



JIM FOLSOM  
GOVERNOR

STATE OF ALABAMA

GOVERNOR'S OFFICE  
MONTGOMERY 36130

September 28, 1993

WR -  
Paternity

Dr. David Ellwood  
Assistant Secretary for Planning and Evaluation  
and  
Dr. Mary Jo Bane  
Acting Assistant Secretary for Children and Families  
Department of Health and Human Services  
370 L'Enfant Promenade S.W.  
Washington, D.C. 20447

Dear Dr. Bane and Dr. Ellwood:

Congratulations on your appointments to the President's Working Group on Welfare Reform. As you know, Alabama is operating a comprehensive welfare reform demonstration project under waiver authority in three counties. Known as ASSETS (Avenues to Self-Sufficiency through Employment and Training Services), the project achieves substantial conformity between AFDC and Food Stamps as well as between JOBS and the Food Stamp Employment and Training (E&T) Program. It also provides the only test in the nation, to my knowledge, of requiring child support cooperation as a condition of receiving food stamp program benefits.

CS  
IDEA

While complete findings from the independent evaluation of ASSETS will not be available until the end of the demonstration, evidence to date indicates that much of ASSETS is valuable and worthy of retention. We would like to share this with you and other members of the Working Group firsthand as you move toward implementing recommendations of the simplification work group set forth in Time for a Change: Remaking the Nation's Welfare System.

Please consider a site visit to our Madison County ASSETS operations in Huntsville, Alabama some time this fall. Andy Hornsby, Commissioner of the Alabama Department of Human Resources, will be happy to make necessary arrangements when you let him know such a visit may be possible.

We look forward to a strong cooperative Federal/State relationship as we move welfare reform forward. The time for change is now; we support the Administration's welfare reform plans, not only in words but also in action, as we are already demonstrating.

Sincerely,

Jim Folsom, Governor

cc: Bruce Reed, President's Deputy Assistant,  
Domestic Policy

Kathi Way, President's Special Assistant  
Domestic Policy

DRAFT

Comparison of Hypothetical Paternity Establishment  
And Republican Proposal

WR ~~TOP~~  
Paternity  
Estab.

Standards and Incentives

Hypothetical: Provides for performance based incentives to encourage states to establish paternity for all out-of-wedlock births. Preserves existing performance standards for the IV-D caseload. Reduces FFP for percentage of cases where the mother has met cooperation requirements but the state has failed to establish paternity.

good

Republican Plan: State paternity establishment standards increased to 90 percent (with graduated steps) (Applies only to IV-D caseload needing paternity established).

from 75%

good

Comment: The Hypothetical has both more carrots (performance based incentives) and more sticks (reduction in FFP if paternity not timely established).

The Hypothetical provides for a more universal approach. It creates incentives for states to establish paternities in all out-of-wedlock births, not just welfare cases.

A paternity establishment standard of 90 percent for the existing IV-D caseload is probably not realistic given old cases where contact with the other parent has been lost. States will vehemently object to such a standard.

Cooperation

Hypothetical: Creates a new stricter definition of cooperation. Clients must provide both a name and sufficient information to verify the identity of the person named (such as the present address of the person, the past or present place of employment of the person, the past or present school attended by the person, telephone number of the person, etc.) (Coupled with long arm jurisdiction and vastly improved locate tools, this means that virtually all persons can be served with civil process if the agency makes reasonable efforts.)

new cases

Republican Plan: Requires the client to provide the name of the father (or fathers) and addresses.

Comment: The Hypothetical cooperation definition is very strict, but reasonable. Research shows that pregnancy is almost never the result of totally casual relationships. Virtually all mothers know the name or names of their acquaintances and something about the

Howard: why so much due process? make consistent  
4/30/85

person, such as where they live, work, or attend school. The new stricter cooperation requirement only applies to children born ten months after the date of enactment so older cases, where information is harder to obtain, are not covered. The Republican plan would apply to old cases where, in many instances, an address could not now be provided.

The Hypothetical also provides more locate information up front so that paternities can be established faster.

### **Responsibilities**

Hypothetical: The Hypothetical requires that the applicant must meet the new stricter cooperation requirements prior to receipt of benefits. The cooperation determination is made by the IV-D worker, not the IV-A worker, within 10 days of the date of application. *No federal match after 1 month 1 year*

Republican Plan: The Republican plan requires that the mother establish paternity prior to the receipt of benefits. (The mother would receive only the child's grant even if she provides a name and fully cooperates until paternity is established.)

Comment: The Republican plan makes the family pay the price for the inaction or inefficiencies of the state child support enforcement agency. Once the mother has provided complete information she still could be denied benefits for a long period of time while paternity is being established. (In some states it is presently not uncommon for the state agency to take two years or more to establish paternity; and if the father cannot be located it may take even longer.)

In short, the Republican plan puts the burden almost entirely on the mother and leaves it there, while the Hypothetical shifts the burden to the state when the mother has fully cooperated. Coupled with the FFP penalty for failure to establish paternity within a timeframe, the Hypothetical holds states accountable in a much more serious way.

### **Penalties**

Hypothetical: The penalty for non-cooperation remains the same as current law: the mother's portion of the AFDC benefit will be terminated and payment for the child will be made to a protective payee unless no such payee can be found. *not enough*

Republican Plan: The penalty for providing no name, a false name, or if the paternity cannot be established in court is that all mother and child benefits are terminated.

Comment: The Republican plan dangerously overreaches. There will be cases where the mother has legitimate fears about paternity

??

establishment that don't rise to the level of good cause, cases where the mother does not know the name of the father, or cases where the paternity is not established because a judge or jury finds for the father (this sometimes happens despite genetic test results). In such cases, the family would be without any means of financial support. The children would very seriously suffer for the recalcitrance of the mother. wrong conclusion

### **Simplifying Paternity Determination**

Hypothetical: The Hypothetical has eleven provisions greatly simplifying the process for voluntary acknowledgements of paternity. /good

Republican Plan: Essentially none (only a general statement already incorporated in OBRA).

Comment: The Hypothetical will result in many more paternities being established early on and through a simple process.

### **Outreach**

Hypothetical: The Hypothetical has a number of provisions expanding outreach efforts at the state and federal levels (through schools, hospital state agencies, comprehensive media campaigns, WIC centers, etc.) to promote the importance of paternity establishment both as a parental responsibility and a right of the child. Enhanced funding is available for outreach efforts.

Republican Plan: The Republican Plan requires state officers and employees to provide information to unwed mothers about paternity establishment, "upon recognizing that an unwed woman is pregnant". !!

Comment: The Hypothetical uses a broad comprehensive approach reflecting the seriousness of this issue.

### **Contested Cases**

Hypothetical: The Hypothetical provides for several measures to streamline the handling of contested cases.

Republican Plan: No provisions.

Comment: If we are really going to get serious about paternity establishment, states have to be provided the tools so that they can establish paternities quickly, efficiently and inexpensively.

### Advantages of GenSwab<sup>SM</sup> Sampling

- Non-Invasive Sampling
- Easier and Simpler Procedure
- Improves Client Service
- Scientifically Accepted
- Uses RFLP DNA Analysis with the Largest Validated Database

### But is it reliable?

DNA typing has been used suc-

cessfully for paternity testing for the last five years. DNA can be found in nearly all cells. The DNA isolated from different tissues and cells of the same individual will produce the same DNA typing pattern. This has been demonstrated in many research, forensic, and paternity laboratories. DNA is the most definitive, objective, and conclusive single genetic test available for evaluating parentage.

### How does it work?

DNA typing patterns pro-

duced from blood and buccal cells are the same. Genetic Design, Inc.

developed GenSwab<sup>SM</sup> as a non-invasive DNA analysis procedure, requiring just a gentle swabbing of the inner cheek area. We have validated these patterns with over 1,000 DNA typing comparisons. We have also successfully performed many paternity tests using buccal cells from the child and blood from other parties.

### Is it safe?

GenSwab<sup>SM</sup> provides an improved method of specimen collection over the current technique of skin puncture, especially for newborns. Obtaining blood by skin puncture could cause complications for infants. GenSwab<sup>SM</sup> avoids complications, since no skin puncture is involved. In fact, there is no reference in the scientific literature that relates buccal swabs to wounds or infection.

### Do others use this method?

GenSwab<sup>SM</sup> provides an efficient

method of DNA specimen collection. Buccal swabs are used by the Armed Forces DNA Identification Laboratory for the forensic identification of military personnel because DNA can be obtained easily and reliably from buccal swabs.

Using buccal swabs for DNA typing in paternity cases is valid and reliable. The safety advantages and validity of GenSwab<sup>SM</sup> over blood specimen collection make it an ideal alternative for DNA typing for paternity case-work.

### GenSwab<sup>SM</sup> Benefits

- No liability issues
- No difficult shipping requirements
- No broken tubes
- No time/temperature sensitivity
- No age restrictions
- No trauma from needles

### Early Establishment

- Affords Sufficient "Due Process" Rights
- Facilitates Early Paternity Establishment
- Provides Crucial Evidentiary Information

# Questions?

## *We've got the answers!*

# 1-800-247-9540

**Genetic Design, Inc.**  
is a charter member  
of the **National Child  
Support Enforcement  
Association and the  
Child Support Council.**

## **We're Committed**

We dedicate the energy of our staff together with substantial financial resources to keep abreast of legislative trends, both federal and state, which impact on genetic testing and early paternity establishment. You are the beneficiary of this investment which results in state-of-the-art sample collection and testing methods, as well as courtroom admissibility.



**GenSwab<sup>SM\*</sup>**



*A New Technology  
Available to You from  
Genetic Design, Inc.*

*\*Buccal Swab Sampling for  
DNA Parentage Testing*



# SAMPLE

Name \_\_\_\_\_

Date \_\_\_\_\_

Initials \_\_\_\_\_

MOTHER

CHILD

ALLEGED FATHER



## BONE MARROW TYPING PROGRAM

### General Information

We at Genetic Design, Inc. ("GDI") are proud of our association with bone marrow registries and with individual campaigns for successfully identifying donor candidates. Following is some general information about GDI's bone marrow typing program. Please feel free to contact your GDI Regional Manager or the laboratory should you have questions or need additional information.

- A. **Genetic Design, Inc.**, first organized in September, 1988, occupies a spacious laboratory facility in Greensboro, North Carolina. The Company maintains a dedication to excellence in modern, state-of-the-art testing and in quality service which is also responsive to the needs of the client. The major service offered by GDI involves the identification of genetic markers to provide objective scientific evidence for the resolution of disputed parentage cases; GDI also maintains a Bone Marrow Typing Division for matching recipient with possible donors and a Forensic Division to aid criminal investigations. According to a report recently issued by the American Association of Blood Banks (AABB), GDI performs more parentage testing than any other AABB-accredited laboratory. GDI performed 177,000 genetic parentage tests during 1990. The laboratory directors of the Company have many years of experience in the management of histocompatibility laboratory operations and in determination of genetic data.
- B. **EXPERIENCE IN THE FIELD.** GDI currently holds contracts and provides genetic identification services to approximately 375 child support enforcement programs across the country. GDI has been awarded contracts to perform genetic typing for use in parentage determination by Child Support Enforcement Agencies in 35 states within the United States and also performs work in International cases. Due to this extensive experience, GDI has typed in excess of 400,000 HLA A's and B's.
- C. **ACCREDITATIONS/LICENSURES.** GDI has been inspected and licensed by the Department of Health and Human Services to do interstate testing under the Clinical Laboratories Improvement Act (CLIA) and for Medicare. GDI is also accredited by the American Association of Blood Banks (AABB) and by the American Society for Histocompatibility and Immunogenetics (ASHI).
- D. **DIRECTOR.** R. Scott Foster, Ph.D. is the Director of the Bone Marrow typing program. Dr. Foster has years of experience in assisting national registries with their bone marrow drives (see copy of curriculum vitae attached).
- E. **CUSTOMER INQUIRIES.** GDI maintains a special Bone Marrow typing team to respond to questions concerning individual drives, results, or any other aspect of the laboratory's service. A knowledgeable staff member monitors a toll-free number (1-800-247-9540) which is accessible at all times and routes inquiries to the appropriate resource person.
- F. **CUSTOM SERVICES AVAILABLE.**
1. **COORDINATION SERVICES FOR LARGE DRIVES.** GDI will make available all support services needed for large drives including a coordinator to spearhead and personally run the drive if volumes warrant it, phlebotomy services, and transportation of blood specimens to the laboratory.
  2. GDI is also able to perform bone marrow typings for minorities with extensive tray typings available upon reasonable notice.
  3. GDI is capable of handling large drives (4,000-8000 donors) drawn at the same time as well as single donors.



- G. **PHLEBOTOMY SERVICES.** GDI presently has a phlebotomy network in excess of 3,000 phlebotomists. Where the Department desires, efficient and reasonably priced phlebotomy can be arranged by GDI to service your account. GDI can provide phlebotomy services at a mutually agreeable location and time. Phlebotomy services can be provided through either a clinical setting (laboratories, hospitals, clinics, and health departments) or drawing at any other location designated by you. If the current phlebotomy is acceptable, GDI will attempt to retain the same phlebotomy services at the same rate, if possible. GDI provides all supplies necessary for the collection and preservation of specimens. In addition, we provide overnight courier service for the delivery of the samples to the laboratory within 24 hours. GDI has a strict set of standards which we follow when hiring our phlebotomists. The individuals must have a minimum of 2 years practical experience in phlebotomy. References are checked carefully and at least one reference must have first hand knowledge of the ability of the individual concerning pediatric phlebotomy. We require "hands on experience" because most states do not require or have available, a certification program for phlebotomists (among those that do, the certification is based solely on written exams rather than practical ability). GDI requests copies of all certifications and degrees. GDI is very proud of the high standards and professional reputation we have been able to establish throughout the country regarding phlebotomists.
- H. **TRANSPORTATION OF BLOOD SAMPLES.** After blood samples are drawn and packaged securely according to GDI protocol, the box is immediately transported to GDI. Overnight (24 hr) delivery (Airborne, Federal Express, commercial airline, etc.) service is used for this purpose. Courier packaging materials and pre-addressed forms are provided.
- I. **TURNAROUND TIME.** GDI offers five (5) day turnaround time for its Bone Marrow typing accounts.
- J. **BILLING DEPARTMENT.** GDI maintains a fully staffed billing department to provide accurate billing services. GDI will work with you to achieve any required billing specifications needed.
- K. **REPORT FORMAT.** Attached is a copy of a sample Bone Marrow Typing Report.
- L. **PRODUCT OFFERINGS AND PRICE.** GDI offers the following typings.

- i. **A and B TYPING.** Bone marrow tissue typing requires testing for HLA-A and B antigens for capability screening.

HLA-A and B Typing for Registry .....	\$ 50 per person
HLA-A and B Private Donors .....	\$ 75 per person
(Guaranteed 100 Donors)	

- ii. **DR TESTING.** GDI will perform Dr testing for the registries as well as the A and B typing. Once the registries have the A and B types for a donor in the computer files, screening can be performed to find a "match" for a transplant patient. The donor or donors who most closely match the patient must be contacted, first specimens drawn, samples sent to GDI and additional testing performed. Most Dr typing will be requested directly to GDI through the Bone Marrow department. The Dr testing is more difficult than the HLA A & B screening. Individual phlebotomy draws must be arranged and coordination is more involved. Consequently, the testing is \$100 per person for the Dr.

- iii. **DQ TYPING.** The DQ antigen is associated with the Dr antigen. This can be reported on request.

HLA-Dr, DQ for Registry .....	\$ 100 per person
-------------------------------	-------------------

- iv. **COMBINATION.**

HLA A and B, Dr, DQ .....	\$ 150 per person
---------------------------	-------------------

These prices are negotiable based on volumes. There are very few private donors as most do apply to one of the registries.



BONE MARROW TYPING REPORT

7017 Albert Pick Road  
Greensboro, NC 27409-9654  
(919) 668-3210

# Sample Report

<u>Specimen Number</u>	<u>Social Security No.</u>	<u>Account Number</u>
91304-3100	000-000-0000	8989708-GD
<u>Patient Name/Address</u>	<u>Sex/Date of Birth</u>	<u>Account Name</u>
DOE, JANE D.	F 06/13/62	Genetic Design

---

<u>Date Drawn</u>	<u>Date Received</u>	<u>Date Reported</u>
10/30/91	10/31/91	10/31/91

### TEST RESULTS

<u>Test Performed</u>	<u>Result</u>
HLA A, B	HLA-A: 23
	HLA-A: W74
	HLA-B: 45
	HLA-B: W58

Genetic Design, Inc. is accredited to perform bone marrow typing by the American Society for Histocompatibility and Immunogenetics.

R. Scott Foster, Ph.D.

Senior Director, Genetic Design, Inc.

**ROBERT SCOTT FOSTER, PH.D.**  
Genetic Design, Inc.  
7017 Albert Pick Road  
Greensboro, NC 27409  
919-668-3210

**Personal Data**

Date of Birth: April 3, 1944  
Marital Status: Married, 3 children  
Military Service: Former Lt. USNR 1966-69

**PROFESSIONAL EXPERIENCE**

<b>Title</b>	<b>Institution</b>	<b>Description</b>	<b>Dates</b>
Senior Director of Parentage Testing; Director of Bone Marrow Testing	Genetic Design, Inc.	Directs Parentage and Bone Marrow Donor Testing to include overall responsibility for technical and QA aspects; reviews and signs cases; provides expert testimony	July 1991 - Present
Director of Bone Marrow Donor Testing; Co-Director of Paternity	Genetic Design, Inc.	Directs Bone Marrow Donor Testing and Co-Directs Parentage Testing	1989 - July 1991
Director/HLA	Roche Biomedical Laboratories, Inc.	Direct Paternity and Bone Marrow Testing	1986 - 1989
Associate Director/HLA	Roche Biomedical Laboratories, Inc.	Histocompatibility Testing, Paternity Evaluation	1985 - 1986
President/Director	Pontchartrain Medical Labs, Inc.	Direct Independent Clinical Laboratory (chemistry, microbiology, immunology, hematology, immunohematology and serology)	1982 - 1985
Laboratory Representative	Roche Biomedical Laboratories, Inc.	Sales/Marketing	1984 - 1985
Clinical Microbiologist	Highland Park Hospital	Microbiology and Nosocomial Infections surveillance; construct clinical microbiology handbook for Lifemark Corporations	1979 - 1982

Research Assistant Professor	Department of Microbiology, Graduate School of Public Health, University of Pittsburgh	Teaching and research in microbiology: immunology, molecular genetics	1976 - 1979
Research Fellow	Department of Microbiology, Harvard School of Public Health	Research on <u>Neisseria gonorrhoea</u> , molecular genetics, statistical analysis of microbial virulence	1974 - 1976
Head, Clinical Microbiology	U.S. Naval Hospital, NTC Great Lakes, Illinois	Supervise clinical microbiology laboratory and nosocomial infections surveillance and control program	1967 - 1969
Research Technologist	U.S. Public Health Service Hospital, San Francisco, California	NASA research project developing state-of-the-art methods of controlling viruses in life support systems	May - August, 1966

## EDUCATION

Degree/Title	Discipline	Institution	Date
Post-Doctoral Fellowship	Microbiology, Molecular Genetics	Harvard School of Public Health	1974 - 1976
Ph.D.	Major: Bacteriology and Immunology  Minor: Biochemistry	Department of Bacteriology and Immunology, University of North Carolina, Chapel Hill	1969 - 1974
A.B.	Bacteriology and Immunology	Department of Bacteriology and Immunology, University of California at Berkeley	1962 - 1966

## SCIENTIFIC FIELD

**Research Interests:** Histocompatibility, Infectious Disease and Molecular Genetics

**Career Interests:** Laboratory development and management. Marketing and technical support. Development of bone marrow donor registries. Histocompatibility testing.

## PROFESSIONAL ORGANIZATIONS

The American Society for Microbiology  
American Society for Histocompatibility and Immunogenetics  
American Association of Blood Banks

## BONE MARROW REGISTRIES

### L. Conferences:

- NIH Meeting on Bone Marrow Registry Formation - May, 1985.
- Joint meeting of Louisiana, Missouri and Michigan Bone Marrow Registries - October, 1985 (Kansas City, MO).
- Founding Meeting of the American Association of Bone Marrow Donor Registries (AABMDR) - March, 1986 (New Orleans, LA).
- AABMDR Meetings - November, 1986 (Greensboro, NC); December, 1987 (New York, NY); October, 1988 (Boston, MA); April, 1989 (Miami, FL); September, 1989 (Washington, DC); and June, 1990 (Washington, DC).
- Participated in formation of registries in Louisiana, Missouri, Michigan, Alabama and North Carolina.
- International Symposium, HLA in Medicine, Immunobiology of Diseases and Transplantation, Athens, Greece. Presenter.
- ASHI Region II Workshop, Nashville, Tennessee, June 1991.
- ASHI 17<sup>th</sup> Annual Meeting, Washington, DC, October 12 - 15, 1991.
- American Bone Marrow Donor Registry Conference, New Orleans, LA, March, 1992.
- XIV<sup>th</sup> International Congress of the Transplantation Society, August 16 - 21, 1992. (Paris, France)

### M. Positions held:

- Medical Advisory Board - Louisiana HLA Registry Foundation, 1984 - present
- The American Association of Bone Marrow Donor Registries Medical Advisory Board and scientific advisor - 1989 - present.

## PARENTAGE TESTING

### I. Testing:

- Cases evaluated: more than 50,000.
- Trials: testified as an expert in the field of disputed paternity in more than 450 cases held across the United States
- Depositions: testified as an expert in the field of disputed paternity in depositions on more than 400 occasions.

### II. Meetings (as speaker):

- Served as speaker for approximately 20 state level child support conferences and 5 national level child support conferences.
- Served as speaker for judicial conferences in the states of Maine, Maryland and Vermont.
- Served as speaker for legislative meetings in Arkansas and Louisiana.
- Served as speaker for Trial Lawyers Association on "Paternity Testing, Including DNA." Boone, NC. September, 1989.
- Served as speaker for the international Symposium "HLA in Medicine Immunobiology of Diseases and Transplantation" in Athens, Greece. October 22-25, 1989.
- Served as speaker for Alamance County Joint Meeting of AMA-ABA in Burlington, NC. April, 1990.
- Served as speaker for Child-Support conference in Asheville, NC. April 10, 1990.

### III. Accreditation:

Parentage Testing by the American Association of Blood Banks, January , 1987 - January, 1990.

Histocompatibility, Bacteriology and Parasitology by the New York State Department of Health, November, 1987 - Present.

Laboratory Director by the City of New York, April, 1987 - Present.

Histocompatibility/Paternity Director by the American Society for Histocompatibility and Immunogenetics, September, 1991-Present.

### HONORS

- |             |   |
|-------------|---|
| 1962        | California Scholastic Federation, Life Member   |
| 1969        | National Science Foundation Scholarship   |
| 1987        | Roche Biomedical Laboratories' President's Achievement Award                          |
| 1987 - 1989 | Participant in Roche Biomedical Laboratories' Circle of Excellence Management Program |

### PUBLICATIONS

Foster, R.S. and G.C. Foster. 1976. Electrophoretic Comparison of Endonuclease-Digested Plasmids from Neisseria gonorrhoea. Journal of Bacteriology. 126:1297-1304.

Foster, R.S. and J.W. Vinson. 1977. The Chicken Embryo as an Animal Model for Gonorrhea. Infection and Immunity.

Foster, R.S., H. Gooder and J.K. Spitznagel. Interaction of Group D. Streptococcal L-forms with Human Peripheral Blood Polymorphonuclear Neutrophils.

### ABSTRACTS

Foster, R.S., H. Gooder and J.K. Spitznagel. Interaction of Group D Streptococcal L-forms with Human Polymorphonuclear Leucocytes. Abstracts of the Annual Meeting of the American Society for Microbiology. G 242:66, 1973.

Foster, R.S. and J.W. Vinson. The Chick Embryo as an Animal Model for Gonorrhea. Abstracts of the Annual Meeting of the American Society for Microbiology. B 69:23, 1975.

Foster, R.S. and G.C. Foster. Endonuclease Analysis of Plasmids from Neisseria gonorrhoea. Abstracts of the Annual Meeting of the American Society for Microbiology. H 27-100, 1976.

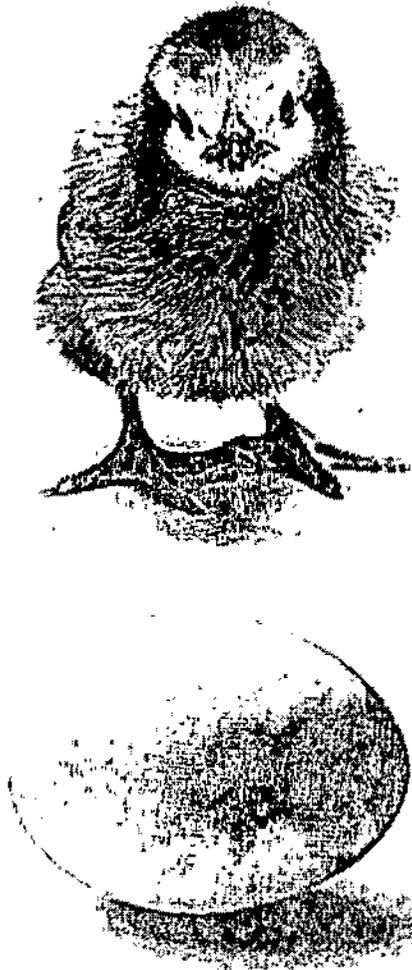
Budd, E.M. and R.S. Foster. Virulence and Colony Type Transition in Plasmidless Isolates of Neisseria gonorrhoea. Abstracts of the Annual Meeting of the American Society for Microbiology. H 91:119, 1978.

# At Genetic Design We Know Which Came First. And Who the Rooster Is.

We may never answer the old riddle. But as for *which* chicken came from *which* egg, Genetic Design can generate results that establish a 99.9+% probability.

We understand your need for the timely and reliable identification of paternity. We also know that paternity tests are only as reliable as their chain of custody. Only as accurate as their preparation and handling. And only as convincing as their ability to withstand the scrutiny of the legal system.

That's why Genetic Design is the largest paternity testing laboratory in the world.



With the added support of an extensive customer service network, and innovative procedures like GenSwab™—our non-invasive Buccal Swab™ analysis—Genetic Design has the answers.

For assistance or information on DNA and HLA parentage testing, forensic DNA analysis, or tissue typing, call toll-free today.

And if it's a question of whether understanding, commitment, accuracy, reliability, service or innovation comes first, the answer is simple.

At Genetic Design, they *all* do!

Genetic Design, Incorporated is accredited by the AABB and ASHI

1-800-247-9540



GENETIC DESIGN

Accurate and Reliable Testing. By Any Standard.™

Genetic Design, Incorporated • 7017 Albert Pick Road • Greensboro, NC 27409-9654 • 919/668-3210

# At Genetic Design We Provide Answers That Won't Leave You You-Know-Where.

The validity of forensic DNA testing and analysis can be compromised in a number of ways.

Accuracy may be legally challenged because of less-than-rigid procedures, specimen mishandling, even the reliability and skill of the testing company.

At Genetic Design, we're fully aware of these potential risks. So we go to extraordinary lengths to ensure the reliability of our results. We do it within parameters of rigorous discipline, unparalleled dedication, and acute attention to detail at every step.

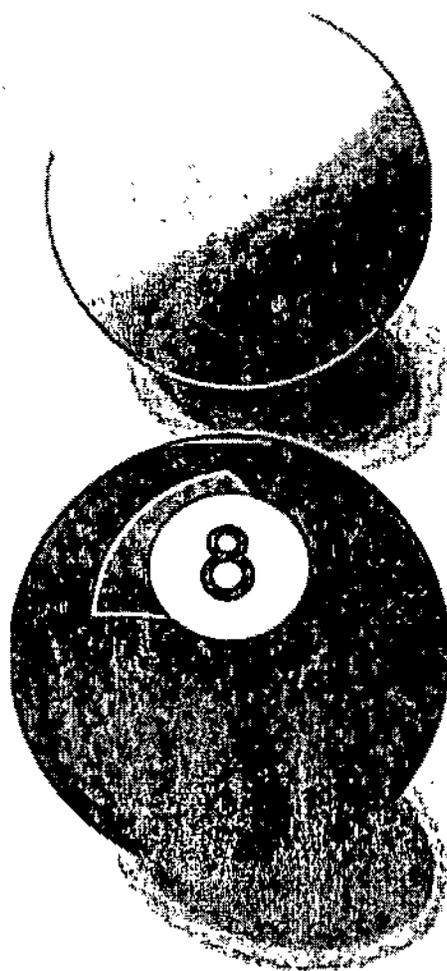
This commitment to

dependability and accuracy has made us the world's largest DNA testing laboratory. Nor does our commitment stop with lab work. Our staff is always ready to provide expert testimony on analyses, and even consultation on data from other laboratories.

For assistance or information on forensic DNA analysis, parentage testing, or tissue typing, call Genetic Design toll-free today.

Then you can be sure of having the answers. The right answers. Right in your pocket.

\* Genetic Design, Incorporated is accredited by the AABB and ASFH.



1-800-247-9540



GENETIC DESIGN

Accurate and Reliable Testing. By Any Standard.™

Genetic Design Incorporated • 7017 Albert Pick Road • Greensboro, NC 27409-9654 • 919/665-3993



School of Public Policy  
and Management

1775 College Road  
Columbus, OH 43210-1399  
Phone 614-292-8696  
FAX 614-292-2548

File:  
Paternity  
Estab.

Tim → Get IRP study on voluntary paternity estab.  
see p. 15

May 4, 1993

Mr. Bruce Reed  
Old Executive Office Building  
Room 216  
White House  
Washington, D.C. 20500

Dear Mr. Reed:

Enclosed are two items related to our work on paternity establishment. One is a journal article reporting on the results of a demonstration study in Cuyahoga County, Ohio. The second is a summary of a recently completed ASPE/MHS study on organizational impediments to expedited establishment of paternity and support orders. The findings from these studies are relevant to various aspects of welfare reform including the role of voluntary acknowledgements and the use of administrative process in establishing paternity and support orders.

I hope you find this information useful in your deliberations.

Sincerely,

Charles F. Adams  
Associate Professor

MAY 6 1993

ORGANIZATIONAL IMPEDIMENTS TO PATERNITY ESTABLISHMENT AND CHILD SUPPORT

Charles F. Adams, Jr.  
David Landsbergen  
Daniel Hecht

School of Public Policy and Management  
Ohio State University

March, 1993

## ABSTRACT

Child support and establishing paternity for children born out of wedlock figure importantly in the Family Support Act of 1988 and other proposals aimed at reforming the welfare system and reducing the incidence of child poverty. Early indications of the likely impact of the 1988 legislation pointed to noncooperative behavior among custodial parents and interorganizational conflicts as likely impediments to a more productive paternity establishment process. Subsequent research identifies the limits inherent in various organizational models for establishing paternity and the tensions that arise between the goal of improved productivity and concerns with due process and openness. Such limits and value conflicts notwithstanding, this research points to human-services based child support systems as the model best suited for limiting the adverse effects of interorganizational conflicts associated with paternity establishment.

---

## ORGANIZATIONAL IMPEDIMENTS TO PATERNITY ESTABLISHMENT AND CHILD SUPPORT

### INTRODUCTION

A significant feature of the 1988 Family Support Act<sup>1</sup> was its emphasis on child support enforcement, including the establishment of paternity for children born out of wedlock. Paternity establishment not only provides psychological benefits to these children,<sup>2</sup> but is also the basis for child support orders and potential reductions in child poverty and savings in public welfare costs. Establishment and enforcement of child support orders also figure importantly in other proposed measures for reducing child poverty. Simulations of a proposed child support assurance scheme, for example, show the cost estimates of a high-guarantee child support assurance program ranging from a net increase of 23 percent to a net savings of 24 percent depending on the degree to which child support orders are established and enforced.

With the 1988 legislation states are now required to meet one of three performance standards in paternity establishment: to establish paternity for at least half of all AFDC children born out of wedlock; to equal or exceed the average paternity establishment percentage for all states; or to increase the paternity establishment percentage by at least 3 percentage points per year. To a large extent, the impact of this legislation depends on the ability of states and localities to implement administrative reforms to their child support programs and, in turn, on the responsiveness of clients to these changes.

Early evidence of the likely impact of these interventions was provided from a paternity establishment demonstration project conducted in Cuyahoga County, Ohio, over the period March 1988 through September 1989.<sup>4</sup> While somewhat successful in expediting the paternity establishment process and in promoting more voluntary admissions of paternity, the demonstration identified two likely impediments to successful implementation of the 1988 legislation. The first concerned the very complex set of institutional arrangements governing paternity establishment in the demonstration site and in many counties around the country. Involvement by the court, prosecutor, advocacy groups, the local human services agency, and the child support agency itself creates a complex interplay of competing traditions and values which is likely to have a limiting effect on local implementation of any reform effort.

The second limiting factor was the apparent reluctance of custodial parents (nearly always the mother) to cooperate with the paternity establishment process. Such cooperation is essential to paternity establishment and a more effective child support system. The high incidence of noncooperation observed during the demonstration among both experimental and control group custodial parents, indicated that administrative reforms alone might not be sufficient, and that interventions aimed more directly at influencing client behaviors might be required to achieve the performance standards prescribed in the 1988 legislation.

## FOLLOW UP ON ORGANIZATIONAL IMPEDIMENTS

As a follow up to the demonstration study, funding was obtained for a more extensive study of the nature of interorganizational dependencies in the paternity establishment process. The research design for this project was based on a series of in-depth field studies of paternity establishment processes in eight locations; four in Ohio and four locations around the country. The field research methodology was qualitative in nature and fit closely with Kenneth Gordon's description of an "Illuminative Evaluation" where the primary objective is an understanding of "the most significant aspects of an entire milieu, including important structures and interrelationships, negotiations between parties, reciprocal influences, and alternative conceptualizations and value orientations, critical processes, resource utilization, and any other aspects of the environment deemed significant."<sup>6</sup>

The Ohio field sites provided an opportunity to assess four different organizational models within a state supervised, locally administered child support system. Reorganized in 1987, the Ohio child support enforcement program requires each board of county commissioners to organize its local child support function as a free standing agency of county government, as an agency of the county human services department, as an agency of the county prosecutor's office, or an agency of the county domestic relations court. The four counties selected for the study were: Mahoning County (Youngstown) representing the free standing model; Montgomery County (Dayton) representing the human services model; Summit County (Akron) representing the prosecutorial model; and Hamilton County (Cincinnati) representing the court model.

The choice of the four national sites was guided by specific issues and questions that emerged from the Ohio site visits. In particular, there was the issue of in-house attorneys and their role in expediting the paternity process. There were also questions about the limits to voluntary consents as a way to expedite the paternity process. Reputation for doing innovative or particularly good work in the child support area was also taken into account in choosing the national sites. The four national sites selected were: The State of Oregon which has a state administered child support system with extensive experience in the use of voluntary acknowledgements and the use of administrative process in paternity cases; St. Louis City, Missouri which has a state administered child support system which contracts with the local prosecutor for legal services; Marion County, Indiana (Indianapolis) which has a locally administered child support system under the county prosecutor has a court specifically dedicated to child support cases; and Wayne County, Michigan (Detroit) which has a state administered child support system in which the court plays a significant role in managing the paternity establishment process.

The field research entailed three-day visits to each site, with interviews scheduled with agency heads, administrators, and line personnel in each organization involved with the paternity establishment process. Typically, this entailed interviews with personnel in the local child support enforcement (or IV-D) agency, the local welfare (or IV-A) agency, the prosecutor's office, and the court responsible for hearing IV-D cases. Particular emphasis was given to the ways in which these various

organizations interacted in the establishment process and factors that appeared to facilitate or inhibit timely completion of the process.

These various interviews were guided by a semi-structured interview instrument that insured that every jurisdiction was asked a core set of questions for later comparison. The questionnaire contained separate sections for top administrators, supervisors, and line personnel and there were four parts to each interview: 1) background information about the individual; 2) the main procedures which that organization performed on a IV-D case; 3) the main points of contact between the individual's own organization and its sister organizations in working a IV-D case; and 4) concerns about MIS and the flow of information for managing and tracking paternity cases. To complement information from the interviews, data were also collected on trends in case activity and case processing at each site.

### Analytic Frameworks

The field research was also guided by two analytical frameworks. From the economics literature, the concept of transactions cost analysis was used to capture organizational behaviors aimed at gaining control over inter-organizational relations in order to promote greater efficiency and productivity. Drawing on the work of Oliver Williamson,<sup>10</sup> we looked specifically for examples of attempts by local IV-D agencies to expedite the paternity process by creating more hierarchical or centralized paternity processes; in effect, expediting paternity by reducing interorganizational dependencies and, in turn, the number of interorganizational transactions associated with the establishment process. We also looked for ways in which organizations might be responding to the limiting effects of interorganizational dependencies by altering the nature of the services associated with paternity establishment. For example, paternities established voluntarily need less adjudication and, therefore, are less dependent on the services of the prosecutor and the court. Hence, one strategy for reducing transaction costs and expediting the establishment process would be to increase the proportion of voluntary establishments.

From the public administration literature, we drew on a framework developed by David Rosenbloom<sup>11</sup> as a way to capture the opportunity costs associated with local efforts to create more expeditious and productive paternity establishment processes. Rosenbloom's basic thesis is that most issues in public management and policy can be described as a tension between two or three fundamental schools of public administration: the legal, political, and managerial schools. Each has certain core values which it seeks to maximize through organization procedures and design.

Adapting Rosenbloom's framework to our study, we specifically looked for indications of underlying tensions between local efforts to create more efficient and expeditious paternity establishment processes (expressions of Rosenbloom's managerial approach) and concerns about due process (the legal approach) and representation (the political approach). In effect, efforts to promote greater efficiency in establishing paternity reflect a response to only one set of values, and there is the distinct possibility that success in promoting greater efficiency may come at the expense of procedural due process, fundamental fairness, or openness to political representation. Hence, our field research was guided in part by an attempt to better understand the extent to which these competing values are

reflected in local decisions about expediting the paternity process and the extent to which such conflicts may be having a limiting effect on such efforts.

## FINDINGS<sup>12</sup>

For each of the eight field sites included in the study, there were clear indications that paternity establishment and efforts to expedite the establishment process are high priorities. Moreover, while the purpose of the study was not a performance evaluation, per se, statistical data collected at each site indicate that these localities have had some success in increasing the numbers of paternities established in recent years.

To some extent, the focus on paternity establishment represents a departure from past practices when paternity ran a poor second to support enforcement. At several of the field sites, this was indicated by the relatively inferior or non-existent computerized information systems for processing and managing paternity cases compared to long standing automated MIS systems for support enforcement. In one location, too, the very cramped space afforded the paternity unit signified the relatively low standing of paternity establishment compared to support enforcement.

The historically low emphasis given to paternity establishment, especially for women on welfare, can be partly explained by notions of cost effectiveness--the idea that establishing paternity and a support order for a woman on welfare is likely to yield relatively little in actual support payments. At the same time, interest group activity on behalf of women dependent on child support has tended to focus mainly on enforcement-related issues rather than on establishment. On the basis of the eight sites included in the study, therefore, it would appear that the child support provisions in the 1988 Family Support Act have had an impact in bringing greater attention to bear locally on paternity-related aspects of child support.

### Interorganizational Dependencies

Within each of the localities in the field study, the complex nature of interorganizational dependencies associated with paternity establishment and efforts to expedite the process were very apparent. However, the nature of these complexities and how well they were managed varied significantly among the sites. To understand these interdependencies, we examined the paternity establishment process along the continuum from case referral to case adjudication. From this research, it would appear that the factors that help to expedite paternity establishment in the referral phase may be the very same factors that adversely affect the timely processing of cases in the adjudication phase, and vice versa.

Referral. The key relationship in the referral phase is between the local IV-D agency and the IV-A agency. For ADC-related paternity cases, it is the IV-A agency that has the first contact with the custodial parent. In the course of the IV-A eligibility interview, the applicant's obligation to cooperate with the IV-D agency in determining paternity for any out-of-wedlock children and obtaining child support from the putative father is explained, and essential information about the putative father (e.g., social security number, birth date, place of residence, and place of work) is

solicited from the custodial parent and passed along in the referral to the IV-D agency. The IV-D agency also depends on the IV-A agency to sanction the custodial parent if she refuses to cooperate at any stage in the establishment process and is unable to show good cause. Examples of noncooperation most commonly cited were failure to show for IV-D interviews, pre-trial hearings, and blood tests.

Over the course of the field research, complaints were widely voiced by IV-D administrators about the poor quality of IV-A referrals. The main issue was the lack of information that would be helpful in locating the absent parent. Our interviews with IV-A administrators and intake workers revealed the large amount of time and effort involved in eligibility determination for public assistance--a process involving several program areas (the ADC grant, food stamps, medical assistance, child care, housing, etc.) and taking up to an hour to complete and frequently more than one interview session. IV-A personnel readily acknowledged that given the scope and amount of detailed information called for in the IV-A eligibility interview, information pertinent to the IV-D referral is viewed as only one small component. Moreover, IV-A personnel indicated that the information solicited about the absent parent takes more persistence and time than the IV-A intake worker is willing or able to give.

While the quality of referral information was a pervasive concern among IV-D administrators, there was a distinct difference across the field sites in the degree to which this and other aspects of the IV-A relationship were viewed as limiting factors in expediting paternity establishment. In general, for IV-D agencies located within a human services or welfare department, the issue loomed much less critically than for IV-D agencies unattached to welfare or human service programs. Among the Ohio field sites, for example, Montgomery County was the site where IV-D was located in a human services department. While IV-D administrators in Montgomery voiced concerns about IV-A referrals, these concerns were minor in comparison to those voiced in Mahoning and Summit Counties. In these latter sites (free standing and prosecutorial models, respectively), poor quality IV-A referrals and noncooperation by custodial parents were noted as the most significant problems faced by the agency in its attempt to achieve greater productivity in paternity establishment. Noncooperation by custodial parents was largely blamed on the local IV-A agency's unwillingness to aggressively sanction women who would not cooperate with IV-D. In both of these locations, IV-D administrators were critical of their IV-A counterparts and there was no evidence of institutional mechanisms through which solutions to these concerns might be sought.

Similarly in the sites outside of Ohio, the IV-D agency in Marion County, Indiana was located in the county prosecutor's office, and a major concern was lack of good referrals from IV-A and noncooperation among custodial parents. In Oregon and Wayne County Michigan, on the other hand, the IV-D programs were administered by the state welfare departments. In both of these locations, special institutional arrangements had been developed to facilitate coordination between IV-D and IV-A on matters of child support and paternity establishment. In Wayne County, IV-D support specialists were co-located in each of the neighborhood IV-A offices. This allowed a process whereby once the custodial parent finished her IV-A eligibility interview and eligibility was established (typically a matter of two IV-A interviews), she would meet with the IV-D support officers in

the same location to provide information on the putative father and his location.

In Oregon, IV-D intake was not co-located with IV-A, but an extensive training program had been initiated to facilitate better referral information. The Oregon system also had a well integrated and automated management information system through which IV-D files were automatically created from the IV-A eligibility interview. IV-D requests for sanctioning in instances of non-cooperation are all handled electronically, and unless the custodial parent responds within ten days of being notified, sanctions are automatically imposed. Both the Oregon and Wayne County systems had a liaison person who was actively involved in promoting greater communication and cooperation between IV-A and IV-D.

On balance, the field research strongly supports the idea that cooperation between IV-A and IV-D is much more likely to occur if the IV-D agency is directly administered by the state or local human services department. While there is the obvious advantage of having both agencies working for the same director, this alone will not eliminate friction between IV-A and IV-D. However, a common professional culture, cross fertilization in the staffing of the two agencies, and physical proximity combine to facilitate communication and the creation of institutional mechanisms to foster greater coordination. For IV-D agencies located outside of human service departments, the results of the field research provide little evidence that institutional mechanisms will evolve to identify areas of common interest and to mitigate conflicts between IV-A and IV-D. In fact, given the prominent representation of lawyers in these other IV-D organizations, there appears to be something of a cultural rift and natural antithesis between IV-D and IV-A administrators. On more than one occasion during the field interviews, IV-D administrators who had legal backgrounds expressed open contempt for what they perceived as the bureaucratic, rule-driven mindset of IV-A administrators. With such entrenched attitudes, it is difficult to imagine any institutional mechanism evolving that will promote IV-A/IV-D cooperation.

Adjudication. Turning to the adjudication phase of paternity establishment, an even more complex set of interorganizational dependencies comes into play, especially for IV-D agencies located in human service departments. In Montgomery County, Ohio, for example, the IV-D agency contracts with the local prosecutor to provide legal services in the filing of paternity complaints and in representing the agency and the custodial parent before the court. In turn, the Clerk of the Court must process the filing of paternity complaints and oversee service of process, and the Juvenile Court is depended upon to provide referee time for pretrial hearings and, in extreme cases, to provide judge's time for jury trials.

For the other Ohio field sites (Hamilton, Summit, and Mahoning Counties), the process is similar except that each of these IV-D agencies has its own in-house legal staff. From the standpoint of expediting paternity adjudication, this is a significant difference. In a contractual arrangement between a IV-D agency and a local prosecutor, the agency appears to be at a distinct disadvantage. There is the general perception, for example, that paternity casework is not viewed favorably by assistant prosecutors who are mainly interested in gaining criminal casework experience. Hence, assistant prosecutors will rotate out of paternity

assignments at the earliest possible moment (typically within a year). Another common perception is that prosecutors will assign their most inexperienced and least capable assistant prosecutors to paternity work. This results in a lack of continuity and expertise in handling the legal aspects of paternity work.

Agencies with their own in-house legal staff have the advantage of a dependable and knowledgeable source of support for legal work on paternity cases. Moreover, it would appear that such expertise also works to the IV-D agency's advantage in developing relations with the court which has jurisdiction over paternity cases. Judges and referees work comfortably with other legal professionals. Hence, through its legal staff, the agency is in a better position to negotiate with the court over docket time and procedural aspects of paternity cases.

Tradeoffs. What this suggests is an apparent tradeoff between the advantages of having the IV-D agency in a department of human services which facilitates greater coordination with the IV-A agency over referrals and sanctioning, and the disadvantages of having the IV-D agency dependent on the local prosecutor for legal services. In theory, there would appear to be a strong argument for centralizing the legal function within the local welfare department's IV-D operation. However, the antithesis of lawyers toward public administrators would appear to be fully reciprocated. When such an arrangement was suggested to a high level human services administrator in Montgomery County, for example, the response was unequivocally negative.

The alternative strategy adopted by Montgomery County has been to aggressively promote greater use of voluntary acknowledgements in paternity cases so as to minimize the need for legal or court services. While three of the Ohio sites (Montgomery, Summit, and Mahoning Counties) were moving in this direction, discussions with IV-D administrators in Montgomery indicated that greater use of voluntary acknowledgements was critical to the County's efforts to expedite the paternity process.

Outside of Ohio, the experience in Wayne County, Michigan was similar to that of Montgomery County, with the human-services based IV-D agency contracting with the county prosecutor to do the legal work on paternity cases. Low prioritization of such casework by the prosecutor and frequent turnover of assistant prosecutors assigned to paternity work were cited as having a very limiting effect on the IV-D agency's ability to process paternity cases. The situation turned around in Wayne County when the Friend of the Court took charge of the legal work. The IV-D agency still contracts with the county prosecutor for legal work, but the legal work is actually carried out by lawyers hired by the Friend of the Court who, in turn, are deputized as "special" prosecutors. In effect, Wayne county has achieved improved productivity over the adjudicatory phase of paternity establishment by centralizing the legal function within the court which, along with IV-D, placed a high value on expediting the paternity process so as to reduce a very large backlog of paternity cases and the associated demands on the Court's docket.

In Oregon, the human-services based IV-D agency contracts with the State's Department of Justice to provide legal services in paternity cases. However, within DOJ there is the Division of Support Enforcement

specifically set up to handle child support casework. Hence, unlike Montgomery County, an institutional arrangement has developed in Oregon which appears to have promoted a culture in which both the IV-D agency and the external organization with which it contracts for legal services (SED) have a shared set of values in promoting the expeditious processing of paternity cases.

These examples from the field research suggest that while a human-services based IV-D program may be at a comparative disadvantage in expediting the adjudicatory phase of the paternity process, there are ways to compensate for this inherent limitation. While human service administrators may be reluctant to centralize the legal function by hiring their own lawyers to service paternity cases, increased emphasis on voluntary establishments is seen as a way to reduce the need for prosecutorial and court services. In places such as the State of Oregon and Wayne County, Michigan, institutional arrangements have evolved in ways that reinforce the IV-D agency's objective of expediting the paternity process. It is important to note, however, that such institutional arrangements are the result of particular individuals within the court or prosecutor's office taking a personal interest in expediting the paternity process.

While IV-D agencies operating as free standing agencies or under the auspices of the prosecutor or the court are more likely to foster inter-organizational cooperation over the adjudicatory phase of the paternity process, such configurations are clearly limited in their ability to expedite the paternity process over the referral phase of the paternity process. Such systems are much more likely to find their efforts to expedite the paternity process seriously hampered by noncooperation by custodial parents. Interventions to prevent or limit such behavior depend on coordination between IV-D and IV-D. Among the child support systems in our field research that are located outside of human service agencies, we found no examples of institutional mechanisms working to promote such coordination.

#### Voluntary Acknowledgements

A general tendency toward greater emphasis on voluntary acknowledgements of paternity was observed among the field sites. Of the eight sites, seven were either implementing procedures aimed at increasing the number of voluntary acknowledgements or were already quite experienced in their use. Estimates varied widely as to the proportion of paternity cases determined through voluntary acknowledgements. In part this reflects a fairly elastic definition of what constitutes a voluntary acknowledgement. Some places categorize a case as a voluntary acknowledgement only if such an acknowledgement is made prior to the filing of a paternity complaint; others include cases even after a pre-trial hearing and a blood test has been performed. Estimates from Oregon, which has made a concerted effort to reduce the amount of judicial input to paternity cases, indicate that approximately one-third of its paternity cases are decided voluntarily in the sense that the absent parent participates in the initial interview and decides to make such an acknowledgement. Another one-half of its paternity cases are decided by default which might be interpreted as a type of passive acknowledgement. In these cases, the absent parent is served with a complaint and fails to show for a pre-trial hearing. Assuming good service, the absent parent is, in effect, acknowledging paternity by default.

The Oregon statistics, which reflect extensive experience with voluntary acknowledgements, indicate that 80 percent or more of paternity cases can be determined without extensive judicial involvement through a combination of voluntary acknowledgements and default judgments. Comments from the field interviews indicate that more extensive use of voluntary acknowledgements places greater weight on the IV-D caseworker to determine if the case is one for which a voluntary acknowledgement is appropriate. Caseworkers must also be well trained in the application of support guidelines and in avoiding misrepresentation in matters requiring legal counsel. Greater use of default judgments also reduces demands for legal and judicial input, but there is a corresponding need for good process of service to insure that the putative father is properly notified.

#### Management Information Systems

The status of computerized information systems varied widely across the field sites. Among the more advanced systems were those in Summit County, Ohio, Wayne County, Michigan and the State of Oregon. In other instances, paternity units were only recently computerized, with case processing involving a mix of automated and manual systems.

Even among some of the sites with more advanced MIS systems, there were clear limitations in the extent to which information could be electronically shared among the different local organizations involved in the paternity process. In Summit County, for example, the IV-D unit in the prosecutor's office had a well developed computerized case management system. However, there was no capability for sharing case information electronically with the county department of human services on new referrals or updates on on-going paternity cases. Rather, information was hand carried between the two agencies on a weekly basis. Electronic information exchanges between the IV-D agency and the court were nonexistent in a number of the field sites. As a result, case updates, including the status of service and hearing dates often had to be checked manually by IV-D personnel.

In addition to the advantages of automated information systems for case management, the field interviews revealed examples of how automated systems can facilitate interorganizational cooperation in the paternity process. In Hamilton County, Ohio for example, IV-D administrators indicated that the case tracking capabilities of its MIS system enabled the agency to more clearly document bottlenecks in the flow of paternity cases and to negotiate more effectively with the juvenile court for docket time. And in Oregon, where there is electronic information sharing between IV-D and IV-A, requests for sanctioning in instances of noncooperation are all handled electronically. Transaction costs between the two agencies are thus reduced and this may partly explain the high degree of cooperation between the two agencies over sanctions and the sharing of case information.

More generally, there would seem to be significant opportunity for the development of MIS systems capable of electronically sharing information across all phases of the paternity establishment process. Such sharing could lead to greater coordination and cooperation among agencies, and any attempts to impose statewide MIS systems should take into account opportunities to promote inter-organizational linkages.

Competing Values.

While concern about greater efficiency was clearly a motivating force behind much of the activity observed in the eight field sites, concerns about issues of due process and political representation were less apparent. However, as efficiency continues to be emphasized as a policy objective, conflicts with these and other values would seem to be inevitable. Indications of such potential conflicts were provided in Wayne County, Michigan, arguably the most efficient child support system of the eight field sites we visited. The Wayne County system has no backlog of cases and 98 percent of all paternity cases are reportedly completed within one year. The Wayne County system is a highly centralized system, with the prosecutorial function effectively carried out by the Friend of the Court. While putting the prosecutorial function under more centralized control undoubtedly helps expedite the paternity process, it also raises questions of conflict of interest and whether the court can act impartially in weighing arguments made by a special prosecutor employed by the court itself.

The Wayne County system also considers the county to be the plaintiff in paternity cases. This helps to expedite paternity cases in that once the initial IV-D interview occurs, the custodial parent no longer plays a necessary part at each stage of the process. For example, it is not necessary for her to be at pretrial hearings or at hearings on default judgments. This limits delays that might otherwise result from non-cooperative behavior by custodial parents and, therefore, helps expedite the paternity process. While promoting greater efficiency in paternity adjudication, such policies also result in a more impersonal child support system. Some concern was expressed by local administrators that a paternity order could be established in Wayne County and the custodial parent would not even be aware of it.

The Wayne County child support system also places considerable pressure on putative fathers to voluntarily admit to paternity. If, at the initial IV-D interview, they acknowledge paternity, some part of the health costs incurred at the time of the child's birth are routinely waived. However, if the putative father exercises his right to a blood test and the case goes forward to the Friend of the Court, those birth-related costs will not be waived in the event that he is found to be the father. Given a reported exclusion rate of over 30 percent in Wayne County, it is not unreasonable for putative fathers to want to exercise their rights to a blood test and any pressure to discourage them from doing so is at least arguably an infringement of those rights. \* ?

Questions of procedural due process and fundamental fairness arose elsewhere among the field sites. In three of the Ohio sites, for example, efforts to deal with very large backlogs of paternity cases have led to such practices as initial IV-D interviews with groups of custodial and absent parents, substitution of a questionnaire for face-to-face IV-D interviews, and mass pre-trials (up to 100 cases heard at one time). While intended to expedite the paternity process, such measures raise questions of whether the interests and concerns of the custodial and absent parents are being fully heard.

Similarly, more aggressive use of voluntary acknowledgements has raised due process concerns among some of those we talked with in the field. The high rate of illiteracy among the population served by IV-D agencies was

noted in discussions about whether putative fathers fully understand the rights they waive (to blood testing and to be heard by the court) when they voluntarily acknowledge paternity. Related to this, a number of people interviewed raised due process questions in connection with voluntary acknowledgements and the risk that IV-D case workers might be under increased pressure to provide legal advice.

In general, a number of issues were raised in the course of our field research related to the principles and values of due process and fundamental fairness. However, these issues and questions reflected concerns by individuals and were not consistently voiced as a matter of general concern within any particular part of the child support system. Even among court referees and judges, persons who might be expected to be most sensitive to these issues, concerns about the magnitude of the paternity casework dominated all other issues. It would seem, therefore, that any push to force a broader reckoning of values in policy initiatives related to paternity establishment will not come from within the system but will result from pressure brought from outside.

Politics. In each of the eight field sites we inquired about political interest in child support and paternity establishment. We were especially interested in any interest group involvement by custodial or absent parent groups and whether their concerns were being heard by IV-D administrators. There were examples of such involvement. The mothers organization, ACES, was active in several of the sites and local county commissioners in two of the Ohio sites were sufficiently sensitive to constituent interests over child support matters to have child support hotlines installed in their offices. In Oregon, an interview with the local ACES representative indicated that she had been invited to testify at hearings on state policy. However, as noted earlier, most of the comments about interest group activity seemed to be motivated by concerns about enforcement rather than with the establishment of paternity and support orders. It would seem, therefore, that local efforts to promote efficiency in paternity establishment have not been greatly affected, positively or negatively, by interest group demands for greater representation of their views in the process. Historically, however, relatively greater interest group emphasis on support enforcement issues may have indirectly detracted from local efforts in paternity establishment.

#### CONCLUSIONS

This study has attempted to clarify the nature of interorganizational dependencies in paternity establishment and how such dependencies impede efforts to expedite the paternity process. From this research we conclude that every organizational structure has strengths and limitations with respect to expedited paternity establishment. Systems that do better at coordinating the referral and sanctioning aspects of the paternity process also tend to have more difficulty in coordinating the adjudicatory phase of the process, and vice versa. On balance, however, we conclude that human-services based child support systems have the best chance of achieving improved coordination over all phases of the paternity process. While such systems are relatively disadvantaged in managing the flow of cases through the adjudicatory phase of the process, there are a number of ways to deal with this inherent limitation.

Greater use of voluntary acknowledgements is one obvious strategy. In this connection, Wattenberg, Brewer, and Resnick report a high rate of willingness on the part of young unwed fathers to acknowledge paternity at the time of birth and they urge states to simplify procedures for the use of declaration of parentage forms or affidavits of paternity that can establish a presumption of paternity. More than 60 percent of the fathers interviewed were at the hospital following the birth of their child, and as a group, they reportedly shared an attitude toward court adjudication of paternity as "dense, complicated, threatening, and to be avoided."<sup>13</sup> Early intervention in paternity establishment is also supported in a statistically-based analysis by Burt Barnow who reports age of child as one of only three socioeconomic characteristics<sup>14</sup> having a statistically significant correlation with paternity establishment.

Ohio is one of several states to recently enact legislation whereby the father of a child born out of wedlock has the opportunity to sign an acknowledgement of paternity indicating that he is the natural father and that he assumes the duty of support.<sup>15</sup> This legislation also calls for the Ohio Department of Human Services to contract with the Department of Health and, in turn, for the Department of Health to contract with local hospitals to provide staff to advise unmarried mothers and fathers about the benefit of establishing paternity, to provide all forms, statements, and agreements necessary to voluntarily establish a parent and child relationship, and to forward completed forms to the probate court.

While greater emphasis on voluntary acknowledgments is an obvious way for human-services based child support systems to reduce the need for adjudication, it is important to recognize the costs associated with this strategy. As previously noted, greater use of voluntary acknowledgements minimally requires better front-end case work by child support workers to insure that such acknowledgements are properly sought. And, as indicated in the recent Ohio legislation, outreach efforts to promote greater use of voluntary acknowledgements can result in a more complex set of organizational dependencies and potentially higher costs. Finally, as the Wayne County discussion pointed up, care must be taken that greater emphasis on voluntary acknowledgements of paternity does not conflict with matters of fundamental fairness and due process considerations.

It is also important to recognize that even in a child support system that actively pursues a strategy of voluntary acknowledgement, paternity will be contested in a sizeable percentage of cases. And, as Ann Nichols-Casebolt points out in her study of paternity establishment in Arizona, the use of less formal<sup>16</sup> procedures does not solve the problem of no-shows among alleged fathers. The results from the Oregon site visit reported earlier indicate that even with a concerted effort to promote voluntary acknowledgements, only about one-third are decided voluntarily, with the balance involving a combination of default judgments and actively contested paternities. Hence, it is unlikely that adjudication can ever be completely avoided in paternity cases.

Even for contested cases, however, the field research points up several ways for local human-services based child support systems to compensate for what is perceived to be a comparative weakness in managing the adjudicatory phase of paternity establishment. To the extent these agencies must contract for legal services with local prosecutors, for example, improved

MIS systems can be used to monitor and enforce the terms of those contracts. Improved MIS systems designed to permit greater sharing of information across different phases of the paternity process can also have a mitigating effect on interorganizational frictions.

Local human-services based child support agencies also have the option of assuming a larger direct role in paternity adjudication. Despite evidence from the field research of a strong aversion by social service administrators toward managing the legal aspects of paternity casework, results from a national survey indicate that an estimated 55 percent of local child support agencies located in departments of human services perform the legal work on paternity cases in house rather than contracting it out to local prosecutors.<sup>18</sup> Hence conflicting views between professional human service administrators and lawyers notwithstanding, they do not appear to be an absolute impediment to a more hierarchical structuring of the legal servicing of paternity casework within human-services based child support agencies.

In this connection, too, a number of states have passed legislation mandating that local child support agencies establish an administrative procedure for handling both voluntary and contested paternity cases. Recent legislation in Ohio, for example, requires all counties to directly employ or to contract with a person to serve as an administrative officer in determining the parent child relationship and in establishing a support order.<sup>19</sup> Even in contested cases, an administrative procedure must be undertaken before an action can be brought in juvenile court requesting the court to decide the issue of paternity. With such legislation, local child support agencies, including those located in departments of human services, are necessarily becoming more directly involved in managing the adjudicatory aspects of paternity establishment and child support.

Again, there is no perfect organizational model for managing the paternity establishment aspects of child support. The performance of any system will be confounded by noncooperative individual behaviors and by structural impediments across the various phases of the establishment process. However, of the various organizational models used in child support, human-services based systems appear to be the best suited to deal with and limit noncooperation by custodial and absent parents, while at the same time having a number of options to deal with various structural impediments over the adjudicatory phase of the paternity process. For local child support agencies operating under the auspices of a local prosecutor, court, or as a free standing agency, the largest impediment is at the referral stage and promoting greater cooperation with the local IV-A agency. Improved MIS systems and information sharing may help in this regard, but there are no obvious ways around the need for such cooperation. Referrals are an essential part of the paternity establishment process for AFDC recipients and there are no alternatives to the IV-A role in making these referrals. Hence, prosecutorial, court, and freestanding child support systems will always be dependent on IV-A cooperation, and on the basis of our field research, such cooperation is not likely to come easily.

NOTES

This research was funded by the Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services. The conclusions are those of the authors and do not necessarily reflect the opinions of ASPE/HHS.

1. Family Support Act of 1988, P.L. 100-485, codified at 42 USC 1305.
2. Esther Wattenberg, "Nonmarital Children: Do Policy and Practice Discourage Adjudication?" Public Welfare 48 (1987): 8-13.
3. Irwin Garfinkel, Philip K. Robins, Pat Wong, and Daniel R. Meyer, "The Wisconsin Child Support Assurance System: Estimated Effects on Poverty, Labor Supply, Caseloads, and Costs," Journal of Human Resources 25, no. 1 (1988): 1-31. For a further analysis of the distribution effects of an assured benefit scheme coupled with alternative assumptions about child support awards and collections, see Irwin Garfinkel, Daniel R. Meyer, and Gary D. Sandefur, "The Effects of Alternative Child Support Systems on Blacks, Hispanics, and Non-Hispanic Whites," Social Service Review 66, no. 4 (December 1992): 505-523.
4. Charles F. Adams, Jr., David Landsbergen, and Larry Cobler, "Welfare Reform and Paternity Establishment: A Social Experiment," Journal of Policy and Management 11, no. 4 (1992): 665-687.
5. U.S. Department of Health and Human Resources, "Paternity Establishment: A Comparative Analysis of Organizational Dynamics and Establishment Outcomes," Grant Number 90ASPE226A.
6. Kenneth H. Gordon, "Improving Practice Through Illuminative Evaluation," Social Service Review 65, no. 3 (1991): 370.
7. For a discussion of the legislative history of the Ohio child support system, see Clarence Campbell, "Child Support Enforcement in Ohio," Budget Footnotes 12, no. 3 (1988): 73-81.
8. In addition to having each of the four organizational models represented by the four Ohio field sites, the selection criteria included size of county, with only larger metropolitan counties included in the potential list of field sites. Advice was also sought from the State's Bureau of Child Support Enforcement as to the likely willingness of each county to participate in an extensive site visit.
9. In this connection, advice was sought from program analysts and administrators at HHS as well as from researchers at the Urban Institute, the Institute for Research on Poverty at the University of Wisconsin, the Center on Policy Research in Denver, and the Center for Law and Social Policy in Washington, D.C.
10. Oliver E. Williamson, "Transaction-Cost Economics: The Governance of Contractual Relations," Journal of Law and Economics 22 (1979): 233-61.
11. David D. Rosenbloom, "Public Administration Theory and the Separation of Powers," Public Administration Review 43 (May/June 1983): 219-227.

12. For a detailed description and analysis of each field site, see Charles F. Adams, Jr., David Landsbergen, and Daniel Hecht, "Interorganizational Dependencies and Paternity Establishment," a report to the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, (December 1992).

13. Esther Wattenberg, Rose Brewer, and Michael Resnick, "A Study of Paternity Decisions: Perspectives from Young Mothers and Young Fathers," Center for Urban and Regional Affairs, University of Minnesota (February 1991).

14. Burt S. Barnow, "Paternity Establishment Among Never-Married Mothers: Estimates from the 1986 Current Population Survey Alimony and Child Support Supplement," in Paternity Establishment: A Public Policy Conference, Vol. II: Studies of the Circumstances of Mothers and Fathers, Institute for Research on Poverty, Special Report no. 56B (August 1992): 1-53.

15. Ohio Legislature, S.B. 10, 119th G.A.

16. Ann Nichols-Casebolt, "Paternity Establishment in Arizona: A Case Study of the Process and Its Outcomes," in Paternity Establishment: A Public Policy Conference, Vol. II: Studies of the Circumstances of Mothers and Fathers, Institute for Research on Poverty, Special Report no. 56B (August 1992): 55-104.

17. In their study of paternity establishment in three Wisconsin Counties McLanahan, Monson, and Brown give more optimistic estimates of the potential for voluntary acknowledgements in paternity cases. For two of the counties they studied, approximately 70 percent of the successful paternity cases were established on the basis of a voluntary admission by the alleged father, without blood testing. See, Sara McLanahan, Renee Monson, and Pat Brown, "Paternity Establishment for AFDC Mother: Three Wisconsin Counties," Paternity Establishment: A Public Policy Conference, Vol. II: Studies of the Circumstances of Mothers and Fathers, Institute for Research on Poverty, Special Report no. 56B (August 1992): 105-136.

18. See Pamela A. Holcomb, Kristin S. Seefeldt, and Freya L. Sonenstein, "Paternity Establishment in 1990: Organizational Structure, Voluntary Consent, and Administrative Practices," in Paternity Establishment: A Public Policy Conference, Vol. I, Overview, History, and Current Practice, Institute for Research on Poverty, Special Report no. 56A (August, 1992): 55-81.

19. See note 15.

**JOURNAL OF**  
*Policy Analysis and Management*

Volume 11, Number 4

Environmental Policy	The Politics and Economics of Auction Design in the Market for Sulfur Dioxide Pollution <i>Karl Hausker</i>	553
Health Policy	Medicaid Costs and Birth Outcomes: The Effects of Prenatal WIC Participation and the Use of Prenatal Care <i>Barbara Devaney, Linda Bilheimer, and Jennifer Schore</i>	573
Public Management	Closing Institutions in New York State: Implementation and Management Lessons <i>Paul J. Castellani</i>	593
Evaluation	Assessing Excellence Poorly: The Bottom Line in Local Government <i>Thomas I. Miller and Michelle A. Miller</i>	612
	Demonstration Evaluations and Cost Neutrality: Using Caseload Models to Determine the Federal Cost Neutrality of New Jersey's REACH Demonstration <i>Steven Garasky and Burt S. Barnow</i>	624
Defense Policy	The Effectiveness of Weapon System Acquisition Reform Efforts <i>Frederick P. Biery</i>	637
Welfare Policy	Welfare Reform and Paternity Establishment: A Social Experiment <i>Charles F. Adams, Jr., David Landsbergen, and Larry Cobler</i>	665
	JPAM's Eleventh Year <i>Lee S. Friedman</i>	688
	Editor's Notes <i>Lee S. Friedman</i>	692
Insights	<i>Paul R. Portney and Dorothy Robyn, Coeditors</i>	
	The End of Policy Analysis: With Apologies to Dantel ( <i>The End of Ideology</i> ) Bell and Francis ("The End of History") Fukiyama <i>David L. Kirp</i>	693
	McDonnell Douglas and Taiwan Aerospace: A Strategic Perspective on the National Interest in the Commercial Aircraft Industry <i>Laura D'Andrea Tyson and Pei-Hsiung Chin</i>	697
	Policies without People: On Deciphering the Operational Implications of an NAS Report <i>John D. Montgomery</i>	702
	Income Distribution over the Business Cycle: The 1980s Were Different <i>Patricia Ruggles and Charles F. Stone</i>	709
Book Reviews	<i>Janet Rothenberg Pack, Editor</i>	
Criminal Justice	<i>Against Excess: Drug Policy for Results</i> , Mark A. R. Kleiman; <i>The Search for Rational Drug Control</i> , Franklin E. Zimring and Gordon Hawkins <i>Philip J. Cook</i>	716
Historical Analysis	<i>The Rhetoric of Reaction: Perversity, Futility, Jeopardy</i> , Albert O. Hirschman <i>John J. DiIulio, Jr.</i>	720
Technology Policy	<i>The Technology Pork Barrel</i> , Linda R. Cohen and Roger G. Noll, Editors <i>Robert Atkinson</i>	723

continued

Liability	<i>Reforming Products Liability</i> , W. Kip Viscusi <i>John R. Lott, Jr.</i>	726
	<i>The Liability Maze: The Impact of Liability Law on Safety and Innovation</i> , Peter W. Huber and Robert E. Litan, Editors <i>Sharon Tennyson</i>	728
Education Policy	<i>Who Will Teach? Policies That Matter</i> , Richard J. Murnane, J. D. Singer, J. B. Willet, J. J. Kemple, and R. J. Olsen <i>Anita A. Summers</i>	732
Environmental Policy	<i>Upstream/Downstream: Issues in Environmental Ethics</i> , Donald Scherer, Editor; <i>Business, Ethics, and the Environment: The Public Policy Debate</i> , W. M. Hoffman, R. Frederick, and E. S. Petry, Jr., Editors; <i>Corporations, Ethics, and the Environment</i> , W. M. Hoffman, R. Frederick, and E. S. Petry, Jr., Editors <i>William Ascher</i>	734
Affirmative Action	<i>Affirmative Talk, Affirmative Action: A Comparative Study of the Politics of Affirmative Action</i> , Augustus J. Jones, Jr.; <i>Invisible Victims: White Males and the Crisis of Affirmative Action</i> , Frederick R. Lynch; <i>Affirmative Action and Justice: A Philosophical and Constitutional Inquiry</i> , Michel Rosenfeld; <i>Affirmative Action at Work: Law, Politics, and Ethics</i> , Bron Raymond Taylor <i>Stanley L. Engerman</i>	737
Financial Regulation	<i>The Risk of Economic Crisis</i> , Martin Feldstein, Editor; <i>The Future of Banking</i> , James L. Pierce <i>Lawrence J. White</i>	742
Public Management	<i>Power and Service: A Cross-National Analysis of Public Administration</i> , Hardy Wickwar; <i>Understanding and Managing Public Organizations</i> , Hal G. Rainey <i>David P. McCaffrey</i>	745
	<b>Books Received</b>	748
	Cumulative Contents for Volume 11	755
	Index of Authors for Volume 11	761
	Forthcoming Articles	765

## Welfare Reform and Paternity Establishment: A Social Experiment

*Charles F. Adams, Jr.  
David Landsbergen  
Larry Cobler*

### **Abstract**

*From March 1988 through September 1989, a demonstration study was conducted in Cuyahoga County, Ohio, on procedures for expediting paternity establishment. The issue of paternity establishment is central to current concerns about child support. In the 1988 Family Support Act, for example, administrative reforms to expedite paternity establishment are prominently featured. The results of the Cuyahoga demonstration provide early evidence of the likely impact of the 1988 reforms. At the implementation stage, the demonstration points up the complex interorganizational dependencies that are likely to limit the impact of mandated performance standards and associated sanctions directed at state and local child support agencies. As to the impact on paternity establishment outcomes, interventions directed at expediting administrative processes are likely to have a positive effect. However, the results of the demonstration indicate that noncooperative behavior among a significant portion of the client population is likely to seriously limit the effectiveness of expedited processes.*

### **INTRODUCTION**

Dramatic societal changes in teenage pregnancies, out-of-wedlock births, and high rates of divorce and desertion have resulted in many children now living in single-parent families. It has been estimated that nearly 45 percent of white children and 86 percent of black children spend part of their childhoods in single-parent families headed by women [Bumpass, 1986]. Support from the absent parent often contributes very little to the incomes of these families, especially families headed by never-married mothers. Less than 14 percent of never-married mothers potentially eligible for child support were receiving payments as of 1987. This compares to 55 percent of divorced mothers [U.S. Bureau of the Census, 1990]. Moreover, while never-married mothers made up only 21 percent of all single-mother families in 1988, this group comprised 52 percent of families on AFDC [U.S. Bureau of the Census, 1989; U.S. Depart-

ment of Health and Human Services, 1989]. As these statistics indicate, high rates of out-of-wedlock births and low rates of child support have placed a disproportionate and growing demand on the nation's welfare system.

Although the policy response to this multifaceted problem is necessarily complex, there has been a growing interest in establishing paternity for children born out-of-wedlock. Many benefits accrue to the child with the establishment of paternity, including entitlement to child support from the father. In addition, the child may become eligible for benefits under the social security program, coverage under the father's health care plan, and any benefits the father might realize from serving in the armed services or might receive under the workers' compensation program. By knowing who the father is, the child may also have access to important genetic and health information. Finally, according to Wattenberg (1987, p.10), "[I]ncreasing evidence from adoption studies indicate that intangible benefits may be derived from one's knowledge of biological heritage. Paternity identification may be a factor in strengthening the emotional growth and development of the child."

To address the growing financial burden of supporting families with an absent parent and to ensure that children receive all benefits associated with establishing paternity, Congress has taken a number of legislative initiatives over the past two decades. In 1975, the Child Support Enforcement program was enacted under Part D of Title IV of the Social Security Act. This legislation established the federal Office of Child Support Enforcement and required states to organize similar agencies for purposes of enforcing child-support payments and facilitating paternity establishment. The Child Support Enforcement Amendments of 1984 required expedited procedures for obtaining and enforcing support orders and mandated wage withholding in cases of delinquent payments.

Most recently, under the Family Support Act of 1988 (P. L. 100-485), significant changes were made to the welfare system, with particular emphasis given to child-support enforcement. Most notable were provisions requiring automatic wage withholding as part of child-support orders, guidelines for setting and reviewing support orders, and the setting of federal standards for evaluating state performance in the establishment of paternity for children born out of wedlock. At the risk of incurring financial penalties, these standards require states to meet one of three requirements: to establish paternity for at least half of all AFDC children born out of wedlock; to equal or exceed the average paternity establishment percentage for all states; or to increase the paternity establishment percentage by at least 3 percentage points per year.

In its strategic significance, the increased emphasis on forcing absent fathers to support their children is a distinguishing feature of the 1988 act. Traditionally, reform efforts have focused on the beneficiaries themselves and on those features of the welfare system that encourage welfare dependency (e.g., high benefit withdrawal rates and loss of Medicaid eligibility as earnings increase), and the need for support services to facilitate mobility out of the welfare system and into the work force (e.g., job training and child care). While these long-standing concerns are reflected in the 1988 legislation, the child-support provisions indicate a more concerted emphasis on ensuring that the true beneficiaries of welfare assistance are the children and not the absent fathers who are otherwise legally obligated to support them.

In addressing this concern, the interventions specified in the 1988 reforms focus mainly on management reforms of state and local child-support systems rather than on incentives aimed at directly influencing the behavior of absent and custodial parents in complying with child-support laws. To a large extent, then, the impact of the 1988 legislation depends on the ability of states and localities to implement administrative reforms to their child-support programs and, in turn, on the responsiveness of clients to these changes.

Early evidence of the likely impact of these interventions is provided from a paternity establishment demonstration project conducted in Cuyahoga County, Ohio, over the period March 1988 through September 1989. Designed to expedite the paternity establishment process, specific features of the demonstration included an automated information and case management system, improved coordination over the various phases of the establishment process, and measures to accelerate specific steps in that process. The underlying assumption was that the shorter the time period, the greater the probability of successfully establishing paternity. Less cumbersome procedures would be expected to encourage greater cooperation by both the custodial and absent parents and to facilitate voluntary admissions of paternity so as to reduce the time and cost of establishment.

The results of the Cuyahoga demonstration complement earlier work by Nichols-Casebolt and Garfinkel [1991] who used state-level data to derive inferences about how administrative reforms might be affecting paternity adjudication rates and the establishment of child-support orders over the period from 1979–1988. Noting the lack of microlevel information on factors that facilitate paternity establishment processes, Nichols-Casebolt and Garfinkel argue the need for greater understanding about attitudinal and structural factors that influence establishment rates. The current study contributes to that understanding by providing a systematic assessment of procedural interventions in a major metropolitan child-support enforcement program.

Briefly summarized, the interventions were successful in accelerating the paternity establishment process and in promoting more voluntary admissions of paternity. At the same time, however, the demonstration points up two factors that are likely to significantly limit the impact of the child-support provisions of the 1988 legislation. The first concerns the very complex institutional arrangements governing paternity establishment in the demonstration site and in many counties around the country. Involvement by the court, prosecutor, advocacy groups, the local human services agency, and the child-support agency itself creates a complex interplay of competing traditions and values which is likely to have a limiting effect on local implementation of any reform effort.

The second limiting factor is the apparent reluctance of custodial parents (nearly always the mother) to cooperate with the paternity establishment process. Such cooperation is essential to paternity establishment and a more effective child-support system. The high incidence of noncooperation indicates that administrative reforms alone may not be sufficient, and that interventions aimed more directly at influencing client attitudes may be required to achieve the performance standards prescribed in the 1988 legislation.

The paternity establishment process and the changes introduced as part of the demonstration study in Cuyahoga County are described in the next two sections. The results of the demonstration are then presented and analyzed

with respect to both the implementation of the interventions and their impact on establishment outcomes. The study concludes with an analysis of the broader implications of the Cuyahoga demonstration for the child-support provisions of the 1988 Family Support Act.

## OVERVIEW OF THE PATERNITY ESTABLISHMENT PROCESS

### *Major Institutional Actors*

The Child Support Enforcement Program is implemented through a federal and state partnership. The many actors involved with implementing federal and state child-support and enforcement policy yields an often complicated set of values and interactions between federal, state, and county child-support units; income maintenance agencies; the courts; custodial parents (CP) and absent parents (AP), and county prosecutors. [See National Institute for Child Support Enforcement, 1985.]

### *The IV-D Agency*

Local child-support enforcement (or IV-D) agencies are responsible for locating absent parents, establishing paternity, preparing support orders, monitoring compliance with support orders, distributing collections, and periodically reviewing and modifying support orders. These IV-D offices complement the work of local welfare (or IV-A) agencies which administer AFDC and other financial assistance programs. Custodial parents receiving AFDC are required by law to assign to the county or state their rights to child support from the absent parent and to cooperate in the establishment of paternity as a condition to AFDC eligibility. Local IV-D agencies must assist not only AFDC mothers, but also non-AFDC mothers, in the establishment of paternity and support orders.

### *The Courts*

A number of significant steps in paternity establishment require formal legal procedures, and therefore the courts are another critical actor in implementing paternity establishment policy. The courts are in the difficult position of balancing the conflicting interests of the mother, the father, social service professionals, and the child-support enforcement system, while still protecting the interests of the child in an environment where there is pressure to increase the rate and cost-effectiveness of paternity establishment.

### *The Prosecutor*

In many child-support enforcement systems, the local prosecutor is responsible for the legal aspects of paternity adjudication. In carrying out this responsibility, the prosecutor confronts conflicting values as well—not only representing the state's interest in establishing paternity, but also respecting the

procedural due process rights of adverse parties, notably the absent and custodial parents.<sup>1</sup>

### *Management Information Systems (MIS)*

As concerns about child support and paternity establishment have grown, so has the need for better information systems. Demands for increased MIS support are often constrained by nonautomated systems or by automated county systems that were not designed to serve the growing volume of child support and enforcement work and, in many situations, are already working at capacity. Incompatible information systems (especially between the court and the IV-D agency) limit information sharing.

### *Paternity Establishment in Ohio*

In 1987, Ohio enacted legislation that required counties seeking state matching funds to establish a single agency responsible for child support and enforcement and to adopt procedures that would increase the annual number of paternities established. Up until this time, Ohio had both court-based bureaus of support and county departments of human services providing overlapping and duplicate services. As a result of the 1987 legislation, this single agency could be located in one of four places: the county department of human services (50 of Ohio's 88 counties have adopted this approach), the office of the prosecuting attorney (five counties have adopted this approach), a court affiliated agency (15 counties), or a new free-standing office (18 counties). In compliance with federal guidelines, Ohio also set up uniform state procedures to establish and enforce child-support orders [Ohio Legislative Budget Office, 1988].

The 1987 legislation also required the Ohio Department of Human Services to monitor the counties' new procedures and determine if they resulted in increased paternity establishments and collections. As a result of this reorganization and increased staffing, the Ohio Department of Human Services "estimated a substantial increase in the collection of child support payments on behalf of both AFDC recipients and those not receiving public assistance" [Ohio Legislative Budget Office, 1988, p. 75]. At the same time, however, the state of Ohio was under increasing pressure to improve its performance in paternity establishment. A 1984 federal audit found Ohio to be out of compliance with performance standards pertaining to the number of paternities established, the location of absent parents, and the establishment of support orders.

### **A FORMATIVE EVALUATION IN CLEVELAND**

Encouraged by the success of reorganization and the increased attention on paternity establishment, the Ohio Department of Human Services applied for

<sup>1</sup> Although establishing paternity is not technically a criminal case, some of the ethical considerations involved in criminal cases have been held to apply to paternity establishment in a civil IV-D proceeding [U.S. Department of Health and Human Services, 1986]. Rule 3.8 of the ABA Model Rules of Professional Conduct requires that prosecutors act evenhandedly by making "reasonable efforts to assure that the accused has been advised of the right to, and the procedure for obtaining counsel, and has been given reasonable opportunity to obtain counsel." Rule 3.8 also prohibits the attorney from attempting to "obtain from an unrepresented accused a waiver of important pretrial rights."

and received a grant from the Family Services Administration of the U.S. Department of Health and Human Services to conduct a demonstration study on more expeditious methods of paternity establishment [Ohio Department of Human Services, 1988]. The focus of the grant was on improving operational procedures to increase the rate of paternity establishment, and this coincided well with the state's legislative mandate. Cuyahoga County, which includes Cleveland, was selected as the demonstration site.

#### **Selection of Cuyahoga**

The selection of Cuyahoga County was based on criteria specified in the grant and concerns about rebuilding an ailing program. The grant required that the demonstration take place in a city or county with a population over 400,000. Other factors that contributed to the State's selection of Cuyahoga County as the demonstration site included the magnitude of the teen-pregnancy problem, the poor quality and limited availability of manual and automated record systems, and the strength of local interest in the demonstration project. As with many other urban counties, paternity establishment in Cuyahoga was an extremely slow process, estimated to take about two years on average. The slow pace was believed to undermine cooperation by both custodial and absent parents, resulting in high rates of case dismissals.

#### **Impediments to Paternity Establishment**

The research design developed for the demonstration project sought to address specific impediments to more expeditious paternity establishment. These included multiple case processing points where duplicate data were being collected; lengthy delays in the service of process (notification of alleged absent parents about court dates and legal actions); inability to expedite voluntary paternity consent agreements, even when the absent parent was cooperative; delays in blood testing; and crowded court dockets.

A custodial parent had to make multiple visits to different locations in order to comply with procedures requiring her to provide information about the alleged father. These included the initial AFDC eligibility interview with the county's IV-A office, a follow-up interview with the intake unit of the Child Support and Enforcement Agency, and an interview with the prosecutor's office. Once a paternity complaint against the alleged father was filed with the juvenile court, service of process was initiated by the court and accomplished by certified mail. Built-in delays associated with this method and the need for interagency communication about the location (or locations) where the alleged father might be served lengthened the process. Requiring absent parents who were willing to admit voluntarily to paternity to appear in court and to compete with contested cases for court time further hampered the agency's ability to quickly establish paternity and also jeopardized the continued cooperative nature of these absent parents. In contested cases, where blood testing was required to determine paternity, there were further delays associated with the scheduling of tests and the reporting of results. Crowded court dockets and personnel shortages throughout the juvenile court system slowed the rate at which complaints could be filed and hearings scheduled, further prolonging the paternity establishment process.

The effects of these impediments were believed to manifest themselves in many ways. The procedures made it hard for clients to follow through with

the process and for support officers to monitor cases. The net result was a high no-show rate among custodial and absent parents at interviews, court hearings, and appointments to draw blood. In summary, the process involved steps that were redundant and inefficient. It was felt that these factors especially affected potential teenage clients who not only had to deal with being young, single mothers, but also had to circumnavigate a new and complex social service system.

#### *Organizational Impediments*

At the organizational level, the various aspects of the paternity establishment process in Cuyahoga County were not clearly understood by all the major actors, and lines of communications were not well-established or consistently utilized. This was apparent at the early meetings of the local management team (with representatives from the IV-D Agency, the prosecutor's office, and the juvenile court) that guided the demonstration project. Frequently, one agency had to educate the team about its particular responsibilities and procedures in the establishment process. The meetings also became an attempt to communicate the more subjective worldview that each agency had regarding the values, priorities, and traditions that it felt were the basis of "good" policy or procedure. Although cooperation was attempted, there never was a meeting of the minds on many issues. For example, the juvenile court was very reluctant about adjusting its procedures to expedite the establishment process. Prioritization in the docketing and earmarking of court time to accommodate the new procedures were identified as especially problematic. Throughout the demonstration project the court voiced persistent concerns on issues of due process and the possibility that IV-D support officers (who were not lawyers) would be called upon to give legal advice to absent parents who were willing to voluntarily acknowledge paternity and, in so doing, to waive their rights to hearings and blood tests.

#### *Resource Constraints*

Personnel shortages in the courts, especially in the administrative support area, were also seen as a particularly significant impediment in the establishment process. Lack of personnel delayed the rate at which complaints could be filed and cases docketed for hearing, resulting in large backlogs. Part of this problem was attributed to pay differentials between the social service agency and the courts, which make it hard for the court to attract and retain clerical workers.

#### *Interventions Selected for the Demonstration*

The choice of interventions to overcome these and other impediments to paternity establishment was based partly on a review of best practices in Ohio and elsewhere in the country, and partly on an assessment of the needs and circumstances of the demonstration site. The basic assumption behind the interventions was that more efficient and effective case processing could be achieved through changes in organizational policies and case management procedures. The key behavioral assumption behind the interventions was that expedited procedures that are less complicated, that provide for greater interagency coordination, and that stress early voluntary admissions would result in a quicker determination of paternity, increased cooperation by the

custodial and absent parents, and higher success rates in establishing paternity.

#### *Voluntary Acknowledgments*

For cases where the absent parent was willing to voluntarily acknowledge paternity, the procedures were streamlined by (1) encouraging the custodial parent to bring the absent parent to the first interview; (2) setting up a single data collection point so as to provide one-step service; (3) expediting the process by allowing the absent parent to waive legal rights to notice; (4) implementing a rapid complaint filing system; (5) making a prosecutor available to process the case immediately; (6) instituting a same-day hearing; and (7) upgrading the case management system by incorporating an automated paternity tracking system (PATS).

#### *Contested Cases*

Cases in which the absent parent was not willing to admit to paternity also had expedited procedures. These included (1) setting up a single data collection point within the Cuyahoga Support Enforcement Agency (CSEA); (2) providing personal service (with CSEA process servers) rather than service through certified mail; (3) automatic docketing of court time (setting court dates for hearings at the time service was initiated); (4) accelerating blood-testing procedures by having on-site drawings and requiring rapid reporting of results; and (5) the use of PATS systems for case management and tracking.

### RESEARCH DESIGN

The research design was formative in nature. Following Wholey [1979, 1983], a "rapid-feedback evaluation" was used to make quick recommendations on improving effectiveness rather than waiting for final results before adjusting procedures. Instances of such modifications during the implementation phase of the demonstration are described in the next section.

Analysis of the effectiveness of the interventions was based on a comparison of an experimental group with a control group, each consisting of 300 randomly selected cases.<sup>2</sup> These cases were drawn from a list of AFDC clients who had been referred by the IV-A agency and for whom the need for a paternity adjudication was indicated. Cases from the experimental group would be subject to the expedited paternity establishment procedures described above. For the control group, establishment would be governed by existing practices. In contrast to the expedited procedures, existing practices did not provide for waiver of service and the scheduling of hearings on the date of the initial interview in the case of voluntary admissions, or the use of personal service and predocketing of court time for contested cases. Also, control group caseworkers would not have access to the PATS automated case management and tracking system.

<sup>2</sup> The original research design called for a second experimental and control group comparison, with experimental group cases drawn on the basis of a targeted outreach effort. For reasons discussed later, the outreach part of the experiment was not successfully implemented.

## EVALUATING IMPLEMENTATION

The importance of evaluating the implementation phase of the demonstration was clearly indicated by the complex set of organizational interdependencies that characterize local child-support systems. In this connection, Ripley and Franklin [1986] note that, "[I]n the midst of . . . complex and only partially predictable process(es), implementation occupies a key location. It is literally in the middle of the flow of activities and products. . . . Assessments of implementation experience by policymakers help shape decisions about subsequent policy and program ventures" [p. 9]. In terms of the 1988 legislation, the Cuyahoga demonstration provided an opportunity to gauge the ease or difficulty of implementing local administrative reforms aimed at expediting the paternity process and increasing overall productivity in paternity adjudication. Moreover, it provided an opportunity to explore factors that could influence the longer-term viability of the proposed interventions. During the course of a demonstration, conditions might be particularly advantageous to successful implementation, thereby contributing to a successful outcome. Given the interest generated by a demonstration study, cooperation among all parties might be emphasized and encouraged during the study. But if such cooperation cannot be sustained, then the longer-term implications of the demonstration and the robustness of the estimated impacts from the interventions are more uncertain.

Following the traditions of inductively based implementation research, probing "what was expected or hoped for by different participants and observers" [Ripley and Franklin, 1986, p. 11], qualitative assessments of the demonstration were made on the basis of interviews with CSEA administrators and line personnel, as well as key administrators and line personnel with the prosecutor's office and the juvenile court. The interviews were conducted during six visits to the demonstration site spread out over each phase of the study. The most significant findings on the implementation phase involved interorganizational relationships, the adoption of the PATS system, and the problems with implementing outreach.

### Interorganizational Relationships

#### *The Court*

A fundamental concern of the juvenile court was one of control over the docket. In particular, the court had reservations about the efficacy of scheduling court time before service was completed in the case of contested paternities. Questions about the long-term viability of the PATS system were raised and offered as a reason for the court's reluctance to make its system compatible with PATS. The court's aversion to the new system and its continued practice of detailed review of all case information filed by the agency resulted in a slower processing of experimental cases than had been anticipated.

During the second year of the demonstration project (September 1988 through September 1989), there was substantially improved coordination between CSEA and the juvenile court in the implementation of the expedited procedures. Management and operational personnel within CSEA noted that cases were being filed expeditiously and, in line with the planned interventions, experimental cases were being docketed within six weeks of filing.

Factors identified in explaining these changes included the availability of additional clerical help for the court in support of its case filing and docketing activities. More and better-trained clerical support was also credited with improving communications between CSEA case management personnel and the court. At the same time, the court continued to experience high turnover among its clerical workers during the second year of the demonstration. Comparatively low pay and the heavy work load were identified as factors contributing to this turnover.

Even with improved coordination and cooperation in the second year, the court continued to voice concerns about what it perceived as the high costs associated with automatic docketing as set forth in the demonstration. Such docketing practices are seen as costly for the court, because if service cannot be completed in the prescribed ten-day period after filing or if a client fails to show for a hearing, the case has to be undocketed, a process involving several steps. A new case is then substituted, if possible, or the docket time goes unused. Given the problems with completing service (reportedly as low as 50 percent) and a high no-show rate by clients at initial court hearings (also reported at around 50 percent), the court clearly faced additional problems and costs in managing its docket under the expedited procedures.

### *The Prosecutor*

Another interorganizational component to the expedited procedures concerned the role of the prosecutor's office in the paternity establishment process. Over the second year of the demonstration, aspects of the CSEA-prosecutor relationship were clarified and refined, again illustrating the formative nature of the demonstration. For example, it was decided that, in the case of joint interviews, the prosecutor could function more effectively by interviewing the absent parent, rather than having the CSEA support officer responsible for interviewing both the client and the absent parent.

More problematic was the arrangement of assigning prosecutors on a rotating basis to the establishment unit, with one prosecutor permanently assigned and five prosecutors assigned on three-month rotations. Concerns with this arrangement focused on continuity in case management, incomplete case preparation, and a tendency to seek continuances as prosecutors approached the end of their rotations.

The rationale for rotating prosecutors reportedly stemmed from problems with burnout in the hostile environment of paternity establishment and child-support casework. Opinions were also expressed during the interviews that prosecutors are more strongly motivated by criminal casework than by child-support and paternity-related casework. By the end of the second year, it was apparent that a consensus had not emerged about the most effective arrangement for providing prosecutorial assistance to the establishment process.

### *The IV-A Agency*

Also of concern, although outside the immediate purview of the demonstration, was the need for better coordination between the IV-A Agency and CSEA. In order to receive AFDC benefits, a woman must sign over to the state her rights to child support, and, where the father is unknown, she must cooperate with the state in establishing paternity for her children. It is the IV-A Agency's responsibility to refer such cases to CSEA. Specific concerns included the

thoroughness of information collected on absent parents during AFDC eligibility determinations and questions about the IV-A Agency's willingness to invoke sanctions in the event of noncooperation by custodial parents during the establishment process. Improvements along these dimensions would clearly require closer coordination between CSEA and the County Department of Human Services.

#### **Automated Management Information System**

Over the first year of the demonstration, CSEA personnel reported the automated information processing system, PATS, to be working well. Establishment officers were especially appreciative of the automatic document generation feature. Having ready access to terminals at each desk also expedited case monitoring. Caseworkers reported that it was a very easy system to use and were pleased with the way it sped up their work and gave them greater control over case management.

One limitation, though, was the problem of monitoring the status of cases once they were sent from the establishment unit to the court for filing. Because the court continued to operate its own independent MIS system, case updating in the PATS system was difficult. This problem occurred in several places where case updates were dependent on data sources outside CSEA.

As the PATS system was utilized over the second year of the demonstration, a number of refinements and clarifications were made, including the addition of more action codes or milestones for tracking and analyzing how cases were progressing through the various steps associated with the expedited procedures. Errors in the logical sequencing of event codes were found in a number of control and experimental group cases and procedures for checking the accuracy of the PATS data were developed in response to this problem.

#### **Outreach**

One of the two planned strategies for achieving a more effective paternity establishment program in Cuyahoga County was the development of an outreach program targeted on young women in the first or second trimester of pregnancy. By encouraging establishment closer to the time of birth, it was hypothesized that conditions would be more favorable to voluntary admission by the father, making the establishment process more cost-effective. However, the outreach initiative was not successfully implemented during the first year of the demonstration project. Attempts by the director of the Cuyahoga Support Enforcement Agency to establish cooperative arrangements with local clinics, schools, and advocacy groups were unsuccessful, reportedly because of concerns about privacy.

A revised strategy, based on a coordinated effort with the IV-A Agency, also failed at the implementation stage. Despite repeated efforts by CSEA, the IV-A Agency did not respond to requests for a list of names meeting various outreach criteria. As a result, no cases were generated for the experimental and control groups designated for the outreach component of the demonstration.

#### **Summary**

Implementation of the paternity establishment demonstration in Cuyahoga County presented a number of challenges. In the spirit of a formative evaluation, modifications and adaptations were made to the original research design

and, except for outreach, the planned interventions were operational by the second year of the demonstration. Of the various interventions, the automated case management system, PATS, was implemented with the least difficulty. CSEA administrators credited the system with not only expediting the processing of case information, but also giving support officers and administrators the means for more effective case tracking. At the same time, however, the demonstration pointed up problems with ensuring accurate and complete case documentation and the need for ongoing monitoring and training in order to realize the full benefits from the automated system. In addition, the fact that the juvenile court and CSEA continued operating from separate information systems had a limiting effect on information exchanges between these organizations and on further improvements in case management and tracking.

The demonstration clearly pointed up the critical interdependencies between CSEA and other key players in the child-support system. The formulation and implementation of the demonstration revealed a system in which CSEA's concern about improved productivity in paternity establishment had to be weighed against other values and priorities—matters of due process, control over the court's docket, deployment of prosecutors, and rights to privacy. While these and other issues were largely resolved over the course of the demonstration, such issues are likely to present ongoing challenges to any long-term efforts to expedite the establishment process in Cuyahoga. More generally, while the 1988 Family Support Act focuses on the role of child support agencies in achieving greater productivity in paternity establishment, the Cuyahoga demonstration makes clear that successful implementation of administrative reforms is not strictly under the control of these agencies.

### IMPACT ANALYSIS

We now turn to an analysis of the experimental and control group cases to assess the impact of the expedited procedures on the likelihood of establishing paternity generally, increasing the likelihood of establishing paternity through voluntary admission, and reducing case duration. The analysis covers the 14-month period (August 1988 through September 1989) over which data were collected on the experimental and control group cases.

#### Case Selection and Data

Selection of experimental and control group cases was made from those cases identified by the IV-A agency as requiring a paternity establishment. Drawing from cases that had been referred by IV-A within 180 days prior to the start of the demonstration, cases were randomly selected for inclusion in either the experimental or control group. An additional 60 non-public-assistance (or walk-in) cases were randomly assigned to both the experimental and control groups to ensure that the sample cases were representative of the actual population served by CSEA.<sup>3</sup> The final number of cases initially selected for each group was 378.

<sup>3</sup> Local CSEA officials estimated that between one-sixth and one-fifth of their IV-D paternity caseload is made up of non-public-assistance walk-ins.

Table 1. Demographics, experimental and control group cases.

Characteristic	Experimental	Control	Difference	tStatistic
1. Age of child	5.60 yrs. (298)	6.00 yrs. (292)	-0.40 yrs.	-0.9234
2. Age of custodial parent	28.66 yrs. (296)	28.55 yrs. (295)	0.11 yrs.	0.3592
3. Age of absent parent	31.72 yrs. (286)	30.66 yrs. (284)	1.06 yrs.	1.598
4. Absent parent employed	9.3% (298)	9.0% (297)	0.3%	0.1282

Note: Numbers in parentheses indicate the number of experimental and control group cases for which data are available.

Following the initial selection, cases were deleted in situations where the father was deceased, in jail, in the military, or where a support order had already been issued. This resulted in a count of 319 experimental and 333 control group cases.

Given the large amount of data (approximately 100 variables over 625 cases), miscodings were inevitable. To control for these, the experimental and control group cases were screened for logical inconsistencies in the sequence of recorded events associated with the paternity establishment process. Where such inconsistencies were identified, the case was eliminated from the data set. There were two main situations of this type. The first involved cases which had starting or ending dates that were not consistent with the time period of the demonstration. A total of 34 cases were deleted on this basis. The second type of inconsistency involved the sequencing of events associated with the establishment process. If cases had time intervals between events that were too short (legally or technically), or if the sequence of events was contrary to the logical flow of the paternity process (e.g., a pretrial hearing dated prior to the custodial parent's initial interview with CSEA support officer), they were also dropped from the data set. A total of 23 cases were deleted on this basis, leaving a final total of 297 control group cases and 298 experimental group cases.

In order to make sure that the cases were randomly assigned to the experimental and control groups, *t*-tests were performed to determine if there were any statistically significant differences in important demographic characteristics of the control and experimental groups.<sup>4</sup> The variables examined were the ages of the child, the absent parent, and the custodial parent, and employment status of the absent parent. Discussions with CSEA staff and others involved with paternity establishment indicated that age and employment characteristics were generally perceived as influential factors in determining the ease or difficulty of a paternity case. Table 1 indicates that none of these variables was significantly associated with membership in the control or experimental groups.<sup>5</sup>

<sup>4</sup> Power analysis was performed here and elsewhere in this section to determine if the sample sizes were large enough to measure significant differences. Following Cohen [1988], in the absence of prior knowledge about expected size differences, a sensitivity analysis hypothesized small ( $d = 0.20$ ), medium ( $d = 0.50$ ), and large ( $d = 0.80$ ) effects to determine if sample sizes were large enough to yield sufficient power to the analysis. The power ranged from 0.79 (relatively high probability) to 0.995 (very high probability of rejecting the null hypothesis when there is an effect). These results indicated sufficient power for conducting the analysis in all cases.

<sup>5</sup> A significance level of 0.05 is used throughout this section to characterize statistically significant differences.

Table 2. Establishment outcomes, experimental versus control group cases.

Outcome	Experimental	Control	Difference	t-Statistic
1. Total establishments as a percent of total cases	18.8% (56)	15.2% (45)	3.6%	1.30
2. Voluntary establishments as a percent of total cases	14.4% (43)	9.7% (29)	4.6%	1.75*
3. Contested establishments as a percent of total cases	4.4% (13)	5.4% (16)	-1.0%	0.58
4. No-show as a percent of total cases	45.3% (135)	46.1% (137)	-0.80%	0.20

Note: Numbers in parentheses indicate the number of experimental and control group cases for which data are available.

\*Significant at 0.05 level or better in a one-tailed test.

### Impact of the Demonstration on Establishment Outcomes

Drawing on the control and experimental group data, this section examines the extent to which the interventions influenced paternity establishment outcomes over the 14-month period of the demonstration.

Row 1 in Table 2 shows the proportion of all cases established within the control and experimental groups. For the 297 experimental group cases, there were 56 establishments, yielding an overall rate of 18.8 percent. This compares to a rate of 15.2 percent for the 298 control group cases. While the proportion is somewhat higher for the experimental group, the difference, 3.6 percent, is not statistically significant.

Turning to row 2, which shows the proportion of cases established voluntarily, 14.4 percent of the experimental group cases and 9.7 percent of the control group cases had paternity established on a voluntary basis.<sup>6</sup> The difference of 4.6 percent is statistically significant. For contested establishments, shown in row 3, the opposite is true, with a somewhat higher proportion indicated for the control group (5.4 percent versus 4.4 percent). However, the difference is not statistically significant.

While these results indicate that the interventions had no significant impact on the overall rate of establishment during the 14-month period of the demonstration, the higher proportion of voluntary establishments for the experimental group is noteworthy. Because voluntary acknowledgments require less legal and judicial involvement, they are more cost-effective. Hence, for a given level of expenditure, the expedited procedures would be expected to free up resources, and thereby contribute to a higher number of paternities established over time. Such cases also have a less adversarial tone to them, and this may have a positive effect on future relations between the custodial and absent parents and on the likelihood that support payments will be made on a timely basis.

<sup>6</sup> Voluntary admissions of paternity include cases where the absent parent participated in the initial interview with the CSEA support officer and indicated his willingness to admit to paternity (waiving rights to a hearing and blood test), and cases where the absent parent did not participate in the initial interview, was served with a paternity complaint, and voluntarily acknowledged paternity at the initial hearing.

The positive impact on voluntary acknowledgments is open to several interpretations. It may partly reflect greater cooperation and fewer delays among absent parents who were inclined to voluntarily acknowledge paternity in any event. In such cases, the effect of the interventions would have been to increase the proportion of voluntary acknowledgments within the 14-month period of the demonstration, but that effect would diminish over a longer time period. It is also possible, however, that the expedited procedures encouraged voluntary acknowledgments in some cases that would otherwise have been contested. For example, the interview letter sent out to experimental cases and inviting the alleged father to participate may have set a more positive tone for the case and encouraged more fathers to voluntarily acknowledge paternity. According to this interpretation, the positive net impact of the interventions on the proportion of voluntary acknowledgments would be expected to persist over time.

Row 4 in Table 2 shows case outcomes related to noncooperative behaviors or no-show cases. These are cases in which custodial parents failed to show for the initial interview and a second letter had to be sent, or cases in which the custodial parent failed to cooperate at some later date in the establishment process. For the control group, there were 137 no-show cases, representing 46 percent of the control group cases. Similarly, for the experimental group cases, there were 135 no-shows, or 45 percent of all experimental group cases. The difference in no-show frequencies between the two groups is not statistically significant.

These results indicate that the demonstration had no effect in influencing overall levels of cooperation with the establishment process. Among the client population, those custodial parents not predisposed to cooperate with the process were apparently not influenced by administrative changes aimed at making that process less cumbersome and more expeditious.

#### **Time Differences in Reaching Establishment Milestones**

In this section, we examine the extent to which the interventions influenced the time required to reach various milestones in the establishment process. Milestones of particular interest include the date of the agency letter setting up the initial interview with the client, the date of the initial agency interview with the custodial parent (and, in some cases, the absent parent), the date of the pretrial hearing, and the date when paternity was established. The impact of the interventions in reducing the time to each of these milestones during the 14-month period of the demonstration is reported in Table 3.

Row 1 of Table 3 compares the time between the initial letter and the initial CSEA interview for control and experimental group cases. This interval was 22 days shorter, on average, for the experimental group cases. The research design included no formal intervention at this initial step in the establishment process, so this difference was unexpected. However, follow-up inquiries indicated that the letters sent by CSEA to custodial parents in each group, informing them of the need to begin the establishment process, were not identical. For the experimental group cases, the letters were processed through the PATS system, which gave them a very professional, business-like look. Letters to control group clients, on the other hand, were mimeographed form letters, with blank spaces for client-specific information. In addition, the letters to experimental group clients offered the opportunity for the client and absent

**Table 3.** Mean time intervals in the establishment process, experimental versus control group cases.

Interval	Experimental	Control	Difference	t-Statistic
1. Letter to interview	38.1 days (166)	60.4 days (43)	-22.3 days	2.53**
2. Interview to hearing	105.0 days (146)	228.5 days (82)	-123.5 days	15.07**
3. Interview to voluntary establishment	134.9 days (37)	229.9 days (29)	-95.0 days	5.06**
4. Interview to contested establishment	162.0 days (10)	221.0 days (15)	-59.0 days	2.05*

Note: Numbers in parentheses indicate the number of experimental and control group cases for which data are available.

\*Significant at 0.05 level or better in a one-tailed test.

\*\*Significant at 0.01 level or better in a one-tailed test.

parent to come together to the initial interview, while the control group letters did not.

The effect of these differences may have encouraged a more cooperative attitude among experimental group clients, explaining at least part of the difference in response rates. This would seem to be especially true for cases in which both the custodial and absent parents were predisposed to cooperate, with the absent parent voluntarily acknowledging paternity.

Turning to row 2, the experimental group cases again show a shorter time period over the interval between the initial interview date and the date scheduled for the first hearing. The difference of 124 days is statistically significant and is consistent with the expected net impact of several of the interventions affecting the experimental group cases. These include opportunities for same-day hearings for joint interviews, use of personal service for non-joint-interview cases, and automatic docketing of these cases within 41 days of service being initiated.

Turning now to the overall impact of the interventions on the average time to establish paternity during the 14-month period of the demonstration, rows 3 and 4 show the interval between the date of the initial interview and the date when paternity was established for voluntary and contested establishments, respectively.<sup>7</sup> The average time for voluntary establishments is 95 days shorter for experimental group cases, and this difference is statistically significant. For contested establishments, the average time is 59 days shorter for experimental group cases, and this difference is also statistically significant.

These results indicate that over the 14-month period of the demonstration, the interventions had some impact in expediting the establishment process by shortening the time to various intermediate milestones and reducing the overall time to establish paternity for both voluntary and contested establishments. Taken together with the information in Table 2, the results suggest that streamlined administrative procedures can be successfully implemented to expedite the process and contribute to a higher rate of voluntary establishments within a 14-month period. However, while the evidence indicates that

<sup>7</sup> Comparisons based on the date of the initial letter and the date of establishment could not be made because of the very few control group cases (less than ten) for which dates were available on both milestones.

Table 4. Regression-adjusted duration analysis.

	Interval 1: Letter to interview	Interval 2: Interview to hearing	Interval 3: Interview to voluntary establishment	Interval 4: Interview to contested establishment	Interval 5: Interview to establishment
Experimental group	1.1787** (6.53)	1.37** (9.35)	0.3036 (1.1554)	-0.575 (-1.3814)	0.1310 (.5908)
Absent parent's age	0.0227* (2.29)	0.006 (.59)	-0.0016 (-.0797)	0.0311 (1.1694)	0.0065 (.3971)
Custodial parent's age	-0.0154 (-1.07)	-0.0114 (-.766)	0.0296 (1.0934)	-0.0496 (-1.0576)	0.0082 (.3446)
Child's age	-0.0129 (-.776)	-0.0457** (-2.4312)	-0.1839** (-4.0629)	-0.0994 (-1.5191)	-0.1781** (-4.67)
Absent parent employed	-0.0163 (-.067)	0.527** (2.4979)	1.1653** (3.6749)	0.3080 (.4944)	1.1068** (3.9182)
<i>N</i>	562	334	334	334	334
Experimental	285	177	177	177	177
Control	277	157	157	157	157

Note: *t*-Statistics are given in parentheses.

\*Significant at 0.05 level or better in a one-tailed test.

\*\*Significant at 0.01 level or better in a one-tailed test.

improved administrative procedures can increase the rate of voluntary establishment within such a timeframe, the magnitude of the impact, as indicated in the Cuyahoga demonstration, may be relatively small. Moreover, in the case of contested establishments, even though there is statistical evidence that the interventions shortened the time to establishment, there is no evidence that this had any effect on the proportion of contested cases that were established.<sup>8</sup>

#### Regression-Adjusted Duration Analysis

It is important to note that the results in Table 3 reflect only those subgroups of control and experimental group cases that reached the designated milestones during the 14-month period of the demonstration. Because these subgroups are relatively small, the results in Table 3 cannot be generalized to the full sample of control and experimental group cases. To address this limitation, a regression-adjusted duration analysis was performed on each of the time intervals indicated in Table 3. This analysis takes account of information on uncensored experimental and control cases (cases that had reached the designated milestones) and censored cases (those that had not reached the milestones).<sup>9</sup> The results are reported in Table 4.

The results in Table 4 are based on a Cox proportional hazards model [Cox, 1972]. In addition to experimental versus control group status, the model includes as explanatory variables the age of custodial parent, age of absent

<sup>8</sup> Again, there is the possibility that the expedited procedures encouraged some potentially contested paternity cases to establish voluntarily.

<sup>9</sup> For a discussion of estimating techniques involving event history data, see Allison [1985] and Yamaguchi [1991].

parent, age of child, and employment status of absent parent. For intervals 3 and 4, a competing risks approach was used to account for the different propensities associated with voluntary versus contested establishments [see Allison, 1985, p. 42].

For intervals 1 and 2 (average time between letter and interview and between interview and hearing, respectively), the duration analysis results are consistent with those in Table 3. The positive and statistically significant coefficients on the dummy variable for membership in the experimental group indicate a higher probability that members of the experimental group would have reached the indicated milestones at any point in time.<sup>10</sup>

Other findings for interval 1 indicate a statistically significant relationship between the age of the absent parent and the probability of the first interview occurring at any point in time (the older the absent parent, the greater the probability). For interval 2, there is statistical evidence of a positive association between employment status of the absent parent and the probability of reaching the first hearing (a higher probability for employed absent parents). Similarly, the younger the child, the greater the probability of the first hearing occurring at any point in time.

Turning to the results for intervals 3 and 4 (interview to voluntary establishment and interview to contested establishment, respectively), a positive relationship is indicated between experimental group membership and the probability of a voluntary establishment occurring at any point in time. However, contrary to the results in Table 3, this relationship is not statistically significant. Similarly, for interval 4, there is no evidence of a statistically significant relationship between membership in the experimental group and the probability of a contested establishment occurring at any point in time.

For voluntary establishments, a positive and statistically significant association is indicated between the employment status of the absent parent and the probability of a voluntary establishment occurring at any point in time, while a negative association is indicated between the age of the child and the probability of a voluntary establishment occurring at any point in time (the younger the child, the greater the probability). The latter result is consistent with conventional views about the paternity process, while the former result contradicts conventional thinking, which argues that voluntary establishments are more likely to occur in cases where the absent parent is unemployed; that is, unemployed fathers can expect smaller support orders and may only face a "seek work" order as a result of acknowledging paternity. For contested establishments, there are no statistically significant effects indicated for any of the control variables, although there is again some suggestion of an inverse relationship between the age of the child and the probability of paternity being established at any point in time.

<sup>10</sup> As discussed by Allison [1985, p. 23], the fundamental dependent variable in an event history model is the hazard rate. Strictly speaking, only in discrete-time regression models can the hazard rate be interpreted as the probability of an event occurring. For continuous-time regression models, such as those used here, the hazard rate is more accurately interpreted as the expected number of events in a given time interval, with the reciprocal interpreted as the expected length of time until the event occurs. Hence, the coefficients in Table 4 indicate the impact of the various independent variables on the expected length of time in reaching the designated milestones, and intuitively, the shorter the time period, the greater the probability of the milestone being reached at any point in time.

And finally, interval 5 in Table 4 shows the average time between the interview and the establishment of paternity, irrespective of whether the paternity was contested. As can be seen, a positive but statistically insignificant relationship is indicated between experimental group membership and the probability of establishing paternity. Among the control variables, the results are similar to those for interval 3, with a negative and statistically significant coefficient for age of child and a positive and statistically significant coefficient for employment status of the absent parent.

To summarize: The results in Table 3, which are derived from the subsets of completed cases, and the results in Table 4, which are derived from all cases (censored and uncensored), both indicate that the interventions had a statistically significant effect in expediting various intermediate steps in the paternity establishment process. However, while Table 3 indicates that for both voluntary and contested cases the interventions had a statistically significant effect in speeding up the establishment process, there is no evidence that these results generalize beyond those cases for which paternity was established within the 14-month time frame of the demonstration. With regard to overall rates of establishment, the results in Table 4 are quite consistent with those in Table 2, indicating no significant impact from the interventions on the overall rate of establishment.

One interpretation of the differences between Table 3 and 4 relates to the observation about the high rates of noncooperation by both experimental and control group custodial parents reported in Table 2. For those parents who, for various reasons, were predisposed to cooperate, the interventions may have accelerated the establishment process. These parents are the ones who would be more inclined to keep scheduled appointments for initial interviews, blood testing, and pretrial hearings. As a result of this cooperation, there would be a higher probability of these cases being completed within the 14-month period of the demonstration and of their being reflected in the duration estimates reported in Table 3. The duration estimates reported in Table 4, however, are derived from the full sample of experimental and control cases. Hence, these estimates will be much more influenced by the delaying tactics of the high proportion of parents not predisposed to cooperate with the process, and such tactics will tend to swamp any potential effects from the interventions in expediting the process.

From the standpoint of the 1988 Family Support Act legislation, the results of the demonstration offer little reason to expect that expedited administrative procedures alone will be sufficient for paternity to be established within the mandated 15 months of locating the absent parent.<sup>11</sup> While the results in Table 3 indicate that expedited administrative procedures can, in principle, be successfully implemented so as to speed up the establishment process, the results in Table 4 indicate that such changes are not sufficient to overcome strong propensities among many parents toward noncooperation with the paternity establishment process.

<sup>11</sup> Specifically, as described in 45 CFR 303.5, a paternity complaint is to be filed or service of process completed within 90 days of locating the alleged father, and paternity is to be established (or the alleged father excluded) within one year after the successful service of process [*Federal Register*, August 4, 1989, p. 32, 286].

## CONCLUSIONS AND FUTURE RESEARCH

The results of the Cuyahoga County demonstration project indicate that the expedited procedures had some effect in increasing the likelihood of establishing paternity through voluntary admission. At the same time, there was no evidence of improved outcomes for contested cases, and the no-show rate was very high for both the experimental and control groups. This leaves open the question of the net impact of such interventions on the establishment process. While the interventions had some impact on reducing the time it takes to process each case (at least over some of the intermediate milestones in the establishment process), the behavioral assumptions about how the expedited procedures would affect the willingness of custodial and absent parents to cooperate with the establishment process were not borne out. With custodial and absent parents predisposed to cooperate with the system and to voluntarily admit to paternity, the expedited procedures appear to have reinforced these attitudes and to have had a positive impact on the rate of establishment. But there is no evidence that the interventions affected overall attitudes governing willingness to cooperate with the paternity establishment process.

While the various outcome measures reported above apply specifically to Cuyahoga County, there are broader implications for the 1988 Family Support Act. In particular, the results of the demonstration point up the likely limits of a strategy predicated mainly on administrative reforms. While changes in administrative procedures can have some effect on the rate and overall success of paternity establishment, there appear to be well-entrenched client behaviors working against cooperation with the paternity establishment and child-support system.

Wattenberg [1987] suggests a number of reasons why mothers would not want to cooperate with IV-D programs even though their benefits are contingent on such cooperation. The reasons include no desire to establish a permanent tie between the father and the baby because of future marriage prospects, as well as protecting their partners from financial consequences, harassment, medical expenses, and even statutory rape charges and prison [Wattenberg, 1987, p. 12]. It is unlikely that managerial or interorganizational reform could address all of these very real concerns of the mother.

A follow-up analysis of cases in the Cuyahoga study, in which the custodial parent failed to cooperate with the paternity process, indicates that such behavior is more likely in the case of younger absent parents and younger custodial parents. Similarly, noncooperation is more likely to occur in cases where the absent parent is unemployed. Such patterns suggest ways in which outreach might be targeted to encourage greater cooperation.

Another possible response to noncooperation is more aggressive sanctioning of custodial parents who fail to cooperate with the system and are unable to show good cause for such behavior.<sup>12</sup> But there are obvious political and moral difficulties with this approach. If attention is to be directed toward individual incentives, it should be directed at all stages and all participants in the paternity establishment process (social workers, child-support administrators, prosecutors, court referees, and judges). With better monitoring and

<sup>12</sup> Such sanctions include the termination of the cash grant for the custodial parent and may also entail conversion of the children's grants from cash to direct payments to vendors for living expenses.

management of cases by the local CSEA, it is becoming clear that the IV-A Agency plays a critical role both in the initial contact with the custodial parents and in the imposition of sanctions for noncooperation with the CSEA. Success in paternity establishment is contingent upon completing a series of necessary steps across several agencies and organizations, and the IV-A/IV-D relationship in paternity establishment is fundamentally important in setting the tone for this process—not only in gathering crucial information for locating the absent parent, but also in influencing the willingness of custodial parents to cooperate with the process.

The Cuyahoga demonstration also has broad implications for the implementation of administrative reforms aimed at expediting the paternity establishment process. Such reforms entail a complex set of interorganizational relationships. Of particular note, and the subject of continuing research, is the court-agency relationship in paternity establishment and child support.<sup>13</sup> With financial inducements from the federal government, the court-agency relationship in many jurisdictions has been tightened somewhat through arrangements by which the IV-D agency formally contracts with the court for referee and other paternity-related expenses. While providing the IV-D agency with some additional influence over the court's resource allocation priorities, such influence is limited by long-standing court attitudes regarding control over the docket. More fundamental concerns about procedural due process may also limit the extent to which agency concerns about expedited case processing and increased productivity can be addressed.

Another important interorganizational connection in paternity establishment is between the IV-D agency and, in at least some localities, the prosecutor's office. Again, while federal financial incentives encourage formal contractual relationships between these two organizations, such incentives have only a limited impact in reconciling the priorities of the prosecutor's office (where the emphasis has traditionally stressed criminal over noncriminal casework) and the efficiency concerns of the IV-D agency in pursuing paternity cases expeditiously.

Drawing on the work of Oliver Williamson [1979] and others in the area of transaction cost analysis, the complex nature of the contractual relationships between the IV-D agency and both the court and the prosecutor's office can be expected to result in organizational realignments and changes in the nature of the services provided. In paternity establishment, ongoing research indicates that such changes are occurring. The complex transactional relationship between the agency and the prosecutor has led some agencies to incorporate their own in-house legal units, so as to obviate the need for contracting with the prosecutor. In addition, IV-D agencies have moved more aggressively to encourage voluntary agreements by the absent parent in paternity cases, thereby limiting the amount of legal adjudication.

The extent and impact of these naturally occurring adaptations to the complex nature of paternity establishment and child support remain to be fully assessed. At this point, however, two things are clear. First, with the emphasis in recent policy initiatives on streamlining the paternity establish-

<sup>13</sup> The authors are currently engaged in an eight-site study of the interorganizational aspects of paternity establishment. This research also examines the IV-A-IV-D relationship more closely for its effect in influencing cooperation by custodial and absent parents in the establishment process.

ment process through administrative reforms, the problems of policy implementation in a system as complex as child-support enforcement should not be underestimated. Financial incentives, mandated performance standards, and sanctions directed at the IV-D agency are necessarily limited in their impact by the extensive organizational interdependencies underlying child-support enforcement and paternity establishment. And, finally, however successful the implementation of administrative reforms, their impact will necessarily be limited by client attitudes toward the paternity establishment process. Successful policy reforms must recognize and be responsive to both structural and behavioral aspects of the problem.

The authors wish to thank the participants in the Ohio State University School of Public Policy and Management's doctoral research colloquium and an anonymous referee for helpful comments and suggestions on earlier versions of this paper. Any remaining errors are our own responsibility.

*CHARLES F. ADAMS, JR., is Associate Professor in the School of Public Policy and Management at Ohio State University.*

*DAVID LANDSBERGEN is Assistant Professor in the School of Public Policy and Management at Ohio State University.*

*LARRY COBLER is a doctoral candidate in the School of Public Policy and Management at Ohio State University.*

#### REFERENCES

- Allison, P. D. (1985), *Event History Analysis: Regression of Longitudinal Event Data*. Sage University Paper Series on Quantitative Application in the Social Sciences, 07-046 (Beverly Hills, CA: Sage).
- Bumpass, L. (1986), "Children and Marital Disruption: A Replication and Update," *Demography* 21(1), pp. 71-82.
- Cohen, J. (1988), *Statistical Power Analysis for the Behavioral Sciences* (New York: Academic Press).
- Cox, D. R. (1972), "Regression Models and Life Tables," *Journal of the Royal Statistical Society, Series B* 34, pp. 187-202.
- Family Support Act of 1988, P. L. 100-485, codified at 42 USC 1305.
- National Institute for Child Support Enforcement (1985), *Paternity Establishment* (2nd ed.). Washington, DC.
- Nichols-Casebolt, A. and I. Garfinkel (1991), "Trends in Paternity Adjudication and Child Support Awards," *Social Science Quarterly* 72, pp. 83-97.
- Ohio Legislative Budget Office (1985), *Budget Footnotes*, vol. 12, no. 3.
- Ohio Department of Human Services (1988), *Parents for Ohio's Children: Demonstration of an Effective Paternity System*. Grant No. OCSE-87-1115 (July).
- Ripley, R. B. and G. A. Franklin (1986), *Policy Implementation and Bureaucracy*, 2nd ed. (Chicago: Dorsey Press).
- U.S. Bureau of the Census (1989), *Current Population Reports, Household and Family Characteristics: March, 1988, Series P-20, No. 437* (Washington, DC: U.S. GPO).
- U.S. Bureau of the Census (1990), *Current Population Reports, Child Support and Alimony: 1987, Series P-23, No. 167* (Washington, DC: U.S. GPO).
- U.S. Department of Health and Human Services, Family Support Administration,

- Office of Family Assistance (1989), *Characteristics and Financial Circumstances of AFDC Recipients: Fiscal Year 1988* (Washington, DC: U.S. GPO).
- U.S. Department of Health and Human Services, Office of Child Support Enforcement (1986), *Essentials for Attorneys in Child Support* (Washington, DC: U.S. GPO).
- U.S. Department of Health and Human Services, Office of Child Support Enforcement (1989), "Standards for Program Operations: Final Rule," *Federal Register*, vol. 54, no. 149 (Washington, DC: U.S. GPO).
- Wattenberg, E. (1987), "Nonmarital Children: Do Policy and Practice Discourage Adjudication?" *Public Welfare* 48, pp. 8-13.
- Wholey, J. S. (1979), *Evaluation: Promise and Performance* (Washington, DC: The Urban Institute).
- Wholey, J. S. (1983), *Evaluation and Effective Public Management* (Boston: Little, Brown).
- Williamson, O. E. (1979), "Transaction-Cost Economics: The Governance of Contractual Relations," *Journal of Law and Economics* 22, pp. 233-261.
- Yamaguchi, Kazuo (1991), *Event History Analysis*. Sage Applied Social Research Methods Series, vol. 28 (Newbury Park, CA: Sage).