

## TABLE OF CONTENTS

### Compendium of Promising Practices and Good Ideas in Child Support 2007

#### MASSACHUSETTS

Employer Compliance Program.....	1
Medicaid Cost Savings .....	4

#### MINNESOTA

Big 8 County Meetings.....	6
Stearns County – Dialing for Dollars.....	8
Regional Performance Meetings.....	10

#### MISSOURI

Sort Cases to Improve Collections.....	12
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#### OHIO

Guernsey County – Driver’s License Reinstatement Notification.....	14
Lucas County – Lien Project.....	15

#### TEXAS

Business Planning.....	17
Noncustodial Parent Choices Project.....	19

#### VIRGINIA

Cell Phone Subpoena Program.....	22
Early Intervention.....	24

#### WASHINGTON

Use Performance Analysts to Maximize Results.....	27
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## **MASSACHUSETTS EMPLOYER COMPLIANCE PROGRAM**

**Goal:** The goal of the Massachusetts Department of Revenue Child Support Enforcement Division's (DOR) Employer Compliance Program is to encourage employers to comply with the requirements of income withholding orders and to enforce those requirements when necessary.

**Description:** DOR's Employer Compliance Program is designed to address three types of compliance problems encountered with income withholding orders:

- Employers who withhold the child support but do not remit to DOR;
- Employers who do not withhold child support at all or who withhold the incorrect amount; and
- Employers who withhold child support but do not remit the payments timely.

Massachusetts law requires employers to withhold child support from each paycheck and to remit the support to DOR within three business days of the obligor's pay date. In accordance with Federal requirements, our State laws also create an independent legal obligation on the employer for the amount of the child support due, so that if an employer does not comply with an income withholding order, the employer can be held personally liable for the unpaid support and charged a penalty.

When a possible employer compliance issue is brought to DOR's attention, the case is referred to our Employer Services Center where staff specialize in assisting employers with day-to-day questions about income withholding and other employer responsibilities. The Employer Services representative first tries to contact the employer by phone or by a letter requesting a return call. If the employer does not respond, or if the problem persists after the initial contact, the Employer Services staff send the employer a "3-day letter." This letter provides written notice reminding the employer of its obligations to withhold child support and remit it to DOR within 3 days and informing the employer of the penalties and enforcement measures we can take if the matter is not resolved.

Many employers will make a greater effort to comply when they receive the 3-day letter. If after 30 days the problem is still unresolved, the case is referred to the Employer Compliance Program attorney. The attorney makes a final effort to encourage the employer to voluntarily resolve the problem. If that effort fails, the attorney calculates the amount of unpaid support the employer is liable, and the penalty. Pursuant to statute, the penalty is owed to the State – not the family – and equals the amount of the unpaid support or \$500, whichever is greater. The combined amount of unpaid support and penalty is assessed against the employer and the attorney makes written demand for payment within 30 days. The assessment letter also gives notice of the grounds for contesting the

assessment and how to request an administrative hearing. If the employer does not respond or pay the assessment within the 30 days, the attorney initiates certain administrative enforcement measures against the employer to collect the assessment. Typically, a levy executed against the employer's bank account is sufficient to collect the unpaid support and penalty. In addition, DOR can suspend any professional or business licenses and place liens on any property held by the employer. These enforcement activities are initiated on a case-by-case basis. If the administrative enforcement is unlikely to yield any collections, DOR may opt to bring the employer before the family court. In court, the notice of assessment by DOR satisfies a prima facie case of civil contempt. As with any contempt proceeding, the full range of remedies available to the court, including an additional assessment of attorney's fees, may be imposed against a non-compliant employer.

While collection of unpaid support is our strongest motivation, DOR recognizes that the timely collection of future support is sometimes more valuable than the imposition of penalties on employers. Therefore, DOR retains the right to waive some or all of the penalties assessed against an employer based on the facts and circumstances of the individual case. When an employer has remitted the unpaid support in full, DOR may agree to waive a portion of the penalties over time, provided that employer remains in strict compliance with the terms of the income withholding order. Often this compliance is combined with a requirement to begin remitting all child support electronically.

**Results:** From September 2006 to April 2007, DOR has handled 20 employer compliance cases that reached the attorney involvement stage. Seven employers began complying without the need for an assessment. Assessments against the remaining thirteen employers total \$75,000, including both unpaid support of over \$28,000 and penalties of over \$46,000. Although some of these cases are still pending as of April 2007, DOR has already collected over \$25,000 in previously unpaid support for families, representing over five years' worth of combined child support payments. The success of the program is self-evident: DOR has achieved a 90 percent collection rate for unpaid support in cases referred to the employer compliance program. Here are two examples:

- In one case, the obligor's employer was not withholding pursuant to the income withholding order issued by DOR and the obligor was not making his payments either. Despite repeated efforts to speak with the company's owner, our calls were not returned and the 3-day letters were not heeded. We eventually assessed the employer \$4,500 in unpaid support due to its failure to withhold, and penalized the employer in an equal amount. The employer still did not pay, so DOR levied the employer's bank account for the full \$9,000. Only then did the employer respond, claiming the obligor had told him all along "it was being taken care of" and that he didn't think he had to withhold. DOR reached a settlement agreement with the employer to immediately release to DOR

the \$4,500 in unpaid support, and to put the employer on probation while the penalty was held in abeyance. If the employer complied with the terms of the probation for the next year, the penalty would be waived. The lump sum paid to the family represented over 7 months of child support payments. Unfortunately, the employer did not comply with the terms of probation. DOR successfully levied the employer's bank account a second time for the penalties.

- In another case, the employer withheld child support from the obligor for over a year but was not remitting in full. The obligor had limited English proficiency and was working under a green card. After contacting us about the remittances, he provided copies of his pay stubs confirming the cumulative amount of child support deducted from his pay. When we discovered the amounts on the pay stubs did not match the remittances from the employer, we attempted to contact the employer about the missing payments. The employer did not return our calls, so an assessment totaling over \$10,000 was issued for the withheld-but-not-remitted support and a penalty. The employer still did not pay the assessment, and a levy was issued against the employer's bank account. In less than eight weeks from the time the case was referred to the employer compliance attorney, we received the full assessment. DOR was able to distribute 46 weeks' worth of child support to the family and retained the penalty for the Commonwealth.

**Location:** The Employer Compliance Program operates statewide.

**Funding:** Regular IV-D funds are used.

**Replication Advice:** This program is based on statute. For further information about this program, refer to Massachusetts General Laws chapter 119A, in full, and especially §12. DOR also provides substantial information for employers on our website at [www.mass.gov/cse](http://www.mass.gov/cse).

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## **MASSACHUSETTS MEDICAID COST SAVINGS**

**Goal:** To reduce State Medicaid costs by enrolling dependent children in private health insurance.

**Description:** Cost savings have resulted from the data exchange between the Medicaid agency and the Child Support Enforcement agency (CSE) and a resulting match with third party health insurer files. The steps involved in this process are as follows:

1. CSE provides the Medicaid agency with a list of employed noncustodial parents who have a child support order requiring them to obtain health insurance coverage for their dependents. The Medicaid agency matches these lists with a list of dependents who are recipients of Medicaid and then a vendor, under contract with the Medicaid agency, matches these lists with third party health insurer files to determine if the noncustodial parent's employer provides group health insurance coverage.

CSE and the Medicaid agency then send a letter to the employer instructing them to comply with the National Medical Support Notice (NMSN) that CSE has already sent and to enroll the noncustodial parent's dependents in the group health plan.

2. CSE also matches its wage-reporting file and 14-day new hire information with individuals who are associated with the Medicaid agency's programs. This match process uncovers new employer and new employer-sponsored health insurance information for noncustodial parents whose dependents also receive Medicaid.
3. The Medicaid agency then sends a letter to the new employer of the noncustodial parent who has been linked to a dependent who is receiving Medicaid benefits asking if the child is currently enrolled in the employer-sponsored group health plan. If the child is not enrolled, the Medicaid agency follows up with CSE to enforce enrollment.

The cost savings from the data exchanged between the Medicaid agency and the CSE and the resulting match with third party health insurer files is calculated by using \$207 per member per month rate for each individual who is now using private health insurance instead of Medicaid. The State multiplies the \$207 by the number of individuals using private health insurance and then by the number of months (or years) the individual receives private health insurance. This last number is an average.

Another source of cost savings is a one-page form that CSE and the Medicaid agency developed to accompany the NMSN when it is transmitted to an employer. This form captures more detailed information about health insurance coverage than just the policy number and group number which is on the Part B response to the NMSN. The vendor, under contract with the Medicaid agency, then utilizes the information on these forms to pursue third party liability and seek reimbursement from any liable third party health insurer.

CSE and the Medicaid agency continue to work together to devise new methods of enrolling dependent children in private health insurance, thereby avoiding costs that might otherwise fall to the State.

**Results:** In State FY2007, Massachusetts saved over \$63 million. Since 2001, when CSE and the Medicaid agency began tracking cost savings, Massachusetts has avoided \$326 million in Medicaid costs.

**Location:** Statewide

**Funding:** Regular IV-D funds are used.

**Replication Advice:** The Interagency Service Agreement between Child Support Enforcement Agency and Medicaid needs to be drafted carefully. Special attention should be given to how information is transmitted and who has access to the information, particularly if either agency has vendors.

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## **MINNESOTA BIG 8 COUNTY MEETINGS**

**Goal:** To improve county and State outcomes in child support enforcement by measuring both process and result indicators that are published in the annual county performance reviews and the statewide performance report.

**Description:** Beginning in July 2003, the eight counties in Minnesota with the highest caseload met every other month at the State office to discuss performance-related issues. The meetings are facilitated by a member of the Federal Reports and Compliance Unit. Each county usually sends at least two people to the meetings, often supervisors or managers. This group has two primary goals:

- to improve on the five Federal performance measures
- to assist with defining performance goals for the counties.

The Big 8 meeting agendas, notes, and other products are available to all county child support programs in the State through a secure website, where all are able to benefit from the work accomplished by the Big 8. The State office creates reports specifically designed for the Big 8 meetings. Other relevant information including performance measure forecasts and comparisons are also distributed to all counties. This group focuses on the following six themes developed from discussions about barriers specific to the public assistance caseload:

1. Assumptions and locate issues that create artificially high orders
2. Non-cooperation on paternity and establishment cases
3. Service to low-income NCPs
4. Contempt studies
5. Cultural and language barriers
6. Interstate process is slow

Tasks to improve performance on each theme were developed and assigned to State and county representatives at the meetings. These tasks include reviewing policy; enhancing State connections to other entities; reviewing enforcement remedies; gathering best practices; and examining and sharing processes. A communication plan was developed to provide Minnesota counties background information about the Big 8. An email was sent to all county offices to introduce the Big 8, explain the purpose of the group, and to provide instructions on how to access materials created by the Big 8. The materials are available to all counties on a secure website. Each county in the Big 8 creates their annual Federal performance goals, activities they will undertake to achieve those goals and any documentation that will track the progress.

**Results:** There has been anecdotal evidence from counties that the meetings are working to accomplish the objectives.

**Location:** Five of the eight counties are from the Twin Cities metropolitan area; the others are from other areas of the State. The meetings are held at the State child support enforcement office in St. Paul.

**Funding:** Regular IV-D funds in combination with State and county funds are used to fund staff time.

**Replication Advice:**

- Allow time over the course of several meetings for the group to develop an identity and common purposes, especially when the formation of the group is a State initiative.
- Obtain management support at the State and county level and encourage their participation in working with the group.
- While we are working with the counties with the largest caseload size in this project, given their disproportionate impact on our statewide performance measures, we recognize that all counties, regardless of size, impact our performance and data reliability.
- Share the products of the meetings (templates, reports, etc.) with all counties, not only those in the group, so that everyone can benefit.
- Encourage the group members to bring documents and reports to discuss, but also be able to provide the group with new information and reports to be addressed at the meetings.

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**MINNESOTA  
STEARNS COUNTY  
“DIALING FOR DOLLARS”**

**Goal:** To improve initial and ongoing compliance with child support orders, and prevent cases from accruing support arrears so children get the consistent financial support to which they are entitled.

**Description:** Stearns County had approximated 4,900 cases and a staff of 22 people as of June 2006. Staff made an effort to make phone contact with noncustodial parents who had not paid on their support obligations in the previous month. A day was dedicated to this task. Workers used work lists generated by PRISM, Minnesota's automated system for the establishment of child support and medical support, to identify obligors who had missed payments. Workers began calling and tracking the outcome of the calls. If an obligor was not available, a phone message was left asking them to return the call, but no details of the nature of the call were left for the purpose of confidentiality. If contact could not be made, a letter was sent to the obligor instead.

Obligors were approached in a non-threatening manner. Obligors such as SSI recipients and those with pending modifications, to name, for example, two groups, were not called at all based on circumstances surrounding their case. Workers were able to complete this activity within one day. All efforts were documented on PRISM case notes. Workers were instructed to focus only on this task. The supervisor handled all other calls for the unit during this day.

**Results:** Approximately six weeks after this event, the supervisor reviewed all cases that had received a call or letter in order to determine if payments had been received since the contact was made. All payments were counted, except tax offset payments. Stearns County reported the following results:

- 42 percent of cases had no phone number
- 22 percent of cases had payment within six weeks of contact
- \$30,000 was attributed to this effort

The county decided to try this approach again two months later. The results of this effort were:

- 10 percent of cases had payment
- \$17,000 was attributed to this effort

Benefits realized by implementing these procedures:

- Increased collections
- Improved case data on noncustodial parents
- Obligors were better educated about the consequences of non-payment
- Improved relationships with noncustodial parents
- Saves future work on cases

- Identifies cases needing modification
- Improved customer service
- Decreased arrears

**Location:** Stearns County, located in central Minnesota, has a population of 141,055 (2004 estimated). The population is concentrated in the east end of the county, in the St. Cloud area. This practice could easily be implemented elsewhere. Presentations were made to other counties around the State about this project, and State self-assessment staff has distributed this promising practice when they visited other counties.

**Funding:** Regular IV-D funds are used in combination with State and county funds for staff time.

**Replication Advice:**

- Encourage staff to try it before they decide if it is a productive effort
- Obtain buy-in from all staff involved
- Verify contact information on all calls
- Use work lists to identify cases and track cases that are part of this effort
- Consider ad hoc reports to help identify cases and track payments
- Use plain envelopes and colored paper for letters
- Identify the success of the project and relay the information to staff
- Contact the custodial parent on cases where the noncustodial parent cannot be located
- Brainstorm talking points and ways to keep the tone of the contacts non-threatening

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## **MINNESOTA REGIONAL PERFORMANCE MEETINGS**

**Goal:** To improve initial and ongoing compliance with child support orders, and prevent cases from accruing support arrears, all of which ensure that children get the consistent financial support to which they are entitled.

**Description:** The Federal Reports and Compliance Unit facilitated nine regional performance meetings across the State in June and July 2006. The focus of the meetings was how to improve collection of current support and reduce child support arrears. State regional performance advisors presented information on the factors that impact collections, and described how collections impact various areas of child support enforcement.

The meetings started with a Power Point presentation which highlighted the importance of collections and documentation in all three areas and reviewed the distinctions and similarities among the following three areas:

- the data reliability audit
- the five Federal performance measures
- self-assessment

Materials describing promising practices related to collections were distributed to the attendees. These materials were gathered from Minnesota counties and those published by OCSE in the monthly newsletter. Reports available to track collections performance at the worker, team, county, and State level were highlighted along with a goal setting tool that can be used by all involved in collections from the worker to the State.

The afternoon portion of the meetings was devoted to a facilitated discussion among the regional county attendees. This gave county line workers an opportunity to share what approaches work best in their experience and to learn about a new or different way of accomplishing better collections from their caseload.

**Results:** The feedback we received from attendees indicated the afternoon portion of the meeting was found to be very valuable. The evaluations showed that participants learned more about resources available to them that may help improve collections and that they learned new strategies from other counties that they would be able to try when they returned to the office.

**Location:** Nine regional performance meetings were held across the State, which were attended by county child support workers and supervisors and facilitated by State staff.

**Funding:** Regular IV-D funds were used in combination with State and county funds for staff time which was the only cost for this project.

**Replication Advice:**

- Allow plenty of time for peer-to-peer discussion
- Keep meeting structure informal
- Limit the number of meeting attendees
- Summarize the peer-to-peer meeting discussions and share the information with all counties

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## **MISSOURI SORT CASES TO IMPROVE COLLECTIONS**

### **Goals:**

- Improve child support collections
- Improve efficiencies/better use of resources
- Increase collections and percentage of paying cases
- Improve in Federal performance measures
- Improve data/case integrity
- Improve outcomes/results for customers
- Improve morale for staff

### **Description:**

Missouri's Family Support Division implemented a new approach to the enforcement of child support and medical support obligations. Previously, cases were divided into individual caseloads by alphabetic split. Under the new structure, cases are split into categories based upon the noncustodial parent's circumstance. Rather than individual caseloads, the cases in each category area are worked by a team of individuals. The four categories include:

- Category 1 – NCP not paying, no enforcement remedies exist (i.e., NCP is receiving SSI or TANF benefits, he/she is incarcerated with no resources, both administrative and judicial remedies have been exhausted, the NCP cannot be located, etc. These cases are monitored for changes in circumstances and/or location of NCP or NCP resources. Once enforcement action can be taken, the case moves to category 2.
- Category 2 - NCP not paying, enforcement remedies exist (i.e., the agency has taken enforcement action, however, the case has not paid for three consecutive months so it does not yet meet the criteria for Category 4; or the case has an enforcement remedy available that has not yet been completed.
- Category 3 - NCP resides in another State and interstate referral is/should be completed.
- Category 4 - NCP paying for a minimum of three consecutive months.

Missouri's Automated Child Support System (MACSS) automatically assigns cases to a particular category based upon the specific criteria. Work activities for each category are generated to the appropriate category team via system alerts, auto-generated forms and category reports.

When a case meets the criteria for a specific category, MACSS automatically moves the cases to the category without worker intervention.

**Results:**

The new approach was piloted in four of Missouri's child support offices for six months between January and June of 2006. Pilot results showed an overall average of 10 percent increase in productivity (enforcement actions taken) and a 7 percent increase in cases meeting the criteria for, and moving to, Category 4.

Statewide implementation began in October of 2006 and was completed in December of 2006. Early data from statewide implementation is beginning to show the same trend as that of the pilot.

Staff report that with the new work activity assignment, and the narrowed scope of the function they perform, they are able to accomplish tasks more timely and accurately. They are able to get to cases that need attention much more quickly, thus obtaining results the customer anticipates.

**Location:** Statewide

**Funding:** No funding needed to implement the structure; however, Missouri did receive legislative funding to contract call center services to help support the new structure.

**Replication Advice:**

- Complete comprehensive outreach to staff prior to change
- Clearly define criteria for each category to allow for as much automation as possible
- Communicate with partners such as the IV-A program, courts, prosecuting attorneys, legislators, etc.
- Identify what will be measured early in the process
- Anticipate increased workload in other arenas such as the court system, interstate referrals, hearings, etc., and anticipate the increased productivity which may result in higher postage, noncustodial parent inquiries, backlog on clerical staff, etc.
- Anticipate and deliver refresher training on work activities specific to each category

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**OHIO  
GUERNSEY COUNTY  
DRIVER'S LICENSE REINSTATEMENT NOTIFICATION**

**Goal:** Increase collections without having to utilize the driver's license enforcement technique unless absolutely necessary.

**Description:** The Guernsey County Child Support Enforcement Agency (CSEA) began including bright pink sheets of paper identifying the terms of driver's license reinstatement with the notices sent to an obligor warning that their driver's license could be suspended. Including the reinstatement requirements with the notice of CSEA intent to suspend not only advises obligors of what will be required once a suspension has been placed but also encourages them to make arrangements for payment before the driver's license is suspended. Printing this information on the bright pink paper gets an obligor's attention more than a white piece of paper.

**Results:** Guernsey County began this practice in February 2007. Preliminary results appear to be very promising. Of the obligors that were sent the reinstatement requirements on bright pink paper, 56 percent have contacted the CSEA to make arrangements to avoid license suspension.

**Location:** Guernsey County is a rural county.

**Funding:** This practice costs very little since the only additional cost is pink paper.

**Replication Advice:** This practice can be replicated in any county or State with little cost.

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# OHIO LUCAS COUNTY LIEN PROJECT

## **Goals:**

- To identify the obligors owning property that may meet the requirements for the filing of an administrative lien against the property.
- To better utilize data entry workers during the first of the month when the Support Enforcement Tracking System (SETS) is in read only mode and data entry is not possible.

**Description:** A report was generated which provided a list of default cases supplied with the SETS case number, order number, the full name and Social Security number (SSN) of the obligor. This report was offset by the existing lien database to exclude cases that already had a lien filed.

A list of potential candidates was developed for the lien project by using Microsoft Access to combine information from the Default Table, Case Management Detail Table and Address Table. A list of prisoners, SSI recipients and existing active liens was also kept. These tables were all linked using the SETS case number as a common field.

A query was generated from these tables. Criteria for the search were total arrears greater than \$1,000 and no funds on hold. We searched first for IV-D cases and did not look at arrears only cases, eliminating these cases by type. We insisted on valid addresses within the zip code range. All our listed prisoners, SSI recipients and existing active liens were eliminated. The last collection occurred more than two months before the query was run. It is also our plan to revisit arrears only cases and SSI cases at a future date.

The query generated list was checked against our county real property database. Due to incompatibilities with the county database, a manual check was performed by our employees. The county database did not contain an adequate personal identifier, so any crosscheck would yield inaccurate results.

Training was then conducted to show workers how to check for real estate and/or property that may be in the name of the obligor by using cross-references between the addresses in SETS and searches with the county recorder's system.

If any hits were found, they were routed to the Legal Department for further review and determination. The liens are prepared by the Legal Department and sent by interoffice mail to the recorder's office for filing.

Dates of the project: May – December 2006.



**Results:** In 2005, 100 liens were filed and in 2006, 166 liens were filed. Payments from a lien will be made when the property is sold or refinanced.

**Location:** Lucas County is an urban county.

**Funding:** Regular IV-D funds were used.

**Replication Advice:** This process can be replicated easily, but is still a manual review process. If the data could be easily mapped from the two different systems, then an automated match could be run periodically to pick up any new child support cases or new property transfers.

The process could be automated and run on a regular basis or data elements could be matched from separate systems.

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## **TEXAS BUSINESS PLANNING**

**Goal:** To ensure daily operations are aligned with Federal and State Child Support goals and strategies, through focused division of efforts on critical performance, to help leaders direct and monitor operations.

**Description:** The Texas Child Support Division uses an annual business planning process to optimize resources and align projects with Federal and State goals. Through business planning, projects are strategically identified, prioritized and scheduled to improve performance. Annual business planning ensures the effectiveness of operations from executive management to frontline caseworkers, and keeps all focused on common goals. The approach results in an organization which works smarter for Texas families.

The Business Planning process includes the development of program area and field office business plans which are comprised of the following elements:

- Facilitated meetings to assess strengths and challenges and to plan business projects which will achieve performance and strategic goals.
- A Planning Analysis Team, a cross-functional team which determines resource and budget estimates for all business projects. Program areas interact directly with the team to ensure detailed and complete information.
- A project prioritization tool that captures resource estimates and weighs project benefits. Project benefits, such as goal achievement and operational efficiency, are entered into the tool, and a project ranking is automatically calculated. This tool helps management prioritize projects and allows executive leadership to set priorities within available resources.
- Monthly and quarterly monitoring tools that are systematically reviewed with executive management to ensure division goals remain on track.
- Posted business plans on the intranet allow easy access and reference for all staff. Business plans serve as a guide and resource for information throughout the year.

### **Results:**

- The ability to translate the National Child Support's vision and goals into daily operation focuses the Division on achieving results.
- Resource management is maximized through a broad range of expert input and project prioritization tools. This provides for effective allocation of resources directed to the division to meet its goals, including the goal of increased collections.
- Staff involvement at all levels creates a staff focused on common goals.

**Location:** All State and regional field offices participate in annual business planning.

**Funding:** Regular IV-D funds were used.

**Replication Advice:**

- Ensure that executive management support and participate throughout the business planning process.
- Ensure that all aspects of the process are fully described and that schedules and progress reports are frequently communicated. Communication is vital to the process.
- Develop standardized tools and ensure their consistent application.
- Regularly review the process of business projects to ensure that plans and results are on track.

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## TEXAS NONCUSTODIAL PARENT CHOICES PROJECT

### **Goals:**

- Increase the amount and consistency of child support collected from non-compliant NCPs
- Increase NCP employment levels
- Reduce the rate of TANF receipt for custodial parents associated with NCP Choices participants

**Description:** Multiple agencies in Texas have collaborated to create a child support-driven employment project, called NCP Choices, which has achieved very promising results. The Office of the Attorney General of Texas (OAG), the Texas Workforce Commission (TWC), IV-D courts, and local workforce development boards each have a critical role to play in the program's success. The project is viewed by participating sites as an important vehicle for meeting collection goals, especially because it successfully targets NCPs that are both hard to serve and to employ.

In many ways, workforce and employment programs have been viewed as the solution to the challenges that low-income NCPs face with respect to finding employment and paying child support. While workforce development organizations play an important role in helping unemployed or underemployed NCPs participate in job search efforts, IV-D and judicial entities can leverage compliance in a more effective way because of one factor: noncompliance with court-ordered participation brings about consequences. The project mirrors the formula of Texas' Choices program for custodial parents. Both programs provide quality employment services combined with swift and certain sanctions for those who fail to comply with program requirements.

NCP Choices targets unemployed, nonpaying child support obligors whose children were part of the TANF caseload at any time. In November 2006, one site piloted an expansion of eligibility criteria to also include NCPs associated with families who were currently receiving Medicaid. Eligibility expansion for NCPs associated with Medicaid families was extended to all sites during the contract period, beginning in June 2007.

TWC provides funding specifically for close monitoring and weekly verification by local Workforce staff in order to assist our mutual and difficult to serve populations. Workforce staff is either housed at the courthouse or regularly attends enforcement hearings. Our judicial partners can direct NCPs to the Workforce staff person, often by name, to immediately set up their first job search appointment. Workforce staff help NCPs reach beyond low-pay dead-end jobs by providing incentives such as transportation assistance, limited job training, resume help and the opportunity to participate in mock interviews. Several sites have gone a step further – regularly scheduled compliance hearings before the

bench are written into the original language of the NCPs' suspended commitment orders. This feature sets the program apart from previous employment initiatives in which participation was strongly recommended but not necessarily written into suspended commitment order language. This helps provide a tangible motivating consequence for NCP Choices participants.

Workforce staff are present at the compliance hearings whenever possible. If Workforce staff cannot be present at the compliance hearings, they may enter a compliance report as evidence of the NCP's job search and employment activities. Testimony from Workforce staff about the NCP's efforts to find employment can help judges act quickly with motions to revoke. Motion to revoke refers to the revocation of the suspended or delayed commitment order that the judge issues, which directs the NCP into NCP Choices. If the NCP does not comply with the provisions of the suspended commitment to conduct 30 hours per week of work search efforts, the judge revokes the suspended commitment and issues a warrant for the arrest of the NCP.

<b>Local Workforce Development Board (LWDB)</b>	<b>Office of the Attorney General Child Support</b>	<b>IV-D Court</b>
Designate staff to manage project	Identify NCPs for program participation	Set docket for NCP Choices
Supply staff to enroll NCPs at court	Communicate program benefits to CPs and NCPs	Communicate program benefit to CPs
Provide NCPs with information packet and participation agreement	Set number of NCPs for participation based on LWDB capacity (varies by site)	“Swift and certain” consequences for non-compliant NCPs
Similar to CP Choices, provide 30 hours per week in workforce activities	Prepare consent/probation orders	Continuous feedback to improve program performance
Submit compliance report to OAG/Court	Track payment records for participants	
Notify OAG of employment	Submit payments/capias report to Workforce	

**Results:** The Texas Office of the Attorney General contracted with Ray Marshall Center at the University of Texas to estimate preliminary impacts of NCP Choices and to determine whether the goals were met. Results from this independent third-party evaluation, which used a quasi-experimental “next best neighbor” multivariate analysis design are straightforward:

- The monthly payment rate for NCP Choices participants is 57 percent higher than that from the comparison group.

- The amounts collected averaged \$60 per month higher.
- Custodial parents associated with NCP Choices participants showed about a 10 percent reduction in the rate of TANF receipt subsequent to program entry.
- Although comparison employment rates and wages are not yet available from Ray Marshall Center, data from the Texas Workforce Commission indicate that NCP Choices participants are employed after program entry at rates between 41 – 81 percent. The rate of employment varies by site.

**Location:** The Texas project initially began in Bexar, El Paso, Hidalgo, and Galveston/Brazoria Counties. Soon thereafter, a fifth site – Tarrant County - came up with funding to replicate the program on its own. Additionally, the Hidalgo County site is gearing up to add two more local child support units to their NCP Choices program. This project is loosely modeled on an employment program in Shawnee County, Kansas.

**Funding:** The evaluation contract is funded by regular IV-D Federal matching funds. The remainder of the project is funded by TANF funds provided by the Texas Workforce Commission.

**Replication Advice:** The program relies on child support staff regularly and consistently identifying NCPs eligible for program participation. The Workforce staff work best when they are physically present in the courtroom during the enforcement docket/compliance hearings. Judicial partners must provide swift and certain consequences for non-compliance. NCPs should be held to the same job search standards as those of the CP Choices program, which requires 30 hours of verified job search per week.

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## **VIRGINIA CELL PHONE SUBPOENA PROGRAM**

**Goal:** Virginia's Cell Phone Subpoena Program was created to provide another effective locate tool to track down some of the hardest to locate offenders for nonpayment of child support.

**Description:** In a coordinated effort between the Office of the Attorney General and the Division of Child Support Enforcement (DCSE), the project initially attempted to obtain the voluntary cooperation of cell phone companies in conducting data match processes between their customer records and DCSE. Although the project had support from staff at the Federal Communications Commission, and despite the backing of Federal and State law, DCSE's attempts at written and verbal communications with the cellular companies proved fruitless. When DCSE's attempts at written and verbal communication were unproductive, DCSE began issuing administrative subpoenas to seven of the largest cell phone providers in Virginia. In the spirit of cooperation, two companies agreed to conduct data matches without mandatory State legislation, and quarterly matches are now ongoing.

### **Results:**

- As of April 2007, 4,730 manual subpoenas have been generated to 840 noncustodial parents
- Locate information is returned to DCSE for 40-50 percent of the submitted names
- More than 375 delinquent parents have been located as a result of the subpoenas and are now paying child support
- A recent match with a cell phone company yielded information associated with 17,233 noncustodial parents, including a total of 30,714 reported cell phone numbers
- One parent who owed more than \$62,000 successfully eluded service of an arrest warrant, but was apprehended by a local sheriff at an address provided by the cellular records. During a subsequent court hearing, the delinquent parent was sentenced to 12 months in jail. After serving 34 days, he was placed on work release. DCSE issued an income withholding order, which will result in annual child support payments of approximately \$10,400 for the noncustodial parent's two children who had not received a payment since 2000.
- The program is evolving from a manual process to an automated match process. The matches have proved to be mutually beneficial, providing a much more effective and less time-consuming process than preparing and answering individual subpoenas. DCSE will continue to pursue automated matches with the additional companies.

**Location:** The practice is centralized although the program has not been fully implemented. Virginia plans to begin negotiations with two more cell phone companies to conduct data matches. Virginia understands that several other States (Delaware, California, Iowa, and Wisconsin) are sending subpoenas and/or beginning to conduct data matches.

**Funding:** Regular IV-D funds were used.

**Replication Advice:**

- Some States have passed cell phone data matching legislation in order to streamline compliance with cell phone companies.
- The major cell phone companies are inundated with requests from most States to initiate data matching processes; therefore, States should expect delays.
- Some cell phone companies have unique record layout specifications and may require States to modify their statewide system to accommodate their requirements.
- Virginia DCSE is taking a major role in forming a National workgroup designated by the Federal Office of Child Support Enforcement. The workgroup will explore the possibility of developing a standardized automated approach in working with cell phone companies. The workgroup is comprised of nine States, along with OCSE regional and central office staff.

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## **VIRGINIA EARLY INTERVENTION**

### **Goals:**

- To develop a more positive and productive relationship with noncustodial parents (NCPs) by initiating and maintaining intense communication with NCPs with a new enforcement order so that this population has a better understanding of the Child Support program.
- To prevent large arrearages from accruing and improve the ability to collect support for the families served.

**Description:** In December 2006, a specifically designed caseload was created to target NCPs with new obligations or NCPs with prior obligations, but new to DCSE. The criteria were designed to eliminate preconceptions clients may have about the child support agency or staff may have about clients based on a prior history with the NCP through prior case contact.

A caseworker was selected based on her professional and personable customer service skills and experience. The project involves the immediate contact, either in person or by phone, with the NCP. The contact with the NCP is carried out in a non-threatening and informative manner with the result of better communication and cooperation occurring immediately and over the long-term.

Good clear information is provided to the NCP about the terms of the obligation, the need to communicate with us, and the possible consequences of not paying as ordered. Barriers to noncompliance are identified and resources to assist the NCP in finding employment and other needed services are provided. NCP success in making payments is stressed, along with the positive effect on the family receiving the funds. The NCP has easy access to the child support agency through a direct line to a worker assigned to the case. There is extensive follow-up by phone and correspondence reminding the NCP when payments are due and when they have been missed, as well as contact with working NCP employers. Intense early contact provides a better opportunity to identify cases that may require a more hands-on type of enforcement such as personal reminders and follow-up to insure payment.

**Results:** During the first six months of the Early Intervention Project, the compliance figures in the area of payments made on either a current child support case or a case with arrears is higher than the State average.

The cases referred to this special caseload between December 2006 and January 2007 show the following:

- 68 cases completely new to DCSE were referred to the Early Intervention Caseload between December 1, 2006 and January 31, 2007.

- Three cases were referred to locate or to the unworkable status due to incarceration or receipt of SSI payments.
- 51 of the 65 cases (78 percent) of the remaining NCPs made a payment.
- 18 out of 26 (69 percent) unemployed NCPs made a payment during the cycle.
- 62 of the NCPs out of the 65 owed arrears; an arrears payment was received during the cycle on 43 cases or 69 percent of that caseload. This is substantially above the State average of 48.72 percent for the 2<sup>nd</sup> quarter of 2007.
- 65 percent of the current support due for the period December 1, 2006 through April 30, 2007 for the 65 cases was collected. This is above the State average of 62.01 percent for the second quarter of 2007.

Several NCPs liked the high level of attention they receive. NCPs are making regular use of the direct telephone number supplied to provide employment information and inform the child support agency when a payment will be made, if wage withholding is not available. These new techniques seem to be effective with NCPs who are unemployed or self-employed.

The early intervention worker can immediately identify NCPs who have not shown any commitment to even attempt to pay as obligated. Instead of the delays that can occur with referring these types of cases to court in regular caseload situations, action can be taken within 120 days of referral to the caseworker. The early intervention worker is initiating the court action before the caseload is transferred to the general enforcement caseload to prevent further delays that allow higher arrearages to accrue. He is also able to identify to the general enforcement worker cases where some payment has been made in the early part of the cycle, but the NCP reports barriers or advises he will make a payment in the future. This allows the general enforcement worker an opportunity to create a trigger to review in 30 to 60 days and if necessary initiate further enforcement such as court referral. This proactive action prevents the case from falling between the cracks and delaying action before the debts become overwhelming. The early case referral to the court for action may be the catalyst to get an individual on the right track, before interest increases the debt.

The early results show the child support agency learns about new employment or about terminated employment in a timely manner. It appears that NCPs are paying directly in more instances until payments begin to be withheld from their wages. The project is in the early stages. Early outcomes show NCPs, without regular employment, are paying themselves in more instances than if they had not been included in the early intervention caseload.

**Location:** Lynchburg Virginia District Child Support Enforcement Agency, which is responsible for providing services for 10 localities and manages in excess of 17,000 cases with 45 employees. Other Virginia District Offices are using early

intervention strategies with various methods and criteria. There are also similar initiatives in other States, one being Colorado.

**Funding:** Regular IV-D funds were used.

**Replication Advice:** The selection of the right type of person to manage this type of caseload is crucial. The person must be personable, yet professional, and truly committed to the idea of relationship building with these NCPs. The caseload requires someone who is always proactive and self-motivated since it requires a lot of follow-up to make this work. This project is new, but the early results are positive.

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## **WASHINGTON USE PERFORMANCE ANALYSTS TO MAXIMIZE RESULTS**

**Goal:** To maximize performance results in all measures, through the creation of a performance analyst specialist job description.

**Description:** To focus efforts on performance across many staff in multiple offices, each working a variety of processes, each with different sets of clients, requires several key components working together to achieve successful results. Some of those components include:

- reliable and robust data management tools
- strong commitment to staff training, and
- technology supports to enable staff to complete high volume work accurately and efficiently.

But even with all these supports, gaps in performance arise at various levels of the organization. Performance Analysts help focus on finding and filling those gaps with their specialized skills and knowledge. There are 10 field offices and a Headquarters Central Services Unit that now have Performance Analysts.

The Performance Analysts provide performance support to management and staff working toward the common goal of improving performance. These positions are typically filled as competitive promotional or development job opportunities from strong performers within each office. The overall benefit of sharing their wealth of knowledge and skills to the office and division as a whole has been beneficial and well accepted.

Some of the roles and responsibilities of the Performance Analyst in each office include:

- Provide office leaders and supervisors with a consistent, reliable resource for evaluating performance, identifying gaps, identifying training needs, and assisting in data-based decision-making;
- Assist office in identifying correlations between actions taken and results achieved;
- Develop and design charts/graphs to demonstrate performance throughout the office;
- Analyze performance tools and work data integrity reports and caseload reviews;
- Assist in the development of auditing tools to assist work units and lead workers;
- Serve as Quality Assurance consultant to supervisors and lead workers, with a data integrity and reliability focus;

- Share lessons learned and best practices across the offices by active involvement in monthly Performance Analyst Peer Group meetings;
- Prepare and participate in office Government Management Accountability and Performance (GMAP) presentation reviews before senior leaders, as well as encouraging intra-office GMAP performance efforts.

**Results:** Performance measures shift due to a variety of reasons – the economy, new initiatives, additional legislative tools, enhanced technology. After experiencing a few years of marginal performance growth (even a decline in some measures), we note the enhanced performance results achieved between FFY05 and FFY06 since the increase in emphasis on performance management at all levels of the organization.

Measure	FFY05 Year End Result	FFY06 Year End Result
Paternity Establishment	95.2%	98.0%
Order Establishment	89.5%	89.9%
% of Current Support	63.3%	64.3%
% of Arrears	66.1%	67.4%

**Location:** Statewide

**Funding:** Regular IV-D funds were used.

**Replication Advice:** Ensure you have strong data management tools in place first, hopefully those that provide timely results down to the actual caseworker or office level. Create a fear-free work environment where continuous learning is the focus. Start slowly. Make sure best practices and communication can easily flow horizontally and laterally through the organization and across offices, not just up and down the chain of command.

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