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Finance Subcommittee on Health and Human Services

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Testimony of Amy Roehrenbeck, Esq., Executive Director, Ohio CSEA Directors' Association HB49

Chairman Romanchuk, Ranking Member Sykes, and members of the Subcommittee, thank you for the opportunity to present testimony on HB49. My name is Amy Roehrenbeck, and I am the Executive Director for the Ohio CSEA Directors' Association (OCDA). OCDA is a membership organization of county child support enforcement agencies (CSEAs), dedicated to strengthening Ohio's child support program.

Nationally, the child support program includes one in every five children, but in Ohio, that number is one in every three. Our program not only serves large numbers of children, but we also serve them for long periods of time, often from infancy to emancipation, and beyond. We have roughly 941,000 child support cases here, and we provide services to families of all types, from divorcing parents, to unmarried parents, to caretaker relatives, and others. The child support program encourages responsible parenting, family self-sufficiency, and child well-being by providing services to locate parents, establish parentage, establish child support and medical support orders, collect support, modify orders when circumstances have changed, and enforce orders that are not being paid.

The child support program is a highly cost-effective program. For every dollar spent on our program, we collect \$8.25 in child support (much higher than the national average of \$5.33). We also reduce government costs in other public welfare programs, though cost recovery and cost avoidance. In FFY16, we returned \$23.3 million to the state in assistance reimbursement, and \$19.7 million to reimburse Medicaid.

We are a program that pays for itself, and helps to reduce costs in other social welfare programs. Our state allocation, however, has been flat-funded at \$23.8 million since FY13. Any additional state investment in our program would allow us to draw down two federal dollars for every local dollar spent. Investment in our program makes both

financial and budgetary sense. I would like to highlight some of the work being done by local CSEAs, and discuss how we can modernize our child support program.

First, more children today are born outside of marriage, and Ohio's out-of-wedlock birth rate is 40%. Our child support enforcement agencies were able to establish parentage on 56,416 children in FFY16. This link can provide a biological, emotional, and financial connection between a father and a child, and provide a legal basis for a child support order. Children need two involved parents, and there is evidence that children benefit greatly when both parents are actively engaged in their lives.

After parentage has been established, parents can seek orders for child support and medical support. Child support payments have a huge impact on child poverty, and are an important source of financial help for poor families. Child support provides single parents with a source of income that they can use to help them go to work. Among single mothers who would otherwise would have been on welfare, receiving child support increases their likelihood of working. Child support also benefits children's educational outcomes, reduces the risk of child maltreatment, and increases parental involvement among nonresidential parents.

Parental involvement is key, and once parentage is established, a parent can also seek a parenting time order. In most counties, this is effectuated through a court filing, but for county CSEAs participating in the Parenting Time Opportunities for Children grant, this can be done at the CSEA during the administrative support process. For the grantee counties, this option is cost-free, and open to parents that agree on a standard parenting time schedule. Ohio is just wrapping up this grant program, though some of the counties will be able to continue it beyond the expiration of the grant.

Once the child support order is in place, the CSEA will administer the order and work to ensure that the support is being paid consistently. To do this, we depend on our statewide tracking system (SETS), which is an outdated mainframe system with a COBOL programming base that was launched almost 20 years ago. SETS works well for payment processing, but does not work well as a case management system, and does not integrate well with other JFS automated systems. As a result, many county CSEAs are using case management databases outside of our system to effectively manage their ongoing casework. Funds were not appropriated in HB49 for a SETS replacement or even upgrade, and with each day this conversation becomes more pressing.

Through the efforts of the county CSEAs, \$1.8 billion was collected in child support in FFY16. 79% of the money collected comes from employers, and they are an important partner in the child support program. We recognize the critical link between parents working in the above-ground economy and the consistent payment of child support. At the same time, however, we had 93,554 cases with no collections whatsoever in FFY16. What can we do to address this population of cases?

HB49 includes rule-making authority for ODJFS to expand the voluntary population for the Comprehensive Case Management and Employment Program (CCMEP). Many of our counties are already looking to their child support agencies for program participants who need assistance in addressing barriers, finding employment, and becoming successful. We are all working toward the

same outcome for these families, and we believe including our 16-24-year old obligors in the CCMEP program could be very beneficial. This could be one strategy to address non-payment.

CSEAs also utilize early intervention strategies with parents, working to engage them from the outset of a case. This can include one-on-one case conferencing, linking parents with resources for employment, connections with fatherhood and parenting programs, reentry programs, transportation, mental health services, as well as alcohol and drug counseling, and others. Many CSEAs have focused efforts on more personal contact with parties, in lieu of letters and notices that may not be read. If parents are involved and understand the process, they are more willing to be an active participant and stay in touch with the CSEA.

Over the past few years, there has also been a focus on right-sizing child support orders—modifying orders to reflect current incomes and situations of the parties—and more of a focus on the ability to pay (i.e. moving away from imputing an income to someone that is not realistic). Child support orders can be reviewed every three years, or sooner, if a party meets one of the required factors.

When these efforts prove unsuccessful, the case moves into enforcement. CSEAs have a continuum of enforcement strategies available to address non-payment of support. These include administrative remedies, such as tax refund offset, casino/racino intercepts, bank account freeze and seize, passport and license suspension, and others, as well as court actions, from civil to criminal contempt, as well as misdemeanor or felony prosecution. Sometimes just one enforcement strategy can work and yield payment, and at other times, multiple strategies are used to collect support.

Two of our county CSEAs (Franklin and Cuyahoga) have been involved in federal grants to address behavioral interventions in child support, which explores how to better understand individuals' behavior and decision-making ability when it comes to child support. This involves reviewing our practices and processes from a client's perspective, to identify service bottlenecks, and develop interventions that would better serve our clients. One of our other county CSEAs (Stark) just wrapped up a federal grant program to link obligors with employment services and parenting classes, and strategies from this grant program are being pushed out nationwide. Planning is underway for yet another federal grant called Procedural Justice Alternatives to Contempt, which is a five-year project that seeks to increase parents' compliance with child support orders by increasing trust and confidence in the child support agency and its processes. The goals are to increase reliable payments, reduce arrears, minimize the need for continued enforcement actions and sanctions, and reduce the inappropriate use of contempt. Only six grants were awarded nationwide, and Ohio received two of them (Franklin and Stark).

Through these grants, as well as county initiatives and partnerships, we are working to modernize our child support program to better serve families and provide efficient, streamlined case processing. Some of these efforts will require legislative action and we need your assistance with the following:

- First, we have two major pieces of legislation that are priorities for us. The first is SB70, which was introduced in February of this year by Senator Coley, and is a non-controversial bill to

tweak and streamline our administrative processes. These processes are a cornerstone of our program, allowing us to use a quasi-judicial process to provide cost-free services to families to establish paternity, child support and medical support, as well as modify and enforce orders, and terminate orders. This frees up court dockets, saving their time for cases that are more complex or contested. We use these processes every day, but since they have been piecemealed through legislation over time, there are inconsistencies and loopholes that need to be addressed. Passing SB70 will create better consistency county to county, streamline the processes for families, and increase efficiencies for our CSEAs, while not affecting the substantive rights of the parties.

The second major piece of legislation addresses the numbers, methodology, and manner by which we set child support orders in Ohio. Our child support tables and calculation worksheets are in the Revised Code, and therefore need legislative action to update them. Our tables are a quarter of a century old now, and are based on economic data from the 1980s. Our current methodology inflates orders for low-income parents, and creates orders that are likely too high for that demographic. Child support orders for middle to higher income levels are not accurately reflecting what it costs to raise a child and need to be adjusted upward. Additional adjustments need made with regard to cash medical support, health insurance responsibility, daycare credit, and multiple family issues. Legislation will be introduced shortly to update Ohio's child support guidelines, and this update is a critical and necessary modernization of our guidelines. This update also allows us to move the guideline tables and worksheets to the Ohio Administrative Code, so that they can be subject to five-year rule review, and we can make adjustments in a timely manner based on economics, family structures, and other changes. We also have recent final federal regulations that will require these changes in our program.

- Second, we ask for your consideration regarding an increase to our state match allocation line item, 600502. Our program has been flat-funded for five years, and any additional investment in our program could allow us to draw down two times that amount from the Federal government. This investment could come as additional dollars in our state match allocation, or could also be targeted toward modernizing our outdated technology. We need funding for replacement or upgrade to our statewide system, SETS, to provide case management tools that can benefit all CSEAs. To help us better interact with the families we serve, we also support the creation of a mobile application to make it easier for our program participants to communicate with us and expansion efforts for our Child Support Web Portal.
- Finally, we ask for continued flexibility in funding for local counties. As I noted above, any additional dollar invested in the child support program enables us to draw down two from the Feds. Flexibility allows dollars to be moved between programs, based on local discretion and need. This flexibility has been critical for some CSEAs to stay afloat, absent any new investment in the program. We would ask that this flexibility continue, especially in light of the proposed rule change to the state match allocation.

Ohio's child support program is a highly cost-effective, efficient, and steadfast program. Thank you for your continued investment in our program, and for support of legislation that positively impacts the work we do for over a million children in Ohio. I appreciate your time today and am happy to answer any questions you may have.