



# Child Support in a Recession: Interviews with Child Support Staff and Court Commissioners in Five Counties

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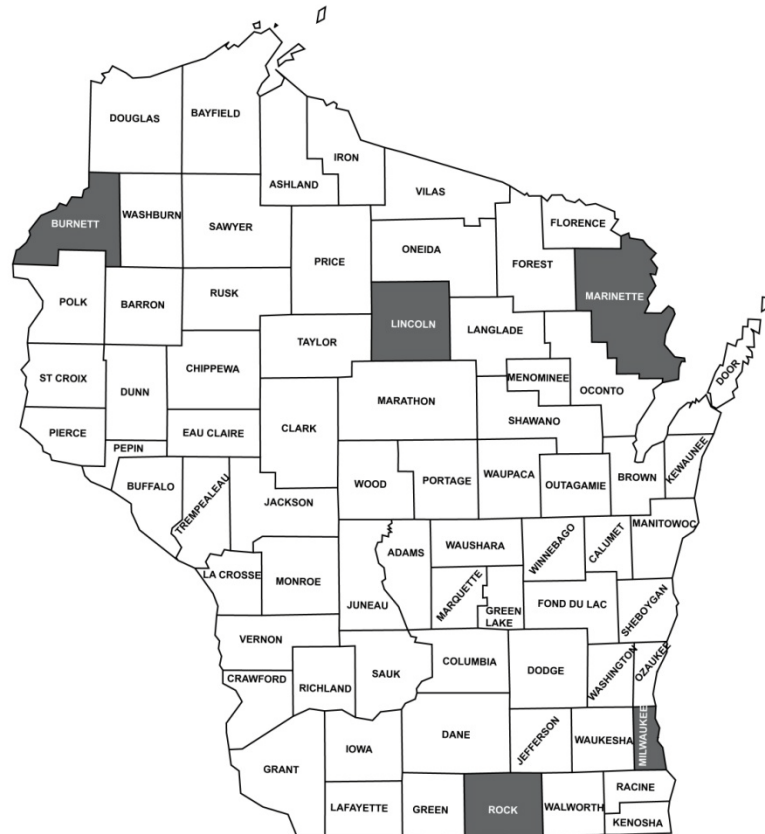
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# Introduction

- Motivation: Do child support operations change when all parties know they are operating in a severe recession?
- Selected 5 counties with high and growing unemployment rates in 2009.
- Interviewed child support staff and court commissioners
- Asked about the effects of the recession on setting initial orders and adjusting existing orders
- First stage of a 2-stage research project; this stage is qualitative only, based entirely on interviews with informed respondents
- 2<sup>nd</sup> stage will look at KIDS data to assess whether child support practice statewide appears to have changed in the recession.

# The Five Interview Counties



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# Population and Unemployment Rates

| County    | 2009 Population Estimate | 2009 Unemployment Rate |
|-----------|--------------------------|------------------------|
| Burnett   | 15,884                   | 10.8%                  |
| Lincoln   | 29,404                   | 11.0                   |
| Marinette | 41,968                   | 11.6                   |
| Milwaukee | 959,521                  | 9.3                    |
| Rock      | 160,155                  | 12.5                   |
| Wisconsin | 5,654,774                | 8.5                    |



# Interview Protocol

- Interviews conducted in January-March 2010
- Interviewed the child support director and one specialist and a court commissioner in each county.
- Asked about effects of the recession on
  - setting and adjusting orders
  - frequency of shared placement
  - use of pro se
  - availability of court time for child support
  - Enforcement practices and frequency of delinquency
- Also asked about use of ARRA funds



# Order Establishment

- Income imputations now based on 30 or 35 hours of imputed income, not 40
- More orders based on income from UI benefits
- More orders contain mandatory work search provisions (s. 767.55)
- More self-employment/cash income
- For obligors with no income at initial order, either
  - Order with work search/Children First & no immediate payment obligation, or
  - Order that imputes income & requires immediate payment



# Order revisions

- All 5 counties say there are many more claims of a substantial change of circumstances
- Standards for what constitutes a substantial change have remained constant
- 3 northern counties help arrange stipulations
- 3 northern counties say custodial parents have been quite accepting of stipulations
- Rock County says custodial parents have not been so willing to accept stipulations
- Rock and Milwaukee don't arrange stipulations; instead send pro se packets and arrange court time



# Pro Se

- \$30 filing fee for order revisions and especially the \$100 filing fees for divorce may be a disincentive
- All but one county said there were more pro se motions
- Most order revisions handled through stipulation in northern counties and through pro se in Rock and Milwaukee
- Rock and Milwaukee say they provide less help than previously; Milwaukee residents can use a free clinic





# Shared Placement

- All 5 counties notice an increase in shared placement, especially in divorce cases
- Uncertain how much of that is due to economy
- Some skepticism about the stability of shared placements
- Court commissioners notice increase in requests to move from mother-only to shared placements if father is working less and mother can work more



# Delinquency and Enforcement

- Only 1 of the 5 counties reported a rise in delinquencies
- All cited the frequency of order revisions as the reason
- Court commissioners reported little impact of the recession on enforcement
- Child support staff said the recession had led them to be slower to seek contempt orders and more likely to work with obligors to reduce their orders
- Staff in 3 agencies said with no prompting that performance standards affect their practice



# Court Time Availability

- Lincoln: dropped from 2.5 to 2 hours every 2 weeks
- Marinette: dropped from 3 to 2 days every month
- Other counties report no change in court time but more cases in that time
- So, cases are scheduled further out and pace is faster—more cases scheduled for same time



# Use of ARRA Funds

- Burnett hired a previous staff member to do reviews and modifications and health orders
- Lincoln: more staff overtime + half-time clerical to return phone messages
- Marinette: hired a specialist so caseloads dropped from 600 to 500
- Milwaukee: 8 workers to address its review and adjustment backlog
- Rock: New imaging equipment and for staff overtime to address reviews and adjustment



# Conclusion

- The dilemma of understanding the difficulties faced by obligors in a recession while simultaneously asserting the primacy of the financial support for children is hard to resolve.
- All CS staff and court commissioners said they were willing to alter orders, and had done so, when financial circumstances change.
- Settings of initial orders have changed more slowly with the recession.
- But reduced assumptions about work hours are used in imputations
- And counties are more willing to delay cash orders for a month or two while parents seek work