

Groovin From What It Is To What It Should Be Right Sizing Orders

**CFSC Conference
June 3, 2014**

**Larry Desbien, Courtney Trausch
and Sue Palmer**



Workshop Objectives

- Why review and adjustment is important
- What have we learned about how long it takes to review and adjust support orders
- Learn proven strategies from county experts

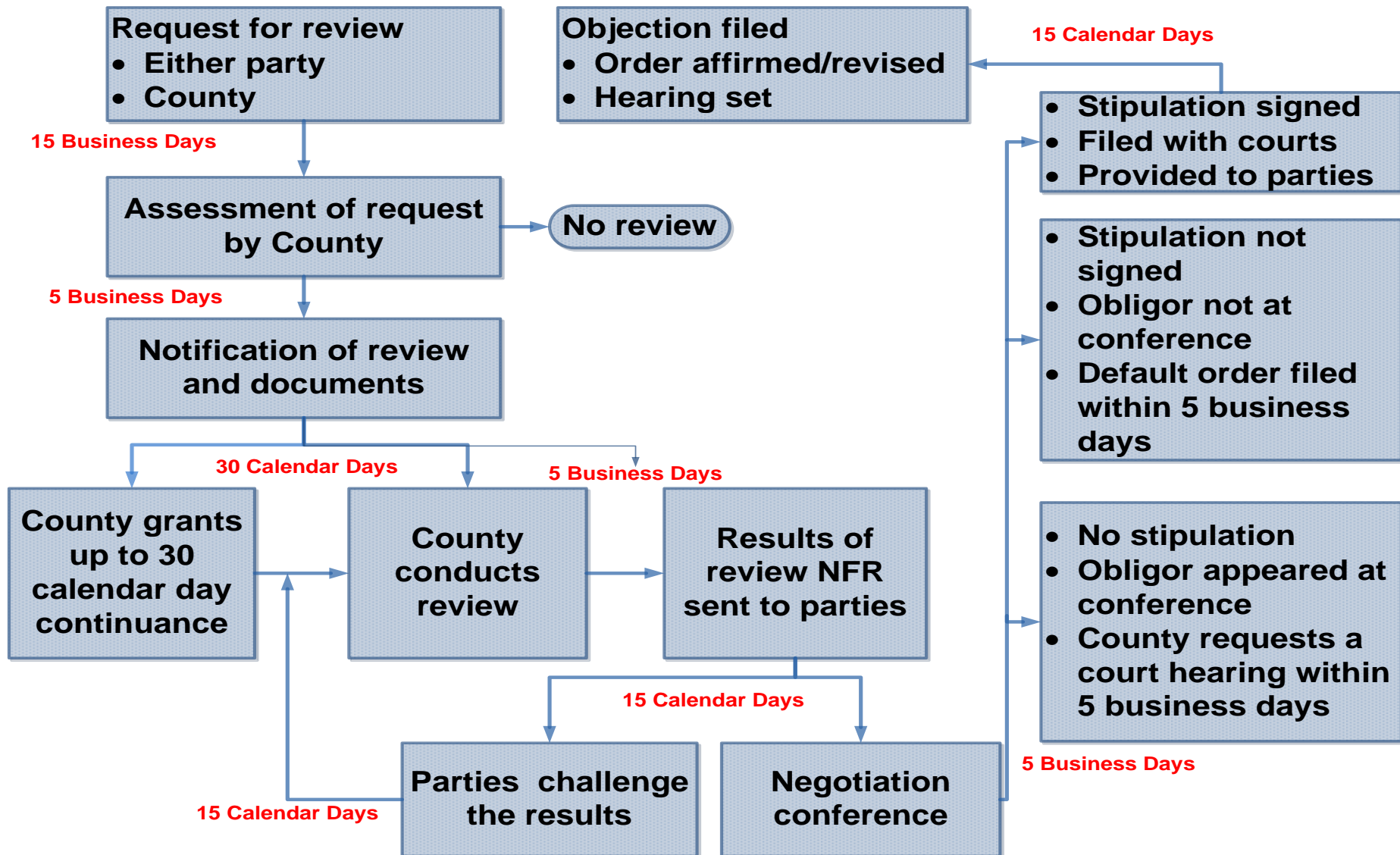


Workshop Objectives

- How to use CSeTools and ACSES to identify cases to initiate R & A and then follow-up
- Discuss how to handle difficult case situations

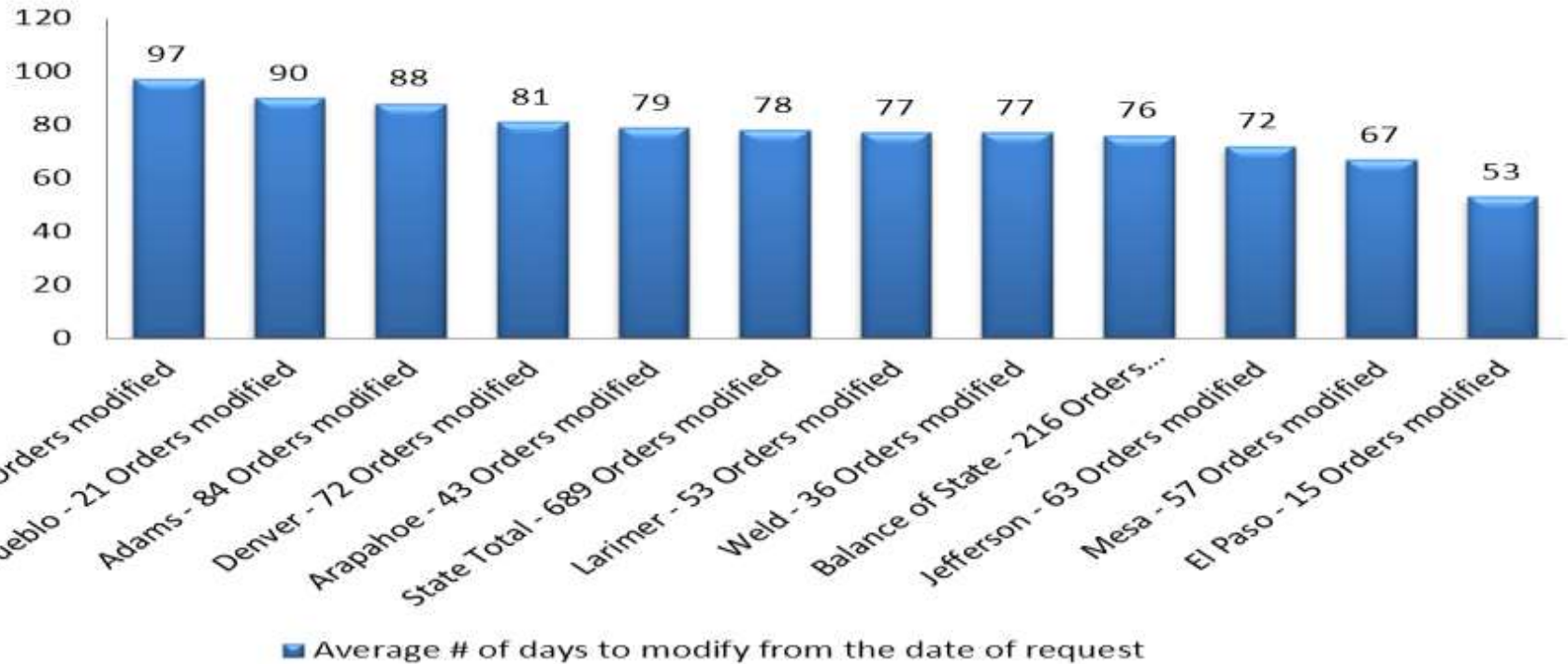


APA Order Modification Requirements



APA Orders Modified Via APA by County for 2013 and Time Taken to Modify from the Date of Request

Average Number of Days to Modify an APA Order in 2013



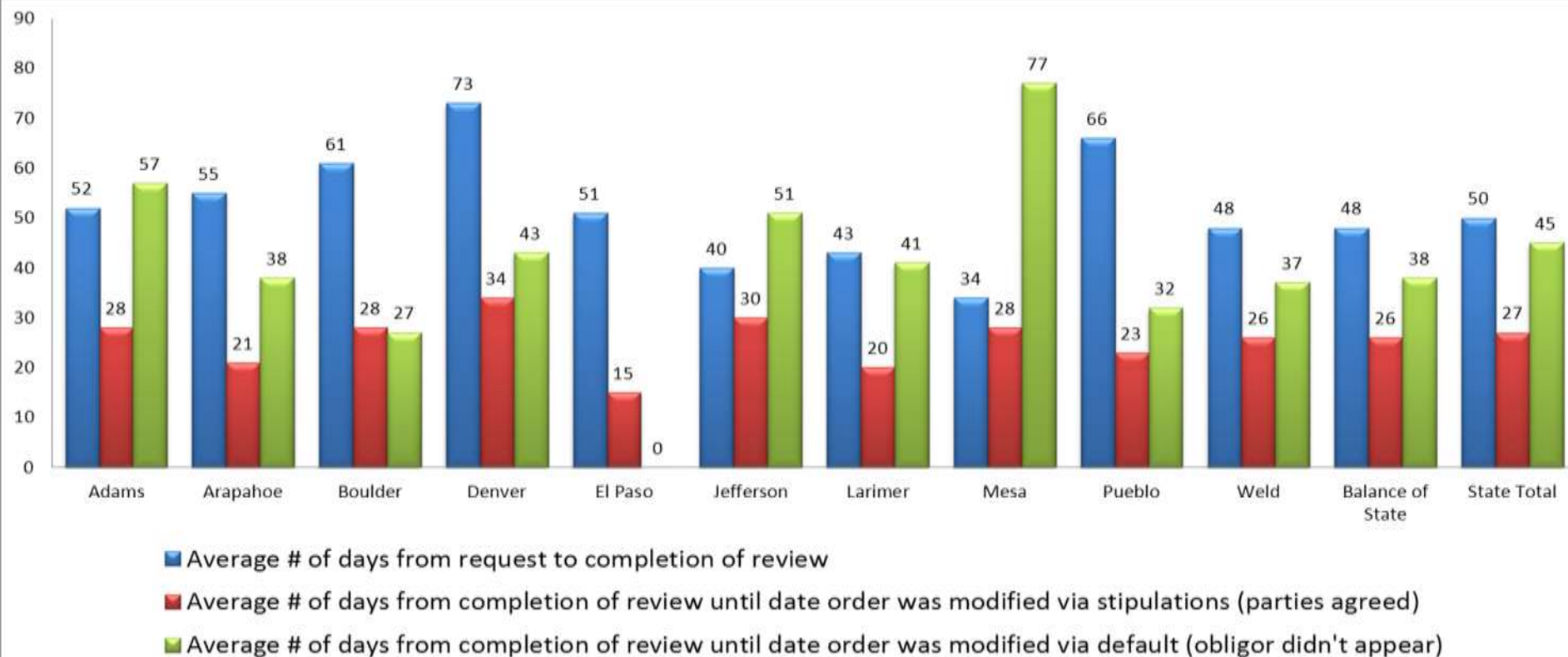
- Federal Requirement: Review and if appropriate, modify the order within 180 calendar days of the request
- Large 10 counties and balance of state were well under the program requirements for timeliness

Action Item Response

Office of Economic Security
Child Support Services



APA Orders Modified Via APA by County for 2013 and Time Taken to Review and then Modify



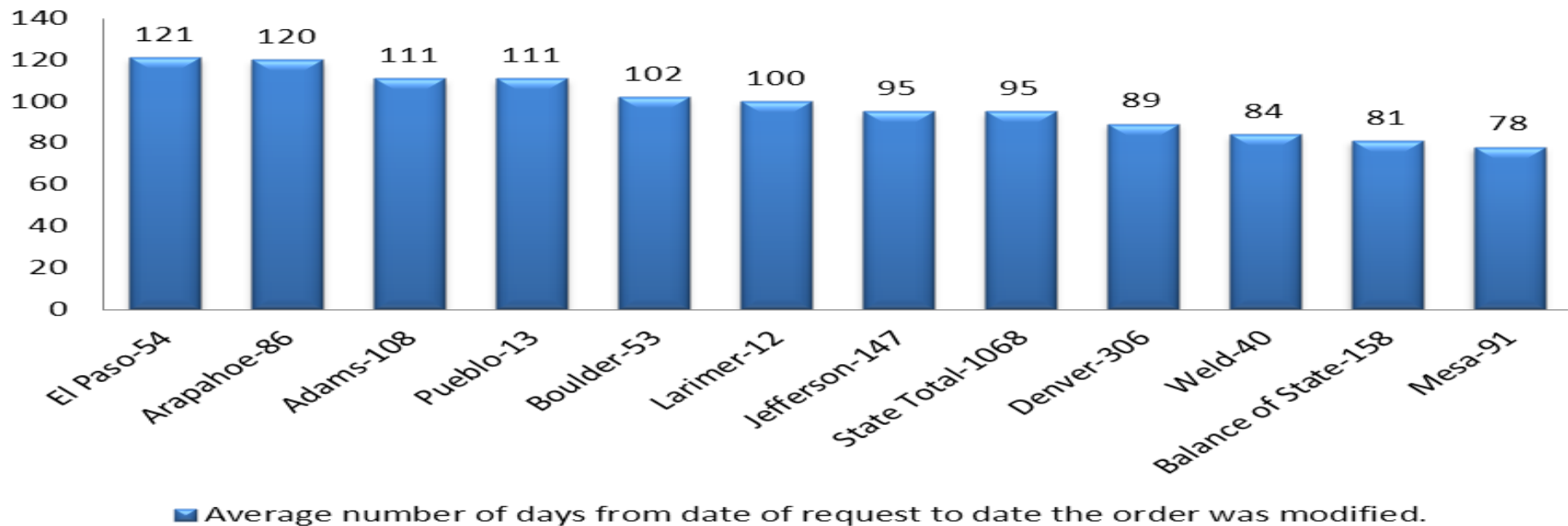
- Counties have up to 80 days to complete the review / Requirement met by all counties
- Counties have up to 40 days to complete a stipulation or file default order with the court
 - Requirement met by all counties
- The green bar reflects length of time for Court to return the signed Default Order

Action Item Response

Office of Economic Security
Child Support Services

APA Orders Modified by the Court by County for 2013 and Time Taken to Modify from the Date of Request

Average Number of Days to Modify an APA Order by the Court in 2013

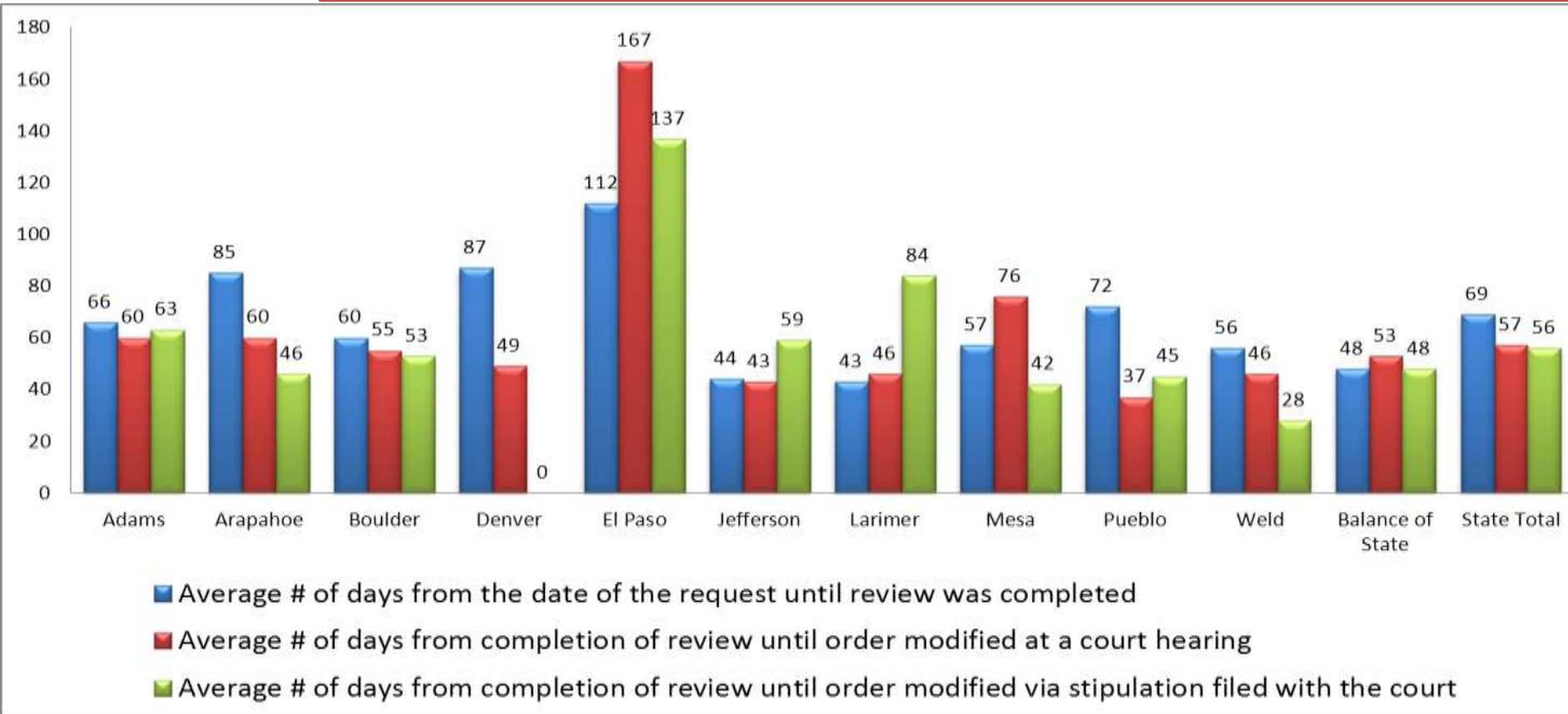


- Federal Requirement: Review and if appropriate, modify the order within 180 calendar days of the request
- Large 10 counties and balance of state were well under the program requirements for timeliness

Action Item Response

Office of Economic Security
Child Support Services

APA Orders Modified by the Court by County for 2013 and Time Taken to Review and then Modify



- Counties have up to 80 days to complete the review
 - All counties except El Paso were under program requirements for timeliness
- After the review was completed on these cases, the matter was referred to court to have the order modified

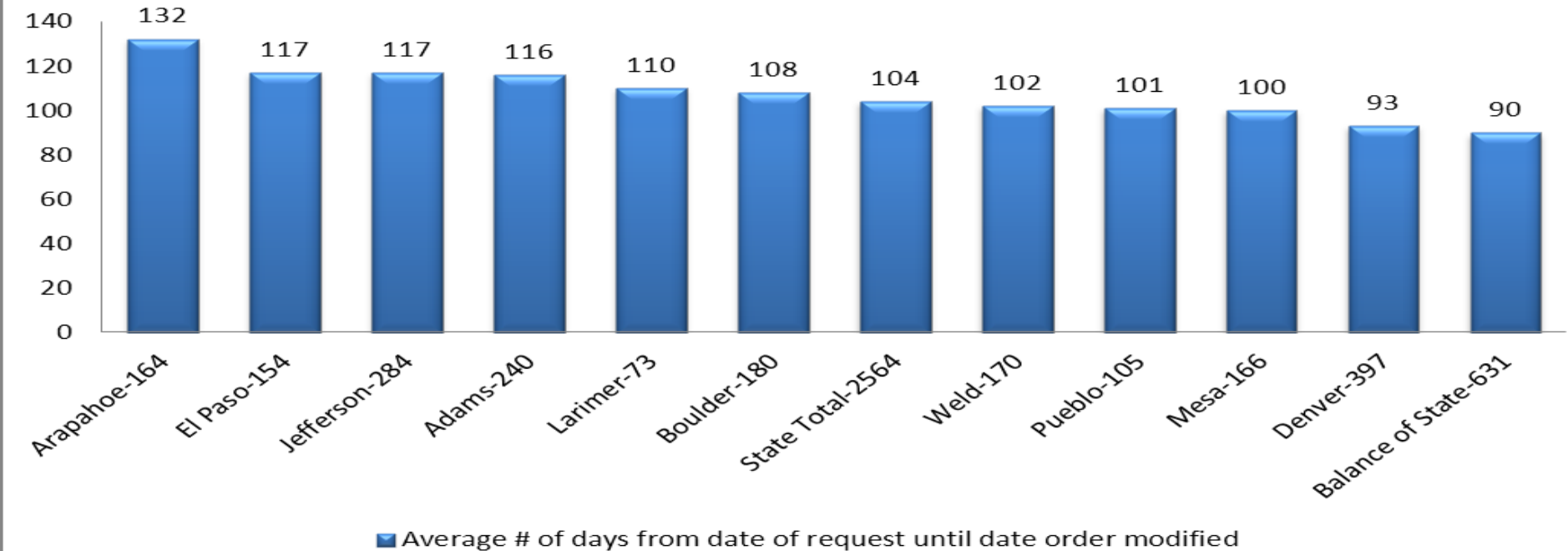
Action Item Response

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Judicial Orders Modified by the Court by County for 2013 and Time Taken to Review and then Modify

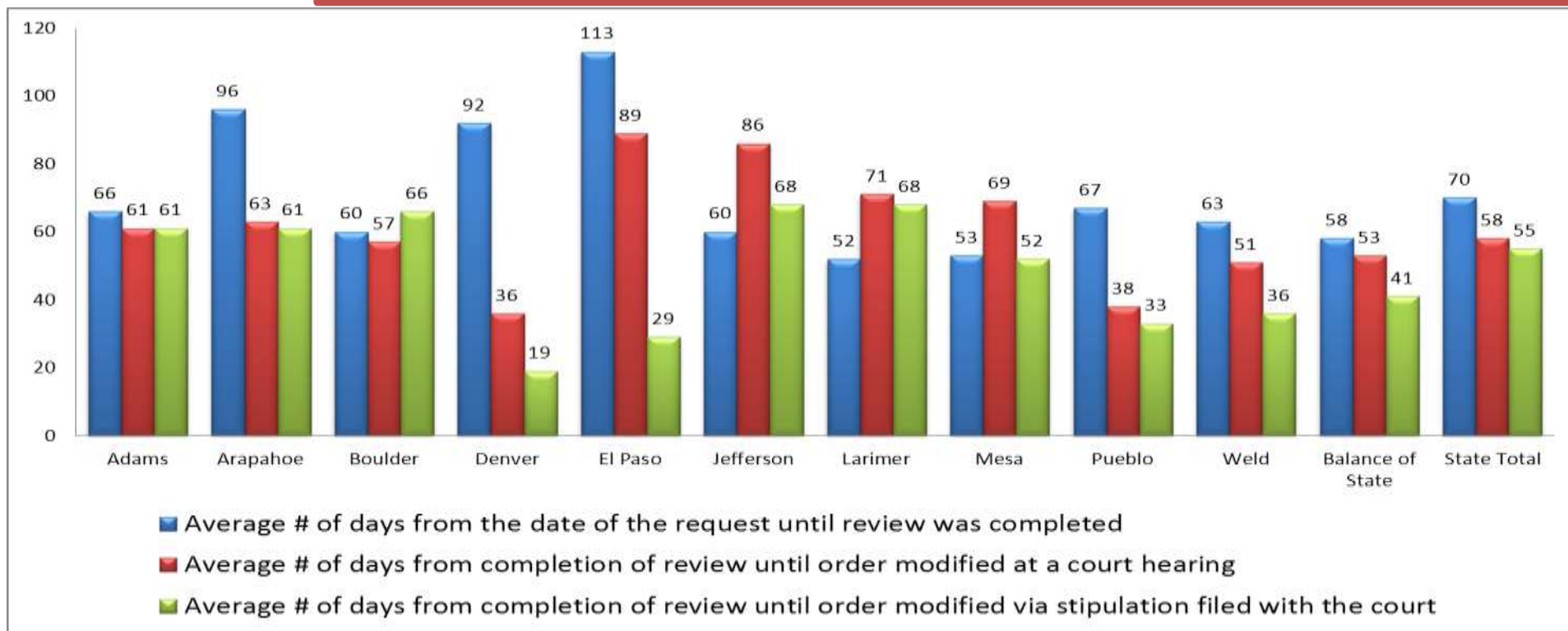
Average Number of Days to Modify a Judicial Order by the Court in 2013



- Federal Requirement: Review and if appropriate, modify the order within 180 calendar days of the request
- Large 10 counties and balance of state were well under the program requirements for timeliness



Judicial Orders Modified by the Court by County for 2013 and Time Taken to Review and then Modify



- Counties have up to 80 days to complete the review
 - All counties except for Arapahoe, Denver and El Paso County were under the program requirements for timeliness
- After the review was completed on these cases, the matter was referred to court to have the order modified

Action Item Response
 Office of Economic Security
 Child Support Services



ACTION ITEM #2: Orders Modified and Established January 28, 2014 Modification Summit:

- Modification specialists from each of the large 10 counties, their managers, staff from the State Office and other stakeholders attended
- State Office shared performance data on completion of modifications by county
- Counties shared best practices, types of cases that the county initiates modifications on, performance standards, and resource materials.
- State Office provided instruction on how to correctly update ACSES for the cases in the modification process and how to use CSE-Tools to identify cases that may be appropriate for modification
- State Office introduced the concept of LEAN process improvement and walked through brief demonstration with waste exercise
- State Office is working with the counties to more closely identify steps in the process that could be improved and implement plans
- State Office will conduct a LEAN process improvement event on the modification process in the counties

Proactive selection of cases for Review and Adjustment



Using CseTools

Types of cases to initiate without a request:

- NCP on Unemployment benefits
- NCP incarcerated for a year or more
- MPD not being met on paying cases
- One out of multiple children emancipates
- NCP on Social Security
 - SSI
 - SSDI

Example of Tools Search Criteria

Emancipated Children

Advanced Search

Case | Person | Employer | Payment | Ledger

For: Tech equal to 0709230

Open Cases Only Case Options Order Options NCP Options CP Options

where: Case is Enforcing + + + +

- Child(ren) Emancip... in March

- Category equal to (1) PAYING NCP

- Category equal to (2) ENFORCEMENT

- Category equal to (3) LOCATE AND E...

- Status equal to (C) CURRENT

Schedule Search Save as Template Search

UCB

Advanced Search

Case | Person | Employer | Payment | Ledger

For: Tech equal to 070604

Open Cases Only Case Options Order Options NCP Options CP Options

where: Case is Enforcing + + + +

- UCB Active IA since 03/03/2014

- Status equal to (C) CURRENT

Advanced Search

Case | Person | Employer | Payment | Ledger

For: Tech equal to 070604

Open Cases Only

where: Case is Enforcing

MSO Amount greater or eq... 600.00

Status equal to (C) CURRENT

Percent MPD Paid less or equal ... 100%

Schedule Search Save

Search Criteria Used in Tools
for full MPD Not Being Met

Results Sorted by
Percentage of
MPD Not Being
Met

Class	Status	Category	Alerts	Cal Re	Locate	Curre	Enford	Priority	MSO Amount	Cur MDP %P
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		600.00	92%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		982.00	81%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		650.00	69%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		940.00	69%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		889.00	54%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		719.00	50%
(B)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		618.00	50%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		600.00	50%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		699.00	47%
(N)	(C)	(1) PAYING NCP	0	0	1	Yes	Yes		920.00	46%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		658.30	46%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes	MOD	889.00	46%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		1015.00	39%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		858.00	29%
(A)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		633.80	15%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		818.00	100%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		845.00	100%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		686.00	100%
(B)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		741.00	100%
(N)	(C)	(1) PAYING NCP	0	0	0	Yes	Yes		778.00	100%

Referrals from enforcement without a request from either party

- Cases not meeting MPD
- NCP's who have multiple current IVD cases
- Children who are no longer day care age
- TANF cases
- DOC cases
- CCAP cases
- Disabled Obligor
- New employment of either party
- Party paying for insurance
- Special programs such as CO-PEP or RPP
- Obligor on TANF
- Obligor released from incarceration

Best practices and resources used for the Review and Adjustment customer

- Send out FAQ to both requesting party and non requesting partie(s).
- Send out documentation check list
- Educate peers on enforcement teams about process, time frames, average minimum wage orders, philosophy, etc...
- Be open to discussing possible modification with Enforcement, CP's, and NCP's prior to submitting a request.
- Refer customers to the Court's website www.courts.state.co.us to run their own guidelines before making a request for modification.

Effective Review and Adjustment Caseload Management



ACSES Tools Used to Manage a Review & Adjustment Caseload

- MM472-Pending modification cases by Mod Tech ID
- Alerts
 - Hearing scheduled
 - Order modified
- Calendar Reviews
 - Date of review
 - Date challenge period is over
 - Follow up - Manual
 - Checking to see if a hearing's been set
 - Checking for hearing results
 - Checking for signed orders
 - Checking for requested documentation

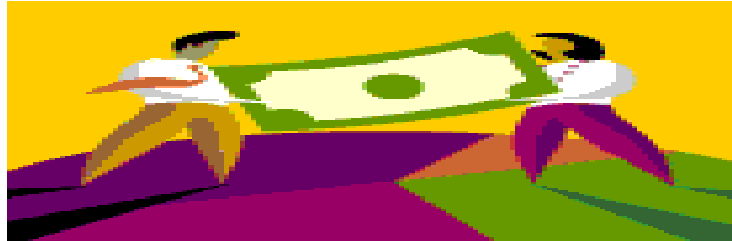
Simple Steps to Shorten the Time Frame for Modifying an Order

- You drive the process, the parties drive the challenge
- Initiate the review within a few days of receiving the request/referral
 - Don't wait until you have everything you need from the requestor or other party **before** you initiate the review. The extra documentation can be requested at the same time the notices are sent to the non-requesting party
 - Be flexible
 - Give parties extra time to turn in financials as appropriate
 - Be methodical about the process
 - Look for ways **to** review the order rather than ways to **deny** a review

Making the 1st Review Count

- Do as much upfront research as possible before completing your 1st guidelines calculation:
 - Send VOE's out for parties at the time of initiations
 - Send POV's for parties at the time of initiation
 - Review Court record for
 - If there are attorneys that are entered or recently withdrawn- ACSES needs to match the Court record
 - If there is any Court action that will effect the review
 - Consolidations
 - Upcoming hearings regarding parenting time
 - Change of Venue
 - Dismissed case
 - Criminal history
 - Use ACSES to find non joint children for both parents.
 - Other support orders and payment records
 - Maintenance orders for reviewed case or non joint cases and payment records

Perpetual Challenges



- Valid Challenges vs. Invalid Challenges
 - Invalid
 - A difference of opinion.
 - No new information is provided
 - Valid
 - The challenger has provided new information that would change the Guidelines calculation.
 - A new set of review results is sent out as a result of a challenge. Do it quickly.
 - New information comes in, such a VOE, the Department can “challenge” it’s own review.

Perpetual Challenges Continued

- Avoid the pitfalls of applying expenses or credits not yet documented.
 - Approach the calculation proactively. Ask yourself or your attorney, “What are we, (the Department), willing to prosecute or defend in Court?”
 - If undocumented credits or expenses are applied to your review results it becomes difficult to move forward to the next phase of the process. These issues are up to the parties to provide the necessary documentation. The review results that don’t include these credits or expenses incentivize the parties to supply their documentation.
 - Let the parties drive the challenge process.

Tug of War

- How many challenges is too many challenges?
 - *In general*, each party may submit a valid challenge once.
 - If, however, new information is provided in yet a 3rd challenge, a new calculation should be completed. If we have new information that impacts the calculation we are ethically obligated to make the calculation accurate.
 - Some times we have to take a position on an issue to which one or both of the parties object.
 - If resolution cannot be obtained through the challenge process a hearing may need to be set.
 - Some Counties may automatically set a hearing in these matters and some may require the objecting party to file a response to the Department's motion.

Relationships with the Court



Strategies

- Getting on the same page
 - Attend modification hearings to see what happens and how the Court rules on certain issues
 - Consult with your Court team to see how the Court may respond to your proposed Worksheet.
 - Build a positive reputation with the Courts. Follow the Colorado Rules of Civil Procedure.
 - Have a professional approach-make your decisions based on facts
 - Meet or speak with the Court periodically
 - Discuss Department and Court's concerns
 - Discuss Department policies/changes
 - Discuss changes in the law and how to approach them
 - Ideas
 - Problem solving for customers

Relationships with IV Attorneys



There's no Such Thing as a Cookie Cutter Attorney

- Avoid the “Us vs. Them” culture
 - Talk out common issues to determine the attorney's thought process behind decisions they make-try to come to a consensus
 - Keep in mind that working with your attorney will enhance your skills as a modification technician
 - As you learn your attorney's perspectives you can adjust your perspective
 - Openly discuss in a respectful manner any disagreements you may have with your attorney
 - Involve management if it impacts policy

Establishing Policies for Review & Adjustment



Solving Common Pitfalls by Developing Policies



Involve all stake holders in these discussion

Manangement, Attorneys, & Court

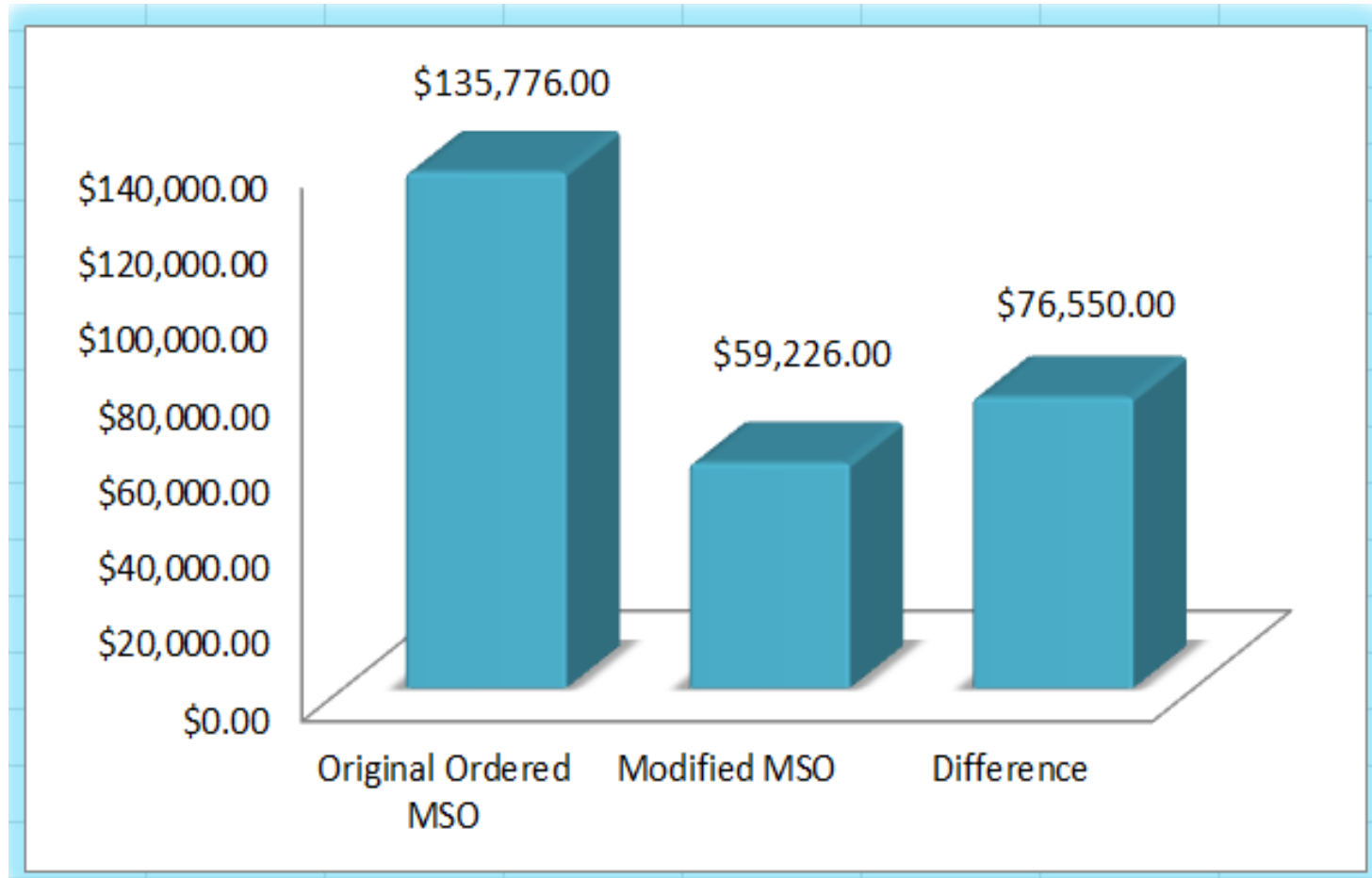
- When both parties are represented by attorneys
- Imputing potential incomes
- Self employed parties
- Extra ordinary medical expenses
- Medical insurance
- Parenting time disputes-One size does not fit all...
 - Examples
 - Boulder County
 - Jefferson County

Effects on Percent Paid of MPD before and after an order is modified

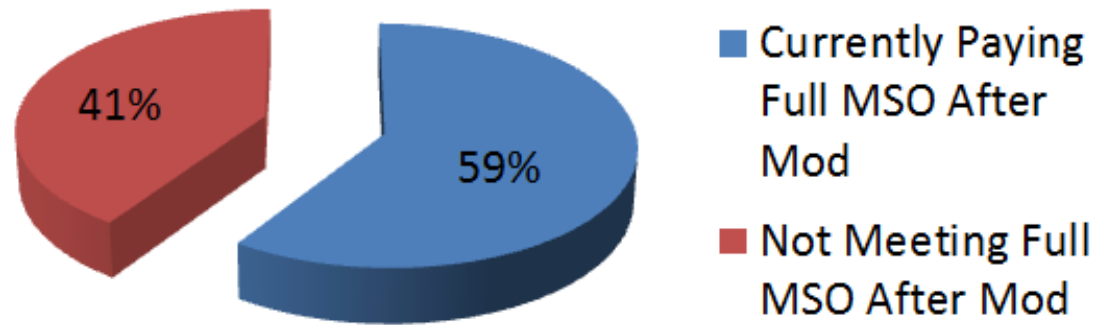


Boulder County Initiated Modifications – 2013

- Initiated by Enforcement tech or Mod Tech
- Due to proactive actions from all technicians, Boulder County removed almost \$77,000.00 from our *denominator* in 2013, and helped NCPs have a more realistic MSO.



Boulder County Modification Results



- None of the cases referred for a modification were being paid in full, many were not paying anything.
- After modification was complete, 59% of these cases in 2013 are currently paying full MSO.

Jefferson County Statistics

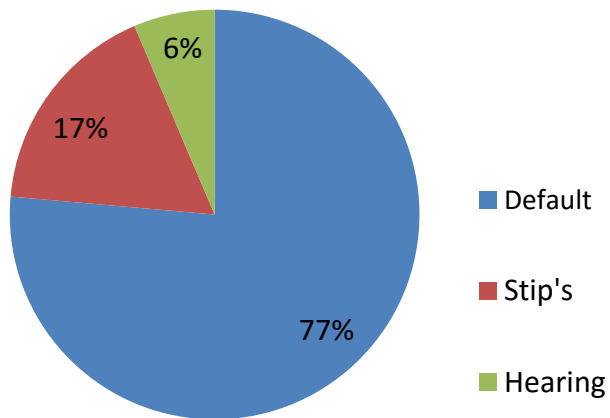
- Impact on denominator for 2013 as a direct result of Review and Adjustment
-418,612.00
- Impact on denominator for 2014, through April, as a direct result of Review and Adjustment
-136,087.00

2014 through April-Percentage of ***orders completed in less than:***

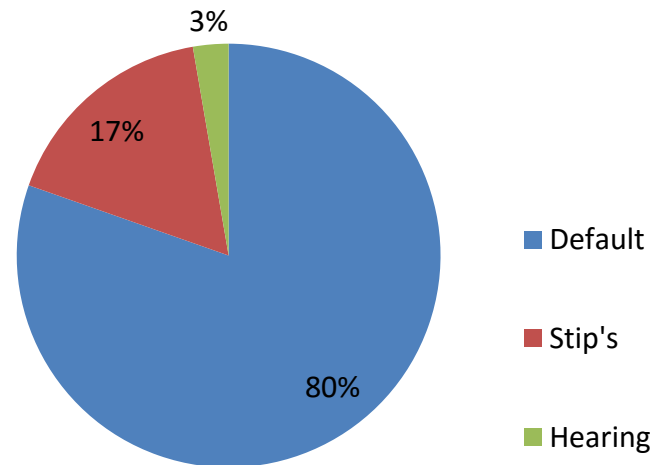
- 5 months 73.3%
- 4 months 59.3%
- 3 months 35.3%

Review and Adjustment Orders, by stipulation, default, hearing Percentages

Jeffco orders 2014 through April



Jeffco orders for 2013



Examples of Situations Faced in Review and Adjustment



Difficult Situations That Happen on Consistent Basis

- Self employed
- Parenting time disputes
- Custody disputes
- Nit picking challenges
- Imputing potential earnings

Contact Information:

- Larry Desbien – (303) 866-4460,
larry.desbien@state.co.us
- Courtney Trausch – (303) 678-6301,
ctrausch@bouldercounty.org
- Sue Palmer – (303) 271-4322
spalmer@jeffco.us

THE END