

HRA Office of Child Support Enforcement Overview



Human Resources
Administration
Department of
Social Services

Single Parent Households in Poverty

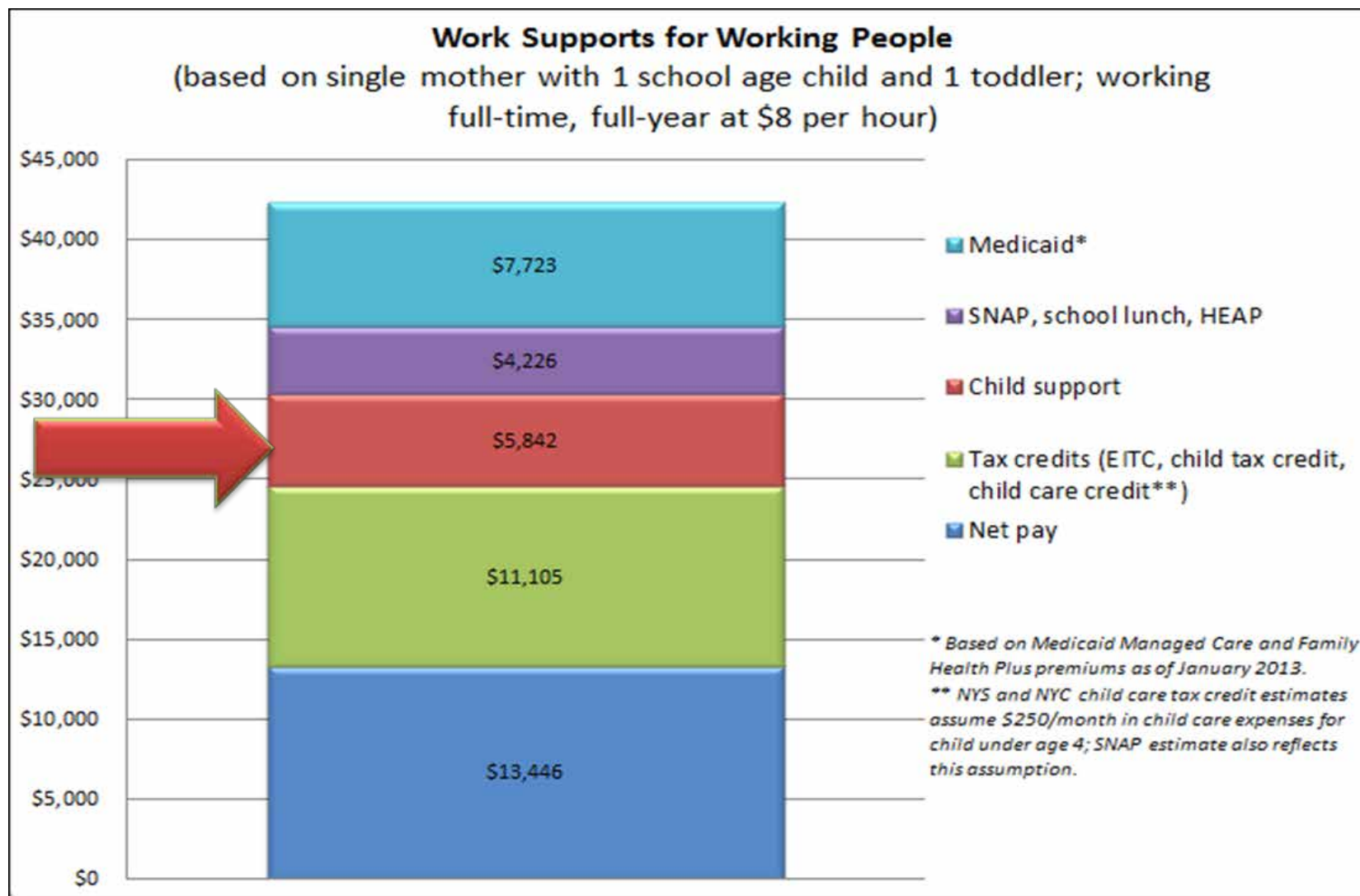
As of November 2011, 41% of children are born out of wedlock nationwide; in NYC it's about the same

In NYC, more than 40% of children living in single-parent households live in poverty, compared to 19% of children living in households with married couples

The Child Support Program is among the strongest anti-poverty programs in the nation

HRA's Office of Evaluation and Research estimates that approximately 200,000 low-income children living in single-parent households below 150% of the federal poverty level are not connected to the Child Support Program

A Strong Anti-Poverty Program



Child Support Makes a Difference

Nationwide, poor custodial families who receive child support collect \$4,503 on average, representing 52% of the average income of poor custodial parents

For 2014, in NYC, the average amount collected across all families who received a payment was \$6,181.

We Have Changed

The Child Support Program has evolved over time from a cost-recovery program to pay back cash assistance to a program that recognizes the value of having both parents involved in a child's life

We Have Learned:

Child support payments can provide economic stability for low-income families to help them to become self-sufficient

Having both parents involved in a child's life improves outcomes on every socio-economic and emotional level

Noncustodial parents have barriers to complying with their child support obligations and need assistance

Common Misconceptions

Despite this change, the program is still often misunderstood by parents and community-based organizations. These views negatively impact CP and NCP participation in the program:

“The government retains all the collections”

“They care solely about custodial parents”

“They care only about enforcement”

“They only garnish wages from NCPs with debt”

The Facts



**92% OF COLLECTIONS ARE
DISBURSED TO FAMILIES**



WE ARE CHILD FOCUSED

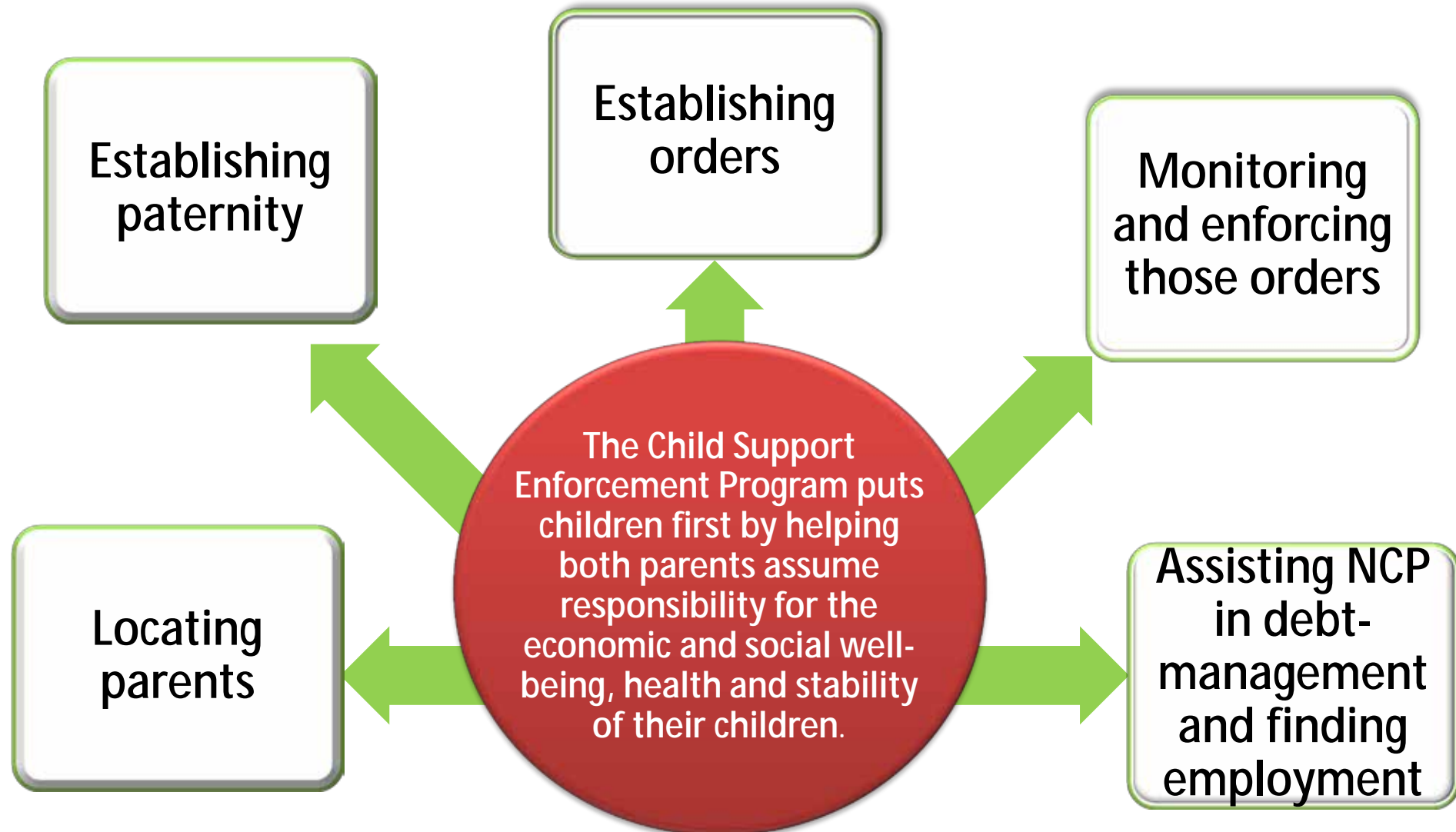


**WE HAVE MANY PROGRAMS
TO ASSIST NCPs**



**ALL NCPs WITH
EMPLOYMENT HAVE THEIR
WAGES GARNISHED**

The Mission



Who Do We Serve?

Cash Assistance Clients

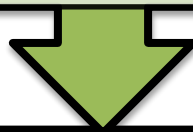
Eligibility for benefits.

At OCSE Borough Office.



Non-Cash Assistance Clients

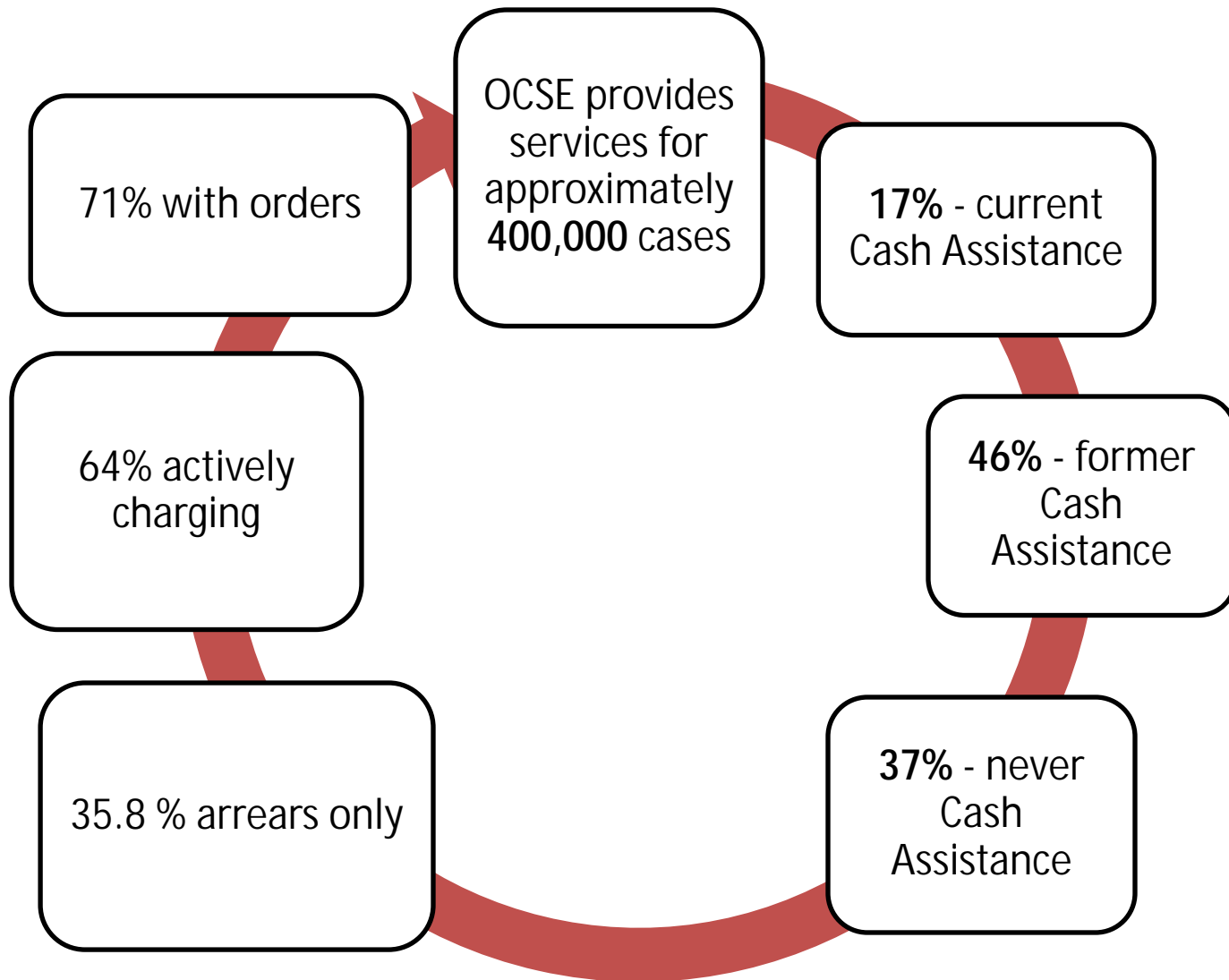
At their local family court.



All families

Regardless of income or immigration status.

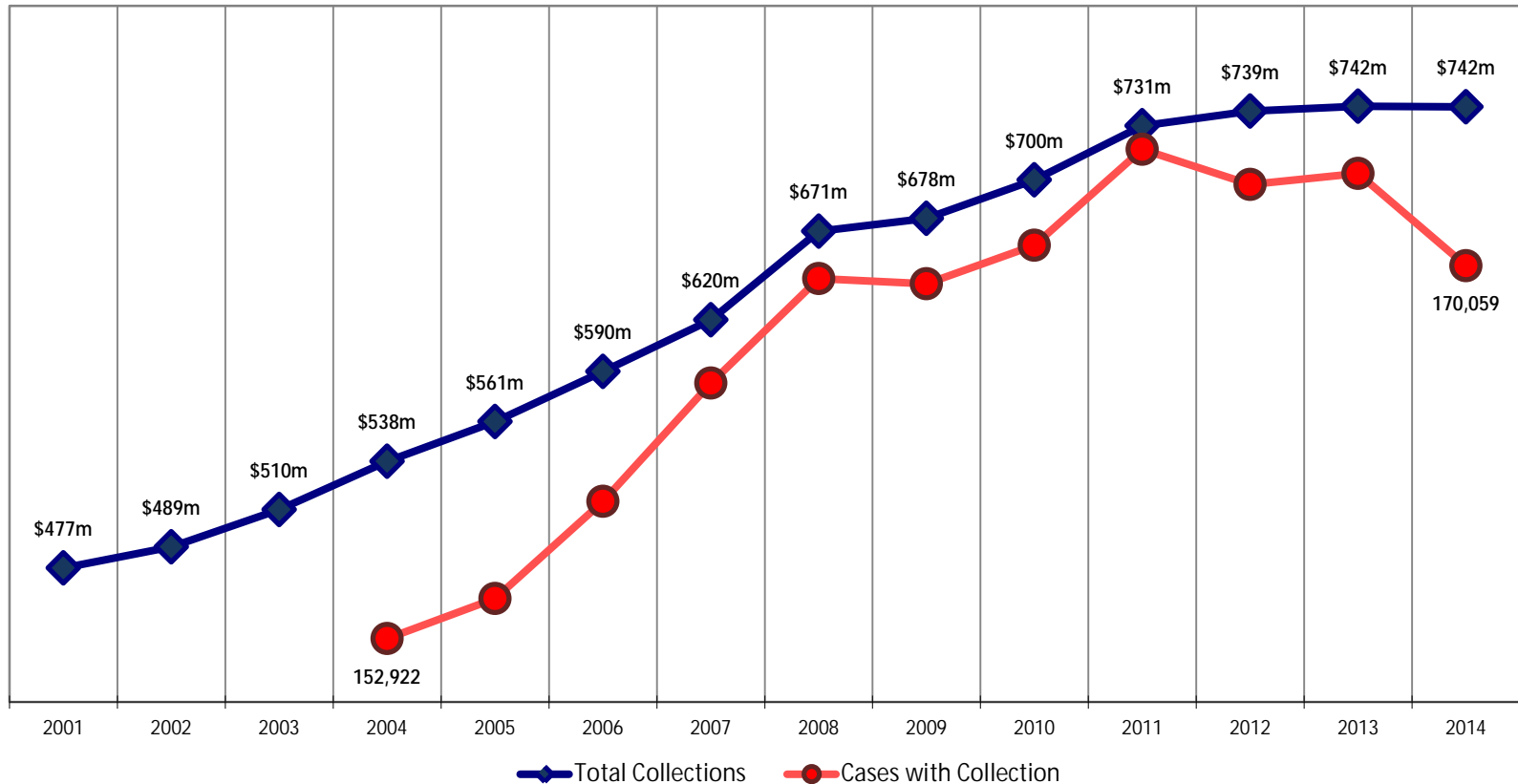
Caseload Overview



How Well Do We Do?

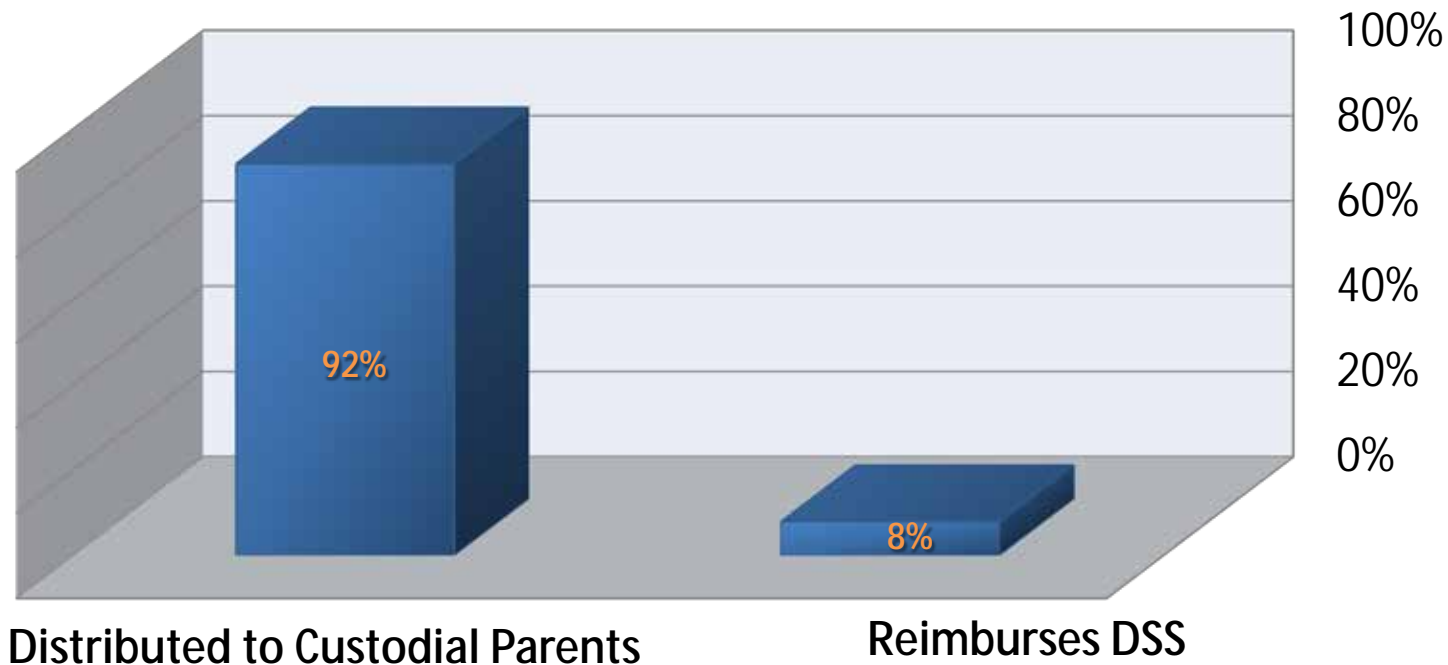
Total Collections & Cases with a Collection

CY 2001 - CY 2014



Source: OCSE 157 Report

Most Collections Are Distributed to Custodial Parents



Cash Assistance Families

Families on Cash Assistance receive:

The first \$100 (for 1 child) or \$200 (for 2 children or more) of current support collected, in addition to their cash grant.

Borough Demographics

Manhattan

- 52,377 cases
- 34,416 orders
- \$72.4 million collected in 2013
- \$3,871 average collection in 2013
- 54.7% of cases made a payment in 2013

Bronx

- 124,928 cases
- 72,667 orders
- \$149.5 million collected in 2013
- \$3,534 average collection in 2013
- 58.6% of cases made a payment in 2013

Brooklyn

- 114,300 cases
- 73,618 orders
- \$166.4 million collected in 2013
- \$3,904 average collection in 2013
- 58.2% of cases made a payment in 2013

Queens

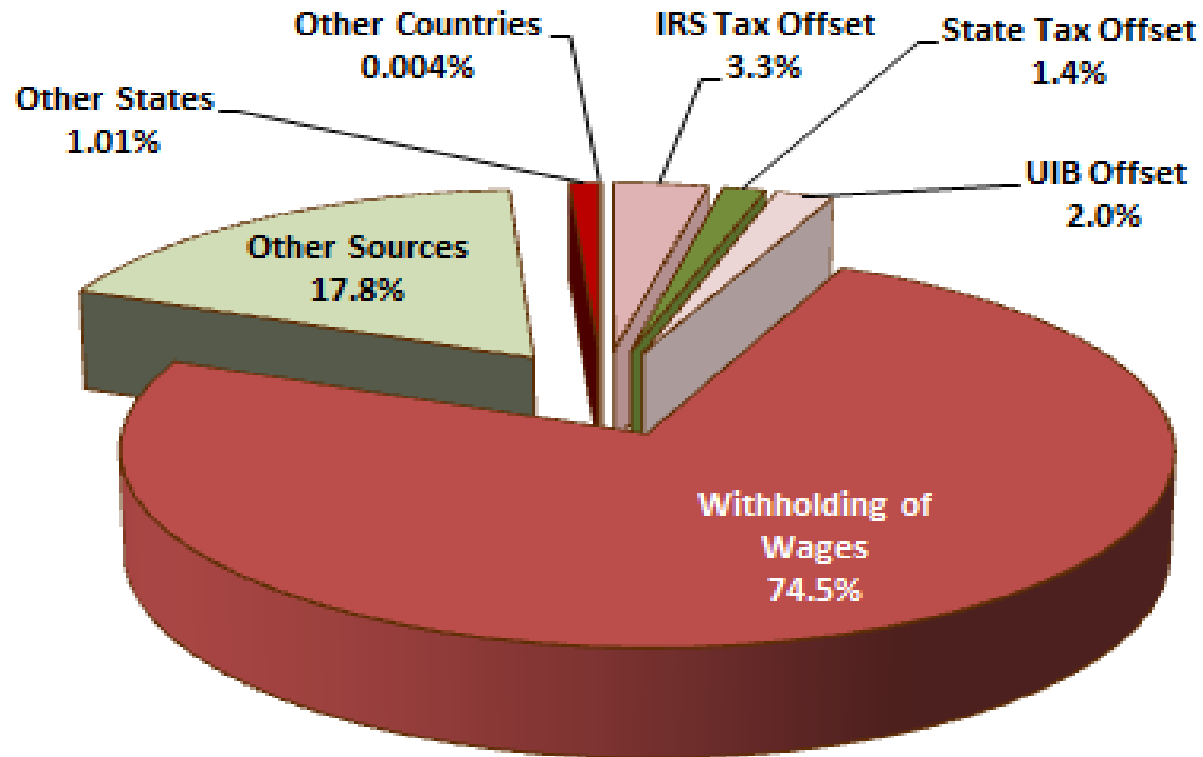
- 68,260 cases
- 44,544 orders
- \$130.4 million collected in 2013
- \$4,700 average collection
- 62.5% of cases made a payment in 2013

Staten Island

- 15,592 cases
- 10,548 orders
- \$31 million collected in 2013
- \$5,012 average collection in 2013
- 59.1% of cases made a payment in 2013

This chart represents only the data for which we have borough-specific information. It does not represent our entire caseload

Where the Money Comes From CY 2014



*Other sources include but not limited to:

Collections received from administrative enforcement in interstate cases; Payments received directly from non-custodial parents; Collections received through the IRS' full collection process, and Collections received through the Financial Institution Data Match.

Support from the Father Makes A Difference

Studies show that when fathers are actively involved in their child's life, children are better off because they are:

- More likely to finish high school
- Less likely to use drugs
- Less likely to have behavioral problems & involvement with the criminal justice system
- Less likely to become a teen parent

Paternity Establishment Benefits the Child, the Mother and the Father:

Mother

- First step in establishing a child support order
- Shared parental responsibilities

Child

- Legally connects the child to the parent
- Information about family medical history
- Ensures inheritance rights to benefits (medical insurance, veteran's benefits, military allowances, death benefits)

Father

- Gives the NCP the right to custody and visitation and a voice in decisions concerning issues such as adoption or medical care

How Are Orders Established in New York?

NYS is a judicial state, meaning orders are established in court

Orders are based on the income of both parents and subtract:

- NYC taxes
- Social Security and Medicare deductions
- Child support or spousal support orders paid to another family

Orders are formula-based depending on number of children:

- One child = 17% of income
- Two children = 25% of income
- Three children = 29% of income
- Four children = 31% of income
- Five or more children = 35% of income
- **Orders may also include an additional amount for child care and education expenses**

An Alternative to Court: Cash Assistance Agreement Program (CAAP)

Some
parents find
the court
process
adversarial

Offers a
supportive
environment
for parents
to establish
an order
outside of
court leading
to increased
compliance

Establish
paternity,
child support,
and medical
support
orders at
OCSE
Customer
Service Walk-
in Center

Cash
Assistance
families only

CAAP Benefits

Process
is
faster

Child
support
order
amount
should
be the
same

NCP may
owe less
child
support
up front
through
CAAP

Opportunity
to ask
questions
during CAAP
interview

Leave with an
understanding
of child
support, the
process and
how it can
help

CAAP Results and Challenges

- Only 24% of noncustodial parents show up for their appointments
- Those that show do not bring proper documentation
- 533 agreements since inception

Parent Pledge Program

Opportunity for parents to come together outside of court to discuss child rearing and financial support

Create child support and parenting agreements in community-based setting with a trained mediator

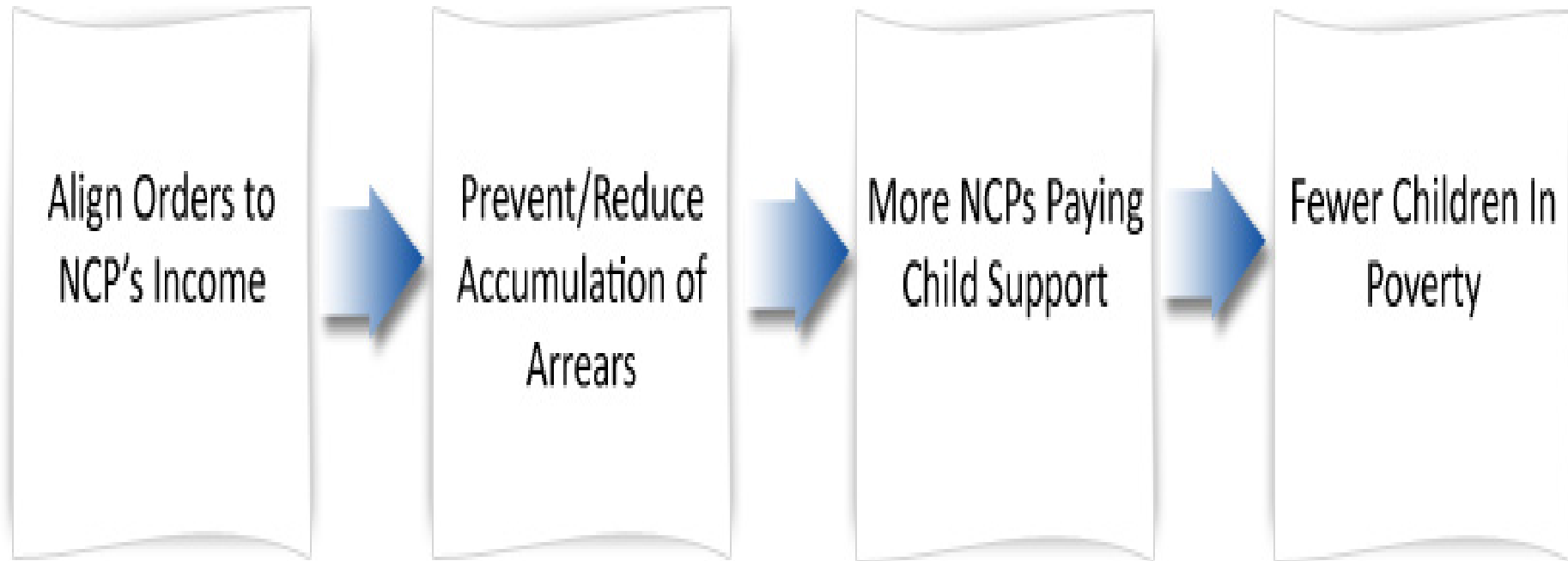
Opportunity to request OCSE services if NCP fails to comply with agreement or mediation is not successful

What If the NCP Can't Afford to Pay?

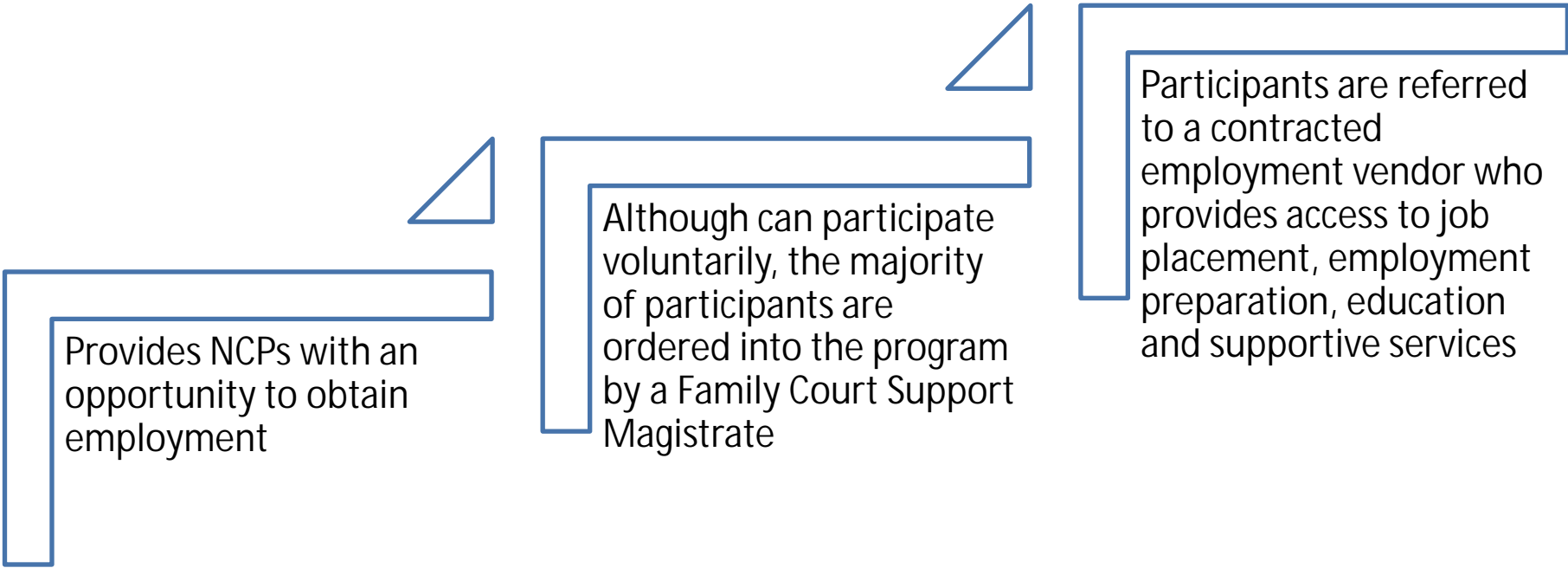
Minimum
and poverty
orders are
"safe guards"

Orders can be
modified if
income
changes

Programs and Services for NCPs



Employment Services for NCPs: Support Through Employment Program (STEP)

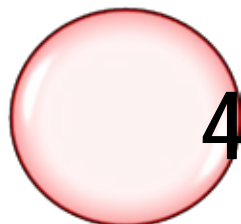


Provides NCPs with an opportunity to obtain employment

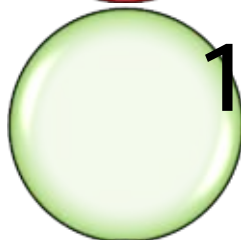
Although can participate voluntarily, the majority of participants are ordered into the program by a Family Court Support Magistrate

Participants are referred to a contracted employment vendor who provides access to job placement, employment preparation, education and supportive services

STEP in 2014



4,100 referrals



1,019 Job Placements



\$2.5 million collected from
2014 referrals



\$42 million collected in 2014
from all parents ever referred

Debt Reduction Programs

- These programs:
 - Align orders to NCP's income.
 - Prevent/reduce the accumulation of arrears.
 - Help NCPs pay their child support.

Modified DSS
Order

DSS Arrears
Cap Program

Arrears Credit
Program

Debt Reduction Programs

Modified DSS Order

- For NCPs with current support obligations payable to DSS.
- Currently receiving CA, SSI or Medicaid and income falls below the Self Support Reserve.
- Allows NCPs to lower their monthly obligation without having to return to court.
- In 2014, 216 NCPs had their orders reduced by an average of 89% taking the average support order from \$357/month to \$32/month
- 65% paid child support nine months after enrolling compared to 43% who did after enrollment

Debt Reduction Programs

DSS Arrears Cap Program

- For NCPs with arrears owed to DSS.
- Arrears must have been built up while income was below Federal Poverty Level.
- Arrears owed to DSS can be reduced down to a max. of **\$500**.
- Since inception in 2008, 2,884 participants had arrears owed to the government reduced by 67%
- 62% of NCPs paid toward debt compared to 54% who did before enrollment
- 600+ participants have now paid their outstanding debt in full resulting in collections of \$7.3 million

DEBT REDUCTION PROGRAMS

Arrears Credit Program

- For NCPs with arrears owed to DSS.
- May qualify for up to a **\$5,000 credit** toward DSS arrears after consistent and full current child support payments for one year.

Enforcement

If an NCP does not pay child support, they are subject to OCSE's administrative enforcement actions

If parents' financial circumstances change, either can request to modify child support orders at Family Court

There are legal protections for NCPs that earn below the State Self-Support Reserve (\$15,755) and those earning below federal poverty level (\$11, 670) are exempt from some enforcement actions

Administrative Enforcement Actions

Completed without court approval (largely automated)

Multiple actions can occur at one time

- Examples are driver license suspension intercept federal and state income tax and lottery, seize bank accounts, order amount increased by up to 50% (= "Add Amount").

In most administrative actions, a notice will be sent to the last known address of the non-custodial parent

- Explains the enforcement process
- Provides a timeframe for compliance
- Provides the due process instructions and criteria to challenge the enforcement action

Judicial Enforcement

Administrative enforcement actions have been exhausted, NCP does not comply

Actions that only the court can initiate.

CA cases initiated by OCSE

NCA cases initiated by CP

Problem Solving Court

Parent Support Program is a partnership between OCSE, NYS Family Court, and Center for Court Innovation to serve low-income NCPs summoned to Brooklyn Family Court for violation of their child support order

NCPs are referred to a contracted employment vendor for access to job placement, employment preparation, education and supportive services

Since inception in 2011, 304 NCPs have participated; 105 graduated; and 70% are actively paying child support since enrollment

A Graduate's Perspective



I would just like to take a moment to reflect on my experience with the Parent Support group, and acknowledge how much it has helped me to become focused and more responsible. I initially looked at the situation as a hassle and a waste of time because of the fact that I had to report to court so often. But the experience has taught me the value of holding myself accountable, and that there is no change of progress without a substantial amount of uncomfortability to challenge us to thrust ourselves into a more productive situation. I would like to thank Ms. Chavez for her continued inquiries and support, which was a constant source of motivation. I would also like to thank the judge for his patience and understanding with me and thank you both for believing in me and helping me tap into my untapped potential. I look forward to continuing on an upward journey that will help me evolve into a better man and a better father. Thank you for everything.

Additional Information/Assistance

Ø **Help Line:** (888) 208-4485; TTY (*Hearing Impaired*): (866) 875-9975

Ø **Automated Account Information Line:** (800) 846-0773

Ø **Websites**

nyc.gov/hra/ocse (*HRA OCSE web page*)

childsupport.ny.gov (*access personal account information*)

nyc.gov/html/hra/nycdads/html/contact/contact.shtml (*NYC Dads contact page*)

Ø **Videos**

<http://www.youtube.com/user/HRANYC>

Ø **Links to Other Materials**

Handbook for Custodial Parents

http://www.nyc.gov/html/hra/downloads/pdf/services/child_support/custodial_parents.pdf

Handbook for Noncustodial Parents

http://www.nyc.gov/html/hra/downloads/pdf/services/child_support/noncustodial_parents.pdf

Manage Your Child Support (Debt-Reduction Programs)

http://www.nyc.gov/html/hra/downloads/pdf/services/child_support/manage_your_child_support.pdf

