



Virginia's Intensive Case Monitoring Program

By Nick Young*

Over the past 20 years, advances in technology, collection techniques, and intergovernmental cooperation have vastly improved the ability of child support professionals to locate noncustodial parents, establish support obligations, and collect support payments. However, in spite of great progress, some level of noncompliance continues to present challenges across the Nation. The Commonwealth of Virginia has 353,000 child support cases. Since 1993 a total of \$8.4 billion has been collected on behalf of one-fourth of Virginia's children who are represented in the child support caseload. The percent of current support due that was collected for FFY11 was 63%.

Historically, child support collection efforts have focused on parents who have assets but, for a variety of reasons related to the complexity of their relationships with the other parent, refuse to pay child support as ordered. There is another category of parents who, until recently, have not received focused attention. These parents are often caught up in a revolving door within the child support system; they receive limited acknowledgment or assistance and have significant barriers that inhibit their ability to pay support. This population struggles with limited education, sketchy work histories, substance abuse problems, criminal records, and more. While some also have poor relationships with the other parent and don't want to pay, others would pay child support if they were able. For this latter group-- those who would but can't pay-- conventional enforcement remedies often result only in recurring penalization rather than changes to behavior, regular child support payments, and long-term compliance. Instead, these noncustodial parents are often chronically taken to court, found noncompliant, and jailed because there is no alternative solution.

During its 2008 session, the Virginia General Assembly passed legislation authorizing the Department of Social Services to establish and pilot Intensive Case Monitoring programs (ICMP) for child support enforcement in order to reduce jail overcrowding, provide less costly child support enforcement alternatives, and maximize the potential for child support payment. Pilot programs were initiated in four Juvenile and Domestic Relations Courts (JDRC): Campbell County, Fairfax, Hampton, and Spotsylvania County. Results from the pilot sites quickly confirmed that ICMP participation had a positive impact on NCPs' child support payments. This, plus the cost savings to the Commonwealth by not incarcerating the parents, led to a decision to begin to replicate the program in other courts around the state. To date, additional sites have been established in Winchester/Frederick, Roanoke, Petersburg, Orange County, Warren County, Culpeper County, Alexandria, Suffolk, Isle of Wight County, Southampton

County, Franklin City, Virginia Beach, Newport News, Bedford County, Russell County, Waynesboro, Franklin County, Richmond City, and Fauquier County.

Virginia's ICMP is an innovative, problem solving enforcement approach intended to enable noncustodial parents (NCPs) who complete the program to better fulfill their responsibilities to support their children and to decrease the number of NCPs incarcerated for failure to pay child support (civil contempt). Parents facing incarceration for failure to pay are entered into the ICMP by the court. A child support case manager closely monitors their participation in the ICMP. The manager also assists them in securing employment, housing, education, and other services needed to overcome barriers that historically have made them less likely to support their children.

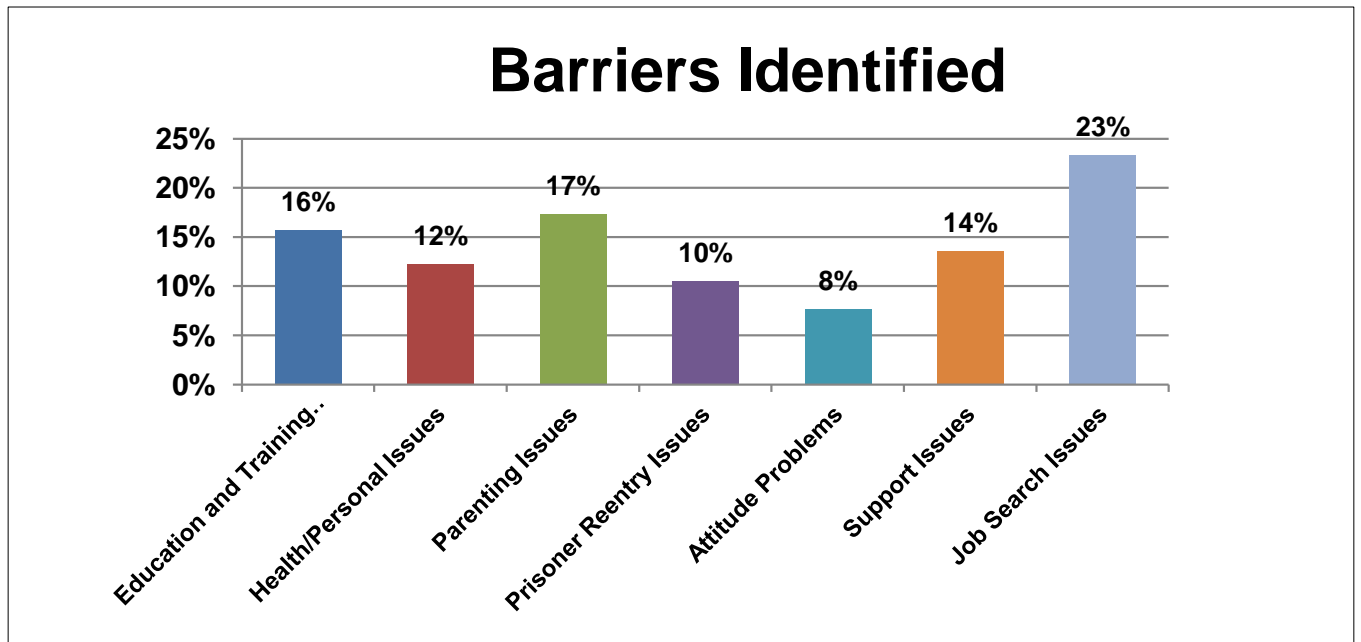
The ICMP is a collaborative program supported by the Juvenile and Domestic Relations Court, Division of Child Support Enforcement (DCSE), Office of the Attorney General, local Departments of Social Services, Workforce Development and Employment Services Agencies, and other community service organizations.

In a participating Juvenile Court, DCSE staff and attorneys identify NCPs who will be recommended to the court as candidates for ICMP participation. The court also may use its discretion to select an NCP even though the person was not originally identified by DCSE. A judge decides whether to order participation into the ICMP as an alternative to incarceration for NCPs found guilty of failure to pay, mandates any specific requirements, and schedules a compliance review hearing.

The ICMP Case Manager immediately schedules an orientation appointment and begins to work closely with the NCP to identify barriers (Chart 1) that impede the parent from complying with child support orders. The Case Manager provides the NCP with job search assistance, refers the NCP to appropriate services to address the parent's obstacles, and intensely monitors the parent's job searches and progress with community partners. The Case Manager also provides the court with regular reports of the NCP's participation and compliance. Case Managers are critical to the program's success: they provide the individualized support, constant contact, and persistent follow-up that some NCPs need to stay focused on their goals, pay child support, and become better parents.

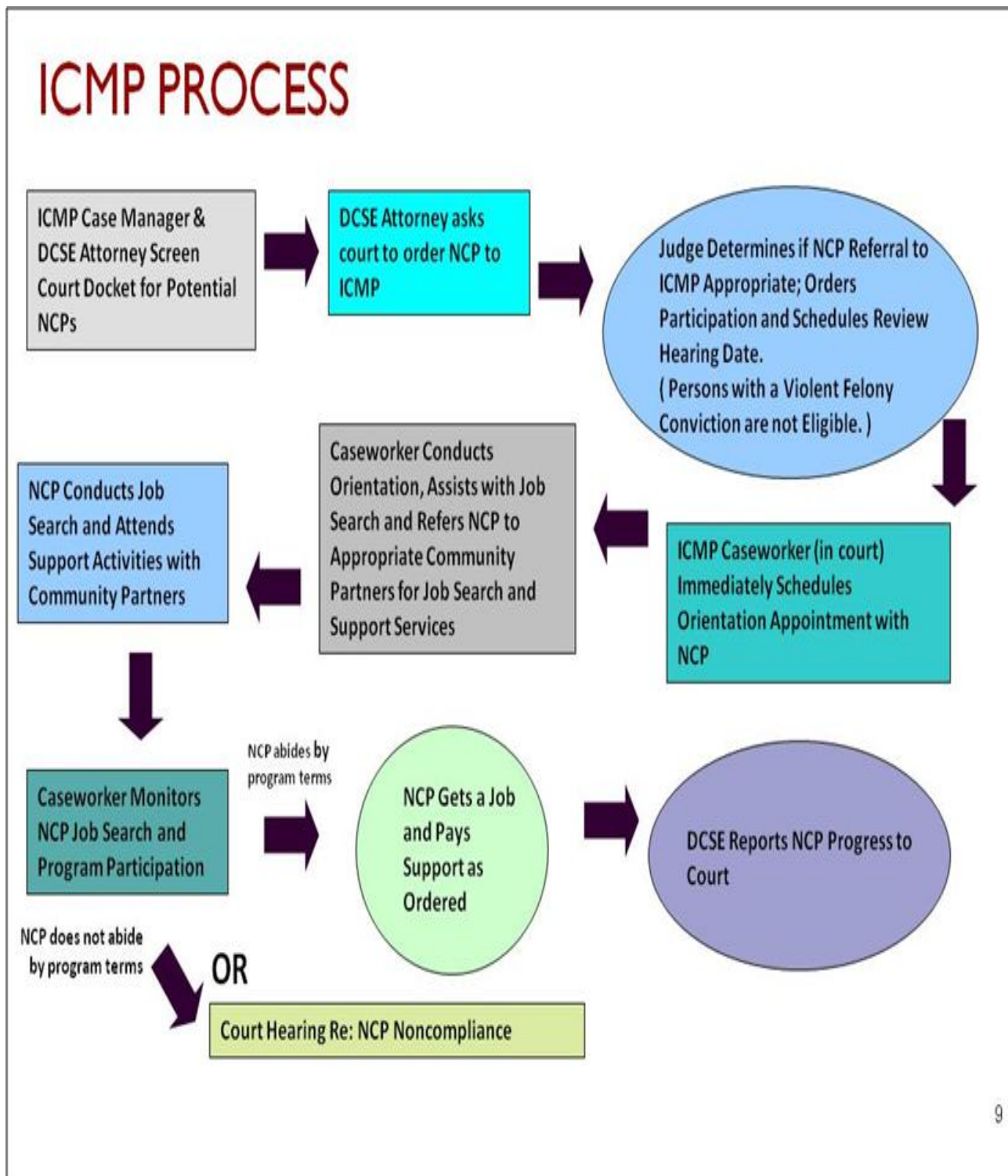
The following chart identifies seven barriers that Case Managers seek to address.

Chart 1 - Percentage of ICMP Participants with Identified Barrier



Noncustodial parents who actively participate and establish an ability to pay support are released by the court and graduate from the program. Those who refuse to participate as ordered are dropped and, at the judge's discretion, may be incarcerated.

Chart 2 - The following flow chart illustrates the ICMP process from screening through success or drop out.



Through April 2012, the 1,177 participants ordered into the ICMP have paid \$3.7 million in child support. Noncustodial parents who graduate from the ICMP show dramatic increases in their level of support for their children. Many are able to meet both their current support obligations and make modest payments toward their arrearages. To a lesser extent, even NCPs who are dropped from the program increase the amount of support paid.

Chart 3 – Total ICMP Collections

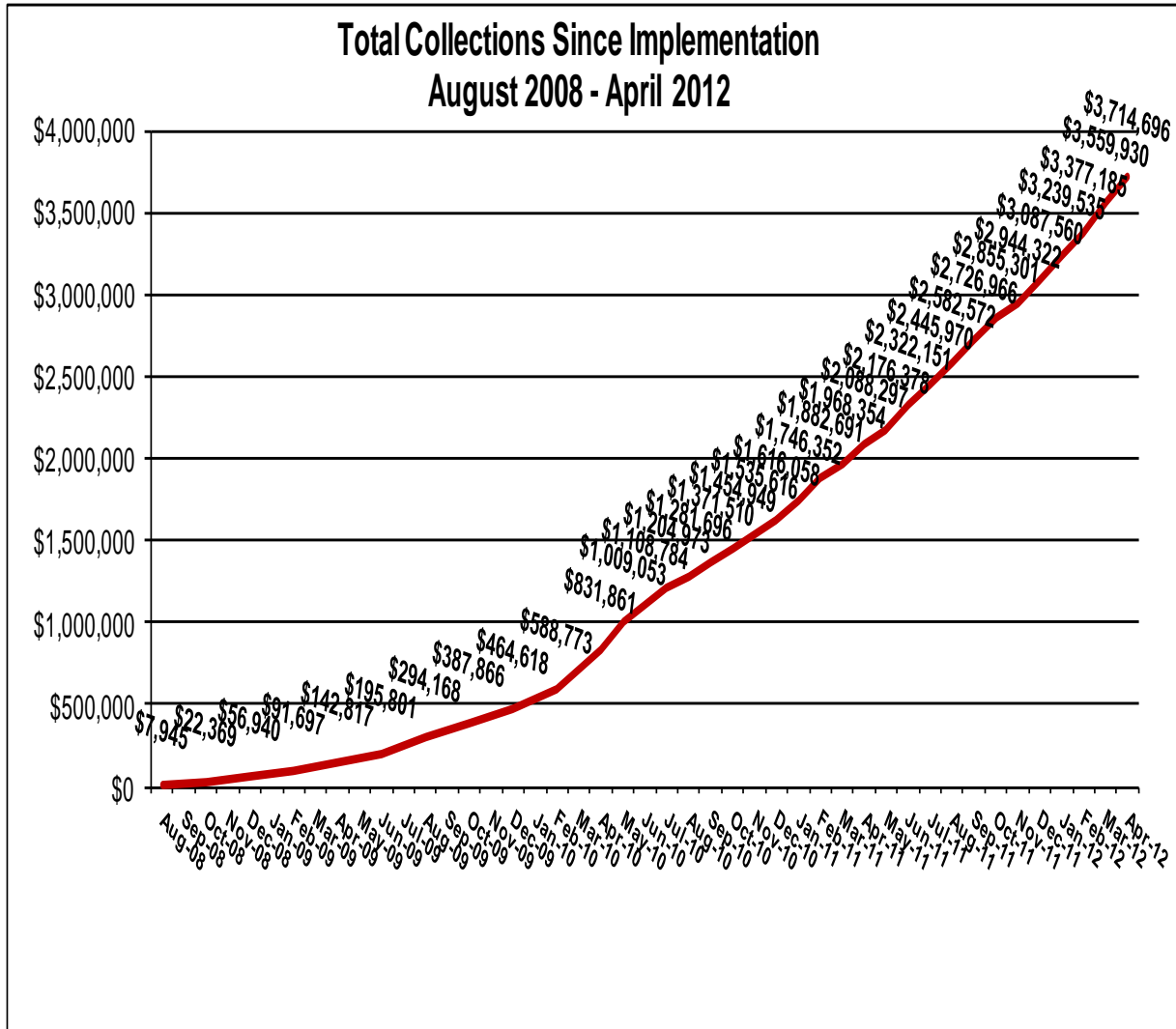


Chart 4 – Average Monthly Payments per Graduate

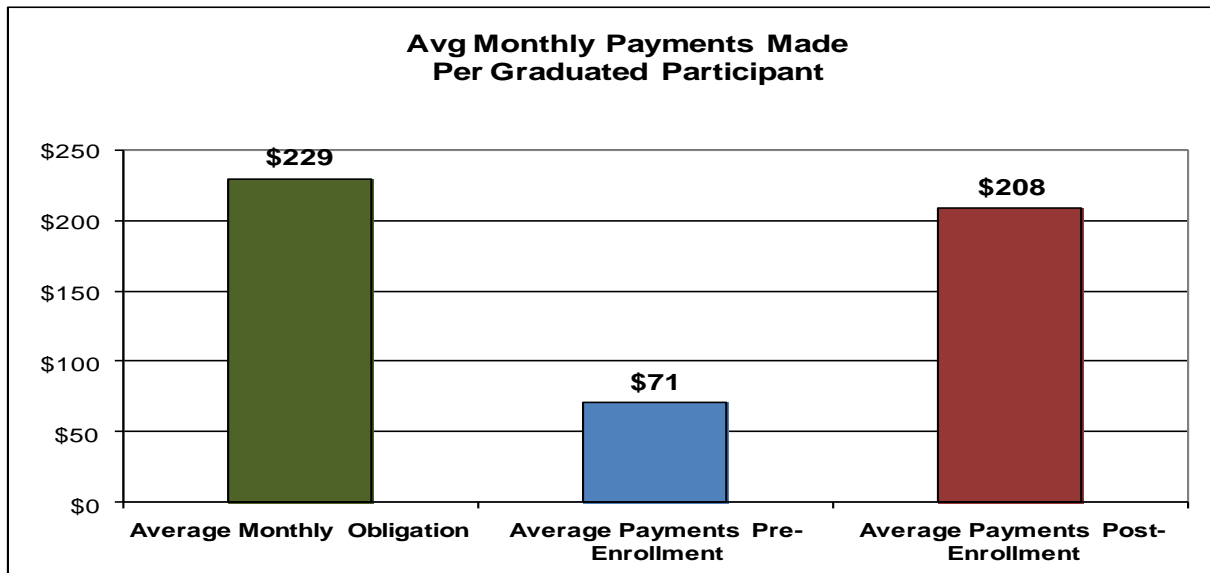
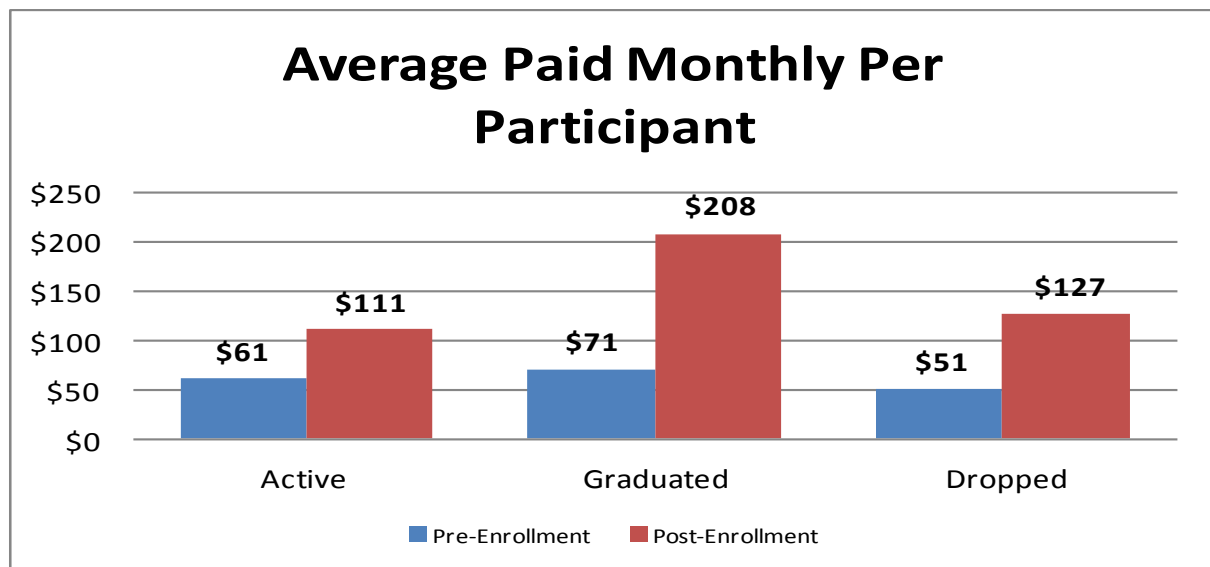


Chart 5 – Average Paid Monthly per Participant



From Virginia’s perspective, the ICMP has been successful in providing judges with an additional tool that can be used when NCPs are brought before the court for failure to pay child support. Noncustodial parents who graduate from the ICMP pay more child support on a more regular basis. The increased financial support from ICMP participants provides basic necessities that help families move toward self sufficiency; and the Commonwealth saves the cost that, in the past, it would have spent incarcerating these individuals.

The ICMP represents a philosophical shift in child support enforcement, the courts, and our communities. The expansion of the program recognizes that our goal to collect support from certain noncustodial parents is better accomplished by providing them with assistance to overcome the barriers they face, intensely monitoring their compliance, and constantly reviewing their progress to reinforce accountability. This innovative approach promises benefits on a variety of levels: The noncustodial parent will gain a better sense of self-worth, new marketable skills, and a healthier relationship with the child; the family will benefit financially from support that is paid; the judicial system saves valuable resources; and the community gets a more productive, contributing member.

**Nathaniel L. (Nick) Young, Jr. is Deputy Commissioner of Virginia's Department of Social Services and Director of the Commonwealth's Child Support Enforcement Program. He is responsible for administering the Intensive Case Monitoring Program, which has garnered widespread interest among child support professionals. Nick is a former NCSEA Board member and current NCSEA member.*