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Child and Spousal Support: Introduction to the Maintenance Enforcement Survey



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Child and Spousal Support: Introduction to the Maintenance Enforcement Survey

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.	not available for any reference period
..	not available for a specific reference period
...	not applicable
P	preliminary
r	revised
X	suppressed to meet the confidentiality requirements of the Statistics Act
E	use with caution
F	too unreliable to be published

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Highlights

- This is the first release of information from the Maintenance Enforcement Survey (MES), which collects data on child and spousal support. This report represents the first available data in the family law area that are based on national definitions. Currently, there are little or no national “baseline” data that can inform family law policies or program discussions.
- The survey addresses different aspects of the maintenance enforcement area and will be able to provide insights into the case characteristics, the financial flows that characterize support obligations, maintenance enforcement program (MEP) processes, and the types of enforcement activities that are undertaken by the MEPs to secure payment.
- The MES is not yet fully implemented.¹ Furthermore, it has been estimated that less than one-half of all support cases are registered with a maintenance enforcement program. In fact, some provinces/territories only have cases that are voluntarily registered, usually by the recipient of the support. As such, the MEPs tend to handle the more difficult cases – ones coming into the program with arrears already in existence, or where there has been some difficulty in securing payments. Readers are therefore cautioned against using these data to evaluate specific enforcement programs or generalize these results to all support orders in Canada.
- Only with the full participation of all provinces and territories, will the survey be able to describe the national picture of maintenance enforcement in Canada by providing information on the number of cases registered with the MEPs for enforcement and monitoring, the number of reciprocal enforcement cases, the amount of money that is processed, the levels of enforcement activities that are undertaken, and some information on the characteristics associated with these cases: the recipients, the children, the payors, and the assignment of support obligations.
- Survey data for two provinces indicate that maintenance enforcement programs are operating primarily for the benefit of children. Of the cases registered with the programs on March 31, 2000, the overwhelming majority included a support amount for children. This included 97% of the caseload for British Columbia and 86% for Saskatchewan.
- During 1999/2000, both British Columbia and Prince Edward Island collected 70% of the money that was due in the form of regular monthly payments.² Regular monthly payments refers to money that is scheduled to be paid as a result of an order or agreement; it does not include other payments that may be due, such as arrears. British Columbia received \$92.9 million for regular payments and Prince Edward Island received \$4.2 million. Saskatchewan collected 80% of the money that was due as regular payments, or \$23.3 million.
- Of the cases enrolled in a maintenance enforcement program on March 31, 2000, approximately 20% of payors had entered the program without arrears and remained arrears free; 16% began in a MEP with arrears and caught up in payments; another 14% began with arrears and were in the process of decreasing these arrears through payment.³
- Enforcement actions taken during 1999/2000 were mainly administrative in nature as opposed to court actions. Provincial- and federal-based tracing activity accounted for more than one-third of the activities in Saskatchewan and British Columbia.

¹ This report presents fiscal year 1999/2000 provincial child and spousal support data for Prince Edward Island, Saskatchewan and British Columbia and snapshot data for September 2000 for Prince Edward Island, Quebec, Ontario, Saskatchewan and British Columbia.

² The data for P.E.I. cover the period March 1999 to February 2000. In B.C., dollars due and received for interest are not included. Also in B.C., direct payments of support from a payor to a recipient will not be recorded by the MEP until notification is made; meaning the case will be categorized in default until notification is made. This results in B.C.'s reported compliance rate being lower than it actually is.

³ At entry into a MEP, arrears status may be unknown until an accurate balance is produced. Therefore, some payors can actually be in arrears but be recorded as having no arrears.

1.0 Introduction

1.1 Background

In 1981, the Deputy Ministers of Justice created the federal, provincial and territorial Family Law Committee (FLC) to examine the issues related to maintenance enforcement. Research in Canada and the United States has consistently shown that many single-parent households experience a drop in their socio-economic status as a result of separation and divorce.⁴ One of the reasons for this drop was the failure to respect orders for the payment of child support. At the time, recipients had to apply to the courts to have their orders enforced. The FLC recommended that administrative programs be created in each jurisdiction to assist recipients and improve the compliance with support obligations. The role of these programs is the collection and enforcement of child and spousal support payments.

The first program was established in Manitoba in 1980, and by 1996 each province and territory in Canada had established its own legislation, structure, and services to help meet the goals of securing and enforcing child and spousal support.⁵ At the same time, the federal government set up the Family Law Assistance Services Section in the Department of Justice Canada to assist these programs by providing trace and locate information using federal databases and by providing for the interception or garnishment of federal funds (e.g. income tax refunds) and federal employee's salaries or pensions through two federal statutes, the *Family Orders and Agreements Enforcement Assistance Act (1987)*, and the *Garnishment, Attachment and Pension Diversion Act (1983)*.

The maintenance enforcement programs (MEPs) are intended to provide the necessary administrative support to recipients to assist them by collecting their payments. The programs were given a number of administrative enforcement powers to secure payments before resorting to the courts for the more difficult cases.

Over the years, the MEPs have experienced large increases in their caseloads. However, a recent survey of separated and divorced parents confirms that not all support orders or written agreements in Canada are registered with a MEP. The survey estimated that MEPs handle 40-50% of all support orders and agreements in

Canada.⁶ Given that the purpose of the MEPs is to assist recipients in collecting their payments, it is expected that their cases often have issues related to securing payment or regularity of payment.

The MEPs differ in a number of important aspects because of different local needs and policies, and these have important implications for understanding the data collected by the Maintenance Enforcement Survey. These differences include client profile, enforcement powers in legislation, enforcement practices, the enrolment process, how payments are handled and registered, the responsibilities of clients, and how cases are closed.

One element that is constant among MEPs is the need to develop, implement and upgrade automated information systems to efficiently handle their caseload. The 1990s saw considerable growth in the sophistication of their systems and this greatly expanded their capabilities to process and report information, and to communicate with each other and with federal enforcement services.

At the same time, organized and standardized case information on separating or divorcing parents was seriously lacking even as family law policies and issues came to the forefront. Erosion of the value of court-ordered support amounts, inconsistent methods for determining award amounts, and the taxation of support, were issues occupying the Family Law Committee.

In 1995, to address these issues, the members of the FLC recommended to their respective governments the implementation of the Child Support Guidelines and changes to the tax treatment of child support. The federal government responded by bringing in legislative reforms to the *Divorce Act*, thus enacting the Federal Child Support Guidelines for divorce cases and legislating additional enforcement measures to assist the MEPs. The federal government also provided funding to the provinces and

⁴ See *Duncan and Hoffman, 1985; Finnie, 1993; Galarneau and Sturrock, 1997; Peterson, 1996; and Weitzman, 1985.*

⁵ See *Maintenance Enforcement Programs in Canada: Description of Operations 1999/2000.*

⁶ See *Canadian Facts, Survey of Parents' Views of the Federal Child Support Guidelines, 2000.*

territories to implement child support guidelines in their own legislation and to assist them with the workload that might be created in family courts as a result of these changes. To oversee these immense changes in family law, the federal government, in partnership with the provinces and territories, created the Child Support Initiative.

The lack of national data on family law had already been identified as an issue requiring further study and was being considered by the Canadian Centre for Justice Statistics (CCJS) at Statistics Canada. Because the collection of national family law information is an important part of the CCJS mandate, it received funding to develop and implement a survey that would collect pertinent case information from the MEPs.

In 1995, discussions took place between the CCJS and various MEP representatives to establish the data requirements and collection strategy that would meet the needs of a wide range of family law data users. A set of National Data Requirements was approved and this became the blueprint for current data collection efforts by the CCJS. Since 1996, the CCJS has been working closely with all provinces and territories, providing them with the necessary substantive and technical assistance to implement the survey. It has been necessary to phase in the survey to account for local priorities (e.g. new legislation, upgrading information systems, etc.) and external issues, such as the need for computer systems to be year 2000 compliant.

This report offers the first public release of this collaborative work. This information will provide the public and policy makers with a better understanding of current Canadian family law issues, and more specifically, support obligations and the role of the MEPs in the collection and enforcement of these obligations.

1.2 This Report

The main objectives of this report are threefold:

1. To outline the concepts and definitions that are used by the survey;
2. To provide a preliminary analysis of the characteristics of cases that are registered with five of the maintenance enforcement programs in Canada; and,
3. To present an overview of the data collected by the Maintenance Enforcement Survey.

The jurisdictions reporting data on all aspects of the survey are Prince Edward Island, Saskatchewan and British Columbia. Data from Quebec and Ontario are reported for the snapshot or month-end tables of the survey. Information from these five jurisdictions will provide an illustration of the types of data that can be examined, how they can be analysed and interpreted, and highlight some of the features of the programs that the survey measures.

The report is organized into 5 sections:

Section 2 explains the parameters, scope and limitations of the survey. It describes the survey methodology, coverage and limitations, as well as provisions surrounding confidentiality of the data.

Section 3 provides a brief description of terminology used by the MEPs, and main functions and processes, especially those that have a bearing on the interpretation of the data.

Section 4 displays the data available from the five participating jurisdictions on caseload, case characteristics, financial flows and payment patterns, arrears, and finally, number and type of enforcement actions and case closures.

Section 5 provides a conclusion to this report, outlining the future of the survey and other reports.

This report also includes a glossary of standard definitions in Appendix A.

2.0 Overview of the Maintenance Enforcement Survey

2.1 Survey methodology

The Maintenance Enforcement Survey (MES) is an administrative survey in that it collects data from the operational information systems maintained by provincial and territorial maintenance enforcement programs (MEPs). The information systems were initially built to address an operational purpose, which is to assist the MEPs in monitoring and enforcing their registered caseload. As a result, some of the data may not fully address all statistical needs, but they do otherwise provide a valuable source of information.

The MES is an aggregate survey, meaning that there is no information on individual cases, and data are collected and reported for pre-defined categories. As a result, opportunities for further manipulation of the data to produce or derive new measures are quite limited. The data collection tables were constructed during the identification of the National Data Requirements in 1995.

Data are extracted from each MEP's automated information system according to survey specifications. These specifications are identified in the National Data Requirements, which detail the national definitions and specifications for "counting" various statistical concepts. Computer interfaces are developed that map survey concepts to local system information and the data are then electronically extracted from the system in aggregate form. These data files are forwarded to the CCJS electronically according to a reporting schedule.

2.2 Coverage

The survey is intended to be implemented nationally, and will eventually cover all cases for which the MEPs have responsibility to monitor and enforce. However, it is estimated that MEPs handle less than one-half (40-50%) of all support orders and agreements in Canada. Many individuals prefer to remain outside of a MEP, perhaps because they have made private arrangements for the payment of child or spousal support, or they may not have a written agreement in place. These people may be receiving their support payments voluntarily, or pursuing private enforcement using their own counsel, if that option

is open to them in their province or territory. Because these cases exist outside the MEP system, survey findings cannot be used to say anything about them.

2.3 Reported timeframes

Data are collected from the MEPs based on both a monthly and yearly basis.

- **Annual tables:** Data that summarize the nature and extent of work done through the year, or people registered over the year, are reported in the fiscal year tables, covering the period April 1 to March 31. Median age of payors and recipients, median child support obligation, and number of clients registered in a maintenance enforcement program are not prone to monthly fluctuations and can be collected on a yearly basis. Measures of financial amounts processed and the number of enforcement actions taken over the course of the year are aggregated to include activities on both enrolled and terminated cases.
- **Monthly tables:** As support payments are often paid or due monthly, there is interest in looking to see whether there were monthly fluctuations in activity. Different times of the year may show different payment behaviour and with more data, seasonal or other patterns may begin to emerge. With additional data submissions, monthly changes over time can be monitored and analysed.

Many of the data tables in the survey are "snapshot" tables, which means they provide counts of the various data measures at the end of the month or the end of the fiscal year. This measure is a reflection of the database at that point in time. Information that corrects or adjusts cases past month-end or year-end are not reflected in these end of period data counts. This means that the survey collects the best information available at the time of the snapshot. It will not capture new information coming to light, such as the payor having made a direct payment, or a cheque-based payment being returned for non-sufficient funds.

2.4 Units of count

“Cases” are registered with the MEPs and are thus the most logical unit of count. People associated with those cases (i.e., a payor, a recipient, the children), as well as court orders and domestic contracts giving rise to support obligations, are all components of cases registered. The caseload of a MEP is subject to many different actions, depending upon its status. Geographic location of the people involved, the account status of the case, and whether the obligation is ongoing or has terminated – all have an impact on the way cases are processed, and therefore the way they are counted in the survey.

The survey also collects dollar amounts of money that are due and paid. Dollar figures according to type of payment or arrears are included in some of the tables.

2.5 Content

The survey gathers information on maintenance enforcement cases, and on some of the key characteristics associated with those cases. Information as to the flow and changes in the volume of cases over time will emerge with future data submissions. Case characteristics will also be further revealed with more data submissions, but some high level indications can be outlined now. Information on financial flows, the processing of payments by MEPs, is of interest, as this constitutes a major, visible facet of MEP work. Finally, another mainstay activity of the MEPs is the tracing and enforcement actions taken, and the results that accrue.

The type of information collected by the survey includes:

- Caseload information: includes the number of cases of various categories, the sex and median age of payors and recipients, the number and median age of children affected, legislation under which the order for support was made;
- Information on financial flows: includes support amounts, compliance rates, information on arrears, frequency and amount of payments;
- Enforcement/case closure information: describes the types of actions that the programs initiate in order to enforce cases, and the closing of cases.

2.6 Data limitations

The survey data are collected from the operational information systems of the MEPs. As such, not all the data required for the survey will necessarily be available

from these systems. There is also an ongoing challenge of ensuring that any policy or procedural change in the jurisdictions is reflected in how the survey data are analysed, interpreted and reported.

The CCJS has implemented a mapping of concepts using a Field Interpretation Document, which guides all data reporting and subsequent changes. This mapping considers how to collect and report the data identified in the National Data Requirements, identifying any limitations or deviations from standard survey definitions. Keeping this document up-to-date is an important part of survey maintenance, and relies on provincial/territorial counterparts to keep the survey current.

Readers are cautioned against using the survey to assess the effectiveness of jurisdictional MEPs or make comparisons between them. There are a variety of differences in the way these programs operate, from how they receive cases, to how they are able to enforce. For instance, they differ in their policies regarding direct payments, and their right to charge interest on outstanding amounts.⁷

It is important to remember as well, that not all cases in a province or territory will be registered in a MEP. Provinces or territories where the case is automatically enrolled from court are likely to include more “good” and “paid up” case accounts. Quebec and Ontario are provinces where all support orders are forwarded to the MEP by the issuing court. In other jurisdictions such as Prince Edward Island, Saskatchewan, and British Columbia, where enrolment is optional in the first instance, the ratio of “good” versus “problem” cases will be very different. This will likely have an impact on the proportion of the MEP cases that are in compliance and the proportion that have arrears.

There may be local practice rules to guide the application of various enforcement activities. Garnishments and attachments, for example, may be restricted by a provincial law that limits the percentage of a paycheque that can be attached. In some provinces, this is at a 50% maximum, while in others it may be 40%. There may also be situations where a program is unable to enforce a support obligation at a certain time, for example, by court order staying or suspending enforcement. All of these variations must be considered when assessing the information compiled in this report.

⁷ *British Columbia is required to charge interest on outstanding amounts. They also allow recipients to accept direct payments and this means that many cases are adjusted after month-end, once the direct payments are reported to the program.*

National definitions enable some comparisons between jurisdictions but always within the context of their local administration. With greater participation in the survey and with more MEPs supplying data, a more complete picture of the national context will emerge. Ongoing releases of the survey will also provide an opportunity to look at an individual MEP's data, such as trends and changes over time. Not all jurisdictions were able to meet all the survey requirements, as survey definitions do not always reflect individual, local operational definitions.

2.7 Confidentiality

Maintenance Enforcement Survey data have been subjected to a confidentiality procedure known as "random

rounding" to prevent the possibility of associating statistical data with any identifiable individual. Under this method, all figures, including totals and sub-totals, are randomly rounded either up or down (in this case, to a multiple of 3). While providing strong protection against disclosure, this technique does not add significant error to the MES data. The user should be aware that totals and sub-totals are rounded independently of the cell data so that some differences between these and the sum of rounded cell data may exist. Minor differences can be expected in corresponding totals and cell values among various MES tables and sub-tables. It should also be noted that small cell counts may suffer a significant distortion as a result of random rounding, and thus individual data cells containing small numbers may lose their precision.

3.0 A Description of Maintenance Enforcement Services

The task of processing and ensuring that child and spousal support is paid is essentially the same for all provinces/territories across Canada. Maintenance enforcement programs register cases, process payments and monitor cases. Eventually, a case no longer needs to be in a program and is closed. Each jurisdiction has developed its own maintenance enforcement policies and procedures to address its local needs. The following provides an overview of the jurisdictional differences that have an impact on data collection and interpretation.

3.1 Registration

All potential support recipients with an enforceable court order or agreement⁸ can avail themselves of the services of a maintenance enforcement program. However, not all cases of child and spousal support that exist in a province or territory are administered by maintenance enforcement programs. Recipients and payors may amicably deal with support payments and never use the services of a MEP. These may include children of never married parents, and separated but not divorced spouses who have agreed upon the issues arising from their break-up.

Most jurisdictions assume that recipients will use a MEP and have thus adopted an opt-out registration system.⁹ In jurisdictions with an opt-out program, maintenance orders are automatically filed with a maintenance enforcement program at the time of the order. To be removed from the caseload of a MEP, a recipient must ask to be withdrawn from the program.¹⁰ This request can be denied if the recipient is collecting social assistance. The information provided by the parties (usually the recipient) at registration is important for operational and enforcement purposes.

Some jurisdictions have a voluntary “opt-in” program. Either or both the recipient and the payor can register with the MEP. Usually, the only exceptions are cases where the recipient is entitled to social assistance, in which case enrolment is mandatory.

There are administrative requirements to be met in order for a case to be registered; tracing, employment, legal and financial information are required to set up the case and payment information. Letters are generated notifying

clients of their responsibilities, and/or identifying that enforcement action may follow. Review of cases and the determination of appropriate enforcement measures are in addition to these activities, and may differ widely for each case. Tracing may be initiated if information as to location of either the payor or recipient is missing, and to determine if the case must be sent elsewhere under reciprocal enforcement of maintenance orders (see Box 1). This may change a few times if the payor and/or the recipient move residences or change employment.

3.2 Payment processing

The payment of support is processed and handled by a variety of methods. Manitoba uses a “pay-through” system whereby monies are payable to the recipient but first directed to the MEP. Once the payment is entered into the system (by the program), the payment is forwarded to the recipient. Newfoundland, Prince Edward Island, New Brunswick, Quebec, Ontario, Alberta, the Northwest Territories and Nunavut use a “pay-to” system. The payments are made payable to the program. All monies received by the program are deposited into a trust account and then a government cheque is issued to the recipient. Nova Scotia, Saskatchewan, British Columbia and Yukon utilize a mixed pay-to and pay-through system. This means that payments may be made payable to either the recipient or to the MEP. The increasing use of direct deposit as a standard way of sending recipients their money means that those MEPs that employ a pay-through system will gradually become more of a pay-to system.

3.3 Enforcement

The MEPs are normally required by their legislation to enforce cases registered with them. They must enforce

⁸ Domestic contracts that meet jurisdictional requirements for enforcement include: paternity agreements and separation agreements filed in court.

⁹ In 1999/2000, Newfoundland and Labrador, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Alberta and the Northwest Territories used an opt-out procedure. Prince Edward Island, Saskatchewan, British Columbia, Yukon and Nunavut used an opt-in procedure.

¹⁰ Data on the number of individuals who opt out of programs is not available.

the terms and amount of the order or agreement, and have no discretion to change the terms in any way. Should circumstances change, the parties are encouraged to pursue a variation through the courts to reflect the current situation.

The MEPs resort to enforcement activities when they are unable to secure support payments. There are a number of enforcement mechanisms that can be used in helping to collect support payments. They can be seen as a graduated mechanism that intensifies with the complexity of the case. Overall, there are two distinct areas of enforcement: administrative and court enforcement. In general, most MEPs will first attempt to obtain payment through administrative means, as they usually produce more timely results and are more effective than court enforcement. MEPs aim at securing regular and ongoing payments, and sufficient amounts to satisfy the obligations.

Administrative enforcement can range from telephoning the payor and trying to informally negotiate a payment, to a more formal enforcement process whereby the payor has the funds garnisheed from his or her wages. Court enforcement remedies range from a summons to appear, to a fine or jail.

The Family Law Assistance Services Section of the Department of Justice provides access to federal databases for searching, allows for interception of federal funds and denial of federally administered licenses (*Family Orders and Agreements Enforcement Assistance Act*). Under GAPDA (*Garnishment, Attachment and Pension Diversion Act*), federal employee salaries and pensions are deemed subject to garnishment.

3.4 Case closure

Withdrawal from a program varies by jurisdiction. Cases can be withdrawn by the recipient (opt-out) or by the program. Recipients can withdraw from the program for a variety of reasons including, for example, that they do not feel they need to have the order enforced. Rarely is the payor allowed to withdraw from the program, although in Saskatchewan, British Columbia (provided the recipient is in agreement) and the Northwest Territories this is allowed if the payor was the one who registered the order.¹¹ In Quebec, the payor and the recipient can jointly apply to the Court for an exemption from the MEP. In order for the Court to agree, the payor must provide the MEP with security (that is a sum of money, a letter of guarantee or a guarantee from a financial institution) covering payment of support for one month. Generally, MEPs close, or a case is “terminated” if the terms of the order have expired,

or either party dies. There may be situations where a MEP will close a case because it may be impractical to enforce. For example, if a recipient moves and cannot be located, the MEP might close the case.

3.5 Provincial/territorial variations

Extracting data from operational systems will usually result in some anomalies, given that administrative data are designed in the first instance for purposes other than statistics. Operational requirements and limitations will have some impact on the nature of the data that result. The following paragraphs outline where these effects are known.

In Prince Edward Island, no data are available for the authority of order, type of payment or the number of children, and only partial data are available for payment history.

Quebec's program requires that the payor set up a payment method at the outset, either through payroll deductions or a payment order. If by payment order, payors must remit support payments directly to the maintenance enforcement program and provide a security sufficient to guarantee three months of support payments. In certain cases, if the program is certain to recover the sum from the payor, the legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor. As well, the legislation requires that payments go to the recipients on the 1st and 16th of every month. Quebec does not distinguish between types of recipients,¹² and therefore could not report this information to the survey.

System restrictions also have an impact on the survey data. In Ontario, because of high computer use at the end of the month, the MES data extraction program may be run up to six days after this date. Due to practical processing requirements, the data reported for a calendar month did not adhere to the actual month. The “month” as reported by Ontario was a sliding window, until system changes could be incorporated to eliminate this discrepancy. This anomaly has now been corrected, but

¹¹ It is sometimes considered advantageous by some payors to be registered, since the program handles all the payment to the recipient, and there is less contact between parties. Some payors prefer to have the program administer and independently monitor the payments made.

¹² Type of recipient refers to the number of children receiving support and if the spouse is receiving support. Please consult the Glossary for further details.

the data contained in this report are from timeframes that only approximate the calendar month.

Saskatchewan was unable to provide an accurate median age of children for whom there are support payments. This jurisdiction includes the ages of all children a couple has, regardless of whether they are covered by the agreement.

British Columbia uses an opt-in registration procedure whereby, with the exception of BC Benefits (social assistance) cases, the recipient or payor voluntarily files

with the MEP. British Columbia legislation requires that all outstanding accounts be charged interest, and this is the only jurisdiction to do so. However, the dollars due and received for interest have not been included in this report. Another practice that influences the data is the acceptance of direct payments of support. If a payor directly pays the recipient, this will not be recorded by the program until notification is made, and as such, the case will be categorized as "in default" by the program since it would have no record of payment. As a result, the compliance rate will be lower than it actually is.

4.0 What the MES shows

This section presents a number of selected tables derived from those data tables collected by the survey. To illustrate the type and nature of the data collected, only a few dimensions of the data are presented, providing the reader with a sense of what the survey can report.

This section is broken down into three components:

1. Case characteristics, including reciprocal status, sex and age of payors and recipients, source of orders, types of recipient and assignment status;
2. Financial management of cases, examining amounts that are due, payments and collections made, compliance from the viewpoint of partial payments made and the timeliness of payments made, and arrears level; and
3. Enforcement actions and case closure, looking at actions taken by MEPs, and the closing of cases.

At the time of writing this report, five jurisdictions had sent data that had been verified. During the implementation of the survey, priority was given to the monthly snapshot tables, i.e. those dealing with financial management of cases. Therefore, of the five jurisdictions contained in this report, only three present data in all tables: Prince Edward Island, Saskatchewan and British Columbia. Their data are supplemented in some of the financial management tables by data from Quebec and Ontario.

This report presents fiscal year 1999/2000 provincial child and spousal support data for Prince Edward Island, Saskatchewan and British Columbia and snapshot data for September 2000 for the same three provinces plus Quebec and Ontario.

4.1 Caseloads and their characteristics

Cases, consisting of payors, recipients, and court-ordered or voluntarily agreed support obligations are managed by the MEPs, but there are various elements for tracing, financial management, and enforcement that are associated. Using the “case” as the unit of count focuses on one payor paying one recipient. For the purposes of the survey, a case is included in the counts if it is registered and there is a support obligation on the part of the payor, and the MEP is monitoring and enforcing the case.

An important distinction in terms of workload for the MEPs and for reporting the survey data is whether a case is “Non-REMO”, “REMO-in” or “REMO-out” (Box 1). This is because cases that are “Non-REMO” or “REMO-in” are cases that are eligible for monitoring of payments and enforcement actions when payments are not forthcoming. For “REMO-out” cases, MEPs, for the most part, only monitor the payments; enforcement is the responsibility of the province, territory or country where the payor resides and the case has been registered.

Box 1

Reciprocal Enforcement of Maintenance Orders (REMO)

REMO refers to the Reciprocal Enforcement of Maintenance Orders. The provinces and territories in Canada have enacted their respective reciprocity legislation to ensure that orders/agreements can be enforced beyond their borders. Reciprocal agreements have been signed between all provinces and territories and various foreign states that set up the reciprocal enforcement agreements.

Non-REMO cases: *are typically cases where both parties live within the jurisdiction where the case is registered. Additionally, where parties conduct business, bank, or have assets in a jurisdiction, they may be registered there without residing there.*

REMO-in cases: *are cases that the jurisdiction has been asked to enforce by another jurisdiction because the payor is known to reside in their jurisdiction and/or has assets in it.*

REMO-out cases: *are cases that have been sent to another jurisdiction, and are registered there for enforcement purposes because the payor lives and/or has assets there.*

As a result, when a recipient and payor live in different jurisdictions, the enforcement and payment of support obligations are carried out by separate jurisdictions. One of the caseload issues faced by each jurisdiction is the proportion of REMO cases within the maintenance enforcement program.

For the survey, REMO status is important because only cases for which a MEP is responsible are counted for enforcement and financial collection purposes. Cases that a MEP sends elsewhere for enforcement are not included in the count of their own cases, but cases they receive from elsewhere are included. Cases are counted by reciprocal enforcement status in two places in the survey, and thus for the majority of case counts, REMO-out cases are excluded to avoid double counting.

In 1999/2000, MEP caseloads entailing enforcement responsibilities (non-REMO cases and REMO-in cases) comprised 94% of Prince Edward Island's cases, 88% of British Columbia's cases and 80% of Saskatchewan's cases (Table 1).

Sex of payors and recipients

The recipient of support is generally the person who has custody or principal responsibility for the children. This is often but not always the mother, and there are instances where the recipient is the father, a grandparent or extended family member. For example, a father may pay a grandfather support for a child, if that is what was ordered.

On March 31, 2000, in over 95% of all MEP cases for the three reporting provinces, the payors were men and the recipients women (Table 2).

Age of payors and recipients

Table 3 presents the median age for payors, recipients, and children. The median is the middle point of the age distribution, where one-half of the group is above the median and one-half below it. In 1999/2000, the median age of payors and recipients was very consistent for all three provinces. The median age for payors was 39 years in Prince Edward Island and 40 years in Saskatchewan and British Columbia. For recipients, the median age ranged from 36 to 38 years.¹³ The median age for children was 13 years in Saskatchewan and 12 years in the other two provinces.

Source of orders and type of recipient

Maintenance enforcement programs enforce both court-ordered support of divorcing or separating parents and support obligations arising from domestic contracts such as separation and paternity agreements. Orders for maintenance or support can result from federal legislation divorce proceedings (Divorce Act) or through provincial/territorial legislation that may ultimately become part of a divorce proceeding.

Most obligations are the result of federal or provincial authority and orders.¹⁴ In 1999/2000, 53% of support orders in Saskatchewan were under the federal Divorce Act and 30% were under provincial orders (Table 4). In British Columbia, on the other hand, only 28% of cases were under the federal Divorce Act, while considerably more cases (66%) were under a provincial order.

The MEP caseload data indicate that the majority of orders and agreements are in place for child support. In Saskatchewan, 81% of the 8,019 cases involved support for children only, while in British Columbia, the comparable figure was 94% of its 37,821 cases. Spouse with children cases accounted for another 5% of cases in Saskatchewan and 3% in British Columbia. Spouse only support cases represented 3% of cases in Saskatchewan and 2% in British Columbia. In Saskatchewan, 11% of cases had an unknown recipient type.

Social assistance

Whether a recipient is in receipt of social assistance is an important characteristic from both an enforcement and policy perspective. Almost all provinces and territories treat child support as income and deduct it dollar for dollar from social assistance benefits received by recipients. If a parent is entitled to receive child support and makes an application for social assistance, the social benefits agency will require the parent to seek child support payments. The MES "assignment status" variable indicates whether a recipient is receiving social assistance and has assigned their entitlement to receive custody support payments to the government, or there are monies owing from when they were previously on social assistance. A case can have money still owing to social services from the time it was an assigned case, but not be currently classified as an assigned case, since the recipient is no longer receiving income assistance benefits. It is also to be noted that not all persons receiving social assistance need to assign their cases.

¹³ Statistics Canada reports similar figures for calendar year 1998: the median age at divorce was 40 years for men and 38 years for women. Similarly, taxation data for 1995 show that the median age for male payors was 40 years, while the age for female recipients was 38 years (Department of Justice, 2001).

¹⁴ Provincial/territorial practice has a large impact here. Couples may separate and decide to formalize their arrangement in a separation agreement. Other couples may obtain a provincial/territorial order for support. In either situation, where a couple pursues a divorce, these arrangements may be incorporated into the final Divorce order, or they may be revisited. If couples do not pursue a divorce, their arrangements as set out in the separation agreement or provincial/territorial order will continue. Parents may have paternity agreements setting out child support obligations that are also enforced.

Table 5 shows that 30% of cases were assigned in Quebec, similar to the 28% figure in British Columbia. In contrast, 15% of Prince Edward Island's caseload, 13% of Ontario's caseload, and 7% of Saskatchewan's caseload were categorized as assigned. These proportions do not include recipients on social assistance whose order is being enforced in another jurisdiction.

4.2 Financial aspects of MEP caseload

There are a variety of data tables in the MES that are designed to capture information illustrating the financial flows and payment patterns of cases. This section presents some sample views of these tables that illustrate four important components of the process: the support order, other payments, compliance with orders, and arrears.

The entire process of monitoring and enforcing by the MEPs stems from an order or agreement stipulating the payment of support. To register or enrol in a maintenance enforcement program, a recipient or payor must have an order or agreement that has been court-ordered or filed officially with the court. The order or agreement will have a stated support amount and the frequency with which it is to be paid. These amounts are called "amounts regularly due".

An order may contain other amounts that are also enforceable by the MEP. These are usually called "event-driven amounts". These can be characterized as payments that must be paid when they come due, perhaps when a receipt or an invoice is produced. Examples would be payment for visits to the dentist or for yearly sports enrolment fees. These are also sometimes called "lump-sum payments".

If an expected amount is received within the calendar month in which it became due, then the case is considered by the survey to be in compliance. If the amount paid is insufficient to meet the full amount, the case is considered to be in default.

Lastly, there are amounts called "arrears". These are amounts that have not been paid and can include the accumulation of either of the above types of payments – "amounts regularly due" or "event-driven payments". Arrears may accumulate either prior to registration with a MEP or after. Those arrears that accumulate prior to enrolment usually require proof before a MEP will enforce them. It is possible to be in compliance with an amount regularly due, but still have an arrears amount that accumulated from an earlier period of non-payment.

Provided the arrears amount is being paid back according to a repayment schedule, the case will be considered in compliance.

Amounts regularly due

There are a number of dimensions reported by the survey with categorized "amounts regularly due". When all jurisdictions are reporting these data, a distribution of the size of orders that are being monitored and enforced nationally will emerge. The distribution of cases by monthly "amounts regularly due" for September 2000 is presented in Table 6.

The majority of orders¹⁵ are for less than \$400. For all five reporting provinces, more than one-half of maintenance enforcement program cases had a monthly payment due of between \$1 and \$400, ranging from 53% in Ontario to 69% in Prince Edward Island. There were substantially fewer cases with monthly payments of \$1,001 to \$2,000 and even fewer above the \$2,000 level. As time passes, changes in the distribution across the "amounts regularly due" categories may be monitored, especially as more orders under the federal child support guidelines are registered, and if inflation or general increases in income come about.

Payments, collections and compliance

MEPs may receive payments for cases from a number of sources, which may or may not be a result of actions on their part. Most MEPs offer a number of different methods of paying a support obligation: by cheque, post-dated or otherwise, money order, credit card and most recently, by pre-authorized payment plans from bank accounts. Where a third party is involved, payments may come directly from an attachment of wages, a garnishment and attachment of assets (e.g. bank account), or a federal interception of federal monies owed to the debtor, such as an income tax refund.

Much of the visible activity of MEPs involves the processing of payments and disbursement of payments to recipients. There are three models in use in Canada. There is a "pay-to" system, where the payor makes his/her payment payable to the MEP, which functions as a clearinghouse for the payment before disbursing it to the recipient. There is a "pay-through" system, where payors make their payments via the MEP, which acts simply as the go-between for the parties involved. Finally, there is a third model that is a combination of the other two.

¹⁵ For ease of reading, the use of the term orders in the text presumes the inclusion of agreements unless otherwise stated.

Some or all payments may be a result of various monitoring or enforcement actions taken by the MEP. These actions range in seriousness from a phone call reminding a payor a payment is over-due, to taking the person to court for a default hearing, which could result in a fine and/or imprisonment, depending on the circumstances of the case.

There are many ways of examining compliance, and consequently many definitions in use. However, timeliness and sufficiency of payment are the two key components of compliance. For the survey, compliance is measured on a monthly basis in relation to the amount of money expected to be paid in a given month. It is measured as of the last day of the month. This means that cases having an amount due early in the month, for example the 15th, can pay late, but still be considered by the survey to be in compliance if the money is received by the last day of the month. Conversely, if a payment is due on the 30th of the month and is received one day past month-end, the case is considered in default for that month. Compliance is also based on full payment. A partial payment, no matter how close to the amount due (e.g., 90%), would not satisfy the obligation, and so for the purposes of the survey would not be considered in compliance. Thus, the monthly figures are based on the number of cases in full compliance – having made the full payment on the amount regularly due.

Because many cases may have paid a substantial portion of the total amount due, another measure of compliance is needed to assess the amount of money that was paid in relation to the amount that was due over the same period of time. The survey collects this information as a fiscally-based count that is intended to provide another perspective on compliance.

Very similar payment compliance distributions are seen when viewed across the various “regular monthly amount due” categories. With more monthly data, payment behaviour can be tracked over various points in time to determine whether there are seasonal influences. Again, it is important to note that for the survey, compliance does not necessarily mean voluntary payment, and the full amount due must be received in order for the case to be considered in compliance.

In any given month, a payment that was expected but missed would mean a case was in default. Table 7 shows the percentage distribution of cases that made their expected monthly payment in September 2000, and consequently were in compliance. As the table shows, cases with the highest level of compliance were generally found in the “middle” payment categories, with lower compliance levels at the two extremes.

Another view of compliance shows the amount of dollars that were paid as a proportion of the total amounts regularly due. Table 8 demonstrates that during 1999/2000, MEPs in participating jurisdictions were successful in collecting most of the total dollars due. Saskatchewan collected 80% of the approximately \$29 million due for that year, Prince Edward Island collected 70% of the approximately \$6 million due, and British Columbia collected 70% of the approximately \$132 million due. The reader should keep in mind that fiscal figures include cases that have closed during the past year, and will therefore not be based on the same group of cases used in the monthly counts.

Table 9 highlights the fluctuations that occur over the months as cases fall in and out of full compliance with their due amounts. These figures show a bit of the dynamic side of the caseloads within the MEPs. Even small percentage point changes from month to month mean that many cases are falling in and out of compliance regularly.

The monthly snapshot data give MES information users a more “sensitive” indicator of possible changes in payment behaviour over time due to, for example, policy changes, enforcement measures, and public awareness campaigns. This kind of information will help address questions concerning improvements in enforcement measures, and monthly payment patterns. Information as to how people are keeping up with what they owe, in relation to the size of the order or the number or type of dependants, will also help with future program and policy development efforts.

Elapsed time and amount of arrears

Another measurement of compliance asks, “When was the last payment received on a case?” This type of measurement provides a view of how much contact some debtors have with MEPs and how much work may or may not be required on cases in terms of tracing, locating and enforcing cases.

For recipients, the “regularity of payments” is an important aspect of compliance, while for MEPs it is an indicator of the effectiveness of any enforcement activities they may have in place. Better tracing information may be required on cases in order to realize payments. Those cases that make payments periodically and those that never make payments constitute part of the caseload, and require different decisions to administer, monitor and enforce. By looking at the elapsed time since a payment was made, MEPs can see what part of the caseload is yielding payments, what the success of various enforcement strategies may be, and identify additional enforcement possibilities in response to intractable cases.

Unfortunately, the survey is unable to link any enforcement activity with a specific payment received, and there will be many cases that have had considerable attention, but the action has not yet resulted in payment being made.

Table 10 shows the distribution of cases with arrears according to the elapsed time since the last payment was received. It implies that these cases are not evenly distributed. That is, a large proportion of cases in all jurisdictions have made a payment recently, while many others are at the other end of the continuum, having not made a payment in over a year.¹⁶

The more problematic arrears cases are those where a support payment has never been made. As at September 2000, the proportion of cases that fell into this category ranged from 8% in Saskatchewan to 18% in Quebec. In Ontario, 30% of all cases with arrears had made a payment within the last month; this proportion rises to 51% for Quebec. If the last three months are considered, nearly 40% of Ontario's cases with arrears had seen a payment within that time; this rises to 62% in Quebec.

Table 10 shows the number of arrears cases that haven't paid according to specified time periods, but doesn't provide any information on how much money is owed on those cases. Table 11 provides the additional dimension, that when shifts in the table are measured periodically, can reveal whether a MEP is having more success at finding defaulters, arranging re-payment schedules and paying off arrears.

Table 11 shows cases according to the last time a payment was made by the amount owed expressed as a monthly equivalent. For instance, \$2,000 in arrears on a case that was to pay \$500 monthly would be classified as 4 monthly equivalents. Cases may be required to pay according to different schedules, and so any elapsed time other than monthly is not, in itself, indicative of the need for remedial measures.

There can be many reasons why a case may not have paid within the past month, or be up-to-date in making expected payments. For example, there are stays of enforcement that occur on some cases, or other impediments to enforcement such as prolonged periods of unemployment, disability, or incarceration.

The first column of Table 11 shows the total for cases that have no arrears. These are cases that are fully paid. Circumstances can vary, but may include cases that have different payment schedules, have stays of enforcement,

or have other outstanding matters; such cases are not categorized by elapsed time since last payment, as they are up-to-date in making payments.

For cases with arrears, a diagonal line has been added to the table at the point where the coinciding amount, that is, the length of time since the last payment is the number of monthly payments missed. For example, 13% of cases have made a payment within the past month and owe as much as one month's payment. Cases where a payment has been made within a month usually indicate that there are payments being made, either through the MEP, via garnishment deductions, or direct payments where these are allowed. Ostensibly, these are cases that have begun a period of arrears since that last payment was made.

Cases "above the diagonal" represent those cases where a payment has been made on existing arrears. In other words, even if not "current" in payment practice, these payors have contributed to the down payment of arrears, and the account has seen some payment. Cases "below the diagonal" represent cases where perhaps the amounts owing are not as high, but given the elapsed time since payments, these payors are not "keeping up". These cases might signal that more tracing is needed, especially for those cases where no payments were ever made. These cases may also involve situations where there are limitations put on the enforcement actions possible, such as stays of enforcement or laws that limit the attachment and garnishment of wages.

Cases found in the upper left corner are those that have current and paid up accounts. Those in the lower right hand corner present the most difficult challenge, since no payments have been received, and the largest amounts are due.

A more refined view of compliance can emerge by looking at the elapsed time since last payment and the number of months of payments outstanding. These data can help address questions about money flowing on cases and the degree to which cases are behind in payment. As with the other tables on compliance and default, this information will further contribute to a better understanding of payment behaviour.

¹⁶ *British Columbia maintains a policy of allowing direct payments to be made and received by its clientele throughout the case duration, and since most of these direct payments are not reported until after the CCJS data are produced, a substantial number of cases are reported as not having paid, even though they actually have. This results in B.C.'s reported compliance rate being lower than it actually is.*

Level of arrears

Arrears are monies that a payor has failed to pay in the past. Maintenance enforcement programs can register cases with arrears already accumulated, so may be starting from this vantage point. Arrears can also accrue during the time the MEP has management of the case, should payments not be made and enforcement fail to secure sufficient payment. Arrears are sometimes subject to court-ordered or renegotiated scheduled payment plans. When these occur, the amount of arrears may be gradually repaid over a period of time, with the balance of the arrears amount fixed and not considered fully due until the end of the repayment schedule.

Readers are cautioned against calculating an average per case amount of arrears since there can be a great range of arrears amounts due on cases. As some cases may account for tens or hundreds of thousands of dollars in arrears, and others will have very modest amounts due, any such calculation is inappropriate.

Table 12 presents MEP case counts with arrears, as well as the dollars associated with those arrears, as at September 30, 2000.

Case history and arrears

As mentioned before, a case may arrive at the MEP with arrears already in existence. These cases present additional challenges, in that there is a requirement to secure an ongoing payment, as well as recoup the earlier missed payments. Table 13 looks at cases in relation to how they arrived at the MEP, with arrears or not, and how they have fared since being enrolled.

During 1999/2000, approximately 20% of payors entered a maintenance enforcement program without arrears and remained arrears free. These payors had met their support obligations before enrolment in a MEP and kept up with their obligations after enrolment. The figures for Prince Edward Island are lower because of a high percentage of unknowns. During that same period, 20% of cases in Saskatchewan and 12% of cases in British Columbia that had entered the MEP with no arrears had problems keeping up with payments, and saw their arrears levels increase.¹⁷

Cases that began in the MEPs with arrears, but subsequently caught up or paid off their arrears, accounted for 32% of the caseload in Saskatchewan and 30% in British Columbia.

Overall, for those cases that entered the MEPs with either no arrears or with some arrears, the proportion of the caseload that moved towards being current/staying current was 56% in Saskatchewan and 52% in British Columbia as of March 31, 2000.

Other payors entered a MEP with arrears and had them increase. In 1999/2000, this was true for 24% of payors in Saskatchewan and 36% in British Columbia.

4.3 Enforcement/Case closure

Enforcement actions available

Maintenance enforcement programs can undertake a variety of actions to enforce current payments or existing arrears. Enforcement actions increase in intensity in response to more difficult cases and complex situations. As a matter of practice, administrative enforcement measures are exhausted early in the process, with the provincial/territorial avenues being taken first. Federal enforcement assistance, in the form of federal tracing, federal garnishment, interception of federally owed money, and federal license denial, are taken after most provincial/territorial avenues have been exhausted. If those avenues should fail to generate payment, MEPs then have court enforcement activities as an option, and these are generally taken as a last resort.¹⁸

Trying to find the payor or “tracing,” was the most often performed administrative enforcement activity by MEPs. It represented about one-third of all enforcement activities for both Saskatchewan and British Columbia in 1999/2000 (Table 14). Other frequently used enforcement actions included demand for payment, demand for information, and provincial/territorial garnishment and attachment. Data from participating jurisdictions indicate that very few court-based enforcement activities were undertaken. Court enforcement activities made up approximately 2% of all reported enforcement activities during the reference period. Of the various kinds of court enforcement activities, default hearings, as well as activities that fell under the “other” category,¹⁹ were the ones most widely used.

¹⁷ It should be noted that upon registration, some recipients are unable to reconstruct their payment history and so are unable to produce an affidavit establishing arrears. These cases have to be registered as not having any arrears, even though they are, in fact, non-compliant cases right from the start.

¹⁸ Please see the Glossary for detailed descriptions of enforcement actions and some of the variations that exist across the country.

¹⁹ Other kinds of court activity include Issuing a Warrant for Arrest, Appointing a Trustee in Bankruptcy, and issuing Writs for Seizure and Sale.

Box 2**Termination of a case**

As in most jurisdictions, Prince Edward Island, Saskatchewan and British Columbia allow for opting in and out of their programs, and this is often done at the discretion of the recipient, although in Saskatchewan, the payor can opt out if they were the party that registered with the program. In British Columbia, the payor can opt out if they were the party that registered, and the recipient agrees. In some circumstances, a case may be opted in and out a number of times. The Maintenance Enforcement Survey does not count this activity. Terminations are only counted when they are the last event in the fiscal year. There can be a number of reasons behind a MEP withdrawing a case (e.g. impossible case to enforce, recipient is accepting direct payments contrary to the program's instructions, etc). Other reasons for the closure of a case include the withdrawal by the parties involved, death of either party, or the expiration of the obligation to pay support.

Reasons for terminating a case

There can be a number of reasons for the termination of a case within a maintenance enforcement program. In 1999/2000 the most common reason for termination of a case was withdrawal by either the recipient or payor, which accounted for 35% of the terminated cases (Table 15). A further 27% of cases were terminated because the order to pay support had expired. Another 25% of cases were closed by the MEP, and death of either party accounted for 2% of terminated cases.

Length of time enrolled in a MEP

A case may be enrolled and withdrawn, in accordance with provincial/territorial policy, a number of times over the life of a support order. For MEPs and policy makers, the length of time a case resides in a MEP is important for

operational, budget and resource planning. Information from the National Longitudinal Survey of Children and Youth indicates that children are experiencing family disruption at earlier and earlier ages. This has implications for MEPs in that they may receive cases with younger and younger children involved in support orders. Given this trend, the potential is there for cases to reside in the MEPs for longer periods of time, compared to when the MEPs were first established.

With the MEPs in Canada being relatively new organizations, their caseloads are not very old. This, coupled with the possibility of cases being enrolled and terminated multiple times, and the fact that support obligations usually terminate at some point during the life of the case, means that cases do not stay with MEPs for very long. During the 1999/2000 fiscal year, approximately one-half of all cases for the participating jurisdictions had been registered in a MEP for 4 years or less (Table 16).²⁰

However, sizeable proportions of MEP caseloads were enrolled for more than 9 years: 9% in Saskatchewan, 12% in Prince Edward Island and 13% in British Columbia. For those cases enrolled in the MEP on March 31, 2000, the average length of time that they were enrolled was 4 years in Saskatchewan and British Columbia and 5 years in Prince Edward Island.

²⁰ *In Saskatchewan there was a sharp increase in the percentage of cases aged from 3 to 4 years compared to what was taking place in other provinces. During this period of time Saskatchewan's MEP increased office staff to handle more cases, the Family Law Division was created and more judges were utilized. These changes may have increased the number of cases that the program could process. British Columbia data for average length of time a case has been enrolled is skewed by the fact that persons on income assistance were not required to be in the maintenance enforcement program until September 1997. This resulted in a continuous large influx of new cases after this date, which has shortened the overall average time in the program.*

Table 1

Maintenance enforcement cases enrolled, by REMO status, at March 31, 2000¹

	Cases enrolled		Reciprocal Enforcement of Maintenance Order (REMO) Status		
			Non-REMO	REMO-in	REMO-out
	No.	%		%	
Prince Edward Island	1,869	100	82	12	6
Saskatchewan	10,092	100	66	14	21
British Columbia	43,116	100	77	11	12

¹ REMO refers to the Reciprocal Enforcement of Maintenance Orders. The provinces and territories have enacted legislation to ensure that orders/agreements can be enforced beyond their borders. Non-REMO cases are typically cases where both parties live in the same province/territory. REMO-in cases are cases that the province/territory has been asked by another jurisdiction to enforce because the payor lives and/or has assets inside their borders. REMO-out cases are cases that the province/territory has sent to another jurisdiction for enforcement because the payor lives outside their borders.

Note: Figures may not total 100% due to rounding.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 2

Maintenance enforcement cases enrolled, by sex of payor and recipient, at March 31, 2000¹

	Cases enrolled		Sex of payor and recipient		
			Male payor Female recipient	Female payor Male recipient	Unknown
	No.	%		%	
Prince Edward Island	1,749	100	96	0	3
Saskatchewan	8,020	100	98	1	0
British Columbia	37,820	100	97	2	0

¹ REMO-out cases are excluded.

Note: Figures may not total 100% due to rounding.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 3

Maintenance enforcement cases enrolled, by median age of payor, recipient and children, at March 31, 2000¹

	Payor	Recipient	Children
	median age (years)		
Prince Edward Island	39	36	12
Saskatchewan ²	40	37	13
British Columbia	40	38	12

¹ REMO-out cases are excluded.

² Median age for children for Saskatchewan includes all children associated on the order, including an unknown number who may not be covered by the agreement.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 4

Maintenance enforcement cases enrolled, by authority of order/agreement and type of recipient, at March 31, 2000¹

	Authority of order/agreement									
	Divorce Act		Provincial order		Provincial agreement		Unknown		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Province and type of recipient:										
Saskatchewan										
Children only	3,300	51	2,166	33	207	3	813	13	6,486	100
Spouse only	177	66	27	10	6	2	57	21	270	100
Spouse with children	321	80	39	10	6	1	36	9	402	100
Unknown	483	56	180	21	15	2	186	22	864	100
Total	4,284	53	2,412	30	234	3	1,092	14	8,019	100
British Columbia										
Children only	9,486	27	24,021	67	2,121	6	0	0	35,631	100
Spouse only	432	54	321	40	42	5	0	0	795	100
Spouse with children	513	42	636	52	75	6	0	0	1,227	100
Other	0	0	3	100	0	0	0	0	3	100
Unknown	72	44	84	51	6	4	3	2	165	100
Total	10,503	28	25,071	66	2,244	6	3	0	37,821	100

¹ REMO-out cases are excluded. P.E.I. is excluded, as they cannot provide data on the type of recipient or authority for order.

Note: Figures may not add to total due to rounding.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 5

Maintenance enforcement cases, by assignment status, at September 30, 2000¹

	Cases enrolled		Cases assigned ²	
	No.	%	No.	%
Prince Edward Island	1,848		282	15
Quebec	83,910		25,575	30
Ontario	169,842		21,471	13
Saskatchewan	8,133		582	7
British Columbia	38,475		10,761	28

¹ REMO-out cases are excluded.

² This indicates that the recipient is receiving social assistance and has assigned their entitlement to receive support payments to the government.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 6

Maintenance enforcement cases enrolled, by regular monthly payment due, at September 30, 2000¹

	Prince Edward Island	Quebec	Ontario	Saskatchewan	British Columbia
	% of cases				
Regular monthly payment due (\$):					
0 ²	11	13	20	12	12
1-200	34	23	27	35	35
201-400	35	35	26	31	31
401-600	12	15	13	13	12
601-800	4	6	6	5	5
801-1,000	2	3	3	2	2
1,001-2,000	2	4	4	2	2
over 2,000	0	1	1	0	0

¹ REMO-out cases are excluded. The amount due represents the regular monthly amount due for the entire case, not a per child amount. The payment due date can be any time during the month.

² Cases may have a \$0 amount due for several reasons including, they have no regular ongoing obligation, they only have arrears, or they have a different payment schedule, such as quarterly.

Note: Figures may not total 100% due to rounding.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 7

Maintenance enforcement cases enrolled, by regular monthly payment due and proportion in compliance, at September 30, 2000¹

	Prince Edward Island	Quebec ²	Ontario ³	Saskatchewan	British Columbia ⁴
	% of cases in compliance				
Regular monthly payment due (\$):					
1-200	43	64	41	54	55
201-400	49	72	51	61	62
401-600	47	79	56	61	63
601-800	54	82	57	58	62
801-1,000	55	84	57	58	58
1,001-2,000	50	83	55	61	59
over 2,000	67	78	49	50	53

¹ REMO-out cases are excluded. Regular payments are the ongoing amount ordered or agreed to. Compliance in this instance indicates that the regular amount expected in the month was received.

² In certain cases if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.

³ Ontario may have some cases that paid beyond month end and are included as having made a payment in the month.

⁴ In B.C., dollars due and received for interest have not been included. British Columbia maintains a policy of allowing direct payments to be made and received by its clientele throughout the case duration, and since most of these direct payments are not reported until after the CCJS data are produced, a substantial number of cases are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 8

Maintenance enforcement cases administered with a regular amount due, by amount due and received, 1999/2000¹

	Cases administered ²	Regular amount due	Regular amount received	
	No.	millions \$	millions \$	%
Prince Edward Island ³	1,642	6.0	4.2	70
Saskatchewan	8,460	29.0	23.3	80
British Columbia ⁴	37,596	132.2	92.9	70

¹ REMO-out cases are excluded. Cases administered includes cases registered for at least part of the year, i.e. cases enrolled and cases terminated. The amount due represents the regular monthly amount due for the entire year.

² Includes only those cases that have regular amounts due. Not all cases have a regular amount due. For example, there may be cases where the ongoing obligation has ceased but arrears remain.

³ P.E.I. data cover the period from March 1999 to February 2000.

⁴ In B.C., dollars due and received for interest have not been included. British Columbia maintains a policy of allowing direct payments to be made and received by its clientele throughout the case duration, and since most of these direct payments are not reported until after the CCJS data are produced, a substantial number of cases are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 9

Maintenance enforcement cases, by compliance on regular monthly payments due, April to September 2000¹

	April	May	June	July	August	September
	% of cases in compliance					
Prince Edward Island	53	57	53	55	51	53
Quebec ²	..	75	76	76	77	76
Ontario ³	57	61	62	60	60	59
Saskatchewan	62	68	63	65	64	63
British Columbia ⁴	62	65	64	63	63	64

.. not available for a specific reference period.

¹ REMO-out cases are excluded. Regular payments are the ongoing amount ordered or agreed to. Compliance in this instance indicates that the regular amount expected in the month was received.

² In certain cases if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.

³ Ontario may have some cases that paid beyond month end that are included as having made a payment for the month.

⁴ In B.C., dollars due and received for interest have not been included. British Columbia maintains a policy of allowing direct payments to be made and received by its clientele throughout the case duration, and since most of these direct payments are not reported until after the CCJS data are produced, a substantial number of cases are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 10

Maintenance enforcement cases with arrears, by elapsed time since payment, September 30, 2000

	Prince Edward Island	Quebec ²	Ontario	Saskatchewan ³	British Columbia ⁴
			% cases ¹		
New cases in default:					
Less than 30 days since enrolment	1	2	1	0	1
Time since payment received:					
≤1 month	46	51	30	34	42
>1 to 3 months	14	11	8	13	14
>3 to 6 months	6	6	6	8	11
>6 to 9 months	3	4	2	3	3
>9 to 12 months	2	2	2	2	3
>12 months	16	6	38	11	16
No payments ever made:					
Cases 12 months old or less	4	9	3	5	5
Cases more than 12 months old	9	9	9	3	6
Unknown	0	0	0	21	0
Total	100	100	100	100	100

¹ REMO-out cases are excluded. Includes cases with arrears that are still enrolled.

² In certain cases if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.

³ Saskatchewan's data for September 2000 counted cases that paid on the last day of the month as unknown, rather than being attributed to the 1-30 day elapsed time category. Subsequent data reporting has corrected this anomaly.

⁴ In B.C., dollars due and received for interest have not been included. British Columbia maintains a policy of allowing direct payments to be made and received by its clientele throughout the case duration, and since most of these direct payments are not reported until after the CCJS data are produced, a substantial number of cases are reported as not having paid, even though they actually have.

Note: Figures may not total 100% due to rounding.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 11

Maintenance enforcement cases enrolled, by elapsed time since last payment and equivalent monthly balance outstanding, five jurisdictions, at September 30, 2000^{1,2}

	\$0 owed ³	Equivalent monthly balance outstanding						Unknown	Total	
		≤1 month	>1 to 3 months	>3 to 6 months	>6 to 9 months	>9 to 12 months	>12 months		No.	%
	No.	cases with arrears % of total (200,940 cases)						No.		
New cases in default:										
Less than 30 days since enrolment		1	0	0	0	0	0	0	2,217	1
Time since payment received:										
≤1 month ⁴	13	8	3	2	1	7	1	71,697	36	
>1 to 3 months	1	2	1	1	0	4	1	19,485	10	
>3 to 6 months	1	0	1	1	0	3	0	13,617	7	
>6 to 9 months	0	0	0	1	0	1	0	5,676	3	
>9 to 12 months	0	0	0	0	0	1	0	4,401	2	
>12 months	9	2	1	1	1	13	1	55,287	28	
No payments ever made:										
Cases 12 months old or less	1	0	0	0	0	7	1	17,748	9	
Cases more than 12 months old	0	1	1	1	0	1	1	9,636	5	
Unknown	0	0	0	0	0	0	0	1,185	1	
Total	101,265	27	14	8	5	4	38	6	200,940	100

¹ REMO-out cases are excluded. The five jurisdictions are: P.E.I., Quebec, Ontario, Saskatchewan and B.C.

² Saskatchewan's data for September 2000 counted cases that paid on the last day of the month as unknown, rather than being attributed to the 1-30 day elapsed time category. These cases are excluded from this table, and the percentages shown are for the known times. Subsequent data reporting has corrected this anomaly.

³ These are cases that are fully paid. Circumstances can vary, but they may have different payment schedules, stays of enforcement, or have other outstanding matters; these cases are not categorized by elapsed time since last payment, as they are up-to-date in making payments.

⁴ Cases where a payment has been made within a month usually indicate that there are payments being made, either through the MEP, via garnishment deductions, or direct payments where these are allowed.

Note: Figures may not add to total due to rounding.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 12

Maintenance enforcement cases with arrears, by amount owing, at September 30, 2000¹

	Cases with arrears	Amount due
	No.	millions \$
Prince Edward Island	1,308	7.8
Quebec	44,853	300.2
Ontario	126,462	955.1
Saskatchewan	5,745	30.9
British Columbia ²	24,237	228.1

¹ REMO-out cases are excluded. Includes cases with arrears that are still enrolled. Readers are cautioned against calculating an average per case amount of arrears. Some cases have thousands of dollars of arrears, while others have a very small amount. The average will be influenced by these cases at either end of the range.

² In B.C., dollars due and received for interest have not been included. British Columbia maintains a policy of allowing direct payments to be made and received by its clientele throughout the case duration, and since most of these direct payments are not reported until after the CCJS data are produced, a substantial number of cases are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 13

Maintenance enforcement cases enrolled, by arrears history and status, at March 31, 2000¹

		Prince Edward Island ²		Saskatchewan		British Columbia ³	
		No.	%	No.	%	No.	%
Status at entry:	Status at March 31, 2000:						
No arrears at entry	No current arrears	112	6	1,843	23	7,663	20
	Arrears have increased	121	7	1,568	20	4,507	12
Entered with arrears	Arrears have increased	318	18	1,956	24	13,736	36
	Arrears have decreased	117	7	1,233	15	5,262	14
	Arrears remained constant	37	2	67	1	647	2
	Arrears have been paid off	183	10	1,353	17	6,005	16
Unknown		861	49	0	0	0	0
Total		1,749	100	8,020	100	37,820	100

¹ REMO-out cases are excluded. At entry into a maintenance enforcement program, arrears status may be unknown until an accurate balance is produced. Therefore, some payors can actually be in arrears but be recorded as having no arrears.

² P.E.I. has a high number of unknowns because of a change in its information system.

³ British Columbia may be more likely to have arrears associated with its cases because it has an opt-in program.

Note: Figures may not add to total due to rounding.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 14

Maintenance enforcement cases administered, by type of enforcement action, 1999/2000¹

		Prince Edward Island		Saskatchewan		British Columbia	
		No.	%	No.	%	No.	%
Enforcement Action:							
Demand for payment		9	0	1,269	10	30,969	20
Demand for information		9	0	2,199	17	3,654	2
Maintenance enforcement plan trace		0	0	4,284	33	51,105	34
Jurisdictional garnishment and attachment		525	10	2,085	16	9,378	6
Voluntary payment arrangement		12	0	6	0	297	0
Credit Bureau reporting		0	0	0	0	17,406	11
Land registration		0	0	996	8	3,663	2
Personal property lien		0	0	0	0	2,502	2
Motor vehicle licence intervention		9	0	363	3	3,831	3
Writ of execution		18	0	42	0	0	0
Other administrative enforcement actions		3,660	71	0	0	17,454	12
Subtotal		4,242	83	11,244	87	140,259	93
Federal trace (FOAEA-Part I ²)		0	0	0	0	1,236	1
Interception of federal funds (FOAEA-Part II ²)		885	17	1,653	13	9,327	6
Federal licence suspension (FOAEA-Part III ²)		0	0	0	0	663	0
Federal garnishment (GAPDA ²)		9	0	3	0	51	0
Total Administrative Actions		5,136	100	12,900	100	151,536	100
Court Enforcement:							
Default hearing		129	63	183	100	660	20
Committal hearing		3	1	0	0	141	4
Execution order		0	0	0	0	57	2
Register order against personal property		0	0	0	0	21	1
Appointment of receiver		0	0	0	0	15	0
Order to provide information		0	0	0	0	15	0
Restraining order for prevention of asset disposal		0	0	0	0	0	0
Other court enforcement activities		72	35	0	0	2,394	72
Total Court Enforcement Actions		204	100	183	100	3,303	100

¹ REMO-out cases are excluded. Cases administered includes all cases registered for at least part of the year, i.e. cases enrolled and cases terminated. More than one action may be associated with the same case.

² FOAEA refers to the Family Orders and Agreements Enforcement Assistance Act. GAPDA refers to the Garnishment, Attachment and Pension Diversion Act. See Glossary for more information.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 15

Maintenance enforcement cases terminated, by reason for termination, three jurisdictions, 1999/2000¹

	Total cases terminated	
	No.	%
Reasons for termination:		
Withdrawal by recipient/payor	1,995	35
Order expired	1,554	27
Withdrawal by program	1,437	25
Death of either party	138	2
Other	648	11
Unknown	15	0
Total	5,778	100

¹ REMO-out cases are excluded. Terminated cases includes cases that were registered for at least part of the year. The three jurisdictions are: P.E.I., Sask., and B.C.

Note: Figures may not add to total due to rounding.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 16

Maintenance enforcement cases enrolled, by length of enrolment, at March 31, 2000¹

	Prince Edward Island	Saskatchewan ²	British Columbia
	% cases		
Length of time enrolled			
up to 1 year	14	13	17
>1 to 2 years	13	10	15
>2 to 3 years	14	10	12
>3 to 4 years	13	21	11
>4 to 5 years	8	12	8
>5 to 6 years	9	10	6
>6 to 7 years	8	7	5
>7 to 8 years	6	5	6
>8 to 9 years	4	4	6
>9 to 10 years	4	3	5
>10 to 15 years	7	6	8
More than 15 years	1	0	0
Unknown	0	0	0
Total	100	100	100

¹ REMO-out cases are excluded.

² In Saskatchewan, an increase in staff, judges, and the 1997 Child Support Guidelines may have increased the number of cases processed in that year. This corresponds with cases of 3 to 4 years duration with the maintenance enforcement program.

Note: Figures may not total 100% due to rounding.

Source: Statistics Canada, Maintenance Enforcement Survey.

5.0 Future Reports from the Survey

This report introduced the Maintenance Enforcement Survey methodology and tables, national concepts, operational differences among programs as well as the limitations that affect the way in which the data can be presented and interpreted.

Future reports will focus on building time series data so that more monthly periods will be covered, permitting further examination of seasonal or monthly changes that might occur during the year. Continued implementation of the survey, extending coverage to those jurisdictions that have not completed development, is planned, providing funding can be obtained. The goal is to report on the nature of cases and support obligations registered with all of Canada's MEPs.

Additional data will allow more extensive analysis to be undertaken, and indicate the kinds of changes being experienced by maintenance enforcement programs across the country. As well, the use of standard definitions will permit the examination of the national picture of

maintenance enforcement in Canada, mindful of the legislative and operational differences that characterize individual programs.

With additional data, it is anticipated that future reports will explore various MEP features, the nature of support obligations, the use and effect of REMO provisions on MEP operations and enforcement, as well as the nature of payment.

As the survey continues, opportunities for enhancements and modifications to better capture information can be explored. As is feasible, these changes or additions will be incorporated as system improvements and additional system features are built into monitoring and tracking information systems. Given the interest in the area of family law, and the need for national data, the long-term goal is to complete the implementation of the survey across the country, enhancing the data utility, in collaboration with the MEPs.

6.0 Appendix A: Glossary of Terms

Action

This refers to the various options available to the enforcement officers for enforcement. Not all options will be available in every jurisdiction, nor will they be available to all levels of responsibility.

Activity (enforcement activity)

Various methods can be employed by a MEP to enforce an outstanding payment. Activities taken on a case can be categorized according to who conducts the procedure. Administrative activities are those mechanisms employed by the MEP itself, and would include demands for information, Credit Bureau reporting, and license denial as examples. Quasi-judicial enforcement are activities undertaken by a Master or Court Administrator, and may involve conducting default hearings. Court-based enforcement is generally employed as a last resort, and involves court and judge time. These tend to be more serious enforcement actions, involving default hearings, issuing of warrants, and default orders, and may culminate in fines or jail.

Administrative survey

An administrative survey uses data that were collected by another agency or group for their own purposes. While the data collected were designed to assist decision-making or monitoring for the original agency, data can be extracted for research purposes providing a source for this information without having to mount a separate survey.

Arrears

Arrears refer to money owing from earlier missed payments. An amount of arrears may end up being subject to a schedule for the payment of this amount, either by a court order or voluntary payment arrangement. As long as the payment schedule is being adhered to, it is likely no additional enforcement action can be taken. Any non-scheduled arrears are those arrears which are owed from an earlier time, and for which there is no payment schedule established. The full amount is due and enforceable.

It is possible to be in arrears and be in compliance at the same time. This would be the situation if the payor were making all the current payments due, and the scheduled

arrears payment, including a voluntary payment arrangement.

Assignment

This identifies whether the recipient is receiving social assistance and has had his or her case formally assigned to the Crown, or it may signify that arrears exist and that when collected, should be used to recover Social Assistance payments previously paid. Monies that are collected on behalf of the recipient on social assistance are either paid directly back to the provincial/territorial government or are reported and then deducted from the next assistance cheque.

Authority

Support obligations enforced by the MEP programs are the product of a court order or an agreement between the recipient and the payor. Orders for support may be the result of consent between the parties or a contested court hearing, and may be granted either under the federal divorce legislation, or the applicable provincial/territorial maintenance legislation.

Caseload

Includes cases enrolled during the reporting period in a program and excludes REMO-out cases.

Cases administered (Cases enforced)

Includes both enrolled and terminated cases, but excludes REMO-out cases.

Cases registered

Includes cases currently enrolled in a program, including REMO-out cases, but excludes terminated cases.

Compliance/Default

For purposes of the survey, compliance means that at least the amount expected in a month is received. Cases where there is nothing due in a month are counted as being in compliance. Excess payments or early payments are not considered separately. Cases not in compliance are in default.

Cases in compliance may also have arrears, either non-scheduled or scheduled. The determination of compliance is only made against the current amount due in a month.

Credit Bureau reporting

Credit Bureau reporting occurs when a MEP advises the Credit Bureau of payors who are in arrears as per the MEP threshold. This lets other potential credit granters know of the debt so they will take this into consideration before allowing the payor to take on a new obligation that might be affected by the support obligation.

Demands for payment

Demands for payment and for information are often routinely done at the outset of a case, and represent a fairly standard registration and enforcement response. Tracing activities may be necessary depending on the value of the information provided in the registration process, and to determine what actions need to be taken at that point. If the case is determined to be a REMO-out case, then appropriate measures to send it must follow.

Enrolment

This identifies cases according to their enrolment status for the year. A case is identified in terms of whether it is a brand new case during the year, a re-enrolment case during the year, a terminated/withdrawn case, or an existing case from the previous year.

Event-driven payments

This refers to monies that are due because of some situation that has arisen if provided for in the order or agreement. For instance, an event-driven payment could be for tuition, dental work, lessons, etc.

Family Orders and Agreements Enforcement Assistance Act (FOAEA)

Under the three parts of the federal *Family Orders and Agreements Enforcement Assistance Act (FOAEA)*, MEPs can access different services provided by the Family Law Assistance Service (FLAS) of the federal Department of Justice. Part I allows for requests to search various federal databanks to determine the location of the payor. Part II allows for the interception of federal money owing to a payor. This most frequently takes the form of intercepting an income tax refund. Part III allows the MEP to apply to the applicable federal department to have federally-administered licenses revoked or denied. This would most often entail a passport or a Transport license denial/revocation.

Garnishment, Attachment, and Pension Diversion Act (GAPDA)

Under the *Garnishment, Attachment and Pension Diversion Act (GAPDA)*, federal employee salaries and pensions are subject to garnishment.

Garnishment and attachment

This refers to the legal redirection of money owed to a support payor by another person or a corporation. A garnishment is referred to as a wage attachment in some jurisdictions. Most MEPs are able to issue their own garnishments and attachments, without court involvement.

Jurisdiction

Describes the province or territory.

Motor vehicle license intervention

A motor vehicle license intervention may be placed in order to prevent the renewal of licenses (and in some jurisdictions, motor vehicle-related services) and/or suspension of driving privileges prior to satisfying the support obligation. Often, enforcement action will be used concurrently, e.g. the MEP may initiate a driver's license suspension and report the debtor to the Credit Bureau in order to elicit contact and payment.

Payment history

Describes the history of the payments for the case upon entry into a MEP.

Payor

The payor is the person in the order/agreement who provides the support.

Personal property lien

Support payments in arrears can be registered as a lien or charge against any personal property (e.g. motor vehicle) owned or held by the support payor in the jurisdiction. Registration affects the ability of the payor to sell or finance the encumbered personal property.

Reason for termination

Cases will terminate in a MEP for a variety of reasons. For example, orders expire as children age, the payor or recipient may die, or the recipient or payor may withdraw from the program. In some instances the program may close the case depending upon its policy. For example, a MEP might close a case if the recipient cannot be located

or if the recipient is accepting direct payments contrary to the program's policy.

Recipient

The recipient is the person named in the order/agreement to receive the support and is generally the parent who has custody or responsibility for the children. Sometimes the recipient is a grandparent or another person responsible for the children. The money the recipient receives could be for the benefit of the recipient, for dependent child(ren), or for both.

Registration against land

A support order may be registered in the Land Registry Office in the jurisdiction against the payor's land. Upon registration, both the ongoing support obligation and any arrears owing become a charge on the property. The charge may be enforced by sale of the land in the same manner as a sale to realize on a mortgage.

Regular payments

This refers to the amount ordered or agreed to, expressed as a monthly payment due and includes the regular ongoing amount due in one month. Scheduled arrears are not included.

Reporting periods

Data are collected from the MEPs based on two different timeframes: yearly and monthly.

Total payments

This refers to all monies for support, expressed as a monthly payment, that is due in one month. This amount includes the amount expected for a given month, scheduled arrears, fees, costs and penalties due, event-driven payments, etc.

Voluntary payment arrangements

Voluntary payment arrangements and provincial/territorial garnishments and attachments are appropriate measures to take when there is employment or other income source and/or the intent to satisfy the payment obligation.

Writ of seizure and sale

A legal document by which a sheriff in a jurisdiction where the writ is filed can be authorized to seize either personal property (e.g. motor vehicle) or real property (e.g. land) of a support payor in default and to sell the property to satisfy the support debt. A writ of seizure and sale can also affect the ability of a payor to finance or sell the encumbered property.

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