

**Welfare and Child Support Policy Knowledge among
Parents of Children on W-2 in Dane County**

David Pate
Institute for Research on Poverty
University of Wisconsin–Madison

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INTRODUCTION

In the United States, the federal government first made economic provision for children without fathers through the Social Security Act of 1935.¹ The Act included a variety of income transfer programs for low-income families. Of particular significance here is the public assistance program (“welfare”), which provided a variety of services to poor families in which the father was absent. This program reflected the Roosevelt administration’s belief that the federal government had a responsibility to provide for poor families that lacked access to a father’s income.²

In 1996, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), which made radical changes to the way the nation had previously provided income support to poor families. In addition to these changes in welfare policy, a substantial number of changes were made to child support policy; I discuss them below. Some of these changes were designed to respond to a major complaint about the existing child support system: its failure to establish paternity for children born to unmarried parents.³ According to this view, it is necessary to establish paternity so that the child has

¹Nelson (1990) asserts that the U.S. welfare state has been fundamentally shaped by two programs: Workmen’s Compensation and Mother’s Aid. Before the Social Security Act of 1935 was passed, states were offering Mother’s Aid benefits to women who were deserted or whose husbands were disabled or incarcerated. Nelson posits that the Aid to Dependent Children system, which nationalized the scope of the Mother’s Aid programs, adopted a moralistic tone, high level of bureaucratic discretion, and diffused decision criteria which established the distinction between “deserving” and “undeserving” mothers for the receipt of benefits (Nelson, 1990).

²Modern welfare policy was developed partly in response to the existence of single-parent (mother-only) families. One feminist researcher notes that reformers designed programs intended not only to help lone mothers raise their children but also to prevent single motherhood by providing incentives for “proper” and stable families. The norms used in evaluating families involved, of course, deeply held values regarding appropriate male and female responsibilities. This type of standard guided the design of welfare programs.

“Aid to unemployed men, for example, aimed to preserve the male breadwinner status and to keep wives and children at home. Aid to single mothers aimed to prevent its recipients from being too comfortable on their own. Provisions for men, such as workers’ compensation, unemployment compensation, and retirement pensions, were more generous and dignified than ADC, the quintessential program for women.” Gordon (1994), p. 7.

Aid to women of color (blacks and Hispanics) was often conducted in a discriminatory manner (see Chapter 5 on welfare activism, in Gordon, 1994).

³Findings such as those in H.R. 3734, Section 101, compiled by members of the House of Representatives, and in S.1956, Section 2101, compiled by members of the Senate, are a foundation for PWORA. One finding was

legal access to a father for emotional, physical, and financial support. In reality, for children on welfare, child support may have very little effect on economic resources, though this depends on the state in which the child resides. Most states retain child support payments to offset the state's financial outlay on cash welfare. Wisconsin, however, followed a different path. In 1997 the state received a waiver from the federal distribution rules, allowing it to pass through the entire amount of the child support collected to the custodial parent, and to disregard all child support received in calculating TANF cash payments.⁴ This waiver policy has been intensively evaluated by the Child Support Demonstration Evaluation researchers at the Institute for Research on Poverty (IRP); some of the research described below forms part of that evaluation.

PURPOSE AND SIGNIFICANCE OF THE RESEARCH

The research discussed in the present report—the third in a series of investigations that has explored the acquisition of policy knowledge on child support and TANF—has been designed to explore respondents' knowledge of and experiences with child support policy.

Research conducted by Thomas Kaplan and Thomas Corbett with the assistance of Victoria Mayer, as part of the Child Support Demonstration Evaluation, has documented the level of information provided by staff of the W-2 agencies, who were primarily responsible for telling customers of their “pass-through” status and giving information associated with child support and welfare (Meyer and

the low proportion of child support collections connected with out-of-wedlock births. In order for this to improve, one option is to increase the frequency with which paternity is established for children born out of wedlock.

⁴The Wisconsin Department of Workforce Development (DWD) was recently informed by the U.S. Department of Health and Human Services (DHHS) that the waiver allowing a full pass-through will be gradually phased out in federal fiscal year 2006. Without the waiver, Wisconsin families who receive TANF benefits will receive only the state share of the child support collection, or approximately 42 percent of the support collected on their behalf. According to DWD, the phase-out is expected to reduce child support payments to low-income families by at least \$7 million per year. DHHS granted DWD permission to continue the full pass-through and disregard through Dec. 31, 2005. (See www.cffpp.org, CFFPP National Policy Brief, September 2005, Vol. 7, No. 6)

Cancian, 2003, Chapter 2).⁵ A large proportion of the staff reported that they never discussed the child support options with their customers. My own ethnographic research in 1999, 2001, and 2004 found that knowledge of how child support was paid was poor among both mothers and fathers. In 2005, Maria Cancian, Daniel Meyer, and Kisun Nam examined W-2 participants' knowledge of the Wisconsin child support pass-through/disregard policy and provided a comprehensive review of prior research; they determined that most participants knew very little about the policy rules they faced.

I hypothesized that we must know whether participants understand the system and use it to their best advantage to determine if this population benefits from the child support system. The purpose of this study was, therefore, to ascertain mothers' and fathers' knowledge of the relevant program policies, in particular concerning:

- AFDC (if applicable), W-2 , and the Child Support Enforcement program
- The relationship between paternity establishment and the child support program
- The pass-through program
- The penalties for nonpayment of child support
- The requirements for participation in TANF programs.

The new research conducted intensive, semistructured, face-to-face interviews in Dane County with a random sample of fathers of children receiving W-2, stratified to include interviews with at least seven African American and seven non-Hispanic white fathers. The rationale for these interviews was to shed light on the extent to which the experiences of African American fathers in Milwaukee who were the subject of an earlier study (Pate, 2002) are common in another location, and the extent to which the

⁵“Street-level bureaucrats are key players in any policy-implementation process. At the front lines of delivery, they are in large part responsible for carrying out the policy objectives developed at higher levels of government. An examination of street-level bureaucrats' behaviors or even their views about policy goals clearly illustrates the power of bureaucratic discretion on policy outcomes.” (Riccucci, 2005, p. 89; also see Meyers et al., 1998, and Keiser and Soss, 2000) Other street-level bureaucrats who are not generally considered but who share policy information relevant to this population are hospital nurses, child support attorneys, family court commissioners, friends, spouses, and police (see Maynard-Moody and Musheno, 2000).

experiences of fathers in Dane County differ by race. After interviewing a father, I made an attempt to interview the mother of one of his children.⁶ Most previous research has been focused on the effects of TANF by gender, primarily giving us the perspectives of mothers solely or fathers solely. This research is unique in that it will compare the experiences, knowledge, and attitudes of couples associated with W-2. The research will also allow for comparisons across and within races.

BACKGROUND

Previous Ethnographic Research on Wisconsin Child Support Policies

In 1999 and 2001, I conducted ethnographic research consisting of extensive face-to-face interviews with 36 randomly selected, African American noncustodial fathers of children who received public assistance in Milwaukee, Wisconsin. The purpose of the research was to ascertain how much noncustodial fathers knew about the child support system, in particular the pass-through policy; to understand fathers' involvement with their children; and to explore fathers' perspectives on child support. The results from that research showed that many of the fathers were ill-informed on basic child support system operations and had not heard about the pass-through waiver or its benefits to those paying child support for their children on welfare in Wisconsin (Pate, 2002).

In 2004, I again conducted research that explored how much noncustodial and custodial parents knew about child support policy, and what differences might exist by race, gender, and geographic location (Pate, 2004). The main questions this research project addressed to noncustodial and custodial parents were:

- What has been your experience with the child support enforcement system?
- What is your understanding of the state's child support program?
- What do you think about the penalties for not paying child support?

⁶For the majority of these fathers, only one mother was eligible to be interviewed for the study.

To gather this information, I conducted sixteen focus groups in seven counties, four of them urban (Milwaukee, Dane, Racine, and Waukesha) and three rural (Manitowoc, Sauk, and Sawyer). The recruitment resulted in 157 focus group participants (87 custodial and 70 noncustodial parents). The participants were consumers of state and federal services available in the state of Wisconsin. I learned through this research that with the passage of time and the continuing practice of passing through child support payments with a full disregard, knowledge of the policy had increased slightly and appeared to affect the child support paying practices of noncustodial parents, if they were able to obtain consistent employment.

The Legal Context

In this section I briefly describe the legislative and administrative structure in place at the time I was conducting research to ascertain what W-2 and CSE participants knew about these programs and related policies.

Under PRWORA, the previous welfare programs had been replaced with a block grant program, Temporary Assistance for Needy Families (TANF). Under Section IV-D of the Social Security Act, each State **must** operate a Child Support Enforcement program meeting federal requirements in order for that state to be eligible for the block grant of TANF funds.

Table 1 summarizes the requirements for participation in a state public assistance program. As the table indicates, cooperation is required for all programs. Assignment of child support to the state is required only for the receipt of cash assistance.

Table 1
Requirements for Participation in Public Assistance Programs to Low-Income Families

Categories ^a	Cooperation Required	Assignment of Child Support Required	Sanctions (Noncooperation)
Cash Assistance	Yes	Yes	Yes ^b
Food Stamps	Yes	No	Yes ^c
Medicaid ^d	Yes	No	Yes
Child Care	Yes	No	Yes

^aAll of these categories have stated that cooperation shall be in accordance with federal law, rules, and regulations applying to paternity establishment and the collection of child support payments and may not be required if the person has good cause (i.e., a fear of domestic violence) for refusing to cooperate, as determined by the department.

^bThe sanctions for noncooperation are detailed in Wis.Stat. §49.19(1) (h)1 of the Wisconsin Statutes.

^cThe law for the food stamp sanction became effective on July 1, 1997. Wis.Stat. §49.79

^dUnder current law, Wis. Stat. §49.45(19), in a paternity establishment judgment or order the court must include an order that requires the man who is determined to be the father to pay or contribute to the expenses of the mother's pregnancy and the child's birth based on the man's ability to pay.

A recent Wisconsin court of appeals decision based on Wis. Stat. §767.51 (3) (e) held that, if the father has no present ability to pay, a circuit court has no authority to set an obligation to pay lying-in expenses, even if the payments are held in abeyance.

A Child Support Bulletin No: 04-22 issued 10/22/2004 advised all county agencies that the Child Support Agency shall not seek an order for the father to repay birth costs paid by Medical Assistance for subsequent children in common if all of the following apply: The parents have an older child in common, the parents live together at the time the child is born, and the intact family situation has been reported to the economic support agency and is documented in CARES prior to the child's birth.

Also under section IV-D of the Social Security Act, states were empowered to make decisions on the operating procedure of their child support enforcement program. For example:

- Child Support Agency Structure – States can structure their child support agency as either a judicial or an administrative system. Wisconsin is a judicial system. Many states have a hybrid of these structures.
- Guidelines – States can set their own child support guidelines, determining what amount will be owed in support or deducted for collection. States are required to review the guidelines policy every four years.
- State reimbursement for cash benefit (TANF) paid – TANF custodial parents must assign to the state their rights to any child support collected prior to and during a period of benefit receipt. When child support is collected by the state, some portion of that payment is owed to the federal government by virtue of the federal government's participation in the financing of the child support system. States can decide, however, to pass through and/or disregard child support payments made to the custodial parents. The disregard must be paid for or financed with the state finances: the federal government must be paid its share (unless there is a federal waiver that discounts the federal share). At this point, federal TANF funds cannot be used to provide a disregard.

- Sanction and enforcement – States have at their disposal a number of enforcement tools, for example, charges of criminal nonsupport, civil or criminal contempt of court, and the use of private collection agencies to collect child support payments.⁷

The PRWORA legislation made over 50 changes to the child support enforcement (CSE) program, many of them major. Additional federal legislation was passed in 1997, 1998, and 1999, most of it aimed at strengthening the power of CSE to improve the operations of the state child support organizations.

Another piece of federal legislation passed in 1998, the Child Support Performance and Incentive Act, is extremely important because it changed the payment structure for performance incentives in the state-operated child support system. State child support offices rely on the incentive payments from the federal government to support and sustain their operations. Until this 1998 legislation, state child support offices received incentive payments based on cost-effectiveness, or the ratio of expenditures to the collection of child support (and the incentive to collect on AFDC cases in which the government was

⁷Federal and state law allows the State of Wisconsin to use the enforcement procedures listed here to encourage cooperation with the Office of Child Support Enforcement.

Criminal prosecution for nonpayment of child support – Any person who intentionally fails for 120 or more consecutive days to provide spousal, grandchild, or child support which the person knows or reasonably should know that he or she is legally obligated to provide is guilty of a Class I felony. Any person who intentionally fails for 120 or fewer consecutive days to provide spousal, grandchild, or child support which the person knows or reasonably should know that he or she is legally obligated to provide is guilty of a Class A misdemeanor. The child support agency acquired the legal authority to do this on July 20, 1985. *See* Wis.Stat. §984.22 (Year: 2005) (originally enacted as 97 WIS. ACT 191 §75)

State tax intercept – When the Department of Revenue determines that the obligor is entitled to a state tax refund or credit, the state shall notify the obligor that the state intends to reduce any state tax refund or credit due the obligor by the amount the obligor is delinquent. The state tax refund can be applied to past due child support, medical expenses, or birth expenses under the court order. The child support agency gained the legal authority to do this on April 1, 1998. *See* Wis.Stat. §49.855 (Year: 2005) (originally enacted as 81 WIS.ACT 20 §772)

Licenses (denial, nonrenewal, restriction, and suspension) such as fishing, driving, professional, etc. – The child support agency may initiate license suspension under s. 49.857 Stats., if there is a lien against a payer, and the lien amount in the payer's case equals or exceeds 300 percent of the monthly payment due in the court order or \$1,000, whichever is greater. The child support agency gained the legal authority to do this on May 1, 1998. *See* Wis.Stat. §49.857 (Year: 2005) (originally enacted as 97 WIS.ACT 191 §75)

Liens against property – Liens against property for delinquent support payments. If a person obligated to pay support fails to pay any court-ordered amount of support, that amount becomes a lien in favor of the department upon all property of the person. The child support agency gained legal authority to do this on April 1, 1998. *See* Wis.Stat. §49.854 (Year: 2005) (originally enacted as 97 WIS. ACT 191 §73).

reimbursed was enhanced). Under this new incentive legislation, states receive incentive payments for establishing paternities and child support orders, collecting child support, and the child support arrearage level. In previous years, only the cost-effectiveness number that determined the amount of incentive funds. A complete and thorough legislative history of child support is available in the 1998 and 2000 editions of the *Green Book*.⁸

METHODOLOGY AND SAMPLE

Study Design

The goal was to collect data on 14 noncustodial fathers and 14 matched custodial mothers of children receiving W-2 payments in Dane County.⁹

⁸The *Green Book* is prepared by the members of the Committee on Ways and Means, U.S. House of Representatives. The book presents background information and statistical data on the major entitlement programs and other activities within the Committee's authority. Website address is <http://www.gpoaccess.gov/legislative.html>

⁹In the 2000 census, the population of Dane County was 426,526. The racial/ ethnic breakdown was as follows: Non-Hispanic White 89 percent, Black 4 percent, Asian 3.5 percent, and Hispanic 3.4 percent. The average earnings per job was \$33,222, and median household income was \$49,223. The self-sufficiency wage in Dane County was \$14.90 per hour or \$30,992/yr. 92.2 percent of Dane County residents 25 years of age or older had graduated high school. Of those 16 or older, 75 percent (256,180) were in the labor force. Single women headed 9 percent of the households in Dane County. Most low-income workers, however, earned between \$7.00 and \$8.00 per hour, or \$15,600 per year. 9.4 percent of Dane County residents were living below poverty. (Source: Bureau of Economic Analysis, Bureau of Labor Statistics, National Agricultural Statistics Service, National Center for Health Statistics, U.S. Census Bureau, www.fedstats.gov and Wisconsin Nutrition Education Program FY 05 Plan for Dane County, <http://www.uwex.edu/ces/wnep/>)



Seven of these fathers were intended to be African American and 7 were non-Hispanic white. Recruitment procedures used for this study were those that had been utilized in the Milwaukee study as well.¹⁰ The final sample consisted of 9 African American and 11 non-Hispanic white fathers who were

¹⁰The population from which the sample was taken was drawn from the KIDS Information Data System (KIDS), the state's automated child support enforcement database. KIDS contains case management data and information about all child support payments received and processed by the counties as a result of a court order.

The first criterion for selection as a noncustodial father (NCP) in the qualitative sample was a last known address in Dane County (I did not go by the county location of any KIDS or W-2 case). The last known address of the father, taken from KIDS, might date as far back as June 1998 (the date of the earliest address). I eliminated all NCPs only in Dane County by reason of incarceration—that is, all with Dane County addresses in Dane County Jail, Wisconsin Correctional Facility in Madison, Thompson Correctional Facility in Deerfield, or Oakhill Correctional Facility in Oregon, and one with an address in Mendota State Mental Hospital. But if the father had a previous address in Dane County that was not in one of these correctional facilities, he remained in the sample.

Supplemental criteria included the following: the sample member was a father, Black or White (non-Hispanic), not deceased, and not a good cause exemption case. To be selected, a sample member had to have a reported SSN number (for purposes of UI matching). He had also to be an NCP and adjudicated father of at least one living child who would be a minor through 12/31/2004 and was a paternity child with a living custodial parent who was not in a CSDE survey case, received a W-2 cash grant at any time from October, 1997 through November, 2002, and AFTER her entry into W2, and received a child support award from the father sometime from 1/1998 through 12/2002, that was still active as of June, 2004 (the date of the latest data available). Items NOT considered in the sample selection included: mother's current W-2 status and residence, and child support payments or arrearages. The fathers were randomly selected and placed into two groups. The final sample of noncustodial fathers from KIDS consisted of 198 Black fathers and 105 White fathers.

See Pate, 2002 for an explanation of the recruitment procedures used.

noncustodial fathers of children receiving public assistance from the state of Wisconsin.¹¹ After interviewing each father, I attempted to contact and interview all mothers of his children who were receiving W-2 payments and for whom there was a child support order. The final sample consisted of 5 African American and 8 non-Hispanic white mothers; 12 were custodial parents and one was a noncustodial parent at the time of the interview.

Interview Questions and Procedures

To explore and define the knowledge of current policies among noncustodial and custodial parents, I asked the following general questions:

- How did you get involved with the child support enforcement system?
- What do you know about the pass-through child support policy?
- What do you know about the W-2 system in which your child is a participant?
- What are the penalties for noncooperation in the W-2 and child support program?

Data were collected in semistructured interviews lasting anywhere from 45 minutes to 3 hours. A copy of the interview protocol is included as Appendix A. The interviews allowed the participants an opportunity to guide the conversation and to feel that they had ownership of the process over time (see Johnson et al., 1999).

¹¹The response rates for the sample were: for the overall sample of fathers mailed letters, 24 of 161 responded (15 percent); for the white fathers mailed letters, 15 of 83 responded (18 percent); for the black fathers mailed letters, 9 of 78 responded (11 percent); and for the mothers, 17 of 21 responded (80 percent) Data were collected in the communities of Madison, DeForest, Sun Prairie, Deerfield, Oregon, McFarland, and Stoughton.

The interviews began in April 2005 and were completed in September 2005. Interviews occurred in the fathers' and mothers' homes and in public places.¹² At the completion of the interview participants received \$25 in cash.¹³ All of the interviews were tape recorded, transcribed, and analyzed.¹⁴

The assurance of confidentiality was a major priority. Previous researchers (Edin and Lein, 1997; Johnson et al., 1999; Waller and Plotnick, 2001) have discovered that the sensitivity of their information required a high level of confidentiality. Because respondents frequently revealed information about a wide array of income-producing activities in discussing their ability to pay child support, I needed to guarantee them confidentiality to gain their trust and convince them to share their life experiences. The project was awarded a Certificate of Confidentiality by the Department of Health and Human Services. All interviewees were required to construct a pseudonym.

Ancillary Data

In addition to interviewing the parents, I observed a courtroom paternity establishment hearing; reviewed court records of the interviewed parents; listened to parents in social service centers discuss their child support and TANF experiences; read local newspapers daily; read weekly periodicals; served on a public safety commission examining racial disparity and traffic stops for the city of Madison; and studied selected media/pop culture (for example, reality television and music) to cast a wide net for learning about various methods of education of fathers and mothers on child support, paternity

¹²We did have permission from the university's Human Subjects Committee to interview men in prison. However, no interviews with prisoners were conducted.

¹³The stipend was in the form of cash to prevent any additional cost to the informant. For some of the men and women the barriers to cooperation with interviewing were unrelated to financial costs and the level of the stipend was irrelevant to their decision to participate.

¹⁴A professional transcription firm approved by the university was hired by the Institute for Research on Poverty. Those doing the transcribing were required to sign a confidentiality form which was archived by an IRP staff member.

establishment, and welfare policy.¹⁵ These activities allowed me to understand how these sources of information shape the core belief systems of families participating in these social service programs.

Analysis of Data

The data from the transcripts were analyzed using content¹⁶ and narrative¹⁷ analysis techniques. Using content analysis, the author coded for pre-established themes and topics known to be of interest to the project, and supplemented that with open-ended coding to capture themes of importance to sample members. Narrative analysis provided more information about the meaning and value that sample

¹⁵ Nielsen media research reports that African American households in the United States watch more television in primetime, daytime, and late night than all other households across all age groups; and are heavy users of African American images, sounds, and stories (Harris-Lacewell, 2004). Reality television shows such as *The Maury Povich Show* conduct at least one show a week on paternity establishment and a very popular song during 2005 was by the rap artist Kanye West called "*Golddigger*." The second verse of the song was dedicated to explaining the problems in relationships and child support, as follows:

"18 years, 18 years; She got one of yo kids, got you for 18 years
 I know somebody payin child support for one of his kids
 His baby momma's car and crib is bigger than his
 You will see him on TV Any Given Sunday
 Win the Superbowl and drive off in a Hyundai
 She was spose to buy ya shorty TYCO with ya money
 She went to the doctor got lipo with ya money
 She walkin around lookin like Michael with ya money
 Should of got that insured, GEICO for ya moneeey (your money)
 If you aint no punk holla We Want Prenup
 WE WANT PRENUP!, Yeaah
 It's something that you need to have
 Cause when she leave yo ass she gone leave with half
 18 years, 18 years

And on the 18th birthday he found out it wasn't his" ©2005, Roc-A-Fella Records, LLC.

¹⁶Content analysis is a technique for systematically analyzing the features of speech or documents. The researcher establishes categories of theoretical interest and systematically codes the transcript data for instances where the topic or category arises. While some content analysis simply counts instances of occurrence, this research performed an "interpretive content analysis" (see Reinharz, 1992:155), which examined what research subjects said about particular topics (such as paternal responsibility). It investigated the themes elaborated, claims made, attitudes expressed, and critiques voiced within the transcripts.

¹⁷A personal narrative is not meant to be read as an exact record of what happened nor is it a mirror of a world "out there." Narrative analysis allows for systematic study of personal experience and meaning: how events have been constructed by active subjects (Reissman, 1993).

members assigned to events and issues, specifically how they understood causality and how they saw events as relating to one another.

Characteristics of the Study Sample

Tables 2 and 3 compare information on all the men and women in the initial sampling frame and on the men and women that I were actually interviewed and randomly selected from the Wisconsin administrative records (KIDS). Table 2 shows the characteristics of the 303 men in the initial sampling frame (white and African American fathers in Dane County whose children received W-2) and, by race, those of the men interviewed from the random sample. Table 3 shows characteristics of women in the sampling frame (white and African American women in Dane County whose children received W-2).¹⁸ Data came from administrative records; matches across datasets were made based on the social security number.

¹⁸Table 3 consists of the available pool of women by default because the men interviewed are the mothers of their children. Most of the interviewed fathers had only fathered a child with one mother at the time of sample construction. The full sample of women was 381; however, only the 20 women described in Table 3 were eligible to be interviewed. The rationale for the study was to conduct research with matched pairs, and 13 women were recruited.

Table 2
Means of Key Variables for the Population in the Sampling Frame and the Qualitative Sample of Noncustodial Fathers

Variable	Dane County Population ^a (N = 303)	Qualitative Sample (Dane County)	
		African American (N = 9)	White (N = 11)
Unemployment Insurance Earnings			
Year			
2002	\$11,385	\$5,999	\$15,209
2003	\$11,992	\$5,695	\$14,500
2004	\$12,336	\$4,698	\$17,515
Child Support Paid to W-2 Mothers			
Year			
2002	\$1,979	\$797	\$2,420
2003	\$2,448	\$2,078	\$2,926
2004	\$2,487	\$1,691	\$3,034
Arrearages Owed by Fathers on 12/31/2004			
Child support arrearages owed to the W-2 mothers (with interest)	\$5,313	\$5,695	\$2,747
Child support arrearages owed to the State for W-2 mothers (with interest)	\$942	\$3,472	\$0
Lying-in arrearages owed to the State for W-2 mothers	\$1,256	\$1,953	\$741

^aThis is the population in the sampling frame discussed in note 12.

The sample of 20 fathers participating in the study were generally representative of the population (the averages for the qualitative sample are not shown in Table 2). Fathers interviewed had low levels of formal earnings as reported in the state UI records. The overall population paid an average of \$2,487 in child support to W-2 mothers in 2004. Those interviewed paid roughly similar amounts (\$2,430 in 2004) and had, on average, similar lying-in arrearages.

Most significant are the differences by race within the qualitative sample. In 2002 and 2003, African American men earned, on average, less than \$6,000, whereas their white counterparts earned in the vicinity of \$15,000. The trend continued into 2004, when 62 percent of the white fathers earned \$15,000 or more, and 57 percent of the African American fathers earned \$4,000 or less (not shown in

Table 2). In 2004, African Americans paid an average of \$1,691 in child support to W-2 mothers whereas whites paid \$3,034. Men in both groups owed arrearages to the state for lying-in fees for their children, but the average arrearages were substantially lower for white fathers, perhaps because of their higher earned wages and an increased ability to pay. Table 2 shows that African American fathers owed the state vastly more in lying-in fees and mothers almost three times the amount owed by white fathers.

Mothers in the qualitative sample were generally similar to the overall sampling frame. Results for the qualitative sample are reflected in Table 3 below. In the qualitative sample, the UI earnings trend was very similar to the overall larger sampling frame (see note 20). Within the overall larger sample, the most significant differences were once again made apparent by race. According to state Unemployment Insurance (UI) records, in 2002 white mothers earned, on average, \$8,323, or 78 percent more than African American mothers earned (\$1,891); in the smaller sample (Table 3), the story was the same. In the larger sample, the wage-earning disparity weakened in subsequent years. In 2003, African American mothers earned \$4,708 whereas white mothers earned \$8,086. In 2004, African American mothers earned \$ 6,344 and the white mothers earned \$8,374.

Table 3
A Comparison of Key Variable Means between the Population in the Sampling Frame and the Qualitative Sample of Custodial Mothers

Variable	Dane County Population (N = 20)	Qualitative Sample (Dane County)	
		African American (N = 5)	White (N = 8)
Unemployment Insurance Earnings			
Year			
2002	\$5,750	\$1,989	\$8,441
2003	\$6,734	\$4,532	\$7,152
2004	\$7,562	\$5,889	\$8,025
Child Support Rec'd by W-2 Mothers			
Year			
2002	\$1,690	\$1,242	\$2,861
2003	\$2,544	\$1,956	\$3,039
2004	\$2,429	\$1,745	\$3,363
Avg. number of months on AFDC in the 60 months/5 years prior to October, 1997	7	12	9

In the years 2002–2004, the receipt of child support increased for white mothers and varied for Black mothers. For the larger population, in 2002, the average amount of child support receipt was \$1,690; in 2003, \$2,544, and in 2004, \$2,429. For the sample, in 2002, the average amount of child support receipt was \$2,238; for African Americans, the average was \$1,242 and for whites, the average was \$2,861. In 2004, for African Americans, it was for \$1,745 and for whites, it was \$3,363. White mothers made significant gains in child support collections from 2002 to 2004.

In sum, the fathers and mothers interviewed were roughly comparable on measurable characteristics to the mothers and fathers in the group from which they were drawn.

Appendix B displays information about the fathers and mothers interviewed, taken from the interviews themselves. The fathers and mothers ranged in age from 22 to 36. Ten fathers had only one child, whereas only one mother had a single child. Nineteen of the 20 fathers had lived with their biological children, and 10 had lived with children that they did not father (primarily partners' children).

Eleven of the 13 mothers had multiple partners whereas only 7 fathers had complex relationships. Ten fathers and 9 mothers were leaseholders (including 2 mothers in subsidized housing), and 7 fathers were living with their parents. Of the 33 participants (mothers and fathers), 29 had a high school diploma or its equivalent. Only 3 of the total sample had ever been married. Seven mothers had reported being a victim of intimate partner violence.¹⁹ As anticipated given our sampling frame, all fathers except one had a current child support order at the time of the interview.²⁰

In the next section, I will discuss the research findings from the interviews with the 33 respondents, parents of children who have been recipients of W-2 services in Dane County.

RESEARCH FINDINGS`

Knowledge of and Perspective on AFDC, W-2, and Child Support Enforcement Policy

The remainder of this paper will focus on the level of policy knowledge ascertained from the interviewed fathers and mothers on the topics of paternity establishment, child support, and TANF programs, specifically the requirements for participation and penalties for noncompliance.

Each topic will be carefully examined for race, gender and location/time differences.²¹ I will begin with an analysis of the information obtained on paternity establishment, followed by a discussion on the child support enforcement and W-2 system.

In general, as in my previous studies of policy knowledge, I concluded that many of these parents are not savvy about the policies and procedures of the child support enforcement system. Despite the passage of time which has exposed them and others to the new policy over a longer period, the most

¹⁹Collins and Mayer (2005) reported a high incidence of domestic violence among their sample of W-2 mothers. In my sample, 7 of the 13 mothers interviewed reported incidents of intimate partner violence.

²⁰One father had married the mother of their child and so had no active child support order.

²¹Analysis by time and location is necessary because this sample has been experiencing the effects of the new welfare policy regime for more years than the sample interviewed in Milwaukee in 1999 (see Pate, 2002).

recent group of participants were still not especially familiar with the practice and policies of child support enforcement and welfare policy. In a previous study, I showed that the sample in Milwaukee did not understand the relationship between paternity establishment and a child support order, “assignment and cooperation” in welfare policy, and modification procedures for child support orders. However, they did have a better understanding of the enforcement tools. They were able to articulate the policies regarding criminal charges, liens and credit bureau reporting, and suspension of a driver’s license. In this study, which is generally a replica of the Milwaukee study (except that I have interviewed custodial mothers matched with noncustodial fathers) there are some differences, but overall the level of understanding of the policy and practices of the child support enforcement and welfare system is similar to that found in Milwaukee in 1999–2000.

Paternity Establishment

Over the years, ethnographic research has enabled me to recognize that in reality there are three ways that a parent-child relationship can be created, all of them independent of the others. The first way is biological: the noncustodial and custodial parents agree without a doubt that he is the father of the child. The second way is through community and family recognition. The community condones the parent-child relationship and has agreed to support the parents in their efforts to provide love and financial and emotional support to their child. This way of creating a parent-child relationship has nothing necessarily to do with a biological relationship, because a “fictive” father can be in this position with non-biological children. The third way to create a parent-child relationship is through a legal process.²² The primary concern here is to identify a man, establish legal paternity, and execute a child support order. I focus on this last way of creating a parent-child relationship.

²² A legal parenting relationship with a child can also be established through adoption and by marriage to the mother of the child.

I discovered, as I have in previous studies, that the urgency for legal paternity to be established was not an issue for these parents. The majority of the fathers in this study acknowledged their responsibility as a father and did not see legal status changing their relationship with their child.

In-Hospital Voluntary Paternity Establishment and Child Support

With regard to the legal establishment of paternity, the primary difference between this study and previous studies was that the majority of these parents had participated in the in-hospital voluntary paternity acknowledgment process (see Appendix C). Some had appeared in court to legalize paternity of their child by requesting a DNA test; the remaining few were legally named the father of the child by default (this was their choice). One of the participants in the study, a 29-year-old white male named Eric, was in jail at the time of his child's birth but did not dispute paternity. He responded in this manner.

ERIC: Uh, I just knew it was my son.

INTERVIEWER: Okay. So you didn't do any blood tests, no DNA.

ERIC: No. He was born with bright red hair, so there is really no mistaking it.

INTERVIEWER: Ok!

ERIC: It was my son.

As in previous studies, several of the fathers did not resist the acknowledgment of paternity if they had been named the father of a child. Many of them were still living with the mother at the time of the birth of the child, so the denial of paternity was not an option for a continued relationship. However, more of the men did request DNA tests, and this was dramatically different than for the first sample of fathers. One of the fathers said that he wanted to be sure that he was the father because this would be a long-term commitment to his child and he understood the connection between paternity establishment and the payment of child support. Lee, a 26-year-old African-American father of three children who lived with the mother of his children, put his thoughts about paternity establishment in the following way:

INTERVIEWER: ...When you went to court and the judge said you've been named the father of this child, had you taken your blood test then?

LEE: Yeah. Not the blood test, but, you know, the . . .

INTERVIEWER: DNA swab.

LEE: Right. A DNA sample. So that, ...- I already knew the kids were mine. That was no question . . .

INTERVIEWER: So why did you do the DNA sample?

LEE: Just to make sure.

INTERVIEWER: Just to make sure.

LEE: I mean, everybody want to make sure. I mean . . .

INTERVIEWER: Okay!

LEE: Yeah, I was just about to say if you don't, I mean, that's your own choice, but I'm, I need to know now. Ain't ... you telling me 13 years later that, hey, you ain't [the father], hey, none of that...

As I mentioned earlier, experience with the hospital-based paternity establishment process was more common with this sample than in previous research studies. Bruce, a 22-year-old African American father of two children, discussed his experience with the voluntary acknowledgment form in the hospital; and the relationship of the paternity establishment with child support.

INTERVIEWER: When your son came along, did you go through the same process [as you did with your daughter]did you sign the form in the hospital ...?

BRUCE: Um, what happened with my son, [the]same thing.

INTERVIEWER: [You signed the voluntary acknowledgment form in]..the hospital.

BRUCE: [Yeah] The hospital [form]. I told them I was the daddy. You know, I was there—...

Bruce expressed his frustration with the process of paternity establishment. As he told me in subsequent conversations, he was going to be involved in his children's lives, no matter the circumstances, but he did not understand the rationale for all the expenses (such as child support and

lying-in costs) for the children being charged only to him. This was particularly so since his children were living with his biological aunt and he was still paying child support, which was going to her. Several months after this interview, the mother of his children was paying child support as well. However, before this action occurred, he said:

“... make her do some shit too, and make me do some shit, so it’s more equal. You know what I mean? That’s wrong, man, you know, putting all the blame on [me for these kids], and then you [the State] come in there, look at [me] like [I am] a low-down dirty dog. ...and you be like, man, all I do is love my kids, man.”

A contextual issue that the interviews raised for me was that both the mothers and fathers were having children at a young age. The average age of the fathers entering the system was 21 years (range 17–24) and of the mothers it was 19 years (range 16–28). In fact, 46 percent of these parents were under the age of 21 when they had their first child in the W-2 system. Clearly, a parent under the age of majority is less likely to read, or comprehend complex legal concepts, documents, and requirements. Their lack of understanding of the system may contribute to their frustration with it.

Establishment of Paternity Establishment and Child Support (Mothers’ Viewpoint)

The mothers responded to the question about paternity establishment differently from the fathers. The majority answered by discussing the establishment of a child support order; many did not see the establishment of paternity as a process separate from the execution of a child support order. Adell, a 28-year-old mother of two and a previous AFDC recipient, discussed the establishment of paternity for her second child with her boyfriend, with whom she had been living intermittently for ten years. She described her interactions with the welfare office for child support:

ADELL: I was like seven months, and I got the paper for child support.

INTERVIEWER: So when you were pregnant, you got a paper for child support. ...

ADELL: Basically, that I had to participate to receive my benefits and everything.

INTERVIEWER: Okay. ...

ADELL: I was pissed off. I was like, I ain't even had the baby yet. But they had got all the information, though, off of, um, her, um, what is it called, the little footprint thing that they give you when you have the baby before you get the birth certificate.

INTERVIEWER: Sorry, I do not know, what you are talking about?

ADELL: Because I put the father's name on there, so they got all the information off of there. [I assume]

INTERVIEWER: ...Were you living together at the time?

ADELL: He was incarcerated.

INTERVIEWER: Okay. But... when he got out, how did that work then?...

ADELL: They [the state] sent some papers there (prison) [for child support].

In my interview with James, the father of the child, he confirmed that he was in jail at the time of the birth of his child and he was "ok" with the default paternity establishment. This was not his first experience with having a child while incarcerated. His first child was born when he was 17 years old and incarcerated. For him, the default paternity establishment was not the problem, because he readily acknowledged that the child was his. The problem for him was the accumulation of child support debt while he was in prison and a birthing cost bill that he owed. He reflected on his first child's birth:

JAMES: they was sending me these... things,... to the jail.

INTERVIEWER: Oh. ...sending them to the penitentiary.

JAMES: Yeah, sending them to the penitentiary.

INTERVIEWER: Ok...

JAMES: They knew I couldn't pay it, but it was like a heads up, so like when you get out, ... I don't know, man.

INTERVIEWER: So they're sending them to the [prison]. But that was the first time you learned you had a child support order...?

JAMES: Yeah. That's, when I had went to prison, that's how I learned that I owed \$1,500 for the baby.— That was the first time [going to prison], but I never paid no

attention to it. I'm like, well,..— because I ain't got no job,—I ain't got nothing to worry about. But I ain't never know that it accumulate[d].

A very different process for paternity establishment was experienced by Tammy, a 29-year-old white mother of four children and Jim, who was the 32-year-old father of one of her biological children and whom she had recently married. (She had three children from a previous marriage.) Tammy had been a recipient of W-2 in the past. Her response to the question: “How was paternity established?” was complicated because at the time of the birth she was still married to the father of the first three children. Jim responded to this question by saying “I always was legally the father” and his rationale was possibly that the hospital allowed Tammy to use his last name on the birth certificate. Tammy said, “they let us name her whatever we wanted to. It was just that, you know, her last name didn't have to be my ex's or anything. They'll let you name your kid anything, but the 'identified father' on the birth certificate had to say his name (her ex's).” The significance of this incident was that she and her current husband learned by this experience about the mechanics of paternity establishment.

Although this is a unique experience, many of these families learned about the policy or practice only if it directly affected them. Some of these families, regardless of race and gender, did not always clearly recall the paternity establishment process because it happened “so long ago,” in their words. Also, as I reflect on previous studies, the fathers in the Milwaukee study seemed to remember the process of paternity establishment much better than this sample. Perhaps their better memory is due to the fact that paternity was established in the courts and not in the hospitals.

For the present participants, experience with and knowledge of the child support enforcement system was more relevant and clearer in their understanding, as I show in the next section.

Child Support Enforcement Policy and the “Pass-Through” program

For these families, the payment of child support can be informal or formal. Informal child support can be cash, purchase of groceries for the family, payment of a utility bill, or in-kind services (such as

child care or fixing the custodial parent's car). Formal child support is a court-ordered payment to the custodial parent.

Everyone in this sample and in previous research studies understood that child support was ordered by the court and must be paid. The majority of men expressed no problem with paying child support because they understood that the money was going to the mother. In fact, they appreciated the practice of garnishment. The only problem acknowledged by some of the fathers was that their employer as well as the State would charge a processing fee for dispensing the check to the Office of Child Support.

As in previous studies, the mothers and fathers did not know the formal name for the pass-through policy, but knew that it was going on. Those mothers and fathers who had participated in the AFDC program acknowledged the difference in the treatment of child support payments and favored the new policy and practice. Several of the parents (especially custodial parents) stated that they would be in a desperate situation without the child support that they received.

Some of these fathers who were living with the mothers would see the checks come back to the household; they would cash the check, get a new money order, and resend it to the child support agency. For those families, the check was used as a pseudo-savings account and was managed in this way to avoid penalties that result from the nonpayment of child support. The child support check would not be counted in their monthly budget. Over time, however, this did not always work because the money was eventually needed to maintain the household.

The majority of the sample recognized a relationship between the child support enforcement system and the TANF program. I posed the following question to Lee, an African American father of three children under four, "*How did you first get involved with the child support system.*" He answered:

LEE: When I had my first child.

INTERVIEWER: So howWere at the birth of your daughter?

LEE: Yeah. I was there, ..—[but] I didn't have no, I don't think I was working when I had my child, ... I mean, [I did not have]—... no [health]insurance.

INTERVIEWER: Okay.

LEE: So, you know, they tax all your medical bills and stuff. Like I said, my girl, she on that food stamp stuff that . . . you know, they tax you for that.

Lee recognized that for the state benefits that she received, she was “taxed,” or in other words, he must repay the state for the benefits she had received. He and other fathers who lived with the mothers of their children did not want to report their living arrangement to the child support office because, as he said, “they (the child support office) don’t know I stay with her. It would [mess] her up—...her [state] benefits.” It was their understanding if you reported your coresident living arrangement to the child support enforcement office then the information would get to the TANF agency, and result in a loss of state benefits.

Another example of cooperation with the state was made clear by Mary, a 25-year-old white woman, mother of one child. A victim of intimate partner violence and a former W-2 participant, she only agreed to be interviewed by phone, for fear of her life.²³ I posed the same question to her: “*How did you first get involved with the child support system?*” She said:

MARY: They make you.

INTERVIEWER: Okay. Who makes you?

MARY: ... You have a paper from the state of Wisconsin, and they make you. I guess if you’re not married,...

INTERVIEWER: Okay. This is important for me to understand. I don’t get what you mean. You said they make you. How do they make you do a child support order or how do they make you sign a paper? ...

MARY: ...I was,...— getting medical assistance.

INTERVIEWER: Okay. You were getting medical assistance

²³“Studies of domestic violence prevalence among women on welfare have consistently found rates considerably higher than rates for women in the general population.” See Tolman and Raphael (2000), pp. 656–60.

MARY: I was 18.

INTERVIEWER: Okay. You were 18. So you were 18 years old. You were getting medical assistance. Were you getting any other kind of benefit, like food stamps or cash assistance ... ? The only thing you were getting was medical assistance, and that's it.

MARY: I lived with my parents...

INTERVIEWER: Okay.

MARY: But it [the form] was just saying, um, like so-and-so is the father of your child.

INTERVIEWER: Okay.

MARY: Would you please sign this form and have it back to us by yada, yada time.

A unique finding of this study, and one not apparent in previous studies, was information on the treatment of child support orders for minors. This discussion was even more relevant because at least 40 percent of this sample had their first child before the age of 19. When I posed the question *How did you learn you had child support obligations?* I received the following response, which was representative for several of the noncustodial fathers:

TIM: Well, they sent me a letter in the mail—...[after] my first son was born.

INTERVIEWER: ... Okay.

TIM: I didn't have to pay child support then because I was under age. It was, I don't remember exactly how it went, but I didn't have to pay child support then. They [the state] waited till I was like 18.

INTERVIEWER: Okay...

TIM: I don't know exactly how it went, but that's how the courts do it— ...I didn't have to pay till I was like 18. I paid like birthing expenses, and then they put me on like regular child support.

INTERVIEWER: Okay. And so with your birthing expenses, you know how much those first were?

TIM: I did \$1,500 for each child.

INTERVIEWER: ...By the time you were 18, did you have two kids...?

TIM: [Yes], by the time I was 18, I had two kids.

The majority of the noncustodial fathers in this study and the previous two studies had a child support statement, which included a lying-in (birthing cost) fee. One difference between this study and the other studies was that a few of the fathers had paid off their lying-in fees and were current with their child support.

Several of the mothers understood the legal process for obtaining a child support order. In fact, more mothers than fathers understood the child support enforcement program. Jessica, a 28-year-old mother of a 7-year-old, described the steps that she took to secure a child support order. She had her only child at the age of 21, graduated from high school, and took some college courses. Currently, she works as a resident assistant at a local assisted living facility. She lived with the father of the child for the first two years of the baby's life. She describes the procedures she followed to secure a child support order for her child after the father moved out of their apartment. She participated in W-2 for a limited time and received food stamps and child care subsidies.

JESSICA: We were together for a couple years before she was born...

INTERVIEWER: Okay.

JESSICA: And then we were very rocky, but kind of together for another year or two after she was born.

INTERVIEWER: Okay. So he lived in the same house with you guys.

JESSICA: Yep.

INTERVIEWER: Oh, okay.

JESSICA: Yep.

INTERVIEWER: And so when you, when you guys split, that is when you started getting state assistance.

JESSICA: Yep.

INTERVIEWER: So were you getting cash assistance as well?

JESSICA: Um, I did—I was like on the W-2 program for one time, but the majority of it has just been food stamps and childcare assistance.

INTERVIEWER: Okay.

JESSICA: And then I have the MA, but she has the insurance through her dad.

INTERVIEWER: ...Okay...

JESSICA: ...I knew that if I, if we didn't already have an order in place or we weren't working on it through the courts already, that the state would have pursued or got us into the court or something because I was getting assistance. So it would have happened anyways. And I went ahead, and I think I had already started it.

INTERVIEWER: Okay.

JESSICA: At the point when I was meeting my caseworker and everything.

INTERVIEWER: So how has the child support system been for you? How has it worked out?

JESSICA: Um, well, it benefits me—... obviously, because it helps me financially.

INTERVIEWER: ... it does.

JESSICA: Contribute to taking care of her, yes. Definitely.

INTERVIEWER: So, if you were not getting ...child support, how would your life be?

JESSICA: ... I would have to work a hell of a lot harder than I do—and give up a lot more time with her. [her daughter].

Another observation was the lack of access to resources to modify a current child support order.

A large number of the fathers wanted to modify their child support order. Modification can be done in

only two ways—either *pro se* or by hiring an attorney.²⁴ The majority of these fathers did not have the money to hire an attorney, nor did they understand how to advocate for themselves in a court of law. Another barrier cited by some of the fathers was the fees for filing the forms.²⁵ Several fathers spoke of the need for a modification particularly upon unemployment and incarceration.²⁶ A major difference from previous studies with this sample of fathers was that they understood that the child support order continued while they were incarcerated or unemployed. They were not, however, comfortable with or proficient in executing the procedures to request a modification of their current child support order.²⁷ For example, Lenny, an African American, noncustodial parent of an 8-year-old daughter, fathered his only child at the age of 17. He started working at 17, graduated from high school and paid his child support on a consistent basis. He held consistent jobs in Dane County and was making monthly child support payments in the amount of \$300. However, a few years ago, said his mother, “he was mistaken for [another person] in the neighborhood and [was] shot in the head at close range with a .9 mm.”

After surviving several surgeries and healing, he was approved to receive SSDI because of his gunshot injury.²⁸ He served as a caretaker for his brother, who was severely injured in a car accident, until

²⁴*Pro se*: “going through litigation without an attorney.”

²⁵Many of the fathers did not know about the fee waiver process for the filing and service fees. Forms and copies still require a fee, unless specially noted on the fee waiver. See www.countyofdane.com/clrkort/clrkhome.htm , choose “Court Forms” for information on the process for conducting a *pro se* motion.

²⁶On November 8, 2005, I requested from the Dane County Sheriff’s Office, the number of incarcerations for failure to pay child support. I received the following information. There were 715 listings in 2003 and 1,148 listings from January 1, 2004 to August 31, 2005. These numbers represent the number of entries listed for failure to pay child support. A person may have been charged with more than one count; therefore the actual number of persons incarcerated may be less than the numbers listed.

²⁷See Pearson, 2004, for an article on assessing the effects of incarceration on support obligations.

²⁸Supplemental Security Income (SSI) benefits, paid under Title XVI of the Act, remain protected from garnishment, or other legal process, with the exception of interim assistance recoupment. However, child support payments can be withheld from Unemployment Insurance, Worker’s Compensation benefits, Social Security Retirement benefits and Social Security Disability Insurance (SSDI). Income withholding can be used for health insurance premiums. However, support cannot be withheld from Supplemental Security Income (SSI) payments. In most cases, support cannot be withheld from veteran’s benefits. (DWD website, updated March 2006, http://www.dwd.state.wi.us/dwd/publications/dws/child_support/dwsc_812_p_2.htm) Government benefits that are

the brother died two years later. Since then, he had been unemployed for one year.²⁹ Lenny had a child support order based on his employment several years previously, and he wanted to lower his child support payment because his only income was the SSDI check, 51 percent of which was taken for current child support (see Appendix D). We discussed his current child support order:

INTERVIEWER: When you were [receiving] unemployment, how much were you [getting]?

LENNY: I was only bringing home \$150 every week.

INTERVIEWER: Okay. \$150 every week. And how much was being taken for child support.?...

LENNY:They [the child support agency] kept taking that \$300 out of my money, my SSDI.

INTERVIEWER: Oh . . . but not your unemployment?

LENNY: Even my unemployment, I was getting \$150 at first. After two weeks, after three weeks, then they cut my check down from \$150 to \$91.

INTERVIEWER: Okay. So your unemployment check was \$150 and ...three weeks later you were getting \$91.

LENNY: Yeah.

INTERVIEWER: And then your SSDI, what's that overall check?

LENNY: That was \$600. I was getting it at first, it was \$600 something.

INTERVIEWER: Okay.

LENNY: Then they (the child support agency]cut that down to \$322.

not means tested—meaning that they are given regardless of the recipient's income—typically are subject to garnishment for child support.

²⁹African American unemployment is 16.4 percent, a rate four times higher than the white unemployment rate in the state. For a complete report, see Dresser and Rogers, 2004. A recent national, qualitative research study examines the issues associated with employment and drug trafficking for noncustodial fathers (see Kotloff, 2005).

INTERVIEWER: And the mother is getting the other \$300-something.

LENNY: Yeah.

INTERVIEWER: Okay...

LENNY: I only got one kid.

INTERVIEWER: One kid.

LENNY: One kid. Her name [is] on my arm. One kid. I got one kid.

Since the attempted homicide, Lenny has lived with his mother and father. His mother participated in some of the interview since Lenny had problems remembering some details because of the gunshot wound. She said at one point in the interview, “Even after he got hurt, they [the child support office] never adjusted it [his child support order] . . . We’ve been trying to figure out how to get back in court to do this [modify his order].”

Another topic related to adjusting the child support bill is the ability to forgive custodial arrears—a process available only to the custodial parent. Some of the mothers were aware of their ability to forgive child support arrears and less aware of, or less interested in, the procedures for a modification of a current child support order. In fact, a few of the mothers had forgiven some of the child support owed to them, particularly if the father was living with them or actively involved in the child’s life. Adell explains her interaction with a child support officer and how she learned about forgiving arrears:

INTERVIEWER: [Describe] your interaction with the child support office?

ADELL: I don’t like it at all.

INTERVIEWER: Okay. [Please explain]

ADELL: They are real snotty people up there... I met one nice person up there, and that was when I first went for my oldest daughter way back in ‘94, ‘95. And I don’t even remember who that person was—. Other than that, everybody is really snotty and mean. If you try to let them know that the father helps out with the child and all that, they get mad at you.

I'm like, well, he do help out—. You know, ... like when I had them take that money off— ... And then my cousin [and] my friend had told me that I could have had them take off the arrears, period. And I didn't know that.

INTERVIEWER: ... you weren't sure whether or not you could forgive all of your arrears.

ADELL: Right.

INTERVIEWER: But you now think you could have.

ADELL: Uh-huh.

INTERVIEWER: So what did they explain to [you] about what you could do?

ADELL: He just asked me, so what do you want to take off? And I was like [yeah].

INTERVIEWER: Did you know, did you look at it [the child support statement] and [decide what to]?

ADELL: I looked at it. I'm like, well, I'm like, you can take all this off right here. And I think it's almost like the current arrears.

INTERVIEWER: And how much was that?

ADELL: And that was like \$1,000 or something, almost \$2,000.

INTERVIEWER: Okay.

ADELL: And it was still like \$4,000 or something up at the top of that [statement]. And I'm like, I wonder if I could have had them to take off the past arrears and the current arrears. And my friend told me that I could have.

The next policy finding I discuss, regarding payment child support, is unique to Dane County. I did not identify it in previous research studies.

Several fathers and mothers discussed the manner in which they paid current or past due child support. Some of these fathers paid their current child support by having their wages garnished, or by

check or money order.³⁰ One father mentioned earlier was Tim, who had his first child at the age of 17, and his second by age 18. He was at the time of the interview a 27-year-old, African American father of five children by two mothers. Three of his children were SSI recipients. He was at that time \$3,000 in arrears. He lived in his own apartment on the east side of Madison. He discussed his recent experience with the child support enforcement agency and their request to know how he was able to pay his child support. He was sending money orders.

TIM: They [child support] sent me a letter saying they want to know, how am I making my income....

INTERVIEWER: So what [did] the letter say?

TIM: We don't have any records showing how you're paying the child support. I want to know why do they need the records? Why do they want to know how I'm paying? Does it really matter how I'm paying? ...

INTERVIEWER: Okay.

TIM: Because like in other states, like I got buddies in Illinois. And they hustle (sell drugs), and they pay their child support.

INTERVIEWER: Yeah.

TIM: And the child support ain't never to this day sent them a letter saying, who are you and how are you making your income? They really don't care, as long as you giving them their money.

INTERVIEWER: So did you respond to the letter?

TIM: Yes, I called them! I was like, why do you want to know how I'm making my income? [They said] Because we want to know how the child is being taken care of. [He said] I'm like, with my money. [They asked] Well, how you making this money? I'm making the money. Why you need to know how I'm making it? [They asked] Are you a drug dealer? Why? Are you? I mean, I was just starting to get mad— ...Man, I was just

³⁰Cash was not accepted as payment in the child support office unless it was a purge payment. A purge payment is a set dollar amount that would be acceptable to clear your debt. Purge payments are usually accepted by the child support enforcement office when the noncustodial parent has been arrested/jailed for nonpayment of child support.

like, man, look, if I was to get up and walk out right now, you guys would lock me up, right? Okay. So I'm paying the child support. So help me understand this. I'm paying the child support, right? They were like, yeah. We see that you're paying the child support, but we don't know how you're paying. I'm just stuck. Like why does it matter how I'm paying this? You all should be happy [that I am paying]. It shouldn't matter how I'm paying it. It really shouldn't.

Several of the fathers who experienced this type of questioning were confused about the rationale for the questions. I hypothesized that the child support enforcement office was seeking to obtain information about the place of employment, so that they would be able to garnish his wages in the future. However, if that was the reason, it would not apply to this father, because he was paying on a consistent basis. Thus the hypothesis appears incorrect and the rationale for the questions unclear.

Penalties for Non-Payment of Child Support

Both parents were aware that there were penalties for noncooperation with both programs. The majority of the fathers, however, did not know the penalties for noncooperation with the TANF agency. The most common penalty mentioned was denial of services if they did not cooperate with the child support program by naming a father of the child. Both parents also knew about the penalties associated with nonpayment for child support. Some mothers were well informed, particularly about the penalty of incarceration for nonpayment of support, whereas others were surprised to find out about the array of enforcement tactics. I posed the following question to both mothers and fathers *"Are you familiar with any of the penalties for nonpayment of child support? Please explain to me what you know?"*

Kelly, a 31-year-old white mother of three children, had been previously married and worked as a manager at a local store. She earned \$13 an hour and got this job 8 years before through her W-2 caseworker. She received W-2 services in order to care for her youngest child, a special needs child diagnosed with autistic-like symptoms. At the time of the interview she was over \$10,000 in debt for the medical bills of this child. She described the child's father as a role model for payment of child support. He also acted as a fictive father for the other children by occasionally contributing financial and emotional support as well. She answered the question I posed above as follows:

KELLY: Yeah. I think they (the penalties) are a joke.

INTERVIEWER: Okay. Please explain your comments?

KELLY: [laughs] I know this due to the fact of the girls, is that if he goes 30 days with nonsupport—, they send a letter to the employer. They send a letter to him stating that if this continues, they will be held in contempt of court.

INTERVIEWER: Okay.

KELLY: So on and such forth. The one that goes to the employer states that if this employee is no longer working with you, you need, you know, to let them know.

INTERVIEWER: Okay.

KELLY: Um, I also know that after 30 days with nonsupport, nothing happens. It's just a letter.

INTERVIEWER: Okay.

KELLY: At 60 days, it's another letter from the parental unit.

INTERVIEWER: Okay.

KELLY: [The letter] would go to the noncustodial parent

INTERVIEWER: Okay.

KELLY: ...that letter comes from child support again—...I just went through this not too long ago with the girls. I went another 60 days with no support. It was another letter issued. And I was told at that point that it had to be six months or \$2,000 before they even took it to court.

INTERVIEWER: Oh.

KELLY: So we went six months, \$2,000 with no support, and they put him on a contempt of court charge.

INTERVIEWER: And what happened?

KELLY: And nothing, nothing happens. It, they smack them with a contempt of court charge, telling him that he needs to pay his child support, they reevaluate the child support order. And for the next year, they are held in contempt of court, which means absolutely nothing.

INTERVIEWER: What about jail, I thought jail was a part of this process?

KELLY: He, he's never been incarcerated.

INTERVIEWER: Never?

KELLY: It's never been brought up. Nobody has ever gone past the contempt of court charges. Now, mind you, I've gone six plus months without child support.

INTERVIEWER: What about other, some other policy-related stuff I've heard from other women, and also, I've been looking at it because they've told me, and the men as well, is that they will withhold your fishing and hunting license.

KELLY: Yes. They can, they can put a lien on your vehicle. They can withhold liens on your vehicle. They can withhold driver's licenses, fishing licenses. They can put liens on things and holds.

Several women were as knowledgeable as Kelly about the various penalties, such as the liens and judgments, incarceration for nonpayment of child support, and the withholding of drivers, hunters, and fishing licenses. Although there are enforcement tools available, Kelly echoed the comments of several other women about the drivers license and other enforcement tools. I asked the following question, *What do you think about those policies as a practice to get people to pay?*

KELLY: I don't see it [the enforcement policies] doing any good.

INTERVIEWER: Okay.

KELLY: You're not going to stop—...them from driving.

INTERVIEWER: Okay.

KELLY: You're not going to, okay, yeah, so you put a lien on their vehicle, so they can't sell it without that money going to child support, but most of them junk them.

INTERVIEWER: Okay.

KELLY: It's not, to me, I don't think it has any value or bonus.

INTERVIEWER: Okay.

KELLY: ... I mean, ... I've hired an attorney to go into court with me.

INTERVIEWER: So you had an attorney.

KELLY: And I still get nowhere. I've gone without an attorney. I've gone with an attorney, and I still get the same results.

INTERVIEWER: Do you, so when you go down to the Dane County courtroom, do you understand most of what's going on? ...

KELLY: Yeah. I've got a pretty good understanding of how the system works.

Kelly's understanding of the system may be due to her prior participation in the AFDC program and involvement with the W-2 program. Her first child was born 11 years ago.

The incarceration penalty for nonpayment of child support is widely known among both the mothers and fathers. Most parents who have a child support order and participated in the W-2 program also know that if you are behind in your child support that you have the option of providing a purge payment or spending time in jail.³¹ One father shared his recent experience with incarceration for nonpayment of child support. Ernie was fishing in Washburn County with friends and was approached by a Department of Natural Resources representative who checked his fishing license and issued a warrant for his arrest for past due child support. He was arrested and detained in Washburn County until a family member came from Madison with a \$1,100 purge payment. The payment was accepted and he was released.

Another father, Jim, who lives with his children and the mother, was arrested for nonpayment of child support. He explained that he does not pay his child support until he is arrested. His rationale was that he does so because he knows that his purge payment will come back to the house eventually³². His

³¹The noncustodial parents who had spent time in jail in Dane County said that 41 days was the most common sentence.

³²When a payer is seriously behind in child support payments, court actions may be considered. Court actions include charges of contempt of court or criminal nonsupport. If the court finds a payer is in contempt of

girlfriend (the child's mother), Adell, made the purge payment for his release from jail. She explained what happened:

My girlfriend went to pay his purge payment and called me at work. She told that [they (child support) said] we need proof of where he is employed...— ...before they can give him a order of release—...I was so pissed because I was like, this is my first day of work. Who is calling me here? And it was her. I'm like, well, did they take the money? She like, yeah, they took the money. I'm like, well, if they took the money, they have to give you a order of release for him—

[but they insisted on knowing where he worked]...so [I went] to my manager, she let me leave, and I had went up there [County Building]. I was planning on cutting up on them people.

Adell goes on to explain what happened when she got to the building downtown:

When I got up there, it was 11:30, so they was closed till 12:30—. [So when they reopened] I went in there, and I asked the lady[at the window], I said, well, do you have the order of release for the bill? She was like, oh, yeah, she gave it to me. [I found out later]—She had told my girlfriend, "*Well, he's just going to get locked right back up anyway.*"

Both of these men were locked up for the same penalty but their release was treated very differently.

Most parents were opposed to the imprisonment of the fathers for nonpayment of child support because in their opinion it hampered future employment opportunities.³³ Several parents were unaware of the drivers, fishing, and hunting license revocations and also disagreed with them. A few of the mothers who were not receiving support or receiving inconsistent payments were in favor of more aggressive tactics to make the father pay. However, those same mothers reported wanting social services for the fathers so they could get a "good" paying job to make their child support payments.

court, the court may order a jail sentence but set "**purge**" conditions. The purge conditions may be an amount of money that the payer must pay or actions that the payer must take to avoid jail.

³³See Holzer, Offner, and Sorensen, 2005 for a discussion on the interaction of incarceration and child support on employment opportunities.

CONCLUSION

The intent of this study was to gather information and policy-relevant data from African American and white matched-paired couples to illustrate their understanding of the child support and W-2 system. The research addressed four general questions: (1) How did custodial and noncustodial parents get involved with the child support enforcement system? (2) What do they know about the pass-through child support policy? (3) What do they know about the W-2 system in which they are participants? and (4) What do they know about the penalties for noncooperation in the W-2 and child support program? The information obtained from these questions is analyzed across gender, time and location, and race.

In the entire sample, there were few striking differences in mothers' and fathers' knowledge of policy on TANF and child support. Some parents were more informed than others, but this was true for both men and women. It might seem reasonable to assume that the custodial mothers would be more knowledgeable about TANF and that noncustodial fathers would be more knowledgeable about child support. However, a few of the mothers, particularly white custodial mothers, understood the policy and practice of the child support enforcement system, perhaps because they had a longer history of receiving consistent child support, as is reported in Appendix B.

This study found striking differences in parents' testimony on the benefits of the pass-through policy, how it helped or hindered them in their ability to manage their household expenses. The experiences recorded in Dane County 2005 were strikingly different from those recorded in Milwaukee in 1999. In Dane County, some parents had learned to treat a passed-through child support payment as a pseudo-savings account whereas others viewed the payment as a means to maintain their daily livelihood. Families have clearly benefited from this policy, a fact not so evident in the previous study, when the policy was relatively new. Many of the fathers were more willing to pay child support under this policy.

As reported earlier in the paper and in Appendix B, the racial differences in income, child support paid and received, and AFDC participation are striking. White women appeared to fare the best in the child support and TANF systems, because the fathers of their children were able to secure employment

through friends, by starting a business, getting a construction job, or getting employment with a local business.

Finally, this study confirms the findings of my previous qualitative studies of knowledge about child support policy. It shows that these welfare-reliant mothers and fathers live in circumstances that offer complex challenges which do not allow them the opportunity to fully understand policies that affect their ability to negotiate with the system in a manner that will benefit them.

Appendix A

CODE:
DATE:

W-2 Qualitative Research Protocol

Location of Interview:
People Present:
1.
2.
3.
4.
5.
Time of Day:

A. BACKGROUND INFORMATION

- **Number of Children**

- **How many boys and how many girls do you have?**

# of girls	
# of boys	

- **How old are they?**

Name of Child(ren)	Age
1.	
2.	
3.	
4.	
5.	

- **Do any of them live with you?**

Yes	No
------------	-----------

- **If not, whom do they live with?**

- **Where do they live?**

<i>Name of Child</i>	<i>Currently Lives With...</i>	<i>Location</i>

Knowledge about AFDC (if applicable), W-2, and Child Support

- What do you know about the W-2 system in which your child is a participant?**
- Do all of your children have child support obligations?**
- How did you learn that you owed child support and roughly, how long have you owed child support?**
- What is the father's obligation in the new welfare system?**
- What is the mother's obligation in the new welfare system?**

B. UNDERSTANDING OF THE PASS-THROUGH POLICY

- What is your current involvement with the child support system?**
- How do you feel about paying child support?**
- Do fathers have some requirements in the new welfare system?**
- Do you know the child support policy about the pass-through? (explain)**
- Do you ever help out with the household finances? How?**
- How did you learn that you had a child support order?**
- What do you know about the system?**
- How do you pay child support?**
- How do you feel about the practice of paying “child support”?**
- Do you ever help out with the maintenance of the child (ren) in ways such as babysitting? Presents? Can you give me some examples?**
- Has the new policies changed the way you view your “responsibility” in making child support payment?**
- In recent months have you changed the way you pay your child support? Do you still do those extra things for your family?**

C. THE PROCESS OF PATERNITY ESTABLISHMENT (CHILD SUPPORT AND MODIFICATION)

When the mother of your child had your baby did you go to the hospital?

Yes	No
-----	----

(What was that experience like?) Why did you go or why didn't you go?

Why did you go or why did you not go?

Did you sign your name on the birth certificate?

Yes	No
-----	----

Does the child have your last name?

Yes	No
-----	----

Who decided to do this?

Did you establish a legal relationship with your child (ren)?

Yes	No
-----	----

Why or why not?

Did the people at the W-2 office or child support enforcement office contact you?

Yes	No
-----	----

What did they tell you?

Did you think it was a good idea to do this?

Yes	No
-----	----

- What did the child's mother think about you doing this?
- Are you happy that you did/did not do this?
- Do you think it is important to establish a legal relationship between a father and a child?
- Do you think there are any other benefits to establishing paternity?
- (Do you think it means that the parents have a different kind of relationship?)
- Do you know men who do not want to establish paternity? Why?
- Do you know men who deny they are the fathers?
- Why do you think they do this?
- What are the ways that men can acknowledge their children other than through establishing paternity?

D. ACCESS TO CHILDREN, VISITATION AND CUSTODY

- Describe your current relationship with the mother of your child.
- How often do you see your children?
- Do you have any custody rights?
- How does the mother feel about your relationship with the children?
- What kinds of activities do you with your children?
- How would you make the relationship between you and your children better?
- What help is available to make sure that you see your children?

E. EMPLOYMENT (CHILDREN'S FIRST, TEMPORARY AGENCIES)

- How is the job situation in your city?
- Is it easy or hard to find a job in Dane County? Why is it easy or hard for some and not for others?
- Is there adequate transportation to get to work in the city, in the suburbs?
- Do you know about the Children's First program?
- Is it a good/bad program?
- What services do men need to take care of themselves and their children?
- Where are the opportunities for men like you to gain access to employment opportunities?

F. AVAILABLE SERVICES FOR NON-CUSTODIAL FATHERS IN DANE COUNTY.

- Have you ever used any services for job placement?
- Are you aware of any free educational services for men in the city?
- Do you see the need for skill-building services for men? (e.g., GED classes, Carpentry classes, Culinary school training, and some college classes)
- Are you aware of the services available in the city for men?
- When was the last time that you worked?
- What type of job was it? (full/temp/part)
- What type of work were you paid for?
- Are there reasons why people are not getting jobs in Dane County?

{END INTERVIEW}

DEMOGRAPHIC QUESTIONS OF IMPORTANCE: SOURCES OF INCOME

- Where do you live now? Are you on the lease?**
- Do you care for children other than your biological children?**
- How much do you have to pay in rent?**
- Do you have any type of car, hospital, credit payments that you must make each month?**
- Given your current job situation do you receive money from any other source? Do you get help from your mom, dad, and girl? etc.**
- How much money besides your child support payments, do you give to your children during a month?**
- Do different children get different amounts and why?**
- If you have a hustle on the side, how much do you make a month from it?**
- Have you ever been married? Have you married any of the women of the child (ren) that you are currently paying child support for?**
- Where does the mother of your children live?**

RELATIONSHIPS:

- What do you think about marriage?**
- Have or do you ever think about getting married?**

APPENDIX B1

Characteristics of 20 Noncustodial Fathers in Qualitative Sample

Random Sample	Noncustodial Parent Age	Race	Number of Children Who Received W-2 at Time of Interview	Number of Biological Children at Time of Interview	Ever Live with Biological Children?	Ever Live with Non-biological Children	Numbers of Partners that Have had Interviewees Children	Type of Job at Initial Interview (2005)	Rent or Own Principal Residence	Currently Lives with Mother and Subject Child	Currently Lives with Mother and Subsequent Child	Highest Level of Education	Ever Married	Currently Married	Accused of Intimate Partner Violence	Unreported Income	Child Support Arrears (Amount)
1	28	White	1	1	Yes	No	1	Self-employed	Rent w/ Girlfriend	No	No	H.S. Diploma	Yes	No	Yes	No	>7K
2	30	Black	1	2	Yes	Yes	2	Self-employed	Rent	Yes	No	GED	No	No	No	Yes	>5K
3	32	Black	1	1	Yes	Yes	1	Unemployed	Homeless	No	No	H.S. Diploma	No	No	Yes	No	>4K
4	29	White	1	1	Yes	No	1	Sales	Rent	No	No	H.S. Diploma	No	No	No	Yes	0
5	22	Black	2	2	Yes	No	1	Unemployed	Lives w/ Godparents	N/A	NA	HSED	No	No	Yes	Yes	>3K
6	34	Black	2	3	Yes	Yes	2	Unemployed	Rent	No	Yes	HSED	No	No	Yes	Yes	> 15K
7	34	White	1	1	Yes	Yes	1	Factory	Rent	No	NA	H.S. Diploma	No	No	Yes	Yes	>10K
8	27	Black	3	5	Yes	Yes	2	Manager	Rent	No	Yes	H.S. Diploma	No	No	No	Yes	>3K
9	25	White	1	1	Yes	No	1	Laborer	Lives w/Parents	No	NA	H.S. Diploma	No	No	Yes	No	>10K
10	32	White	1	1	Yes	No	1	Optometry	Rent	No	NA	Some College	No	No	NA	No	<1K
11	28	White	1	2	Yes	No	2	Landscaping	Rent	No	Yes	Some College	No	No	NA	No	>3K
12	36	White	1	1	Yes	Yes	1	Auto Mechanic	Lives w/Parents	No	No	H.S. Diploma	No	No	Yes	No	0
13	30	White	2	3	Yes	Yes	1	Laborer	Lives w/Parents	Yes	NA	H.S. Diploma	No	No	Yes	No	>5K
14	25	Black	1	1	No	No	1	Unemployed	Lives w/Parents	No	NA	H.S. Diploma	No	No	NA	Yes	>4K
15	26	Black	1	3	Yes	No	1	Unemployed	Rent	Yes	NA	H.S. Diploma	No	No	NA	No	<1K
16	26	White	1	2	Yes	Yes	2	Manufacturing	Lives w/Parents	No	No	H.S. Diploma	No	No	No	No	<1K
17	36	Black	1	2	Yes	Yes	2	Unemployed	Lives w/Parents	Yes	No	GED	No	No	No	Yes	>30K
18	29	White	1	1	Yes	No	1	Construction	Rents w/Girlfriend	No	NA	H.S. Diploma	No	No	NA	No	>2K
19	27	Black	2	5	Yes	No	2	Unemployed	Lives w/Girlfriend	Yes	No	H.S. Diploma	No	No	Yes	No	>10K
20	32	White	1	1	Yes	Yes	1	Manufacturing	Rent	Yes	NA	H.S. Diploma	Yes	Yes	No	No	0
Mean (Average)	29		1	2			1										

Notes: The numbers are matched-pair couples. 20 noncustodial fathers and 13 matched custodial mothers were interviewed. All partner violence accusations were made by the partner or police. Child Support Arrears includes lying-in fee, past due child support, interest on child support, court fees, R and D fees, and paternity test fees. "Subsequent child" is defined as an additional child with another father. "NA" means not applicable. GED indicates general equivalency diploma, and HSED indicates High School equivalency diploma.

Appendix B2

Characteristics of 13 Custodial Mothers in Qualitative Sample

Random Sample	Custodial Parent Age	Race	Number of Children Who Received W-2 at Time of Interview	Number of Biological Children at Time of Interview	Ever Live with Biological Children?	Ever Live with Non-biological Children	Numbers of Partners that Have Had Interviewees Children	Type of Job at Initial Interview (2005)	Rent or Own Principal Residence	Ever Lived with Father and Subject Child	Currently lives with new Father and Subsequent Child	Highest level of Education	Ever Married	Currently Married	Victim of Intimate Partner Violence	Unreported Income
2	28	Black	3	2	Yes	Yes	2	Wendy's	Rent	Yes	No	11th Grade	No	No	No	No
3	31	Black	5	5	Yes	Yes	3	Personal Care Giver	Rent	Yes	No	11th Grade	No	No	Yes	No
4	28	White	1	1	Yes	No	1	R. A. (Assisted Living)	Rent	Yes	No	Some College	No	No	No	No
5	22	Black	2	2	Yes	No	1	Parking Cashier	Lives w/Mother	Yes	No	Home-Schooled Graduate	No	No	No	No
6	32	White	3	3	Yes	No	2	Unemployed	Own*	Yes	No	11th Grade	No	No	Yes	No
7	31	White	4	4	Yes	No	3	District Sec'y	Rent	Yes	No	HSED	Yes	No	Yes	No
8	28	Black	3	4	Yes	Yes	2	Factory	Lives w/Father	Yes	No	Diploma	No	No	Yes	No
9	25	White	1	2	Yes	Yes	2	Unemployed	Own**	Yes	Yes	Some College	Yes	Yes	Yes***	No
12	27	White	4	4	Yes	No	4	Nurses' asst.	Rent	Yes	No	HSED	No	No	Yes	No
13	34	White	4	4	Yes	No	2	Unemployed	Section 8	Yes	No	HSED	No	No	No	No
16	26	White	2	2	Yes	No	2	Unemployed	Rent w/ boyfriend	Yes	Yes	Diploma	No	No	No	No
19	24	Black	4	5	Yes	No	1	Unemployed	Section 8 hsg.	Yes	No	11th Grade	No	No	Yes****	No
20	29	White	4	4	Yes	No	2	Grocery Store Stocker	House (lease)	Yes	Yes	Diploma	No	No	No	No
Mean (Average)	28		3	3			2									

Notes: Partner violence was self reported by the partner.

*Lives in the grandmothers house.

**Home owner.

***In hiding due to domestic violence by the father of child.

**** Both partners have been jailed for domestic violence.

HSED indicates High School equivalency diploma

^

VOLUNTARY PATERNITY ACKNOWLEDGMENT

Type or print in **BLACK INK**. No cross-outs, erasures or correction fluid allowed.
Follow instructions on the reverse side.

VITAL RECORDS OFFICE USE ONLY	Date Filed	Certificate Number
--	------------	--------------------

SECTION I

Child's Name (As it now appears on the birth certificate) (First / Middle / Last)			Sex of Child <input type="checkbox"/> Male <input type="checkbox"/> Female
Child's Age	Child's Birth Date (Month/Day/Year)	Child's Birthplace - City, Village or Township	Child's Birthplace - County
Mother's <u>BIRTH</u> Name (First / Middle / Last)		Birth Date (Month/Day/Year)	Mother's Social Security No.
Mother's Present Name (First / Middle / Last)		Mother's Home Telephone No. ()	Mother's Work Telephone No. ()
Mother's Mailing Address (Street Address / City / State / Zip Code)			
Father's Name (First / Middle / Last)		Birth Date (Month/Day/Year)	Father's State of Birth (If not in U.S.A., name of country)
Father's Social Security No.	Father's Mailing Address (Street Address / City / State / Zip Code)		

SECTION II Is this child's name to be changed? Yes No If yes, use the blocked area below to show the complete new name. FOR REQUESTS TO CHANGE THE CHILD'S NAME: If the child is age 7 through 17 when this form is received by the State Vital Records Office, the original certificate will show the change. This form can not be used to change a child's name if the child is age 18 or older.

We want our child's name changed to:

First	Middle	Last
-------	--------	------

SECTION III Each parent must sign this form, either separately or together, in the presence of a Notary Public. If a parent is a minor under the age of 18 years, the minor's parent/legal guardian must also sign at the same time as the minor parent in the presence of the same Notary Public. ALL SIGNATURES MUST BE IN **BLACK INK**. A Notary Seal is mandatory and must be present in both places designated at the bottom of this form.

If you have ANY questions about the legal impact of signing this form, seek legal advice and **DO NOT SIGN** this document.

MOTHER'S STATEMENT

I swear or affirm all of the following:

- I have received an oral explanation of the Rights and Responsibilities Statement on the cover sheet of this form. This statement includes the legal consequences and alternatives to signing this form.
- I have read and understand the Rights and Responsibilities Statement on the cover sheet of this form.
- To the best of my knowledge, all of the above information is true and correct.
- I am the biological mother of the child named on this form.
- The man named on this form is the biological father of the child named on this form.

Check one of the following:

- I was NOT married to another man at any time between conception and the birth of the child named on this form.
- OR**
- I was married to another man at some time between conception and birth of this child, but am attaching a certified court order stating that the man that I was married to is not the father of the child named on this form.

> SIGNATURE - Mother (Must be signed) _____ Date Signed (Mon/Day/Yr) _____

ARE YOU UNDER AGE 18? Yes No If yes, your parent or legal guardian must also sign with you in the presence of the notary.

> SIGNATURE - Mother's Parent or Legal Guardian _____

Printed Name - Mother's Parent or Legal Guardian _____ Date Signed (Mon/Day/Yr) _____

CERTIFICATE OF NOTARY PUBLIC

NOTARY SEAL

(MANDATORY)

Subscribed and sworn before me this _____ day of

Month Year

> SIGNATURE _____, Notary

of _____ county, state of _____

My Commission expires _____

Printed Name of Notary _____

FATHER'S STATEMENT

I swear or affirm all of the following:

- I have received an oral explanation of the Rights and Responsibilities Statement on the cover sheet of this form. This statement includes the legal consequences and alternatives to signing this form.
- I have read and understand the Rights and Responsibilities Statement on the cover sheet of this form.
- To the best of my knowledge, all of the above information is true and correct.
- I am the biological father of the child on this form.
- I understand that this is a legally binding document and that, by signing this form, I accept the legal responsibilities (including financial support) listed on the cover sheet of this form.

> SIGNATURE - Father (Must be signed) _____ Date Signed (Mon/Day/Yr) _____

ARE YOU UNDER AGE 18? Yes No If yes, your parent or legal guardian must also sign with you in the presence of the notary.

> SIGNATURE - Father's Parent or Legal Guardian _____

Printed Name - Father's Parent or Legal Guardian _____ Date Signed (Mon/Day/Yr) _____

CERTIFICATE OF NOTARY PUBLIC

NOTARY SEAL

(MANDATORY)

Subscribed and sworn before me this _____ day of

Month Year

> SIGNATURE _____, Notary

of _____ county, state of _____

My Commission expires _____

Printed Name of Notary _____

GENERAL INFORMATION

Filing a completed Voluntary Paternity Acknowledgment with the Department of Health and Family Services Vital Records Office (State Registrar) establishes legal paternity. Read the attached statement of rights before signing this form. If you have questions concerning the legal impact of signing this document or if you do not understand your legal rights and obligations in this matter, seek legal advice and do not sign this form. You may keep the attached sheet for future reference. If you have questions on how to fill out this form, please call (608) 266-5736.

USE OF THIS FORM

A Voluntary Paternity Acknowledgment can be filed after the birth of the child if:

- (1) no other Voluntary Paternity Acknowledgment or court determination of paternity exists for the child, and
- (2) the mother was unmarried from the time of conception to the birth of the child. If the mother was married (but not to the biological father of the child) this form can only be filed after the husband has been declared by a court not to be the biological father of the child.

Only the State Vital Records Office, after receiving this form, may enter the father's name and information on the birth certificate. **The hospital may not enter the father's name and information on the birth certificate.**

If the parents have married each other since the birth of the child, parents should follow the "Acknowledgment of Marital Child" process rather than file a Voluntary Paternity Acknowledgment. Call (608) 266-5825 or write to the address listed below for information on the Acknowledgment of Marital Child process. (This process was formerly called the Legitimation process.)

If a court order establishing paternity has been filed which added a father's name to the birth certificate, this Voluntary Paternity Acknowledgment cannot be used since paternity has already been legally established. If a court order establishing paternity was filed but you now wish to change the child's name, this form cannot be used for that purpose. You will need a new court order. You may want to contact an attorney for legal assistance.

INSTRUCTIONS FOR COMPLETING THE VOLUNTARY PATERNITY ACKNOWLEDGMENT [S. 69.15(3)(b)3]

SECTION I

- Complete each item in this section or the form will be returned as unacceptable.
- Enter the name of the child as it now appears on the birth certificate.
- When completing the father's information, enter the father's COMPLETE name as it should read on the child's birth certificate. The State Vital Records Office will use only the information entered in this section when adding the father's name to the birth certificate.
- If the mother and father have been assigned a Social Security number, they are required to provide it for the birth certificate. Social Security numbers may only be released to Child Support Agencies to conduct child support enforcement programs per 42 USC 405 (C)(2).
- Complete a separate form for each child of a multiple birth.

SECTION II

- You do not have to change your child's name. Your child's name CAN be changed by checking the box "Yes" and entering the child's new name in the boxes provided. If the child is **under 7 years of age** when this form is received by the Vital Records Office, and the name is changed, the original certificate will not show the change. If the child is age **7 through 17** when this form is received by the State Vital Records Office, and the name is changed, the original certificate will show the change. This form can not be used to change a child's name if the child is age 18 or older.

SECTION III

- Each parent must sign this form in the presence of a Notary Public. The mother and father do not need to be together at the time each signs the form, and each may use a different Notary Public.
- If either parent is a minor under the age of 18 years, the minor's parent or legal guardian must sign this form with the minor in the presence of the same Notary Public.
- Make sure the Notary Public is a witness to all required signatures and that the Notary signs and completes the Notary information on both the mother and the father areas of this form. **The Notary Seal must be present in both designated areas.** (A Notary Public is someone specially licensed by a state government to witness signatures. Notaries can be found at banks, courthouses and hospitals.)

St. Mary's Hospital Medical Center
Perinatal Center
707 S Mills Street
Madison, WI 53715

IMPORTANT FEE AMOUNTS AND PAYMENT INFORMATION

- **The fee to file this form is \$10.00.**
- The fee does not include any copies of the birth certificate. The fee for one certified copy of any birth certificate is \$12.00. Additional copies of the same record purchased at the same time as the first copy are \$3.00 each.
- Certified copies of the birth certificate will be sent to the mother's address unless this box is checked. **Send to father's address.**
- Your check or money order for fees should be made payable to: **State of Wis. Vital Records**
- **AFTER THE BIRTH** of the child, forward the completed form and the check or money order to: **STATE VITAL RECORDS OFFICE - VPA / P.O. BOX 309 / MADISON, WI 53701-0309**

ORDER HERE	<input type="checkbox"/> Filing fee (does not include a copy of the birth certificate)	\$ 10.00	10.00
	<input type="checkbox"/> First copy of birth certificate	\$ 12.00	_____
	<input type="checkbox"/> Each additional copy of the same certificate, issued at the same time as the first	X \$ 3.00	_____
		Number of Copies	TOTAL \$ _____

ADMINISTRATIVE USE ONLY	DOCUMENT SOURCE (Check one.)
	<input type="checkbox"/> Vital Records Office <input type="checkbox"/> Child Support Office <input type="checkbox"/> Hospital

WISCONSIN VOLUNTARY PATERNITY ACKNOWLEDGMENT

This form has important legal information for the baby's mother and father. You have a choice whether or not to sign this form. If you do not understand this form, ask for help before signing it.

Este formulario contiene información legal que es importante para la madre y el padre del niño. Ud. puede escoger firmar el formulario o no. Si no entiende este formulario, pida ayuda antes de firmar.

Daim ntawv no muaj ntsiab lus tseem ceeb heev txog kev cai plaub ntug rau tus me ntuam niam thiab txiv. Koj muaj cai xaiv yuav kos tsis kos lub npe rau daim ntawv no. Yog koj tsis to taub qhov twg, yuav tau thov kev pab ua ntej koj yuav kos koj lub npe rau daim ntawv.

PURPOSE: This form is for a child whose parents were not married at the time of the baby's birth. It makes the man the legal father of the child and places his name on the birth certificate as the father. It also gives the child the right to support and inheritance from the father.

Instructions to Parents: Please read this entire form before signing it, and carefully follow the "Instructions for completing the Voluntary Paternity Acknowledgment" on page 2 of the actual form. The State Vital Records Office can only accept the form when it is completed correctly. Your signatures are legal only if a "Notary Public" actually sees you sign. (A Notary is someone specially licensed by a state to witness signatures.)

Penalties: Any person who willfully and knowingly supplies any false information with the intent that the information be used in preparation of a birth certificate is guilty of a Class I felony [punishable by a fine of not more than \$10,000 or imprisonment of not more than three years and six months or both, per s. 69.24(1), Wis. Stats.].

Wisconsin "Voluntary Paternity Acknowledgment" Rights and Responsibilities

"Paternity" means legal fatherhood. For parents who are not married, the father has no legal relationship to the child until paternity is established. When you sign and file this Acknowledgment, you establish your child's paternity.

You cannot use this form if the mother was married at the time the child was conceived or born, unless there is a court order stating that the husband is not the father.

If you are under 18, one of your parents or your legal guardian must sign the form with you. Your parents may be required to pay support for your child until you turn 18.

You SHOULD NOT SIGN this form...

- *If you are not completely sure who the biological father is. You should ask your local child support agency for genetic tests first.*
- *If you do not think it is in your child's best interest to establish paternity.*
- *If another person could harm you or the child or the child's caregivers because you establish paternity.*
- *If the child was conceived as a result of rape or incest.*

Custody and placement. This form does not give the father legal custody (the legal right to make decisions for the child) or physical placement (visitation). If the father wants to share legal rights to custody or placement, he will need a court order.

Child Support. Both parents are required to support the child until the child is an adult. If a formal support order is necessary, the obligation will be set by court order, and may include providing health insurance and paying for the child's health expenses not covered by insurance.

Genetic Testing. Under an order from the child support agency or the court, DNA samples are collected from the mother, child, and possible father(s), either using a swab test or a blood sample. By comparing the samples, a lab can tell whether the man is not the father, or whether there is at least a 99% probability that he is the father. It takes a few weeks to get results.

If **you sign this form**, either parent or the child support agency may bring a court action for custody, physical placement rights, and/or child support.

If **you do not sign this form**, the mother, the child, a man who may be the father of the child, or the child support agency may ask the court to decide the paternity of the child. In a paternity case, the court will enter an order for legal custody and physical placement and may enter orders for child support, birth expenses, genetic test costs, and other costs.

By signing this form, you give up the following rights regarding paternity establishment:

- The right to genetic tests.
- The right to claim that you did not have sexual intercourse with each other during the time the child was conceived (8-10 months before the birth).
- The right to claim that the mother had sexual intercourse with someone else during the time the child was conceived.
- The right to claim that the man was sterile or impotent during the time the child was conceived.
- The right to have a court determine whether the man is the father.
- The right to an attorney or to a jury trial.

If you change your mind about using Voluntary Paternity Acknowledgment:

- You would have to file the "Request to Withdraw Voluntary Paternity Acknowledgment" with the State Vital Records Office **within 60 days of filing the original Acknowledgment**. (This form is sometimes called a "rescission form.")
- If you are a minor, you would have to file the "Request to Withdraw" **within 60 days after reaching age 18**.
- If you get a notice of court action for support or custody, **you must file the form before the court hearing**, even if 60 days have not passed or you have not reached age 18.
- The "Request to Withdraw Voluntary Paternity Acknowledgment" is available from the hospital where the child was born, from a child support agency, or from the State Vital Records Office.
- If you change your mind about a paternity acknowledgment after 60 days, you will need to ask the court to void the paternity. You will need to prove that there was fraud, duress, or a serious mistake that caused you to sign the form.

THIS IS A LEGAL DOCUMENT. DO NOT SIGN IT IF YOU DO NOT FULLY UNDERSTAND WHAT IT MEANS. You may wish to talk to a lawyer before signing this form, but having an attorney is not required. The actual text of state statutes is printed inside this form.

If you have questions about these rights and responsibilities, call 1-888-643-7284.

If you have questions about completing the form itself, please call (608) 266-5736.

Wisconsin Statute § 69.15 (3) (b) 3., requires that you be notified of the following provisions under Wisconsin law.

S. 767.62 Voluntary acknowledgment of paternity.

- (1) **CONCLUSIVE DETERMINATION OF PATERNITY.** A statement acknowledging paternity that is on file with the state registrar under s. 69.15 (3) (b) 3. after the last day on which a person may timely rescind the statement as specified in s. 69.15 (3m), is a conclusive determination, which shall be of the same effect as a judgment of paternity.
- (2) **RESCISSION OF ACKNOWLEDGMENT.** (a) A statement acknowledging paternity that is filed with the state registrar under 69.15 (3) (b) 3. may be rescinded as provided in s. 69.15 (3m) by a person who signed the statement as a parent of the child who is the subject of the statement.
(b) If a statement acknowledging paternity is timely rescinded as provided in s. 69.15 (3m), a court or circuit court commissioner may not enter an order specified in sub. (4) with respect to the man who signed the statement as the father of the child unless the man is adjudicated the child's father using the procedures set forth in ss. 767.45 to 767.60.
- (3) **ACTIONS WHEN PATERNITY ACKNOWLEDGED.** (a) Unless the statement acknowledging paternity has been rescinded, an action affecting the family concerning custody, child support or physical placement rights may be brought with respect to persons who, with respect to a child, jointly signed and filed with the state registrar under s. 69.15 (3) (b) 3. as parents of the child a statement acknowledging paternity.
(c) Except as provided in s. 767.045, in an action specified in par. (a) the court or circuit court commissioner may appoint a guardian ad litem for the child and shall appoint a guardian ad litem for a party who is a minor, unless the minor party is represented by an attorney.
- (4) **ORDERS WHEN PATERNITY IS ACKNOWLEDGED.** In an action under sub. (3) (a), if the persons who signed and filed the statement acknowledging paternity as parents of the child had notice of the hearing, the court or circuit court commissioner shall make an order that contains all of the following provisions:
(a) Orders for the legal custody of and periods of physical placement with the child, determined in accordance with s. 767.24.
(b) An order requiring either or both of the parents to contribute to the support of any child of the parties who is less than 18 years old, or any child of the parties who is less than 19 years old if the child is pursuing an accredited course of instruction leading to the acquisition of a high school diploma or its equivalent, determined in accordance with s. 767.25
(c) A determination as to which parent, if eligible, shall have the right to claim the child as an exemption for federal tax purposes under 26 USC 151 (c) (1) (B), or as an exemption for state tax purposes under s. 71.07 (8) (b).
(d) An order requiring the father to pay or contribute to the reasonable expenses of the mother's pregnancy and the child's birth, based on the father's ability to pay or contribute to those expenses.
(e) An order requiring either or both parties to pay or contribute to the costs of the guardian ad litem fees and other costs.
(f) An order requiring either party to pay or contribute to the attorney fees of the other party.
- (4m) **LIABILITY FOR PAST SUPPORT.** (a) Subject to par. (b), liability for past support of the child shall be limited to support for the period after the day on which the petition, motion or order to show cause requesting support is filed in the action for support under sub. (3) (a), unless a party shows, to the satisfaction of the court, all of the following:
1. That he or she was induced to delay commencing the action by any of the following:
a. Duress or threats.
b. Actions, promises or representations by the other party upon which the party relied.
c. Actions taken by the other party to evade proceedings under sub. (3) (a).
2. That after the inducement ceased to operate, he or she did not unreasonably delay in commencing the action.
(b.) In no event may liability for past support of the child be imposed for any period before the birth of the child.
- (5) **VOIDING DETERMINATION.** (a) A determination of paternity that arises under this section may be voided at any time upon a motion or petition stating facts that show fraud, duress or a mistake of fact. Except for good cause shown, any orders entered under sub. (4) shall remain in effect during the pendency of a proceeding under this paragraph.
(b) If a court in a proceeding under par. (a) determines that the man is not the father of the child, the court shall vacate any order entered under sub. (4) with respect to the man. The court shall notify the state registrar, in the manner provided in s. 69.15 (1) (b), to remove the man's name as the father of the child from the child's birth certificate. No paternity action may thereafter be brought against the man with respect to the child.

(6) **APPLICABILITY.** (a) This section does not apply unless all of the following apply to the statement acknowledging paternity:

1. The statement is made on a form prescribed by the state registrar for use beginning on April 1, 1998.
2. The statement was signed and filed on or after April 1, 1998.
3. The statement contains an attestation clause showing that both parties, before signing the statement received oral and written notice of the legal consequences of, the rights and responsibilities arising from and the alternatives to, signing the statement.

(b) Parties who signed and filed a statement acknowledging paternity before April 1, 1998, may sign and file a new statement that fulfills the requirements under par. (a). Such a statement supersedes any statement previously filed with the state registrar and has the effects specified in this section.

(c) The notice requirements under s. 69.15 (3) (b) 3. apply to this section beginning with forms for the acknowledgment of paternity that are prescribed by the state registrar on April 1, 1998.

Pursuant to Wis. Stat. § 767.458(1), the court in a paternity action is required to inform the parties that:

- (a) A judgment of paternity lawfully designates the child as the child of the respondent, granting parental rights to the respondent, creating the right of inheritance for the child, obligating the respondent to pay support until the child reaches the age of 18, and making failure to pay support punishable by imprisonment as a contempt of court;
- (b) If the respondent is unable to afford counsel due to indigency, and the petitioner is represented by a government attorney under s. 767.45 (1) (g) or (6) or the action is commenced on behalf of the child by an attorney appointed under s. 767.045 (1) (c), counsel shall be appointed for the respondent as provided in s. 767.52 and ch. 977, unless the respondent knowingly and voluntarily waives the appointment of counsel;
- (c) Except as provided under sub (1m) and s. 767.463, the respondent may request the administration of genetic tests which either demonstrate that he is not the father of the child or which demonstrate the probability that he is or is not the father of the child;
- (d) Except as provided in subs. (1m) and (2) and s. 767.463, the court will order genetic tests upon the request of any party, and;
- (e) The respondent has the defenses that he was sterile or impotent at the time of conception, he did not have sexual intercourse with the mother during a period 8 to 10 months prior to the birth of the child, or that another man did have sexual intercourse with the mother during that period of time.

Sec. 69.15 Changes of fact on birth certificates

69.15(3)(b)3 ...If the state registrar receives a statement acknowledging paternity on a form prescribed by the state registrar and signed by both parents, and by a parent or legal guardian of any parent who is under the age of 18 years, along with the fee under s. 69.22, the state registrar shall insert the name of the father under subd. 1. ...The form shall be available to the Department of Workforce Development or a county child support agency under s. 49.22 or to any other person with a direct and tangible interest in the record. The state registrar shall include on the form for the acknowledgment a notice of information in ss. 767.458 (1) (a) to (e) and 767.62

(3m) RESCISSION OF STATEMENT ACKNOWLEDGING PATERNITY. (a) A statement acknowledging paternity that is filed with the state registrar ...may be rescinded by either person who signed the statement as a parent of the registrant if all of the following apply:

1. The statement was signed and filed on or after April 1, 1998.
2. The person rescinding the statement files with the state registrar a document prescribed by the state registrar for rescinding a statement acknowledging paternity...
3. Except as provided in subd. 4, the person rescinding the statement files the document under subd. 2 before the day on which a court or circuit court commissioner makes an order in an action affecting the family involving the man who signed the statement and the child who is subject of the statement or before 60 days elapse after the statement was filed, whichever occurs first.
4. If the person rescinding the statement was under age 18 when the statement was filed the person files the document under subd. 2. before the day on which a court or circuit court commissioner makes an order in an action affecting the family... or before 60 days elapse after the person attains age 18, whichever occurs first.

(b) If the state registrar, within the time required under par. (a) 3. or 4., whichever is appropriate, receives a document prescribed by the state registrar for rescinding a statement acknowledging paternity... along with the proper fee... the state registrar shall prepare under sub. (6) a new certificate omitting the father's name if it was inserted under sub. (3)(b).

WI SCTF
 Box 07914
 Milwaukee, WI 53207-0914

APPENDIX D

WISCONSIN

Department of Workforce Development

Division of Workforce Solutions

Bureau of Child Support

WI Support Collections Trust Fund (WI SCTF)

<http://childdsupport.wisconsin.gov>

XXXXXX XXXXXXXX
 XXXXX XXXXXXXXXX XX
 Madison, WI 53713-2517

Questions about this notice:

1-800-991-5530

M-F 7:30 am – 6:00 pm

MONTHLY STATEMENT OF ACCOUNT

NOTICE OF DELINQUENCY

Your account is overdue or you have defaulted on your payment plan. Enforcement actions will be taken until these amounts are paid. Delinquent amounts may be subjected to intercept of your tax refund, enforcement of a child support lien through administrative enforcement actions, and/or court action. Please submit full payment immediately, or contact your local child support agency.

Please use the enclosed coupons with payments.

KIDS PIN	Name	As of
XXXXXXXXXX	XXXXXX XXXXXXXXXX	4/30/2005

Account Activity for April

Payments

<u>Court Case</u>	<u>Debt Type</u>		
9999XX999999	Child Support – Current Support	207.00	
	Child Support – Custodial Arrears	240.04	
	Child Support – Custodial Arrears	29.07	
Court Case Subtotal			476.11
Total Payments for April			\$476.11

Amount Owed at end of April

Court Ordered Balances Due

<u>Court Case</u>	<u>Debt Type</u>		
999XX999999	Child Support – Conditionally Assigned Interest	65.47	
	Child Support – Custodial Arrears	858.60	
	Child Support – Custodial Arrears Interest	4.50	
	Child Support – Custodial Arrears Interest	1355.58	
	Child Support – W2 Permanently Assigned Interest	30.01	
	Receipt and Disbursement Fee	117.00	
Court Case Subtotal			2429.26
Total Amount Owed at End of April			\$2,429.26

Periodic Payments Due for May

<u>Court Case</u>	<u>Debt Type</u>		
999XX999999	Child Support – Current Support	277.43	
	Child Support – Custodial Arrears	78.30	
Court Case Subtotal			355.73
Periodic Payments Due for May			\$355.73

Note: To protect confidentiality, some specific figures have been changed (by less than 10%), and some information has been rearranged or deleted. Also the monthly amount of current child support was \$277.43, however more money was collected in the month of April because of a tax intercept.

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