

EFFECTIVENESS OF OPERATIONS

D. EFFECTIVENESS OF OPERATIONS

Conclusions

A recent study entitled "Study of State Demographic, Economic, and Programmatic Variables and Their Impact on the Performance-Based Child Support Incentive System" prepared for the federal Office of Child Support Enforcement by the Lewin Group¹ evaluates several programmatic factors in relation to state child support performance:

- States that serve a large number of non-TANF clients should report better performance than programs that primarily serve current recipients of case assistance. Specifically, we find that states with a higher share of IV-D cases receiving TANF exhibit weaker performance on the paternity (statewide), case with orders, current collections, arrearages, and cost-effectiveness.
- Staff resources devoted to enforcement – expressed in terms of cases per FTE are also related to performance. Specifically, the lower is the ratio of cases to total program staff, the better is performance in the cases with orders and current collections measure.
- Average IV-D expenditures per case is related to better performance on the paternity measure (statewide) but weakens the cost-effectiveness ratio.
- The process by which states establish child support orders appears related to their performance on cases with orders. Specifically, having an administrative process is associated with better performance in order establishment.

Based on statistical information obtained from the federal OCSE FY 2005 Child Support Enforcement Preliminary Data Report, Nevada reported that out of a total caseload size of 114,440, 9,644 represented current TANF cases and 37,450 represented former TANF cases, a total of 47,094 total TANF-related cases, compared to 67,346 cases that never received TANF. This would seem to indicate that based on the first finding, Nevada should be a higher performing state based on the number of non-TANF to TANF client ratio. However, there are clearly other factors that are providing a negative impact on performance, other than case composition. These other three findings are discussed in greater detail within this Section of the report.

As a result of our data gathering through the use of a variety of Survey Questionnaires and group/individual interviews both in person and by telephone, we obtained a great deal of valuable input from all of these sources which assisted us in gaining not only an in depth insight to the current Nevada Child Support Enforcement Program, but also assisted in our formulation of multiple findings and resulting recommendations in a number of areas related to the program operations. While child support staff across the state are hoping for quick and easy fixes to a multitude of problematic areas and issues related to their ability to excel in performance, it is our belief that several major steps need to be made. Many of the recommendations identified in the Executive Summary as well as within this section of the Report may be accomplished within a relatively short period of time and will contribute to an

increase in Nevada's performance. Some of the recommendations discussed are more long term and involve extensive planning and education.

Many of the recommendations listed below will have a major impact in the current manner in which the Nevada Child Support Program does business. Some will have more of an impact on the rural District Attorney Child Support Enforcement offices while others impact only the larger counties.

It is our conclusion that there is no "quick fix" to the issues and problems that Nevada has been facing in regard to the program performance metrics. Simply adding additional resources in the form of staff will not resolve many of the problems if the program does not provide sufficient tools to enable the program to excel. Examples of these tools are:

- Reports that provide both case managers, supervisors and management with a means of effectively managing their caseloads and monitoring performance,
- An improved automated system to replace the current NOMADS that appears to impact performance in a more negative manner than positive one,
- Accountability at all levels of the program in regard to job expectations, performance standards and responsibilities,
- Clear and efficient means of sharing policy and procedural information to all child support staff (county and state),
- Effective training and tools in the terms of Desk Guides, a user-friendly and easily understood Child Support Policy Manual and a System User Manual,
- A clear roadmap for Nevada's Child Support Enforcement Program, in terms of a DWSS Strategic Plan, with goals and objectives outlining where the program expects to be within the next five years, how these goals will be attained and how child support staff at all levels are expected to contribute to the success of the program.

A clear and strong commitment and dedication to the success of Nevada's Child Support Enforcement program was expressed by all statewide. Nevada is very capable of improving performance at all levels and providing improved and effective services to the citizens of this state, given the right type of tools. What is contained in this section is a discussion of what kinds of tools child support staff currently are or are not provided with, and recommendations on how these tools may be improved or how efficient and effective tools may be provided.

Recommendations:

LOCATE – D.1

D.1.3.1 Centralization of Locate

D.1.3.2 Provision of Additional Locate Tools

D.1.3.3 NOMADS Interface and Alert Problems

D.1.3.4 Locate as a Sub-Function

D.1.3.5 Performance Standards

D.1.3.6 Provision of Locate Training

PATERNITY – D.2

- D.2.2.1 Paternity Establishment Policy
- D.2.2.2 Certification of Case Managers to Conduct Genetic Testing
- D.2.2.3 Allow Sworn Statements in Lieu of Notarization of Paternity Affidavits
- D.2.2.4 Emphasize Use of Administrative Process for Paternity and Order Establishment
- D.2.2.5 Allow Conclusive Presumption of Paternity Establishment
- D.2.2.6 Increase Focus and Use of In-Hospital Paternity Acknowledgment
- D.2.2.7 Implement a Contract Attorney Program
- D.2.2.8 Outsource Service of Process
- D.2.2.9 Standardization of the Use of Nevada Average Wage as Last Resort
- D.2.2.10 Institute the Creation of “In House” General Counsel

Enforcement – D.3

- D.3.2.1 Establishment of Enforcement Performance Measurement Standards Across the State
- D.3.2.2 Creation of a Centralized Employer Maintenance Team/Unit
- D.3.2.3 Implementation of Electronic Income Withholding Orders for the Military
- D.3.2.4 Creation of a "Point of Contact" Individual for Outreach to the Military Bases
- D.3.2.5 Elimination of Duplicate Income Withholding Orders
- D.3.2.6 Automation of the Unemployment Benefit Intercept Process
- D.3.2.7 Provide New Enforcement Tools
- D.3.2.8 Increase Understanding and Use of Long Arm Jurisdiction
- D.3.2.9 Elimination of Backlog of Outstanding Warrants
- D.3.2.10 Centralization of FIDM
- D.3.2.11 Clean-Up of Alerts
- D.3.2.12 Improvements to Nevada's Interstate Case Registry
- D.3.2.13 Expand Nevada's Medical Support Enforcement Coverage
- D.3.2.14 Improvements to an Overall Proactive Enforcement Approach

Case Management Functions – D.4

- D.4.2.1 Provide Improved Case Processing Tools
- D.4.2.2 Improved CSE Manual
- D.4.2.3 Improved Distinction Between Policy and Procedures
- D.4.2.4 Improved Use and Identification of Policy and Procedure Issuances

Automation – D.5

- D.5.2.1 Re-Institute the Alerts Workgroup
- D.5.2.2 Support of Improved Document Generation Solution and Centralized Printing of Documents

D.5.2.3 Implementation of Expanded Use of Imaging Technology

D.5.2.4 Advance Planning in Anticipation of New System

Reports – D.6

D.6.2.1 Creation of a Reports Workgroup

D.6.2.2 Re-Evaluation of Current Work Item Process and Dedicated IV-D Resources

IT Strategic Plan – D.7

D.7.1 Development and Finalization of an IT Strategic Plan

Training – D.8

D.8.2.1 Implementation of a IV-D Training Academy

D.8.2.2 Creation of a Training Officer II Position for IV-D

D.8.2.3 Provide Effective Training Tools

D.8.2.4 Provide Effective System Training

D.8.2.5 Implement a Means of Measuring Effectiveness of Training

D.8.2.6 Development of a Mentoring Program

Communication – D.9

D.9.2.1 Implementation of a Well-Developed, Well-Defined DWSS Strategic Plan

D.9.2.2 Creation of a Child Support Oversight Committee

D.9.2.3 Creation of an IV-D Help Desk

D.9.2.4 Empowerment of the IV-D Chief

D.9.2.5 Change in Supervision of IV-D Staff in the PA District Offices

D.9.2.6 Improvement of Inter-Office Communication – Clark and Washoe Counties

Performance Measurements – D.10

D.10.2.1 Establishment of Performance Measurement Standards for all IV-D Staff

D.10.2.2 Hold all Staff Accountable

D.10.2.3 Improvement in Communication Regarding Performance

D.10.2.4 Provide Case Management Reports

D.10.2.5 Establish Standardization

D.10.2.6 Strengthen the Role of the DWSS Central Office

D.10.2.7 Change Primary Focus From Policy Adherence to Federal Performance Outcomes

D.10.2.8 Initiate a Study to Develop an IV-D Staffing Standard

Methodology

During this audit, MAXIMUS utilized our SURE Methodology in our evaluation and analysis DWSS' Child Support Enforcement performance as explained in Section B Background of this report.

In our SCANNING of the operations of DWSS, the District Attorney (DA) and Program Area Offices (PAOs), we conducted interviews of over 107 individuals or

groups of individuals. These interviews were conducted either in person or over the phone, between the months of April and August, 2006. In addition to these interviews, three Survey Questionnaires were distributed among case managers, supervisors and Central Office staff in all three of the above program operational areas. Those surveyed were asked but not required to respond. (*Refer to Appendix B Survey Instruments.*)

Of a total of 283 surveys distributed to case managers and supervisors, and 16 surveys distributed to Central Office staff, a total of 224 completed survey responses were returned, as illustrated below in *Exhibit D-1: Survey Questionnaire Responses*.

LOCATION	TOTAL	Non-Sup	Supervisor
Carson City	7	6	1
Churchill	2	2	0
Clark County	130	120	10
Douglas County	4	3	1
Elko	7	6	1
Humboldt	4	3	1
Lincoln	1	1	0
Lyon	6	5	1
Mineral	1	0	1
Pershing	2	1	1
Washoe	37	32	5
White Pine	1	1	0
Elko PAO	4	3	1
Reno PAO	9	8	1
Las Vegas PAO	1	0	1
Central Office	8	0	0
TOTAL	224	191	25

Exhibit D-1: Survey Questionnaire Responses.²

In addition to the Survey Questionnaire instruments, MAXIMUS undertook a comprehensive review of the manner in which a variety of child support activities are performed in the child support offices throughout the state. Interviews were conducted with staff in the Program Area Offices (PAOs) as well as the District Attorney (DA) Offices, either in person or over the telephone, to gather information about the processes utilized in each of the offices, roles and responsibilities and caseload assignments. These interviews involved case managers, supervisors and program administrators and Coordinators.

In our UNDERSTAND phase of our methodology, documentation was gathered from the Central Office and each of the DA and PAOs to be used in our analysis to assist us in understanding current business processes in each of the offices and be able to make comparisons and identify differences. This documentation was also used to assist MAXIMUS in assessing program efficiencies and effectiveness between the various offices.

D.1 LOCATE

D.1.1 Background

Before undertaking effective child support enforcement efforts, child support staff must ascertain the location of a non-custodial parent. The locate effort involves identifying and confirming the residential and/or mailing addresses and telephone numbers of non-custodial parents, as well as verified employment. In those instances where the child support agency has lost contact with the custodial parent, location of the custodial parent must also be pursued.

Federal regulations and Nevada statutes authorize the Nevada IV-D Child Support Enforcement program to request information on the location of program participants from a wide variety of sources, including public agencies, all public and private employers, financial institutions and public utilities.³ Within 75 days of determining that locate activities are required in a case, the IV-D agency must access all appropriate location sources and ensure that the locate information on a case is sufficient to take the next appropriate action in the case.⁴ If the information received on a case indicates that a non-custodial parent resides in another state, a State Parent Locate Service (SPLS) referral must be initiated to that state's child support Central Registry within 20 days.⁵

In Nevada, the primary responsibility for locate activities for IV-A (welfare or TANF cases) belongs with the PAOs, who perform this function for some District Attorney offices in order to begin the process of paternity establishment and the setting of financial and medical support order. (Once the order is established, the case is transferred to the DA for enforcement). In other offices, once the PAO has located the non-custodial parent, the case is transferred to the appropriate DA for establishment of paternity and/or a child and medical support order. Non-IVA cases require that an Application for Child Support Services is filed at the local DA office. For Non-IVA cases, locate activities remain the responsibility of the staff in the DA office. Depending on how the caseload is distributed in an office (by functional area or from application to closure, commonly referred to as "cradle to grave"), DA staff perform locate activities on these Non-IVA cases that require location as the next step in case processing.

NOMADS performs nightly automated batch data matching with Nevada state databases, as well as with the Federal Parent Location Service (FPLS) and the Federal Case Registry (FCR). Currently there are automated interfaces with the Nevada Department of Employment Security and the Nevada Department of Motor Vehicles. Potential locate information is returned through the interface and the worker is notified of possible matches via a NOMADS system alert. Workers also have the capability to manually initiate additional interfaces through a specific locate screen in NOMADS.

The performance of the offices we surveyed is mixed. Our interviews with staff from across the State revealed that case manager performance of locate activities is not ideal. Locate workers identified widespread dissatisfaction with the locate tools they have been given to work with.

While there are child support offices in Nevada in which locate work is done in a timely and effective manner, in too many instances cases in need of locate activities are not given appropriate attention. Unique situations exist in many jurisdictions where the locate function moves between the PAO and the DA office during the life of a case. While responsibility, based on case assignment, is transferred between the two offices on NOMADS, the hard copy case file remains with the office responsible for the establishment of paternity, an obligation or enforcement on the case.⁶ The opportunity for shifting of responsibility and "burying" cases in the locate function is significant.

D.1.2 Findings

D.1.2.1 Finding: Availability of Locate Tools

Our evaluation identified a number of case managers who indicated that they did not use many of the locate resources currently available to them. This disclosure mirrors the earlier findings in an Audit Report done by the Legislative Auditor in 1999 citing the number of locate resources available, but not always used by IV-D staff.⁷

Even today, the number of locate tools that case managers rely on or use has not significantly changed, demonstrated in *Exhibit D.1.2.1-1: Locate Tools Used by Case Managers*.

Number of Respondents	Which of these locate sources do you not use at all? (Check all that apply)
36	Wildlife Records
35	Credit Reports
35	Gaming Records
33	Partial Credit Check
18	IRS 1099
18	Utility Companies
14	Bank Verification
10	Police Department
10	SPLS
5	FPLS
4	TANF records
2	Employment Security
1	ANSRS
1	Corrections Department
1	Employer Verification

Exhibit D.1.2.1-1: Locate Tools Used by Case Managers.⁸

Looking at all of the locate sources available for use, our Survey Questionnaire asked case managers to indicate the locate sources they used most often. *Exhibit D.1.2.1-2: Locate Sources Used* depicts the results.

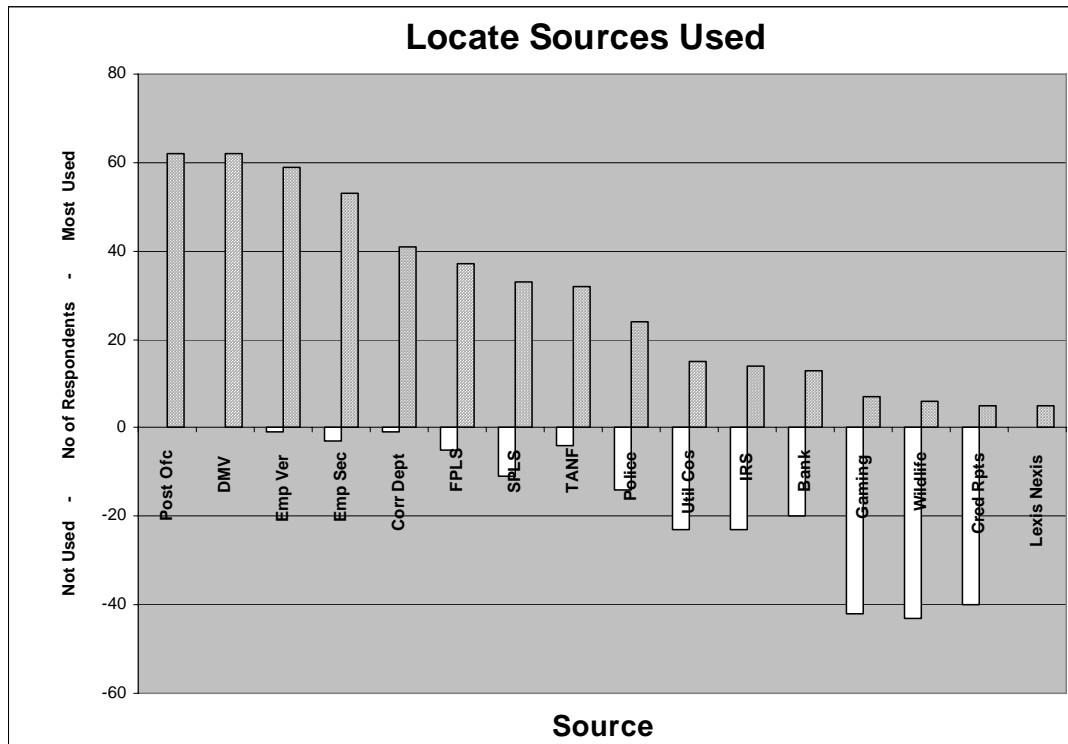


Exhibit D.1.2.1-2: Locate Sources Used.⁹

Case managers indicated they used a variety of manual locate sources, but none of the sources provided any significant results.

When asked about the frequency that skip-tracing techniques are used when following-up on locate leads via phone or mail, 18 case managers responded they use skip-tracing infrequently or not at all., and 19 out of 67 respondents answered that they were not familiar with skip-tracing.

In some jurisdictions, access to fundamental tools such as credit reporting¹⁰ and even basic internet access is not always available to the worker to supplement the automated system efforts.¹¹

Case managers in both Clark and Washoe Counties mentioned the availability of LEXIS-NEXIS to the investigators and that they frequently referred the more difficult locate cases to investigators for further locate actions. The case managers questioned why this locate tool was available to the investigators, but not to them.

The federal regulations passed with PRWORA require that a IV-D agency use appropriate location sources such as the Federal PLS; interstate location networks; local officials and employers administering public assistance, general assistance, medical assistance, food stamps and social services; relatives and friends of the non-custodial parent; current or past employers; the local telephone company; the U.S. Postal Service; financial references; unions; fraternal organizations; police, parole,

and probation records if appropriate; and State agencies and departments, as authorized by State law, including those departments which maintain records of public assistance, wages and employment, unemployment, insurance, income taxation, driver's licenses, vehicle registration, and **criminal records** and other sources".¹² In an Action Transmittal issued of OCSE, OCSE clarifies that "Section 466(a)(12) of the Act as added by section 315 of PRWORA requires States to enact laws and use procedures to ensure that all Federal and State agencies conducting activities under title IV-D of the Social Security Act have access to any system **used by the State** to locate an individual for purposes relating to motor vehicles or law enforcement. If **direct, on-line access** to these databases and networks is an option, that would be a way States could choose to meet the requirements of this section."¹³

NRS 425.393 "Authority of Chief to request information to carry out chapter; compliance with request" states that the Chief may request the following information to carry out the provisions of this chapter: (11) law enforcement agencies and any other agencies that maintain records of criminal history." Currently, other than the limited access provided criminal records through the use of Clark and Washoe County investigators, the IV-D case managers in the rural DA offices are not provided with equal access to this information and the locate sources they do use are very limited.

D.1.2.2 Finding: Need for Locate Training

MAXIMUS found there was a significant number of staff who felt that they did not receive adequate training or needed further training on how to use the locate resources available to them.

Of the 65 respondents who answered the question "Do you feel that you received adequate locate training that provided you with the skills required in the performance of your locate responsibilities?," 33 out of the 65 respondents replied "No."

Respondents cited a variety of reasons including:

- A lack of explanation or understanding of how to use the NOMADS locate screens
- Poorly written procedures
- The inability to use credit reports
- A lack of information on how to use each locate source

Overall, more than 59% of the staff who completed surveys indicated they needed additional or refresher training in order to adequately perform their locate duties.¹⁴

This trend was even more pronounced in the smaller and rural jurisdictions in which the locate function is not specialized and is only one part of the overall effort of the caseworker. In these small and rural jurisdictions, more than 72% of the survey respondents indicated a need for additional locate training. A recurring comment made by these respondents is they believed there were additional NOMADS system resources of which they were unaware or unfamiliar, and that additional training would help them to obtain the benefit of all available tools.

In a previous MAXIMUS report, we made a recommendation that DWSS provide "skip tracing" training to all staff having locate responsibilities to allow them to

obtain information from additional and more current sources.¹⁵ It was not evident in both the case manager responses to the Survey Questionnaire, or in the group interviews, that case managers were aware what "skip tracing" is in regard to locate actions.

D.1.2.3 Finding: Alerts Not Being Worked

The number of alerts created by NOMADS as a result of locate activities appears to be overwhelming to case managers. Case managers stressed there wasn't enough time in the day to review and work their locate alerts. Of the 60 responses received regarding the usefulness of NOMADS alerts related to locate activities, 38 respondents felt that the alerts were "somewhat useful" or "not useful at all." There were multiple reasons given for, but the three prevalent ones cited include:

- The tremendous volume of alerts,
- The size of their caseloads, and
- Distrust in the locate information provided.

Case managers stated on multiple occasions that too often they received duplicate or redundant alerts with the same locate information or that locate information was too old or not useful. Working through a huge volume of alerts proved to be tedious and extremely time consuming for case managers, with oftentimes of little benefit when the information is outdated.

D.1.2.4 Finding; Movement of Cases In and Out of Locate

NOMADS contains a functional area called "Locate." Based on business rules in a system table, NCP cases with no verified address or employer are assigned to specific office locations and staff for locate activities. However, as cases move in and out of the Locate Functional area in NOMADS, there is no actual transfer of the hard copy case file. Additionally, many respondents stated that even though the case was assigned to the PAO for locate actions, the case manager in the local DA office also performs locate activities, duplicating effort and actions.

CLARK COUNTY

In the state's largest jurisdiction, Clark County, the office's overall effort is significantly hampered by a fundamental lack of trust in the work produced by the locate staff. In this office, the work produced by locate staff members is routinely ignored by the Investigations Unit charged with service of process responsibilities. Because the Investigations Unit has access to a number of superior criminal databases, they essentially perform a duplicate locate effort on each case referred for service of process. The ramifications of this duplication of effort is twofold:

1. *It contributes to a loss of efficiency.*
2. *Significantly undermines the reliance other staff members give to the work of the locate staff.*¹⁶

This distrust oftentimes results in a delay in attempts at service of process, re-scheduling of court dates, and therefore a consequential delay in the establishment of a child support order.

D.1.3 Recommendations

D.1.3.1 Recommendation: Centralization of Locate

D.1.3.1.a We recommend the consolidation of the overall locate effort by DWSS to a Centralized Locate Unit. A Centralized Locate Unit will allow for more effective use of resources, greater specialization of effort, as well as providing the opportunity to employ more effective performance measuring and management. A focus on locate training for these case managers will provide locate case managers with the knowledge and skills to master the automated and manual resources. This will ultimately result in improved and more accurate, verified locate matches.

Caseworkers in the field offices will be liberated to focus on the core tasks of establishing and enforcing child and medical support obligations. We recommend establishing the Centralized Locate Unit in either the CSE Central Office or in a Las Vegas Office cite.

With the implementation of a wider use of imaging, the ability for return documentation, as a result of a centralized locate action, becomes more readily available in every IV-D case with which the NCP is related.

D.1.3.1.b We further recommend the State issue clear policies on what constitutes a valid locate of a party to the child support case. Once such policies are determined, we suggest the State undertake refresher training for all staff engaged in the locate effort to ensure full dissemination of all available locate resources. Field offices should also receive periodic training on soliciting viable information from child support customers to support the locate effort. With the creation of a centralized Locate Unit, this allows for the training to be focused on a smaller group of case managers

D.1.3.1.c The centralization of locate efforts will allow for consistency and standardization of locate activities. Adhering to locate policies and procedures will be easy to monitor, as well as provide the State the ability to quickly identify and resolve issues related to locate activities. This also provides a means of measuring performance at the individual level

D.1.3.2 Recommendation: Provision of Additional Locate Tools

We recommend that DWSS establish access to one or all of the three main credit reporting agencies for case managers involved with locate activities. During our interviews with field office staff we learned they have access solely to one lesser known credit reporting system. In some instances the workers even had the sole access removed. Centralizing location activities will allow DWSS to easily monitor usage of the credit bureaus for cost-effectiveness.

We recommend that DWSS obtain access to either LEXIS-NEXIS or ACCURINT to provide case managers with a valuable tool for skip-tracing. Securing access to either of these tools can be limited to the Centralized Locate Unit staff to limit costs and ensure confidentiality. Use of a locate tool such as LEXIS-NEXIS or ACCURINT is not limited to those involved in law enforcement but is used as a locate tool by many child support entities. It offer a much broader range of resources available for child support locate purposes

In an Action Transmittal issued by OCSE, the federal Office of Child Support Enforcement offers this explanation: "Section 466(a)(12) of the Act (Title IV-D Act), as added by Section 315 of PRWORA, requires States to enact laws and use procedures to ensure that all Federal and State agencies conducting activities under title IV-D of the Social Security Act have access to any system used by the State to locate an individual for purposes relating to motor vehicle or law enforcement. The intent of this State plan requirement is to help State IV-D agencies get access –for parent locator purposes—to law enforcement and motor vehicle state databases and to interstate networks that State law enforcement agencies and motor vehicle agencies to, or participate in, such as the National Law Enforcement Telecommunications System (NLETS), the National Crime Information Center (NCIC), and the American Association of Motor Vehicle Administrators (AAMVA) network."¹⁷

With the creation of a Centralized Locate Unit, DWSS would be able to acquire use of a locate source such as LEXIS-NEXIS or ACCURINT at a much lower cost due to the limited number of case managers who would be using this locate resource, as opposed to providing access to this locate resource to all PAO and DA case managers who currently perform locate activities. This would help ensure that all IV-D cases, regardless of which office they reside in, would receive equal access to all of the locate sources available to the IV-D program.

We recommend that DWSS emphasize the use of the State Parent Locator Service (SPLS.) Nevada's SPLS may assist in the location of parties within the State of Nevada and we encourage the State to remind staff of the availability of the service.

We also recommend that DWSS explore establishing agreements with cell phone providers in Nevada for access to cell phone information as a locate resource.

Best Practice – Virginia (VA 02)

Virginia won a 2006 federal award for innovation based on its project to collect support by subpoenaing phone companies for their cell phone records. Working with Cingular and Verizon, the two cell phone companies have volunteered to give information to the DCSE in lieu of receiving subpoenas for thousands of customer records. The cell phone information provides great locate information.

We recommend that DWSS compile a list of frequently used websites and the type of information that may be gleaned from the website from all the IV-D staff. The internet is fast becoming one of the better tools available for location purposes. A

compilation of some of the better websites will provide an excellent Desk Guide for locate staff.

D.1.3.3 Recommendation: NOMADS Interface and Alert Problems

D.1.3.3.a We recommend that Information Technology resources be dedicated to exploring the problems related to automated interfaces and the alerts created as a result of these interfaces, including:

- Data returned on the interface is too old,
- Data received from interfaces is no longer valid and overlays newer information entered by case manager,
- Duplication of locate information, and
- Creation of more meaningful alert text.

The NOMADS system makes it unduly difficult for workers attempting to perform locate work, when they must sort through information gleaned from data matching on a daily basis. In many instances dated information previously determined to be invalid, is repeatedly reported as new information, thereby wasting limited resource time devoted to the locate effort.¹⁸ NOMADS delivers an alert to the worker each time a new match is made, overwhelming staff with alerts of marginal importance. Relevant alerts that may result in successful casework are often lost in the maze of alert notifications. As a result of being inundated with alerts, many workers no longer pay any attention to the entire alert scheme.

We recommend DWSS develop business rules that will allow for the elimination of a significant number of duplicate and dated alerts. For example, if an address match is generated from a locate source that is more than "x" number of months old, and more recently verified data is already on the system, an alert is not required for the worker. Such dated information may be maintained on the system, but the alert could be eliminated allowing the worker to focus on more productive efforts.

D.1.3.3.b Further frustrating the success of location efforts is the structure of the locate tools within the NOMADS system. Locate information and functionality is spread across a multitude of screens within the system. Workers are forced to access and complete an inordinate number of individual screens in order to complete the locate function. This results in inefficient efforts and, in many instances, incomplete work. We recommend that DWSS consider consolidating a number of locate screens.

D.1.3.3.c NOMADS also should be modified to support sending locate verification letters for custodial parents. Staff informed us the system does not currently support this task in an automated fashion.¹⁹

D.1.3.4 Recommendation: Locate as a Sub-Function

We recommend that NOMADS be modified to disallow 'Locate' as a Functional area, but create it as a 'sub-function' of the major functions of Paternity Establishment, Obligation Establishment and Enforcement.

Locate is not a goal, but a means to a goal or goals such as the establishment of paternity and/or a child and medical support order. As a sub-function of the major functional areas, locate supports the success in these various steps by providing

current locate information, thus making the completion of the various function level actions more likely. Locate by itself does not accomplish a legal relationship such as paternity establishment, or produce an enforceable order nor lead to a collection. Locate is a step that helps attain those goals.

The State of Minnesota statewide IV-D system, PRISM, uses this design. When a case is assigned to Paternity or Enforcement, for example, the Functional assignment of the case is PL (Paternity Locate) or EL (Enforcement Locate) when either a verified address or employer is missing or no longer valid. The case is then subject to automated locate actions but remains in the primary functional area.²⁰

A Central Locate Unit will provide support to case managers in each of the major functional areas. With specialized training and tools, improved interfaces and locate alerts, and established performance expectations, a Central Locate Unit will provide the case managers with the timely support and information that is expected for them to take prompt actions on their cases.

The success of this recommendation is dependent on the implementation of another recommendation made in the Automation subsection of this report (Recommendation D.5.2.3 Implementation of Expanded Use of Imaging Technology). Case managers in the Central Locate Unit should have access to and the ability to image any hard copy documentation received by the Central Locate Unit in response to locate actions that they initiated. This will allow the case managers in the Regional Offices, as well as those working in the centralized Customer Service Center, to have immediate access to the most current documentation related to their IV-D caseload.

CLARK AND WASHOE COUNTIES

We recommend the responsibility for performing locate activities be *removed from investigators. Providing case managers in the Central Locate Unit with the proper tools, such as LEXIS-NEXIS or ACCURINT, eliminates the need for repetitive locate actions on the part of the Investigative Unit.*

Contracting with private process servers, as we recommend later in this report, will also avoid the duplication of effort that currently occurs and delays the initiation of service of process. Private process servers will immediately pursue service with the information provided to them.

D.1.3.5 Recommendation: Performance Standards

D.1.3.5.a We recommend the adoption of clear performance standards for all staff associated with the locate effort. Currently, in the majority of offices across the State, there is no established method of assessing the success of the locate effort. There do not appear to be readily available tools to determine the success of individual locate workers, the percentage of an assigned caseload in locate status, or the length of time a case has been in locate status. In Clark County, there appears to be an uneven assignment of the locate caseload among the workers assigned to various teams. Further frustrating success in the locate effort is the general failure within the offices throughout the State to manage for performance outcomes.

Especially in the large jurisdictions, locate staff could not identify job expectations in the performance of their jobs. Collections performance information was generally posted in a conspicuous manner in the majority of field offices that we visited but only rarely did we view the dissemination of individual or unit performance expectations and outcomes in a similar manner. With staff unaware of expectations and not being measured on the outcome of their efforts, it is not surprising that overall performance is less than ideal. Our office visits and staff interviews repeatedly revealed the undercurrents of apathy, frustration and job dissatisfaction that settles in among even the most diligent of workers and supervisory staff with unclear standards and performance expectations.

D.1.3.5.b We recommend that standards be published within each unit workspace, and publish each individual worker's progress toward meeting their performance expectations. This approach will be especially effective with a Centralized Locate Unit and will encourage staff to excel in their locate efforts.

D.1.3.6 Recommendation: Provision of Locate Training

D.1.3.6.a We recommend that all FTEs involved with locate activities receive thorough and timely training on the use of locate tools available to them, specifically LEXIS-NEXIS/ACCURINT, skip-tracing techniques and the use of the NOMADS screens and the data located on the screens. Additionally, staff should receive training on the interpretation and procedures for working locate-related alerts.

D.1.3.6.b We recommend that at least one person from the Centralized Locate Unit participate in the Alerts Workgroup mentioned later in this report, to provide input and participate in decision-making regarding locate alerts.

D.1.3.6.c We recommend that DWSS develop a written Locate Handbook and "cheat" sheets for use by Locate staff in the Centralized Locate Unit. These tools are quick and easy visual aids to assist staff in following the designated procedures for performing their various tasks.

D.2 PATERNITY ESTABLISHMENT

Background

OCSE requires that states meet their "PEP Standard," or paternity establishment percentage mark to avoid facing potential penalties against the state that could reduce IV-D and PA funding. States ultimately must achieve a 90 percent paternity establishment rate (or constant improvement to reach that rate) or face funding cuts. The funding cuts affect PA as well as IV-D funding and can have severe repercussions on the financial health of the two programs. This funding impact is in addition to the impact of low PEP on federal incentives.

In FY02, Nevada lagged behind the national average in paternity and order establishment. See *Exhibit D.2-1: Comparison Between Nevada and National Paternity Establishment Performance Standards – FY02* below.

Nevada and National Performance Data for FY02		
	Paternity Establishment	Order Establishment
Nevada	56.3	60.4
US	84.0	70.5

Exhibit D.2-1: Comparison Between Nevada and National Paternity Establishment Performance Standards – FY02.

In the two years since FY02, Nevada made some modest improvements in paternity but declined in order establishment while the national average indicators rose. See *Exhibit D.2-2: Comparison Between Nevada and National Paternity Establishment Performance Standards – FY 04* below.

Nevada and National Performance Data for FY04		
	Paternity Establishment	Order Establishment
Nevada	63.2	59.8
US	85.0	74.4

Exhibit D.2-2: Comparison Between Nevada and National Paternity Establishment Performance Standards – FY 04.

As exemplified in *Exhibit D.2-3: OCSE FY 2005 Preliminary Data* below, Nevada still lags behind based on the OCSE FY 2005 Preliminary Data.

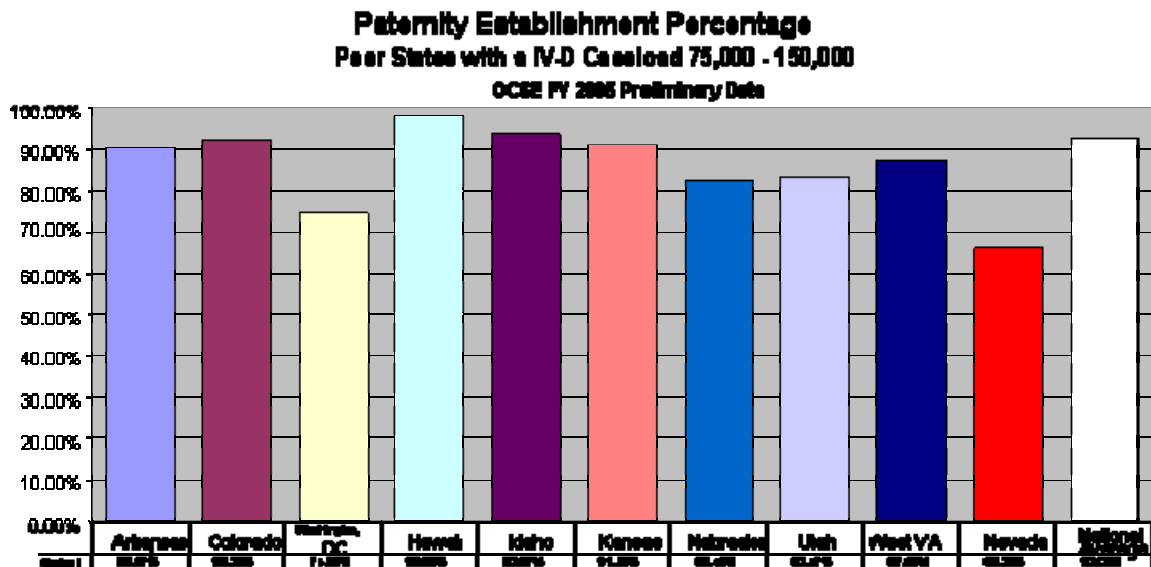


Exhibit D.2-3: OCSE FY 2005 Preliminary Data.

Order Establishment Percentage

Peer States with a IV-D Caseload 75,000 - 150,000

OCSE FY 2005 Preliminary Data

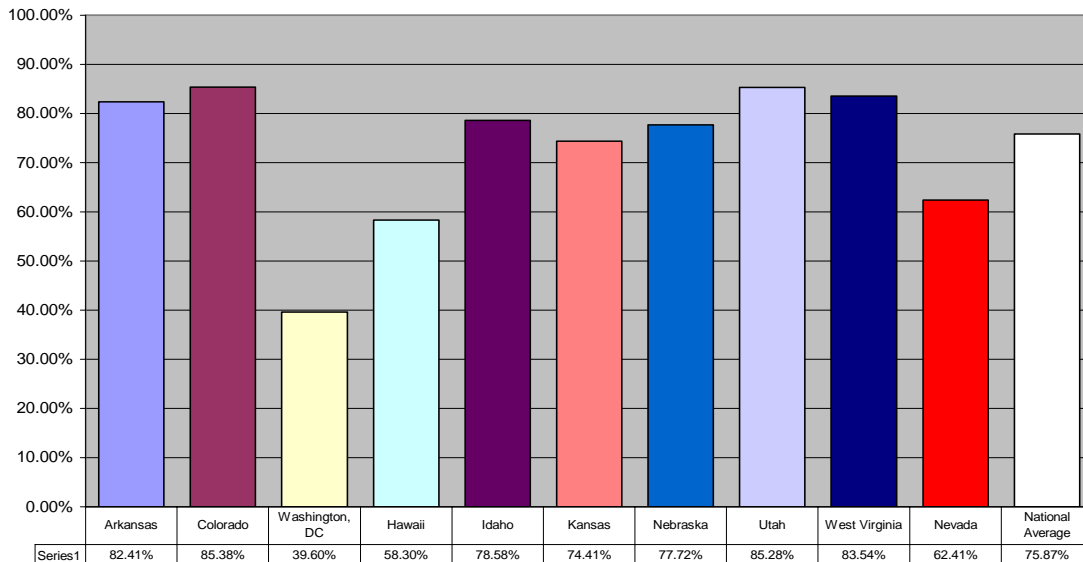


Exhibit D.2-4: OCSE FY 2005 Preliminary Data.

Methodology

During this audit, MAXIMUS utilized our SURE Methodology in the evaluation and analysis DWSS' Child Support Enforcement performance. Among the areas that we concentrated on were:

- Paternity Establishment policies and procedures in place
- Use of Genetic Testing
- Staffing in selected DA and PAO offices
- Utilization of Voluntary Paternity Acknowledgement and In-Hospital Paternity Acknowledgements
- Consistencies and inconsistencies within an office
- Office organization and paternity establishment caseload distribution
- Reporting methodology currently in place for paternity establishment activities

During our SCANNING of the operations of DWSS, the DA Offices and PAOs, we conducted interviews conducted and included in the data gathering questions specific to paternity establishment and order establishment.

In the UNDERSTAND phase of our methodology, we reviewed documentation gathered in relation to paternity and order establishment ,and analyzed program efficiencies and effectiveness among the various offices. We also reviewed and analyzed information from the results of the best practices interviews and gathered data from other states (*Refer to Appendix D Best Practices*) to identify tools incorporated that may lend themselves to Nevada and program efficiency improvements in the area of paternity and order establishment.

Finally, contained within this section we report our findings and recommendations for program improvement, as well as recommendations specific to implementation and change management to assist DWSS and the State of Nevada.

D.2.1 Findings

D.2.1.1 Finding: Genetic Testing Scheduling and Delays

There appears to be a delay of anywhere from 7 – 10 days from the scheduling of genetic testing to the actual testing of all parties. This delay does not include the normal turnaround time for the lab to produce the genetic test results report to share with the parties. The initial delay is due to several factors:

- Failure of all of the parties to show for their scheduled genetic test appointments
- Availability of hospital and clinic facilities to perform genetic tests
- The lack of trained case managers to obtain samples at the office. Delays are especially true for the smaller, rural counties where facilities are limited and the availability of appointments for scheduling of the genetic tests are also limited.

D.2.1.2 Finding: Required Notarization of Paternity Affidavits

While states are required to comply with a party's request for genetic testing based on a sworn statement, many of the District Attorneys still require that a notarized Paternity Affidavit be provided before any action is taken to pursue establishment of paternity. One DA office makes special notation in their informational sheet that accompanies the Application for IV-D services, to not sign any of the papers until they are brought into the office. They then ensure that a notary is available in the office to notarize signatures.

In the PSI findings and report for Clark County DAFS, PSI also noted that there was a requirement that the Affidavit in support of Establishing Paternity be notarized. Their recommendation was that Clark County DAFS "eliminate unnecessary affidavits."²¹ Clark County DAFS currently has their Legal staff investigating the feasibility of eliminating unnecessary affidavits and have reviewed and eliminated some. As a result of this review, many of the affidavits, including the Paternity Affidavit, were revised in 2004 to no longer require that the affidavit be notarized but instead represent an unsworn declaration made by the individual signing the document.²²

DWSS did revise the language on the Paternity Affidavit indicating that the signature on the form indicates that the information is being provided to the best of the individual's knowledge or belief "under penalty of perjury."

The requirement imposed by some of the DA and Hearing Masters that the Affidavit be notarized frequently causes a delay in the establishment of paternity, as case managers must wait for the notarized Paternity Affidavit to be returned or for the applicant to come into the office to have the document notarized. Contributing to the delay is the lack of availability of notaries in some counties, as well as transportation issues which prevent Custodial Parents (CSTs) from coming into the local District Attorney offices to get the Paternity Affidavit notarized.

D.2.1.3 Finding: Lack of Administrative Process for Paternity and Order Establishment

With the passage of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Congress greatly enhanced the authority of administrative child support agencies. Administrative processes in regard to child support provides statutory authority by a legislative body to an administrative agency to determine paternity and to establish, modify and enforce child support orders. Federal regulations were promulgated that defined expedited processes as "administrative or expedited judicial processes or both which ...meet specified processing times and under which the presiding officer is not a judge of the court."²³

Nevada has been classified as a "quasi-judicial" state in that NRS 425.382 has granted Hearing Masters the authority to establish paternity, child support orders and enforcement of established child support orders, subject to approval by the District Court. In Nevada, caseworkers for the most part are responsible for collecting financial information and drafting the proposed order for the Hearing Master and in many of the rural counties, are responsible for presenting the case before the Hearing Master. In the two urban counties, Clark and Washoe, even though the majority of the court preparation is done by non-attorney staff, the cases and information is reviewed by a Staff Attorney prior to a hearing.

Underused administrative process for establishment of paternity and orders is prevalent throughout the State of Nevada. Case managers are far more prone to move paternity establishment cases through the judicial process rather than administrative process.

In a previous report produced by MAXIMUS²⁴, one of our recommendations was "Define the use of Administrative Process and require its use in all jurisdictions to allow expedited case processing. Viable scenarios for Administrative Processes include:

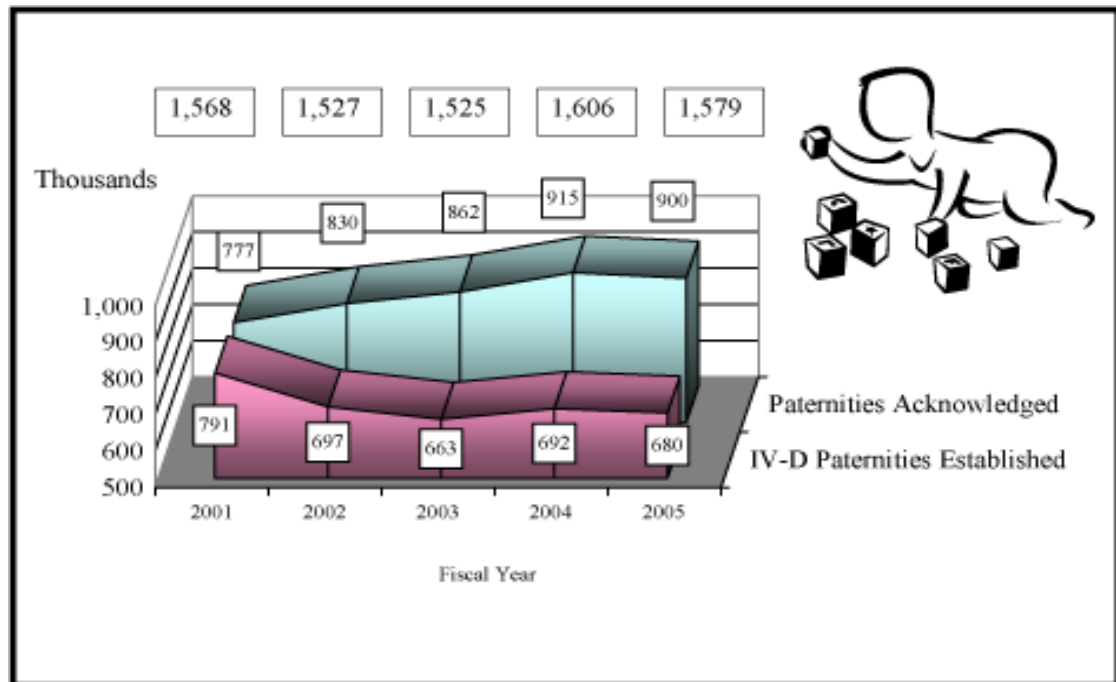
- Voluntary Acknowledgment of Paternity
- Voluntary Establishment of Support Orders
- License Revocation
- Unemployment Benefit Intercept

NRS 425.3838 provides that even when both parties sign Affidavits or other sworn statements that paternity has not been legally established, and that the male parent is the father of the child, the Hearing Master must still enter a recommendation establishing the paternity of the child during a proceeding. Any recommendation entered by the Master must be reviewed and approved by the district court before it become effective.

Upon receipt of a Notice and Finding of Financial Responsibility to establish a child support obligation, NRS 425.3824 provides that a parent may contact the office and request a conference for negotiation. A Stipulation signed by an NCP establishing a child support obligation must still be reviewed and signed by the district court before it becomes final.

D.2.1.4 Finding: Little Use of Voluntary Paternity Acknowledgements and In-Hospital Paternity Acknowledgements

Voluntary Paternity Acknowledgments and In-Hospital Paternity Acknowledgments are little used tools by Nevada CSE case managers. Nationally, the number of in-hospital paternity acknowledgments are on the increase while IV-D paternities have decreased. (*Child Support Enforcement, FY 2005, Preliminary Report, Figure 4: IV-D and Statewide Paternities Established or Acknowledged for Five Fiscal Years*).



Source: Form OCSE-157 lines 10 and 16

Exhibit D.2.1.4-1: IV-D and Statewide Paternities Established or Acknowledged for Five Fiscal Years, Child Support Enforcement, FY 2005 Preliminary Report Figure 4. (Includes in-hospital and other paternities acknowledged. State paternity acknowledgements include an unknown number of acknowledgments for children in the IV-D caseload.)²⁵

During our audit we received the following comment among the 72 responses to a question asked on the Case Manager Survey Questionnaire.

"How often to you encourage an alleged father to voluntarily acknowledge paternity of a child outside of the hospital?". Of the 72 respondents, 61 indicated that they "infrequently", "hardly ever", "Never" or "I don't" encourage voluntary paternity acknowledgment, while only 11 indicated that they "Quite frequently" or "Frequently" encouraged voluntary acknowledgment of paternity. *Exhibit D.2.1.4-2: Case Manager Paternity Survey Results* displays the responses received to this question.

	Total	Quite frequently	Frequently	Infrequently	Hardly Ever	Never	I don't
Carson City	2			2			
Churchill	1			1			
Clark	20		1	2	12	4	1
Douglas	3				3		
Elko	5				5		
Humboldt	2			1	1		
Lincoln	1			1			
Lyon	4	2	1		1		
Pershing	1	1					
Washoe	25	2	3	6	14		
White Pine	1		1				
Elko PAO	1			1			
Reno PAO	6			2	4		
Total	72	5	6	16	40	4	1

Exhibit D.2.1.4-2: Case Manager Paternity Survey Results.²⁶

The sample reasons given by case managers varied, but there were several underlying similarities in responses:

- "Encourage the alleged father to request genetic test if there is any doubt that they are the father"
- "Since the initial contact is normally with the serving of a Notice and Finding of Financial Responsibility, the legal process has already started"
- "Little contact with alleged fathers prior to court hearing"
- "Not our place to discuss with the alleged father – it is his choice"
- "The alleged father usually responds with a request for genetic testing or they may voluntarily acknowledge paternity. Encouraging them is not an accurate description of how we work with them to establish paternity"

When case managers were asked "Do you feel that discussing Voluntary Paternity Acknowledgment is a more effective means of establishing paternity rather than court-ordered genetic testing," 52 answered "No" and only 15 answered "Yes." There were several comments made in response to this question also²⁷:

- "It would be nice if the NCP agreed to paternity. Mine often do not"
- "We don't pursue "Voluntary Acknowledgment" other than allowing the obligor to testify to same at the hearing"
- "It doesn't matter either way to me"
- "Only when they are not denying paternity and the caseworkers would not be clear on the procedures"
- "I never have the opportunity to discuss this with either parent"

This response supports our finding that the majority of case managers do not feel that Voluntary Paternity Acknowledgment is an option that should be actively pursued with an alleged father. Case managers expressed strong feelings during the group interviews towards encouraging alleged fathers to request and proceed with genetic testing to remove all doubt and alleviate future problems. Clearly, DA and PAO staff do not see Voluntary Paternity Acknowledgment as a service that is provided to their customers and they are almost totally removed from the use of this process.

Also, during the group interviews, when asked about what steps are taken to establish paternity in hospitals at the time of the child's birth, an overwhelming number of respondents answered there were no steps taken. Of the 66 respondents, 58 answered they do nothing.

As of June, 2006, there are two DWSS individuals who are tasked with providing outreach to the Nevada hospitals and birthing centers. The individual responsible for coordination of Nevada's Hospital-Based Paternity Project in the South had also been tasked with cleaning up the remaining Esmeralda County cases earlier so that the cases could be transferred to the new case manager now stationed in Nye County (Pahrump District Office). Whenever possible, she did distribute "Paternity – It's in the Bag (PIB)" packages to hospitals she visited. The addition of a second individual in the North parcels out the state hospital coverage between the Las Vegas area and the Northern and Eastern hospitals and birthing centers.²⁸

These "PIB" bags contain various informational pamphlets about Child Support and Paternity, as well as an Office of Vital Statistics Affidavit of Paternity. The PIBs are given to new parents upon the birth of the child. DWSS and the Bureau of Health Planning and Statistics have developed a "Nevada Hospital Paternity Program" Training Manual used during training presentations about the Nevada Hospital Paternity Establishment Program at various hospitals. A video, "Power of Two" is also provided to hospitals for the purpose of viewing by the new parents. Both the PIB and video are available in English and Spanish.

Once the In-Hospital Paternity Affidavit is completed, the hospital sends the Affidavit, along with the Birth Certificate to either the local registrar or the State Registrar within 10 days of the birth of the child. The data is entered into the Office of Vital Statistics system and available to DWSS and DA staff through inquiry into Automated Nevada Server-based Reference System (ANSRS). With the completion of the transfer of Esmeralda County cases, DWSS is again initiating its Outreach efforts to Nevada hospitals.

CLARK COUNTY

In a review of PSI recommendations²⁹, they made several recommendations related to Paternity Acknowledgments as follows:

- *Provide regularly scheduled technical assistance/outreach to hospitals*
- *Monitor major birthing hospitals' paternity acknowledgment rates*
- *Increase awareness of paternity acknowledgments*

However, each of these recommendations fall primarily within the realm of DWSS responsibility rather than Clark County DAFS. The Interlocal Contract Between

DWSS and the individual county District Attorneys identify the primary responsibility "to publicize the Program in compliance with 45 CFR 302.30 (Attachment A, Section 3.N). The District Attorney agrees "to assist the Division in publicizing the Program in compliance with 45 CFR 302.30 (Attachment A, Section II.S)" ³⁰ It should be noted that this Interlocal Contract is the same for all of the contracted District Attorneys in Nevada.

We recommend that the current DWSS Office Manager in the Las Vegas PAO be tasked with developing a plan for monitoring in-hospital paternity acknowledgements and providing statistics to both the county and state on a regular basis. The major birthing hospitals that have a low or decreasing number of in-hospital paternity acknowledgements should be contacted by the Office Manager to jointly identify the reasons for the low or declining rate. Based upon the findings by the joint parties, the Office Manager should develop a corrective action plan with birthing hospitals to address any problems found.

In discussions with case managers, supervisors and Unit Administrators, the voluntary acknowledgment of paternity appears to have a low priority. The respondents do not perceive it as part of their responsibility. We recommend that desk guides, procedures, and emphasis should be developed and incorporated for exploring potential voluntary paternity acknowledgment among the DAFS staff, as well as the general public.

D.2.1.5 Finding: Paternity Establishment Policy

When asked how clear case managers felt that the paternity establishment policy is, of 72 responses received, 35 felt that the policy is very clear and 29 felt that the policy is somewhat clear. Of those respondents that felt that the policy is somewhat clear, we found that it was not so much the policy that is somewhat clear, but the procedures for implementation of the policy. In the larger counties, 43.48% of the respondents felt that the policy is very clear to somewhat clear, while a smaller percentage of respondents from the rural counties felt that the policy is very clear to somewhat clear.

D.2.1.6 Finding: Income Consideration and Establishment of a Child Support Order

Of the 76 responses received from case managers, when asked whether they establish a child support obligation at the same time paternity is established, 72 respondents indicated "Yes" and only 4 responded "No" to the question. It appears that the majority of case managers pursue establishment of a child support obligation at the same time paternity is established.

However, when asked what they use to calculate the NCP's income when the income is not provided by the NCP or other means of verification, case managers in at least six (6) of the DA CSE offices and in both the Elko and Reno PAO offices stated that they use the Nevada Average Wage as a default indicator when calculating the NCP's income. This is normally a poor indicator of NCP income as in most instances, the Average Wage is far above the NCP's actual earning capability and sets, at the establishment of a child support obligation, an unrealistic and unattainable child

support obligation that almost always results in the NCP accumulating an arrearage, even when attempts to meet the obligation are met.

In January 19, 2005 there was a change to the State Regulation in regard to what is the appropriate amount of income to default to when other means of income verification are unavailable. This change has already been incorporated into the DWSS CSE Policy Manual, Section 506(B) which states that "If actual income information is unavailable or does not reflect the obligor's current earning ability and the obligor's occupation is known and no other documented factors suggest a higher or lower amount is appropriate, gross monthly income should be based on Occupational Employment Statistics (OES) as published by the Department of Employment, Training and Rehabilitation (DETR).³¹

D.2.1.7 Finding: Judge's Signature

Nevada NRS 425.3844 states that any recommendation issued by a Hearing Master does not go into effect until it has been approved by the District Court and filed. This requirement may cause delays in establishing child support obligations. For instance, in Nye County (Tonopah), some of the Hearing Master recommendations must be sent by special carrier to a Judge in Pahrump for review, signature and filing. The filed orders are normally returned within 3-5 days. This procedure has resulted in delays when the Judge has been unavailable or is on vacation.

D.2.1.8 Finding: Service of Process

When asked about the preferred method of service of process, 168 of the 222 case manager responses indicated they use personal service. In the two larger counties, the investigators are used heavily for process service. In rural counties, the majority of service is done by certified mail or by the local sheriff's office or constable. In Washoe County, case managers are required to use personal service for all initial paternity and order establishment cases. See *Exhibit D.2.1.8-1: Preferred Methods of Service* below.

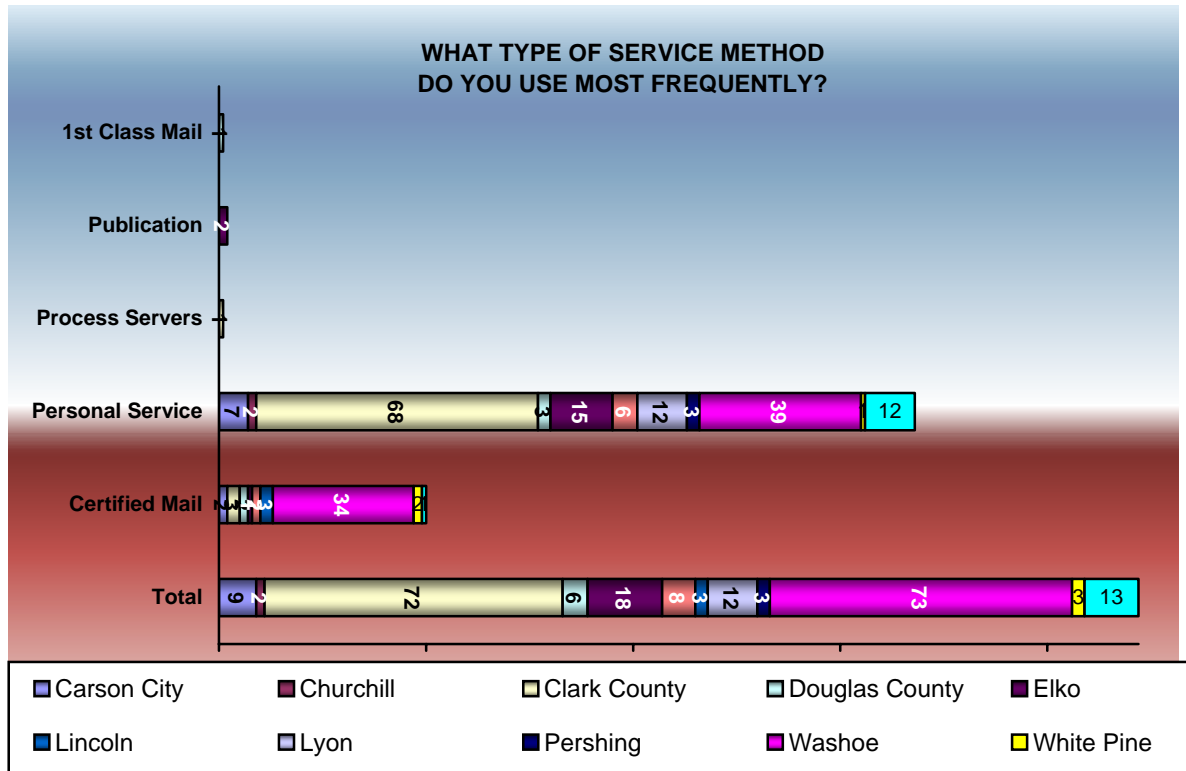


Exhibit D.2.1.8-1: Preferred Methods of Service.³²

In Clark County, there is a team of five (5) full-time and one (1) part-time process servers in addition to two legal office assistants. Washoe County relies primarily on the Washoe County Sheriff's Office to provide process service. They have three (3) investigators who, under limited circumstances also perform service of process functions. We determined that case managers face problems with use of the internal process servers, based on case manager survey questionnaire responses and group interviews. Several of the comments received were:

- "Service of process was only attempted Monday thru Friday, 8AM to 5PM"
- "Attempts at service are only made during the day when the NCP is at work"
- "Personal service (Sheriffs Office) takes too long and servers only go out during daytime working hours"
- "When going through the local Sheriff, there was often times a delay due to time and resource constraints on the Sheriff's Department"
- "Lack of initiative or incentive to accomplish service by Sheriff's Department"
- "Delay in service attempts"
- "Avoidance/dodging service attempts on the part of the NCP"

Successful service of an individual before any pending legal action has a major impact on the ability to move a case forward through the legal system. A lengthy delay in successful service oftentimes leads to loss of contact with the individual to be served. The result is that due to a lack of a current address, the NCP normally must be re-located and service attempted again once the individual is located.

D.2.2 Recommendations

D.2.2.1 Recommendation: Clarification of the Paternity Establishment Policy

D.2.2.1 a Clear and standardized procedures should be developed and included in the DWSS Policy Manual to provide continuity and standardization of paternity and order establishment procedures across the state. While the current emphasis by DWSS is to remove procedures from the CSE Manual. This is particularly important in the smaller, rural counties where the DA Coordinator or Office Manager may not have the necessary experience and skills to develop clear processes and procedures for their individual offices..

D.2.2.1.b DWSS should develop "cheat" sheets and Desk Guides that visually display the paternity establishment process to facilitate uniform procedures statewide. The guides will also facilitate the review of paternity establishment cases pulled during the DWSS Self-Assessment reviews as the procedures will always be the same, regardless of the county reviewed.

The standardization and continuity in the process should facilitate an increase in paternity establishment numbers. However, because of the differences between counties, these counties should also be provided with a vehicle to share best practices among themselves.

D.2.2.2 Recommendation: Certification of Case Managers to Conduct Genetic Testing

Nevada, like many states, struggles with timeframes associated with genetic test scheduling, particularly in the rural counties where great distances must be traveled to a hospital clinic or other medical facility.

We recommend that DWSS initiate and pursue discussions with their current genetic test vendor LabCorp, to train and certify case managers in the local DA offices to perform the genetic tests. The tests can be performed in either the local DA CSE office or outside the court room in those instances where genetic testing is ordered by the Hearing Master. This change in obtaining samples will lessen the number of "no shows" for genetic testing and expedite the submission of the genetic test samples to the lab for analysis.

We recommend that counties should move towards an administrative process for the ordering of genetic testing rather than through the judicial process.

Best Practice – North Carolina (NC 01)

The North Carolina CSE program, in an effort to improve performance in all of the performance areas, formed several subcommittees as part of their "Journey to Excellence" initiative. The Paternity Establishment subcommittee recommended that every employee in each office be trained to be a "DNA Agent" and take DNA samples in offices or courtrooms. Two-thirds of their offices now do their own samples.

CLARK COUNTY

In the PSI Report, it was recommended that Clark County simplify procedures for scheduling genetic tests. We recommend that Clark County move from an extremely judicial process to a more administrative process for genetic test orders.

We recommend that in order to lower the default rate, Clark County DAFS institute "outbound" calling to remind parties of scheduled Genetic Test appointments and hearing dates.

We recommend that Clark County DAFS institute the use of pre-trial diversion meetings to encourage the parties to agree to a stipulation. These meetings should be held as early as possible to avoid a last minute rush before going into the court room.

D.2.2.3 Recommendation: Allow Sworn Statements in Lieu of Notarization of Paternity Affidavits

We recommend that DWSS conduct training as well as issue a clear Policy and Procedure regarding the unnecessary use of notarization of the Paternity Affidavit. We also recommend that DWSS work with the Attorney General's Office to encourage Hearing Masters to discontinue the requirement of a notarized Affidavit by the Custodial Parent. The availability of a notary to notarize the Paternity Affidavit at times imposes a hardship on the Custodial Parent, who may not have easy access to a Notary Public, may not live within close proximity to a Notary, nor can afford to pay for a Notary. Especially in these circumstances, imposing an unnecessary action on the part of the Custodial Parent will often times cause delay in paternity activities based on the inability of the Custodial Parent to get their document notarized. DWSS has previously taken measures to add language to the document informing the Custodial Parent that signature on the Paternity Affidavit is done so under penalty of perjury.

D.2.2.4 Recommendation: Emphasize Use of Administrative Process for Paternity and Order Establishment (ES 8)

Along with our recommendation to accept witnessed sworn statements in lieu of a notarized Paternity Affidavits, we recommend a greater usage of administrative process for paternity establishment and genetic testing cases.

In a study conducted by the Lewin Group entitled "Administrative and Judicial Processes for Establishing Child Support Orders"³³ the study findings indicate that while administrative and judicial states are both meeting expedited timeframes requirements, among the nine states studied in depth, administrative process states appeared to do particularly well on cost-effectiveness measures.

This study concludes that "OCSE does not require reporting on no-show rates at hearings or the extent of early non-compliance with default orders. But OCSE does provide incentive funds for cost-effectiveness and for collections as a proportion of ordered amounts. It is in the interest of state and county administrators to monitor the effects of no-show rates and default orders on performance and then consider the expense of service of process methods, negotiation sessions, the need to involve judges before making deviations from guidelines, etc. Then, the extra step being suggested here: compare results across state lines with those who do it differently. It

is a mistake to assume that "we've always done it that way; the other way would produce too many appeals" or "too much non-compliance." That is the one thing that the Lewin study makes most clear: doing it "the other way" may save money, and the folks who do it that way are often convinced that THEY are the ones getting the better compliance and lower no-show rates."³⁴

In a report issued by the Department of Health and Human Services, Office of Inspector General, "child support respondents report more fully administrative methods generally allow their agencies greater procedural control, more closely comply with Federal standards, and are easier for child support agency staff to facilitate than primarily judicial procedures. Fully administrative procedures appear to be particularly useful when both parents mutually consent to establish paternity, either without or following genetic testing. Staff with primarily administrative procedures also report they value their authority to complete the paternity process independently, and believe most cases can be resolved more quickly with routine administrative procedures than by subjective court judgments."³⁵

We recommend that the Legislature pass a statutory change that allows for the use of an Administrative Process for the establishment of paternity and child support obligations through the use of Administrative Hearing Officers. These positions should be granted with the same authority to hear Child Support Enforcement paternity and order establishment cases as currently provided the current Hearing Masters.

Policy Studies, Inc.³⁶ also had similar findings in the review of the Clark County DAFS organizational structure. "In Clark County, it does not appear that the current balance (between attorneys and program staff) is serving the long term interests of the County. Some procedures appear to be overly legalistic and complex." The same holds true for the more judicial-based rather than administrative-based processes in Washoe County.

Administrative Hearing Offices could be assigned to each of the Regional Offices. The responsibility of the Administrative Hearing Officers would be to hear and make legally-binding decisions regarding issues that are currently brought before the Hearing Masters. The decision of the Administrative Officer would carry the same weight as a court order established through the judicial process and appeals based on the Administrative Hearing Officer's decision could be appealed through the judicial system. Standards can be established for these Administrative Hearing Officers upon which their performance is measured. Should Nevada choose to not move towards the "regionalization" of its IV-D program, these Administrative Hearing Officers could be located in the PAOs and service a number of counties such as the Hearing Masters currently do.

Nevada is currently considered a "quasi-judicial" state when reference is made to its IV-D legal process. The allowance for the establishment of paternity and child support obligations administratively, as opposed to use of the judicial process, allows for an alternative approach to the establishment of paternity and child support in those instances where the parties agree.

One of the primary arguments raised in opposition to the use of administrative process rather than the judicial process is the right that all individuals have to Due Process.³⁷ The U.S. Supreme court has established some very important criteria for due process, falling into three general areas:

- **Right to Notice:** A person has a right to be notified of any action being taken that concerns his or her liberty or property. All child support administrative processes require the executive agency to notify the responsible parent of the support amount and arrears, alleged to be due and owing, and the procedure for contesting the claim. These statutes further require that the executive agency serve the notice in a manner reasonably calculated to give the parties actual notice.
- **Right to a Hearing:** Courts have also specified the type and quality of hearing necessary before a person is deprived of property. The hearing must be fair and impartial, and the person entitled to the hearing must have reasonable opportunity to present evidence through documents or witnesses, confront the opposing party, and refute any evidence. Administrative processes allow the obligor to present all evidence in his or her favor, with the aid of any attorney, if desired.
- **Right to Judicial Review of Administrative Action:** The administrative decision must be in writing and must be based solely on evidence submitted at the hearing. A proper hearing includes the right to appeal to a judicial authority.

Use of the administrative process still affords the parties due process as currently exists for judicial hearings. In Nevada, individuals subject to the administrative process for establishment of paternity and child support obligations should still be afforded the right to 1) proper service, 2) request that their case be heard before a Hearing Master if they so choose, and 3) file an appeal of an Administrative Hearing Officer's decision through the judicial system.

The allowance for and use of the Administrative Process for paternity and child support establishment in those instances where both parties are agreeable would serve to enhance and expedite the number of paternities and child support orders established. This method would facilitate these actions outside of the judicial process and would certainly cut back on the size of the Hearing Master court dockets.

The use of the Administrative Process would also limit attorney involvement and allow attorneys to be used only in those instances where the parties elect to have their case heard before a Hearing Master, file an appeal of the Administrative Hearing Officer's decision, and for those more difficult and challenging cases where the IV-D agency may elect to take the case through the judicial process rather than the administrative process.

Best Practice – Illinois (IL 02)

In her discussion on steps that were taken in Illinois to improve an under-performing program, Ms. Compton spoke about the decision to use administrative or judicial case processing and ensuring that the local office received appropriate performance credit regardless of the decision-making method. This credit regardless of the decision-making avenue allowed local offices to make the best decision possible for the case without risking performance numbers. Cook County is more balanced between administrative and judicial process. Downstate offices use the administrative process more regularly than the judicial process. The order establishment rates have been rising from 37% IN Cook to over 50%, and statewide closing in on 65%. One county has hit 100% of its cases needing orders with orders.

Best Practice – Michigan (MI 02)

In an interview with Ms. Stephen, a former child support attorney in Jackson County, MI, she stated that she believes that the program uses too many lawyers and that more activities need to be administrative. This measure not only will cut costs but will speed up the process while ensuring that parents are treated fairly and have a right to appeal to a court if they choose.

D.2.2.5 Recommendation: Allow Conclusive Presumption of Paternity Establishment

We recommend that Nevada adopt by statute a "conclusive presumption of paternity."³⁸ In those instances where the results of a genetic test return a probability of 99.9%, this presumption will allow conclusive evidence that the alleged father is in fact the natural father of the child in question, and will allow the establishment of paternity and order without the need for further evidence. An alleged father would have the right to a request a hearing to contest the test results before the order becomes final. If the alleged father does not request a hearing, a final order may be entered by the decision-maker (Administrative Hearing Officer or Hearing Master).

If the alleged father contests the genetic test results, an evidentiary hearing would be held to determine access to the mother by the alleged father during the likely time of conception. There is a recitation of the chain of custody of the evidence, and the test results are interpreted after introduction into evidence. Unless those facts are disputed, there is a rebuttable presumption that the test results show the truth of the matter asserted, that there is no taint in the chain of custody. The Hearing Master or Administrative Hearing Officer must determine if the presumption of paternity was rebutted by other evidence. If not rebutted, then a paternity determination is entered.

Implementation of this recommendation will result in a higher rate of paternities in a timely manner. Today, there are only very rare challenges to the genetic test results when the probability of paternity is over 99.9%. Therefore, the cost of staff and decision-making time is greatly reduced, without the need for a pro forma hearing.

Best Practice – Michigan (MI 02)

Many times an alleged father will not sign (paternity acknowledgment) if he is unsure about his status. If he agrees to a genetic test on the condition that if the results come back with a high probability of paternity, he will sign an acknowledgment, the case can be resolved without a court hearing, as acknowledgments ripen into determinations of paternity by operation of law.

D.2.2.6 Recommendation: Increase Focus and Use of In-Hospital Paternity Acknowledgment (ES 7)

Nationally, as reported in the OCSE FY2003 and FY2004 Annual Report to Congress, the number of In-Hospital Paternities has increased and IV-D paternities have decreased.

D.2.2.6.a We recommend that a higher priority be placed on the use of Voluntary Paternity Acknowledgment and that there be a more focused outreach effort towards local hospitals and birthing centers. We recommend that with the formation of Regional Offices, the responsibility for outreach activities to local hospitals and birthing centers is assigned to the Regional Administrators as part of their responsibilities. Following along the basic framework that is already in place by DWSS, these Regional Administrators' would be able to reach and interact with more hospitals and birthing centers in their region than one person could accomplish traveling the entire state. We recommend that a new position, Outreach Coordinator, be created. This Statewide Outreach Coordinator would be responsible for ensuring continually communication and coordination of the Outreach activities in each of the Regional Offices.

In the interim, the two DWSS persons tasked with outreach to hospitals and birthing centers in Nevada should develop an In-Hospital Paternity Establishment Outreach plan for working with stakeholders. This Outreach Plan should be distributed to all of the DA and PAO offices to make them aware of when these outreach efforts will be occurring in their counties.

We recommend that training be conducted with all CSE staff, providing them with information and direction regarding the use of In-Hospital Paternity Acknowledgment and their responsibilities. The current publication, "Paternity: It's in the Bag" published quarterly by DWSS, should also be distributed to all PAO and DA staff to raise their awareness of the training and educational efforts being conducted in their counties.

Increased involvement at the local level will serve as a stronger influence upon hospitals and birthing centers, as well as enable local IV-D staff to answer and respond to inquiries from the community regarding in-hospital paternity establishment. While the primary responsibility for outreach to hospitals and birthing centers contractually rests primarily with DWSS, outreach cannot be done in a vacuum but should be a partnership effort between DWSS and the DA offices. Emphasis in communication and teamwork with the DA offices in regard to Nevada's Hospital-Based Paternity Project should be an ongoing process as well as included in any paternity-focused training developed.

Best Practice – North Carolina (NC 01)

The North Carolina CSE program, in an effort to improve performance in all of the performance areas, formed several subcommittees as part of their "Journey to Excellence" initiative. The Paternity Establishment subcommittee recommended that an annual campaign with all hospitals and birthing centers be held to encourage paternity acknowledgments.

Best Practice – Michigan (MI 02)

Michigan has 102 birthing hospitals. The state conducts a lot of outreach to the hospitals to ensure that as many acknowledgments are completed as could be expected. A state initiative resulted in eight hospitals offering free genetic testing. The initiative was very popular.

Best Practice - Nevada (NV 04)

DWSS currently has the start of what could be a very effective outreach tool to encourage in-hospital paternity acknowledgments. The person responsible for this outreach task is currently housed in the Las Vegas DWSS Desert Inn facility. She has several "eye-catching" informational items that enable the education and distribution of in-hospital paternity acknowledgment to both the hospitals and birthing centers, but also to the general public.

Paternity – It's in the Bag" (PIB) small plastic bags containing an assortment of pamphlets about child support enforcement as well as an Affidavit of Paternity form that may be completed in the hospital, Nevada Hospital Paternity Program Hospital Training Manual, and Paternity: It's in the Bag Newsletter that is published quarterly.

D.2.2.6.b One of the most important keys to success in paternity establishment is the information obtained from the Office of Vital Records. With the availability of ANSRS (Automated Nevada Server-based Reference System), CSE Staff have online access to birth certificate information which assists in the determination whether paternity is an issue. We recommend that further training or a Desk Guide be instituted to assist CSE staff in using this important tool.

In our Survey Questionnaire, when asked "Are you using online access to vital records information regarding paternity acknowledgments?", 54 of the 75 respondents who answered this question indicated "Yes" while only 19 indicated that they either used it "occasionally" or "No". Several comments received in response to the question were³⁹:

- "We use it to see if there's a birth certificate"
- "No – Does not work"
- "No – Have yet to be able to get these records. Not sure if our county is linked or Vital Stats are so far behind that records are not available"
- "No – I've never really known how to use it"
- "No – Not available"
- "No – To date have been unsuccessful in accessing birth records on line. Have made attempts but no good results yet"
- "To see if the father is listed on the birth certificate to determine if this will be a Paternity Establishment case or an Obligation case"

Another interesting note is that the respondents who indicated that they used ANSRS are from the larger counties.

D.2.2.6.c We also recommend that case managers be trained to take a more proactive approach toward pre-court intervention with alleged fathers, discussing with them the availability for voluntary paternity acknowledgment. Ms. Dossie Terrel, Federal ACF Region X Specialist for Nevada stated that "Nevada's focus should be on paternity and collections. Nevada should emulate the Paternity Fair used in Arizona."⁴⁰ The first contact with an alleged father should not be at the point a court hearing is held to establish paternity for the child. Early intervention goes a long way towards a better understanding of the benefits and advantages of paternity establishment and oftentimes results in voluntary paternity establishment well within the federally-mandated timeframes. Proactive reaching out to the alleged father clarifies what issues may be in dispute and also provides information about the process to the alleged father that he may have not understood. This creates a higher potential for a positive relationship when it comes to establishing the support order and paying the ordered support.

Best Practice – Milwaukee County, WI (MC 03)

Wisconsin Works (W-2) Job Centers refer 45 – 50% of the Milwaukee paternity cases – these are self-referrals and not TANF cases. These parents are seeking assistance in establishing paternity in order to get a child support order to promote self-sufficiency. Hospital acknowledgments account for about 200 per month. Milwaukee out-stations paralegals in hospitals to obtain acknowledgments. Milwaukee has about 500-600 new paternity cases a month.

D.2.2.6.d We recommend that DWSS institute, along with the cooperation and participation of the Office of Vital Statistics, the imaging of the Affidavits of Paternity to facilitate the data entry into the Vital Statistics database. Imaging will expedite the availability of the birth certificate information online for caseworker inquiry, as well as expedite the establishment of paternity.

Best Practice – California (CA 04)

California has a Paternity Outreach Program (POP) that has made California among the leaders in the nation in statewide paternity establishment. The POP specialists work with vital statistics and birth clerks to review how paper birth records can be converted to electronic records. A vendor maintains a separate POP database. There is a website for POP and persons interested or involved in paternity issues. Having paperless records is a goal. In one of the phases of the implementation of the statewide system, there will be an imaging campaign. Outreach actions to birth clerks, hospitals and medical records specialists should lead to a concerted effort towards imaging.

D.2.2.7 Recommendation: Implement a Contract Attorney Program

During interviews conducted with child support enforcement staff, in both the DA offices and the PAOs, significant time is dedicated towards "court prep" work for staff, whether paralegals, case managers or administrative positions. In Clark and Washoe counties, dedicated teams are assigned to tasks related to court preparation and providing legal notices. As a consequence significant time and resources are spent on the preparation of cases for court, production of the necessary legal documents and actual physical time in court on a monthly basis. In the Reno PAO there are 1.5 FTEs dedicated to court prep work.

We recommend that DWSS develop a Contract Attorney Program similar to what is currently used in the State of Idaho.

Best Practice – Idaho (ID 01)

The State of Idaho instituted a Contract Attorney Program to assist with the IV-D legal processes associated with the establishment of paternity, a child support obligation and enforcement of child support orders. Attorneys experienced in Family Law contract with the State IV-D program through an RFP process to perform these duties. These contract attorneys are paid based on incentives established by the IV-D program, based on the type of legal actions taken. The contract attorneys are paid by the number of stipulations/orders that they establish with bonus incentives built into their contract. The state IV-D program has also established performance measurements that the contract attorney must meet or the contract is terminated.

The advantages to a program such as this are:

- *Higher incentive paid for stipulations rather than cases taken to court,*
- *Bonuses paid for stipulations established within 30 days provides a greater incentive for these attorneys*
- *These contract attorneys spend more time with the customers (NCPs and CSTs) up front in order to work out stipulations*
- *Expedites the establishment of child support obligations and decreases the number of cases actually taken to court.*

The payment of the incentives to Contract Attorneys would come out of pooled county funds in each of the Regional Offices. DWSS will need to develop an Incentive Payment Plan to be included in the RFP.

The implementation of a Contract Attorney Program such as this within the Regional Offices will increase performance and productivity in several ways:

- Allows the re-distribution of FTEs currently dedicated to court prep work to perform case manager activities on a full-time basis; and
- Allows for a more proactive approach in the establishment of paternity and a child support and medical support obligation, with initial contact made by the case manager. The contract attorney becomes involved only with the litigation and pleadings.

Best Practice – South Dakota (SD 02)

The State of South Dakota contracts with private prosecutors on an hourly basis. These attorneys are paid on an hourly basis and their hours are audited on a regular basis.

CLARK AND WASHOE COUNTIES

In these two larger counties, the staff currently devoted to performing "court prep" related tasks could be reassigned to administrative support duties to each of the Units/Teams. In Clark County, there are eleven (11) Legal Office Assistants and one

(1) Senior Family Support Specialist on the Court Team. The Legal Office Assistants prepare the cases for court hearings for the attorney staff. The Clark County attorney then reviews the prepped work. Staff in Clark County expressed dissatisfaction with the loss of their clerical support staff within each of their Units/Teams who had previously assisted in case preparation for the court hearings. Potentially, some of these administrative-type positions could be upgraded into higher level case manager positions to help with the redistribution and equalization of the Clark County caseload within each of the present Units.

In Washoe County, each case manager is responsible for doing their own "court prep" prior to the hearing. The file is then given to an attorney who reviews the file and does their own court preparation. This process involves the time and resources of 18 caseworkers and 3 attorneys.

The implementation of a Contract Attorney Program would not only free up the time of numerous staff currently involved in doing "court prep" work, but would avoid the duplication of effort that currently occurs in Washoe County.

D.2.2.8 Recommendation: Outsource Service of Process

Timely successful service of process is key to the establishment of paternity, a child support obligation and enforcement actions requiring personal notice. Failure to actively pursue requested service results in delays in obtaining potential child and medical support for children. Unsuccessful service leads to delays in the process and ultimately to a failure to establish paternity for a child, establish a child and medical support order or to enforce an existing order. There is little incentive for DAFS Process Servers in either Clark or Washoe counties, or local Sheriff or Constable Departments to actively pursue service on child support cases when they normally have more pressing civil and criminal activities.

We recommend that DWSS consider contracting with private process servers for IV-D cases, especially in those instances where Certified Mail has been unsuccessful.

Paying private process servers for successful service provides an incentive for the active pursuit of individuals for successful service. Private process servers are willing to work early mornings, evenings and on weekends in order to accomplish successful service. Payment for successful service is a strong incentive for quick and diligent efforts, and will lessen the likelihood that locate information will become old or stale due to excessive delays in service. Nevada already provides for the licensing of professional process servers through the Private Investigator's Licensing Board and a list of licensed process servers would be kept on file in each of the Regional Offices. Contract Attorneys are more willing to work directly with private process servers as both parties have a vested interest in efficiency of effort.

Best Practice – Alabama (AL 03)

Alabama uses contracted process servers as well as sheriffs. If the sheriffs cannot serve, some counties then go to contracted process servers. Process may be served by certified mail as well.

Best Practice – Milwaukee County, WI (MC 03)

Standard operating procedure is to use private process servers and to pay only for successful service (\$18/person served). Service occurs usually within one week after the summons is issued. The county child support agencies are putting together a database of process servers throughout the state.

Best Practice – South Dakota (SD 02)

The State of South Dakota contracts with private process servers in the two larger jurisdictions, Sioux Falls and Rapid City. The process servers are paid by successful service.

D.2.2.9 Recommendation: Standardization of the Use of the Nevada Average Wage (as Last Resort)

We recommend that DWSS provide all CSE staff with both training and clear policy direction on the use of Occupational Wage information rather than the Nevada Average Wage as a last resort when there is no other source of income verification available. Typically, child support obligations that are established using Nevada Average Wage automatically create an inability to pay rather than working toward establishment of a child support order that is well within the NCP's ability to pay

Best Practice – Colorado (CO 02)

Colorado Child Support Enforcement Program (CO CSEP) has been challenged in the areas of current support and arrears collections. To focus on improvement in these areas, CO CSEP has made some changes, including one that has been philosophical in nature: CO has become more neutral with regard to obligors and obligees; more father-oriented (encouraging visitation, work programs); and more payor-oriented (establishing orders that are within ability to pay).

In recent years CO CSEP has focused on arrears management, which has had a direct impact on collection of current support as well. Some specific examples of arrears management efforts include the emphasis on establishing reasonable orders using the best information possible; reducing the number of default orders established; limiting the amount of debt/retroactive support established; early intervention; and establishing fair and reasonable payments on arrears.

To limit the amount of debt established, CO CSEP changed the rule and gave county CSE units more flexibility and guidance on establishing debt, and established policies and procedures to ensure more realistic and fair orders are determined based upon actual income. This effort has required less emphasis on establishing the maximum amount of debt and retroactive support, and more emphasis on realistic support that can be fulfilled by the payor.

Colorado successes could not have happened without the buy-in from the county CSE units, and the strong partnership developed between all stakeholders in the program.

D.2.2.10 Recommendation: Institute the Creation of "In-House" General Counsel

During a recent visit to North Dakota, the Nevada IV-D Chief Louise Bush had an opportunity to visit with James Fleming, the North Dakota IV-D Deputy Director and General Counsel for the Child Support Enforcement Division. Acting in the capacity of an "in house" General Counsel, Mr. Fleming is a member of the Central Office Division staff, in a state position. Prior to this, the Division obtained legal counsel through the State Attorney General's office and worked with an Assistant Attorney General in that office. With the creation of the new General Counsel position in the Division, the IV-D Director and policy staff were allowed easy access to legal counsel as well as lessen the load on the State Attorney General's Office. The Division General Counsel does not perform any legal case work or take cases to court, but does provide the Division with general legal counsel on legal issues that arise. He also works closely with the IV-D attorneys in the Regional Offices. He meets with them periodically to address legal issues and assists them in dealing with "problem cases," particularly those with a potential for appeal. He also prepares legal briefs for review by the Attorney General's office.⁴¹

It is recommended that a new General Counsel position be created for the DWSS Child Support Enforcement Division, similar to what is in existence in North Dakota's Child Support Enforcement Division.. This General Counsel would serve as an "in house" legal counsel for the Central Office. With the implementation of the contract attorney recommendation (See recommendation D.2.2.7), the General Counsel would provide contract attorneys with advice and information about the IV-D program.

D.3 ENFORCEMENT

Conclusion

The successful enforcement of a child support obligation requires the coordinated use of appropriate enforcement tools and effective communication with all parties to the child support case. The most effective child support enforcement tool is the income withholding order, and federal regulation requires the initiation of income withholding in IV-D child support cases.⁴² When collection of the child support obligation is not possible via income withholding, appropriate enforcement action must be initiated no later than 30 days after identification of the delinquency. If service of process is necessary for enforcement, service must be completed (or unsuccessful attempts documented) no later than 60 days after identification of the delinquency.⁴³

In addition to income withholding, there are a wide variety of administrative remedies to assist in the enforcement of child support obligations. These include:

- Drivers License Suspension
- Suspension of Other Licenses, Certificates and Permits
- Credit Bureau Reporting
- Interception of Unemployment Benefits
- State and Federal Tax Intercept
- IRS Full Collection Service
- Interstate Case Referral
- Passport Denial
- Financial Institution Data Matching

Complementing the available administrative remedies are a range of legal remedies, including:

- Orders to Show Cause/Contempt of Court Proceedings
- Attachments
- Garnishments and Liens on Real and Personal Property
- Criminal Prosecution
- Establishment of Judgments for Interest and Penalties on Unpaid Child Support Obligations
- Claims Against Estates
- Claims Against Bankruptcy Estates

Nevada's Child Support Enforcement Manual provides that all available administrative enforcement measures not requiring court action must be exhausted before implementing other remedies.

Background

The Federal Fiscal Year 2005 Self Assessment Report reveals that performance measured in the enforcement effort may be slipping. FFY05 performance was measured at 81.77% in enforcement for the period October 2004 through September 2005. While this exceeds the expected benchmark of 75% compliance, the trend over the course of the last four years' performance is downward, with the most recent assessment revealing the lowest score.

The same report revealed that compliance in the area of medical support enforcement was only 69.44% against the federal 75% benchmark requirement. It is also important to note this performance represents a marked decline from the three prior self assessment periods which met compliance.

Nevada fares poorly as compared to similar states in the collection of current child support. Nevada is last among its peer states with IV-D caseloads of 75,000 to 150,000 cases with a collection rate of 45.68%. See *Exhibit D.3-1: Current Collections Percentage* below.

Current Collections Percentage Peer States with a IV-D Caseload 75,000 - 150,000 OCSE FY 2005 Preliminary Data

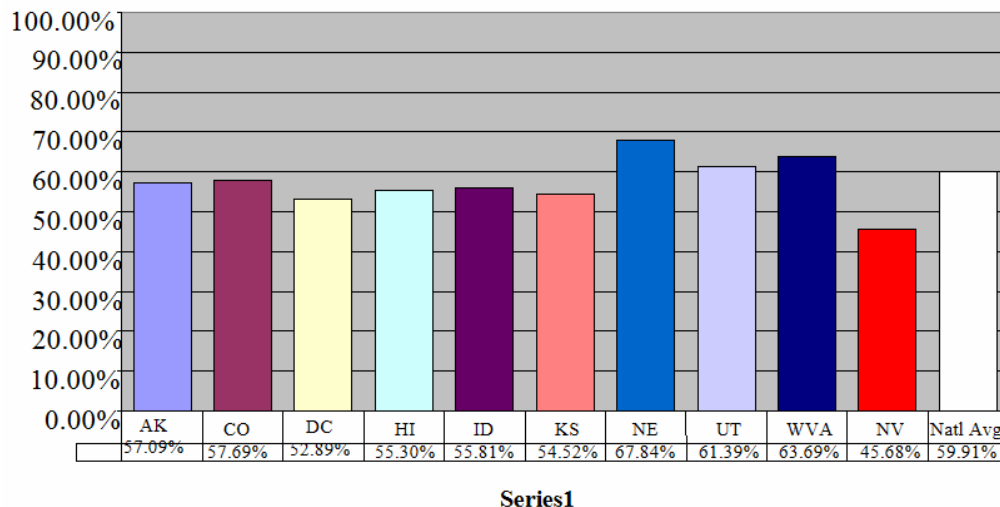


Exhibit D.3-1: Current Collections Percentage.

Nevada fares similarly when compared to it five neighboring states. 44

Likewise, Nevada's performance in the number of cases with a payment made toward an existing child support arrearage is poor as measured against both peer states and the national average. Exhibit D.3-2 Arrearage Collection Percentage, demonstrates the underperformance of the Nevada enforcement effort as compared to peer states and the national average. Nevada fares similarly when compared to it five neighboring states. ⁴⁵

**Arrearage Collection Percentage Peer States with a IV-D
Caseload 75,000 - 150,000 OCSE FY 2005 Preliminary Data**

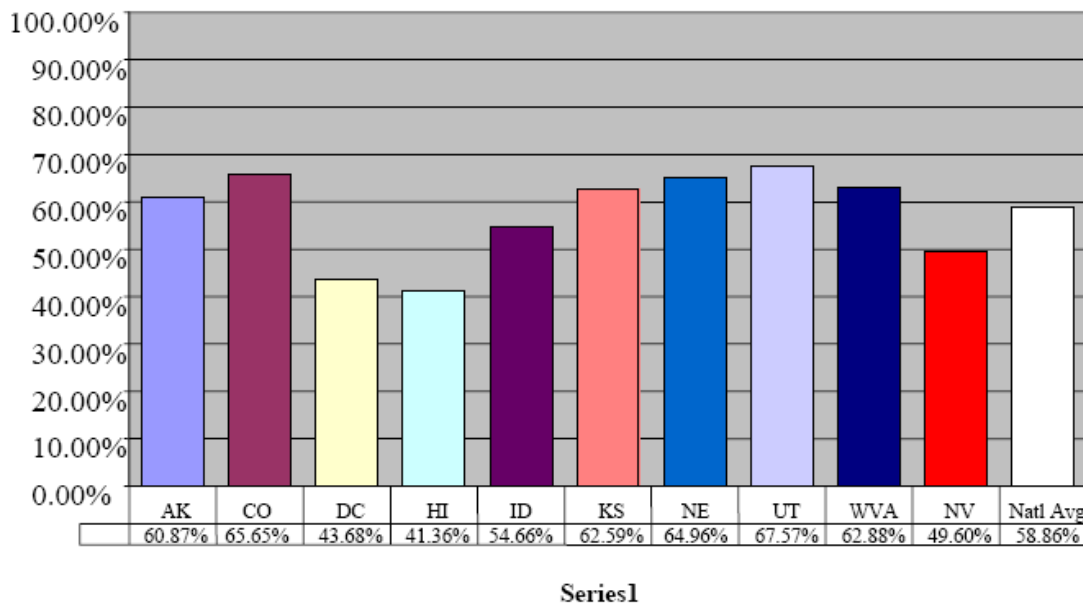


Exhibit D.3-2: Arrearage Collection Percentage

When compared to each of the five neighboring states Nevada's performance in the collection of arrearage payments is also low. ⁴⁶

Methodology

We undertook a comprehensive review of the manner in which enforcement activities are performed in child support offices throughout the State. All State and local child support enforcement policy and procedure was collected and reviewed. We obtained additional information regarding the actual day-to-day processing of cases in need of enforcement activities from nearly every office throughout the State and in person interviews with child support staff members were conducted at local offices. These interviews involved front line staff, managers, supervisors and program administrators. Our interviews included members of the State's central child support administration and staff, District Attorneys, and Hearing Masters.

We took into consideration a high level review of the NOMADS, all other local child support technological solutions and examined and evaluated the current performance of these tools.

A confidential survey was sent to each child support worker seeking additional information on the performance of child support enforcement activities in their office. We also obtained information on program performance from custodial and non-custodial parents.

D.3.1 Findings

By and large the Nevada child support program has in place many of the standard enforcement tools available to successful child support programs across the country. The poor performance of the program in the area of enforcement boils down to poor execution of the enforcement task.

D.3.1.1 Finding: Clark and Washoe Counties, Avoidance of Customer Service

The overarching issue repeatedly identified in our interviews with staff as standing in the way of better performance in the enforcement effort was an inability to satisfactorily meet the customer service and work expectations that arose out of their assigned caseloads. Workers, especially those in the larger offices in Clark and Washoe Counties, described their approach to the enforcement effort as simply putting out one fire after another for a seemingly endless supply of unhappy customers. Not surprisingly, the reported willingness of the majority of staff members in these offices to simply field customer calls and listen to (and then make use of) the information the customer had to provide to the enforcement effort was very low. Workers admitted they frequently let phone calls go straight to voice mail as a screening strategy. In some instances clerical staff retrieve these calls and attempt to return and screen the calls on the assigned workers behalf. Unfortunately, there was also very little sense of approaching the enforcement task in a systematic or proactive manner by workers in these offices. Again and again, we encountered enforcement staff members who did not welcome customer contact and who felt overwhelmed by the volume of work their enforcement cases required.

We described elsewhere in this Report our findings regarding the delivery of customer service, as well as our approach to redesigning the child support program in order to deliver enhanced customer services. These changes will significantly enhance the enforcement effort by freeing the enforcement worker to concentrate more fully on productive and proactive enforcement work. Any change to the current delivery of customer service must ensure that the level of coordination with the enforcement effort is high. While a call center can provide initial answers and information, inevitably there will be some issues and work that must be performed by the enforcement staff. That work must be scrupulously monitored for successful response and work effort.

Enforcement caseload sizes vary significantly across the state. While some variance is understandable, especially among the smaller offices that cover a large geographic area, such differences are less acceptable within the large urban offices. Large variations within individual offices create undue and unequal customer service burdens, and inefficiencies. We suggest the State establish a target enforcement caseload size range and monitor for adherence by all individual offices.

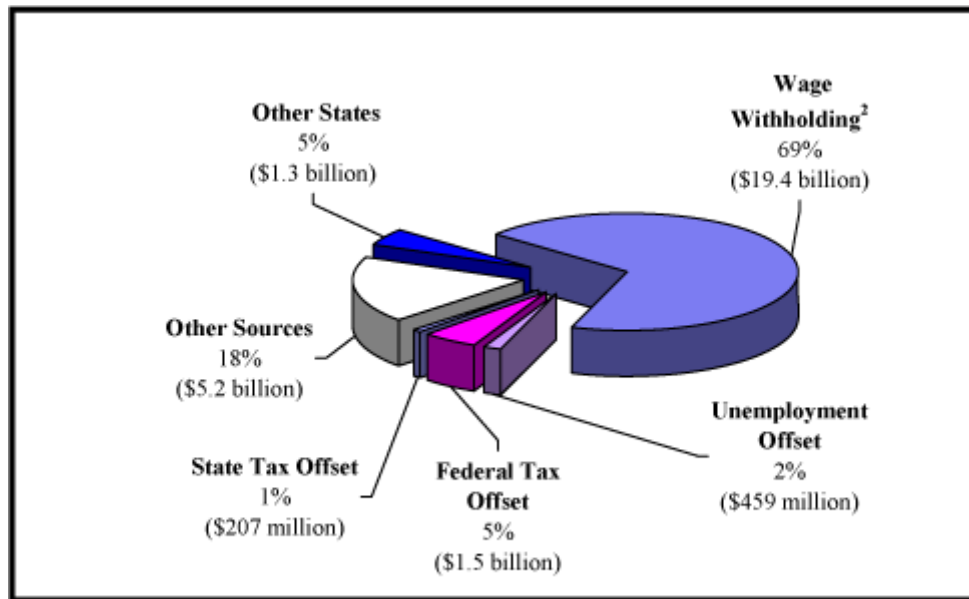
CLARK COUNTY

We found the layout of the Clark County office to be a significant impediment to the enforcement effort in that jurisdiction. The Clark County office has adopted a "Team" approach to the performance of various child support enforcement duties. Each Team is overseen by a Supervisor and performs intake, establishment and enforcement functions. In many instances, the Supervisor of a Team is not located on the same floor as the Team he or she purportedly supervises. Still worse, in some instances, all members of a Team are not co-located on a single floor of the facility, but are instead, spread among multiple floors. The pitfalls and inefficiencies inherent in such a layout are obvious. Additionally, the physical layout of the office space contributes to the inefficiencies observed there. In some areas the floor plan and arrangement of the cubicles is such that it is virtually impossible to tell whether an individual is engaged in productive work activities unless one walks down a narrow corridor of high walled cubicles, around the corner of the entrance and in to each individual cubicle. Such an arrangement is fraught with opportunity for unproductive activity. We witnessed very little interaction between the front line staff on the various work floors at the Clark County office, supervisory and especially, managerial staff.

We understand that the Clark County District Attorney is currently pursuing alternative workspace arrangements. We believe that such a move would be extremely beneficial to the overall enforcement effort by providing a physical layout in which the Team and Supervisors are co-located, as well as an open environment in which more effective supervision accomplished throughout the workday. In the meantime, we recommend the existing layout of the Clark County office be modified to the extent reasonably possible, to allow for a more open and observable atmosphere. This may include changing cubicle entrances so that they are in line of sight with the general traffic flow of the facility, or lowering or eliminating cubicle walls where possible. We also suggest that managerial and supervisory staff make it a practice to routinely circulate among the floors of the existing Clark County facility.

D.3.1.2 Finding: More Effective Use of Income Withholding

Income withholding represents the most effective child support enforcement tool. As indicated in *Exhibit D.3.1.2-1: Total Collections Received by Method of Collections* below, Total Collections Received by Method of Collections FY 2005, reported by the federal Office of Child Support Enforcement, that income withholding is the source of approximately 69% of IV-D child support collections across the nation.



²Wage withholding includes some collections for non-IV-D families.

Source: Form OCSE-34A lines 2a thru 2g

Exhibit D.3.1.2-1: Total Collections Received by Method of Collections.

While income withholding represents the best enforcement tool to collect child support, Nevada does not have an effective method of following up on the issuance of an income withholding order to make sure that it is effective. Early and effective monitoring of the income withholding process will produce more effective enforcement results as issues such as change of employment, employer misunderstanding, multiple withholding orders, etc. are more promptly brought to the attention of the child support program and remedied.

Our staff interviews revealed there is no systematic focus on early proactive follow up of income withholding efforts. Alerts are produced by NOMADS when payment is not forthcoming, but these alerts are too often overlooked or are not given appropriate attention by the worker. Likewise, NOMADS generated reports are not effective in ensuring that each income withholding order produced a collection, or was immediately followed up upon to determine the reason why a collection was not remitted. When asked what reports are most useful in helping them manage their caseloads, the Delinquency Report was not one of the reports mentioned.

D.3.1.3 Finding: Generation of Duplicate Income Withholding Orders

A significant problem voiced consistently from staff throughout the State was NOMADS issuing duplicate income withholding orders (IWO) or issuing income withholding orders on cases that were paid in full or closed. Many of these system-generated IWO's are sent out to employers in Clark County without prior review. Income withholding orders sent on closed and paid in full cases create unnecessary customer service burdens in regard to both NCPs and employers, as well as wasted effort by enforcement workers in terminating the orders. In Washoe County, there is a great deal of staff time spent in the Mail Room sorting through batch-generated income withholding orders, pulling out the ones that should not be mailed and shredding them.

D.3.1.4 Finding: Need for a Stronger Relationship Between Nevada's IV-D Program and the Military

Related to the issue of more effective use of the income withholding enforcement tool is the issue of collecting child support from individuals engaged in military service. Nevada is home to a significant number of military installations and increased efficiency in military collections will help to make the overall enforcement effort more effective and efficient. Nevada counties in which these military installations are housed – Churchill, Mineral and Clark, face a specialized need for an effective enforcement tool for their own cases, as well as for referred cases.

A strong relationship between Child Support Enforcement offices and local military bases improves customer service for cases with a non-custodial parent who is a member of the military. Improved relationships are beneficial to the CSE program, the non-custodial parent, the non-custodial parent's family, and ensure ongoing communication with the military.

States have benefited from the strengthening of interactions between federal Child Support Enforcement and the Department of Defense (and its Defense Finance and Accounting Service (DFAS), Defense Manpower Data Center (DMDC), and Defense Enrollment Eligibility Reporting System (DEERS)). The Office of Child Support Enforcement's "Working with the Military as an Employer – A Quick Guide – Updated as of August 2006"⁴⁷ provides information about the availability of options at the federal level. However, Nevada still has the need for the State's Child Support Enforcement program to have a relationship with its local military installations. A strong relationship between local offices and military bases complements existing federal initiatives.

Currently, IV-D staff face difficulties in knowing who to contact within each of the branches of the military, and how to gain cooperation in their enforcement activities, particularly income withholding.

Best Practice – South Dakota (SD 04)

A local office in South Dakota (Rapid City) has strong contacts with the local base (Ellsworth Air Force Base) to ensure service members concerns are met.

Best Practice – North Carolina (NC 02)

North Carolina is home to a number of military bases. To best serve this population, local offices have staff members at the bases each week. This outreach to military families is beneficial to both the Child Support Enforcement program and the families, and ensures ongoing communication between the program and the military.

Best Practice – Washington (WA 05)

Washington has a military liaison near Fort Lewis in Tacoma.

D.3.1.5 Finding: Employer Table Maintenance

A consistent complaint we heard from enforcement workers in our interviews throughout the State was that employer information in NOMADS was inaccurate, the process for correcting errors was cumbersome, and the number of duplicate employers. Inaccurate employer information in the database leads to unproductive enforcement efforts. Delays in correcting inaccurate information results in postponement of child support collections. Delayed or unsuccessful enforcement efforts lead to increased customer service demands upon the child support program.

All requests for corrections to the NOMADS employer data base are made to a central State location and processed via a request to the Help Desk. The State provided a copy of the employer database to us which we reviewed for this Report. Listed in the file we reviewed were 261,402 employers. At least 4500 records were duplicating and were associated with Third Party addresses. When searching by employer name and address, 7,209 duplicate records were found. These initial counts were obtained in early September, 2006 and the numbers have in all probability changed since then.

D.3.1.6 Finding: Need for Proactive Follow-Up Activities

In conversations with case managers across the state, the mode of operations appears to be primarily working on special projects or reports, and responding to phone calls and voice mails takes precedence over all other activities. Case managers have expressed a desire to be more proactive in handling their cases, as well as a request to receive more effective case management reports to assist them in managing their caseloads in a more efficient manner.

All case managers agree in theory that the ability to perform early intervention, follow-up and proactive contacts encourages compliance on the part of the NCP as well as help increase collections and avoid subsequent enforcement actions.

One excellent example of a proactive approach to enforcement here in Nevada is the Employment Assistance Program (EAP) that has been instituted in Clark County.⁴⁸ DWSS created this work-related program for customers (NCPs) who have Nevada PA-related child support orders. The program focuses on assisting customers who are experiencing difficulty in meeting their court-ordered child support obligation. These

customers are referred into the program primarily through the judicial process. There is a special court setting that has been established to allow the court to monitor the customer's participation in the EAP.

The main focus of the EAP is to provide customers with support services that are necessary in assisting him or her in gaining employment. These services include:

- Assistance with job placement
- Assistance with development of a resume and completion of a job applications
- Provision of assistance with transportation such as bus tokens or passes and gas reimbursement for customers who have personal cars
- Assistance in obtaining ID, a driver's license, work cards (for example gaming)
- Obtaining vouchers to purchase clothing for work or job search
- Obtaining vouchers to purchase tools and equipment required for employment

The EAP also provides referrals for customers to external agencies for assistance with the following issues:

- Family Mediation services to help with establishment of access to their child and visitation rights
- Housing and homelessness issues
- Vocational training programs
- Medical treatment
- Drug and alcohol treatment programs
- Mental health treatment and counseling
- Assistance in application for Social Security disability benefits

The EAP is a member of the Community Advisory Board for the Nevada Department of Corrections, Going Home Prepared Re-Entry program. This program is designed to assist violent offenders re-enter society upon their release from the Department of Corrections. The EAP provides all of its services to participants in this Corrections Department program who have PA-related child support orders.

Taking a more proactive approach also applies to Customer Service. We recommend that DWSS actively solicit feedback and comments from customers who were served by the centralized IV-D Customer Service as well as feedback from IV-D staff who were served by the IV-D Help Desk. How the customers perceive the service they have received plays an important part in the evaluation of how well the unit is performing as well as measuring performance of the individuals providing the service. While the feedback may be subjective, continuous and larger percentage of complaints or compliments in certain areas lends itself to a good indicator of how well or how poorly the unit and/or individual is performing. We recommend that DWSS consider the use of Customer Service satisfaction surveys on a periodic basis as well as sending out Comment cards to customers who are surveyed. There must be a commitment to serious consideration, evaluation and analysis of any customer service surveys conducted to ensure that high quality customer service is continually provided and that performance of the Centralized Customer Service Unit and Help Desk is maintained at a desired level.

Best Practice – Colorado (CO 04)

As a means of obtaining feedback from customers, a daily percentage of callers to a CSR are mailed a customer service survey. The customer satisfaction level from their last survey was 4.33 out of 5.

Incarcerated Fathers

Vicki Turetsky of the Center for Law and Social Policy highlights several innovative child support policies that center around incarcerated fathers in her report and presentation entitled "Realistic Child Support Policies that Support Successful Re-entry." She notes in her presentation that 55% of state inmates are parents, and half of those parents have an open child support case. However, their current situation often prevents them from making payments, and therefore their amounts owed double from the time they are incarcerated to the time they are released. These arrearages not only have a negative effect on the non-custodial parent and their children, but also to the state in which the client resides, for these collections often remain outstanding. Therefore, Turetsky makes several recommendations for states, including assessing parental status and child support at intake, reducing child support payment amounts during incarceration, and implement computer interfaces between corrections and child support agencies. The recommendations hold much promise for the State of Nevada and its future child support endeavors.

D.3.1.7 Finding: Inadequate Use of Enforcement Tools

In conversations with case managers who perform enforcement duties, there was a surprisingly limited usage of all of the enforcement tools available to them. When asked "How often do you use the enforcement remedies available to you?"

The most commonly used enforcement tool is Drivers License Suspension (DLS). Out of a total of 77 responses to this question and selection of all that apply, 67 respondents selected DLS as the enforcement remedy most frequently used. DLS may be the most preferred remedy because the DLS process is semi-automated and required little case manager intervention. The two least used or not used enforcement tools are the Lottery or Gaming Intercept and liens against an estate or probate.

Exhibit D.3.1.7-1: Use of Enforcement Remedies displays the response to this question visually.

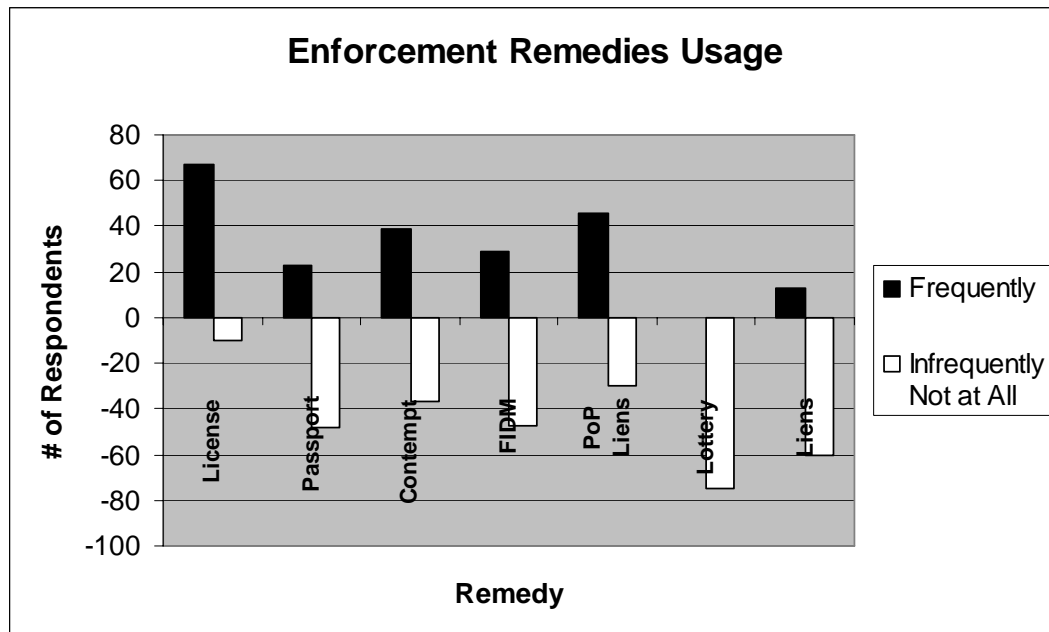


Exhibit D.3.1.7-1: Use of Enforcement Remedies. ⁴⁹

Responses on the use of the Financial Institution Data Match (FIDM) indicated 47 out of a total of 76 they infrequently use or do not use FIDM at all.

Reasons given for not using FIDM were:

- The process took too long
- There was not enough time in the day to do an execution
- The process was too complicated

There is very little usage of liens as an enforcement tool, whether on personal property or an estate.

D.3.1.8 Finding: Need for Additional Automated Enforcement Remedies

Unemployment benefits offset is accomplished through an automated interface with the unemployment agency in most states. In Nevada, the act of intercepting a portion of an NCP's unemployment benefits is time-consuming and cannot be accomplished without human intervention.

During our interviews with the local offices, we learned in order to collect from the unemployment benefits of a non-custodial parent, an income withholding order is generated and sent to the State Department of Employment, Training and Rehabilitation, Employment Security Division (DETR).

The State of Nevada previously participated in the Child Support Lien Network (CSLN). The network administered by the State of Rhode Island matches enforcement cases against a national database of pending insurance claims. When a match is identified, efforts may be undertaken to intercept the proceeds and apply them to a child support obligation. Nevada does not currently participate in the CSLN.

D.3.1.9 Finding: Delay in Determination of Jurisdiction

Our discussions with staff members throughout the State revealed a lack of understanding of the long arm jurisdiction concept. Time consuming interstate referrals are being made to other States in cases in which Nevada may assert long arm jurisdiction. Obtaining successful results in outgoing interstate cases is frequently problematic, and there is no good reason for Nevada to give up the control of working the case in these circumstances

D.3.1.10 Finding: Clark County – Existence of Numerous Outstanding Warrants

Enforcement and locate workers in Clark County identified a backlog of warrants issued by the Courts for the arrest of a noncompliant non-custodial parent. The majority of these cases weigh against the State's performance measurements. Efforts are being made to locate and serve the warrant, or turn the case back to a locate staff person for locate work. By and large unless an employment match takes place, the majority of these cases linger in their existing nonproductive status.

D.3.1.11 Finding: Lack of Performance Measurement Standards

Throughout the State we noted that there is a tendency not to measure and/or publish staff productivity information. Staff members engaged in enforcement frequently told us they did not know what productivity standards they were expected to meet. While most understood a general expectation that total collections should be increased, or customer service issues addressed, the majority of workers did not understand what day-to-day measurement, if any, was used to evaluate their effort. In other words, they did not understand what concrete, day to day achievements would lead to success in the larger goals. Some employees expressed the opinion that publishing daily production outcomes would be too embarrassing to individual workers.

CLARK COUNTY

In Clark County, a "backlog" report is generated each month by individual workers and purports to list all work not accomplished in a timely manner. Results of this list, however, are not published in the office workspace.

D.3.1.12 Finding: Interstate Case Processing Improvements

Currently the State Central Office (CO) provides an Interstate Central Registry (ICR), as required by federal regulation.⁵⁰ The ICR processes several kinds of interstate referrals in Nevada.

One process is the traditional two-state petition based on the Uniform Interstate Family Support Act (UIFSA), where no state has issued a child support order between the parties for these children.⁵¹ A state sends a petition to a state's ICR where a NCP resides (or has other minimum contacts with the forum state, such as the state where the conception of a child occurred). The ICR makes a skeletal case and forwards the information to the local office for processing. The case at that point is treated as a Nevada case for the purpose of choice of law.

If an order exists either in Nevada or elsewhere, and was declared to be the controlling order,⁵² then that order is enforceable in Nevada according to the terms of the order. Using Nevada's enforcement remedies, the order is registered and becomes a new Nevada case (if it wasn't one already).

Another process to seek interstate assistance is to send a "Transmittal #3" form to an ICR and ask for one-time assistance in a case, such as locate assistance, automated interstate enforcement (bank match), or service of process. No case is opened in the responding state and once the action is taken on behalf of the initiating state, the responding state's work is complete.

"One-state interstate" activity occurs when one state sends an enforcement action directly to an entity in another state, bypassing the IV-D agencies or the courts in that state. Under UIFSA and PRWORA, entities in another state must honor direct income withholding orders sent across state lines, recognize real and personal property liens without judicial involvement (although subject to local lien perfection requirements), and administrative subpoenas. Also, there is a federal process for multi-state financial institutions to match large bank data files against the files from the state child support program of delinquent NCPs.

Information is sent from one state to another via CSENet, which is a web-enabled tool to transfer data from one IV-D program to another. The federal OCSE recently announced the implementation of "QUICK" (Query Interstate Cases for Kids), a web-based application that allows workers to initiate a single-case query with another state and to view resulting information in real time.⁵³ Nevada was a participant in the six month pilot period. There are currently six states in production.

The ICR staff (two in Nevada) reviews the information sent to ensure it is complete and requests additional information from the initiating state if needed. Some states use their ICR for outgoing cases as well, since there is a need to monitor what happens in the responding state. Nevada does use the ICR for outgoing cases.

Nevada has the 1996, not the 2001 version of UIFSA while the bordering states of California, New Mexico, Arizona and Utah have all passed the 2001 version.⁵⁴

Currently, the Nevada ICR does not work incoming interstate cases beyond setting up a skeletal shell for the local offices to populate with more information. The ICR process does not add much value to the case-processing as currently constructed, nor does the ICR monitor outgoing interstate cases to ensure that the responding state is working the case timely and appropriately.

D.3.1.13 Finding: Medical Support Enforcement

Medical support enforcement is one of the most important services a state child support program can provide for families. For some parents with children who have extraordinary medical expenses, health insurance is even more important to the family than financial support. As health insurance premiums skyrocket in cost and shrink in coverage, parents are scrambling to find the best solution to keep their families insured.

Nationally, among low income families, twenty-five million children are covered by Medicaid, and four million by the State Child Health Insurance Program (SCHIP).

Ten million low-income children are uninsured, 6.2 million of whom qualify for Medicaid or SCHIP.⁵⁵ Nevada children who live with only one parent can be covered by public insurance such as Medicaid, Nevada Check Up (SCHIP), or by private insurance. Medicaid is offered to children whose families income does not exceed 200% of the poverty guidelines. Over 110,000 Nevada children (23%) received Medicaid in 2005.⁵⁶ According to the Kaiser Foundation, Check Up for families with modest incomes, but who do not qualify for Medicaid, enrolled over 26,000 children in 2004.⁵⁷

Congress determined that the child support agencies should play a role in making sure children receive health insurance coverage, particularly private coverage if available through employment. Congress mandated the use of the National Medical Support Notice (NMSN) to enroll dependent children in an employee's employer-provided health insurance plan.

With the passing of the Deficit Reduction Act of 2005 (DRA), Congress required states to establish the authority to seek an order to enroll children in either parent's health plan, or to enforce the order against the custodial parent (CST) if the CST fails to enroll the child as ordered.⁵⁸ Many times a CST may have superior health insurance coverage, more control over the appropriateness of the health plan, and a more consistent record of stable employment than the NCP. In such instances, the CST is the better person to secure the coverage through employment, with the NCP's role is to pay for all or part of the premium. Under the DRA, out-of-pocket deductibles and co-payments are part of the new definition of enforceable medical support, which can be split between parents. The state must adapt existing fields in NOMADS to cover these amounts.

Nevada's statute⁵⁹ requires that "every court order for the support of a child issued or modified in this State on or after October 1, 1997, must include a provision specifying whether the parent required to pay support is required to provide coverage for the health care of the child, and if so, any details relating to that requirement." As the DRA requires, Nevada needs to expand the application of this provision to both parents and add a new definition of medical support that meets the DRA standard.

Once the medical support order is in place, a NMSN is generated to the employer. The employer must enroll the dependent children, respond that there is no insurance available or the employee doesn't qualify. States such as Michigan and Texas have programs to follow up with employers to ensure they respond accurately and completely. Not only does this requirement provide health insurance for the children, it can save money for the state through Medicaid savings if the children would have otherwise received Medicaid. If the employer-provided coverage is not as comprehensive as Medicaid coverage, the state can provide "wrap-around coverage" to include the extra benefits of the Medicaid program.

Dedicating staff to follow-up NMSNs will pay for itself many times over:

- 1) in state and federal Medicaid savings; and
- 2) by providing for healthier children whose parents might otherwise avoid costly medical attention or face catastrophic medical costs for uninsured children.

In FY03, the last year that OCSE posted numbers for these tables, Nevada had 50,579 cases with medical support orders, but only 6,326 had insurance in place, or 12.5%.⁶⁰ While many states poorly this category, Vermont, Utah, Pennsylvania and Ohio had over 70% of their ordered cases with health insurance in place. Nevada can attain similar levels.

Nevada has the opportunity to vastly improve on the percentage of cases with medical support orders in which children are enrolled in employer-provided health insurance. Nevada's statutes are not fully compliant with the Deficit Reduction Act of 2005 medical support provisions.

Nevada must track, monitor and collect money for insurance premium costs, out-of-pocket expenses and co-payments.

Nevada does not have a centralized office to handle medical support issues. Attention to the NMSN follow-up stage will net the state millions of dollars in Medicaid savings and provide insurance to thousands of otherwise uninsured or publicly insured children.

D.3.2 Recommendations

D.3.2.1 Recommendation: Establishment of Enforcement Performance Measurement Standards Across the State

1. Based on our findings, we recommend that performance measurements are established for each worker engaged in enforcement, measured performance indicators tied to the achievement of overall Team, office and State enforcement goals, standards and expectations be communicated to each worker, and each worker's daily output be published in the office.

Best Practice – Missouri (MO 01)

In 2005, the Missouri Child Support Enforcement Program (MO CSEP) changed the way in which it evaluated staff members. Prior to the change, staff had been evaluated based on their adherence to policy and set processes. However, the state was not seeing the improvement in performance it was hoping for. It was decided that to improve program performance, it was necessary to evaluate staff based on the same criteria on which the program as a whole was being evaluated. MO CSEP developed performance-based evaluations, based on staff title and role, and the five federal incentives. Now, staff are given "credit" for completing a task once the outcome is reached, not when the process is performed. Each staff member knows in advance what the expectation is, and how meeting that expectation will contribute to their overall evaluation. The Missouri Child Support Enforcement Program has improved in each of the five federal performance areas, and credits the change in staff evaluation methods with contributing significantly to this improvement.

Best Practice – Milwaukee County, WI (MC 02)

Everybody in Milwaukee County CSA has a performance target, from mail room workers to attorneys. Corrective action plans are used when performance goals are not met.

2. We recommend the State provide the ability to accurately report worker functionality to enforcement managerial staff across the State. In order to effectively determine individual performance expectations, it is vitally important that managerial and supervisory staff across the State have the ability to perform data mining and analysis activities to assess the needs of individual caseloads, and to accurately establish the individualized plans and goals described in the preceding paragraph. NOMADS currently does not support such reporting and analysis. Staff members consistently reported that system generated reports were of little use to them in their performance of the enforcement task and they are widely regarded as inaccurate.⁶¹ More detail recommendations regarding reports is contained in Section D.6.

Best Practice – Colorado (CO 03)

The statewide automated system produces numerous and detailed reports with statistics on every aspect of the program, including collections, establishment activities, enforcement activities, and financial activities. Most of these reports are produced at the county level, as well as team and individual levels. The system also produces working reports for county child support professionals that identify establishment, enforcement, and financial activities that need to occur, or actions needing to be taken. Some recent enhancements to reports include the addition of information to assist staff with early intervention: the establishment super report was changed from a monthly report to a weekly report, recognizing the need for more timely information as those case actions happen quicker and could be lost in a monthly reporting cycle.

The number and quality of reports available to Colorado CSE staff assists them with case management, and allows supervisors and other management staff to see how the Program as a whole, as well as individual offices, are performing and progressing toward their goals.

D.3.2.2 Recommendation: Creation of a Centralized Employer Maintenance Team/Unit

Based on our findings, we recommend the State undertake an effort to review and correct the employer database. This will be a massive task and clearly cannot be performed by the Help Desk which is currently tasked with adding/updating employer information in the Employer Table. Based on the cursory review conducted of the employer records contained within the Employer Table and the number of duplicate records discovered, we place a high priority on the clean-up of this Employer Table as new records are being added continuously, further increasing the likelihood of an increased number of duplicate records.

Also, based on the amount of time that is spent by clerical staff, primarily in both Clark and Washoe counties, pulling out the Income Withholding Notices that contain incorrect Employer address information a clean-up of this table would facilitate the lessening of this task.

We recommend that DWSS create a centralized Employer Maintenance Team or Unit and remove the responsibility from the Help Desk. The Help Desk handles a tremendous number of calls on a daily basis and often times the addition or change of employer information cannot be done immediately. Additionally, because of all of the other duties and tasks that the Help Desk performs, the FTEs on the Help Desk are not always able to devote time for analysis and research to avoid the creation of duplicate employer records. Creating a team solely responsible for Employer Maintenance and clean-up of the duplicate and/or inaccurate records will ensure data integrity and provide better customer service to IV-D staff in the PAO and DA offices.

We recommend that DWSS establish timeframes and performance measurement standards for the FTEs responsible for the updating of employer database information.

We recommend that DWSS develop a Handbook with specific procedures and guidelines for each of the following target audiences:

- Case managers requesting a new employer added
- Case managers reporting a change in employer information
- Employers reporting a change in the employer information
- Employers reporting an employment change for one of their employees who is part of a IV-D case

This Handbook or Guide should become a part of an Employer Outreach initiative and distributed to all IV-D FTEs.

We recommend that a copy of this Handbook or Guide is included with every Income Withholding Notice mailed from the Centralized Printing Facility (See Section C.5.1 Recommendation). We also suggest the State consider construction of a website to allow for employer reporting of address or mailing information changes.

D.3.2.3 Recommendation: Implementation of Electronic Income Withholding Orders for the Military

We recommend that DWSS investigate the use of the Defense Finance and Accounting Service (DFAS) electronic Income Withholding Orders. Their "Kids 1st Program" provides an alternative to a paper-based manual system and is able to handle a high volume of electronic submissions. The DFAS system will provide Nevada with the ability to almost immediately initiate income withholding orders against military personnel, without the costly time delay involved with the current manual process. DWSS should actively pursue this enforcement tool to reduce the burden on the enforcement worker, allowing his or her time to be spent on more labor-intensive enforcement activities. The benefit in increased collections from the military will be a boost to Nevada's collection numbers.

D.3.2.4 Recommendation: Creation of a "Point of Contact" Individual for Outreach to the Military Bases

We recommend that with the creation of Regional Offices, an individual in each office is assigned as the "Point of Contact" or "Military Liaison" for the office. It will be the responsibility of this individual to visit and communicate with their military counterpart on a regular basis to foster and nurture strong working relationship with the military base. This individual should make regular, on-site visits to the assigned military bases to obtain and gather information, discuss and work through issues and problems that have arisen, and explore avenues of strengthening the relationship between the two entities to facilitate the establishment of a child support order and enforcement of that order.

Best Practice – North Carolina (NC 02)

North Carolina is home to a number of military bases. To best serve this population, local offices have staff members at the bases each week. This outreach to military families is beneficial to both the Child Support Enforcement program and the families, and ensures ongoing communication between the program and the military.

D.3.2.5 Recommendation: Elimination of Duplicate Income Withholding Orders

We recommend that a NOMADS work item be created for the duplicate income withholding issue, (if one does not already exist), and that the work item be given a high priority to remedy the problem as soon as possible. Until this priority work item is implemented, we suggest that either the State advise all local offices of the need to review the income withholding orders prior to issuance, or that all orders are printed in the Central Office and reviewed by staff to eliminate duplicate and bogus orders. It is imperative to resolve this problem prior to the implementing automated income withholding orders to the larger Nevada employers and/or DFAS.

D.3.2.6 Recommendation: Automation of the Unemployment Benefit Intercept Process

Based on our findings, we recommend Nevada pursue an automated approach to intercepting Unemployment Insurance Benefits, ensuring that all potential unemployment collections are accomplished in a timely and efficient manner and without the need of significant staff involvement in generating and serving documents. Requiring an individual from the Central Office drive to the Employment Security Division to pick up a check and disk, deliver it to the Department of Information Technology to run against NOMADS, and then physically bring the report and check back over to the SCaDU in the Central Office after making copies of the check, is an unacceptable procedure for DWSS to continue to use.

D.3.2.7 Recommendation: Provide New Enforcement Tools

D.3.2.7.a We recommend that DWSS consider rejoining the Child Support Lien Network (CSLN) and gain the benefit of increased collections that can result from such participation. Liens appears to be a little used enforcement resource, but because CSLN is an automated tool, participation will have little impact on the case manager's day to day activities. We also recommend that Nevada explore other potential new enforcement tools currently in use in other states.

D.3.2.7.b Several states are offering NCPs an option for direct withholding of their monthly child support obligation from their bank account. This withdrawal allows the monthly payment to be paid at a consistent date each month, without the need for the NCP to mail in a check, purchase a money order or cashier's check.

D.3.2.7.c We also recommend that Nevada actively pursue participation in QUICK to allow Nevada case managers easy access to case information to information associated with cases in other participating QUICK states. During the pilot period, case managers in the participating states reported receiving responses back on an average of about 7.4 seconds, with 3.2 seconds being the fastest.⁶² This would greatly increase the ability of case managers to take timely actions on cases by allowing them a tool to obtain quick and easy access to information from participating QUICK states, rather than having to wait for hard copy, paper information to be returned.

Best Practice – South Dakota (SD 03)

South Dakota has an automatic withdrawal from bank accounts at the option of the obligor. The money is withdrawn the third day of each month. This is done as a benefit to employers. Otherwise, income withholding is used

Best Practice – Alabama (AL 03)

There are four federal District Court (trial level) districts in Alabama, and the state has one attorney assigned to work bankruptcy cases for each of the districts.

Best Practice – Washington (WA 04)

The Child Support Internet Payment Service allows obligors to go to the state website and pay child support by authorizing the state to withdraw funds from the obligors' bank accounts.

D.3.2.8 Recommendation: Increase Understanding and Use of Long Arm Jurisdiction

We recommended that there be further training provided to enforcement staff responsible for producing outgoing interstate referrals to ensure they recognize those situations in which the case may worked within the Nevada child support program. We further recommend supervisory review of all outgoing interstate actions to screen for unnecessary cases that may be worked via long arm jurisdiction. With the

proposed recommendation related to centralization of the Interstate Case Registry (D.3.2.12) and the monitoring of outgoing cases, closer attention could be paid towards those interstate referrals that may be worked via long arm jurisdiction as opposed to an actual interstate case referral.

D.3.2.9 Recommendation: Elimination of Backlog of Outstanding Warrants

We recommend that DWSS work with Clark County to organize a large scale amnesty effort to resolve promptly as many outstanding warrants as possible. In exchange for a payment or some other demonstration of cooperation with the child support program, an existing warrant could be quashed and the non-custodial parent returned to compliant status. While the execution of such an undertaking would require coordination and cooperation with the judiciary and sheriff's offices across the State, if publicized well it could also have an immediate impact on the enforcement effort if the amnesty period were followed up with well publicized enforcement efforts.

D.3.2.10 Recommendation: Centralization of FIDM

Currently there is one FTE located in the Reno PAO who is responsible for FIDM for all of the rural counties with the exception of Elko County. The Elko County DA CSE office maintains control over and cases assigned to the Elko County DAs office, even when FIDM is used as an enforcement tool. The Clark County DAFS has two FTEs who provide FIDM services for that office. Based on the current utilization of FTEs, we recommend that the two FTE positions in Clark County would be better used to manage caseloads, and that the FIDM process should be centralized and automated to the extent possible.

D.3.2.11 Recommendation: Clean-Up of Alerts

We recommend that case managers who perform enforcement duties and tasks be a part of the Alerts Workgroup recommended in Section D.5.2.1.

These case managers will be tasked with ensuring that enforcement-related alerts are meaningful, easily understood and eliminate duplicative enforcement-related alerts.

All states deal with the problem of "death by alerts or worklists" as a result of their statewide IV-D system. However, many states have taken a proactive approach towards cleaning up of alerts as well as enabling case managers to work their alerts. We recommend that the Alerts Workgroup explore alternatives to allow alerts to become a meaningful and effective tool for case managers here in Nevada.

BEST PRACTICE – MICHIGAN (MI 04)

Michigan prioritizes action alerts and ignores informational alerts.

BEST PRACTICE – OHIO (OH 07)

Alerts can be divided between those that are critical and those that are informational. The informational ones are suppressed.

Best Practice – South Dakota (SD 06)

Alerts are suppressed to block informational alerts so that the only alerts on the system that the worker sees are the ones that need to be worked. One person prioritizes field requests for system modifications.

Best Practice – Virginia (VA 04)

Alerts are for anything new such as a new automated FIDM match. Virginia stopped doing individual task alerts. Alerts are purged after one reminder if action is taken.

Best Practices – Washington (WA 06)

Some alerts were deleted so that they do not clog the workload for case managers.

D.3.2.12 Recommendation: Improvements to Nevada's Interstate Case Registry (ICR)

D.3.2.12.a Nevada should pass the 2001 version of UIFSA, which clarifies some of the open questions inherent in the 1996 version.

D.3.2.12.b Nevada should have a much more active ICR and should process incoming cases as much as possible. For instance, if a controlling order from another state is filed with the ICR, the ICR should take appropriate enforcement actions, including conducting locate of the employer, sending an income withholding notice and the National Medical Support Notice to the employer, before sending referral documents to the local office to process. This allows cases to be enforced immediately, as UIFSA allows, even during the registration-contest period.⁶³

D.3.2.12.c The ICR should monitor outgoing cases to ensure that responding states or entities in a one-state interstate enforcement case are complying with Nevada's request for action, as well as identify those referrals that could be better handled through the use of long arm jurisdiction. The ICR has contacts with other state ICRs, and can use that familiarity to get state and local level responding state case status updates.

D.3.2.12.d The State should create a comprehensive interstate case processing training unit so that child support workers understand jurisdictional barriers and how to overcome them.

D.3.2.13 Recommendation: Expand Nevada's Medical Support Enforcement Coverage

D.3.2.13.a Nevada should amend its laws to comport to the Deficit Reduction Act of 2005 medical support requirements and make the necessary changes to NOMADS.⁶⁴

D.3.2.13.b Nevada must track cash medical support and be able to order coverage against either parent based on the circumstances of the case.

D.3.2.13.c Nevada should consolidate the NMSN follow-up work in a centralized unit. The unit would receive notice when an employer is late returning the response Part A or Part B and take appropriate action to resolve the case (enroll the children if appropriate, if insurance is available and the parent qualifies for insurance coverage). The employer database unit should maintain accurate contact information for employers regarding health plans (which may be different from the payroll contact for income withholding and the contact for new hire reporting). Through systematic tracking, monitoring and follow up, medical support compliance will increase rapidly.

Best Practice – Illinois (IL 03)

Illinois is a full-insurance state, providing insurance for every child either through private or public means. Medical support enforcement has been outsourced so staff can remain focused on core functions – establishing paternity and support orders and enforcing them.

D.3.2.14 Recommendation: Improvements to an Overall Proactive Enforcement Approach

The federal OCSE Strategic Plan incorporates a major new strategy, "Emphasize prevention and early intervention" to address child support collections."⁶⁵ Examples provided in the Strategic Plan that emphasize prevention and early intervention are: Intervene early to modify orders, correcting mismatches between ordered payments and ability to pay,

Take prompt steps, as soon as payment is missed, to work with parents to resume payments,

Provide easy access to genetic testing or voluntary in-hospital acknowledgement for parents of children born out of wedlock,

Update child support guidelines regularly and simplify order modification,

Develop automation tools that spotlight opportunities for early intervention to avoid payment problems or arrears.

Many of the recommendations made in this report support these federal goals and objectives.

D.3.2.14.a We recommend that a statewide income withholding order follow-up effort include proactive follow up, identification of issues preventing collection and taking the next appropriate step to remedy the situation. By specifically targeting resources in such an effort, the State may increase collections, reduce customer service burdens, and reduce the workload on assigned enforcement case managers

D.3.2.14.b We also recommend the instituting of direct dialing contacts for NCPs to be used across the entire caseload whenever his or her payment is over 30 days delinquent. This initiative will help increase efficiencies over the current approach by providing immediate follow-up and taking a proactive approach towards a non-payor.

D.3.2.14.c We recommend exploring with Nevada's larger employers, particularly the casinos, their acceptance of an electronic income withholding order. For employers who have sophisticated systems and employees dedicated for IT development and issues, the ability to receive electronic income withholding orders would expedite the delivery of these notices and the initiation of income withholding, especially for new orders.

D.3.2.14.d We recommend an expansion of the Clark County Employment Assistance Program (EAP) to Washoe County DFS. With the implementation of the Regionalization, we recommend that the Employment Assistance Program be implemented in each of the three (3) Regional Offices.

Best Practice – Milwaukee County (MC 03)

Early intervention is labor intensive but can keep cases in compliance or quickly return to compliance status.

D.4 CASE MANAGEMENT FUNCTIONS

D.4.1 Findings

D.4.1.1 Finding: Case Processing

Effectively knowing how to process a child support case, making a determination of the next appropriate step to take in the case, and understanding office procedures are the foundation to effective and efficient case processing. Understandably, these processes and procedures vary from office to office depending on the number of staff in that office, how cases are assigned, and whether the caseloads are specialized or "cradle to grave." Regardless, a defined process and procedures should be in place to ensure standardization and consistency among FTEs within a team, a unit, an office.

In the smaller rural counties, standardization and consistency is not as much of an issue as it is in the two larger counties. In rural counties, staff discuss and talk amongst themselves and the Child Support Coordinator to determine the next step taken, how to handle more difficult cases, and discrepancies in policy interpretations. There is a great deal more standardization and consistency in how cases are worked, what actions are taken, and understanding of office procedures .

PAOs and DA offices are creative in the development of a variety of tools in the form of checklists, desk guides, and other tools that assist case managers perform case processing. A sampling of these tools can be found in *Exhibit 4.2.1-1* of this report.

CLARK COUNTY ORGANIZATIONAL STRUCTURE

In November, 2005, Clark County DAFS undertook a major reorganization of resources and caseload assignments, based on the recommendations of a study done

by Policy Studies, Inc.⁶⁶ As a result of this major reorganization, a new level of middle management was created in the form of Unit Administrators who now supervise Team Leads. Each of the three Case Management Units (Unit A, Unit B and Unit C) is comprised of four Teams (Team 1, Team 2, Team 3 and Team 4). In addition to the reorganization of the existing structure, DAFS received approval to hire additional staff to complete the reorganization. Several specialized units add to the support of the ongoing case management activity – the STARS Unit which handles specials projects, the Audit Unit that specializes in conducting financial audits primarily as part of the court preparation process, a specialized training unit responsible for training all new DAFS staff, and a substantial group of employees who perform a number of tasks ranging from mail room, clerical, Administrative Assistants and Legal Office Assistants.

While the newly reorganized structure has not been in place for a year, DAFS management has not been able to determine the actual benefits and effects of the change, nor has it been able to determine how successful this recent reorganization has contributed to any increase in performance levels and/or outcomes.

CLARK COUNTY CASE REVIEWS

In July 2006, we undertook a cursory review of 80 case records in the Clark County DAFS, sampling cases from Locate, Paternity Establishment, Obligation Establishment and Enforcement areas.

Of the 20 case files that were selected for review in the Locate Functional area, 13 of the cases had closed since the sample was pulled. The findings in the review of these cases indicates the overwhelming majority of the locate actions taken in these cases were automated NOMADS actions and case managers were failing to act on the information returned from these automated sources. The primary manual locate sources used were centered around Postmaster Letters and inquiries to both the electric and gas utility companies.

Paternity Locate – Closed Cases

Of the 20 case files selected for review in the Paternity Functional area, 8 of the cases had closed since the sample was pulled. Of these closed cases:

- Two of the case files could not be located for review
- In another of the closed cases, there was a Contact Entry noted by a case manager the case needed to be reopened and a file request was made from Closed Files on 1/2/04 - No further action was taken on this case
- Another closed file indicates the case manager requested a copy of a death certificate from Investigations on 5/14/03 - The case was since closed and there was no copy of a Death Certificate in the case file

Paternity Locate – Active Cases

Looking at the active case:

- One of the active cases had a Contact Entry created by the Case manager that an order was received from the Custodial Parent, but there was no evidence of the order in the case file

- Another active case opened on 2/18/03 and a Birth Certificate for the child was in the case file, naming the Alleged Father - but no action was taken on this case
- Another active case was referred to Paternity on 9/15/05 and a Domestic Violence Affidavit signed by the Custodial Parent was in the file, but no documentation regarding Good Cause. No further action was taken on this case

Obligation Function Cases

Of the 20 case files selected for review in the Obligation Functional area, one case was not available for review because it was a "confidential" case, and 11 cases were closed since the sample was pulled. Of the remaining 8 cases reviewed, 4 of the case files could not be located so the review was done strictly relying on documentation on NOMADS.

- Two of the case files could not be located, but were referred to Obligation Establishment in April, 2005 and no case activity appears to have taken place based on NOMADS documentation
- One case in Obligation was referred to Obligation on 6/13/03, a court order established and income withholding in place, but the last payment received on NOMADS was in 7/22/2003
- Another active case reviewed was referred to Obligation on 4/11/05, but the case file could not be located and NOMADS indicated no action taken on the case

Enforcement Function Cases

Of the 20 case files reviewed in the Enforcement Functional area:

- Three of the cases were in Closed status
- Seven of the active cases reviewed were in delinquent status even though income withholding was in place - no payment received in several years. There was no indication in either the case file or on NOMADS that any locate activity was initiated or that any follow-up with the employers done

CLARK COUNTY OFFICE CONFIGURATION

The current office configuration of the Clark County DAFS is not conducive to the efficient flow of case files nor documentation routed from the Mail Room and File Room. The likelihood that case files and paperwork are misplaced and/or lost among the various units and teams on multiple floors is high. During our onsite visits, we found there were case files stacked in various places within case managers office space such as file drawers and book shelves. The number of case files that could not be located for our cursory case file review also emphasized that case files may easily be misplaced or lost. Additionally, during our group discussion with case managers during Team interviews, we determined that among the 26,000 case files transferred to Clark County DAFS from the Las Vegas PAO, some of the case files were still missing or un-worked.⁶⁷

We would like to commend Mr. Robert Teuton and his staff for taking a proactive approach towards finding office space that will lend itself to a more effective and efficient office organization to better serve their customers in Clark County. Mr. Teuton has appeared before the Clark County Long Range Planning Committee

voicing his concerns for better office space to accommodate his organizational needs as well as the needs of customers.

WASHOE COUNTY

The Washoe County Family Support Division (FSD) has a similar organizational structure and physical challenges as Clark County DAFS, except on a smaller scale. Washoe County FSD has three units responsible for Case Assessment and Case Processing. The caseload is distributed between three Case Management units. Each unit has a supervisor and basically performs the same tasks. There are also additional specialized units that support the overall child support office operations. Among these are a specialized Data Reliability (DRA) unit, a specialized training unit, Clerical Support unit and a specialized Financial Audit unit similar to the unit in the Clark County DAFS.

Most recently, the Washoe County FSD experienced the loss of their Program Administrator, and the task of managing the office operations became the responsibility of the Assistant Program Administrator. This individual was recently promoted to the Program Administrator's position.

In Washoe County, as in the Clark County DAFS, there is a continual passing of the case file and documentation amongst individuals in the various units – from the File Room to the case manager's desk to the Legal Office Assistants/Legal Secretaries, attorneys and clerical staff.

The physical layout of the Washoe County FSD does not lend itself to a sense of "teamwork" or unity as the various units are spread out on multiple floors. While the FSD has moved into a new location in the new courthouse facility, it is unfortunate that the various teams remain separated on different floors. We believe this is one of the contributors to lack of standardization and continuity in the various tasks that the teams perform.

D.4.1.2 Finding: Frequency in Movement of Case Files and Documentation

There is one finding we found that pertains primarily to the two larger counties and is virtually non-existent in the rural counties – the flow of case files and paperwork. In the smaller rural counties, because of the close proximity of the case managers within an office, as well as the point of entry of incoming mail, there is little likelihood that documents and case files may be misplaced or lost. In the majority of the rural offices, the case managers keep their case files either in their desk drawer, a filing cabinet or a book case within their work area. Many of the offices have limited space so there is not a "file room" used by everyone. The case managers are responsible for all case management activities, as well as for filing of any documentation and correspondence.

CLARK AND WASHOE COUNTIES

In the two larger counties, the movement of case files and documentation presents a greater problem. Both of these offices occupy multiple floors within the office building where they are located. Case files are moved between floors, case managers and supervisors, as well as between Legal Office Assistants and staff attorneys.

Documentation and correspondence is received for a case that is not readily available or easily located. This presents a delay in the review and filing of paperwork in the correct case file.

Movement and misplacement of the case files increases the likelihood that paperwork and documentation may be misfiled or lost, as well as a delay in the documentation reaching the correct individual. It is not uncommon for a single piece of correspondence or documentation to be touched unnecessarily by numerous hands from the time it is received in the Mail Room until it is filed in the proper case file.

D.4.1.3 Finding: CSE Policy Manual

Based on responses to questions we asked case managers regarding the clarity of the policy and procedures in the various functional areas, the vast majority of the respondents felt that policy and procedures were either very clear or somewhat clear. See *Exhibit D.4.1.3-1: Understanding of Policies and Procedures* below.

How clear do you feel the policies and procedures are?	Very Clear	Somewhat clear	Not very clear	Unclear
Locate	16	29	15	2
Paternity Establishment	35	29	7	1
Enforcement	25	36	9	1

Exhibit D.4.1.3-1: Understanding of Policies and Procedures. ⁶⁸

Likewise, Central Office staff were queried regarding their perceptions of the familiarity of the PAO and DA staff with the CSE IV-D manual. The majority of respondents in the Central Office felt these IV-D staff are familiar with the manual. See *Exhibit D.4.1.3-2: Familiarity with the IV-D Manual* below.

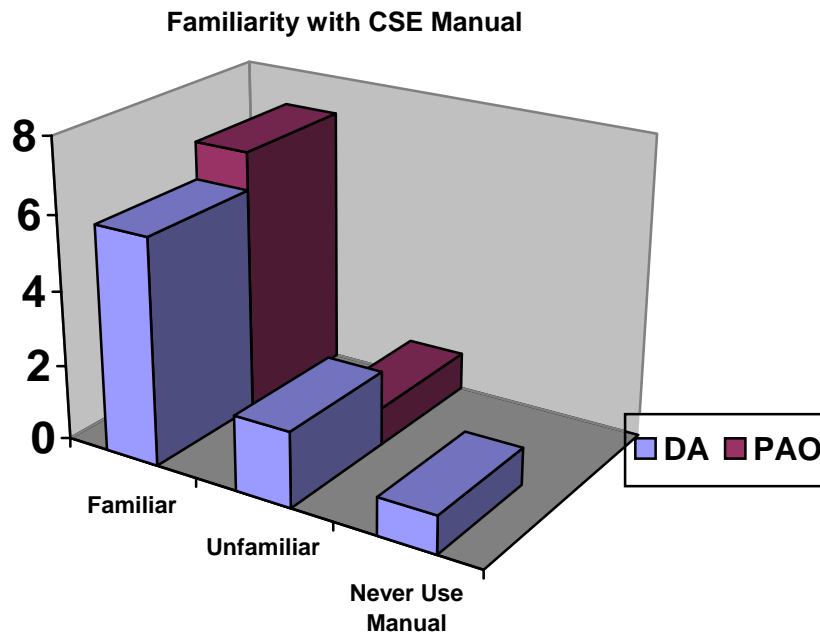


Exhibit D.4.1.3-2: Familiarity with the IV-D Manual ⁶⁹

When case managers and supervisors were interviewed and asked what are five areas that you feel policy is unclear or inconsistent, there were numerous areas and responses. Among the major areas identified are:

- Case Transfers and Jurisdictional Issues
- Case Closure policies (some of these responses were given prior to a Case Closure training that DWSS provided)
- Interstate policies
- Review and Adjustment
- Timeframes for case processing

When case managers and supervisors were asked what five areas they felt that policy was very clear and understandable, they again identified numerous areas and responses. Among the major areas that were identified are:

- Automated enforcement actions
- Good Cause
- Emancipation
- Case Closure
- Drivers License Suspension

An overall response was the "usability" of the state CSE Manual. There was a lot of dissatisfaction regarding the lack of a good "google-like" search engine to assist them with locating manual material. Interviewees requested the manual is written in a more user-friendly manner with use of bullets. The other major complaint was the CSE Manual is not updated timely, incorporating Policy and Procedure (P&Ps) released.

This is a similar finding that we based a recommendation on in a prior report⁷⁰ - "Update the program manual as soon as possible and provide revised copies to each PAO staff member, the DA offices, and other relevant parties." Another of our recommendations in the same report was to schedule an annual review of the program manual to ensure the manual is current with policies and procedures.

A review of the recently revised Nevada CSE Manual Section 200 was also done in comparison with sample manual sections from North Dakota and Missouri, as well as a comparison between the Nevada IV-D Manual and the PA Manual. The revised IV-D Section 200 did comparatively well with the two other state manual sections. The Section was well laid out and is clear and direct in most areas.

CLARK AND WASHOE COUNTIES

Interestingly enough, when talking with case managers in the two larger counties, there was a surprisingly large number who:

- *Were not aware that a state Child Support Enforcement Manual existed*
- *It was available online*
- *How to access the manual*

Clark and Washoe County have in the past created and maintained their own separate policy and procedures manual which mirrors the state CSE manual.

D.4.1.4 Finding: Lack of Distinction Between Policy and Procedure

In discussions with case managers as well as with supervisors, there appears to be an overall lack of distinction between what is policy and what is procedure. When asked questions regarding what policy is unclear and inconsistent and what policy is clear and understandable, many of the responses received were not related so much to policy, but to the procedures used in the office. This is not limited to the larger or rural counties, but is a state-wide issue.

Some examples of unclear policy identified in responses include:

- How to work alerts
- How to perform case assessment
- How to determine when contempt is appropriate
- Inconsistent procedures
- How to determine jurisdiction

D.4.1.5 Finding: Policy and Procedures (P&P)

The responses surrounding the Policy and Procedure (P&Ps) issued by DWSS when a policy clarification was requested from the Central Office were much more "to the point." Case managers and supervisory interviewees had uniform responses. The most resounding responses focused on the following issues:

- The P&Ps no longer identify the individual in the Central Office who responded to the request
- The P&Ps "skirt" around the questions, are written in a vague and ambiguous manner and talk in circles ("Submit to policy and they will issue a non-answer")

- It is difficult to locate a P&P that they are looking for – no easy method to locate a specific P&P as they are not always labeled clearly

The current methodology that DWSS uses to handle P&Ps appears to be counterproductive to their intent – to provide policy guidance and interpretation to IV-D staff. Here again, there was also dissatisfaction voiced about the lack of timely updates made to the CSE Manual and incorporating the P&Ps.

All staff did respond that they receive the group e-mails when P&Ps are disseminated statewide.

A related finding when asked what is the process in your office for submitting a P&P, case managers had great difficulty identifying the process. After talking it through, they were able to come up with the process.

D.4.2 Recommendations

D.4.2.1 Recommendation: Provide Improved Case Processing Tools

Nearly all of the DA and PAO offices visited have developed tools to assist the case manager in processing cases. Some of the tools are general in nature and some are specific. Shown in *Exhibit D.4.2.1-1: Nevada Best Practices (NV 01)* is a sampling of tools that we accumulated.

County	Nature of the Tool	Title
Elko DA	Desk Guide	Case File Set-Up
Elko DA	Desk Guide	Child Support Office Policy Manual Index
Elko DA	Cheat Sheet	Elko CS Best Practice/Setting Alerts
Elko DA	Checklist	Case manager Checklist
Elko DA	Performance	Child Support Case manager Weekly Progress Report
Humboldt DA	Desk Guide	"A-Z" Case Work
Humboldt DA	Desk Guide	Cash Handling Policies
Humboldt DA	Desk Guide	Procedures for Driver's License Suspensions
Douglas DA	Customer Service	Application Packet and Group Intake Calendar
Douglas DA	Desk Guide - Procedures	Case Set-Up/Case Closure
Douglas DA	Checklists	BOW Flag Manual Worksheet Closing a Case Group Intake License Suspension Tracking Modifying a Douglas County Order
Clark DA	Checklist – Worksheet	Worksheet for Court Prep III
Clark DA	Desk Guide – Procedures	Types of Cases that cannot be audited in NAWC

Exhibit D.4.2.1-1: Nevada Best Practices (NV 01).

County	Nature of the Tool	Title
Lyon DA	Desk Guide - Procedures	Flow Chart for New Cases
Lyon DA	Customer Service – Procedures	How to Appeal the Court Master's Recommendations
Lyon DA	Checklist – Form	Courtmaster Hearing Case Presentation
Reno PAO	Desk Guide - Procedures	Accepting Referrals – aka PRFL
Reno PAO	Checklist - Form	Case Set-Up
Reno PAO	Cheat Sheet	Timeframes to Remember
Reno PAO	Cheat Sheet	Things to Remember When Working a Case
Reno PAO	Cheat Sheet	Locate Resources
Reno PAO	Desk Guides – Procedures	Court Desk Procedures
Elko PAO	Checklist – Form	Case Action Checklist
Elko PAO	Checklist – Form	Information for Notice
Elko PAO	Checklist – Form	Information for Default Order
Elko PAO	Log	Expedited Case Processing Log
Elko PAO	Report	EPAO Monthly Outcomes
Carson City DA	Cheat Sheet - Procedures	CCDA CSE House
Carson City DA	Customer Service	Group Interview Instructions
Churchill DA	Log	Action Log
Churchill DA	Checklist – Form	Court Prep Form
Washoe DA	Checklist – Form	Assistant Request
Washoe DA	Checklist – Form	File Closure Checklist and Request Form
Washoe DA	Checklist – Form	Paternity – Clerk Request Form
Washoe DA	Checklist	Incoming Fax Checklist
Washoe DA	Desk Guide – Procedures	Mail Room Procedures
Washoe DA	Desk Guide – Procedures	Printing Employer Letters and Wage Withholdings

Exhibit D.4.2.1-1: Nevada Best Practices (NV 01) (continued). ⁷¹

All of the offices in *Exhibit D.4.2.1-1* have shown creativity in creating tools they make available to case managers to assist them in the performance of their duties. Unfortunately, there is no method for offices within the State of Nevada to share this creativity. An office could benefit from a Desk Guide or cheat sheet that was previously developed. Even though counties, especially rural counties, have established an informal network to share information, a formal process does not exist to share information.

We recommend DWSS assist in the creation of an environment where ideas and tools may be shared easily between offices. These ideas and tools could be contained in a quarterly DWSS newsletter item, through the state e-mail system, or some other means. With the creation of Regional Offices, this task will become much easier as counties will be grouped together facilitating the communication and standardization of processes

CLARK COUNTY

We recommend DAFS management set a timeframe for an analysis and impact study based on the new organizational structure. A major change such as reorganization impacts case managers, supervisors and administrative staff who were not only affected by the change, but will also improve procedures, processes and provision of quality services. At some point DAFS should evaluate the effects of the reorganization on program effectiveness, improvements in case processing and providing efficient services to customers.

We recommend DAFS seek input from all levels of the office structure as well, as customers served. While it is not "healthy" to continually interrupt day-to-day activities with constant change, it is also important to recognize both the positive and negative impacts of change. Based on the results of the analysis and impact study:

- *DAFS management should revisit the organizational structure*
- *Determine and identify weaknesses and strengths*
- *Work towards strengthening the areas of weakness*
- *Capitalize on the strengths*

WASHOE COUNTY

We recommend that Washoe County DFS also set a timeframe for an analysis and impact study of the current organizational structure. We recommend that as part of this analysis, Washoe County DFS undertake the initiation of a Business Process Re-engineering (BPR) effort. This effort will provide management with an "outsiders" view looking in and allow for the identification of the organizations strengths and weaknesses. A Time Management study, conducted by an outside source should be part of the BPR effort, rather than workers completing a form indicating what tasks they are performing at certain times of the day. Conducting a BPR will provide valuable information and input, evaluate if the use of the current number of staff is being maximized, where repetitious tasks and activities are performed, and suggestions how to improve efficiencies within the office.

Also included in this BPR initiative should be an evaluation of current office processes and procedures to determine the level of comprehension, clarity, continuity and direction.

Best Practice – New Jersey (NJ 02)

New Jersey issues a newsletter to disseminate best practices. The practices that are put into place as a result are reviewed a year later to determine if they were effective.

Best Practice – Oregon (OR 02)

Oregon has a Program Policy Forum comprised of DCS staff and representation from the District Attorneys. They meet monthly to discuss policy changes and initiatives.

Best Practice – Los Angeles County (LA 02)

Employees are invited to an annual division Employee Recognition Ceremony. The LCSA recognizes employees' innovation and improvement.

Best Practice – Washington (WA 02)

Washington promotes risk taking and creativity. Caseworkers are told that it is safe to take a risk. The state looks for the best practical solution whether or not it exactly follows statute or regulation.

D.4.2.2 Recommendation: Improved CSE Manual

We have several recommendations regarding the DWSS CSE Manual.

D.4.2.2.a DWSS should develop an improved "google-like" search engine enabling the user to use "key" words or phrases to search the manual. While the current search method works reasonably well, IV-D staff are frustrated because they are still not able to find all manual cites they need.

D.4.2.2.b The CSE IV-D manual should be updated no later than the following month a P&P is issued. With the updated manual page(s) there should be footnote reference to the P&P number and date it was issued. We recommend a Revision Date is inserted in the footer of each revised CSE Manual page, along with the Transmission number. These updates are key to positively impacting case manager and supervisory performance, as they are unable to easily locate policy clearances and interpretations using the currently methodology.

D.4.2.2.c The IV-D CSE Manual should adopt a similar format to the current PA manual in the following manner:

- Each Manual Section should contain it's own Table of Contents at the beginning of the section, rather than as a separate selection on the online manual
- Links created in the online CSE Manual so that when users select from the Table of Contents, they are navigated immediately to the selected manual section

- The current Manual Transmittal Letters (MTL) should be clearly identified as to contents (Manual Section, subject matter, or something that identifies what the MTL is regarding) or should be discontinued in its current format
- A complete index such as the one contained in the PA Manual should be at the end of the IV-D Manual

Best Practice – Wisconsin (WI 03)

Policy and procedure manual is electronic. If a county has a questions, state central office policy office will answer the question within two business days unless there is a legal issue involved.

Best Practice – North Carolina (NC 01)

The state policy manual is electronically available. Each county is to have a procedure manual that reflects state policy. Top four ways to improve state and county communication are :1) monthly mailings, 2) policy input, 3) letters to the counties (130-140/year), and 4) the Help Desk.

D.4.2.3 Recommendation: Improved Distinction Between Policy and Procedure

We recommend management on all levels, Central Office, DA and PAO offices, make a clear distinction whether something is policy or procedure. Policy must be clearly identified in written materials created and distributed. Procedures developed to implement policy must also be clearly identified. This same distinction applies to the development of any training materials. (See Recommendation C.8.2.3).

D.4.2.4 Recommendation: Improved Use and Identification of Policy and Procedures (P&P) Issuances

D4.2.4.a At the local office level, whether PAO or DA office, clear written procedures are needed on how a P&P is submitted in the office and incorporated into a case manager Handbook.

D.4.2.4.b A clear, identifiable methodology is needed to number and identify P&Ps issued to the field by the Central Office. We recommend that e-mail used to distribute a P&P also incorporates an easily identifiable nomenclature, so users can recognize and locate a P&P.

D.4.2.4.c We recommend that CSE Manual is updated on a monthly basis, incorporating any P&Ps issued in the preceding month.

D.5 AUTOMATION

D.5.1 Findings

Our report is not intended to be an "in depth" review and analysis of the current Nevada statewide IV-D system – NOMADS. However, during discussions with staff,

as well as responses received from Survey Questionnaires, there is little doubt that NOMADS is a major factor in effective performance in the Nevada IV-D program.

D.5.1.1 Finding: Alerts

We determined there appears to be several major problems with NOMADS alerts. The alerts were intended to provide a tool for case managers to work their cases. While the creation of alerts was required for federal system certification, problems related to alerts have the opposite effect – case managers avoid working alerts because of the problems they have encountered. Some staff indicated they had alerts dating back to 2001.

Some of these alert related problems are:

- Creation of duplicate alerts
- Numerous unnecessary informational-type alerts
- Erroneous alerts (e.g. receive case alert for Drivers License Suspension when it is a paying case, Service of Process pending when successful service has occurred)

When respondents were asked about the kind of reports they preferred to assist them to manage their cases, numerous responses indicated working the alerts would be an excellent tool, if the associated problems were fixed.

In rural counties, many staff have made working alerts a priority. However, in spite of this effort to resolve their alerts, case managers still expressed frustration at the number of alerts they are required to deal with.

In the two larger counties, there appears to little effort devoted to working alerts. Case managers did express they made an effort to work alerts, but for the most part, in the larger counties working alerts takes a much lower priority.

D.5.1.2 Finding: Document Generation

Case managers indicated they spend a considerable amount of time processing letters, forms, notices and other documents generated on cases. These 'documents' are generated on a daily basis through an overnight batch process, or through online document generation.

An enormous amount of re-copying of NOMADS documents is done to print documents on the individual county letterhead paper before they are mailed out to the customer. At times the NOMADS generated form is filed in the case file as a copy, and other times the documents are shredded after copies are made. A significant amount of time on a daily basis is consumed processing documents considering the sheer number of documents generated from batch processing.

In addition to the local printing problems, there is an overall problem with document generation that is related to a larger problem with NOMADS. Numerous comments were made regarding problems with documents across the state, in both the larger counties as well as the rural counties.

Examples of some of the document problems cited are:

- Duplicate employer and postal verification letters generated
- Automatic generation of documents on incorrect cases
- Driver's License Suspension letters printed on cases incorrectly

- Delinquency notices printed on cases that are not delinquent
- Incorrect generation of Income Withholding Notices when Income Withholding is already in place
- Automatic generation of documents for no apparent reason

Local IV-D offices must deal with this recurring problem on a daily basis. Valuable staff time and resources are devoted to sorting through all of the documents printed to separate out the correct documents from the incorrect ones. Staff often are required to research the case on NOMADS to assist in making this determination.

D.5.1.3 Finding: Imaging

Another problem exists with the flow of documents from one office to another within the State. This problem has a major impact on timely case processing, particularly in the area of referrals from the PA office to the IV-D office, and from the Central Registry (located in the Central Office) to the appropriate DA or PAO office.

PA referrals present a continual problem of timely receipt of the IV-D Application for Services (Form 2906) from the PA District Offices to the appropriate IV-D office. There are instances when the IV-D Office receives the form well into the federally-mandated case intake and assessment timeframe, necessary accompanying documentation is not received with Form 2906, or the office does not receive Form 2906 at all. This problem occurs in Clark County as well as the Program Area Offices.

Once a case is established on NOMADS and case assessment completed, often there is a need for additional information from the PA District Office to continue processing or take action on the IV-D case. The IV-D office frequently experiences difficulty and delays in obtaining information from PA. Delays in obtaining hardcopy requested information and/or documentation is a detriment to IV-D performance efficiency.

Clark County initiated an imaging solution to alleviate problems they experienced with the timely receipt of Form 2906 from the PA District Office. Imaging has alleviated time delays and the loss of applications as imaged data is available almost immediately to the Clark County DAFS case manager. Robert Teuton, Assistant District Attorney in the Clark County DAFS states that "since the implementation of the ITS (Information Tracking System) about April 2006, upper IV-D management has not received a single complaint from a custodial parent about a lost application or supporting documents. All outstanding intake over 20 days has been processed and the current intake processing is completed in an average of 5 days. The efficiencies have improved dramatically, along with the morale"⁷² This imaging capability is not available to Washoe County or any of the rural offices.

Clark County had previously started the use of imaging of their closed cases approximately two years ago. However, this was reportedly stopped by DWSS at was put on hold.⁷³

In discussion with case managers, they identified a problem with the timely receipt of the Interstate Transmittal and documentation from the Central Registry Unit. While the "shell" case is established on NOMADS by the Central Registry, the paper

interstate referral, copies of court orders and any other documentation that may have been attached to the Interstate Transmittal are mailed to the appropriate Office – either PAO or District Attorney. Case managers stated they often receive these paper documents well into the federally-mandated 20 day timeframe, which leaves very little time to finish the case review and assessment process. Additional delays result from documentation sent to the incorrect office or documents not received at all. There have been instances where the local DA office was not aware of an interstate case referral until the requesting state requested a status update.

DWSS Central Office has instituted a procedure to log the Interstate Transmittal referrals received in Central Registry and when they are sent out. Unfortunately, this still does not address time delays or non-receipt of documentation.

Nevada Best Practice (NV 06)

In addition to imaging Form 2906, Clark County also has created an electronic Master's Recommendation Order/Judgment (MROJ) process to expedite the processing of court order entry.

This electronic process facilitates and expedites the movement of the MROJ from the DAFS office to the Hearing Master to the Court Clerk. It allows for an electronic creation of the MROJ during the hearing as well as the ability to accept electronic signatures. Imaging allows the Hearing Master recommendations to be entered into NOMADS as court orders with the Court Hearing Date, without the delay of waiting the required 10 days to allow for an objection. Due to the low number of objections actually filed by any party (13 objections filed between January 1, 2006 and May 15, 2006), the procedure of entering the Hearing Master Recommendations avoids the task of having to retroactively modify obligations in NOMADS.

D.5.1.4 Finding: Replacement of NOMADS

The Nevada Operations of Multi-Automated Data Systems (NOMADS) was PRWORA certified on May 10, 2001 by the federal Office of Child Support Enforcement. NOMADS is an outdated, state mainframe system that operates on language that IBM no longer supports. Gary Buonacorsi, Information Systems Manager III estimates the benefit of the state cost expended in the design and development of NOMADS should be reached sometime in 2008-2009

Child support case managers, supervisors and respondents to system-related questions in the Survey Questionnaires revealed there is an overwhelming desire that DWSS replace NOMADS. Field staff indicated NOMADS is not user-friendly, requires duplicate data entry, provides inaccurate and poor reports, generates inaccurate documents and continues to have the problem discussed previously regarding alerts.

Because NOMADS is so "fractured" and there are numerous outstanding problems resulting in yet-to-be-discussed or resolved work items, requiring IV-D case managers to employ numerous "workarounds" to process cases on NOMADS. As of

April, 2006 there were a total of 317 open work items waiting to be fixed. Some of the items date back to 2000 and 2001. Of these 317 work items, the following were:

- 21 were related to Alert problems
- 37 were related to problems with document generation from NOMADS
- 58 were related to problems with the two sub-systems outside of NOMADS that are now being maintained (Nevada Automated Worksheet Calculator and Ledgers On The Web)
- 16 were related to problems with reports

In 2005 there were 153 IV-D work items fixed and promoted to NOMADS; As of 4/26/2006, there were only 55 work items fixed and promoted.

There is a great deal of frustration in the field on both the PA and IV-D side regarding the length of time that it takes to resolve work items. On the IV-D side, when asked what they (case managers and supervisors) felt were the primary reasons for the delay in resolving work items, the IV-D responses were:

- Lack of programmers working on IV-D
- Lack of support staff in Information Systems to conduct the Joint Application Design (JAD) sessions required to discuss a work item
- Lack of programmer knowledge about the programs they are responsible for
- Management determining the needs and work items that have been prioritized are not being worked on

The PA responses exhibited a similar frustration:

- Things that were important got set aside and never worked (result is that PA has a lot of workarounds)
- There's not a single person in Central Office who knows the system
- We get the JAD session schedule with no documentation and have no idea what the work item is about
- The JAD reports are very confusing and don't explain everything
- The Central Office is not open to suggestions on how to improve the process⁷⁴

NOMADS technical resources reveal there are 13 IV-D programmers on staff, while there are 24 programmers on staff for the PA program. It appears that either a lack of adequate staffing of dedicated IV-D IT resources, inefficient procedures in place for processing and working through outstanding work items, or a lack of performance standards were established for those involved in the work item process.

Of 93 respondents who answered the question "How often do you rely on using a workaround in order to perform your job responsibilities on NOMADS?", 55 respondents answered "Very frequently," "frequently" or "somewhat frequently." The workarounds cited include:

- Changing addresses
- Attempting to generate Postmaster letters
- Changes on the NCP Employer screen
- Generating a new Income Withholding Notice

- Entering fictitious data on the Service of Process screen to show that the NCP was successfully served

A few of the more serious workarounds related to:

- "Fudging" court order entry dates on the screen
- Changing the dates of TANF benefits
- Using order continuation rather than order modification to make changes to an existing order

The number and inconsistencies of workarounds used across the state begs the question regarding data reliability. If case managers are required to be creative in the way that data is entered into NOMADS, the reliability and accuracy of the data contained in NOMADS is certainly questionable.

In addition to issues related to workarounds, IV-D staff are also relegated to performing duties and tasks on sub-systems, outside of NOMADS. Two widely-used sub-systems are Ledgers on the Web, and the Nevada Automated Worksheet Calculator (NAWC). Both of these applications reside on a server and are used to perform financial-related functions that NOMADS was originally certified to perform. Even though these two sub-systems interface with NOMADS and use data extracted from NOMADS, they were created as a workaround to assist case managers with certain financial processes

Realizing that NOMADS is outdated and should be replaced, Mr. Gary Buonacorsi has initialized steps towards an analysis of a replacement system. In a presentation before the IV-D Planning Committee⁷⁵, Mr. Buonacorsi spoke about his vision and strategic Information Technology planning for DWSS, once the cost savings "breakeven" point is reached.

Mr. Buonacorsi desires that by the FY2010 – FY2011 Budget Cycle to:

- "Cut the cord" between PA and IV-D
- Build an improved interface between the two programs
- Facilitate the ability of the two programs to pursue different agendas
- Identify a "turn key" web-based system that is certifiable by OCSE
- Have a plan in place to install this "turn key" system in 2010—2011

Although his long range plan is in the initial stages, Mr. Buonacorsi definitely has a strategic vision for where he wants DWSS to be within the next 4-5 years.

D.5.1.5 Finding: NOMADS Task Guides

To provide IV-D staff with guidance on how to perform various tasks on NOMADS, DWSS undertook the creation and maintenance of Task Guides. The purpose of task guides is to walk the user through NOMADS, identifying steps how to accomplish a specific task through the use of text and screen shots. DWSS opted to create, distribute and maintain these Task Guides instead of developing a NOMADS User Manual.

The Task Guides require a lengthy review and approval process, taking months before a Task Guide is approved, signed off, and published on the Intranet. Once published, there is no search capability that enables the user to easily locate a single

Task Guide, or multiple Task Guides that may be related to the same topic or subject. To compound matters, DA Offices do not have access to the Task Guides published on the DWSS intranet.

There is no written process or procedure to provide direction on the creation and maintenance of Task Guides, how often they are reviewed and updated, or allowance for user input from the IV-D field staff who perform the various tasks on a day-to-day basis.

During our interviews, IV-D staff in both the DA offices and PAOs were asked about the effectiveness and usability of the Task Guides. Responses varied from total lack of knowledge or understanding of Task Guides, the existence of Task Guides, to comments that the Task Guides are useless, outdated, and/or not used at all. Some staff in the rural counties did comment that they used the Task Guides on occasion and they found them to be useful.

One staff position located in the Central Office is currently responsible for development and maintenance of these Task Guides.

D.5.1.6 Finding: Reports

Reports should serve as an important tool in assisting case managers in "getting their arms" around their cases. Working a small percentage of cases as a result of a call, an office visit, a written inquiry or complaint is an inefficient manner to manage a caseload. Typically, the case manager actually works only a smaller percentage of his or her total caseload. Cases where payments are made on a regular basis only become of concern when payments stop. Other case activity takes place upon a request for review and adjustment of the child support court order, or other specific requests made by either the custodial or non-custodial parent. Working reports is one means of ensuring effective and efficient performance in the IV-D program.

The reports currently produced out of NOMADS do not provide case managers with an effective tool. The Activity Reports (Locate, Paternity Establishment, etc) produced from NOMADS are inaccurate and ineffective tools. These reports do not provide means of identifying cases and the data printed on the report are irrelevant. At times the data are zeroes or a Worker ID is listed on the report for a case manager who doesn't work in the given office.

There are some specialized reports created for case managers or supervisors such as the BOW (Born out of Wedlock), SSN Conflict/Mismatch Report, FIX1 or HELD Collections Financial Reports.

Proposed in 2005 was the formation of a Reports Workgroup for the purpose of reviewing and discussing reports currently produced out of NOMADS. Goals for the Workgroup were to work through a process of discussing each report, the data contained in the report, the usefulness of the report to IV-D staff, and whether the report should be continued, revised or suppressed. To facilitate the Workgroup activity, a Reports Matrix was developed and distributed to all offices via an Information Memorandum. However, due to lack of support for this effort from the DWSS Central Office, the formation of this Reports Workgroup never came to fruition.

D.5.2 Recommendations

D.5.2.1 Recommendation: Re-Institute the Alerts Workgroup

When asked about what type of reports or tools they would like to help manage their caseloads, case managers commented that if the alert problems were fixed eliminating duplicate and bogus alerts, working alerts would be a good tool. They also felt that prioritization of alerts would be helpful.

As exemplified in the following Best Practices from other states, "death by alerts" was an issue with all states. Some states have taken innovative and creative approaches to addressing alerts, assisting staff in learning to live with alerts as an excellent case management tool. The ability to work alerts in a timely manner is definitely a sign of efficient and effective case management. Alerts can serve as a valuable tool in helping case managers process their cases, take timely actions when necessary, and provide good customer service.

D.5.2.1.a We recommend that DWSS re-institute the NOMADS Alerts Workgroup with specific goals and objectives, a framework within which the workgroup will operate, and leadership from the Central Office and the large and smaller counties. DWSS should establish timeframes for the accomplishment of the objectives with a clear, defined end to the process. With the creation of Regional Offices, each Regional Office needs representation on the Alerts Workgroup. We also recommend that an outside facilitator leads and guides the discussions and work of both the Alerts Workgroup and the Reports Workgroup.

The Alerts Workgroup should be tasked with:

- Reviewing all the current alerts
- Working with IT programmers to identify the problems created by duplicate and bogus alerts
- Review the text of the alert to ensure that it is meaningful to case managers
- Identifying informational alerts that should be suppressed

Best Practice – New Jersey (NJ 07)

It was a nightmare for the state but staff has learned how to manage and use the tickler system. The staff highlight good practices and then share them.

Best Practice – Ohio (OH 07)

Alerts can be divided between those that are critical and those that are informational. The informational ones are suppressed. This was part of a big release about 1 ½ years ago

Best Practice – Alabama (AL 04)

Alabama has created a workgroup that prioritizes the alerts so that high priority alerts are worked first.

Best Practice – South Dakota (SD 06)

Alerts are suppressed to block informational alerts so that the only alerts on the system that the worker sees are the ones that need to be worked.

D.5.2.1.b We recommend that an aging report be created identifying all outstanding alerts and how old they are (date the alert was created compared to the date of the report). DWSS should establish acceptable parameters for the purging of old alerts, as there is little likelihood the alerts will ever be worked.

D.5.2.1.c We recommend DWSS institute a mechanism similar to New Jersey that provides information and feedback to IV-D staff regarding best practices developed by case managers in working their alerts. These best practices could be distributed via a quarterly NOMADS newsletter, offered as a workshop at the Nevada Child Support Association Conference, incorporated into new worker training curriculum, and included as part of refresher training offered to staff.

Every step should be taken to provide case managers with valuable and meaningful tools for their cases such as alerts. Valuable case management tools help ensure that workers establish paternities and child support orders in a timely manner, conduct case assessments, process new locate information, and take prompt enforcement actions when payments have ceased.

D.5.2.2 Recommendation: Support of Improved Document Generation Solution and Centralized Printing of Documents

As we discussed in our findings concerning the problems related to documents, DWSS is exploring an alternative means of generating documents. DWSS is moving forward with the implementation of FileNet, a CDMS (Case Document Management System) which is an application that is capable of meeting the needs of all counties, large and small. DWSS will begin the development of a prototype in the near future, with an estimate of converting all NOMADS documents to FileNet within six months to a year⁷⁶

D.5.2.2.a We recommend that strong support and priority be given to the documents solution initiative. The solution will provide a positive and constructive tool for IV-D staff and save a huge amount of time that staff are now expending on a daily basis sorting through and copying documents in their offices. The solution should also result in the timely provision of information requests, notices and case processing associated with document generation.

D.5.2.2.b. We recommend that DWSS explore the possibility of printing all documents created from nightly batch processing centrally. Federal regulations require centrally issued income withholding orders and National Medical Support Notices. These documents could be folded, stuffed and mailed from the central

location rather than at the local office level. Through the use of FileNet, PDF images of the documents will be associated with the appropriate case for future reference. However, due to all of the problems associated with incorrect data entered on current documents from NOMADS, we suggest that this document recommendation not be implemented beyond the federally-mandated requirements until after the design, development and implementation of the NOMADS replacement system. Because of the document problems associated with the current system, the printing and mailing of documents should remain at the local office level until NOMADS is replaced, and there is reasonable certainty regarding the reliability of the data in the system.

D.5.2.3 Recommendation: Implementation of Expanded Use of Imaging Technology (ES 9)

D.5.2.3.a Due to the problems currently encountered with the timely flow of documents from the PA District Office to the PAOs, as well as the timely flow of interstate documents from the Central Registry to the appropriate DA office or PAO, we recommend the more immediate implementation of an imaging system. DWSS currently operates an imaging system in the Southern SCaDU in Las Vegas where payments are imaged on a daily basis, prior to receipting.

D.5.2.3.b We recommend DWSS explore and take steps to implement imaging in all of the PA District Offices, as well as Central Office. We understand that document imaging potentially could be a part of the FileNet CDMS solution.

Implementing document imaging statewide will minimize the potential of documents being lost, sent to the incorrect office or not received timely. Imaging does not rely upon the creation of Regional Offices and should be paced on a fast path implementation schedule. DWSS will need to develop a Desk Guide that will be used in local offices and Central Office to ensure standardization of the imaging process.

Best Practice – Washington (WA 04)

Through imaging, orders are sent to be recorded as liens.

Best Practice – Vermont (VT 04)

An important compliment to the Customer Service Center is imaging, said Mr. Cohen. Imaging allows the customer service representatives to quickly view documents while answering questions for the callers.

WASHOE COUNTY

We recommend Washoe County DFS take steps to implement the Clark County Masters Recommendation Order/Judgment (MROJ) electronic process. The MROJ will help alleviate some of the delays that currently occur from the time a case is prepared for hearing until the Hearing Master Recommendation is signed and filed with the Court Clerk, and allows the Recommendations to be entered into NOMADS in a timely manner.

CLARK AND WASHOE COUNTIES

We recommend Clark and Washoe counties take their ability to image a step farther than the rural counties. Because of the size of these two offices, the fact that they occupy multiple floors, and that paperwork often travels up and down and across floors, the counties should image all documentation received in the office to be readily accessible to anyone connected or working on the case. Eliminating the need for paper documents having to "catch up" with the case file, will drastically cut down on the amount of paperwork sorted and transported by clerical and case management staff.

D.5.2.4 Recommendation: Advance Planning in Anticipation of New System (ES 10)

D.5.2.4.a We highly recommend Nevada move forward at the appropriate time and fully support replacing NOMADS.

D.5.2.4.b We also strongly recommend that ties between the PA and IV-D system are severed with the implementation of a new system. The issue of data ownership needs to be re-visited, primarily due to the significant negative impact that PA data has on the IV-D side. The continuous overlaying of PA data on IV-D data causes a tremendous amount of re-work, frustration and destroys any semblance of a partnership between the two programs. The separation of IV-D from PA, will require adequate systems support, programmers dedicated to IV-D, as well as business analysts to support the IV-D system design and development.

D.5.2.4.c We recommend in preparation for a NOMADS replacement system, DWSS develop an Implementation Plan well enough in advance to plan for and allow preparation for thorough case clean-up prior to the loading of any cases onto the new system. Because of the high likelihood of data corruption in the current NOMADS system, careful consideration should be paid to the issues surrounding conversion of the current NOMADS data to the new replacement system. DWSS should place heavy emphasis and weight on pre-conversion data clean-up prior to the conversion of the case to the new system to ensure that the case starts out on the new system with a "clean slate."

D.5.2.4.d We recommend with the design, development and implementation of a NOMADS replacement system, DWSS create and maintain an online System User Manual with a "google-like" search engine. One staff position, potentially the worker now responsible for the Task Guides, should be given primary responsibility for the development and maintenance of the User Manual. User Manual updates must be timely and implemented prior to any system modifications or "fixes" to enable IV-D users to have the most current information. The approval of changes and system modifications must be streamlined and not so cumbersome that it impedes timely delivery of current, updated information to the users.

D.5.2.4.e We recommend with the design, development and implementation of a NOMADS replacement system, an online screen level and field level help function is created and maintained. Requiring users to leave the screen and search for the information in another source is counterproductive and lengthens the time it takes for

the user to accomplish a task on a screen. The ability to click on a "tab" for online help and see a written explanation for a field or screen provides immediate information and direction to the user without having to leave the screen. We recommend if there are limited resources available to accomplish this recommendation, that plans are put into place in advance to hire an outside vendor to perform this task. Performance requirements for the vendor will ensure the task will be completed in an acceptable and timely manner.

D.5.2.4.f We recommend with the implementation of the new system, DWSS implements a "User System Certification" Training Program. More information about this recommendation is found in the Section D.8.2.4 Effective System Training.

The IV-D system must be a strong tool that enables and assists IV-D workers to accomplish their tasks and duties, rather than a burden that causes staff to struggle day in and day out. The system design phase must ensure that meaningful and frugal care is taken with the design of alerts, as well as careful planning with sufficient user input in the design of meaningful and accurate reports to assist case managers on a day to day basis.

D.6 REPORTS

D.6.1 FINDINGS

Accurate, user-friendly reports are a strong building block of case management and efficiency in performance. Reports should provide the case manager with the type of information that will assist him or her in taking appropriate case actions, and monitoring cases for timeframes and required follow-up actions.

During the interviews that were held with IV-D staff across the state, the question was posed regarding "if the reports that are currently received from NOMADS are useless and ineffective, what kind of reports would you like to receive to assist you with managing your cases?" Some of the most frequently mentioned were:

- Cases where there has been no payment received in the last 30 days
- Cases where there has been no activity on the case in the last six months
- Report by functional area where timeframes are coming due – some kind of Aging Report
- Accurate Activity Report by functional area and worker to allow the Supervisor to see who took what actions on what cases within a given timeframe
- Caseload assignment report on a monthly basis
- New cases received in the month by worker and case type
- Ability to run ad hoc reports for their case managers in their county
- Ability to print a report of their alerts – prioritize or work by batches or groups

Clearly the case managers and supervisory staff have a clear picture of the types of reports that would enable them to not only manage their caseloads but also provide supervisors with a tool to make comparisons, conduct QC audits, identify training needs.

D.6.2 RECOMMENDATIONS

D.6.2.1 Recommendation: Creation of a Reports Workgroup

D.6.2.1.a It is recommended that DWSS create a Reports Workgroup with a clear list of goals and objectives. All of the NOMADS reports currently produced should be re-visited and all of the reports that are useless or report inaccurate data be suppressed. The Reports Matrix that was created would be an excellent tool to kick-off this process. The Workgroup members should begin the identification of what types of data and information they would want out of a new system that would help them better manage their caseloads.

D.6.2.1.b Staff involved with the provision of Customer Service (local DA offices, PAOs, and Customer Service Unit) should be included in discussions surrounding the identification and development of reports that will provide statistical data regarding customer service. Should DWSS move forward with a regionalization, this should be done at a regional level so that comparisons may be made in the provision of quality customer service between the three Regional offices.

D.6.2.1.c As with the Alerts Workgroup, it is recommended that an outside facilitator be used to assist this Workgroup in moving through the process and reaching its goals and objectives within the allotted timeframe.

Best Practice – Vermont (VT 03)

Parentage Reports – Data reliability and increasing paternity establishment rates have led to the use of reports for the five regional offices to determine what can be done in specific cases, such as fixing improper coding, looking for cases that meet criteria for closing, examining caseloads with low paternity establishment percentages. Aggregately the reports can show trends but individually reviewing case data catches the unique problems, such as miscoding or typos.

Best Practice – Colorado (CO 03)

The Colorado Child Support Enforcement Program's (CO CSEP) reports are high quality and fairly extensive. The statewide automated system produces numerous and detailed reports with statistics on every aspect of the program, including collections, establishment activities, enforcement activities, and financial activities. Most of these reports are produced at the county level, as well as team and individual levels. The system also produces working reports for county child support professionals that identify establishment, enforcement, and financial activities that need to occur, or actions needing to be taken. CO CSEP recently combined several working reports into two new super reports, one for enforcement and one for establishment, to eliminate duplicated information on various reports and to streamline the information needed by county child support professionals.

The number and quality of reports available to Colorado CSE staff assists them with case management, and allows supervisors and other management staff to see how the Program as a whole, as well as individual offices, are performing and progressing toward their goals.

D.6.2.2 Recommendation: Re-evaluation of Current Work Item Process and Dedicated IV-D Resources

D.6.2.2.a It is recommended that DWSS review the current procedures in place to evaluate and process work items requests and the criteria used to prioritize the work items to determine if it is the most efficient and effective methodology to use. A comparative analysis should be made to determine the differences between the processing of PA work items and IV-D work items, where the delays and roadblocks occur. Steps should be taken to ensure that specific timeframes and committed resources are identified to move work items expeditiously through the process.

D.6.2.2.b It is recommended that an analysis of the IV-D resources dedicated to the work item process be conducted, taking into consideration the time and resources available for business analysis, programming and testing of work items from both the IV-D program side as well as the IT side. Standards and objective performance measurements should be established for all resources involved in order to measure adherence to timeframes, standardization and measurement of progress.

D.6.2.2.c Identification of all the outstanding work items 4 years old or more should be made and a close evaluation should be made of all of these work items to see if the problems still exist, and determine which ones, if any, should be placed on a critical path to be resolved and fixed. For those that are no longer problems, have been resolved as a result of subsequent "fixes" or changes to NOMADS, a decision should be made whether these older work items should be closed.

D.7 IT STRATEGIC PLAN

Having a vision of the future provides one with direction and purpose. Sharing that vision with others who also have a stake in and are impacted by that vision provides

all with a clear roadmap of the planned path to the future. The same applies to DWSS information technology. It became quite clear, during the interviews with IV-D staff statewide, that they feel isolated and cut-off from the DWSS Central Office. The amount of stress and frustration that staff deal with on a day to day basis as a result of attempting to work on what they call a "broken" system, dealing with continual problems with documents and forms on a daily basis, and pages and pages of alerts does not lend itself to high worker productivity. Each office operates as its own separate entity with no commonality, shared vision of the future or hope that things may get better.

D.7.1 Recommendation: Development and Finalization of an IT Strategic Plan (ES 5)

It is recommended that a high priority be placed on the development of an IT Strategic Plan that will serve as a roadmap and guide to future systems development and changes. This Strategic Plan should layout the goals and objectives for IT over the next 4-5 years with well defined benchmarks and steps to monitor progress. It should provide the reader with a clear picture of where DWSS wants to be within the next four to five years and how that will be accomplished. This should be shared with IV-D staff across the state to gain purpose and buy-in to the proposed future improvements and improved technology.

IT should operate to serve its customers, the IV-D program, in assisting them in performing their tasks and responsibilities to the best of their ability. While the system should not define the business processes, it should clearly be capable of supporting those business processes by providing them with the best tools and technology possible.

D.8 TRAINING

D.8.1 FINDINGS

The following findings are a result of multiple sources:

- Previous MAXIMUS Report – Nevada Welfare Reform Project Report, February, 1997⁷⁷
- Data gathered through the use of the Survey Questionnaires to case managers, supervisors Central Office FTEs as well as in-person interviews
- Review of Clark and Washoe Counties Training materials
- PSI, Inc Organizational Assessment of Report for Clark County⁷⁸

While the previous 1997 MAXIMUS report focused primarily on the State of Nevada Child Support Program compliance with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), a review and recommendations contained in the report also addressed several areas of the Child Support Enforcement operations targeting improving collections and overall performance. Among the recommendations made in the report are:

- Update and edit for statewide applicant the core training curriculum developed by the Las Vegas PAO and use it to provide statewide training

- Provide "skip tracing" training to all staff having locate responsibilities to allow them to obtain information from additional and more current sources
- Consider contacting for three phases of training to support NOMADS implementation – the three phases would be:
 - Educating staff and contractors about changes in job responsibilities and work flows
 - pre-Implementation training on the "mechanics" of Using NOMADS
 - Post-Implementation training as a refresher to earlier training and to provide an opportunity for questions to be answered after the software has been used for a period of time

In 2003, PSI made the following recommendations specific to the training needs of Clark County.

- Shorten and deepen new employee training and enhance the mentoring component
- Provide supervisory training in the critical areas of their work
- Provide management training

While the PSI recommendations were made based on their findings during PSI's study of Clark County, the recommendations that both the prior MAXIMUS report and the more recent PSI report made still stand today statewide.

D.8.1.1 Finding: Lack of New Worker Training

Currently there is a large inequity between the Nevada TANF (PA) program formalized training and the Nevada IV-D program formalized training. On the PA side, there is an established Training Academy that new case managers attend and are held at DWSS training sites. There currently is a Professional Development Center (PDC) in Reno and Las Vegas with a new training site currently planned for a new State Building to be constructed in Elko. While IV-D does have access to these training facilities, there is no IV-D Training Academy held at either of these two sites. The PA training consists of 83 days of formalized training with a combination of in-class presentations, written and practical examinations, field office visits and guest speakers. The IV-D program does have a CSE 101 interactive web course for new IV-D case managers as well as links to the federal Office of Child Support Enforcement (OCSE) case manager-level training via the web. Training materials from the State and national conferences may also be found on this web site.

Any resemblance of a formal new IV-D worker training is currently missing within DWSS. While DWSS is contractually responsible for providing training, including written materials, related to the use of NOMADS or State policy as requested by the County, it does not have any formal New Worker training available to DWSS staff. The responsibility for training new workers at the PAOs falls totally on the shoulders of the PAO with little or no support from the Central Office. The new DWSS case manager who just took over a caseload in the Pahrump District Office was trained by a new Family Support Specialist II who had just recently moved into the position.

Both Clark County and Washoe County have New Worker Training modules developed to deliver to all new staff. A review of the training materials and syllabi submitted by these two counties indicates that a lot of research and planning went into the development of course materials offered to new staff. Both of these counties have staff dedicated to training development and delivery as well as dedicated training rooms.

Because there is no formalized new case manager training for use in all of the rural offices, there is no guarantee that the training workers receive is standard or consistent. Several of the rural offices noted that they have sent new staff to Washoe County for training and have been very appreciative of the responsiveness to their request. This nurtures inconsistencies and differences in the way policy is interpreted and applied to case work. This also further weakens standardization and consistency in the procedures used to work cases across the state by the various DA offices who handle IV-D cases. This ultimately has a major impact on performance as the lack of standardization, consistency and accountability in process and procedures lends itself to poor performance statewide.

When case managers were asked about the length of training that they received, the responses varied anywhere from no formal training received up to three weeks. Surprisingly, even though there was only a total of 124 responses to this question, the responses for Clark and Washoe counties, both having formal case manager training for new workers, were highest in the "Other" category. Even though case managers received formal new worker training, the perception among case managers that the length and/or extent of new worker training was unclear. See *Exhibit D.8.1.1-1: Length of Formal Training Received* below.

How much formal training did you receive to prepare for your job responsibilities?

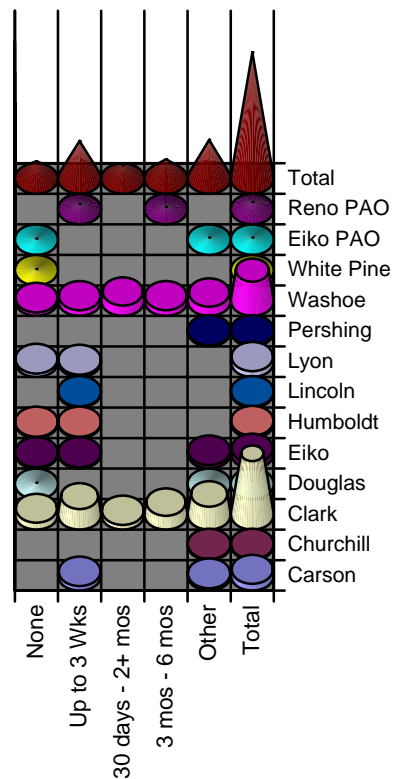


Exhibit D.8.1.1-1: Length of Formal Training Received. ⁷⁹

When case managers were asked about "On the Job" (OJT) training, out of 127 responses to the question, 65 responded that the majority of their training was received on the job while 47 out of 127 respondents answered that all of their training was received OJT. Once more, Clark and Washoe counties who provide formal new worker training to their case managers had the largest number of responses fall within "All of It" or "A Majority of It" categories. This would appear to indicate that both Clark and Washoe may want to review the methodology used in training delivery and develop a Post-Training Feedback Survey to be used for newly trained staff two or three months after completion of New Worker Training. This would assist in the evaluation of the current training methodology used and provide feedback on areas where the New Worker Training may need to be re-evaluated and improvements made. See *Exhibit D.8.1.1-2: Amount of "On the Job" Training Received* below.

How much of the training you received was "on the job" training?	All of It	A Majority of It	Very Little	None at All	Total
Carson City	5	1			6
Churchill	1				1
Clark County	16	39	7		62
Douglas County	2	1			3
Elko	2	3			5
Humboldt	3				3
Lincoln	1				1
Lyon	4	1			5
Pershing	1				1
Washoe	7	14	5	3	29
White Pine	1				1
Elko PAO	1	1			2
Reno PAO	3	5			8
Total	47	65	12	3	127

Exhibit D.8.1.1-2: Amount of "On the Job" Training Received.⁸⁰

This type of response in regard to training, especially in the two larger counties would indicate, as was the PSI finding, that while Clark County DAFS has made training of staff a high priority, that a re-evaluation of the current training methodology and focus would be warranted.

CLARK COUNTY

Clark County has developed a formal new worker training. The DAFS Training Team, comprised of a Unit Administrator, 1 Legal Office Assistant who acts as the Training Coordinator, a Senior Family Support Specialist and 3 Family Support Specialist IIs offer classes on a trimester basis. These classes are normally scheduled about one month in advance of the beginning of the trimester with the trimester beginning in February, June and October of each year. For some of the training classes, there is a prerequisite that has been established.

Each training track runs once from beginning to end during a trimester. For new staff hired after classes have already begun, these staff are not allowed to attend track training classes until the next trimester due to the prerequisites. One week of each trimester is also scheduled for FSS policy update training or other specialty training as determined by the Unit Administrators and the Training Team. The training outlines and materials that have been developed appear to be quite extensive although it was noted that there was not a separate segment of section devoted to Customer Service – techniques, soft skills, and handling difficult customers either in the office or on the phone.

Formal training plans have been developed, including a scheduled five month review and an eight month review. The Training Team administers a test at the end of each of these intervals that covers information that was taught during training classes to

determine retention of information. In addition, QC checklists are completed by the Training Team at the five month interval and by the mentor at the eight month interval to determine whether the trainee has developed the ability to apply the information learned in the training. The results of the reviews are analyzed to evaluate the progress of the employee and the effectiveness of the training/mentoring program.

While the Clark County training approach appears to be an all inclusive approach with a strong emphasis on evaluation of training effectiveness, when talking with Clark County case managers, there appeared to be a different perception. Clark County case managers expressed dissatisfaction with the training methodology used citing too many PowerPoint presentations and not enough "hands on" classroom work or tasks using the manual and other materials, instructed to bring only the "good" live cases with no problems to for them to work on. There was no mention of any mentoring after completion of training, and on numerous occasions, case managers stated that they were already in their jobs, performing case manager tasks and responsibilities without having gone through training yet.

WASHOE COUNTY

Washoe County has also devoted a great deal of time and resources towards the development of an extensive training materials. The staff that was part of the Washoe County Family Support Division Training Unit has all been temporarily re-assigned to other duties and responsibilities, with the exception of the Training Supervisor. While Washoe County continues to place a high priority on the training of its staff, heavier workloads and needs have forced them to reallocate its training resources to areas in need of greater attention at the present. However, the trainers are pulled from their other duties as needed when new FTEs are hired.

In spite of this, during our analysis, documentation received from a case manager⁸¹ was critical of the training provided:

- "Training is not presented in a systematic format"
- "Not enough "hands on" training during the formal training period"
- "Assumptions made regarding pre-existing knowledge, such as the ability to interpret court orders"
- "Minimal "on the job" training once formal classroom training has been completed"
- "Too many changes are passed on via work of mouth via emails, team meetings, or individual feedback on specific issues"

In the rural counties where the number of staff is significantly lower and the responsibility for training has been placed on the District Attorney Coordinator, it is more understandable that while attempts are made at providing their staff with some degree of formalized training, the majority of the training occurs as "on the job" due to staff time and resource limitations. In some of the rural DA offices, the Coordinator also carries a caseload which limits the availability of time for more formalized training even more.

When looking at the perception of the amount of training that supervisors and managers received, their responses, when asked about whether they received any supervisory or management training when they were placed in their supervisory position, out of 25 responders, 15 responded that they did receive specialized training while 10 felt that they did not. Of the 15 who responded that they did, the vast majority of the Clark DA (9 out of 10) and Washoe DA (4 out of 5) supervisors responded affirmatively.

Looking at the Central Office perception regarding training, there were a total of 11 responders to the Central Office survey questionnaire. All of the respondents felt that training played either a very important or important role in effective performance. When looking at what method of training they considered most effective, the perception is that CBT ranks '4' out of '5' with '5' being the most effective, classroom training either in a central location or at a regional site and local training at the office level being effective. Conference Call training was thought to be the least effective method of training.

D.8.1.2 Finding: Need for Experienced Trainers

The DWSS worker in Clark County responsible for the development and delivery of DWSS statewide IV-D training is a Support Enforcement Specialist II. She had just recently been promoted into the position on May 1, 2006 and was busy training the new IV-D worker who was placed in the Pahrump District Office to work child support cases. When asked about her experience and training she received to become a trainer, her background in training was "on the job." She does not have any formal training on how to be an effective trainer, use of training methodologies or training tools, communication skills, or any of the other tools that trainers should be knowledgeable and experienced with. She also appeared to have not given much thought to the development of a Statewide Training Plan or evaluation tools, other than the standard workshop or class evaluation tool that training participants are typically asked to complete at the end of each training session.

There are 33 other SES staff across the state, who do not have the primary responsibility for conduction training. In reviewing the State of Nevada Department of Personnel Class Specification for a Support Enforcement Specialist II, there is no mention in the Series Concept of training responsibilities, as well as a lack of any minimum requirements of any training experience or training professional development skills. Instead, the Job Description focuses on case management-related activities and experience.

D.8.1.3 Finding: Lack of Adequate Cross-Training

One of the greatest challenges that IV-D staff face is successfully establishing a partnership and working relationship with their PA counterparts. It was expressed numerous times during interviews that they felt that this was because of a tremendous lack of understanding on the part of the PA case managers regarding the IV-D program, the IV-D program requirements, case processing and the federally-mandated timeframes. When asked about the level of communication between IV-D and PA, the majority of IV-D case managers stated that it was poor, with only a few

exceptions. The lack of cooperation on the part of PA to provide required documentation and respond to voice messages and emails is a hindrance to timely case processing of PA referred cases.

Currently, new case managers attending the PA Training Academy receive a half-day of training on Child Support. However, IV-D staff receive no training on PA. Lack of understanding about high level program requirements, timeframes and processes contributes to a lack of cooperation and teamwork between the two programs.

D.8.2 RECOMMENDATIONS

D.8.2.1 Recommendation: Implementation of a IV-D Training Academy (ES 6)

D.8.2.1.a It is recommended that the state develop a IV-D Training Academy that will incorporate the goals and agenda of the DWSS Training Plan. The Training Manager/Officer responsible for development of IV-D training should solicit input from all staff, both from the PAOs and DA offices, in identifying what the training needs are. The IV-D Training Plan should incorporate and support the DWSS Strategic Plan, as well as provide new case managers with the proper tools and adequate information and skills in order for them to make the correct decisions on how to work their cases.

D.8.2.1.b It is recommended that with the development of a IV-D Training Academy, the Training Manager/Officer should work closely with his/her PA counterparts in scheduling training and arrange for accessibility to training rooms and equipment needed to conduct the training, and develop meaningful cross-training for both PA and IV-D staff.

The development of the Training Academy should encompass the following subject areas:

- New Worker Training
- PA/IV-D Cross Training
- Customer Service Training

The IV-D Training Academy should be established to the PA Training Academy Program, with separate modules including:

- Receiving and Processing PA Referrals
- How to conduct a successful Case Assessment
- Locate and Skip Tracing Techniques
- In-Hospital Paternity Acknowledgment and Voluntary Paternity Acknowledgments
- Genetic Testing
- Child Support Guidelines and Income Considerations and Factors
- Review and Adjustment
- Medical Support and the National Medical Support Notice
- Income Withholding – General and Military
- Default Orders
- Conducting Financial Audits

- Long Arm Enforcement Techniques
- Interstate Case Processing
- Case Transfers
- Case Closure

The state should continuously assess the effectiveness and impact of training on performance measurements to ensure that staff are receiving effective of training.

With the development of the Regional Offices, there would be a State Regional Trainer stationed in each of the three Regional Offices. That individual would be responsible for conducting the IV-D Training Academy training of all of the state/county staff co-located in that Regional Office and would be managed by the State Training Manager. The State Training Manager, with the assistance of the three Regional Trainers, would be responsible for development of the IV-D training curriculum while the State Regional Trainers would be responsible for conducting the training in their respective regions.

Best Practice – New Jersey (NJ 06)

New Jersey is building a training academy in conjunction with Rutgers University. The plan is to certify all workers eventually.

Best Practice – Nevada (NV 10)

The Reno PAO recently undertook a new approach to training. With the hiring of three new Support Enforcement Specialists, one of the more "seasoned" staff was charged with the responsibility of training the three new employees. He took an innovative approach and methodology to approach this task. A Training Plan was developed with a formal objective. The new employees were assigned to him for a six month period and were also assigned a caseload of 460 cases each to work. A Resource Book was put together for each of them by asking all of the case managers in the office for desk guides, handouts, charts, and other visual materials that they have created to help them in their job.

In addition to receiving training in all of the IV-D functional areas and case actions, the training that the three staff received also covered areas such as:

- How to organize their work*
- Decision-making*
- Brainstorming to come up with a written procedure*
- Interviewing and telephone etiquette skills*
- How to read, understand and use the CSE Manual, P&Ps, and Task Guides.*

Each day was spent with a combination of lecture in the morning and "hands on" in the afternoon, using what they had learned on their actual cases. If they encountered a problem with a case, they set it aside. The following morning, time was set aside to discuss problems or questions that arose from those cases that they worked on the previous day and were set aside.

These three staff members received more complete, in depth training than most of the "seasoned" SESs in the office.

D.8.2.2 Recommendation: Creation of a Training Officer II Position for IV-D

D.8.2.2.a It is recommended that DWSS explore whether there currently exists a trainer position and job title within State government that could be used to replace the current SESII position responsible for training. The qualifications for a training position should be significantly different from that of the current SES II position. Job responsibilities, tasks and expectations as well as experience and ability are markedly different for a training position from that a position involved with case management

D.8.2.2.b It is recommended that DWSS either replace the current SES II position used for a Trainer, or request an upgrade of a position to a Employee Development Manager. The qualifications for a training position should be significantly different from that of the current SES II job classification. There already exists in Nevada a class Specification for a Employee Development Manager, a Training Officer I and Training Officer II positions. These positions target tasks and needs specifically

directed at training. All three of these positions require working knowledge of learning theories, methods of presentation, experience in adult training, planning and conducting adult training and other related training skills. The Employee Development Manager would be located in the DWSS Central Office and would be responsible for oversight and management of the IV-D Training Academy as well as supervision of the Training Officer I or II positions in the Regional Offices.

Placing inexperienced staff in training positions has a negative impact on programmatic training due to their lack of knowledge, skills, experience and proper training tools on how to successfully develop and train staff. They will be easily perceived as inexperienced and not knowing what they are doing. without a strong training background.

Training is a skill that must be learned and honed through years of experience in a variety of classroom settings and situations and not everyone is successful as a trainer. Because the right type of training will have a direct impact on performance of those being trained, careful selection should be made when placing individuals in these positions.

D.8.2.2.c MAXIMUS recommends that specific job expectations and performance measurement standards be created for all DWSS IV-D trainers. The trainers should be held to these performance measurement standards and regular, ongoing reviews of their work and performance should be conducted by the Training Manager, at least quarterly to every six months.

D.8.2.3 Recommendation: Provide Effective Training Tools

D.8.2.3.a DWSS has taken the initial steps towards providing one effective training tool – the use of the internet in making available a CSE 101 interactive web class. However, this class is only available to state workers. DA staff does not have access to the secure intranet website. It is recommended that the next step be to conduct actual web-based training sessions live with a trainer with whom the trainees can actually interact and who can monitor the trainees' progress through the training curriculum.

D.8.2.3.b It is recommended that the state make video-conferencing available as a training tool as an effective means of disseminating training and information in a cost-effective manner.

The use of web-based training and video-conferencing together will reduce the amount of travel that has to be done to obtain or conduct training and has the capability of reaching far more participants than in a classroom training. Allowing real-time interaction with the trainer, while the trainee is participating in a web-based training session or video-conference training session, provides immediate feedback and information sharing between the trainer and the participant.

D.8.2.3.c Training is one of the more changing and challenging tasks in today's world with the availability of new technology and methodologies. It is recommended that the state training manager and regional trainers should be required, as part of their job responsibilities and tied into their individual performance evaluations, to take significant hours of training classes, seminars, and refresher courses to ensure that

they are constantly seeking out better and newer training technologies and tools. They should be required to keep the training plans and courses up to date to accommodate these changing technologies.

D.8.2.3.d The tools in the form of materials that are given to the trainees also have a significant impact on the trainees' ability to perform tasks efficiently, accurately and effectively. Effective training involves more than the use of PowerPoint Presentations. Training should be an effective mix between classroom training and "hands on" exercises. Training practicum should be conducted in a dedicated Training database. It is recommended that the state develop Desk Guides, "cheat sheets," flow charts and other visual aids to assist the trainees when they are back at their job site. These materials should be visually friendly, easy to read and follow, and not be so complex as to be a challenge to the user. The user should be taught and practice using these tools while in the classroom so that if any questions or need for clarification arise, it may be addressed in a classroom setting rather than the new user trying to "figure it out" when back at their job site.

The training materials developed should clearly state what is policy and what is procedure so that the new employee gains an early grasp of what the differences are between the two and can identify policy versus procedure. These training tools should be continually reviewed by the Employee Development Manager and the Training Officers so that they are kept up to date. Suggestions for improvement should also be solicited as a follow-up to training from the newly-trained employees.

Best Practice - State of New York (NY 01)

The New York Division of Child Support Enforcement (NY DCSE) has started a state-wide web-based training project for the Child Support system that has improved the quality of training while keeping training costs down. When another Division in the Office of Temporary and Disability Assistance (which is where the NY DCSE is located) chose to purchase licenses for a web-based training project, the NY DCSE realized that they could save money by joining with the other agency on the license and developing web-based training materials.

The new web-based training (WBT) system allows NY DCSE trainers to conduct training from the State Central Office in numerous locations throughout the state. With this new system, the State Training office can offer two classes each day, and ten to twelve (10 – 12) courses each year. The WBT system allows class participants to ask the trainer questions, or to post questions to the entire group. The trainers can monitor the work of the participants while they are taking quizzes, and can "step in" to assist when necessary. The anonymous nature of the classes makes many participants feel more comfortable speaking up with they have a question or don't understand a particular area, and the trainers have experienced more interaction in the WBT "classroom" than they did in the live classrooms.

The NY DCSE has experienced cost savings as a result of this training endeavor. Trainers and participants no longer need to travel, so travel costs and time are saved. Additionally, participants can take the class that is most convenient for them and the office they work in, so offices are not "losing" large numbers of staff due to a limited number of on-site classes. The central training team at the state office has six staff members, including one supervisor and five trainers, for 2000 child support workers.

Best Practice – State of Ohio (OH 06)

Ohio offers video-conferencing for training to all counties. The state can conduct training in Columbus and have it shown throughout the state. This saves the counties a lot of travel money

D.8.2.4 Recommendation: Provide Effective System Training

It is recommended that with the implementation of a new system that DWSS pursue the development of a User Certification Training program. This will accomplish two objectives:

Ensure that all users who will be using the new system will be versed and familiar with the functionality and processes associated with the new system, and

Ensure that the data entered into the new system will be reliable and correct because of an increased understanding of how the data is used and what the new system does with the data entered.

Data reliability is key to accurate reporting and statistical analysis. However, if the users who enter the data into a system are untrained or unfamiliar with what they are doing, there is no consistency in how tasks are performed on a system, and no standardized training, then there is no guarantee regarding the reliability of the information that is being entered.

There are a variety of training and learning management systems available that are "off the shelf." It is recommended that DWSS explore the availability of training software well in advance of any new system implementation so that adequate planning, design and development of training may be accomplished well before system implementation. DWSS may explore the possibility of sharing the cost of purchasing such a learning management system among all of the entities in the Department.

Best Practice – Florida (FL 01)

With the implementation of the new Florida CAMS, the Department of Revenue (DOR) undertook a new, innovative approach to user training. DOR purchased training software, Learning Management System (LMS) from Pathlore. This training software allowed them to implement, manage, monitor and report on user system training throughout the state during implementation of the first phase of CAMS. Individualized training plans, outlining required courses dependent upon the type of functional areas the user would be performing tasks in (locate, enforcement, etc.), were established on LMS.

The users take a combination of web-based introductory prerequisite courses, distance learning (audio visual) classes and in-class courses. The web-based courses could be taken at any time, even after hours at home. At the end of each course, they were required to pass a test to show their efficiency in performing the tasks for the particular class. There was also a great deal of flexibility allowed within LMS to work around the individual user's work schedule. Users were given a UserID to allow them access to CAMS only upon successful completion of all the classes in their training plan.

D.8.2.5 Recommendation: Implement a Means of Measuring Effectiveness of Training

The dissemination of information and tools through training is not a measurement of the effectiveness of that training. However, the retention time of things learned through training is and has a major impact on the individual's ability to continually perform at the level expected and with the quality of work expected. Often when one does not continually perform repetitive actions, what was learned in training is forgotten over time. Standardized measurements of training effectiveness lend themselves to ensuring that staff receive the same training, that policy will be disseminated uniformly and hold that the state regional trainers accountable for conducting the training as well as continually reassessing and re-evaluating the effectiveness of their training efforts.

It is recommended the state develop multiple retention measurement tools to be used at various increments of time after training has been received. This could be done in the form of a survey or questionnaire, interviews, solicitation of feedback from mentors, and a periodic review of case files. Whatever tools are put in place, feedback should be provided to both the training manager as well as the regional trainers and should be used as a measurement of performance of the trainers as well as the training. Suggested time increments would be 60 days, six months, and one year. This will provide a means of measuring the success of the training, identify areas where training should be strengthened, and identify areas where the training failed to provide the trainee with the right skills or tools.

CLARK AND WASHOE COUNTIES

It is recommended that the training plans and materials currently being used in Clark and Washoe counties be reviewed and assessed for effectiveness and comprehension. Specific follow-up evaluations should be created to measure the effectiveness of training within a minimum of 4-6 months after completion of new worker training. The effectiveness of good training is not only in the materials and the methodology used for training delivery, but also in the retention of what is learned in the classroom setting and how it is applied to the day to day tasks that the new worker is expected to perform.

D.8.2.6 Recommendation: Development of a Mentoring Program

Once training is delivered and the trainee is placed "out on the floor" to work a caseload, often they encounter situations that were not discussed during training. The case manager quickly learns that not everything is always "black and white." One of the areas for which case managers identified a need is how to assess a case properly in order to know what the next appropriate action on the case should be. In the rural counties where there is little or no formal training given to new IV-D case managers, learning is conducted primarily on the job. An effective mentoring program is a combination of formal "classroom" training of some form or fashion, followed by an assigned association with a co-worker who acts in the capacity as a "sounding board" and provide guidance to the new worker, but still allows the worker to make his or her own decisions.

It is recommended that the state develop a DWSS IV-D mentoring program to provide guidance and assistance when requested to new case managers as well as supervisory staff. Mentors will be able to provide timely and accurate feedback to the training staff regarding the effectiveness of the training just received, where weaknesses and strengths lie within the training, and provide guidance on the impact of the training on the case managers' performance. The mentors will be able to assist in identifying areas where potential follow-up or remedial training should be concentrated in order to maximize an individual's performance.

CLARK AND WASHOE COUNTIES

Use of a strong mentoring program is also recommended specifically for Clark and Washoe counties. With the larger size caseloads and the number of staff employed, it is difficult to identify those staff in need of guidance, extra assistance, and reinforcement after completion of training and placed out on "the floor" to manage a caseload of their own. A lot of the OJT is obtained by asking others for assistance, opinions and information regarding procedures. There is no guarantee that the information passed on is correct or current. An employee success is based on a solid foundation comprised of training, understanding and reinforcement of knowledge which is the type of support a good mentor can provide that employee.

Best Practice – South Dakota (SD 05)

New workers have two weeks of policy and procedure training at central office. The IV-D Director takes them out to lunch to let them know that they are "key" team members. Next, the trainer and the new worker return to the field office and continue training. After the third week, the new worker is shadowed to ensure that he or she understands what he or she is doing.

D.9 COMMUNICATION

Good communication is crucial to the health of a program, especially in situations under the current DWSS where even though DWSS is ultimately responsible for operation of the state's IV-D program, they have entered into interlocal agreements with various DA offices to actually run the IV-D program locally. During the interviews conducted with IV-D staff, they were asked questions regarding communication in order to identify what their perception is between themselves and other entities involved with Nevada's IV-D program.

D.9.1 Findings

D.9.1.1 Findings: Communication Between the DA and PAO

Communication between the various DA offices and the PAOs appears to be fairly good. Staff, for the most part, felt that each other were responsive to requests received, returning phone calls and contacting each other when ever necessary to obtain information. With the dissolution of the Las Vegas PAO, with the exception of a couple remaining staff there, communication between the Clark County DAFS as well as other DA offices and the Las Vegas PAO is mostly non-existent now.

There did appear to be some dissatisfaction to some degree with the level of communication between the Washoe District Attorney FSD and the Reno PAO. These two offices had previously been co-located in the same building. In the past few years, the Reno PAO was re-located to another facility as was the Washoe DA FSD. This has caused somewhat of a "breakdown" in the supportive feelings that the two entities had once shared when they were located in the same building.

Unlike the situation in Washoe and Clark Counties, the Elko DA and Elko PAO work closely together and have formed a strong partnership in the provision of IV-D services to their customers. The Elko County DA Child Support Coordinator and the DWSS Elko PAO Family Support Supervisor I speak to each other on nearly a daily basis and work closely to resolve any problems that arise between the two offices. The share equally in the efforts to provide outreach services to the citizens in Elko County and mainly because of this strong relationship, the IV-D program in the Elko area thrives.

D.9.1.2 Finding: Communication Between the DA and Central Office

When asked about the level of communication between the Central Office (CO) and the DA offices, the perception varied. Oddly enough, reference to the CO centered primarily around the Help Desk rather than the actual IV-D CO staff. Some individuals had contact numbers for certain CO staff persons so those are the individuals whom they contact, knowing that their question will either be answered or directed to the correct individual. The individual who is responsible for the Financial Institution Data Match (FIDM) for the rural counties was often mentioned, even though he is not actually part of the CO staff but works in the Reno PAO.

There is very limited knowledge among the county DA office staff of who the staff in the CO are, what their job duties and responsibilities are, and what their phone numbers or email addresses are. Susan Hallahan, Chief Deputy District Attorney in the Family Support Division of the Washoe County District Attorney office agrees that "there needs to be better communication between the state and the counties."⁸² During the group interviews in Washoe County, several case managers commented that they "don't know who in Central Office does what and that they always go through the Help Desk." ⁸³ Ms. Dossie Terrel, Federal ACF Region 10 Specialist for Nevada states that "the #1 recommendation is that the counties and the state work together."⁸⁴ This becomes a difficult task to achieve if there is limited or no knowledge of who the counties should contact regarding what. The Administrative Assistant IV worker who works primarily with the DA offices on questions and issues surrounding reimbursements, incentive payments and other financial matters was mentioned quite frequently. There is a great deal of respect and appreciation by the DA staff for the customer service she provides them.

An underlying perception among field staff is the lack of child support knowledge that the current CO has. Comments were made that most of them have never worked a caseload so they don't know what the case managers are going through, that the CO is trying to make the IV-D program like the PA program, and that IV-D Central Office staff never come out to the DA offices to visit or spend any time with them.

As stated earlier, the perception among staff primarily in the rural IV-D offices is that the Help Desk is CO. Feelings about the level of communication between the DA offices and the Help Desk are mixed. While some staff feel that the Help Desk is responsive to their questions and are usually pretty prompt, there were, on the other hand, some strong perceptions voiced about the Help Desk. Some of these comments were:

- "The Help Desk is very condescending. They don't understand CSE"
- "They are in a "welfare" mentality"
- "Have gotten a response that they (the case manager) don't know what they are doing"
- "They don't talk the same language – They (the Help Desk) are not on the same level as we are"
- "The Help Desk is not helpful. Had an experience where the Help Desk person forwarded an email containing a negative comment about her to a programmer"
- "Some of the Help Desk people don't know the CS program"

It is our understanding that there are only two staff among the six total positions on the Help Desk who handle the child support calls and emails. Taking into consideration that there is a potential of at least 310 staff who could make calls to the Help Desk, two staff to handle IV-D calls may not be sufficient.

In addition, the staff on the Help Desk handle multiple types of problems from NOMADS system problems, to adding employers to the Employer Table, adding Health Insurance Providers to the Health Insurance Provider Table, and requests for Person Merge (a procedure on NOMADS for merging two individual records into one when they are both the same person and one of the records was created in error).

D.9.1.3 Finding: Communication Between the DA and PA

Communication between the DA IV-D case manager and the PA counterpart seems to vary, but for the majority of case managers, their perception is that the communication is extremely poor. The feeling is that the PA worker gives IV-D a lower priority because IV-D has no impact on PA, and because there is an overall lack of knowledge and understanding about the IV-D program. The typical PA worker is perceived by many IV-D case managers to be slow to return phone calls or email messages. Often, the PA worker does not respond to emails regarding requests for sanctions. Also there are many inaccurate phone numbers and email addresses for PA workers, particularly in Clark County.

During the group interviews that we conducted in the Clark and Washoe District Attorney offices, consistent complaints and frustration was voiced at the inability of the case manager to be able to communicate with the PA case manager either over the phone or through the use of email. Not once was there any mention of asking for assistance from the IV-D worker stationed in any of the PA District Offices for assistance, or even an awareness of the role and responsibilities of these co-located state IV-D workers. The District Attorney offices do not have access to any contact information for PA staff via the State Intranet and the information available on the State webpage with phone numbers and email addresses of state employees is not

always current. This has been confirmed and verified by both Washoe and Clark county District Attorney management. Clark County has been provided with office phone directories from some of the IV-D liaison staff but those lists do not contain email addresses. Additionally, not all PA case managers have voice mail so if a IV-D case manager attempts to get in touch with the PA case manager and the PA worker does not answer the phone, the IV-D case manager is unable to leave a voice mail message. Clark County has relied on the IV-D liaison in the District Offices for message purposes.⁸⁵

The perception is also that even at the CO level, there appears to be a lack of coordination and cooperation between the two programs at times. PA Management at the District Office level share the frustration in the lack of communication between the two programs. It was stated during an interview that the Child Support section of the PA Manual was re-written with "no input from IV-D."⁸⁶

DWSS has placed IV-D staff in the Reno District Office in Washoe County, in the Ely District Office in White Pine County, the Pahrump District Office in Nye County, and in the five District Offices in Las Vegas. The hope was that by placing these staff in a District Office, they would facilitate the gathering of documentation needed for IV-D, assist in opening up communication between IV-D and PA, and help during the PA intake process in providing information to PA customers about the child support enforcement program and its requirements. However, when talking with Clark County DAFS staff, there was no mention at all of how these IV-D workers assist them with obtaining documentation, communicating with the correct PA Family Support Specialists, or that they are even aware of their existence in these DOs. The placement of a IV-D worker in the Reno DO has been a very positive move while the placement of the IV-D worker in the White Pine Office has presented problems and issues peculiar to that office, which will be discussed later in this report. The IV-D worker in the Pahrump Office has only been there since mid-August, so it is too soon to assess what the effect and impact of her presence there will be.

CLARK COUNTY

PSI made a recommendation, in their Clark County Report, that Clark County DAFS "obtain more accurate up-front information through interviews and database searches."⁸⁷ In order to successfully address this recommendation, Clark County instituted a new IT computer intake program that uses images transmitted electronically from PA District Offices in Clark County and from walk-in customers. Additionally, DWSS had previously taken steps to co-locate a IV-D staff person in each of the Clark County PA District Offices to assist with the gathering of information to help IV-D. However, there appears to be a major "disconnect" and lack of communication between these IV-D staff and the Clark County DAFS staff.

During the group interviews conducted with Clark County DAFS staff, case managers expressed hesitation to contact PA case managers in the District Offices, or simply do not attempt to contact them. They voiced complaints over the inaccuracy of the email addresses and phone numbers provided to them by PA, the failure of the PA case managers to return phone messages left by the DAFS case manager, and lack of understanding on the part of the PA case manager about the IV-D program.

In all of the numerous group interviews and discussions, there was never any mention of any help or assistance being provided by the IV-D staff co-located in the PA District Offices. None of the Clark County DAFS case managers ever mentioned contacting that IV-D staff person and asking for assistance.

It is recommended that improved communication and team work needs to be developed and fostered between the Clark County DAFS and the DWSS state IV-D co-located staff. It is suggested that there be regular, on-going meetings held between the two entities in an attempt to resolve many of the issues and problems that the Clark County DAFS staff are currently experiencing when attempting to get additional information from IV-D. These state IV-D staff should be the contact point for Clark County DAFS staff when needing information from the PA District Office. These state IV-D staff should also facilitate improved communication and understanding of the IV-D program among their PA counterparts in the DO where they are stationed.

The IV-D staff person co-located in the Reno PA District Office is an excellent example of how this may be an effective and successful arrangement.

Best Practice – Nevada (NV 09)

The IV-D FTE housed in the Reno District Office is an excellent example of providing services to multiple stakeholders: the Reno PAO, the Washoe County FSD, the IV-A Support Specialists, and the child support customers. Since her placement in the DO, she has:

- *Taken on the responsibility of conducting QC on the Form 2906s received from the IV-A Support Specialists,*
- *Attends Unit Meetings to provide feedback and education about the errors that are found in the completion of the Form 2906,*
- *Contacts customers by telephone or correspondence when additional information or documentation is needed,*
- *Created a IV-D Questionnaire Checklist that she uses for every 2906 received to make sure that all the required information is obtained before the Form 2906 is forwarded on to the PAO.*
- *Created an EXCEL spreadsheet to track and monitor all Form 2906's that she's received, if good cause is claimed and if the Birth Certificate was received.*

D.9.1.4 Finding: Communication Among the DAs

Communication between DA offices in the rural counties appears to be excellent. IV-D case managers frequently call case managers in other counties for direction, advice and consultation. Likewise, coordinators appear to have their own network developed and communicate with each other frequently. Rural counties communicate with each other to exchange interpretations on policies, get insight on business processes instituted in other counties to deal with various tasks, to obtain help and training for new staff in their county, to ask about NOMADS workarounds when they encounter problems with the system, as well as rely on each other for overall support.

The same does not always hold true for ease of communication between the larger counties and the rural counties. However, Washoe County FSD does offer training to all counties on the use of the Nevada Arrearage Worksheet Calculator (NAWC) upon request and have been very responsive to accommodate requests from the rural counties. The feeling among the rural counties is that they have little say or voice in how decisions are made that affect everyone, primarily because of the size of both Clark and Washoe counties, and the fact that they have greater needs and larger budgets with which to work. Likewise, the feeling among rural counties is also that even though they may be doing a more effective and efficient job at working their cases, the size of Clark County drives the statistics. "When Clark County fails, the entire state fails" was stated numerous times.

D.9.1.5 Finding: Communication Between the PAO and PA

The only two PAOs who actively are involved with PA District Offices are the Reno PAO and the Elko PAO. Between these two offices, there is a vast difference.

The Elko PAO along with the Elko DA, have taken great strides to open up communication between their respective offices and the Elko District Office. Over the past several years, they initiated quarterly meetings between themselves, often times including Title IV-E Foster Care managers. While it presented a major challenge in the beginning, they have worked through their misconceptions and lack of knowledge and understanding about their respective programs and have reached a mutual level of trust and open communication. The Elko PAO is located in the same building as the Elko DO so frequently, case managers need to simply "run down the hall" to talk with a PA counterpart, and vice versa.

However, in the Reno PAO, there still remains a high degree of mistrust and lack of understanding between the two entities in Washoe County. One positive step that was taken was the placement of a staff position from the Reno PAO in the Reno DO in May 2006. She has stepped into her role with a positive attitude and an amazing drive to facilitate communication and learning between PA and IV-D as well as providing the much needed support and assistance needed to IV-D staff in both the Washoe County DFS and the Reno PAO.

D.9.1.6 Finding: Communication Between the PAO and Central Office

The perception of the level of communication that occurs between the PAO and the CO is much different than the perception of the DA offices' communication with CO. The PAO staff feel, for the most part, that the CO is responsive and supportive even though they may not always agree with the direction provided by the CO. The PAO also had a more positive outlook towards the Help Desk. They feel that the Help Desk is responsive to their requests, although "they may not be knowledgeable enough." Concerns expressed include that there is a high Help Desk turnover rate. Other concerns are that the Help Desk doesn't always understand the problem being called in and write it up incorrectly," or that "staff are not trained enough in IV-D. At times they give answers that don't make sense or they aren't familiar enough with NOMADS screens."

One difference that could be attributed to this difference in perception is that the staff in the PAOs are DWSS staff while the staff in the DA offices are county staff.

D.9.1.7 Finding: Inter-Office Communication

During the group discussions held with case managers as well as supervisory staff in the two larger counties, the lack of communication among staff became quite apparent. There were discernable differences in the procedures and interpretations of policies between units and even within a team. Many of the changes in procedures are apparently passed on via emails, team meetings and unit meetings, but not in writing. Verbal communication is important and works well in the smaller rural counties for dissemination of information. However, in the larger counties, verbal communication is not as effective depending on how many times the information is passed on between the varying levels of management and the fact that oftentimes, it is open to interpretation by the communicator as well as the individual receiving the information.

D.9.2 Recommendations

D.9.2.1 Recommendation: Implementation of a Well-Developed, Well-Defined DWSS Strategic Plan (ES 5)

The following recommendations are made with the intention of improvement of communication among the Central Office, the DA offices and the PAOs.

D.9.2.1.a It is recommended that DWSS develop, distribute and implement a Child Support Strategic Plan. DWSS has already taken an initial "stab" at the development of a Nevada Child Support Enforcement Strategic Plan for 2004-2009. However, DWSS has failed to get active participation and "buy in" for the DA and PAO staff. As stated previously in this report, unless all IV-D staff, at the Central Office, PAO and DA levels, have a clear vision of where the Nevada Child Support Program wants to be in the next five years, any Strategic Plan becomes the plan only of the Central Office and not that of the rest of the state.

The Strategic Plan, while it should lend itself after the federal OCSE Strategic Plan, should also be peculiar to the State of Nevada Child Support Program. It should contain:

- A statement of what the vision is of the Nevada IV-D program
- The mission and philosophy behind the Nevada IV-D program
- The values identified by the Nevada IV-D program

- Lay out the specific goals that the Nevada IV-D program wants to attain
- List and describe the objectives that have been established in order to attain the goals

Finally provide a tool or methodology for measuring the Program's movement and success rate at moving towards meeting the specified goals and objectives.

Best Practice – North Carolina (NC 01)

The state of North Carolina, in an effort to improve in all performance areas, initiated a "Journey to Excellence (J2E)" project in 2004. The goal of this five-year initiative was to provide a "roadmap" for all North Carolina Child Support offices, including 5 year goals and means to achieve them. A J2E committee, comprising Department of Social Services Directors, CSE Central Office and CSE Local Office staff, was formed along with seven subcommittees. Each subcommittee focused on one particular area:

- *Paternity Establishment*
- *Percentage of Cases Under Order*
- *Percentage of Current Support Collected*
- *Percentage of Arrearage Collected*
- *Cost Effectiveness*
- *Health Insurance Coverage*
- *Excellence in quality and performance (based on the "Malcolm Baldrige Award")*

Each subcommittee developed a report that included five-year goals for their subject area, a list of recommendations to reach those goals, and examples of "Best Practices" from around the state. A final report, including reports from each subcommittee, was compiled and sent to each CSE office.

Each subcommittee was also tasked with brainstorming ways to make each recommendation feasible, whether it be presenting new policy or working with Legislators to draft new legislation. For areas that required changes such as drafting legislation or making the Customer Service call center available in all counties, the subcommittees were charged with making the necessary steps to ensure the feasibility of recommendations.

Best Practice – Nebraska (NE 01)

The State of Nebraska's Child Support Division (NE CSD) didn't want their Strategic Plan to just sit on a shelf; they wanted it to be a "living" document that guided the work of all of their local offices and provided staff with an outline of key areas the Division wanted to focus on.

To accomplish this, the NE CSD invited numerous representatives to participate in the development of their most recent strategic plan.

Representatives from each local office were involved, as were representatives from the Central Office, and additional stakeholders.

As a result of this collaborative effort, staff working for NE CSD not only know about the strategic plan, they know the details of the goals and how the Division intends to reach them. Staff also refer to the strategic plan when questions about upcoming projects or initiatives arise.

Because Nebraska Child Support staff know and understand the mission and goals of the Agency, they work with the State office to reach the goals, and they can evaluate their own individual performances against the state-wide goals.

Including representation from a number of different areas for development the strategic plan takes mostly communication and time. The costs were minimal, as many meetings can be help via conference call or web conference. The biggest "cost" is the time staff must spend working on the strategic plan, but this time spent up front results in buy-in from all necessary parties.

D.9.2.1.b It is recommended that development of the Strategic Plan for Nevada's IV-D Program be given a high priority and commitment by DWSS.

D.9.2.1.c It is recommended that it would be to the benefit of the Nevada IV-D Program to bring in an outside facilitator to assist with the creation of the Strategic Plan. DWSS is already exploring this possibility based on a Technical Assistance site visit that was made to the State of North Dakota. This is a step in the right direction.

D.9.2.2 Recommendation: Creation of a Child Support Oversight Committee

It is recommended that the state create a Child Support Oversight Committee, comprised of representative IV-D staff from CO and both rural and large counties. A larger committee with partners, stakeholders and customers could meet quarterly with the Child Support Oversight Committee to discuss the impact of the program outside of the child support staff. With the implementation of the Regional Offices, then each Regional Office would have the same number of representatives on the Child Support Oversight Committee. The Child Support Oversight Committee should also contain a representative number from the various stakeholders involved with the Child Support Program in Nevada.

While this committee would not necessarily have to be legislatively created, provision for such a committee should be made in the DWSS Strategic Plan as well as the requirement that the Oversight Committee provide annual reports for publication.

As exemplified by the following best practices, states have made a concerted effort to include stakeholders outside of the state child support entity to become involved in the development of goals and objectives for the program as well as have input into the future of the program in their state.

Best Practice – Colorado (CO 01)

The composition of the IV-D Task Force is determined by the IV-D Director in collaboration with the Director of the Office of Self Sufficiency.

Best Practice – Arizona (AZ 01)

In 2002, the Arizona State Legislature passed legislation creating the Child Support Committee. (Prior to 2002, the Child Support Committee had been a part of the Child Support Enforcement and Domestic Reforms Committee.) The Committee is comprised of 22 members representing the legislature, legal community, parents, judiciary, and state child support agency. Leadership for the Committee is shared by a member of the State Senate and a member of the State House, and the Administrative Office of the Courts provides staff support.

The Committee serves to develop and coordinate policies and initiatives to improve Child Support within the state, often recommending legislative or administrative changes regarding the Child Support Enforcement program.

In the past, the Committee has also included "Guidelines" and "Strategic Planning" workgroups.

Each year, the Committee breaks into workgroups, depending on what challenges or anticipated changes the Child Support Enforcement program is facing.

The Committee publishes an annual report each year, which is posted on their website, along with Committee member information and Meeting minutes and agendas.

Best Practice – Colorado (CO 02)

The Colorado Child Support Enforcement Program (CO CSEP) has an advisory group that is referred to as the IV-D Task Force. The Task Force is co-chaired by a state person and a county person, and includes several subcommittees that are also co-chaired by one state and one county person. The primary purpose of the Task Force is to establish the long term and short term strategic focus for the program. The Task Force monitors the progress of the CSE program and develops strategies to meet short and long term goals.

D.9.2.3 Recommendation: Creation of a IV-D Help Desk

We recommend that DWSS consider the establishment of a separate Help Desk for child support, staffed with child-support knowledgeable individuals. This would contribute to an increase in customer service provision by the Central Office to IV-D staff in the outlying DA and PAO offices. CSE staff calling in to a dedicated IV-D Help Desk would not have to expend the time they currently do in attempting to explain the problems they are encountering to non-IVD knowledgeable individuals. This would reduce the amount of frustration that is currently felt by many of the child support case managers.

Dedicated IV-D Help Desk staff would also understand the terminologies used in child support and would understand the context in which the problem is being presented. While not all case managers experience the frustration and stress that other case managers do, we believe that the level of customer service provided by a dedicated IV-D Help Desk would be increased.

In Clark County DAFS, they currently have four individuals who handle Help Desk calls internally for Clark County. Of the calls received, approximately 80% of the phone calls are related to NOMADS problems. The majority of these calls are handled by and resolved by the Clark County Help Desk while only a very small portion are forwarded on to the DWSS Help Desk.⁸⁸ This has been successful in providing a more immediate response to Help Desk callers by child support knowledgeable individuals. This has also alleviated the majority of problems related to misunderstanding the miscommunication as a result of a lack of program knowledge.

D.9.2.4 Recommendation: Empowerment of the IV-D Chief

As stated previously in our Findings, there is a perception among the IV-D field staff, both on the part of DA staff as well as PAO staff, that there is a weakness in the IV-D Central Office related to the promotion of staff with PA backgrounds and lack of IV-D program experience. This has fostered a lack of confidence in the leadership at the Central Office level as well as incidences where the voice of the Deputy Administrator of the Program & Field Operations, rather than the Chief, speaks for the Central Office IV-D program. This, in turn, promotes conceptually a sense of weak leadership at the helm of the program. Ms. Dossie Terrell, Federal ACF Region 10 Specialist for Nevada does feel, however, that "Louise has hit the ground running

and hasn't stopped. I have seen improvement since Gary (Stagliano) and Louise have taken over."⁸⁹

D.9.4.2.a It is recommended that the leadership of the IV-D program should fall squarely on the shoulders of the Program Chief. Strides need to be taken to reinforce the leadership and decision-making authority of this position and not give field staff the perception that the actual decisions are made by the Deputy Administrator. With the formation of the Strategic Planning Committee and the IV-D Steering Committee, the IV-D Chief should have immediate leadership responsibility and decision-making authority in the development of child support policies and goals as well as objectives. With the creation of the Regional Offices, the IV-D Chief would have direct supervision over the Regional Administrators.

It is also recommended that DWSS work towards strengthening of the Central Office staff with Child Support knowledgeable staff. An effective IV-D Central Office is dependent on the knowledge base upon which strong IV-D leadership may be built. This will be even more important with the development of the Regional Office concept. The IV-D Chief and Central Office staff must not only be perceived in a strong leadership role, but also must be capable of assuming such a role in order to assist with moving Nevada's child support program forward.

Best Practice – New Jersey (NJ 02)

When asked what makes a strong program, Ms. Griffin discussed three things:

- 1) Leadership. Programs that do best have stability in the leadership. When the state commits to its program leadership over time, it can better deal with complex issues. The state executives above the Program Director need to be supportive in both resources and approach. Succession planning is a key element and leadership at all levels need to be aware of managers' strengths and weaknesses.*
- 2) Support. It is important to build a strong team to support the program manager. They must be knowledgeable for credibility and do their jobs well.*
- 3) Track Performance and Incentivize. A program needs to analyze performance at all levels and set benchmarks.*

D.9.4.2.b It is recommended that since the Deputy Administrator oversees six different programs as well as a Social Service Manager of Field Operations, that the IV-D Chief would be required to provide regular Monthly Status Reports to the Deputy Administrator and that direct operations of the IV-D Program be left in the hands of the IV-D Chief. In other state IV-D programs, usually the IV-D Director is on the same level in the organizational chart as a Field Operations Director.

D.9.2.5 Recommendation: Change in Supervision of IV-D Staff in the PA District Offices

D.9.2.5.a It is recommended that the supervision of all IV-D staff housed in the various PA District Offices be under the direct supervision of a IV-D staff. The reason for this is two-fold:

- This will promote consistency and standardization of the duties, tasks and job responsibilities for all IV-D staff housed in a PA District Office, which does not occur now.
- Will ensure that IV-D staff are and will be given clear supervision and direction in the performance of their child support responsibilities without a "learning curve." Currently, IV-D staff housed in PA District Offices are directly supervised by PA managers. Co-locating IV-D staff in PA District Offices is an excellent step towards improving communication and education between the two programs but IV-D staff should be managed by IV-D managers. Expecting PA managers to learn the IV-D program in addition to their management duties in PA is a larger undertaking because the two programs are so dissimilar. PA is primarily an eligibility determination and policy-focused program, while IV-D is a provision of ongoing services to applicants, both through case management service as well as through a variety of legal actions taken administratively or judicially.

With the creation of the Regional Offices, the IV-D staff housed in the PA District Office within the Region should be directly supervised by the Regional Manager.

D.9.2.5 b An additional recommendation is to remove the current IV-D staff persons in White Pine and Nye Counties out from under the direct supervision of the District Office Manager and place them under the supervision of the same Central Office manager responsible for managing all of the Family Support Specialists housed in the District Offices. To have IV-D individuals managed by managers from another program is not conducive to good management of that individual. The PA and IV-D programs are so vastly different that the IV-D staff person needs to be able to rely on and discuss any case situations that they may encounter, or potential legalistic situations with a IV-D knowledgeable manager. In a similar situation, one would not have a staff person who handles IV-E foster care managed by a IV-D managers simply because the IV-E foster care staff person is co-located in a child support office.

The IV-D manager will be acutely aware of federal timeframes that must be met, of the IV-D federal regulations and state statutes that must be adhered to, and trust in the ability of the IV-D Specialist to perform their duties and tasks. The Central Office Manager would be able to easily detect efficient use of time, adherence to policy and established procedures through regular ongoing status reports developed to measure the employee's performance and ability to meet standards and expectations set down for them.

D.9.2.5.c It is recommended that the duties and responsibilities of the IV-D staff housed in the PA District Offices should consist of the following:

- Assist in child support intake procedures in the PA District Office by meeting with and explaining to PA applicant/recipients the purpose of the IV-D program
- Assist in the completion of the IV-D Application for Services at the PA District Office to ensure that the document is completed correctly
- Ensure that all required documentation is received and forwarded or imaged so that the IV-D office will be able to take timely action on the applications
- Act as a liaison and assist with the gathering of any additional information that the case manager in the PAO or DA office may need needed for the processing of the IV-D case
- Provide feedback regarding training needs to both PA and IV-D training managers

Best Practices - Nevada (NV 09)

The IV-D FTE housed in the Reno District Office is an excellent example of providing services to multiple stakeholders: the Reno PAO, the Washoe County FSD, the IV-A Support Specialists, and the child support customers. Since her placement in the DO, she has:

- *Taken on the responsibility of conducting QC on the Form 2906s received from the IV-A Support Specialists,*
- *Attends Unit Meetings to provide feedback and education about the errors that are found in the completion of the Form 2906,*
- *Contacts customers by telephone or correspondence when additional information or documentation is needed,*
- *Created a IV-D Questionnaire Checklist that she uses for every 2906 received to make sure that all the required information is obtained before the Form 2906 is forwarded on to the PAO.*
- *Created an EXCEL spreadsheet to track and monitor all Form 2906's that she's received, if good cause is claimed and if the Birth Certificate was received.*

**D.9.2.6 Recommendation: Improvement of Inter-Office Communication
– Clark and Washoe Counties**

D.9.2.6.a We recommend that team and unit meetings be held on a regular basis to help ensure open lines of communication. Minutes or a summary of the meetings should be typed up and distributed to all unit and team members to ensure and reinforce what was discussed during the meetings, as well as provide the same information to any staff who were absent and did not attend the meeting.

Best Practices – Nevada (NV 07)

In Lyon County, minutes are taken at each office meeting and distributed to all staff to ensure that everyone is aware of what was discussed.

D.9.2.6.b We recommend that "All Hands" meetings be held periodically as a means of bringing all staff together. Input should be solicited from staff as potential agenda items for the meetings to help encourage staff participation and "buy in" to the purpose and effectiveness of the meetings. Staff should be encouraged to submit ideas for improvements in processes and procedures as they are the ones performing the tasks and duties on a daily basis. Some of the best ideas for process improvements come from those who perform the processes. Along with this, it is important that management consider and address all staff suggestions and provide feedback regarding any decisions made to adopt a suggestions, or reason why a suggestion was not adopted. Staff are more willing to work together for process improvements and increasing performance when they have had the opportunity to provide input into those improvements.

D.9.2.6.c We recommended that there be regular supervisory meetings. Here also, any decisions, changes in processes and procedures, should be distributed in writing to ensure that the same information is provided to everyone and remove room for misinterpretation. Again, in discussions with the various team and unit staff, there was exchange among the participants regarding differences in procedures and policy interpretations within the same team and/or the same unit.

D.9.2.6.d We recommend that current phone and email lists be circulated and distributed to all IV-D and PA staff on a regular basis as well as whenever changes in staffing occur. Case managers leave employment, are promoted and change job sites, especially in Clark and Washoe counties. Because the DAs do not have access to PA case manager phone numbers and email addresses via the DWSS intranet, the list should be distributed via a general distribution list serve from the Central Office on a regular basis, whether it be monthly, quarterly or whenever changes in staffing occur. We also recommend that all PA case managers be given voice mail with a requirement that voice mail messages be returned within 24-48 hours. This would not only facilitate communication between the PA and IV-D staff, but also provide improved customer service to those PA customers who may be attempting to reach their case manager and are unable to leave a voice message.

D.10 PERFORMANCE MEASUREMENTS

The improvement of performance is a universal goal at the individual, supervisory, manager and state level. The reason is obvious – success at what a case manager does means a child has a legal father, an order is in place that can be enforced, and support that has been ordered is collected to meet the child's needs. Many case managers work in child support because of the results – making sure children living in non-intact families have the same benefits as children living in intact families. The ability to achieve this goal is dependent on numerous factors, all of which have been

discussed throughout this report. We have identified several areas that we found to have a negative impact on the performance of Nevada's child support program.

D.10.1 Findings

D.10.1.1 Findings: Performance Measurement Standards

One pronounced finding that was evident in every office that was interviewed is the lack of written performance standards and expectations for the staff in the office. This holds true from the Supervisor down to the case manager and clerical levels. When workers do not have a clear understanding of how well they are expected to perform, and how their performance is measured, then they can only assume that the manner in which they do their jobs meets the expectations of management. In fact, workers without performance measurements may not know what their contributions are to the statewide goal of strengthening families. There are no comparative performance measurements set for staff in same or similar positions across the state. How well or how poorly a staff person in the Elko PAO performs cannot be compared with how well or how poorly a staff person in the Reno PAO performs.

The state DWSS, uses an Employee Work Performance Standards (WPS) form to measure employee performance. A WPS is completed for every state employee in both the Central Office and the PAO. However, the Job Elements identified in the WPS are of a general and high-level in nature. As with most of these types of employee evaluation forms, they are primarily subjective in nature and don't always provide the feedback that an employee needs. Another disturbing problem is that not all employees receive an evaluation on an annual basis as is expected to occur.

Clark County uses an Employee Performance Report which, like the state WPS, is high level, general, and is subjective in nature. However, the investigators, complete a more detailed form to report their monthly statistics to the Investigations Unit Supervisor. Also in Clark County, the Audit Team prepares a weekly Audit Team Stat Sheet which provides the Audit Team Supervisor with a more statistical view of the number of tasks or audits that were completed in the week by each staff person.

DWSS also uses a Monthly Production Summary Report form in the PAO s. There is a separate Production Summary Report form for the varying levels of job classifications such as Clerical, Clerical Supervisor, SES Supervisor, Manager and so forth. However, these Monthly Summary Reports do not provide a good picture to management of the amount and level of duties, tasks and work the individual has accomplished in the Report Month. They are loosely structured allowing the individual completing the form to write in freeform text when completing the report.

The Monthly Individual Production Summary Report completed by a staff person in the Las Vegas PAO is an attempt at providing more statistical information regarding that individual's monthly performance. The supervisor of this staff person is provided with a more objective tool to use in measuring the staff person's performance.

D.10.1.2 Findings: Accountability

Closely related to the above finding is the lack of accountability for job performance and adherence to job expectations. Performance Measurement standards are effective when adherence to them is measured. We found, in discussions with staff that other than their monthly reports that they may be required to submit, the only other type of measurement in place are the required case reviews that supervisors are expected to perform for their staff. However, there appears to be little adherence or accountability for the case reviews either.

D.10.1.3 Findings: Communication

Response from supervisors when asked what innovative techniques and best practices are used to assist their staff with performance seemed to revolve around three basic techniques:

- Training and Mentoring
- Communication, especially in a positive manner
- Gaining Staff Buy-in Through Participation

Supervisors appear to realize that they play an important role in assisting their staff to achieve and improve their performance. There are a lot of innovative and useful methods that are already in place within the Nevada Child Support Program without an ability to share them among the offices provided for them.

Best Practices – Nevada (NV 11)

Supervisory Techniques

- *"I review cases, prepare a grid which indicates over performance for the month and cumulative. I prepare a monthly production summary and meet with the worker to go over the summary and to discuss reviews and their performance accuracy per statistics."*
- *"Let caseworkers provide me with office proactive suggestions."*
- *"Monthly meetings and weekly unit meetings with them are helpful."*
- *"One on ones for input & suggestions."*
- *"Positive gestures and comments, positive reinforcement."*
- *"I seek out training on behalf of my caseworkers."*
- *"Regular feedback."*
- *"We work very closely with other partners and I meet regularly with partner office reps to identify & look at solutions to our issues - always talking about communication improvement, patience towards & understanding of each other's challenges."*

One finding peculiar to only Clark and Washoe counties, because of their size, was a noticeable lack of communication between the various units as well as between teams within a unit. Numerous times, during group interviews, they were discovering that they were following different processes and procedures, and at times different interpretations of policy, dependent upon the supervisors. This was significant in that it quickly pointed out the lack of communication and the failure of management to promote communication among the various teams and units. On some occasions, when a group whose members performed like or similar tasks were together for an interview, they were not aware that each other was in fact performing the same duties and responsibilities.

D.10.1.4 Findings: Reports

Effective management reports are an effective means of monitoring for performance both at the individual level as well as the supervisory and management level. When individual child support staff are not provided with a means of managing and monitoring their caseload, this in turn will create a negative impact on statewide performance. Currently case managers are not provided with the necessary tools in the form of reports to assist them with the performance of their day to day tasks and job responsibilities. Likewise, managers are not provided with this very effective tool either so the burden of developing a means of measuring their staff performance is placed upon them.

Staff in the DA offices and the PAOs have developed several means of monitoring and managing their work. Examples of these are provided in Best Practices – Nevada (NV 11 above) of this report. They have had to result on their own creativity due to the lack of reports to support the management and monitoring of case activities.

Further discussion regarding reports may be found in *Section D.6*.

D.10.1.5 Findings: Lack of Continuity/Standardization

The lack of continuity and standardization among the various PAO and DA offices in the area of child support case processing ultimately has a negative impact on performance. If each office follows a different process and/or procedure for taking action on a case, there is no guarantee that the same outcome will be achieved within the same amount of time. Additionally, when a case is transferred from one office to another, the receiving office case manager may have to expend additional time and energy in deciphering what actions the previous worker took or did not take, and why. This may result in a failure to meet a federally-mandated timeframe or take an action on a case in a timely manner. One office's standards and methodology used to measure performance may not always be the same or similar to the next office so an accurate measurement of performance from office to office or statewide is not attainable.

Even more significant and detrimental to office-side performance is the lack of continuity and standardization within an office. In discussions held with the various units and teams in both Clark and Washoe counties, it became quickly apparent that there was no standardization in the performance of duties and tasks among teams and units that had the same responsibilities. Numerous times in the group interviews that

were conducted, staff attending the sessions were at times, sometimes for the first time, sharing processes and procedures that discovering that they were doing some tasks differently, following different processes, or weren't even aware that they each had the same responsibilities.

D.10.1.6 Findings: Role of the Central Office

Staff in the Central Office did not seem to disagree with the perceptions voiced in the local DA offices and PAOs. When asked "What are the areas within the Central Office that you feel improvement or changes should be made in order to improve Nevada's performance?" Central Office staff responded in a similar manner. Some of the areas that they felt improvement or change should be made are:

- Better and faster communication
- Celebrate successes
- Greater control over establishing uniform procedures and processes in the jurisdictions
- Performance improvement projects
- Define responsibilities - Put them in writing
- Hold people accountable
- Review and enhance processes - office-by-office

When asked "In your opinion, what is the role of Central Office in assisting the field offices, both PAO and DA, in maximizing their performance?" Central Office staff were very quick and willing to "step up to the plate" with suggestions. They saw their role, un-knowingly, in a complementary manner that appears to mirror the needs and, requests of the DA offices and the PAOs. Central Office saw their role as a supportive and leadership role for the IV-D offices. Among the suggestions identified are the following:

- Assist with appropriate tools, guidance and direction
- Central Office needs to be the leader - requesting best practices from offices who have high % of program & system understanding need to share with other offices
- Central Office should provide tools to enable the offices to be successful in performance
- Central Office should take lead in all efforts increasing office performance
- Provide training for new policies and procedures
- Statement of responsibility needs to be issued to all offices from Central - define who has responsibility. Have the offices buy-in to the plan of delegation of responsibility. People have to have ownership
- Central Office should provide back-up support and information to all workers in an easy to understand manner

D.10.1.7 Findings: Outcome Vs Policy Adherence Philosophy

The Management Evaluation (ME) system was originally introduced to the DWSS PA program approximately two years ago. Since then, it has also been implemented in the IV-D program as of December 2005. The timing of these ME reviews is coordinated with the required Federal Self-Assessment Reviews.

The premise behind the ME reviews is to evaluate a IV-D office program for at least 95% adherence to state IV-D policy, as evidenced by a review of a sample of case files pulled from the county being reviewed.

While the Federal Self-Assessment Review is focused on federal compliance and performance, the ME review is focused on state policy adherence. The assumption made behind the ME review is that adherence to state policy will result in improved performance outcomes.

While there is a benefit to reviewing a program for adherence to policy, this in itself is not a true measurement of performance.

During our information-gathering interviews with other states, they were asked if they focused on policy adherence as part of their performance measurement tool. What we found is that none of the IV-D programs interviewed used adherence to policy, in and of itself, as a tool to evaluate and measure program success. Policy adherence is a means to the goal of top performance. Families and taxpayers deserve genuine results, not just well-intentioned attempts at producing results. With the program at the bottom quintile of national performance, policy adherence is the wrong main emphasis. It measures bureaucratic steps and not the support families need to thrive. This is our strongest and most important finding.

D.10.2 RECOMMENDATIONS

D.10.2.1 Recommendation: Establishment of Performance Measurement Standards For All IV-D Staff

D.10.2.1.a We recommend that DWSS move forward with the task of establishing objective performance measurement standards for all state IV-D staff including staff in the PAO and the Central Office. Likewise, all CSE staff in the DA offices across the state should have similar performance standards. Regardless of whether child support services are being provided by the PAO or a DA office, the level and quality of services should be the same statewide. During the process of creation of performance measurement standards, an objective means of measuring an employee's performance should also be established.

D.10.2.1.b Along with this recommendation, it is also recommended that either the IV-D Planning Committee or a special workgroup be formed to come up with the performance standards. While staff in the larger counties may be expected to perform at a different level than the smaller rural counties, the standards should be the same for the two large counties, and the same for all of the rural counties.

D.10.2.1.c Forms or reports developed to capture data on employee performance should be designed in a manner so that it does just that. These forms should not lend themselves to subjective measurement of performance but provide a means for the manager to truly objectively evaluate an employee's performance based on the set standards.

D.10.2.1.d Once the performance measurements have been established, each employee should receive a copy of the performance measurement standards for their classification or position and they should be discussed with the employee.

D.10.2.1.e The performance measurement standards should not be considered static in nature. As policies, procedures and processes change, so should the standards in order to keep them in line with changing job functions and responsibilities.

Best Practice – Washington (WA 02)

Mr. Stillman indicated that having data about individual worker performance will really make a difference to overall performance. Washington, which had hit a plateau for a few years, has begun recently to improve its performance based on the drilled-to-worker data and an improved economy.

Best Practice – Missouri (MO 01)

In 2005, the Missouri Child Support Enforcement Program (MO CSEP) changed the way in which it evaluated staff members. Prior to the change, staff had been evaluated based on their adherence to policy and set processes. However, the state was not seeing the improvement in performance it was hoping for. It was decided that to improve program performance, it was necessary to evaluate staff based on the same criteria on which the program as a whole was being evaluated. MO CSEP developed performance-based evaluations, based on staff title and role, and the five federal incentives. Now, staff are given "credit" for completing a task once the outcome is reached, not when the process is performed.

Each staff member knows in advance what the expectation is, and how meeting that expectation will contribute to their overall evaluation. For example, for "Enforcement," staff are rated on percentage of paying cases compared to the average for their office:

D.10.2.2 Recommendation: Hold All Staff Accountable

D.10.2.2.a Once performance measurement standards are established, all staff must be held accountable for performance based on these standards. Periodic reviews should be established and adhered to. This is one effective means of identifying employees who may be having difficulties in one particular area, where the policy may be unclear, where procedures and processes may need to be re-visited, and/or where training is needed.

D.10.2.2.b All staff within an office should be held accountable to meeting the established performance standards. Within a unit or a team, or within a smaller office with only a few employees, statistics regarding paternities established, amount of collections, locates, etc. could be posted and incentives could be offered for the higher performing employees.

Best Practices – Pennsylvania (PA 02)

Pennsylvania has been doing outcomes-based individual performance evaluations in child support for eight years. It is an important component for continuous improvement.

Best Practice – Milwaukee County (MC 02)

Everybody in Milwaukee County CSA has a performance target, from mail room workers to attorneys. Corrective action plans are used when performance goals are not met.

Best Practice – Missouri (MO 01)

Each staff member knows in advance what the expectation is, and how meeting that expectation will contribute to their overall evaluation. For example, for Enforcement, staff are rated on percentage of paying cases compared to the average for their office.

The percentage of paying cases on your individual caseload, as compared to the office average of paying cases, will be rated as follows:

- Outstanding (5) 4% or more above
- Highly Successful (4) 3% above
- Successful (3) 2% above or below
- Improvement Expected (2) 3% below
- Unsatisfactory (1) 4% or more below.

D.10.2.3 Recommendation: Improvement in Communication Regarding Performance

D.10.2.3a It is recommended that DWSS initiate avenues of improved communication between the Central Office and the PAOs and DA offices. Communication is discussed in *Section D.9*.

D.10.2.3.b We recommend in the larger offices, that "all hands" meetings be held as needed but at least quarterly. These meetings should be used as a means of disseminating major changes and impacts to all staff. Staff should be encouraged to submit topics that they would like to see on the agenda and minutes should be taken and distributed for those who were not able to attend.

D.10.2.3.c In the larger counties, steps should be taken by upper level management to ensure that regular unit and team meetings are held and that the same information is provided to staff who attend the meetings.

D.10.2.4 Recommendation: Provide Case Management Reports (ES 4)

The provision of useful management reports is already discussed in *Section D.6*.

D.10.2.5 Recommendation: Establish Standardization

D.10.2.5.a It is recommended that performance measurement standards be implemented, along with improved communication, in order to increase continuity among the various offices regarding case processing policies and procedures.

D.10.2.5.b Every employee in a child support office should have a handbook or desk guide to refer to for information on a process or a procedure. This handbook or desk guide will provide standardize procedures to be followed. While the procedures may differ in the larger counties from the rural counties, it will help ensure that there are standard processes in place between units and between teams.

D.10.2.5.c In addition to handbooks or desk guides for staff in the PAO and DA offices, there should also be a handbook developed for the QC/ME reviewers. This will help ensure that all reviews are conducted in the same manner.

D.10.2.5.d It is recommended that for the larger counties, that they explore a Business Process Re-engineering (BPR) for the purpose of determining if their internal processes and procedures are the most effective and efficient way of doing business and that they are maximizing the use of their staff. It is recommended that they explore the possibility of contracting the BPR with someone from outside of the agency. This BPR study would be a more comprehensive look at how a case is processed that goes beyond the scope of the PSI Clark County Study and this study. The BPR study requires detailed records of individual staff activity and specific case tracking. The BPR should not only be a time study but an evaluation and comparison of how the same or similar tasks are performed among the employees as well as a study of the flow of work through the office. There currently is a lot of passing of mail, paperwork and case files to and from teams, units, the mail room and the file room. The less frequently a piece of paper or and case file is handled, the least likely it is to become lost. If there is no reorganization of the county structure, this study should begin as soon as possible. If some or all of the offices are regionalized, the study should begin two to three years after the initial re-engineering occurs to determine maximum efficiency in the new environment.

Best Practice – Illinois (IL 02)

The second step is to conduct Business Process Reengineering (BPR). The Lincoln Foundation is the Illinois version of the Malcolm Baldrige Foundation. Ensuring performance excellence is its charge. The Foundation looks at activity-based cost models to measure performance, crafted using an analysis approach known as a Rational Design. The program spent a lot of time defining activities. Everyone in the program was surveyed. The program looked at how much time people spent on various activities. Then perceptions were tackled, where people were asked to talk about what they did and not what they did to meet someone else's expectation. After reviewing activities and time spent, a reallocation of resources followed. Eliminate time spent on activities that do not promote collections.

D.10.2.6 Recommendation: Strengthen The Role of the DWSS Central Office

D.10.2.6.a It is recommended that the Central Office take a proactive approach in assisting counties, especially the rural counties, with the development of procedures and processes for implementation of policy.

D.10.2.6.b Additionally, the State Training Manager should assist with the development of Desk Guides, "cheat" sheets, and other visual tools that will assist case managers.

D.10.2.6.c With the creation of Regional Offices, the Regional Administrators will provide added strength and support to the Regional Offices in the provision of guidance, interpretation and monitoring. These Regional Administrators will lend strength in support of training, mentoring, working with the counties in providing them with the support where and whenever needed.

D.10.2.7 Recommendations: Change Primary Focus from Policy Adherence To Federal Performance Outcomes (ES 3)

D.10.2.7.a We recommend that DWSS follow suit with the rest of the IV-D community in focusing on performance outcomes rather than strict adherence to policy. We agree that policy is a tool and means to successful achievement of an outcome but that policy, itself, is not what leads to a successful outcome. The IV-D program is vastly different from the PA program, as Ms. Alisha Griffin, IV-D Assistant Director for the State of New Jersey stated, "strict adherence to policy is not as crucial in IV-D as it is in PA, as policy is a means to an end in IV-D, while in PA it is the process that must be handled according to policy to ensure accurate assistance to TANF grant applicants. "Policy is there to support business rather than to drive business" in the IV-D program."⁹⁰

The DWSS Strategic Plan, as discussed in this Report, is a roadmap for the Division on how to reach goals that are established through the strategic planning effort. These goals are outcome based and not policy based. In reviewing the federal Office of Child Support Enforcement Strategic Plan for FY2005-2009, the goals and indicators identified in the plan both represent outcomes.⁹¹ The indicators are measurable indicators and not references to federal CFR regulations. In the end, the IV-D program is not measured and evaluated by its policies, but the fact that the established goals in each of the five performance measurements are reached – and that is determined by outcomes. While adherence to policy is an important factor in child support enforcement, it is more of a means to an end (outcome) rather than the outcome.

The DA offices should not be held accountable so much based on adherence to policy, but that they are assisting in helping Nevada successfully reach the desired outcomes, thereby increasing the incentives paid to the state and, most importantly, support paid to families.

D.10.2.7.b Case file reviews may be audited for policy adherence as part of a Quality Control initiative, but offices should be reviewed for performance based on the federal Performance Measurements and their related outcomes.

Best Practice – Illinois (IL 02)

Focusing on policy adherence instead of performance has one "focused on a zebra in a herd of horses," according to Ms. Compton. A program will "only go down if there is a focus on policy adherence." Performance suffers when one looks at a very small percentage of cases not adhering to policy, as it takes focus and resources away from performance. The key, according to Ms. Compton, is to focus initially on the 80% of the caseload and not the 20% of the caseload. For the 20% of the caseload, conduct "exceptions processing."

Best Practice – New Jersey (NJ 02)

Ms. Griffin, former president of the National Child Support Enforcement Association (NCSEA) and current president of the National Council of Child Support Directors (NCCSD), said she believes that performance and customer service must come before policy adherence. According to Ms. Griffin, strict adherence to policy is not as crucial in IV-D as it is in IV-A, as policy is a means to an end in IV-D, while in IV-A it is the process that must be handled according to policy to ensure accurate assistance to TANF grant applicants. "Policy is there to support business rather than to drive business" in the IV-D program, Ms. Griffin said.

Best Practice – Pennsylvania (PA 02)

It is important to reach the federal incentive maximum performance levels. Policy that is not federally-mandated and does not aid in that effort is policy that is unproductive and should not be part of one's focus, according to Mr. Richard. Allegheny (Pittsburgh) and Philadelphia Counties are close to 80% on current support, so skeptics of the ability of large urban jurisdictions unable to perform at high levels need to reconsider. The state is contemplating who will take care of counties' funding losses under the federal Deficit Reduction Act of 2006 if the counties get to 80% performance levels.

Best Practice – Vermont (VT 02)

Policy adherence is a "means to an end," said Mr. Cohen. Adherence to policy alone will not lead to high performance as there are "too many shades of gray." Policy is a tool to assist in the objective of collecting support for the families. One cannot be fixated on process as it conforms to policy as much as how it leads to collections

Sample of Nevada Best Practices (NV 05)

*Case managers in Lyon County devote 30 minutes each day working alerts.
Humboldt County case managers work the alerts for a case when they access the case.*

D.10.2.8 Recommendations: Initiate a Study to Develop a IV-D Staffing Standard

While a recommendation for increased staffing to reduce the caseload size handled by current child support staff would appear to be a remedy to performance, it is not proven to be more than a "quick fix" to the greater and related issues cited in this report. However, we do recommend that DWSS undertake an initiative to develop a staffing standard for the IV-D program.

When speaking to the number of FTE's required, one thing to keep in mind is that reference to the number of FTEs is a reference to the total number of staff involved in any aspect of the IV-D program, and not limited to the number of staff who actually are assigned a caseload.

In the recent study cited previously, "Study of State Demographic, Economic, and Programmatic Variables and Their Impact on the Performance-Based Child Support Incentive System" ⁹² one of their findings cited, in relation to programmatic factors and staff resources devoted to enforcement, is that "the lower the ratio of cases is to total program staff, the better is performance in the cases with orders and current collections. States with a higher number of cases per FTE (thus overall lower staffing levels) had a lower percentage of IV-D cases with orders for support, as well as a lower percentage of current collections on orders.

While a decrease in caseload size will result in an improvement related to performance on cases with orders and current collections, it may also have a negative impact on cost-effectiveness due to an increase in state expenditures per case.

Therefore, careful consideration should be given to reduction in caseload size without weighing how this will impact other performance considerations.

D.11 DWSS AND COUNTY DISTRICT ATTORNEY COMMENTS

D.11.1 CARSON CITY DISTRICT ATTORNEY⁹³

While management reports are important, Nevada must be careful about adding too many more reports for the local offices. There is an overabundance of paperwork that currently inundates many of the smaller offices. Existing reports should be evaluated

to determine if they can be improved or replaced in lieu of creating more reports that clutter an already complex and full data base.

We wholeheartedly agree with an improvement in training. The Carson City Child Support staff has benefited from the few training classes that have been held, and additional training would be very useful. Washoe County presented a week long class on using Ledgers on the Web and NAWC; it was one of the best training classes presented. In addition, Central Office staff presented training on Case Closure and BOW that was very beneficial to our staff. The changes in child support are constant and complex, and therefore difficult to master without ongoing, competent training.

Additional training is sorely needed on the NOMADS system which is responsible for the majority of the problems in the Nevada Child Support Program. The system is very cumbersome and not user friendly. This system MUST be changed. For the novice or occasional NOMADS user, it can take 5-10 minutes to effect a simple address change. The commands in NOMADS are not consistent. For example, on one screen "open" is typed on the action line to open the screen, on another "apol" (an illogical acronym) must be entered in order to open the screen. There are so many details in the computer program alone that it hinders the case managers' ability to focus on the child support laws.

It seems that most of the programmers for NOMADS have been pulled to work on IV-A to make changes to that program and the child support system has suffered because of that. Child Support was also adversely affected by changes that were being requested when a past director of NOMADS operations changed the way work items (changes in NOMADS) were to be handled. It was over a year before the IV-D program was able to submit work items to the programmers. This is unacceptable and has a negative impact on the staff's productivity and our service to the public.

Each time a change is made in NOMADS, paperwork setting forth and explaining the management of the changes is distributed to the local offices. This is the only "training" currently provided on modifications to the system. It often feels like a full-time job just to stay on top of the changes made to both the child support rules and the NOMADS system on a daily basis. It would be helpful to have training on NOMADS available for new staff members and have regular support available to assist the existing staff in dealing with the myriad of changes as they occur.

We agree that the IV-D and IV-A are very different and should not be run in the same manner as one program is driven by the NCP and the other by the CST.

The District Attorney Offices have the experience of child support operations and as such should be the leaders of any future reorganization. We suggest that child support coordinators of the two larger counties take the top leadership roles with state staff taking the secondary positions until they become more educated in the legalities of child support. Thereafter, experience, education and actual leadership abilities should guide the appointment of leaders.

Case managers are often expected to take on multiple roles: social worker, child support case manager, and computer technologist. All of these functions must be handled very quickly to allow the case manager to move on to the next client or case. Additional training in time management for case managers is vital to allow them to

manage their cases appropriately and within the established time frames in order to comply with existing laws.

In establishing a standard number for a case load the State must consider all the different ways the case loads are now divided in offices. There are cradle to grave offices, there are task oriented offices and there are offices that divide case loads by UIFSA and instate cases along with cradle to grave or task oriented. How an office divides its cases will depend on how many cases a case manager can efficiently manage.

In closing, one of the most important factors in improving Nevada Child Support ranking among the states is to make massive repairs and improvements to the NOMAD system or develop a newer, user friendly statewide computer system. Until that is done, the complexities of NOMADS will hold the state back.

D.11.2 CHURCHILL COUNTY DISTRICT ATTORNEY⁹⁴

Mineral County's District Attorney Cheri Emm-Smith addresses some major concerns in her November 9 response to the MAXIMUS audit. These concerns, both on the effect of further limiting services to our smaller communities and restricting the due process and legal rights of our constituents, should be taken very seriously. District Attorney Emm-Smith hit the nail on the head when she stated that rural services provide more satisfactory client service due to the smaller communities to which they provide services. Churchill County agrees that, due to the fact that the people we are serving are out constituents, but they also are our neighbors and our co-workers and people we see in the community every day. It is axiomatic that they receive timely, dignified and conscientious service.

D.11.3.a CLARK COUNTY OFFICE of the DISTRICT ATTORNEY⁹⁵

There are a number of references in the report to enhanced services to military bases. Presumably, the recommendations have been made because this has been identified as a problem area, yet there is nothing in the report that supports this. The only interaction Clark County has with Nellis Air Force Base is to serve process – all other military interactions are not geographically connected to us. Are there findings made by MAXIMUS in Nevada that support these statements and recommendations?

The discussion of the locate function being a PAO function is true everywhere except Clark County. There is no "ping-pong" of cases between offices in Clark County.

The discussion of access to credit bureau reporting is accurate as far as the State is concerned. Clark County and, we believe, Washoe County, both have access to recognized Credit Bureau reports (Clark County uses Equifax) which we maintained after the State failed to renew a State contract.

Finding D.1.2.1 references locate tools used by case managers. Each of the 12 teams of Supervisor, Senior, Family Support Specialist and Clerks in Clark County has trained personnel dedicated to the locate function. We do not know if the survey you conducted was provided to the Locate clerks or simply the case managers. Moreover, we do not know if the survey concerning locate tools was provided to all case managers or only case managers who might be involved in locate activities. This

may account for the number of staff who stated that they did not receive sufficient training in locate work.

A locate issue which was not addressed was the locate functionality in NOMADS. Although numerous locate sources are listed most of them do not function. There are locate functions which can be accessed through other screens but there is nothing in the system that directs a case manager (or locate clerk) to the other screen to conduct the action. The inadequacy of the NOMADS locate functionality should be addressed and a more robust recommendation made beyond those stated in the report.

Recommendation D.1.3.2. We do not dispute the recommendation. However, the statement that staff had had access to credit bureau information removed may be misleading. Most credit bureau reporting services automatically remove access if the service has not been used over a certain period of time. In Clark County we have had to restore access which was removed by the credit bureau reporting service.

The recommendation that locate services in Clark County be removed from Investigations is misleading in that it assumes that this function is assigned to our Investigations Unit. This is simply not true. As stated previously, the "locate" function is conducted at the Team level. Once the system has "located" an NCP sufficient for the next step in child support appropriate paperwork and processes are completed and the paperwork is delivered to staff process servers to serve the NCP. The report states that Investigators are used to serve process and this statement is similarly not true in 95% of the cases. Investigators do serve process in those cases where there are indicators of violence – e.g., the custodian has alleged domestic violence, the NCP has a history of serious crimes against the person, etc. In all other cases our process servers serve process after the NCP fails to respond to a written invitation to voluntarily come to the office to accept service. Investigators are used to locate assets and to serve warrants only.

A comment is made at the top of page 132 that case managers, supervisors and Unit Administrators view voluntary acknowledgement of paternity as having a low priority. Our Unit Administrators dispute this statement as they do not recall even be asked the question, let alone viewing it as a "low priority."

The discussion concerning use of In-Hospital Paternity Affidavits or other, non-court related paternity establishment completely missed problems with the State Bureau of Vital Statistics (BVS), a Bureau located within the State Department of Human Resources along with Child Support. There is a delay of 6 months to a year between the documents being generated at a local level and their being entered into the BVS system. Although we do not know this scenario as a fact, we have been told that when a local hospital transmits data to the BVS by diskette, if there is a single error on the disk the entire disk is returned to be redone and resubmitted. I do not have space in this letter to set out all the ramifications that this fact has on our system but I am sure MAXIMUS has experience from other states that would highlight the urgent need of this issue being addressed and can make some recommendations on simply increasing the speed by which records are updated.

We believe that the recommendation that Clark County (page 134) move to a more administrative process for genetic testing be applied not simply to Clark County but statewide.

The statement is made that Legal Office Assistants in the Court Desk prepare cases for court. This is not true. Paperwork for court is initially prepared by the case manager and forwarded directly to the attorneys for review. The court files are sent from the case manager to the audit unit to bring the financial information up to date and assure that an accurate representation of the financial information is provided to the attorneys to provide to the court. The Legal Office Assistants prepare the court calendars, file paperwork, accompany the attorneys to court, accept cash payments in court, update NOMADS after court, disburse documents to the litigants, etc. Recent changes in NOMADS may require that this staff be upgraded to a higher level in order to complete data entry assignments in NOMADS but they do not presently function as a resource that could be dispersed to the teams.

The statement that DAFS process servers in Washoe and Clark County have little incentive to pursue child support matters is not true. In Clark County the Investigators and Process Servers are required to dedicate 100% of their time to child support matters. The only time Clark County relies on the Constable or Sheriff is to serve Writ Executions in FIDM matters.

State Policy concerning use of Nevada Average Wage has been changed so that case managers have the authority to set child support amounts based upon occupational income, when the NCP's occupation is known, or other verified information if actual income or occupational income is not known

We do not necessarily disagree with finding D.3.1, that "poor performance of the program in the area of enforcement boils down to poor execution of the enforcement task," but do not believe that sufficient emphasis has been placed on the fact that the "enforcement task" is not well defined. The initial emphasis on establishing federal certification created a management atmosphere of putting out individual fires in lieu of effective fire management. Ad hoc "clean up" reports have been generated so that resources can be marshaled to address the subject matter of the report rather than creating management reports that allow performance and performance improvement to be measured at the case manager, team, unit and office levels. Shifting resources from one fire to the next merely temporarily puts out the immediate fire but actually tends to cause other fires to burn uncontrolled. Imperfect automation efforts tend to exacerbate problems rather than alleviate them.

Clark County recognizes the inadequacies of its current building and as pointed out, is attempting to address these issues. The current building does, however, allow Team Supervisors to co-locate with their Teams even though the Unit Administrators are not necessarily located with their entire unit.

MAXIMUS correctly points out that what many states view as "automated" enforcement tools are, in Nevada, labor intensive, semi-automated enforcement tools. We concur with the findings that the current attempt to automate wage withholding is inadequate, relying instead on manual review of wage withholding documents, correction of data fields, etc. Similarly, Driver's License Suspension actions which

should be triggered by set criteria and automatically generated in fact require intensive case worker management (unlike the statement in the report that DLS is favored by case workers because it is semi-automated). Lottery and gaming intercept tools are not used because they are not available in Nevada. The statement that there is little use of liens is not true as, at least in Clark County, every Order containing a finding of financial delinquency is, in fact, recorded (and our IT team is pursuing, as part of the MROJ process, automatic filing and recording of MROJs with the County Recorder's Office). FIDM may not be widely known or used by case managers in general but in Clark County FIDM actions have been taken by a specialized FIDM unit. The biggest impediment to effective FIDM actions has been the inaccurate, incomplete or redundant data supplied to us by the State vendor and the inability to secure compliance with federal and state laws by recalcitrant banking institutions.

The restructure recommended by PSI began immediately following the release of the report and recommendations and was completed approximately 18 months later with the establishment of 3 Units (headed by a Unit Administrator) comprised of 4 Teams each (headed by a Team Supervisor), a Senior Family Support Specialist and a compliment of Family Support Specialists. PSI recommended three years ago, and MAXIMUS appears to support the recommendation, that management reports be created so that performance at the case manager, team, unit and office levels could be measured, poor performance identified and corrective actions applied, followed by re-measurement. Clark County, as well as other District Attorney offices, contracted with the State of Nevada to provide these management reports as part of the Interlocal Agreement executed in December of 2004. No such reports have yet been created. The statement in the report, therefore, that Clark County has not been able to document the impact, if any, of the reorganization should be accompanied with an observation that it is not because of a lack of trying.

Clark County was advised that case sampling was being done in all jurisdictions, yet the Clark County results is the only sampling that has been reported. We would like to know the results of sampling conducted in other areas of the State and if similar issues to those noted in Clark County were found. While the report breaks the case sampling down into groups of 20 focused on locate, paternity establishment, obligation establishment and enforcement, it is difficult to discern what conclusions are being made from this sampling of 80 out of 82,000 cases. Mention is made of the inability to locate files that had been requested but we are not aware that this concern was expressed at the time so that files could be located.

The report notes that 26,000 "case files" were transferred to the District Attorney's office from the Las Vegas PAO office and that some of the "case files" were still missing or un-worked. I believe that I provided you with a complete history of the consolidation of PAO and District Attorney IV-D functions in Clark County. Although a time table for the orderly transfer of cases to Clark County had been established the actual physical transfer of "case files" as problematic. In fact, the last "transfer" of cases of the District Attorney's office was accomplished not by physical movement of case files but by the electronic assignment of the cases in NOMADS from Office 19 (LV PAO) to Office 2 (Clark County D.A.). There were approximately 2,000 cases "transferred" in this manner. The fact that there are

missing "case files" should be accompanied with the fact that 2,000 such case files never existed.

The concerns expressed by MAXIMUS regarding the movement of files and documents within our office are shared by Clark County management and form some of the basis for our seeking more efficient office environs. Clark County has attempted to mitigate some of the detrimental impacts of our current building and long ago began bar coding files and established a file request system to track the file throughout the office. More recently, we created a software program to create scanned images of all child support applications, routing of the scanned application to the appropriate child support team and tracking the entry of the application into NOMADS within federal and state timeframes. This program was expanded at our request to provide that all IV-A offices electronically scan and send any documents in their possession, necessary for IV-D actions, to our office where they are similarly maintained and tracked. Clark County is ready and willing to pursue a paperless child support system.

The Best Practice recognizes the innovation of the electronic MROJ but goes too far by stating that the MROJ is created during the hearing. In fact, the MROJ is first created by case managers. It is then reviewed by attorneys as a proposed recommendation and order and eventually is available for the hearing masters to complete. The MROJ allows legible copies of the Master's recommendation to be immediately available to the NCP, immediately input into NOMADS at the conclusion of the hearing, and immediately filed with the Records Office after signature by the District Court Judge. The current version of the MROJ is more of a "proof of concept" than a final process. Future versions will include generation of bench warrants to be signed by the District Court Judge at the same time that a recommendation to issue the bench warrant is converted to an Order; electronic filing of the MROJ with the Court clerk following signing of the order by the District Court Judge, as well as electronic filing of the Order with the County Recorder to establish a lien.

Finding D.5.1.4 – replacement of NOMADS. We concur with the recommendation that NOMADS needs to be replaced and only question the timing of the replacement. The report documents problems with the current system but understates some of the issues. For example, 317 work items existed in April 2006 to fix existing programming issues in NOMADS. The report fails to mention that on at least an annual, if not biannual basis, outstanding work items have been reviewed and re-prioritized, with the less significant work items being discarded out of recognition that they would never be addressed. This process has gone since the inception of NOMADS. The figure of 317 outstanding work items, therefore, drastically understates the number of known issues in NOMADS. These comments apply equally to the recommendation that outstanding work items be reviewed and prioritized.

Clark County has an extensive new employee training as well as on-going refresher training. Training that is not provided in-house is provided through mandatory attendance at training sessions provided to all Clark County employees (e.g.,

Supervisor Training, Phone Etiquette training, Dealing with Difficult People Training, etc.).

Clark County staff does not know the details of Central Office functions (e.g., Help Desk) because Clark County operates its own Help Desk and staff are required to go through our Help Desk which, in turn, communicates with the Central Office Help Desk. This reduces the demand on the Central Office Help Desk and reduces redundant calls to the State Help Desk.

Clark County has regular team and unit meetings and minutes of these meetings are kept and distributed to the employees. Additionally, function area employees (e.g., Locate clerks) have regular meetings. I believe that Kathi Brunson sent a schedule of meetings to MAXIMUS. Finally, we have annual All Staff meetings which are video recorded and available on our web page for staff who were unable to attend in person to watch and listen to the proceedings. Our procedures are posted on our web page and we have an easy to use search engine.

The Clark County Employee Performance Reviews are negotiated with the employees as part of the S.E.I.U. contract.

D.11.3.b CLARK COUNTY OFFICE of the DISTRICT ATTORNEY⁹⁶

First, we concur with the conclusion that the IV-D program plays second fiddle to the IV-A and other State run programs. We agree that there should be organizational restructuring of the IV-D program, though not necessarily as proposed by MAXIMUS. We believe that the IV-D program at the State level should be placed at a level that insulates it from competing with IV-A for resources, policy decisions and performance measurements. We believe that decisions have been made in the past to enhance IV-A performance to the detriment of the IV-D program (an unintended consequence).

Second, we concur with the implicit recommendation that additional resources need to be provided to the program at the State level. Advances in automation, training, clear policy development and dissemination cannot be done based on the current staffing levels of the Central Office. MAXIMUS should included in this report comparisons of the staffing levels (as well as responsibilities) of the Central Office in Nevada with similarly run programs in other States.

Third, we concur with the conclusion that management of the IV-D program should be based on performance. In fact, the counties contracted with the state to provide performance measurement tools two years ago and today we have nothing. MAXIMUS has recommended that performance be measured at the state, office, unit, team and worker level and we agree. We believe that the recommendations concerning development of management reports should be illustrated by examples from other jurisdictions where the development of such reports has, in fact, resulted in quantitative improvement in performance. Moreover, we believe that MAXIMUS should further support this recommendation by comparing these new and recommended management reports to the types of reports that are currently generated in NOMADS and the significant differences in management techniques that each report type requires (e.g., the ability to measure individual worker performance in specific areas (new) as opposed to "gross" ad hoc reports which generate "clean up"

activities rather than provide managers with the ability to proactively prevent the necessity of "clean up" occurrences.

Fourth, we concur with the conclusion of the report that actual 'automation' functionality need to be incorporated in our computer system (be it resolving NOMADS "disfunctionality" or a staged implementation of an enhanced system). This set of recommendations includes resolving issues with wage withholding notices, form printing, the lack of automated interfaces with "locate" resources, etc.

Sixth, we believe that consideration should be given to restructuring child support enforcement efforts so that local cases are dealt with at the local level and interstate cases are dealt with at the State level. Clark County has experienced considerable difficulties getting other states to take enforcement actions when our cases have been sent out of state for enforcement and MAXIMUS notes that enforcement of cases coming into this State is delayed, at best, under the current bifurcation of responsibility between the State and counties. Presumably, a Central Office function of handling both "in" and "out" case servicing would benefit our residents as well as custodians in other states.

Finally, we believe that regardless of the final recommendations MAXIMUS makes, an implementation schedules should be recommended and justified with measurement milestones established to determine whether the intended results have been achieved, whether implementation corrections should be made, etc. MAXIMUS rightfully stated that Clark County should review the impact of our organizational restructuring which was recommended by PSI. PSI also recommended the creation of management reports to measure performance. Our inability to conduct such review has been hampered by the absence of meaningful management report. We believe that it makes little sense to reorganize at the State level without the ability to measure current performance and consistently measure performance thereafter as restructuring takes place. Quite frankly, we believe that implementation of all the recommendations short of the restructuring proposed by MAXIMUS (e.g., a performance based system enabled by clear policy, adequate training, a worker friendly automated system which actually reduces rather than exacerbates worker responsibilities, all of which is monitored by tailored management reports) will achieve the desired result of catapulting Nevada into the top tier of State performers.

D.11.3 DOUGLAS COUNTY DISTRICT ATTORNEY⁹⁷

Some of the recommendations, like changing legal presumptions of parentage and using the administrative process for adjudication of enforcement matters will require legislative action. Other recommendations like imaging documents will necessitate both legislative change to provisions like Title 4 of NRS and changes to court rules to accommodate what MAXIMUS terms a "paperless process." Replacement of NOMADS will require substantial legislative appropriations and extensive cooperation between state administrators and county officials to avoid the debacle which was the conversion from LEGACY system to NOMADS in late 1998 and throughout 1999. Without belaboring the point, Douglas County was one of the few jurisdictions that performed file-by-file audits to populate financial information in NOMADS rather than simply populating those data fields by transfer of data from the

LEGACY system. All of these recommendations can be implemented and must be given a reasonable time to work to determine their effect on overall state performance before considering some other recommendations proposed in the MAXIMUS report.

In both the Executive Summary and the body of the report, MAXIMUS recommends emphasizing actual performance over policy adherence. Yet when it comes to the keystone recommendations of management structure, MAXIMUS makes recommendations which sacrifice performance for philosophical advancement of policies of regionalization and centralization.

D.11.4 ELKO COUNTY DISTRICT ATTORNEY⁹⁸

- Interstate cases being assigned to Clark County, central office staff should research vital records in Nevada, contact the parties or other state to see if they can resolve paternity, maybe other offices could benefit from this as well if they have low PEP percentages.
- If Clark County is struggling to enter court orders from interstate cases; central office staff could enter orders and move the case into enforcement which could lead to a collection faster.
- If Clark County is having problems working locate cases then centralize this function and maybe other offices could benefit from this as well.
- Alerts will always be an issue for offices. The bottom line is you have to get workers to work the alerts. Workers should be checking alerts every time they bring that case up on a NOMADS screen. Alerts should not be new to workers since NOMADS conversion. I am sure that offices had an alerts system prior to NOMADS. I do agree that NOMADS alerts could be minimized and this issue should be a priority.

We are in support of the findings to separate IV-A and IV-D programs. These two programs are vastly different. The state should not expect a person to know both programs and that staff are interchangeable between the programs. IV-A should not have supervision over IV-D and IV-D should not have supervision over IV-A. IV-D and IV-A should communicate with each other and know how we affect each other and what information is needed to move the cases forward. It is not a bad idea to have the above offices located within a short distance from each other, (but not commingled within the same office space) for the main purpose of customer service for welfare customers only. In July 2006 Elko DA caseload was 2502, 1904 NA and 598 PA cases. Of the 598 PA cases, 355 were former assistance cases. The state needs to look at each office and evaluate if it is good business practice to co-locate a child support office by or within a district welfare office when the offices caseload size is 76% NA clients as Elko's caseload shown in July 2006.

I agree that Nevada should be performance based and all offices should strive to adhere to federal performance standards. The more money collected in Nevada, means more families become self sufficient which equals less people on welfare. I also agree that offices should adhere to policy, but this should not be the total outcome of an offices success. Nevada's Child Support Program has lost the meaning and value of why we have this program.

Since conversion, NOMADS has been unable to produce a report that is useful in the eyes of county management. I have had my own concerns if Nevada has been reporting our data to the federal government correctly. It seems that NOMADS reports have general failed us and MAXIMUS is correct that we need to make sure that we have reports that are useful to the offices and the state is confident that our reporting of data is correct. Nevada should be contacting other top performing states and learn from them.

Nevada's Child Support Program needs to have dedicated IV-D programmers. If all of the work items cannot be fixed in NOMADS the state needs to consider starting over with a new computer system that should not be so complex and have hundreds of screens with no information or useless information on those screens.

I have to disagree with MAXIMUS regarding centralizing any child support programs to Southern Nevada. I strongly feel some of the rural areas could take on this responsibility. Some rural counties have a lot to offer to the people that live in those communities and then those rural child support workers would not loose jobs due to the regionalization. If all of the centralizing was up North or in some of the rural counties, you would not have the turn over in staff as you will experience in Southern Nevada where the job market is very strong and competitive. The state should try and keep existing child support workers that may not want to move due to the regionalization.

The program is trying to move forward in making the manuals user friendly, but this should be a priority. An office should not have several resources to look into to find answers. I like the idea regarding a google search when trying to research something in all manuals that are needed by the child support program. The state needs to look back at all policy and procedures that have been issued and be sure that these policies have been placed in the manuals. Manuals updates should be monthly and not quarterly.

Nevada's Child Support Program should be more aggressive in case closure. We allow cases to remain open when the case appears to be unenforceable or we do not know if a party wants our services. Nevada needs look at other top performing states and find out how they are able to close cases and pass federal audits. Nevada needs to revisit our policy regarding closing cases when the case becomes unenforceable.

D.11.5 HUMBOLDT COUNTY DISTRICT ATTORNEY⁹⁹

Due process in the appropriate venue is impossible with possible conflicts created by two or more judges making decisions in separate by related proceedings.

Centralizing hasn't worked in the past; the "paperless" era is a case in point. Paperless is not longer the rule for a reason; it doesn't work.

Policy based audits don't tell the whole story of the success or failure in whether child support is efficiently collected for Nevada's children. Again, customer serviced fails when a system of specialized "experts" piecemeal case information. There is no continuity as to history or "special circumstances" involved.

The systems error of state computerized systems is notorious. The inability of NOMADS to properly populate fields with data entry is an example of policy driven inaccuracies.

D.11.6 LYON COUNTY DISTRICT ATTORNEY¹⁰⁰

Lyon County suggests that the better focus for improvement would be on the data reliability system. The IV-D program revolves around and depends upon the NOMADS system. The current system is outdated, repetitious, and inaccurate. The system contributes to the difficulty the IV-D side of the program has in meeting federal requirements. The NOMADS interface program is the greatest detriment to the IV-D program.

Lyon County would suggest that the NOMADS program needs to be reengineered. There needs to be a feasibility study done on the restructuring of data reliability. The DWSS which implemented the current system needs to be held accountable for the data reliability issue. At such time, the DWSS needs a plan for updating and correcting the current deteriorating system, which has reduced the productivity of the IV-D program. Lyon County would prefer replacing NOMADS with a new application from scratch and convert with adequate training to use the new program and with support for any issues or errors that the new application may encounter.

Inaccurate data input from the IV-A staff and the failure of the IV-A staff to send referrals to the IV-D staff in a specific period has affected the IV-D performance. The IV-A staff needs to account to the DWSS for its lack of performance.

The current program indicates no design or specific program to attain the required national performance rankings under federal guidelines. When errors were brought to Central Office's attention, the burden of resolving shortcomings was left to the IV-D side. DWSS apparently disagrees with the representation that the IV-D program is secondary to IV-A considerations. However, the IV-D side of the equation has clearly taken the blunt of this program.

The process of management evaluations, which included ensuring policy adherence, was instituted by Central Office without the benefit of providing proper training and support to the individual caseworkers handling the day-to-day issues involved in cases. The idea that the welfare state website accessibility is sufficient to provide a caseworker with the tools and knowledge to perform the caseworker's duties lacks support from the audit's findings.

The DWSS agrees with the recommendation that administrative procedures be utilized in favor of judicial process. Lyon County would have to review specific administrative procedures to recommending that child support obligations be handled in an administrative fashion only. It is the position of the Lyon County District Attorney's Office that clients, both non-custodial and custodial parents, have the right of due process and to be heard in a court of law if desired. Misunderstandings or miscommunications may arise if the matter is handled in entirely administrative fashion.

Currently the District Attorney's Offices and the Attorney General's Office are responsible for providing Child Support Services as a public service. This is

beneficial to the clients as the District Attorney's Offices and the Attorney General's Office have the greatest experience and familiarity with child support issues both factual and legal, as compared to a private or contracted attorney. While incentives are used to increase efficiencies, pure profit motive does not interfere with the end goal of providing service to the citizens of the State of Nevada.

The authorization of the referral of child support cases to private contract attorneys would likely result in deteriorating quality to the customer, both in terms of time and satisfaction. The extensive amount of "court preparation" would interfere with the profit motives of private counsel. Lyon County would strongly suggest that further in depth study occur regarding the actual costs involved in providing services.

The more appropriate solution would appear to be to balance the caseload within each office within the federal criteria to guarantee a quality of work performance. Lyon County is the fastest growing county in the State of Nevada. Our office can appreciate the need to adhere to balancing our caseload to insure that our clients receive the best service in every aspect.

D.11.7 MINERAL COUNTY DISTRICT ATTORNEY¹⁰¹

I feel that due process requires individuals to be afforded a judicial forum in the jurisdiction where the case is adjudicated. Anything less would constitute a violation of the tenets of law governing venue under Nevada Revised Statutes and case law.

The rural Child Support Offices and Hearing Master proceedings are critical thresholds that must be utilized in adjudicating child support and paternity. All due process must be respected because child support hearing affect not only a person's ability to maintain a livelihood but also may enable or destroy the parental-child relationship. The importance of these proceedings can only be appreciated by those who practice in this forum.

D.11.8 NYE COUNTY DISTRICT ATTORNEY¹⁰²

Nye County strongly agrees with the recommendation of improved training. It is a real issue in the rural counties where our budgets limit access to outside training.

We believe the issue of paternity establishment needs further research to determine the legal ramifications if the caseworkers were responsible for conducting DNA testing with regards to the chain of custody, etc.

Using administrative process deprives clients of due process and basic constitutional rights. In order to cure this, there would have to be extensive legislative and funding for an administrative process. The system as it is currently set up seems to work effectively.

Nye County believes that the replacement of NOMADS should be the state's first priority!! We think by purchasing a new system which has proved to work effectively for another state would be the best option. The current system is not only hard to learn, it is hard to navigate, contains bad data and contains too many "work-arounds."

D.11.9 PERSHING COUNTY DISTRICT ATTORNEY¹⁰³

Centralizing tasks such as mass data processing, wage withholdings and national medical support notices would lead to lower case performance. Examples of this

include the instance by which Las Vegas APO was in charge of referrals for some rural counties. The rural county cases were lost in the "paperless" shuffle and it would sometimes take as long as two years before a case was discovered, even if the caseworker was current on alerts. Another decrease in efficiency of a centralized task is evident by the number of interstate packets we receive from Central Office that are not even assigned to our county. Even this specialized division cannot seem to get it right. That is only one task, what is to prevent further disorganization as the task and forms increase?

Another concern over the functionality of centralized processing is the fact that our current centralized office does not have actual case processing knowledge but is policy based. Policy is good in theory but hard to apply. What will prevent our clients from calling in to a centralized system and again speaking with someone who has no case management experience or skills? The client might be able to get one question answered and then have to be referred to a succession of persons handling different tasks on the client's case. It would be more efficient to leave the rural counties status quo with one person who has all the answers or who will call the client back once the answer is learned. Furthermore, where is the benefit of having a centralized mailroom scanning images of the mail and then forwarding them to the appropriate office? It will take the mail twice as long to get to the caseworker and then the caseworker has to process it anyway.

Telephonic Hearings and Administrative Hearings

Furthermore, the audit states that it would be more beneficial and less of an inconvenience to the parties to have telephonic hearings. I would like to know if the local attorneys were questioned. This statement leads me to believe that the law is an inconvenience. Having a court proceeding "be convenient" to the parties is beside the point. The point is that the parties have a legal obligation to support their children. How is this obligation enforced? This is accomplished through a court order, convenient or not. In certain circumstances telephonic hearings may be appropriate. However, there are other factors that must be considered such as the right to due process. Each party has the right to be heard before a judicial officer, a right to discovery, a right to examine evidence, and a right to appeal. The parties should not have to appeal in order to exercise their due process rights, as they would have none before an administrative officer. Furthermore, case law in the State of Nevada requires that the parties must stipulate to having a telephonic hearing and then the judicial officer must determine when to grant that request. When it comes to telephonic hearings and administrative hearings the audit clearly overlooks one key factor – the law.

Policy Adherence

The audit correctly suggested that Nevada should focus on performance rather than policy adherence. The Child Support Enforcement Policy Manual is completely outdated. NOMADS is outdated. The policy guidelines are higher than even the Federal Guidelines – yet no additional training is provided, the policy updates are extremely slow in developing, and the policies are set by individuals who have never even performed actual casework themselves. Furthermore, the CEM often contradicts

the Nevada Revised Statutes. Thus, given all these factors, a focus on policy adherence is highly ineffective and unrealistic. The auditors are correct in stating that performance should be the focus of the program, as policy adherence will only be an acceptable scale to be judged by once the policy is actually updated correctly and proper training has been received. Furthermore, if the policy based enforcement tactics continue then the State needs to provide additional training as well as providing more re-reviews of more cases so that the office can ensure compliance.

NOMADS

The audit was correct in stating that the State needs a functional program. Furthermore, the State needs only one functioning program, not multiple programs for different functions. Having only one system would greatly improve efficient in that caseworkers could be intensely trained once, and then periodically trained on various updates.

Conclusion

The above stated points are but a few issues that are related to centralization and regionalization of the child support program. There is no denying the fact that the State of Nevada needs to change their child support programs. Nevada is one of the lowest performance ratings in the Nation for many areas of review. But one must speak honestly – it is not the rural counties that are causing these low performance rates – it is largely Clark County. Why on earthy would the State want to centralize service in Clark County when there is such a high turnover rate in the employees in that County now? Why not provide additional support services and training to Clark County and other counties as needed in certain areas of low performance? Why not restructure the State program to enhance training, get one system that works and can be consistently updated, unlike NOMADS presently is? Why not update the policy manual correctly and have said manuals comply with the Nevada Revised Statutes? Why not allow for due process in the hearing procedures, as the law requires? Why not provide additional training for the local offices rather than taking away the local services?

There is no doubt that change must be made to improve the program. However, this change should not come about by sacrificing the rural county offices.

D.10.11.a WASHOE COUNTY DISTRICT ATTORNEY¹⁰⁴

The report repeatedly makes reference that if the Legislature adopts only one recommendation it should be that the focus of the IV-D program should be on performance, not policy adherence. Specifically, that we must be able to mine data and measure performance levels down to the office, unit and worker levels. What gets measured gets done. Without these management reports, the child support program will never know whether any other changes made were successful or not.

The report also seems to indicate that Clark County made structural changes to their office in light of the PSI report, yet those changes are showing "little impact on performance." We question how MAXIMUS can come to this conclusion when repeatedly throughout the report, it is recognized that such tools to measure performance do not currently exist.

In order to move forward, we support the conclusion by MAXIMUS that NOMADS needs to be replaced within the next couple years. Many of the dilemmas set forth in the report facing caseworkers today are related to IT issues – such as alerts and locate problems. For example, the report fails to recognize that many of the locate interfaces in NOMADS simply do not work. In addition, while it "sounds" logical to give Lexis/Nexis access to all caseworkers, the useful information garnered from this system is only available to law enforcement officers – hence, the need for investigators. It should be noted, however, that if the interfaces for locate tools actually worked in the NOMADS system, there may not be such a need for "outside" locate work. Centralization of the locate effort without first fixing the computer issues would not result in any different outcome than what exists today – instead, you would simply have different people doing the same job with the same insufficient tools reaching the same inadequate results. This rationale carries out to other program issues as well, not just locate. Without first obtaining a computer system that could provide reports to workers to proactively manage their cases and that could provide reports to management to measure such performance, any other changes would be premature and ill-fated.

We agree with the recommendation of MAXIMUS as they relate to dedicating IT resources to the IV-D child support program. Specifically, MAXIMUS recommends publishing performance standards within the workspace and each individual worker's progress toward meeting that expectation. This recommendation would hold true throughout the child support program and performance standards. Each worker needs to know how they are doing with respect to their performance, not to mention supervisory staff. The ability to mine data and provide such reports is necessary to this program's future success. It is questioned whether the current NOMADS system allows for such data mining much less whether such reports would be made up of valid data.

MAXIMUS also discusses the need for imaging documents and adopting a forms generation solution. Again, these are issues repeatedly raised by IV-D child support staff that to date have not come to fruition but are key to future success. We also support the ability for clients to interactively update their information or provide data via alternate media such as transactional websites and strategically placed kiosks.

It is agreed that a comprehensive Child Support Strategic Plan must be developed and implemented. This Strategic Plan must involve participation of State and local child support management. However, any successful strategic plan must have measurable outcomes or results to determine success or failure. Performance measurement, if done properly, can identify performance adequacy as well as identify areas of performance deficiency but the key to a successful plan is the ability to measure. Again, what gets measured gets done.

In conclusion, we fully support the recommendation of MAXIMUS that DWSS focus of performance rather than strict policy adherence. The strict policy adherence leaves IV-D staff focusing on documenting action for the sake of "passing" an audit rather than focusing on performing for the benefit of children and families. However, we must stress that in order to demand performance from IV-D staff, we must give them

the tools (reports) to proactively manage their caseloads and we must give management the tools (reports) to ensure compliance. These management reports must also provide a clear indication on whether changes are proving to be successful or not and must be comprised of valid data.

The report states that investigators are used heavily for process service. This is incorrect in Washoe County. Washoe relies primarily on the Washoe County Sheriff's Office to provide process service. Only in the event that the Sheriff's Office is unable to serve and only on limited circumstances are the investigators called upon to serve process. The MAXIMUS staff may have visited Washoe during the time of a special paternity establishment project seeking to raise the PEP percentage for Nevada. In that regard, and for an approximate 5-6 week time frame, the three investigators were called upon to serve paternity actions.

D.10.11.b WASHOE COUNTY DISTRICT ATTORNEY¹⁰⁵

Thank you again for the opportunity to respond to the Draft MAXIMUS report as recently amended. This office would again like to reiterate that the priority of this program must be the reparation and ultimate replacement of NOMADS. Then, and only then, should the State evaluate the necessity of adopting any of the supplemental recommendations in the draft report, such as reorganization. We submit that such reorganization would be wholly unnecessary if the local offices that are in place now had access to valid technological tools that would assist them in performing their duties. As set forth in the report, the program is replete with dedicated, hard working, caring individuals who are focused on performing. If these individuals had a functioning computer system, which assisted rather than hindered them, coupled with reports at the worker level to proactively run their day, performance would clearly improve. This is what successful child support programs across the nation have, regardless of how they are structurally organized.

The Report also makes recommendations as to centralizing certain functions and creating a call center. In addition, there was a recommendation for process servers specifically dedicated to the IV-D program. These ideas may have merit provided they are appropriately planned for and adequately funded. In fact, many of the suggesting in the Report have been and continue to be discussed in the monthly IV-D planning meetings and conference calls even before the Report was disclosed.

This office is also opposed to the adoption in whole of an administrative process as set forth in the report. Litigants are entitled to certain due process rights and to have their legal issues decided by a judicial officer. These rights cannot simply be ignored in an attempt to simplify a program. It is further our understanding that such process was attempted in Washoe County many years ago and it proved to be unsuccessful. Child support establishment and enforcement gives rise to many legal issues that need to be dealt with by lawyers and judiciary.

Finally, we would just like to reiterate the priorities that need to be set before consideration of other costly recommendations:

- Improve NOMADS functionality
- Mine data to provide management and worker reports at the office level, team level and individual worker level

- Completing a feasibility study to ultimately replace NOMADS
- As previously stated, the focus must first be on correction of the technological issues facing the program

D.11.10 DWSS COMMENTS¹⁰⁶

D.1 LOCATE

Methodology: It should be noted many of the undeliverable mailings were returned due to failure of the contractor to utilize the full address provided by the DWSS.

D.1.3.1 Recommendation: Centralization of Locate

D.1.3.1.a The DWSS agrees. However, centralization of Locate tasks assumes the Legislature adopts the proposed restructuring and the availability of funding and resources.

D.1.3.1.b The policy manual is currently being reviewed and updated in its entirety to provide clear guidance.

D.1.3.1.c Note: there is no recommendation per se, in this paragraph.

D.1.3.2 Recommendation: Provision of Additional Locate Tools

The DWSS agrees with these recommendations, contingent upon adequate funding and resources

D.1.3.3 Recommendation: NOMADS Interface and Alert Problems

D.1.3.3.a The DWSS agrees that IT resources should be utilized to improve system functionality. However, such an effort would be dependent upon the availability of funding and resources.

D.1.3.3.b The DWSS agrees with these recommendations, contingent upon adequate funding and resources.

D.1.3.3.c Program is already exploring the possibility of securing the locate service for custodial parents.

D.1.4.5 Recommendation: Locate as a Sub-Function

The DWSS agrees IT resources should be utilized to improve system functionality. However, such an effort would be dependent upon the availability of funding and resources

D.1.3.5 Recommendation: Performance Standards

D.1.3.5.a Agree, depending upon legislative actions regarding program structure. DWSS has developed a supervisory review process which is utilized and available to our county partners.

D.1.3.5.b Agree, depending upon legislative actions regarding program restructure and available funding and resources.

D.1.3.6 Recommendation: Provision of Locate Training

D.1.3.6.a Agree, depending upon legislative actions regarding program restructure and available funding and resources.

D.1.3.6.b The DWSS agrees with this recommendation.

D.1.3.6.c The DWSS agrees with these recommendations, contingent upon adequate funding and resources.

D.2 PATERNITY ESTABLISHMENT

Background. It should be noted that any funding cuts assessed as child support program penalties affect only the TANF Block Grant (IV-A). IV-D funding is only affected through incentive reductions.

D.2.1.2 Finding – Required Notarization of Paternity Affidavits

There is no statutory or program policy requirement that a notarized paternity affidavit be provided before any action is taken to pursue the establishment of paternity. In addition, DWSS has already worked with the Hearing Masters and implemented expedient methods by which paternity actions can be initiated, including statements made under penalty of perjury rather than being notarized.

D.2.1.3 Finding – Lack of Administrative Process for Paternity & Order Establishment

Nevada does not have a true administrative process for paternity and order establishment as each order must be recommended by a Hearing Master and approved by a District Court Judge. This would require a change to statutes.

D.2.1.4 Finding – Little Use of Voluntary Paternity Acknowledgements and In-Hospital Paternity Acknowledgements

The audit indicates this is a DWSS responsibility. This is not solely a DWSS responsibility. The IV-D Program is required to operate a hospital based paternity program. DWSS, in state fiscal year 2005, aggressively began action to partner with the Office of Vital Statistics to provide education, materials, counseling, etc. to advance paternity acknowledgements before patient discharge.

The DWSS currently accesses the Office of Vital Statistics information via an on-line interface which allows IV-D case managers the ability to research birth records. However, Nevada Revised Statute 440.325 precludes the Office of Vital Statistics from sharing automated information related to modification of original birth records. This results in case managers pursuing paternity establishment based on outdated data.

D.2.2 Recommendations

D.2.2.1 Recommendation: Paternity Establishment Policy

D.2.2.1.a Agree. There could be benefit in developing standardized procedures. However, DWSS has chosen to publish clear and explicit policy which sets forth timeframes for accomplishing outcomes. Outcomes are measured through office Management Evaluations. When performance concerns are identified root cause analysis may necessitate modification of business practices at the office level.

D.2.2.1.b The DWSS has developed and provided flow charts to county partners.

D.2.2.2 Recommendation: Genetic Testing Scheduling and Delays

Agree. Nevada already has a plan in place to implement this process.

D.2.2.3 Recommendation: Required Notarization of Paternity Affidavits

Agree. By statute (NRS 440.283) the voluntary acknowledgement of paternity form is the responsibility of the State Board of Health. Any change to the form must be made (by) the Board. The DWSS initiated discussions with the Board regarding the requirement for notarized signatures and continues to follow up with the Board. However, changing the form is incumbent upon the State Board of Health.

D.2.2.4 Recommendation: Lack of Use of Administrative Process for Paternity and Order Establishment

Agree, depending upon Legislative actions. The DWSS fully supports this recommendation and would welcome administrative processes through which the paternity and order actions could be accelerated.

D.2.2.5 Recommendation: Conclusive Presumption of Paternity Establishment

Agree, depending upon Legislative actions.

D.2.2.6 Recommendation: Use of Voluntary Paternity Acknowledgement and In-Hospital Paternity Acknowledgement

D.2.2.6.a Agree, depending upon Legislative actions as well as the availability of funding and resources.

D.2.2.6.b Agree, depending upon Legislative actions as well as the availability of funding and resources. The DWSS is currently partnering with the local district attorney's offices and the Office of Vital Statistics.

D.2.2.6.c Agree

D.2.2.6.d Agree. The DWSS is currently researching document imaging solutions which will benefit case management globally. This is also dependent on legislative approval of funding and resources.

D.2.2.7 Recommendation: Contract Attorney Program

The DWSS agrees the concept of contract attorneys merits further analysis and, if appropriate, may benefit the program. However, the concept is significantly different from the State's current model of the Office of the Attorney General providing agency legal services and implementation would be dependent upon legislative approval, if necessary, and availability of funding and resources.

D.2.2.8 Recommendation: Outsource Service of Process

Agree. The DWSS agrees private processor servers are often more successful than local law enforcement in serving child support documents. DWSS is currently exploring the feasibility of a statewide process server contract. This is also dependent upon available funding.

D.2.2.9 Recommendation: Standardization of the Use of the Nevada Average Wage (as Last Resort)

The DWSS agrees the Nevada Average Wage should be used as a last resort when establishing child support obligations. The DWSS amended state policy in January

2005 allowing the use of occupational wage standards, similar to this recommendation, to determine income before resorting to the use of the Nevada Average Wage.

D.2.2.8 Recommendation: Institute the Creation of "In-House" General Counsel

The DWSS agrees there may be a benefit to in-house counsel, however NRS 228.110 requires the Office of the Attorney General provide legal services to Executive Branch agencies. This recommendation requires legislative action.

D.3 ENFORCEMENT

D.3.2 Recommendations

D.3.2.1 Recommendation: Establishment of Performance Measurement Standards Across the State

1. Agree, depending upon legislative actions regarding program restructure. The DWSS has developed a supervisory review process which is utilized and available to our county partners.
2. Agree, depending upon legislative actions regarding program structure and available funding and resources.

D.3.2.2 Recommendation: Creation of a Centralized Employer Maintenance Team/Unit

The DWSS agrees, depending on legislative approval of adequate staff, funding and resources.

D.3.2.3 Recommendation: Implementation of Electronic Income Withholding Orders for the Military

The DWSS agrees, depending on legislative approval of adequate funding and resources.

D.3.2.4 Recommendation: Creation of a "Point of Contact" Individual for Outreach to the Military Bases

The DWSS agrees, depending on legislative approval of restructuring and adequate funding and resources. However, neither the state or counties report they have not had a problem communicating with the military bases.

D.3.2.5 Recommendation: Elimination of Duplicate Income Withholding Orders

Agree. Work items are currently pending to address income withholding concerns. Central Office's ability to be responsible for review and clean up is dependent upon legislative approval of adequate funding and resources.

D.3.2.6 Recommendation: Automation of the Unemployment Benefit Intercept Process

Agree, depending upon availability of resources and cooperation of Department of Employment, Training and Rehabilitation.

D.3.2.7 Recommendation: Provide New Enforcement Tools

D.3.2.7.a The DWSS agrees to consider rejoining the Child Support Lien Network (CSLN) depending on the availability of funding and resources. Previously CSLN was unable to secure the participation of Nevada's major insurance carriers, resulting in termination of the agreement. CSLN has been successful in Eastern states because there are state statutes requiring insurance carriers to match with child support.

D.3.2.7.b Agree, dependent upon availability of funding and resources.

D.3.2.8 Recommendation: Increase Understanding and Use of Long Arm Jurisdiction

Agree, dependent upon available funding and resources.

D.3.2.9 Recommendation: Elimination of Backlog of Outstanding Warrants

The DWSS agrees to consider a policy change and work with the counties, depending on availability of resources and cooperation of stakeholder agencies. However, there needs to be further exploration of the legal aspects at the local level.

D.3.2.10 Recommendation: Centralization of FIDM

The DWSS agrees, depending upon available funding and resources. DWSS has already engaged the county partners in discussions regarding assumption of this responsibility.

D.3.2.11 Recommendation: Clean-Up of Alerts

The DWSS agrees, depending upon adequate funding and resources.

D.3.2.12 Recommendation: Improvements to Nevada's Interstate Case Registry (ICR)

D.3.2.12.a Agree. However, this requires legislative action.

D.3.2.12.b Agree, depending upon adequate funding and resources.

D.3.2.12.c Agree, depending upon adequate funding and resources.

D.3.2.12.d Agree, depending upon adequate funding and resources.

D.3.2.13 Recommendation: Expand Nevada's Medical Support Enforcement Coverage

D.3.2.13.a Nevada already has submitted a bill draft request regarding medical support for the 2007 legislative session.

D.3.2.13.b NOMADS does have a medical cash capability. Nevada allows, and child support Hearing Masters already do order medical coverage against either parent based on case circumstances. Nevada policy regarding medical support will be updated further upon issuance of final federal medical support regulations.

D.3.2.13.c Agree, depending on adequate funding and resources.

D.3.2.14 Recommendation: Improvements to an Overall Proactive Enforcement Approach

D.3.2.14.a The DWSS agrees depending on adequate funding and resources.

D.3.2.14.b There is a work item pending for this recommendation.

D.3.2.14.c The DWSS agrees

D.3.2.14.d The DWSS agrees, depending upon adequate funding and resources.

D.4 CASE MANAGEMENT

D.4.1 FINDINGS

D.4.1.5 Finding: Policy & Procedures (P&P)

The DWSS believes it has developed an effective means by which policy and procedures (P&Ps) are published and disseminated to IV-D staff. Information is published on the state web-site which provides immediate access. P&Ps are time limited documents which are incorporated into policy within two months of issuance.

D.4.2 RECOMMENDATIONS

D.4.2.1 Recommendation: Case Processing

Agree, if adequate funding and resources are available. Additionally the DWSS schedules monthly teleconferences and regular face-to-face meetings with the DA and PAO offices to facilitate communication between all IV-D offices.

D.4.2.2 Recommendation: Improved CSE Manual

D.4.2.2.a Agree, depending upon adequate funding and resources

D.4.2.2.b DWSS issues policy every two months consistent with agreements with IV-D partners. The revision date is located in the header of each page of the Manual update.

D.4.2.2.c DWSS will review the MTL practices to ensure they are consistent with the Public Assistance Manuals.

D.4.2.3 Recommendation: Improved Distinction Between Policy & Procedure

The policy manual is currently being reviewed and updated in its entirety to provide clear policy and omit procedural information. Procedures are left to the discretion of the local offices, so long as policy is adhered to.

D.4.2.4 Recommendation: Improved Use and Identification of Policy and Procedures (P&P)

D.4.2.4.a Agree. Local offices should have a clear procedure in place to request a P&P.

D.4.2.4.b The DWSS has an existing numbering method which does identify Policy and Procedure Inquiries. P&Ps are further identified by subject matter and policy manual section.

D.4.2.4.c The DWSS issues policy every two months consistent with agreements with IV-D partners. The revision date is located in the header of each page of the Manual update.

D.5. AUTOMATION

D.5.1 FINDINGS

D.5.1.4 Finding: Replacement of NOMADS

As of April 2006 there were 583 Public Assistance open work items waiting to be fixed, as a comparison to the Child Support work items presented. In 2005, there were 99 Public Assistance work items fixed and promoted to NOMADS. In 2006 there were only 77 Public Assistance work items fixed and promoted, as of April 26, 2006.

D.5.2 RECOMMENDATIONS

D.5.2.1 Recommendation: Re-Institute the Alerts Workgroup

D.5.2.1.a Agree, depending upon adequate funding and resources

D.5.2.1.b. Agree

D.5.2.1.c Agree, depending on adequate funding and resources

D.5.2.2 Recommendation: Support of Improved Document Generation Solution and Centralized Printing of Documents

D.5.2.2.a Agree. The DWSS is in the process of implementing a document management system. This is limited by funding and resource constraints.

D.5.2.2.b Agree, depending on adequate funding and resources are available.

D.5.2.3 (a & b) Recommendation: Implementation of Expanded Use of Imaging Technology

Strongly agree, depending on adequate funding and resources. This may create one of the single greatest improvements in performance and productivity.

D.5.2.4 Recommendation: Advance Planning in Anticipation of New System

D.5.2.4.a Agree, depending on adequate funding and resources. A feasibility study should be conducted how to best replace NOMADS.

D.5.2.4.b The DWSS agrees there may be value in separating system functionality between the Public Assistance and IV-D aspects of NOMADS. However, the DWSS believes there is great value in remaining on a common data base.

D.5.2.4.c Agree.

D.5.2.4.d Agree, depending on adequate funding and resources.

D.5.2.4.e Agree, depending on adequate funding and resources.

D.5.2.4.f Agree, depending on adequate funding and resources.

D.6 REPORTS

D.6.2 RECOMMENDATIONS

D.6.2.1 Recommendation: Creation of a Reports Workgroup

D.6.2.1.a Agree, depending on adequate funding and resources.

D.6.2.1.b Agree, depending on adequate funding and resources.

D.6.2.1.c Agree, depending on adequate funding and resources.

D.6.2.2 Recommendation: Re-evaluation of Current Work Item Process and Dedicated IV-D Resources

D.6.2.2.a Agree, depending on adequate funding and resources.

D.6.2.2.b Agree, depending on adequate funding and resources.

D.6.2.2.c Agree. The Work Item Committee is already doing this.

D.7 IT STRATEGIC PLAN

D.7.1 Recommendation: Development and Finalization of an IT Strategic Plan

Agree, depending on adequate funding and resources. Any IT Strategic Plan should be aligned with business plan.

D.8 TRAINING

D.8.2 RECOMMENDATIONS

D.8.2.1 Recommendation: Implementation of a IV-D Training Academy

D.8.2.1.a The DWSS strongly agrees with this recommendation and has derived great benefit from the public assistance academy. However, this is dependent upon adequate funding and resources.

D.8.2.1.b Agree, depending upon the availability of resources.

D.8.2.2.c Agree.

D.8.2.2 Recommendation: Creation of a Training Officer II Position for IV-D

D.8.2.2.1 It is agreed it would be of benefit to have trained Trainers in the IV-D arena. However, this is dependent upon the creation of positions, adequate funding and resources

D.8.2.2.b Agree, depending upon the availability of resources.

D.8.2.2.c Agree.

D.8.2.3 Recommendation: Provide Effective Training Tools

D.8.2.3.a Disagree. All workers can access the CSE 101 training on the password protected DWSS website.

D.8.2.3.b Agree, depending on adequate funding and resources.

D.8.2.3.c Agree, depending on adequate funding and resources.

D.8.2.3.d Agree, based on adequate funding.

D.8.2.4 Recommendation: Provide Effective System Training

Agree, depending on adequate funding and resources.

D.8.2.5 Recommendation: Implement a Means of Measuring Effectiveness of Training

Agree, depending on adequate funding and resources.

D.8.2.6 Recommendation: Development of a Mentoring Program

Agree, depending on adequate funding and resources.

D.9.2 RECOMMENDATIONS

D.9.2.1 Recommendation: Necessity of a Well-Developed, Well-Defined DWSS Strategic Plan

D.9.2.1.a Agree, the DWSS has drafted an outline and is in the process of developing a draft which will be shared with all IV-D partners.

D.9.2.1.b Agree.

D.9.2.1.c Agree, depending on adequate funding and resources.

D.9.2.2 Recommendation: Creation of a Child Support Oversight Committee

The DWSS has, for some time, conducted regular meetings amongst the state and county IV-D leadership to discuss program direction, establish priorities, IT approaches, and future possibilities. This is referred to as the IV-D Planning Meetings. To the extent this is tied to regionalization, is dependent upon legislative approval.

D.9.2.3 Recommendation: Creation of a IV-D Help Desk

The DWSS currently employs a progressive Help Desk strategy by which callers are connected to the appropriate resource for problem resolution.

D.9.2.4 Recommendation: Empowerment of IV-D Chief

D.9.4.a The IV-D Chief has had and continues to have full leadership responsibility and decision-making authority.

D.9.2.4.b All program chiefs, including the IV-D Chief, meet weekly with the Deputy Administrator to provide status reports on their respective programs.

D.9.2.5 Recommendation: Supervision of IV-D Staff in the PA District Offices

D.9.2.5.a The DWSS analysis suggests supervision of IV-D in the Public Assistance offices (the office management) works effectively and promotes harmonious relations and a better understanding of both programs improving worker performance and fulfillment cross program responsibilities. In the event of regionalization, the DWSS concurs reevaluating the reporting structure.

D.9.2.5.b The DWSS analysis suggests supervision of IV-D in the Public Assistance offices (the office management) works effectively and promotes harmonious relations and a better understanding of both programs improving worker performance and fulfillment cross program responsibilities.

D.9.2.5.c Agree. These are duties they currently perform.

D.9.2.6 Recommendation: Improvement of Inter-Office Communication – Clark and Washoe Counties

D.9.2.6.a The DWSS defers to county responses

D.9.2.6.b The DWSS defers to county responses

D.9.2.6.c The DWSS defers to county responses

D.9.2.6.d The DWSS provides IV-D staff with a full listing on contact information for all state and county IV-D staff each month. Additionally, IV-D staff are co-located in Public Assistance offices to facilitate communications between the programs. Counties have acknowledged by using specific staff for IV-D support services, timeliness and follow up concerns have been greatly reduced.

D.10 PERFORMANCE MEASUREMENTS

D.10.2 RECOMMENDATIONS

D.10.2.1 Recommendation: Establishment of Performance Measurement Standards for all IV-D Staff

D.10.2.1.a Agree. The DWSS is currently developing new work performance standards for the DWSS case managers. The DWSS Work Performance Standards (WPS) System has been made available to IV-D partners; the DWSS continues to encourage partners to utilize this tool.

D.10.2.1.b Agree. The DWSS is currently developing new work performance standards for the DWSS case managers. The DWSS Work Performance Standards (WPS) System has been made available to IV-D partners; the DWSS continues to encourage partners to utilize this tool

D.10.2.1.c Agree. The DWSS is currently developing new work performance standards for the DWSS case managers. The DWSS Work Performance Standards (WPS) System has been made available to IV-D partners; the DWSS continues to encourage partners to utilize this tool

D.10.2.1.d Agree. This is the practice of DWSS.

D.10.2.1.e Agree.

D.10.2.2 Recommendation: Hold all Staff Accountable

D.10.2.2.a Agree. This is a current practice of the DWSS through required State Personnel rules.

D.10.2.3 Recommendation: Improvement to Communication Regarding Performance

D.10.2.3.a The DWSS is open to improved methods of communication and is unaware where it is lacking.

D.10.2.3.b The DWSS defers to county responses.

D.10.2.3.c The DWSS defers to county responses.

D.10.2.4 Recommendation: Provide Case Management Reports

See response to *Section D.6*

D.10.2.5 Recommendation: Establish Standardization

D.10.2.5.a MAXIMUS provides a declaratory statement. **MAXIMUS NOTE:** *This has been corrected.*

D.10.2.5.b The DWSS currently publishes the Nevada State Child Support Enforcement Manual, NOMAD Task Guide, and Index of Policy & Procedure Releases on the DWSS website. Additionally, other valuable information and reports are accessible on the website. The DWSS website is available to every child support case manager. For specific desk guides, DWSS defers to the county partners.

D.10.2.5.c The DWSS QC has developed and disseminated ME Review Forms which identify policy citations and related NOMADS screens subject to review. QC Reviewers currently follow established review guidelines and procedure outlined in the Child Support Self Assessment Training Manual.

D.10.2.5.d The DWSS defers to county response.

D.10.2.6 Recommendation: Strengthen the Role of the DWSS Central Office

D.10.2.6.a It may be necessary to restructure the Interlocal Contract agreements with each County; current contract language inhibits the ability of DWSS to mandate internal business processes to County operations. This is dependent on adequate funding and resources.

D.10.2.6.b The DWSS is currently exploring the development of a IV-D Training Academy which will include the development of training guides and other helpful tools.

D.10.2.6.c Agree, contingent upon legislative action and adequate funding and required resources.

D.10.2.7 Recommendation: Change Primary Focus from Policy Adherence to Federal Performance Outcomes

D.10.2.7.a Strongly disagree. Prior to January 1, 2005, the various District Attorney's offices determined how they would monitor their office's performance and set their own priorities. In fact, prior to the new contract, the statewide program focus was on performance outcomes and Nevada declined in national performance rankings. During that time frame, Nevada was under penalty status for data reliability concerns. A new contract with the District Attorneys took effect January 1, 2005 which emphasized the State's authority over the Program. In early 2006, the DWSS adopted a process of management evaluations which included ensuring policy adherence. Since this new process of policy adherence has been in effect for less than one year, the final results of Nevada's management evaluations and reviews and the impact on performance is yet to be determined. However, preliminary data indicates performance outcomes have improved, particularly in the area of paternity establishment, which has been a challenge for Nevada the past several years. In addition, Nevada passed data reliability in Federal Fiscal Year 2005, thereby ceasing the accruing penalties.

The DWSS continues to conduct annual Federal Self Assessment Reviews for each county operation in compliance with 45 CFR 308. The Federal Self Assessment Review is focused on the following performance outcomes: Case Closure, Establishment of Paternity, Enforcement of Orders, Disbursement of Collections, Securing and Enforcing Medical Support Orders, Review and Adjustment of Orders,

Interstate Services, and Expedited Process. State policy adherence serves as a blueprint for achieving federal performance outcomes.

D.10.2.7.b Agree, as stated in MAXIMUS Finding D.10.1.7 "While the Federal Self Assessment Review is focused on federal compliance and performance, the ME Review is focused on state policy adherence." The DWSS currently conducts an annual Management Evaluation Review (state policy adherence) and an annual Federal Self Assessment Review pursuant to 45 CFR 308. The Federal Self Assessment Review is focused on the following performance outcomes: Case Closure, Establishment of Paternity, Enforcement of Orders, Disbursement of Collections, Securing and Enforcing Medical Support Orders, Review and Adjustment of Orders, Interstate Services, and Expedited Process. State policy adherence serves as a blueprint for achieving federal performance outcomes. Both state policy adherence and federal performance outcomes are measured annually.

¹ "Study of State Demographic, Economic, and Programmatic Variables and Their Impact on the Performance-Based Child Support Incentive System", (Washington, DC, Lewin Group, July 2003)

² Caseworker and Supervisory Survey Questionnaires, MAXIMUS, May, 2006

³ 45 CFR 303.3 and Nevada Revised Statutes 425.260 to 425.440.

⁴ 45 CFR 303.3(3).

⁵ 45 CFR 303.7(b)(2).

⁶ Staff interviews.

⁷ Audit Report, State of Nevada Department of Human Resources Welfare Division Child Support Enforcement Program, Legislative Auditor (Carson City, NV, 1999)

⁸ Case Manager Survey Questionnaire, MAXIMUS, May, 2006

⁹ Case Manager Survey Questionnaire, MAXIMUS, May, 2006

¹⁰ Based on interview by Ruth Hara – Reno PAO June 2, 2006.

¹¹ Based on interview by Ruth Hara - White Pine/Ely District Office, June 29, 2006.

¹² Congressional Federal Register, Section 303.3 Location of NonCustodial Parents.

¹³ OCSE Action Transmittal 97-10.

¹⁴ Case Manager Survey Questionnaire, MAXIMUS, May, 2006

¹⁵ Nevada Welfare Reform Project – Child Support Enforcement (Washington DC: MAXIMUS, February 1997)

¹⁶ Based on interview – Clark County, June 2006.

¹⁷ Action Transmittal 97-10, Federal Office of Child Support Enforcement, Washington, DC

¹⁸ Based on interview – Reno PAO – June 1, 2006.

¹⁹ Based on interview - June 2006.

²⁰ PRISM demo by the State of Minnesota, Department of Human Services Information Technology business analysts and child support trainers viewed by Ruth Hara, St. Paul, MN, 10/24/06.

²¹ Organizational Assessment of the Clark County, Nevada District Attorney's Family Support Division (Denver, CO: Policy Studies, Inc., July 2, 2003)

²² Memorandum from Elana Hatch to Robert Teuton, Assistant District Attorney, Clark County DAFS, dated 10/25/06.

²³ Chapter 6 – Expedited Judicial and Administrative Processes, Essentials for Attorneys in Child Support Enforcement (Washington, DC. Federal Office of Child Support Enforcement, 2002)

²⁴ Nevada Welfare Reform Project – Child Support Enforcement (Washington DC: MAXIMUS, February 1997)

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- ²⁵ OCSE FY2002 and FY2003 Annual Report to Congress, Figure 4: IV-D and Statewide Paternities Acknowledged for Five Fiscal Years
- ²⁶ Caseworker Survey Questionnaire, MAXIMUS, May, 2006
- ²⁷ Caseworker Survey Questionnaire, MAXIMUS, May, 2006
- ²⁸ Information provided by Leslee Arnold, DWSS Central Office Child Support Division, on October 30, 2006.
- ²⁹ Organizational Assessment of the Clark County, Nevada District Attorney's Family Support Division (Denver, CO: Policy Studies, Inc., July 2, 2003)
- ³⁰ Copy of Interlocal Contract Between Public Agencies, A Contract Between the State of Nevada Acting by and Through It's Department of Human Resources Welfare Division and Clark County District Attorney", as signed by Clark County District Attorney David Roger on November 19, 2004 and Nancy K. Ford, DWSS Administrator on December 21, 2004, approved by Attorney General Brian Sandoval, December 16, 2004.
- ³¹ State of Nevada, Department of Welfare and Supportive Services Child Support Enforcement Manual, Section 506(B), January 19, 2005.
- ³² Caseworker Survey Questionnaire, MAXIMUS, May, 2006
- ³³ "Administrative and Judicial Processes for Establishing Child Support Orders" distributed by OCSE (DCL-03-15) (Lewin Group, June, 2002)
- ³⁴ Dear College Letter (DCL-03-15), Office of Child Support Enforcement, "Dissemination of Report on Study of Administrative and Judicial Processes for Establishing Child Support Orders.
- ³⁵ "Paternity Establishment: Administrative and Judicial Methods", Department of Health and Human Services Office of Inspector General (Washington, DC, April, 2000)
- ³⁶ Organizational Assessment of the Clark County, Nevada District Attorney's Family Support Division (Denver, CO, July 2, 2003)
- ³⁷ "Chapter 6 – Expedited Judicial and Administrative Processes", Essentials for Attorneys in Child Support Enforcement, (Washington, DC, OCSE 2002)
- ³⁸ See, e.g., **10 Okl. Stat. Ann. § 504 (1999)**, B. If the court finds that the evidence based upon the medical, scientific, and genetic tests, shows that the defendant is not the parent of the child, said evidence shall be conclusive proof of nonpaternity and the court shall dismiss the action.
- C. Evidence of statistical probability of paternity established at ninety-five percent (95%) or more creates a presumption of paternity. Said presumption is rebuttable by clear and convincing evidence admitted on behalf of the defendant.
- D. Evidence of statistical probability of paternity established at ninety-eight percent (98%) or more creates a conclusive presumption of paternity.
- D.C. CODE 1981 § 16-2343.1 (1998) A conclusive presumption of paternity shall be created upon a genetic test result and an affidavit from a laboratory, certified by the American Association of Blood Banks, that indicates a 99% probability that the putative father is the father of the child and the Division shall enter a judgment finding the parentage of the child.
- ³⁹ Caseworker Survey Questionnaire, MAXIMUS, May, 2006
- ⁴⁰ Jeff Ball interview with Ms. Dossie Terrel, Federal ACF Region 10 Specialist for Nevada, on August 9, 2006.
- ⁴¹ Barb, Siegel, State of North Dakota, Child Support Enforcement Division.
- ⁴² 45 CFR 303.6(c)(2).
- ⁴³ 45 CFR 303.6(c)(2).
- ⁴⁴ MAXIMUS FY05 graph of neighboring states – current support collected, prepared by MAXIMUS, Gordie Stryker.
- ⁴⁵ MAXIMUS FY05 graph of neighboring states – current support collected, prepared by MAXIMUS, Gordie Stryker.
- ⁴⁶ MAXIMUS FY05 graph of neighboring states – arrearage collections, prepared by MAXIMUS, Gordie Stryker

⁴⁷ This publication is available on the Office of Child Support Enforcement Web site at
<http://www.acf.hhs.gov/programs/cse/newhire/employer/publication/military_quick_guide.pdf

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⁴⁸ Information provided by Vince Perry, Family Services Specialist II, on October 18, 2006.

⁴⁹ Caseworker Survey Questionnaire, MAXIMUS, May, 2006

⁵⁰ 45 C.F.R. §303.7(a)

⁵¹ Every state must have a verbatim version of UIFSA 1996, as prescribed by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. § 666(f). Nevada passed the required legislation, codified at N.R.S. §§130.092-802 (1997). Since then the national Conference of Commissioners on Uniform State Laws promulgated a 2001 updated version of UIFSA. While the federal mandate refers to the 1996 version, the federal OCSE has agreed to exempt states that pass the 2001 version. According to NCCUSL's website, 19 states have passed UIFSA 2001.

⁵² Prior to UIFSA, several states could have equally enforceable orders based on their own laws under the Uniform Reciprocal Enforcement of Support Act (URESA). UIFSA has a section that determines which order controls if there were multiple orders in existence before the passage of UIFSA or the Full Faith and Credit For Child Support Orders Act, 28 U.S.C. §1738B. After 1992, technically, and certainly after the passage of UIFSA, no new order should be issued if another state issued an order that is the controlling order and there is continuing exclusive jurisdiction with the tribunals of that state over the parties.

⁵³ Dear Colleague Letter-06-30, Federal Office of Child Support Enforcement, September 21, 2006

⁵⁴ NCCUSL website, http://www.nccusl.org/Update/uniformact_factsheets/uniformacts-fs-uifsa.asp

⁵⁵ Kaiser Commission on Medicaid Facts, Medicaid and the Uninsured, March 2005, Fact Sheet 2177-04.

⁵⁶ American Academy of Pediatrics, Nevada Medicaid Fact Sheet, July 2005

⁵⁷ V. Smith & D. Rousseau, The Kaiser Commission on Medicaid and the Uninsured, Sept 2005, Table 1.

⁵⁸ 42 U.S.C. §666(a)(19)(A), with conforming amendments to 42 U.S.C. §652(f) and 29 U.S.C. §1169 note.

⁵⁹ N.R.S. §125B.085

⁶⁰ OCSE Annual Report to Congress for FY02 and FY03, Table 27, Percent of Health Insurance Provided as Ordered for Two Fiscal Years.

⁶¹ See, for example, "Interview Notes – Lyon County," July 10, 2006, in which an Activity Report which contained names of unknown individuals not currently employed with the office is described.

⁶² Dear Colleague Letter-06-30, "Query Interstate Cases for Kids (QUICK) (Washington DC, September 21, 2006).

⁶³ N.R.S. §130.605(2)(a)

⁶⁴ In a meeting held with LCB and DWSS, DWS stated that there is currently a Bill Draft being developed to address this.

⁶⁵ Dear Colleague Letter-05-05, "Best Practice/Emerging Ideas in Prevention and Early Intervention Strategies" (Washington, DC, January 28, 2005).

⁶⁶ Organizational Assessment of the Clark County, Nevada District Attorney's Family Support Division (Denver, CO: Policy Studies, Inc., July 2, 2003)

⁶⁷ Correspondence from Robert Teuton, Clark County Assistant District Attorney to Ruth Hara, MAXIMUS, dated May 15, 2006.

⁶⁸ Caseworker Survey Questionnaire, MAXIMUS, May 2006

⁶⁹ Caseworker Survey Questionnaire, MAXIMUS, May 2006

⁷⁰ Nevada Welfare Reform Project: Child Support Enforcement, (Washington, DC:MAXIMUS, February 1997)

⁷¹ Documentation gathered by MAXIMUS from Nevada DA and PAO offices

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- ⁷² Memorandum from Robert Teuton to Ruth Hara, October 23, 2006
- ⁷³ Interview by Ruth Hara with Clark County DAFS, April 12, 2006.
- ⁷⁴ Interview by Ruth Hara with Elko DO managers, May 17, 2006.
- ⁷⁵ Notes taken by Ruth Hara at the IV-D Planning Committee Meeting, Reno, NV, July 12, 2006
- ⁷⁶ Notes taken during a presentation given by Gary Buonacorsi at the IV-D Planning Meeting, Reno, NV on July 12, 2006.
- ⁷⁷ Nevada Welfare Reform Project: Child Support Enforcement, (Washington, DC: MAXIMUS, February 1997)
- ⁷⁸ Organizational Assessment of the Clark County, Nevada District Attorney's Family Support Division (Denver, CO: Policy Studies, Inc., July 2, 2003)
- ⁷⁹ Caseworker Survey Questionnaire, MAXIMUS, May 2006
- ⁸⁰ Caseworker Survey Questionnaire, MAXIMUS, May 2006
- ⁸¹ Washoe County Procedures document received along with Caseworker Survey Questionnaire from Washoe County, July, 2006.
- ⁸² Interview by Jeff Ball with Susan Hallahan, Chief Deputy District Attorney, Washoe County District Attorney Family Support Division, on June 7, 2006.
- ⁸³ Group Interview conducted by Ruth Hara with case managers in Washoe County FSD, May 6, 2006.
- ⁸⁴ Interview by Jeff Ball with Ms. Dossie Terrell, ACF Region 10 Specialist for Nevada on August 9, 2006.
- ⁸⁵ Telephone discussion with Susan Hallahan, Assistant District Attorney, Washoe County District Attorney Family Services Division, October 30, 2006. E mail memorandum from C.A. Watts, Clark County DFAS Director, October 31, 2006.
- ⁸⁶ Interview by Ruth Hara with Elko DO managers, May 17, 2006.
- ⁸⁷ Organizational Assessment of the Clark County, Nevada District Attorney's Family Support Division (Denver, CO, July 2, 2003) Chapter 4-3
- ⁸⁸ Interview by Ruth Hara with Donna Cochran, Clark County DAFS Help Desk, June 13, 2006.
- ⁸⁹ Interview by Jeff Ball with Ms. Dossie Terrel, ACF Region 10 Specialist for Nevada on August 9, 2006.
- ⁹⁰ Based on two interviews with Alisha Griffin, IV-D Assistant Director (lead IV-D designee), Office of Child Support and Paternity, New Jersey Division of Family Development, July 3 and July 30, 2006
- ⁹¹ National Child Support Enforcement Strategic Plan FY2005-2009 (Washington, DC, U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement)
- ⁹² "Study of State Demographic, Economic, and Programmatic Variables and Their Impact on the Performance-Based Child Support Incentive System", (Washington, DC, Lewin Group, July 2003)
- ⁹³ Comments received from Vicki Chittenden, CSE Supervisor/Coordinator, Carson City District Attorney, 11/17/06
- ⁹⁴ Comments received from Arthur E. Mallory, District Attorney, Churchill County, 11/16/06
- ⁹⁵ Comments directed to Ruth Hara from Robert W. Teuton, Assistant District Attorney, Office of the District Attorney, Family Support Division, 11/1/06
- ⁹⁶ Comments directed to Louise Bush from Robert W. Teuton, Assistant District Attorney, Office of the District Attorney, Family Support Division, 11/1/06
- ⁹⁷ Comments received from Scott W. Doyle, Douglas County District Attorney, 11/14/06
- ⁹⁸ Comments received from Gary Woodbury, Elko County District Attorney. 11/9/06
- ⁹⁹ Comments received from David G. Allison, Humboldt County District Attorney. 11/17/06
- ¹⁰⁰ Comments received from Patricia Peacher, Lyon County Child Support Supervisor, 11/14/06

¹⁰¹ *Comments received from Cheri Emm-Smith, Mineral County Child District Attorney, 11/9/06*

¹⁰² *Comments received from Robert S. Beckett, Nye County District Attorney, 11/15/06*

¹⁰³ *Comments received from Rita D. Fowler, Pershing County Deputy District Attorney, 11/17/06*

¹⁰⁴ *Comments received from Susan Hallahan, Chief Deputy District Attorney, and Lori Garcia, Program Manager, Washoe County Family Support Division, 10/30/06*

¹⁰⁵ *Comments received from Susan Hallahan, Chief Deputy District Attorney, and Lori Garcia, Program Manager, Washoe County Family Support Division, 11/16/06*

¹⁰⁶ *Comments received from Nancy K. Ford, Administrator, DWSS, 10/30/06*