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Driver's License Suspension: Early Experiences Putting CSB 25-02 into Practice

2024–2026 Child Support Policy Research Agreement: Task 4, Deliverable 2

Lisa Klein Vogel
Molly Costanzo
Institute for Research on Poverty
University of Wisconsin–Madison

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INTRODUCTION

Many states in recent years, including Wisconsin, have reconsidered when and how to use driver's license suspension as a child support enforcement tool. Once a common practice, concerns have grown about the potential for driver's license suspension to create barriers to working, paying support, and parenting. Research has found that many child support agency (CSA) staff view the driver's license suspension process as a helpful tool to reach some obligors—namely, those who have the resources to pay but do not, and those working outside the reach of automatic income withholding in gig jobs or self-employment—but also as ineffective and potentially harmful for obligors who genuinely cannot pay (Vogel et al., 2025). An ongoing challenge remains discerning between obligors who lack financial resources and obligors who have resources that are not identifiable in data systems (Costanzo et al., 2025).

To limit the use of driver's license suspension when obligors are unable to pay, the Wisconsin Bureau of Child Support (BCS) issued Child Support Bulletin (CSB) 25-02 in February 2025. CSB 25-02 provided parameters around when CSAs should not pursue driver's license suspension and outlined steps for CSA staff to take before certifying a driver's license for suspension. This report aims to provide insight into CSA experiences with and perspectives on the policy change in the year following CSB 25-02's issuance. It explores their views on the benefits and challenges related to the policy change; how they interpret key elements of the guidance; their questions and concerns; and clarifications and guidance that could help support implementation.

BACKGROUND

Prior Research

Driver's license suspension is one of many enforcement tools CSAs can use to compel compliance with child support orders when obligors do not pay what they owe (United States Code, 42 U.S.C. 666(a), 2010). License-related enforcement actions are among those most frequently experienced by nonpayers (Brinig & Garrison, 2018; Cook, 2015; Meyer et al., 2020). Driver's license suspensions, specifically, are the subject of growing concern within the child support community due to their potential for negative downstream consequences (see Vogel et al., 2025 for a detailed review). In summary, driver's license suspension is associated with job loss and earning declines, particularly among low-income populations (Chien et al., 2022; Sartin et al., 2022; Waller et al., 2024). Obligors with transportation barriers, such as lack of a driver's license, are less likely to be employed and less likely to make child support payments, have lower earnings, and pay less in child support (Berger et al., 2021).

Despite the relevance of this tool for many obligors and these related concerns, research on the success of license suspension for compelling payments—and for which obligors it is successful—is relatively scant. One Wisconsin analysis found a positive association between warnings about the potential for license suspension and likelihood of payment but found a mixed and sometimes negative association between likelihood of payment and certification (Meyer et al., 2020). More recent Wisconsin research has examined use of driver's license suspension actions specifically (Costanzo et al., 2025). Drawing on data from KIDS and the Wisconsin Administrative Data Core, the research team found that about 6% of all obligors (and 16.7% of those who received an initial enforcement letter) received a notice of intent to suspend a driver's license. Of all obligors, 2.3% of all obligors (and 6.5% of those who received an enforcement

letter) went on to have a driver's license suspended. Use of warnings about driver's license suspension and about certification of driver's licenses for suspension increased over time, and the researchers found differences in obligor characteristics by geography (obligors in lower-population counties experienced driver's license actions more frequently than peers in more populous counties); race (White obligors were more likely to experience a certification for suspension than obligors from other groups); and economic indicators (obligors with some but low levels of Unemployment Insurance wage data were more likely to receive a warning or certification than those with no formal earnings, and those with higher earnings were less likely to receive a warning or certification than those with no earnings).

An important limitation of Costanzo et al.'s (2025) employment and earnings findings is that using the administrative UI data does not provide evidence on the circumstances of obligors with no indication of formal earnings or employment. An unknown share of these obligors were not employed in any job and fully without earnings; another unknown share were employed in jobs whose wages or existence are not captured in UI data (e.g., contractors, gig workers, self-employed individuals, and individuals working for cash). This limitation is common and is an important issue with consequences for policy and practice, as non-UI earnings are generally less stable, not captured in state systems, and outside of the reach of income withholding (Sorensen, 2022). Drawing on Census (Current Population Survey) data, Sorensen (2022) found that noncustodial parents are less likely than other workers to be employed in regular (employer-based) jobs, with a lower-bound estimate of 14% employed in gig economy jobs and more than 3% working in self-employment. Prior research with Wisconsin CSAs has identified that child support staff experience these cases as especially challenging to enforce, particularly when obligors are not responsive to staff outreach. Staff described that warnings about driver's license

suspension is one of the few tools that can help open the door to communication and compliance in these situations (Vogel et al., 2025).

In summary, views on when and how to use driver's license suspension are evolving. Driver's license suspension is a tool that many, including CSA staff (Vogel et al., 2025), view as important to exercise cautiously, especially when obligors lack ability to pay. Evidence that driver's license suspension is effective for compelling collections is lacking; a greater body of evidence supports the potential for driver's license suspension to cause harm, especially for obligors without adequate and regular income. Yet, staff often observe driver's license suspension as a tool that can compel compliance in some situations—namely, when obligors have and want to keep a driver's license; have the means to pay; automatic income withholding is not possible; and other enforcement and outreach efforts have not worked (Vogel et al., 2025). Obligors who can pay but do not, and whose earnings are off the radar of formal systems, are a key challenge. This state of the field contextualizes the changing landscape into which Wisconsin issued CSB 25-02.

Child Support Bulletin 25-02

Wisconsin's Bureau of Child Support issued CSB 25-02 on February 25, 2025 (see Appendix A). The bulletin describes the goal of the new policy as ensuring fairness in how driver's license certification for suspension is used during the enforcement process. The bulletin directs that certification of a license for suspension should be treated as a "remedial, not punitive tool" (Wisconsin Department of Children and Families, 2025, p.1) for compelling behavioral change (i.e., to yield compliance rather than to punish) and emphasizes the importance of determining whether "this is the best enforcement tool for a specific payer" (Wisconsin

Department of Children and Families, 2025, p.1). The memo goes on to describe criteria for assessing the appropriateness of certification for suspension of a driver's license.

The policy section of the memo begins with a preamble advising counties on when driver's license certification for suspension *can* be used (i.e., for obligors who meet the relevant nonpayment thresholds, with earnings, wage, or employment information documented in state systems) and when it *cannot* be used (i.e., for obligors without current employment or attachable income and asset information documented in KIDS, even if relevant thresholds are met, until CSA staff performs a series of steps). CSB 25-02 does not provide specific guidance related to income or employment known to the CSA but not documented in KIDS and unavailable for garnishment. Notably, the specific screening steps that follow are nearly identical to the steps BCS requires CSAs to take prior to filing for civil contempt, in CSB 17-11 (Wisconsin Department of Children and Families, 2017). In contrast, the preamble describing when certification of a driver's license for suspension can and cannot be used is unique to CSB 25-02. The preamble text reads (emphasis reflects original text):

> *"Driver's license certification for suspension may be pursued if the child support agency (CSA) can document earnings through the Department of Workforce Development or other wage and employment information resources in KIDS. Driver's license certification for suspension may not be pursued if the payer has no current employment documented in KIDS and has no current income or assets documented in KIDS that may be attached or garnished, even if the lien amount in the payer's case equals or exceeds 300% of the monthly amount due in the court order (License Enforcement Getting Started, 2.3.1) until the CSA takes the following steps…"*

For obligors without current employment documented in KIDS and without garnishable income or assets in KIDS, BCS directs counties to engage in a four-step screening process. The first is to assess ability to pay according to a specific list of criteria and documenting findings. This includes reviewing locate resources for "actual earnings or income" and "other evidence of

ability to pay…not in the form of actual earnings or income"; residence data; needs-based benefit receipt; and other indications of inability to pay. The ability to pay screening criteria are followed by three additional steps that the CSA is required to take before pursuing certification of driver's license for suspension, which include: updating income and asset information if identified; determining cooperation status with job search programs; and address verification. After these screening steps, similar to CSB 17-11, BCS details requirements about contacting obligors prior to initiating the license suspension process by sending the AE15 letter (Notice of Intent to Suspend). It also requires CSAs to document attempts to engage the obligor before sending the AE16 (Final Notice of Certification to Suspend), and to provide information about (and establish, if possible) an alternate payment plan (APP); debt forgiveness options; review and adjust; and referrals to local employment programs (see Appendix A for full text).

CURRENT STUDY

Goals and Approach

The primary goal of this study is to learn about how CSAs are approaching implementation of the new policy guidance. We sought to learn about: how CSAs interpret the policy's key elements; CSA perceptions of the policy change, including expected benefits and challenges encountered; and areas in which further guidance or clarification could assist local implementation. To help support a future outcomes analysis, we also aimed to gather information on process indicators related to the policy change's implementation. To achieve these goals, we used a mixed-methods design (Teddlie & Tashakkori, 2009) consisting of two components: (1) a statewide survey of CSA directors, followed by (2) interviews with a subset of CSA staff. Findings are organized by topic, with survey and interview findings woven together and

discussed throughout each topic's narrative (Fetters et al., 2013). All study activities were approved and overseen by the University of Wisconsin−Madison's Institutional Review Board.

Data and Sample

Our sample for the survey component included the directors for each of Wisconsin's 71 CSAs. Two directors serve multiple counties (five counties across the two directors); as such, our total survey sample size was 68. The survey field period lasted five weeks, between September and October of 2025. Recruitment began with an advance email, sent by the study team on behalf of DCF leadership, followed by an initial invitation email from the study team sent to all sample members. A series of up to three reminder emails (one per week) went to each sample member who had not completed the survey. The invitation email and all follow-up emails included a personalized link to the Qualtrics survey instrument. Survey topics included beliefs and attitudes about the policy change; perceptions of each component of the policy change; areas of additional guidance desired; and perspectives on local implementation (see Appendix B for the survey instrument). Completed surveys were submitted by 57 of the 68 sample members, yielding an 83.8%[1] response rate.

Sample members for the interview component were identified via the survey, which contained an item asking if the director would be willing to nominate a staff member whose job involves enforcement (themselves or another staff member) to invite for an interview. Drawing from respondents who provided contact information for someone within their agency, the study team purposively invited individuals to participate across various agency sizes and locations; 10 of 11 invited staff members completed an interview. Interviews lasted about an hour and were

[1]Calculated using the AAPOR[1] response rate calculator, provided by the American Association for Public Opinion Research (see Response Rates, an Overview).

conducted via Zoom or Teams. Interviews used a cognitive-style approach, in which participants are presented with stimuli (in this case, slides containing each element of the guidance) and asked to think aloud about their interpretation and decision-making. Cognitive interviews are helpful for identifying areas of potential misinterpretation or confusion within text (Wolcott & Lobczowski, 2021). Interview topics included: overall impressions of the guidance; operationalizations of each policy component; and data sources and use of KIDS related to implementation (see Appendix C for the interview guide).

Analysis

The survey contained closed-ended questions (i.e., offering a list of response options) and open-text items (i.e., asking respondents to provide an answer in their own words via a text field). Descriptive statistics were generated using STATA for close-ended items. Open-text responses to the survey were coded in Excel using structured tabular thematic analysis, as were interview responses (Robinson, 2022). Some responses have been lightly edited for clarity.

FINDINGS

We begin by presenting views on the policy change overall, including perceptions of CSB 25-02's clarity and fairness gathered from the survey, as well as survey and interview data on anticipated benefits, consequences, and impacts on CSA practice. Next, drawing on surveys with directors and staff interviews, we break down each component of CSB 25-02. We explore, via the survey, directors' perceptions of the *clarity* of expectations contained within that section and *advisability* of the guidance within the section, and directors' questions and challenges related to implementing each component into practice within their CSA. We build on survey responses with findings from interviews and, to help identify domains where clarification could

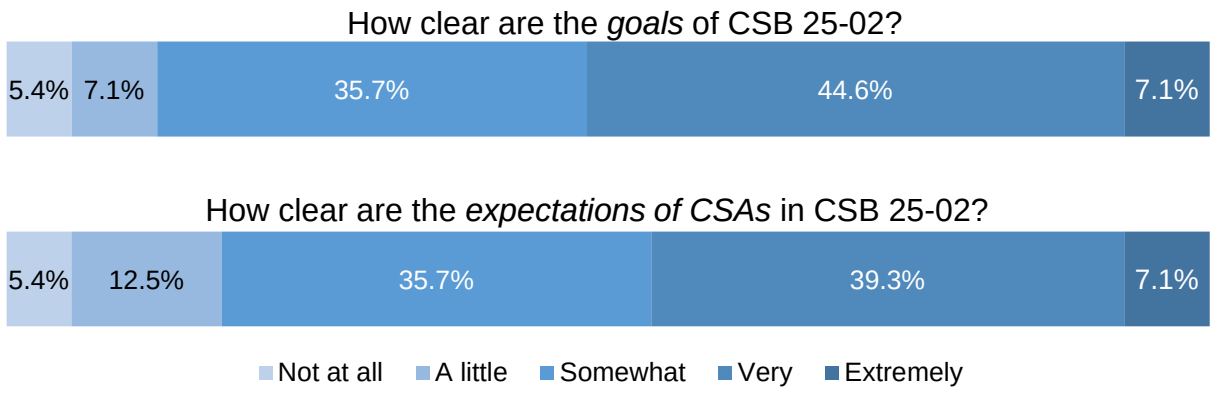
support implementation, we highlight key domains of difference across staff interpretations of language and expectations. We then present findings, from surveys and interviews, on areas in which staff would find additional guidance or clarification helpful. Finally, we share interview findings on use of KIDS related to CSB 25-02 and implications for future analyses of post-change outcomes.

Perspectives on the Policy Change Overall

Understanding of Goals and Expectations

Clear communication about the goals and expectations of policy change is important for facilitating successful implementation of any new policy (Albright et al., 2021). The survey asked directors to rate the clarity of the goals and expectations of the guidance set forth in CSB 25-02, using a 5-point scale ranging from not at all to extremely clear. About half of directors (51.7%) described the *goals o*f CSB 25-02 as very or extremely clear, whereas over one-third (35.7%) described them as somewhat clear. The remainder (12.5%) assessed the goals as not at all or a little bit clear (Figure 1). CSB 25-02's *expectations* of CSAs were somewhat less clear to directors. Less than half (46.4%) of directors described CSB 25-02's expectations as very or extremely clear, 35.7% found them somewhat clear, and 17.9% found them a little or not at all clear.

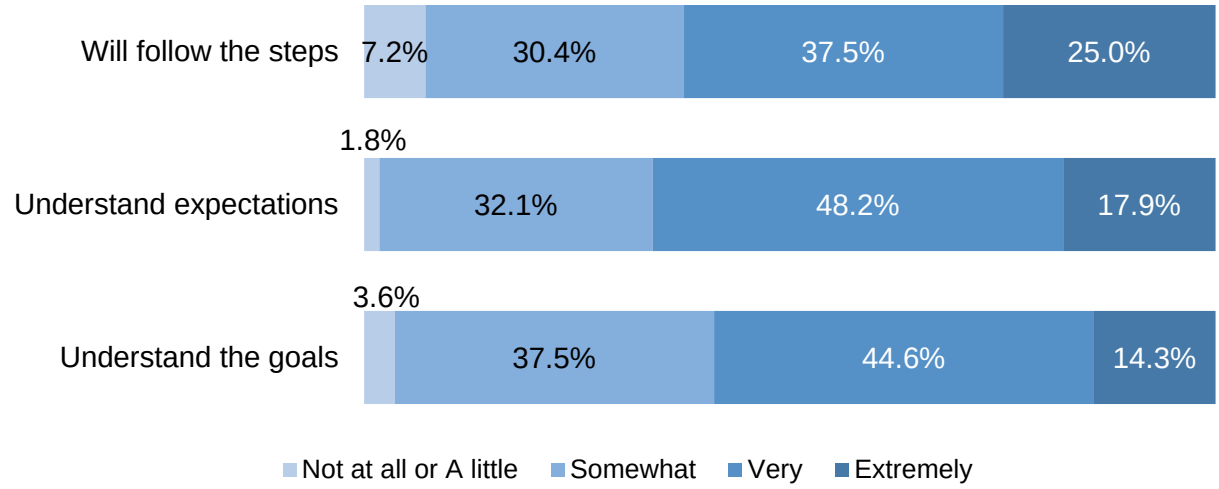
Figure 1. Clarity of CSB 25-02's Goals and Expectations



Source: Author's calculations from staff survey responses

Relative to their perceptions of the clarity of goals and expectations set forth in CSB 25-02 overall, directors reported somewhat higher levels of confidence in their caseworkers' understanding of CSB 25-02's goals and expectations. Using a 5-point scale (ranging from not at all to extremely confident), nearly 60% (58.9%) of directors reported feeling very or extremely confident in their CSA caseworkers' understanding of CSB 25-02's goals (Figure 2), 37.5% felt somewhat confident, and 3.6% felt not at all or a little bit confident. A similar share (57.5%) felt very or extremely confident that their CSA staff would follow the steps described in CSB 25-02 consistently, with 30.4% reporting feeling somewhat confident and 7.2% feeling not at all or a little bit confident. Directors reported somewhat higher levels of confidence in CSA staff's understanding of CSB 25-02's expectations for their practice. Most (66.1%) reported feeling very or extremely confident in their CSA staff's understanding of CSB 25-02's expectations for practice, whereas 32.1% felt somewhat confident and 1.8% felt not at all confident.

Figure 2. Confidence in CSA Caseworker Understanding of Goals and Expectations



Source: Author's calculations from staff survey responses.

- **Some leaders expressed frustration about the level of input CSAs had in CSB 25-02's development and rollout.**

Prior research has identified stakeholder engagement in the development of new procedures as important for cultivating buy-in among implementers and ensuring goodness of fit between new processes and implementation site practice (Hickey et al., 2018). Some leaders expressed that they felt the policy change process occurred without opportunity for CSA input, or that input they provided was not considered. As one director wrote on the survey:

> *I feel that many CSA's were not abusing this process so this change has really hindered our ability to provide the best service to our clients. I also feel that BCS did not invite us to the table at the beginning to go thru this change as a team. If their end result was stopping us from using DL suspension all together, they were successful.*

To some, this felt disrespectful of CSA expertise or suggestive of staff not being careful in their application of license suspension. Wrote one director:

> *It is insulting to the workers as the CSB reads as though they were not being conscientious with the utilization of license suspension as an available tool prior to this publication.*

To some, this felt like a missed opportunity to address aspects of the guidance that counties experienced as problematic or confusing. Wrote one director:

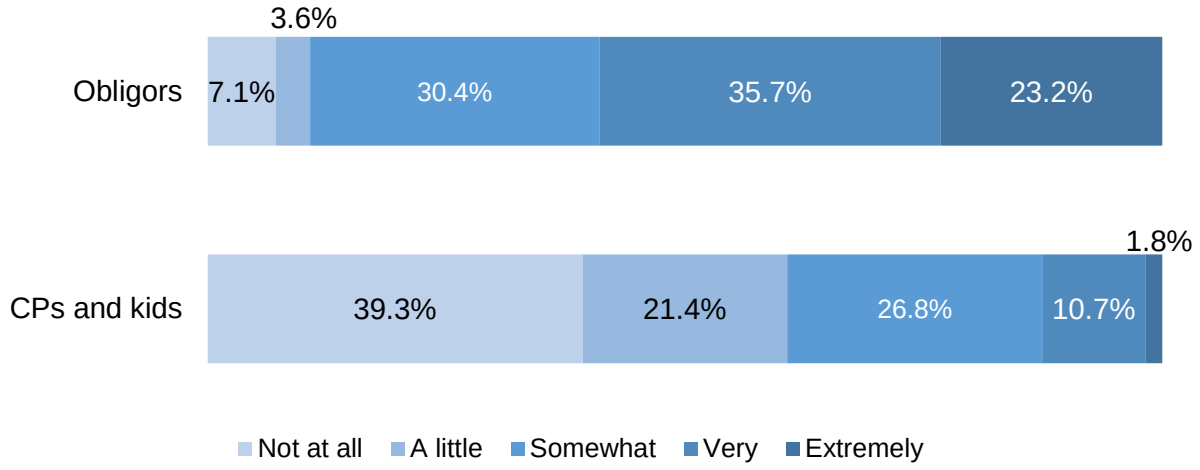
> *I believe this policy was created in a silo, not using county staff to help design or take into consideration all the enforcement tools we have. I believe from experience that the end-user would have come to the table to create better policy requirements.*

Some directors noted on surveys that the policy change appeared misaligned with their own county's experiences, either because the framing motivation of racial disparities did not seem to match with their experiences, or because they already used license suspension judiciously prior to the change. Similarly, in interviews, some directors and staff, who expressed strong support for the goal of ensuring appropriate use, shared confusion about why the state did not seek to identify specific counties that had been over-using the tool for targeted technical assistance.

Perceptions of Fairness

The survey asked directors to share their opinion (using a 5-point scale from not at all to extremely fair) about how fair CSB 25-02 is to the parties on both sides of the child support order—child support obligors, and custodial parents and children—given that enforcement policy changes can have differential impacts on the different parties. Directors perceived the new guidance as quite fair to obligors, with 58.9% describing CSB 25-02 as very or extremely fair to obligors, 30.4% rating it as somewhat fair, and 10.7% as not at all or a little fair to obligors (Figure 3). In contrast, directors perceived the new guidance to be far less fair to custodial parents and children. Most (60.7%) rated CSB 25-02 as not at all or a little fair or custodial parents and children and 26.8% described it as somewhat fair, with only 12.5% assessing it as very or extremely fair to custodial parents and children.

Figure 3. Director Perceptions of CSB 25-02's Fairness to Parents and Children



Source: Authors' calculations from staff survey responses.

On surveys and in interviews, directors and staff elaborated on their perceptions of fairness. They expressed concern that the change was unfair to custodial parents and children, especially those who are owed child support from self-payers and could be left with fewer resources if the policy change reduces likelihood of compliance. Wrote one director: "We are taking all of this into account for the payer, but often the payee is in the same or worse circumstances with a child to support." Wrote another: "Why are we catering to payers over payees? Who's looking out for them?"

Many found the policy to be fair to obligors, particularly those who are struggling to work and pay. However, some also cautioned that the policy change may unfairly penalize obligors who pay their support but struggle to pay regularly or in-full, relative to non-payers who have income not captured in formal systems. Wrote one director:

> *Payers who are underpaying could have their license suspended while payers who are not paying at all would not. Payers who self-pay irregularly benefit because they don't have a reported employer. We cannot use this for truck drivers, who this has always been the most productive for. We have lost what was our most excellent enforcement tool in terms of soliciting response from clients.*

CSB 25-02 Overall: Anticipated Benefits, Consequences, and Impacts on Practice

The survey asked directors to describe the positive benefits and negative consequences that they expected might result from CSB 25-02. Directors provided their responses in an open-text field, in their own words. Additionally, in interviews, we asked participants how they felt about CSB 25-02 overall, including whether they find the guidance positive for agencies or families, and why. Overall, responses mirror the mixed feelings reflected in the closed-text survey questions. Many directors and staff members expressed positive sentiments towards the key ideas underpinning the policy guidance; that is, that outreach is a core component of CSA staff jobs and essential for gathering information and building relationships, and CSAs should not pursue driver's license suspension when obligors are truly unable to pay or when doing so could imperil employment and child support payments. This was not unanimous, however; a few staff members disagreed with these ideas and the implications of the policy change. Yet, despite the mostly positive sentiments towards these key ideas, many directors and staff members also shared concerns about CSB 25-02 *as written*. These included concerns for custodial parents and children, for obligors, and for how CSAs do the work of collecting support.

Positives and Potential Benefits

- **Broad support for avoiding actions that create barriers to work and paying, and a strong emphasis on the value of outreach and engagement.**

Survey respondents and interview participants broadly and strongly expressed support for the idea that the child support agency should not take action that makes it harder for obligors to work and pay child support. As one interview participant explained:

> *I inherently see the logic that if your goal is to get somebody employed and paying their child support, taking away a driver's license does not further that. I think that's ultimately the concept that all of this is based on—that inherent logic that that makes it harder to obtain employment.*

Many directors expressed in their written comments that their CSA believes in outreach and engagement and incorporates these actions into their usual practice. Likewise, interview participants emphasized the importance and value of outreach and of helping obligors to be in a good position to make payments; many perceived a key purpose of the guidance was to ensure that this advance work occurred consistently across agencies before pursuing driver's license suspension. As one interview participant explained:

> *My understanding is just that they're wanting to make sure it's not just being erroneously pursued, that we're actually pursuing it if somebody has the means to pay support and they're, you know, not complying with us. That we're not just willy-nilly doing this, that there's a reason behind it. And that they're not wanting to put hardship on people. That if [an obligor] can't honestly pay it, they don't want us to be like, 'Well, this is the next step, so we have to do it' kind of thing. That's my understanding, that they want to make sure it's being pursued mindfully.*

- **Expected potential benefits included fewer barriers to work, paying, and parenting for obligors; downstream benefits for children; and CSA practice and relationship benefits.**

Most survey and interview participants identified potential benefits of the policy change—including those who had concerns about specific aspects of the guidance (Table 1). On surveys, directors noted that limits on use of driver's license suspension could help more obligors to keep their driver's licenses, and as such, could help them engage in work and parenting. These sentiments were echoed in interviews. As one interview participant described:

> *We're not going to take that action if they're not working and they don't have an income. So I would think that would be a positive thing for them. They already think that we're pounding on them and we're, you know, harassing them, whatever. To me, it would be a positive thing for a noncustodial parent.*

Some noted the extra importance of having a license for obligors in rural areas; others noted taking away driver's licenses can help avoid creating additional hardship for obligors in difficult situations and reduce potential exposure to the justice system due to driving without a license.

Survey responders and interview participants also noted that when obligors have their license, they are better positioned to parent. Noted one interview participant:

> *I have explained to multiple custodial parents over the years that if they don't have a driver's license, they can't get to and from work. They can't come and pick up the children and do their visitation. They may not be able to help you out if you're in a pinch and need somebody to pick up the children or do, you know, something like that to help you out.*

Some emphasized that their CSAs already do not suspend driver's licenses for these reasons.

Table 1. Perceived Potential Benefits of CSB 25-02

Potential Benefit	Illustrative Quotes
For Obligors	
Help obligors keep their driver's licenses and work	*"Those with employment can continue to do so without interference."*
Avoid creating additional hardship, with the potential to improve relationships	*"Payors won't be stopped from working due to having suspended licenses. Could increase good will with payors. We aren't piling onto an already disadvantaged situation."*
Reduce opportunities for fines, fees, and legal system entanglements	*"Fewer driving after revocation citations issued"*
For the Family Overall	
Facilitates more active engagement in parenting	*"Positive for the paying parent in that it will not allow a potential barrier of suspending their driver's license to keep them from driving to work, or caring for their children."*
Potential for improvements in payment outcomes	*"Agencies may see better relationships with payers which could result in better communication and cooperation."*
For CSA Practice	
More outreach, investigation, and evaluation before action	*"The requirement of attempted contact prior to [driver's license] suspension ensures that caseworkers are talking to the payers to get an idea of what their current situation is."* *"Might make an agency dig a bit deeper and find earnings or evidence of ability to pay that may have otherwise been overlooked."* *"More thought by caseworkers done before initiating DL suspensions."*
Improved consistency	*"Possibly more uniform across the State on how CSA's implement."*
Improved customer service and relationships	*"Our Agency is dedicated to customer service. Taking their license away doesn't help promote good customer service in our Agency."*

Source: Author selections from survey and interview responses.

Survey responders and interview participants also cited potential benefits for agency practice and relationships with families, with the potential for long-term benefits for improved

payment outcomes that could benefit custodial parents and children. Explained one interview participant:

> *I think it's positive. because I know a goal that not only our agency is trying to do, but I think the Bureau and the State of Wisconsin is trying to get to, is helping the family as a whole, right? Child support is very important, but it's making sure that the whole family as a whole is successful so that each parent is able to provide the resources to their children and provide those lessons in life without obstacles in their way…approaching families in a way to help them rather than hurt them or hinder their ability to do something.*

A key benefit for agency practice cited was more selective and careful use of the tool, and more investigation and outreach prior to pursuing driver's license suspension. These additional steps, from the perspective of some directors, could help improve relationships with obligors and staff awareness of obligor circumstances. They perceived that ultimately, this knowledge of obligors' circumstances could help facilitate more appropriate selection of remedies to address nonpayment and more consistency in how driver's license suspension is used across the state.

Crucial Aspects of Interpretation Shaped Many Views

- **Some interpreted CSB 25-02 as only allowing driver's license suspension when obligors have jobs and attachable earnings, and prohibiting suspension when obligors self-pay or do not cooperate. This shaped many concerns about potential consequences.**

Across surveys and interviews, the most frequently voiced concerns about CSB 25-02 resulted from a key interpretation of the policy guidance. Most directors and interview participants with concerns interpreted the policy guidance to mean that the driver's license suspension process can only be used when obligors have employment and formal (attachable) income observable in administrative systems and cannot be pursued in situations in which CSAs generally find it most useful (i.e., when obligors have gig work, self-employment, or do not cooperate). Many noted that their own CSA's policies specify that they should *not* pursue license suspension when an obligor has a job and garnishable earnings in KIDS; consequently, they

would attach an income withholding order under these circumstances and would not risk action that would imperil an obligor's employment. As an interview participant described:

> *My reading of this is that they have to be employed and we have to be receiving payments by income withholding so that we can attach or garnish that income. This piece of it is actually where I'm most opposed to the policy. Because I don't believe that the policy of the child support agency should be, "We will suspend your license if you're employed and we're collecting child support by income withholding." It actually seems opposite of everything that I've ever trained on license suspension. And when I would take it, personally, which is when we don't know if the person is employed or not, and we don't have any income or assets that can be withheld. That's when we usually start the process to try and get the person paying support to contact the agency, to let us know if they are employed, if they're not employed, why they're not employed, if they're seeking work, those types of things.*
>
> *So this piece of it is really, I think, the most problematic portion of the entire policy, because I believe it's indicating that only people that are employed and paying support would be eligible for license suspension.… Because the last thing that I'd want to do is hinder a [payer with a] known employer that is supporting their children.*

Moreover, many directors and staff understand the new policy guidance to mean that driver's license suspension cannot be initiated when an obligor has known income from self-employment, gig work, or contracting work, or, when an obligor does not respond to earlier outreach attempts from the CSA. This led to substantial frustration among those who felt that the policy guidance would incentivize non-cooperation among self-payers. As directors and staff noted, child support court orders include requirements that obligors keep courts and child support agencies updated on their employment and contact information. By taking away license suspension as an option for obligors for whom the agency has no employment or income information because the obligor does not fulfill this requirement, some felt CSB 25-02 created a situation in which obligors might decide not sharing information was the best way to avoid both paying support and consequences for doing so. As one interview participant explained:

> *Participants have a requirement in their order that they're to keep the child support agency and to the court updated with their current address. It's court order, and by statute, within 10 days… If it goes that long and they still haven't updated the court or us, you know, then it's kind of on them… Just because they won't cooperate with doing their court orders doesn't mean we should be limited on what we can do.*

Importantly, these concerns were raised among directors and staff who otherwise expressed strong support for the changes within CSB 25-02. As this interview participant stated:

> *I'd say, if not for the one line on the garnishable [wages], I think it would be a beneficial tool. Even though caseworkers might say, "Hey, I was able to take this step quicker without these other actions being done." I think it's an improvement for our clients, the cases, and the caseworkers, minus the one piece on the attachable or garnishable section of the policy.*

Notably, several participants described interpreting the guidance differently—as either conveying: (1) that CSAs needed to enter evidence of employment and income for self-payers into KIDS, at which point the driver's license suspension process was allowable; or, (2) that agencies could pursue license suspension for self-payers or noncooperators after taking the specified steps. Some interview participants described that their CSAs found a workaround for documenting self-employment in KIDS, allowing them to pursue driver's license suspension on those cases (though most had not). However, they also identified the opportunity for differences in interpretation. Wrote one survey respondent:

> *I think some agencies misread the CSB and interpreted that an NCP had to have income in order to suspend and didn't continue reading the criteria to follow "if no income"... this misinterpretation eliminates an administrative tool that agencies can use to help secure payments for families. I've helped educate staff and other colleagues on the fact that it can still be used and that we just have to do our due diligence prior to utilizing such a counterproductive enforcement tool.*

As such, these staff members identified the opportunity for CSB 25-02, as written, to allow for significant differences in application of the guidance across the state—creating opportunities for greater inconsistency rather than improved consistency.

- **Many see the policy guidance as incorrectly conflating the idea of obligors having no formal employment in KIDS and *no formal earnings* captured in administrative data with an obligor having *no income at all*.**

On surveys and in interviews, a key theme that emerged among many directors and staff was that the policy guidance did not discern between obligors who have work and earnings not captured in formal systems with obligors who have no income. Directors and staff cited several contributing factors: lack of explicit discussion in CSB 25-02 of how to approach driver's license suspension for these kinds of obligors; lack of clarity on whether or how self-employment, gig work, and other non-garnishable income can be captured in KIDS; and lack of training on how to document such income sources. Though most supported not pursuing license suspension when an obligor truly cannot pay, directors and staff emphasized that the license suspension process is one of the few—and most effective—tools that they have for opening a dialogue with obligors known to or who appear to earn money outside the reach of automatic income withholding, particularly when such obligors do not respond to earlier outreach attempts. Described one interview participant:

> *They show it here, "Here's our proof that this is disproportionately affecting low-income people." And obviously, we don't want license suspension to disproportionately impact low-income people. But by their own admission, 83% of all of the data was, "There is no information." So to say that somebody's got an employer, but then there's no employment and no amount, no income amount next to that employer, that doesn't mean they have no income. That means there's no documented income and there's never been any direction that I'm aware of from the state that we are required to document what their income is on that 0408 screen.*

- **For some, CSB 25-02 represented the loss of not only a key tool for fulfilling their mission—collections for custodial parents and children, especially for those attached to self-payers—but also resulted in the loss of a crucial outreach tool.**

On surveys and in interviews, some directors and staff emphasized that for a subset of payers—particularly nonpayers who have not responded to earlier attempts at outreach—

initiating a driver's license suspension process warning can be effective at opening the door to conversation; for example, truck drivers, paid outside of the reach of wage withholding, need their license to keep working so have an incentive to pay upon receipt of a warning letter. Many lamented what they saw as the loss of this outreach tool. Described an interview participant:

> *Anyone that we knew was working and we had attached an income withholding to the income available, we didn't want any of their licenses to be suspended. So essentially, if they're working and paying their child support, even if it's not the full amount, we would never want to hinder their ability to continue to get to their employment and earn that income that was being withheld for child support. So locally, it affected us… It was really a most effective tool for self-employed truck drivers because they don't have attachable or garnishable income. But their license is really important to them. Obviously, it sort of does that. And really, for us, self-employed people were the biggest demographic of license suspension to begin with, and that was affected negatively with the policy change.*

- **Additionally, some interpreted the guidance to prohibit CSAs from initiating the license suspension process at all—rather than pertaining to certification specifically. From their perspectives, CSB 25-02 effectively took driver's license suspension off the table.**

The interpretation that driver's license suspension can only be pursued in situations when CSAs would generally not use it (i.e., when an obligor has garnishable earnings) together with the interpretation that the process cannot be pursued at times when it's most helpful, left some directors and staff to conclude that the driver's license suspension process was no longer effectively allowable. Many emphasized that driver's license suspension is a process and not simply an outcome; in their experience, the process is a key tool for engaging self-paying obligors. As one director wrote: "It takes a tool away from agencies. We view the policy as very restrictive to a point where we won't be able to suspend driver's licenses anymore."

- **Despite the potential for benefits in places where driver's license suspension is used too broadly and without careful assessment, some felt the change as written unfairly constrained CSAs already using driver's license suspension judiciously.**

A number of directors noted that they could see the potential benefits of CSB 25-02 in situations in which a county might be using it too broadly and without appropriate outreach and screening and for improving cross-county consistency in practice. Wrote one director:

> *Although the process for driver's license suspensions outlined in this CSB requires the agency to dedicate more time to this task, I do applaud the effort to ensure the consistent application of this enforcement tool by determining the circumstances that warrant its application.*

However, from the perspective of these directors, their own CSA had been using driver's license suspension judiciously prior to the policy change—infrequently, as a tool of last resort, and most often when obligors were able to pay due to off-the-books earnings but chose not to pay. These directors perceived that the wording of the policy change precluded them from using the tool in situations when they had found it to be appropriate, and therefore, eliminated a tool that had been effective when they lacked other options. As this director wrote:

> *This is a difficult question to answer as my agency was FAIRLY applying license suspension to compel payers to remit. We were effective in opening the dialogue and reinstating when a delinquent payer began working with us due to suspension. That process WAS positive for all parties including the agency/caseworker who has a job to do and the payee/children. This process essentially ties our hands. I would suppose that if an agency did not have a solid, fair policy re: license suspension and used it punitively, the positive of the new process would be fairness to the nonpaying payor. So, in effect, the CSB rights agency wrongs if that was happening. But it wasn't in my agency. We took license suspension seriously and used it progressively as an enforcement tool.*

Even some who supported the overarching goals of the policy change lamented the loss of this tool, particularly for self-employed obligors and cash payers.

Potential Consequences of CSB 25-02

Many of the concerns raised about the potential negative consequences of CSB 25-02 flowed from these crucial interpretations. Both surveys and interviews reflected concerns that the guidance, as written, would result in important negative unintended consequences for custodial parents, children, obligors, and agencies (Table 2).

Table 2. Perceived Potential Consequences of CSB 25-02

Potential Consequence	Illustrative Quotes
For Obligors	
More rapid progression to civil contempt; interactions with the justice system	*"At the end of the day, negative consequences will be increased by contempt actions far earlier in cases where payments aren't remitted and, also, decreased performance. There's no way around that."*
Accrual of arrears	*"I try to keep [obligors] from having that accumulate to a point you feel there's no way out. I don't want anybody to feel like that."*
For Custodial Parents and Children	
Increased frustration; reduced motivation to work with child support	*"More CPs will be frustrated (in situations where they are not receiving payments) that NCPs are not being held accountable for doing 'nothing'".*
Reduced resources via collection	*"Loss of an enforcement tool for CSA to locate and possibly collect child support for the mother and child(ren)."*
For CSAs and Courts	
Loss of helpful outreach tool, especially for self-payers and non-engagers	*"Eliminates the agency tool that often grabs the attention of the payer and helps us gain contact and compliance."*
Increased difficulty of enforcing orders and collecting support	*"Less ability to enforce, less reason for customers to communicate with our agency and less communication with difficult to locate customers as this was sometimes the only reason why customers would reach out, frustration from custodial parents due to lack of action."*
Negative impact on performance measures and agency funding	*"The end result is, it hurts the state's performance, because it's money we're not collecting, and that's obviously federal funding."* *"Not [being]able to send out the two notices to parents who have no documented income will reduce our current and arrears performance for our agency, as we would use the first two letters (prior to certification), to again, capture the attention of the parent not paying."*
Increased CSA and court burden; inefficiencies from duplication of efforts	*"CSAs already have a policy under pre-contempt of court that requires us to take AE action prior to contempt, for parents who do not pay. We are already making two contacts within the pre-contempt process, and a lot of times we would be able to take both actions at the same time…The new process increases the amount of reminder letters that the paying parent gets that duplicate what other letters have already told them (Notice of Lien, Intent to Certify and Final Notice to Certify)."*

Source: Author selections from survey and interview responses.

- **Directors raised concerns about impacts on compliance for custodial parents and children causing material hardship, frustration, and alienation.**

A frequent concern among directors was the impact on compliance and reduced collections for custodial parents and children. As one interview participant explained, "I do find that very unfortunate because now we have the other party that is caring for the children, that is potentially not getting payments where they could have." Those who perceived that CSB 25-02 essentially took the driver's license suspension process away, particularly for self-payers, also lamented the change's potential impact on collections. In the words of one director:

> *This has significantly limited our ability to use an effective enforcement tool. We don't use this punitively; we use it to encourage NCPs to take action. We would often lift the suspension without a payment if we knew that NCP needed his license to obtain employment. I don't think it's a coincidence that after these changes went into effect, our arrears collection is the lowest it's been in over five years.*

In addition to concerns about reduced collections for custodial parents, directors raised concerns that the new guidance is likely to result in increased frustration for CPs, many of whom already feel that the CSA doesn't do enough to obtain payments. In turn, this may reduce CP incentives to cooperate with the child support program. One director highlighted concerns about the disproportionate impact of the policy change on custodial parents on cases with self-payers; these custodial parents, in contrast to those on cases with obligors who have formal earnings, would have fewer tools for collecting their support resulting in "unequal treatment of participants resulting in disproportionate benefits to some families over others." In interviews, participants expressed uncertainty about how to explain to custodial parents why the change occurred and what the CSA would be doing instead to try to compel compliance. Stated one participant:

> *I think it creates a lot of frustration on the end of custodial parents, because they're calling in, "What's going on? Where's my money? Is all you're going to do phone calls? Is there anything else we can do?" You know, whereas [before CSB 25-02], you could say to a custodial parent, "Well, if we don't get a payment*

this month, I'm going to initiate the process of it." And even then, it's a three-step process for license suspension. It's not like it was suspended right away.

- **Some directors felt that CSB 25-02 has the potential to ultimately cause harm for obligors by fast-tracking contempt processes and other processes with the potential for immediate impacts on obligors, as well as allowing arrears balances to accrue.**

In addition to concerns for custodial parents and children, some directors and interview participants also raised concerns about CSB 25-02's effect on obligors, in contradiction to the perceived goals of the policy. Key among these concerns was that without the driver's license suspension process as an administrative tool for opening a dialogue with obligors who did not otherwise respond to outreach efforts, agencies would turn to and quickly exhaust other administrative remedies. These include other processes like asset seizure, which might have consequences for low-earning obligors in particular. As one participant explained:

> *Another thing that the state might have unintended [is account seizure]. I think account seizure is worse than license suspension. So, if we're having to look for assets, oh, well, now we've found them. Now we're just going to take them. I'm sure they'd rather have a warning letter about their license suspension than their whole bank account frozen, unable to use.*

Others noted that in their view, CSB 25-02 would lead to more frequent routing of cases for contempt earlier in the enforcement timeline, opening the door to the potential for outstanding warrants, arrest, and incarceration. Noted one director:

> *I felt that [the driver's license suspension process] was far better than just moving to contempt where someone's civil liberties were at stake. What you are going see is a quicker journey to contempt which is much worse than license suspension. Much, much worse. That could have been avoided by requiring progressive enforcement actions, but agencies are slowly but surely losing tools necessary to compel noncompliant individuals.*

These concerns were echoed by interview participants, several of whom noted that the potential for incarceration via the contempt process could create a pathway to serious consequences, including jail time, earlier in the enforcement process. Others expressed that for obligors who

persistently avoid communication with the CSA, nonpaying obligors are likely to accrue higher arrears balances before their case came to court. Described an interview participant:

> *We are all very good at working with a party and trying to avoid actions, you know, and keeping the case from those things… me as your enforcement specialist, I am not only trying to keep your case from enforcement, I want to try to help you keep your balances at the lowest level possible. Because if we're not enforcing your case, you have maybe no motivation to make your payments. And now, you know, 10 years down the road, you have a debt of $50,000.*

Several directors also identified concerns that the guidance does not explicate how to handle situations in which obligors have already had their driver's license suspended, with implications for fair treatment of these obligors relative to new nonpayers. These directors also highlighted concerns about how to identify obligors whose driver's licenses have already been certified for suspension, with one noting "There is no guidance for existing license suspensions that occurred prior to the CSB. There is also no solid report to pull from to be able to clean up cases."

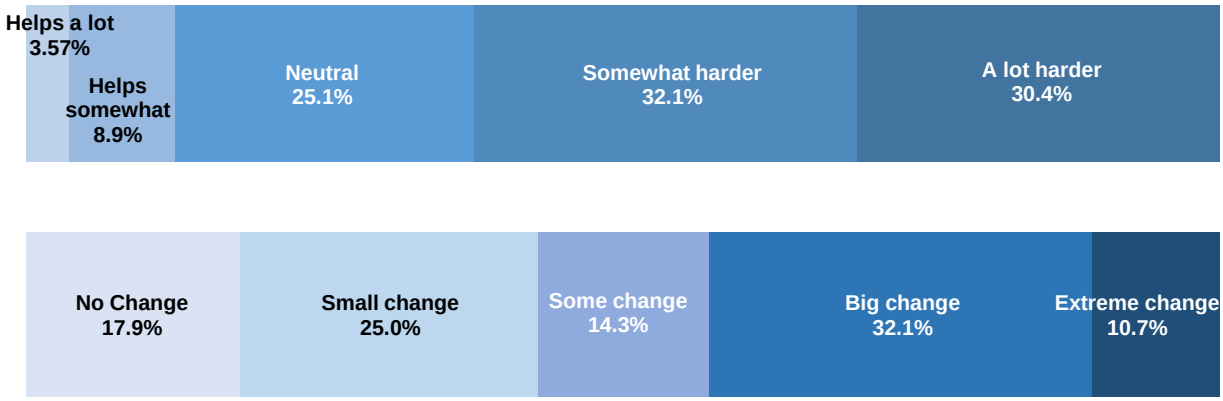
- **Directors also highlighted the potential for increased burden, costs, and inefficiency—for courts as well as CSAs.**

Some directors raised concerns about the negative consequences for agencies regarding costs and collections. These included concerns that the steps required by CSB 25-02 were duplicative with outreach work that would have happened prior to license suspension being pursued, leading to inefficiencies, increased burden for CSA staff, and at the same time, reduced collections and increased burden on courts. As one interview participant described:

> *We can stop a license suspension. There's no service fees involved and there's not, you know, jail time on the line and all of that. It's much easier to just end a license suspension process than to file contempt and get these hearings on. You're using court time and you're using a lot more resources that are very unnecessary where you could have addressed that months prior.*

In addition to these open-text items, the survey asked directors to assess what CSB 25-02 has meant for their practice in two dimensions: whether CSB 25-02 made it harder or easier to do their work, and the extent to which CSB 25-02 represented a change from their agency's usual practice. Most directors felt that CSB 25-02 makes it harder for CSAs to do their work, with 62.5% reporting that the policy change makes it a lot harder or somewhat harder; 12.5% reporting that CSB 25-02 helps CSAs to do their work a lot or somewhat; and 25% answering "somewhere in between" (Figure 4). A smaller share of directors perceived CSB 25-02 as a major change for their agency, with 42.8% described CSB 25-02 as an extremely or very big change for their CSA's prior practices on certification of driver's licenses. Likewise, 14.3% described it as somewhat of a change and 42.9% described it as not at all or a little bit of a change.

Figure 4. Implications of CSB 25-02 for Agency Practice



Source: Author's calculations from staff survey responses.

Specific Policy Elements: What's Working Well and Pain Points

In this next section, we share findings on director perspectives on each section of the policy guidance, piece-by-piece: (1) the preamble to the ability to pay screening criteria; (2) the ability to pay screening criteria; (3) the three additional steps following the screening criteria; (5)

outreach expectations preceding CSA staff sending a Notice of Intent to Suspend warning letter (AE15); and (6) expectations for staff action prior sending the Final Notice of Certification letter (AE16). For each section of guidance, the survey presented the relevant text excerpted from CSB 25-02 as written and asked the same battery of questions in follow-up:

1. How **clear** are the expectations of CSAs related to certification of driver's licenses for suspension in this section of CSB 25-02? Directors chose a response from the categories: *not at all clear*; *a little bit clear*; *somewhat clear*, *very clear*, and *extremely clear*.

2. Is the guidance provided in this section of CSB 25-02 a good idea, a bad idea, or somewhere in between? Directors chose from the response options: *a very good idea, a somewhat good idea, somewhere in between, a somewhat bad idea,* and *a very bad idea.*

3. Do you have any questions about what this aspect of CSB 25-02 means? [And if yes, please tell us about them]. For this item, director could provide a written answer of any length in their own words.

4. Has your CSA experienced any challenges with putting this aspect of CSB 25-02 into practice within your CSA? [And if yes, please tell us about them]. For this item, directors could provide a written answer of any length in their own words.

Similarly, in interviews, we presented each participant with the relevant text from each portion of the policy guidance and displayed it on a slide on the screen as participants answered questions about what the guidance asked them to do in their own words; any aspects that they found confusing or unclear; use of KIDS in performing the task; and follow-up questions as relevant.

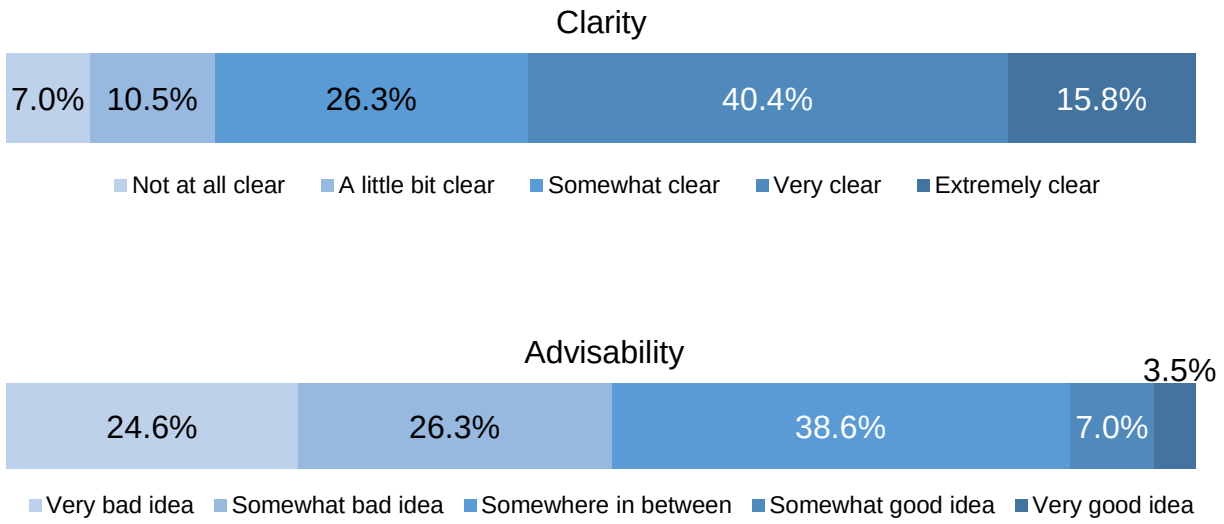
Preamble to Ability to Pay Screening Criteria: When Driver's License Suspension is Appropriate

The preamble to the ability to pay criteria reads (emphasis reflects original text):

"Driver's license certification for suspension may be pursued if the child support agency (CSA) can document earnings through the Department of Workforce Development or other wage and employment information resources in KIDS. Driver's license certification for suspension may not be pursued if the payer has no current employment documented in KIDS and has no current income or assets documented in KIDS that may be attached or garnished, even if the lien amount in the payer's case equals or exceeds 300% of the monthly amount due in the court order (License Enforcement Getting Started, 2.3.1) until the CSA takes the following steps…"

Across surveys and interviews, respondents felt more negatively about this preamble text than other sections. Survey responses reflect mixed views on the clarity of expectations of this portion of the policy guidance. Just over half (56.2%) of directors rated the expectations of CSAs laid out in the preamble text as very or extremely clear, whereas about one-quarter (26.3%) assessed expectations as somewhat clear and 17.5% described the expectations within this section as not at all or a little clear. Directors' views on the advisability of this portion of the guidance were more strongly negative. Just over half (50.9%) of directors rated this section of CSB 25-02 as a very or somewhat bad idea, whereas only 10.5% assessed it as a very or somewhat good idea. A substantial share (38.6%) described it as "somewhere in between" a good idea and a bad idea.

Figure 5. Clarity and Advisability of CSB 25-02's Preamble to the Ability to Pay Criteria



Source: Authors' calculations from staff survey responses.

Open-text survey items provide insight into questions and concerns about this section of CSB 25-02. About half of survey respondents provided a question or concern in response to this question.

- **The preamble text describing when driver's license suspension can and cannot be pursued was the greatest source of concern and confusion in CSB 25-02, contributing to differences in local interpretation.**

Survey and interview responses underscored that many of the overarching concerns and questions about CSB 25-02 related back to the preamble section of the guidance. The most frequent questions related to requirements around Department of Workforce Development (DWD) earnings in the preamble—specifically, how CSAs are to handle license suspension in situations when they know an obligor is working for themselves, out of state, or for cash but does not have DWD earnings; documentation requirements related to self-employment; and how to operationalize key terminology within this part of the guidance (Table 3). In this section specifically, as reflected in concerns shared about the guidance overall, some interpreted CSB 25-02 as directing agencies to pursue driver's license suspension in the opposite manner of when agencies find it appropriate to use; that is, that agencies can only pursue license suspension if an obligor has DWD employment and earnings (even though this would be unnecessary because they could put an income withholding order in place), and that they cannot use license suspension when an obligor refuses to cooperate and provide the information required to determine ability to pay and/or when an obligor fails to disclose non-DWD earnings. Stated an interview participant: "That basically means that we can't do a driver's license suspension for someone who has a good, solid income, but not in a documentable fashion." To some respondents, this incentivizes noncooperation by obligors with off-the-books income. Wrote one director:

> *Please share with us how we will be able to compel self-employed individuals who are very affluent but refuse to remit? This is such a complicated set of criteria and it fails to recognize the enormous number of payors who work for cash, own their own business, etc. Simply because a payor does not have current employment documented does NOT mean they are destitute, unable to work, incapable of remitting their court ordered support, and/or under the FPG. Not all*

income (or assets) flow through DWD or some other trackable/reportable resource. Moreover, assets given online banking, are impossible to attach to. But, they exist and are another way to usurp the CSA without consequence.

Table 3. Questions and Concerns about CSB 25-02's Preamble to the Ability to Pay Criteria

Domain	Specific Concerns	Illustrative Quotes
Obligors with income not reflected in state administrative systems *(e.g., self-employed, gig workers, contractors, cash employees, out-of-state workers)*	• What actions are allowed if an obligor has earnings CSAs know of, but not reflected in DWD or KIDS. • Whether and how non-DWD income can or should be entered into KIDS; whether doing so fulfills the CSB's documentation requirements.	*"This leaves out the group of payers who self-pay and don't report employment through an employer."* *"Many parties who live in border counties work in other states so do not show earnings in Department of Workforce Development."*
Non-cooperation; obligor responsibility for keeping CSA updated	• If the CSA lacks information on non-DWD income and employment due to an obligor's persistent non-response to or evasion of outreach efforts, CSB 25-02 may incentivize noncooperation.	*"For those NCPs working for cash, under the table, we will often not find anything through locate. The NCP has a responsibility and obligation to communicate with us and should not be given a free pass when they are not forthcoming with information. License suspension is a tool that pushes NCPs to communicate with us."*
Suspending employed obligors' licenses	• If an obligor is employed in a DWD-captured job, CSAs would generally not take driver's license suspension actions in an effort to avoid creating barriers. They would initiate an IWO.	*"[CSB 25-02 is saying], we should have an open employer, and to show that there is a current income. If that was the case, I would never be certifying a person for suspension... So the way that I read this, I would not ever be able to certify a case for suspension."*
Definitions of key terms	• Whether "current" employment and earnings means "today," "this quarter," or something else. Quarterly DWD info lags behind real-time "today" info. • What counts as "income" or "assets."	*"It's unclear how to define these criteria and deters workers from taking action."*
Concerns for CSA staff	• Concerns about staff bandwidth and burden. • Challenges helping staff prepare to work in new ways.	*"We are no longer assessing for DL suspension due to time restraints and all of the documentation and research required. What about those who have been in locate for over 90 days with attempts made to locate them?"* *"Changing the mentality of enforcement is a challenge."*
Whether guidance pertains to the license suspension process as a whole or solely certification	• Uncertainty about whether CSB 25-02 prohibits initiation of the driver's license suspension process (i.e., starting with warnings) if criteria are not met, or only certification of a driver's license for suspension	*"Does the CSB prevent us from initiating driver's license suspension without the follow through of certification? Initial and final letters often grab the attention of the payer."*

Source: Author selections from survey and interview responses.

This interview participant went on to explain the implications of this interpretation for practice:

> *Driver's license certification may not be pursued if the payer has no current employment documented in KIDS... That's the problem. Almost all of the cases for [Redacted] County, where we would be considering a license suspension, is someone who has an ability to pay, but not in a documentable way. We have a high percentage of self-employed, work for cash, undocumented income types. And a perfect example of that is we've had a fair number of cases over the years with "self-employed over-the-road truck drivers," that they make a very good living $70,000, $80,000, $90,000 a year annual income, but are not on any employer's payroll. And the way the KIDS system is set up, there is no good documentable way to designate that as their employment. So, we have people that, you know, that make good incomes that certainly aren't low income by any stretch of the imagination, but by the criteria that they're using to measure people's income in KIDS, they have no income.*

In contrast, a few participants described that they interpreted this section of the guidance to mean that they could pursue driver's license suspension for an obligor without DWD earnings after taking additional steps—but expressed confusion about the language used in this portion of the guidance. This staff member explained their initial and evolving interpretations as follows:

> *If there's no current employment, we have to look at additional criteria… I mean, it's a long sentence. It almost seems like when I first read it, my initial instinct was that, oh, well, we can't do it if they have no income. So like, well, we wouldn't be doing it if they had income. So, I guess we're not doing driver's license suspension. So, at first glance, I feel like, "Oh, they have no income, we can't do it." You have to read a lot to get to the point where, "Oh wait, we can, we just have to do more things." It's just long.*

Interviews and surveys also identified other challenges with interpretation that resulted in differences in local implementation. Key among these challenges was whether and how KIDS could be used to fulfill this portion of the policy guidance and allow agency staff to pursue license suspension for obligors without DWD wages. From the perspective of some, there is no clear mechanism of identifying non-DWD wages in KIDS, making it impossible to have documented income in KIDS for self-employed obligors, contractors, and those working for cash. As one survey respondent explained:

> *If we're looking at suspension for someone who is self-employed, it is because they are not cooperating. We would be relying on them to provide us with income and assets and if we are to the point of suspension, then this means they haven't provided it and aren't cooperating. But yet, not having income or assets documentation in KIDS prevents the CSA from using suspension as a tool to obtain their compliance.*

One survey respondent sought clarification on whether, due to not having a clear place in KIDS to record self-employment income, case notes would suffice as documentation. In contrast, one interview participant noted that their agency had already started noting self-employment in KIDS as case notes and moving forward with the driver's license suspension process when the other aspects of the policy were fulfilled. Survey and interview participants also raised concerns about other aspects of wording ambiguity within the preamble that affected their local implementation, including operationalizing the term "current" with respect to employment and income; whether this guidance precluded CSAs from pursuing the suspension process entirely or certification only; and concerns about staff bandwidth, morale, and burden.

Ability to Pay Screening Criteria and Additional Steps

Following the preamble text, CSB 25-02 presents ability to pay screening criteria:

1. *"The CSA has assessed the payer's ability to pay using the below criteria. The CSA will document their findings in KIDS.*

    a. Review all available locate resources regarding actual earnings or income of the NCP. This may include the following resources: participant income records, employer verifications, quarterly wage data, and information from the NCP or custodial party, income generating assets, federal tax returns, and Social Security Disability Insurance.

    b. Review all available locate resources regarding other evidence of ability to pay or otherwise comply with the order not in the form of actual earnings or income. This can include social media, lifestyle investigations, and a review of how the NCP meets his/her basic needs. The absence of a clear inability to pay, such as a medical disability, may lead a CSA to conclude that the NCP has an ability to pay or otherwise comply with the order. Documentation to support this determination must be included in KIDS.

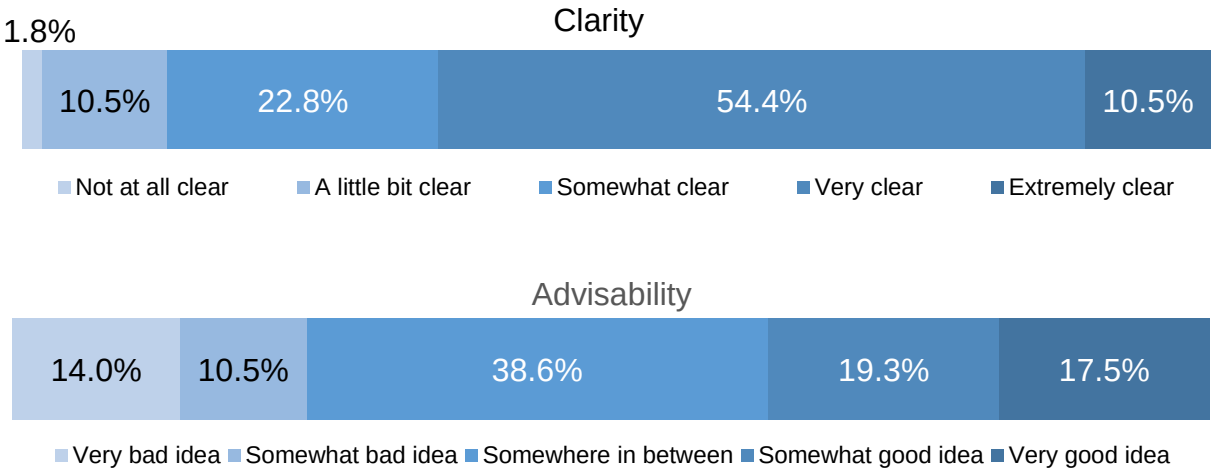
c. Review participant data for information about the participant's residence or other physical address. Street level and satellite images may be available on the internet for physical locations. Is the address, for example, a homeless shelter? In addition, property records may reveal pertinent information.

d. Review all available locate resources for information regarding the NCP's receipt of a needs-based benefit including Supplemental Security Income, FoodShare, W-2 benefits, etc. This would include the Child Support Portal IV-D Locate application, CARES and CARES Worker Web.

e. Review all available locate resources for information about the NCP regarding an inability to pay including documentation regarding mental or physical limitations on ability to work, medical history, incarceration history, level of education, past employment history, and, to the extent possible, the current availability of employment in the NCP's community."

Survey responses regarding the ability to pay criteria were more favorable about clarity and advisability than responses about the preamble text. Nearly two-thirds (64.9%) of directors described the expectations of CSAs in this portion of CSB 25-02 as very or extremely clear; 22.8% as somewhat clear, and 12.3% as not at all or a little bit clear (Figure 6). Likewise, though a substantial share of directors (36.8%) described this portion of the guidance as a very or somewhat good idea, a smaller share (24.5%) rated it as a very or somewhat bad idea. The largest share (38.6%) assessed this portion "somewhere in between" a good idea and a bad one.

Figure 6. Clarity and Advisability of CSB 25-02's Ability to Pay Criteria



Source: Authors' calculations from staff survey responses

Following the ability to pay criteria, CSB 25-02 goes on to lay out three additional steps that BCS expects CSA staff to take before pursuing certification of a driver's license:

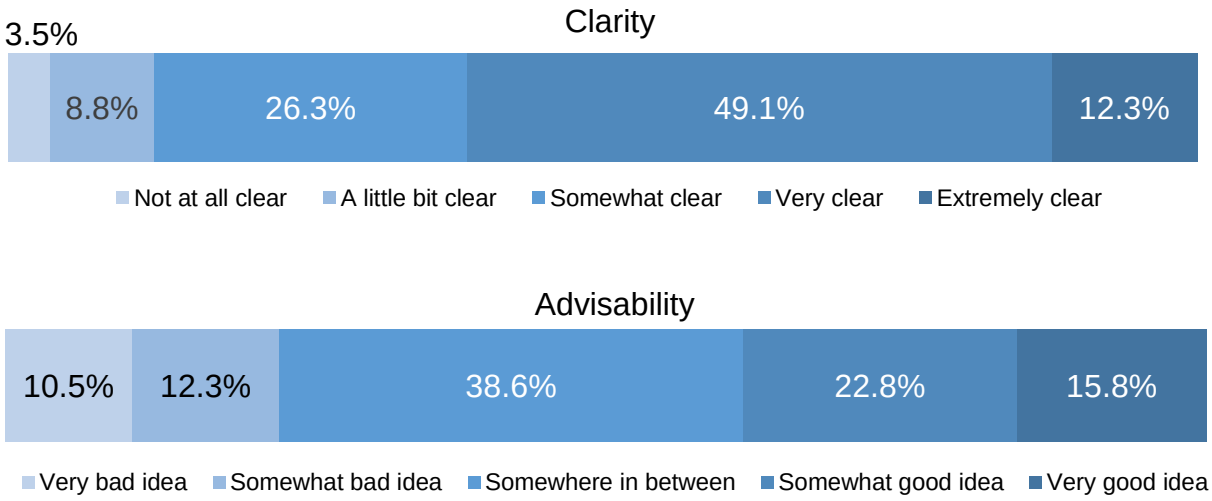
2. *"If the CSA identifies income or assets that were not present on the List Participant Income/Employment (EHA) screen in KIDS or a relevant asset that was not present on the List Participant Non-FIDM Assets (PAA) screen in KIDS, the CSA should update the record accordingly.*

3. *The CSA has determined that the payer is not already cooperating with a county's job search program (including Children First, ELEVATE, or any other referral program).*

4. *The CSA has determined that the payer has a verified address."*

Views on the clarity of expectations laid out in this portion of the guidance and advisability of these steps paralleled views on the ability to pay criteria. A majority (61.4%) assessed the expectations outlined in this section as very or extremely clear, with another 26.3% rating them somewhat clear and 12.3% as not at all or a little bit clear. Others (38.6%) described this portion of the guidance as a very or somewhat good idea; an equal share (38.6%) as "somewhere in between" a good idea and a bad one; and 22.8% as a somewhat or very bad idea (Figure 7).

Figure 7. Clarity and Advisability of CSB 25-02's Additional Steps Following the Ability to Pay Criteria



Source: Authors' calculations from staff survey responses.

In survey open-text responses and in interviews, views on the ability to pay criteria and related steps were somewhat divided. Some found this portion of the guidance to be relatively clear, aligned with their CSA's current practice, and a good idea. Some had questions or concerns about the criteria. Four key domains of concern arose across interviews and surveys: (1) what the outcome of the specified checks should be, and particularly when driver's license suspension can be pursued in relation to these actions; (2) clarity of language and uncertainty about how the checks are to be performed; (3) what the implications are if these steps cannot be completed, particularly due to obligor non-response to outreach efforts; and (4) concerns about burden and duplicativeness (Table 4).

Table 4. Questions and Concerns about CSB 25-02's Ability to Pay Criteria and Additional Steps

Domain	Specific Concerns	Illustrative Quotes
Performing checks and steps	• Some wording is very broad; expectations are unclear. • Purpose and goals of some checks; uncertainty about expectations for staff judgment calls. • Whether and how information related to the checks is updated across systems; which source should be treated as reliable when discrepant. • Availability of some of the information specified on the list.	*"All available locate resources is the entire internet."* *"What's the reason we're looking at their address?... Are we determining how big their house is to say, 'Okay, they have a big house. They should be able to afford more?' That's not always true. You don't know how many people they live with, or if they own the house, or any number of things."* *"Will this info /update in tandem for other programs, i.e. W2/Income Maintenance? I am concerned of further discrepancies between the content from program to program."* *"Education level is hard unless you get that information from the sources themselves. I'm not really familiar with how you could check someone's education level unless you did a background check, maybe, but we don't have that."*
What happens if a step cannot be performed	• Some steps may not be relevant for some counties (e.g., those without employment programs; those that do not track assets at the PAA screen; those that do not use social media for locate). • Particularly for self-payers obligors, ability to complete these steps depends on their cooperation. • If these steps cannot be fulfilled (e.g., an address cannot be verified), and not being able to fulfill them prevents the process, the CSA loses a key engagement tool for difficult-to-reach cases.	*"Some counties don't have any work programs, or require job searches. We already don't take license action when the paying parent is ordered into Children First."* *"The payers that need intervention often do not have contact with CSA to verify their address or report employment. These participants are avoiding the agency and [not] paying support on purpose in most cases."* *"They don't have verified addresses many times. Doing a license suspension was a tool we would use to get their attention. We can't physically find them to serve them for court, so this was an administrative tool."*

Domain	Specific Concerns	Illustrative Quotes
What happens after checks are performed	• When it is okay to initiate the driver's license suspension process as an outcome of the checks • What information gathered through these checks indicates the driver's license suspension process cannot be initiated • What an absence of information yielded through the checks implies about proceeding with the process • What the expectations are for how a CSA uses some information yielded through the checks	*"We can only suspend if these things are true?"* *"Even if there is new information, there is nothing in the CSB that says we can't proceed with the suspension. If new information means we should not proceed, that should be clarified."* *"You don't really know if you can't really find anything. So again, it's a little restrictive, and this might lead you not being able to pursue license suspension if you can't find anything."* *"If somebody has CARES, I'm not really looking at it as, am I going to certify the license for suspension or not? I'm looking just to see if payments are coming in. I don't ever look at a case to judge, 'Okay, they're receiving all this or that.' I honestly don't care if they're receiving everything under the moon or nothing."*
Burden, duplicativeness, and accountability	• Potential for increases in staff workload due to documentation requirements. • The distribution of responsibility between obligors and CSAs. • Court orders include responsibility of obligor to keep courts and CSAs updated.	*"We have not been putting any assets on the PAA screen—actually I wasn't even aware of this screen. This would be very time-consuming. I wonder how many CSA's are using this screen."* *"The trajectory of the program is like more putting it on caseworkers to, you know, I don't know, do stuff when sometimes the burden should really be like these parents are in court. They are served, they are told what their orders are, what the expectations are. Why can we not just hold them accountable?"* *"Our license suspension policy already allows us to NOT need an updated address, due to the court orders that says they must comply with reporting it to use in 10 days from a change."*

Source: Author selections from survey and interview responses.

- **Some directors and staff expressed uncertainty about what counties are expected to do with the information gathered through the checks required in this portion of CSB 25-02; uncertainty contributed to differences in implementation.**

Across surveys and interviews, the overarching question that emerged most frequently about the ability to pay criteria was what counties were expected to do given the information gathered related to this portion of the guidance. Participants noted that this section read like a checklist but without clarity about expectations for agency staffs' next steps after performing

these checks. Many were unclear on whether BCS expected CSA staff to formulate their own assessment on implications for ability to pay based on the totality of circumstances (as some interpreted), or whether some criteria intended to serve as a "stop" directive (as others interpreted). Further, if a "stop" was BCS' desired outcome, it was not clear under which circumstances for each of the specified checks a "stop" should occur.

Some interview participants perceived the purpose of these checks as a rule-out procedure; that is, a mechanism for identifying obligors with a clear *inability* to pay, such as obligors who are incarcerated or medically unable to work, so that anyone remaining (without a clear inability to pay) could be potentially eligible for driver's license suspension or other enforcement. Described one interview participant:

> *We generally are kind of looking at it from the negative, that we are actually looking more for an inability to pay. We operate on the assumption of an ability to pay, and we're looking for reasons why they can't. So we're looking more for like indications of incarceration or disability, injury, things like that. We're kind of starting from the point of we believe that somebody has an ability to pay. We're looking to weed out anybody that doesn't have an ability to pay.*

Others highlighted that the steps could help identify a need to adjust an order. These obligors might be able pay something, but not at the current level. Explained one participant:

> *If you can prove that they have income, right, then we're not going to determine that they have an inability to pay because we're seeing income. Now, <u>what</u> they can pay, that's a different question. So, at that point, that's where I would probably schedule a hearing.*

Some participants expressed uncertainty about why they were expected perform some of the specified checks; whether and how the information could or should be factored into ability to pay; and what to do with the information yielded by the check regarding driver's license suspension. An illustrative example of this uncertainty—and resultant differences in implementation—was the checks specified in step "c" related to residence or physical address.

Some interview participants expressed uncertainty about the purpose of this check. Some thought the purpose was to ensure that the participant was not providing falsified information about where they live; others thought the purpose might be to see if the address gives clues about an obligor's financial situations. These differences in interpretation of the purpose of the guidance raised different views on what they saw CSB 25-02 as expecting CSA staff to do with the information gained through these checks. For example, some interpreted the guidance as conveying that if an address conveyed a clear inability to pay (for example, an address was a homeless shelter or a public benefits office), the driver's license suspension process should stop here; the CSA should not proceed. To others, though, it was less clear whether homelessness definitionally implied inability to pay. Further, others wondered what information, if any, BCS expected CSAs to consider regarding the apparent quality of the obligor's housing, costs, whether they owned or rented, or the presence of co-residents.

Across these items, CSA leaders and staff wanted greater specificity on the expected implementation and use of these checks. Similarly, staff raised questions about what to do if their search attempts did not turn up any information. For example, should a lack of information found via social media investigations or searches of public records mean that staff have fulfilled the policy's ability to pay criteria, or should it mean that the CSA cannot pursue driver's license suspension because the search resulted in no information related to ability to pay?

- **Directors and staff wanted clarity on how to proceed when fulfilling these steps is not possible, especially they lack information due to obligor non-response.**

On surveys and in interviews, directors and staff emphasized that in some circumstances, it is not possible to satisfy the checks specified in this part of the policy guidance. Directors and staff emphasized that sometimes this information is lacking because an obligor is non-responsive to agency outreach; this creates challenges particularly for obligors with non-DWD earnings for

whom other employment information is lacking. As a director wrote, "How are we supposed to enter self-employment that we can't verify without NCP cooperation?" A key concern related to the responsibility of the obligor, per statute and court orders, to keep the CSA and courts informed of their contact information and income information. Some felt that the guidance rewarded obligors who do not cooperate with CSA outreach attempts and contradicted expectations about responsibility for keeping contact information updated. Wrote a director:

> *How is this to be documented in EHA if it is not tied to an employer that can be entered? Also, why is a payer rewarded for not keeping their address updated with us? If they otherwise qualify for driver's license suspension but evade us, we are unable to proceed with suspension?*

Other challenges for fulfilling this part of the guidance related to resource limitations across the state, including lack of employment services programs in some counties. Additionally, some noted that some aspects of the locate checks specified in item "e" are rarely available, particularly if an obligor does not respond to outreach efforts (e.g., educational attainment) and it was unclear to many where to access information related to employment availability in step "e." Directors and staff wanted clarity on whether and when driver's license suspension actions can move forward when fulfilling these checks is not possible.

- **Some directors and staff found parts of the wording in this portion of the guidance confusing and too broad, and were uncertain about how to fulfill some requirements.**

In interviews and on surveys, directors and staff also raised several sets of concerns related to the wording and substance of this portion of the guidance. First, in interviews, several staff members noted that they found the language within the ability to pay criteria list excessively broad, convoluted, or unclear. With regards to breath, one participant particularly emphasized that the "review all locate resources" language included in steps a, b, d and e created, in their opinion, an unfulfillable expectation. Stated the participant:

> *The word "all"—there are so many locate resources out there. I think they could remove it from all the requirements. If the state wanted specific items to be looked at, they could just indicate that in the policy.*

Regarding clarity, several participants noted that the list included resources not typically available to them, such as federal tax return and social media information, and expressed uncertainty about how to pursue them if BCS wants CSAs to do so. Explained a participant:

> *Some of it's confusing as far as like, okay, so we don't like, in general, request federal tax returns. You know, federal tax is very strictly guarded. And I don't think we would even try and request those from the IRS anyway, if we were able to. But it's confusing because it's like, well, do you want us to try and get that information? Because I wouldn't really know how to do that.*

Participants' CSAs also had very different approaches to social media use, with some agencies not allowing searches of social media at all; some having an agency-specific account for caseworkers to use as a locate (though not a contact) tool; and some agency staff using their personal Facebook accounts to search for obligors. As such, it was unclear to those without Facebook how BCS wanted them to pursue social media searches.

- **Directors and staff expressed concern that the steps required in this portion of CSB 25-02 can duplicate earlier CSA actions or require considerable staff additional time.**

In interviews and on surveys, some directors and staff noted that parts of the ability to pay criteria were duplicative with usual agency practice. Some noted that outreach efforts would have already occurred earlier in the process and found requirements to attempt more contacts duplicative and burdensome. In other instances, directors and staff noted that some of the expected steps are not currently taken by their CSA and would introduce burden. For example, in interviews and on surveys, several respondents noted that their CSA does not typically record asset information at the PAA screen, as specified in Step 2 of the additional actions.

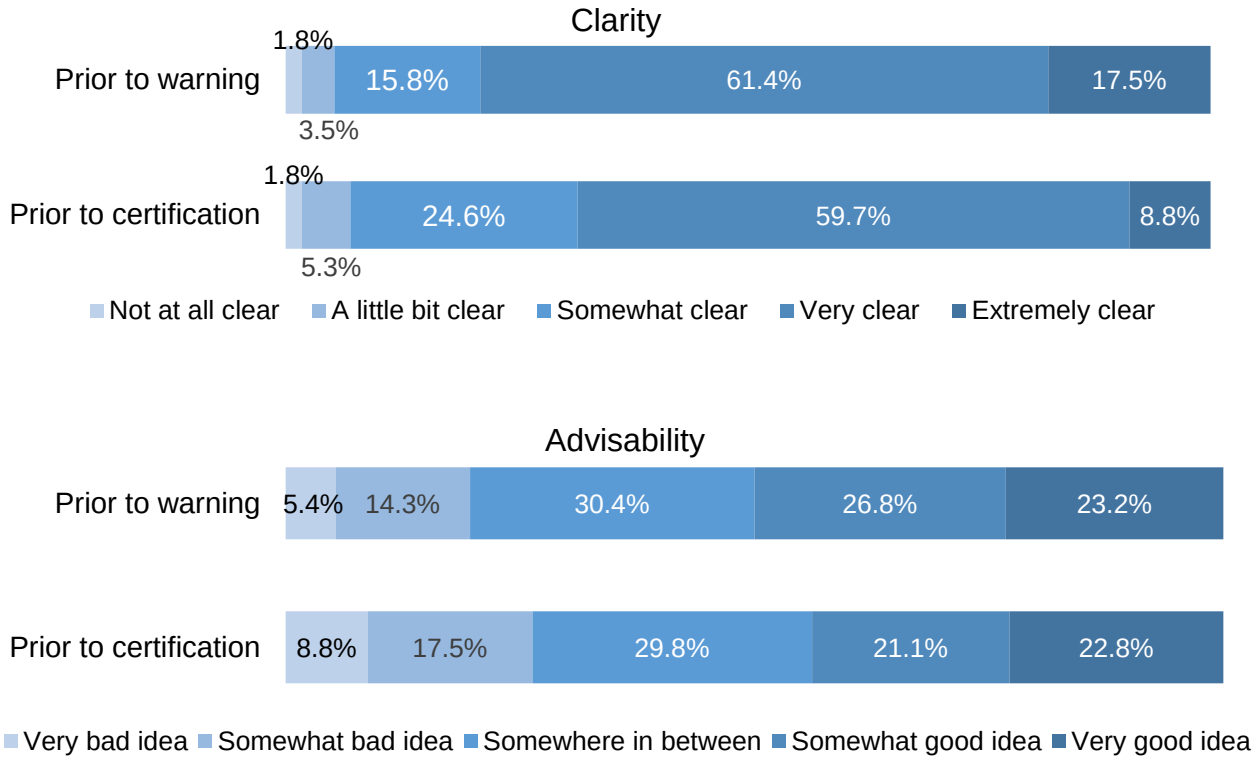
Expectations for Outreach Prior to Sending Warning Letters and Final Notices

Following these steps, CSB 25-02 laid out a series of steps BCS expects CSA staff to take before sending warning letters and final notices to obligors. With regards to the Notice of Intent to Suspend (AE15) warning letter, CSB 25-02 reads:

> *"The CSA must attempt to contact the payer by at least two methods of communication, for example, one attempt by letter and one attempt by telephone prior to triggering the Notice of Intent to Suspend License (AE15) document. The attempted contacts must occur 30 days prior to the AE15 document being sent. (AE15 is triggered by confirming an enforcement reason of DLQ on the Update License Actions (LSB) screen in KIDS).*"

Views towards the expectations for outreach requirements were more favorable than views on the preamble and ability to pay criteria. On the survey, over three-quarters of directors (78.9%) described this section of CSB 25-02 as extremely or very clear. Another 15.8% described it as somewhat clear, and 5.3% rated it as not at all or a little bit clear (Figure 8). Views were more mixed on the advisability of these items; 50% of directors rated this portion of CSB 25-02 as a very or somewhat good idea, while 19.7% described it as a very or somewhat bad idea and nearly one-third (30.4%) assessed it as "somewhere in between."

Figure 8. Clarity and Advisability of CSB 25-02's Outreach Requirements Prior to the AE15



Source: Authors' calculations from staff survey responses.

On the survey, key concerns raised included duplicativeness with prior CSA outreach efforts and CSA burden; and lack of clarity about what to do when fulfilling the contact information requirements is not possible, particularly if the CSA does not have two working forms of contact for an obligor. In interviews, the issue flagged as confusing most frequently was that of time thresholds, with some finding them unclear and others finding them too long (Table 5). Overall, however, this was the least controversial aspect of CSB 25-02; some felt the steps related to the AE-15 are steps CSAs already take or should be taking. As one director wrote:

> *No challenges. There isn't any reason why the CSA shouldn't be contacting the payer, unless unable to do so for the lack of contact information. CSAs should always be contacting payers regarding enforcement actions in an attempt to get them to comply with the court order.*

One interview participant expressed support for this section of CSB 25-02, noting that it brought contact expectations for license suspension closer to their CSA's contempt processes, stating:

> *I like this because it's making the license suspension policy more in line with what our policy already is for contempt, that we're reaching out to them in advance to say, "Hey, what's going on?" before we start. That's actually a change for us, but I think a change for the better.*

Table 5. Questions and Concerns about CSB 25-02's AE-15 Requirements

Domain	Specific Concerns	Illustrative Quotes
Time thresholds	• The specified time thresholds are unclear. • Depending on interpretation of what the time thresholds are, the timeframes are either too lengthy or insufficient.	*"'The attempted contacts must occur 30 days prior to the AE15 document being sent.' Is that within 30 days prior or is that at least 30 days prior? That would be my big clarification."* *"It says right there the attempt must occur 30 days prior. See that's too long. That's insane. That's a whole month waiting for someone to call you back…if my mortgage would not allow me 30 days to not pay them, like why do we give 30 days to just return a phone call?"* *"There is minimal time to make meaningful progress in modifying an order or accomplishing referral to a local program before the certification timeline."*
Contact methods	• What CSAs should do when the CSA does not have two working forms of contact for an obligor. • What license-related actions are allowable if there are not two working contact methods.	*"Parties don't always notify the CSA of address changes even when ordered to do so. Is it still a requirement to send a letter if we know it will be returned? If we're not able to send a letter because we don't have an address, can we still send the AE15?* *Many NCP's don't keep CSA updated with addresses and/or phone numbers. So, if that's the case, we can't suspend their license?"*
Duplication of earlier efforts; staff burden	• Some CSAs already take these steps, and/or have already taken these steps earlier in the outreach process.	*"The CSA is already doing locates every 3 months and it's being documented. Now we have to do it again for this specific purpose, making more work for the CSA."*

Source: Author selections from survey and interview responses.

Views on CSB 25-02's requirements related to the Final Notice of Certification (AE16) were slightly less favorable. The text describing expectations of CSA staff for AE16 reads:

"The CSA must show that they have attempted to engage with the payer to ensure that they understand the payer's circumstances. The CSA must attempt to ensure that the payer understands that there are three actions the payer can take to avoid the AE16 being sent: make alternative payment plan arrangements within 10 business days of receiving the notice, request a Page 3 of 3 court hearing within 20 business days of receiving the notice, or pay the lien in full within 20 business days of receiving the notice.

1. *The CSA must thoroughly explain an alternative payment plan (APP) to the payer and establish an APP if possible.*

    a. *The best practice is to attempt to engage with the payer over the phone, and it is recommended that CSAs attempt to do this. Best practice is also to follow-up with the payer if there is no response to the AE15, prior to sending the AE16.*

    b. *Although the CSA must attempt to engage and negotiate with the payer, an APP might not be the outcome of this interaction.*

2. *The CSA must attempt to make the payer aware of the opportunity for review and adjustment of their order, if the payer is eligible.*

3. *The CSA must attempt make the payer aware of options for debt forgiveness (if available).*

4. *The CSA should find and refer the payer to local programs, local job services agencies, and/or other local employment services agencies that assist people who need jobs (especially people with families) (ex: Children First, ELEVATE, VA programs)."*

A majority (68.4%) of directors described the expectations outlined in this section of the policy guidance as very or extremely clear (Figure 8). About one-quarter (24.6%) rated the clarity of expectations in this section as somewhat clear, and 7.1% as not at all or a little bit clear. Views on the advisability of this section of the guidance were more negative than views on the advisability of the guidance related to the AE15. Some (43.9%) described the guidance in this portion as a very or somewhat good idea While just over one-quarter (26.3%) assessed it as a very or somewhat bad idea. The remainder (29.8%) viewed it as "somewhere in between" good and bad.

On surveys and in interviews, directors and staff elaborated on the aspects of CSB 25-02's guidance related to the AE-16 that they found confusing or problematic (Table 6). In

particular, some found portions of this aspect of the guidance to be poorly advised due to negative consequences for families. Most frequently, they cited APPs as a bad option for obligors who make it this far into the enforcement process and likely to set obligors up for negative consequences. Also, as in other sections, concern arose related to this section about agency burden and duplicativeness with prior steps. Some directors expressed frustration about how to implement the expectations when obligors persistently do not respond to outreach. Further, some directors and staff also expressed concern for custodial parents. In particular, some read the policy guidance as encouraging obligors to ask custodial parents to forgive custodial parent-owed arrears and questioned the appropriateness of doing so.

Table 6. Questions and Concerns about CSB 25-02's AE-16 Requirements

Domain	Specific Concerns	Illustrative Quotes
Alternative payment plans (APPs)	• Some CSAs have found APPs to be detrimental to compliance due to increased payment amounts—not a best practice.	*"Our clients do not find APPs to be helpful in this situation, as they are obviously already struggling to make the payments ordered, and APPs have to be for at least the same amount as their order. It is a lot of work for very little benefit. Also paying the lien in total in 20 days is rarely a possibility."*
Debt forgiveness	• Encouraging obligors to reach out to custodial parents about debt forgiveness may be inappropriate, unfair, or put custodial parents at risk.	*"In cases where there is/has been domestic abuse—is it appropriate to have a payer reaching out to a payee requesting forgiveness of balances?"* *"Debt forgiveness is really stupid to me, you know, especially if it's owed to a custodial parent...That's not something that the CSA should be advertising, like, 'Oh, you don't want to lose your license, call the mother, or call the father and see if they'll wipe away all the debt that you owe them. That's not fair to them."*
Employment resources	• Some counties do not have local employment programs; unclear how to fulfill this component.	*"We don't have local programs. We don't have Children's First or ELEVATE or anything like that. So all we can do is let them know that the CSLs are there."*
Duplication of earlier efforts; staff burden	• These steps feel unduly burdensome when an obligor does not engage. • Employment referrals may duplicate earlier actions.	*"The participant is provided with instructions in the AE15: 'If you do not: * Pay the lien in full within 20 business days of this notice; or * Make alternative payment arrangements within 10 business days of this notice; or * Request a court hearing within 20 business days of this notice.' Why isn't that enough? Why can't the participant be expected to read a notice and follow the directions provided? Why must the CSA do yet another step, when a participant hasn't been compliant, prior to suspending a license?"* *"The one thing that seems redundant to me is referring to the local program job services, because you've already determined in the first step, before you sent out the AE15, that a referral to those services occurred and that they're not complying with them."*

Source: Author selections from survey and interview responses.

Domains of Desired Additional Guidance and Clarification

On surveys and interviews, directors and staff flagged domains in which they wanted clarification on CSB 25-02's wording and/or intent, or supplemental resources (Table 7).

Table 7. Desired Clarifications and Resources for CSB 25-02

Type of Change	Requested Content	Illustrative Quotes
Potential Revisions to CSB 25-02		
Shortened sentences; simplified language	• Clarify the purpose and goals of the policy change. • Simplified, shortened, clearer language throughout bulletin (e.g., eliminating long sentences); using terminology used by caseworkers (e.g., pathways rather than screen names). • Make vague language more precise, particularly regarding the ability to pay criteria • Increased specificity about expectations (avoid "all" language)	*"There are many vague, undefined criteria in the policy that are left to the agency to determine."* *"Putting path, the pathway to get there. I know here at our agency, we don't use these, we don't talk about these names of these screens [like EHA]; we use paths…I think maybe doing that would probably make it a little more clear as to what they're telling us."*
Clarify when driver's license suspension is allowed	• Clarify when it is OK to pursue license suspension on a self-payer without KIDS income. • Clarify what CSAs can or should do when noncooperation is the reason information on income and ability to pay criteria is missing. • Modify the guidance to clarify whether the license suspension process can still be initiated—even if an certification cannot	*"We understand the concern of the fair use of DL suspension. Our CSA used this tool as a last resort, i.e. no address and no employment with locate attempts documented in KIDS. These are the payors that we need to get the attention of… What is DCF's thought process on how we are to proceed with cases that we cannot document employment/income, address, medical limitations, level of education because the payor is not cooperating? Would the CSA be able to use past evidence?"* *"Can we initiate license suspension as a "tool" to gain attention and use it as a warning rather than eliminating this tool for the difficult cases?"*
Provide definitions and within-text links	• Define key terms clearly throughout the policy change (e.g., "income", "asset") • Provide links to resources referenced in the guidance (e.g., employment services providers across counties)	*"A list of, 'This is where you find…,"'This is who you would want to reach out to,' or 'This department takes care of this program.' So that way you at least have some guidance. Because, 'Any other referral program,'—I don't know what that is."*
Additional Guidance, Training, and/or Desk Aids		
Desk aids and supplemental resources	• Particularly on to how to define and operationalize ability to pay criteria.	*"Other than this CSB there has been no supporting job aids or training to define the criteria set in this CSB."*

Type of Change	Requested Content	Illustrative Quotes
Training on obligor and CP concerns	• Especially for addressing custodial parent concerns around lack of enforcement. • How to handle licenses already certified (including creation of a report to identify these cases).	*"What are we supposed to tell parents "receiving" support when they are upset that a license suspension action isn't taken against a non-payer? Many of these parents already think the CSA isn't doing enough."* *"More clarification on existing license suspensions."*
Guidance on related policies	• Clarify CSB 25-02 in relation to CSB 17-11's guidance on use of administrative tools prior to pursuit of civil contempt. • Additional guidance focused on right-sizing orders and improving access to modifications, to avert the need for license suspension.	*"CSB 17-11 (Guidelines for the Use of Civil Contempt) indicates that CSAs are to "Screen the case for all available and appropriate administrative enforcement remedies including license suspension" before filing a civil contempt action."* *"If their order is set too high, then I really think the state needs to push more on setting orders in a affordable way."*

Source: Author selections from survey and interview responses.

- **CSA staff wanted revisions to CSB 25-02 for clarity and specificity, particularly for self-payers and non-cooperators.**

Frequently raised suggestions included revisions to CSB 25-02 itself, including simplified language and increased specificity, particularly for the ability to pay criteria, and clarification on when the driver's license suspension process can be initiated, particularly for obligors working outside of wage withholding and non-cooperative obligors. Suggestions for revisions also included clarification as to whether the license suspension *process* can still be initiated, even if an actual *suspension* is not permitted, and clarification about whether the license suspension process can still be initiated for recreational and professional licenses.

- **They also desired supplemental guidance, training, and resources to help CSA staff.**

Directors and staff also flagged topics for job aids, additional training, and supplemental guidance that would help support implementation. In particular, they identified a need for job aids and training to help more clearly define the ability to pay criteria for caseworkers; guidance for caseworkers on how to identify and address cases for which a driver's license was previously

suspended; and training on how to address custodial parent concerns. Suggestions also included clarification on how to reconcile CSB 25-02 with CSB 17-11's requirements related to pursuit of administrative enforcement prior to pursuit of civil contempt, and additional guidance on ensuring orders are right-sized to reduce the need for enforcement. Several directors suggested repealing the policy in favor of targeted technical assistance to counties identified by BCS as using driver's license suspension inappropriately, in lieu of a blanket policy.

Use of KIDS

Our interviews also focused on understanding how CSAs used KIDS in relation to the new guidance. This served two purposes. First, it provided additional context about the implementation of the new policy, including potential areas for additional support. Second, and most crucially, understanding how CSA staff use KIDS to document the steps they take when following the policy can help support future work to understand outcomes of the policy change through outcome analyses or evaluations. As one CSA staff member told us, "If it's not in KIDS, it didn't happen." Understanding how staff use KIDS helps build a framework for understanding of how the policy was implemented and relevant outcomes.

Just as we did for the other domains of interest, we asked about use of KIDS for each section of the policy guidance. Overall, CSA staff did not identify major questions or issues about how to document most of the steps of the bulletin in KIDS. Often, they saw this as fairly straightforward, and, in many cases this seemed somewhat uniform across counties. However, there are important caveats, including lack of clarity about self-employment documentation, confusion about whether to document steps that did not result in a finding, and some inconsistencies across counties. In addition, we heard that text fields are often used, which

creates challenges for future research. We summarize some key points of consideration for practice below and follow with implications for future evaluation of CSB 25-02.

- **Interview participants felt uncertain about where and how to document self-employment and self-employment income in KIDS.**

As with many of the other domains of implementation of CSB 25-02, self-employment was the primary area where participants expressed a lack of clarity about the use of KIDS. As previously discussed, this is particularly salient given CSA's interpretation of the bulletin and the focus on documented employment and earnings in KIDS. One staff member summed up the issue, and consequences, as follows:

> *The way the KIDS system is set up, there is no good documentable way to designate that as their employment. So we have people that, you know, that make good incomes that certainly aren't low income by any stretch of the imagination, but by the criteria that they're using to measure people's income in KIDS, they have no income...*

While one participant noted that their agency had started to add self-employment to the employment screen in KIDS in order to pursue action for self-employed payors, most noted that their agencies did not do this. Another participant lamented the lack of guidance here, noting that having clear, documented guidance and policy from DCF about how to systematically document self-employment in KIDS would be helpful for their CSA not just for this purpose but for the many practice issues that arise related to self-payors.

- **Interview participants wanted clarification on how and whether to document screening steps that did not result in new information/updated in primary KIDS fields.**

Interview participants were fairly consistent in describing what and how they would document new findings that resulted from following the screening criteria in CSB 25-02. In almost all cases, they described updating the relevant screen in KIDS for employment, income, benefits, address, or whatever the domain might be. However, one area of confusion and

inconsistency was whether participants noted that they would document conducting the search or locate actions if it didn't result in an update to other KIDS fields, and how they would do this. Some participants explicitly said they would not; others indicated they would document this as a locate but said they were unsure whether additional notes would be needed, given the updated guidance. As one participant told us about documenting all of the screening steps in the bulletin:

> *It's not something we normally do. So you have so many lines on the event screen before things start kind of shuffling down to other pages. And I think at least for us, we try to keep that pretty clean and to keep the most important information showing there... So maybe just kind of clarifying which notes, you know, would be helpful to, you know, whichever entity is looking at things, and then what screen it should go on.*

This quote also highlights another source of difference across CSAs, which was that while most interview participants noted that they would document locate actions and notes, they differed in whether using the participant information screen or the case event screen, for example.

- **Interview participants described using various KIDS notes fields to document steps in CSB 25-02 for which an identifiable field or documentation process was not available.**

Staff often identified the notes fields on various KIDS screens as the place to record salient details. This was especially true for checks that did not have a specific field or screen in KIDS, and situations where guidance was not explicit about whether and how to document an action or finding. For example, the interview participant whose CSA had started documenting self-employment, without clear guidance to do so, used the notes field on the employment screen.

Taken together, participants' reports about the use of KIDS have important implications for future evaluations and outcome analyses of the CSB 25-02. Overall, interviews suggest that some process indicators should be available for use for an outcomes analysis. For example, data should be readily available on W2 earnings and formal employment. However, our interviews

highlight some important limitations on current KIDS data for outcome analyses or evaluations. Specifically, uncertainty due to lack of clear guidance around how and whether to document self-employment and locate actions, particularly outside of the notes field, raise several challenges for future outcomes analyses. Self-employment is a primary process indicator of this policy change, and without a clear KIDS field documenting whether or not the CSA knows of self-employment or related income, and whether and how this check was completed, any future outcomes analysis would be lacking in its ability to determine whether practice was followed. An implementation or outcome evaluation would also be hampered in its ability to measure effects or process outcomes. Similarly, many interview participants told us that notes fields held important pieces of information about how they had worked the cases and what they had found. The notes fields in KIDS are open-text fields, which cannot be queried or analyzed using traditional statistical methods or statistical software. Additionally, because these are open fields, without specific policy guidance of key terms to use in fields, it would be difficult to systematically analyze documentation in these fields across all 72 counties.

DISCUSSION

Summary

In this report, we used insights from a statewide survey of CSA directors and targeted staff interviews to explore the implementation of CSB 25-02. Our findings suggest that while there is broad conceptual support for avoiding license suspension when obligors lack ability to pay, the new guidance has introduced some implementation challenges for CSAs in their day-to-day practice. Surveys and interviews revealed concerns and confusion about the bulletin's preamble; challenges identifying and documenting self-employment; and concerns about losing a potentially-useful leverage tool for some obligors without a meaningful substitution. Findings

also highlight a sense that the policy was developed without sufficient input from staff and broader concerns about how changes will affect payees' perceptions of program fairness.

Implications for Policy, Practice, and Research

Our findings have several important implications for policy, practice, and research. We highlight some of the primary takeaways below.

- **Future changes to CSB 25-02, and enforcement practice more broadly, offer opportunities for enhanced local consultation.**

We heard from CSA staff and directors that the rollout of CSB 25-02 felt disconnected from agency practice, with many expressing that the policy was developed without their input or a full understanding of current practice. This perceived lack of inclusion has created a sense of frustration and confusion, as some staff felt the guidance was put in place in response to a perception of overuse of license enforcement when many described using a judicious approach. Additionally, findings indicate some notable confusion about the guidance, particularly related to the bulletin's preamble. Additional communication with CSA staff about CSB 25-02 could support implementation, facilitate sharing of best practices, and help ensure that any future changes to the CSB align with agency practice. Future enforcement practice changes could also incorporate practitioners' feedback and expertise.

- **Some staff feel uncertain about the expectations and intent behind the processes of CSB 25-02.**

Relatedly, while CSA staff understood the broad intent of the bulletin, there was less clarity around the expected processes and intent for the detailed steps outlined in the bulletin. For some, the new guidance included a detailed list of actions, sometimes adding to their workload, without additional guidance about why some of the steps were included or clear expectations about how to follow the guidance. Revisions to the guidance could help clarify both intent and

expectations. For example, there may be opportunities to reconcile—within the text of the bulletin or via supporting guidance—the language many CSA personnel interpret to mean to suggest CSAs should use license suspension when obligors have formal jobs and (W-2) earnings. Additional technical assistance support could include creating a process flow or decision tree to help clarify when to consider different steps, specific desk aids to support intended implementation, and concrete steps as to how CSA staff are expected to document and approach cases.

- **Policy, practice, and research must contend with the increasing number of obligors who have income from self-employment or "informal" other employment.**

CSA staff and directors consistently identified self-employment and the gig economy as the primary areas where the new policy guidance feels most disconnected from the realities of their work. We heard that the bulletin is particularly confusing regarding how to proceed when an obligor has clear "ability to pay" but no formal wages reported in traditional data systems. This confusion is exacerbated by the lack of clear guidance or existing systems to capture non-W-2 earnings, leaving staff with no standardized way to document these earnings, and, therefore, to follow the bulletin's guidance. Without a systematic way to document self-employment income, these obligors effectively appear to have "no income" in KIDS, making it difficult for staff to satisfy the bulletin requirements. DCF could consider options for communicating expectations about documenting non-W-2 earnings in KIDS and clarifying whether and when documentation of these earnings satisfies requirements to allow pursuit of license suspension for self-payors.

- **CSAs could benefit from state guidance on strategies for connecting with noncompliant obligors, particularly as many experience CSB 25-02 as an engagement tool loss.**

Throughout our interviews and consistent with prior research, CSA staff characterized license suspension as one of the few useful tools available to initiate contact with otherwise unresponsive obligors. We heard that for many self-payers or those working in the informal economy, the threat of suspension was the primary "hook" that compelled them to engage with the agency or negotiate a payment plan. Participants expressed significant concern that the new policy leaves them with no viable alternative to replace this leverage, creating a void in their enforcement toolkit. Findings suggest that as this administrative tool becomes more difficult to use, agencies may feel forced to pivot toward civil contempt, which comes with its own potentially negative consequences for obligors. Without clear guidance on alternatives, staff felt uncertain about how best to serve families. DCF could support CSAs by clarifying when the license suspension process (rather than certification itself) can be used, implications for other license types, and when, if ever, it is appropriate to use license suspension process for unengaged obligors. Additionally, providing guidance on alternative engagement strategies could help CSAs as they consider how best to support families when driver's license suspension is not available.

- **Policy must contend with how to best balance the interests of obligors with children and custodial parent financial needs.**

Our findings also indicate a perceived fairness gap created by the new policy, with many directors expressing that the shift may come at the expense of the families who rely on consistent support. We heard from CSA staff that when enforcement tools are removed without a clear alternative, it can make custodial parents feel that the system has "no teeth" to hold non-compliant payers accountable. Beyond the potential perceived impact on whether or not an obligor will contribute financially, there is also concern about a loss of trust which could lead

custodial parents to disengage if they feel the agency is no longer an effective advocate for their children's well-being. DCF could consider opportunities to hear from counties about their concerns related to engaging with and supporting custodial parents and children as well as the related potential implications for performance measures and local funding. Additional training or resources to support counties in addressing concerns of custodial parents and supporting trust between custodial parents and the local agency could also be helpful.

- **Future research and evaluation of the outcomes and impacts of the current policy change face challenges due to existing data system constraints.**

Current data systems are designed for an economy in which obligors working informal jobs or who have self-employment are a very limited population. As this changes, real complications for policy and research emerge. Data systems are currently blind to obligors who have earnings outside of the formal labor market; this creates challenges for researchers in identifying the extent of the issue, for policy to evolve and continue working for all families, and for practice in searching for and documenting self-employment and other non-formal wages. This policy change in particular limits the ability to determine when and whether driver's license suspension is being used as prescribed in the guidance. Future outcomes analysis are also limited given current use of KIDS and reliance on text fields for documentation.

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APPENDIX A

WISCONSIN DEPARTMENT OF CHILDREN AND FAMILIES
Division of Family and Economic Security
Bureau of Child Support

CHILD SUPPORT BULLETIN

No.: 25-02

Date: 2/25/2025

To: **Child Support Directors**
Child Support Supervisors or Lead Workers
Child Support Attorneys

From: **Phyllis Fuller, Director**
Bureau of Child Support

Subject: **Driver's License Certification for Suspension – New Policy**

Purpose

This Child Support Bulletin (CSB) provides new policy and specific instructions for case managers to assess a noncustodial parent's case circumstances for driver's license certification for suspension due to failure to pay support. This bulletin pertains only to policy for determining if a noncustodial parent (payer) should be considered for certification and suspension of their driver's license. All procedures for certification/suspension of driver's and other licenses remain unchanged and can be found in the existing policy manuals and fact sheets.

Background

This new policy is part of the Bureau of Child Support's ongoing commitment to equity and fairness for child support program participants, including decisions related to enforcement actions. Research conducted by the Institute for Research on Poverty (IRP) on the relationship between the use of various enforcement tools and the relationship to payments concluded that license suspension is not effective in compelling child support payments and may even reduce a payer's likelihood of complying with a child support order. The purpose of this policy is to ensure that driver's license certification for suspension is being used fairly. Data from the Bureau of Analytics and Research (see Appendix 1) confirms that a considerable number of payers are having their driver's license suspended with either no recorded income in Kids Information Data System (KIDS) or a $0 income record in KIDS and that nonwhite payers are experiencing higher rates of driver's license suspension than white payers.

Part of ensuring the fair use of driver's license certification for suspension is enshrining the common understanding that this enforcement tool is meant to affect behavioral change on the part of a payer who has the ability to act on what is being asked of them. The broad reach of corrective action tools like driver's license certification for suspension should not overshadow the importance of assessing whether this is the best enforcement tool for a specific payer. The use of driver's license certification for suspension is to be remedial, not punitive. The policy introduced by this CSB is designed to provide a more comprehensive assessment tool.

Policy

Driver's license certification for suspension may be pursued if the child support agency (CSA) can document earnings through the Department of Workforce Development or other wage and employment information resources in KIDS. Driver's license certification for suspension **may not** be pursued if the payer has no current employment documented in KIDS **and** has no current income or assets documented in KIDS that may be attached or garnished, even if the lien amount in the payer's

case equals or exceeds 300% of the monthly amount due in the court order (License Enforcement-Getting Started, 2.3.1) until the CSA takes the following steps:

1. The CSA has assessed the payer's ability to pay using the below criteria. The CSA will document their findings in KIDS.
    a. Review all available locate resources regarding actual earnings or income of the NCP. This may include the following resources: participant income records, employer verifications, quarterly wage data, and information from the NCP or custodial party, income generating assets, federal tax returns, and Social Security Disability Insurance.
    b. Review all available locate resources regarding other evidence of ability to pay or otherwise comply with the order not in the form of actual earnings or income. This can include social media, lifestyle investigations, and a review of how the NCP meets his/her basic needs. The absence of a clear inability to pay, such as a medical disability, may lead a CSA to conclude that the NCP has an ability to pay or otherwise comply with the order. Documentation to support this determination must be included in KIDS.
    c. Review participant data for information about the participant's residence or other physical address. Street level and satellite images may be available on the internet for physical locations. Is the address, for example, a homeless shelter? In addition, property records may reveal pertinent information.
    d. Review all available locate resources for information regarding the NCP's receipt of a needs-based benefit including Supplemental Security Income, FoodShare, W-2 benefits, etc. This would include the Child Support Portal IV-D Locate application, CARES and CARES Worker Web.
    e. Review all available locate resources for information about the NCP regarding an inability to pay including documentation regarding mental or physical limitations on ability to work, medical history, incarceration history, level of education, past employment history, and, to the extent possible, the current availability of employment in the NCP's community.
2. If the CSA identifies income or assets that were not present on the List Participant Income/Employment (EHA) screen in KIDS or a relevant asset that was not present on the List Participant Non-FIDM Assets (PAA) screen in KIDS, the CSA should update the record accordingly.
3. The CSA has determined that the payer is not already cooperating with a county's job search program (including Children First, ELEVATE, or any other referral program).
4. The CSA has determined that the payer has a verified address.

All other existing eligibility criteria found in License Enforcement-Getting Started 2.3.1 still apply.

The CSA must attempt to contact the payer by at least two methods of communication, for example, one attempt by letter and one attempt by telephone prior to triggering the Notice of Intent to Suspend License (AE15) document. The attempted contacts must occur 30 days prior to the AE15 document being sent. (AE15 is triggered by confirming an enforcement reason of DLQ on the Update License Actions (LSB) screen in KIDS).

After it is determined that the payer was sent the AE15 (and the letter was not returned as undeliverable) and before the worker triggers a *Final Notice of Certification* (AE16) on screen LSB:

The CSA must show that they have attempted to engage with the payer to ensure that they understand the payer's circumstances. The CSA must attempt to ensure that the payer understands that there are three actions the payer can take to avoid the AE16 being sent: make alternative payment plan arrangements within 10 business days of receiving the notice, request a

court hearing within 20 business days of receiving the notice, or pay the lien in full within 20 business days of receiving the notice.

1. The CSA must thoroughly explain an alternative payment plan (APP) to the payer and establish an APP if possible.
    a. The best practice is to attempt to engage with the payer over the phone, and it is recommended that CSAs attempt to do this. Best practice is also to follow-up with the payer if there is no response to the AE15, prior to sending the AE16.
    b. Although the CSA must attempt to engage and negotiate with the payer, an APP might not be the outcome of this interaction.
2. The CSA must attempt to make the payer aware of the opportunity for review and adjustment of their order, if the payer is eligible.
3. The CSA must attempt make the payer aware of options for debt forgiveness (if available).
4. The CSA should find and refer the payer to local programs, local job services agencies, and/or other local employment services agencies that assist people who need jobs (especially people with families) (ex: Children First, ELEVATE, VA programs).

After the AE16 is sent, certification completed, and the driver's license is suspended:

- Allow a 60-90 day window after the administrative enforcement lien ends for the payer to make progress before recertifying the driver's license.
- During incarceration review and adjust, (payers who qualify for prison modification), end license suspension for incarcerated payers. Incarceration is no longer considered voluntary unemployment (DCF 150.03 (3)).

Action Required

Effective immediately, CSAs must follow this policy to determine if driver's license certification for suspension is an appropriate administrative tool to use for the payer in question. CSAs are not required to retroactively assess previous driver's license certification for suspension.

Resources

License Enforcement Policy Manual
CSB 17-11 Guidelines for the Use of Civil Contempt
Appendix 1: Bureau of Analytics and Research Data, April-June 2024

Questions regarding this bulletin can be directed to BCS via the KIDPOL Request form using subject type options of Case Management/Policy, Questions, Enforcement-Administrative.

cc: Connie M. Chesnik, DFES Administrator
BRO Regional Child Support Coordinators
Aviva Gellman, Program and Policy Analyst-Advanced

APPENDIX B
CSA Perspectives on Wisconsin's Recent Driver's License Suspension Policy Change (CSB 25-02): Director Survey

About Your Agency

Our first questions are about your child support agency (CSA).

1. In your CSA, do most caseworkers specialize by function, such as establishment, enforcement, or modification, or do most caseworkers manage all aspects of a case start-to-finish?
    - Most specialize by function
    - Most manage cases start-to-finish
    - Other (please tell us):

2. [IF SPECIALIZE] On average, how many cases do each of your caseworkers who specialize in enforcement carry on their caseloads? ___

3. [IF START TO FINISH] On average, how many cases do each of your CSA's caseworkers carry on their caseloads? ____

Your Views on CSB 25-02

The next questions ask about your perspectives on CSB 25-02 [LINK], the policy guidance DCF issued in February of 2025 about certification of driver's licenses for suspension.

4. Thinking about the policy guidance on certification of driver's licenses for suspension laid out in CSB 25-02, in your opinion: [FORMAT AS A MATRIX: Not at all, a little, somewhat, very, extremely]
    - How **clear** are the **goals** of the policy guidance set forth in CSB 25-02?
    - How **clear** are the **expectations** of CSAs set forth in CSB 25-02?
    - How **fair** is the policy guidance to child support **obligors**?
    - How **fair** is the policy guidance to **custodial parents and children**?

5. Overall, does the policy guidance set forth in CSB 25-02 help CSAs to do their work, make it harder for CSAs to do their work, or somewhere in between?
    - Helps CSAs a lot
    - Helps CSAs somewhat
    - Somewhere in between
    - Makes things somewhat harder for CSAs
    - Makes things a lot harder for CSAs

6. Compared to your agency's practice for certification prior to the policy change, how much of a change is the current guidance is CSB 25-02? Was CSB 25-02:

- An extremely big change for your CSA
- A very big change for your CSA
- Somewhat of a change for your CSA
- A little bit of a change for your CSA
- Not a change at all for your CSA

7. In your opinion, what positive benefits might result from the changes set forth in CSB 25-02? [OPEN TEXT]

8. In your opinion, what negative consequences might result from the changes set forth in CSB 25-02? [OPEN TEXT]

The next series of questions asks you for your perspectives on each aspect of the policy guidance set forth in CSB 25-02 related to certification of driver's license suspension. For each question, we present a brief excerpt of text from the policy. You can also view the policy in its entirety here [LINK] should you wish to refer to it at any time.

9. CSB 25-02 provides policy guidance about when certification of driver's license suspension can be pursued by the child support agency. The general guidance, which precedes a list of specific steps the CSA is to take, reads:

"Driver's license certification for suspension may be pursued if the child support agency (CSA) can document earnings through the Department of Workforce Development or other wage and employment information resources in KIDS.

Driver's license certification for suspension may not be pursued if the payer has no current employment documented in KIDS and has no current income or assets documented in KIDS that may be attached or garnished, even if the lien amount in the payer's case equals or exceeds 300% of the monthly amount due in the court order until the CSA takes the following steps..."

   a. How **clear** are the expectations of CSAs related to certification of driver's licenses in this section of CSB 25-02?
      - Not at all clear
      - A little bit clear
      - Somewhat clear
      - Very clear
      - Extremely clear

   b. Is the guidance provided in this section of CSB 25-02 a good idea, a bad idea, or somewhere in between?
      - A very good idea
      - A somewhat good idea
      - Somewhere in between
      - A somewhat bad idea

- A very bad idea

c. Do you have any questions about what this aspect of CSB 25-02 means?
   - Yes *If you have no questions, please leave this blank.*

d. Has your CSA experienced any challenges with putting this aspect of CSB 25-02 into practice?
   - Yes *If you have no challenges to report, please leave this blank.*

10. CSB 25-02 describes a list of steps that CSAs are expected to take before pursuing certification of a driver's license for suspension, including steps related to assessing ability to pay. It says that *"certification should not be pursued… until the CSA takes the following steps":*

1) The CSA has assessed the payer's ability to pay using the below criteria. The CSA will document their findings in KIDS.
a. Review all available locate resources regarding actual earnings or income of the NCP. This may include the following resources: participant income records, employer verifications, quarterly wage data, and information from the NCP or custodial party, income generating assets, federal tax returns, and Social Security Disability Insurance.
b. Review all available locate resources regarding other evidence of ability to pay or otherwise comply with the order not in the form of actual earnings or income. This can include social media, lifestyle investigations, and a review of how the NCP meets his/her basic needs. The absence of a clear inability to pay, such as a medical disability, may lead a CSA to conclude that the NCP has an ability to pay or otherwise comply with the order. Documentation to support this determination must be included in KIDS.
c. Review participant data for information about the participant's residence or other physical address. Street level and satellite images may be available on the internet for physical locations. Is the address, for example, a homeless shelter? In addition, property records may reveal pertinent information.
d. Review all available locate resources for information regarding the NCP's receipt of a needs-based benefit including Supplemental Security Income, FoodShare, W-2 benefits, etc. This would include the Child Support Portal IV-D Locate application, CARES and CARES Worker Web.
e. Review all available locate resources for information about the NCP regarding an inability to pay including documentation regarding mental or physical limitations on ability to work, medical history, incarceration history, level of education, past employment history, and, to the extent possible, the current availability of employment in the NCP's community.

a. How **clear** are the expectations of CSAs related to assessing ability to pay prior to pursuing certification of driver's licenses in this section of CSB 25-02?
   - Not at all clear
   - A little bit clear
   - Somewhat clear
   - Very clear

- Extremely clear

b. Is the guidance provided in this section of CSB 25-02 a good idea, a bad idea, or somewhere in between?
   - A very good idea
   - A somewhat good idea
   - Somewhere in between
   - A somewhat bad idea
   - A very bad idea

c. Do you have any questions about what this aspect of CSB 25-02 means?
   - Yes *If you have no questions, please leave this blank.*

d. Has your CSA experienced any challenges with putting this aspect of CSB 25-02 into practice?
   - Yes *If you have no challenges to report, please leave this blank.*

11. CSB 25-02 goes on to describe three additional steps that CSAs are expected to take before pursuing certification of a driver's license for suspension. These include:

    2) "If the CSA identifies income or assets that were not present on the List Participant Income/Employment (EHA) screen in KIDS or a relevant asset that was not present on the List Participant Non-FIDM Assets (PAA) screen in KIDS, the CSA should update the record accordingly.
    3) The CSA has determined that the payer is not already cooperating with a county's job search program (including Children First, ELEVATE, or any other referral program).
    4) The CSA has determined that the payer has a verified address."

In your opinion:

a. How **clear** are the expectations of CSAs related to the steps required prior to pursuing certification of driver's licenses in this section of CSB 25-02?
   a. Not at all clear
   b. A little bit clear
   c. Somewhat clear
   d. Very clear
   e. Extremely clear

b. Is the guidance provided in this section of CSB 25-02 a good idea, a bad idea, or somewhere in between?
   - A very good idea
   - A somewhat good idea
   - Somewhere in between
   - A somewhat bad idea
   - A very bad idea

c. Do you have any questions about what this aspect of CSB 25-02 means?
   - Yes *If you have no questions, please leave this blank.*

d. Has your CSA experienced any challenges with putting this aspect of CSB 25-02 into practice?
   - Yes *If you have no challenges to report, please leave this blank.*

12. CSB 25-02 goes on to describe expectations related to communication prior to taking driver's license suspension related actions. The first of these expectations pertains to outreach efforts that agencies should take prior to sending the AE15 Notice of Intent to Suspend. It says:

"The CSA must attempt to contact the payer by at least two methods of communication, for example, one attempt by letter and one attempt by telephone prior to triggering the Notice of Intent to Suspend License (AE15) document. The attempted contacts must occur 30 days prior to the AE15 document being sent. (AE15 is triggered by confirming an enforcement reason of DLQ on the Update License Actions (LSB) screen in KIDS)."

a. How **clear** are the expectations of CSAs related to communication with the obligor before sending the AE15 in this section of CSB 25-02?
   - Not at all clear
   - A little bit clear
   - Somewhat clear
   - Very clear
   - Extremely clear

b. Is the guidance provided in this section of CSB 25-02 a good idea, a bad idea, or somewhere in between?
   - A very good idea
   - A somewhat good idea
   - Somewhere in between
   - A somewhat bad idea
   - A very bad idea

c. Do you have any questions about what this aspect of CSB 25-02 means?
   - Yes *If you have no questions, please leave this blank.*

d. Has your CSA experienced any challenges with putting this aspect of CSB 25-02 into practice?
   - Yes *If you have no challenges to report, please leave this blank.*

13. The second of these communication expectations pertains to outreach efforts that agencies should take prior to sending the AE16 Final Notice of Certification. It says:

"After it is determined that the payer was sent the AE15 (and the letter was not returned as

undeliverable) and before the worker triggers a Final Notice of Certification (AE16) on screen LSB:

The CSA must show that they have attempted to engage with the payer to ensure that they understand the payer's circumstances. The CSA must attempt to ensure that the payer understands that there are three actions the payer can take to avoid the AE16 being sent: make alternative payment plan arrangements within 10 business days of receiving the notice, request a court hearing within 20 business days of receiving the notice, or pay the lien in full within 20 business days of receiving the notice.

1. *The CSA must thoroughly explain an alternative payment plan (APP) to the payer and establish an APP if possible.*
    a. *The best practice is to attempt to engage with the payer over the phone, and it is recommended that CSAs attempt to do this. Best practice is also to follow-up with the payer if there is no response to the AE15, prior to sending the AE16.*
    b. *Although the CSA must attempt to engage and negotiate with the payer, an APP might not be the outcome of this interaction.*
2. *The CSA must attempt to make the payer aware of the opportunity for review and adjustment of their order, if the payer is eligible.*
3. *The CSA must attempt make the payer aware of options for debt forgiveness (if available).*
4. *The CSA should find and refer the payer to local programs, local job services agencies, and/or other local employment services agencies that assist people who need jobs (especially people with families) (ex: Children First, ELEVATE, VA programs).*

a. How **clear** are the expectations of CSAs related to communication with the obligor before sending the AE16 in this section of CSB 25-02?
    - Not at all clear
    - A little bit clear
    - Somewhat clear
    - Very clear
    - Extremely clear

b. Is the guidance provided in this section of CSB 25-02 a good idea, a bad idea, or somewhere in between?
    - A very good idea
    - A somewhat good idea
    - Somewhere in between
    - A somewhat bad idea
    - A very bad idea

c. Do you have any questions about what this aspect of CSB 25-02 means?
    - Yes *If you have no questions, please leave this blank.*

d. Has your CSA experienced any challenges with putting this aspect of CSB 25-02 into practice?
    - Yes *If you have no challenges to report, please leave this blank.*

14. Are there any aspects of CSB 25-02, or other policies on certification of driver's licenses for suspension, that you would like DCF to share more information or guidance about?
    - Yes *If not, please leave this blank.*

Sharing CSB 25-02 with Caseworkers

15. When your agency became aware of CSB 25-02, how was information about the policy change shared with frontline staff involved in order enforcement? [YES/NO]
    - Staff received the CSB 25-02 policy bulletin notice directly from DCF
    - CSA leadership provided additional written information about the policy change to staff, such as through emails or additions to county policy documentation
    - CSA leadership provided additional information verbally, such as in meetings
    - In other ways (please tell us):

16. How confident are you that your CSA's caseworkers: [MATRIX: Not at all, a little bit, somewhat, very, extremely]
    a. Understand the goals of CSB 25-02?
    b. Understand what CSB 25-02 expects of them in their practice related to certification of driver's licenses for suspension?
    c. Will follow the steps described in CSB 25-02 in practice consistently?

Wrapping Up

17. Finally, the research team is hoping to talk with staff whose roles involve enforcement about the guidance in CSB 25-02 and their use of KIDS related to the policy change. We are hoping to speak with staff for a 1-hour interview on this topic via Zoom or Teams. Depending on how enforcement works in your county, interview participants could be enforcement supervisors, child support enforcement caseworkers, or even you as the CSA director.

    Would it be OK for us to invite a staff member from your agency to talk with us about this? *The decision about whether or not to participate would be entirely up to that person; we would let them know that you provided your permission to invite them to take part, but they can choose whether or not to participate without any consequence if they decline.*
    - If it is OK to contact someone, please write their name here:
    - Please enter their email address here
    - If you prefer us not to invite a staff member to talk to us, please write No here:

18. Is there anything else you would like to share with us about your experiences with CSB 25-02?

    Thank you for your time and participation! Please click "Submit" to complete this survey.

APPENDIX C
CSA Perspectives on Wisconsin's Recent Driver's License Suspension Policy Change (CSB 25-02)
Interview Guide

In a few minutes, we will we will take a look at the different parts of CSB 25-02, and I'll ask you for your input on each specific section part-by-part.

Before we do that, I have a few questions for you about your views on the policy change overall.

1. From your perspective, why did the state issue new guidance about certifying driver's licenses for suspension?
   a. What do you think the state was hoping to accomplish with this change?

2. What has this new policy guidance meant for you in your work? [PROBE IF NEEDED: What sort of changes have you made **in your own case management** practices?]

3. How do you feel about the new policy guidance overall?
   a. Do you think the new policy guidance is positive or not so positive **for agencies**? For what reasons?
   b. Do you think the new guidance is positive or not so positive **for families**? For what reasons?

For these next questions, we will take a look at the different pieces of the new policy guidance together. For each aspect of the guidance, I'll ask you what the guidance means to you, how you use it, what questions you might have about it, and a few questions about KIDS. We'll put the text we're talking about for each section up on a slide, so you can see it on the screen as we go. We also shared the full CSB 25-02 document with you as an attachment when we scheduled this interview, and you can feel free to take a look at that anytime you would like.

4. Let's first look at what the policy guidance says about when certification of driver's license suspension can be pursued by the agency. [DISPLAY **SLIDE 2**] The policy guidance (bottom of p.1) says that:

   "Driver's license certification for suspension may be pursued if the child support agency (CSA) can document earnings through the Department of Workforce Development or other wage and employment information resources in KIDS.

   Driver's license certification for suspension may not be pursued if the payer has no current employment documented in KIDS and has no current income or assets documented in KIDS that may be attached or garnished, even if the lien amount in the payer's case equals or exceeds 300% of the monthly amount due in the court order until the CSA takes the following steps..."

a. Can you tell me, in your own words, what is the state is saying about when it is OK for the CSA to pursue certification of a license suspension?
   1. In your own words, according to the policy change, when is it **not** OK to pursue?

2. The policy guidance uses the word "current" twice in this passage - "*no current employment documented in KIDS*" and "*no current income or assets documented in KIDS that may be attached or garnished"*. What does "current" mean to you in this context?

b. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this?]

c. If you were working on a case, where within KIDS might you look to what this part of the policy asks? [PROBE FOR: Fields checked; one screen or multiple screens] Do you look in other places beyond KIDS?

d. If you were working on a case and looked into matters related to this part of the policy guidance, would you enter any information about the checks you performed in KIDS? [IF YES: Where would you document this? How would you document it?] Do you have any questions about how you might document this?

5. Next, I'll show you the criteria that the guidance indicates agencies should use to assess ability to pay. [DISPLAY **SLIDE 3**] This list appears at the top of p.2 of CSB 25-02. Here I'm showing you the whole list. We're going to break this down piece by piece.

   a. The first criteria listed in CSB 25-02 is [DISPLAY **SLIDE 4**]: *"Review all available locate resources regarding actual earnings or income of the NCP. This may include the following resources: participant income records, employer verifications, quarterly wage data, and information from the NCP or custodial party, income generating assets, federal tax returns, and Social Security Disability Insurance."*

      i. Can you tell me, in your own words, what this part of the policy guidance is asking caseworkers to do?
         1. How do you go about gathering this information? [PROBE FOR: KIDS; other locate sources]
         2. [PROBE FOR: Expected to check all or some; whether other resources also check]
         3. How do you use this information in determining ability to pay?

      ii. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this?]

      iii. If you were working on a case, where within KIDS might you look to what this part of the policy asks? [PROBE FOR: Fields checked; one screen or multiple screens] Do you look in other places beyond KIDS?

      iv. If you were working on a case and looked into matters related to this part of the policy guidance, would you enter any information about the checks you performed in KIDS? [IF YES: Where would you document this? How would you document it? Questions about how to do this?]

b. The second criteria listed in CSB 25-02 is [DISPLAY **SLIDE 5**]: *"Review all available locate resources regarding other evidence of ability to pay or otherwise comply with the order not in the form of actual earnings or income. This can include social media, lifestyle investigations, and a review of how the NCP meets his/her basic needs. The absence of a clear inability to pay, such as a medical disability, may lead a CSA to conclude that the NCP has an ability to pay or otherwise comply with the order."*

    i. Can you tell me, in your own words, what this part of the policy guidance is asking caseworkers to do?
        1. What does *"This can include social media, lifestyle investigations, and a review of how the NCP meets his/her basic needs"* mean to you?
        2. What does*"The absence of a clear inability to pay, such as a medical disability, may lead a CSA to conclude that the NCP has an ability to pay or otherwise comply"* mean to you?
        3. How do you go about gathering this information? [PROBE FOR: KIDS; other locate sources]
        4. How do you use this information in determining ability to pay?
        5. If you were working on a case and looked into matters related to this part of the policy guidance, would you enter any information about the checks you performed in KIDS? [IF YES: Where would you document this? How would you document it? How specifically do you document the absence of information?]

    ii. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this? Any questions about how to do this?]

c. The third criteria listed in CSB 25-02 is [DISPLAY **SLIDE 6**]: *"Review participant data for information about the participant's residence or other physical address. Street level and satellite images may be available on the internet for physical locations. Is the address, for example, a homeless shelter? In addition, property records may reveal pertinent information."*
    i. Can you tell me, in your own words, what this part of the policy guidance is asking caseworkers to do?
        1. How do you go about gathering this information? [PROBE FOR: KIDS; other locate sources]
        2. How do you use this information in determining ability to pay?

    ii. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this?]

    iii. If you were working on a case and looked into matters related to this part of the policy guidance, would you enter any information about the checks you performed in KIDS? [IF YES: Where would you document this? How would you document it? Questions about how to do this?}

d. The fourth criteria listed in CSB 25-02 is [DISPLAY **SLIDE 7**]: *"Review all available locate resources for information regarding the NCP's receipt of a needs-based benefit including*

Supplemental Security Income, FoodShare, W-2 benefits, etc. This would include the Child Support Portal IV-D Locate application, CARES and CARES Worker Web."

i. Can you tell me, in your own words, what this part of the policy guidance is asking caseworkers to do?
    1. How do you go about gathering this information? [PROBE FOR: KIDS; other locate sources]
    2. How do you use this information in determining ability to pay?

ii. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this?]

iii. If you were working on a case and looked into matters related to this part of the policy guidance, would you enter any information about the checks you performed in KIDS? [IF YES: Where would you document this? How would you document it? Questions about how to do this?]

e. The fifth criteria listed in CSB 25-02 is [DISPLAY ON SCREEN]: *"Review all available locate resources for information about the NCP regarding an inability to pay including documentation regarding mental or physical limitations on ability to work, medical history, incarceration history, level of education, past employment history, and, to the extent possible, the current availability of employment in the NCP's community."*

i. Can you tell me, in your own words, what this part of the policy guidance is asking caseworkers to do?
    1. How do you go about gathering this information? [PROBE FOR: KIDS; other locate sources]
    2. How do you use this information in determining ability to pay?

ii. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this?]

iii. If you were working on a case and looked into matters related to this part of the policy guidance, would you enter any information about the checks you performed in KIDS? [IF YES: Where would you document this? How would you document it?]

6. CSB 25-02 goes on to say that certification of license suspension may not be pursued until the CSA takes the following additional steps [DISPLAY ON **SLIDE 9**], first: *"If the CSA identifies income or assets that were not present on the List Participant Income/Employment (EHA) screen in KIDS or a relevant asset that was not present on the List Participant Non-FIDM Assets (PAA) screen in KIDS, the CSA should update the record accordingly."*

a. Can you tell me, in your own words, what this part of the policy guidance is asking caseworkers to do?

b. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this?]

c. Where would you enter any information related in this instruction in KIDS? [IF YES: Where would you document this? How would you document it? Questions about how to do this?]

7. Next [**DISPLAY SLIDE 10**]: *"The CSA has determined that the payer is not already cooperating with a county's job search program (including Children First, ELEVATE, or any other referral program)."*

    a. Can you tell me, in your own words, what this part of the policy guidance is asking caseworkers to do? What does *"cooperating"* mean to you in this context?

    b. How do you go about gathering this information? [PROBE FOR: KIDS; other locate sources]

    c. Where would you enter any information related in this instruction in KIDS? [IF YES: Where would you document this? How would you document it? Questions about how to do this?]

    d. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this?]

8. Finally [**DISPLAY SLIDE 11**], *"The CSA has determined that the payer has a verified address."*

    a. Can you tell me, in your own words, what this part of the policy guidance is asking caseworkers to do? What does *"a verified address"* mean to you in this context?

    b. How do you go about gathering this information? [PROBE FOR: KIDS; other locate sources]

    c. Where would you enter any information related in this instruction in KIDS? [IF YES: Where would you document this? How would you document it?]

    d. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this?]

9. Next I'd like to talk about the communication requirements within CSB 25-02. The first of these requirements pertains to outreach efforts the CSB says that agencies should take prior to sending the AE15 Notice of Intent to Suspend [SHOW **SLIDE 13**]. It says: *"The CSA must attempt to contact the payer by at least two methods of communication, for example, one attempt by letter and one attempt by telephone prior to triggering the Notice of Intent to Suspend License (AE15) document. The attempted contacts must occur 30 days prior to the AE15 document being sent."*

    a. Can you tell me, in your own words, what this part of the policy guidance is asking caseworkers to do? What does *"a verified address"* mean to you in this context?

    b. How do you go about gathering this information? [PROBE FOR: KIDS; other locate sources]

    c. Would you document these attempts somewhere in KIDS? [IF YES: Where would you document this? How would you document it?]

d. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this?]

10. The second of these requirements pertains to outreach efforts the CSB says that agencies should take prior to sending the AE16 Final Notice of Certification [SHOW **SLIDE 13**]. It says: *"The CSA must attempt to ensure that the payer understands that there are three actions the payer can take to avoid the AE16 being sent: make alternative payment plan arrangements within 10 business days of receiving the notice, request a court hearing within 20 business days of receiving the notice, or pay the lien in full within 20 business days of receiving the notice.* [**SHOW SLIDE 14**]
    1. *The CSA must thoroughly explain an alternative payment plan (APP) to the payer and establish an APP if possible.*
        a. *The best practice is to attempt to engage with the payer over the phone, and it is recommended that CSAs attempt to do this. Best practice is also to follow-up with the payer if there is no response to the AE15, prior to sending the AE16.*
        b. *Although the CSA must attempt to engage and negotiate with the payer, an APP might not be the outcome of this interaction.*
    2. *The CSA must attempt to make the payer aware of the opportunity for review and adjustment of their order, if the payer is eligible.*
    3. *The CSA must attempt make the payer aware of options for debt forgiveness (if available).*
    4. *The CSA should find and refer the payer to local programs, local job services agencies, and/or other local employment services agencies that assist people who need jobs (especially people with families) (ex: Children First, ELEVATE, VA programs)."*

    a. Can you tell me, in your own words, what this part of the policy guidance is asking caseworkers to do? What does *"a verified address"* mean to you in this context?

    b. How do you go about gathering this information? [PROBE FOR: KIDS; other locate sources]

    c. Would you document these attempts somewhere in KIDS? [IF YES: Where would you document this? How would you document it? Questions about how to do this?]

    d. Are there any aspects of this part of the policy that you find confusing or unclear? [IF YES: What aspects are confusing or unclear? What questions do you have about this?]

11. Thank you for taking the time to help us learn more about how agency staff use the guidance put forth in CSB 25-02. Is there anything else about the new policy guidance, or how you use KIDS related to the guidance, that you'd like for us to know?