



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

ROBERT GORDON
DIRECTOR

IV-D MEMORANDUM 2019-002

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: February 25, 2019

SUBJECT: Behavioral Interventions in Child Support

UPDATE(S):

Manual

Form(s)

ACTION DUE: None

POLICY EFFECTIVE DATE: Upon receipt

PURPOSE:

This IV-D Memorandum provides information about the use of behavioral interventions in the child support program. It discusses the formation of the Michigan IV-D Behavioral Interventions Workgroup (BI Workgroup) and the group's goals and objectives, as well as an update on the group's latest activities.

This memorandum is informational only and does not introduce any new statewide policy or procedure.

DISCUSSION:

A. Background

The federal Office of Child Support Enforcement (OCSE) awarded five-year Behavioral Interventions for Child Support Services (BICS) demonstration grants to eight child support agencies in 2014 to test how behavioral economics principles can improve child support program processes and outcomes.

Behavioral economics applies psychological insights into human behavior to explain decision-making processes. Individuals often make decisions that are not in their own best interests because they are confused, overwhelmed, or not fully considering the long-term results of their choices. Behavioral interventions seek to use

knowledge of human behavior to “nudge” individuals toward making a more beneficial choice. To read more about this field of study, IV-D staff may look to the following books:

- *Predictably Irrational: The Hidden Forces That Shape Our Decisions* by Dan Ariely;
- *Nudge: Improving Decisions About Health, Wealth, and Happiness* by Richard Thaler and Cass Sunstein; or
- *Sway: The Irresistible Pull of Irrational Behavior* by Ori Brafman.

The BICS demonstration project aims to apply behavioral insights to child support contexts to increase program efficiency, develop promising behavioral interventions, and build a culture of regular, rapid-cycle evaluation designed to identify cost-effective improvements in the child support program.

For states and tribal child support programs that are not within the BICS demonstration grant, OCSE has established a cohort of BICS Peer Learning Sites to develop, adapt, implement and evaluate behavioral interventions to improve their own program operations. Michigan’s child support program is among the Peer Learning Sites. Each site is developing, implementing and evaluating a behavioral intervention within its child support program. OCSE’s BICS Project Support Team (BPST) has provided training and technical assistance to the Peer Learning Sites. The BPST consists of the OCSE Project Offices and the BICS Evaluation Grant staff. OCSE has also paired Peer Learning Sites with BICS grantees for support and mentorship.¹

IV-D staff may refer to the [MDRC² website](#) to read more about BICS.

Michigan created the BI Workgroup in the summer of 2018, and the Program Leadership Group approved its charter on August 27, 2018. Julie Vandeenboom from OCS and Carol Bealor, the Cass County Friend of the Court, are the group’s co-leads. The BI Workgroup has representatives from the State Court Administrative Office (SCAO) and the Friend of the Court (FOC) offices in Calhoun, Kent, Oakland, Muskegon, Washtenaw, and Van Buren Counties. It also has representatives from the OCS Operations Division, OCS Policy Section, OCS Training Services Section, and OCS Planning, Evaluation and Analysis Section.

B. BI Workgroup Goals and Process

The BI Workgroup’s goal is to learn about behavioral interventions that have been previously used in child support programs. The group is applying that knowledge to a problem of interest within Michigan’s child support program by designing an intervention, and will follow the intervention through the behavioral diagnosis and design process established by the BPST. The BI Workgroup’s charter specifies that

¹ Michigan’s grantee mentor sites are Ohio and Vermont.

² MDRC is a nonprofit, nonpartisan education and social policy research organization.

the group will focus on small, easily achievable intervention activities that will require little-to-no system changes.

The BI Workgroup's charter also explains the steps in the workgroup's process. The workgroup will do the following:

1. Define a Problem of Interest

Engage in an intensive process of identifying, understanding, and defining problem areas in child support operations, and select a problem of interest for testing.

2. Diagnose the Bottlenecks³

Use behavior mapping to fully diagnose the problem and identify where behavioral bottlenecks are likely to impact the efficiency and effectiveness of current processes.

3. Design an Intervention and Evaluation

- Identify desired outcomes that are measurable and meaningful;
- Apply behavioral science and tools to design the intervention; and
- Develop an evaluation plan for the intervention that includes:
 - The outcomes of interest;
 - The evaluation methodology;
 - The timeframes for tracking implementation;
 - The data needed to track the outcomes; and
 - The plan for data collection.

4. Implement the Intervention

Support and monitor implementation of the intervention as designed.

5. Evaluate the Intervention

Gather and analyze data from the test of the intervention, and report on that analysis.

The BI Workgroup expects to complete its behavioral intervention project as a BICS Peer Learning Site by September 30, 2019. The group's charter indicates that after Michigan's term as a BICS Peer Learning Site concludes, the workgroup will determine whether to continue behavioral intervention work in Michigan without the ongoing assistance of the BPST.

³ A "bottleneck" is a step in a process where limited capacity in that step slows or impedes the entire process.

C. Michigan's Intervention

The BI Workgroup brainstormed several different problem areas within the child support program before identifying an issue in the review and modification process. The group worked through steps 1 through 3 in the process outlined in Section B of this memorandum with guidance and input from the BPST.

1. Problem Statement

Custodial parties (CPs) and non-custodial parents (NCPs) do not participate in the review and modification process. The participation problem is two-fold:

- Some CPs and NCPs do not participate at all (e.g., they do not return the case questionnaire⁴ and documentation necessary for the review); and
- Some CPs and NCPs *do* return the case questionnaire and/or supporting documentation but do not provide enough information for the child support program to complete an accurate review.

The lack of participation by CPs and NCPs in the review and modification process may result in terminated reviews (wasted staff time and effort), additional effort by staff to discover relevant information, support amounts that do not reflect the parties' actual circumstances and ability to pay, and/or additional time and effort spent when parties object to a recommended order developed without their participation.

2. Diagnosis of Bottlenecks

The BI Workgroup studied the current review and modification process. This included a review of all policy, system documentation, and related forms, as well as stakeholder interviews with review and modification staff, CPs, and NCPs. The workgroup assumed that the case questionnaire's length and complexity was the biggest bottleneck in the review and modification process. However, the diagnosis process revealed several bottlenecks:

- a) Cognitive Overload – The case questionnaire is lengthy and asks for a lot of information.
- b) Hassle Factors – The CP or NCP may not find worth in completing the case questionnaire and gathering supporting material if (s)he does not interpret the "payoff" of the modification as significant. In addition, CPs and NCPs must complete income information even if they provide paystubs and tax returns. They also must provide information on themselves, the other party, and the children, even when the IV-D program already has this information.

⁴ The *Friend of the Court* – Case Questionnaire is the Michigan Child Support Enforcement System (MiCSES) RNMFOC39.

- c) The Ostrich Effect – Some CPs and NCPs may not open the *Notice of Support Review*⁵ and case questionnaire because they try to avoid all communications from the FOC.
- d) Procrastination – The CP or NCP delays completing and/or returning the case questionnaire.
- e) Status Quo Bias – CPs or NCPs may not want to bother with a review if they are happy with the present circumstances. Specifically, the stakeholder interviews revealed situations where an individual lost a job and requested a review, but was already employed again by the time the review began. Rather than withdraw the review request, the individual ignored the review.
- f) Choice Overload – This bottleneck is unique because it involves FOC staff rather than CPs and NCPs. IV-D staff have too many review termination reasons to choose from in MiCSES. Many FOC staff choose the “other” termination reason code, which does not describe the actual reason for the termination. Consequently, the workgroup was unable to obtain accurate data on review terminations.

One of the most serious bottlenecks the BI Workgroup identified is the hassle factor caused by the absence of an online case questionnaire. Due to the workgroup’s system constraints (the charter calls for “little-to-no system enhancements”), it was impossible to address this bottleneck. Instead, the BI Workgroup has indicated to the Program Leadership Group its support of an option to complete the case questionnaire online, whether this is done through the Michigan Legal Help Self-Help tool, through the MiChildSupport Portal, or by some other means.

3. Intervention Activities

The BI Workgroup has designed an intervention that will involve the seven counties represented on the workgroup. The intervention is tentatively scheduled to begin the week of March 4, 2019. The process of adding new modification reviews to the intervention will run through approximately June 28, 2019, with analysis of the intervention to begin on or around September 1, 2019.⁶

The intervention will target both CPs and NCPs participating in court-ordered reviews, party-requested reviews, and FOC-initiated reviews.⁷ The intervention will exclude automatic three-year public assistance reviews, as well as IV-D

⁵ The *Notice of Support Review* is the MiCSES RNMRVWNOT.

⁶ According to 45 Code of Federal Regulations (CFR) 303.8(e) and Michigan Compiled Law (MCL) 552.517(3), the review and modification process may take up to 180 days to complete; however, approximately 75 percent of Michigan’s reviews are completed within 120 days.

⁷ Ref: [Section 3.45, “Review and Modification,” of the Michigan IV-D Child Support Manual](#) for more information.

cases where non-assistance CPs and NCPs receive a three-year eligibility notice⁸ but do not respond.

In each office, FOC staff will conduct approximately 60 percent of reviews normally; that is, office staff will follow their standard business practice.⁹ Approximately 40 percent of the reviews in each office will be randomly assigned to an intervention group.

There will be two intervention groups: Group 1 and Group 2.

a. Interview Option

- Group 1 participants will have the opportunity for a telephone or in-person interview instead of completing the case questionnaire. Taking the case questionnaire out of the process intends to address the cognitive overload and hassle factors involved with the questionnaire. The BI Workgroup expects these interviews will take a significant amount of time; therefore, offices will determine how many reviews to assign to each intervention group based on their office preference and staffing availability. Some offices will not assign any reviews to Group 1.
- Group 2 participants will not have the option for an interview.

b. Postcard

For both Groups 1 and 2, FOC staff will manually send the CP and NCP a postcard approximately five days before sending the revised *Notice of Support Review*. Reference Exhibit 2019-002E1 for an example of the postcard. Behaviorally, the postcard will help address the ostrich effect because the CP or NCP will not need to open a piece of mail to know that a review will be happening. The illustration of children on the postcard will also help prime the recipient's identity as a parent. Ideally, the CP or NCP will decide that responding to the review notice will be in their child(ren)'s best interest.

Before designing the postcard, the BI Workgroup discussed privacy and confidentiality concerns and reviewed postcards sent by child support agencies in other states. The BPST indicated that decisions around postcards, privacy and confidentiality have been left to individual state and tribal IV-D programs.

⁸ The eligibility notice is the *Review and Modification Eligibility Notification*, which is the MiCSES RNMEIIGLTR.

⁹ This group of reviews will be known as the "control group." Ref: Section D of this memorandum for more information.

OCS Policy Section staff determined that sending this postcard with a CP's or NCP's name and address and no other identifying or sensitive information would comply with Michigan's policy as defined in [Section 1.10, "Confidentiality/Security," of the Michigan IV-D Child Support Manual](#). The information on the postcard will not be more sensitive than that on a traditional envelope with the return address of the FOC.

c. Revised *Notice of Support Review* and Frequently Asked Questions (FAQs)

The BI workgroup will develop a revised *Notice of Support Review* that uses friendlier, simpler language and icons to draw attention to important information. To help address cognitive overload, it will include instructions that allow the recipient to skip over sections of the case questionnaire under specific circumstances.

To help address procrastination, the revised notice will include a **date certain** as the deadline for the CP or NCP to return the material or contact the office, as appropriate.

The back of the revised notice will contain a list of Frequently Asked Questions (FAQs) that include different ways to return the case questionnaire to the FOC office. There also will be an FAQ that explains the process for withdrawing a review request if the individual requesting the review no longer wants it.

The revised *Notice of Support Review* is not in MiCSES; FOC staff in each office will use desktop applications to mail merge and print the notice before manually sending it.

There will be two versions of the revised *Notice of Support Review*. FOC staff will manually send the appropriate version of the notice based on whether the recipient is in Group 1 or Group 2:

- The version sent to Group 1 will give the option to provide information either by completing the case questionnaire or by making an in-person or telephone appointment for an interview with a staff member (Ref: Exhibit 2019-002E2); and
- The version sent to Group 2 will not provide an option for an in-person or telephone appointment. The notice will ask the recipient to complete and return the case questionnaire (Ref: Exhibit 2019-002E3).

The case questionnaire and the childcare verification that are normally sent with the *Notice of Support Review* will be included in their original formats. FOC staff will send these materials in a larger-than-usual envelope that CPs or NCPs may use to gather their tax returns, paystubs, etc. Behaviorally, this

may help address the hassle factor the recipient experiences in organizing paperwork. It will also help differentiate the material from other FOC mailings.

d. Interviews or Receipt of Case Questionnaires

FOC staff will interview participants as scheduled, or receive completed case questionnaires and other documentation. FOC staff will complete the rest of the review process according to their normal office practice, including following up by email or phone if they need more information from the CP or NCP.

If the CP or NCP does not make an in-person or telephone appointment, or does not return the materials by the due date, FOC staff will email, text or call with a reminder and will offer to extend the deadline.¹⁰ (Offering a deadline extension may cause the CP or NCP to feel some goodwill toward the child support program, and they may want to complete the process.)

e. Completion of the Review

FOC staff will complete the rest of the modification process following their usual office practice. Before the intervention, the BI Workgroup will conduct an FOC staff training session that will emphasize the importance of choosing the most accurate reason for a review termination. This will help FOC staff overcome choice overload when entering the reason in MiCSES.

D. Evaluation

1. Assigning Reviews

The BI Workgroup will conduct the review and modification intervention using a modified randomized control trial. In some offices, FOC staff will randomly assign intervention reviews based on the last digit of the IV-D case number associated to the review. In other offices, FOC staff will assign intervention reviews based on the caseloads of the review and modification workers.

Based on typical review and modification activity, the BI Workgroup expects that approximately 705 non-public assistance reviews will open each month within the intervention offices. The workgroup is targeting a sample size of approximately 282 intervention reviews per month over the course of the intervention; the remaining reviews will be in the control group.

¹⁰ All communications with CPs and NCPs will follow policy in Section 1.10 of the *Michigan IV-D Child Support Manual*.

2. Outcomes

The primary outcomes of interest are first, whether the intervention will result in more returned case questionnaires, and second, whether the intervention will result in the use of fewer third-party information sources to complete the review. It will also be beneficial to know whether the intervention affects the number of completed (vs. terminated) reviews and the number of objections received.

3. Tracking and Results

Staff in each intervention office will collect information on the review and modification process using an Excel spreadsheet. For each review (control group, Group 1, and Group 2), FOC staff will track:

- a. Whether the CP returned the case questionnaire or provided case questionnaire information in an interview;
- b. Whether the NCP returned the case questionnaire or provided case questionnaire information in an interview;
- c. Whether the CP's case questionnaire/interview provided enough information to complete the review without using a third-party information source;
- d. Whether the NCP's case questionnaire/interview provided enough information to complete the review without using a third-party information source;
- e. The disposition of the review (order entered or reason for termination); and
- f. Whether staff received an objection to the outcome of the review (to the recommended order or the termination).

FOC staff will provide this data to the OCS Planning, Evaluation and Analysis Section, which will analyze the intervention results at both an individual office level as well as across all seven intervention offices. OCS will provide an analysis to the BPST and to the other state and tribal IV-D programs participating in the BICS project.

OCS plans to share the results of the review and modification intervention in a future IV-D Memorandum. Based on results, OCS and program partners may consider statewide implementation of certain components of the intervention.

E. More Information

IV-D staff may find further information on the BI Workgroup, including the roster, charter, and minutes from past meetings, on mi-support.¹¹

NECESSARY ACTION:

Retain this IV-D Memorandum until further notice.

¹¹ mi-support > Partner Activities menu > PLG, Workgroups, and WITs > [Behavioral Interventions Workgroup](#)

REVIEW PARTICIPANTS:

Behavioral Interventions Workgroup
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SUPPORTING REFERENCES:

Federal
45 CFR 303.8(e)

State
MCL 552.517(3)

ATTACHMENTS:

- Exhibit 2019-002E1: Postcard
- Exhibit 2019-002E2: *Notice of Support Review* (version 1)
- Exhibit 2019-002E3: *Notice of Support Review* (version 2)

EPF/JJV