

Department of Legislative Services  
Maryland General Assembly

**FISCAL NOTE**

House Bill 403 (Washington County Delegation)

Judiciary

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**Child Support Enforcement Demonstration Site - Conciliation Conferences**

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This bill authorizes a court to order parties in a child support action to appear and produce documents at a “conciliation conference” conducted by the child support enforcement demonstration site (Washington County Department of Social Services). It further authorizes the director of child support services for the demonstration site to apply to the court for a body attachment if a party fails to appear at the conciliation conference and authorizes the court to issue a body attachment.

The bill terminates on June 30, 1999.

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**Fiscal Summary**

**State Effect:** Potential indeterminate increased special fund revenues from child support collections. Potential for more efficient management of the Washington County court calendar.

**Local Effect:** Potential for more efficient management of the Washington County court calendar. Revenues would not be affected.

**Small Business Effect:** None.

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**Fiscal Analysis**

**Background:** The Washington County Department of Social Services has been conducting conciliation conferences since July 1997. In a conciliation conference, the child support agent meets with the parties in a delinquent child support case to try to reach a settlement before the court hearing. Conciliation conferences are held at the local department of social services and are scheduled in advance, as opposed to impromptu conciliation meetings held

outside the courtroom before a hearing.

There are advantages to parties settling at a conciliation conference. First, the court hearing is not only canceled, but canceled in sufficient time to schedule cases on a given day that actually require a court hearing. Second, the consensual agreements reached at conciliation conferences are more likely to result in steady support payments than a court-rendered decision.

Although the number of child support cases filed in Washington County has risen, conciliation conferences reaching settlement have reduced the number of cases that actually go to court by over 35% and have led to a reduction in the frequency with which child support cases are heard from four to three times a month, thereby allowing the court more time to hear other cases. When a court hearing is held, a judge, clerks of the court, deputies, and child support agents must attend. When a conciliation conference is held, however, the child support agent is the only governmental staff person who attends.

**State Revenues:** State special fund revenues could increase by an indeterminate amount to the extent that the conciliation conferences lead to increased child support collections. Temporary Cash Assistance (TCA) recipients must assign their support rights to the State and federal government as partial reimbursement for TCA payments made on behalf of the children of the obligor; as a result, TCA child support collections are distributed 50% to the State and 50% to the federal government. It is not possible to reliably estimate the amount of increased State collections, however, since that amount depends on the number of TCA child support cases.

**State Expenditures:** The State is responsible for funding the salaries of circuit court judges and clerks of the circuit court. The bill authorizes the department of social services to request a body attachment for the 20% of obligors who do not appear at the conciliation conference. By compelling obligors to appear for the conciliation conference under threat of a body attachment, more child support cases could be settled without going to court, thereby resulting in fewer child support court hearings. Court time could be spent on other types of cases and the judiciary could more efficiently schedule its court calendar.

**Local Expenditures:** Local governments are responsible for the expenses of operating the circuit courts and the sheriff offices and funding all positions in the circuit courts, except for judges and employees of the clerks of the courts, which are State funded. To the extent that more body attachments result in more conciliation conference settlements, additional child support cases could be settled without going to court, thereby resulting in fewer child support court hearings. Court time could be spent on other types of cases and the judiciary could more efficiently schedule its court calendar.

**Additional Comments:** The General Assembly established a State-run child support demonstration site (Washington County) in 1995 to compete with the privatized child support offices in Baltimore City and Queen Anne's County. Part of the evaluation of the success of privatization efforts will involve comparing outcomes in the privatized jurisdictions to results in Washington County. Before the competition, the child support docket in Washington County was about 60 cases a day. As a result of this competition, Washington County's child support docket has increased to 80-100 cases a day.

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**Information Source(s):** Department of Human Resources (Child Support Enforcement Administration), Washington County Department of Social Services, Circuit Court for Washington County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 17, 1998

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