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 | ADMINISTRATIVE DIRECTIVE |
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TRANSMITTAL: 93 ADM-16

TO: Commissioners of
 Social Services

DIVISION: Mgmt. Support
 and Quality
 Improvement

DATE: July 12, 1993

SUBJECT: Statewide Child Support Collection Goals SFY 1992-93

 SUGGESTED

DISTRIBUTION: | Directors of Administrative Services
 | IV-D Directors
 | Staff Development Coordinators

CONTACT

PERSON: | Any fiscal questions concerning this release should
 | be directed to the Bureau of Local Financial
 | Operations:
 | Metropolitan Office - Marvin Gold
 | (212) 383-1733
 | Upstate Office -Roland Levie
 | 1-800-342-3715, extension 4-7549

ATTACHMENTS: | ADC IV-D Collection Goal SFY 92-93
 | (on-line)

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
92-ADM-5	92-ADM-5	347.23	SSL 111-		
90-ADM-34	90 ADM-34	347.18	b(5)		
89 ADM-30	89 ADM-30	347.21			
88 ADM-44	88 ADM-44	347.22			
87 ADM-43	87 ADM-43	347.23			

I. Purpose

The purpose of this directive is to notify each social services district of its ADC/IV-D Child Support collection goal for the State Fiscal Year ending March 31, 1993, as required by subdivision 5, section 111-b of the Social Services Law. This information is found in the attachment to the release. This subdivision requires that a statewide child support collections goal be established, specifies that a portion of the statewide goal be allocated to each district, and provides that penalties be assessed against any district failing to meet its goal.

II. Background

A. Legal Requirements

As required by subdivision 5 of section 111-b of the Social Services Law, a child support collection goal has been established by Chapter 53 of the Laws of 1992 for the fiscal year ending March 31, 1993. The goal is \$136,400,000.

B. Development of Fiscal Year 1992-93 Collection Goals

The Commissioner has, with the approval of the Director of the Budget, allocated a portion of the Statewide goal to each social services district.

In allocating the State fiscal year 1992-93 statewide collection goal to each district, the Department used its standardized methodology established and used since state fiscal year 1979-80. The methodology for allocation of the goal includes the use of a statistical method known as multiple regression analysis. Multiple regression analysis utilizes variables related to child support collections for the purpose of projecting collection goals. The related or independent variables used in the equation (representative of previous periods) are:

- Reported ADC Collections.
- Number of ADC Basic Cases.
- Gross ADC Basic Payments.
- Number of ADC Absent Parents Making Support Payments.

These variables, along with a dependent variable (prior year collection goals), were used to determine raw collection goals. Three decision rules are applied to the goals as follows:

1. The new raw collection goal cannot be less than 90 percent of reported collections for the previous year.
2. The new raw collection goal cannot be more than 110 percent of goal for the previous year.

3. The new raw collection goal cannot be less than 90 percent of the collection goal for the previous year.

- NOTE:
- a. If the criteria for Rule 1 and Rule 2 exist, then rule 2 will apply.
 - b. If none of the three rules apply, then the raw collection goal will be used in the remaining methodology.

If application of the decision rules yields goals for each district that total more or less than the legislatively mandated statewide goal, then each district's goal will be prorated to obtain the statewide mandated goal.

III. Program Implications

Penalties for Failure to Meet Goal

When the Commissioner determines that a district has failed to meet its portion of the statewide child support collection goal:

1. The Commissioner shall deny State reimbursement for such district's ADC expenditures in an amount equal to the difference between the amount of State funds such district is required to repay to the State out of collections actually made, and the amount of State funds the district would have been required to repay to the State had it met its collection goal, and;
2. The Commissioner may promulgate any regulation deemed necessary to improve such district's organization, administration, management, and/or program.

IV. Required Action

A. Amount of Child Support Collection

1. The district's individual collection goal as set forth in this directive, is the minimum achievement the district must attain to avoid the imposition of a financial penalty.
2. For purposes of determining the amount of child support collections which are attributable toward meeting a district's portion of the statewide collection goal, any amounts collected by one district on behalf of another shall be credited to the district to which the support payments have been assigned. Support payments collected on behalf of another state or on behalf of persons not in receipt of ADC shall not be taken into consideration in determining whether such district has met its goal.

3. Districts that wish to submit supplemental collection data for a fiscal year must submit supplemental claims within 60 days from the end of that fiscal year. Any claims received after 60 days will be credited to the next fiscal year. For example, if a district is unable to properly distribute previously unidentified collections and wishes to have the claim credited as collections for the April 1992 - March 1993 year, the claim must be so identified and submitted by June 1, 1993.

Districts are also reminded that Department Regulation 18 NYCRR 347.18 mandates that each district submit monthly a summary of collections and distributions (Schedule A-1). A district which does not submit a Schedule A-1 with its monthly reimbursement claim package must notify the Bureau of Local Financial Operations and indicate the reason(s) for non-submission.

B. Request for Redetermination

Any district which has been denied State reimbursement or which has received official Department notification of an intention to deny reimbursement for failing to meet its portion of the annual collection goal may request a redetermination in accordance with Department Regulation 18 NYCRR 347.23. Guidelines of generally acceptable factors for requesting redetermination of child support collection goal penalties are the following:

1. Federal or State Government

Such factors include specific incidents of action or lack of assistance from the State Department of Social Services or any other State or Federal Agency which impacted adversely the district's ability to collect at the maximum potential.

Examples:

- a. When requests for technical assistance were made, the response was not timely or adequate.
- b. Particular procedural or policy changes during the year had a negative impact on the local district's ability to collect.

2. Economic and Environmental

Such factors include specific economic or environmental factors unique to the county and the relationship of these factors to the caseload dynamics.

Examples:

- a. When an exceptionally high unemployment rate is compared to the statewide rate. Layoffs related to major business or industry located in the county or some outside effect on the agricultural market which adversely affected the productivity and economy of a rural area (bad weather conditions lowering the farm production, etc.).
- b. When specific caseload dynamics related to the district are significantly different when compared to statewide increases or decreases such as an ADC caseload decline greater than the statewide average.

3. Family Court

Specific procedural and processing requirements of the County Family Court which have a negative effect on collections.

Examples:

- a. Lack of full complement of Family Court judges which has caused delays or backlogs in processing cases.
 - b. Special processing requirements of the Family Court which add an inordinate workload to the district, thereby causing delays and backlogs.
- C. For the factors cited above in Section B. to be considered, all of the following documentation must be provided.
1. Full explanation of the factors affecting collections and how they were outside of the administrative and processing functions which are subject to the jurisdiction of such district's legislative body.
 2. The period of time involved.
 3. The number of cases affected.
 4. Statistical analysis of the value of the cases affected.
 5. Methodology of determining the value of cases.
 6. Where applicable, presentation of what actions were taken by the district to meet or overcome problems.
 7. Net dollar effect of collections for which redetermination is requested.

D. Unacceptable factors for requesting redetermination include but are not limited to the following:

1. Goal formulation and application of the goal methodology, unless it can be demonstrated that there has been an error in the base data used to calculate the goal.
2. Low income level of absent parents subject to Family Court orders (this is taken into consideration by goal formulation factors).
3. Judicial decisions alone, which are the prerogative of the Family Court judge, do not constitute substantiation for redetermination (e.g., low support amounts, cancellation of arrears, etc).
4. Inadequate staff in local IV-D agency.
5. Locally initiated reorganization of staff within IV-D unit.

V. Additional Information

A. Districts are reminded that Social Services Law 111-b(5)(e) allows the Department to deny reimbursement at the end of the State fiscal year.

In an effort to maximize collections, districts should actively enforce all existing support orders and utilize the following services and enforcement methods in addition to all resources available at the district level:

1. Wage Reporting System (financial information),
2. Internal Revenue Services (income tax refund offset, assets information and collection services),
3. Parent Locator Services (location and employment information),
4. Automatic Income Executions for Support Enforcement Orders (enforcement of support orders through wage deduction),
5. Timely violation petitions against delinquent respondents,
6. Increased utilization of Family Court arrest warrants,
7. Prioritization of cases,
8. Upward modification of existing orders of support where financial circumstances have changed.

B. As many of you are aware, a joint Department/local social services district workgroup is currently reviewing issues regarding the child support collection goal. This workgroup is expected to develop recommendations which will be shared with all social services districts.

VI. Effective Date

These goals will be effective for the period of April 1, 1992 through March 31, 1993. This ADM is effective retroactively to April 1, 1992.

John M. Sweeney
Assistant Commissioner
Office of Financial Management

NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES
OFFICE OF CHILD SUPPORT ENFORCEMENT
PRELIMINARY ADC IV-D COLLECTION GOAL SFY 92-93

ALBANY	1,555,985
ALLEGANY	650,656
BROOME	1,277,672
CATTARAUGUS	630,948
CAYUGA	575,773
CHAUTAUQUA	1,603,722
CHEMUNG	841,417
CHENANGO	261,087
CLINTON	499,917
COLUMBIA	372,719
CORTLAND	362,124
DELAWARE	272,846
DUTCHESS	1,083,152
ERIE	10,404,849
ESSEX	367,391
FRANKLIN	325,430
FULTON	610,674
GENESEE	447,963
GREENE	207,553
HAMILTON	30,446
HERKIMER	452,148
JEFFERSON	765,509
LEWIS	129,750
LIVINGSTON	353,149
MADISON	439,727
MONROE	6,699,677
MONTGOMERY	473,800
NASSAU	4,186,180
NEW YORK CITY	63,688,198
NIAGARA	2,499,919
ONEIDA	1,734,853
ONONDAGA	3,161,489
ONTARIO	651,421
ORANGE	1,909,868
ORLEANS	389,687
OSWEGO	950,105
OTSEGO	282,073
PUTNAM	144,351
RENSSELAER	1,223,178

ROCKLAND	1,356,871
ST. LAWRENCE	878,453
SARATOGA	514,321
SCHENECTADY	1,069,638
SCHOHARIE	243,655
SCHUYLER	130,978
SENECA	137,725
STEUBEN	693,731
SUFFOLK	10,073,998
SULLIVAN	418,258
TIOGA	289,448
TOMPKINS	451,790
ULSTER	1,138,776
WARREN	465,202
WASHINGTON	492,424
WAYNE	532,331
WESTCHESTER	4,687,704
WYOMING	209,348
YATES	97,943