

Mark Takayesu, Orange County Department of Child Support Services; Santa Ana, CA (U.S.A)

Setting Appropriate Child Support Orders to Increase Future Compliance and Payments

The Research Unit of the Orange County Department of Child Support Services, located in Santa Ana California produced the first empirical guideline based study measuring the influence of setting child support order amounts on future child support compliance and payments. The caseload analysis is based on child support payments for 102,332 child support cases encompassing 142,730 children in the State of California child support caseload. The study determined setting orders based on Fictional income of Non-Custodial Parents (NCP) ("imputed" income when no actual income was available) based on full-time monthly minimum wage amount (\$1,387) produced little or no future child support payments for the next 12 months following the establishment of the order. The use of orders based on Fictional income negatively impacts payments and does not lead to better order compliance or increases in support paid. Emphasis on these cases must be on identification of income sources. The hope of "if you set it they will pay" is not supported by this study. Further analysis of compliance and payments indicate if new orders are set higher than 19% of the NCP's gross income, the NCP will make inconsistent payments and fall into arrears. Modifying existing orders has the benefit of increasing compliance through lower and no-change modifications and increasing collections through upward modifications in future months. Results of studies such as this one leads to broader policy considerations to focus on using Factual income to set initial orders, establishing appropriate orders and modifying existing orders to increase payments and reduce arrears growth for the NCP. This research also acts as a springboard for future research in other factors influencing child support compliance and payments such as personal barriers to payments (i.e. effect of education, incarceration, degree of family participation, etc.).