



DEPARTMENT OF JOB AND FAMILY SERVICES

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Senate Judiciary Committee
Interested Party Testimony of Sarah E. Fields, Esq.
Montgomery County Department of Job & Family Services- Child Support Enforcement
SB37
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Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Committee, thank you for the opportunity to provide Interested Party testimony on SB37 on behalf of the Montgomery County, Department of Job & Family Service Child Support Division. My name is Sarah Fields, and I am an Assistant Director with the Montgomery County Department of Job & Family Service, and in this role, I oversee the Montgomery County Child Support Enforcement Agency (MCCSEA). I have been in this role for over 10 years, and a child support professional for over 20 years. I am also a member of the Ohio CSEA Directors’ Association and served on their Executive Board for many years including a tenure as Board President for 2020 and 2021. I have also served on the OCDA Legislative Committee and am a member of both the Ohio State Bar Association’s Family Law Committee and the last 5 Ohio Child Support Guidelines Councils.

In Montgomery County, we have over 44,000 open child support cases and serve 55,000 children. This is the 5th largest caseload in Ohio. In Federal Fiscal Year 2022, we collected over \$92.4 million including \$2.8 million at our lobby payment window. We are the leading Metro County in collections on overdue support and rank 2nd in the Metro County category for current collections. I believe we achieve this success due to our careful use of the many administrative enforcement tools available to us. One of these enforcement tools in the subject of the legislation before you- Drivers’ License Suspension. I would like to take the next few minutes to talk about how Montgomery County utilizes this powerful tool to collect child support for children and families otherwise not receiving support. While I can only speak to the specifics of how Montgomery County uses this tool, I believe we are fairly indicative of other Ohio counties as the license suspension and reinstate requirements are mandatory for all counties in Ohio should they chose to utilize license suspension.

Montgomery County’s license suspension process begins with a thorough review of the case beginning with the payment history. Have we received less than 50% of the obligation for at least the last 3 months? Next, an Obligor must be in default to be eligible for license suspension. The default process afforded the Obligor notice and an opportunity to be heard on the issue of non-payment prior to the default finding becoming final. It also lists all the enforcement remedies that are possible in their case. The default process includes an opportunity for judicial review should the Obligor disagree with the Agency’s determination. We next look to ensure that to the best of our knowledge the Obligor has

never provided any type of medical evidence or is receiving any type of benefits that would preclude suspension. We also attempt to reach out to the Obligor by phone to discuss their case. Once this review is completed, we issue the required pre-suspension letter.

The pre-suspension letter is what we hope will grab the Obligor's attention, and it often does. It informs them that their case is eligible for suspension, but most importantly, it explains how they can avoid suspension and encourages them to contact their local agency within the next 14 days. This 14-day period is consistent with other statutory objection periods across the child support program. If they contact us, we can offer them several options to come into compliance. These include setting up a short-term payment plan, making a payment equal to at least 50% of the obligation for the last 3 months, reporting new employment or other withholding source, providing medical documentation if they cannot work, or entering a family support program. In Montgomery County, we have several eligible family support programs including our Fatherhood Program, our Reentry Program, and our Seek Work Opportunity Program (SWOP). Our Seek Work Program is a very robust and successful partnership with our Work Force Division. With confidence I can say that participants in this program will find employment if they truly desire to do so. If the Obligor avails himself of any of these options, the license will not be suspended. We will often delay suspension for an Obligor with evidence of an employment lead such as an upcoming interview or a letter from a potential employer as well.

As I mentioned above, our hope is that the pre-suspension letter will grab the Obligor's attention, and it often does. In the last 6 months of 2022, Montgomery County issued 2,012 pre-suspension notices. We received 428 payments and collected over \$145,000 in conjunction with those pre-suspension notices. In 2019 (the last full year prior to the pandemic), Montgomery County issued 5,231 pre-suspension notices and collected \$465,643.65 because of those notices. It should be noted that these payments are most often going to families who have not received any payments for at least 6 months, if not longer.

Unfortunately, the pre-suspension letter does not always have the desired effect, and we then move forward with license suspension. Once suspended, the license can be reinstated with all the options listed above. The only difference is the payment option which now requires a payment equal to the full obligation (as opposed to 50%) for the last 3 months. Once again if the Obligor agrees to participate in one of our family support programs, we will reinstate. We will also often reinstate with a letter from an employer who promises employment if the Obligor regains their license. Our goal is to work with the Obligor to secure stable, reliable support payments for the family. Again, our statistics show that license suspension is a successful leverage tool. In the last six months of 2022, Montgomery County suspended 1,563 licenses. We reinstated 1,631 licenses and collected \$240,582 from those suspensions. In 2019, we suspended 2,815 licenses, reinstated 3,328 licenses, and collected \$636,425.48 in payments associated with those reinstatements.

I'd like to note a few more things from the "boots on the ground" view of license suspension. In August, which is Child Support Awareness Month, Montgomery County offers a Reinstatement Opportunity Program. It is a highly publicized opportunity for Obligor to regain their suspended license for a payment equal to one month of their obligation and participation in the Seek Work Program. In August of 2023 we reengaged Obligor on over 100 cases and collected over \$27,227 for families. While I can only speak to this specific opportunity in Montgomery County, I know that many other Ohio counties offer some kind of special public outreach in August that offers license reinstatement. In addition to these opportunities, our Agency voluntarily works monthly reports that identify Obligor who are now in compliance but still have a suspended license. Sometimes, Obligor fail to contact us when they find employment, but payments begin automatically due to automated

withholding. These reports allow us to identify those cases so that we can proactively reinstate the license to avoid complications down the road.

Finally, a quick word about judicial driving privileges. There is currently a pathway for judicial privileges in Ohio that is very rarely utilized. As our former Chief Magistrate in our Juvenile Court would explain to Obligor, anything that would lead him to award limited driving privileges would get them full reinstatement at the CSEA, and the process was much quicker and simpler with the Agency.

In closing, I would ask that the committee understand the full picture of child support license suspensions in Ohio before moving forward with this legislation. Please remember that child support is not a simple debt. It is a duty under the law- a duty to support your child, and therefore should not be treated like other accumulated debt. There are true consequences for families and children when this duty is not met. An arrearage alone does not make an Obligor eligible for license suspension. This enforcement remedy is not tied to past behavior but focuses on the Obligor's current failure to pay support. There are multiple ways for an Obligor to come into compliance and regain their full license with no restrictions or time limits.

As noted, we are working with the sponsor to hopefully address our concerns. Please reach out to your local county's CSEA if you'd like to better understand this process at your local level. Both Ms. Roehrenbeck and I would be happy to make those connections if you need assistance in doing so. As a tenured child support administrator, I often talk to my employees and my superiors about how our work is a constant balance between compassion and compliance. We need access to as many tools as possible to bring Obligor into compliance because not every tool works in every case. The trick is to find the right tool for the right Obligor, and in many cases, license suspension is the right tool. As I hope I've highlighted above, we use this very effective compliance tool balanced with common sense and compassion to secure support for children in Montgomery County.

Thank you for the opportunity to testify on this bill. I am happy to answer any questions.