



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

Thomas Kaplan

September 30, 2010

Presentation prepared for the Bureau of Child Support
Task 8a

*Institute for Research on Poverty
University of Wisconsin - Madison*



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
- 2nd stage will look at KIDS data to assess whether child support practice statewide appears to have changed in the recession.



The Five Interview Counties



*Institute for Research on Poverty
University of Wisconsin - Madison*



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