

INFORMATION COLLECTION ACTIVITY 8

PROCEDURAL JUSTICE INFORMED ALTERNATIVES TO CONTEMPT (PJAC)

TOPIC GUIDE FOR BIAS INTERVIEWS WITH STAFF AND PARTNERS

ABOUT THIS INSTRUMENT

These interviews will be fielded in 2023. A selection of child support and legal staff who are involved with carrying out enforcement actions, supervising enforcement workers, and setting agency policy will be interviewed. Interviews with staff will be either one-on-one or small group, depending on staffing structure, roles, and the number of individuals in a role. Each semi-structured interview is expected to take no more than 90 minutes. Interviews will focus on the topics most salient and relevant to the respondent's role; not all topics will be asked of all respondents.

The goal of the study is to provide information about disparities and bias in the use of child support enforcement measures. The purpose is to inform the quantitative analysis and provide information to practitioners and policymakers within multiple levels of government as well as in other sectors.

The information provided during these interviews will be used for research purposes only. It will only be discussed in combination with other people's responses and reported together as a group. No information that identifies the individual will be disseminated outside the evaluation team, except as required by law.

Providing information for the purposes described is voluntary. Informed consent will be obtained verbally.

CONSENT TO PARTICIPATE IN THE PJAC EVALUATION INTERVIEW FOR STAFF

As part of the Procedural Justice-Informed Alternatives to Contempt Demonstration, the research team is interviewing staff from various parts of child support agencies and staff from affiliated court systems. These interviews are intended to enhance the research team's understanding of whether and how disparities manifest in the use of child support enforcement measures. The PJAC demonstration is funded by the Office of Child Support Enforcement (OCSE), part of the U.S. Department of Health and Human Services (HHS), and the evaluation is being conducted by MDRC.

I understand that:

- Participation in this interview by child support staff or legal staff is completely voluntary. Refusal to participate will have no influence on my standing within the agency or organization, and I may leave the interview at any time or decline to answer questions.
- Participation and responses will remain private, and there is no known risk to participating. Only authorized persons—a small number of researchers at MDRC—will have access to information gathered. My identity will not be revealed in any reports or publications resulting from the study. All notes from these talks will be destroyed when the project completes in 2024.

Please contact Melanie Skemer, Evaluation Project Director at MDRC, with any questions. She can be reached at 212-340-8614 or melanie.skemer@mdrc.org.

You are being asked to participate in an interview as part of the evaluation of the Procedural Justice-Informed Alternatives to Contempt project, or PJAC for short. You will be asked questions about your job and responsibilities. The information sheet I gave you outlines the risk and benefits of participating in this interview. If you agree to participate, you can end your participation in the interview at any point and decline to respond to questions that you don't want to answer. Please take a moment to look over the information sheet. I can answer any questions you might have. [PAUSE and answer questions]. Do you agree to participate in this interview? [PAUSE]. [If yes] May I audio-record this interview for note-taking purposes? [If yes, turn on recorder and proceed with interview.]

Your participation in this information collection is voluntary. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection is 0970-0505, and it expires on **xx/xx/xxxx**. If you have comments regarding this collection of information, including suggestions for reducing this burden, please send them to Melanie Skemer, 200 Vesey Street 23rd Floor New York, NY. 10281; Attn: OMB-PRA (0970-0505).

TOPIC GUIDE

Respondent characteristics and background - all

- Job title and duties
- Years in current position and with agency
- Relevant prior experience and training, including in procedural justice
- Role on PJAC, if any
- Role in child support enforcement
- Demographic characteristics, including self-identification of race/ethnicity, gender, and parenting status, including whether noncustodial or custodial parent

Local context and service environment (RQ1) – managers; agency leaders

- Description of state or local child support structure with regard to use of judicial and administrative processes
- Description of state or local child support policies and policies for enforcement activities, such as criteria for suspending a license
- Discussion of programs and policies that focus on standardization of enforcement actions or, conversely, worker discretion (e.g., automated notices); aims and goals for approaches
- Effect of local cultural, political, and economic factors on child support agency policies and enforcement approaches

Organizational characteristics of participating child support agencies (RQ1) – managers; agency leaders

- Description of organizational structure and management including roles and responsibilities, staffing, supervision, training, etc.
- Influence of organizational characteristics on enforcement policy and practice, such as staffing levels, administrative processes, etc.
- Description of changes in approach to use of enforcement over past decade
- Historical experience with holistic approaches to child support, such as employment demonstrations, procedural justice initiatives, etc.

Order amounts and order modifications (RQ3) – case workers, managers

- Description of policies around setting order amounts and factors accounted for in setting orders
 - Use of imputed wages; assumptions about employment stability and earning potential
 - Consideration of local economic conditions and systemic barriers to employment
 - Minimal order amounts: use in jurisdiction, amount, requirements
- Staff perception of whether order amounts align with NCP ability to pay, CP needs
- Factors staff think should or should not be accounted for in setting order amounts and why
- Description of process to modify order and requirements; how request is approved or denied and individuals or processes involved

- Staff role in modifying order, if any, such as advising parent, filing paperwork, or making decision recommendations
 - Whether and how staff adapt recommendations for particular cases and why
- Description of frequency of modification requests, request patterns, and their outcomes, including how often requests are made, which party most often makes the request, reasons for requests, outcomes of request
- Staff perceptions of factors that influence modification request outcomes
- Staff perception of whether modification requirements are fair; factors they think should or should not be taken into account

Enforcement implementation (RQ2) – case workers, legal staff, managers

- Description of implementation process for putting in place and lifting enforcement actions such as:
 - Asset seizure
 - Tax refund offset
 - License suspension and reinstatement: drivers, occupational, recreational
 - Passport denial and reinstatement
 - Civil contempt
 - Credit bureau reporting
 - Warning letters/notices
- Description of how decisions about enforcement are made on cases and staff role in making decisions, including review and approval processes, role of supervisors/managers, and common outcomes of recommendations
- Discussion of staff autonomy in determining enforcement outcomes, policies, including staff perceptions of their authority to make enforcement decisions independently, as well as any institutional or policy structures that limit their decisions such as caseloads, supervision, regulations, and automation
- Frequency of use of enforcement tools listed above
 - Factors that influence how frequently the tools are used, including staff choice, policy, supervisor or departmental preference
- Discussion of how staff determine which enforcement tools to use, if any, and when to lift them, if ever
 - Key factors that influence staff decisions including policy/guidelines, parent communication, NCP payment history, NCP work history, ability to pay determinations, perceptions of parents' willingness to pay, and experience as a case worker
 - Discussion of whether staff use different approaches for different kinds of cases and why, such as benefits-related cases

Perceptions of enforcement (RQ2) – all

- Discussion about perceived efficacy of above enforcement tools in prompting payments, compliance
 - Factors that influence efficacy of tools, such as income, ability and willingness to pay, payment history, parent/family relationship, reason for opening case

- o Whether enforcement actions are more effective for different types of cases or payers
- Discussion of child support and legal staff roles in encouraging compliance with child support, including perception of ability to make meaningful changes on cases and improve compliance; extent to which staff see compliance as in their control vs institutional or external factors
- Perceived value of child support for low-income families, such as whether and to what extent child support payments—at various compliance levels—make a difference in families' lives

Caseload composition and compliance with child support (RQ4) – case workers; legal staff

- Caseload size and composition (e.g., specialized caseload)
- Legal staff: description of number and type of cases worked
- Description of how and why majority of cases on caseload were opened, including share of benefits related cases
- Description of payment patterns and compliance within caseload, including share of parents who rarely pay, occasionally pay, and almost always pay
- Frequency and nature of communication with parents

Perceptions of NCPs' willingness and ability to comply with child support obligations (RQ4) – case workers, legal staff managers

- Among cases with no or infrequent payments, description of NCP's willingness to pay
 - o Description of what willingness looks like in practice, such as communication with other parent, child support, or active job search
 - o Factors that influence willingness
 - o How worker assesses willingness/unwillingness to pay
- Among cases with no or infrequent payments, description of NCP's employment status and earning ability
 - o Description of how ability to pay is assessed
 - o Factors that affect ability to pay, including availability and access to jobs with family-sustaining wages
 - o How worker assesses ability to pay, ability to earn
- Discussion of factors that facilitate and constrain compliance, including individual/family-level dynamics (including reason for opening case), agency policy and practice, and structural conditions