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## Notes and Brief Reports

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### **AFDC: Good Cause Claims for Refusing to Cooperate in Establishing Paternity or Securing Child Support\***

In cases where eligibility for Aid to Families with Dependent Children (AFDC) is based on continued absence of a parent from the home, each applicant or recipient is required to cooperate with the Office of Child Support Enforcement<sup>1</sup> in locating the absent parent, establishing paternity, and securing support in order to be eligible for assistance. However, this requirement may be waived if such cooperation is shown to be "against the best interests of the child," in accordance with the criteria established by the Secretary of Health and Human Services.<sup>2</sup> This note presents data concerning the number of good cause claims made and disposed of during the 6-month period from April 1 through September 30, 1981. The information was obtained from semiannual reports submitted by the State public assistance agencies.

A total of 4,698 claims were made in the 48 jurisdictions that reported.<sup>3</sup> Almost 30 percent of all claims were from three States—California (608), Minnesota (433), and Ohio (365). One-fourth of the States processed 20 claims or less. Table 1 shows the number of claims made by circumstances and table 2 shows the percentage distribution of these claims.

A total of 2,879 claimants, or 61.3 percent, were found to have valid reasons for not cooperating.<sup>4</sup> In 19 of the States, at least 75 percent of the claims were found valid.

Although the public assistance agency may determine

that good cause for refusal to cooperate exists, the State agency may elect (under Code of Federal Regulations, title 45, paragraph 232.49) to continue with enforcement proceedings if it can be shown that such activities can be accomplished without risk of harm. The data in table 1 indicate that this option has not been widely exercised. Of the 2,879 valid claims during this period, enforcement continued in 187, or 6.5 percent, of the cases.

Seven circumstances were designated as acceptable reasons for waiving the cooperation requirement. A threat of physical harm either to the child or to the parent/caretaker was the basis of 66 percent of the valid claims nationwide. At the State level, 50 percent or more of valid claims were based on these two circumstances in 39 of the 48 jurisdictions reporting. In 3 of the 8 jurisdictions remaining, the possibility of physical harm still accounted for the largest proportion of valid claims. In Louisiana, Minnesota, and Nebraska, more claims were found to be valid because of pending preadoption services than for any other reason.

The applicant or recipient claiming good cause is required to supply corroborative evidence. In addition to a statement and any submitted evidence, the State or local public assistance agency may determine that further verification of a good cause claim is necessary and conduct an investigation. During the period under consideration, State agencies did not find it necessary to conduct further investigation in 53.9 percent of the 2,879 claims found valid.

A State public assistance agency will investigate a good cause claim submitted without corroborative evidence if the applicant or recipient anticipates physical harm when the agency believes that (1) the claim is credible without corroborative evidence and (2) corroborative evidence is not available. Of the 4,698 claims made during this reporting period, 1,004 (21.4 percent) were submitted without corroborative evidence. These were based on the applicant's or recipient's anticipation of physical harm. Of the 2,879 good cause claims found valid, 10.2 percent were determined valid without corroborative evidence from the applicant or recipient. The data do not show how many of these the State agency found necessary to investigate.

In order that the cooperation requirement itself does not impose undue hardship on AFDC applicants or recipients, the Federal regulations do *not* allow for the suspension or denial of AFDC payments pending a

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<sup>1</sup> The Office of Child Support Enforcement is an independent office within the Department of Health and Human Services. Its director is the Commissioner of Social Security.

<sup>2</sup> Code of Federal Regulations, title 45, paragraphs 232.40-49, October 3, 1978.

<sup>3</sup> Information was not available from Alaska, Colorado, Delaware, the District of Columbia, Massachusetts, and Utah.

<sup>4</sup> This figure includes claims made in prior periods that were carried over to the present period before being found to be valid. Therefore, this proportion is probably slightly biased upward. It is not possible to distinguish claims carried over from those made within a given period with the information currently collected.

**Table 1.—AFDC: Good cause claims and dispositions, by State, April 1–September 30, 1981<sup>1</sup>**

Jurisdiction	Claims made during period		Claims found valid											Claims made as applicant found not valid after eligibility established
	Total	Without corroborative evidence	Total <sup>2</sup>	Circumstances							Without corroborative evidence	Based solely on evidence <sup>3</sup>	But enforcement may proceed <sup>3</sup>	
				Physical harm to child	Emotional harm to child	Physical harm to parent	Emotional harm to parent	Rape or incest	Legal adoption	Pre-adoption service				
Total <sup>1</sup> . . . . .	4,698	1,004	2,879	612	223	1,197	214	108	95	294	293	1,551	187	468
Ala. . . . .	87	0	15	1	1	10	1	1	1	0	0	8	7	0
Ariz. . . . .	71	30	20	5	0	11	0	3	0	1	11	9	0	0
Ark. . . . .	20	2	13	3	3	6	0	0	1	0	0	0	0	0
Calif. . . . .	608	268	271	88	17	132	12	10	3	9	60	144	43	127
Conn. . . . .	71	30	38	12	1	23	0	1	1	0	0	29	1	19
Fla. . . . .	70	19	36	13	2	19	2	0	0	0	3	33	0	0
Ga. . . . .	179	54	183	44	26	81	24	4	4	0	21	21	0	14
Guam . . . . .	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii . . . . .	84	12	38	11	3	18	3	2	1	0	0	30	2	30
Idaho . . . . .	11	1	13	7	4	1	1	0	0	0	0	10	1	0
Ill. . . . .	48	14	36	10	2	18	5	1	0	0	14	8	0	0
Ind. . . . .	40	25	28	13	2	0	1	9	2	1	13	0	2	0
Iowa . . . . .	66	18	36	19	4	10	1	1	0	1	2	28	4	8
Kans. . . . .	46	14	28	8	2	15	0	3	0	0	2	20	1	1
Ky. . . . .	69	0	29	5	4	15	1	4	0	0	4	17	2	0
La. . . . .	182	0	230	10	6	68	12	1	21	107	3	29	9	3
Maine . . . . .	62	11	41	1	5	29	4	1	1	0	3	31	13	10
Md. . . . .	20	0	17	5	0	12	0	0	0	0	0	14	0	2
Mich. . . . .	276	(4)	130	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	19	(4)
Minn. . . . .	433	1	195	8	11	26	44	10	4	92	1	194	2	18
Miss. . . . .	8	0	8	2	1	5	0	0	0	0	8	0	1	2
Mo. . . . .	53	7	40	2	1	33	3	1	0	0	0	16	0	1
Mont. . . . .	23	4	19	1	4	11	0	1	2	0	0	0	0	0
Nebr. . . . .	29	5	10	1	2	3	0	0	0	4	0	8	3	4
Nev. . . . .	71	16	31	4	3	8	5	1	0	10	0	26	0	0
N.H. . . . .	6	2	3	2	0	1	0	0	0	0	3	0	0	3
N.J. . . . .	140	25	113	14	7	76	15	0	0	1	23	48	17	15
N. Mex. . . . .	19	1	15	0	2	10	0	0	0	3	1	14	1	0
N.Y. . . . .	166	20	114	20	2	77	5	4	4	2	19	87	15	29
N.C. . . . .	56	10	26	4	5	14	0	1	1	0	0	23	6	4
N. Dak. . . . .	39	0	33	2	4	15	6	1	2	3	7	26	0	0
Ohio . . . . .	365	74	214	66	33	61	10	10	18	16	7	144	4	24
Okla. . . . .	56	38	23	5	0	12	4	2	0	0	0	23	0	33
Oreg. . . . .	179	35	155	78	27	46	3	1	0	0	16	98	12	6
Pa. . . . .	125	11	74	19	8	26	10	9	2	0	0	72	0	5
P.R. . . . .	8	0	8	1	0	7	0	0	0	0	0	7	0	0
R.I. . . . .	13	0	13	1	0	8	1	2	1	0	0	0	1	0
S.C. . . . .	46	13	33	11	0	19	1	2	0	0	0	0	0	2
S. Dak. . . . .	93	15	70	18	3	12	3	0	11	23	0	65	2	5
Tenn. . . . .	111	27	82	16	0	46	3	4	4	9	2	72	0	2
Tex. . . . .	15	3	18	1	1	11	4	0	1	0	3	8	0	1
Vt. . . . .	18	6	16	12	2	0	0	1	1	0	2	15	2	11
Va. . . . .	51	14	44	3	2	37	1	1	0	0	12	3	0	16
V.I. . . . .	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wash. . . . .	183	57	111	37	7	52	6	2	1	6	15	63	17	18
W. Va. . . . .	128	26	107	7	6	58	18	10	3	5	31	62	0	2
Wis. . . . .	216	96	82	17	9	42	4	4	5	1	7	28	0	53
Wyo. . . . .	38	0	20	5	1	13	1	0	0	0	0	18	0	0

<sup>1</sup> Data not available for Alaska, Colorado, Delaware, District of Columbia, Massachusetts, and Utah.

<sup>3</sup> Excludes claims where response is unknown.

<sup>2</sup> Includes cases where circumstance is unknown.

<sup>4</sup> Data not available.

**Table 2.—AFDC: Percentage distribution of good cause claims made and found valid, by circumstance, April 1–September 30, 1981<sup>1</sup>**

Jurisdiction	Percent of total claims made in period	Percent made without evidence	Percent of total claims found valid <sup>2</sup>	Percent found valid by circumstance <sup>3</sup>							Percent found valid—		
				Physical harm to child	Emotional harm to child	Physical harm to parent	Emotional harm to parent	Rape or incest	Legal adoption	Pre-adoption service	Without corroborative evidence <sup>4</sup>	Based solely on evidence <sup>4</sup>	But enforcement may proceed <sup>4</sup>
Total <sup>1</sup> . . .	100.0	21.9	61.3	22.3	8.1	43.6	7.8	3.9	3.5	10.7	10.2	53.9	6.5
Ala. . . . .	1.9	.0	17.2	6.7	6.7	66.7	6.7	6.7	6.7	.0	.0	53.3	46.7
Ariz. . . . .	1.5	42.3	28.2	25.0	.0	55.0	.0	15.0	.0	5.0	55.0	45.0	.0
Ark. . . . .	.4	10.0	65.0	23.1	23.1	46.2	.0	.0	7.7	.0	.0	.0	.0
Calif. . . . .	12.9	44.1	44.6	32.5	6.3	46.7	4.4	3.7	1.1	3.3	22.1	53.1	15.9
Conn. . . . .	1.5	42.3	53.5	31.6	2.6	60.5	.0	2.6	2.6	.0	.0	76.3	2.6
Fla. . . . .	1.5	27.1	51.4	36.1	5.6	52.8	5.6	.0	.0	.0	6.3	91.7	.0
Ga. . . . .	3.8	30.2	102.2	24.0	14.2	44.3	13.1	2.2	2.2	.0	11.5	11.5	.0
Guam . . . . .	.0	.0	.0	.0	.0	.0	.0	.0	.0	.0	.0	.0	.0
Hawaii . . . . .	1.8	14.3	45.2	28.9	7.9	47.4	7.9	5.3	2.6	.0	.0	78.9	5.3
Idaho . . . . .	.2	9.1	116.2	53.8	30.8	7.7	7.7	.0	.0	.0	.0	76.9	7.7
Ill. . . . .	1.0	29.2	75.0	27.8	5.6	50.0	13.9	2.8	.0	.0	38.9	22.2	.0
Ind. . . . .	.9	62.6	70.0	46.4	7.1	.0	3.6	32.1	7.1	3.6	46.4	.0	7.1
Iowa . . . . .	1.4	27.3	54.5	52.8	11.1	27.8	2.8	2.8	.0	2.8	5.6	77.8	11.1
Kans. . . . .	1.0	30.4	60.9	28.6	7.1	53.6	.0	10.7	.0	.0	7.1	71.4	3.6
Ky. . . . .	1.5	.0	42.0	17.2	13.8	51.7	3.4	13.8	.0	.0	13.8	58.6	6.9
La. . . . .	3.9	.0	126.4	4.4	2.7	30.2	5.3	.4	9.3	47.6	1.3	12.6	3.9
Maine . . . . .	1.3	17.7	66.1	2.4	12.2	70.7	9.8	2.4	2.4	.0	7.3	75.6	31.7
Md. . . . .	.4	.0	85.0	29.4	.0	70.6	.0	.0	.0	.0	.0	82.4	.0
Mich. . . . .	5.9	(5)	47.1	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	(5)	14.6
Minn. . . . .	9.2	.2	45.0	4.1	5.6	13.3	22.6	5.1	2.1	47.2	.5	99.5	1.0
Miss. . . . .	.2	.0	100.0	25.0	12.5	62.5	.0	.0	.0	.0	100.0	.0	12.5
Mo. . . . .	1.1	13.2	75.5	5.0	2.5	82.5	7.5	2.5	.0	.0	.0	40.0	.0
Mont. . . . .	.5	17.4	82.6	5.3	21.1	57.9	.0	5.3	10.5	.0	.0	.0	.0
Nebr. . . . .	.6	17.2	34.5	10.0	20.0	30.0	.0	.0	.0	40.0	.0	80.0	30.0
Nev. . . . .	1.5	22.5	43.7	12.9	9.7	25.8	16.1	3.2	.0	32.3	.0	83.9	.0
N.H. . . . .	.1	33.3	50.0	66.7	.0	33.3	.0	.0	.0	.0	100.0	.0	.0
N.J. . . . .	3.0	17.9	80.7	12.4	6.2	67.3	13.3	.0	.0	.9	20.4	42.5	15.0
N. Mex. . . . .	.4	5.3	78.9	.0	13.3	66.7	.0	.0	.0	20.0	6.7	93.3	6.7
N.Y. . . . .	3.5	12.0	68.7	17.5	1.8	67.5	4.4	3.5	3.5	1.8	16.7	76.3	13.2
N.C. . . . .	1.2	17.9	46.4	16.0	20.0	56.0	.0	4.0	4.0	.0	.0	88.5	23.1
N. Dak. . . . .	.8	.0	84.6	6.1	12.1	45.5	18.2	3.0	6.1	9.1	21.2	78.8	.0
Ohio . . . . .	7.8	20.3	58.6	3.8	15.4	28.5	4.7	4.7	8.4	7.5	3.3	67.3	1.9
Okla. . . . .	1.2	67.9	41.1	21.7	.0	52.2	17.4	8.7	.0	.0	.0	100.0	.0
Oreg. . . . .	3.8	19.6	86.6	50.3	17.4	29.7	1.9	.6	.0	.0	10.3	63.2	7.7
Pa. . . . .	2.7	8.8	59.2	25.7	10.8	35.1	13.5	12.2	2.7	.0	.0	97.3	.0
P.R. . . . .	.2	.0	100.0	12.5	.0	87.5	.0	.0	.0	.0	.0	87.5	.0
R.I. . . . .	.3	.0	100.0	7.7	.0	61.5	7.7	15.4	7.7	.0	.0	.0	7.7
S.C. . . . .	1.0	28.3	71.7	33.3	.0	57.6	3.0	6.1	.0	.0	.0	.0	.0
S. Dak. . . . .	2.0	16.1	75.3	25.7	4.3	17.1	4.3	.0	15.7	32.9	.0	92.9	2.9
Tenn. . . . .	2.4	24.3	73.9	19.5	.0	56.1	3.7	4.9	4.9	11.0	2.4	87.8	.0
Tex. . . . .	.3	20.0	120.0	5.6	5.6	61.1	22.2	.0	5.6	.0	16.7	44.4	.0
Vt. . . . .	.4	33.3	88.9	75.0	12.5	.0	.0	6.3	6.3	.0	12.5	93.8	12.5
Va. . . . .	1.1	27.5	86.3	6.8	4.5	84.1	2.3	2.3	.0	.0	27.3	6.8	.0
V.I. . . . .	.0	.0	.0	.0	.0	.0	.0	.0	.0	.0	.0	.0	.0
Wash. . . . .	3.9	31.1	60.7	33.3	6.3	46.8	5.4	1.8	.9	5.4	13.5	56.8	15.3
W. Va. . . . .	2.7	20.3	83.6	6.5	5.6	54.2	16.8	9.3	2.8	4.7	29.0	57.9	.0
Wis. . . . .	4.6	44.4	38.0	20.7	11.0	51.2	4.9	4.9	6.1	1.2	8.5	34.1	.0
Wyo. . . . .	.6	.0	52.6	25.0	5.0	65.0	5.0	.0	.0	.0	.0	90.0	.0

<sup>1</sup> Data not available for Alaska, Colorado, Delaware, District of Columbia, Massachusetts, and Utah.

<sup>2</sup> Includes cases where circumstance is unknown.

<sup>3</sup> Excludes cases where circumstance is unknown.

<sup>4</sup> Excludes claims where response is unknown.

<sup>5</sup> Data not available.

good cause determination. In the event that good cause is *not* found and the caretaker relative still refuses to cooperate, the caretaker becomes ineligible for benefits, and assistance is provided to the eligible child in the form of protective payments, without regard to the needs of the caretaker relative. Therefore, if eligibility is determined and/or payments are made *prior* to the rejection of a good cause claim, it may become necessary to recompute the benefit and reassign the payee. Of the good cause claims submitted by new applicants for the period studied, 468 were actually denied after eligibility for AFDC payments had been established and may therefore require corrective action.<sup>5</sup>

<sup>5</sup> A comparable figure regarding claims denied to those already receiving benefits at the time the good cause claim is initiated cannot be computed for all jurisdictions from the available data.

## 1981 and 1982 Changes in the Unemployment Insurance Program\*

In the past several months, various features of the Federal-State unemployment insurance program and of the Federal unemployment compensation program for ex-military personnel have been modified by provisions contained in four pieces of Federal legislation.

- The Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35, signed August 13, 1981) reduced the scope of the extended benefits provisions, trade readjustment allowances, and benefit entitlement for ex-military personnel. The law also required coordination of information for individuals involved in both the unemployment insurance and the child support programs, and modified requirements under which State unemployment insurance agencies repay loans made to them by the Federal Government.
- The Tax Equity and Fiscal Responsibility Act of 1982 (Public Law 97-248, signed September 3, 1982) increased the Federal contribution rate and taxable wage base provisions, and established Federal Supplemental Compensation, which temporarily added benefits for long-term unemployed workers. The law also increased the taxable portion of unemployment benefits for Federal income tax purposes.
- The Miscellaneous Revenue Act of 1982 (Public Law 97-362, signed October 25, 1982) changes entitlement provisions for benefits paid to ex-military personnel.

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- The Surface Transportation Assistance Act of 1982 (Public Law 97-424, signed January 6, 1983) added 2-6 weeks of Federal Supplemental Compensation to the potential maximums.<sup>1</sup>

## The Unemployment Insurance System

Unemployment insurance was initiated on a national basis in the United States as title III of the Social Security Act of 1935. Each State operates its own program under its own law, within national guidelines promulgated under Federal law. Covered workers who are involuntarily unemployed receive partial wage replacement benefits for specified periods, generally up to 26 weeks. These benefits are financed from State taxes paid by employers on workers' earnings up to a set maximum.

Funding for administration is provided through a corresponding Federal tax. The law requires that employers pay a 3.5-percent Federal tax on covered earnings. However, employers may credit toward the Federal payroll tax the State contributions made under an approved law. They may also credit any savings on the State tax under an approved experience rating plan. The maximum credit is 2.7 percent of earnings. Hence, the net Federal tax rate paid by employers is 0.8 percent.

Since 1958, a number of Federal programs have been created to supplement the State-operated programs during economic downturns. In 1970, a permanent extended benefits (EB) program was enacted, financed half by the Federal unemployment payroll tax and half by State taxes. Congress has made various changes based on experience with the program during the 1970's, including the creation of temporary supplements to the extended benefits provided under the 1970 Act.

Under the permanent program for extended benefits, workers exhausting their regular benefits are eligible for extended benefits at a weekly rate equal to that of their regular program benefit amount. The EB is payable for a maximum duration of the lesser of 13 weeks or half the regular benefit duration. Thus, regular program benefits of up to 26 weeks are payable plus up to 13 weeks of EB, with a 39-week overall maximum of regular and extended benefits. Once triggered, EB provisions remain in effect for at least 13 weeks. Further, once a benefit period ends, another State-wide period cannot begin for at least 13 weeks.

Before enactment of the 1981 legislation, workers became eligible for EB if they met the conditions required for receipt of regular benefits under their State program, including the State's qualifying wage or employment requirement. The EB program was put into effect

<sup>1</sup> Additional changes in potential duration for Federal Supplemental Compensation and an extension of eligibility for these benefits to September 30, 1983, were enacted in Public Law 98-13, signed March 29, 1983. These and other changes included in 1983 legislation will be reported at a later date.