposed New System."

¹⁵In effect, Wisconsin was to be given a block grant to run both a child support assurance system and the AFDC system at the same cost to the federal government as the old AFDC system alone. Extra costs or savings were solely to be borne by, or benefit, the state.

¹⁶The literature described in this section of the paper includes studies of children from divorced families, children born to never-married mothers, and children living in single-parent families. For more detailed discussion of the research in this area see McLanahan and Booth, "Mother-Only Families: Problems, Prospects, and Politics."

¹⁷Elizabeth Herzog and Cecilia E. Sudia, "Children in Fatherless Families," Review of Child Development Research, vol. 3, ed. B. Caldwell and H. N. Ricciuti (Chicago: University of Chicago Press, 1973).

¹⁸Sara S. McLanahan, "The Reproduction of Poverty," American Journal of Sociology 90 (1985):873-901.; Gary D. Sandefur, Sara McLanahan, and Roger A. Wojtkiewicz, "Race and Ethnicity, Family Structure, and High School Graduation," Institute for Research on Poverty Discussion Paper no. 893-89, University of Wisconsin, Madison, 1989; Sheila F. Krein and Andrea H. Beller, "Educational Attainment of Children from Single-Parent Families: Differences by Exposure, Gender and Race," Demography 25 (1988):221-224; Nan Marie Astone and Sara S. McLanahan, "The Effect of Family Structure on School Completion," paper presented at the Annual Meetings of the Population Association of America, Baltimore, March 1989.

¹⁹Mary Corcoran, Roger Gordon, Deborah Laren, and Gary Solon, "Intergenerational Transmission of Education, Income, and Earnings," Institute of Public Policy Studies, University of Michigan, Ann Arbor, 1987, photocopy; Martha S. Hill, Sue Augustyniak, and Michael Ponza, "Effects of Parental Divorce on Children's Attainments: An Empirical Comparison of Five Hypotheses," Survey Research Center, Institute for Social Research, University of Michigan, Ann Arbor, 1987, photocopy.

²⁰Sara S. McLanahan and Larry Bumpass, "Intergenerational Consequences of Marital Disruption," American Journal of Sociology 94 (1988):130-152; Allen F. Abrahamson, Peter A. Morrison, and Linda J. Waite, "Single Teenage Mothers: Spotting Susceptible Adolescents in Advance," paper presented at the Annual Meetings of the Population Association of America, Chicago, 1987; Dennis P. Hogan and Evelyn M. Kitigawa, "The Impact of Social Status, Family Structure and Neighborhood on the Fertility of Black Adolescents," American Journal of

Sociology 90 (1985):825-855; Larry Bumpass and Sara S. McLanahan, "Unmarried Motherhood: Recent Trends, Composition, and Black-White Differences," Demography 26 (1989):279-286.

²¹Sara S. McLanahan, "Family Structure and Dependency: Early Transitions to Female Household Headship," Demography 25 (1988):1-16.

²²Ross L. Matsueda and Karen Heimer, "Race, Family Structure and Delinquency: A Test of Differential Association and Social Control Theories," American Sociological Review 52 (1987):826-840.

²³Sandefur, McLanahan, and Wojtkiewicz, "Race and Ethnicity, Family Structure, and High School Graduation"; Sara S. McLanahan and Larry Bumpass, "Comment: A Note on the Effect of Family Structure on School Enrollment," in Divided Opportunities: Minorities, Poverty, and Social Policy, ed. Gary Sandefur and Marta Tienda (New York: Plenum, 1988).

²⁴For a more complete discussion of the mechanisms linking family disruption to children's achievement, see McLanahan and Booth, "Mother-Only Families: Problems, Prospects, and Politics."

²⁵Bureau of the Census, Statistical Abstract of the United States: 1988 (Washington, D.C.: U.S. Government Printing Office, 1987), p. 430, Table 705.

²⁶Greg J. Duncan and Saul D. Hoffman, "A Reconsideration of the Economic Consequences of Marital Disruption," Demography 22 (1985):485-498; Lenore J. Weitzman, The Divorce Revolution (New York: Free Press, 1985). Weitzman estimates the income drop for women after divorce to be about 70 percent, whereas Duncan and Hoffman conclude that it is about 30 percent.

²⁷Mary Jo Bane, "Household Composition and Poverty," in Fighting

Poverty: What Works and What Doesn't, ed. Sheldon H. Danziger and Daniel H. Weinberg (Cambridge, Mass.: Harvard University Press, 1986).

²⁸Sara S. McLanahan, Nan M. Astone, and Nadine Marks, "The Role of Mother-Only Families in Reproducing Poverty," paper presented to the Conference on Poverty and Children, Lawrence, Kansas, June 20-22, 1988.

²⁹E. Mavis Hetherington, Martha Cox, and Roger Cox, "The Aftermath of Divorce," in Mother-Child, Father-Child Relations, ed. J. H. Stevens, Jr. and M. Matthews (Washington, D.C.: National Association for the Education of Young Children).

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³²Astone and McLanahan, "The Effect of Family Structure on School Completion."

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³⁵Hetherington, Cox, and Cox, "The Aftermath of Divorce"; Judith S. Wallerstein and Joan B. Kelly, Surviving the Breakup: How Children and Parents Cope with Divorce (New York: Basic Books, 1980).

³⁶Frank F. Furstenberg, S. Philip Morgan, and Paul D. Allison, "Paternal Participation and Children's Well-Being after Marital Dissolution," American Sociological Review 52 (1987):695-701.

³⁷For a general discussion of this issue, see Robert L. Kidder, "Legal Impact: Does Law Make Any Difference?" in his volume Connecting Law and Society (Englewood Cliffs, N.J.: Prentice-Hall, 1986).

³⁸Alvin Schorr, "The Family Cycle and Income Development," Social Security Bulletin 29 (February 1966):14-25, 47.

³⁹Donald T. Oellerich, Irwin Garfinkel, and Philip K. Robins, "Private Child Support: Current and Potential Impacts," Institute for Research on Poverty Discussion Paper no. 888-89, Table 2, p. 11. All but a handful of states now have guidelines similar to those of Colorado or Wisconsin. For a list of the guidelines used by the states, see National Center for State Courts, "Child Support Guidelines Summaries," National Center for State Courts, Washington Project Office,

Arlington, Va., August 1989. For a comparison of the Colorado and Wisconsin guidelines, see Irwin Garfinkel and Marygold S. Melli, "The Use of Normative Standards in Family Law Decisions: Developing Mathematical Standards for Child Support," Institute for Research on Poverty Discussion Paper no. 900-89, University of Wisconsin, Madison, 1989.

⁴⁰Ann Nichols-Casebolt and Irwin Garfinkel, "Trends in Paternity and Adjudications and Child Support Awards," Institute for Research on Poverty Discussion Paper no. 879-89, University of Wisconsin, Madison, 1989, Table 1, pp. 8-9.

⁴¹U.S. Bureau of the Census, CPR Series P-23, No. 154, Child Support and Alimony: 1985 (Washington, D.C.: U.S. Government Printing Office, 1989), Table G, p. 10.

⁴²Oellerich, Garfinkel, and Robins, "Private Child Support," Table 2, p. 11.

⁴³This assumes that earnings of nonresident parents increase by 5% per year and that in any given year one-third of the orders are up to date, one-third are one year behind, and another third are two years behind.

⁴⁴Krause, Child Support in America.

⁴⁵The importance of simplicity is discussed in more detail in Garfinkel and Melli, "The Use of Normative Standards in Family Law Decisions."

⁴⁶Philip Robins, "Why Are Child Support Award Amounts Declining?" Institute for Research on Poverty Discussion Paper no. 885-89, University of Wisconsin, Madison, 1989.

⁴⁷See Robins, "Why Are Child Support Award Amounts Declining?" Oellerich, Garfinkel and Robins, "Private Child Support"; and John W. Graham and Andrea H. Beller, "Child Support Payments: Evidence from Repeated Cross Sections," American Economic Review, Papers and Proceedings 78 (1988):81-85.

⁴⁸The Wisconsin standard ignores the earnings of the resident parent, and the Colorado standard, which takes account of the resident parent's income, increases obligations by \$7 billion.

⁴⁹Irwin Garfinkel and Marieka Klawitter, "The Effect of Routine Income Withholding on Child Support Collections," Institute for Research on Poverty Discussion Paper no. 891-89, University of Wisconsin, Madison, 1989.

⁵⁰The lower and upper bounds are calculated in two different fashions:

To obtain the 11 percent, the increases in child support payments in the control counties were subtracted from the increases in child support payments in the pilot counties. The increases in each case are calculated by subtracting collections in the three years (1981-1983) before the pilot counties implemented routine income withholding from child support collections in the three years (1984-1986) after implementation. For two reasons this estimate is a lower bound. First, the pilot counties utilized immediate withholding of child support obligations in only about 80 percent of the cases in which it was feasible. Second, the control counties turned out to be imperfect controls in that they utilized immediate income withholding in an increasingly large percentage of cases. Although the pilot counties

utilized immediate withholding more than twice as often as the control counties in the first two years after the pilots began, by the third year the difference between the control counties and pilot counties in utilization rates was only 12 percentage points. Thus the difference in increases in child support collections between pilot and control counties is almost certainly an underestimate of what the impact on national child support collections will be of full implementation of immediate withholding.

To obtain the 30 percent, child support collections of those without immediate income withholding orders were subtracted from child support collections of those with immediate income withholding orders. Although this upper bound was calculated with the aid of statistical techniques designed to control for other differences between those who are and are not subject to immediate income withholding, it is clear that the controls are imperfect. For example, if the nonresident parent has no income, it is impossible to utilize income withholding. In 20 percent of the court records used in the evaluation, there was no information on the income of the nonresident parent. Thus it was not possible to perfectly control for this possible difference between those with and those without income assignments. Obviously, those with no income will pay less child support than those with income. To the extent that the absence of income can only be imperfectly controlled for, the difference between child support collections of those who are and are not subject to immediate income withholding will be an overestimate of the effect of routine income withholding on national child support collections.

⁵¹The figures are obtained by multiplying total child support collections in 1983 of \$6.8 billion times .11 and .30 respectively.

⁵²Oellerich, Garfinkel, and Robins, "Private Child Support," Table 2, p. 11. (The figure for the increase in awards is not presented in the table but is derived from figures given in the table by multiplying the maximum potential obligation of those without awards times the ratios of current awards to current collections and current obligations to obligations under the Wisconsin standard).

⁵³Judith A. Seltzer and Nora Cate Schaeffer, "Another Day, Another Dollar: Effects of Legal Custody on Paying Child Support and Visiting Children," Department of Sociology, University of Wisconsin, Madison, 1989, photocopy.

⁵⁴There is at least one reason for expecting that increases in payments could reduce father-child contact. Assuming that fathers have a constant level of commitment with respect to their children, and assuming that time and money are substitutes for one another, it is possible that increasing payments will reduce the amount of time fathers spend with their children.

⁵⁵Yoram Weiss and Robert Willis, "Children as Collective Goods and Divorce Settlements," Journal of Labor Economics 3 (1985):268-292.

⁵⁶Furstenberg, Nord, Peterson, and Zill, "The Life Course of Children of Divorce."

⁵⁷Seltzer and Schaeffer, "Another Day, Another Dollar"; Furstenberg, Nord, Peterson, and Zill, "The Life Course of Children of Divorce"; Judith Seltzer, Nora Cate Schaeffer, and Hong-wen Charng, "Family Ties after Divorce: The Relationship Between Visiting and Paying

Child Support," Journal of Marriage and the Family 51 (November 1989):1013-1031; Chambers, Making Fathers Pay.

⁵⁸Judith A. Seltzer, "Legal Custody Arrangements and the Intergenerational Transmission of Economic Welfare," Institute for Research on Poverty Discussion Paper no. 892-89, University of Wisconsin, Madison, 1989.

⁵⁹Seltzer and Schaeffer, "Another Day, Another Dollar." Seltzer and Schaeffer find that while the average level of support in joint-custody families is similar to that in sole-custody families, the relationship between fathers' income and payments is stronger in joint-custody families than in mother-custody families. This suggests that in joint-custody families, payments are more closely related to fathers' circumstances. This has two implications for child well-being. First, in low-income families, it means that payments may be slightly lower, although reductions in money contributions are offset by increases in time contributions. Second, it may increase fathers' perceptions of fairness, which may affect father-child relations as well as father-mother relations.

⁶⁰Chambers, Making Fathers Pay.

⁶¹Eleanor E. Maccoby and Robert H. Mnookin, "Coparenting in the Second Year after Divorce," Journal of Marriage and the Family 52 (1990):141-155.

⁶²As noted above, increased contact between nonresident fathers and children may not always have beneficial effects. Specifically, in cases where the father is abusive, increased contact would make children worse off than before. On balance, however, we believe that more contact with

the father is desirable and that children will be better off overall if fathers play a more active role in raising their children.

⁶³The child support questions in the 1975 Survey of Income and Education (SIE) were similar to those used in the CPS. If the sampling and questions were close enough it will be possible to add the 1975 SIE to the time series of cross sections.

⁶⁴This work is being undertaken by Andrew Cherlin of Johns Hopkins University and Frank Furstenberg of the University of Pennsylvania.

⁶⁵Nora Cate Schaeffer, Judith A. Seltzer, and Marieka Klawitter, "Nonresponse and Response Bias in Reports of Child Support Payments: Comparisons between Custodial Mothers and Noncustodial Fathers," Center for Demography and Ecology Working Paper 89-12, University of Wisconsin, Madison, 1989.

⁶⁶Sara McLanahan, Gary Sandefur, and Larry Bumpass, "Intergenerational Consequences of Family Disruption," 8/1/88 to 7/31/92; Judith Seltzer and Nora Cate Schaeffer, "Demographic and Social Issues in Child Support," 5/1/89 to 4/30/92; Elizabeth Thomson and Sara McLanahan, "Family Structure and Socialization in Child Well-Being," 7/1/89 to 6/30/92.

⁶⁷The National Longitudinal Survey of the Class of 1972 contains detailed information on the financial aspects of child support.