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Florida is Generally Following Statutory Child Support Guidelines; Deviations Are Limited

at a glance

OPPAGA found that statutory child support guidelines are generally being followed for the Title IV-D and private cases that we were able to review. Specifically, our review of administrative and Title IV-D judicial cases and private cases found that the guidelines and guideline schedule were used to establish the child support obligation amount.

Child support guideline worksheet calculations were generally correct for Title IV-D administrative and private cases. However, the quality and type of data available varied across the Title IV-D and private systems. Specifically, inconsistent and unreliable data made it difficult to confirm the accuracy of guideline calculations for Title IV-D judicial cases. The Department of Revenue may wish to collaborate with the state court system to resolve variation in worksheets used and the interpretation of data elements on the worksheets.

Deviations from the guidelines were limited in Title IV-D and private child support cases and when deviations occurred, they were mostly below the guideline amounts. For Title IV-D administrative cases, only 2.6% of cases deviated from guideline calculations. Similarly, the deviation rate for Title IV-D judicial cases was low, at 4.9%. In addition, we found that only 5.5% of cases showed clear evidence of deviating from child support guidelines in private cases.

Scope

As directed by the Legislature, the Office of Program Policy Analysis and Government Accountability (OPPAGA) reviewed and analyzed case data for Title IV-D and private (non-Title IV-D) child support cases to determine whether the application of and deviations from the child support guidelines established by Ch. 61.30, *Florida Statutes*, were being followed.

Background

Married or un-married individuals who are not living with each other and have children may seek to establish child support to cover the multiple expenses involved in raising a child. When a parent seeks child support, Florida statutes require the courts or the Department of Revenue (DOR) to determine the amount of the monetary obligation using statutory guidelines.¹ These guidelines include a schedule used to determine the minimum child support need.

The guideline schedule is based on two factors: the number of minor children requiring support and combined net parental income. However, the child support guidelines also consider educational, healthcare, and child care expenses. Moreover, the statutes also make an allowance for substantial parenting time in calculating the child support obligation amount.²

¹ Chapter 61.30, *F.S.*

² A substantial amount of time means that a parent exercises time-

Florida statutes further specify that as a matter of policy, the child support guidelines establish fair and efficient settlement of support issues between parents.³ A judge or hearing officer can presume that a child support obligation arrived at by following the statutory guidelines is an appropriate child support obligation amount.⁴

Arriving at the obligation amount consistent with statutory guidelines for a child support order relies on the parties involved in the case using a child support guidelines worksheet.⁵ The guidelines worksheet considers net monthly income, number of children, parenting time and other expenses for education, healthcare, and child care. Any party that disagrees with the obligation generated by the guideline calculation must present specific facts showing that the obligation amount is not appropriate.

Statute allows deviation from the guideline amount for specific reasons. For all child support cases, representatives of the court or DOR, at their discretion, may order a child support payment up to 5% above or below the guideline amount.⁶ If the child support payment is adjusted by more than 5% from the guidelines, it is considered a deviation. In the event of a deviation, a written finding explaining why ordering payment of the guideline amount would be unjust or inappropriate must be provided. A deviation from the guideline amount is permitted based on 11 factors, including extraordinary medical expenses, special needs, and situations where the child spends less than 20% of overnights with one parent. (See Appendix A for the list of deviation factors from the *Florida Statutes*.)

sharing at least 20% of the overnights (73 of 365 nights) in the year.

³ Section 61.29, *F.S.*

⁴ The Family Support Act of 1988 mandated that every state adopt a set of child support guidelines to be used to assess appropriate payment in child support cases. The guidelines were to be based on economic data. The 1988 act also required the states to periodically review and update their schedules of child support obligations. In Florida, this review is managed by the Legislature's Office of Economic and Demographic Research, most recently in the 2013 *Review and Update of Florida's Child Support Guidelines*.

⁵ Family Law Rules of Procedure Form 12.902(e), Child Support

Child support guidelines apply to Title IV-D and private cases (non-Title IV-D) cases. Families who receive public assistance, are past recipients of public assistance, or request state assistance with child support collections and enforcement are classified as ***Title IV-D cases***.⁷ Title IV-D cases are administered by the Department of Revenue, which assists in establishing paternity, obtaining support awards from the court, and collecting and enforcing support.⁸

Uncomplicated Title IV-D cases can be handled administratively by DOR, while complex cases, such as those involving domestic violence, are usually handled judicially.⁹ In most administrative cases, DOR staff uses the Child Support Enforcement Automated Management System (CAMS) to compile child support data. This system performs the guideline worksheet calculations. For most judicial cases, DOR staff manually enters the results of the guidelines worksheet calculation and support order into CAMS after the court issues the final support order. (See Appendix B for more details about when worksheets are calculated in CAMS.)

Families who use private attorneys or are representing themselves and do not receive public assistance or request state assistance are referred to as ***private cases***.¹⁰ Child support orders for private cases are established through a judicial process detailed in Ch. 61, *Florida Statutes*.

During Fiscal Year 2016-17, there were approximately 35,942 child support orders

Guidelines Worksheet.

⁶ Section 61.30(1)(a), *F.S.*

⁷ Title IV-D cases are those administered in compliance with the federal Child Support Enforcement Program authorized by Title IV-D of the Social Security Act of 1975.

⁸ Paternity cases are those concerning children whose parents are not married.

⁹ Title IV-D administrative cases may be heard by DOR staff or administrative law judges. Title IV-D judicial cases may be heard by child support enforcement hearing officers or judges.

¹⁰ Private cases are generally heard by judges or magistrates.

established in Florida: 30,186 Title IV-D orders and 5,756 private orders.¹¹

Methodology

To assess Florida’s adherence to the statutory child support guidelines and analyze deviation rates for Title IV-D administrative cases, Title IV-D judicial cases, and private cases, OPPAGA collected and analyzed data for orders establishing or modifying the child support obligation in Fiscal Year 2016-17.¹²

We utilized a range of methods to conduct this assessment, due to the variation in the quality and type of data available across the Title IV-D and private systems. (See Appendix B for more information on our methodology.) For Title IV-D administrative cases, the source of case data is the Department of Revenue’s Child Support Enforcement Automated Management System. We found the data for the Title IV-D administrative cases to be reliable, so we conducted our analyses using the full population of automated, CAMS-calculated administrative cases.

However, the data for Title IV-D judicial cases is usually not calculated by CAMS and lacked the consistency and quality that would ensure that we could uniformly interpret the data.¹³ Consequently, we conducted a separate case file review using the Comprehensive Case Information System (CCIS), operated by the Florida Court Clerks and Comptrollers (FCCC), to calculate the deviation rate for judicial cases that were not calculated in CAMS.

Information for private cases was available only as electronic images in CCIS. Thus, we also conducted case file reviews of private cases. In addition, we reviewed the application of the guidelines for private cases by conducting an in-

depth examination of a subsample of 34 worksheets (approximately 10% of the case review sample) associated with private child support cases. See Exhibit 1 for populations and related analyses.

Exhibit 1 Populations and Analysis Approaches

Population	Analysis Population	Population Size	Approach
Private child support cases	Use of the state depository system	5,756 ¹	Case file review of a random sample (n=365)
	No use of the depository system	Unknown	Excluded from analysis
DOR administrative child support cases	Calculated by CAMS	14,990	Population analysis
	Not calculated by CAMS	2,729	Excluded from analysis
DOR judicial child support cases	Calculated by CAMS	1,329	Population analysis
	Not calculated by CAMS	11,138 ²	Case file review of a random sample (n=242)

¹ This population size is a point estimate based on the number of valid child support cases found in the case file review. Of this population, approximately 5,052 are from counties for which documents are available for our file review in CCIS.

² Of this population, 10,248 are from counties for which documents are available for our file review in CCIS.

Source: OPPAGA analysis of CCIS and CAMS data.

Findings

OPPAGA found that child support guidelines are being followed in a vast majority of cases in Florida. Further, child support guideline worksheet calculations were generally correct; however, data limitations made it difficult to confirm the accuracy of guideline calculations for Title IV-D judicial cases. Deviations from the guidelines are limited and can vary by case characteristics.

child reaches the age of majority (or graduates from high school), or when there is a substantial change in the circumstances of the parties. In addition, the change in circumstances must be significant, material, involuntary, and permanent in nature.

¹³ See Appendix B for details regarding the circumstances in which guideline calculations are conducted by DOR using CAMS and data quality considerations for guidelines not calculated in CAMS.

¹¹ These counts include orders that established the initial child support obligation and orders that modified the obligation. This is likely an underestimate of the total number of private support orders established because it excludes cases in which the obligor pays the obligee directly. See the Appendix B for a detailed explanation.

¹² Pursuant to s. 61.13(1)(a), *F.S.*, child support obligations may be modified when it is in the best interests of the child, when the

Statutory guidelines are generally being followed for Title IV-D and private cases we could review. Our review of data for Title IV-D administrative cases and case documents for Title IV-D judicial and private cases found that Department of Revenue staff and court personnel adhered to the statutory guidelines to establish the child support obligation.¹⁴ For most cases in our file review of Title IV-D judicial and private cases, we found documentation of court personnel applying the guidelines in guideline worksheets that considered income, number of children, parenting time and other expenses for education, healthcare, and child care.

In addition, we found that child support guideline worksheet calculations were generally correct. For most Title IV-D administrative cases, the data system performs all calculations to apply the guideline schedule and determine the final guideline amount. Our analysis confirmed that in these administrative cases, the guideline schedule and basic calculations appeared to be applied correctly by the system.

Similarly, in our more in-depth review of a subsample of private cases, we found that, in all but one case, guideline worksheets were complete, had correctly used the guideline schedule based on net income, and the obligation amount had been calculated correctly.

Data limitations in Title IV-D judicial cases made it difficult to confirm the accuracy of guidelines worksheet calculations. For Title IV-D judicial cases, typically DOR staff enters information in a limited results-only screen in CAMS. In 89% of the 12,467 Title IV-D judicial cases, the guidelines worksheet for use in initial or modification orders in Fiscal Year 2016-17 were calculated by court personnel and entered into results-only screens by DOR staff rather than being calculated in CAMS.

We intended to use this data to assess the application of the guidelines and calculate deviations for all Title IV-D administrative and judicial cases. However, our examination of the DOR results-only data suggests that much of the information that is part of the guideline appears to have been transferred incorrectly from the hearing documents into the CAMS system. For example, in approximately half of the cases entered this way, information about the basic need from the statutory schedule was recorded incorrectly. (See Appendix B.) As a result, we were unable to use this data to corroborate the deviation rate, application of the guideline schedule, or most basic guideline calculations for Title IV-D judicial cases.

DOR staff identified two potential sources for data inconsistency. First, DOR makes available an Excel guideline calculator that produces all information needed for CAMS results-only data entry. However, courts are not required to use DOR's calculator and may use their own worksheets, which may not display the information in the same location as the CAMS results-only screens, potentially making data entry challenging for DOR staff. Second, DOR does not validate data entry for results-only guidelines.

To resolve these issues, DOR may wish to consider collaborating with the state court system to identify variation in worksheets used and varying interpretation of the data elements on the worksheets.

We observed few deviations in Title IV-D and private child support cases; when deviations occurred, most were below the guideline amounts. We are able to report the deviation rate for 85% of the population of Title IV-D administrative cases.¹⁵ For these 14,990 cases with sufficient information to document a deviation rate, only 2.6% (391) of cases deviated from guideline calculations. (See Exhibit 2.) The

¹⁴ Court personnel refers to persons facilitating the child support case process, including judges, hearing officers, or magistrates.

¹⁵ In 15% of administrative cases (2,729 cases), child support

guidelines were not calculated in the CAMS system, resulting in unreliable data. According to department officials, these were likely administrative cases where a party to the case sought an appeal through the Division of Administrative Hearings.

support ordered was below the guideline amount for all but three of these cases.

For 95% of Title IV-D administrative cases with a deviation, the reason presented for deviating from guidelines was that the case had “a parenting plan where the child spends a significant amount of time but less than 20% of overnights with one parent or the refusal of a parent to become involved in the activities of the child.” Three percent of deviations were because the guidelines would require “either party to pay more than 55% of his or her gross income for a child support obligation.”

We estimated that the deviation rate for Title IV-D judicial cases was similarly low, at 4.9%.^{16,17} To determine this rate, we reviewed a random sample of 218 cases with child support orders established or modified during Fiscal Year 2016-17 from a population of approximately 11,138 Title IV-D judicial cases for which we could not use DOR data.¹⁸ Out of the 218 cases,

206 (94.5%) provided enough information to determine whether the order followed guideline calculations. Of these, 10 (4.9%) showed clear evidence of deviating from the guideline worksheet support amount by more than 5%. One case ordered higher support than the guideline amount and nine cases ordered a lower amount.

Deviation reasons for Title IV-D judicial cases rarely conformed to the predetermined categories. Only one case could be categorized as “seasonal variation in income/expenses.” Five of the 10 deviations minimally exceeded the 5% threshold, so no justification for the deviation was provided.¹⁹ The remaining deviations had to be classified as “any other adjustment that is needed to achieve an equitable result, which may include reasonable and necessary expenses or debts jointly incurred during the marriage.”²⁰

¹⁶ For a small population of 1,329 Title IV-D judicial cases, the guidelines were calculated in the department’s CAMS system and therefore had reliable population data we could use to calculate the deviation rate. According to department officials, these were primarily judicial cases where a party requested a modification to the obligation and, based on DOR’s review of the case, the modification proceeded without the parties requesting an additional judicial hearing. This small population of cases had a 2.9% deviation rate.

¹⁷ Deviation rates for Title IV-D judicial cases are sample estimates.

At a 95% confidence level, the population percentage may vary up to 3% in either direction. See Appendix B for an explanation of the representativeness of the sample.

¹⁸ We stratified the sample by circuit to be representative of the state as a whole, with the exclusion of four counties. See Appendix B for more details.

¹⁹ Some of this variation could be due to rounding.

²⁰ OPPAGA classified deviations when no reasons were presented using factors presented in statute (See Appendix A).

**Exhibit 2
Deviation Rates for Child Support Cases Were Less Than 10%**

	Title IV-D Administrative Cases	Title IV-D Judicial Cases Sample	Private Cases Sample
Population size	17,719	12,467	5,756 ¹
Cases analyzed	14,990	206 ²	307 ³
Support orders with deviations (more than 5% above or below guideline amount)	391 (2.6%)	10 (4.9%)	17 (5.5%)
Support orders with deviations more than 5% <i>above</i> guideline amount	3	1 ⁴	8 ⁵
Support orders with deviations more than 5% <i>below</i> guideline amount	388	9	9

¹ The population size includes all cases in the category regardless of whether the case had information we could use in our analysis of the deviation rate. For private cases, the population size is an estimate based on the complete list of 7,601 possible child support cases provided by the Florida Court Clerks and Comptrollers. Our case review indicated that approximately 25% of those cases were either unrelated to child support or were outside of Fiscal Year 2016-17, resulting in a population estimate of 5,756 (75.7% of 7,601).

² Our initial case file review included 242 Title IV-D judicial cases. However, 24 cases were not eligible because the CCIS system did not contain or refer to any guideline worksheets run in Fiscal Year 2016-17. Of the 218 remaining cases, 12 lacked sufficient documentation to allow us to determine whether the obligation deviated from the guideline amount. Thus, we calculated the deviation rate for the remaining 206 cases.

³ We reviewed 365 private cases, 58 of which lacked sufficient information to determine whether the obligation deviated from the guideline amount. We calculated the deviation rate for the remaining 307 cases.

⁴ Deviation rates for Title IV-D judicial cases are sample estimates. At a 95% confidence level, the population percentage may vary up to 3% in either direction.

⁵ Deviation rates for private cases are sample estimates. At a 95% confidence level, the population percentage may vary up to 2.5% in either direction.

Source: OPPAGA analysis of CCIS and CAMS data.

Similarly, we found that deviations from the child support guidelines in our sample of private cases were limited. We reviewed a random sample of 365 court cases with child support orders established or modified during Fiscal Year 2016-17 from an estimated population of 5,756 orders.²¹ Out of 365 cases, 307 (84%) provided enough information to determine whether the order followed guideline calculations. Of these, 290 private child support orders (94.5%) were within 5% of the guideline worksheet support amount. Only 5.5% (17) of cases showed clear evidence of deviating from the guideline.²² Eight cases ordered higher support than the guideline amount and nine cases ordered a lower amount. (See Exhibit 2.) The primary reason listed for deviations in these 17 cases was “any other adjustment that is needed to achieve an equitable result, which may include reasonable

and necessary expenses or debts jointly incurred during the marriage.”

The remaining 58 cases (15.9% of all cases examined) had incomplete or contradictory information. For example, the differences in the worksheet and obligation amounts seemed to indicate a deviation, but the order stated the guidelines were being followed with no deviation. In such cases, we were unable to verify the presence or absence of a deviation.²³

Deviation rates varied by case characteristics for Title IV-D administrative cases. We analyzed deviations in child support orders by case characteristic. As noted above, deviation rates varied between Title IV-D administrative (2.6%), Title IV-D judicial (4.9%), and private (5.5%) cases. We also examined deviation rates further broken down by case characteristics for new versus modified orders and cases with and

²¹ We stratified the sample by circuit to be representative of the state as a whole, with the exclusion of four counties. See Appendix B for more details.

²² Deviation rates for private cases are sample estimates. At a 95% confidence level, the population percentage may vary up to 2.5% in either direction.

²³ An in-depth review of these 58 cases reveals that the majority (40) were based on mediation or settlement agreements, and that half of those (20) appeared to have deviated from the guidelines available to us, while the other half were missing guideline worksheets.

without imputed parental income.²⁴ However, because of small subgroup counts in our case file reviews, we only provide subgroup deviation rates for Title IV-D administrative cases.²⁵ We determined that deviation rates were higher in cases with modified orders, which are 7% of cases. (See Exhibit 3.) Deviation rates were also higher in cases without imputed parental income (30% of cases).

Exhibit 3
Deviation Rates for Title IV-D Administrative Cases Vary by Characteristics

	Characteristic	Deviation Rate
Order type	New	2.5%
	Modification	3.8%
Parental income ¹	Imputed	1.9%
	Actual	4.3%

¹ We counted cases as having imputed parental income if either parent had their income imputed in the guideline calculations.

Source: OPPAGA analysis of CCIS and CAMS data.

Agency Response

In accordance with the provisions of s. 11.51(2), *Florida Statutes*, a draft of our report was submitted to the Executive Director of the Department of Revenue. The department’s written response has been reproduced in Appendix C.

²⁴ When a parent reports little or no income, the court assigns or credits income to the parent based on what the parent could have earned working a minimum wage job. We found that when income is imputed for Title IV-D administrative cases, over 85% of

the time it is imputed using the federal minimum wage.

²⁵ For example, just 24 of 365 private cases reviewed and 62 of 206 Title IV-D administrative cases reviewed had modified support orders in Fiscal Year 2016-17.

OPPAGA supports the Florida Legislature by providing data, evaluative research, and objective analyses that assist legislative budget and policy deliberations. This project was conducted in accordance with applicable evaluation standards. Copies of this report in print or alternate accessible format may be obtained by telephone (850/488-0021), by FAX (850/487-9213), 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.

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Appendix A

Child Support Deviation Factors

The court may order payment of child support that varies plus or minus 5% from the guideline amount after considering all relevant factors, including the needs of the child or children, age, station in life, standard of living, and financial status and ability of each parent. The court may order payment of child support in an amount that varies more than 5% from the guideline amount with a written finding explaining why ordering payment of the guideline amount would be unjust or inappropriate.²⁶ The court may adjust the total minimum child support obligation, or either or both parents' share of the total minimum child support obligation, based on the following deviation factors specified in statute.²⁷

- Extraordinary medical, psychological, education, or dental expenses
- Independent income of the child, not including moneys received by a child from supplemental security income
- Payment of support from a parent that has been regularly paid and for which there is a demonstrated need
- Seasonal variations in one or both parents' incomes or expenses
- Age of the child, taking into account the greater needs of older children
- Special needs, such as costs that may be associated with the disability of the child
- Total available assets of the obligee (custodial parent), obligor (non-custodial parent), and the child
- Impact of the Internal Revenue Service Child and Dependent Care Tax Credit, Earned Income Tax Credit, dependency exemption, and waiver of that exemption
- Application of the child support guidelines schedule that requires either party to pay more than 55% of his or her gross income for a child support obligation
- A parenting plan where the child spends a significant amount of time but less than 20% of overnights (less than 73), with one parent, thereby reducing the financial expenditures incurred by the other parent; or the refusal of a parent to become involved in the activities of the child
- Any other adjustment needed to achieve an equitable result, which may include a reasonable and necessary existing expense or debt that the parties jointly incurred during the marriage

If either parent has the child (or children) for a substantial amount of time (more than 20% of the annual overnights), the child support calculation changes to an alternate formula.²⁸

²⁶ Section 61.30(1)(a), *F.S.*

²⁷ Section 61.046(23), *F.S.*

²⁸ Section 61.30(11)(b)8, *F.S.*

Appendix B

Methodology

We examined Child Support Enforcement case data for Title IV-D and private cases related to the application of, and deviations from, child support guidelines to ensure that deviations are limited.²⁹ Families who receive public assistance, are past recipients of public assistance, or request state assistance with child support collections and enforcement are classified as Title IV-D cases; the Florida Department of Revenue administers these cases. Title IV-D child support cases fall into two categories: administrative, which are established by DOR, and judicial orders, which are established by the courts. Families who neither receive public assistance nor request state assistance are classified as non-Title IV-D or private cases, which are also handled by the courts.

The distinct processes for these different types of child support cases affect how and where the guideline and obligation information is recorded. Below we describe how these distinct processes affect data availability for each type of case. (See Exhibit B-1.)

Data Sources for Each Sub-Population

Private Cases. Electronic court documents (PDFs) are available through the Comprehensive Case Information System, operated by the Florida Court Clerks and Comptrollers. This system contains relevant court docket information and documents pertaining to private child support cases for all counties. At the time of our review, these documents were not available for (Brevard, Hillsborough, Monroe, and Seminole counties). We analyzed cases with support payments paid through the clerk of court or the disbursement unit, thus excluding cases in which the obligor pays the obligee directly.³⁰

Title IV-D Administrative Cases. In most (85%) Title IV-D administrative cases, DOR staff records the relevant information into their CAMS system, which performs all calculations to determine the guideline amount. The CAMS system enforces the application of the guideline logic set forth in statute. This process ensures the available data for the population are complete, consistent, and reliable.

We could not use DOR CAMS data to analyze deviations from the guidelines for approximately 15% of Title IV-D administrative cases. For these cases, DOR staff records the guideline information in their CAMS system without CAMS conducting or verifying any of the calculations. According to department officials, most of these likely are instances where a parent requested a hearing by the Division of Administrative Hearings. In these instances, the division calculates the guideline amount outside of CAMS, and DOR staff records the information. Careful review of the data shows that much of the information that is part of the guideline appears to have been transferred incorrectly from the hearing documents into the CAMS system. For example, in approximately half of the cases entered this way, information about the basic need from the statutory schedule was recorded incorrectly.

Title IV-D Judicial Cases. We used DOR CAMS data to analyze deviations from the guidelines for approximately 11% of Title IV-D judicial cases. For these cases, DOR staff calculates the guideline amount using CAMS. According to department officials, most of these likely are instances where a parent requested a modification to a judicial support order for reasons other than a change in household composition. In these situations, the department reviews the request for modification, by calculating

²⁹ 45 CFR § 302.56(e).

³⁰ Florida statutes require that in Title IV-D and non-IV-D cases where the initial support order was issued in Florida on or after January 1994, and in which the obligor's child support obligation is paid through income deduction, obligations are payable to the State Disbursement Unit (s. 61.1301(1)(b), *F.S.*). We were unable to identify cases that are not paid by income deduction and do not use the unit for payment. This exclusion reduces our identified population of cases, although estimates of the number of private cases that do not use the unit are unavailable.

the new guideline amount using CAMS, to determine whether it meets the statutory requirements to proceed. If approved to proceed and a hearing is not requested, this CAMS-calculated guideline may be used to establish the new obligation.

We conducted a case file review of court documents to analyze deviations from the guidelines for most Title IV-D judicial cases. For approximately 89% of Title IV-D judicial cases, DOR staff records the guideline information in their CAMS system without CAMS conducting or verifying any of the calculations. In these cases, the guideline calculations are performed by court personnel outside of CAMS, and DOR staff records the information in the results-only screens in CAMS. As previously noted, these data were determined to be unreliable; therefore, we conducted a file review of electronic court documents from CCIS to analyze deviations from the guidelines for this population. See below for more description of our methods.

**Exhibit B-1
Populations and Analysis Approaches**

Population	Analysis Population	Population Size	Approach
Private child support cases	Use of the state depository system	5,756 ¹	Case file review of a random sample (n=365)
	No use of the depository system	Unknown	Excluded from analysis
DOR administrative child support cases	Calculated by CAMS	14,990	Population analysis
	Not calculated by CAMS	2,729	Excluded from analysis
DOR judicial child support cases	Calculated by CAMS	1,329	Population analysis
	Not calculated by CAMS	11,138 ²	Case file review of a random sample (n=242)

¹ This population size is a point estimate based on the number of valid child support cases found in the case file review. Of this population, approximately 5,052 are from counties for which documents are available for our file review in CCIS.

² Of this population, 10,248 are from counties for which documents are available for our file review in CCIS.

Source: OPPAGA analysis of CCIS and CAMS data.

Analyses

For all populations described in Exhibit B-1, we analyzed cases that had at least one guideline worksheet calculated in Fiscal Year 2016-17 and used in establishing the obligation for an initial or modification child support order. As directed by the Legislature, our analysis compared deviations between Title IV-D and private cases. In addition, consistent with federal requirements to analyze deviations in child support orders by case characteristic, we also examined deviation rates by such characteristics as new versus modified orders, judicial versus administrative orders, and whether parental income was imputed. Below we detail the research methods used for analyzing each population.

Analysis of DOR CAMS Data for Title IV-D Cases. For Title IV-D administrative cases with guidelines calculated in CAMS, the DOR data were used to analyze all final orders or modification of final orders for Title IV-D administrative child support cases for Fiscal Year 2016-17. The data contain information about deviations from the guideline amounts, reasons for deviating, and case characteristics such as whether the order was an initial or modified order, and whether parental income was imputed. These data were also used to analyze the small number of Title IV-D judicial cases with guidelines calculated in CAMS.

Case File Reviews of Title IV-D Judicial and Private Cases. We conducted case file reviews for private and Title IV-D judicial cases using information available in the Comprehensive Case Information System, operated by the Florida Court Clerks and Comptrollers. This system contains scanned images of most relevant court documents pertaining to private child support cases. However, the FCCC reported that at the time of our review, four counties, Brevard, Hillsborough, Monroe, and Seminole,

did not have documents available through CCIS. We excluded these counties from the analysis.³¹ For the remaining counties, we manually reviewed information shown in the court documents for separate samples of private and Title IV-D judicial cases.

- The FCCC provided a list of 7,601 possible private child support cases based on FCCC's list of cases that had used the state depository for private support payments. Excluding invalid cases (those without a child support order in Fiscal Year 2016-17) and those in counties that lack case documents, we estimated a total population of 5,052 cases. The analysis of private cases is based on a statistically valid random sample of 365 Fiscal Year 2016-17 final orders or modifications of final orders stratified by judicial circuit, of which 307 have sufficient information to document a deviation rate. This yields a margin of error of 2.5% at a 95% confidence level.
- We used DOR data to identify a sample of Title IV-D judicial child support cases for the case file review described below. We excluded cases in those counties that lacked documentation, resulting in a list of 10,248 cases from which we could sample. Our analysis of Title IV-D judicial cases is based on a statistically valid random sample of 218 orders drawn from this list, stratified by judicial circuit, of which 206 have sufficient information to document a deviation rate. This yields a margin of error of 3% at a 95% confidence level.

For our case file review of these samples of private and Title IV-D judicial cases, we reviewed court documents and recorded relevant information, including the presence or absence of a guideline worksheet, the amount of support indicated on the guideline worksheet, the obligation amount indicated in the court order, and whether final orders referenced worksheet guideline calculations. We also recorded whether a deviation was indicated in the final order and associated documents, and the presence or absence of Family Law Form 12.943, Motion to Deviate from Child Support Guidelines. For some cases, not all relevant documents were available in CCIS. Mandatory documents, such as guideline worksheets or Motion to Deviate forms were often missing for private cases, and the relevant information was included in other related forms. The Florida Court Clerks and Comptrollers provided assistance related to these documents.

Review of Guideline Worksheets. Our analysis included an in-depth examination of a subsample of 34 worksheets (approximately 10%) associated with our sample of private child support cases. We systematically sampled the worksheet for every 10th valid private case in our sample and evaluated them for completion, correct identification of the total need amount, imputed income, and computational accuracy. We used the electronic version of the Family Law Rules of Procedure, Form 12.902(e), on the Office of the State Courts Administrator website to evaluate the guideline worksheet computations.

³¹ These counties comprise three judicial circuits: Circuit 13 (Hillsborough County), Circuit 16 (Monroe County), and Circuit 18 (Brevard and Seminole counties).

Appendix C



Executive Director
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Tallahassee, Florida 32399-1475

Dear Mr. Twogood:

Thank you for the opportunity to comment on OPPAGA's draft report titled **Florida is Generally Following Statutory Child Support Guidelines; Deviations Are Limited**, dated November 2017. The Department does not have any suggested modifications to the draft report.

In closing, we appreciate the professionalism displayed by your staff during this review. If you have questions or need additional information, please contact Sharon Doredant, Inspector General, at 617-8152 or Marie Walker, Director of Auditing, at 717-7598.

Sincerely,


Leon Biegalski

LMB/mw

- cc: Emily Leventhal, Ph.D., Chief Legislative Analyst
- Ann Coffin, CSP Director
- Thomas Mato, CSP Deputy Director
- Patterson Poulson, CSP Process Manager
- Sharon Doredant, Inspector General
- Angela Welch, Deputy Inspector General
- Eric Miller, Chief Inspector General

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