

**The Child Support Referral Process for Out-of-Home Placements:
Potential Modifications to Current Policy**

Lanikque Howard, Jennifer L. Noyes, and Maria Cancian,
Institute for Research on Poverty

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I. INTRODUCTION

Three years ago, in a report regarding the participation of families in multiple programs, Cancian and Han (2010) noted that although the child welfare and child support systems serve many of the same families, there had been little research conducted about the collaboration between the two systems or the impact that either has on the other. Since that time, based on the expressed interest of the Wisconsin Department of Children and Families (DCF), additional information has been developed by researchers at the Institute for Research on Poverty regarding the relationships between the two systems. This information has included analysis of the effect of child support income on the risk of maltreatment (Cancian & Seki, 2010; Cancian et al., 2013), the effect of requiring parents to pay child support to offset the costs of foster care in children's transition to permanency (Cancian et al., 2012); the state of current policy and practice regarding child support referrals for child welfare cases (Chellew, Noyes & Selekman, 2012); and the extent to which costs associated with out-of-home placements are recovered through the assignment of child support payments to the state (Chellew et al., 2012). The body of work completed has provided strong evidence that child support income affects involvement in the child welfare system; the requirement that parents pay child support delays permanency; the requirement has not been implemented uniformly throughout Wisconsin; and the percentage of out-of-home placement costs covered by the assignment of child support payments to the state, with the exception of placement in institutions, is minimal.

In response to these findings, DCF has articulated an interest in developing potential practical policy alternatives to Wisconsin's current child support referral process within the child welfare system. As a first step toward revising the current policy, and in recognition of the different roles and responsibilities of the two systems, the decision was made jointly between the Division of Economic Security, which houses the child support enforcement system, and the Division of Safety and Permanence, which houses the child welfare system, to focus on potential alternatives from the child welfare system perspective. Only after alternatives that made sense from the child welfare system

perspective were identified would the implications for the child support system be considered. This report, in addition to summarizing the related research completed to date, provides an update on progress made toward identifying alternatives to the current referral process using this approach.

The outline of this report is as follows. Section II discusses the previous research completed and its relevance to the policies that govern referral of out-of-home placement cases by the child welfare system to the child support system. Section III describes the approach adopted for the initial development of policy options. Section IV highlights information gathered through interviews with child welfare staff in eleven Wisconsin counties regarding potential policy options. Section V discusses recommendations based on the information gathered. The final section, Section VI, suggests next steps in the process of developing a new policy in Wisconsin regarding the referral of out-of-home placement cases to the child support system.

II. BACKGROUND

The child welfare system and the child support enforcement system are both designed to increase the wellbeing of children, the latter by identifying and intervening in potential or substantiated cases of neglect, maltreatment, or abuse and the former by increasing the resources available to the household in which the child lives. While child support has historically been used as a way to offset the government's cost for providing single parents with public benefits, such as Temporary Assistance for Needy Families, Wisconsin has been at the forefront of reframing child support payments as a complement to the custodial parent's income and financial resources rather than a means through which to offset governmental costs. This is illustrated by Wisconsin's child support pass through approach, where child support payments are not used in the calculation of TANF benefits and 75 percent of payments are "passed through to the family." This method increases the parent's income, which is expected to benefit the child (Cancian et al., 2008; Chellew et al., 2012).

This approach of treating child support as an income complement rather than an offset to government costs, however, is not currently evident in relation to the payment of child support for

children removed from their home due to abuse or neglect. Federal and state policies call for parents whose children are in out-of-home placements to be referred to child support enforcement, so that parents may offset some of the costs of substitute care (Chellew et al., 2012). This referral includes not only potentially redirecting to the state orders from the nonresident parent that originally went to the resident parent; it also means that new orders may be established for the pre-out-of-home placement residential parent (Cancian et al., 2012). The following summarizes the key reports developed in Wisconsin regarding this practice.

Time to Reunification

Interactions of the Child Support and Child Welfare Systems: Child Support Referral for Families Served by the Child Welfare System. Final Report (Cancian et al., 2012) was the first report to examine how current child welfare and child support procedures and policies in Wisconsin affect families.¹ The study examined the association between child support and child welfare involvement for families with children in an out-of-home placement, focusing specifically on the relationship between child support and time to permanency. Utilizing Wisconsin Statewide Automated Child Welfare Information System (WiSACWIS) data, the authors analyzed all out-of-home placement cases between July 2004 and June 2006 where a child was removed from a home of a resident mother, and no father co-resided at the time of initial removal and placement. The authors found that cases where child support orders were enforced had longer times until reunification compared to cases that did not have a child support order enforced.

Additionally, using an instrumental variable approach, the study found that an increase of \$100 in the monthly child support order amount is predicted to reduce the probability of reunification by 17 percent within 36 months of the first child being placed in out-of-home care. Moreover, the results were found to be similar when reunification at 12, 24, and 48 months was examined. The results are also

¹The study built on an earlier descriptive analysis that demonstrated that families with unpaid child support orders were more likely to enter the child welfare system (Cancian and Seki, 2010), as well as an analysis of child welfare outcomes for families participating in W-2 that showed that families randomly assigned to receive a full pass-through of child support were less likely to become involved in the child welfare system (Cancian et al., 2013).

similar when young-children-only cases are excluded, and when Milwaukee cases are excluded. The analysis controlled for a number of demographic variables, including the mother's race/ethnicity, mother's age, age of the oldest father, age of the oldest child, number of siblings, the number of men with whom the mother has children, father's earnings, mother's earnings, the percentage of substantiated cases in each county, and the percentage of screened in cases in each county.

This evidence of a causal relationship suggests that orders for child support to offset out-of-home placement costs may burden families and increase time to reunification to the extent that having an order may be interfering with the pre-placement resident mothers' ability to achieve the conditions of reunification (Cancian et al., 2012). This effect is likely to be especially important for low-income families, and potentially exacerbated for the state's poorest families.

Current Policy and Practice

The findings of Cancian et al. (2012) should be considered in the context of current federal and state policy. As discussed in *Child Support Referrals for Out-of-Home Placements: A Review of Policy and Practice* (Chellew et al., 2012), federal policy provides for state child welfare and child support agencies to work collaboratively to "develop criteria for appropriate referrals in the best interests of the child involved" (U.S. Department of Children and Families, 2012a). An explicit definition of what is in the best interest of the child is not provided. However, Chellew et al. (2012), explains that the policy manual developed by the U.S. Department of Health and Human Services emphasizes that it is important to evaluate the appropriateness of a referral on an individual basis. The manual notes that considerations should be given to whether or not a parent is working towards reunification with the child, if their efforts are consistent with the case plan, and whether the referral would impede the parent's ability to reunify with the child. In Wisconsin, the state statute assigns responsibility to the child welfare agency system for deciding what is in the best interest of the child regarding referral to the child support system; once the child welfare agency makes the referral, the child support system is required to treat these cases like any

other case, with no alterations in practice due to the referral originating in the child welfare system (Chellew et al., 2012).

While Chellew et al. (2012) confirmed that there are policies regarding the referral of child welfare cases to the child support system for enforcement, in interviews with child welfare and child support workers completed in 2012, they discovered that these policies were not clearly understood, and that there was variation in county procedures and outcomes throughout Wisconsin. This conclusion was reached after inquiring about a February 2011 modification in the referral process, which allowed local case workers to decide whether a referral should be made for the mother, the father, or both, and ascertaining that there had been very little change in local practices following the modification. Further, although, part of the referral process from child welfare to child support includes answering a question about the best interest of the child, most workers said that they were not given any formal guidance on how they should answer this question, and therefore relied on the common practices of their county.

Cost Recovery

The research completed by Chellew et al. (2012) indicates the need for more guidance on what is in the best interest of the child in relation to referrals to child support in the case of out-of-home placements, and underscores the ability of the state to modify policies and procedures within the parameters outlined in federal policy. The research by Cancian et al. (2012) brings to light the need for policy guidance and modifications by illustrating the potential barriers that charging child support to low-income families can create and the harm it can do. However, the extent to which costs associated with out-of-home placements are offset by the collection of child support following a referral by the child welfare system must also be taken into account. Therefore, Chellew et al. (2012), uses a benefit-cost analysis to show that referring child welfare cases to child support may not be yielding the financial benefits intended.

Given the various funding structures of child welfare agencies, and the complex multitude of services provided by those agencies, there are many challenges to completing a comprehensive benefit-

cost analysis of the requirement that parents of children placed in an out-of-home placement make child support payments. Therefore, instead of trying to account for direct administrative, facility, and other costs associated with out-of-home placement, Chellew et al. (2012) used direct payments to care providers to calculate a very conservative estimate of out-of-home placement costs. They then used data from KIDS and WiSACWIS to calculate the amount of child support collected for out-of-home placements at any time during 2011, including arrears.

The analysis completed shows that, in 2011:

- Only a small percentage of child welfare provider payments were recovered through child support collections. In Milwaukee County, only 0.5 percent of the measured child welfare expenditures were recovered. In the rest of the state, a total of 4 percent of the measured child welfare expenditures were recovered.
- Of all the child support orders associated with an out-of-home placement, 18.2 percent had some support paid to the state, totaling approximately \$3 million, which equates to a recovery of only 2 percent of child welfare provider payments. When arrears payments are included, the recovery rate is 3 percent.
- Of all children in out-of-home placement cases, 55 percent were associated with a child support order, with order amounts totaling approximately \$12 million. Even if all of the orders were fully collected, the state would have recovered only 8 percent of child welfare provider expenditures.

In considering these figures, it is important to note that the authors' calculations of costs were conservative not only because they included only expenditures associated with provider payments, but also because did not include child support enforcement costs. It is also notable that there are certain types of placements for which a larger percentage of costs associated with provider payment are recovered. In particular, 25 percent of payments to institutions outside of Milwaukee County were recovered through the receipt of child support payments from parents; this amount was 16 percent in Milwaukee County. In addition, 13 percent of provider payments associated with shelter placements and 12 percent of provider payments associated with detention placements were recovered outside of Milwaukee County.

III. APPROACH

The research findings that: (1) ordering parents whose children have been removed from their custody to pay child support to offset costs may be contrary to the child's best interests, given delays to

reunification, and (2) that such referrals may not have the intended effect of offsetting the costs associated with an out-of-home placement; have been discussed with DCF representatives in a variety of settings. After consideration, an agreement was reached between the Division of Economic Security and the Division of Safety and Permanence to work with researchers from the Institute for Research on Poverty to begin to develop alternatives to current policy and practice. Specifically, during the summer of 2013, members of the Institute for Research on Poverty worked with DCF, including Bureau Regional Operations (BRO) staff, to develop potential policy modifications and identify a wide range of counties with which to discuss the prospective changes. Through these conversations, eleven counties were selected based on their geographical location, population size, poverty levels, relationship with child support staff and the frequency of out-of-home placement cases referred to child support. The counties selected included Calumet, Columbia, Dane, Eau Claire, La Crosse, Lafayette, Milwaukee, Outagamie, Price, Rock, and Washington. In total, researchers interviewed 57 individuals, including child protective supervisors and staff, and human services support and fiscal staff. Interviews consisted of a summary of the research as outlined in this report, followed by a discussion of the counties' referral policies and procedures, and a discussion of potential modifications to the referral system.

A flow chart, reflected in Figure 1, was developed by IRP in consultation with DCF staff. The chart was used as a tool to assist county staff in thinking about what the best interest of the child may mean, in light of the research and questions emphasized in the U.S. Department of Health and Human Services policy manual. The flow chart also became a point of reference in many cases when deciding whether a case was appropriate for a referral. The flow chart asked child welfare workers to think about the following two questions as they worked through a figurative case where the out-of-home placement is expected to be longer than 6 months and/or reunification with the pre-placement resident parent is the primary goal.

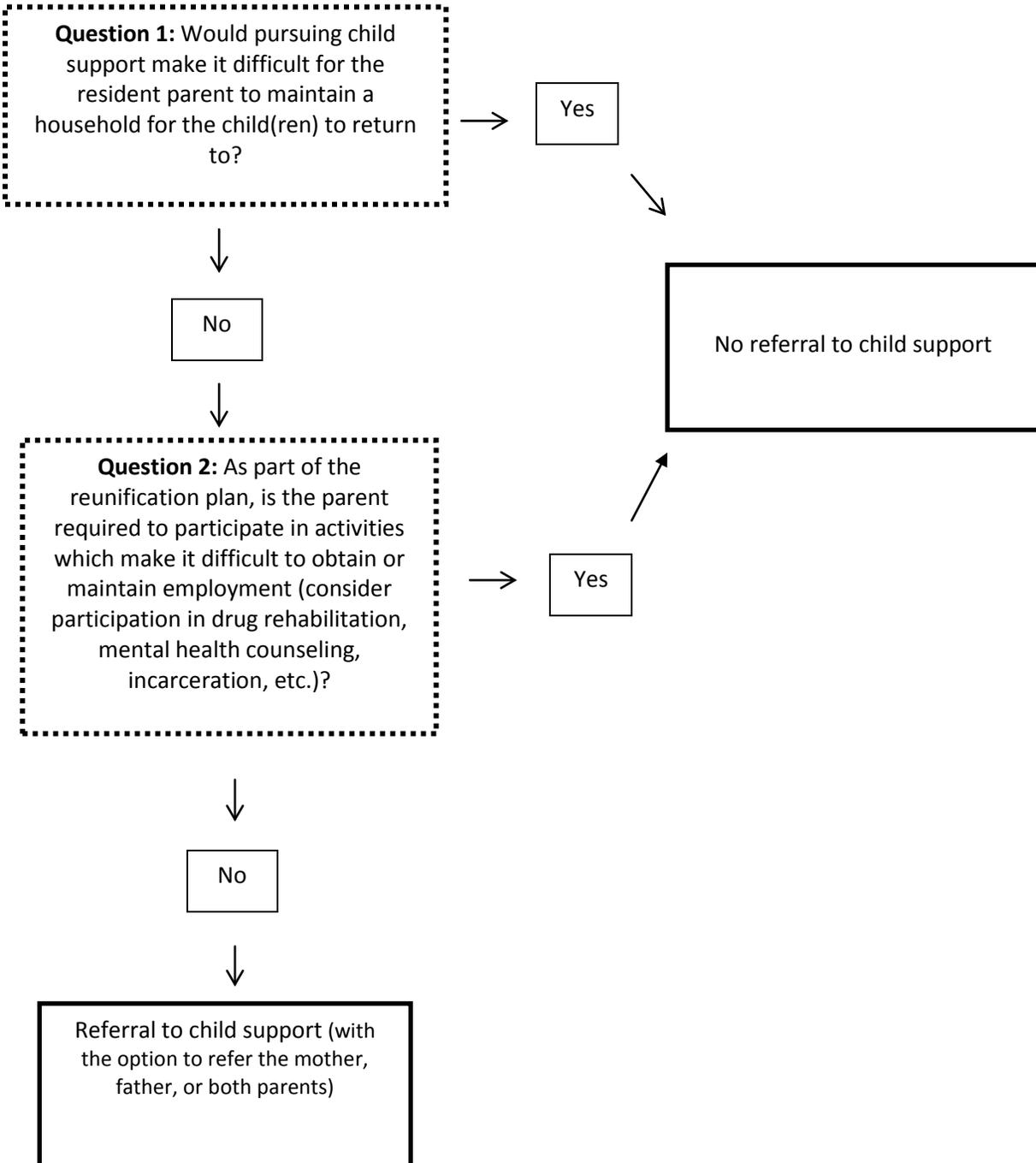
Question 1: Would pursuing child support make it difficult for the resident parent to maintain a household for the child(ren) to return to?

Question 2: As part of the reunification plan, is the parent required to participate in activities which make it difficult to obtain or maintain employment (consider participation in drug rehabilitation, mental health counseling, incarceration, etc.)?

Figure 1: Chart of Pre-Placement Resident Parent Referral Questions

For cases where the out-of-home placement is expected to be longer than 6 months and/or reunification with the pre-placement resident parent is the primary goal.

Start Here:



In the feedback received from county staff, it is important to remember that although Wisconsin has a general policy regarding the referral of out-of-home placement cases to child support, there is a significant amount of variation in each county regarding actual practice. As noted in Chellew et al. (2012) and reinforced in our interviews with county staff, there is variation in practice including:

- The person who answers the referral questions in WiSACWIS. Across counties, it includes a mix of intake workers, ongoing workers, supervisors, accountants, and paraprofessionals.
- The manner in which referrals occur. Some counties use paper forms in conjunction with the WiSACWIS referral questions; these forms are sent over to their child support agencies after they refer a case to child support. In some cases the child welfare worker will only fill out the paper form and someone else will answer the WiSACWIS questions; however, the WiSACWIS referral questions are not always on the paper forms that the child welfare workers fill out.

There is also variation in policy. Some counties were told by their child support agencies to not refer cases that they thought would last less than six months, while others were told to refer all of their cases to child support and that the child support agency would determine what was best for the family. When child welfare workers reported having good working relationships with their child support agency, child welfare workers felt that they could work with child support workers to determine the appropriateness of an order when they could not determine the length of the placement. In these cases, child welfare workers also noted that they could work with child support worker to negotiate orders in some cases. However, most of the county child welfare agencies did not have this type of working relationship with their child support agency.

Understanding these county variations is important when thinking about potential policy changes because variations in county practices can greatly affect implementation efforts. For example, if a policy were to be implemented that only targets the referral questions on the WiSACWIS screen, it could potentially miss out on shifting behaviors in counties where workers fill out a paper form that does not contain the WiSACWIS referral questions. Similarly, if implementation efforts only targeted child welfare workers, it could potentially miss the opportunity to disseminate knowledge to the other staff members, such as accountants and paraprofessionals, who are responsible for entering the referral information for some counties.

IV. LOCAL AGENCY PERSPECTIVES

The interviews conducted during the summer of 2013 echoed findings from the previous interviews done with Wisconsin child welfare and child support workers (Chellew et al., 2012). The majority of the child welfare staff stated they were not certain to what the “best interests of the child” referred, and that they were not provided with any formal guidance regarding how to make general assessments of the appropriateness of a referral from child welfare to child support. Without guidance, most counties continue to establish their own referral processes, with most counties reporting that they generally refer all cases to child support. Additionally, even after the February 2011 eWISACWIS change that gave workers the option to refer the mother, the father, or both parents, most counties reported that they continue to refer both the mother and the father in almost all cases.

Despite the common reported practice of referring all cases, the counties were able to provide examples of cases they did not think should be referred to child support. Comments suggest this practice was based on the belief that cases needed to be pursued in order to recover the costs associated with out-of-home placements, and in order to hold parents responsible for their children while the children are in substitute care. County staff noted that it is often difficult to balance these convictions with what is in the best interest of the child. This challenge, coupled with the confusion around what answers determine a referral to child support, and what efforts child support agencies make in order to set an order that is reasonable and appropriate for each family, creates the wide range of variation in practice across counties in Wisconsin, and sometimes even within a given county.

Reactions to the Research

The majority of county staff with whom we spoke was receptive to the research findings about the relationships between the child welfare and child support systems. In addition, many county staff stated it reflected their own experience. For example, they are aware that they are not collecting substantial revenue from child support orders for child welfare cases. However, they also articulated the concern that if they do not refer everyone to child support, the loss of child support funds will negatively

affect the services they are able to provide to families, regardless of the percentage of costs covered. The county staff that were the most apprehensive of policy modifications to child support referrals were often from smaller counties, which generally had relatively smaller caseloads. In addition, staff in some counties noted that even though they are not collecting a significant amount of money from families, child support orders may motivate parents to be responsible; some child welfare workers feared that not referring all cases creates a system that rewards some parents and punishes others. However, even when they did not feel that large scale policy modifications were necessary, most child welfare workers expressed interest in having the option of not referring some families.

Reactions to the Flow Chart

During the interviews, the flow chart was used as an example of potential guidance to child welfare staff as they thought about the appropriateness of a referral. In many instances, child welfare workers were able to identify cases for which such a decision making structure would have been useful, given that paying child support did severely affect the families and may have interfered with reunification. In considering the first question, for example, it was noted that charging parents child support after their child is removed from their home only adds to the distress of the family, because it decreases the resources available to being able to maintain housing and access services necessary prior to allowing the child to return to the home. Further, it may undermine the ability for a parent to continue a relationship with a child who is placed out of home. One worker noted, for instance, that while the agency encourages parents to visit their children and still purchase items for them, like their winter coat or favorite food, it becomes increasingly difficult for parents to continue to do this if they are paying child support. Another worker noted a particular case in which, after receiving a child support order, a mother stopped visiting her child, who was placed in a residential treatment facility far from her home, because she could not afford the costs of such visits while also paying child support.

However, despite recognizing the challenges that charging child support may create for families, many workers expressed concern about being able to distinguish between parents who have a hard time

paying child support because of poor money management, or some other personal action, versus those parents who really cannot afford child support, despite their best efforts. These workers expressed the need for specific guidelines on how to formulate an answer to the questions posed in the chart in order to determine whether a referral is appropriate. They also raised concerns that differences in workers' judgments regarding parental responsibility and resources, would lead to major inconsistencies in the referral process if specific guidance is not given. Underlying these concerns was the issue of the timing of the referral to child support, about which they raised three important concerns: (1) developing adequate information, (2) assessing potential length of removal, and (3) establishing reunification activities.

Developing Adequate Information—In counties where intake is separated from on-going case management, intake workers were uncomfortable with thinking about what might be in the best interest of the child in determining whether parents should be referred to child support based on their ability to pay. These workers felt that they did not know the families well enough and did not want to get into questions related to income at the time of removal. On-going workers seemed much more willing to think about the best interest question because they felt better able to assess the financial situation of the family. They felt that after working with the family for a period of time, they would know if a family could or could not afford to pay child support.

Assessing Potential Length of Removal—Most workers did not feel able to determine the length of a placement during the initial removal of a child. Workers reported not knowing if a case is going to last more than 6 months when a child is initially removed. Others remarked that they felt saying yes went against their programmatic goal to reunify children as quickly as possible.

Establishing Reunification Activities—Some workers stated that they try to think about the parent's ability to maintain employment when assigning reunification activities. Those who said that they did not consider reunification requirements when making referrals were still able to give examples of cases where it was impossible for parents to maintain employment and follow the permanency plan activities. Many child welfare workers ultimately agreed that it is important to know what the reunification activities will require before referring parents to child support.

These concerns showed that the timing of referrals is central to the process of determining what is in the best interest of the child; therefore, guidance on the timing of referrals is an important part of the guidance that child welfare workers need to determine the appropriateness of a referral to child support. While delaying referrals has a number of advantages, some child welfare workers contested changes in the timing of referrals due to concerns of cost recovery and parental responsibility. In Figure 2, we outline these concerns and provide potential responses.

Additional Considerations Raised by Child Welfare Staff

During our interviews, child welfare staff brought attention to additional issues that they found severely and negatively affected families who are in both the child welfare and child support systems. Three issue areas were identified: (1) trial reunification, (2) other services, and (3) arrears.

Trial reunification—Several counties reported having some form of trial reunification, where the child spends a considerable amount of time with the parent preparing for reunification. In most counties, from the perspective of child support, trial reunification is viewed as an ongoing out-of-home placement and parents are still charged child support. In these cases, parents are essentially required to make child support payments while simultaneously providing for the child who is in their care. Many workers described the hardship that trial reunification places on their low-income clients and advocated for this system to be changed. In the counties where child support is prompted to stop during trial reunification, workers reported that the system is often slow to respond and families are still charged child support, at a time when they really need to save money for the child's return home.

Loss of other services—Child welfare workers noted that in addition to the burden imposed on some families by the payment of child support, families may also lose other services once their child is removed from their home. For example, one worker reported that a parent was forced to move into a smaller apartment when her children were removed from her home, due to Section 8 room allotment rules. The parent subsequently had trouble securing a bigger apartment once her children were able to

Figure 2: Addressing Child Welfare Staff's Concerns on Delaying Referrals for Pre-Placement Residential Parents

Concerns	Response
<p>Delaying the referral process for some families and not others is unfair.</p>	<p>Child welfare workers may have cases where it is apparent from the beginning that the family can afford to pay child support, without affecting their ability to provide a household for their child to return to, and regardless of reunification activities or other factors. However, interviews suggest that in most cases, at 30 days and even sometimes at 60 days, workers do not know enough about the family's ability to pay child support or what the reunification activities will entail. Therefore, an earlier referral for these families may be in essence an unfair referral, one that creates barriers for the family and increases the time that the child is in an out-of-home placement. Therefore, a delay in making the determination, unless substantial evidence is available, may be appropriate.</p> <p>Delaying standard referrals to child support allows child welfare staff to refer parents who they know can pay right away, while giving them time to further assess situations where the parent's ability to pay child support is unclear. Child welfare workers would not be arbitrarily referring some parents and not others; instead they would delay referrals until they have adequate evidence that merits a referral. By delaying the referral and reassessing at a later date, child welfare workers are less likely to make a referral that could lead to a child being in an out-of-home placement for a longer period of time because of a financial hardship caused by a child support order.</p> <p>Moreover, when thinking about fairness, giving every parent a fair chance of being reunified with their child as quickly as possible should be a consideration. This "fair chance" is threatened when a referral that results in charging the parent child support creates barriers to maintaining a household to which their child can return. This referral may also interfere with the parent's ability to complete reunification activities. Sending inappropriate referrals to child support increases the probability that a child will remain in an out-of-home placement for an extended period of time.</p> <p>Lastly, making referrals for families at different benchmarks, based on the appropriateness of the referral, the financial stability of the parents and the best interest of the child, is consistent with other need-based family policies and programs that seek to improve the well-being of families. For example, low-income families receive subsidized child care, while other families have to pay the full cost.</p>
<p>Counties will lose valuable income by not referring all cases to child support at initial removal.</p>	<p>While it may seem like the county could potentially lose money by not immediately referring all cases, only a small fraction of costs associated with out-of-home placements is recovered through the payment of child support.</p> <p>Further, even if all of the payments that were associated with child support orders in 2011 were fully collected, child welfare agencies would have only recovered 8 percent of the child welfare expenditures in 2011. While this number may seem low, of all the out-of-home placements made in 2011, only 18.2 percent had some support paid to the state, which means only 2 percent of child welfare expenditures in 2011 were recovered through child support payments.</p> <p>In addition, charging child support has been shown to delay time to reunification, on average. Longer placements raise costs, further reducing any cost savings associated with charging child support.</p> <p>Therefore, immediate referrals of appropriate cases and the delay of referrals for cases where the appropriateness is not clear would likely save the county money by not unintentionally prolonging children's time in out-of-home placements (which are usually associated with high expenditures).</p>

Figure 2: Addressing Child Welfare Staff's Concerns on Delaying Referrals for Pre-Placement Residential Parents, continued

Concerns	Response
Some parents are able to pay child support, but they do not want to and/or they spend their money on items that are not used to provide basic care for the child.	The flow chart calls for placing cases into two categories. One of these categories provides for child welfare workers who have substantial evidence to make a referral to child support. The other allows for referrals to be delayed until after a worker is better able to assess the situation and determine the most appropriate referral. Ultimately, because they will have had more time to gather relevant information, workers will actually be in a better position to determine if an individual is not meeting his or her responsibilities as a parent because of personal choices.
Even with a delay, there will be variation in referral decisions because child welfare workers have different beliefs on what it means to be able to afford child support. They also have various views on what it means to be a parent and what a parent's responsibility is.	Criteria can be developed for making an assessment of whether or not a parent can afford to pay child support. In developing such criteria, it should be remembered simple rules are easier to remember and apply. Inconsistency across cases may be reduced by utilizing a limited number of simple and clear guiding procedures. For instance, one possibility could be to presume income is an issue for families with a history of SNAP or TANF receipt. This type of guideline for referrals would be very similar to the procedures for distributing services, such as child care subsidies.

return home. The child welfare worker explained that this ultimately negatively affected the reunification efforts for the family.

Arrears—County staff reported cases where the pre-placement noncustodial parent (usually the father) was a good candidate for placement, but could not afford to have the child placed with them because of the payments he was making to the state for arrears. One worker referred to a case in which a large tax intercept was collected from an NCP who owed arrears to the mother, but the children had been removed from the mother's home. Because the children were in an out-of-home placement, all of the funds were redirected to the state.

These examples highlight other important areas of concern between the child welfare, child support, and other systems, that warrant further investigation.

V. RECOMMENDATIONS

The process of modifying Wisconsin's policy for referring out-of-home placement cases to child support could initially focus on changes in two areas: the timing of the referral and the determination of the best interest of the child, using the two questions asked in the Figure 1. The following reflects recommendations regarding these two issues, drawing from the information developed to date. Also included are suggestions regarding implementation of the recommendations.

Timing of Referral

We believe, based on the feedback received from county staff, that it would be appropriate to modify the timing of the referral to child support by child welfare for the following three reasons.

1. A delay gives child welfare workers more time to gather information, and connects the referral process with other important benchmarks.
2. In counties where intake and ongoing services are separate, a delay in the referral process gives ongoing workers the opportunity to begin working the case. It should be noted that child welfare workers have consistently agreed that ongoing workers are in a better position to assess the family's needs and ability to pay child support.
3. A delay would help to prevent child welfare staff from referring cases to child support that will be closed before a child support order is established.

If the timing of the referral is to be modified, there are at least three options to consider, taking into account current practices related to out-of-home placements. These three options, and their implications, are reflected in Figure 3.

With all of these factors in mind, our recommendation is to make a referral at the 6 month permanency plan the default action in out-of-home placement cases. Given that research shows that almost half of out-of-home placement cases are closed within 6 months, it is not an effective use of child support resources to work cases that will be closed by the time an order is established. By delaying the referral process, child welfare workers will not only have a better sense of the families' needs and what the required activities will be for reunification, they will also have a better sense of the parent's ability to pay child support. At this juncture, with the short term cases already closed, the child support system will then be able to focus on those cases where it is more likely an order can be established and payments collected. These payments will continue to be applied to the costs associated with out-of-home placements while, at the same time, overall costs associated with out-of-home placements may decrease because the child welfare system did not refer cases for which payment of such support would create an undue burden, thereby prolonging the time to reunification and creating unnecessary expenditures.

Determining the Appropriateness of a Referral

We also believe that child welfare staff should be provided guidance on how to assess whether it would be in the best interest of the child to make a referral to the child support system. We recommend that a protocol be adopted that employs the two questions in Figure 1:

1. Would pursuing child support make it difficult for the resident parent to maintain a household for the child(ren) to return to?
2. As part of the reunification plan, is the parent required to participate in activities which make it difficult to obtain or maintain employment (consider participation in drug rehabilitation, mental health counseling, incarceration, etc.)?

Figure 3: Options for the Timing of Referrals for Pre-Placement Residential Parents

Implications at 30 Days	Implications at 60 Days	Implications at 180 Days
<p>The 30 day benchmark is aligned with the Child and Adolescent Needs and Strengths (CANS) Assessment. CANS is primarily used as a standardized child assessment tool that can be used to identify a child's needs and their progress throughout care. However, it is not directly tied to assessing parents' problems and needs, establishing reunification activities or creating a permanency plan. Therefore, at this point caseworkers are less likely to have all of the details they need to make an appropriate referral.</p> <p>In addition, if referral decisions were made at the 30 day benchmark, workers would be required to assess issues for the referral process that they are not required to assess until the initial and subsequent permanency plans; therefore, making an appropriate referral at this time would require child welfare workers to do additional work within the first 30 days, which may not be feasible.</p>	<p>At the 60 day permanency plan, workers report that substantial uncertainties frequently remain regarding the direction the case will go, the family's needs, and prospects for the parent's progress with the reunification activities. Similarly, workers have cited the difficulty due to lack of resources on both the parent and the service agency's side, in regards to getting parents enrolled in certain services within the 60 days.</p>	<p>By the 6 month permanency plan, workers typically know a lot about the family. At this point, workers have expressed that they have a better sense of the family's life style, their cooperation with the permanency plan and reunification activities and their connection with their children. This may be a better point at which to assess whether or not a family is moving towards reunification, what the parents' priorities are, and whether charging child support would be in the best interest of the child.</p>
<p>In counties where intake workers are separated from ongoing workers, the case has passed to the ongoing worker by this point. However, there is variation in the time it takes an intake worker to pass a case to an ongoing worker, which means that ongoing workers may not have enough time to assess a case if a referral has to be made at the 30 day benchmark. At 30 days there is a high chance the case will be closed before a child support order is established.</p>	<p>At 60 days there is still a high chance the case will be closed before a child support order is established.</p>	<p>By this point, all ongoing workers have had their cases for a couple of months and have had time to start establishing rapport with their clients. This additional time, also increases the likelihood that clients will be able to enroll in services before caseworkers have to complete their 6 month permanency plan, which provides insight on what direction the case is moving in. Cases that remain open at six months are less likely to close in the time it will take to establish an order.</p>

If this policy were to be adopted, an immediate referral would only be created in cases where child welfare workers have evidence that an immediate referral is appropriate and is in the best interest of the child. There are at least two concepts that will need to be considered in developing guidance about the evidence needed to make such a decision, either immediately or at the 6 month permanency plan, as previously recommended.

First, as noted in Table 1, in developing criteria for determining whether or not a parent can afford to pay child support, it should be remembered that simple rules are easier to remember and apply. Inconsistency across cases may be reduced by utilizing a limited number of simple and clear guiding principles. For instance, one possibility could be to presume that income is an issue for families with a history of SNAP or TANF receipt. This type of guideline for referrals would be very similar to the procedures for distributing services, such as child care subsidies. In addition, regardless of what guidelines are adopted, it is evident that child welfare workers will need additional support in order to increase their comfort level with addressing issues related to a parent's financial situation.

Second, it may also be prudent to consider the type of placements under consideration as discussed at the end of Section II. Following discussions with the counties, information was shared with DCF regarding our findings during a Learning Exchange on September 20, 2013, as well as through e-mail communications. These discussions highlight the need for further examination of the differences between out-of-home placements for younger children verse older youth. For example, as noted by DCF staff and reflected in DCF's *Wisconsin Children in Out-of-Home Care Annual Report* for calendar year 2011, there is a significant difference in the reasons for out-of-home placements for older versus younger children (DCF, 2011). On the one hand, the leading cause for out-of-home placements for children 10 and younger is neglect; out-of-home placement due to the behavior of the child is not listed as the cause of removal for any child below the age of 11. On the other hand, starting at age 8, the primary reason for a child's removal is cited as "child behavior" and, for the age group 14–16, who accounted for the second largest percentage of entries into out-of-home care in 2011, about 60 percent of children are removed for behavior problems. Older children who are removed from their home due to behavior problems are more

likely to be placed in institutional facilities; child support collections have been shown to offset a substantially larger portion of the costs of provider payments for these types of placements compared to other placements. Thus, preliminary discussions suggest that there may be a need for differential policies based on age, reason for placement and placement type.

Implementing Changes

The two recommendations made would not require a change to the placement of the current WiSACWIS referral screen or the current referral questions. Rather, our suggestion would be to provide child welfare staff with guidance that unless they have compelling evidence of the residential parent's ability to pay child support, they should delay the referral of the pre-placement residential parent to child support. Moreover, because WiSACWIS allows child welfare staff to refer the mother, father or both parents when making a referral decision, workers would retain the ability to not refer the pre-placement residential parent, even if they are requesting a referral for the non-custodial parent. In addition to covering the timing of the referral, the guidance provided should also include information about the criteria to be used at the 6 month permanency plan in determining whether pursuing child support would make it difficult for the parent to maintain a household, or to obtain or maintain employment due to reunification plan requirements.

In addition, given important concerns about cost recovery, the evidence of the cost effectiveness of the policy change would need to be shared. Consideration should be given to tailoring the message based on a county's specific circumstances. The development of criteria relative to different case types could help address particular county concerns as related to cost recovery for institutional placement. Also, before implementing the recommendations, it would be important to consult with child support agencies to understand how the changes would affect their practices. At the state level, this consultation would include consideration of any changes necessitated to the WiSACWIS/KIDS interface. The goal would be to implement the recommendations with minimal changes to the system.

Finally, regardless of the specific guidance provided, county child welfare staff, overall, should be provided with information on how child support agencies manage those child welfare cases that are referred in order to better understand why it is important for child welfare workers to assess a parent's ability to pay child support and how paying child support may affect the time until reunification for the family. Child welfare staff understanding of how the systems interact will be critical to the successful implementation of any new policies.

VI. NEXT STEPS

Overall, the combined efforts of the Division of Economic Security and the Division of Safety and Permanence, with support of researchers from the Institute for Research on Poverty, have created an opportunity for policy reform that can save resources and improve outcomes for some of the state's most vulnerable families. Given ongoing federal efforts to develop innovative approaches in this area, Wisconsin is also poised to, again, be a policy leader. This report provides information designed to help DCF respond to the research developed to date regarding the interactions of the child welfare and child support systems, particularly as it relates to the referral process.

The work completed to date can be supplemented by several additional steps. First, in order to develop the criteria for referring child welfare cases to child support, further exploration of the different types of child welfare cases and the cost recovery rates of particular out-of-home placements is warranted. Second, more information on how the child support system may be affected by the recommended changes is needed. Third, further examination of the policies and practices around trial reunification, the loss of additional benefits, and arrears, all issues raised during interviews with child welfare workers, should be considered. Finally, if the recommendations are adopted, a strategy for implementing them will need to be developed. The team of researchers from the Institute for Research on Poverty that completed this report and contributed to the other related reports about the relationships between the child welfare and child support systems is available to provide continued assistance to DCF in support of its ongoing efforts.

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