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Los Angeles Times

October 13, 1998, Tuesday, Home Edition

SECTION: Part A; Page 1; Metro Desk

LENGTH: 2305 words

SERIES: Failure to Provide: Los Angeles County's Child Support Crisis. Last in a series.

HEADLINE: COUNTY, STATE BOTH GET BLAME ON CHILD SUPPORT

BYLINE: NICHOLAS RICCARDI and GREG KRIKORIAN, TIMES STAFF WRITERS

BODY:

Los Angeles County's child support failure is just a piece of a much larger puzzle.

The entire state of California for years has languished near the bottom of the nation in many categories of collecting child support. This year alone, an estimated 3 million children statewide will go without the money they are owed.

As the largest and by most measures worst county in California in collecting support, Los Angeles is blamed by many for pulling the state down in national rankings. But the only way to truly change Los Angeles' performance would appear to be to restructure the entire state system.

That prospect, for now, seems unlikely.

Past efforts to reform the state's child support system have been largely blocked by the powerful county district attorneys, whose agencies receive millions of dollars in incentive payments from the federal government.

"The question here is not whether the line workers and the local D.A.'s are working their tails off," said Assemblywoman Dion Aroner (D-Berkeley). "But it doesn't seem to change how we're doing. At some point you say maybe we have to totally revamp what we're doing."

State officials charged with running California's child support system say that, although the program is still in need of improvement, it is moving forward after years of neglect.

"The future's brighter than it's ever been," said Leslie Frye, head of the state's child support office, which oversees the way district attorneys collect child support in their counties.

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Not everyone at the state level agrees.

Tough Laws, Weak Record

California's watchdog Little Hoover Commission last year issued a scathing report on the child support program, noting the irony of a state with some of the toughest child support laws in the nation having such a poor track record.

"In recent years, the child support program has been bolstered by considerable federal and state legislation," the report said. "But given the possibilities and the imperative, the progress is anemic."

Another report, released Monday by a coalition of child support advocacy groups, says that although the amount of support collected has grown in the past five years, the amount of uncollected money has increased far more dramatically--from \$ 3 billion in 1992 to \$ 8.2 billion as of 1996.

"Overall, the state's child support program remains near the bottom of the nation, failing far more children than it helps," said the report issued by the National Center for Youth Law, the Child Support Reform Initiative and Children Now.

Those who want to reform the state's child support system can choose from several models across the nation.

Some states, like Texas and Florida, rely on a single agency to collect support--the attorney general and department of finance, respectively. Others, like Minnesota and New York, split the responsibility between several county agencies and rely on another bureaucracy in the state capitol to coordinate.

In some states, child support is a largely administrative process. In others, like California, it is run by county prosecutors who put the process in more of a judicial framework.

All states have one thing in common: They do not collect nearly enough of the money owed to children.

"Child support is not an easy business," said Robert Doar, who runs New York's program. "We are dealing with money and family, and those things will make people do the most mean-spirited things. . . . We have to have realistic expectations about what we can achieve."

Some states, however, are better than others for a variety of reasons, experts say--usually a mixture of demographics, management and structure.

Critics say California--especially Los Angeles County--lags in all three.

"California has one of the worst systems in the country," said Columbia University professor Irwin Garfinkel, a leading child support scholar. "The system is so localized . . . so county-based, it's almost like going from one state to another, and that probably by itself accounts for the relatively dismal performance."

The states that are most successful tend to have strong, centralized coordination, even if each county operates independently, said Michael Kharfen, a spokesman for the federal Department of Health and Human Services.

In its report, the Little Hoover Commission found that is not the case in California and contended that the Department of Social Services was "rewarding excuses rather than results."

The rewards come in the form of federal funds that flow to California from the federal Department of Health and Human Services. Last year, spending by district attorneys across the state increased faster than the child support they distributed.

The Little Hoover Commission and the state's legislative analyst have criticized as deeply flawed the way the state

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Department of Social Services has for years evaluated the child support efforts of California's district attorneys.

Even if a district attorney's office failed its performance evaluation, it still could receive millions in federal dollars. Los Angeles County, for example, failed every performance evaluation until last year. Yet between 1995 and 1997, according to an analysis by the National Center for Youth Law, the amount of federal money it received rose eight times faster than its collections.

The reason the state does not take a harder stand is because it hopes to work with the district attorneys to help them better provide for the children they serve. Although Frye said the approach has succeeded, advocates counter that it has undermined accountability by allowing systems like Los Angeles' to collect from parents in only a fraction of their cases, without penalties or consequences.

In Los Angeles, the district attorney's office collects support from the noncustodial parent in fewer than 8% of its 500,000 cases.

"It is a massive failure of the whole regulatory structure," said Betty Nordwind, executive director of the Harriett Buhai Center for Family Law in Los Angeles.

"Where is the state? Where are the feds?" said Nordwind, who also chairs the county's Family Support Advisory Board. "How come this program, which is one of the largest in the country . . . has been allowed to get this far in life with an 8% collection rate?"

The Legislature changed the evaluation process this year, focusing on each county's performance in collecting child support to reimburse the welfare system.

Other efforts to reform the system, however, have died.

In each of the past three years, child support advocates had bills introduced in the Assembly or the state Senate to move control of child support programs from the district attorneys to another government agency.

Some years the bills simply died without a hearing. In other years, proposed reforms were killed after strong opposition from the California District Attorneys Assn., which has a child support lobbyist.

"You can't get enough people who want to take on the district attorneys," said Assemblywoman Debra Bowen (D-Marina del Rey). "It gets derailed before it ever gets voted on."

Los Angeles lawyer Gloria Allred, a longtime child support advocate, said, "I can't really account for why district attorneys want to hold onto it, except to say I've never seen an elected official give up power. . . ."

"If I had a system that didn't work, I'd want to fix it or turn it over to someone else."

Alternative Strategies

It is not just a question of mismanagement, some say. Prosecutors simply may not be the best people to handle the sensitive issue of child support.

"They're set up to hunt down and punish people who have broken the law," said Michele Salinger, a staff attorney at Levitt & Quinn Family Law Center in Los Angeles, which helps indigent parents deal with the district attorney's child support office. "I think this problem is so bad and so broad right now that it needs a somewhat finer touch."

Even some former district attorneys concede that the program should be moved.

"The D.A.'s office wasn't and isn't set up to do collections," said former Los Angeles Dist. Atty. Robert Philiposian,

who advocates privatization.

Prosecutors say they should keep the program because they can run it best.

"We strongly believe that the further away you remove it from local control, the worse the service is going to get," said Sacramento prosecutor Jonathan Burris, president of the California Family Support Council.

At least now, said San Diego County Dist. Atty. Paul Pfingst, voters can hold someone accountable for the child support program. "There has to be an elected person whom the public can kick out of office rather than a bureaucracy far away that history has shown us doesn't care."

Accountability Measure

The district attorneys this year, however, were instrumental in killing a measure that could have provided more accountability for their child support operations.

Assemblywoman Aroner introduced a bill to create an appeals process for mothers or fathers who believe that their child support cases were botched by district attorneys. It was a move suggested by the Little Hoover Commission in its 1997 report.

The district attorneys organization opposed the bill, arguing that untold thousands of parents would complain. It estimated that the process would cost millions of dollars, a contention Aroner's office disputes.

Prosecutors also argued that an appeals process would have been redundant.

"You right now have that same process existing in the court," Burris said. "If the court process is unfriendly, if they think it's not usable by people, they have to fix that process."

Despite opposition from district attorneys, the bill gained wide support in the Legislature and was passed on a bipartisan vote, backed by a unique lobbying partnership between fathers' and mothers' rights groups.

But last month, Gov. Pete Wilson vetoed the bill, saying child support was already adequately monitored by the state and federal governments and did not need additional oversight.

Now, said Leora Gershenzon of the National Center for Youth Law, a backer of the bill, "we have to start from scratch next year."

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Times researcher Janet Lundblad contributed to this story.

About This Series

Sunday--The county's child support program may be the worst in the nation, driving families into financial ruin while hiding its problems through questionable bookkeeping.

Monday--Trying to resolve child support problems proves to be a daunting task in a court system pushed by the district attorney's office to focus on volume and speed.

Today--Weak state oversight of counties like Los Angeles has left California with one of the poorest child support systems in the country. Yet its leaders fight key reforms.

Whom to Call for Help

The following organizations provide free or low-cost advice on child support matters:

- * ACES (Assn. for Children for the Enforcement of Support) (800) 738-2237
- * Child Support Paralegal Services (213) 387-2727
- * CORE (Congress on Racial Equality) (213) 252-1996
- * Harriett Buhai Center for Family Law (323) 939-2174
- * Lawyers for Family Support (323) 852-1475
- * Legal Aid Foundation of Los Angeles (323) 801-7991
- * Levitt & Quinn Family Law Center (213) 482-1800
- * My Child Says Daddy (323) 296-8816
- * Neighborhood Legal Services (800) 433-6251
- * SPUNK (Single Parents United 'n Kids) (562) 984-2580
- * Vincent Family Law Center (213) 365-6085

To Comment

For readers wanting to comment on these stories, e-mail: child.support@latimes.com

Times Web site bulletin board: <http://www.latimes.com/child.support>

Trying to Improve the System

Among the many bills on child support introduced in the Legislature each year are ones that some advocacy groups say could reform the state's beleaguered program. This is what has happened to some of those bills in the past three years.

1998

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Bill: AB1961

Objective: Create child support appeals process, as recommended by Little Hoover Commission. Give parents who think their cases were mishandled another recourse.

D.A.'s Stance: Opposed

What happened: Passed both houses, vetoed

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Bill: SB1410

Objective: Establish incentive pay program for district attorneys as recommended by legislative analyst's office using new statistical measures to better link incentive pay to actual performance of the child support program.

D.A.'s Stance: None

What happened: Passed and signed by Gov. Wilson

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Bill: AB2094

Objective: Transfer child support program to state Franchise Tax Board, which collects twice as efficiently as all D.A. offices statewide.

D.A.'s Stance: Opposed

What happened: Died in Assembly Judicial Committee

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1997

Bill: AB2093

Objective: Transfer child support program from judicial process to administrative process as favored by some advocacy groups who believe it would be more efficient.

D.A.'s Stance: Opposed

What happened: Died in Assembly Judicial Committee

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Bill: AB907

Objective: Transfer entire child support program to state Department of Social Services. Some advocates believe this would be more efficient.

D.A.'s Stance: None

What happened: Stalled in Senate Judicial Committee

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Bill: SB396

Objective: Eliminate process for giving incentive pay to D.A.s. Critics say the process rewards D.A.s despite negligible improvements in their work.

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D.A.'s Stance: None

What happened: Passed

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1996

Bill: SB235

Objective: Transfer child support program to unspecified administrative agency for greater efficiency.

D.A.'s Stance: Opposed

What happened: Died in Senate Judicial Committee

Sources: National Center for Your Law, Assembly staff

GRAPHIC: GRAPHIC: Trying to Improve the System, MATT MOODY / Los Angeles Times **PHOTO:** Fathers, above, demonstrate at a "Fathers, Families and Communities" conference in Anaheim. Their group is called Alliance for Non-Custodial Parents Rights. **PHOTOGRAPHER:** ROBERT GAUTHIER / Los Angeles Times **PHOTO:** Right, Henry Anderson attends a meeting of My Child Says Daddy, where men discuss ways to negotiate the courts on child support issues. **PHOTOGRAPHER:** ROBERT GAUTHIER / Los Angeles Times

LOAD-DATE: October 13, 1998