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License Suspension and Civil Contempt as Enforcement Tools

2022–2024 Child Support Policy Research Agreement: Task 5

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INTRODUCTION

Nonpayment of child support is a prevalent problem in the United States (Grall, 2020), with important consequences for families. Unpaid and irregularly-paid support leaves custodial parents with fewer financial resources to meet children’s needs (Cuesta & Meyer, 2018; Ha et al., 2011) and, at the same time, can lead to substantial arrears debt for child support obligors (Turetsky & Waller, 2020; Office of Child Support Services, 2023). States are required by the federal government to enforce orders when child support goes unpaid, and federal and state policy make an array of tools available to county agencies to facilitate their efforts to bring obligors into compliance. Some of these tools facilitate interception of financial resources and seizure of assets while others allow for administrative and judicial sanctions to compel compliance (Cook & Noyes, 2011). Enforcement tools are an important component of the child support program’s ability to transfer financial resources from child support obligors to children and custodial parents. However, these tools do not work equally well in all situations and may be particularly unsuccessful when obligors have limited ability to pay (Bartfeld & Meyer, 2003). In addition to concerns about efficacy policymakers, practitioners, and parents have raised important concerns in recent years about the potential for some tools to yield negative financial and legal consequences, particularly when obligors are struggling financially.

In this report, we focus specifically on two of these tools: license suspension and civil contempt. These tools have long served as a mainstay for enforcing orders when obligors do not pay the support they owe. Yet, much remains to be learned about when and how these tools are used, their success yielding desired child support outcomes, and potential consequences that may result from their use. We use a mixed methods approach—drawing on Wisconsin administrative records and interviews with child support agency leaders and staff—to investigate how often and

under what conditions these tools are used; how they are associated with obligor characteristics, child support actions, employment, and earnings; and practitioner views on their effectiveness.

BACKGROUND

Enforcement Tools

When parents do not pay the child support they owe, states have a host of administrative and judicial enforcement tools available to compel compliance. Federal legislation, beginning with the establishment of the Title IV-D program in 1975 and significantly expanded under the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA, 42 U.S.C. § 1305: 1996), has authorized—and sometimes required—the use of these actions and provided the necessary resources for implementing such tools. Enforcement remedies available to states include the ability to intercept financial resources and seize assets; automatically withhold child support from obligor paychecks; intercept tax refunds and levy liens on property and bank accounts; deny passports; suspend driver's, professional, occupational, and recreational licenses; and take judicial actions, including civil contempt (United States Code, 42 U.S.C. 666(a), 2010).

Prevalence of Use: License Suspension and Civil Contempt Actions

Evidence about how frequently license suspension actions and civil contempt processes are used to enforce orders is limited. Much of what is currently known is drawn from Wisconsin, with the exception of one study using a sample of economically disadvantaged paternity cases in Indiana (Brinig & Garrison, 2018). Together, this body of research indicates that beyond income withholding and warning letters, contempt actions and license suspension actions are the enforcement mechanisms noncustodial parents are most likely to experience; other administrative actions (e.g., asset seizure and other financial tools) occur less frequently.

Brinig and Garrison (2018) found that initiation of contempt hearings was the most common enforcement action experienced by sampled parents; 49% of obligors experienced enforcement actions, and contempt proceedings were initiated in 83% of cases where enforcement occurred. Driver's license suspension occurred in less than one-third of cases. The authors note that many obligors were ineligible for license suspension due to previously having their license revoked, incarceration, or never having possessed a license. Asset seizure and other financial tools were frequently not relevant due to obligors' lacking these resources.

Similarly, evidence from Wisconsin indicates that civil contempt actions are among the most common enforcement tools, followed by license suspension actions (Cook, 2015; Meyer et al., 2020). Meyer and colleagues (2020) found that in their sample of payors drawn from Wisconsin administrative data, after a general enforcement letter, a contempt hearing was the most frequent enforcement action. Twenty-two percent of obligors in the sample experienced a contempt hearing, though far fewer (only 8%) were ultimately found in contempt. Using a different sample from Wisconsin, Cook (2015) similarly found that contempt filings occurred far more frequently than contempt findings; nearly half of sampled cases experienced a contempt hearing during the period of analysis, but only 27% of cases had a contempt finding. Meyer and colleagues (2020) found that license suspension actions occurred less frequently than contempt hearings. Approximately one-in-ten obligors received a notice of intent to suspend a license—about half as many obligors who experienced a contempt hearing. Like the contempt process, the authors found the threat of license suspension occurred far more frequently than the action itself. Only 5% of sampled obligors (half of the obligors who received a notice of license suspension) ultimately had their license suspended (Meyer et al., 2020).

This pattern—more frequent use of sanction threats compared to imposition of the actual sanction—from the quantitative data is in keeping with reports from Wisconsin child support workers about their use of enforcement tools in practice. In a 2019 study drawing on interviews with Wisconsin child support staff and leaders (Vogel, 2021) from six counties, staff described sending warnings about the potential for license suspension more frequently than actual license suspension; even in some counties that suspended licenses rarely, letters warning obligors about the potential for license suspension remained an important tool for compelling compliance or opening the door to conversations with obligors, potentially delaying or averting future suspension actions. Notably, staff in half of participating counties reported that their agency had moved away from driver’s license suspension in recent years due to concerns about interference with obligors’ abilities to work. Similarly, while county practices related to contempt varied, staff across counties described generally *filing* for contempt after other administrative remedies had been exhausted and outreach efforts were unsuccessful, whereas contempt *findings* were perceived to occur less frequently. Similar to warnings about potential driver’s license suspension, child support staff described that holding a contempt hearing sometimes led to resolution that averted or delayed a future contempt finding (Vogel, 2021).

Efficacy of Tools

Whether enforcement tools are successful in promoting payments, and under what conditions, are key questions for informing policy. Following the enactment of state and federal laws that expanded and facilitated access to enforcement tools, research demonstrated that having enforcement options—in particular, the ability to use automatic withholding—improved the likelihood that custodial parents received the child support due to them (Bartfeld & Meyer, 2003; Freeman & Waldfogel, 2001; Nepomnyaschy & Garfinkel, 2010). Yet, after these initial

gains, compliance rates remained largely flat from the mid-1990s through the current period (Grall, 2020). Beyond this broad and dated evidence on use of enforcement tools, there is little work focused on the efficacy of specific tools. Indeed, evidence on whether and when license suspension and contempt actions are effective, and for whom, is limited and mixed. We review the available evidence below, most of which is drawn from Wisconsin.

Two studies using Wisconsin administrative data, one from 20 years ago (Rothe et al., 2004) and one more recent (Meyer et al., 2020) find non-casual associations between enforcement actions and child support payments. Rothe and colleagues (2004) found contempt *hearings* were positively associated with the initiation of payments but did not find an association between payment and contempt *findings*. More recently, Meyer and colleagues' (2020) event history analysis identified a positive association between payment likelihood and enforcement notices, notices of intent to suspend licenses, court hearings, and contempt findings; however, the authors find mixed—and sometimes negative—relationships between *actual* suspension of licenses and child support payments.

Vogel's (2021) qualitative study with child support agency staff and leaders in Wisconsin provides insights into how child support staff perceive the efficacy of these tools. Generally, in keeping with their reported use of the tools, child support staff reported that the *threat* of potential license suspension, as well as the contempt process, were effective for connecting with some obligors who had not paid and were otherwise difficult to reach. Staff views on the effectiveness of actual suspension licenses was mixed, with some staff characterizing it as a useful tool and many cautioning that use of the tool must be pursued carefully because of the potential for license suspension to create barriers to employment. Further, staff emphasized that the most effective tools available to them were often those that headed off a need for

enforcement entirely, and highlighted the value of proactive outreach to obligors, automatic income withholding for obligors employed in the formal labor market, and connections to employment services for those lacking employment (Vogel, 2021).

Unintended Consequences

Prior research has identified concerns about the potential for license suspension and contempt processes to have counterproductive effects, by creating barriers to work and paying child support. Berger et al. (2021) identified that among a sample of obligors experiencing difficulty meeting their child support obligations, over half of sample members identified transportation barriers—which can include suspension of a license—as a barrier to employment. Further, obligors who reported transportation as a barrier to employment experienced substantially lower likelihood of employment, lower earnings, lower likelihood of making child support payments, and lower payment amounts. Concerns about license suspension as a barrier to employment are particularly relevant in rural areas, where jobs may be located far from individuals' homes and public transit options are lacking (Cadigan & Kirk, 2020).

Further, several additional studies have identified a direct connection between suspension of driver's licenses (for any reason, beyond child support alone), loss of work, and decreases in income, particularly for economically disadvantaged populations (Chien et al., 2022; Sartin et al., 2022; Waller et al., 2024). Driver's license suspension further exposes obligors to carceral systems and the accumulation of fines and fees; many people must keep driving to maintain earnings, which puts them at risk of interactions with the legal system (Haney, 2018; Turetsky & Waller, 2020; Platte, 2024). License suspension can also create barriers to accessing systems of care that help position people for regular participation in the labor market, such as health care (Joyce et al., 2020; Sartin et al., 2022). Once suspended, getting a driver's license reinstated is

expensive and challenging (Platte, 2024). Therefore, license suspension may have a cascade of unintended consequences that could lead to obligors experiencing barriers to work and therefore ability to pay support. Prior research has also identified disparities by race and income in likelihood of experiencing license suspension (Crozier et al, 2019; Joyce et al., 2020).

Qualitative studies, including studies drawing on Wisconsin samples, identify concerns among parents, agency staff, and leaders about the potential for negative consequences resulting from the use of these tools, particularly when obligors lack financial resources to pay. These include concerns that license suspension may introduce barriers to employment by introducing transportation barriers; that the potential for incarceration to result from contempt may further destabilize low-earning and unemployed obligors' employment situations; the broader legal entanglements that can result from these actions; and concerns about further alienating obligors from a system many already perceive as hostile to them (Edin & Nelson, 2013; Haney, 2018; Pate, 2002; Selekman & Johnson, 2019; Turetsky & Waller, 2020; Vogel, 2020a, 2020b; Vogel & Hossain, 2023; Vogel et al., 2023; Vogel et al., 2024; Waller & Plotnick, 2001). In Vogel's (2021) interviews with Wisconsin agencies, staff emphasized that not all licenses were appropriate to suspend in all situations. Most staff avoided actual suspension of professional licenses due to the direct connection to employment, and as noted, some counties were no longer suspending driver's licenses as the result of concerns described above. In contrast, workers reported that the option to suspend recreational licenses was a potentially productive strategy for compelling compliance without impacting employment (Vogel, 2021).

Wisconsin Policy Context

In Wisconsin's state-supervised, county-administered child support system, the state government and county child support agencies both play a role in child support enforcement

(Gentry, 2023). Federal requirements are incorporated within state statutes, which in turn specify what the state government and county child support agencies can do to enforce orders (see Wis. State Statute 767.57(1h); Wis. State Statute 785; Wisconsin Department of Children and Families, 2020). The role of the state is to develop policy and provide technical assistance, training, monitoring, and resources. The state is also responsible for locate services, the directory of new hires, the financial record matching system, the lien docket, and a central registry for interstate case processing. Counties administer program services, including many aspects of order enforcement (Gentry, 2023).

The enforcement process in Wisconsin begins with a parent being placed on the lien docket. Obligor who owe \$500 or more in past-due support are put on the lien docket, which is operated by the state Department of Children and Families (Wisconsin Department of Children and Families, 2018). Obligor on the lien docket receive a series of general enforcement letters, starting with the Enforcement Warning Letter (EN01 in the KIDS system), which is automatically generated. Additional warning letters may include the second warning letter (EN30), a compliance enforcement letter, or an arrears warning letter (Wisconsin Department of Children and Families, 2022).

Case workers then have some discretion to determine whether additional enforcement actions may be appropriate. To pursue license suspension—which could include the obligor’s driver’s, professional, or recreational licenses—an obligor must be on the lien docket and at least three months behind on payments (Gentry, 2023). License suspension actions consist of three steps: an initial notice (AE15), a final notice (AE16), and certification to a licensing agency (AECT) (Wisconsin Department of Children and Families, 2022). Agency staff may initiate suspension actions for all three types of licenses (driver’s, professional, and recreational)

simultaneously or choose to pursue only a subset of license types. DCF or the county child support agency (CSA) must provide notification prior to suspension, and obligors have 20 business days to request a hearing, pay in full, or establish an alternate payment plan (Gentry, 2023; Wis. State Statute 49.857). To pursue civil contempt actions, after the initial enforcement letters, child support agencies—or custodial parents via pro se motion—may file contempt proceedings. Courts issue an order to show cause to bring a parent to court and have them explain why they should not be found in contempt. If the judiciary determines that the obligor could pay but did not, the court can issue a finding of contempt. If an obligor is found in civil contempt, the court can issue remedial sanctions (including incarceration of up to 6 months) to go into effect at some point in the future and purge conditions that the obligor can meet to avoid sanctions (Wisconsin Department of Children and Families, Court Actions (n.d.); Vogel, 2021). In Wisconsin, courts can order parents to participate in work search activities or employment programs (e.g., Children First).

Shifting Landscape

In recognition that traditional tools may be ineffective and even counterproductive for obligors who lack ability to pay, the Wisconsin child support program—like the national child support program and programs in many other states—is moving towards an approach that balances enforcement with innovative, service-based strategies intended to help position obligors to meet their financial obligations (Vogel & Hossain, 2023). These changes are evident in federal and state policy directives, as well as changes to practice in Wisconsin child support agencies.

From a policy standpoint, the federal Office of Child Support Services¹ released important policy guidance via the 2016 Final Rule, with the intent of improving consistency in child support payments. In acknowledgement of the potential for unintended consequences of enforcement when obligors lack ability to pay, the Final Rule included provisions to ensure that order amounts are set at levels obligors are able to pay and issued updated requirements to ensure due process. The Final Rule required states to establish guidelines for the use of civil contempt, and to: (1) screen obligors to determine their ability to pay; (2) provide courts with any relevant information about the obligor's ability to pay to facilitate the court's determination of ability to meet any purge conditions (including payment); and (3) provide notice to the obligor that ability to pay "constitutes the critical question in the civil contempt action" (i.e., make clear to the obligor that ability to pay is at the crux of the civil contempt determination) (Flexibility, Efficiency, and Modernization of Child Support Programs, 2016). In response to the Final Rule, in 2017, Wisconsin issued *Child Support Bulletin 17-11*. CSB17-11 requires CSAs to consider all other potential enforcement actions prior to filing for contempt and to consider whether review-and-adjust actions might be appropriate. The bulletin also required CSAs to review all available sources for evidence about the obligor's ability or inability to pay or otherwise comply through earnings, income, or other sources. While previous research has examined the prevalence of civil contempt prior to the Final Rule, little is known about how CSB17-11 and the Final Rule may have affected use of civil contempt and other enforcement tools.

In addition to these shifts in policy, federal and state programs have also demonstrated a shift from a traditional enforcement-only approach towards alternatives in practice. A body of

¹Driven by a desire to reflect a shift towards a more holistic array of services, in 2016, the Office of Child Support Enforcement was renamed the Office of Child Support Services (Office of Child Support Services, 2023).

qualitative research with Wisconsin child support agencies indicates that many agencies have transitioned towards more nuanced assessments of case circumstances in their practice prior to pursuing license suspension and civil contempt actions, as well as pursuit of alternative strategies to connect obligors to supports and resources that can help address issues related to ability to pay. This shift in approach is evident over the course of recent years (Vogel, 2021; Vogel & Hossain, 2023; Vogel et al., 2024), including particularly nuanced enforcement considerations during the recent COVID-19 pandemic (Vogel et al., 2022). Federal and state initiatives have also taken programmatic approaches to addressing license suspension. In recognition that lack of a driver's license creates barriers to work and paying support, Wisconsin and the federal Office of Child Support Services have included provisions for reinstatement of driver's licenses in recent programs that provide services to obligors experiencing difficulty meeting their child support obligations (Noyes et al., 2018; Vogel et al., 2021). Relatedly, in 2021, the state of Minnesota implemented an innovative pilot program taking an alternative approach to license suspension. The Minnesota pilot involved holistic case assessment by caseworkers to determine whether license suspension was likely to motivate compliance, given obligor circumstances, and potential for resultant harm. When license suspension was determined inappropriate, caseworkers pursued alternative options including payment plans and graduated payment arrangements; case reviews for potential right-sizing and potential debt forgiveness; and referrals to public benefits programs, employment services, and other community resources. An impact analysis of the Minnesota pilot identified positive impacts on customer service measures, decreased use of suspension, and reduced racial disparities in likelihood of use; however, it also resulted in small reductions in compliance, fewer months with any child support payment, and no changes to payment amounts (Solmeyer et al., 2024).

Current Study

As the child support community considers the role these enforcement tools might play in the program's future, important questions remain about current use of license suspension and civil contempt as enforcement strategies. In this study, we aim to add to the evidence base to further inform the conversation. Specifically, we aim to: (1) examine how and when license suspension and civil contempt are used across Wisconsin counties; (2) identify potential disparities in use of tools by obligor characteristics; and (3) understand the association between these tools and child support and employment measures. We will address these topics through the following research questions:

1. What is the prevalence of license suspension and civil contempt-related enforcement actions in Wisconsin?
2. Are there differences in prevalence of use and likelihood of experiencing license suspension actions and civil contempt-related actions by obligor characteristics?
3. What, if any, association is there between experiencing license suspension and civil contempt-related enforcement actions and measures of child support and employment?
4. How are license suspension actions used in practice by child support agencies, and how do agency personnel perceive changes in license suspension practice over time?
5. How do child support agency personnel perceive the efficacy of license suspension actions?

METHODS

Overarching Design

Our study uses an explanatory, sequential mixed-methods design, in which insights from our initial (quantitative) analysis are used to inform the study's second (qualitative) phase (Creswell & Plano Clark, 2017; Teddlie & Tashakkori, 2011). This design allows us to leverage insights from early analytic phases to inform subsequent phases; to triangulate across data sources to draw more robust conclusions; and to provide a more comprehensive understanding of

the issue (Creswell & Plano Clark, 2017; Johnson et al., 2007; Teddlie & Tashakkori, 2011). In this study, initial quantitative analyses identified patterns in use of license suspension, which we used to inform our sampling strategy and the qualitative interview protocol. Insights from our qualitative analysis were used to clarify and contextualize the quantitative results, as well as our understanding of the quantitative data's limitations. We integrate qualitative and quantitative findings using a “weaving” approach; results are organized by topic and qualitative and quantitative findings related to each topic are discussed together (Fetters et al., 2013, p.2142).

Quantitative Component

In our quantitative analysis, we used Wisconsin administrative data to examine the prevalence of any license suspension (i.e., driver's, recreational, or professional license) and civil contempt-related enforcement actions—including differences in prevalence and likelihood of enforcement action experiences by obligor characteristics—and the association between experiencing enforcement actions and a range of child support and employment measures. Because the 2016 Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs Final Rule made changes to how CSAs were required to process contempt cases, our analysis compares rates before and after implementation of the Final Rule.

Data

We used data from the Kids Data System (KIDS) available through the Wisconsin Administrative Data Core (WADC), which links administrative data from many public programs in Wisconsin. Because we were interested in understanding how use of tools may have changed before and after the Final Rule, we used data from the two-year periods before (2015–2016) and after (2018–2019) the Final Rule; we excluded data from the year immediately following its

enactment. To account for any potential changes in the use of enforcement actions during the COVID-19 pandemic, we also use data from a third period, 2020–2021.

Sample

Our overall sample was obligors with open, current support IV-D cases during the three periods of interest ($n = 401,487$). For many of our analyses, we also used progressively limited samples. This served two purposes for our analysis. First, this allowed us to more accurately isolate the sample of obligors who were likely to experience enforcement actions. Second, we were able to account for differences in trajectories between the threat of an enforcement action (i.e., a warning letter, notice of license certification, and contempt hearing) and the imposition of the action (i.e., an actual license suspension or finding of contempt).

Most of our analyses used a sample of obligors who met the lien docket criteria in Wisconsin, operationalized as obligors who were behind by \$500 on their current support order ($n = 301,907$). For some analyses, we restricted the sample further to obligors who met the lien docket criteria and who had received an initial enforcement letter (EN34 or EN01) ($n = 227,703$), indicating that the enforcement action process had begun. For analyses related to license suspension, we restricted the sample to obligors who had also received a notice of intent to certify a license ($n = 54,783$). For analyses related to contempt, we restricted the sample to obligors who had received contempt-related notifications (EN10, EN23, HECN) ($n = 75,841$), and finally, to obligors who had a contempt hearing ($n = 73,023$).

Measures

For our descriptive analyses, our primary measures of interest were the enforcement actions described above. These measures were taken from KIDS data available in the WADC. We used these actions to both define progressively-limited samples of obligors and report on

their prevalence. In addition, we included analyses to understand whether an obligor had a license suspension/certification (AECT) or a finding of contempt. Notably, the available data to IRP researchers in WADC does not distinguish between different types of license suspension. Therefore, our measures (and sample) are based on obligors with any type of license suspension (e.g., recreational, driver's, or professional). We note that some obligors may have experienced enforcement actions of interest multiple times in the defined periods; for purpose of our analyses, we considered the first experience of each action in the period. In our multivariate analyses, our independent variables were categorical variables distinguishing whether an obligor experienced the threat of an enforcement action or the action itself in the year (i.e., first 12 months) following inclusion on the lien docket. For license suspension, we defined the three categories as: (1) the obligor did not receive an AE15 or AE16 notice (i.e., notice of intent to suspend); (2) the obligor received an AE15 or AE16 notice but did not ultimately experience a license suspension (AECT); and (3) the obligor experienced the threat of the action and the action itself (i.e., both an AE15/AE16 and an AECT). For contempt hearings, the three categories were: (1) the obligor did not have contempt hearing; (2) the obligor had a contempt hearing but was not ultimately found in contempt; and (3) the obligor was found in contempt.

Our child support and employment measures of interest in the multivariate models included compliance, growth in arrears, and employment and earnings in the second year (i.e., 13th to 24th month or 5th to 8th quarter for employment and earnings) following the first eligibility of the lien docket in the period of interest. Specifically, we measured (1) compliance, defined as the ratio of child support paid to child support owed in the second year following inclusion on the lien docket; (2) percentage of arrears growth, defined as the ratio of arrears growth to the starting point of arrears in the two-year post period; (3) employment in the post

period, defined as the total number of quarters employed (range of 0–4); and (6) earnings in the post period. We draw these measures from the second year following inclusion on the lien docket—rather than the first or first and second—to account for time to implement additional enforcement actions. By using measures from two years following lien docket inclusion, we account for the time it may take for enforcement actions to occur; therefore, any associations may be more likely related to events after enforcement actions rather than the likelihood of the action occurring. We use percentage of arrears growth to better understand the potential burden facing obligors.

We also considered several obligor characteristics. We used these in our descriptive analyses, in analyses predicting enforcement actions, and as control variables in our multivariate analyses. For our heterogeneity analysis, we examined differences by obligor race, measured using information from WADC. We also examined differences by county population size—broadly following the definition used by the Wisconsin Bureau of Regional Operations (BRO)—defining counties with a population of fewer than 45,000 people according to the 2020 census as small, populations of 45,000 to 100,00 as medium, and county populations of 100,00 or more as large. Milwaukee County was analyzed separately. Finally, we examined differences by whether the obligor met low-income guidelines (i.e., had income below 150% of the poverty threshold, based on a household size of one). In our regression models, we also accounted for obligor age, number of cases, obligor income in the four quarters prior to enforcement action, and obligor employment (defined as proportion of four quarters employed) in the four quarters prior to enforcement action. In some models, we also accounted for the arrears amount in the month prior to the enforcement action.

Analysis

To answer our first research question, we analyzed descriptive statistics of the prevalence of selected enforcement actions (i.e., letters, notices of intent to certify, license suspensions, contempt hearings, and findings of contempt) in each period and pooled across all three periods. We first determined the count of each enforcement action, the average by obligor, and the proportion of obligors who experienced an enforcement action across all three periods. Next, we examined the proportion of obligors in each period and across all three periods who experienced both the threat of an enforcement action (i.e., notice of intent to certify and contempt hearing) and the actual enforcement action (i.e., license certification and a finding of contempt). We looked at these proportions over our progressively limited samples, across each period, and in the pooled sample. To examine whether different populations of obligors have differential likelihood of experiencing enforcement actions, we repeated this analysis for different subsamples of obligors (by race, county, and income); in these analyses we combine periods for simplicity. Next, we used multivariate logistic regression models to understand how different obligor characteristics were related to enforcement outcomes (i.e., intent to suspend, suspension, contempt hearing, and finding of contempt). For this analysis, we restricted our sample to obligors meeting the lien docket criteria. We also included time-period fixed effects (i.e., 2015–2016, 2018–2019, 2020–2021). Finally, using the sample of obligors who met lien docket criteria, we used regression models to provide estimates of the association between experiencing an enforcement action or the threat of an action (compared to no enforcement action) and our measures of child support compliance, arrears growth, employment and earnings. These models controlled for the standard covariates described above and included period fixed effects.

Qualitative Component

To more deeply explore how counties use and make decisions about driver's license suspension, and county staff perceptions of the effectiveness of driver's license suspension, we conducted interviews with child support agency staff and directors from six Wisconsin county agencies. All recruitment and data collection efforts were approved and overseen by the University of Wisconsin–Madison's Institutional Review Board.

Sample

Selection of counties and recruitment efforts for the study's qualitative component began with identifying potential research sites in consultation with the Wisconsin Department of Children and Families. Our goal was to facilitate heterogeneity in county use of license suspension to allow the research team to hear from counties with a broad array of experiences with and views on license suspension. To that end, as a first step, the research team leveraged data from the quantitative analysis to identify counties into three groups: those that suspended driver's licenses at rates higher than the state average between 2015 and 2021; those that suspended driver's licenses at rates similar to the state average during that period; and those with lower-than-average rates. Within each of those groupings, we purposively selected counties to facilitate variation in county population size (to ensure that our final sample included counties with "Small," "Medium," and "Large" or larger designations as specified by the Wisconsin BRO) and differences in geographic region within the state. We also purposively selected several

counties in which the Legal Interventions for Transforming Wisconsin (LIFT) program operated.²

Once a list of potential counties was identified, county recruitment efforts began. Prior to the IRP research team initiating contact, a member of DCF's leadership team sent each selected county's child support director an email informing them of the forthcoming invitation from the IRP research team. An IRP research team member then emailed each county's child support director to explain the study's purpose and goals, inform them of the voluntary nature of the study, and invite their county to participate. After each county's director expressed willingness to allow the county to participate in the research, the research team scheduled an interview with the agency's director. The research team worked with the director, prior to or after the interview, to identify all frontline child support caseworker staff within the agency whose jobs directly involved license suspension. Five counties identified such staff; in one county that did not suspend licenses, staff beyond the director were not interviewed. We also spoke with an attorney in one county whose work brought them into contact with the LIFT program. Staff were invited separately by email to participate in individual interviews and informed that their participation was voluntary and not a condition of their employment. In total, we interviewed 16 child support agency directors and staff (out of 18 invited individuals) across the six counties.

²LIFT Wisconsin (<https://www.liftwisconsin.org/>) is a Wisconsin collaboration of non-profit service providers offering legal assistance with an array of civil legal barriers, including "free legal help for removing eligible criminal records and dismissed eviction records, as well as assisting with driver's license reinstatement, employment and training, child support issues, and healthcare debt problems." Though not directly related to our research questions for the present analysis, given DCF interest, we included a subset of questions to help provide insight into county awareness of and potential referrals to or engagement with LIFT. Appendix A includes learnings related to agency awareness of and interactions with LIFT Wisconsin.

Data Collection and Analysis

Interviews were conducted virtually on Zoom or Teams as participants preferred; one interview was conducted by telephone. Interviews lasted 60 to 90 minutes and were guided by semi-structured interview protocols tailored to each participant's role. Protocols included questions about driver's, professional, and recreational license suspension actions, including: (1) how license suspension works within the county, including processes for identifying potentially eligible cases, making decisions about how to proceed with license suspension actions, and perceptions about frequency of use; (2) how license suspension fits within other enforcement strategies used within the county; (3) the perceived efficacy of license suspension actions, perceived benefits and consequences of license suspension actions, and perceptions of the most useful tools available to agencies for encouraging compliance; and (4) perceptions of changes in county use of license suspension over time. We also asked counties in which the LIFT program operates about awareness and perceptions of the LIFT program and potential engagement with the LIFT program. These findings are described in Appendix A.

Upon completion, all interviews were recorded, professionally transcribed, and uploaded into NVivo for coding. We analyzed data within and across counties. To facilitate analysis within counties, we created site summary templates for each county summarizing key learnings by topical area within that county. A lead analyst wrote the site summary and the second analyst reviewed and provided input until agreement on content was reached. To analyze data across participants and counties, we created an initial set of structural codes derived from the research questions and interview guides. We then reviewed transcripts for emergent themes and added relevant new codes. The lead coder performed an initial round of coding using this scheme and added new codes (as separate codes or subcodes), as needed, as analysis continued (Fereday & Muir-Cochrane, 2006; Crabtree & Miller, 2023). The second coder double-coded the first six

transcripts. The team discussed areas of discrepancy and additional codes needed until resolution was reached. The second coder then applied the codebook to the rest of the 10 transcripts. Once all transcripts were coded, analysts reviewed the coded data relevant to each research question and identified themes and subthemes within domains. Analysts collaborated to review, identify, and refine themes during the analysis phase and engaged in peer debriefing—within the qualitative analysis team and with the lead quantitative analyst—throughout the coding, analysis, and writing process (Franklin & Ballan, 2001; Nowell et al., 2017).

FINDINGS

Our study’s quantitative component examines the use of both license suspension actions and civil contempt in equal measure. Our study’s qualitative component focused specifically on use of license suspension actions; however, because interview participants shared how they use license suspension actions in the context of other enforcement-related actions—including contempt processes—our qualitative component includes learnings related to contempt and other enforcement actions as context for understanding how agencies use license suspension. Therefore, throughout this section, we present quantitative findings—encompassing both license suspension and civil contempt actions—as primary. Where relevant, we also provide qualitative findings as context. Quotes have been lightly edited for clarity and brevity.

Prevalence of Use (Quantitative + Qualitative)

Observed Prevalence of License Suspension and Civil Contempt Related Actions (Quantitative)

To answer our first research question—What is the prevalence of license suspension and civil contempt-related enforcement actions in Wisconsin? —we first examined the count, and overall proportion, of all obligors with open IV-D cases in the periods of interest who: received

an initial enforcement letter, received a notice of intent to certify a license, experienced a license suspension, had a contempt hearing, and were found in contempt (Table 1). Across all three periods (2015–2016, 2018–2019, 2020–2021), approximately half of all obligors with open IV-D cases received at least one initial enforcement letter at some point. Considering the next steps in enforcement actions, a larger proportion (and number) of obligors had a contempt hearing than a notice of intent to suspend a license. In the pre-Final Rule period (2015–2016), 13.5% of obligors had a contempt hearing. This proportion dropped to 11.5% in the immediate post-period (2018–2019), and then, finally, to 9.4% in our third period of interest (2020–2021). A smaller proportion of those with contempt hearings were found in contempt, though this also decreased over time: 3.6% of obligors in period one had a finding of contempt compared to 3.0% in the immediate post-Final Rule period and 2.4% in the final period of our analysis, representing a 35% decrease. A smaller proportion of obligors received a notice of intent to suspend a license (of any kind) over the three time periods, ranging from 7.7% in the first period to 8.5%. With the decrease in the contempt hearings, by the third period in our analysis (2020–2021), the proportion of obligors with a notice of intent to suspend a license was only slightly lower than the proportion with a contempt hearing. Across all periods, between 3–4% of obligors had at least one type of license suspended, ranging from 3.2% in 2015–2016 to 3.5% in 2018–2019 and 3.9% in 2020–2021.

Table 1: Frequency of Enforcement Actions Across Time Periods

	Total Count	Average Count	Obligor (%)
Period 1 (2015–2016)			
N (Number of Obligor)	291,342		
Received Enforcement Letter (EN01)	678,855	2.301 ^{a,b}	52.43 ^a
Intent to Certify (AE15)	54,752	0.187 ^b	7.73 ^b
Certification (AECT)	17,833	0.061 ^{a,b}	3.17 ^{a,b}
Held Hearing (HECN)	143,272	0.487 ^{a,b}	13.47 ^{a,b}
Contempt Finding (CNTP, CTMP)	17,680	0.06 ^{a,b}	3.58 ^{a,b}
Period 2 (2017–2018)			
N (Number of Obligor)	268,501		
Received Enforcement Letter (EN01)	479,350	1.769 ^c	50.44 ^c
Intent to Certify (AE15)	37,146	0.138 ^c	7.62 ^c
Certification (AECT)	13,714	0.051 ^c	3.54 ^c
Held Hearing (HECN)	95,818	0.354 ^c	11.48 ^c
Contempt Finding (CNTP, CTMP)	11,692	0.043 ^c	3.04 ^c
Period 3 (2020–2021)			
N (Number of Obligor)	247,264		
Received Enforcement Letter (EN01)	453,060	1.81	51.72
Intent to Certify (AE15)	37,042	0.149	8.47
Certification (AECT)	13,018	0.052	3.86
Held Hearing (HECN)	73,745	0.295	9.38
Contempt Finding (CNTP, CTMP)	8,258	0.032	2.38

Notes: ^aIndicates a significant difference ($p < 0.05$) from Period 1 to 2.

^bIndicates a significant difference ($p < 0.05$) from Period 1 to 3.

^cIndicates a significant difference ($p < 0.05$) from Period 2 to 3.

To further understand the prevalence of the use of enforcement tools, we examined the proportion of obligors who received: (1) a notice of intent to suspend a license; (2) license suspension; (3) contempt hearing; and (4) a finding of contempt using progressively limited samples (Table 2). This more clearly isolates differences between the threat of the sanction and the experience of the sanction itself; it also adds clarity to the sequencing of enforcement actions, and how common each subsequent step in the process was. We found no real differences in the prevalence of the enforcement actions between obligors on the lien docket and obligors who received an initial enforcement notice (EN01); this is not surprising, given that all obligors on the lien docket should be receiving such a notice. Of obligors on the lien docket, we found that having a contempt hearing was most common (experienced by 17.5% of obligors on the lien

docket), followed by a notice of intent to suspend a license (11.8%), followed by license suspension (5.1%), with a finding of contempt the least common event (4.9%).

Table 2: Enforcement Actions by Different Definitions of NCPs, Pooled Across Time Periods

NCPs	Intent to Certify Letter	Certification	Contempt Hearing	Finding of Contempt
All IV-D NCPs	7.92%	3.5%	11.56%	3.03%
Met Lien Docket Criteria	11.75%	5.12%	17.48%	4.63%
Received Enforcement Action Warnings	11.48%	5.06%	17.49%	4.87%
Received Letter of Intent to Certify or Held a Hearing	46.36%	18.38%	67.63%	17.56%
Received Letter of Intent to Certify	100%	39.65%		
Had Contempt Hearing			100%	25.96%

Note: Authors' calculations using WADC data.

Agency Perceptions of Use of License Suspension in Practice (Qualitative)

In this section, we address our research question about how license suspension actions are used in practice and how has practice changed over time. We start with a summary of how, when, and how often counties describe taking license suspension actions in practice. The findings provide context for the relatively low prevalence of the use of threats of license suspension via warnings letters, and even more infrequent enactment of suspensions, identified in our study's quantitative analysis. Some counties do not suspend licenses, and those that do described taking a number of steps that can preclude license suspension from occurring. Consistent with quantitative findings, several counties perceived that contempt actions occurred more frequently in their counties than license suspension actions, for reasons we detail below.

Typologies of Use

In the counties we spoke with, directors and staff described taking one of three general approaches to the use of license suspension actions.

Group 1: No License Suspension. Directors and staff from two counties, both of which were relatively small and predominantly rural, described that their agencies do not suspend

driver's licenses, or professional or recreational licenses. Interview participants in both counties expressed concerns about efficacy of license suspension in their local contexts. In one county, staff turnover and resultant limited staff capacity also played a role. Directors and staff in both counties highlighted the role that geography played in their agency's decision not to suspend driver's licenses. Both counties lacked regular public transit options, and in both counties, directors and staff described that obligors often live far away from employers, service providers, and sometimes children. Directors and staff in these counties emphasized concerns about creating barriers to work through the suspension of driver's licenses. Explained a director:

So, we're rural. We have, in our town here, two factories...the thought has always been, if we suspend licenses, we are really creating an additional barrier for some people that might already have other barriers. We have very, very minimal public transportation here.

Having a driver's license, for these reasons, was viewed as an important facilitator of participation in work and everyday life, particularly for obligors who are dealing with significant challenges that impact their lives and employment situations. As another director explained:

Some of the services that our residents need, whether it's mental health, substance abuse... most of the really wonderful inpatient or day treatment services are in [a city outside of the county]. And oftentimes, transportation is a huge barrier for individuals... So your ability to take care of yourself and have gainful employment, a driver's license, I don't understand why you would take that away from them. Because right now, like I said, for our demographics, we have so many people that cite transportation as a huge barrier to them getting the services they need to get back on their feet.

Interview participants in both counties noted that their agencies also do not pursue professional or recreational license suspension. In both, interview participants observed obligors to hold professional licenses rarely, rendering them generally not an option, and one director noted that their county would not pursue suspension of a professional license even if relevant due to concerns about impeding employment and therefore child support payments. They explained,

“My personal philosophy is, I would question why we would suspend professional licenses if that’s the person’s means of supporting a child. That doesn’t make any sense to me at all.” The two counties did not pursue suspension of recreational licenses for different reasons. One county, which had experienced significant staff turnover in recent years, was open to the possibility of resuming recreational license suspension once adequately staffed; however, interview participants expressed concern that for obligors who earn a living or provide food for their families via hunting or fishing, recreational license suspension may be detrimental. In the other county, the director noted that even recreational license suspension appeared ineffective in their county due to lack of adherence; they explained:

I think at one point we tried [recreational license suspension]. So again, very rural area.... there’s lots of farmland, lots of hunting land. Some people that experience a suspension of their hunting license, let’s say, probably didn’t abide by that anyhow.

Group 2: Suspend Driver’s and Recreational Licenses, but not Professional

Licenses. Interview participants from one county—a larger-size county in which staff carried large caseloads—described that their agency takes suspension-related actions for driver’s and recreational licenses, but not professional licenses due to concerns about direct impacts on employment. As the director explained, “[Professional license suspension] seemed like a counterproductive sort of thing... It just seems so directly related to employment and making a living, and that it’s never really made sense to us to do it.” Interview participants explained that their county pursued driver’s and recreational license suspension actions in accordance with state rules, but “less than to the fullest extent” and primarily as an attention-getting tool. In this agency, one staff member was assigned part-time to lien-eligible cases and focused on cases in which obligors made less than half of full payment amounts, were not in communication with their regular caseworker, and did not appear to have other factors in play that would render a

license suspension action likely ineffective or counterproductive for securing payments.

Interview participants emphasized a desire to avoid creating barriers to employment. The director explained:

That's a tool that's available to us. It's not the primary tool that we use. And in cases where, you know, it is going to be counterproductive and where somebody says, 'Hey, I'm out looking for work and it's going to totally, you know, hamper me,' or, 'I won't be able to do that if my license is suspended,' that might be another factor where we work with people on that. So until the law is revoked or until BCS says, 'We don't want you to do that anymore,' that's the approach we're taking. We basically use the tools that we're given and that are in place now to do what we're supposed to be doing, what we're funded for, which is to, you know, try to get as much money into those families and try to make sure that both parents are supporting their kids as much as possible.

Group 3: Suspend all License Types, to Varying Degrees. Directors and staff in three of the counties we spoke with, of varying sizes and degrees of urbanicity, reported that their agencies do pursue suspension of driver's, professional, and recreational licenses to varying extents and under different conditions. In all counties, interview participants described warnings occurring more often than actual suspensions. Directors and staff in two counties emphasized that staff suspend driver's licenses infrequently and as a last resort due to concerns about impeding employment and creating barriers to work and other activities, though may pursue suspension of professional or recreational licenses. Explained a director:

We very rarely ever suspend a driver's license. In our county, we suspend professional and recreational... We've made a decision here in [County] really not to suspend their driver's license because we want them to have their driver's license to get to work. And we know it's a very stressful process for them to try to get their driver's license back and cost associated when they have so many other barriers and obstacles already for housing, getting jobs, and stuff already that we didn't want to add that onto their list. If we are going to make a decision to suspend a driver's license, it would be a case that we've exhausted every other avenue first.

Similar to other participating counties, in all three of these counties, interview participants noted that while their agency would in theory suspend a professional license, in practice, they

perceived that most obligors do not hold professional licenses, often rendering this category of license a non-factor. In two of these three counties, interview participants described taking recreational license suspension more frequently than driver's and professional licenses; in both counties, staff described outdoor activities as an important feature of life, making it an effective motivator, without the potential negative consequences for employment that a driver's or professional license might yield. Described a caseworker, "Here in our county, hunting and fishing are kind of a bigger thing. So yeah, we kind of pursue that quite a bit. That's something that everybody kind of wants to keep, is their hunting and fishing license." Another caseworker noted that particularly for obligors who lack a driver's license, or for whom a driver's license suspension is already in place, a recreational license action can still be helpful for engagement.

License Suspension in the Caseworker Toolkit

We asked directors and staff in the counties we spoke with to describe how license suspension fits in the broader toolkit of options caseworkers have available to them when an obligor falls behind on child support payments. Consistent with the relatively low frequency of use observed in the quantitative data, overall, interview participants discussed license suspension actions as one tool in caseworkers' toolkits for addressing noncompliance but not their first or primary tool. Additionally, interview participants explained how several factors can lead to resolution of noncompliance before license suspension warnings are initiated and, for those that are initiated, prior to suspension occurring. Directors and staff described that caseworkers take initial steps prior to considering license suspension and other worker-initiated actions, when an obligor falls behind, in an effort to understand the circumstances surrounding noncompliance. These included steps such as using locate tools and checking databases to identify potential address changes, known medical issues, or incarceration; checking for new employments;

assessing whether an income withholding order could be put in place if a new job is identified; and engaging in efforts to contact the obligor. Outreach included telephone calls, mailings, and in some counties, email or text messages.

Across counties, interview participants described these initial steps, and outreach efforts in particular, as important for better understanding the context surrounding an obligor's nonpayment and building trust and rapport. As a director described:

Before we get to this point, we always outreach by phone, email, text, letters. I'll reach out to the other parent asking—so I always—I mean, we do a significant amount of outreach. We do everything in our power to try to get compliance so we don't have to take enforcement. So we don't take license suspension. So we don't have to do all that. We do as much as we possibly can so it doesn't get to that point.

A caseworker explained that outreach is important not only for addressing the immediate payment issue, but also for building a more trusting relationship with an obligor that can yield earlier intervention if future problems arise. They stated:

I've had so many people say, 'You know, nobody's ever bothered to call me before over the years. Nobody's ever reached out to me. All you want is—you just want my money.' You know, kind of thing. And so, it feels kind of nice sometimes when, you know, you talk to them. Sometimes it's still someone that's very angry when you're done with them. And sometimes, you kind of start that little bit of a relationship that, you know, they're not afraid to call and reach out to us about things.

Directors and staff described that sometimes these outreach efforts led to resolution or postponement of action; for example, an obligor might make a payment, leading enforcement to cease, or through discussion, an obligor might disclose an issue leading to temporary cessation of enforcement (such as a medical matter). However, if nonpayment issues continue after these initial efforts, caseworkers use information gathered during this initial phase—in tandem with state-established thresholds, state policy, and agency policy and practice—to inform next steps. When considering whether initiating license suspension actions is appropriate for a case,

caseworkers account for obligors' noncompliance relative to state-established thresholds, state policy and timelines, what automated actions had already occurred at the state level, and their own agency's policies and practice norms. Directors and staff emphasized the importance of making decisions based on the totality of case circumstances, including the obligor's nonpayment history; what strategies the agency had tried in the past and how successful they were; and the extent of an obligor's communication with their caseworker about their situation. Depending on case context, next steps might include providing the obligor with additional job time to pursue employment options; providing resources or referrals to help address barriers; taking other administrative actions, if relevant and determined appropriate; providing information about options for requesting an order review; or moving forward with next steps in the license suspension process. A director emphasized that caseworkers take steps to avoid driver's license suspension, when possible, to avoid creating additional barriers to employment and overall stability—particularly given the challenges that participants can experience getting a license back:

I think [license suspension] just adds... it just adds to their list of things that they need to deal with. I think sometimes they just get overwhelmed with all the things, you know, like somebody getting out of jail, just all the tasks that they need to do to get back on their feet. You know, some payers have children that they're taking care of in their household. And taking care of children nowadays is just another full-time job. And then if they lose their license and then have to take care of, just taking off work to get someplace to get their license. And then there's the cost... We try not to do that. Trying to give them the positive things, tools versus just adding another negative thing to them.

Interview participants described that they were most likely to pursue a license suspension action when obligors are not responsive, staff cannot identify a reason for nonpayment, other administrative remedies are exhausted, and payment problems persist. A director explained:

Most of those cases they've gotten a notice, we think we have a good address and there's no response at all. Or maybe there was an initial response saying, 'Hey,

I'll start paying,' or whatever, and then they fall off the map and so then we're left for the suspension. With driver's license suspension, again, it's to get their attention. We're fairly patient when it comes to that... By the time you're getting suspended, you're either not cooperating at all, there's no response or, you know, despite repeated promises, haven't done anything.

Across counties that suspend licenses, interview participants described two main goals for initiating license suspension actions—obtaining payments and/or opening communication pathways with obligors when other efforts are unsuccessful—with the goal of consistently receiving full payments. As staff and directors explained, for some obligors, becoming aware that license suspension is an option could spur action in the form of making a payment or, particularly for those experiencing payment barriers, opening the door to discussion between the obligor and caseworker. As many described, the *threat* of license suspension, in the form of warning letters, was often sufficient for achieving either of these goals. Warning letters about the potential for license suspension can open the door to conversation with an obligor behind on support, ultimately helping to yield resolution—in the form of payments or identification of compliance barriers—prior to an actual license suspension. As a director explained:

It would be a very rare case we'd ever touch a driver's license. But we frequently will send those license suspension notices. And the customer, the payor, will think that the driver's license will be suspended, react, and that's the response we want to get.... Then we will at least get their attention, they'll contact us, and then that will encourage them to make their payments, let us know what the information we need and go from there.

Several caseworkers noted that it takes different strategies to connect with different obligors; the risk of license suspension may be a substantial concern for some obligors but less of a motivator for others. Described a caseworker:

We use driver's license suspension in our county. The way I see it is, it gets people's attention. They receive that first letter of, you know, initial notice of intent to certify license suspension. The people that are going to care about their license being suspended, are going to call you, they're going to call you right away. And so a lot of times, if they won't talk to you, or they won't contact you

and have updated you, it's a really good way to get their attention and say, 'Hey, you know, I need to call them right now.' So, in a lot of cases, that's like my reasoning for using it.

Perceived Frequency of Use

In keeping with this study's quantitative analysis findings, across all counties using license suspension actions, interview participants described that *actual* suspension of a license occurred less often than the *threat* of license suspension actions, in the form of warning letters. Directors and staff in these counties described that they perceived license suspension as an important enforcement tool, even if license suspension itself occurred relatively rarely.

Described a caseworker:

A lot of times we've already had these conversations. And for those parties who are a little bit more afraid of license suspension, you know, it's critical for them to get to their job or to do the things that they need to do or take care of their children, just that conversation of "Hey, if we do this, we can avoid going down this road," is sometimes enough to get them to say, "I'll come in and make that payment..." The license suspension process takes quite a long time before you get to that actual suspension part. Hopefully, we are resolving most of them before we actually do a suspension.

Nearly all leaders and staff reported feeling that their agency uses driver's license suspension the "right" amount, rather than too often or too rarely. For some interview participants, using driver's license suspension the "right" amount meant using it judiciously; as a director described:

I think we're using it appropriately and probably about as many licenses are suspended as should be. So I guess it's working as it should at this point... license suspension probably wouldn't be a primary tool, but it's good to have it in certain situations.

For others, this meant using license suspension as a last resort when other strategies have proven ineffective or outreach efforts have been unsuccessful. Explained a caseworker, "I think I would say right amount.... It's a last resort, and if we've done it, it's because absolutely nothing else worked. It's, you know, just another tool that we have to try to basically get attention."

License Actions in Relation to Civil Contempt Actions

Relevant to our quantitative analysis findings about contempt-related actions—including holding contempt hearings and, less often, finding obligors in contempt—directors and staff shared insights related to use of civil contempt actions in relation to driver’s license suspension actions. These findings provide context for quantitative findings that contempt actions occur more frequently than license-related actions. Interview participants noted that license suspension might be determined inappropriate due to the direct potential for negative impacts on employment or other reasons; that an obligor’s license might already be suspended, or past license suspension actions were not successful; or that an obligor might not have a license to suspend. And, as noted, some counties categorically do not suspend licenses.

In two counties, directors and staff described generally evaluating a case for license suspension prior to a contempt action, with several caveats. First, if a caseworker had tried license suspension previously without success, the agency might not attempt license suspension again. Or, if driver’s license suspension was determined inappropriate for a case—for example, because the obligor’s license was already suspended, other administrative or judicial enforcement processes were already underway, or because a driver’s license suspension would impede the obligor’s ability to work—the caseworker might not pursue license suspension at all or pursue only recreational or professional license suspension. Described a director:

We are required to take all administrative action before we file a civil contempt and before we schedule it for a court hearing. Caseworkers in our county are required to send me a work list to review for administrative action before they file a hearing, so I will review to see if it’s appropriate to send a license suspension notice to the customer... We’re required by policy to exhaust all administrative enforcement prior to filing a civil contempt. So we would do license suspension first before civil contempt, but it would be probably just recreational or professional license suspension, not driver’s license.

In two counties, interview participants described that consideration of contempt actions may occur concurrently with—or prior to—license suspension actions. Interview participants noted that because some obligors who fall behind have low-guidelines orders, it can take months for some obligors to reach eligibility thresholds for license suspension. In those instances, contempt actions can occur first or more frequently than license suspension actions. A director explained:

We definitely use judicial enforcement more than the administrative. Most of the time we are able to get into a contempt hearing and work things that way before we ever reach the limits for license suspension.

In both counties that do not suspend licenses, interview participants explained that if obligors were not responsive to outreach from caseworkers or if nonpayment persisted despite other attempted actions, case workers then turned to civil contempt processes. Interview participants from both counties shared a perspective that, in their counties, contempt-related actions are more effective at getting an obligor's attention and facilitating consistent engagement than license suspension actions. Further, staff generally felt that civil contempt actions had fewer direct impacts on employment than license suspension actions. A director explained:

We have certain payers that are almost always under an order to show cause for contempt. The system works because that's what triggers them to continue paying and paying off on arrears. For others, in similar situation, might be the same arrearage level, whatever, we don't need to do that. Bringing them in, or a phone call with them, and having that discussion—something else works. So it's not everybody we have to do order to show cause for contempt with. But we do have a fair amount of payers that we find that if we take them off of that process, then they're not as diligent in their payments.

Observed Time Trends in Prevalence of Use (Quantitative)

Considering the license certification/suspension sequence, trends suggest the possibility of a slight increase in use of this tool since 2016 (see Table 3). We found a slight decrease in the proportion of all NCPs and those who meet the lien docket criteria who received notices of intent to certify in 2016–2017, but the remaining comparisons suggest some increase from 2016,

particularly in the proportion with a notice of suspension who actually then had their license suspended. Noting the difference between the threat of the event (i.e., notice of intent to suspend) and the event itself, 33.3% of obligors with a notice of intent to suspend in the first period went on to have a license suspension, and this proportion increases to approximately 40% in the final two periods (40.3% and 39.8%, respectively).

The proportion of obligors on the lien docket who had a contempt hearing notably decreased steadily over the time periods we examined; this dropped by 6.6 percentage points from 2015–2016, the pre-Final Rule period, to 2020–2021. Considering the differences between those with the threat—in this case a hearing—and the actual sanction—finding of contempt—was also notable. Compared to license suspension, a smaller proportion of obligors who receive the threat experience the actual sanction; this ranged from 25.1% to 26.3% of obligors across periods. Though this proportion also decreased over time, this was much less of a decrease than the proportion with a hearing, suggesting that the hearing itself might be what changed the most over the time periods in question.

Agency Perceptions of Changes in Use of License Suspension Over Time (Qualitative)

We asked directors and staff to share their perspectives on how their child support agency's approach to license suspension had changed throughout their tenure with the agency. It is important to note that responses were situated in the interview participant's experiences; the amount of time interview participants had spent with the agency varied across participants and were not limited to the post-Final Rule implementation period.

Table 3: Enforcement Actions by Different Definitions of NCPs

NCPs	Intent to Certify Letter			Certification			Contempt Hearing			Finding of Contempt		
	Period 1	Period 2	Period 3	Period 1	Period 2	Period 3	Period 1	Period 2	Period 3	Period 1	Period 2	Period 3
All IV-D NCPs	7.73 ^b	7.62 ^c	8.47	3.17 ^{ab}	3.54 ^c	3.86	13.47 ^{ab}	11.48 ^c	9.38	3.58 ^{ab}	3.04 ^c	2.38
Met Lien Docket Criteria	11.68 ^{ab}	11.42 ^c	12.2	4.78 ^{ab}	5.19 ^c	5.46	20.51 ^{ab}	17.32 ^c	13.85	5.44 ^{ab}	4.63 ^c	3.61
Received Enforcement Action Warnings	10.87 ^{ab}	11.22 ^c	12.5	4.44 ^{ab}	5.18 ^c	5.66	20.36 ^{ab}	17.47 ^c	14.07	5.79 ^{ab}	4.89 ^c	3.75
Received Letter of Intent to Certify or Held a Hearing	41.20 ^{ab}	45.94 ^c	54.12	14.74 ^{ab}	19.38 ^c	22.37	71.78 ^{ab}	69.21 ^c	59.94	18.93 ^{ab}	18.07 ^c	15.04
Received Notice of Intent to Certify	100	100	100	33.29 ^{ab}	40.26	39.77						
Had a Contempt Hearing							100	100	100	26.32 ^b	26.06 ^c	25.06

Note: Period 1: 2015–2016; Period 2: 2017–2018; Period 3: 2020–2021. Superscript a indicates a significant difference ($p < 0.05$) in average count from Period 1 to 2; superscript b indicates a significant difference ($p < 0.05$) in average count from Period 1 to 3; superscript c indicates a significant difference ($p < 0.05$) in average count from Period 2 to 3

From the perspective of some directors and staff, particularly those hired recently, their county's approach to license suspension had remained quite consistent throughout their tenure. In several counties that use license suspension, directors and staff described that their agency consistently used driver's license suspension as a tool of last resort in the menu of administrative remedies throughout their time with the agency and used recreational license suspension more frequently. As a caseworker described:

I think we've kind of done it the same. Like, we've always kind of monitored it. So we make sure that we work with them and, you know, we want to make sure that they're working. If they're actually working towards working, then we don't want to suspend them, but if they're kind of playing us along, then we're going to have to do something, you know? I think we've been pretty much the same.

Directors and staff from several counties that use license suspension rarely or not at all described that their agency had been consistent in this approach throughout their tenure with the agency, with a desire to avoid impeding employment by suspending driver's licenses and observing better payment outcomes through case management and parent engagement. Several staff from smaller counties highlighted the role of their relatively low caseload sizes in allowing capacity for outreach and support.

Other directors and staff, including several with multi-decade tenures within the agency, described observing shifts in their agency's approach over time. Interview participants discussed these changes in three main ways: changes to *frequency* of use of license suspension relative to other strategies; shifts in *perceptions of the efficacy* of license suspension relative to other approaches; and changing views about the *role of the child support agency*. In several counties, directors and staff described observing a shift within their agency towards using driver's license suspension less frequently and less quickly over time as their agencies shifted from a traditional enforcement approach to a more holistic and supportive approach; lifting suspended licenses

more readily in response to actions on the part of the obligor; and offering options, such as alternative payment plans, more often than in the past. As one director described, in their agency, this meant moving towards use of license suspension actions as primarily an attention-getting strategy and taking the time to engage participants, with a goal of seeking more effective and efficient ways to increase payments. The director stated:

We changed probably with the driver's license and realized it was more work. We do less of it. Maybe more negotiations. It's more of an attention getter. Probably more negotiation with people because we want them to pay. You know, in my 35 years here, the whole child support, how we look at things has changed. We used to be more of a collection agency, and now we're customer service. So, the whole focus has changed since I've been here.

Directors and staff also discussed observing a change in which their agencies take more steps to help people be in a better position to work and pay than in the past, such as working to identify needs, collaborating with community partners, and making referrals for supportive services as part of case management. Explained a caseworker:

I think we're doing better today than what we have in my history. We've got a great team. And being part of the human service umbrella... Maybe we're working with somebody that's struggling and we can refer them to WIC. Maybe they need to talk to somebody in behavioral health. Maybe they need energy assistance or [help with holiday gifts for kids]. A lot of those services, you know, we have those. We know what is available. We don't know the details, but we can point them into a direction that might help them.

Directors and staff described these shifts as grounded in changes related to the agency's role in, and goals for, families. A caseworker with several decades of experience described a shift over time in the way their child support agency aims to serve and be perceived by families:

When we first were able to use [license suspension] as a means for enforcing a case, I think there was a lot more driver's license being done. To me, our agency has evolved into more, instead of enforcing 'You're the bad guy,' 'How can we help?'. You know, 'What can we do to make this happen?' So, I would say our policy ideas have changed with regard to driver's license suspension... I think overall it's a positive. We're trying to change the stigma of the child support. I mean, we're not here to punish someone. We're here to try to help both sides, you

know. We're trying to get money into the family and help...if you're taking all these things away and making it hard, then that's not—you know, that's not what we're here for. That's not the philosophy of our office.

Differences in Prevalence and Likelihood of Experiencing License Suspension and Civil Contempt Related Actions by Obligor Characteristics (Quantitative)

To understand the potential for differential use of enforcement actions (our second research question), we also examined the proportion of obligors from different populations who experienced enforcement actions (Figure 1a to 1d). Overall, we found that a higher proportion of White obligors experience all enforcement actions in our analysis compared to non-White obligors. Considering differences across county size, obligors in small counties are most likely to experience enforcement actions, followed by obligors in medium-sized counties. Obligor in Milwaukee comparatively rarely experienced any of the enforcement actions in our analysis. Unsurprising, low-income obligors have higher rates of enforcement.

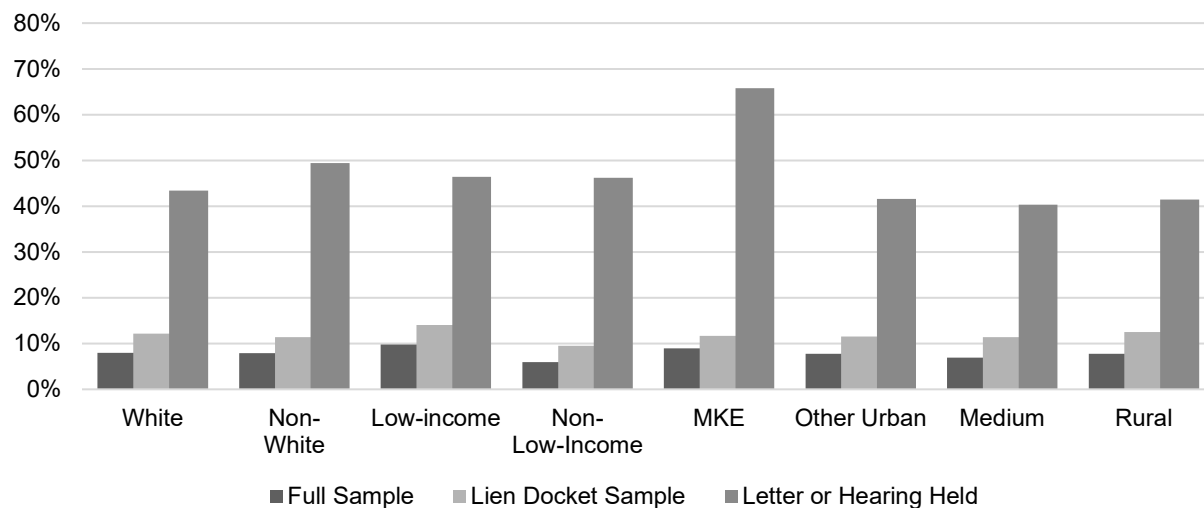
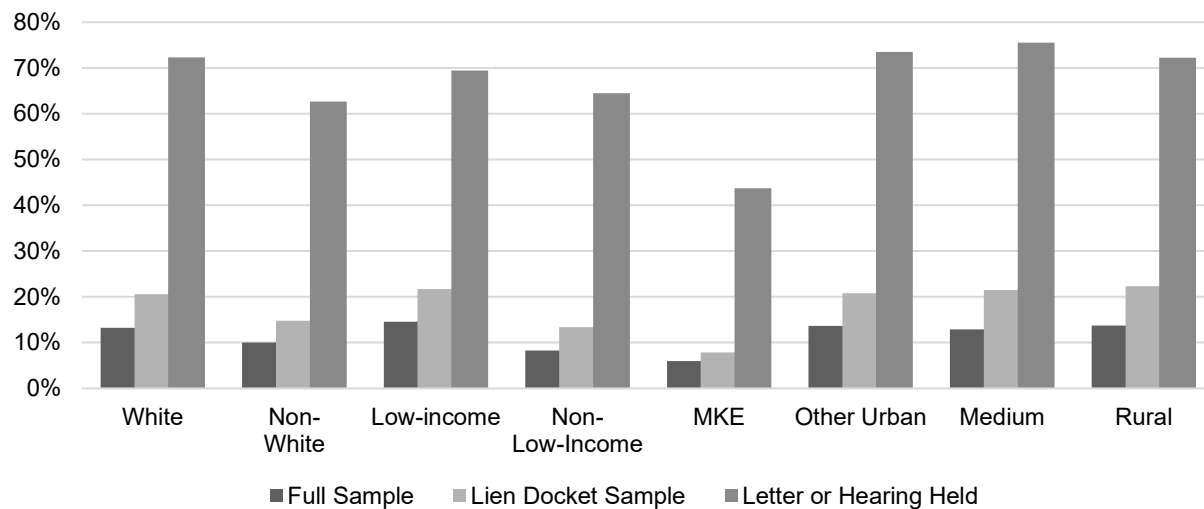
Figure 1a: Overall Intent to Certify**Figure 1b: Overall Contempt Hearings**

Figure 1c: Overall License Suspensions

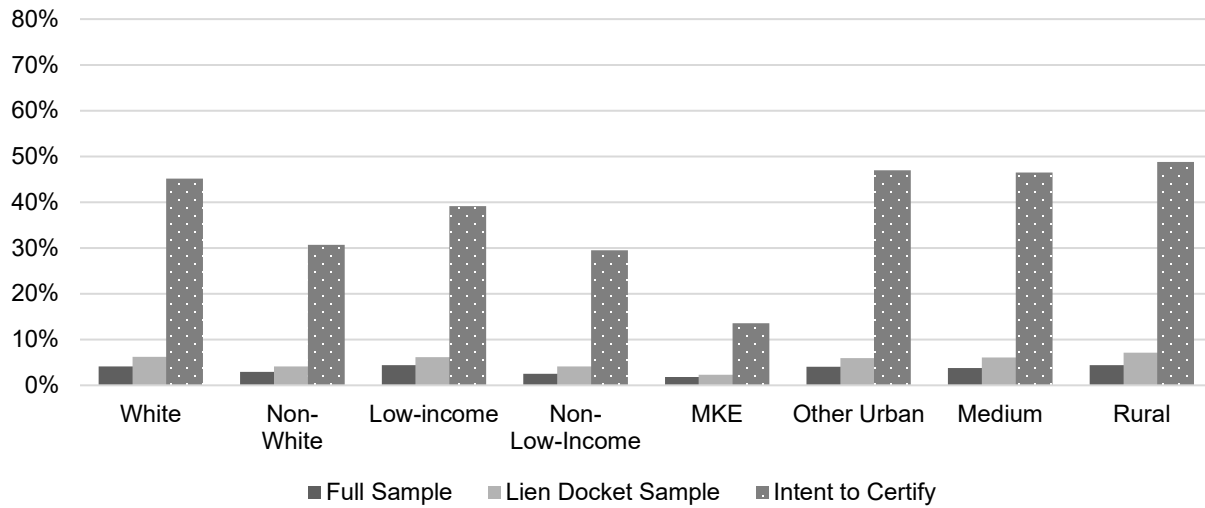
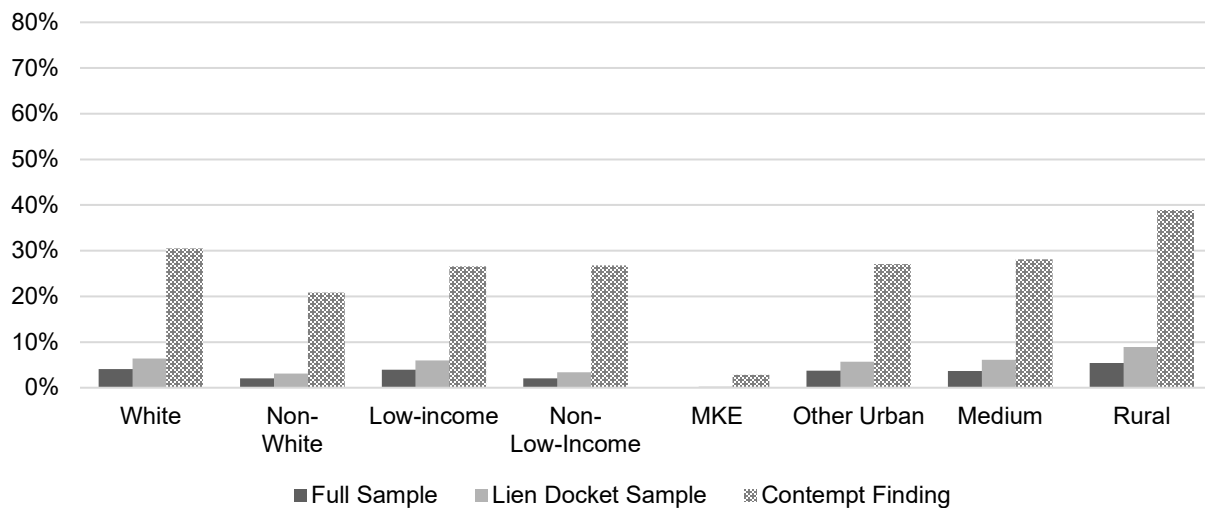


Figure 1d: Overall Findings of Contempt



We examined differences in likelihoods of experiencing enforcement actions in a multivariate regression context as well; findings were similar to our subgroup analysis (Table 4). White obligors were more likely than obligors of all other races/ethnicities to receive a notice of intent to suspend a license or threat or actual suspension of license. White obligors also had higher likelihoods of having a finding of contempt. Only Black obligors were more likely than White obligors to have contempt hearings. Some differences in the associations by obligor race

may reflect differential likelihoods of having licenses (e.g., Rothschild et al., 2024; Pawasarat, 2006), or, potentially county approaches, though we find no difference when using county fixed effects. We find differences by county population size in likelihood of enforcement action. Obligors in medium-sized counties had higher likelihoods of experiencing enforcement actions than obligors in large counties (other than Milwaukee) to receive a license certification notice, and obligors in small counties had a higher likelihood of experiencing an actual license suspension than those in large counties. Obligors in medium- and small-sized counties also had higher likelihoods of having a contempt hearing and findings of contempt. Obligors in Milwaukee County were more likely to receive a notice of intent to certify a license as those in other large counties but were less likely to have their license suspended. Obligors in Milwaukee County were the least likely, and less likely than those in other large counties, to have contempt hearings or to be found in contempt. Obligors with multiple child support obligations (i.e., multiple cases) were more likely than those with only one to experience all enforcement actions. As would be expected, obligor income was negatively associated with likelihood of enforcement actions, meaning that obligors with higher incomes in the previous year were less likely to experience any additional enforcement actions. Finally, the association with employment was notable. Obligors with some employment but not a full four quarters, in the four quarters preceding inclusion on the lien docket, had higher likelihoods than those who were not employed (in a UI-covered job) to experience each enforcement action. The exception to this pattern is that obligors with one quarter of employment were equally as likely to have an actual license suspension. Obligors with a full four quarters of employment had the lowest likelihood of experiencing any of the enforcement actions.

Table 4: Multivariate Regression Predicting Likelihood of Experiencing Enforcement Actions

	Intent to Suspend (AE15)	Suspension (AECT)	Contempt Hearing	Finding of Contempt
Obligor Race/Ethnicity				
White	(Comparison)	(Comparison)	(Comparison)	(Comparison)
Black	0.863*** (0.011)	0.781*** (0.015)	1.062*** (0.011)	0.953* (0.018)
Hispanic	0.845*** (0.014)	0.848*** (0.020)	0.914*** (0.013)	0.794*** (0.021)
Other	0.905*** (0.023)	1.000 (0.033)	0.602*** (0.014)	0.617*** (0.025)
Missing	0.479*** (0.017)	0.554*** (0.026)	0.288*** (0.010)	0.220*** (0.017)
Obligor County				
Other Large	(Comparison)	(Comparison)	(Comparison)	(Comparison)
Milwaukee	1.034** (0.013)	0.402*** (0.009)	0.280*** (0.004)	0.034*** (0.002)
Medium	0.968* (0.014)	1.004 (0.020)	1.075*** (0.013)	1.078*** (0.021)
Small	1.024 (0.015)	1.110*** (0.021)	1.105*** (0.013)	1.596*** (0.029)
Obligor Income (Previous Year)	0.981*** 0.000	0.973*** (0.001)	0.980*** 0.000	0.979*** (0.001)
Number of Cases (1 vs. 2 or More)	0.852*** (0.009)	0.892*** (0.014)	0.746*** (0.007)	0.756*** (0.012)
Obligor Age	1.004*** (0.001)	0.995*** (0.001)	0.989*** (0.001)	0.982*** (0.001)
Proportion of Four Quarters Employed Prior to Enforcement Action				
0	(Comparison)	(Comparison)	(Comparison)	(Comparison)
25%	1.072*** (0.020)	1.025 (0.027)	1.424*** (0.022)	1.564*** (0.041)
50%	1.350*** (0.025)	1.254*** (0.035)	1.711*** (0.027)	1.853*** (0.051)
75%	1.492*** (0.030)	1.361*** (0.042)	1.854*** (0.032)	2.146*** (0.062)
100%	0.788*** (0.018)	0.686*** (0.026)	0.895*** (0.017)	1.105** (0.038)
N	46,8802	46,8802	46,8802	46,8802

Note: ***p < 0.001, **p < 0.01, *p < 0.05. Standard errors in parentheses.

Actions, Child Support, and Employment (Quantitative + Qualitative)

Observed Associations Between License Suspension and Civil Contempt Related Actions and Measures of Child Support and Employment (Quantitative)

Though we are not able to conduct casual analysis, to address our third research question, we examine associations between receipt of our enforcement actions of interest and child support, employment, and earnings measures two-years following the first enforcement action during each period (Table 5). We found no statistically significant associations between any of the enforcement actions—threat or actual action—and compliance, nor with percentage of arrears growth. We found that receiving a notice of intent to certify, regardless of whether the license was ultimately suspended, was negatively associated with employment and earnings. This association holds for both obligors who go on to have their license suspended and those who do not. License suspension itself was not statistically significantly associated with employment and earnings measures.

Table 5: Enforcement Action Associations with CS and Employment Outcomes

Lien Docket Sample	Compliance in Second Year	Percentage of Arrears Growth in Months 13–24 Following First Enforcement Warning Letter	Employment in Quarters 5–8 Following Enforcement Warning Letter	Earnings in Quarters 5–8 Following Enforcement Warning Letter (in Thousands)
Intent to Certify				
Received Notice of Intent to Certify	-0.031 (0.049)	0.008 (0.043)	-0.773*** (0.015)	-6.178*** (0.225)
License Suspended	-0.003 (0.072)	0.06 (0.064)	0.035 (0.022)	-0.037 (0.325)
Hearing of Contempt				
Hearing for Contempt was Held	0.004 (0.040)	0.045 (0.035)	-0.666*** (0.012)	-5.837*** (0.179)
Finding of Contempt	-0.083 (0.066)	-0.048 (0.057)	-0.005 (0.020)	-1.234*** (0.297)
Covariates				
Obligor Race (Compared to White)				
Black	-0.178*** (0.039)	0.013 (0.036)	-0.166*** (0.012)	-4.159*** (0.179)
Hispanic	-0.181*** (0.049)	0.044 (0.045)	-0.174*** (0.015)	-2.302*** (0.223)
Other	-0.06 (0.075)	-0.09 (0.068)	-0.363*** (0.023)	-2.094*** (0.338)
NCP Age	0.015*** (0.002)	0 (0.002)	-0.007*** (0.001)	0.101*** (0.009)

Lien Docket Sample	Compliance in Second Year	Percentage of Arrears Growth in Months 13–24 Following First Enforcement Warning Letter	Employment in Quarters 5–8 Following Enforcement Warning Letter	Earnings in Quarters 5–8 Following Enforcement Warning Letter (in Thousands)
Obligor County (Compared to Other Large Counties)				
Milwaukee	-0.073 (0.039)	-0.05 (0.035)	0.118*** (0.012)	0.356* (0.175)
Medium	-0.013 (0.044)	0.037 (0.040)	0 (0.013)	-0.887*** (0.200)
Small	-0.036 (0.046)	-0.025 (0.042)	-0.049*** (0.014)	-2.485*** (0.208)
Number of Cases (1 vs. to 2 or more)	0.087* (0.037)	-0.031 (0.032)	-0.035** (0.011)	2.015*** (0.165)
Prior Arrears	0.001 (0.001)	0.001 (0.001)	-0.002*** (0.000)	-0.045*** (0.004)
Proportion of Four Quarters Employed Prior to Enforcement Action (Compared to No Employment)				
25%	0.002 (0.049)	-0.058 (0.043)	1.547*** (0.015)	7.520*** (0.220)
50%	0.126* (0.050)	-0.106* (0.044)	1.701*** (0.015)	7.426*** (0.226)
75%	0.145** (0.051)	-0.169*** (0.046)	2.083*** (0.016)	9.357*** (0.232)
100%	0.229*** (0.043)	-0.176*** (0.040)	2.896*** (0.013)	14.879*** (0.197)
Prior Earnings	-0.001* (0.001)	0.001 (0.000)	0.008*** (0.000)	0.345*** (0.002)
Prior Compliance	0.052*** (0.010)	-0.001 (0.007)	-0.007** (0.003)	-0.169*** (0.038)
Separate Regression				
Received Notice of Intent, but No License Suspension	0.014 (0.039)	0.049 (0.034)	-0.631*** (0.012)	-5.401*** (0.177)
Hearing for Contempt Held, but No Finding of Contempt	-0.054 (0.051)	-0.004 (0.045)	-0.777*** (0.016)	-6.295*** (0.236)

Note: Regressions include only Periods 1 and 2, since full follow-up information is only available for those times. ***p < 0.001, **p < 0.01, *p < 0.05. Standard errors in parentheses.

A contempt hearing, regardless of whether there was ultimately a finding of contempt, was negatively associated with earnings and employment. A finding of contempt was negatively associated with earnings but had no statistically significant association with employment.

Agency Perceptions of License Suspension Action Efficacy (Qualitative)

Our qualitative component addresses our fifth and final research question—how staff perceive the efficacy of license suspension actions—and provides context for these mixed and

often negative quantitative findings. In counties that suspended licenses, interview participants described license suspension as a circumstantially effective tool; a tool that works for some obligors in some situations, but not others. Having license suspension as an option, and having multiple warnings in place about the potential for license suspension prior to actual suspension, helped motivate payments and communication with some obligors. A caseworker explained:

I think that for some of them it is and some of them it isn't. I don't think it can be blanketed across to all child support cases. Because for some all it takes us the threat. And for others, part of me thinks they don't think that we're going to do it. Or they're just not staying in contact and so we don't have the right... it is something that can't be a blanket decision because everyone is going to view it different. And I also think that, county to county, the population is different on whether or not it's going to be a valuable tool. I feel like we in [County] have a population of people that a good number of them already don't have their licenses and other ones just don't care if they have it. But the ones that do care and do have it and, you know, want to keep it, it works with them, they'll reach out to us. So even for that percentage of people, however much that percentage is, it's a useful tool.

However, staff noted that for some obligors the threat or imposition of a license suspension will not be effective and, for others, a warning or sanction might temporarily yield a payment but not sustained and regular compliance. They emphasized that case circumstances affected what tools were likely to be most effective in a given situation. For example, several staff described income-withholding orders as their most effective tools when obligors work for an employer, and vehicle liens and passport holds as tools that could not be routinely leveraged but effective in situations when obligors possess those resources and use of the tool impedes an obligor's plans. Broadly, staff emphasized the value of tools that provide the opportunity to communicate with obligors: proactive outreach, warning letters about the potential for license suspension and, from the perspective of some interview participants, contempt hearings. Described a director:

You know, honestly, it takes a while to kind of break down this barrier. But if they are willing, and I think caseworkers are really good at this, if they're willing to work with us—it just seems like the worst part is when you have no contact.

They won't call you back. They won't work with you. It's like, 'Let us know what you're doing on your end, and then we can help you on our end.' You know, if it's, 'I had surgery.' Well, instead of just not paying for two months, tell us that. Give us something from a doctor's office. Then we know. We know we're not going to go after you because you haven't made a payment in 60 days. We know because you don't have an ability to do that. You know? You get incarcerated, well, let us know. I think our biggest success is that. If they're willing to work with their worker and keep their worker informed, we are willing to work with them as much as we can also. You know, sometimes we can't help it. You know, sometimes we have to move forward or, you know, whatever, but I think communication and being transparent is the biggest thing.

Interview participants noted that license suspension actions are most likely to be effective under three conditions: (1) when the obligor has a license that is important to the obligor; (2) when the obligor already has the ability to pay, and/or when outreach efforts result in mitigation of barriers getting in the way of making payments, and (3) when the agency is successful in drawing the obligor's attention to the potential for license suspension, which may not happen if an obligor will not open letters or answer calls from the agency. They also highlighted the usefulness of license suspension as a tool for situations when it is not possible to attach an income withholding order to a case, such as for self-employed obligors. Described a caseworker:

With those gig jobs, we don't have the opportunity to withhold. We don't have an employer, you know. So really, that's about all we have, is to say, 'If you are not going to comply, you might not be able to legally drive.' And that is enough to get them to say, 'Well, I'm coming in. How much is it, and where can I come and pay it? What are my other options?'

Interview participants described that license actions are unlikely to be effective when these conditions are not met; in other words, when obligors do not have a license or do not value keeping one, do not receive or open warning letters, or when obligors lack the ability to pay—particularly when obligors face substantial barriers to compliance. Interview participants also observed that license suspension actions can be less effective when other jurisdictions have

imposed a suspension; when the agency itself has done so in the past, without success; or when obligors are simultaneously contending with more serious legal issues. Explained a director:

In some cases I think, you know, they're just ignoring us anyway, or maybe they don't care whether their license is suspended, or maybe there's a lot of other issues going on and driver's license is the least of their worries. You know, then it probably doesn't matter. But I think in those probably relatively few cases where it might get their attention or it might cause them to, make a payment or whatever, then it's effective. So it's a fairly limited tool, but I think in some cases it is effective.

Most directors and staff emphasized the importance of imposing actual driver's license suspensions with caution due to the potential for negative consequences. Interview participants highlighted several ways in which suspending licenses—and driver's licenses in particular—can be counterproductive in some cases. These included:

Barriers to Employment and Exacerbating Other Challenges. Interview participants in counties of all sizes raised concerns about the potential for driver's license suspension to create transportation barriers but were particularly urgent from the perspective of those in rural areas. Described a caseworker:

We want them to be able to get to and from work, to have more resource and opportunities to obtain work. So, you know, being, especially in [County], it's pretty rural. So, I think a lot of people have to drive in order to get to some kind of employment... I, I really don't [think it is an effective tool]. Only because I think that especially in this state, this country, our infrastructure is based on cars. That's how we get around. And that's how people need to find employment. So, I think taking that away really does limit that person's potential to find that employment and be successful for themselves, so they can take care of their kid.

Interview also participants described that for obligors facing substantial life challenges—such as housing instability, returning from incarceration, or substance use or mental health issues—suspending a driver's license can act as one additional barrier to an obligor achieving stability and obtaining employment.

Barriers to Navigating Everyday Life and Spending Time with Children. Interview participants noted that transportation barriers can make it difficult for obligors to engage with their children, as well as to participating in necessary activities of everyday life. They described that visiting the doctor, going to school, accessing services, and even activities such as grocery shopping are often impeded by lack of a license. Described a caseworker:

I mean, if somebody doesn't have a driver's license, I mean, how do you get to the grocery store? How do you take your kids to school? How do you get to work? I just had a gentleman not that long ago that I spoke with. He used to be a terrible payer and got back on track. But while he wasn't paying, you know, his license was suspended... his wife has to take him to all his doctor's appointments because we have his license suspended.

Entanglements with the Legal System. Interview participants also described license suspensions potentially leading to obligor interactions with the justice system. As interview participants described, suspension of a license does not necessarily stop an individual from driving, particularly if they depend on a driver's license to get to work. Rather, they will stop driving *legally*, which can lead to arrest, fines, or fees if detected. A caseworker explained how their views of license suspension had evolved after observing these challenges play out for an obligor on their caseload:

My thought process with license suspension has flipped a little bit. I think more about when I am going to certify somebody for license suspension, how difficult it's going to be for them to get their license back. And the obstacles that not having a license is going to cause them. You know, if they're driving without a license, every time you get pulled over and get a ticket, it's \$200... And then, you have to pay a fee to get your license back. So, you know, so I'm more thoughtful when it comes to that, because I'd never actually witnessed what it took for someone to get their license back and how much it cost them.

Fueling Negative Perceptions of the Child Support Agency. Interview participants described that obligors sometimes hold negative perceptions of the agency, due to experiencing punitive tools that feel harsh or unfair in previous interactions with the program. Several staff

members noted that license suspension—particularly for obligors having trouble meeting their obligations—has the potential to exacerbate these perceptions. As a caseworker described:

[A negative consequence] would be people calling us, upset that their driver's license are being potentially suspended because they're not complying with their order. And then making comments that, 'Well, I can't go to work if I don't have my driver's license, and then I can't pay my order.'... I think people would be looking at us as being more harmful than beneficial to them. Because, again, yes, we have to enforce court orders. But we also are trying to provide services to participants to be able to have them meet their obligations.

Potential Conflict with the Custodial Parent. Several interview participants noted that obligors whose licenses are suspended sometimes perceive that the custodial parent on their case is responsible for, or caused, the imposition of the suspension. From the perspective of these staff, for this reason, license suspension has the potential to introduce or exacerbate conflict between obligors and custodial parents. As a caseworker described:

Kind of like the potential of that participant getting upset with our agency. And then possibly getting upset with the other participant because we're, you know, we're trying to collect the payments for that other participant. So, it could cause or pose some threat to the other parties. I think that might be a negative effect from [license suspension].

DISCUSSION

Summary

This report examined how and when license suspension and civil contempt processes are currently used as child support enforcement tools in Wisconsin, with a goal of providing evidence to inform policies and practices. Our mixed-methods analyses provide insights into the patterns of use of these enforcement tools as well as motivations underlying use. Consistent with prior research, we found that Wisconsin obligors experience contempt-related enforcement actions more frequently than license suspension-related actions (Meyer et al., 2020), and that threats of sanctions (i.e., contempt hearings and letters of intent to certify) occur more frequently

than imposition of sanctions (i.e., contempt findings and suspension of licenses) (Cook, 2015; Meyer et al., 2020). These quantitative data patterns also align with our study's qualitative components. We learned in interviews that staff generally take a range of other actions that may resolve nonpayment issues, at least temporarily, before warnings and sanctions occur. We also learned that counties sometimes find license suspension to be not possible or appropriate while contempt remains a viable enforcement option. These findings from interviews mirror our quantitative findings in underscoring the use of the threat of an action compared to the actual action itself.

We also identified statistically significant changes in frequency of use of these tools pre- and post-issuance of the OCSS Final Rule. We found that while receiving a general enforcement letter was fairly common for Wisconsin obligors—with about half of obligors receiving one in our periods of analysis: 2015–2016, 2018–2019, and 2020–2021—license suspension and contempt actions occurred far less frequently, in raw numbers, across time periods. However, the proportion of obligors on the lien docket who go on to have an additional license suspension has increased in recent years. Perhaps not surprisingly given the Final Rule and subsequent Wisconsin guidance related to steps agencies must take prior to pursuing contempt, we found that contempt hearings and findings decreased across these time periods. Across the same time periods, we found that license suspension actions remained less common than contempt actions, though use of these actions increased slightly over time.

Our analysis also suggests differences in use of license suspension and contempt by county and obligor characteristics. Notably, the patterns of obligor characteristics differed between license suspension and civil contempt actions as well as between obligors who received the threat of an enforcement action and the action itself. Smaller counties were associated with

higher likelihoods of use of all tools compared to large counties. Obligor with low incomes also experienced enforcement actions at higher rates than obligors with higher incomes.

Regarding relationships between the use of these tools and employment, earnings, and child support measures, we generally found no associations with child support measures (i.e., compliance and arrears growth) and negative associations or no associations for earnings and employment. It is noteworthy, and a departure from previous research (Meyer et al., 2020), that for both intent to certify letters and license sanctions, we did not observe any positive association—on average, across all cases—between use of these tools and any measures of compliance; we note the use of different samples and analytic methods.

Findings also indicate that obligors who receive the threat of a license suspension tend to have lower likelihoods of employment and lower levels of earnings than other obligors on the lien docket. Notably, receipt of a license suspension is not associated with employment or earnings, positively or negatively. It is possible that—given qualitative interview findings that license actions occur rarely and generally when other options have been exhausted—obligors who are able or willing to pay address payment issues before it becomes necessary to send a notice of intent to certify or impose a suspension, whereas obligors who simply cannot pay (or unwilling and outside of the reach of income withholding) are more likely to proceed further through the license suspension sequence. These findings align with findings from our study’s qualitative component, in which we learned that many directors and staff feel that license suspension actions should be pursued with caution to avoid creating impediments to work, paying child support, and parenting.

Regarding contempt actions and measures of child support, employment, and earnings, we find no association between contempt actions and child support measures. Like Meyer and

colleagues (2020), we find negative associations between contempt hearings and measures of employment, and earnings. Unlike Meyer et al. (2020), we find no association between contempt findings and employment and a negative association between a contempt findings and earnings.

Finally, our study's findings align with previous research with Wisconsin counties that has identified a shift towards agency engagement with obligors to encourage compliance rather than reliance on traditional enforcement tools alone (Vogel, 2021; Vogel & Hossain, 2023). Qualitative interviews with staff highlight the value of outreach and communication in practice; they described a growing emphasis on using strategies that can open doors to communication, and as observed in prior Wisconsin studies, many interview participants characterized these strategies as their most effective tool for obtaining payments. The low frequency of use of license suspension and contempt actions aligns with staff reports of engaging in alternate strategies prior to attempting these actions. Staff reports of the value of early intervention and outreach are perhaps particularly important given the generally negative or neutral associations between enactment of sanctions and outcomes child support agencies are engaged in efforts to try to improve. Importantly, however, this study's findings also point to the ongoing challenge of compelling obligors to receive and listen to agency outreach attempts.

Limitations

Our study leverages several unique strengths, including the high-quality information available to researchers through the WADC, and a large sample inclusive of all child support obligors with open current support cases in Wisconsin during the study's period of analysis. Additionally, our mixed-method design allows for a comprehensive exploration by drawing on—and triangulating—multiple data sources; indeed, findings from both the qualitative and quantitative data were largely congruent, lending credibility to our findings.

However, this study also has several important limitations. For the quantitative component, while multivariate models account for some factors that may affect associations between enforcement tools and measures of child support, employment, and earnings, these models do not identify causal relationships. Cases that experience license and contempt-related actions are likely to differ from cases that do not in ways that we are not able to measure. Additionally, and importantly, our findings cannot distinguish between types of licenses. Therefore, our measures of prevalence pertain to suspension of *any* license, even though, as we learned in our study's qualitative component, prevalence of use of a specific license type may differ from these overall patterns. Similarly, our current analysis cannot distinguish whether associations between license suspension and child support, earnings, and employment measures may differ for different types of license suspension. In our study's next phase, we will disaggregate driver's license suspension actions from other types of license suspension to explore these relationships further. Finally, regarding our study's qualitative component, though we strategically sampled counties to reflect variation in county experiences, we spoke to leaders and staff in six of Wisconsin's 72 counties, and their perspectives and views do not represent the experiences, circumstances, and perspectives of leaders and staff from all agencies in Wisconsin. Additionally, future qualitative analyses on this topic could be enriched through the inclusion of child support obligor perspectives, whose experiences with child support enforcement would likely provide unique insights not necessarily captured in the current study.

Implications for Policy, Practice, and Research

Findings from this study suggest several potential considerations for child support policy and practice as well as related future research. First, given findings about the importance and potential value of proactive outreach and engagement when obligors fall behind—as well as

findings suggesting opening communication pathways is a work in progress—state and county child support agencies could explore and potentially invest in updated outreach and engagement mechanisms for connecting with obligors. These strategies could include mobile apps, expanded capabilities for web-based tools, creating accessible informational videos on platforms such as YouTube, and new ways to connect with obligors through community-based channels. Tailoring communication strategies to obligor preferences and needs has the potential to both increase efficiency and reach a broader array of obligors. Enacting targeted outreach strategies early may help avert substantial arrears accrual for obligors and disruptions to payments for custodial parents. Future initiatives to develop and implement early intervention models, and testing the effectiveness of such initiatives, could help assess the promise of such upstream approaches. Additionally, in interviews, staff emphasized the value of warning letters and other communications—sent by agency staff after the initial state-generated enforcement letter—for resolving compliance issues on some cases well before an intent to certify letter is sent or a certification occurs. Future research could examine quantitatively the extent to which these intermediate actions lead to resolution—prior to initiation of the later-stage actions examined in this report—and under what conditions they may succeed or fail.

Notably, staff emphasized that strategies focused on initiating communication are important not only for compliance, but also for building trust, which can help staff identify barriers related to ability to pay. Barrier identification, however, is only one step—albeit an important one—in helping obligors move from being unable to pay to being able to meet their obligations in full and regularly in order to avoid future enforcements and ensure children receive needed support. Findings from this study underscore the potential value of continuing to explore and evaluate strategies for helping obligors connect to supports and resources that can

potentially help address barriers and position obligors to make payments. Findings also highlight the importance of ensuring, through policies and practice, that child support order amounts are right-sized to an obligor's financial capacity, enforcement mechanisms take into account ability to pay, and options for obtaining order reviews in response to changing economic circumstances are transparent and accessible to obligors.

Next, though our study's findings generally did not find positive associations between license suspension and contempt-related actions and measures of child support, employment, and earnings, we note that this does not mean that these tools are never effective. To the contrary, in interviews, staff described specific circumstances in which license suspension actions can help motivate payments from obligors given certain conditions. Taken together, these findings suggest that it is worth re-examining, from a policy perspective, whether license suspension actions should be targeted at specific kinds of cases in which they are most likely to be effective; for example, as suggested by interview participants, situations in which obligors work outside of jobs that allow for automatic income withholding, or circumstances in which obligors are known to have adequate and reliable income but do not pay.

Our study's qualitative component suggests that many agency personnel are already thinking carefully about when and how license suspension actions might be most effective and appropriate, and that some agencies continue to use license suspension because current state guidance directs them to do so, though approaches across counties vary given local contexts and considerations. Additionally, findings indicate some that agency personnel find that having license suspension as an option can be helpful for opening a dialogue with participants or compelling payments—both of which may occur well before a letter of intent or suspension action takes place. Should future policy changes related to license suspension be pursued,

obtaining input from county personnel during the policy development process could help ensure that policy revisions account for differences in local needs and conditions. Notably, should a future policy change be pursued, resources and training for county staff on implementation into practice could help facilitate consistency in application across county, and obligor, contexts. Variation in approach may be appropriate in some regards—services may be more tailored to individual needs—but also means obligors may experience actions differently depending on where their child support case is located. We heard in interviews, and noted in our quantitative findings, significant variation in approach.

CONCLUSION

Taken together, the quantitative and qualitative portions of our study indicate that license suspensions and contempt actions are used relatively rarely, may be used differently across the state, and have limited evidence of compelling compliance across the full population of obligors on the lien docket. Our findings indicate that the threat of an action is used more frequently than the action itself, following reports from staff that this may be one way to open communication with obligors. Associations between obligor earnings, employment, and compliance and enforcement tools may thus reflect that those obligors for whom staff reach the point of the sanction itself are the most difficult to reach or have limited resources to make payments.

These findings, combined with previous work, may leave open questions for policymakers and child support staff. First, we find a decrease in the use of contempt actions over time, which follows Wisconsin and Final Rule guidance. This suggests that official guidance from the state is likely to be effective in steering practice towards the state's preferred policy, and possibly increasing consistency in use of tools. Next, given staff insights regarding the efficacy of addressing barriers to employment and earnings for obligors, to ultimately set up

an income withholding order—rather than use of enforcement tools—continuing to explore policies and programs aimed at improving ability to pay may be warranted. Additionally, testing the effectiveness of earlier tools or tools that may be perceived by obligors and staff as less punitive, including piloting new early intervention initiatives or outreach strategies, is also worth considering. Finally, because different approaches may work for different obligors, a multipronged approach—combining multiple options—may be needed. Future research could attend to specific populations of obligors that may benefit from different approaches.

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APPENDIX A. FINDINGS ON CASE AGENCY PRACTICE RELATED TO LIFT WISCONSIN

We asked interview participants in three counties in which Legal Interventions For Transforming (LIFT) Wisconsin was available to county residents about their awareness of the program and any experiences referring participants to or otherwise interacting with LIFT. In two of these counties, leaders and staff had heard of and/or engaged with LIFT to varying degrees. In the third, leaders and staff were not aware that LIFT was available to residents of their county.

In the two counties where LIFT staff were aware of LIFT operations, most staff reported learning about LIFT from information shared by email from the state, state-organized webinars, or messaging from the agency's leadership. Another learned about it through a county-wide coalition on justice-related issues. As a caseworker described:

Well, I was first made aware of it because I think we received an email or something along those lines, just saying, 'Hey this is a new program that's coming out. It's a new website that people have access to.' And then I went to a brief webinar or training a few months ago. Where they just kind of introduced what it was, how people can sign up.

In the counties we spoke with where staff were aware of LIFT Wisconsin and its services, staff typically described a general or limited understanding of what LIFT does, though those who had heard of LIFT typically held favorable perceptions of the program and its usefulness. One caseworker highlighted LIFT's ability to help parents with driver's license reinstatement and potential resultant benefits for employment, stating:

I think it's [an] amazing organization, and I'm sure that the things they are doing are helping many, many, many people. You know, if parties were—if it were easier for people to get their licenses back, if someone was helping them with those costs, I think that would definitely be beneficial... I'm not sure how they are funded or where that money comes from to do what they are doing, but I think it's a great service to a group of people that definitely need it.

Another caseworker noted that LIFT Wisconsin plays a helpful role in offering legal advice on topics that child support agency staff cannot. The caseworker explained:

Well, I don't have much experience with LIFT, to be honest. I know we, it's something we advertise to participants if they're looking to, like, if their driver's license was previously suspended, let's say because of, like, an OWI or something. that is a resource they can take advantage of to help maybe get their license back. Legal Tune Up can kind of, is more of a tune-up of, like, their criminal history, [and] it'll review their current order to see if, like, there is, like, a reason or change in circumstance to, for them to modify their order. So it's like giving, getting legal advice for them, but it's not our agency giving it to them, because we can't.

In the counties we spoke with where staff were aware of the program, engagement was generally limited to sharing information with parents about the program should parents wish to pursue it. Across both agencies, leaders described engaging in efforts to make staff and attorneys aware of the program and to provide them with resources that can be shared with parents and posting information about LIFT within the agency. Described a director:

We've just tried to make caseworkers aware that this tool is available, you know, send them the link as to how people can access that. We've had flyers that we've posted in our lobby, although we don't get a whole lot of lobby traffic anymore; it's way, way down. And then we sent those [flyers] to our child support hearings. So we've told the attorneys, 'Hey, if somebody at a hearing comes up with issues like that, you know, here's some flyers you can hand out.' To the extent they're doing that, I don't know, but, you know, hopefully they've done some of that.

Staff in both counties described that when parents discussed barriers related to LIFT's services during routine case management, they have started to share information with them about the program. A caseworker explained:

I have a participant right now who wants to work. He can't get a job, though, as soon as they do his background check. And so, I did give him the LIFT information. In fact, I've given it to two people. The other person was a driver's license issue. So I have referred them. Whether they've contacted them, I don't know.

Staff in one county noted that their agency has started to share information about clinics held by LIFT in their county, as well as how to access tools and services, in agency mailings.

Several interview participants noted that because they do not communicate directly with the program itself or receive information from the program, they are uncertain about the effectiveness of their recruitment efforts or specifics on program successes. Described a director:

LIFT seems like a really promising program. How many people are taking advantage of it, how many people are getting help by them, I don't know. I haven't heard any feedback from LIFT.

Similarly, a caseworker noted observing an increase in pro se motions within the county and wondered about a potential connection to LIFT's efforts:

I have been referring people to [LIFT] a lot. And I don't know the outcome because once it gets to that point, I think, you know, it's built for them to do it themselves. For them to be able to file or understand their case better. So, once we make that referral, I don't see a lot of the results. It could just be correlation or it could actually be an outcome, but I do see a lot more pro se filings in my cases lately.

In summary, leaders and staff who were aware of LIFT's operation in their counties generally reported feeling favorably about the program, though also generally had limited interaction with the program and limited information about specific service offerings or programmatic successes. Prior research has identified that ensuring child support staff understand the services available through programs, and how the program can help parents on their caseloads, can help build staff buy-in and facilitate referrals (Noyes et al., 2018; Vogel et al., 2021). If the state or the LIFT program aim to increase referrals from child support staff to LIFT, increasing communication back to agency staff about the program's activities, opportunities, and benefits for clients is worth consideration.