The Use of Civil Contempt and Criminal Nonsupport as Child Support Enforcement Tools: A Report on Local Perspectives and the Availability of Data

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I. INTRODUCTION

Throughout the United States, the proportion of children living in single-headed households has been increasing, with about one-half of all children living apart from at least one parent sometime before they turn 16 (Bumpass & Lu, 2000). The type of household in which a child lives can have a significant effect on his or her economic well-being. In 2009, for example, 29.9 percent of all female-headed families were poor, compared to 5.8 percent of married-couple families (DeNavas-Walt, Proctor, & Smith, 2010). Within this context, the child support enforcement program serves an increasingly important role; research has shown that mother-only families for whom child support is ordered are economically better off than those for whom it is not ordered (Sorensen & Zibman, 2000). However, in 2009, orders had not been established in 20.6 percent of cases (OCSE, 2010). Further, establishment of a child support order does not necessarily mean that support will actually be paid. For example, previous research by Ha, Cancian, and Meyer (2007) found that approximately 14 percent of noncustodial fathers in Wisconsin with a new child support order in 2000 paid nothing in the first year; another 37 percent did not pay support on a regular basis throughout the year. Within 5 years, the percentage of noncustodial fathers who paid nothing had increased to 27 percent.

Policymakers have provided a variety of tools designed to increase the level of compliance with child support orders. The federal child support enforcement structure, with its emphasis on locating nonresident parents, establishing orders, and then compelling compliance, originated in 1974 (OCSE, 2002). At that time, Congress, through amendments to the Social Security Act, instituted the federal Office of Child Support and Enforcement and required states

to establish child support enforcement offices. Additional tools designed to improve enforcement efforts have been provided in the intervening time period through; for example, the Child Support Enforcement Amendments of 1984, which implemented income withholding and intercepting state income tax refunds for nonresident parents delinquent in paying child support; the Family Support Act of 1998, which included immediate wage withholding in orders issued or modified on or after 1990; and the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, which enabled states to, for example, revoke drivers' licenses and professional licenses of parents delinquent in paying support.

Finally, the potential exists, using currently available tools, for delinquent parents to be incarcerated for failure to pay child support. There is growing interest in the prevalence of nonresident parents being incarcerated for failing to pay child support and the potential effects on child support payments and related outcomes (e.g., employment). These questions have not, however, been well-studied. As noted by May & Roulet (2005), although qualitative information gathered through focus groups and interviews would lead one to the conclusion that incarceration for failure to pay child support is a frequent occurrence, the quantitative data available to support these assertions is limited. Further, although concerns about the types of individuals who are incarcerated for failure to pay have been raised (Patterson, 2008), systematic studies reflecting the demographics of delinquent parents incarcerated for failure to pay child support have not been completed.

This is the first of two reports focused on child support and incarceration. Together, these reports will represent a first step in an effort to better understand Wisconsin's use of two enforcement tools that may result in incarceration: civil (or remedial) contempt and criminal (or punitive) nonsupport. This first report focuses on information about local practices associated

with the use of civil contempt and criminal nonsupport as reported by local officials as well as an initial exploration of available data regarding incarceration. The information gathered in this report will inform the continued development of methodology for assessing not only how often these enforcement tools result in the incarceration of delinquent parents, but also whether there are differences in the characteristics of incarcerated nonpayers to those of nonpayers with similar histories of arrears/nonpayment for whom we have no record of incarceration. Results from this analysis will be included in a forthcoming second report.

The outline of this report is as follows. Section II describes civil contempt and criminal nonsupport as child support enforcement options currently available in Wisconsin. Section III provides information gathered through interviews with local officials representing the county child support agency, the county sheriff's office, the police department of each county's largest city, the county family court, and the county district attorney's office in five Wisconsin counties. Section IV reviews some of the knowledge gained regarding the availability of data about the incarceration of delinquent parents resulting from these enforcement actions, including what we have learned from an analysis of Milwaukee County Jail data. The report concludes, in Section V, with a discussion of next steps in our analytical process.

II. CONTEMPT AND CRIMINAL NONSUPPORT

Contempt of court is defined in ch. 785, Wis. Stats. There are two different types of sanctions in relation to contempt: (1) remedial, which is intended to compel compliance with a court order, and (2) punitive, which is intended to uphold the court's authority. Contempt of court with a remedial sanction is referred to as "civil" contempt; contempt of court with a punitive action is referred to as "criminal contempt." A key difference between the two types of contempt is that although incarceration can occur as a consequence of civil contempt, an

individual can secure his or her release at any time by complying with the court order. This is not the case with criminal contempt.[1] Section 767.77(3)(c), Wis. Stats., specifically allows for the use of civil contempt in relation to noncompliance with child support obligations. As outlined in the *Wisconsin Child Support Manual*, a charge of civil contempt is one of several judicial actions that should be considered to enforce payment of child and medical support options within 30 days of identifying a delinquency equal to a full month of support (Bureau of Child Support [BCS], n.d.). However, although the county child support agency may pursue a finding of civil contempt for failure to comply with a child support order, the final decision rests with the judiciary. In every case in which a finding of civil contempt is made, the court may establish a remedial sanction as well as purge conditions, which are the steps to be taken in order to "get rid of" the contempt finding (State of Wisconsin Circuit Court, 2008). Typically, the remedial sanction is stayed (or delayed) in order to provide the delinquent parent with an opportunity to meet the purge conditions.

Although the *Child Support Manual* emphasizes the use of civil contempt as a strategy to "get the defendant to correct his/her continuing behavior" (BCS, n.d., 7–8) and not as a punitive action, it is possible for a delinquent parent to become incarcerated as a result of a contempt order. Incarceration can occur if the purge conditions are not met and the remedial sanction ordered by the court is commitment to the county jail.[2] In this case, the stay on the remedial sanction may be lifted and a bench warrant issued for the commitment of the noncompliant parent. It should be noted, however, that this process is not automatic and requires several

[1]The potential exists for criminal contempt to be used in relation to noncompliance with child support enforcement. The use of this tool is most closely associated with charges of criminal nonsupport. Given this fact, criminal contempt will not be discussed in this report as a unique enforcement tool.

[2]There are several procedural steps that are required in this process, particularly as related to notice, that are not enumerated here.

administrative steps, including notification of the noncompliant parent in order to provide him or her with the opportunity to appear before the court prior to the establishment of a commitment order (BCS, 2009). It is possible for an individual who has been committed to be released from jail as soon as he or she begins to meet the purge conditions, given the remedial purpose of the action.

In contrast, as with criminal contempt, a charge of criminal nonsupport is intended to be punitive. As such, although either the child support agency or the custodial parent can instigate the process by making a referral, the decision to pursue a criminal charge rests with the district attorney. Under s. 948.22(3), Wis. Stats., criminal nonsupport is considered a Class A misdemeanor in the case of intentional failure to provide court-ordered support for fewer than 120 consecutive days. Under s. 948.22(2), Wis. Stats., criminal nonsupport is considered a Class I felony if no support is intentionally paid for 120 or more consecutive days. Additional federal charges may apply under the Child Support Recovery Act of 1992 and the Deadbeat Parents Punishment Act of 1998, which impose a penalty for the willful failure to pay a past-due child support obligation with respect to a child that lives in another state. All penalties authorized for a Class A misdemeanor, including incarceration for up to 9 months in a county jail facility, or a Class I felony, including incarceration of up to 3 ½ years, can apply.

In considering both of these enforcement tools, it is important to note that both are enforcement options that child support agencies can initiate in order to encourage compliance with the provisions of a child support order. As noted in the *Wisconsin Child Support Enforcement Manual*, although state and federal regulations require that enforcement action be taken within 30 days of identifying a delinquency equal to a full month of support (BCS, n.d.), judicial enforcement is only one of the many available options. Further, in most cases,

"administrative enforcement measures are preferable to" judicial remedies (BCS, n.d., p. 7–3). Given this, it is evident that county child support agencies have a significant amount of latitude in determining when and how they utilize civil contempt and criminal nonsupport as enforcement tools.

III. LOCAL PERSPECTIVES

In order to gain a better understanding of the use of civil contempt and criminal nonsupport as child support enforcement tools, we completed telephone interviews with local officials representing the county child support agency, the county sheriff's office, the police department of each county's largest city, the county family court, and the county district attorney's office in five Wisconsin counties. Based on these interviews, it is evident that there is variation between the counties as to how they use the tools, despite their agreement regarding the purposes for which they are intended. In addition, there is a shared concern about the cost of employing these tools, which is compounded by a lack of knowledge regarding their overall effectiveness.

Methodology

Interviews were conducted in the following five counties (cities): Brown County (Green Bay), Dane County (Madison), Milwaukee County (Milwaukee), Racine County (Racine), and La Crosse County (La Crosse). The counties were selected based on the number of child support orders each has in force as well as to provide some geographic and demographic diversity in terms of their general populations. Each interview was scheduled at the convenience of the participants and lasted between 5 and 90 minutes, depending on an individual's depth of knowledge and experience with the two enforcement tools. A semi-structured interview format

was employed; it utilized open-ended questions designed to solicit information about the use and perceived utility of civil contempt and criminal nonsupport as enforcement tools. Everyone interviewed was also asked about whether they maintained data regarding the extent to which these actions resulted in incarceration.

Table 1 reflects the number and type of interviews completed. Although we made a total of 33 contacts and completed 27 interviews, we were unable to speak with officials representing each type of agency in every county, either because they did not respond to our efforts to contact them or because they were not authorized to speak with us. In addition, for some agencies, we completed multiple interviews, given the interest officials expressed in addressing the topic.

Table 1

Interviews Completed by County and Type

County	Child Support Agency	Family Court	County Sheriff	Police Department	District Attorney	Total
Brown	2	1	1	2	0	6
Dane	1	3	1	1	0	6
Milwaukee	1	1	0	0	2	4
Racine	0	1	2	1	1	5
La Crosse	2	1	1	1	1	6
Total	6	7	5	5	4	27

Use of Civil Contempt

Officials representing all of the five counties contacted agreed that civil contempt is a tool used to compel compliance rather than as a means to punish noncompliant parents. However, one of the counties contacted—Milwaukee—reported that it emphasizes administrative enforcement remedies, rather than the use of civil contempt as an enforcement

tool. According to child support agency staff, following significant staff reductions in 2006, the decision was made to concentrate its enforcement efforts on other, less-costly options. Therefore, in Milwaukee County, civil contempt proceedings are now most often brought by the custodial parent, to whom the child support agency provides a pro se form in order to begin the process. The child support agency will still initiate civil contempt proceedings in egregious cases; however, the use of civil contempt is not currently a primary enforcement tool.

The other four counties—Brown, Dane, Racine and La Crosse—reported that they actively employ civil contempt as an enforcement tool. Based on the information provided, however, it is evident that whether or not a delinquent payer will be subject to civil contempt will vary based not only on in which of these counties he or she resides but also on the individual caseworker assigned to the case. Further, if a finding of civil contempt ultimately resorts in the issuance of a bench warrant, the likelihood of a delinquent payer being subject to incarceration will also vary by county. The following is a summary of the factors we found affecting the use of civil contempt.

Child Support Agency Practice — First, there are differences in how each county child support agency[3] approaches the use of civil contempt. Brown County staff persons stated they will pursue other enforcement actions, such as account seizure or license revocation, before they will pursue civil contempt. Essentially, Brown County views the use of civil contempt as the "last resort" in terms of enforcement. In contrast, La Crosse County appears to be more willing to begin civil contempt proceedings as a means of conveying the seriousness of the situation to the delinquent payer, utilizing it as a "wake-up call." According to written policies, caseworkers are to begin the Contempt Motion Request process if there is no response to an Enforcement

[3]We were unable to speak with a representative of the Racine County Child Support Agency. Information regarding Racine County's use of civil contempt as an enforcement tool was gathered through interviews with representatives of other county agencies.

Warning Letter(s). Based on the statements officials made, it would appear that La Crosse County views the use of civil contempt as a less severe option than other options, such as license revocation. Finally, Dane County reported that, although it will usually not start civil contempt proceedings if the child support agency is in contact with the delinquent parent, it does not consider the use of civil contempt as a "last resort." Rather, it often begins civil contempt proceedings in order to compel the provision of information from a delinquent parent, without knowing whether or not an actual finding of contempt will be the end result.

Caseworker Discretion — Second, even within counties, there can be differences in treatment dependent on the individual caseworker. For example, while Brown and La Crosse counties stated they employed written guidelines regarding the enforcement process, they also stated that the implementation of the guidelines can vary by caseworker. Child support agency officials in La Crosse County stated, for example, that worker preference may become a factor, as it was reported that some workers are more willing than others to invest the time to work with a delinquent payer prior to beginning civil contempt proceedings. In Dane County, which does not have written guidelines, it was similarly reported that enforcement decisions are made on a case-by-case basis, with judgment being required in order to take into account individual circumstances.

Court Preferences — Third, there are also differences in the predisposition of county courts to find civil contempt. As stated by one child support agency representative, some family court commissioners are "far more on the bandwagon" than others when it comes to believing that parents should meet their child support obligations. What seems to be at issue is the burden of proof required by the court in order to find contempt. On the one hand, every court representative with whom we spoke saw it as their role to ensure that a finding of contempt was

appropriate, given that it should occur only if the lack of payment is truly "willful." According to each of the court commissioners interviewed, it does not make any sense to try to compel payment from individuals who do not have the means to pay through the use of contempt. On the other hand, every court representative also stated that what is deemed "willful" is subject to court discretion and determined on a case-by-case basis. As stated by one family court commissioner, "it is in the eye of the beholder." In those counties where the court may have a very high burden of proof, not only will civil contempt proceedings be dampened, but so will actual findings of civil contempt. This appears to be the case in Brown County, where representatives of the child support agency as well as the court system stated that the court maintains a very high burden of proof.

Further, even after a finding of civil contempt, courts can differ regarding the purge conditions to which the delinquent parent is subject, again dependent on individual circumstances. This can in turn make a difference as to whether and when a bench warrant is issued, given that a failure to meet the conditions of the purge is what triggers the process of lifting the stay. In the cases in which a finding of contempt is made, the importance of setting appropriate purge conditions was emphasized by each of the commissioners interviewed. However, based on the interviews, it is clear that court commissioners can be more or less creative in what they view as options for purge conditions, dependent on whether they can construe different options as being tied to the contempt issue. Some court commissioners will focus on addressing only the lack of payment while others may focus on addressing the underlying cause of why payment has not been made. In the former case, purge conditions may include a required minimum payment amount; in the latter case, purge conditions may require

the completion of a GED or an alcohol and other drug abuse treatment program within a given amount of time.

Law Enforcement Practices — Finally, even in cases when a bench warrant has been issued, there are differences in the likelihood of whether or not the issuance of the bench warrant will result in incarceration depending on county practices. In particular, in three of the five counties—Brown, La Crosse, and Milwaukee—incarceration usually occurs only as a result of an interaction with law enforcement for some other reason, such as a traffic stop. This contact leads to a background check during which any outstanding warrants, including child support warrants, will be identified. An exception to this is when special efforts are made to do general "warrant sweeps" if and when resources allow. As stated by one law enforcement official, "There is no way to predict when we will stumble across these people." In contrast, the sheriff's office in both Dane and Racine counties proactively enforces warrants associated with child support. Dane County has one full-time officer assigned to child support issues, including serving warrants. In Racine County, two warrant officers pursue these cases.

Use of Criminal Nonsupport

Although the counties that we contacted each had differences in the use of civil contempt as an enforcement tool, there are even bigger differences in their use of criminal nonsupport. On the one hand, every child support agency official interviewed expressed his or her opinion that the use of criminal nonsupport, with its expressly punitive purpose, was to be used only when all other enforcement efforts had failed. On the other hand, the county child support agencies' willingness to build a case and make a referral to the district attorney differed dramatically. Two counties—Brown and La Crosse—had no or little experience with making such referrals. The

remaining three counties—Dane, Milwaukee, and Racine[4]—all employ the tool, but to varying degrees. As a result, and similar to the situation with contempt, the likelihood of whether or not and individual is subject to incarceration as a result of criminal nonsupport varies by county.

Brown County and La Crosse County had similar explanations for not pursuing criminal nonsupport. In Brown County, the child support agency does not have an active process in place for making referrals to the district attorney's office. According to child support agency staff, a decision was made 3 or 4 years ago to no longer pursue criminal nonsupport but rather, to focus on remedial contempt. This strategy was thought to be more efficient, given that the outcome of a criminal nonsupport case was usually probation and not necessarily improved compliance. However, a custodial parent may request that the district attorney file such charges. In La Crosse County, the concern is similar: it is believed that incarceration of an individual due to criminal nonsupport will not actually help to meet the goal of getting compliance with a child support order. Therefore, they believe that this goal is best accomplished through the pursuit of civil contempt. The county child support agency did, however, recently send its first case in 6 years to the district attorney's office; whether or not charges will actually be filed has yet to be determined. According to La Crosse County child support agency staff, the decision was made to refer the case because all other administrative and civil compliance tools had been exhausted.

In two of the other three counties—Dane and Racine—it was reported that criminal nonsupport is typically utilized fewer than 10 times in a typical year. Criminal nonsupport is more often pursued in the fifth county contacted, Milwaukee County, where one prosecutor is designated to handle criminal nonsupport cases. According to representatives of the district attorney's office, the prosecutor handles between approximately 70 and 100 referrals from the

[4]Information about the use of criminal nonsupport in Racine County was provided by the district attorney's office.

child support agency on an annual basis. However, not all of these lead to formal charges. Information provided by child support agency staff indicates that, on average, about 36 convictions for criminal nonsupport occur annually in Milwaukee County.

There are a variety of factors that drive a child support agency's decision to refer a case to the district attorney and a district attorney's decision to pursue a charge of criminal nonsupport. One factor is whether the delinquent payer is out of state. As noted by child support agency officials in Dane County as well as Milwaukee County, a civil warrant for contempt cannot be served across state lines; however, a criminal warrant can. Therefore, cases that involve out-of-state payers are often found most appropriate for referral, given that a charge of criminal nonsupport makes it possible to engage noncompliant parents across state lines. A second factor is the availability of resources to the child support agency to build and to the district attorney's office to pursue a case. The effect of resources on the pursuit of these cases is best illustrated through the experience of Racine County, where funding made available through the American Recovery and Reinvestment Act of 2009 was utilized for this purpose. According to the district attorney's office, as a result of this funding, Racine County developed, referred, and pursued about 100 criminal nonsupport cases, or 10 times the number normally pursued in a given year. This level of effort is no longer being sustained, given that the funding ended in September 2010.

IV. ENFORCEMENT OUTCOMES

Despite their differences in relation to the use of civil contempt and criminal nonsupport as enforcement tools, county staff with responsibilities related to the enforcement of child support orders in each of the five counties, regardless of the agency in which they worked, made similar observations about the resources needed to employ the tools over a sustained period of

time, given how long it can take the process to unfold. At the time of our interviews, many staff raised concerns about whether they will be able to sustain their current level of enforcement efforts, given significantly diminishing resources. As noted, one county—Milwaukee—has already made the decision to pursue other less-costly but potentially more-effective methods than civil contempt in an effort to promote compliance following budget cuts. Other counties may make the same decision, although a lack of knowledge about the relative effectiveness of specific tools further compounds the situation. County child support agency and court staff, in particular, expressed concern that they did not know the relationship between specific enforcement actions and their ultimate goal: the payment of child support. While county child support staff recognize that the information available to complete this kind of analysis should be available in the Kids Information Data System (KIDS), such analyses have not been routinely used to make decisions about the investment of resources.

When asked about the extent to which these tools result in incarceration, county staff asserted it would be a relatively straightforward task to make this determination for cases they had referred to the district attorney for criminal nonsupport. First, information about these cases should be recorded in the Wisconsin Circuit Court Consolidated Court Automation Program (CCAP). Second, because information about these cases is needed in order to allow for federal reimbursement of allowable costs for salaries and fringe benefits of district attorneys under Cooperative Agreements, it should be available as supporting documentation for reimbursement requests. This is the case in Milwaukee County, where the district attorney's office provides a monthly summary of the outcomes of criminal nonsupport cases to the child support agency. In other counties, however, this reimbursement is managed through an agreement between the Department of Children and Families and the Department of Administration and such detailed

reports are not available. Rather, Department of Administration staff stated they rely on information available through CCAP.

It should be noted, however, that staff with whom we spoke in all three of the counties that pursued criminal nonsupport expressed a similar concern about the outcome of these cases. The concern relates to the fact that delinquent payers who are convicted of criminal nonsupport are often subsequently placed on parole or probation with the condition that they make payments on their current support and arrears. According to several individuals interviewed, it is common practice not to revoke their parole or probation when they do not make child support payments, despite the fact that this is in clear violation of the parole or probation conditions. All those who expressed this concern stated they believed this occurs because probation and parole officers do not believe failure to pay child support is really a crime. Given this attitude, the concerned individuals stated that they are not sure that the time and expense necessary to pursue some criminal nonsupport cases is, in the end, worth the effort because the intended punitive outcome is often thwarted.

The link between civil contempt and incarceration may be more difficult to ascertain on a systematic basis. No county staff with whom we spoke, regardless of the agency in which they worked, knew or thought they could easily identify the extent to which the use of civil contempt ultimately led to the incarceration of the delinquent parent. The one county child support agency that had tried to track this information—La Crosse—found it to be too arduous a process, given its tracking systems are better suited to identifying such things as back-ups in the process rather than outcomes. However, this information was of uniform interest to those with whom we spoke for a variety of reasons, the most prevalent of which being the acknowledgement that incarceration is not the intended outcome of civil contempt—payment is. Further, particularly

court staff noted that, if significant levels of incarceration are taking place, this is yet another expense to the county. The only information anyone with whom we talked could provide was based on their best estimates, which ranged from as low as 10 percent to as high as two-thirds of those charged with civil contempt become incarcerated. It was suggested that this information would be available through law enforcement agencies, particularly the county sheriff's office.

In order to determine the extent to which jail data could be used to assess the extent to which these tools resulted in incarceration, we undertook an analysis of the data provided by the Milwaukee County sheriff's office on all bookings into the Milwaukee County Jail or the Milwaukee House of Corrections from 2000 through 2010. The data include information about the charges for which the inmate was booked. We had planned to use these data as the basis for a subsequent analysis of the characteristics of those for whom civil contempt and criminal nonsupport resulted in incarceration. Our intent had been to (1) identify those who had been incarcerated as a result of these two enforcement tools, and then (2) match these individuals to state administrative data from Unemployment Insurance wage records and KIDS to determine the characteristics of those who had been incarcerated and their child support payment histories. However, we have found that using this data for this purpose will be challenging for a variety of reasons.

First, it is not possible to use this data to select contempt of court charges that pertain to child support cases. This is because incarceration after the stay on a remedial sanction for child support non-payment has been lifted and a bench warrant has been issued cannot be differentiated from incarceration based on any other type of contempt of court-related charge. Therefore, the data cannot be used, at least in their current form, to ascertain when incarceration is the end outcome of the civil contempt process.

Second, although it is possible to ascertain the number of bookings for specific criminal nonsupport charges, the data we have compiled to date from the Milwaukee County Jail and the Milwaukee House of Corrections do not align with the information about the use of criminal nonsupport in Milwaukee County that we have gathered from other sources: the numbers from the criminal justice system are significantly larger than those provided to us from other sources, particularly as reported by the district attorney's office. It has been suggested, but not confirmed, that this difference is caused by limitations of the computer system that had been used to record relevant booking information at the time an individual was booked. Further, there is a more than 70 percent drop in the number of bookings for misdemeanor nonsupport between 2004 and 2005. One potential explanation for this precipitous decline is that it may coincide with the time period during which a change in the computer system occurred, to address some of its previous limitations. We do not yet know for certain, however, the underlying reason for this abrupt decrease in this type of booking. Until we can explain the discrepancy in the data available from different sources as well as the drop in volume of bookings, it cannot be used as the basis for our analysis as intended.

Obviously, the challenges presented by the Milwaukee County data may not be present in similar data from other counties. However, based on conversations with staff from other counties, it appears that being unable to differentiate between bench warrants related to child support and other types of unrelated bench warrants will be a common problem in relation to jail data. This is a challenge that will have to be overcome if we are to complete our analysis as planned.

V. SUMMARY AND NEXT STEPS

This report represents a first step in an effort to better understand Wisconsin's use of two enforcement tools that may result in incarceration: civil (or remedial) contempt and criminal (or punitive) nonsupport. Based on our interviews of representatives of local agencies involved in child support enforcement, we found that utilization of these tools can be very resource intensive, requiring a significant time investment and the involvement of several different agencies, including the child support enforcement agency, the court system, the law enforcement system, and the district attorney's office. Further, because the counties have flexibility in terms of when and how to employ these methods, whether or not a delinquent payer will be subject to these tools will vary based on the county in which he or she resides. For the most part, these differences can be attributed to resource availability, levels of interagency cooperation, and general notions about the effectiveness of various enforcement tools. Currently, data reflecting the relative cost effectiveness of these tools, taking into account compliance outcomes as well as the extent to which they result in incarceration, is not routinely considered by those who utilize them.

In our forthcoming second report regarding the use of civil contempt and criminal nonsupport as enforcement tools, we will attempt to untangle the complications found in using the Milwaukee County Jail and House of Corrections data by combining these records with KIDS data reflecting enforcement actions. One potential strategy, based on the input provided through the interviews, is to begin with the information contained in KIDS to identify a sample of noncompliant parents charged with civil contempt and then trace these parents through the enforcement process, matching them to available jail data in order to ascertain if they were booked into the system. By comparing the jail data with information from KIDS we hope to be

able to identify child-support-related contempt charges and to determine the reasons for the apparent over-reporting of criminal nonsupport charges in the jail data.

In the longer run we would like to be able to use these data to complete an evaluation of the relationship between the court-related enforcement mechanisms and the ultimate outcome of interest: subsequent compliance with established child support orders. This evaluation would follow on work previously done by Meyer & Hernandez (1999), using information on enforcement action available in KIDS. Supplementing this previous work with additional information on nonpayers' actual incarceration experiences will help improve the understanding of the efficacy of these enforcement procedures on payments.

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