

**Selected Child Support Administrative Enforcement Tools:
How Are They Used in Wisconsin?**

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Revised
August 2004

This report was prepared under a contractual agreement between the Wisconsin Department of Workforce Development and the Institute for Research on Poverty. Any views expressed in this paper are those of the authors and not necessarily those of the sponsoring institutions. The authors thank Lynn Wimer for research assistance; Tom Kaplan, Maria Cancian and Daniel R. Meyer for their assistance in preparing this paper; and Elizabeth Evanson, Jan Blakeslee and Dawn Duren for preparation of the manuscript.

I. INTRODUCTION

Over the past thirty years the federal and state governments have made repeated efforts to improve the rate at which noncustodial parents contribute financially to defray the costs of raising their children. When Congress established the federal Office of Child Support Enforcement (OCSE) in 1975, the principal reason for initiating a child support program was to reduce the public costs of supporting children, at least insofar as those costs were reflected in expenditures on the Aid to Families with Dependent Children (AFDC) program. At the same time, there was increasing interest in the potential for children (as opposed to the taxpayers) to benefit from receiving financial support from their parents. By the 1990s, these separate strands of child support enforcement—concern for children living with only one parent (particularly children of divorce) and the public costs of these children—had come together at the national level (Carbone, 2000).

Since 1975 policy makers have enacted a series of laws designed to increase the likelihood that noncustodial parents will provide a fair share of the costs associated with their children. Efforts have focused on two aspects of the problem. The first is related to determining what constitutes an adequate payment—one high enough to benefit the child while not impoverishing the noncustodial parent. The second is devoted to finding means to increase the participation of both parents in the effort to collect full payment of the amount determined to be adequate. Hence, the law establishing the OCSE also required each state to establish child support enforcement offices and enacted procedures for referring cases to the IRS for collecting unpaid support. To ensure that child support workers obtained adequate information from parents, applicants to AFDC (who were usually mothers) were required to cooperate in establishing paternity and securing payments from the fathers of their children in addition to assigning their rights to child support to the state.

In 1984, Congress required states to implement wage withholding to collect delinquent child support from the employer of the noncustodial parent. States were also required to implement legal changes that would begin standardizing and expediting what had been a highly individualized case-by-

case approach to dealing with child support ordering and enforcement. Research continued to identify a pattern of disproportionately low child support awards, at least compared with the cost of raising children, as well as significant failure to pay the child support that was ordered. In response, Congress passed the Family Support Act of 1988, requiring states to develop child support guidelines, implement automatic wage withholding (first pioneered in Wisconsin), and operate an automated system for tracking and monitoring child support payments.

Continuing in its efforts to improve child support payments, Congress passed the Omnibus Budget Reconciliation Act (OBRA) of 1993. The OBRA changes targeted system failures related to paternity establishment and required all states to adopt voluntary in-hospital paternity establishment programs.

In 1996, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), which, in addition to reforming welfare, included substantial changes to child support statutes designed to improve the child support collection rate. PRWORA continued to promote changes in the paternity establishment process and expanded the arsenal of enforcement tools available to child support agencies. These included improving the information available to child support agencies by requiring employers to report new hires and expanding child support agency access to a larger set of public and private data bases including those that contain financial information. PRWORA also instituted the use of administrative actions, including the ability to obtain liens on property without court participation, and expanded the use of enforcement tools such as revocation of recreational, professional and drivers' licenses. Thus, PRWORA created opportunities for greater mass processing of child support cases with arrears, increased access to data to facilitate such mass processing through identification of resources and assets that might lead to increased payments, and continued the shift away from court oversight of all aspects of individual case management in the child support process.

During calendar year 2000, the Wisconsin Bureau of Child Support implemented many of the new administrative enforcement actions that had become available. The purpose of this report is to examine information about how these new tools appear to be operating. To undertake this study, we examined administrative data (primarily from KIDS, the state's automated child support system) and interviewed staff in four Wisconsin counties regarding their practices.¹ In Section II of this paper we review our findings from the interviews and in Section III we describe our findings from analysis of administrative data. In Section IV we draw conclusions and make recommendations for further research.

II. PRACTICES IN LOCAL CHILD SUPPORT AGENCIES

The Interview Process

For this report, two of the authors (Rothe and Sosulski) interviewed staff from child support agencies in Chippewa, Eau Claire, Racine, and Winnebago counties. The counties were chosen by agreement with the Wisconsin Bureau of Child Support (BCS). The sample selection was intended to provide a range of county agency types and other local factors that might tend to affect collection of child support.

To facilitate our access, BCS sent an e-mail message to the directors of the local agencies informing them of the purpose of our proposed visits. Our interview protocol (a copy can be found in Appendix A) was approved by the University of Wisconsin Social Sciences Institutional Review Board, which oversees and approves research involving human subjects. In each county we interviewed the director of the agency as well as line staff and supervisors. In some counties we also interviewed attorneys and family court commissioners. We tape-recorded the interviews to ensure that we would correctly capture the comments made by all local officials. In some instances, we followed up by

¹We had originally planned to interview staff in five counties, but over a three-month period we were unable to arrange any on-site meetings or telephone conference calls with representatives of the fifth county.

telephone or e-mail to clarify aspects of the enforcement process that we had not understood during our on-site interviews. All those interviewed were helpful and gave generously of their time. For the remainder of this report we will refer to our interview subjects as local officials or staff, without individually identifying the respondents.

County Characteristics

Table 1 displays some of the dimensions which were considered in selecting counties.

Table 1
County Characteristics

County	Agency Structure/Location of Attorneys	Population ^b / Number of CSA Employees	Unemployment Rate ^c
Chippewa	Independent/Corp. Counsel	55,960 /13	6.1%
Eau Claire	Independent/Corp. Counsel	93,278 /16	3.8%
Racine	Independent ^a Corp. Counsel.	189,613 /24	6.7%
Winnebago	Independent/Internal	157,312 /19	3.8%
Wisconsin	NA	5,401,906 /NA	4.8%

^aRacine was in the process of converting from being a component of the Department of Human Services.

^bSource: U.S. Census Bureau, State and County Quick Facts, 2001 estimates.

^cSource: Department of Workforce Development, Local Area Unemployment Statistics, December 2003. Not seasonally adjusted.

All four child support agencies are stand-alone or independent agencies. Three of them rely on the corporation counsel to provide attorney services (although these attorneys may function no differently than if they were agency employees); the fourth, Winnebago, has its own attorney, who is also the director of the agency. The counties are all mid-sized; there are no very small or very large counties in the group, although the largest is almost four times larger than the smallest. The unemployment rate in

two of the counties is substantially greater than the statewide rate. Officials in Racine commented several times on the large impact of the economic downturn on their ability to collect child support.²

Officials at all four agencies voiced a mild preference for being a stand-alone or independent agency. They felt that it made administrative decision-making somewhat simpler and therefore faster and that it eliminated conflicts that could arise across agencies having different missions and goals. However, many of the officials had worked for the child support agency at times when these agencies were not independent, and thought it likely that at some time in the future the agency could again be part of an umbrella agency.

All four agencies are primarily dependent on federal and state funding.³ In response to funding constraints imposed by county boards, three agencies have reduced staff over the past two years. Officials from all four agencies felt that staffing shortages presented problems in meeting the agencies' goals and providing adequate customer service. Given the continued bleak outlook for state and federal funding, some officials felt that being a stand-alone gave them some of the needed flexibility to respond to staffing losses and rising demand.

Framework for Analyzing County Processes

In our interviews with county officials, we tried to understand how county staff make decisions about what enforcement actions to take and when to act. We asked county staff to describe the steps in the process of working with cases having delinquencies. We asked county staff to reflect on what made the local processes work well or poorly, and how they might be improved. The factors reflecting individual county practices that appeared to be most important in understanding the differences between counties are staff size, organization, and specialization, including the role of attorneys; access to and

²Officials in Racine mentioned the city unemployment rate (not shown in Table 1), estimates of which have ranged well above 10 percent for some time.

³Only Eau Claire currently uses some county funding to support the CSA, but it is a small proportion of the agency's budget.

relationship of the agency with the courts; and, to a somewhat lesser degree, the agency's relationship with other local agencies.

Becoming Aware of Delinquencies

All counties rely primarily on the worklists produced by KIDS to identify cases with delinquencies. The second principal source of information is telephone calls from custodial parents. In some instances, employers will also call the agency to say that the payer no longer is employed there, so wage withholding will be (or already has been) stopped.

In all counties, the caseload is perceived as outgrowing the ability of the staff to respond in a timely fashion. This is particularly true since the agencies have been downsizing. For many cases the effect is to delay the timeliness of worker intervention or to decrease the amount of worker attention to individual cases. Counties vary somewhat in their announced adherence to agencywide rules and protocols for determining which cases to work next. In some counties, officials say that there is uniformity in how workers attend to cases; in other counties, workers seem to have more discretion and chose among possible enforcement actions. One county has implemented standards in an effort to ensure conformity in types of actions taken by workers and worker teams. Other counties promulgate general guidelines and rely on the judgment of case workers to allocate their limited time across cases. They rely on worker experience in making complex calculations to help identify and sort potential cases in which the outcome is more likely to be positive, and to choose the action that will be most effective. Increasing efficiency was at the core of the strategies in all counties. We were unable to identify generalizable rules about how workers identify such cases.

Many line staff also reported that complaints from or other consistent communication with the custodial parent could affect the position of the case in the worker's queue. In some instances the custodial parent also has information about the noncustodial parent, such as residency and changes in employment status, that can assist the worker in enforcing the order.

Staff Size, Organization, and Specialization

The four counties differ in organizational style along two major dimensions: (1) whether workers operate as members of a team (with cases assigned to the team) or as individuals (with cases assigned to each individual worker); and (2) whether most⁴ caseworkers are specialists or generalists. Table 2 displays these dimensions across the four counties.⁵

Table 2
County Staff Organization

County	Team/Individuals	Specialist/Generalist
Chippewa	Individual	Specialist
Eau Claire	Team	Specialist
Racine	Team	Generalist
Winnebago	Individual	Generalist

In the individual/specialist model (Chippewa), individuals perform the same specialist function for each case. When that function is complete, the case is passed to another specialist. In the team/specialist model (Eau Claire), cases are assigned to a team,⁶ whose members each have some of the set of specialized skills necessary to fully work a case. The case generally remains with the team. In the team/generalist model (Racine), most members of the team are generalists and perform all required

⁴All counties report the existence of certain (different for each county) kinds of specialists—e.g., lien docket workers, paternity specialists, foster care specialists—but in some counties, the majority of staff are generalists.

⁵Counties exhibited more variation than can be conveyed by this table, which should be understood as reflecting only the core organizational design without the refinements that each county has made.

⁶Intake is done by a specialist before cases are assigned to teams.

duties.⁷ In the individual/generalist model (Winnebago), individual workers perform many of the same activities for the cases assigned to them.

Each of the four local agencies expressed satisfaction with its own organizational style.⁸ Agency staff noted that the style had evolved and would continue to evolve to meet the needs of the agency. Counties with generalist models voiced a preference for the idea of an individual worker or team staying with a case. They felt that this increased the likelihood that a worker or team would have deeper knowledge of a case, which would help them make decisions about appropriate enforcement actions, if needed. The benefit of the team/generalist approach was additionally seen to be the ability of any team member to pick up the case in the event of the temporary absence of the primary worker assigned to the case. Counties with specialist models thought that this resulted in increased ability to process larger number of cases because each specialist becomes an expert in understanding the procedures and doing the paperwork associated with a given enforcement action.⁹

Counties were remarkably similar in terms of staff hiring and retention practices. The counties have similar personnel requirements in regard to union posting, position advertising, etc. Many child support specialists are promoted from within, however, because the skills such staff would have learned at clerk or support staff levels, especially knowledge of KIDS, increase efficiency and reduce training time. All counties currently report high staff retention, although two counties mentioned that a few years previously the agency had gone through a period of relatively high staff turnover, requiring staff restructuring and reorganization. Discretion at the agency level seemed to have facilitated such adjustments.

⁷There is a specialized “hybrid” team which is devoted to administrative enforcement actions, including lien docket.

⁸The organizational models are developed within the county, not assigned by the state.

⁹In Chippewa, although individual workers had specialized knowledge about a particular kind of enforcement action, all workers had the ability and discretion to use all enforcement actions, with the more knowledgeable workers available for consultation.

There is some variation in terms of required or preferred levels of education in hiring caseworkers. The staff in three counties tend to have associate degrees, many in fields associated with criminal justice or medical certification, or have paralegal training. The fourth county requires a bachelor's degree and current staff hold degrees in a broad range of academic disciplines, apparently with no particular focus on knowledge that might be required as a child support specialist.

All four child support agencies rely on the training provided by BCS, particularly New Worker training. Three counties also have some form of formal in-house training; the fourth county appears to rely more on informal cross-staff training. Staff in several counties spoke of the need for expanded regional or state training or opportunities for roundtable meetings so that experienced workers could continue to learn from experienced workers in other counties.

Relationship with the Courts

We found rather large differences among the counties in terms of the role of the courts in enforcing child support orders. Two counties have fairly extensive access to the courts and two have somewhat less court time. The two with more extensive access to court time (Racine and Winnebago) tend to rely more on judicial enforcement actions and resort to them earlier in the enforcement process than do the two counties with less access (Eau Claire and Chippewa). We did not try to collect historical information on the evolution of the relationship among the courts, the corporation counsel, and the child support agencies, so we cannot describe the transformations that may have occurred as county agencies interacted with each other and with new legal and environmental demands. It is possible that the county and state responded to increased demand for court time in some counties by adding additional judges and family court commissioners; it is also possible that the child support agencies adapted to limited access to courts by developing ways of minimizing the amount of judicial time needed to manage the caseload effectively.

In Winnebago, the courts appear to take a very active role in enforcing child support. The county has one Family Court Commissioner and six judges, all of whom hear family court cases. The child support agency has reserved about 2.5 days per week of family court time, and judges will adjust their schedules to provide more time, if needed. In turn, the agency uses to full advantage the ceremony and power of the courts to instill in obligors the seriousness of their obligation. Contempt actions are brought frequently by the agency and the noncustodial parent appears at court when scheduled, rather than participating in pretrial negotiations with a caseworker. The judges generally require obligors to seek jobs¹⁰ if they are unemployed, and expect that obligors will find one if they exert any effort.¹¹ Obligor who fail to find work and begin making payments will become subject to further contempt actions and threat of jail. The Winnebago staff feel that the judges are effective in compelling obligors to make payments. While the staff also use administrative enforcement actions to collect support, they appear to make use of the power of the courts much more quickly and frequently than is possible in other counties.

Racine also has access to relatively significant court time. There are two family court commissioners and six judges, two of whom hear family court cases—the rough equivalent to one judge devoting full-time to child support cases. Racine’s standard approach is to attempt nonjudicial enforcement actions before going into court. Once the child support team and the team’s attorney agree that court action is needed, the obligor is ordered to appear for a contempt hearing. A frequent strategy is to order the obligor jailed but to stay the order for some period of time. If nonpayment continues, the obligor can be jailed. Racine appears to send a fairly large number of obligors to jail, and agency staff report that there is sufficient unoccupied jail space to accommodate this practice. Once an obligor has been jailed, Racine utilizes an uncommon practice of in-jail negotiation with the obligor. The obligor and

¹⁰The family court commissioner also makes seek-work orders, but many of the county’s delinquent cases appear before a judge without a prior appearance before the commissioner.

¹¹According to CSA staff, there are apparently enough “help-wanted” signs in Oshkosh that judges are not particularly sympathetic to claims of inability to find work.

agency staff agree to a payment amount sufficient to reinstate the stay and the obligor is released. This practice ideally results in little or no overnight jail time; in fact, many obligors are released after spending no more than a day or two in jail.

Chippewa places much more emphasis on the use of nonjudicial enforcement actions. While there is one family court commissioner and two judges, the total amount of time allocated to the child support agency is about 1.5 to 2 hours per week of court time. The agency tries to exhaust all nonjudicial enforcement options before referring a case for contempt. The judges expect the agency to have “done their homework” before cases reach the court, and are very specific about what they want to see presented in a case, including the history of noncompliance and the various methods of collecting support that workers have attempted. After this continued delinquency is demonstrated the court moves rapidly to compel the obligor to pay, by issuing job-search orders and threatening jail or ordering the obligor to jail.

Eau Claire appears to have the least court time and to have developed extensive extra-court efforts so that minimal court time is sufficient. There is also some concern among Eau Claire staff that judges may be more lenient than is perhaps desirable, which may also encourage nonjudicial remedies. Eau Claire was an early pioneer in the use of pretrial meetings to obtain stipulations to pay in delinquent cases, and this continues to be a primary enforcement tool. Eau Claire staff pride themselves on their ability to develop good relationships with clients and achieve stipulations. Working to avoid depleting their limited court time also results in extensive use of other nonjudicial remedies, particularly administrative liens that attach to real and personal property, which permit actions such as bank account seizures. Eau Claire staff also reported an apparently growing trend for obligors to request to appear in court immediately, apparently to “have their day in court,” although the judge or family court commissioner might prove to be less sympathetic than anticipated. This may be affecting the rate at which staff can achieve a stipulation in a pretrial meeting.

III. ANALYSIS OF ADMINISTRATIVE DATA

The Data

To further understand the use of administrative enforcement actions, we analyzed data extracted from KIDS, the statewide child support information system. Although we selected a number of subsamples, discussed later, the basic data are derived from two samples. The first, referred to as the 1997 sample, was selected by choosing all cases with a child for whom the first order was established in 1997 (N = 22,621). From this sample we deleted cases that had been closed (N = 7,669) and cases with no demographic information (N = 11). We then deleted 916 cases in which the mother owed support or in which we could not determine who owed support. Because we wanted to look at cases in which the child support agency would be active in enforcement, we deleted 3,474 non-IV-D cases. Finally, we deleted 130 cases in which we could not determine the status as either “paternity” or “divorce,” and 405 cases which appeared to have been sent to other states for enforcement. This left us with 10,419 cases in the 1997 sample.

A similar process identified a group referred to as the 2000 sample. The basic sample was 17,495 cases with a child for whom the first order was established in 2000. We then deleted: (1) cases that were currently closed (N = 5,818); (2) cases with no demographic information (N = 8); (3) cases in which the mother owed support or we could not determine the relationship of the person who is ordered to pay support (N = 1,087); (4) non-IV-D cases (N = 3,375); (5) cases that could not be identified as either paternity or divorce cases (N = 162); and (6) cases that appear to have been sent to another state for enforcement (N = 606). This left 12,687 cases in the 2000 sample.

We followed these samples through calendar year 2002. For the 1997 sample, we have four years of data after the year in which the order was first established; and for the 2000 sample we have two years of data after the year in which the order was first established.

Compliance Rates

We begin by looking at cases in which we can calculate that arrears exceed the amount of one month's order.¹² First, because we want to calculate the amount of the arrears, we restrict the orders to those that are fixed.¹³ To define a case as delinquent, we calculate whether the arrears exceed one month's order amount for each month following the month in which the order was established. Table 3.1 shows cases from the 1997 sample in the 12th, 24th, 36th and 48th month after the order was established. In Table 3.2 we examine orders from the 2000 sample in the 12th and 24th month after the order was established.

In Table 3.1, we first note that a higher proportion of paternity than divorce cases tend to be delinquent. Under our definition of delinquent (an arrearage at least as large as one month's ordered amount), about 80 percent of paternity cases tend to be delinquent in the months observed. This rate of delinquency persists over the four years of observations. Divorce cases are somewhat less likely to be delinquent (about 52 percent), but this rate also tends to persist over the years of observations. With a few exceptions, this tendency to persist over the years is true for all the subcategories shown on Table 3.1

In the first panel, for Number of Children, we see that the rate of delinquency is higher in cases with only one child, but this difference probably reflects the heavier incidence of paternity cases in that category.

¹²It may seem reasonable to begin by looking at arrears over all cases, and not just those in which it is possible to determine that the arrears are larger than the amount of one month's order. However, that method would include cases which have "timing arrears," caused by failure of the child support order's time period to mesh exactly with the time period of the income withholding order. Cases in which arrears are solely the result of such timing issues would not be candidates for enforcement actions, (because the arrears would be extinguished in the normal operation of the income withholding process), and are therefore of less interest in this report.

¹³We eliminate percentage-expressed and mixed orders because it is too difficult to determine how much is owed each month. Percentage-expressed are those stated as a percentage of income, rather than as a fixed-dollar amount. Mixed orders are those with two or more parts and a decision rule that determines when each part is in effect (e.g., \$100/month or 17 percent of monthly income, whichever is higher). Although we do have quarterly earnings data, which might be used to estimate the amount of the percentage-expressed or mixed order, we would have to make numerous assumptions, thus increasing the chances that we would incorrectly identify a case as having arrears.

Table 3.1
1997 Sample
Cases with Arrears at Intervals After the Order
(Cases with fixed-dollar orders only)

	N	1 Year After		2 Years After		3 Years After		4 Years After	
		N	%	N	%	N	%	N	%
Case Type	5,296	3,790	71.6	3,824	72.2	3,801	71.8	3,804	71.8
Paternity	3,804	3,018	79.3	3,043	80.0	3,023	79.5	3,005	79.0
Divorce	1,492	772	51.7	781	52.3	778	52.1	799	53.6
Number of Children	5,296	3,790	71.6	3,824	72.2	3,801	71.8	3,804	71.8
1	4,293	3,227	75.2	3,247	75.6	3,231	75.3	3,221	75.0
2	716	400	55.9	423	59.1	414	57.8	421	58.8
3+	287	163	56.8	154	53.7	156	54.4	162	56.4
County (All Counties)	5,296	3,790	71.6	3,824	72.2	3,801	71.8	3,804	71.8
Milwaukee	2,368	2,038	86.1	2,044	86.3	2,045	86.4	2,047	86.4
Dane	524	310	59.2	324	61.8	325	62.0	328	62.6
Racine	188	150	79.8	153	81.4	153	81.4	155	82.4
Brown	210	115	54.8	124	59.0	125	59.5	129	61.4
Kenosha	44	34	77.3	36	81.8	35	79.5	36	81.8
Rock	124	75	60.5	89	71.8	87	70.2	78	62.9
Others	1,838	1,068	58.1	1,054	57.3	1,031	56.1	1,031	56.1
Counties (Interviewed)									
Other large counties	902	534	59.2	573	63.5	572	63.4	571	63.3
Racine	188	150	79.8	153	81.4	153	81.4	155	82.4
Winnebago	35	11	31.4	12	34.2	13	37.1	14	40.0
Chippewa	23	13	56.5	15	65.2	14	60.9	14	60.9
Eau Claire	46	24	52.2	26	56.5	28	60.9	29	63.0
Others	1,734	1,020	58.8	1,001	57.7	976	56.3	974	56.2

(table continues)

Table 3.1, continued

	N	1 Year After		2 Years After		3 Years After		4 Years After	
		N	%	N	%	N	%	N	%
Race (Mother)	5,271	3,774	71.6	3,806	72.2	3,780	71.7	3,783	71.8
White	2,547	1,536	60.3	1,543	60.6	1,515	59.5	1,510	59.3
Black	1,882	1,697	90.2	1,717	91.2	1,714	91.1	1,715	91.1
Others	842	541	64.3	546	64.8	551	65.4	558	66.3
Age of Father	5,268	3,773	71.6	3,804	72.2	3,783	71.8	3,786	71.9
17–24	1,652	1,354	82.0	1,378	83.4	1,358	82.2	1,340	81.1
25–26	1,184	878	74.2	877	74.1	864	73.0	855	72.2
30–39	1,735	1,152	66.4	1,155	66.6	1,151	66.3	1,154	66.5
40+	697	389	55.8	394	56.5	410	58.8	437	62.7
Age of Youngest Child	5,257	3,761	71.5	3,793	72.2	3,767	71.7	3,770	71.7
0–4	3,669	2,761	75.3	2,778	75.7	2,750	75.0	2,719	74.1
5–10	1,142	733	64.2	733	64.2	720	63.0	732	64.1
11+	446	267	59.9	282	63.2	297	66.6	219	49.1
Ave. Monthly Amount Owed (Cases with fixed orders)	5,296	3,790	71.6	3,822	72.2	3,796	71.7	3,796	71.7
\$1–100	827	780	94.3	594	71.8	557	67.4	548	66.3
\$101–200	2,161	1,846	85.4	1,921	88.9	1,878	86.9	1,822	84.3
\$201–400	1,642	863	52.6	915	55.7	912	55.5	928	56.5
\$401+	666	243	36.5	253	38.0	256	38.4	259	38.9

* Arrearage is defined as an amount greater than one month's order

Table 3.2
2000 Sample
Cases with Arrears at Intervals After the Order
(Cases with fixed-dollar orders only)

	N	1 Year After		2 Years After	
		N	%	N	%
Case Type	8,802	6,146	69.8	6,907	78.5
Paternity	6,366	4,879	76.6	5,312	83.4
Divorce	2,436	1,267	52.0	1,595	65.5
Number of Children	8,802	6,146	69.8	6,907	78.5
1	6,964	5,064	72.7	5,604	80.5
2	1,322	772	58.4	924	69.9
3+	516	310	60.1	379	73.4
County (All Counties)	8,802	6,146	69.8	6,907	78.5
Milwaukee	3,644	3,016	82.8	3,204	87.9
Dane	732	474	64.8	565	77.2
Racine	326	254	77.9	273	83.7
Brown	374	236	63.1	280	74.9
Kenosha	208	160	76.9	176	84.6
Rock	252	182	72.2	184	73.0
Others	3,266	1,824	55.8	2,225	68.1
Counties (Interviewed)					
Other large counties	1,566	1,052	67.2	1,025	76.9
Racine	326	254	77.9	273	83.7
Winnebago	77	45	58.4	51	66.2
Chippewa	62	42	67.7	51	82.3
Eau Claire	91	59	64.8	74	81.3
Others	3,036	1,678	55.3	2,049	67.5
Race (Mother)	8,755	6,125	70.0	6,887	78.7
White	4,486	2,689	59.9	3,200	71.3
Black	3,037	2,629	86.6	2,758	90.8
Others	1,252	807	64.5	929	74.2
Age of Father	8,768	6,120	69.8	6,876	78.4
17–24	2,802	2,179	77.8	2,366	84.4
25–26	2,078	1,518	73.1	1,651	79.5
30–39	2,792	1,809	64.8	2,092	74.9
40+	1,096	614	56.0	767	70.0
Age of Youngest Child	8,744	6,104	69.8	6,860	78.5
0–4	6,460	4,654	72.0	5,163	79.9
5–10	1,575	1,024	65.0	1,178	74.8
11+	709	426	60.1	519	73.2

(table continues)

Table 3.2, continued

	N	1 Year After		2 Years After	
		N	%	N	%
Ave. Monthly Amount Owed (Cases with fixed orders)	8,802	6,146	69.8	6,904	78.4
\$0	39	39		87	
\$1–100	1,312	1,128	86.0	1,101	83.9
\$101–200	3,132	2,654	84.7	2,806	89.6
\$201–400	2,974	1,757	59.1	2,177	73.2
\$401+	1,345	568	42.2	733	54.5

In the next two panels¹⁴ we note that rates of delinquency in Milwaukee, Racine, and Kenosha are higher than the rate for all counties (71.6 percent in the first year after the order was established). The smaller counties (“others”) have an average delinquency rate in the first year after order establishment of 58.1 percent.

In the next group of panels, we find that cases in which the mother is black have a higher rates of delinquencies. Cases with the youngest fathers and cases with the youngest children also tend to have higher delinquency rates.

In the final panel we find the primary exception to the rule that the rate of delinquency tends to persist over the four year period examined. There are fewer delinquent cases with the lowest orders (less than \$100 per month) in the fourth year than in the first year after the order was established.

In Table 3.2 we find a slightly different pattern, over the two years of data. It is possible that the pattern will not persist if we examine additional years of data, but in contrast with the first two years in Table 3.1, the rate of delinquency rises in the second year. The statewide average rises from 69.8 percent to 78.5 percent. The pattern is repeated for both paternity and divorce cases, although it is slightly more pronounced in divorce cases, and regardless of the number of children in the case. Among counties, only Rock is an apparent exception to this pattern. And in the 2000 sample, cases with the lowest orders showed only a very slight improvement in the rate of delinquency, while more obligors with higher orders tended to become delinquent in the second year following the establishment of their order.

In Tables 4.1 and 4.2 we look at another definition of compliance to better understand these samples. In these tables we calculate annual compliance in the first, second, third, and fourth years, by comparing the amount owed for current support during the year(s) to the amount paid during the

¹⁴Tables 3.1 and 3.2 show disaggregation by county in two different panels. This first looks at the larger counties individually and the balance of state. The second displays the four counties that we interviewed, Milwaukee, other large counties and balance of state. These are the only tables in which delinquent cases are shown separately for Chippewa, Eau Claire and Winnebago counties because these counties have too few cases for further analysis.

Table 4.1
1997 Sample
Annual Compliance Rates During First Four Years of Child Support Order
(Cases with fixed-dollar orders only; N = 5,296)

	N	Mean Compliance Rate	Percentage of Fathers Who Are		
			Nonpayers	Partial Payers	Full Payers
Total					
Year 1	5,238	57.66	27.01	40.24	32.74
Year 2	5,149	68.85	23.36	32.03	44.61
Year 3	5,090	71.31	20.29	33.56	46.15
Year 4	5,038	68.48	20.84	32.69	47.47
Paternity					
Year 1	3,764	48.47	34.19	40.17	25.64
Year 2	3,726	60.14	29.04	34.62	36.34
Year 3	3,690	60.77	25.15	37.1	37.75
Year 4	3,682	60.46	25.48	35.71	38.81
Divorce					
Year 1	1,474	81.13	8.68	40.43	50.88
Year 2	1,423	91.67	8.5	25.23	66.27
Year 3	1,400	99.08	7.5	24.21	68.29
Year 4	1,356	90.23	8.26	24.48	67.26

Table 4.2
2000 Sample
Annual Compliance Rates During First Two Years of Child Support Order
(Cases with fixed-dollar orders only; N = 8,802)

	N	Mean Compliance Rate	Percentage of Fathers Who Are		
			Nonpayers	Partial Payers	Full Payers
Total					
Year 1	8,763	57.26	18.48	50.98	30.55
Year 2	8,709	62.45	20.56	39.76	39.67
Paternity					
Year 1	6,333	49.11	23.09	53.77	23.15
Year 2	6,312	53.82	25.89	42.44	31.67
Divorce					
Year 1	2,430	78.5	6.46	43.7	49.84
Year 2	2,397	85.2	6.55	32.71	60.74

year(s) after the month in which the child support order was established.¹⁵ We then divided the group into those who paid nothing during the year (nonpayers), those who made some payment (partial payers) and those who paid at least 90 percent of the total amount owed (full payers) during the year. In the 1997 sample, we find some improvement over the years in both paternity and divorce cases. The proportion of obligors who are nonpayers and partial payers declines, while the proportion of full payers rises over time. In the 2000 sample, we see similar movement over the two years for which we have data.

Finally, in Tables 5.1 and 5.2 we use another way to assess the extent of nonpayment. In these tables, we count month by month those fathers (with fixed dollar orders) who never pay, those fathers who pay nothing during at least one year, those fathers who always pay the full amount during the year, and those fathers who make a full payment in at least one month during the first four or two years after the order is established. In the 1997 sample, we see that about 92 percent of the fathers pay something over the first four years, but only about 20 percent pay the full amount of what is owed. As noted in other tables, compliance is worse for paternity than divorce cases.

All the tables show some evidence that the 2000 sample has greater rates of noncompliance than does the 1997 sample. One possible explanation for this is that the 2000 sample is composed of a higher proportion of paternity cases than is the 1997 sample (67 percent in the entire 2000 sample as compared to 61 percent in 1997). Another explanation may be the state of the economy. Or it may be that the cases (both divorce and paternity) that entered the IV-D system more recently include more cases that are relatively more difficult to enforce for reasons that can't be observed in the data.

¹⁵This method of measuring compliance is quite different than the measure used in Tables 3.1 and 3.2, where we counted a case with any amount of arrears at any time during the observation period as a delinquent case. In the calculations used for Tables 4.1 and 4.2, an obligor who paid nothing in the first year and then made full payments on current support in subsequent years would be counted as a "full payer" in the last years, while the measure used in Tables 3.1 and 3.2 would still count him as delinquent.

Table 5.1
1997 Sample
Compliance During the First 4 Years of Child Support Order
(Cases with fixed-dollar orders only; N=5,296)

Percentage of Nonresident Fathers with Support Order Who	Total	Paternity	Divorce
Never pay during first 4 years	9.21	12.01	2.08
Have at least one nonpayment year during first 4 years	37.46	45.72	16.42
Always pay in full during first 4 years	19.81	14.64	32.98
Have at least one full payment year during first 4 years	61.84	54.18	81.37

Table 5.2
2000 Sample
Compliance During the First 2 Years of Child Support Order,
(Cases with fixed-dollar orders only; N=8,802)

Percentage of Nonresident Fathers with Support Order Who	Total	Paternity	Divorce
Never pay during first 2 years	12.88	16.6	3.16
Have at least one nonpayment year during first 2 years	25.86	32.03	9.73
Always pay in full during first 2 years	23.35	16.95	40.07
Have at least one full payment year during first 2 years	46.32	37.48	69.42

Enforcement Actions

We originally hypothesized that examining the 1997 file would give us the best opportunity to understand the use of enforcement tools because there are more cases with larger arrears in that sample than in the 2000 sample. When we began to analyze the use of enforcement actions we found it very difficult to interpret the relationship between delinquency (regardless of definition), the timing of enforcement actions, and the timing of payments. We eventually found a number of problems which would limit our ability to understand whether some actions appear to be more effective than others. Some of these problems appear to be more prevalent in the 1997 sample than in the 2000 sample.

Enforcement Action Data Concerns

We identified these data concerns:

1. Some enforcement actions appear to occur so rarely that there were insufficient numbers to analyze, even if we combined the 1997 and 2000 samples. This is true for both alternative payment plans (APP), criminal nonsupport actions (CNS), and drivers license revocations. From discussion with local agencies, we believe that the low numbers in all three categories reflects local agency practice and it is not a KIDS data entry or interpretation problem. While we find many actions to produce APP documents in KIDS, there are very few instances of a completed APP (N = 15). The four local agencies that we interviewed all reported that they complete very few APPs, partly because there appears to be little interest by obligors, and because staff reached agreements for payments that were not formally APPs. Staff in some agencies also reported that when APPs first became available, they included the APP documents with all warning letters, a practice that has now largely stopped (because there was so little response to them).

Similarly, local staff report that they refer cases for CNS quite infrequently. In some agencies, CNS is most likely to be used in cases where the obligor cannot be easily served. When

this occurs because the obligor is outside Wisconsin, the case may also be referred to the other state for enforcement. As noted earlier, we deleted 80 cases that were referred to other states because we would not have information about what enforcement actions were taken by the other state. Even if all 80 deleted cases had been referred for CNS (an improbable scenario), the number is too small for additional analysis.

With regard to drivers' license revocations, local staff commented that depriving an obligor of his license did no good, either because he or she continued to drive anyway, or if not, the loss of transportation negatively affected the noncustodial parent's capacity to obtain or maintain employment.

2. The use of some enforcement actions cannot be determined in KIDS. This is true of the "Super Notice,"¹⁶ which was in use from October 2000 through some time in 2003. Also, without looking at the case workers' notes in KIDS, we would not be able to tell when communications with the obligor occurred, including extra-judicial meetings to discuss payment options. In some local agencies, discussion with the obligor is regarded as highly effective in yielding payments. Unfortunately, knowledge of the existence of these actions is not readily available from KIDS, making our attempts to associate payments with enforcement actions very difficult.
3. The administrative lien docket, which has become an important enforcement tool, created opportunities for additional enforcement activity that may have been taken up by agencies and individual workers at different rates. In addition, initial implementation of the lien docket may have resulted in increased interaction with the noncustodial parents who were receiving the notice. The initial learning curve associated with its use may have resulted in erroneous KIDS

¹⁶The Super Notice informed obligors of the substantial new tools available to the child support agency for enforcing orders. While not technically an enforcement action, it may have resulted in payments or affected the response to receiving other notices from the agency or the state.

entries. Additionally, we may not have been able to correctly identify the timing and use of judicially enforced liens.

4. In many cases, it is likely that successive enforcement actions work in a multiplicative fashion and are associated with payments by obligors. After many efforts by the child support agency to procure payment, the obligor may finally decide to make payments or stipulate to future payments. Local agency staff clearly admired their peers who were persistent in their efforts to secure payments. Although we tried a number of alternative specifications to capture the effects of multiple enforcement actions, we did not identify any that enhanced our ability to associate enforcement actions with payments.
5. In the 1997 sample, administrative enforcement actions are strongly clustered in the years 2000–2002. This is consistent with the introduction of many administrative enforcement actions during that period (most extensively in 2000). However, the 1997 cases were subject to other enforcement actions prior to 2000, and these are likely to affect the impact of the enforcement actions used more extensively beginning in 2000.
6. Finally, staff at local agencies agreed that the same level of attention could not be given to all cases because of limited staff resources. As noted earlier, we were unable to clarify how the decisions are made to focus on particular cases. It seems likely that such decisions are made using information about the cases or the individuals involved that is not available to us.

Enforcement Actions

After eliminating enforcement actions with too few occurrences to analyze, we decided to focus on three types of enforcement actions: contempt hearings (HECN in KIDS), Notice of Lien and Credit Bureau Reporting (AL01) and enforcement letters (EN0). We selected contempt hearings in part because local agencies suggested that they were effective tools. We selected lien notices in part because local agencies suggested that liens result in significant collections, and the lien notice can precede other

activities by enforcement specialists to implement other actions, such as account seizures.¹⁷ We selected enforcement letters because they are used so often and frequently trigger other actions.

In Tables 6.1, and 6.2, we define cases with fixed dollar orders that ever have arrears that are larger than one month's current support order. These are cases that are ever delinquent in the course of the four or two years after the year in which the order was set. Cases could receive multiple enforcement actions multiple times. In the fourth column, N = the number of cases which received at least one of the three enforcement actions at least one time. Table 7.1 shows the frequency with which these actions are taken for cases in the 1997 sample with arrears greater than \$2,000. Table 7.2 displays the 2000 sample. About 81 per cent of these cases in the 1997 sample are subject to one or more of the three enforcement actions; the analogous figure for the 2000 sample is 65 percent. In other analysis (not shown) we found that most of these actions in the 1997 sample occur in the third and fourth years after order establishment. This finding holds even when we examined the timing of all enforcement actions (not limited to these three). This seems to suggest that the availability of these administrative enforcement actions (beginning in approximately 2000) increased the likelihood that counties will aggressively attempt to enforce even relatively new orders. Prior to their availability fewer actions were taken in the 1997 sample during the first two years after order establishment, and the rate of use of enforcement actions for the 1997 sample increases dramatically in the third and fourth years after order establishment.

These actions (particularly contempt hearings and lien notices) are used in a slightly higher proportion of paternity cases than divorce cases in the 1997 sample, unlike the 2000 sample. That fact probably also explains why the actions in the 1997 sample are used in slightly more cases with only one or two children, in cases when the mother is black, in cases where both the children and the father are

¹⁷It should be noted that notice of lien (AL01) is generated automatically by the KIDS system, based on minimum levels, or lien thresholds, of arrears existing in a court case. The lien threshold has been steadily declining from \$30,000 in October, 2000 to \$1,500 in August 2004.

Table 6.1
1997 Sample
Use of Enforcement Tools
(Cases with fixed-dollar orders only)

	N	Of Those Delinquent					
		Number Delinquent	% Delinquent	# Receiving an Action	% with EN01	% with HECN	% with AL01
Case Type	5,296	5,249	99.1	3,326	49.8	29.1	23.9
Paternity	3,804	3,787	99.6	2,664	55.3	32.7	27.3
Divorce	1,492	1,462	98.0	662	35.7	19.7	14.9
Number of Children	5,296	5,249	99.1	2,812	49.8	29.1	23.9
1	4,293	4,266	99.4	366	51.4	29.9	24.3
2	716	704	98.3	148	42.0	26.4	21.0
3+	287	279	97.2		45.2	22.6	24.0
County (All Counties)	5,296	5,249	99.1	3,326	49.8	29.1	23.9
Milwaukee	2,368	2,358	99.6	1,696	54.4	29.0	33.1
Dane	524	517	98.7	325	49.9	36.9	22.1
Racine	188	187	99.5	146	72.2	52.9	32.1
Brown	210	205	97.6	76	28.3	8.8	18.5
Kenosha	44	44	100.0	28	54.5	29.5	22.7
Rock	124	123	99.2	66	39.0	27.6	19.5
Others	1,838	1,815	98.7	989	44.6	26.8	12.4
Race (Mother)	5,271	5,225	99.1	3,314	49.9	29.1	23.9
White	2,547	2,516	98.8	1,415	46.5	26.7	15.3
Black	1,882	1,878	99.8	1,433	56.8	34.0	37.0
Others	842	831	98.7	466	44.5	25.5	20.0

(table continues)

Table 6.1, continued

	N	Of Those Delinquent					
		Number Delinquent	% Delinquent	# Receiving an Action	% with EN01	% with HECN	% with AL01
Age of Father	5,268	5,221	99.1	3,312	49.9	29.1	23.9
17–24	1,652	1,648	99.8	1,245	60.3	38.0	31.0
25–26	1,184	1,174	99.2	760	50.1	29.0	21.7
30–39	1,735	1,724	99.4	972	44.3	24.7	20.7
40+	697	675	96.8	335	38.2	18.8	18.7
Age of Youngest Child	5,257	5,210	99.1	3,297	49.7	28.9	23.8
0–4	3,669	3,649	99.5	2,483	54.2	33.1	25.3
5–10	1,142	1,130	98.9	608	40.1	20.4	20.6
11+	446	431	96.6	206	37.1	16.2	19.0
Ave. Monthly Amount Owed (Cases with fixed orders)	5,296	5,249	99.1	3,326	49.8	29.1	23.9
\$1–100	827	818	98.9	498	49.6	29.2	6.6
\$101–200	2,161	2,152	99.6	1,666	58.6	35.7	35.8
\$201–400	1,642	1,625	99.0	916	46.2	26.5	20.8
\$401+	666	654	98.2	246	30.3	13.3	13.6
Nonresident Father Location Information	5,296	5,249	99.1	3,326	49.8	29.1	23.9
Employer Known (the whole period of time)	2,045	2,028	99.2	953	39.4	23.1	8.3
Employer Unknown	3,251	3,221	99.1	2,373	56.4	32.8	33.6
Employer Known (at least one year during the period)	3,439	3,409	99.1	2,030	48.9	30.3	18.6
Employer Unknown	1,857	1,840	99.1	1,296	51.6	26.7	33.6

Table 6.2
2000 Sample
Use of Enforcement Tools
(Cases with fixed-dollar orders only)

	N	Of Those Delinquent					
		Number Delinquent	% Delinquent	# Receiving an Action	% with EN01	% with HECN	% with AL01
Case Type	8,802	8,703	98.9	4,107	37.8	22.2	4.7
Paternity	6,366	6,326	99.4	3,208	40.8	25.0	3.3
Divorce	2,436	2,377	97.6	899	30.1	14.7	8.6
Number of Children	8,802	8,703	98.9	4,107	37.8	22.2	4.7
1	6,964	6,895	99.0	3,347	39.5	23.0	3.1
2	1,322	1,299	98.3	540	31.7	19.0	8.8
3+	516	509	98.6	220	30.5	18.7	16.7
County (All Counties)	8,802	8,703	98.9	4,107	37.8	22.2	4.7
Milwaukee	3,644	3,627	99.5	1,679	35.3	21.3	4.0
Dane	732	720	98.4	393	44.0	32.9	6.0
Racine	326	323	99.1	221	62.2	39.9	8.7
Brown	374	367	98.1	123	28.6	6.3	5.4
Kenosha	208	206	99.0	123	51.0	20.9	5.8
Rock	252	250	99.2	113	34.0	17.2	7.6
Others	3,266	3,210	98.3	1,455	37.4	21.2	4.5
Race (Mother)	8,755	8,677	99.1	4,097	37.8	22.2	4.7
White	4,486	4,417	98.5	2,049	38.5	21.5	4.6
Black	3,037	3,028	99.7	1,530	38.7	25.0	3.8
Others	1,252	1,232	98.4	518	33.4	17.8	7.3

(table continues)

Table 6.2, continued

	N	Of Those Delinquent					
		Number Delinquent	% Delinquent	# Receiving an Action	% with EN01	% with HECN	% with AL01
Age of Father	8,768	8,669	98.9	4,088	37.8	22.1	4.7
17–24	2,802	2,790	99.6	1,545	46.4	28.0	2.2
25–26	2,078	2,064	99.3	994	37.5	24.0	4.1
30–39	2,792	2,758	98.8	1,172	33.1	18.6	6.8
40+	1,096	1,057	96.4	377	27.9	12.3	7.5
Age of Youngest Child	8,744	8,647	98.9	4,078	37.8	22.1	4.8
0–4	6,460	6,416	99.3	3,222	40.7	24.3	3.6
5–10	1,575	1,549	98.3	616	30.9	17.5	7.2
11+	709	682	96.2	240	25.8	11.7	10.0
Ave. Monthly Amount Owed (Cases with fixed orders)	8,802	8,703	98.9	4,107	37.8	22.2	4.7
\$1–100	1,220	1,206	98.9	561	34.9	23.9	2.1
\$101–200	3,188	3,164	99.2	1,705	42.8	28.3	1.8
\$201–400	3,057	3,026	99.0	1,415	39.4	19.5	5.5
\$401+	1,337	1,307	97.8	426	24.9	11.9	12.4
Nonresident Father Location Information	8,802	8,703	98.9	4,107	37.8	22.2	4.7
Employer Known (the whole period of time)	3,949	3,900	98.8	1,516	32.6	17.2	2.7
Employer Unknown	4,853	4,803	99.0	2,591	42.1	26.2	6.4
Employer Known (at least one year during the period)	5,196	5,139	98.9	2,318	37.0	21.2	4.6
Employer Unknown	3,606	3,564	98.8	1,789	39.0	23.5	4.9

Table 7.1
1997 Sample
Use of Enforcement Tools
(Cases with fixed-dollar orders only, arrears > \$2,000)

	N	Of Cases with Arrears Over \$2,000					
		Number Delinquent	% Delinquent	# Receiving an Action	% with EN01	% with HECN	% with AL01
Case Type	5,296	3,296	62.2	2,673	62.5	38.9	37.8
Paternity	3,804	2,642	69.5	2,196	64.1	40.0	38.9
Divorce	1,492	654	43.8	477	56.1	34.3	33.0
Number of Children	5,296	3,296	62.2	2,673	62.5	38.9	37.8
1	4,293	2,758	64.2	2,256	62.3	38.8	37.3
2	716	384	53.6	297	62.2	41.4	38.5
3+	287	154	53.7	120	66.9	34.4	43.5
County (All Counties)	5,296	3,296	62.2	2,673	62.5	38.9	37.8
Milwaukee	2,368	1,863	78.7	1,512	60.4	33.7	41.7
Dane	524	288	55.0	243	65.3	54.2	39.2
Racine	188	140	74.5	128	85.0	65.0	42.9
Brown	210	95	45.2	63	49.5	16.8	40.0
Kenosha	44	30	68.2	23	66.7	33.3	33.3
Rock	124	68	54.8	49	51.5	42.6	35.3
Others	1,838	812	44.2	655	64.8	43.3	27.6
Race (Mother)	5,271	3,286	62.3	2,666	62.6	39.0	37.8
White	2,547	1,251	49.1	996	64.9	41.2	30.6
Black	1,882	1,551	82.4	1,297	61.7	37.7	44.6
Others	842	484	57.5	373	59.3	37.0	34.3

(table continues)

Table 7.1, continued

	N	Of Cases with Arrears Over \$2,000					
		Number Delinquent	% Delinquent	# Receiving an Action	% with EN01	% with HECN	% with AL01
Age of Father	5,268	3,282	62.3	2,663	62.5	39.0	37.8
17–24	1,652	1,210	73.2	1,039	66.9	44.9	42.1
25–26	1,184	728	61.5	592	61.4	39.3	34.9
30–39	1,735	999	57.6	787	61.4	35.7	35.4
40+	697	345	49.5	245	53.0	27.0	36.2
Age of Youngest Child	5,257	3,271	62.2	2,651	62.4	38.8	37.7
0–4	3,669	2,392	65.2	2,014	66.0	42.8	38.5
5–10	1,142	654	57.3	484	53.5	29.2	35.2
11+	446	225	50.4	153	50.2	24.4	36.0
Ave. Monthly Amount Owed (Cases with fixed orders)	5,296	3,296	62.2	2,673	62.5	38.9	37.8
\$1–100	827	484	202.5	342	56.6	34.9	10.5
\$101–200	2,161	1,675	39.9	1,442	64.0	40.8	45.8
\$201–400	1,642	862	16.7	698	65.0	41.9	39.2
\$401+	666	275	41.3	191	56.4	25.1	32.4
Nonresident Father Location Information	5,296	3,296	62.2	2,673	62.5	38.9	37.8
Employer Known (the whole period of time)	2,045	812	39.7	615	63.8	41.3	20.7
Employer Unknown	3,251	2,484	76.4	2,058	62.1	38.1	43.4
Employer Known (at least one year during the period)	3,439	1,887	54.9	1,547	66.3	45.0	33.5
Employer Unknown	1,857	1,409	75.9	1,126	57.5	30.7	43.5

Table 7.2
2000 Sample
Use of Enforcement Tools
(Cases with fixed-dollar orders only, arrears > \$2,000)

	N	Of Cases with Arrears Over \$2,000					
		Number Delinquent	% Delinquent	# Receiving an Action	% with EN01	% with HECN	% with AL01
Case Type	8,802	4,059	46	2,648	51.2	34.0	9.8
Paternity	6,366	3,196	50	2,060	50.9	35.2	6.3
Divorce	2,436	863	35	588	52.0	29.4	23.1
Number of Children	8,802	4,059	46	2,648	51.2	34.0	9.8
1	6,964	3,200	46	2,070	51.9	34.3	6.3
2	1,322	594	45	399	49.8	33.8	19.2
3+	516	265	51	179	45.3	29.8	32.1
County (All Counties)	8,802	4,059	46	2,648	51.2	34.0	9.8
Milwaukee	3,644	2,022	55	1,163	43.8	27.8	6.9
Dane	732	361	49	273	58.4	51.0	11.4
Racine	326	170	52	149	80.6	57.1	15.9
Brown	374	135	36	85	50.4	15.6	13.3
Kenosha	208	124	60	92	63.7	27.4	9.7
Rock	252	116	46	77	50.0	26.7	16.4
Others	3,266	1,131	35	809	56.4	39.8	12.6
Race (Mother)	8,755	4,052	46	2,643	51.2	34.0	9.8
White	4,486	1,703	38	1,210	57.0	38.9	11.5
Black	3,037	1,779	59	1,070	46.1	30.9	6.3
Others	1,252	570	46	363	49.5	28.9	15.6

(table continues)

Table 7.2, continued

	N	Of Cases with Arrears Over \$2,000					
		Number Delinquent	% Delinquent	# Receiving an Action	% with EN01	% with HECN	% with AL01
Age of Father	8,768	4,045	46	2,637	51.1	33.9	9.9
17–24	2,802	1,503	54	1,020	56.2	38.7	4.0
25–26	2,078	967	47	631	50.1	35.0	8.7
30–39	2,792	1,177	42	746	47.9	30.2	15.5
40+	1,096	398	36	240	44.0	24.6	18.3
Age of Youngest Child	8,744	4,027	46	2,624	51.0	33.9	9.9
0–4	6,460	3,109	48	2,084	53.1	36.3	7.4
5–10	1,575	654	42	388	45.6	28.0	16.5
11+	709	264	37	152	40.5	20.1	23.1
Ave. Monthly Amount Owed (Cases with fixed orders)	8,802	4,059	46	2,648	51.2	34.0	9.8
\$1–100	1,220	307	25	156	36.5	34.2	4.6
\$101–200	3,188	1,958	61	1,222	48.4	35.1	2.9
\$201–400	3,057	1,267	41	931	60.3	35.8	13.1
\$401+	1,337	527	39	339	48.2	25.4	30.7
Nonresident Father Location Information	8,802	4,059	46.1	2,648	51.2	34.0	9.8
Employer Known (the whole period of time)	3,949	1,159	29.3	803	57.5	36.7	8.6
Employer Unknown	4,853	2,900	59.8	1,845	48.6	32.9	10.3
Employer Known (at least one year during the period)	5,196	1,953	37.6	1,393	57.6	38.7	11.6
Employer Unknown	3,606	2,106	58.4	1,255	45.2	29.6	8.2

younger, and cases with the smaller monthly orders. The higher use in Racine County of notices and contempt hearings seems consistent with the emphasis on contempt hearings and the frequent use of jail as an enforcement tool that were reported to us in interviews there.

We also hypothesized that cases in which the employer of the obligor was known might affect the use of enforcement actions, since the agency might be expected to attempt to implement wage withholding.¹⁸ In the 1997 sample it does appear that liens are now used more often in cases when the employer is unknown. In the 2000 sample, this is not so clear.

Recall that Tables 6.1 and 6.2 display cases with arrears greater than one month's order, but not necessarily greater than \$2000. In the 1997 sample, we find about 2,000 cases that have arrears at some time less than \$2,000, but at least equal to one month's order. Approximately 650 of these receive at least one of the three enforcement actions we are focusing on. In the 2000 sample, this formulation adds about 4,645 cases, of which about 1,460 receive at least one of the three enforcement actions. In both samples about a third of the cases with lower arrears receives at least one of the enforcement actions. It appears that the counties are attempting to enforce relatively new orders that have not yet built up high arrears.

In our final analysis, we look at the effects of enforcement actions on beginning to pay support. For this analysis, we restrict our sample to those cases in the 1997 and 2000 samples which have not paid child support in the first two months after the establishment of the order. We use an event history analysis model to ask whether beginning to pay child support is associated with a variety of factors, including different types of enforcement actions. This type of model is appropriate for looking at transitions from one state to another; in this case, the transition from nonpaying to paying. It also permits us to include other variables that can vary over time. In this model, we are looking at types of enforcement actions, which can either have occurred or not (a notice sent or not) during the time period

¹⁸We have some concern, however, that the employer information in KIDS may not always be up-to-date, which may tend to bias these calculations.

(a month, in our model).¹⁹ We also include a variety of control variables, among them the county (using the six largest counties and balance of state),²⁰ the number of children, the race of the mother, and the type of case (paternity or divorce).

In Tables 8.1 (the 1997 sample) and 8.2 (the 2000 sample) we look at four enforcement actions: the three on which we have focused (notice of lien, contempt hearing and enforcement letter) and wage withholding. We included wage withholding because a large proportion of the transition from nonpaying to paying status is associated with the implementation of a wage withholding order. To omit it from the model would produce misleading results.

The first rows in each table examine the impact of sending an enforcement letter either this month, the previous month, two months ago and three months ago, to try to assess the lagged effect of sending such a letter. In this model, for the 2000 sample, a letter sent 2 months prior to the current month is associated with a significant change from nonpaying to paying status. Nonpayers who received a letter 2 months prior to the current month are, on average, about 1.3 times more likely to pay than nonpayers who did not receive a letter.²¹ In the 1997 sample, however, we do not find any significant transition from nonpayment to payment associated with an enforcement letter.

A contempt hearing results in significant impacts on the transition in both the 1997 and 2000 samples. Having a hearing in this month or in any of the three previous months results in a statistically significant change in the transition from nonpaying to paying status in both samples. On average, noncustodial parents from the 2000 sample who have a hearing this month are about 1.65 times as likely to begin to pay this month as those who do not have any hearings. Similarly, the likelihood is increased

¹⁹See Meyer and Hernandez (1999) for a more complete description of the use of these models in assessing outcomes associated with enforcement actions.

²⁰Except for Racine, the counties we interviewed have too few cases to be individually included here.

²¹We are using a hazard distribution to calculate the odds of changing from one state (nonpaying) to the other state (paying). The calculated odds are not shown in Table 8.2, but only reported in the text.

Table 8.1
1997 Sample
Likelihood of Beginning to Pay Support among Initial Nonpayers

	Coefficient	Std. Error
Enforcement Actions		
Letter this month	0.023	0.126
Letter last month	0.152	0.118
Letter 2 months ago	0.114	0.120
Letter 3 months ago	0.085	0.124
Hearing this month	0.789**	0.097
Hearing last month	0.655**	0.105
Hearing 2 months ago	0.665**	0.108
Hearing 3 months ago	0.647**	0.112
Lien notice this month	0.107	0.303
Lien notice 1 month ago	-0.164	0.355
Lien notice 2 months ago	-0.157	0.355
Lien notice 3 months ago	-0.320	0.379
Income withholding	1.018**	0.021
Paternity (compared to divorce)	-0.233**	0.025
Number of Children (compared to one)		
Two	-0.134**	0.029
Three	-0.114	0.043
Mothers Race (compared to white)		
Black	-0.354**	0.032
Others	-0.111*	0.032
County (compared to balance of state)		
Milwaukee	-0.447**	0.032
Dane	-0.125*	0.033
Racine	0.262**	0.041
Brown	-0.222*	0.071
Kenosha	0.145	0.073
Rock	-0.051	0.080

* significant at the .05 level; ** significant at the .01 level.

Table 8.2
2000 Sample
Likelihood of Beginning to Pay Support among Initial Nonpayers

	Coefficient	Std. Error
Enforcement Actions		
Letter this month	-0.334**	0.126
Letter last month	0.125	0.096
Letter 2 months ago	0.265*	0.090
Letter 3 months ago	0.079	0.103
Hearing this month	0.500**	0.098
Hearing last month	0.562**	0.098
Hearing 2 months ago	0.464**	0.109
Hearing 3 months ago	0.523**	0.111
Lien notice this month	-0.036	0.409
Lien notice 1 month ago	-0.289	0.501
Lien notice 2 months ago	0.363	0.379
Lien notice 3 months ago	-0.028	0.501
Income withholding	1.590**	0.027
Paternity (compared to divorce)	-0.035	0.033
Number of Children (compared to one)		
Two	0.660	0.039
Three	0.061	0.058
Mothers Race (compared to white)		
Black	-0.521**	0.045
Others	-0.072	0.037
County (compared to balance of state)		
Milwaukee	-0.355**	0.045
Dane	0.150*	0.059
Racine	-0.262**	0.053
Brown	-0.122	0.085
Kenosha	-0.146*	0.057
Rock	-0.200*	0.082

* significant at the .05 level; ** significant at the .01 level.

by 1.76 times for parents who had a hearing last month, compared to those who did not; by 1.59 times for parents who had a hearing two months ago, and 1.69 times for one who had a hearing three months ago. Similarly, those noncustodial parents from the 1997 sample who had a hearing this month are, on average, about two times as likely to begin paying this month as those who did not have any hearings. Those with a hearing last month are about 1.93 times as likely to begin paying as those who did not have any hearings. The likelihood is increased by 1.94 times for those with hearings two months ago, and 1.91 times for those with a hearing three months ago.

The effect of sending a notice of lien and referral to credit bureaus is not significantly different from zero for both samples, regardless of the lag involved. Wage withholding, on the other hand, is significant in both the 1997 and 2000 samples and, as anticipated, has a large effect, especially in the 2000 sample: noncustodial parents in cases with a fully implemented wage withholding order (where the employer is known) are almost five times more likely to begin paying than those without a wage withholding order. In the 1997 sample, wage withholding results in a statistically significant transition from nonpaying to paying. However, payers with wage withholding are about 2.77 times more likely to begin paying than those without a fully implemented wage withholding order.

In the final rows of Tables 8.1 and 8.2, we examine some of the control variables. In this model, fathers in paternity cases in the 2000 sample are not significantly different from divorce cases in the likelihood of changing from nonpaying to paying status. However, in the 1997 sample, fathers in paternity cases are significantly less likely to begin paying. On average, these fathers are about 20 per cent less likely to begin to pay than are fathers in divorce cases. Similarly, fathers with two or three children in the 2000 sample are not significantly different from those with one child. In the 1997 sample, fathers with two children are, on average, about twelve per cent less likely to begin paying than fathers with one child.

The mother's race is significant in both samples. In the 2000 sample, if the mother is black the father is about 40 percent less likely to pay than if the mother's race is white. For the 1997 sample, fathers associated with mothers who are black are about 30 percent less likely to begin paying, compared to those associated with white mothers. Fathers in the 1997 sample who are associated with mothers of other (not black) races are also slightly less likely (about 10 percent) to begin paying than fathers associated with white mothers. There is no significant difference for this group of fathers in the 2000 sample.

We also find that the residence of mothers in some counties results in greater or lesser likelihood of paying when compared to the balance of state. In the 2000 sample, Milwaukee, Kenosha, and Racine are less likely to have changes in status from nonpaying to paying, whereas Dane is slightly more likely to have changes in status from nonpaying to paying.²² In the 1997 sample, Milwaukee, Dane, Racine and Brown counties are less likely to have changes in status from non-paying to paying, compared to the balance of state.

We suspect that this model remains too primitive to fully capture the effects of various enforcement actions. Staff in local agencies spoke eloquently of the importance of tenacity and creativity in improving the likelihood that nonpayers would begin to make child support payments. Our model does not reflect the extensive interactions between multiple enforcement actions that may be the most successful way to compel payments. In particular, we suspect that lien notices may be beginning points in chains of enforcement actions that yield improved payments.²³ It is also difficult to understand why having sent a letter two months prior to the month of payment is associated with a better outcome than

²²Note that we did not control from economic conditions or fathers' earnings in this model, which may account for some of the finding that Milwaukee and Racine Counties are less likely to receive payments compared to a group of 66 smaller counties.

²³There are also many fewer lien notices than letters or contempt hearings, which means that a relatively larger impact (in terms of the number of transitions from nonpaying to paying status) would be required in order for us to assert that the impact of liens was significantly differ from zero.

sending a letter one month prior to the month of payment. It is possible that using either the letter or the lien notice in the model may not be the specification that will best capture the outcome associated with the cumulative effect of a chain of enforcement actions. The model does appear to capture the impact of enforcement actions that may represent the culmination of enforcement efforts: a successful withholding order to an employer, and the scheduling of an appearance before judges on contempt charges.

IV. SUMMARY AND CONCLUSIONS

Noncompliance with child support orders is a large problem, particularly for paternity cases and cases with younger obligors and younger children. The mechanisms available to child support agencies have continued to expand. PRWORA gave local agencies more administrative tools to address noncompliance, effectively increasing the number of cases for which enforcement actions can be implemented. Based on our interviews in four counties, Wisconsin child support agencies appear to have adopted many of these administrative tools with creative adaptation to local organizational variations. Some see the need to maintain a very active role for the courts as a way of emphasizing the seriousness of noncompliance, and others have found ways to make progress without substantial court involvement.

Our statistical effort to measure the efficiencies of four enforcement actions is hampered by the variety of ways that case activities are entered into KIDS. It is also possible that our results would be more realistic if we could develop better ways of modeling chains of successive enforcement actions. We might then find those chains associated with higher rates of compliance. However, we do find evidence to confirm the widely held belief that wage withholding is one of the best enforcement measures available, and we also find evidence that enforcement letters and contempt actions are effective.

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