

INTERCEPTS FOR CHILD SUPPORT ARREARS

OBLIGORS EXPERIENCING INTERCEPTS OF THE FIRST ECONOMIC STIMULUS PAYMENT

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The COVID-19 global pandemic has had a profound effect on families in Maryland. The pandemic has not only jeopardized the health of residents of the state (Maryland Department of Health, 2021); it has also led to closures and restrictions of many businesses, schools, medical settings, and childcare providers (CBS Baltimore, 2021). Unlike the Great Recession, in which male-dominated industries were primarily impacted, the economic downturn resulting from the pandemic has disproportionately reduced women's employment and earnings (Gould & Kassa, 2020; Barroso & Kochhar, 2020). As nine in 10 custodians of children in Maryland are women (Demyan & Passarella, 2020), it is probable that many custodians struggled to make ends meet during the pandemic.

In times of economic stress for single-parent families, child support can be a valuable resource. In 2019, child support payments received through the public child support program raised roughly 700,000 people out of poverty (Fox, 2020); in Maryland, child support payments distributed to families reduced the rates of deep poverty and poverty by roughly half (Demyan & Passarella, 2019). Women, who may have been custodians, were not the only individuals to experience a high degree of employment and earnings losses, however. The pandemic has led to higher rates of unemployment and underemployment among other individuals who may have also been parents: young workers and workers of color, particularly Black and Asian American/ Pacific Islander men (Gould & Kassa, 2020; Kaverman, 2020).

In response to the economic downturn resulting from the pandemic, the federal government released Economic Impact Payments—that is, stimulus payments—to eligible individuals and families under the Coronavirus Aid, Relief, and Economic Security (CARES) Act. However, parents with child support debts (i.e., arrears) had their stimulus payments partially or fully intercepted by the child support program. Intercepts were then

Main Findings

Obligors with Intercepted Stimulus Payments (n=26,295)

- **Most stimulus payments** that were intercepted **went to families**. Over **\$23 million (73%)** of intercepted stimulus payments) went to custodial families for past-due child support.
- **Two in three (58%) obligors were employed** in the first three quarters of 2020.
- Only **15% of obligors** had **earnings above the low-income** threshold of 200% FPL.
- Obligors receiving **SNAP increased from 22% to 29%** between the first and third quarters of 2020.
- Obligors may have accrued child support **debt** due to an **inability to pay** their current support obligations. They were **ordered to pay two fifths (40%) of their income** in current support. They **paid one quarter (24%)** of their income in current support.

distributed to the custodial families or to the state in reimbursement for Temporary Assistance for Needy Families (TANF) expenditures on families (Tollestrup, 2020). As mentioned, obligors could have also experienced particularly heavy employment and earnings losses due to the pandemic, and stimulus payments might have relieved some of these parents' economic hardships. To add, intercepts that were distributed to the state did not directly assist any obligors or families.

The purpose of this study is to identify and describe parents who owed child support and had the full amount of their first stimulus payment intercepted. Throughout this brief, we use the term *obligor* to describe parents who owed child support. Specifically, we address the following research questions:

1. How much was collected and distributed to state-owed and custodian-owed arrears through COVID-19 stimulus intercepts?
2. What were the characteristics of obligors who had their COVID stimulus payments intercepted?
3. How compliant were these obligors to their current child support obligations?

In addition to these questions, this brief also explores racial and ethnic differences related to the distributions of the stimulus intercepts. The COVID-19 pandemic has exacerbated negative outcomes of racial and ethnic inequality in the U.S. (Millett et al., 2020; Baptiste et al., 2020), laying bare the extent of structural racism in the country. As part of a broadening racial consciousness throughout the U.S., recent

dialogue and research have revealed some causes and effects of inequality (Edwards et al., 2020; Roberts & Rizzo, 2020; Wrigley-Field, 2020). We are contributing to that ongoing discussion by providing actionable information for policymakers to consider when designing equitable income support programs for families.

METHODS

Sample

The sample for this report includes obligors whose first stimulus payment, as a part of the CARES Act, was intercepted between April and June of 2020 to pay for child support arrears. Given varying stimulus amounts by household size, we limited the sample to obligors with intercepts of \$1,200, the full stimulus amount for a single adult.

The original sample included 26,795 obligors, but those who had their stimulus payments refunded were excluded, as were those who became deceased between January and September of 2020. The final sample is 26,295 obligors. This represents 17% of all obligors with an active case between April and June of 2020 (n=153,181).

Data Sources

Findings are based on administrative data retrieved from the Child Support Enforcement System (CSES). CSES contains identifying information and demographic data on children, obligors, and custodians receiving services from the IV-D¹ agency as well as data on payments.

¹ The Child Support Enforcement program was established in 1975 under Title IV-D of the Social Security Act of 1935.

Information regarding benefit receipt from the Supplemental Nutrition Assistance Program (SNAP) was retrieved from the Client Automated Resources and Eligibility System (CARES). CARES is the statewide automated data system for safety net programs administered by the Maryland Department of Human Services.

Employment and earnings data were gathered from the Maryland Automated Benefits System (MABS). MABS includes data from all employers covered by the state's Unemployment Insurance (UI) law and the Unemployment Compensation for Federal Employees (UCFE) program. Together, these account for approximately 91% of all Maryland civilian employment. There are several limitations to MABS data, though. MABS does not contain data on self-employment, independent contractors, commission-only salespeople, some farm workers, members of the military, most employees of religious organizations, and informal employment. Earnings for these workers are therefore excluded. To add, the earnings figures reported may not equal total household income; we have no information on other household members' earnings or data about any other income (e.g., Supplemental Security Income) available to the family. Finally, MABS has no information on employment outside Maryland, and out-of-state employment is high in Maryland (17%) compared to the U.S. (4%; U.S. Census Bureau, 2021a).

Due to limitations of MABS data, we also estimated employment with CSES data. CSES contains information on how obligors made payments, including whether the

payment was made through income withholding. Before making a payment via income withholding, an obligor must have a job from which earnings deductions can be made. If an obligor appeared unemployed in MABS but a payment was made by income withholding during the same time period, that individual is counted as employed. About one fifth (22%) of the sample (n=5,704) was identified as employed through this method. However, earnings could not be identified for these individuals.

Data Analysis

Throughout this brief, we use univariate statistics to describe obligors' characteristics, their employment, and their child support case characteristics. Common statistics reported include the average and median. The average represents the number at which one would arrive if the total (e.g., all obligors' earnings) was divided by the number obligors included in the analysis. We also present the median because it is sometimes a better representation of the data. One can find the median by arranging all values from lowest to highest and selecting the midpoint value. Extreme values do not affect the median, which is why it is sometimes preferred over the average. When appropriate, we use ANOVA to compare averages between cohorts. We also utilize Pearson's chi square to compare characteristics.

Some analyses such as age, earnings, and SNAP receipt exclude obligors with missing information. Valid percentages are shown to account for any missing information.

FINDINGS

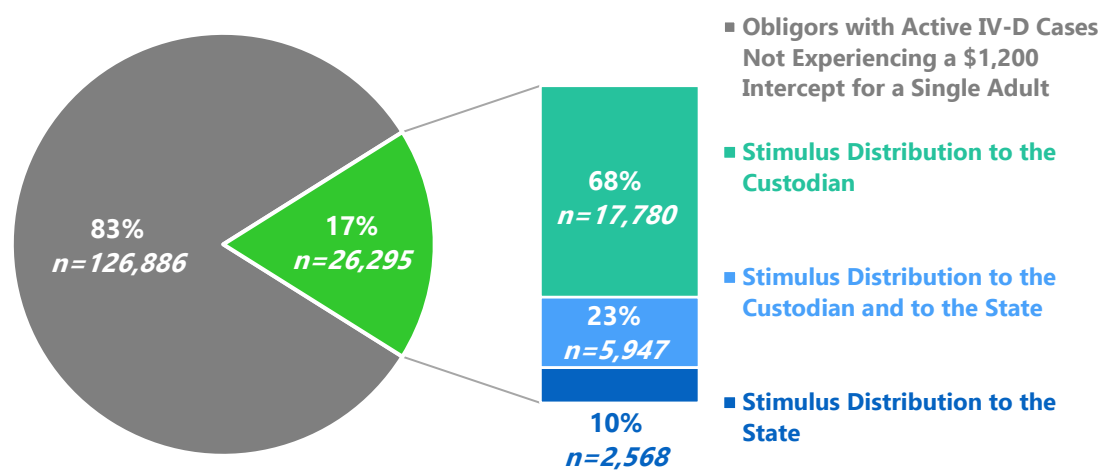
Intercepted Stimulus Payments of \$1,200

This report focuses on the 17% of obligors with active IV-D cases in Maryland whose first stimulus payments—as a part of the CARES Act—were intercepted between April and June of 2020. These parents had the full stimulus amount for a single adult (\$1,200) intercepted because they owed past-due support, or arrears. When parents owing current support do not pay their full obligations, the remaining balance goes into one or multiple arrears accounts, depending on whom is owed support. Arrears due to the custodian are owed to the family the obligor supports. Arrears due to the state reimburse the state and federal governments for TANF expenditures on the

custodial family, as child support due while the custodian receives TANF may be owed to the state.² Obligor who have accumulated arrears are subject to a number of enforcement actions, including the intercept of stimulus payments just as federal and state tax refunds are intercepted by child support agencies (Tollestrup, 2020).

Figure 1 shows that most stimulus intercepts went to custodial families, but they also went to the state or both the custodian and the state. Two thirds (68%) of stimulus intercepts were distributed solely to custodians who were owed arrears. Roughly one quarter (23%) of stimulus

Figure 1. Where Did the Intercepted Stimulus Go?



Note: A portion of one stimulus payment was distributed to another state; all other state distributions remained in Maryland. Percentages may not total 100% due to rounding.

² Prior to July 2019, all child support was due to the state and federal governments while custodial families received TANF. Beginning in July 2019, the first \$100

paid in child support for one child or \$200 for two or more children is passed through to families while they receive TANF (Md. Hum. Serv. Code § 5-310).

intercepts were distributed to both the custodian and the state, meaning almost all (90%) stimulus intercepts went at least partially to custodians. One in 10 obligors had their stimulus payments distributed solely to the state, so one third (33%) of stimulus intercepts went at least partially to the state. Given employment and earnings losses related to the COVID-19 pandemic (Congressional Research Service, 2021),

stimulus distributions to custodians likely benefitted these families. A previous study found that child support payments reduced the rates of deep poverty and poverty among custodians in Maryland by about half (Demyan & Passarella, 2019). Child support payments have also been proven to improve the economic conditions of families across the U.S (Fox, 2020).

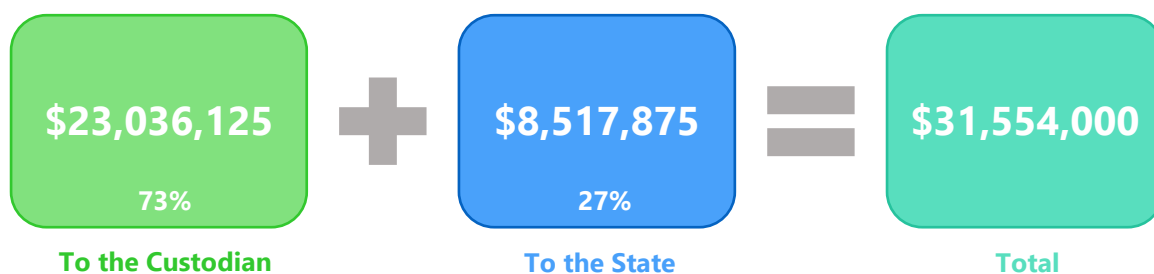
This brief uses quarterly data to conduct several analyses. Quarterly data allow us to examine outcomes just prior to COVID-19-related restrictions and in the first few months of the pandemic.

The **first quarter describes January to March of 2020**, the period in which the state of Maryland began reporting COVID-19 infections (Maryland Department of Health, 2021). The **second quarter refers to the April to June 2020 period**, during which time the first round of stimulus payments were disbursed. All obligors in this study experienced an intercept of the full stimulus amount for a single adult (\$1,200) during the second quarter. The **third quarter denotes July to September of 2020**, when pandemic-related precautions remained in effect and COVID-19 cases in the state were relatively low (Maryland Department of Health, 2021).

Coinciding with Figure 1, Figure 2 shows that most of the total stimulus intercept amount went to families. Three quarters (73%) of the total amount of stimulus distributions—over \$23 million—went to custodial families. The pandemic has negatively impacted mothers' employment and earnings in particular—for instance, single mothers of young children lost 16% of jobs held in February (Henderson, 2020).

Given that most custodians of children in Maryland's public child support program are mothers (Demyan & Passarella, 2020), these stimulus distributions likely supported custodial mothers facing economic hardship. On the other hand, over one quarter (27%) of the total amount of stimulus distributions went to the state as cost recovery of TANF expenditures, bypassing families.

Figure 2. Amount of Stimulus Intercepted and Distributed



As noted, not all custodians received intercepted stimulus payments. Custodians who were current or former TANF recipients when stimulus payments were distributed may have received a partial intercepted stimulus amount or no intercepted stimulus at all. In these cases, the intercepted payment was applied to the state-owed arrears balance before the custodian-owed

balance. Almost one in five (17%) obligors owing arrears to the custodian did not have any portion of their intercepted stimulus go to the custodian.³ Former TANF recipients in Maryland continue to have low earnings in the years after leaving the program (Hall & Passarella, 2020), so stimulus payments could have boosted the incomes of these custodians by a sizeable amount.

Nearly **one in five obligors** (17%) owing at least some arrears to custodians **did not have any stimulus intercept amount go to the custodians**, because the full intercept amount of \$1,200 went toward state-owed arrears.

Arrears among Parents with Intercepted Stimulus Payments

The reason obligors had their stimulus payments intercepted is that they owed arrears to the custodian, the state, or both. This section examines these obligors' arrears balances and how the stimulus intercepts reduced these balances. Just as the majority of stimulus payments went to custodians, Figure 3 shows roughly two in

three (63%) obligors experiencing an intercept owed arrears solely to the custodian. Since an additional 30% of obligors had arrears owed to both the custodian and the state, almost all (93%) owed some arrears to the custodial family. More than one in three (37%) obligors had arrears owed to Maryland or another state, but obligors with arrears owed solely to the state were rare (7%).

Figure 3. Arrears Type

Arrears Owed in the Month before the Stimulus Intercept



³ It should be noted that the inverse outcome occurred among 13% of obligors with some arrears owed to the state: stimulus intercepts were distributed solely to the custodian despite the obligor owing some arrears to

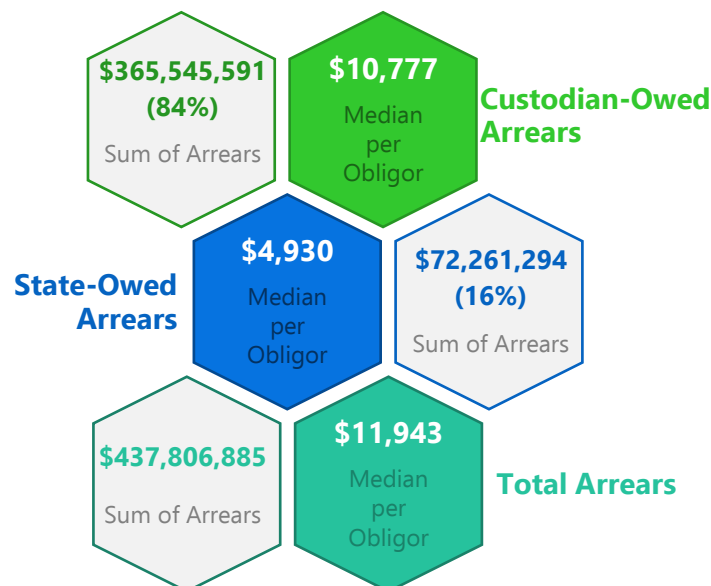
the state. This might have been because the obligor had more than one case and distribution rules vary based on whether cases have state-owed arrears.

Not only were arrears owed to the state rare among obligors with stimulus intercepts, but the total and median amounts of arrears owed to the state were also smaller than those owed to the custodian. This is consistent with past research showing state-owed arrears are both rarer and smaller than custodian-owed balances (Passarella, 2020). As shown in Figure 4, total arrears owed to the custodian consisted of over four fifths (84%) of all arrears owed among these obligors, and state-owed arrears were less than one fifth (16%) of total arrears.

Figure 4 also displays median arrears balances among obligors experiencing stimulus intercepts. Obligor with stimulus distributions to the custodian owed a median of nearly \$11,000 in arrears to the custodian. Those with stimulus distributions to the state owed less than half that amount,

at roughly \$5,000, in arrears to the state. As noted earlier, state-owed arrears accrue when custodians receive TANF because child support payments are used as cost recovery for TANF expenditures. Qualitative research shows that obligors paying support to custodians who are receiving TANF do not perceive cost recovery as fair and are disincentivized from paying support when it is owed to the state (Waller & Plotnick, 2001). However, Maryland recently implemented a child support pass-through policy that allows families to retain the first \$100 paid in current support for one child, or the first \$200 paid for two or more children, while they receive TANF (Md. Hum. Serv. Code § 5-310). This ensures families benefit from child support payments while they receive public assistance, and it could also prevent arrears by encouraging obligors' compliance with current support.

Figure 4. Total and Median Arrears Balance
Month before the Stimulus Intercept



Note: *Custodian-Owed Arrears* includes balances among obligors with a partially or fully intercepted stimulus distribution to the custodian, while *State-Owed Arrears* includes balances among obligors with a partially or fully intercepted stimulus distribution to the state. *Total Arrears* includes balances among all obligors with an intercept.

Obligors who experienced intercepts did not have access to stimulus payments that could have assisted them with meeting their own financial needs. However, stimulus intercepts reduced the amounts they owed in arrears. Intercepts distributed to custodians consisted of a median one tenth (11%) of the arrears obligors owed to custodians. Intercepts going to the state made up a median of one fifth (20%) of the arrears they owed to the state. Reducing arrears may prevent additional enforcement actions such as driver's and professional

license suspension or garnishment of up to 65% of obligors' disposable earnings (Maryland Child Support Administration, n.d.; U.S. Wage and Hour Division, 2020). It is important to note, however, that the twofold intent of any targeted government stimulus payment is to (1) provide individuals and families with financial relief and (2) encourage immediate spending (Tax Policy Center, 2020). Stimulus intercepts that were distributed to the state did not serve either purpose.

Stimulus payments among those with an intercept comprised **11%** of the typical obligor's **custodian-owed arrears**, and **20%** of the typical obligor's **state-owed arrears** in the month before the intercept.

Parents with Intercepted Stimulus Payments

This section examines obligors' employment and earnings as well as indicators of any financial need throughout the initial months of the COVID-19 pandemic. Losing access to stimulus could have exacerbated obligors' need for assistance programs such as the Supplemental Nutrition Assistance Program (SNAP), particularly if they were unemployed prior to or due to the pandemic. Indeed, public safety precautions intended to limit the spread of COVID-19 led to a peak national unemployment rate of 14.8% in April 2020, the highest level measured in the U.S. (Congressional Research Service, 2021).⁴ Women, young workers, and Black, Latinx, and Asian American/Pacific Islander

workers experienced the highest unemployment (Gould & Kassa, 2020; Henderson, 2020). A large percentage of obligors in this study are Black (63%) with a small percentage (3%) of Latinx individuals, and 8% of all obligors are between 20 and 29 years old. Obligors may have been at a higher risk of losing employment or experiencing reduced hours based on one or multiple characteristics.

Figure 5 shows employment among obligors experiencing stimulus intercepts did not substantially decrease from January to September of 2020. There was a four percentage point decline in employment from the first quarter (January to March) to the third quarter (July to September) of 2020 (52% to 48%), but the rate of

⁴ The unemployment rate in Maryland was highest in April (9%) and May (9%) of 2020 (Maryland Department of Labor, 2021).

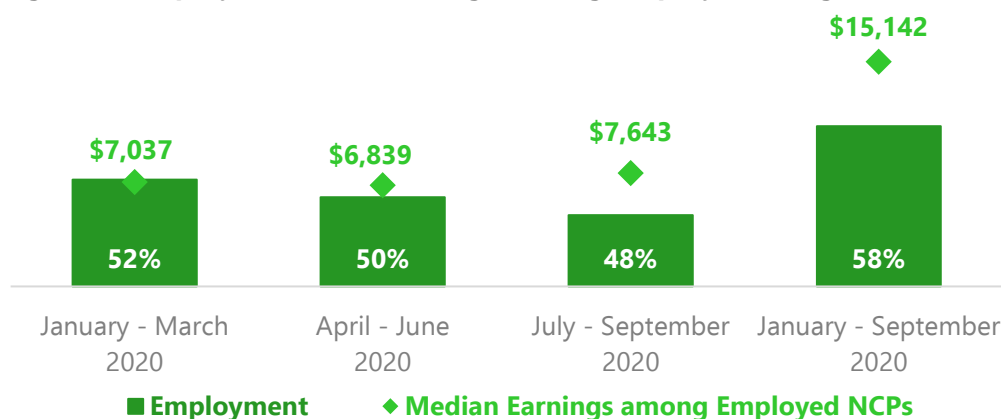
employed obligors remained close to half throughout each of these three quarters. In total, roughly three in five (58%) obligors were employed at any point in the first three quarters of 2020. While relatively steady, employment was low throughout the study period, especially considering that these parents owed child support arrears and may have also owed current support.⁵

Median earnings among obligors with intercepted stimulus payments who were employed at any point in the first three quarters of 2020 were just over \$15,000. There were some fluctuations over the three quarters, however. Median earnings dipped during the second quarter (April to June), from just over \$7,000 to \$6,800, but then rose above the pre-pandemic level in the third quarter (July to September) to \$7,600. Ultimately, median earnings increased by 9% from the first (January to March) to the third (July to September) quarter of 2020. While some obligors may have experienced an increase in their earnings, this rise in

quarterly earnings represents the employment stability of higher-wage earners. Those with higher earnings tended to be employed in each quarter while those with lower earnings were less likely to experience consistent employment.

In each of the first three quarters of 2020, median quarterly earnings were above the low-income threshold of 200% of the federal poverty level (FPL) for a single adult (\$6,380; Office of the Assistant Secretary for Planning and Evaluation, 2020). Research from the United Ways of Maryland (2020) found that even individuals with earnings above this threshold may still be unable to afford all basic costs. For example, the survival budget in Maryland for a single individual is \$8,409 per quarter, \$2,000 above the low-income threshold (United Ways of Maryland, 2020). Moreover, this budget does not account for child support payments, which could represent 20% or more of a parent's monthly income.

Figure 5. Employment and Earnings among Employed Obligor



Note: We do not have earnings information for all employed obligors; please refer to the Methods section for more information.

⁵ There are several limitations to employment data. Please refer to the Methods section for a comprehensive review of data limitations.

Stimulus distributions, had they not been intercepted in the second quarter, would have boosted the typical employed obligor's quarterly income by an average of one third (34%). This substantial percentage demonstrates the potential value of stimulus payments to these parents. More than that, it highlights the extent of low earnings

among obligors who had their payments intercepted. Although women were negatively impacted more severely by the pandemic than men (U.S. Bureau of Labor Statistics, 2021), it is clear that many of the obligors in this study also struggled to maintain a standard of living, as shown in Figure 5.

Stimulus distributions represented **one third (34%) of obligors' earnings from April to June of 2020, on average.**

To better understand the economic situations of obligors, Figure 6 contextualizes earnings from the first three quarters (January to September) of 2020 with FPL estimates.⁶ However, we are unable to determine the poverty status of a substantial portion of obligors who had their stimulus intercepted. More than one in five (22%) obligors were employed at some point from January to September of 2020 but had missing earnings information.⁷ Next, two in five (42%) obligors were unemployed and had no earnings over this period. There are limitations to the employment data,⁸ so it is possible that some obligors were employed and were not captured in these data. In fact, it is estimated that 28% of adults engage in informal employment in a given month, with people of color, those with low incomes, and those with lower educational attainment being likeliest to engage in it (Abraham & Houseman, 2019).

Figure 6 shows the poverty status of the one third of obligors who had recorded earnings. Just under one in 10 (8%) obligors had earnings in the first three quarters that were equivalent to 50% of FPL or less, or deep poverty. Individuals and families in deep poverty face many obstacles and barriers to self-sufficiency such as mental health issues, homelessness, a lack of education, and/or criminal justice involvement (Aron et al., 2013). Additionally, Black and Latinx individuals are overrepresented in the deep poverty group (Aron et al., 2013).

One in 20 (5%) obligors had incomes at or below 100% FPL but above deep poverty, and likely faced similar financial struggles to those experienced by individuals in deep poverty. An Office of Child Support Enforcement investigation of obligors owing more than \$150,000 in child support arrears found that three in five (60%) had no

⁶ Because this study examines earnings over the first three quarters of 2020, the 2020 FPL amount over three quarters (\$9,570; Office of the Assistant Secretary for Planning and Evaluation, 2020) was used, rather than that over four quarters.

⁷ These obligors were identified as employed because they made at least one child support payment through

wage withholding at some point in the first three quarters of 2020. However, UI wage data was unavailable for these obligors.

⁸ Please refer to the Methods section for a list of data limitations.

reported income, and at least three in four (76%) had reported incomes at or below 100% FPL for a single person (Arthur, 2018). These findings suggest that if not for stimulus intercepts, child support arrears among the obligors in this study would have likely been very difficult to collect given their limited resources.

Figure 6 also reveals that nearly one in 10 (8%) obligors had earnings that would be considered low-income, including those within 101% to 200% of FPL. Importantly, just three in 20 (15%) obligors in this study had earnings above 200% FPL, and likely had enough earnings to maintain basic necessities. Although having earnings above 200% of FPL signifies a level of economic stability, some of these obligors could have nonetheless struggled with some financial difficulties, especially in instances of unexpected expenses (United Ways of Maryland, 2020). Furthermore,

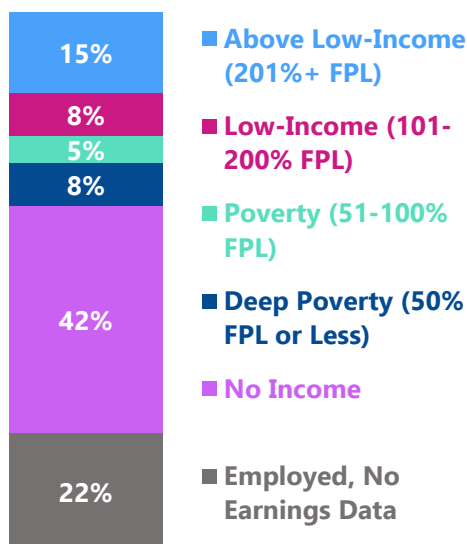
earnings information does not subtract or adjust for child support payments, and such obligations can comprise a sizeable amount (i.e., 20% or more) of an obligor's income (Demyan & Passarella, 2020). In fact, payment of child support caused 300,000 obligors to fall into poverty in 2019 (Fox, 2020). A lack of information about household sizes, however, means that Figure 6 could underestimate or overestimate poverty among obligors by excluding other household members and their earnings, if any.

Receipt of SNAP benefits is another indicator of need. Past research in Maryland found that one quarter of all obligors had recently received SNAP benefits, but nearly half of low-income obligors had received these benefits (Passarella, 2018). Figure 7 shows the percentage of obligors with an intercepted stimulus payment who received SNAP in each of the three quarters, and it shows that receipt increased as the pandemic progressed.

SNAP receipt among obligors increased by seven percentage points from just over one in five (22%) in the first quarter (January to March) of 2020 to roughly three in 10 (29%) in the third quarter (July to September). The largest increase, from 22% to 28%, occurred in the second quarter (April to June), coinciding with the initial months of the pandemic and the implementation of precautions that reduced employment. This finding affirms research noting an increase of households with Able-Bodied Adults without Dependents (ABAWDs) receiving SNAP in Maryland during the pandemic (Hall, 2021). Over the three quarters, 31% of obligors with a stimulus intercept received SNAP benefits for at least one month. This

Figure 6. Poverty Status among Obligor

Based on Total Earnings from January to September 2020



Note: This analysis excludes obligors with missing earnings data (n=11).

is slightly higher than the percentage of obligors with low-income and poverty wages (21%), but there was a substantial portion of obligors for whom poverty status could not be determined, and they may have also received SNAP benefits.

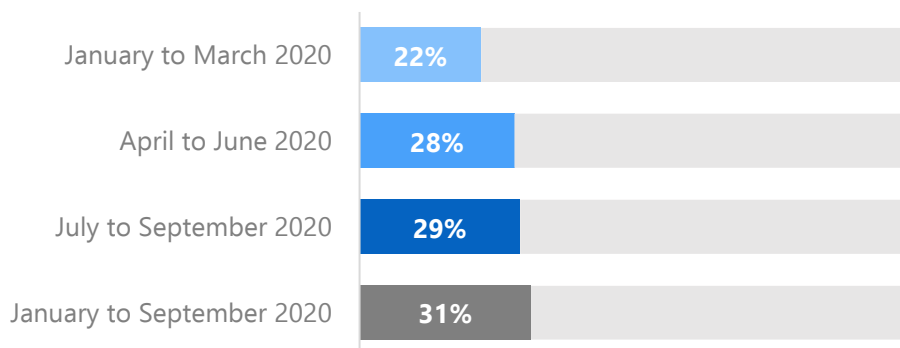
SNAP RECEIPT IN ALL THREE QUARTERS

One in five (**20%**) obligors with a stimulus intercept were SNAP recipients **in each of the first three quarters of 2020.**

One in five (20%) obligors received SNAP in each of the first three quarters of 2020. This shows that while broader economic trends can play a role in public assistance receipt, there will likely always be a portion of obligors who need additional support from programs such as SNAP.

To be sure, though, this increase in SNAP receipt is taking place during a period of unusually high economic hardship. There are additional indicators not included in this brief that can reveal the scope of financial insecurity before and during the pandemic. For example, a review of research on obligors with little resources found that between 52% and 72% of those surveyed experienced housing instability, but rental assistance is underused (Antelo et al., 2021). These findings were measured prior to the pandemic, so it is probable that housing insecurity has been even further exacerbated; actually, initial data suggest many Americans fell behind on housing costs due to COVID-19's economic impacts (Center on Budget and Policy Priorities, 2021). Taken together, these findings suggest that stimulus payments could have assisted these obligors facing economic insecurity. The additional support might have resulted in stable or even decreased receipt of SNAP in the first few months of the pandemic.

Figure 7. SNAP Receipt among Obligor
First Three Quarters of 2020



Why Parents Have Arrears *Unpaid Current Support Obligations*

The obligors in this study experienced stimulus intercepts because they owed child support arrears to the custodian, the state, or both. To accumulate arrears, obligors had to have missed current support payments. While the next set of analyses will not explore the missing payments that resulted in obligors' current arrears balances, it will explore their recent payment compliance with current support as well as their ability to pay their current

support obligations. Three in five (59%) obligors with intercepted stimulus payments owed current support in addition to arrears. The majority (85%) of these obligors owed current support to one custodial family but 15% owed current support to two or more custodial families.

Among *complex families* like these, a parent has children with more than one coparent. Obligor in complex families might find it difficult to maintain a standard of living if they have multiple support obligations in addition to the arrears they owe.

Three in five obligors with a stimulus intercept (59%) **owed current support** in addition to arrears. The majority (85%) of obligors owing current support **owed support to one family**.

We can better understand how arrears accumulate by examining how much of the current support obligation was paid. After all, without child support arrears, the obligors in this study would not have experienced stimulus intercepts. Figure 8 reveals a similar outcome to employment: current support payment compliance did not decline substantially as COVID-19 precautions were implemented during the second quarter (April to June) of 2020. Seven in 10 (69%) parents made at least one payment during the first quarter (January to March), falling slightly to two in three (65%) during the second quarter (April to June). After the implementation of precautions, nearly three in four (73%) parents made a current support payment in the third quarter (July to September). Taking all three quarters together, the majority (84%) of obligors made at least one payment between January and September of 2020. Still, there were some (16%)

obligors who did not make a single payment during this period, and while not shown, 69% of obligors missed at least one payment during this period, contributing to their arrears accumulation.

Among obligors with a payment, Figure 8 also provides the average percent that they paid of the total current support amount that was due. Unlike the percent with a payment, the average percent paid did not decrease in the second quarter; rather, the percent paid was virtually the same in the first and second quarters of 2020, at 70% and 71%, respectively. The average percent paid increased further, by seven percentage points, between the second and third quarters to nearly four fifths (78%). Although a payment may be made in one quarter, this does not necessarily mean that payments remain consistent across all quarters even though current support is still due in each of

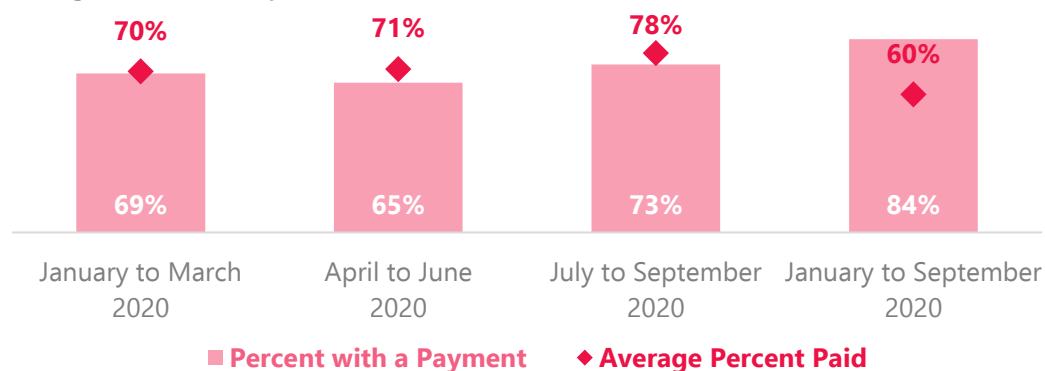
Payment compliance to current support obligations did not decline substantially as precautions related to the COVID-19 pandemic were implemented.

the quarters. Hence, obligors paid only 60% of the support due over the entire three quarters.

It is surprising to see payment compliance to current support increase during a pandemic that has required a lengthy halt in economic activities. One explanation for rising compliance could be the garnishment of Unemployment Insurance (UI) payments for child support. That is, if obligors lost employment due to the pandemic, UI garnishments would have maintained compliance with current support. As shown in the graphic following Figure 8, the number of obligors in this study with UI garnishments for child support increased by 748%, from 529 obligors in the first quarter (January to March) to 4,486 obligors in the

third quarter (July to September) of 2020. While this is a substantial increase in the number of obligors with a UI garnishment for child support, only one in five (19%) obligors with an intercepted stimulus had a UI garnishment over these three quarters. The median payment from UI garnishment also increased by 126% in that time frame from \$552 to \$1,482.⁹ It should be acknowledged that the increases in garnishments indicate increased utilization of UI, suggesting financial struggles for these obligors. On top of that, the figure likely underestimates the need for UI because of documented difficulties in attaining the benefit among workers who lost jobs during the pandemic (Desilver, 2020).

Figure 8. Percent with a Current Support Payment and Average Percent Paid among Obligor with a Payment



Note: Average current support collection rates among all obligors with current support obligations, including those making no payment, were 49% in the first quarter, 46% in the second quarter, and 57% in the third quarter of 2020. The average collection rate from January to September of 2020 was 51%.

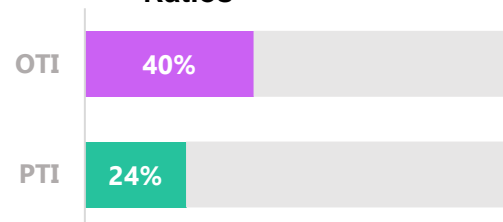
⁹ One reason for the increase in UI garnishment amounts over the first three quarters of 2020 is

supplemental UI payments during the beginning of the pandemic (Bureau of Economic Analysis, 2021).

One important factor in the likelihood of an obligor accumulating arrears is the portion of their income they are ordered to pay in child support. An obligor may be unable to pay support if it takes up a large portion of income. The unpaid support becomes arrears and eventually triggers enforcement actions like stimulus intercepts. Payment compliance is highest when the order-to-income (OTI) ratio—the *obligation* as a percentage of income—is no more than 19% (Eldred & Takayesu, 2011). Saunders et al. (2014) also illustrate that child support collection rates decline when an order consists of more than 30% of income. Figure 9 displays the OTI ratio for obligors with a stimulus intercept who had documented earnings and owed current support during the first three quarters of 2020. The average OTI ratio, at 40% of income, far exceeded what research recommends.

Since current support obligations exceeded a realistic percentage of income, obligors may not have been able to fully comply with their obligations. Given the lower average payment-to-income (PTI) ratio—the child support *payment* as a percentage of income—obligors were likely unable to pay such a large portion of their incomes in support. Consequently, obligors paid 24% of their incomes in support, which is within the recommended range.

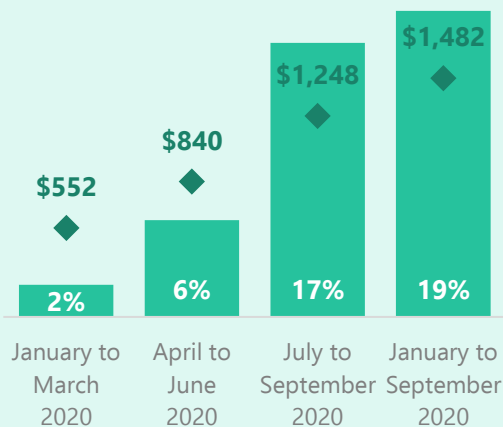
Figure 9. Average Order-to-Income (OTI) and Payment-to-Income (PTI) Ratios



Note: Figure 9 includes obligors with earnings and support due (n=7,456).

Unemployment Insurance (UI)

If parents who owe support receive **UI payments**, those payments may be **garnished to pay child support**.



■ Percent with a UI Garnishment

◆ Median UI Garnishment Amount

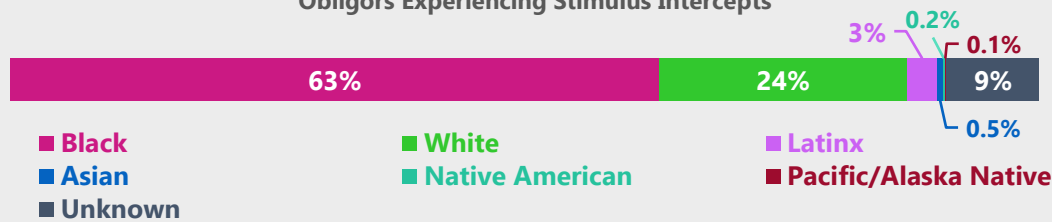
The number of obligors with a stimulus intercept experiencing a **garnishment of UI increased by 748%** from January to September of 2020.

Note: Median UI Garnishment Amount includes obligors who experienced garnishments in the first quarter (n=529), second quarter (n=1,466), third quarter (n=4,486), and from January to September of 2020 (n=4,899).

Income imputation, or assigning a potential income that over-estimates parent's actual earnings, often leads to orders that exceed the ability of obligors to pay (Sorensen & Oliver, 2002; Demyan & Passarella, 2018). To encourage more realistic obligations, recent legislation in Maryland seeks to reduce instances of income imputation and refine the estimation of income when imputing is appropriate (Md. 2020).

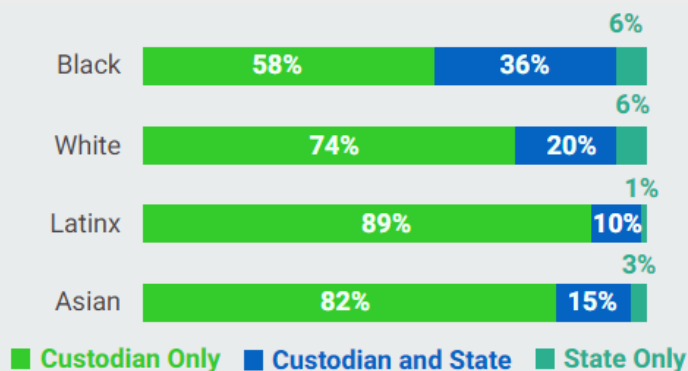
Racial and Ethnic Distribution

Obligors Experiencing Stimulus Intercepts



Initial evidence from the Administration for Children and Families suggests that **racial and ethnic differences in outcomes exist across human services programs** (McDaniel et al., 2017). Additionally, surveys show **Black** individuals and families have experienced **disproportionately negative economic impacts** from COVID-19 (U.S. Census Bureau, 2021b).

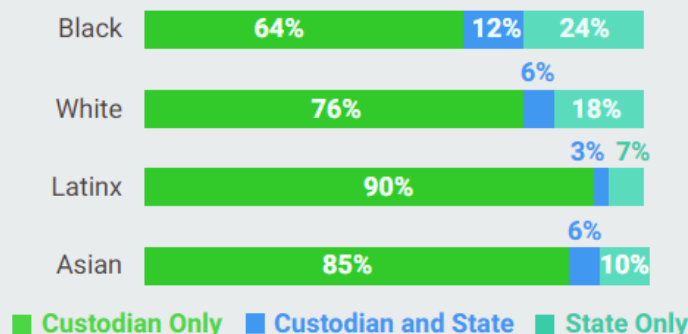
Arrears Type By Race and Ethnicity



As such, obligors of differing races and/or ethnicities may have different case characteristics and outcomes. Compared to all obligors with active IV-D cases (n=153,181), **obligors with \$1,200 stimulus intercepts were more often Black (63% vs. 60%) and less often Latinx (3% vs. 6%)**.

When examining arrears type, **Black obligors** with stimulus intercepts were the **most likely** to owe arrears to both the **custodian and the state** and the **least likely** to owe arrears to the **custodian only**.

Where did the Intercepted Stimulus Go? By Race and Ethnicity



Therefore, it is not surprising that **Black obligors** were also the **least likely** to have their stimulus distributed to the **custodian only**. They had the highest percentage of the stimulus distributed to the **state only**.

Note: We conducted post hoc testing to determine the statistical significance of arrears and stimulus outcomes by race and ethnicity, using a Bonferroni Correction to prevent type I error inflation. Not all race and ethnicity categories were included in arrears and stimulus analyses due to small counts. Analyses were statistically significant at the .001 level. Percentages may not total 100% due to rounding.

Conclusion

The COVID-19 pandemic has disrupted the lives and livelihoods of billions of individuals around the globe. Restrictions intended to slow the spread of the virus have resulted in the highest national unemployment rate recorded in history, at 14.8% (Congressional Research Service, 2021). The pandemic gravely impacted several low-paying industries like restaurants, retail, and the service industry, leading to greater earnings and employment losses among women and single mothers, along with young workers and workers of color (Gould & Kassa, 2020; Kaverman, 2020). Stimulus payments were authorized under the CARES Act for individuals and families with earnings below a certain level. These payments were intended to provide financial support during the pandemic, but not all eligible adults received their stimulus payments. In Maryland, over 26,000 obligors experienced intercepts of their first stimulus payments that were later distributed to custodial families or state and federal governments.

Parents had stimulus payments intercepted because they owed child support debts known as arrears. Unpaid current support becomes arrears, and the accumulation of arrears can lead to enforcement actions like stimulus intercepts, but also driver's and professional license suspension or garnishment of up to 65% of disposable earnings (Maryland Child Support Administration, n.d.). Almost all (93%) obligors in this study owed some arrears to the custodian and three quarters (73%) of all stimulus distributions went to families, totaling over \$23 million. As more than one in three (37%) obligors owed some arrears to the state, \$8.5 million went to the state,

benefitting neither the obligor nor the custodial family.

We examined data on obligors' employment and SNAP receipt to get a better sense of how parents were economically impacted by the pandemic. Although there was no precipitous drop in employment or earnings during the first full quarter in which COVID restrictions were in effect (April to June), a substantial portion of obligors—two in five (42%)—were unemployed from January to September of 2020, and the receipt of Unemployment Insurance (UI) benefits increased over this period. For one in five (21%) obligors, earnings were not high enough to exceed the low-income threshold of 200% FPL; only 15% of obligors had earnings that would likely be sufficient for a single adult. Furthermore, SNAP receipt increased by seven percentage points from the first quarter (22%) to the third quarter (29%) of 2020, demonstrating increased need for income support as the pandemic progressed.

The order-to-income (OTI) ratio, measuring the percent of income obligors were ordered to pay in current support, helps explain why these obligors might have accumulated child support debts. The average obligor was ordered to pay two fifths (40%) of their current income in support, which surpasses what research endorses (Eldred & Takayesu, 2011; Saunders et al., 2014). Obligor paid an average of 24% of their income in support, which is far less than the average OTI ratio but within the range suggested by researchers for optimal compliance. This large gap in what was expected to be paid and what obligors ultimately paid resulted in unpaid current support.

Looking at current support payments from January to September of 2020, obligors' compliance actually increased as the pandemic progressed. This may have been caused by a substantial increase in garnishments of obligors' UI benefits in the first three quarters of 2020. Taking another perspective, the rise in UI garnishments hints that obligors had increased need for assistance due to employment losses.

Last, we included information about some child support case characteristics by obligors' race and ethnicity, finding that Black obligors were the least likely to owe arrears solely to the custodian. They also had the highest percentage of their stimulus go to the state alone for cost recovery of TANF expenditures. Compared to the other groups, Black obligors' custodial families were less likely to benefit from the stimulus payments although they may have been in more need of this economic support.¹⁰ The U.S. Census Bureau's *Household Pulse Survey* has shown that over the course of the pandemic, Black and Latinx families reported greater employment losses along with food and housing insecurity (2021b). If Black custodial families did not receive intercepted support due to state-owed arrears, they would have faced a twofold disadvantage—one regarding pandemic-related outcomes and the other being a missed opportunity to receive past-due support that went to the state.

Stimulus intercepts that went directly to custodians assisted families whose finances may have been substantially affected by the pandemic. But do the benefits to custodial

families outweigh the need for relief among obligors during a pandemic? Regarding intercepts distributed to the state, would those funds have been put to better use if they were distributed to families or kept by obligors who did not owe custodians arrears?

In order for policymakers to address these questions, it is necessary to examine stimulus intercepts from the perspective of custodial families in greater detail. As it stands, obligors with intercepted stimulus payments did not experience considerable employment and earnings losses due to COVID-19, but many of them struggled to find employment before the pandemic and remained without earnings as 2020 wore on. The increases in SNAP and UI receipt indicate greater need for assistance among these parents, which might have been alleviated by stimulus payments. In light of the fact that the stimulus payments to Maryland obligors authorized by the American Rescue Plan Act are also subject to intercepts if those obligors owe arrears (Exec. Order No. 21-03-15-01, 2021),¹¹ this brief provides information on the conditions and current support outcomes of obligors who could experience another intercept. The findings here highlight the importance of balance in the child support program, between the needs of parents paying support and those of the families that benefit from it. This is especially true in times of crisis when both parents may struggle with financial instability.

¹⁰ Because 10% of U.S. couples are of differing races or ethnicities (Bialik, 2017), it is likely that the custodial families owed support by these obligors were also Black.


¹¹ The second round of stimulus payments—those authorized by the Coronavirus Response and Relief Supplemental Appropriations Act of 2021—was not subject to offsets for child support arrears (Maryland Department of Human Services, 2021).

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ACKNOWLEDGEMENTS

The authors would like to thank Mike Funk and Somlak Suvanasorn for their assistance in the collection and processing of data for this research brief as well as Lauren A. Hall for her assistance in editing this report. This brief was prepared by the Family Welfare Research Department at the University of Maryland School of Social work with support from its long-time research partner, the Maryland Department of Human Services.

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