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**Wisconsin Family Impact Seminars  
Briefing Report**

**Child Support:  
The Effect of the Current System on Families**



**University of Wisconsin-Extension  
Center for Excellence in Family Studies  
School of Human Ecology  
University of Wisconsin-Madison**

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# **Child Support: The Effects of the Current System on Families**

*First Edition*

**Wisconsin Family Impact Seminars  
Briefing Report**

*Edited by*

**Karen Bogenschneider**

Assistant Professor, Child & Family Studies, UW-Madison  
Family Policy Specialist, Cooperative Extension, UW-Extension

&

**Elizabeth Ragsdale**

QuatrePage

&

**Kirsten Linney**

Family Impact Seminar Project Assistant

*Design and layout by*  
Elizabeth Ragsdale

November 1995

**University of Wisconsin-Extension  
Center for Excellence in Family Studies  
School of Human Ecology  
University of Wisconsin-Madison**

We gratefully acknowledge the financial support of the  
Helen Bader Foundation, Inc. &  
The Lynde and Harry Bradley Foundation, Inc.

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## Purpose and Presenters

**F**amily Impact Seminars have been well received in Washington, D.C., by federal policymakers, and Wisconsin is one of the first states to sponsor the seminars for state policymakers. Family Impact Seminars provide state-of-the-art research on current family issues for state legislators and their aides, Governor's Office staff, state agency representatives, educators, and service providers. Based on a growing realization that one of the best ways to help individuals is by strengthening their families, Family Impact Seminars analyze the consequences an issue, policy, or program may have for families.

The seminars provide objective nonpartisan information on current issues and do not lobby for particular policies. Seminar participants discuss policy options and identify common ground where it exists.

"Child Support: The Effects of the Current System on Families" is the sixth seminar in a series designed to bring a family focus to policy-making. This seminar featured the following speakers:

**Marygold S. Melli**, Voss-Bascom Professor of Law Emerita  
Room 8103 Law School, UW-Madison  
Madison, WI 53706  
Telephone: (608) 262-1610; email: [msmelli@law.wisc.edu](mailto:msmelli@law.wisc.edu)

**Kevin Van Kampen**, Racine County Family Court Commissioner  
5th Floor, Racine County Courthouse  
730 Wisconsin Avenue, Racine, WI 53403  
Telephone: (414) 636-3181

**Daniel R. Meyer**, Assistant Professor of Social Work, UW-Madison, and  
Research Affiliate at the Institute for Research on Poverty  
3434 Social Science Building  
1180 Observatory Drive, Madison, WI 53706  
Telephone: (608) 262-5843; email: [meyer@ssc.wisc.edu](mailto:meyer@ssc.wisc.edu)

**Judith A. Seltzer**, Professor of Sociology, UW-Madison, and  
Research Affiliate at the Center for Demography and Ecology, and Research  
Affiliate at the Institute for Research on Poverty  
4448 Social Science Building  
1180 Observatory Drive, Madison, WI 53706  
Telephone: (608) 262-2182; email: [seltzer@ssc.wisc.edu](mailto:seltzer@ssc.wisc.edu)

For further information on the seminar series, contact coordinator, Karen Bogen-schneider, Assistant Professor, UW-Madison/Extension, or Project Assistant Kirsten Linney at 120 Family Resources, 1300 Linden Drive, Madison, WI 53706; telephone (608) 262-4070 or 262-8121; email [kpbogens@facstaff.wisc.edu](mailto:kpbogens@facstaff.wisc.edu) or [kkdraper@students.wisc.edu](mailto:kkdraper@students.wisc.edu).

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## Principles and Publications

**T**he seminars are based on a set of six guiding family principles developed by the national Consortium of Family Organizations.

These principles and an accompanying series of family impact questions can be used to assess the impact of policies and programs on family well-being.

- ~ **Family support and responsibilities**—Strengthen families’ abilities to manage and fulfill their own functions and provide substitute services only as a last resort.
- ~ **Family membership and stability**—Reinforce family, parental, and marital commitment and stability, especially when children are involved.
- ~ **Family involvement and interdependence**—Recognize the strength and persistence of family ties, and the wealth of resources that families can mobilize to help their members.
- ~ **Family partnership and empowerment**—Treat families as partners when providing services to each individual.
- ~ **Family diversity**—Recognize the diversity of family life and do not penalize families solely for reasons of cultural values, structure, roles, life stage, or geographic location.
- ~ **Targeting vulnerable families**—Give top priorities to families in greatest economic or social need, or those most vulnerable to breakdown.

For a free set of the complete Family Impact Analysis Checklist, write Family Impact Seminars, 120 Family Resources, 1300 Linden Drive, Madison, WI 53706, or call (608) 262-8121.

Each seminar is accompanied by an in-depth briefing report that summarizes the latest research on a topic and identifies policy options from across the political spectrum. Copies are available at Extension Publications. The costs are \$2.00 per report and a \$2.00 handling fee per order, plus postage. Postage is \$1.75 for 1 report, \$2.75 for 2 reports, \$3.00 for 3 or 4 reports, and \$10.50 for 50 reports. Please make check payable to UW Extension and mail order to Extension Publications, Room 245, 30 North Murray Street, Madison, WI 53715. Telephone: (608) 262-3346.

“Building Policies That Put Families First: A Wisconsin Perspective”	Mar. 1993
“Single Parenthood and Children’s Well-Being”	Oct. 1993
“Can Government Promote Competent Parenting?”	Jan. 1994
“Promising Approaches for Addressing Juvenile Crime”	May 1994
“Welfare Reform: Can Government Promote Parental Self-Sufficiency While Ensuring the Well-Being of Children?”	Jan. 1995

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## Executive Summary

**O**ver the past 30 years, the percentage of children who live in single-parent households has approximately tripled. These children split about evenly between those living in a single-parent household because of divorce and those born outside of marriage. This demographic change is important to policy-makers because today, unlike earlier this century, most children in single-parent households have another living parent who may be able to help pay for their expenses.

Children in single-mother families are five times more likely to be poor than children in two-parent families. In 1993, about 66% of children of never-married mothers lived below the poverty line, compared with 38% of children of divorced mothers. This has spurred interest in how much child support nonresident parents, usually fathers, can afford to pay. This report examines the origins of Wisconsin's child support system, how parents who live apart from their children divide child-rearing responsibilities, and the economic and noneconomic effects of these arrangements for children.

Child support is the amount a parent who does not live with a child should provide toward the child's support. It has proven extraordinarily difficult to determine standard amounts that fairly balance the conflicting objectives of providing well for children, minimizing public costs, and retaining incentives to pay by allowing the nonresident parent a decent standard of living. Traditionally, judges set child support amounts on a case-by-case basis. In an effort to increase the amount of awards and make the system more equitable, federal mandates in the 1980s required states to develop guidelines for courts to use. The percentage of income standard used in Wisconsin is quite simple. The child support obligation is equal to a percentage of the nonresident parent's income, which depends only upon the number of children owed support. The simplicity of this approach promotes public understanding and facilitates updating awards, a major source of inadequate child support.

When parents live apart, almost 9 of 10 children live with their mother; few live in both parents' households. Only about 11% of all resident mothers share joint legal custody with the father, although this is becoming more common in recent divorces. Fathers who have joint legal custody spend more time with their children and may pay more child support than when mothers have sole legal custody.

Paternity establishment assigns responsibility for children born out of wedlock. During the mid 1980s, less than one third of children born outside of marriage had paternity established for them. Two mechanisms for establishing paternity have proven reasonably successful—providing multiple opportunities for voluntarily acknowledging paternity and turning contested cases over to the prosecuting attorney's office. Legal paternity increases children's access to child support and to their father's health insurance and social security benefits.

In 1992, about half of mothers legally due child support got all the support due them and one fourth got nothing. Among those who did get support, the average yearly payment was about \$3,000. Child support compliance is higher among fathers who are able to pay—employed fathers with higher incomes and more education—and when support is withheld from earnings. Fathers who see their children are more likely to pay support. In family law, child support and access are usually handled separately, whereas in practice they are intertwined.

An important policy question is how effective child support is in removing families from poverty. Child support removes about 1 of 20 single-mother families from poverty. Even with perfect enforcement, child support on its own will never be enough to lift many single-mother families out of poverty.

This raises another important policy question. How much child support can non-resident parents, usually fathers, afford to pay? Nonresident fathers are not all alike. For example, 15–25% have annual incomes below \$5,000, but 40–50% have incomes above \$20,000 and 10–15% have incomes above \$40,000. In Wisconsin, the average income of nonmarital fathers when paternity is established is half that of divorced fathers, but nonmarital fathers' incomes grow over time. Studies consistently report that most nonresident fathers could afford to pay more child support. Few fathers fall into poverty because of the amount they are paying. Moreover, few would fall into poverty even if they paid all that was due.

Children's loss of their father's income is compensated, in part, by the mother's earnings and AFDC. About one fifth of married and cohabiting mothers who separate received AFDC in the year after separation. Almost half of unmarried teen mothers receive welfare in the year after the child's birth. Despite mother's earnings and AFDC, the average annual income for mothers who remarry is nearly \$36,000 and about \$13,000 for mothers who remain single.

How successful are fathers in meeting their children's emotional needs? About 40% of nonresident fathers either did not see their child or saw the child only once in the past year. Whether contact benefits children depends on what happens during the contact, specifically, how much conflict occurs between parents. When parents maintain a high level of conflict, children suffer.

How are child support reforms likely to affect child well-being? These reforms may improve children's economic welfare, but at the same time, threaten children's social and emotional development by exposing them to more conflict. The success of these reforms may depend upon how parents manage conflict. Parent education and mediation may help parents learn to manage their hostility and better meet children's needs.

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## A Brief History and Description of the Wisconsin Percentage Standard for Child Support

*Marygold S. Melli*

**C**hild support is the amount that a parent who does not live with a child should provide toward the child's support. Although child support is easy to define, it has proven extraordinarily difficult to determine standard amounts that fairly balance the interests of the child, both parents, and the state. Wisconsin has been a pioneer in developing child support standards that influenced enormously federal legislation and now form the basis for the guidelines in many states. A history of the development of the standards may be useful as child support continues to be an issue of public debate and legislative scrutiny.

Traditionally, child support amounts had been set on a case-by-case basis by a judge after both parents had the opportunity to present relevant evidence at a judicial hearing. This approach was thought necessary to allow the trial judge to tailor the order to the needs of a particular family. Because no two family situations were seen to be alike, flexibility was needed in the system; this enabled the judge to weigh the equities of each situation and arrive at the best solution for the family involved. In the 1980s, federal mandates reduced that flexibility; states were required to develop guidelines, specifically mathematical formulas, for courts to use in setting child support awards.

The traditional case-by-case approach was abandoned due to its failure to provide adequate support for children in single-parent households. Although problems with child support by absent parents can be traced back at least to the beginning of this century, little effectively was done until 1950. Congress then became concerned about expenditures under the Aid to Families of Dependent Children (AFDC) program. AFDC is the public assistance program established by the Social Security Act in 1935; as a joint state-federal effort, AFDC provides a minimal standard of living for children who have lost their primary supporting parent. The bulk of single mothers were widows when the Social Security Act was enacted; thus, its drafters did not envision the program backing up a system of divorce and paternity establishment that failed to provide sufficiently for children.

In 1950, Congress enacted the first federal child support legislation. Between 1950 and 1988, divorce, separation, and births to unwed mothers increased and the costs of the AFDC program escalated; in response, Congress enacted a series of bills to strengthen child support enforcement. In 1975, the child support enforcement program was added to the Social Security Act (Title IV-D). In 1984, amendments to Title IV-D mandated that the states develop mathematical formu-

las and provide enforcement services for all children—non-AFDC as well as AFDC recipients. The Family Support Act of 1988 required the courts to use the state’s guidelines or to give reasons on the record for not doing so.

This rather dramatic shift from letting judges decide to using uniform standards for establishing child support awards occurred for three reasons. First, the old system resulted in child support awards that were much too low. For example, the Census Bureau reported child support awards to resident mothers totaled nearly \$10 billion in 1983; if a mathematical formula had been applied in all cases, however, the total would have been \$28–\$30 billion or about two and one half times the amount of existing awards (Garfinkel & Oellerich, 1989). The problem of low awards may be due as much to the failure to update awards as to the size of initial awards. In Wisconsin, in almost all cases, low awards resulted from a failure to increase awards as the incomes of nonresident parents increased (Garfinkel, 1986). National data suggest, however, that low awards result from both initial low awards and failure to update awards (Garfinkel, Oellerich, & Robins, 1990).

***The problem of low awards may be due as much to the failure to update awards as to the size of initial awards.***

The second reason for the shift to uniform standards is that judicial discretion led to inequity in child support awards. Even within the same court, parents in similar circumstances were treated differently (White & Stone, 1976; Yee, 1979). When the number of divorces and births to unwed mothers was small, greater equity was perhaps achieved by the old individualized system. In small communities, the judge knew the parents and the circumstances, so justice was perhaps better served by taking account of all particulars. But when the number of cases is large and the system impersonal, this method breaks down. In practice, judges now do little to tailor child support to particular circumstances.

The third reason is that the public has a direct financial stake in the amount of private child support paid by nonresident parents whose children are potential recipients of public benefits if child support is insufficient. The lower the amount of support paid by nonresident parents, the greater the burden on taxpayers through public programs like AFDC. Balancing the sources of support of poor children among the resident parent, the nonresident parent, and the public is a public policy issue more appropriate to the legislative than the judicial branch of government.

### **Uniform Standards**

Any uniform standard must be based on an attempt to balance the needs of the child, the nonresident parent, and the resident parent. The child is entitled to as good a standard of living as the parents can provide and to fair treatment by the nonresident parent. After divorce, the standard of living of the nonresident parent usually increases, whereas the living standard of the resident parent and children drops (Duncan & Hoffman, 1985; Weitzman, 1985). As a matter of public policy, this discrepancy should be minimized in the interest of fairness to the child.

The nonresident parent needs a decent standard of living and the right to pursue an independent life. The resident parent, who provides support for the child by sharing resources with the child, is entitled to help from the nonresident parent and to fair treatment; the resident parent, for example, should not be required to be the sole support for a child because the nonresident parent wishes to parent another family.

### **Choosing the Basic Approach**

Child support awards are based on the belief that by parenting a child, a person takes on the responsibility to share income with the child. Two approaches for setting the amount of this share are cost sharing and income sharing (Cassettey, 1983). (For a thorough discussion of these approaches, see Garfinkel & Melli, 1990.)

#### **Cost Sharing**

Cost sharing was the traditional way of setting child support in the individualized, case-by-case system. The base for beginning calculations was the budget submitted by the resident parent. After reviewing and sometimes adjusting the budget for the child, the court examined the nonresident parent's living costs and income to determine how much the parent was able to pay.

#### **Income Sharing**

The other approach to setting the amount of child support is income sharing. Based on the assumption that the cost of raising a child is related to parents' income, this method focuses on the nonresident parent's income. The income-sharing approach is believed to reflect more accurately how parents treat children in two-parent families. Today almost all states use formulas based on the income-sharing approach.

The income sharing approach used by Wisconsin, the percentage-of-income standard, is quite simple. It is based on the principle that the two most important features determining a child support award are the nonresident parent's income and the number of children to be supported.

### **Choosing the Percentages**

Determining how much income a nonresident parent should share with the child can be approached in two ways. One that has been proposed is to set the nonresident parent's share at a rate that would equalize income for the resident and nonresident households. The objective of this approach, known as income equalization, is to ensure that the children maintain the same living standard as the nonresident parent. Although income equalization has been advocated by some academics, it has not been implemented anywhere (Dodson, 1988). Critics contend that equalizing incomes in the nonresident and resident households would benefit the parent living with the children by raising that parent's standard of living along with that of the children. This approach would entail substantially greater child support obligations for most upper middle income and upper income nonresident parents than other standards.

The second approach to the issue of how much a parent ought to pay in child support is to base the amount on the proportion of the parents' income they would spend on their children if they were living together. A considerable body of economic literature examines the amount of money parents spend raising children. This research has been unable to specify the exact proportions, however, because so many expenses, such as food, housing, and transportation, are jointly consumed by parents and children. Determining how these common expenditures are allocated among individual members of a family of differing ages, needs, and decision-making capacity is the primary problem.

The Wisconsin percentage was chosen based on research by the Institute for Research on Poverty, which conducted a comprehensive review of the economics literature involving expenditures on children. Based on a dozen studies, the major conclusion was that the share of income that parents devote to their children varies enormously. Even after limiting the studies to those judged most reliable, the estimates of the proportion of income devoted to the first child ranged from 16% to 24%. Taking the midpoint of this range, 20% was chosen as the best estimate (Van der Gaag, 1982).

The study also found that the same proportions applied up to very high income levels. Moreover, the share of income devoted to the second and third child was about half that devoted to the first.

This economic analysis was only the starting point for setting the percentage used in the Wisconsin standard. Even if it were possible to determine the proportion of income spent on children in two-parent households, it did not necessarily mean that children should receive the same proportion of parental income when the parents live apart.

Ultimately, how much the nonresident parent should pay is based on balancing the conflicting objectives of providing well for the children, minimizing public costs, and retaining incentives to pay by allowing the nonresident parent a decent standard of living. Establishing a child support standard cannot be purely a scientific exercise; value judgments are involved.

The authors of the Wisconsin percentage-of-income standard weighed these conflicting objectives and considered the reasons for expecting nonresident parents to share more (or less) of their income with their children than if they lived with them. They determined that the support rates for nonresident parents should be 17% of gross income for one child and 25%, 29%, 31%, and 34% for two, three, four, and five or more children, respectively.

Notably, none of the studies used to set these percentages took into account some of the indirect costs of raising a child. For example, how much income is lost in a two-parent family when a parent—usually the mother—does not work or takes a job that pays less than she could command in the market in order to have time to care for the children? This indirect cost may be larger than the direct costs included in the studies of expenditures on children.

***Establishing a child support standard cannot be purely a scientific exercise; value judgments are involved.***

### **Should the Percentages Vary With the Income of the Nonresident Parent?**

In Wisconsin, the percentage of income the nonresident parent owes in child support is the same irrespective of income. In some other states, the percentage declines substantially as income increases. Both standards attempt to reproduce the pattern of income sharing when both parents live with the children; none of the studies on the costs of children, however, are concerned primarily with the issue of whether the percentage of earnings spent on children decreases with income.

In the absence of reliable scientific evidence on child expenditures by income, the Wisconsin flat percentage-of-income standard may have wider appeal than the declining percentages in other states. It is hard to justify a law that requires a working class nonresident parent to contribute a much larger proportion of income to children than a middle income nonresident parent; similarly, it is hard to explain why a middle income nonresident parent should contribute a much larger share of income than an upper middle income nonresident parent. Regressive taxes are widely perceived to be unfair. A regressive child support standard is unlikely to command public support. In contrast, a proportional child support standard, like the Wisconsin percentage-of-income standard, may be more likely to be perceived as equitable.

### **Should Child Support Depend on the Income of the Resident Parent?**

The Wisconsin percentage-of-income standard does not take into account the income of the resident parent. This represents a complete break with past practice. Formerly, the more income the resident parent had, the more child's needs were being met with this income, and the less child support was needed from the nonresident parent.

The income-sharing approach to establishing child support obligations assumes that both parents have an obligation to share their income with their children. The percentage-of-income standard does not consider the income of the resident parent in setting the amount the nonresident parent should pay, for several reasons. First, income sharing is based on the principle that parenting a child brings an obligation to share income with the child. Conditioning the obligation on the income of the resident parent undermines this principle.

Second, the child is entitled to a share of both parents' incomes. When the parents live together, the child shares the benefits (and bears some of the costs as well) if both parents work. A child in a single-parent household with two income-producing parents should enjoy the advantages that situation brings, just as if the family lived as one unit.

Finally, the percentage-of-income standard assumes that resident parents share their income with the children with whom they live. Resident parents bear the burden of a multitude of hidden expenses associated with being a single parent. For example, child care must be provided because no parent is available to

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***Child care expenditures and extra-ordinary medical care expenditures are irrelevant under the Wisconsin standard.***

babysit while the resident parent goes shopping, to the dentist, or to a school conference for an older child (Bruch, 1987). These expenses are ignored in most considerations of the cost of caring for a child. Furthermore, the income of resident parents depends in large part upon how much they work; the more the resident parent works, however, the greater the child care costs will be.

Arguments can be made, of course, for taking resident-parent income into account when setting the amount of a child support award. Failure to consider the resident parent's income may lead to inequitable results, especially in extreme cases. For example, although it seems fair for a nonresident parent earning \$20,000 to pay \$3,400 in child support if the resident parent has no income, is it fair to expect the nonresident parent to pay the same amount if the resident parent earns \$60,000? Public policymakers must decide whether circumstances such as these overcome the income-sharing principle of child support. This principle suggests there is nothing inequitable about the nonresident parent paying a constant share of income irrespective of the resident parent's income; in this way, the child benefits from two income-producing parents.

**Should Child Support Depend Upon Extraordinary Expenditures?**

In some states, child support obligations depend upon actual child care expenditures and extraordinary medical care expenditures. These expenditures are irrelevant under the Wisconsin percentage-of-income standard.

Numerous objections may be raised to basing child support obligations on actual expenditures. As mentioned earlier, the practice is inconsistent with the income-sharing principle. Furthermore, simply adding a prorated share of these costs to the basic child support obligation violates a basic premise of the income-shares standard—the child support is designed to secure for the child the same portion of the nonresident parent's income as the child would enjoy if the parents lived together.

How much the resident parent spends on child care depends upon both the kind and amount of care purchased. The amount needed depends primarily upon how much the resident parent works. Is it fair to raise the child support paid by the nonresident parent in response to increases in work by the resident parent?

The argument for adjusting the child support obligation in response to extraordinary medical care expenditures is more convincing because such expenditures are presumably involuntary. Furthermore, in the rare cases when medical catastrophes occur, the average medical care cost incorporated in a child support payment is totally inadequate. On the one hand, it is difficult to make the case that the resident parent should bear the entire cost of a medical catastrophe. On the other hand, it is hard to make the case that any family should bear the entire cost.

Finally, basing the child support obligation upon actual child care and medical care expenditures complicates the determination of child support. As will be seen, every complication makes updating child support awards more difficult and costly.

## The Benefits and Cost of Simplicity

The Wisconsin percentage-of-income standard is designed to maximize simplicity. The child support obligation is equal to a percentage of the nonresident parent's income. The percentage depends only upon the number of children owed support.

Simplicity itself may be a virtue because it enhances public understanding. Most people who have read or heard about the Wisconsin percentage-of-income standard understand that, in most cases, child support equals 17% of the nonresident parent's income. Parents who enter the Wisconsin court system have no difficulty assessing the dollar amount of their entitlements or obligations.

The simplicity of the percentage standard also eases the burden on the courts. The court needs only a limited amount of information (the income of the parent and the number of children); the amount of the award is determined simply by multiplying the income by the percentage set for the number of children entitled to support.

Whether simplicity promotes or sacrifices equity is a more complicated issue. Recall that one of the widely perceived problems with the old child support system was that child support awards were too low. A large part of the problem of low awards was attributable to the failure to update awards over time. One reason for this failure was that most state laws discouraged parents from updating child support orders. They required proof of a change of circumstances, usually expensive to the parties and costly in terms of court time. In essence, updating a child support award was equivalent to reopening and rehearing the case. If the average child support case had a 10-year life, annual updating would have increased the burden on the courts tenfold. The percentage-of-income standard streamlines this procedure. The amount of child support increases—or decreases—as the income of the parent changes.

**Simplicity promotes public comprehension and facilitates updating of awards.**

### Summary

Child support begins with the philosophical premise of income sharing. Parenting a child brings with it a responsibility to share income with the child. One of the most attractive features of the Wisconsin percentage-of-income standard is its simplicity. Simplicity promotes public comprehension, is at least consistent with equity, and facilitates updating of awards. The latter function may be the most important single consideration for states in constructing mathematical child support standards. Failure to update awards is a major source of inadequate child support awards. A scheme to provide timely and efficient updating is an essential tool for child support enforcement.



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*Marygold Melli is the Voss-Bascom Professor of Law Emerita at the University of Wisconsin-Madison. Marygold Melli's research interests center on child support issues with a particular focus on support in dual-residence cases, guideline reform and the relation between child support and visitation.*

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# Child Support and Children's Well-Being<sup>1</sup>

Judith A. Seltzer and Daniel R. Meyer

**H**igh on the political agenda of policymakers from across the political spectrum is an issue of central importance to families—child support reform. This briefing report addresses how parents who live apart from their children divide the responsibility for taking care of them and the economic and noneconomic effects of these arrangements on the children. The report focuses on the causes and effects of child support. Our intent is to provide an overview of the growing number of studies on child support, custody, and visitation. We present information necessary to help evaluate broadly the effects of child support on children, their mothers, and their fathers. The effects of child support are sometimes different for children than for their parents, and sometimes different for mothers than for fathers. Any decision about child support policy requires balancing the competing interests of children, mothers, fathers, and the state. Because children are the weakest party among those with competing interests, they are the primary focus of this report. We emphasize their economic needs because these needs motivate recent child support reforms. Moreover, financial strain affects the emotional environment of families and parents' ability to care for children.

## Demographic Change and Child Support

Over the past 30 years, the percentage of children who live in single-parent households has approximately tripled. Over one quarter of children live in a household maintained by one parent (Sweet & Bumpass, 1987; U.S. Bureau of the Census, 1994). Nearly all of these children live with one parent because they were born outside of marriage or because their parents are separated or divorced. In other words, children today who live with a single parent have another parent living elsewhere. This is a dramatic change compared to earlier in this century. Even as recently as the middle of the century, most children who lived in a single-parent household did so because they had lost a parent through death (Bane, 1976). This demographic change is important for policymakers because many programs that help poor children in single-parent households were originally designed to help widowed mothers (Garfinkel, 1992). Today, most children in single-parent households have another parent living elsewhere who may be able to help pay for their living expenses.

Demographic estimates suggest that about half of children born today will spend time in a single-parent household; these children are about evenly split between those who will live in a single-parent household because of divorce and those

**Over the past 30 years, the percentage of children who live in single-parent households has approximately tripled.**

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<sup>1</sup>This report is based, in part, on material originally presented by Seltzer as "Child Support and Fairness" at the 1994 annual meeting of the National Council of Family Relations. Material is also drawn from Seltzer's "Consequences of Marital Dissolution for Children," *Annual Review of Sociology* 20: 235–266, 1994.

who will be born outside of marriage (Bumpass & Raley, 1995; Bumpass & Sweet, 1989). Because children whose parents are divorced have different experiences with the legal system from children born to unwed mothers, it is important to be precise in describing the two groups in discussions about child support.

### **Family Support Act of 1988**

The Family Support Act of 1988 sets the legal stage for considering matters of child support and the effects of child support. This act is among the most recent in a series of federal laws over approximately 20 years designed to strengthen child support enforcement. The Family Support Act of 1988 has two major purposes: (a) to improve the system for administering private child support transfers between parents to help support their children, and (b) to establish work programs and work provisions for parents who participate in Aid to Families with Dependent Children (AFDC), the public support or welfare system for children (Garfinkel, 1992).

This description focuses on the child support reforms that address private responsibilities. The goal of child support reforms is to make child support orders—the legal obligation to pay child support—more universal, more equitable, and more strictly enforced. Many requirements in the federal act encourage states to change their administration of child support. This is because family law governing marriage, divorce, and non-marital child bearing is made and administered primarily at the state level.

***The goal of child support reforms is to make child support orders more universal, more equitable, and more strictly enforced.***

The Family Support Act of 1988 has three major provisions regarding child support orders. The first component requires states to strengthen paternity establishment for children born outside of marriage. Paternity establishment is important because it identifies a child's legal parents—the first step in determining who is responsible for taking care of the child. The second component mandates uniform guidelines within states for child support orders. The third component requires cases that go through the Office of Child Support Enforcement to be reviewed every 3 years. Child support orders may be increased if the nonresident parent's income increases and decreased if income decreases.

Another major component of the Family Support Act of 1988 addresses child support collection. Child support payments may be withheld from the nonresident parent's earnings, in the same way that income tax is withheld, as a way of routinely collecting the child support obligation. This requirement went into effect in 1990 for cases in the Office of Child Support Enforcement, and in 1994 for all new cases. (See Garfinkel, 1992, for further discussion of the Family Support Act of 1988.)

### **Who Is in the Family?**

When parents live apart, they have to decide where the children will live, who will be responsible for their daily care, and who will make major decisions about the children's lives. As time passes, children may also acquire other family mem-

bers through remarriage and cohabitation. This section considers children's living arrangements (sometimes called physical custody or placement), legal responsibility for children (legal custody and paternity), and other family members who may help provide for children.

### **Children's Living Arrangements**

Where and with whom children live indicate what their physical environment is like and the material resources to which they have direct access. Co-residence also provides opportunities for intimate interactions and the adult supervision which is necessary for successful socialization of children. The majority, 87%, of children who live with a single parent live with their mother (U.S. Bureau of the Census, 1994). Most information about children's living arrangements comes from the U. S. Census. However, the census does not provide direct information about the complexities of children's living arrangements after divorce. Data from large state surveys of recent divorces show that most parents still assign primary physical custody of children to the mother (Maccoby & Mnookin, 1992; Seltzer, 1990). For instance, a study of divorced families in northern California shows that even in California, which has more liberal laws than in many other states, physical custody of children was assigned to the mother in about two out of three families; only one out of six children lived in both parents' households (dual residence), and the remainder lived either with their father or had some other arrangement (Maccoby & Mnookin, 1992). In this study, dual residence meant that out of every 14-day period, the children would spend 4–10 days in each parent's household. This finding counters the myth that it is common for children to split their time evenly between their two parents' households. Even with the liberal definition of dual residence used in this study, only a small percentage of children lived in both parents' households. When both children of divorce and children born outside of marriage are taken into account, very few children spend half of their time in each parent's home (Furstenberg, Nord, Peterson, & Zill, 1983; Seltzer, 1991b). Even though the number of children who spend significant amounts of time with both parents is relatively small, evidence from Wisconsin suggests that it may be growing rapidly (Cancian & Meyer, 1994).

Boys are somewhat more likely than girls to live with their father or have dual residence. This gender difference becomes more apparent as children get older, from about age 11 on up (Maccoby, Depner, & Mnookin, 1988). Research about whether it is better for boys to live with their father and girls to live with their mother is inconclusive, in part, due to inadequate data. Some studies show that girls who live with their fathers are more depressed and less socially competent compared with boys who live with their fathers (Camara & Resnick, 1988; Peterson & Zill, 1986; Warshak & Santrock, 1983). Another study shows that girls who live with their fathers have lower grades and more school problems compared with girls who live with their mothers (Maccoby, Buchanan, Mnookin, & Dornbusch, 1993). We lack evidence that boys who live with their fathers fare

***About 87% of children who live with a single parent live with their mother.***

better than boys who live with their mothers. In fact, among remarried families, children's adjustment does not depend on whether they live with a father and stepmother or a mother and step-father, once other factors are taken into account (Zill, 1988). Another recent study also shows that children who live with single fathers are just as likely to drop out of school as children who live with single mothers (McLanahan & Sandefur, 1994).

A major problem with this research is that most studies have had to rely on small samples of fathers who have custody. Moreover, fathers who got custody, until very recently, did so under unusual circumstances, for instance when the mother had an emotional or physical problem. Thus, studies of differences between mother-custody and father-custody families compare single mothers from families with a wide range of characteristics to single fathers from families with more problems. This makes it difficult, and often impossible, to distinguish between the effects of the sex of the custodial parent and the effects of preexisting family characteristics. As custody laws and practices become more neutral and as men become more involved with their children, the fathers who acquire custody are likely to represent a wider range of family experiences than in the past. This will allow a more effective evaluation of whether boys and girls fare differently when they live with their mothers than with their fathers.

Children move around in the early period after divorce. Children who start out living with their fathers or in dual residences are more likely to move in the first 3–4 years than children who start out living with their mothers (Maccoby & Mnookin, 1992). Some evidence indicates that children who relocate more often have more adjustment problems, but it remains unclear whether the moving causes the adjustment problems or whether the child's living arrangement is changed because the child is having problems (Maccoby et al., 1993). Studies that look at both children whose parents are divorced and children whose parents are not divorced show that frequent moving causes problems in school (Haveman & Wolfe, 1994; McLanahan & Sandefur, 1994).

***About 11% of all resident mothers share joint legal custody with the children's father, but this is more common in recent divorces.***

### **Legal Parenthood**

**Joint Legal Custody.** In addition to deciding where children will live after divorce, parents negotiate legal custody, which establishes the formal right to make decisions about major aspects of the child's life. Usually, legal and physical custody coincide, but in a substantial minority of cases they do not (Seltzer, 1990). The most common exception is when parents have joint legal custody and the children live most of the time with the mother (Maccoby et al., 1988; Seltzer, 1990). National data suggest that about 11% of all resident mothers share joint legal custody with the children's father, but this is more common in recent divorces. In Wisconsin, the percentage with joint legal custody has risen to two thirds in recent divorces. This arrangement is also more common with separated or divorced parents than with parents of children born outside of marriage (Seltzer, unpublished data).

A rationale for joint custody is to make children's lives after divorce as similar as possible to the lives of children who live with both parents. Compared to fathers in families in which mothers have sole legal custody, nonresident fathers who have joint legal custody spend more time with their children and may be more likely to comply with child support orders (Kline, Tschann, Johnston, & Wallerstein, 1989; Pearson & Thoennes, 1988; Wolchik, Braver, & Sandler, 1985; but see Albiston, Maccoby, & Mnookin, 1990 and Seltzer 1991a, for contrary evidence on compliance). Evidence about compliance may be mixed because the studies consider only transfers to the other parent and not money spent directly on the child. These studies also differ in how they take account of time the children spend with each parent. Children whose parents have joint legal custody spend more time with both parents; therefore, the nonresident parent who has custody less of the time may spend money directly on the children and pay less in child support transfers to the other parent.

Compared to families with sole legal custody, those with joint legal custody are less likely to return to court for disputes about child support, and more likely to return for disputes about access (Koel, Clark, Straus, Whitney, & Hauser, 1994). Regardless of their legal custody arrangement, however, families are more likely to return to court with problems about child support than problems about access (Koel et al., 1994).

Parents with higher incomes and education are more likely to acquire joint legal custody. The greater resources of these parents may explain, in part, the greater involvement with children after separation (Koel, Clark, Phear, & Hauser, 1988; Seltzer, 1990; Seltzer, 1991a). Other family characteristics, such as the quality of the parents' relationship with each other and the parents' involvement with the children before the divorce, may also explain why families with joint legal custody have higher levels of involvement by both parents after separation. Social researchers commonly expect that men who took an active role in taking care of children before a divorce, would be likely to do so afterward as well. In general, research does not show this type of continuity in paternal involvement (Hetherington, 1993; Maccoby & Mnookin, 1992; Wallerstein & Kelly, 1980). The absence of continuity in father's involvement before and after separation may occur because studies do not take full account of variation over time in fathers' participation in postdivorce child rearing. Fathers' involvement is generally higher in the short term, soon after the separation; as time passes and fathers establish new relationships and relocate, fathers become less involved with their children. At least one study shows that fathers' predivorce involvement with children does predict his participation in child rearing in the early period after separation. As time since separation increases, other factors become more important predictors of participation in child rearing than his predivorce involvement (Ahrons & Miller, 1993).

**Paternity.** The legal responsibilities for children born outside of marriage are organized differently than for children of divorce. State laws assume that for chil-

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***Legal paternity increases children's access to child support and is likely to increase contact between the nonresident father and the child.***

dren born in marriage, the child's legal father is the mother's husband. For children born outside of marriage, the child's father may be easy to identify socially, as when the parents are living together or have a long-term relationship, but this is not the same as legally identifying the father. One reason that the Family Support Act of 1988 emphasized paternity establishment is that there is room for improvement on this aspect of child support enforcement. Rates of paternity establishment have been low. During the mid 1980s, less than one third of children born outside of marriage had paternity established for them (Nichols-Casebolt & Garfinkel, 1991). There is wide variation in paternity establishment rates and in the mechanisms that states and counties use to identify a child's legal father (Garfinkel, 1992; Sonenstein, Holcomb, & Seefeldt, 1994).

Research suggests that a combination of two mechanisms is reasonably successful for increasing rates of paternity establishment. The first step offers the father multiple opportunities to acknowledge paternity voluntarily. The second step is for cases in which fathers contest the allegation of paternity. In these instances, the family's case is immediately sent to the prosecuting attorney's office instead of remaining in the Office of Child Support Enforcement. The principle underlying the combination of these two strategies is to take advantage of the father's willingness to identify himself as the child's legal father (Sonenstein et al., 1994).

Little is known about the effects of legal paternity on children's well-being. Economically, legal paternity increases children's access to child support and gives them rights to their biological father's health insurance and social security benefits. Legal paternity is likely to increase contact between the nonresident father and the child, and between the nonresident father and the child's mother. Higher rates of paternity establishment may also have a negative effect. More rigorous attempts to establish paternity may increase contact between parents who would otherwise avoid each other, thereby exposing the children to more conflict. Exposure to conflict may counter some of the economic benefits to children of paternity establishment, a point to which we return below.

### **Acquiring New Parents**

After their parents separate, whether the relationship was nonmarital or broken by divorce, children may acquire new family members. About half of children spend fewer than 5 years of childhood in a single-mother household before acquiring a stepfather through remarriage or cohabitation (Bumpass & Raley, 1995). While the noneconomic effects of remarriage vary considerably, acquiring a stepparent, especially a stepfather, boosts the economic resources available to children. This reduces considerably the economic disadvantage of living in a single-parent household.

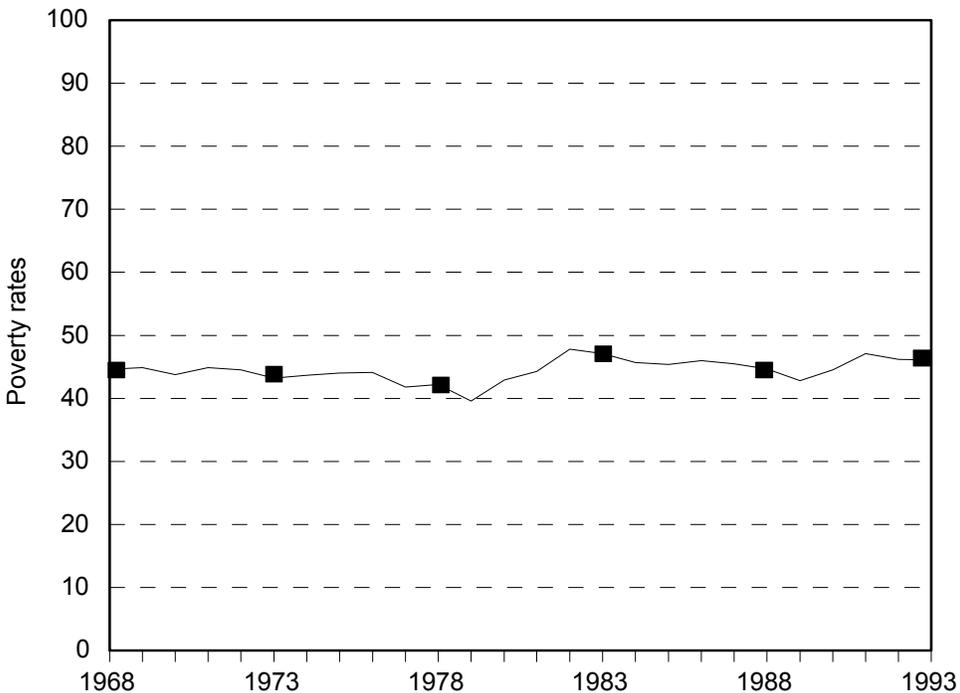
Grandparents may also help provide for children's needs. About a fifth of children who have lived in a single-mother household have also spent time in a grandparent's home with their single mother. Living with a grandparent is more common for children born outside of marriage than for children whose parents are divorced (Bumpass & Raley, 1995).

## Children's Economic Needs

### Economic Disadvantages of Children Who Live Apart From a Parent

Although money cannot insure a child's happiness, it is difficult for a child to be happy without nutritious food, warm clothes, and a safe place to live. Compared to children who grow up in two-parent households, those who live with single mothers are more than five times as likely to be poor based on official definitions of poverty (Hernandez, 1993, Table 8.2). As shown in Figure 1, the poverty rates for single-mother families have remained stubbornly high and remarkably stable. For children whose parents lived together before separation, family income declines by about one third when the father leaves the household (Bianchi & McArthur, 1991). Losing the father's income is not the only economic disadvantage these children face. In addition, parents who separate or divorce have lower incomes even before separation than parents who stay together (Bianchi & McArthur, 1991; Duncan & Hoffman, 1985; McLanahan & Sandefur, 1994). Once parents separate, they bear the costs of maintaining two households instead of one. Children born to unmarried parents suffer even more severe economic disadvantages. In 1993, about 66% of children who lived with never-married mothers were below the poverty line, compared to 38% of children who lived with divorced mothers (Zill & Nord, 1994).

**Figure 1. Poverty Among Single-Mother Families: 1968–1993**



Source: U.S. Bureau of the Census. 1995. *Income, Poverty, and Valuation of Noncash Benefits, 1993*. Current Popul. Rep. P60-188. Washington, DC: U.S. Govt. Printing Office.

These economic differences go a long way toward explaining the educational disadvantages of children in single-parent households (Guidubaldi, 1988; Krein & Beller, 1988; McLanahan, 1985; McLanahan & Sandefur, 1994). Low income, however, does not explain all of the disadvantages experienced by children who live in a single-parent household. In addition, some effects of economic insecurity are indirect. Financial problems may affect children indirectly by creating stress and anxiety and reducing mothers' emotional welfare (Menaghan & Lieberman, 1986). Mothers' emotional adjustment affects child rearing practices and may reduce the quality of parent-child relationships (Hetherington, Cox, & Cox, 1982; McLoyd, 1990).

### **Economic Resources and Children's Needs**

Children who live with a single mother rely primarily on her earnings to meet their material needs. Single mothers earn considerably less than do married fathers because single mothers have more child care responsibilities, less training and education, and more disadvantages in the labor market (Garfinkel & McLanahan, 1986). The lower earnings of single mothers are not compensated for by child support — either private support or public support through AFDC (Aid to Families with Dependent Children) (Garfinkel & McLanahan, 1986). In this context of material need, it is important to consider the extent to which contributions from nonresident fathers help to meet children's economic needs. We focus on nonresident fathers instead of nonresident mothers because, as noted above, the vast majority of children who do not live with two parents live with their mother and have a nonresident father.

### **Economic Needs and Nonresident Fathers' Contributions**

**Child Support Payments.** In 1992, 10 million women were eligible for child support, that is, these mothers had a child whose father was living elsewhere. About half of eligible mothers were legally due child support. Of these, about half got all of the support owed to them and one quarter did not get anything (U.S. Bureau of the Census, 1995). Taken together, these figures show that more than 60% of women who had children whose father was living elsewhere did not get any support. Among those who did get support, the average yearly payment was about \$3,000 (U.S. Bureau of the Census, 1995). When only poor families maintained by mothers are considered, the average amount of child support was notably lower, about \$2,000 (U.S. Bureau of the Census, 1995).

**Mothers' Versus Fathers' Reports of Child Support Payments.** Studies show that fathers report paying more in child support than mothers report receiving (Braver, Fitzpatrick, & Bay, 1991; Schaeffer, Seltzer, & Klawitter, 1991; Sonenstein & Calhoun, 1990). Fathers' reports of child support payments may be higher than mothers' because fathers who do not pay any child support are less likely to be interviewed than resident mothers who receive no support (Cherlin, Griffith, & McCarthy, 1983; Schaeffer et al., 1991; Seltzer & Brandreth, 1994). If studies were to include nonresident fathers, whom we know from other sources are not paying child support (e.g., based on information in court

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records), estimates of child support would be more similar for mother and father respondents. Fathers' reports about child support are also likely to be higher than mothers' because fathers know more about some types of payments. Fathers may include in their reports of child support the payments they make to third parties (e.g., doctors), payments for the expenses of visiting the children, and direct payments to the children. Finally, the discrepancy between mothers' and fathers' reports about child support may occur because fathers try to cast themselves in a more favorable light by overreporting contributions to child support.

**Child Support Orders and Informal Payments.** Data from one of the most commonly used sources of information on child support, the U.S. Current Population Survey, are often criticized because the surveys do not ask mothers without child support orders whether they receive informal support from the child's nonresident father. Information from the National Survey of Families and Households shows that about 80% of mothers without orders do not get any informal support. Among mothers without child support orders who do get informal support, about half of them receive at least \$80 per month, or \$960 per year. Although this may not seem like much compared to the average \$3,000 per year received by mothers with formal child support orders, it constitutes about 10% of the average annual income, \$9,200, for single mothers without orders (Seltzer, forthcoming).

Informal transfers, while important for some families, do not compensate for low levels of child support payments. About half of divorced fathers buy presents for their children, but most do not provide other informal contributions for their children. Fathers who already pay child support are more likely to make these extra transfers than fathers who do not pay formal child support (Teachman, 1991). A concern in child support enforcement is whether requiring all nonresident parents to have a formal child support order, will simply substitute formal transfers for informal transfers, without a net gain to children's economic welfare. Because informal payments are not very common among families without orders, and because the amount of informal transfers is small compared to support paid as part of child support orders, increasing formal orders has potential for improving children's economic well-being.

**Factors Associated With Paying Support.** Several factors account for whether fathers pay child support. Obviously, fathers' ability to pay child support, including employment, income, and education, affect payments and compliance with child support orders (Braver, Wolchik, Sandler, Sheets, Fogas, & Bay, 1993; Meyer & Bartfeld, forthcoming; Peters, Argys, Maccoby, & Mnookin, 1993; Seltzer, 1991a). The degree to which a child support order is a burden also affects compliance rate. Wisconsin data show that fathers of nonmarital children who owe more than 20% of their income and divorced fathers who owe more than 35% of their income have lower compliance rates (Bartfeld & Meyer, 1994; Meyer & Bartfeld, forthcoming).

***Informal transfers do not compensate for low levels of child support payments.***

**Fathers who see their children are more likely to pay support, and these fathers pay more support.**

Noneconomic factors also affect whether fathers pay support and how much they pay. Fathers who live apart from their children may be reluctant to pay support because they do not trust the mother to spend it all on the children and not on herself (Arendell, 1992; Sherwood, 1992). Fathers' inability to monitor how the resident mother spends child support money lowers payments (Weiss & Willis, 1985). Compared to fathers who live with their children, nonresident fathers enjoy fewer of the benefits of being a father, which also discourages payments. The longer parents are separated, the less child support fathers pay and the less likely the nonresident father is to pay any child support (Beller & Graham, 1993; Seltzer, 1991b). Finally, when payment is withheld from fathers' earnings, compliance with child support orders is higher (Garfinkel & Klawitter, 1990). This finding provides a motivation for the withholding provisions in the Family Support Act of 1988.

What happens to payments when fathers remarry or take on child rearing responsibilities in another family? Some studies show that remarriage increases payments, some show it decreases payments, and others show no effect (Hill, 1992; O'Neill, 1985; Seltzer, 1991b). Inconsistent findings about the effect of fathers' remarriage on child support may be due to the lack of information in some studies on fathers' income and employment. Social researchers are continuing to investigate this important question.

Fathers who see their children are more likely to pay support, and these fathers pay more support than do those who have no contact with their children (Furstenberg et al., 1983; Seltzer, 1991b; Seltzer, Schaeffer, & Charng, 1989; but see Veum, 1993). It is difficult to determine whether fathers who have more contact with their children pay more support as a result of spending more time with the children or alternatively, whether paying more support increases contact with children. Yet another possibility is that a third characteristic of families, such as fathers' commitment to children or how well the separated parents get along together, explains both higher child support payments *and* more frequent visits with children. Despite researchers' inability thus far to disentangle the association between spending time with children and paying child support, evidence suggests a reasonably consistent pattern in which visiting and paying support go together. This pattern is also evident among families who report problems in their postseparation arrangements. Those who report difficulties about visitation and access also often report problems about child support, and vice versa (Pearson & Anhalt, 1994). Thus, even though child support and access or custody matters are usually handled separately in family law, in practice, they are intertwined.

Some differences exist between divorced and nonmarital cases in child support payments. Divorced mothers are much more likely to have child support orders than mothers who have never been married (U.S. Bureau of the Census, 1995). When there is a child support order, average compliance rates are lower for nonmarital than divorce cases. Nonmarital fathers in Wisconsin are twice as likely as divorced fathers not to pay anything (Meyer & Bartfeld, forthcoming).

Wisconsin data also show that divorced fathers who do not comply with their orders have substantially higher incomes than noncomplying fathers whose children were born outside of marriage. (Meyer & Bartfeld, forthcoming).

### **The Effectiveness of Child Support in Reducing Poverty**

An important question from a policy perspective is how effective child support is in removing families from poverty. Child support has a small effect on poverty, removing only about 1 of 20 single-mother families from poverty (Meyer, unpublished data). However, child support increases the incomes of some poor families even if it does not bring them out of poverty. Among single-mother families, about 8% of the “poverty gap” (the distance between the income of a poor family and the poverty line) is filled by child support (Meyer, unpublished data).

These figures have spurred discussions about why child support removes so few single-mother families from poverty. One explanation is that child support would remove more families from poverty if the amount owed were collected. Yet difficulties in collecting the amount due are a much less serious problem than the lack of orders or orders that are too low (Meyer, 1995a; Sorensen, 1995). A second explanation is that many of the child support policy changes in the Family Support Act of 1988 affected only new cases. Thus, it will take time before the results of these changes can be detected because these new cases comprise only a small percentage of all child support cases. A third possibility is that the reforms are effective, but the types of families in the child support system are changing; the child support caseload is increasingly comprised of cases in which child support is difficult to collect (Beller & Graham, 1993). Finally, child support will never be enough on its own to lift many single-mother families out of poverty, perhaps because the fathers associated with these poor mothers are poor themselves (see, for example, Edin, 1995; Sorensen & Clark, 1994).

### **Can Fathers Afford to Pay Child Support?**

Little research has examined the economic circumstances of nonresident fathers. The emerging research suggests that there is a great deal of diversity among nonresident fathers. For example, 15–25% have annual incomes below \$5,000, but 40–50% have incomes above \$20,000 and 10–15% have incomes above \$40,000 (Meyer, 1995b). There are also substantial differences between nonmarital fathers and divorced fathers, with nonmarital fathers having lower incomes (Meyer, 1995b; Sorensen, 1995). For example, fathers of children born outside of marriage in Wisconsin have average incomes of about \$10,000 when paternity is established (Meyer, 1995c), compared to over \$20,000 for divorces (Phillips & Garfinkel, 1993).

Income grows substantially over time, especially among fathers of children born outside of marriage (Meyer, 1995c; Phillips & Garfinkel, 1993). For example, the median change in annual income among paternity fathers in Wisconsin was an increase of \$3,500 between the time paternity was established and 3 years later (Meyer, 1995c).

***Child support has a small effect on poverty, removing only about 1 of 20 single-mother families from poverty.***

A consistent finding across studies is that most nonresident fathers could afford to pay more child support than they are currently paying (e.g., Garfinkel & Oellerich, 1989; Sorensen, 1995). Very few fathers fall into poverty because of the amount of child support they are paying, and few would fall into poverty even if they paid all that was due (Hill, 1992; Meyer, 1995b).

### **Who Meets Children's Economic Needs If Fathers Do Not?**

Children's loss of their father's income is compensated for partly by the mother's earnings and by AFDC. About one fifth of married and cohabiting mothers who separate receive AFDC in the year after separation (Bianchi & McArthur, 1991). Use of AFDC is higher among never-married mothers, especially those who give birth when they are teen-agers. For instance, about 48% of unmarried teen mothers receive welfare in the year after the child's birth (U.S. House of Representatives, 1994). However, mothers' earnings and AFDC do not eliminate the income discrepancies between married and single mothers. As can be seen in Figure 2, average annual income is nearly \$36,000 for mothers who remarry and about \$13,000 for mothers who remain single. The largest share of a single mother's income, about 61%, comes from her earnings. For a mother in a remarried family, the largest share of income comes from "other income," usually her husband's earnings. In addition to husbands' income, other kinds of transfers, such as support from grandparents, are included under "other income." Maternal grandparents help meet the economic shortfall of children in single-mother households, often by sharing a household with the child and single mother (Bumpass & Raley, 1995).

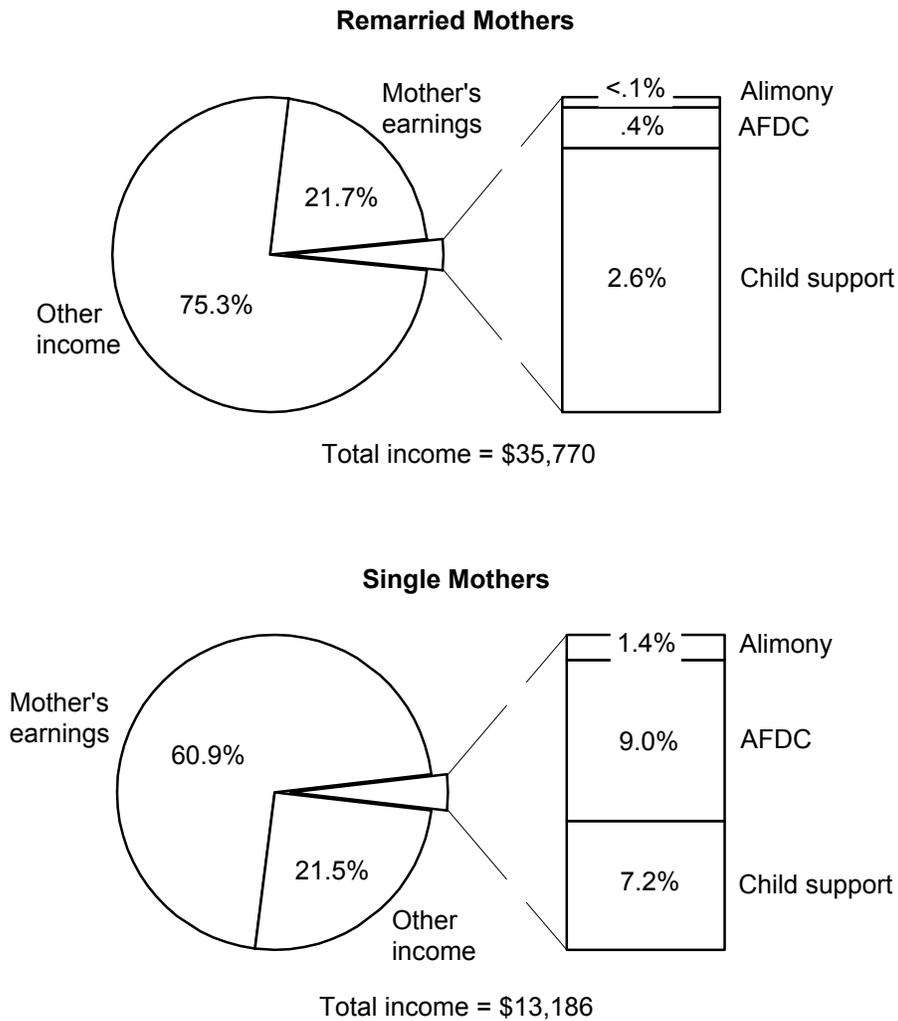
### **Does It Matter for Children Who Provides for Their Economic Needs?**

A growing number of studies show a positive association between the amount of child support that nonresident fathers pay and their children's behavior (Furstenberg, Morgan, & Allison, 1987) and school achievement (Graham, Beller, & Hernandez, 1994; King, 1994; Knox, 1993; Knox & Bane, 1994; McLanahan, Seltzer, Hanson, & Thomson, 1994). Several of these studies also show that a dollar of child support has a greater effect on child outcomes than a dollar from other sources, such as earnings or AFDC (Beller & Graham, 1993; Graham et al., 1994; Knox, 1993; Knox & Bane, 1994; McLanahan et al., 1994). Why would child support dollars benefit children more than dollars from some other source? Child support payments may have a symbolic value to children, who see them as an indication their father cares about them (e.g., Wallerstein & Huntington, 1983). Fathers who pay child support also spend more time with their children. The combination of these two activities may reassure children and facilitate their emotional adjustment. In addition, fathers who pay support more regularly may get along better with the children's mother. The absence of conflict may explain the higher amounts of child support, greater amount of contact with the children, and the children's better adjustment in the family. Child support may also benefit children more than other income if resident mothers spend

***Very few fathers fall into poverty because of the amount of child support they are paying.***

more on children than when income comes from other sources (Del Boca & Flinn, 1994). Results of studies that try to assess competing interpretations are inconclusive; yet the positive effect of child support payments persists even after taking into account the amount of time the child spends with the father and the amount of conflict between the parents. This preliminary evidence suggests that more universal and rigorous child support enforcement may enhance the well-being of children whose parents divorce. However, this evidence also suggests that stricter enforcement is likely to have more negative effects on the well-being of children born outside of marriage than on children of divorce (McLanahan et al., 1994).

**Figure 2. Income Sources of Mothers Eligible for Child Support**



Note: Income in 1985 dollars.

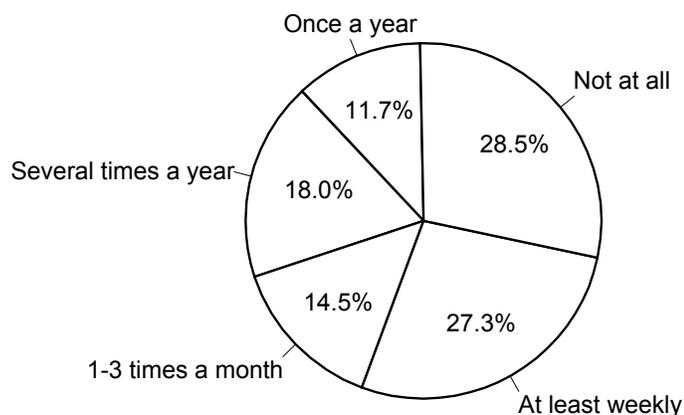
Source: *Small Change: The Economics of Child Support*, by A. H. Beller and J. W. Graham, 1993, New Haven CT: Yale University Press. Adapted from Table 7.1.

## Children's Emotional and Social Needs

### Levels and Patterns of Contact Between Nonresident Parents and Children

Children depend on adults to look after them and to provide emotional as well as material support. When parents separate, their children experience the loss of at least one parent's time and attention. Figure 3 shows that about 40% of nonresident fathers either did not see their child or saw the child only once in the preceding year (Seltzer, 1991b). Indirect forms of communication, such as mail and telephone, do not compensate for this low level of contact (Furstenberg & Nord, 1985; Seltzer, 1991b).

**Figure 3. Fathers' Frequency of Visits With Children After Separation**



Source: National Survey of Families and Households, Wave 1, children who live with their mothers. Adapted from J. A. Seltzer, "Relationships between Fathers and Children Who Live Apart," *Journal of Marriage and the Family*, Vol. 53, Feb. 1991, Table 1.

Yet nonresident fathers vary widely in patterns of contact. Fathers of children born outside of marriage are twice as likely to lose touch with their child as fathers who are separated from their child because of divorce. However, among separated families in which fathers spend at least some time with their children, there is little difference between nonmarital and marital families in whether fathers have weekly contact with children (Seltzer, 1991b).

Despite the overall picture of fathers' disengagement, some fathers do stay involved with their children. About one quarter of nonresident fathers see their children at least weekly (see Figure 3), and about 30% of fathers who see their children spend significant portions of time with them. From the child's point of view, even those who have little contact with their nonresident parent view their relationship as close (Maccoby et al., 1993).

Nonresident fathers who stay involved with their children generally pursue recreational activities together rather than instrumental activities, such as doing homework together (Furstenberg & Nord, 1985; Teachman, 1991). Another way to look at fathers' involvement is to examine what happens when children spend time in both parents' households. After divorce, mothers take care of the more routine work of child rearing, such as scheduling doctor and dentist appointments and making sure that the child gets to these appointments (Maccoby & Mnookin, 1992).

### **Contact and Children's Well-Being: The Role of Conflict Between Parents**

Many fathers and children want to maintain contact after separation (Wallerstein & Blakeslee, 1990), and many resident mothers prefer that their child's father be more involved with the child (Furstenberg, 1988). Most national studies, however, show no evidence that an increase in the frequency or amount of contact is beneficial for children (Furstenberg et al., 1987; King, 1994; McLanahan et al., 1994). What matters for children's well-being is what happens during that contact, and, importantly, how much conflict occurs between parents. When conflict is high, contact is associated with behavior problems in children. When conflict is low or controlled so that children are not exposed to it, they appear to benefit from contact with the nonresident father (Amato & Rezac, 1994; Hetherington et al., 1982).

One way to assess the amount of conflict in separated families is to examine the incidence of access disputes. These are reports of visitation problems filed in Child Access Demonstration Project sites, projects authorized by Congress to address difficulties in nonresident parents' access to children. Estimates from these sites of visitation problems range from about 1 in 5 to about 1 in 25 cases (Pearson, 1993). Other studies take a broader view of conflict, assessing how often mothers report conflict about various aspects of child rearing when they live apart from the child's father; about half of mothers report conflict and one quarter report a substantial amount of conflict (Seltzer, unpublished data).

In addition to having a direct effect on a child's well-being, conflict also has an indirect effect. Conflict hampers the mother's and father's ability to provide stable and secure child-rearing practices, and hurts the quality of the parent-child relationship. Parents who are preoccupied with their own needs may have difficulty meeting the needs of their children, especially when parents are experiencing the trauma of a break-up. Money and child-rearing practices are major sources of disagreement among married parents (Hanson, 1993), and it is not surprising that these may be more difficult for divorced parents to resolve. Separated parents already have a history of conflict and are now facing ambiguous role responsibilities. They may respond to the challenges of child rearing by remaining engaged either in reasonable harmony or in hostility; or, they may disengage from each other and manage their child rearing in parallel households (Furstenberg & Nord, 1985). Over time, disengagement becomes much more common (Maccoby et al., 1993), especially as parents establish new relationships, remarry, and move to new locations.

***When conflict between parents is high, contact with nonresident fathers is associated with behavior problems in children.***

**Children's  
contact with  
nonresident  
fathers declines  
when mothers  
remarry.**

Child support reforms, including paternity establishment and more universal enforcement of child support orders, are likely to increase the proportion of children who have contact with conflicted parents. These reforms require parents to be involved who, in other circumstances, would choose not to be involved because they do not get along. Pushing these families together may improve children's economic welfare while it threatens their social and emotional development by exposing them to much higher levels of conflict. The threat to children's welfare is particularly severe if the reforms increase contact with abusive parents.

"Parallel parenting" or when divorced parents arrange their child-rearing activities to be as separate from each other's as possible, is one way that parents manage their conflict and avoid disagreements. Parallel parenting is likely to work well if parents do not use their child as a messenger for their hostile exchanges. Children who are involved in their parents' disagreements or who feel that they must manage their parents' relationship with each other are more likely to be depressed and behave in a deviant manner, compared to children who are not involved in their parents' hostile relationship (Buchanan, Maccoby, & Dornbusch, 1991). The effects of the child support reforms in the Family Support Act will depend heavily on how parents manage their conflict with each other.

**Social and Emotional Security and Father Substitutes**

Stepfathers and other adults may compensate, in part, for children's loss of the nonresident father's time and attention. Compared to biological or adoptive fathers who live with their children, stepfathers are less socially and emotionally engaged with their stepchildren (Thomson, McLanahan, & Curtin, 1992; Smith & Morgan, 1994). A good relationship with a stepfather enhances a child's emotional, social, and academic achievement (Hetherington, 1993). However, acquiring a stepparent does not reduce the chance that a child will drop out of school or become a teen parent (McLanahan & Sandefur, 1994). Children's contact with nonresident fathers declines when mothers remarry (Furstenberg et al., 1983; Seltzer & Bianchi, 1988). The strains of acquiring a stepfather at the same time that they lose ties with their original father may also threaten children's emotional welfare. However, there is no evidence that contact with a nonresident father threatens the child's relationship with the stepfather (Furstenberg & Nord, 1985; Zill, 1988).

**Child Support Policy and Children's Families**

Biological fathers' ties to their children depend greatly on the men's relationship with the children's mother. When parents are married or living together, biological fathers devote their time and financial resources to the children; when parents divorce or a nonmarital relationship breaks up, fathers disengage from both the mother and their children. Fathers may acquire other children through remarriage or cohabitation, but here again, their ties to the children are through the men's attachment to the children's mothers. While a man's relationship with the

children's mother continues, he helps to provide for the children's needs. But when the relationship dissolves, men move on from these children as well. In contrast, women's ties to children persist whether or not they are involved with the child's father. Even when separated children live with their fathers or spend time in both parents' households, mothers spend more time with their children, organize more child-rearing activities than do nonresident fathers, and, by some reports, supervise children more effectively than do fathers (Furstenberg & Nord, 1985; Maccoby & Mnookin, 1992; Seltzer & Bianchi, 1988).

Federal and state reforms are trying to strengthen men's ties to their children—both their legal and social rights to children through access and custody, and their financial ties to children through child support orders and better enforcement of those orders. The preliminary evidence suggests that these reforms will help children's economic welfare. The reforms may also improve children's social and emotional well-being as long as the changes do not increase children's contact with highly conflicted parents or as long as these parents manage their conflict in a way that protects their children.

Parent education and mediation offer the potential to help parents. Parents who no longer get along as spouses or lovers may be able to learn to get along as parents (Kelly, 1994; Pearson, 1993). Parents cannot have a clean break when their relationship sours because they still share a common resource, their children. In many instances, however, parents can work together cooperatively to manage their hostility and to meet the children's needs. When parents maintain a high level of conflict and are unable to work together, children suffer (e.g., Johnston, 1994).

Although this report has focused on parents' responsibilities, especially those of nonresident fathers, it is important to recognize that child support reform alone cannot do everything. Some fathers cannot pay more support because they do not have sufficient income. Child poverty will persist even in a system of perfect child support enforcement (Sorensen & Clark, 1994). In addition, some parents need help in learning how to manage the difficulties of the ambiguous responsibilities they face. Government can play a role in helping parents meet their responsibilities to children by acknowledging both children's economic and non-economic needs.

**Parent education and mediation offer the potential to help parents learn to get along as parents.**



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*Judith Seltzer is a Professor of Social Work at the University of Wisconsin-Madison. She is a Research Affiliate at the Center for Demography and Ecology, and at the Institute for Research on Poverty.*

*Dan Meyer is an Assistant Professor of Social Work at the University of Wisconsin-Madison. He is a Research Affiliate at the Institute for Research on Poverty.*

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## **Wisconsin Resources on Child Support**

Compiled by Kirsten Linney  
Project Assistant  
Wisconsin Family Impact Seminars

### **Chief Judges Subcommittee on Child Support**

Judge Thomas J. Gallagher, Chair  
Bayfield County Courthouse  
P. O. Box 296  
Washburn, WI 54891  
(715) 373-6118

### **Clerk of Courts Association**

Donna Seidel, President  
500 Forest Street  
Marathon County Clerk of Court  
Wausau, WI 54403  
(715) 847-5222  
FAX: (715) 848-3962

### **Family Court Commissioner's Association**

Bill Honrath, Racine Family Court Commissioner's Office  
730 Wisconsin Avenue  
5th Floor, Racine County Courthouse  
Racine, WI 53403  
(414) 636-3181

### **Racine County Family Court Commissioner**

Kevin Van Kampen  
730 Wisconsin Avenue  
5th Floor, Racine County Courthouse  
Racine, WI 53403  
(414) 636-3181

### **Wisconsin Department of Health and Social Services**

Mary Southwick (Child Support)  
1 West Wilson Street, P. O. Box 7935  
Madison, WI 53707-7935  
(608) 266-9909

### **Wisconsin Legislative Council**

Information on legislation relating to child support  
Pam Shannon, Senior Staff Attorney  
Bob Conlin, Staff Attorney  
P. O. Box 2536  
Madison, WI 53701-2536  
(608) 266-1304

**Institute for Research on Poverty—Affiliates and Research Staff**

University of Wisconsin-Madison  
1180 Observatory Drive  
3412 Social Science Building  
Madison, WI 53706

**Pat Brown** (608) 262-7770  
Child support, all areas

**Thomas Corbett** (608) 262-5843  
Child support  
Implementation research, especially at state and local levels  
Welfare reform

**Marygold S. Melli** (608) 262-1610  
Legal aspects of child support  
Factors affecting negotiation of amount  
Changing legal status of the single parent  
Issues of implementation of assured benefits

**Daniel Meyer** (608) 262-5843  
Economic support for single-parent families, including child  
support and welfare  
Nonwelfare income transfer programs for families with children

**Judith A. Seltzer** (608) 262-2182  
Child support, custody, and visitation arrangements  
Conflict between parents and the effect of conflict on relation-  
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Inequality within and between families



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Editors: Karen Bogenschneider, Director, Wisconsin Family Impact Seminars, Professor, Human Development & Family Studies, UW-Madison, and Family Policy Specialist, Cooperative Extension, UW-Extension, Elizabeth Ragsdale, QuatrePage, and Kirsten Draper Linney, Research Assistant, Wisconsin Family Impact Seminars. Authors: Marygold Melli, Voss-Bascom Professor of Law, University of Wisconsin-Madison Law School; Daniel Meyer, Research Affiliate at the Institute for Research on Poverty, University of Wisconsin-Madison; and Judith Seltzer, Research Affiliate at the Center for Demography and Ecology, University of Wisconsin-Madison. Produced by the Center for Excellence in Family Studies, School of Human Ecology, University of Wisconsin-Madison. Elizabeth Ragsdale, designer.

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BFI#6 Child Support: The Effects of the Current System on Families (1995)