



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

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IV-D MEMORANDUM 2017-003

TO: All Friend of the Court (FOC) Staff
All Prosecuting Attorney (PA) Staff
All Office of Child Support (OCS) Staff

FROM: Erin P. Frisch, Director
Office of Child Support

DATE: March 13, 2017

SUBJECT: Self-Assessment (SASS) Audit: Fiscal Year (FY) 2016
Progress Report on Service of Process (SOP)

UPDATE(S):

Manual

Form(s)

RESPONSE DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

Michigan did not meet the federal benchmark of 75 percent for the Establishment criterion in the Self-Assessment (SASS) audit for FYs 2013, 2014, and 2015. Michigan's Establishment criterion was 55 percent in 2013, 57 percent in 2014, and 59 percent in 2015. As a result, OCS implemented a corrective action plan per federal requirements. In March 2016, OCS provided an SOP Progress Report to allow offices performing establishment services to assess their local office business practices for potential changes that could help improve Michigan's performance for the SASS Establishment criterion.¹

The March 2016 SOP Progress Report provided data for FY 2015 establishment cases. OCS is now providing data in the same format for FY 2016 establishment cases to allow offices to compare results and measure the effect of any changes they may have made to their business practices.

¹ Ref: [IV-D Memorandum 2016-005, Self-Assessment \(SASS\) Audit: Progress Report on Service of Process \(SOP\)](#).

DISCUSSION:

A. Background

Federal regulations require the Michigan child support program to perform an annual SASS audit to ensure its compliance with eight program compliance criteria. One of the criteria is “Establishment of paternity and support order” (Establishment). Within the Establishment criterion benchmark of 75 percent, there are three regulations for which states must be successful: 20-day case-open timeframe, 75/90-day locate timeframe, and 90-day service of process (SOP) timeframe.²

Michigan failed to meet the federal benchmark for Establishment in the SASS audit for FYs 2013, 2014, and 2015. The SASS audit revealed that the failure to meet the 90-day SOP timeframe contributed to 52 percent of the Establishment failures in 2014, and 78 percent of the failures in 2015. SOP contributed to 52 percent of the Establishment failures in 2014, and 78 percent of the failures in 2015.

As part of the FY 2014 corrective action plan, OCS issued an SOP Progress Report for FY 2015 establishment cases. The progress report was a list of *potential* FY 2015 SASS cases in which SOP requirements either were met, or may not have been met, within the federally required time limit. Counties and OCS Operations staff were asked to review their cases in an effort to determine improvements that could be made in their offices to better meet due diligence requirements and federal timelines for SOP.

OCS is issuing a new SOP Progress Report for FY 2016. Similar to the previous year’s report, this is a list of *potential* FY 2016 SASS cases in which SOP requirements either were met, or may not have been met, within the federal time limit.

IV-D Memorandum 2016-005 provides information on OCS’s decision to create and communicate the SOP Progress Report, reasons for failures, and recommended action for establishment offices to improve SOP performance. It also discusses the FY 2015 SOP Progress Report results.

This memorandum discusses the results of the SOP Progress Report for FY 2016.

B. SOP Progress Report Results

1. FY 2015

In FY 2015, Michigan’s statewide overall SOP pass rate (measuring *all* cases regardless of how long the office had to serve the non-custodial parent [NCP]) was 63 percent. The Category 1 pass rate (cases for which the office had 60 or

² Ref: 45 Code of Federal Regulations (CFR) 308.2.

more days to serve the NCP) was 74 percent.³ If the 75 percent threshold for the SASS audit Establishment criterion had been applied solely to the SOP requirement within the Establishment criterion, Michigan would have remained below the federal benchmark.

OCS shared information from the FY 2015 SOP Progress Report with each county's elected Prosecutor (or with the chief judge and the Friend of Court in counties where the Friend of the Court does establishment work), along with a letter of explanation.

2. FY 2016

Michigan's performance on the FY 2016 SOP Progress Report shows improvement over the FY 2015 measurements. The statewide overall SOP pass rate for FY 2016 is 69 percent. The Category 1 pass rate (cases for which the office had 60 or more days to serve the NCP) went up to 80 percent.

Fifty-two counties were at 75 percent or better for Category 1 cases for FY 2016. Ten of those counties were able to serve 100 percent of their Category 1 cases timely.

Fifty counties improved their overall pass rate over FY 2015, six of them by more than 30 percentage points. OCS recognizes that the efforts of many individual offices to improve their practices have resulted in a statewide improvement in SOP. OCS commends those offices where positive changes have been made.

Six counties either scored below 50 percent for FY 2016, or their score fell considerably between FY 2015 and FY 2016 and they are no longer at or above 75 percent. OCS will contact these counties within the year to discuss how to best assist them in finding solutions to improve their SOP results.

Based on a request OCS received at the Prosecuting Attorneys Association of Michigan conference in February, OCS will again provide individual county results to each county's elected Prosecutor (or to the Friend of the Court in combined offices) and each county's child support contact.

The SASS audit for FY 2016 is underway and will be completed by the end of March 2017. Results for the Establishment criterion are not yet available.

C. FY 2016 SOP Progress Report

After considering alternate methodologies, OCS used the same methodology for the FY 2016 SOP Progress Report as that for the FY 2015 SOP Progress Report. Using the same methodology for both the FY 2015 and FY 2016 SOP Progress Reports will allow offices that perform establishment work to make a more meaningful

³ Case categories are explained in Section C(2) of this IV-D Memorandum.

comparison between the two reports and determine the impact of any changes made to business practices.

The FY 2016 SOP Progress Report includes open IV-D cases with an initial order established in FY 2016, which is the same “universe” used when OCS randomly selects cases for the SASS Establishment audit.

1. The following types of cases are manually removed from the universe before the SOP Progress Report is compiled:
 - Intergovernmental cases with an R or I in the *Intergov* field on the MiCSES⁴ *Case Member Details* (CASE) screen or cases where the support order has a *Court Case Type* that starts with a U on the *Support Order Entry* (SORD) screen;
 - Foster care cases with a *IV-D Case Type* of F, J, or G on the CASE screen;
 - Private filings (i.e., cases with a *Court Case Type* of DC, DM, or DO on the SORD screen);
 - Cases without court action referrals (CARs);
 - Cases where the docket county and case county are different; and
 - Cases with a blank or possibly incorrect *Federal Expiration Date* in MiCSES.⁵
2. Cases within the SOP Progress Report are divided into two categories:
 - Category 1 – Cases that appear to have a correct *Federal Expiration Date* in MiCSES, and the office had a least 60 days to serve the NCP from the time the CAR was received; and
 - Category 2 – Cases that appear to have a correct *Federal Expiration Date* in MiCSES, and the office had fewer than 60 days to serve the NCP, including cases for which the county received the CAR *after* the *Federal Expiration Date*.

The SOP Progress Report provides pass/fail rates for Category 1, Category 2, and Overall (a combination of the two categories).

D. Alternative Methods for Measuring SOP

There are many different methods OCS uses for measuring SOP. Currently, the following documents/projects each calculate the SOP measurement differently.

- SASS audit;
- SOP Progress Report;

⁴ MiCSES is the Michigan Child Support Enforcement System.

⁵ The query used for the SOP Progress Report identified cases with a cooperation history or reopen date that may have resulted in a recalculated *Federal Expiration Date*.

- *EST Management Summary Summary* (ES-001) Business Objects Report;⁶ and
- Cooperative Reimbursement Program (CRP) Contract.

These various measurement methodologies may cause confusion. Consequently, the measures are summarized in the following table and explained further below.

Measure	IV-D Case/ CAR	Description	Population	Standard or Goal
SASS Audit	IV-D cases with an initial order established during the FY.	Measures service on IV-D cases that have had an initial order established during the FY. Excludes intergov, foster care, cases without CAR, and cases without <i>Federal Expiration Date</i> (FED). This measurement considers SOP as well as case-open and locate.	Random statewide audit sample (normally between 400 to 600 cases); it may or may not include results for a specific county. Provides state-wide results only.	Successful SOP, due diligence, or order established by FED. ⁷
SOP Progress Report ⁸	IV-D cases with an initial order established during the FY.	Measures service on IV-D cases that have had an initial order established during the FY. Excludes intergov, foster care, private filings , cases without CAR, cases without FED, cases with incorrect FED, and cases where the docket and case are in different counties.	All IV-D cases with orders during the FY that meet criteria under “Description.” SOP data is collected for all counties.	Service within 90 days for 75% of IV-D cases for which the county had at least 60 days to serve.
ES-001 SOP Key Performance Indicator (KPI) ⁹ Business Objects Report	All distinct CAR IDs.	Measures service on all distinct CAR IDs with FED set to be due within 90 days prior to the beginning of the current period through 90 days before the end of the reporting period.	All CAR IDs where the FED is set to be due within 90 days prior to the beginning of the current period through 90 days before the end of the reporting period.	SOP KPI goal is greater than or equal to 75% of CARs that met due diligence or were successfully served, or a summons extension was set prior to the FED.

⁶ The value of, and the need for, the ES-001 report in Business Objects is under consideration. OCS is working with county staff who currently access the ES-001 report to determine if it is useful to their offices.

⁷ The Establishment SASS criterion federal benchmark must be met in 75 percent of IV-D cases. Three measures are included in this assessment: the 20-day case-open timeframe, the 75/90-day locate timeframe, and the 90-day SOP timeframe. The SOP timeframe is considered to be met if, prior to the expiration of the FED, a support order is established, successful SOP occurs, or Michigan’s due diligence requirements are satisfied. Ref: [Section 4.15, “Service of Process \(SOP\),” of the Michigan IV-D Child Support Manual.](#)

⁸ The FY 2015 SOP Progress Report did not provide results for counties with fewer than 10 orders established.

⁹ Ref: the [Business Objects Report Description: EST CAR Management Summary \(ES-001\)](#) for detailed information on the calculation of the SOP KPI percentage.

Measure	IV-D Case/ CAR	Description	Population	Standard or Goal
Cooperative Reimbursement Program (CRP) Contract	TBD ¹⁰	TBD	TBD	Contract performance standard is 75% of cases with successful SOP pursuant to Section 4.15 of the child support manual.

1. SASS Audit – Establishment Criterion

The SOP Progress Report is closely related to the SASS audit of the Establishment criterion; however, the SASS audit involves a randomly selected subset of IV-D cases. The IV-D cases are then examined and re-examined closely by IV-D staff trained in the audit requirements. The SOP Progress Report, on the other hand, includes *all* cases that meet the above specifications, and those IV-D cases are not examined further.

So, for instance, if there is information about a IV-D case on the MiCSES *Notes Processor* (NOTE) screen that would allow it to pass the SASS audit, that same IV-D case may not pass according to the specifications of the SOP Progress Report.

2. EST Management Summary (ES-001) Business Objects Report

The *EST Management Summary* (ES-001) Business Objects Report is a completely different measurement of SOP than that provided by the SOP Progress Report. The biggest difference is that the SOP Progress Report measures the timeliness of SOP on IV-D cases where an initial order is established within the FY, whereas the ES-001 measures all of an office’s distinct CARs with SOP due during the reporting period.¹¹

3. Contract Performance Standards (CPS) From the OCS CRP Contract

The SOP benchmark in the CRP contract is 75 percent of cases with successful SOP pursuant to Section 4.15 of the *Michigan IV-D Child Support Manual*. If, from the date of the CAR initiation, there are at least 75 days remaining in the federally required 90-day SOP timeframe, then the SOP requirement pursuant to Section 4.15 of the *Michigan IV-D Child Support Manual* must be met, and those

¹⁰ To be determined. Work is currently in progress to define key terms and measurements in the CRP Contract. Ref: the email notification, [Cooperative Reimbursement Program \(CRP\) Contract Measures Project](#), published December 29, 2016.

¹¹ Ref: *Business Objects Report Description: EST CAR Management Summary (ES-001)*. The related [Service of Process Details Report \(ES-202\)](#) provides detail for the monitoring of open CARs where the NCP is located but SOP has not been successful.

cases are included in the evaluation. The SOP Progress Report does not measure for the “75 Percent in 75 Days” CPS. The SOP Progress Report offers a 60-day measurement, but not a 75-day measurement.

OCS considered these alternative measurements for SOP when planning the 2016 SOP Progress Report. However, as mentioned earlier, OCS decided to use the same methodology as in the FY 2015 report so offices could make a meaningful comparison between the two sets of data, and thus accurately measure the effect of any changes made to business practices.

OCS does not plan to use the SOP Progress Report methodology or to issue another SOP Progress Report after FY 2016.

E. Accessing the FY 2016 SOP Progress Report

The spreadsheet titled *<county number> Fiscal Year 2016 Court Orders with Possible SOP Errors* is located in each county’s PA folder in the mi-support [Document Distribution Center](#).¹² The spreadsheet contains no confidential information and is being provided unencrypted.

Note: For combined offices, the spreadsheet will also be available in the county’s FOC folder in the Document Distribution Center.

OCS provided the FY 2015 SOP Progress Report only to counties that had at least 10 court orders established within the review period. The FY 2016 SOP Progress Report is being provided to all counties with the exception of Keweenaw, which had zero orders.

F. Understanding the Report and Recommended Actions

1. Understanding the Report

a. Report Tabs

The spreadsheet contains four tabs:

- **Stats** – This tab is a summary of the county’s SOP pass/fail percentages compared with statewide totals. The pass/fail percentages are broken out by each of the categories and as an overall total.
- **Report Elements** – This tab provides information about the report itself.
- **0xx** – The name of this tab is the county’s three-digit county number. This tab provides details about the county’s Category 1 and Category 2 cases.

¹² The Document Distribution Center is located here on mi-support: Systems > Document Distribution Center. To access the SOP Progress Report, click County Name > PA > MiCSES Notification Attachments. Ref: [MiCSES Customer Information Guide: mi-support Document Distribution Center](#) for more information.

- Column Descriptions – This tab has definitions and explanations to help users understand the columns on the numbered tab for their county.

Counties with IV-D cases with potential failures will find case details on the tab marked with the county number.

b. Report Columns

The first column of the SOP Progress Report, “Overall Pass/Fail,” is on the “0xx” tab of each county report, and indicates whether the individual case completed or failed to complete SOP activities within the *Federal Expiration Date* period.

- Cases that had a successful SOP, three unsuccessful SOP attempts, or an order issued on before the *Federal Expiration Date* are identified as “Pass.”
- Cases with a summons expiration date extension indicated in MiCSES are considered a pass; however, IV-D staff should further review these cases to ensure they meet the qualifying summons extension requirements as described in Section 4.15 of the *Michigan IV-D Child Support Manual*.

2. Recommended Actions

IV-D staff will review the Category 1 cases listed as “Fail” in the Overall Pass/Fail column. They will then review these cases in MiCSES or in court files and determine the obstacles that prevented, and the procedures that did not permit, timely SOP. OCS recommends that county staff consider revising business practices that resulted in failing cases. County staff are encouraged to contact OCS if they have questions or need assistance.

Reviewing the Category 1 “Fail” cases is especially important if the county’s Category 1 passing rate is near or below 75 percent.

There is no action that could move the Category 1 “Fail” cases to the “Pass” category since the compliance window has elapsed. The report is historical only and is intended to be a progress report to show how the county is doing with SOP timelines.

No action is needed by local offices for Category 2 cases on the spreadsheet. Category 2 cases are included for informational purposes only. OCS Central Operations staff will review cases in this category to identify and develop system or process improvements that will further reduce impacts to SOP timeframes.

G. Additional Information

For more information regarding the FY 2015 SASS audit and corrective action plan, refer to the [FY 2015 Title IV-D Self-Assessment Audit Report](#).

For more information on the 2015 SOP Progress Report, refer to IV-D Memorandum 2016-005.

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

REVIEW PARTICIPANTS:

Performance Management Workgroup
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None

SUPPORTING REFERENCES:

Federal
45 CFR 308.2

State
None

ATTACHMENT(S):

None

EPF/JJV