



Department Process Changes Resulted in Fewer Administrative Child Support Orders Than Expected

at a glance

In 2007, the Department of Revenue created a new administrative process and made organizational changes that had an adverse impact on the administrative support order establishment workload. The department implemented an administrative paternity establishment process and assigned responsibility for the new process to the local service centers. The department also transferred responsibilities for establishing administrative support orders from the central processing center to the local service centers.

Although the department expects these changes to eventually improve the efficiency of the administrative process, in federal Fiscal Year 2006-07, staff processed fewer administrative child support orders than expected and the process took over nine months to complete. The department should establish outcome measures for the administrative process and report its performance to the Legislature.

Scope

In accordance with state law, this progress report describes Department of Revenue actions to address the findings and recommendations of our 2006 report.^{1,2}

¹ Section 11.51(6), *F.S.*

² *Administrative Child Support Order Establishment Process Has Not Yet Produced All Expected Benefits*, OPPAGA [Report No. 06-63](#), September 2006.

Background

To receive federal public assistance funds, states must operate child support enforcement programs approved by the U.S. Department of Health and Human Services. Families receiving public assistance must participate in the Child Support Enforcement Program. Families that do not receive federal public assistance also are eligible for program services.

The Department of Revenue (DOR) administers Florida's Child Support Enforcement Program. Activities performed by the program include case intake; paternity establishment; and child support order establishment, modification, collection, and enforcement. The program also provides parent locator and customer services, which include responding to parent inquiries and processing complaints.

Local service centers located throughout the state perform case intake and collect information to determine the appropriate activity for each case. Depending on the services needed, staff direct cases to its paternity establishment, support order establishment, support order modification, or support order collection and enforcement activities.

As part of this process, staff review cases needing support order establishment to determine whether they should be referred for judicial or administrative processing. Prior to 2001, child

support orders could only be established through a court proceeding. However, the 2002 Legislature authorized the department to establish a statewide administrative process for establishing child support orders.

Through this process, the department provides noncustodial parents with a notice of proceeding. Noncustodial parents must respond within 20 days and provide financial information necessary to prepare a proposed support order; during this period, noncustodial parents can opt out of the administrative process and proceed judicially. If the noncustodial parent does not opt out, the department develops a proposed child support order and sends it to both parents for review. Noncustodial parents may request an informal discussion with the department, which provides them an opportunity to submit additional information and clarify issues about the process and case.

Regardless of whether noncustodial parents request an informal discussion, they may contest the proposed support order through a written request for a Division of Administrative Hearings (DOAH) hearing submitted within 20 days after the mailing date of the proposed order.³ Additionally, noncustodial parents can request a judicial review of support orders issued as a result of the DOAH hearing. If the noncustodial parent does not contest the proposed order by requesting a DOAH hearing, the department issues a final administrative support order with copies mailed to both parents.

Prior Findings

The administrative process was intended to improve the efficiency and effectiveness of Florida's Child Support Enforcement Program. Department officials expected the process to improve program efficiency by reducing the time and cost to establish child support orders. In addition, officials expected the process to increase the overall number of support orders established

³ When noncustodial parents make a timely request for an informal discussion, the time limit for requesting a formal hearing is extended until 10 days from the date that the program informs them that the informal discussions have concluded.

and reduce the number of cases requiring court actions to complex cases such as those in which the noncustodial parent has other child support obligations.

Our 2006 review concluded that the administrative process had produced some but not all of these expected benefits. Specifically, we found that

- courts generally upheld the results of the department's administrative process;
- staff processed fewer support orders through the administrative process than anticipated;
- the administrative process took over seven months to complete;
- compliance rates for support orders established through the administrative process were similar to those established through a court proceeding; and
- costs for administrative hearings exceeded the costs for judicial hearings.

To increase the number of child support orders established through the administrative process and reduce associated costs, we recommended that the department develop and implement a strategic plan that described the methods it would use to meet the intended goals of the administrative process and identified expected process outcomes.

Current Status

In 2007, the Department of Revenue created a new administrative paternity process and shifted responsibility for the administrative support establishment process to the department's local service centers. Officials expect these workload changes to have a positive effect on the administrative support process. However, the department issued fewer administrative orders than expected in federal Fiscal Year 2006-07, and the average time to issue orders increased from 7.5 to 9 months. The department has not implemented our recommendation to establish a mechanism to report the performance of the administrative process to the Legislature.

A new administrative process was established and some responsibilities were shifted to the local service centers

The Department of Revenue has implemented two significant changes that affect the administrative support process workload. First, the department created an administrative process for paternity establishment. Second, it transferred certain functions from its central processing center back to local service centers. Department officials expect these changes to improve efficiency and increase the number of support orders established through the administrative process.

In February 2007, the department began establishing paternity through an administrative process. Department officials expect this process to reduce the amount of time necessary to establish paternity, thus reducing the amount of time needed to establish a support order.⁴ In this process, staff at local service centers perform eligibility screening, issues orders to appear for genetic testing, and enters final administrative paternity-only orders.

The department also decentralized the administrative support order establishment process. Originally, the central processing center in Orlando handled all cases determined to be eligible for the administrative process. However, in May 2007, the department transferred responsibilities related to the administrative support order establishment process to the local service centers.⁵ Local service center responsibilities now include screening cases, providing initial notice and service of process to parents, calculating child support obligations, preparing proposed child support orders, and issuing final support orders.^{6,7} Staff at the central

processing center continue to perform activities to modify, suspend, terminate, or vacate administrative orders and coordinate activities for cases referred to the Division of Administrative Hearings.

In federal Fiscal Year 2006-07, fewer administrative orders were established and processing time increased

Department staff processed fewer administrative orders than anticipated during federal Fiscal Year 2006-07 and processing time increased for the orders that were established. Department officials expected that process and organizational changes would initially adversely affect the administrative support order establishment process but that productivity would then increase and staff would meet the goal for administrative support orders by the end of federal Fiscal Year 2007-08.

The department projected that it would produce 5,099 administrative child support orders in federal Fiscal Year 2006-07 (October 1, 2006, through September 30, 2007). However, staff processed only 4,259 administrative support orders (84% of the goal) during that period.⁸ Support orders established through the administrative process during federal Fiscal Year 2006-07 took an average of 272 days to complete (slightly over nine months), an increase from 227 days cited in our prior study.⁹ In addition, payment rates for child support orders established through this process were lower than reported in our prior study. During the period, noncustodial parents paid 61% of the amount of child support ordered by administratively established support orders compared to the 66% payment rate cited in our 2006 report.

⁴ The department uses this process to produce administrative paternity-only orders as well as administrative paternity and support orders.

⁵ The department completed the transition in October 2007.

⁶ In Manatee County, functions related to the administrative support establishment process were not transferred to the local service center. The department chose to continue to process these cases at the central processing center due to the small volume of potential cases.

⁷ Local service centers also perform these functions for cases eligible for administrative paternity and support orders. However, we did not include such cases in our analysis because they were not in the scope of the 2006 review.

⁸ To make the results comparable to the prior study, the Fiscal Year 2006-07 analysis includes cases in which the administrative process was used only to establish a support order and did not include cases that used the administrative paternity establishment process.

⁹ The results from our prior study are based on all support orders established during Fiscal Year 2004-05. The current results are based on all support orders initiated in Fiscal Year 2005-06 or 2006-07 and established in 2006-07. Because the two datasets are not exactly comparable, we conducted additional analysis to ensure the findings reported above.

Department officials reported that the disruptions from its organizational changes contributed to the lower than expected number of administrative support orders established.^{10, 11} For example, officials reported that staff at the central processing center reduced the amount of time spent producing support orders in order to participate in transition planning and train other staff. Additionally, many new cases eligible for the administrative support process were transferred to the courts. Shifting these cases to the courts allowed staff to focus on their current workload and transition planning, but contributed to fewer administrative support orders being established.

Department officials report improved performance for the first three quarters of the 2007-08 federal fiscal year. They estimated that the department is making noticeable progress toward meeting its goal of establishing 5,500 administrative support orders during the year. As of May 2008, the department had achieved 84% of the goal, with more than 4,600 administrative support orders established, with four months remaining in the federal fiscal year.¹²

Department officials attribute this improved performance to the new role of local service centers in the administrative support order establishment process.

Performance measures have not been established for the administrative process

The department has not implemented our recommendation to establish performance measures and specify the expected outcomes for the administrative process. The department has established an internal strategic plan for support order establishment and modification that identifies strategies for improving the administrative process. However, establishing performance measures to assess outcomes in addition to existing target output goals would more clearly show the effect of the administrative process. Such measures would enable both the department and the Legislature to more readily monitor the success of the administrative child support order establishment process.

¹⁰ The department implemented an administrative paternity establishment process in February 2007 and transferred responsibilities related to the administrative support order establishment process from the central processing center to the local service centers in May 2007.

¹¹ Staff at local service centers that were learning the administrative process could not initially perform tasks to establish support orders as efficiently as experienced staff from the central processing center.

¹² The department's target and number of support orders includes both instances in which only a support order was established as well as instances where paternity and a support order were established.

OPPAGA supports the Florida Legislature by providing evaluative research and objective analyses to promote government accountability and the efficient and effective use of public resources. OPPAGA staff conducted this project in accordance with applicable evaluation standards. Contact OPPAGA to obtain copies of this report in print or alternate accessible format at telephone (850/488-0021), by FAX (850/487-3804), in person, or by mail (OPPAGA Report Production, Claude Pepper Building, Room 312, 111 W. Madison St., Tallahassee, FL 32399-1475). Cover photo by Mark Foley.

Florida Monitor: www.oppaga.state.fl.us

Project supervised by Mary Alice Nye (850/487-9253)

Project conducted by Jeanine Brown 850/487-4256) and Steve Harkreader (850/487-9225)

Kara Collins-Gomez Staff Director (850/487-4257)

Gary R. VanLandingham, Ph.D., OPPAGA Director