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Child and Spousal Support: Maintenance Enforcement Survey Statistics, 2002/2003



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Child and Spousal Support: Maintenance Enforcement Survey Statistics, 2002/2003

by Isabelle Pronovost

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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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Note to readers

During the 1980s and 1990s, maintenance enforcement programs (MEPs) were created in each province and territory to assist recipients in the collection and enforcement of child and spousal support payments. This is the third release of information from the Maintenance Enforcement Survey (MES), which collects data on child and spousal support from the maintenance enforcement programs. Prince Edward Island, Quebec, Ontario, Saskatchewan, Alberta and British Columbia participate in the survey. These six participating provinces represent about 90% of Canada's population.¹

Estimates indicate that less than one-half of all support cases are registered with a maintenance enforcement program (MEP).² Consequently, survey data are not representative of all support orders in Canada. In some provinces, including four that provide data to the MES, registration is voluntary.³ For this reason, 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 the survey data to evaluate specific enforcement programs or generalize the results to all support orders in Canada.

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1. *This report presents fiscal year 1999/2000, 2000/2001, 2001/2002 and 2002/2003 child and spousal support data for Prince Edward Island, Saskatchewan and British Columbia. Some annual data for Quebec and Alberta are available as well. Monthly snapshot data for these same provinces plus Ontario are also presented. Please consult Appendix B for a glossary of terms used throughout this report.*
 2. *See Canadian Facts, Survey of Parents' Views of the Federal Child Support Guidelines, 2000.*
 3. *Registration is voluntary or "opt-in" in Prince Edward Island, Saskatchewan, Alberta and British Columbia. In Quebec and Ontario, registration in a MEP is "opt-out" or mandatory.*

Highlights

- Survey data indicate that maintenance enforcement programs are operating primarily for the benefit of children. Of the cases registered with the programs in March 2003, the large majority included a support amount for children. This included 97% of the caseload in British Columbia, 91% in Prince Edward Island, 90% in Saskatchewan, 81% in Alberta and 75% in Ontario.
- Maintenance enforcement program caseloads have been increasing in most jurisdictions. Compared with March 2002, the caseload in March 2003 was up 10% in Prince Edward Island, 6% in Alberta and 5% in Quebec. In Ontario and British Columbia, caseloads remained fairly stable, while in Saskatchewan, enrolment declined slightly (-2%).
- In each of the six reporting provinces, for cases that have a regular monthly payment, the majority of cases (50 to 71%) involve a payment of \$400 or less. Few cases (2% to 5%) require a monthly payment greater than \$1,000.
- For the month of March 2003, the most recent month of data available, a large proportion of cases were in compliance with their regular monthly payment due, ranging from 49% of cases in Prince Edward Island to 79% of cases in Quebec⁴.
- During 2002/2003, reporting provinces collected the majority of the money that was due in the form of regular monthly payments. Of the four provinces that provide these annual data, Prince Edward Island collected 66% of the approximately \$8 million due for that year, British Columbia collected 71% of the \$154 million due⁵, Saskatchewan collected 79% of the \$30 million due and Quebec collected 89% of the \$406 million due.
- In March 2003, of those cases enrolled in the MEPs in Prince Edward Island, Quebec, Saskatchewan and British Columbia, about two-thirds of payors had first entered the program with arrears. Of these, almost one-third (31%) had paid off their arrears and another 21% saw their arrears decrease. Just under one-half (46%) saw their arrears increase. In about 2% of cases, arrears remained constant.
- During 2002/2003, MEPs utilized mainly administrative enforcement actions, as opposed to court actions, to secure payments. In British Columbia, trying to find the payor (“tracing”) was the most often performed administrative enforcement activity (38% of all administrative enforcement activities) whereas in Saskatchewan, this action ranked third (20%), after demand for information (29%) and jurisdictional garnishment and attachment (24%).

4. *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.*

5. *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 survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.*

1.0 Introduction

1.1 Background

During the 1980s and 1990s, maintenance enforcement programs (MEPs) were created in each province and territory in Canada. At the recommendation of the federal-provincial-territorial Family Law Committee (FLC), these programs were implemented to assist recipients in the collection and enforcement of child and spousal support payments. Their role is to provide the necessary administrative support to payors and recipients and to improve compliance with support obligations.

The programs were given a number of administrative enforcement powers to secure payments before resorting to the courts for the more difficult cases. For example, 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.⁶ The interception or garnishment of federal funds (e.g. income tax refunds) and federal employee's salaries or pensions is also provided for through two federal statutes, the *Family Orders and Agreements Enforcement Assistance Act (1987)*, and the *Garnishment, Attachment and Pension Diversion Act (1983)*.

Results from the Maintenance Enforcement Survey show that MEPs have experienced increases in their caseloads (see Section 4.1). 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.⁷ Given that the primary 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 across Canada 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.⁸ 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 (see Section 2 for more information on jurisdictional differences).

The 1990s saw considerable growth in the sophistication of MEP automated information 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. Issues of concern included the erosion of the value of court-ordered support amounts, inconsistent methods for determining award amounts, and the taxation of support.

In 1995, to address these issues, the Family Law Committee recommended the implementation of child support guidelines and changes to the tax treatment of child support. The federal government responded by enacting the Federal Child Support Guidelines for divorce cases and legislating additional enforcement measures to assist the MEPs. Federal funding was also provided to implement child support guidelines in provincial/territorial legislation and to assist them with the workload that might be created in family courts as a result of these changes.

To address the information gap in family law, the Canadian Centre for Justice Statistics (CCJS) and various MEP representatives established national data requirements and a collection strategy. In 1995, a set of survey specifications for the Maintenance Enforcement Survey (MES) was approved and this became the blueprint for current data collection.

6. *Databases at the Canada Customs and Revenue Agency and Human Resources and Development Canada (HRDC) can be searched for a payor's address. HRDC databases can also be searched for a payor's employer.*
7. *See Canadian Facts, Survey of Parents' Views of the Federal Child Support Guidelines, 2000.*
8. *See Maintenance Enforcement Programs in Canada: Description of Operations 1999/2000 for more information on the operation of MEPs across Canada.*

1.2 This report

This report presents annual child and spousal support data for Prince Edward Island, Quebec, Saskatchewan, Alberta and British Columbia for 1999/2000 through 2002/2003. Monthly snapshot data for these same provinces plus Ontario are also presented.

The report provides an analysis of the characteristics of cases that are registered with the maintenance enforcement programs in these six provinces and highlights changes that have occurred over the four years that data are available.

The report is organized into three additional sections:

Section 2 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 3 presents an overview of the survey. It describes the survey methodology, coverage and limitations, as well as provisions surrounding confidentiality of the data.

Section 4 displays a range of key data tables collected by the survey. It includes an analysis of the data available from the six participating provinces on caseload, case characteristics, financial flows and payment patterns, arrears, and finally, number and type of enforcement actions and case closures.

An overview of child support in New Zealand and Australia can be found in Appendix A.

A glossary of standard definitions is provided in Appendix B.

2.0 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 maintenance enforcement programs (MEPs) across Canada. Maintenance enforcement programs register cases, process payments and monitor and enforce 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 local needs. The following provides an overview of the jurisdictional differences that have an impact on data collection and interpretation.

2.1 Registration

All potential support recipients with an enforceable court order or agreement⁹ 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.

About half of the jurisdictions have adopted an opt-out registration system. This includes Newfoundland and Labrador, Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba and the Northwest Territories. In these seven jurisdictions, 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 In many jurisdictions, the payor has to agree to the withdrawal. This request can be denied if the recipient is collecting social assistance.¹¹

Six jurisdictions have a voluntary "opt-in" program. This includes Prince Edward Island, Saskatchewan, Alberta, British Columbia, Yukon and Nunavut. 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.

MEPs in provinces or territories in which cases are automatically enrolled from court are more likely to include a higher proportion of "good" and "paid up" case accounts. This will have an impact on the proportion of MEP cases that are in compliance and the proportion that have arrears.

There are administrative requirements to be met in order for a case to be registered; personal information on both parties, 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 the location of either the payor or recipient is missing, and to determine if the case must be sent elsewhere under interjurisdictional support orders legislation.

2.2 Payment processing

The payment of support is processed and handled by a variety of methods. MEPs may receive payments for cases from a number of sources, which may or may not be a result of enforcement 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. Payments may also 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 payor, 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. Newfoundland and Labrador, Prince Edward Island, New Brunswick, Quebec, Ontario, Alberta, the Northwest Territories and Nunavut use this approach. Payments may be made by way of certified cheque, money order, cash,

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

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

11. Provinces and territories treat child support as income and deduct it in whole or in part from social assistance benefits received by recipients.

debit card, credit card and company cheques. All monies received by the program are deposited into a trust account and the government sends the money to the recipient, usually through direct deposit or by cheque.

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. Once the payment is entered into the system by the MEP, the payment is forwarded to the recipient. The increasing use of direct deposits to send recipients their money may result in pay-through systems gradually becoming pay-to systems.

Finally, there is a third model that is a combination of “pay-to” and “pay-through”. Nova Scotia, Manitoba, Saskatchewan, British Columbia and Yukon use this type of model. This means that payments may be made payable to either the recipient or to the MEP.

2.3 Enforcement

The MEPs are required by their legislation to monitor and enforce cases registered with them. They must enforce 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 in the order or agreement through the courts.

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 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 garnished from his or her wages. Court enforcement remedies range from a summons to appear, to a fine or jail.

Because MEPs operate under different legislation, they differ in the nature and scope of their enforcement powers. Garnishments and attachments, for example, may be restricted by a provincial law that limits the percentage of a paycheck that can be attached. In some provinces,

this is set 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. These types of provincial/territorial variations must be considered when assessing the information compiled in this report.¹²

The Family Law Assistance Services Section of the federal Department of Justice provides access to federal databases for searching for payors, 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 subject to garnishment.

2.4 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. In many jurisdictions, the payor’s agreement is required in order for the recipient to withdraw from the program.

Rarely is the payor allowed to withdraw from the program, although this is allowed in Ontario (provided the recipient is in agreement), in British Columbia (if the payor was the one who registered the order and the recipient is in agreement) and in Saskatchewan, Alberta and the Northwest Territories if the payor was the one who registered the order.¹³ 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, a case is closed or “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.

12. See Maintenance Enforcement Programs in Canada: Description of Operations 1999/2000 for more information on the operation of MEPs across Canada.

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

3.0 Overview of the Maintenance Enforcement Survey

3.1 Survey methodology

The Maintenance Enforcement Survey (MES) is an administrative survey that collects data from the case management 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 comply with survey specifications.

Data are extracted from each MEP's automated information system according to the survey specifications. Computer interfaces map survey concepts to local system information and the data are then electronically compiled from the system and transmitted to the Canadian Centre for Justice Statistics.

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 survey specifications in 1995.

3.2 Coverage

Currently, the MES has been implemented in six provinces, which together account for about 90% of Canada's population. The survey is intended to be implemented nationally, and will eventually cover all cases for which the MEPs have responsibility to monitor and enforce. The provinces currently reporting data to the survey are not representative of the non-reporting provinces and territories. Moreover, it is estimated that MEPs handle less than one-half (40-50%) of all support orders and agreements in Canada.¹⁴ Many individuals prefer to remain outside of a MEP, perhaps because the support payments are being paid on time and in full and there's no need for the services of a maintenance enforcement program, or they may not have a written agreement in place. The MES survey data are not representative of

these support arrangements that exist outside the provincial/territorial MEPs.

3.3 Units of count

"Cases" registered with the MEPs are the unit of count for the survey. 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 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.

3.4 Content

The survey gathers information on maintenance enforcement cases, and on some of the key characteristics associated with those cases. Case flow and changes in the volume of cases can be measured over time. In addition, survey data provide information on financial matters, the processing of payments, and the tracing and enforcement actions taken by MEPs.

The types of information collected by the survey include:

- 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 receiving support, length of enrolment and the legislation under which the order for support was made;
- Information on financial matters: 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.

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

3.5 Reported timeframes

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

- **Annual tables:** Fiscal year tables cover the period April 1 to March 31 and provide data that summarize the nature and extent of work done throughout the year. Information such as median age of payors and recipients and median child support obligation is not prone to monthly fluctuations and is collected on a yearly basis. Other information measured on an annual basis includes dollar amounts processed and the number of enforcement actions taken.
- **Monthly tables:** As support payments are often paid monthly, the MES collects data on monthly payments due and received. Different times of the year may show different payment behaviour and with more data, seasonal or other patterns may begin to emerge which 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 to the recipient, or a cheque-based payment being returned for non-sufficient funds.

3.6 Provincial/territorial differences

Section 2 described the operational differences that exist among maintenance enforcement programs, from how cases are enrolled and closed, to how they are enforced. In addition, because the survey data are obtained from operational information systems, there will be some deviations from survey specifications. The following paragraphs outline where these effects are known.

Prince Edward Island

In Prince Edward Island, no data are available for the authority of order (*Divorce Act*, Provincial order, etc.), reason for case termination or withdrawal, and only partial data are available for payment history. Total payment amounts due exclude scheduled arrears.

Quebec

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 one month 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 recipients¹⁵, and therefore could not report this information to the survey.

In Quebec, direct payment cases are included in the annual tables, but not the monthly tables.¹⁶ Therefore, case counts for the annual tables will be greater.

Saskatchewan

Saskatchewan is unable to provide an accurate median age of children for whom there are support payments. Instead, this jurisdiction includes the ages of all children a couple has, regardless of whether or not they are covered by the support agreement.

Alberta

Alberta policy allows 35 days following the completion of registration for the payor to make the first support payment. Therefore, there will never be any cases less than 35 days old reported as in default.

British Columbia

In British Columbia, one practice that affects the survey data is the acceptance of direct payments of support. When a payor pays the recipient directly, the MEP does not record the payment until it receives notification, and as such, the case will be categorized as “in default” because it has no record of payment. As a result, the compliance rate will appear to be lower than it actually is. Another practice that may indirectly influence survey results is the fact that British Columbia legislation requires

15. *Type of recipient refers to orders for children only, spouses only or for both the children and spouse. Please consult the Glossary for further details.*

16. *Direct payments are defined as payments made by the payor to the recipient which do not involve the Maintenance Enforcement Program.*

that all outstanding accounts be charged interest. No other jurisdiction has such a requirement. Although the dollars due and received for interest are not collected by the MES, this practice could influence payment behaviour.

National definitions do enable some comparisons between jurisdictions but always within the context of 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 data collection will provide an opportunity to look at trends over time.

3.7 Confidentiality

Maintenance Enforcement Survey data have been subjected to a confidentiality procedure known as “random rounding” to prevent the possibility of associating the data

with any identifiable individual. The technique of random rounding provides strong protection against disclosure, but does not add significant distortion to the data. In this particular case, all MES data involving counts of individuals or cases are randomly rounded either up or down to the nearest multiple of 3. Thus, a case count of 32 would become either 30 or 33 when rounded.

It should be noted that totals are calculated from their randomly rounded components, rather than being rounded independently. Thus some small differences can be expected in corresponding values among various MES tables.

4.0 Survey results

This section presents fiscal year child and spousal support data for Prince Edward Island, Quebec, Saskatchewan, Alberta and British Columbia. Monthly snapshot data for these same provinces plus Ontario are also presented.¹⁷ A number of selected tables derived from those data tables collected by the survey are provided at the end of the section. Some of the tables present the 4 years of annual data or the 36 months of monthly data that are now available.

The survey results are presented in three parts:

1. Case characteristics, including number of cases, inter-jurisdictional support order status, length of enrolment, and characteristics of recipients;
2. Financial management of cases, examining amounts due, compliance on those amounts, timeliness of payments, and level of arrears; and
3. Enforcement actions and case closure, looking at actions taken by MEPs, and the closing of cases.

The reader should note that as a result of the rounding methodology, some small differences can be expected in corresponding values among various MES tables.¹⁸

4.1 Caseloads and their characteristics

Cases, consisting of payors, recipients, and court-ordered or voluntarily agreed support obligations are managed by the maintenance enforcement programs (MEPs). The Maintenance Enforcement Survey (MES) counts a case if it is registered and there is a support obligation on the part of the payor that the MEP is monitoring and enforcing.

ISO status

An important distinction in terms of workload for MEPs is whether a case exists within the confines of their borders or whether it crosses jurisdictional boundaries. The term that describes this situation is referred to as inter-jurisdictional support order status (ISO status). ISO status distinguishes three types of cases:

- Non-ISO cases. These are typically cases where the payor and recipient live in the same jurisdiction where the case is registered.
- ISO-in cases. These are cases that the MEP has been asked by another jurisdiction to enforce because the payor is known to reside in their jurisdiction or have assets in it.
- ISO-out cases. These are cases that have been sent to another jurisdiction for enforcement because the payor lives or has assets there.

The legislation that governs the enforcement of inter-jurisdictional support orders is called the *Interjurisdictional Support Orders Act*.¹⁹ The purpose of this legislation is to allow one or both of the parties to obtain a support order under provincial legislation, to have an existing order recognized or varied, or to have an order enforced when in different jurisdictions.

The day-to-day caseload of a MEP consists of monitoring non-ISO and ISO-in cases and taking enforcement action when payments are not forthcoming. ISO-out cases are cases that have been sent to another jurisdiction for monitoring and enforcement because the payor lives and/or has assets there. Apart from one table, these ISO-out cases are excluded from the majority of case counts in the survey to avoid double counting – one MEP's ISO-out case may be another MEP's ISO-in case.

Maintenance enforcement cases by ISO status, for the five provinces that report these annual data, are presented in Table 1. In 2002/2003, MEP cases entailing day-to-day enforcement responsibilities (non-ISO and ISO-in cases) comprised the majority of cases, accounting for 99% of

17. At the time of this release, all fiscal year data for Ontario and some fiscal year data for Quebec and Alberta are unavailable.

18. Tables with corresponding values for the number of maintenance enforcement cases enrolled (excluding ISO-out cases) are: Tables 2, 3, 4, 5, 7, 8, 9, 14 and 15. Tables with corresponding values for the number of maintenance enforcement cases with arrears are: Tables 15, 16 and 17.

19. The ISO legislation has replaced REMO/RESO legislation that was put in place several decades ago. Older cases registered in MEPs still fall under REMO/RESO legislation but are included in the ISO case counts. In 9 out of 13 provinces and territories, the ISO legislation was proclaimed in 2003. In New Brunswick and Yukon, the legislation should be implemented in the near future. See Child and Spousal Support: Maintenance Enforcement Survey Statistics, 2001/2002 for more information on this legislation.

cases in Quebec, 95% in Prince Edward Island, 90% in Alberta, 86% in British Columbia and 81% in Saskatchewan. The three western provinces providing data reported larger proportions of interjurisdictional support order cases (ISO-in and ISO-out cases), with proportions of 23% in British Columbia, 25% in Alberta and 32% in Saskatchewan. This finding is fairly consistent for all years of data.

MEP caseload

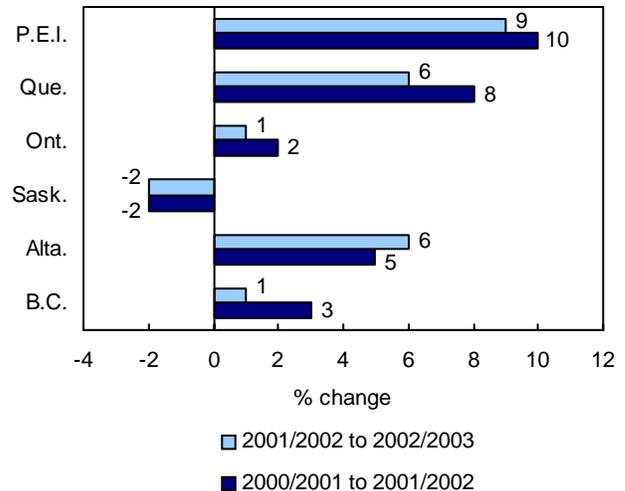
The caseload of maintenance enforcement programs increased in most provinces, based on changes in the number of cases enrolled (excluding ISO-out cases) at the end of the fiscal year (Table 2). Compared with March 2002, the caseload in March 2003 was: 2,300 in Prince Edward Island, up 10%; 98,700 in Quebec, up 5%; 173,100 in Ontario, up 1%; and 48,200 in Alberta, up 6%. The caseload was fairly stable in British Columbia at 39,900 cases as of March 2003. In Saskatchewan, on the other hand, there were 7,700 cases, down 2% from March 2002.

Because the number of cases enrolled in a maintenance enforcement program varies from one month to the next, comparing year-over-year changes in cases enrolled for March may mask a general trend in enrolment. Thus, another way of looking at caseload fluctuations over time is by calculating an average monthly count of cases enrolled during the fiscal year and examining how this figure changes over time. Results of this analysis confirm that enrolment in maintenance enforcement programs is increasing in 5 of the 6 reporting provinces (Figure 1). For example, based on data from Table 2, the average monthly caseload for Ontario was 173,960 in 2002/2003 up about 1% from a figure of 172,940 in 2001/2002. Similarly in the other provinces, increases in average caseload ranged from 1% in British Columbia to 9% in Prince Edward Island in 2002/2003. With the exception of Alberta, the increases in 2002/2003 were smaller than in the previous year. Saskatchewan saw its average caseload decrease by 2% for two consecutive fiscal years.

Length of enrolment

Caseloads fluctuate over time as a result of new cases being enrolled and others being terminated. A single case may be enrolled and withdrawn 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 program is important for operational, budget and resource planning.

Figure 1
Percentage change in the average number of maintenance enforcement cases enrolled, 2000/2001 to 2002/2003¹



1. ISO-out cases are excluded. An average annual enrolment is calculated by using monthly enrolment figures. This average is then used to measure the percentage change in caseload from one fiscal year to the next. The average for Quebec for 2000/2001 and for Prince Edward Island for 2000/2001 and 2002/2003 is based on 11 months of data.

Source: Statistics Canada, Maintenance Enforcement Survey.

Three of the four reporting provinces, Prince Edward Island, Saskatchewan and British Columbia, show a similar caseload distribution by length of enrolment. During the 2002/2003 fiscal year, about one-half of the cases enrolled in these provinces had been registered in the MEP for 5 years or less (Table 3).

The proportion of older MEP cases has grown since 1999/2000. In 2002/2003, cases enrolled for more than 10 years accounted for 13% of enrolled cases in Saskatchewan (up from 5% in 1999/2000), 15% in Prince Edward Island (up from 8%) and 16% in British Columbia (up from 8%). These figures, in part, are a reflection of the length of time that the maintenance enforcement programs have been established in each province. The program in Saskatchewan has been in place since 1986, while in Prince Edward Island and British Columbia the date is 1988.

Survey results for Quebec indicate that the caseload is much younger compared with the other provinces. On November 1, 1996, the Ministère du Revenu du Québec implemented the information system of the maintenance enforcement program, which resulted in a loss of information on date of enrolment for previously enrolled cases. Therefore, all cases have an enrolment date of November 1996 or later, thus explaining why in 2002/2003, 75% of the MEP cases in Quebec had been enrolled 5 years or less.

Information from the National Longitudinal Survey of Children and Youth indicates that children are experiencing family disruption at earlier and earlier ages (Marcil-Gratton, 1998). 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.

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 orders.²⁰ On March 31, 2003, 49% of support orders in Saskatchewan were under the federal *Divorce Act* and 36% were under provincial orders (Table 4). In British Columbia, on the other hand, 26% of cases were under the federal *Divorce Act*, while considerably more cases (67%) were under a provincial order.

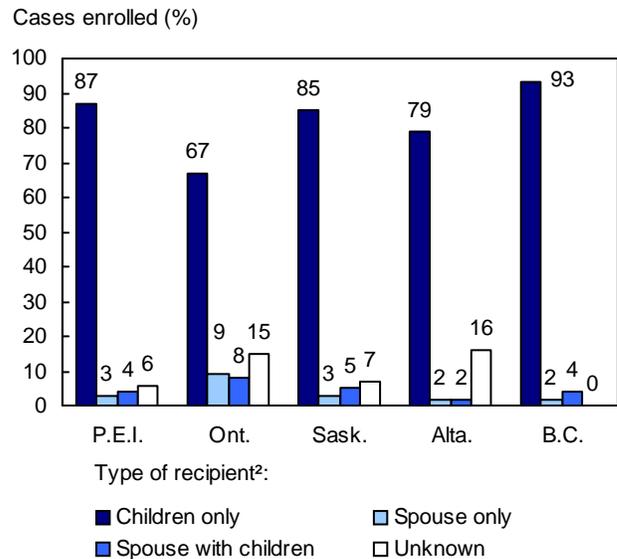
The results seem to vary depending on who is receiving the support payments. Cases where the spouse alone or the spouse and children are receiving support are more apt to be under the authority of the *Divorce Act*. In Saskatchewan, for example, 79% of spouse with children cases and 71% of spouse only cases were under the *Divorce Act* compared with a figure of 47% for cases where the recipients were children only.

Characteristics of recipients, payors and children

Survey data indicate that MEPs operate primarily for the benefit of children. Of the cases registered with the reporting provinces on March 31, 2003, the large majority

included a support amount for children. This included 97% of the caseload for British Columbia, 91% for Prince Edward Island, 90% for Saskatchewan, 81% for Alberta and 75% for Ontario. A more detailed breakdown of these numbers in Figure 2 shows that the proportion of cases involving support solely for children ranged from 67% in Ontario to 93% in British Columbia. Spouse with children cases ranged from 2% of cases in Alberta to 8% in Ontario, and spouse only support cases accounted for 2% of cases in Alberta and British Columbia, the proportion rising to 9% in Ontario. These proportions remained almost unchanged from the previous year.

Figure 2
Maintenance enforcement cases enrolled, by type of recipient, at March 31, 2003¹



Figures may not total 100% due to rounding.

1. ISO-out cases are excluded. Data by type of recipient are not available in Quebec.

2. The "Unknown" type of recipient category includes a very small proportion of "Other" type of recipient cases.

Source: Statistics Canada, Maintenance Enforcement Survey.

20. 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.

The term “recipient” is also used to refer to the person who is living with, and has parental responsibility for, the children. In other words, the recipient is the person receiving the money, whether the money is destined for the children only, the recipient and the children, or the recipient only. The recipient is often but not always the mother. There are instances where the recipient is the father, a grandparent or an extended family member.

Survey results indicate that in the large majority of cases, the recipient is a female and the payor is a male. On March 31, 2003, this was true for 95% or more of the cases in the three reporting provinces (Prince Edward Island, Saskatchewan and British Columbia) (Table 5). This finding is consistent with previous years.

The median²¹ age of payors, recipients and children is very consistent for all three provinces. On March 31, 2003, the median age for payors was 41 years in the three reporting provinces (Table 6). For recipients, the median age was 38 years in Saskatchewan and 39 years in Prince Edward Island and British Columbia. The median age for children was 13 or 14 years. Median ages appear to be up slightly from their level in March 2000. This is not unexpected given that the length of case enrolment is increasing.

Social assistance

The social assistance status of a recipient is an important aspect of maintenance enforcement. All provinces and territories treat child support as income and deduct it in whole or in part 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 child or spousal support payments to the government, or there are monies owing from when they were previously on social assistance. It is also to be noted that not all persons receiving social assistance need to assign their cases.

The proportion of assigned MEP cases varies from province to province (Table 7). As of March 31, 2003, 23% of cases were assigned in Quebec, 19% in British Columbia and 15% in Prince Edward Island. The other reporting provinces show smaller proportions, with 10% or less of their cases being assigned.

4.2 Financial aspects of MEP caseload

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” or sometimes “lump-sum payments”. They 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. Other payments that may be due in a month include scheduled arrears, fees, costs and penalties. For the purposes of the survey, these payments, plus payment amounts regularly due, are called “total payments due”.

If an expected amount is received within the calendar month in which it became due, the case is considered by the survey to be in compliance. If the payment has not been made, or if the amount paid is insufficient to meet the full amount, the case is considered to be in default.

Arrears refer to money owing from earlier missed payments. As a result of either a court order or voluntary payment arrangement, an amount of arrears may end up being subject to a schedule. 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 that 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 for a case to have arrears and be in compliance with total expected payments at the same time. This would be the situation if the payor were making all the current payments due, including the scheduled arrears payment.

21. The median is the middle point of the age distribution, where if the ages are arranged in increasing or decreasing order, one-half of the group is above the middle-point and one-half below it.

Amounts regularly due

Table 8 presents the distribution of cases by regular monthly payments due for March each year. In each of the six reporting provinces, the majority of cases (50% to 71%) involved a regular monthly payment of \$1 to \$400. Generally, the distribution was similar for cases involving a payment of \$1 to \$200 and those involving a payment of \$201 to \$400. One exception was Quebec, where a larger percentage of cases were found in the latter category. Only 1% to 4% of cases across the provinces involved a monthly payment of \$1,001 to \$2,000 and only 1% or less had a payment level above \$2,000. This pattern is consistent over the four years of available data.

The distribution of MEP cases by total payments due (rather than regular payments) was found to be quite similar. Most cases had total monthly payments of \$400 or less.

Another view of amounts regularly due is presented in Table 9. It shows the median regular monthly payment due by type of recipient. On March 31, 2003, the median monthly amount due for cases having one child as the recipient was \$200 in each of the two reporting provinces. This amount increased gradually as the number of children covered in the support order increased. In particular, the median for cases having 2 children as recipients was \$300 in Saskatchewan and \$350 in British Columbia. For cases with 3 or more children, the median amount monthly due was \$393 in Saskatchewan and \$431 in British Columbia. This pattern is consistent when type of recipient includes spouse and children. Finally, the median amount due for spouse only cases was \$287 and \$500 in Saskatchewan and British Columbia respectively.

Compliance

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 to be in compliance. Thus, the monthly figures are based on the number of cases in full compliance – having made the full payment of the amount due by month-end.

Compliance can be measured in terms of both regular and total monthly payments due. As shown in Table 10, a large proportion of cases were in compliance with their regular monthly payments for March of 2003. The figures ranged from 49% of cases in Prince Edward Island to 79% of cases in Quebec.

Compliance varies somewhat by the amount of regular payment due, with higher levels of compliance found in the “middle” payment categories, and lower levels at the two extremes. For example, British Columbia’s highest compliance rates were found in the \$401-600 and \$601-800 payment categories. One exception is Alberta, where compliance as of March 2003 increased with each category of payment. In this province, as well as in Quebec, compliance figures in almost all payment categories were higher in 2003 than in any of the previous years.

A similar distribution was observed for MEP cases in compliance with total payments, which include regular payments due plus event-driven payments, scheduled arrears, and fees, costs and penalties. However, compliance with total payments tends to be slightly lower than compliance with regular amounts due.

Table 11 provides an additional element, presenting compliance with regular payments due by type of recipient. It shows that there is variation in compliance by type of recipient. In each reporting province, compliance is highest for spouse only recipients, ranging from 57% in Prince Edward Island to 90% in Ontario. The reader should note that the spouse only and spouse with children proportions are based on much smaller case counts than the children only category.

Another view of compliance shows the amount of dollars that were paid as a proportion of the amounts due. During 2002/2003, MEPs in the four provinces reporting these annual data were successful in collecting most of the regular dollars due (Table 12). Quebec collected 89% of the approximately \$406 million due for that year,

Saskatchewan collected 79% of the approximately \$30 million due, British Columbia collected 71% of the approximately \$154 million due, and Prince Edward Island collected 66% of the approximately \$8 million due.²² These figures are based on cases administered, that is all cases that were enrolled at some point during the year. The proportions have remained consistent with those reported in the previous years.

Compliance can vary from one month to the next. The 36 month view of compliance presented in Table 13 provides some sense of this. In individual provinces compliance increases or decreases by as much as 4 percentage points in a given month. Even changes such as these, or in fact no net change in compliance rates, can mean that many individual cases are falling in and out of compliance regularly.

The monthly snapshot data give MES information users an indication of possible changes in payment behaviour over time due, for example, to 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.

Arrears history and level

Arrears refer to money owing from earlier missed payments. Maintenance enforcement programs can register cases with arrears already accumulated.²³ 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 negotiated scheduled payment plans. When these occur, the amount of arrears may be gradually repaid over a period of time. As long as the payment schedule is being adhered to, it is likely no additional enforcement action can be taken.

Table 14 provides a view of the arrears history of MEP cases in four provinces, Prince Edward Island, Quebec, Saskatchewan and British Columbia. Data available from these provinces indicate that over one-half of cases had a history of payment problems prior to entering a maintenance enforcement program. Of the cases enrolled on March 31, 2003, 59% of those in Saskatchewan, 66% of those in Quebec and 68% of those in British Columbia entered the program with arrears.²⁴ The figure for Prince Edward Island is not comparable as the arrears status at entry was not known for 34% of cases.

Of these cases that were enrolled with arrears, 74% of the cases in Quebec, 56% in Saskatchewan and 45% in British Columbia had improved their arrears status by March 2003. That is, their arrears either decreased or were paid off. Arrears remained constant in roughly 1 or 2% of cases in the three provinces.

The remaining cases (31% in Quebec, 41% in Saskatchewan and 32% in British Columbia) entered the MEP without arrears. Of these cases, about 53% in Saskatchewan, 56% in British Columbia and 82% in Quebec remained arrears free. The remainder saw an increase in their arrears.

Table 15 presents MEP case counts with arrears, as well as the dollars associated with those arrears. 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.

From March 2001 to March 2003, the number of cases with arrears has increased in 5 of the 6 reporting provinces. This is not surprising since the number of cases enrolled has generally increased as well. Along with the increase in the number of cases with arrears, most provinces reported an increase in the dollar amount of arrears in 2002/2003. The only exception was Quebec.

Proportion and timeliness of payments

When looking at the distribution of cases with arrears by the percentage received of the regular monthly amount due, survey data indicate that cases tend to fall within two extremes. In March 2003, most cases that had arrears either made the regular monthly payment in full (ranging from 33% in Prince Edward Island to 54% in Quebec) or

22. *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 survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.*

23. *In some cases, the recorded arrears will be lower if information is received by the MEP that direct payments have been made between the parties. In other cases, the arrears may be higher but the recipient is unable to provide an affidavit establishing arrears.*

24. *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.*

they made no payment (ranging from 33% in Quebec to 50% in Prince Edward Island) (Table 16). Over the four years that data are available, this pattern has remained consistent for each reporting province.

There can be many reasons why a payor 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 social assistance, unemployment, disability, or incarceration. These often unpredictable situations can leave the recipient without support payments for periods ranging from a few weeks up to 12 months or more.

The distribution of cases with arrears according to the elapsed time since the last payment was received is shown in Table 17. In all six reporting provinces, as of March 2003, one-third to one-half of the cases with arrears had made a payment within one month. Within three months, the proportion of cases having made a payment ranged from 42% in Ontario to 67% in Quebec. However, there are more difficult cases, those where a payment has not been made in over a year and those where no payment has ever been made. These cases, which accounted for 18% to 49% of the arrears cases, might signal the loss of contact with the payor and therefore indicate that trace and locate activities have not been successful. 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 (see Section 2.3). Within each reporting province, the distribution of cases with arrears according to the elapsed time since the last payment was received has remained stable over the four years.

This information on the length of time elapsed since payment on cases with arrears is an important measure in terms of workload of MEPs. Cases that rarely or never make payments require more and stronger enforcement strategies. 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 actions have not yet resulted in payment being made.

4.3 Enforcement/Case closure

Enforcement actions

Maintenance enforcement programs can undertake a variety of actions to enforce current payments or existing arrears. There are two main categories of enforcement

actions: administrative enforcement and court enforcement. Court enforcement occurs before a judge and can include default and committal hearings. Administrative enforcement by the MEP includes jurisdictional garnishment and attachment (of money owed to the payor) and MEP traces (attempts to find the payor using jurisdictional information banks).

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. In most jurisdictions, federal enforcement assistance, in the form of federal tracing, federal garnishment and federal license denial, are taken after most provincial/territorial avenues have been exhausted. If those mechanisms should fail to generate payment, MEPs then have court enforcement activities as an option, and these are generally taken as a last resort.

As Table 18 shows, in 2002/2003, the three reporting provinces enforced MEP cases using different types of enforcement actions. In British Columbia, trying to find the payor or “tracing” was the most often performed administrative enforcement activity (38% of all administrative enforcement activities) whereas in Saskatchewan, this type of action ranked third (20%), after demand for information (29%) and jurisdictional garnishment and attachment (24%). The MEP in Prince Edward Island, on the other hand, frequently used actions under the “other” category. This category includes an action often used in this province called “notice of default hearing”, meaning that defaulters are sent a notice of default hearing and are given the option of discussing their situation with the MEP director and the legal counsel for the MEP prior to appearing before a judge.

Another category of administrative actions falls under federal legislation. The available enforcement actions are federal trace (attempt to find the payor using federal information banks), interception of federal funds (for example an income tax refund), federal license suspension (for example a passport or transport license) and federal garnishment of salaries and pensions. In all three reporting provinces, interception of federal funds was the most widely used administrative action under federal legislation.

Data from the three reporting provinces indicate that very few court-based enforcement activities were undertaken. Court enforcement activities made up approximately 2% of all reported enforcement activities during 2002/2003 for Saskatchewan and British Columbia and about 3% for Prince Edward Island. Of the various kinds of court

enforcement activities, default hearings were the most widely used in Prince Edward Island and Saskatchewan. Activities that fell under the “other” category, which include issuing a warrant for arrest, appointing a trustee in bankruptcy, and issuing writs for seizure and sale, were most widely used in British Columbia.

Overall, the distribution of enforcement activities remained consistent with what was reported in 2001/2002.

Case closure

As indicated in Section 4.1, MEP cases can be enrolled in the program for a short period of time or for many years. Eventually though, a case will be closed or terminated. There can be a number of reasons for the termination of a case within a maintenance enforcement program.²⁵ As

shown in Table 19, there are provincial variations in these reasons. In 2002/2003, expiration of the support order accounted for 68% of case terminations in Quebec while in Alberta, withdrawal by either the recipient or payor was the most frequent reason for termination (47%). In British Columbia, withdrawal by the program, withdrawal by either the recipient or payor, and expiration of the support order each accounted for about one-third of terminated cases.

25. *The Maintenance Enforcement Survey does not count the activity of opting in or out of maintenance enforcement programs. Terminations are only counted when they are the last event in the fiscal year. See Section 2.5 for a description of jurisdictional MEP withdrawal policy.*

4.4 Data Tables

Table 1

Maintenance enforcement cases enrolled, by ISO (interjurisdictional support order) status, by fiscal year¹

		Cases enrolled		Non-ISO	ISO-in	ISO-out
		No.	%			
Prince Edward Island	1999/2000	1,872	100	82	12	6
	2000/2001	..	..	..	..	..
	2001/2002	2,223	100	83	12	5
	2002/2003	2,424	100	84	11	5
Quebec ²	1999/2000	..	..	..	..	..
	2000/2001	..	..	..	..	..
	2001/2002	107,826	100	98	1	1
	2002/2003	115,152	100	98	1	1
Saskatchewan	1999/2000	10,092	100	66	14	21
	2000/2001	10,065	100	67	14	19
	2001/2002	9,690	100	68	13	19
	2002/2003	9,483	100	68	13	19
Alberta ²	1999/2000	48,081	100	78	12	11
	2000/2001	47,412	100	75	14	11
	2001/2002	50,541	100	75	15	10
	2002/2003	53,322	100	75	15	10
British Columbia	1999/2000	43,116	100	77	11	12
	2000/2001	45,069	100	77	10	13
	2001/2002	46,377	100	77	9	14
	2002/2003	43,335	100	77	9	14

Notes:

Percentages may not total 100% due to rounding.

.. not available for a specific reference period

1. ISO refers to interjurisdictional support orders. The provinces and territories have enacted legislation to ensure that orders/agreements can be enforced beyond their borders. Non-ISO cases are typically cases where both parties live in the same province/territory. ISO-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. ISO-out cases are cases that the province/territory has sent to another jurisdiction for enforcement because the payor lives outside their borders. ISO was formerly referred to as Reciprocal Enforcement of Maintenance Orders (REMO) status. These annual data are not available for Ontario.

2. In Quebec and Alberta, cases enrolled include direct payment cases. Direct payments are defined as payments made by the payor to the recipient which do not involve the maintenance enforcement program.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 2
Maintenance enforcement cases enrolled, April 2000 to March 2003¹

	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Prince Edward Island												
2000/2001	1,764	1,767	1,794	1,812	1,827	1,851	1,866	1,890	1,899	1,908	1,920	..
2001/2002	1,938	1,962	1,980	2,010	2,022	2,028	2,043	2,058	2,067	2,082	2,094	2,106
2002/2003	2,118	2,142	2,154	..	2,193	2,205	2,211	2,244	2,271	2,280	2,289	2,307
Quebec												
2000/2001	..	79,929	81,147	82,146	83,094	83,910	84,633	85,272	85,761	86,535	87,363	88,164
2001/2002	88,713	89,481	89,691	89,877	90,576	90,864	91,500	91,974	92,412	93,345	93,810	94,134
2002/2003	94,755	94,959	95,316	95,730	96,027	96,102	96,597	96,912	97,317	97,863	98,382	98,664
Ontario												
2000/2001	170,364	169,938	170,034	170,313	170,205	169,845	170,025	170,202	170,277	170,511	170,988	171,567
2001/2002	171,843	172,455	173,247	174,042	174,471	174,768	174,807	174,801	169,998	171,045	171,684	172,128
2002/2003	172,140	173,094	173,907	174,360	175,308	175,851	175,923	174,075	173,142	173,223	173,358	173,124
Saskatchewan												
2000/2001	8,028	8,028	8,019	8,058	8,142	8,133	8,115	8,124	8,133	8,130	8,094	8,124
2001/2002	8,070	8,058	8,085	8,061	7,992	8,004	7,953	7,917	7,905	7,887	7,836	7,854
2002/2003	7,863	7,809	7,803	7,821	7,791	7,788	7,800	7,767	7,746	7,758	7,614	7,686
Alberta												
2000/2001	42,624	42,465	42,483	42,018	41,823	41,667	41,628	41,553	41,592	41,688	42,129	42,300
2001/2002	42,264	42,327	42,597	43,008	44,088	44,643	44,892	44,880	44,964	45,270	45,294	45,507
2002/2003	45,651	45,942	45,915	46,122	46,035	46,326	46,854	46,992	47,715	48,039	48,123	48,240
British Columbia												
2000/2001	37,878	37,911	38,022	38,226	38,313	38,475	38,514	38,631	38,826	39,054	39,087	39,165
2001/2002	39,204	39,201	39,426	39,552	39,657	39,747	39,717	39,903	40,017	40,086	40,041	40,065
2002/2003	40,011	40,011	40,044	40,119	40,197	40,170	40,092	40,080	39,978	39,984	39,912	39,948

Notes:

.. not available for a specific reference period

1. ISO-out cases are excluded.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 3

Maintenance enforcement cases enrolled, by length of enrolment, by fiscal year¹

		Total		Length of time enrolled (years)						
				≤1	>1 to 3	>3 to 5	>5 to 7	>7 to 10	>10 to 15	15+
		No.	%	% of cases						
Prince Edward Island	1999/2000	1,749	100	14	26	21	17	14	7	1
	2000/2001	..	..	..	..	..	..	..	..	..
	2001/2002	2,103	100	13	20	21	17	18	11	2
	2002/2003	2,310	100	12	20	17	19	18	13	2
Quebec ²	1999/2000	..	..	..	..	..	..	..	..	..
	2000/2001	..	..	..	..	..	..	..	..	..
	2001/2002	106,551	100	16	39	32	13	...	...	...
	2002/2003	113,775	100	14	30	31	25	...	...	...
Saskatchewan ³	1999/2000	8,016	100	12	19	34	17	13	5	...
	2000/2001	8,136	100	11	19	27	20	15	7	...
	2001/2002	7,860	100	10	18	16	27	19	9	1
	2002/2003	7,698	100	9	17	16	23	22	12	1
British Columbia	1999/2000	37,812	100	17	27	20	11	17	8	...
	2000/2001	39,156	100	15	27	20	13	15	11	...
	2001/2002	40,065	100	14	24	20	15	13	14	...
	2002/2003	39,954	100	11	23	20	16	14	16	...

Notes:

Percentages may not total 100% due to rounding.

.. not available for a specific reference period

... not applicable

1. ISO-out cases are excluded. These annual data are not available for Ontario and Alberta.

2. In Quebec, length of time enrolled for MEP cases will not exceed 7 years because the MEP information system was implemented by the Ministère du Revenu du Québec in November 1996, thus setting date of enrolment at this date for previously enrolled cases. In 2001/2002, length of enrolment did not exceed 6 years; this explains why the percentage of cases in the >5 to 7 years category doubled in 2002/2003. Cases enrolled include direct payment cases.

3. In Saskatchewan, an increase in staff, judges, and the 1997 Child Support Guidelines may have increased the number of cases processed in that year. In 2000, this corresponds with cases of 3 to 5 years duration with the maintenance enforcement program and, in 2002, it corresponds with cases of 5 to 7 years duration.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 4

Maintenance enforcement cases enrolled, by authority of order/agreement and type of recipient, at March 31, 2003¹

		Total		Authority of order/agreement							
				Divorce Act		Provincial order		Provincial agreement		Unknown	
		No.	%	No.	%	No.	%	No.	%	No.	%
Province and type of recipient:											
Saskatchewan											
Children only		6,537	100	3,060	47	2,526	39	252	4	699	11
Spouse only		231	100	165	71	24	10	6	3	36	16
Spouse with children		384	100	303	79	51	13	9	2	21	5
Unknown		549	100	270	49	156	28	12	2	111	20
Total		7,701	100	3,798	49	2,757	36	279	4	867	11
British Columbia											
Children only		37,203	100	9,330	25	25,581	69	2,250	6	42	0
Spouse only		867	100	453	52	339	39	75	9	0	0
Spouse with children		1,758	100	711	40	939	53	108	6	0	0
Unknown		114	100	45	39	54	47	6	5	9	8
Total		39,942	100	10,539	26	26,913	67	2,439	6	51	0

Notes:

Percentages may not total 100% due to rounding.

1. ISO-out cases are excluded. Prince Edward Island is excluded, as they cannot provide data on the type of recipient or authority for order. These annual data are not available for Quebec, Ontario and Alberta.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 5

Maintenance enforcement cases enrolled, by sex of payor and recipient, at March 31¹

	Year	Cases enrolled	Total	Sex of payor and recipient		
				Male payor	Female payor	Unknown ²
				Female recipient	Male recipient	
No.	%	% of cases				
Prince Edward Island	2000	1,749	100	96	0	4
	2001	..	..	..	..	..
	2002	2,106	100	95	0	5
	2003	2,307	100	95	0	5
Saskatchewan	2000	8,022	100	98	1	1
	2001	8,130	100	98	1	1
	2002	7,854	100	98	1	1
	2003	7,695	100	98	2	1
British Columbia	2000	37,818	100	97	2	1
	2001	39,162	100	97	2	1
	2002	40,065	100	97	2	1
	2003	39,942	100	97	2	1

Notes:

Percentages may not total 100% due to rounding.

.. not available for a specific reference period

1. ISO-out cases are excluded. These annual data are not available for Quebec, Ontario and Alberta.

2. The "Unknown" category includes a small proportion of "Other" cases.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 6

Maintenance enforcement cases enrolled, by median age of payor, recipient and children, at March 31¹

	Year	Payor	Recipient	Children
			median age (years)	
Prince Edward Island	2000	39	36	12
	2001	..	..	..
	2002	40	38	14
	2003	41	39	14
Saskatchewan ²	2000	40	37	13
	2001	40	38	13
	2002	40	38	13
	2003	41	38	14
British Columbia	2000	40	38	12
	2001	41	38	12
	2002	41	38	12
	2003	41	39	13

Notes:

.. not available for a specific reference period

1. ISO-out cases are excluded. These annual data are not available for Quebec, Ontario and Alberta.

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 7

Maintenance enforcement cases enrolled, by assignment status, at March 31¹

	Year	Cases enrolled		Cases assigned ²	
		No.	No.	%	
Prince Edward Island	2000	1,752	282	16	
	2001	..	..	..
	2002	2,106	324	15	
	2003	2,307	351	15	
Quebec	2000	..	..	..
	2001	88,164	25,305	29	
	2002	94,134	24,162	26	
	2003	98,664	23,175	23	
Ontario	2000	170,994	24,210	14	
	2001	171,567	19,563	11	
	2002	172,128	18,519	11	
	2003	173,124	17,520	10	
Saskatchewan	2000	8,022	594	7	
	2001	8,124	543	7	
	2002	7,854	480	6	
	2003	7,686	396	5	
Alberta ³	2000	43,014	5,937	14	
	2001	42,300	5,826	14	
	2002	45,507	3,474	8	
	2003	48,240	3,783	8	
British Columbia ⁴	2000	37,821	10,584	28	
	2001	39,165	10,638	27	
	2002	40,065	10,524	26	
	2003	39,948	7,782	19	

Notes:

.. not available for a specific reference period

1. ISO-out cases are excluded.

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

3. In March 2002, a verification study between the Alberta MEP and Human Resources and Employment found that a large number of cases that the MEP had classified as assigned, were actually no longer assigned. Subsequent data reconciliation accounts for the observed decrease in assigned cases between 2001 and 2002.

4. The drop in the number of assigned cases in British Columbia between 2002 and 2003 is a result of policy changes within government to change criteria for the granting of income assistance.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 8

Maintenance enforcement cases enrolled, by regular monthly payment due, at March 31¹

Year	Total		Regular monthly payment due (\$)								
			0 ²	1-200	201-400	401-600	601-800	801-1,000	1,001-2,000	over 2,000	
			No.	%	% of cases						
Prince Edward Island	2000	1,749	100	8	36	35	13	4	2	2	1
	2001	..	..	..	..	..	..	..	..	..	..
	2002	2,103	100	13	35	34	11	4	2	1	0
	2003	2,295	100	11	35	36	12	3	1	1	1
Quebec	2000	..	..	..	..	..	..	..	..	..	..
	2001	88,161	100	12	22	36	16	6	3	4	1
	2002	94,131	100	12	22	36	16	6	3	4	1
	2003	98,667	100	11	22	37	16	7	3	4	1
Ontario	2000	171,003	100	20	27	26	13	6	3	4	1
	2001	171,567	100	21	26	26	13	6	3	4	1
	2002	172,131	100	20	26	26	13	6	3	4	1
	2003	173,118	100	20	25	27	13	6	3	4	1
Saskatchewan	2000	8,022	100	12	36	31	12	5	2	2	0
	2001	8,121	100	12	35	31	13	5	2	2	0
	2002	7,857	100	12	35	32	13	5	2	2	0
	2003	7,701	100	12	34	31	14	5	2	2	0
Alberta	2000	42,996	100	22	30	26	12	5	3	2	0
	2001	42,312	100	20	30	27	12	5	3	3	0
	2002	45,504	100	25	27	26	12	5	3	3	0
	2003	48,252	100	25	24	26	13	5	3	3	1
British Columbia	2000	37,809	100	11	36	31	12	5	2	2	0
	2001	39,159	100	10	35	32	13	5	2	2	0
	2002	40,065	100	10	34	32	13	5	3	3	1
	2003	39,942	100	11	33	33	14	5	3	2	1

Notes:

Percentages may not total 100% due to rounding.

.. not available for a specific reference period

1. ISO-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.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 9

Maintenance enforcement cases enrolled and regular monthly median payment due, by type of recipient, at March 31, 2003¹

	Saskatchewan		British Columbia	
	Cases enrolled	Monthly median regular dollar amount due	Cases enrolled	Monthly median regular dollar amount due
	No.	\$	No.	\$
Type of recipient:				
One child	3,597	200	23,787	200
2 children	2,055	300	10,245	350
3 children or more	885	393	3,171	431
Spouse only	231	287	867	500
Spouse with one child	150	341	762	452
Spouse with 2 children	153	600	690	700
Spouse with 3 children or more	81	709	306	800
Unknown	549	..	114	..
Total	7,701	229	39,942	250

Notes:

.. not available for a specific reference period

1. ISO-out cases are excluded. These annual data are not available for Prince Edward Island, Quebec, Ontario and Alberta.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 10

Maintenance enforcement cases enrolled, by regular monthly payment due and proportion in compliance, at March 31¹

	Year	Regular monthly payment due (\$)							
		Total	1-200	201-400	401-600	601-800	801-1,000	1,001-2,000	over 2,000
		% of cases in compliance							
Prince Edward Island ²	2000	52	44	52	47	59	38	45	50
	2001	..	..	..	..	..	..	..	..
	2002	53	39	50	48	56	75	60	67
	2003	49	34	47	51	57	64	36	67
Quebec ³	2000	..	..	..	..	..	..	..	..
	2001	75	63	71	79	81	84	83	79
	2002	78	66	73	81	84	86	84	82
	2003	79	68	75	81	85	86	85	84
Ontario ⁴	2000	60	42	52	58	60	59	58	49
	2001	63	44	54	59	61	61	59	51
	2002	60	41	51	56	58	59	56	45
	2003	61	41	52	57	60	60	58	46
Saskatchewan	2000	67	58	65	66	65	66	60	57
	2001	65	56	62	62	62	63	67	57
	2002	63	54	62	61	56	63	54	60
	2003	65	56	64	62	65	63	59	50
Alberta	2000	61	46	51	53	55	56	53	48
	2001	62	48	53	56	57	57	54	49
	2002	63	47	52	54	54	53	52	40
	2003	66	47	55	58	62	64	66	72
British Columbia ⁵	2000	62	53	61	62	62	56	57	48
	2001	61	53	58	59	59	58	55	47
	2002	61	53	59	59	58	57	52	51
	2003	60	51	57	59	58	56	53	53

Notes:

.. not available for a specific reference period

1. ISO-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. The figure for compliance on total cases includes cases where no monthly payment is due. As cases with no payment in a month are coded as 100% compliant, the compliance for total cases may be higher than it would be if based solely on the numbers for the different payment categories shown in this table.

2. Prince Edward Island has a small number of cases. Consequently, a small change in the number of cases in compliance can result in a large change in the percentage of cases in compliance. This helps explain the large shift in compliance between 2002 and 2003 for the \$1,001-2,000 payment category.

3. 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.

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

5. 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 survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 11

Maintenance enforcement cases in compliance with regular payments due, by type of recipient, at March 31, 2003¹

	Type of recipient								
	Children only			Spouse only			Spouse with children		
	Cases enrolled	Cases in compliance	%	Cases enrolled	Cases in compliance	%	Cases enrolled	Cases in compliance	%
Prince Edward Island	2,004	969	48	69	39	57	90	48	53
Ontario ²	115,851	58,335	50	42,729	38,379	90	14,538	8,157	56
Saskatchewan	6,534	4,071	62	225	186	83	390	264	68
Alberta	38,199	22,629	59	1,113	810	73	1,143	717	63
British Columbia ³	37,200	22,359	60	861	564	66	1,764	882	50

Notes:

1. ISO-out cases are excluded. Compliance in this instance indicates that the regular amount expected in the month was received. "Other" and "Unknown" type of recipient categories are excluded. Data by type of recipient are not available in Quebec.
2. Ontario may have some cases that paid beyond month end that are included as having made a payment in the month.
3. 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 survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 12

Maintenance enforcement cases administered with a regular amount due, by amount due and received, by fiscal year¹

		Cases administered with a regular amount due ²	Regular amount due	Regular amount received	%
		No.	millions \$	millions \$	
Prince Edward Island	1999/2000	1,641	6.0	4.2	70
	2000/2001	..	..	..	..
	2001/2002	1,953	7.0	4.8	68
	2002/2003	2,121	7.7	5.1	66
Quebec	1999/2000	..	..	..	..
	2000/2001	..	..	..	..
	2001/2002	88,842	375.9	328.3	87
	2002/2003	94,143	406.2	360.3	89
Saskatchewan	1999/2000	8,460	29.0	23.3	80
	2000/2001	8,571	30.5	23.8	78
	2001/2002	8,265	30.0	23.6	79
	2002/2003	8,022	29.5	23.2	79
British Columbia ³	1999/2000	37,596	132.2	92.9	70
	2000/2001	39,561	143.5	101.8	71
	2001/2002	40,548	150.3	107.2	71
	2002/2003	40,584	154.0	109.3	71

Notes:

.. not available for a specific reference period

1. ISO-out cases are excluded. Cases administered include 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. These annual data are not available for Ontario and Alberta.
2. Excludes those cases that only have other types of payments due (scheduled arrears, event-driven payments, and fees, costs and penalties).
3. 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 survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 13

Maintenance enforcement cases enrolled, by compliance on regular monthly payments due, at month end¹

	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
	% of cases in compliance											
Prince Edward Island												
2000/2001	53	57	54	56	51	52	53	53	50	51	53	..
2001/2002	51	54	54	52	51	53	53	54	50	52	48	53
2002/2003	55	53	54	..	51	52	50	53	49	50	52	49
Quebec ²												
2000/2001	..	75	76	76	77	76	76	77	77	73	76	75
2001/2002	76	76	78	78	78	78	78	79	78	76	78	78
2002/2003	78	79	80	80	80	79	80	80	80	77	78	79
Ontario ³												
2000/2001	57	61	62	60	60	59	62	62	58	61	61	63
2001/2002	62	63	63	62	62	61	63	61	59	60	59	60
2002/2003	59	63	61	60	60	59	60	60	59	61	59	61
Saskatchewan												
2000/2001	62	68	63	65	64	63	65	54	62	63	64	65
2001/2002	63	66	65	66	64	62	66	65	64	62	63	63
2002/2003	68	67	63	65	63	64	65	65	63	64	64	65
Alberta												
2000/2001	55	62	60	57	60	57	60	61	54	60	61	62
2001/2002	61	62	60	63	63	61	64	61	60	62	61	63
2002/2003	64	63	62	64	63	63	65	65	65	63	67	66
British Columbia ⁴												
2000/2001	62	65	64	63	63	64	64	63	63	62	62	61
2001/2002	61	61	64	61	63	61	56	60	60	61	59	61
2002/2003	61	60	60	61	59	59	60	60	60	59	59	60

Notes:

.. not available for a specific reference period

1. ISO-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. 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 survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 14

Maintenance enforcement cases enrolled, by arrears history and status, at March 31, 2003¹

		Prince Edward Island ²		Quebec ³		Saskatchewan		British Columbia	
		No.	%	No.	%	No.	%	No.	%
Status at entry:	Status at March 31, 2003:								
No arrears at entry	No current arrears	120	5	28,284	25	1,719	22	7,053	18
	Arrears have increased	123	5	6,354	6	1,497	19	5,529	14
Entered with arrears	Arrears have increased	831	36	18,702	16	1,926	25	14,625	37
	Arrears have decreased	153	7	20,379	18	1,050	14	5,736	14
	Arrears remained constant	33	1	612	1	51	1	540	1
	Arrears have been paid off	267	12	35,454	31	1,452	19	6,459	16
Unknown		780	34	3,987	4	0	0	0	0
Total		2,307	100	113,772	100	7,695	100	39,942	100

Notes:

Percentages may not total 100% due to rounding.

1. ISO-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. These annual data are not available for Ontario and Alberta.
2. Prince Edward Island has a high number of unknowns because of a change in its information system.
3. On November 1, 1996, the Ministère du Revenu implemented the information system of the maintenance enforcement program. When that happened, Quebec knew the amount of arrears due at the time, but could not establish the arrears status at entry for the cases registered before that date. These "unknown" cases account for approximately 4% of Quebec's caseload.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 15

Maintenance enforcement cases with arrears, by amount owing, at March 31¹

	Year	Cases enrolled	Cases with arrears		Arrears due
		No.	No.	%	millions \$
Prince Edward Island	2000	1,749	1,239	71	7.0
	2001	..	..	..	..
	2002	2,103	1,479	70	9.2
	2003	2,295	1,635	71	10.8
Quebec	2000	..	..	..	..
	2001	88,161	46,272	52	300.9
	2002	94,131	45,963	49	294.0
	2003	98,667	46,686	47	278.5
Ontario	2000	171,003	126,111	74	1,062.6
	2001	171,567	123,744	72	1,047.6
	2002	172,131	129,693	75	1,129.9
	2003	173,118	131,931	76	1,182.2
Saskatchewan	2000	8,022	4,827	60	28.2
	2001	8,121	5,106	63	32.6
	2002	7,857	4,725	60	31.3
	2003	7,701	4,524	59	32.0
Alberta	2000	42,996	26,346	61	211.7
	2001	42,312	26,064	62	226.9
	2002	45,504	26,964	59	237.9
	2003	48,252	27,015	56	248.0
British Columbia ²	2000	37,809	24,159	64	225.4
	2001	39,159	25,680	66	241.7
	2002	40,065	26,187	65	252.5
	2003	39,942	26,433	66	261.0

Notes:

.. not available for a specific reference period

1. ISO-out cases are excluded. 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 British Columbia, 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 survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 16

Maintenance enforcement cases with arrears, by percentage received of regular monthly payment due, at March 31¹

	Year	Total		Percentage received of regular monthly payment due (%)					
		No.	%	0	1-25	26-50	51-75	76-99	100+
				% of cases with arrears					
Prince Edward Island	2000	1,233	100	46	0	5	4	7	38
	2001	..	..	..	..	..	..	..	..
	2002	1,476	100	48	1	4	3	6	39
	2003	1,629	100	50	1	8	3	5	33
Quebec ²	2000	..	..	..	..	..	..	..	..
	2001	46,278	100	36	1	4	2	4	52
	2002	45,963	100	34	1	4	2	4	54
	2003	46,689	100	33	1	5	2	5	54
Ontario	2000	126,111	100	43	1	2	3	5	46
	2001	123,732	100	40	1	2	3	5	48
	2002	129,702	100	42	1	2	3	5	46
	2003	131,931	100	41	1	2	3	5	48
Saskatchewan	2000	4,821	100	41	1	2	2	2	52
	2001	5,106	..	..	..	..	..	..	..
	2002	4,725	100	46	1	3	3	2	44
	2003	4,521	100	46	1	2	2	3	45
Alberta	2000	26,346	100	54	1	2	2	2	39
	2001	26,073	100	51	1	2	2	2	42
	2002	26,964	100	51	1	2	2	2	41
	2003	27,015	100	48	1	3	3	2	43
British Columbia ³	2000	24,150	100	48	2	3	3	3	41
	2001	25,668	100	48	2	3	3	4	40
	2002	26,181	100	48	2	4	3	4	40
	2003	26,424	100	48	2	4	3	4	39

Notes:

Percentages may not total 100% due to rounding.

.. not available for a specific reference period

1. ISO-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. 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 survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have made payment.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 17

Maintenance enforcement cases with arrears, by elapsed time since payment, at March 31¹

Year	Total - cases with arrears		New cases in default ≤ 30 days since enrolment	Time since payment received (months)				No payments ever made		Unknown	
				≤ 1	>1 to 3	>3 to 12	>12	Cases ≤ 12 months old	Cases > 12 months old		
	No.	%		% of cases with arrears							
Prince Edward Island	2000	1,239	100	1	49	11	12	14	4	10	0
	2001	..	..	..	..	..	..	..	..	..	..
	2002	1,479	100	1	44	11	11	19	3	10	0
	2003	1,635	100	1	43	10	11	22	3	9	0
Quebec ²	2000	..	..	..	..	..	..	..	..	..	..
	2001	46,272	100	2	45	13	16	8	5	11	0
	2002	45,963	100	1	47	17	14	9	2	9	0
	2003	46,686	100	1	56	11	14	10	2	6	0
Ontario	2000	126,111	100	1	31	8	11	35	3	10	0
	2001	123,744	100	1	29	8	10	40	3	9	0
	2002	129,693	100	0	30	10	10	37	4	9	0
	2003	131,931	100	1	33	9	10	35	4	10	0
Saskatchewan ³	2000	4,827	100	0	5	4	11	11	4	3	62
	2001	5,106	100	..	..	..	..	..	..	..	..
	2002	4,725	100	0	44	19	16	13	4	3	0
	2003	4,524	100	0	44	19	16	14	4	4	0
Alberta ⁴	2000	26,346	100	0	35	21	19	17	5	3	0
	2001	26,064	100	0	37	26	12	16	5	4	0
	2002	26,964	100	0	36	22	15	15	6	5	0
	2003	27,015	100	0	42	19	15	15	4	4	0
British Columbia ⁵	2000	24,159	100	1	33	22	18	14	5	6	0
	2001	25,680	100	1	35	23	17	15	5	5	0
	2002	26,187	100	1	36	23	16	14	5	5	0
	2003	26,433	100	1	37	22	16	15	4	5	0

Notes:

Percentages may not total 100% due to rounding.

.. not available for a specific reference period

1. ISO-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 March 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. Alberta policy allows 35 days following the completion of registration for the payor to make the first payment. Therefore, there will never be any cases less than 35 days old reported as in default.

5. 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 survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 18

Number and type of enforcement actions for maintenance enforcement cases administered, 2002/2003¹

	Prince Edward Island		Saskatchewan		British Columbia	
	No.	%	No.	%	No.	%
Administrative enforcement action:						
Demand for payment	6	0	129	2	33,579	23
Demand for information	15	0	2,400	29	1,710	1
Maintenance enforcement plan trace	0	0	1,701	20	55,914	38
Jurisdictional garnishment and attachment	1,092	9	1,956	24	11,679	8
Voluntary payment arrangement	21	0	3	0	540	0
Credit Bureau reporting	0	0	0	0	8,328	6
Land registration	3	0	477	6	2,049	1
Personal property lien	0	0	0	0	2,538	2
Motor vehicle licence intervention	12	0	420	5	3,228	2
Writ of execution	30	0	30	0	0	0
Collection calls	0	0	0	0	0	0
Examination of payor	0	0	0	0	0	0
Interception of provincial funds	0	0	0	0	0	0
Order forfeiture of security	0	0	0	0	0	0
Other administrative enforcement actions ²	9,645	78	0	0	17,730	12
Subtotal	10,824	87	7,116	86	137,295	93
Administrative action under federal legislation:						
Federal trace (FOAEA-Part I ³)	0	0	0	0	9	0
Interception of federal funds (FOAEA-Part II ³)	1,539	12	1,188	14	7,521	5
Federal licence suspension (FOAEA-Part III ³)	0	0	0	0	3,000	2
Federal garnishment (GAPDA ³)	24	0	3	0	33	0
Subtotal	1,563	13	1,191	14	10,563	7
Total Administrative Actions	12,387	100	8,307	100	147,858	100
Court enforcement:						
Default hearing	231	53	177	98	537	16
Committal hearing	12	3	0	0	177	5
Execution order	0	0	0	0	21	1
Register order against personal property	18	4	0	0	6	0
Appointment of receiver	0	0	0	0	6	0
Order to provide information	0	0	0	0	3	0
Other court enforcement activities ⁴	171	40	3	2	2,580	77
Total Court Enforcement Actions	432	100	180	100	3,330	100

Notes:

Percentages may not total 100% due to rounding.

1. ISO-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. These annual data are not available for Quebec, Ontario and Alberta.
2. In Prince Edward Island, other administrative enforcement actions are quite high because this category includes "notice of default hearing". This action is frequently used in this province and means defaulters are sent a notice of default hearing and are given the option of discussing their situation with the MEP director and the legal counsel for the MEP.
3. 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.
4. Other kinds of court activity include issuing a warrant for arrest, appointing a trustee in bankruptcy, and issuing writs for seizure and sale.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 19

Maintenance enforcement cases terminated, by reason for termination, by fiscal year¹

		Reason for termination							
		Total cases terminated		Withdrawal by recipient/payor	Order expired	Withdrawal by program	Death of either party	Other	
		No.	%							% of terminated cases
Quebec	1999/2000	..	..	..	..	..	..	..	..
	2000/2001	..	..	..	..	..	..	..	..
	2001/2002	5,757	100	23	68	2	3	3	3
	2002/2003	6,615	100	24	68	3	3	3	2
Saskatchewan ²	1999/2000	1,221	100	17	17	10	3	53	
	2000/2001	1,287	100	17	19	14	3	47	
	2001/2002	1,341	100	15	16	11	3	56	
	2002/2003	1,188	100	19	22	14	3	43	
Alberta	1999/2000	3,768	100	30	46	19	4	1	
	2000/2001	4,242	100	26	53	17	3	2	
	2001/2002	4,581	100	26	50	17	3	5	
	2002/2003	6,309	100	47	35	13	2	3	
British Columbia	1999/2000	4,554	100	39	30	29	2	0	
	2000/2001	5,541	100	34	30	34	2	0	
	2001/2002	5,934	100	32	31	35	2	0	
	2002/2003	6,303	100	34	30	34	2	0	

Notes:

Percentages may not total 100% due to rounding.

.. not available for a specific reference period

1. ISO-out cases are excluded. Terminated cases include cases that were registered for at least part of the year. These annual data are not available for Ontario. Prince Edward Island is not able to provide data by reason for termination. However, in 2002/2003, a total of 6 terminated cases were reported.

2. In Saskatchewan, the "Other" category includes reasons for termination such as "transferred to other jurisdictions", "order replaced", "provisional order never confirmed" and "order successfully disputed".

Source: Statistics Canada, Maintenance Enforcement Survey.

5.0 Appendix A: Child support in New Zealand and Australia

MEPs in Canada are responsible for enforcing child and spousal support orders but are not involved in any decision concerning amounts to be paid. However, the situation can be quite different in some other countries.

In New Zealand, Inland Revenue is the agency responsible for both collecting and enforcing child support payments, and determining the amounts to be paid. The process is fairly straightforward. First, the recipient parent²⁶ applies to Inland Revenue, which then calculates the child support amount. The monthly support amount is calculated using a standard formula that is applied to the paying parent's income. There is a minimum assessment of NZ\$677 per year, even if the calculated child support liability is less than that amount.

Once the assessment has been calculated, the agency sends a letter to both the paying and the recipient parent. The paying parent has 30 days to make the first payment, and subsequent payments are due on the 20th of each month. Options for payment include deduction from wages or benefits, automatic payment from bank account, online payments, cheques or cash. A child support year runs from April 1 to March 31, and child support is payable until the child turns 19. Inland Revenue collects the payments and passes them either to the recipient or to the government if the recipient is receiving a benefit. The recipient will receive child support in his or her bank account on the 7th of each month, as long as the paying parent is not late in making payments.

New Zealand, with a population of approximately 4 million people, had 192,000 registered recipients of child support as of April 2000. This number is growing.

In Australia, the Child Support Agency (CSA) was established in 1988 to enforce court-ordered support. A year later, on October 1, 1989, a child support formula was introduced to allow calculation of support payments. Applicant parents of children born before October 1989 and that separated before that date have to register a court order with the CSA, while other parents register an agreement.

An agreement is a written document signed by both parents which includes payments of regular amounts, lump sum payments, irregular payments and payments to third parties (school fees, mortgage, health insurance, etc.). If parents cannot come to an agreement, the recipient²⁷ can ask the CSA to make an assessment. The CSA will then

calculate the amount of child support, based on each parent's income, the number of children, the living expenses of parents, the living arrangements of children and any other children in the payor's care. As in New Zealand, there is a minimum assessment, which is A\$260 per year.

After a case is registered, two options will be given to parents: private collection, meaning that payment and collection of child support is made directly between parents, or CSA collection. If they choose the latter, the payor is required to make payments to the CSA by the 7th day of each month and can do so by phone, Internet, mail, salary deductions or at the post office pay facility. The recipient will get the payment on the third Wednesday of each month, or later if the payments are not received on time.

If the CSA has difficulty collecting the payments, it can take a number of enforcement actions such as withholding extra amounts from the payor's pay, using the payor's income tax refund or transferring money from the payor's bank account. If necessary, the CSA can also take court action, for example asking the court for an order to sell the payor's property. Child support is payable until the child turns 18.

Australia's international maintenance arrangements apply when one parent lives in Australia and the other parent lives in a country that is a reciprocating jurisdiction. There are over 80 reciprocating jurisdictions in all 5 continents, including all provinces and territories of Canada (with the exception of Quebec). It is estimated that about 1.2 million recipients are registered with the CSA. Australia's total population is approximately 19 million.

Sources:

1. Inland Revenue New Zealand <<http://www.ird.govt.nz/childsupport>> (accessed October 1, 2003).
2. Statistics New Zealand <<http://www.stats.govt.nz>> (accessed October 7, 2003).
3. Child Support Agency Australia <<http://www.csa.gov.au>> (accessed October 1, 2003).
4. Australian Bureau of Statistics <<http://www.abs.gov.au>> (accessed October 7, 2003).

26. In New Zealand, the recipient is referred to as the "custodian".

27. In Australia, the recipient is referred to as the "payee".

6.0 Appendix B: Glossary of Terms

Administrative survey

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

Appointment of receiver

This refers to action taken by a master/court administrator or a judge where a receiver is appointed to examine the payor's financial situation.

Arrears

Arrears refer to money owing from earlier missed payments. As a result of either a court order or voluntary payment arrangement, an amount of arrears may end up being subject to a schedule. 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 for a case to have arrears and be in compliance with total expected payments at the same time. This would be the situation if the payor were making all the current payments due, including the scheduled arrears payment.

Assignment status

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 for the order

Support obligations enforced by the MEPs 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.

Cases enforced (Cases administered)

This includes all cases that were enrolled with the MEP at some point during a period of time, for example a year. It is a measure of all the cases for which the MEP had responsibility to monitor and enforce. Thus it includes both enrolled and terminated cases, but excludes ISO-out cases.

Cases enrolled

This includes all cases that are enrolled with the MEP at a particular point in time. It includes cases for which the MEP is responsible to monitor (ISO-out cases) as well as those for which it is responsible to monitor and enforce (non-ISO and ISO-in cases).

Collection calls

This refers to an enforcement activity that involves the phoning of payors to demand payment.

Committal hearing

This refers to the hearing held when a payor defaults on an order where the penalty is jail.

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. 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.

Default hearing

This refers to a hearing before a master/court administrator or judge to determine what action may be appropriate in the face of a failure to make support payments.

Demand for information

This includes all demands (usually letters) sent where the maintenance enforcement program is asking for information. Letters can be sent to the recipient, the payor, or some other party, such as an employer.

Demand for payment

This includes all demands (usually letters) sent where the maintenance enforcement program is asking for payment. The letter could be to the payor or some other party, such as an employer who has not sent in the money from a garnishment order, for example.

Direct payments

Direct payments are defined as payments made by the payor to the recipient, as stipulated by order/agreement which do not involve the maintenance enforcement program other than for adjustments to arrears, or for notification of failure to continue direct payment.

Enforcement activity

Various methods can be employed by a MEP to enforce an outstanding payment. Activities taken on a case can be categorized into three main types according to who conducts the procedure:

- Administrative activities are those mechanisms employed by the MEP itself, and would include demands for information, jurisdictional garnishment and attachment and Credit Bureau reporting as examples.

- Quasi-judicial enforcement are activities undertaken by a master or court administrator, and may involve conducting a default hearing.
- Court-based enforcement involves court and judge time and is generally employed as a last resort. These tend to be more serious enforcement actions, involving default hearings, issuing of warrants, and default orders, and may culminate in fines or jail.

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.

Examination of payor

This refers to any and all activity taken by the maintenance enforcement program to examine a payor with respect to assets, and liabilities. In some jurisdictions, this action can be undertaken by administrative staff, or Court Administrators.

Execution order

This refers to the order made by a judge to liquidate assets.

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 through FLAS to the applicable federal department to have federally-administered licenses revoked or denied. This encompasses passports and certain transport (aviation and marine) licenses.

Federal garnishment

This refers to garnishments made pursuant to the [Queen's Regulations](#), and the *Garnishment, Attachment and Pension Diversion Act (GAPDA)*.

Federal licence suspension

This refers to the *Family Orders Assistance Enforcement Act* (Part 3) which allows the denial of passports, aviation licences, and marine certificates.

Federal trace

This refers to the request for a federal trace under the *Family Orders Assistance Enforcement Act* (Part 1).

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.

Interception of federal funds

Under the *Family Orders Assistance Enforcement Act* (Part 2), the maintenance enforcement program can intercept federal funds.

Interception of provincial funds

This refers to activity taken to obtain provincial moneys that may have been due.

ISO status

Formerly referred to as REMO or RESO status, ISO (interjurisdictional support order) status indicates whether cases cross jurisdictional boundaries, usually because the payor and recipient live in different provinces, territories or countries. Cases are classified according to three categories:

- **Non-ISO cases**

These 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.

- **ISO-in cases**

These 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.

- **ISO-out cases**

These 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.

For cases that cross jurisdictional boundaries, the provinces and territories have introduced new legislation, the *ISO Act*. The purpose of this legislation, as with the REMO/RESO legislation that preceded it, is to allow one or both of the parties to obtain a support order, to have an existing order recognized or varied, or to have an order enforced.

Jurisdiction

This describes the province or territory.

Jurisdictional garnishment

This refers to the formal process whereby an amount is deducted from a payor's salary or wages, or other source of income on a regular basis.

Land registration

This refers to actions taken to encumber the sale of specific real estate. 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.

Maintenance enforcement plan trace

This refers to all attempts to find the payor using jurisdictional information banks.

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.

Order forfeiture of security

This refers to action taken by a master or court administrator where final authority is given to seize a security.

Order to provide information

This refers to a court order to provide information, including the payor's financial affairs.

Payor

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

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 or cease to be enrolled 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 choose to 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 parental 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.

Register order against personal property

This refers to orders made to place registrations against assets of the payor.

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.

Total payments

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

Voluntary payment arrangement

This refers to an arrangement made by the maintenance enforcement program and agreed to by the payor where a voluntary payment schedule is established. The voluntary assignment of wages is included.

Writ of execution

This refers to the actions taken by the maintenance enforcement program that result in payment, for example the seizure and sale of a payor's assets.

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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