
EFFECTIVE PATERNITY ESTABLISHMENT PRACTICES

EXECUTIVE REPORT



OFFICE OF INSPECTOR GENERAL
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Office of Inspector General

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This Report

Entitled "Effective Paternity Establishment Practices: Executive Report," this report describes effective State and local paternity establishment practices. A companion report provides a more detailed treatment of this subject for those readers interested in examining it in greater depth.

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EXECUTIVE REPORT

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EXECUTIVE SUMMARY

PURPOSE

This report describes effective State and local paternity establishment practices and barriers to a successful paternity establishment program.

BACKGROUND

The Congress, concerned by the increasing costs of the Aid to Families with Dependent Children (AFDC) program, amended the Social Security Act in 1975, 1984 and 1988 to create and then to strengthen the Child Support Enforcement (CSE) program. The 1988 amendments required State CSE programs, for the first time, to meet a specific paternity establishment percentage.

Two recent evaluations of States' performance in child support enforcement conducted by a U.S. House of Representatives subcommittee and the General Accounting Office show that many States are not pursuing paternity establishment vigorously and successfully. These findings have serious cost implications for the States because States are subject to fiscal penalties if they cannot meet their paternity establishment percentage goal and most paternity suits are brought by single mothers applying for AFDC.

We interviewed 77 managers, supervisors and legal personnel at 13 effective practice sites about barriers and key improvements to the paternity establishment process. We defined effective practices as procedures which improve the number of paternities established, case decision accuracy and/or case management efficiency.

EFFECTIVE PRACTICES SUMMARY

States should consider adopting the following seven effective practices to improve paternity establishment in their Child Support Enforcement programs.

SOLICIT SUPPORT

Actively solicit the support and commitment of top management, the judiciary, legislators and the community for the paternity establishment program. Through them the effective practice sites were able to increase program resources, streamline adjudication, increase paternity establishments and change paternity laws.

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INTRODUCTION

PURPOSE

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BACKGROUND

Increasing Program Costs

The Congress, concerned by the increasing costs of the Aid to Families with Dependent Children (AFDC) program, amended the Social Security Act in 1975, 1984 and 1988 to create and then to strengthen the Child Support Enforcement (CSE) program. The 1988 amendments required State CSE programs, for the first time, to meet a specific paternity establishment percentage.

In addition, according to a "The New York Times" article (July 21, 1989) nearly 285,000 paternity suits are filed nationwide every year. Most of these paternity suits are brought by CSE agencies in behalf of single mothers who have applied for AFDC. Women receiving AFDC have assigned their support rights to the CSE agency. If regular child support payments were made following paternity establishment, AFDC program costs for these families may be reduced.

Recent Evaluation of States' Performance

Two recent evaluations of States' performance in child support enforcement, however, show that many States are not pursuing paternity establishment vigorously and successfully. In October 1988, the House Subcommittee on Public Assistance and Unemployment Compensation released a report card of performance. The mean State paternity establishment rate was 31 percent (paternities established in fiscal year 1987 divided by births to unmarried mothers in 1985). Thirty-two States scored below 30 percent; 45 scored below 50 percent.

In April 1987, the General Accounting Office (Child Support: Need to Improve Efforts to Identify Fathers and Obtain Support Orders, GAO/HRD-87-37) found that

AN "IDEAL" PATERNITY ESTABLISHMENT PROCESS

PATERNITY ESTABLISHMENT PROCESS

- * AFDC intake workers have been trained in and understand the need for paternity establishment.
- * Intake caseworkers have been trained to obtain all the information needed to identify and locate the putative fathers.
- * Intake caseworkers have been trained to convince the mother of the advantages for the child of paternity establishment.
- * To avoid misinformation, the local site counsels the unmarried parent(s) using standard written and oral presentations on the benefits and responsibilities of paternity establishment.
- * The local agency has an outreach program to other family members to involve them in the paternity establishment. They also use other techniques to involve the fathers in the paternity process.
- * AFDC and CSE staffs coordinate their efforts so that paternity cases are handled efficiently, accurately and to the best advantage of the child needing paternity establishment.
- * There is skill, emphasis and persistence in locating and confronting the absent parent. For example, there are data matches with other State agencies such as Department of Motor Vehicles or Department of Revenue.
- * There are multiple attempts to contact the putative father.
- * Resources outside the agency are used effectively to augment the locator services, e.g. hiring of locators, using credit card investigative agencies.
- * Once the alleged father has been located and confronted, there are timely, streamlined processes established to verify and legally adjudicate paternity.
- * Blood tests are available and accessible. Court personnel specialize in paternity/child support adjudication.

MANAGEMENT FACTORS

- * The responsible caseworkers act to establish paternity as early as possible relative to the birth of the child or AFDC application.
- * All cases requiring paternity are treated alike without regard to ease of parent location or current collectability of child support.
- * There are adequate case tracking and monitoring systems to ensure that the paternity caseload is identifiable and attended properly, i.e., all required case actions are done on time.
- * Advertisement or public relations campaigns are used to educate the public about paternity establishment.
- * There is sufficient staff, organized in an efficient way, to properly handle all required tasks for the caseload.
- * Top management is truly committed to paternity establishment/child support as evidenced by such factors as: adequate staffing, other resources made available to manage the caseload, goal-setting, accountability.

BARRIERS AND IMPROVEMENTS TO THE PATERNITY ESTABLISHMENT PROCESS

AFDC/CSE COOPERATION

PROCESS DELAYS

MOTHERS DO NOT UNDERSTAND BENEFITS OF PATERNITY ESTABLISHMENT

CASES LOST OR UNATTENDED

INSUFFICIENT STAFF

MOTHER ALLEGES SHE DOES NOT KNOW FATHER

BARRIERS

CASES LOST OR UNATTENDED

INADEQUATE LOCATE SOURCE INFORMATION

INSUFFICIENT STAFF

FATHER CANNOT BE FOUND THROUGH AVAILABLE CHANNELS

FATHER CANNOT BE SERVED

LEGAL PROCESS COMPLEX

BENCH DOES NOT AID OR UNDERSTAND PATERNITY ESTABLISHMENT

LEGAL SYSTEM INHIBITS PATERNITY ESTABLISHMENT

PARENTS CANNOT AFFORD BLOOD TESTS

FATHER FAILS TO ATTEND HEARINGS OR BLOOD TEST

INSUFFICIENT COURT TIME/PERSONNEL

INTAKE

LOCATE

CONFRONT / ADJUDICATE

IMPROVE RELATIONS WITH AFDC

CSE DOES ITS OWN DATA COLLECTION

REDESIGN OR STREAMLINE PROCEDURES

IMPROVE INFORMATION AND PRESENTATION OF PATERNITY ESTABLISHMENT BENEFITS

STRENGTHEN CASE MANAGEMENT CONTROLS

ADD/SPECIALIZE STAFF

APPLY SANCTIONS

PERSISTENT CAREFUL INTERVIEWING

INTERVIEW MOTHER ON DAY SHE ALSO APPLIES FOR AFDC

IMPROVEMENTS

ADD/SPECIALIZE STAFF

STRENGTHEN CASE MANAGEMENT CONTROLS

CONTRACT FOR INFORMATION SOURCES: E.G. CREDIT BUREAUS

SOLICIT AID/INFORMATION FROM THE COMMUNITY

CONTRACT FOR LEGAL SERVICES

CHANGE LAWS

EXPEDITE - ALLOW VOLUNTARY ADMISSIONS

EDUCATE JUDICIARY AND PUBLIC

DEVELOP PROCEDURES THAT NEGATE OR REDUCE NEED FOR COURT TIME

USE HEARING OFFICERS OR MEDIATORS

AGENCY FRONTS BLOOD TEST FEES

BLOOD DRAWS ON PREMISES WHILE PARENTS ARE THERE

INCREASE COURTS/PERSONNEL

PROMOTE IMPROVED PARENTAL COOPERATION

Developing better information or techniques for convincing the parents to cooperate with Child Support improves the paternity establishment process.

Mothers and fathers are perceived as major barriers to paternity establishment. At intake, especially, the mothers are often reluctant to divulge information about the putative father, to the point that paternity establishment casework cannot be started or is not productive. The effective practice sites, in addition to invoking financial penalties for non-cooperation (removal of the mother from the AFDC grant or denial of the AFDC application for assistance if they have same day intake interviews), use other strategies for overcoming parental resistance. They:

- o strive to convince the mothers, in either emotional or practical terms, of the benefits of paternity establishment to the child,
- o give the parent(s) more detailed and accurate information about their responsibilities and the establishment process, or
- o use careful, persistent interviewing techniques for mothers alleging they don't know who the father is.

STREAMLINE ADJUDICATION OF PATERNITY ESTABLISHMENT

The effective practice sites simplify adjudicative procedures whenever possible under State law and try to minimize time spent in court.

Within their legal framework, the effective practice sites try to simplify approaches when possible and to streamline the required procedures. They improved adjudication by:

- o encouraging voluntary admissions of paternity. Most of the sites have a mechanism whereby a man can legally admit paternity without court involvement. Several sites implemented these voluntary procedures in recent years, and found they improve cost savings as well as timeliness. Some sites either specially train caseworkers or use special negotiators to work out agreements with the fathers.
- o taking default judgments. Most of the sampled sites are authorized to invoke them and make full use of this paternity establishment tool.
- o providing easy access to blood testing. Most of the sites pay for the tests initially, and then later, may try to recover their costs from the

types or information sections, elimination of duplicative or over-lapping staff duties, and at intake, screening out clients who cannot use child support enforcement services are examples of efficiency improvements at these sites.

UPGRADE AND IMPROVE STAFF UTILIZATION

Re-evaluating the number, duties, capabilities and division of labor of present staff can improve the paternity establishment process.

A basic, but key, improvement at six effective practice sites was hiring additional staff just to handle the existing caseload. Nine sites specialize staffs or use teams because it improves program knowledge and case processing. Some sites create unique positions to facilitate paternity establishment such as a paternity coordinator to act as liaison between courts and attorneys or a blood test consultant to schedule appointments and negotiate payments. Ten contract for paternity establishment services, other than blood testing, such as legal service, legal counsel or locate information.

For Further Information: A detailed technical version of the report and additional copies of this condensed report are available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.