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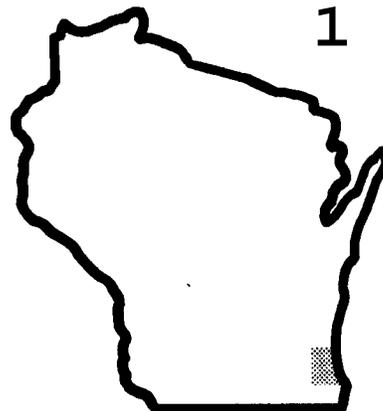
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STATE OF WISCONSIN

FIRST JUDICIAL DISTRICT

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TO: Chairman Lee Holloway
Milwaukee County Board of Supervisors

FROM: Chief Judge Jeffrey A. Kremers

C: Supervisor Willie Johnson, Jr., Chair-Judiciary, Safety & General Services Committee

DATE: May 26, 2011

RE: **Item for next Judiciary, Safety & General Services Committee Agenda**

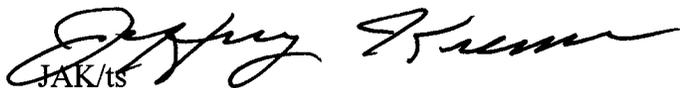
Please place the following item on the next Judiciary, Safety and General Services Committee agenda:

1. Permission to receive a \$100,000 grant for the period of April 1, 2011-March 31, 2012 from the State Office of Justice Assistance in support of the Universal Screening Pilot program, and to amend the existing Universal Screening contract with Justice 2000, Inc. to allow expenditure of these funds.

Please see the attached resolution and fiscal note in support of this request.

Please contact me if you have any questions.

Thank you.


JAK/ts

File No.

Journal,

(ITEM NO.) From the Chief Judge, requesting permission to receive \$100,000 in grant funds from the State of Wisconsin Office of Justice Assistance in support of the Universal Screening Pilot program, and to execute a professional services contract addendum with Justice 2000, Inc. allowing for expenditure of these funds within the existing Universal Screening Pilot Program.

A RESOLUTION

WHEREAS, the Milwaukee County Board of Supervisors adopted the 2011 budget on November 8, 2010 (File No. 10-347) and approved by the County Executive, which included funding in the amount of \$250,000 for the Universal Screening Pilot Program ; and

WHEREAS, Justice 2000, Inc., as a result of a competitive bid process in 2008, was selected as Milwaukee County's primary provider of pretrial services, including jail screening for the Treatment Alternatives and Diversion (TAD) Program for the contract period of January 1, 2009-December 31, 2011; and

WHEREAS, Justice 2000 is experienced in and familiar with the application of the proposed pretrial risk and screening instruments, Milwaukee County Pretrial Services Database, Milwaukee County Intake Court operation and proposed screening program; and

WHEREAS, on December 23, 2010 the Pretrial Services Advisory Board voted unanimously in support of contracting with Justice 2000 in 2011 for the Universal Screening Pilot Program without a competitive bid process; and

WHEREAS, on February 3, 2011 (File No. 11-53) the Milwaukee County Board of Supervisors authorized the Chief Judge to execute a professional services contract with Justice 2000, Inc. for provision of Universal Screening services; and

WHEREAS, on May 19, 2011 Milwaukee County received written notice of a grant award in the amount of \$100,000 from the State Office of Justice Assistance in support of Universal Screening for the period of April 1, 2011-March 31, 2012; therefore

BE IT RESOLVED, that the Milwaukee County Board of Supervisors does hereby authorize the Chief Judge to accept \$100,000 in grant funds from the State Office of Justice Assistance in support of Universal Screening and to amend the existing Universal Screening professional services contract with Justice 2000, Inc. to a total amount not to exceed \$340,000.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: 05/23/2011

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: 2011 Office of Justice Assistance Grant Award-Universal Screening

FISCAL EFFECT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input checked="" type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input checked="" type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	100,000	
	Revenue	100,000	
	Net Cost	0	
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

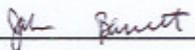
- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Increase of \$100,000 in operating expenditures in Org. Unit 2900, Alternatives to Incarceration for the period of June 1, 2011-March 31, 2012 for provision of Universal Screening services. Increase in operating expenditures will be offset 100% by an increase in operating revenue from the State Office of Justice Assistance.

There is no fiscal impact associated with the requested action.

Department/Prepared By Holly Szablewski/Deborah Bachun

Authorized Signature



Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

COUNTY OF MILWAUKEE
Inter-Office Communication

DATE: April 29, 2011

TO: Lee Holloway, Chairman, Milwaukee County Board of Supervisors

FROM: Lisa J. Marks, Director, Department of Child Support Enforcement

**SUBJECT: INFORMATIONAL REPORT ON THE IMPACTS OF ACTION BY THE
JOINT FINANCE COMMITTEE, MOTION #50**

Issue

The Department is providing an informational report, updating the status of budget action taken by the Joint Finance Committee related to Child Support Enforcement.

Background

In the last biennial budget, the legislature provided base funding of \$8.5 million for County Child Support agencies on an annual basis. Due to the availability of federal American Recovery & Reinvestment Act (ARRA) funds during that biennium, an actual expenditure of only \$4.25 million general purpose revenue (GPR) was required in State Fiscal Year (SFY) 2011. The base budget, for determining Governor Walker's proposed 2012-2013 was set on the actual GPR expenditure, not the intended base funding. The Legislative Fiscal Bureau prepared paper #226 (attached) identifying three options for operation of the local program: 1) Governor Walker's proposed budget, 2) funding the program with \$8.5 million GPR, or 3) modify the Governor's budget by adding an additional \$2.125 in GPR.

Wisconsin was a leader among states in modeling its distribution of funds to counties based on a formula similar to performance measures used by the federal government. Wisconsin weighted measures to maximize its ability to earn federal performance incentive money. This has clearly worked in the State's favor, bringing in a higher proportion of federal incentive money compared to the size of our state. As part of this formula, the State established a floor or guarantee of funding to ensure a sufficient, stable funding source for county agencies. This also contributed to the State's success as a whole. To remove this floor destabilizes county funding, and threatens to push individual counties, and – as a long-term result - the State, into the downward spiral of falling performance and falling federal incentives as referenced in the Legislative Fiscal Bureau Paper # 226.

Milwaukee County has 36% of the State's total caseload- anything that decreases Milwaukee's ability to perform not only endangers Milwaukee's program, but threatens the entire State's performance funding. Almost one half (48%) of the children who live in Milwaukee County are served by MC CSE. For every dollar spent in administrative costs, \$5.04 is collected and distributed to families. These funds reduce dependency on public assistance programs, as federal statistics show that for every \$4 spent on the child support program, \$5 is saved in public assistance benefits.

Discussion

On April 26, 2011 the Joint Finance Committee held their first hearing on Governor Walker's proposed budget. The Department of Children and Families, Child Support Enforcement, State & Local Operations led the committee's agenda. On a motion by Representative Vos and second by Senator Darling, Motion #50 (attached) was introduced and passed the Joint Finance committee on a 12 to 4 vote, following party lines.

Motion #50 adopts alternative 1 in paper #226, and additionally requires the Department of Children and Families (DCF) to submit a plan, no later than August 31, 2011 to the Joint Committee on Finance, that specifies the proposed child support allocations by Counties for (CY) 2012 and (CY) 2013 and the basis for the allocations. The motion specifically states that allocations cannot be based on an across-the-board reduction from CY2011. Additionally, in determining allocations, DCF may consider levels of efficiency and each county's performance with regard to the support order rate, paternity establishment and collection rate per FTE. DCF is prohibited from distributing funds to local child support agencies until the plan is approved by the committee. Note: "In addition, the motion would require DCF to allocate the funds available under the bill such that counties that perform better on the performance standards would receive less of a reduction to their county allocation than those counties who do not perform well."

Passage of the Governor's proposed funding level represented a \$3.6 million funding (\$1.2 mil GPR & \$2.4 mil FED) loss to Milwaukee County Child Support Enforcement (MC CSE) and a projected staff loss of 38 workers or 28% of the current staff. It is the additional language of Motion #50 which creates further funding uncertainty, specifically for Milwaukee County.

Historically up to and including this year, Milwaukee County has received a smaller amount of funding per case than any other county in Wisconsin. Consequently, MC CSE has not had the luxury, like other counties, to pursue performance levels exceeding the federal minimum requirements. Instead, MC CSE target staff efforts on meeting the specific performance measures, and then move on to other non-performance related requirements imposed by the State. Note that Motion #50's funding reductions, prior to any loss due to a revision of the current allocation methodology, will place Milwaukee at the highest caseload per FTE. This is higher than even the worst performing urban jurisdiction – Wayne County (Detroit), Michigan.

The paternity establishment performance measure illustrates the problem created by the additional language of Motion #50. Both the federal and state contract performance level is 90%. MC CSE met this goal, finishing FFY 2010 at a performance rate of 90.50%. All of the other counties, however, exceeded 100%. Additionally, collections by FTE will also have a disproportionately negative effect on MC CSE, caused by both low dollar orders set for low income payers, and the widespread unemployment in the County.

Until the allocation is determined by DCF, the department will be unable to predict the additional fiscal impact. Based on the figures in the Governor's proposed budget, MC CSE estimates that almost 25,000 families (24,972) will go without receiving any child support, over \$18million will be lost in collections, 1,680 children will go without having a legal father established, over 2,500

families will not have an order set for support, MC CSE outreach initiatives will need to be scaled back, including the new Veterans program.

Recommendation

The report is informational.

Respectfully submitted,



Lisa J. Marks, Director
Department of Child Support Enforcement

cc: Chris Able, Milwaukee County Executive
Willie Johnson Jr., Chairman, Judiciary, Safety and General Services Committee
John Thomas, Chairman, Finance and Audit Committee
James (Luigi) Schmidt, Chairman, Intergovernmental Relations Committee
George Aldrich, Chief of Staff, Milwaukee County Executive's Office
Cynthia (CJ) Pahl, Assistant Fiscal & Budget Manager, Department of Administrative Services
Rick Ceschin, Analyst - County Board
Antionette Thomas-Bailey, Analyst – Department of Administrative Services
Linda Durham, Committee Clerk - County Board

Attachments

CHILDREN AND FAMILIES
Posted by Wheeler Reports
Local Child Support Enforcement Activities
[LFB Paper #226]

Motion:

Move to adopt Alternative 1 in Paper #226. In addition, require the Department of Children and Families (DCF) to submit a plan no later than August 31, 2011, to the Joint Committee on Finance under a 14-day passive review process that specifies the proposed child support allocations to each county in calendar year (CY) 2012 and CY 2013 and the basis for the allocations. Specify that the allocations cannot be based on an across-the-board reduction from the CY 2011 allocations. Specify that in determining allocations, DCF may consider levels of efficiency and each county's performance with regard to the support order rate, paternity establishment, and collection rate per FTE. Prohibit DCF from distributing funds to local child support agencies until the plan is approved by the Committee.

Note:

This motion would approve the Governor's recommendation to provide \$4,250,000 GPR and \$8,250,000 FED annually for local child support enforcement activities.

In addition, the motion would require DCF to allocate the funds available under the bill such that counties that perform better on the performance standards would receive less of a reduction to their county allocation than those counties who do not perform well. The motion would require DCF to submit a plan with the county allocations and a description of the basis for determining the allocations to the Joint Committee on Finance by August 31, 2011. The motion would prohibit DCF from distributing funds to local child support agencies until the plan is approved by the Committee under a 14-day passive review process. DCF currently has county data on the following performance standards: (a) establishment of court orders; (b) paternity establishment; and (c) collection of current child support due.

Motion #50



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

April 26, 2011

Joint Committee on Finance

Paper #226

Funding for Local Child Support Enforcement Activities (DCF -- Child Support)

CURRENT LAW

The costs of administering child support enforcement activities performed by counties in Wisconsin are supported by a combination of federal funds, state general purpose revenue (GPR), and county revenue from local sales tax, property tax, and shared revenue. The largest source of funding for child support enforcement activities comes from the federal government in the form of federal child support incentive payments and federal matching funds.

The federal government distributes child support incentive payments to states in order to encourage and reward state programs that perform in a cost-effective and efficient manner. States must compete against each other for incentive dollars. These funds support both state operations of child support enforcement activities in the Department of Children and Families (DCF) and child support enforcement activities performed by counties through contracts with DCF.

Each year, DCF distributes the first \$12,340,000 of the state's federal incentive payment to counties. If the incentive payment exceeds \$12,340,000, then 30% of the excess is distributed to counties and 70% is retained by DCF to support state child support enforcement activities.

Deficit Reduction Act

Prior to enactment of the federal Deficit Reduction Act (DRA) of 2005, states could claim 66% federal child support matching funds if they reinvested their federal incentive payments into child support enforcement activities. Therefore, an expenditure of \$1 of federal incentive payments would generate a match of \$1.94, and fund nearly \$3 of child support enforcement expenditures.

For example, in calendar year (CY) 2006, \$12,996,800 in federal child support incentive

payments were allocated to local child support enforcement agencies. These federal funds generated an additional \$25,229,100 in federal child support matching funds (66% match). As a result, local child support agencies received a total of \$38,225,900 in federal funds for local child support enforcement activities.

The federal DRA eliminated the ability to receive federal matching funds for federal incentive payments, beginning October 1, 2007. Using the example above, federal funding for local child support activities would be reduced from \$38.2 million to \$13.0 million, a loss of \$25.2 million for local child support agencies.

2007 Wisconsin Act 20

As a result of the inability to receive federal matching funds for federal incentive payments expended on child support enforcement activities, local child support agencies lost substantial federal funding for child support activities. To partially offset this reduction, 2007 Act 20 (the 2007-09 biennial budget bill) provided additional state funds for county child support enforcement activities in the amount of \$2,750,000 GPR in 2007-08 and \$5,500,000 GPR in 2008-09. These funds would have generated \$5,338,200 in 2007-08 and \$10,676,500 in 2008-09 in federal matching funds. On an annualized basis, local child support agencies would receive approximately \$16.2 million to partially offset the \$25.2 million in lost federal matching funds.

American Recovery and Reinvestment Act

The federal American Recovery and Reinvestment Act (ARRA) of 2009 provided temporary stimulus funding for child support enforcement activities. The federal ARRA temporarily reinstated the ability to receive federal matching funds for federal child support incentive payments for the period October 1, 2008, through September 30, 2010. Beginning October 1, 2010, the federal DRA's provision that eliminated the ability to receive federal matching funds for federal child support incentive payments was reinstated.

2009 Wisconsin Act 28

Due to the stimulus funding under ARRA, no state incentive payments were appropriated under Act 28 for local child support enforcement agencies for the last six months of the CY 2009 child support enforcement contracts or for the CY 2010 contracts during the 2009-11 biennium. However, since the temporary reinstatement of the ability to match federal child support incentive payments expired September 30, 2010, state incentive payments in the amount of \$4,250,000 GPR in 2010-11 were budgeted for the first six months of the CY 2011 contracts (the last six months of the 2009-11 biennium). These funds generate an additional \$8,250,000 in federal matching funds. This funding was for a six-month period. It was anticipated that funding for the last six months of the CY 2011 contracts, the CY 2012 contracts, and the first six months of the CY 2013 contracts would be funded during the 2011-13 biennial budget process.

State Funding if Federal Law Reinstated

Due to uncertainty as to whether future federal legislation would reinstate the ability to

match federal child support incentive payments, 2009 Act 28 specified that GPR for local child support enforcement activities would be eliminated if federal legislation reinstates the ability to match federal child support incentive payments at a rate of 66% or more. DCF is required to include a provision in the child support contracts with local child support agencies, beginning with the CY 2011 contracts, that specifies if federal legislation is enacted, on or after the date on which the contract begins, that allows the ability to match federal child support incentive payments at a rate of 66% or more, then DCF would no longer make GPR payments beginning on the effective date of the federal legislation.

Due to a similar provision under 2007 Act 20, \$2,750,000 GPR in 2008-09 of the amount budgeted under Act 20 remained unspent.

December 14, 2010, Joint Committee on Finance Meeting

The Joint Committee on Finance met on December 14, 2010, to consider several items under section 13.10 of the Wisconsin statutes. One of these items, Agenda Item VII, concerned the allocation of uncommitted income augmentation revenues. Under Motion #40, \$4,250,000 of the uncommitted income augmentation revenues was allocated to DCF for local child support enforcement agencies. Motion #40 also directed DCF to distribute these funds, as well as the entire amount of the \$4,250,000 GPR allocated under 2009 Act 28 in 2010-11, to the local child support agencies no later than January 1, 2011.

Because \$4,250,000 GPR had been allocated in 2010-11 under Act 28 for a six-month period, local child support agencies anticipated that during the 2011-13 biennial budget process, \$8,500,000 GPR annually would be budgeted for local child support enforcement activities in order to partially offset the loss in federal funds from the inability to receive federal matching funds for child support incentive payments (approximately \$25.2 million as mentioned above under "Deficit Reduction Act"). The annual amount of \$8,500,000 GPR would generate additional federal matching funds of \$16,500,000, for a total of \$25,000,000.

However, DCF's agency budget request did not request \$8,500,000 GPR annually. DCF requested no increase. As a result, \$4,250,000 GPR annually, which is the base amount from 2010-11 that had represented six months worth of funding, was requested. These funds would generate federal matching funds of \$8,250,000 annually, for a total of \$12,500,000 annually. Under the budget request, local child support agencies would receive \$12,500,000 less annually than they had anticipated.

To partially address the local child support agencies' concern regarding a shortfall of funding during the 2011-13 biennium, the Committee provided \$4,250,000 in income augmentation revenues. With these additional funds, local child support agencies would have \$8.5 million in GPR and income augmentation revenues, plus \$16.5 million in federal matching funds, for a total of \$25.0 million, for the CY 2011 contracts.

GOVERNOR

No provision. As a result, funding for local child support agencies is \$4,250,000 GPR annually.

DISCUSSION POINTS

Federal Child Support Incentive Payments

1. The federal government distributes child support incentive payments to states in order to encourage and reward state child support enforcement programs that operate effectively. The annual incentive payment to each state is based on that state's performance, relative to the other states, on several criteria. Currently, performance on five criteria determines the amount of the award: (a) paternity establishment; (b) establishment of support orders; (c) collection of current child support due; (d) collection of child support arrearages; and (e) cost-effectiveness.

2. From the period from federal fiscal year (FFY) 2002 to FFY 2009, Wisconsin's efficiency has exceeded the national average each year. In FFY 2009, Wisconsin's collection-to-cost ratio was \$6.82 in support distributions per dollar spent on enforcement efforts statewide compared with the national collection-to-cost ratio of \$4.78. Of the fifty states plus Puerto Rico, Guam, the Virgin Islands, and the District of Columbia, Wisconsin ranked 12th highest on this measure of program efficiency.

3. DCF distributes the state's award of these federal child support incentive payments and state funding to counties for child support enforcement activities. Counties are required to contract with DCF to implement and administer the child support enforcement program at the local level. County responsibilities include: (a) establishing child support and medical support orders; (b) establishing paternity; (c) providing data related to support orders; and (d) enforcing medical and financial child support orders.

4. Allocations to county child support agencies of these funds are determined based on the county's share of statewide support cases that receive enforcement services from a county child support agency. Each county is guaranteed from 80% to 93% of the amount of the incentive payment allocated to each performance measure. The remainder is awarded based on the county's performance on one or more standards. Four standards were used to determine CY 2011 awards: (a) percentage of cases with a child support order; (b) percentage of children for whom paternity was established; (c) percentage of child support received compared to the total amount of child support due in the federal fiscal year; and (d) percentage of cases with arrearages due at any time during the federal fiscal year for which a collection was made on the arrearages during the federal fiscal year.

Federal Changes to the Federal Child Support Incentive Payments

5. Wisconsin's share of the federal child support incentive payments has been approximately \$12 million to \$13 million annually. Prior to the federal DRA, these federal incentive

funds expended on child support enforcement activities generated additional federal matching funds at a rate of 66%, for a total of \$23 million to \$25 million in additional matching funds. The federal DRA eliminated the ability to receive federal matching funds at the 66% match rate for federal child support incentive payments, which left a shortfall for local child support agencies of approximately \$25 million. The state partially offset this shortfall under 2007 Act 20 by providing additional GPR dollars, which are eligible for federal matching funds at the 66% match rate.

6. Provisions of the federal ARRA reinstated the ability to receive federal matching funds for federal child support incentive payments from the period October 1, 2008, through September 30, 2010. This ability to receive federal matching funds for federal child support incentive payments provided local child support agencies with a similar level of funding before the federal DRA went into effect through the CY 2010 contracts. Beginning, with the CY 2011 contracts, there would again be a funding shortfall of approximately \$25 million per year.

State Funding Levels to Address Federal Changes

7. To address the lack of federal matching funds, beginning with the CY 2011 contracts, 2009 Act 28 provided \$4,250,000 GPR in 2010-11 to offset the shortfall during the first six months of the CY 2011 contracts. On an annualized basis, the amount needed to offset the \$25 million shortfall would be \$8,500,000 GPR. However, the bill provides only \$4,250,000 GPR annually for local child support agencies. These funds generate \$8,250,000 in federal matching funds, for a total of \$12,500,000. This amount is \$12.5 million less than the amount needed to offset the shortfall of \$25 million.

8. In December, 2010, the Committee allocated \$4,250,000 in uncommitted income augmentation revenues to local child support agencies. With these funds, \$8,500,000 in CY 2011 in state funding (\$4,250,000 GPR in 2010-11 allocated under Act 28 and \$4,250,000 in income augmentation revenues that would be used during the first six months of 2011-12) and \$16,500,000 in federal matching funds, for a total of \$25,000,000, would be available. Attachment 1 shows the preliminary allocations of these funds by county.

Senate Bill 27/Assembly Bill 40

9. With the funds provided under the bill of \$4,250,000 GPR annually, there are several options to allocate these funds for the CY 2012 and CY 2013 contracts for local child support agencies. Two of these options are described below. As noted above, no funding under the bill is needed for the CY 2011 contracts due to the receipt of \$4,250,000 in income augmentation revenue for the last six months of the CY 2011 contracts.

10. First, local child support agencies could allocate \$4,250,000 GPR in 2011-12 during the first six months of CY 2012 and allocate the entire amount of \$4,250,000 GPR in 2012-13 during the last six months of CY 2012. CY 2012 would be fully funded, but this would leave the first six months of CY 2013 with no state funding. The last six months of the CY 2013 contracts would be funded during the 2013-15 biennium. Assuming the same level of state funding would be appropriated during the 2013-15 biennium, \$2,125,000 in state funding would be available for last

six months of CY 2013 (one-half of the \$4,250,000 appropriated in 2013-14). With matching funds of \$4,125,000, a total of \$6,250,000 would be available to address a \$25 million shortfall in CY 2013. CY 2012 county allocations would be similar to those in Attachment 1. Attachment 2 shows what county allocations in CY 2013 could look like with \$2,125,000 GPR.

11. Second, the amount of funding under the bill for local child agencies could be stepped-down to make the reduction of funding in CY 2013 less dramatic. As in the above example, funding for the first six months of CY 2012 would be \$4,250,000 GPR in 2011-12. However, the last six months of CY 2012 could be one-half of the amount budgeted in 2012-13, rather than the entire amount, for a total of \$6,375,000 GPR in CY 2012. This amount of funding would generate \$12,375,000 in federal matching funds, for a total of \$18,750,000 (\$6.25 million less than the shortfall of \$25 million). As a result, \$4,250,000 GPR would be available in CY 2013 (the remaining \$2,125,000 in 2012-13 during the first six months of CY 2013 and \$2,125,000 in 2013-14 for the last six months of CY 2013). These funds would generate \$8,250,000 in federal matching funds, for a total of \$12,500,000 (\$12.5 million less than the shortfall of \$25 million). Attachment 3 shows what county allocations might look like with \$6,375,000 GPR in CY 2012. Attachment 4 shows what county allocations might look like with \$4,250,000 GPR in CY 2013.

12. DCF has indicated that the allocation distribution to counties in CY 2012 and CY 2013 has not yet been determined. However, any option to allocate the available funding level under the bill would be a significant reduction compared to what local child support agencies were anticipating.

13. The Committee could adopt the Governor's recommendation (Alternative 1). Given the economic conditions and the competition for state funding for a variety of programs, the Committee may choose to reduce funding for local child support enforcement activities. Attachments 1 through 4 show different allocation options that could be provided to local child support agencies with this level of funding during the 2011-13 biennium as described above.

14. However, with this reduction in funding, local child support agencies indicate that elimination of staff would be necessary. With fewer staff, fewer child support orders and paternities would be established. As a result, the state's performance for the federal child support incentive payments could decline, which would result in fewer federal child support incentive dollars paid to the state. With fewer federal child support incentive payment dollars, local child support agencies would have less funding, creating a cycle of having to eliminate more staff and performing more poorly for federal child support incentive payments.

15. In addition, local child support agencies have earned less from federal medical support incentive payments due to changes in federal rules. Federal law permits child support agencies to attempt to recover birth costs that were paid by Medicaid, rather than the responsible parents, by permitting the child support agency to retain an incentive payment equal to 15% of the amount of medical support recovered by the agency. Liability for birth costs had routinely been split between the birth parents. One-half of the birth costs had been assigned to each parent. Local child support agencies earned \$3.25 million in CY 2008.

16. The federal Office of Child Support Enforcement (OCSE) in the U.S. Department of Health and Human Services determined that the amount of birth costs in a medical support order must be based on the parent's ability to pay, rather than assigning one-half to each parent. Federal rules limit the amount of birth costs that the noncustodial parent may be ordered to pay to the lower amount of: (a) 5% of the father's monthly income over a 36-month period (the amount may be less than 5% for low-income payers); (b) half of the regional average amount for birth costs; or (c) half of the actual birth costs up to the full regional average amount for birth costs.

17. The OCSE notified Wisconsin that the state's request for the federal income tax refund offset would not be certified for birth cost orders that were not set in accordance with the parent's ability to pay. The federal income tax refund offset is one of the primary tools to collect birth costs owed to the state.

18. As a result of these changes, local child support agencies earned \$2.58 million in CY 2009 (\$0.7 million less) and \$2.82 million in CY 2010 (\$0.4 million less) for medical support incentive payments. Because medical support incentive payments are eligible for federal matching funds at the rate of 66% if the payments are used for child support enforcement activities, local child support agencies lost an additional \$1.3 million in CY 2009 and \$0.8 million in CY 2010, for a total loss of \$2.0 million in CY 2009 and \$1.2 million in CY 2010.

19. Additionally, there is a proposal at the federal level to eliminate the medical support incentive program entirely. Should this proposal be enacted, local child support agencies would lose approximately \$2.8 million in medical support incentive payments and an additional \$5.4 million in federal matching funds, for a total loss of \$8.2 million.

20. Finally, the bill would also reduce other funding for services at the local level, such as shared revenue, schools, and recycling. Local child support agencies would have to compete with other local services for limited county tax revenue.

21. The Committee could choose to provide \$4,250,000 GPR in 2012-13 to offset the reduction in funding due to the federal DRA (Alternative 2). These additional funds would put state funding for local child support agencies at \$8,500,000 GPR annually and generate additional federal matching funds of \$16,500,000, for a total of \$25,000,000. County allocations for local child support enforcement activities for CY 2011, CY 2012, and CY 2013 would all be similar to Attachment 1.

22. Alternatively, the Committee could choose to provide \$2,125,000 GPR in 2012-13 to partially offset the reduction in funding due to the federal DRA (Alternative 3). These additional funds would put state funding for local child support agencies at \$6,375,000 GPR annually and generate additional federal matching funds of \$12,375,000, for a total of \$18,750,000 (\$6.25 million less than the \$25.0 million shortfall). Funding for CY 2011 would be similar to Attachment 1, while funding for CY 2012 and CY 2013 would be similar to Attachment 3. This alternative would require local child support agencies to absorb a loss of \$6.25 million annually, beginning with the CY 2012 contracts.

ALTERNATIVES

1. Approve the Governor's recommendation to provide \$4,250,000 GPR annually for local child support agencies. Base funding for the 2013-15 biennium would be \$4,250,000 GPR annually, which would generate \$8,250,000 in federal matching funds, for a total of \$12,500,000 (\$12.5 million less than the shortfall of \$25 million due to the federal DRA). Under this alternative, funding for local child support agencies would be similar to either Attachment 1 for CY 2011 and CY 2012 and Attachment 2 for CY 2013, or Attachment 1 for CY 2011, Attachment 3 for CY 2012, and Attachment 4 for CY 2013, depending on how DCF would distribute the available funds under the bill.

2. Modify the Governor's recommendation to provide an additional \$4,250,000 GPR in 2012-13 for local child support agencies. Base funding for the 2013-15 biennium would be \$8,500,000 GPR, which would generate \$16,500,000 in federal matching funds, for a total of \$25,000,000 (offsetting the federal DRA shortfall of \$25 million). Under this alternative, funding for CY 2011, CY 2012, and CY 2013 would be similar to Attachment 1.

ALT 2	Change to Bill Funding
GPR	\$4,250,000
FED	<u>8,250,000</u>
Total	\$12,500,000

3. Modify the Governor's recommendation to provide an additional \$2,125,000 GPR in 2012-13. Base funding for the 2013-15 biennium would be \$6,375,000 GPR, which would generate \$12,375,000 in federal matching funds, for a total of \$18,750,000 (\$6.25 million less than the shortfall of \$25 million due to the federal DRA). Funding for CY 2011 would be similar to Attachment 1, and CY 2012 and CY 2013 would be similar to Attachment 3.

ALT 3	Change to Bill Funding
GPR	\$2,125,000
FED	<u>4,125,000</u>
Total	\$6,250,000

Prepared by: Kim Swissdorf
Attachment

ATTACHMENT 1

CY 2011 Preliminary County Allocations for Child Support Federal Incentive Payments, \$8.5 Million GPR and Income Augmentation Funds, and Federal Matching Funds for GPR and Income Augmentation Funds

<u>County</u>	<u>Incentive Payment</u>	<u>GPR and Income Augmentation Funds</u>	<u>Federal Matching Funds</u>	<u>Total Funding</u>
Adams	\$41,181	\$30,208	\$58,639	\$130,028
Ashland	45,536	33,403	64,841	143,780
Barron	104,751	76,841	149,162	330,754
Bayfield	25,522	18,722	36,343	80,587
Brown	485,096	355,846	690,760	1,531,702
Buffalo	18,395	13,493	26,192	58,080
Burnett	35,997	26,406	51,259	113,662
Calumet	49,856	36,572	70,993	157,421
Chippewa	109,719	80,485	156,236	346,440
Clark	43,232	31,714	61,562	136,508
Columbia	92,044	67,520	131,068	290,632
Crawford	30,777	22,577	43,826	97,180
Dane	783,979	575,094	1,116,359	2,475,432
Dodge	141,468	103,775	201,446	446,689
Door	40,569	29,759	57,767	128,095
Douglas	116,306	85,318	165,617	367,241
Dunn	74,874	54,924	106,617	236,415
Eau Claire	179,913	131,977	256,191	568,081
Florence	7,631	5,598	10,867	24,096
Fond du Lac	173,362	127,171	246,861	547,394
Forest	27,214	19,963	38,752	85,929
Grant	66,918	49,089	95,290	211,297
Green	54,032	39,635	76,938	170,605
Green Lake	30,885	22,656	43,979	97,520
Iowa	30,094	22,075	42,851	95,020
Iron	9,719	7,130	13,841	30,690
Jackson	46,724	34,275	66,534	147,533
Jefferson	138,409	101,531	197,090	437,030
Juneau	63,571	46,633	90,523	200,727
Kenosha	442,439	324,555	630,018	1,397,012
Kewaunee	24,550	18,009	34,959	77,518
La Crosse	198,668	145,734	282,895	627,297
Lafayette	21,958	16,108	31,268	69,334
Langlade	57,991	42,540	82,578	183,109
Lincoln	56,875	41,721	80,988	179,584

<u>County</u>	<u>Incentive Payment</u>	<u>GPR and Income Augmentation Funds</u>	<u>Federal Matching Funds</u>	<u>Total Funding</u>
Manitowoc	\$137,581	\$100,923	\$195,909	\$434,413
Marathon	223,542	163,981	318,316	705,839
Marinette	90,065	66,068	128,250	284,383
Marquette	24,946	18,299	35,522	78,767
Milwaukee	4,634,724	2,492,050	4,837,509	11,964,283
Monroe	95,464	70,028	135,937	301,429
Oconto	68,682	50,382	97,800	216,864
Oneida	67,386	49,432	95,956	212,774
Outagamie	274,297	201,213	390,590	866,100
Ozaukee	75,126	55,109	106,976	237,211
Pepin	9,755	7,156	13,891	30,802
Pierce	43,088	31,608	61,357	136,053
Polk	59,143	43,385	84,218	186,746
Portage	101,260	74,280	144,191	319,731
Price	23,182	17,005	33,010	73,197
Racine	637,363	467,543	907,583	2,012,489
Richland	31,533	23,132	44,903	99,568
Rock	422,317	309,794	601,365	1,333,476
Rusk	37,689	27,647	53,668	119,004
St. Croix	99,496	72,986	141,679	314,161
Sauk	116,018	85,106	165,206	366,330
Sawyer	51,188	37,549	72,889	161,626
Shawano	63,247	46,395	90,061	199,703
Sheboygan	182,865	134,142	260,393	577,400
Taylor	33,765	24,769	48,081	106,615
Trempealeau	46,868	34,381	66,740	147,989
Vernon	37,257	27,330	53,052	117,639
Vilas	26,206	19,224	37,317	82,747
Walworth	164,722	120,833	234,558	520,113
Washburn	38,301	28,096	54,539	120,936
Washington	132,325	97,068	188,426	417,819
Waukesha	322,029	236,227	458,558	1,016,814
Waupaca	89,345	65,539	127,223	282,107
Waushara	45,428	33,324	64,688	143,440
Winnebago	299,027	219,354	425,805	944,186
Wood	<u>149,388</u>	<u>109,585</u>	<u>212,724</u>	<u>471,697</u>
Total	\$12,824,873	\$8,500,000	\$16,500,000	\$37,824,873

ATTACHMENT 2

**CY 2013 Estimated County Allocations for Child Support Federal Incentive
Payments, \$2.125 Million GPR, and Federal Matching Funds for GPR**

<u>County</u>	<u>Incentive Payment</u>	<u>GPR Funding</u>	<u>Federal Matching Funds</u>	<u>Total Funding</u>
Adams	\$41,181	\$7,552	\$14,660	\$63,393
Ashland	45,536	8,351	16,211	70,098
Barron	104,751	19,210	37,290	161,251
Bayfield	25,522	4,681	9,087	39,290
Brown	485,096	88,961	172,689	746,746
Buffalo	18,395	3,374	6,550	28,319
Burnett	35,997	6,602	12,816	55,415
Calumet	49,856	9,143	17,748	76,747
Chippewa	109,719	20,121	39,058	168,898
Clark	43,232	7,929	15,392	66,553
Columbia	92,044	16,880	32,767	141,691
Crawford	30,777	5,645	10,958	47,380
Dane	783,979	143,773	279,089	1,206,841
Dodge	141,468	25,943	50,360	217,771
Door	40,569	7,440	14,442	62,451
Douglas	116,306	21,329	41,403	179,038
Dunn	74,874	13,731	26,654	115,259
Eau Claire	179,913	32,994	64,047	276,954
Florence	7,631	1,400	2,718	11,749
Fond du Lac	173,362	31,792	61,714	266,868
Forest	27,214	4,991	9,688	41,893
Grant	66,918	12,273	23,824	103,015
Green	54,032	9,909	19,235	83,176
Green Lake	30,885	5,664	10,995	47,544
Iowa	30,094	5,519	10,713	46,326
Iron	9,719	1,783	3,461	14,963
Jackson	46,724	8,569	16,634	71,927
Jefferson	138,409	25,382	49,271	213,062
Juneau	63,571	11,659	22,632	97,862
Kenosha	442,439	81,138	157,503	681,080
Kewaunee	24,550	4,503	8,741	37,794
La Crosse	198,668	36,433	70,723	305,824
Lafayette	21,958	4,027	7,817	33,802
Langlade	57,991	10,635	20,644	89,270
Lincoln	56,875	10,431	20,248	87,554

<u>County</u>	<u>Incentive Payment</u>	<u>GPR Funding</u>	<u>Federal Matching Funds</u>	<u>Total Funding</u>
Manitowoc	\$137,581	\$25,230	\$48,976	\$211,787
Marathon	223,542	40,995	79,579	344,116
Marinette	90,065	16,517	32,062	138,644
Marquette	24,946	4,575	8,881	38,402
Milwaukee	4,634,724	623,012	1,209,376	6,467,112
Monroe	95,464	17,507	33,984	146,955
Oconto	68,682	12,596	24,451	105,729
Oneida	67,386	12,358	23,989	103,733
Outagamie	274,297	50,303	97,647	422,247
Ozaukee	75,126	13,777	26,744	115,647
Pepin	9,755	1,789	3,473	15,017
Pierce	43,088	7,902	15,339	66,329
Polk	59,143	10,846	21,054	91,043
Portage	101,260	18,570	36,048	155,878
Price	23,182	4,252	8,254	35,688
Racine	637,363	116,885	226,894	981,142
Richland	31,533	5,783	11,226	48,542
Rock	422,317	77,448	150,340	650,105
Rusk	37,689	6,912	13,417	58,018
St. Croix	99,496	18,246	35,419	153,161
Sauk	116,018	21,276	41,301	178,595
Sawyer	51,188	9,388	18,224	78,800
Shawano	63,247	11,599	22,516	97,362
Sheboygan	182,865	33,535	65,097	281,497
Taylor	33,765	6,193	12,022	51,980
Trempealeau	46,868	8,596	16,686	72,150
Vernon	37,257	6,833	13,264	57,354
Vilas	26,206	4,806	9,329	40,341
Walworth	164,722	30,208	58,639	253,569
Washburn	38,301	7,024	13,635	58,960
Washington	132,325	24,267	47,107	203,699
Waukesha	322,029	59,056	114,638	495,723
Waupaca	89,345	16,384	31,804	137,533
Waushara	45,428	8,331	16,172	69,931
Winnebago	299,027	54,838	106,450	460,315
Wood	<u>149,388</u>	<u>27,396</u>	<u>53,181</u>	<u>229,965</u>
Total	\$12,824,873	\$2,125,000	\$4,125,000	\$19,074,873

ATTACHMENT 3

**CY 2012 Estimated County Allocations for Child Support Federal
Incentive Payments, \$6.375 Million GPR, and Federal Matching Funds for GPR**

<u>County</u>	<u>Incentive Payment</u>	<u>GPR Funding</u>	<u>Federal Matching Funds</u>	<u>Total Funding</u>
Adams	\$41,181	\$22,656	\$43,979	\$107,816
Ashland	45,536	25,052	48,630	119,218
Barron	104,751	57,631	111,872	274,254
Bayfield	25,522	14,042	27,258	66,822
Brown	485,096	266,884	518,069	1,270,049
Buffalo	18,395	10,120	19,645	48,160
Burnett	35,997	19,805	38,445	94,247
Calumet	49,856	27,429	53,245	130,530
Chippewa	109,719	60,364	117,177	287,260
Clark	43,232	23,786	46,173	113,191
Columbia	92,044	50,640	98,301	240,985
Crawford	30,777	16,933	32,870	80,580
Dane	783,979	431,320	837,268	2,052,567
Dodge	141,468	77,831	151,084	370,383
Door	40,569	22,319	43,325	106,213
Douglas	116,306	63,988	124,212	304,506
Dunn	74,874	41,193	79,963	196,030
Eau Claire	179,913	98,983	192,144	471,040
Florence	7,631	4,199	8,151	19,981
Fond du Lac	173,362	95,378	185,146	453,886
Forest	27,214	14,972	29,063	71,249
Grant	66,918	36,817	71,468	175,203
Green	54,032	29,726	57,703	141,461
Green Lake	30,885	16,992	32,984	80,861
Iowa	30,094	16,556	32,138	78,788
Iron	9,719	5,348	10,381	25,448
Jackson	46,724	25,706	49,900	122,330
Jefferson	138,409	76,148	147,817	362,374
Juneau	63,571	34,975	67,893	166,439
Kenosha	442,439	243,416	472,513	1,158,368
Kewaunee	24,550	13,507	26,219	64,276
La Crosse	198,668	109,300	212,171	520,139
Lafayette	21,958	12,081	23,451	57,490
Langlade	57,991	31,905	61,933	151,829
Lincoln	56,875	31,291	60,741	148,907

<u>County</u>	<u>Incentive Payment</u>	<u>GPR Funding</u>	<u>Federal Matching Funds</u>	<u>Total Funding</u>
Manitowoc	\$137,581	\$75,692	\$146,932	\$360,205
Marathon	223,542	122,986	238,738	585,266
Marquette	90,065	49,551	96,187	235,803
Marquette	24,946	13,724	26,641	65,311
Milwaukee	4,634,724	1,869,037	3,628,131	10,131,892
Monroe	95,464	52,521	101,953	249,938
Oconto	68,682	37,787	73,351	179,820
Oneida	67,386	37,074	71,967	176,427
Outagamie	274,297	150,910	292,943	718,150
Ozaukee	75,126	41,332	80,233	196,691
Pepin	9,755	5,367	10,418	25,540
Pierce	43,088	23,706	46,018	112,812
Polk	59,143	32,539	63,164	154,846
Portage	101,260	55,710	108,143	265,113
Price	23,182	12,754	24,758	60,694
Racine	637,363	350,657	680,687	1,668,707
Richland	31,533	17,349	33,677	82,559
Rock	422,317	232,345	451,023	1,105,685
Rusk	37,689	20,735	40,250	98,674
St. Croix	99,496	54,740	106,260	260,496
Sauk	116,018	63,829	123,903	303,750
Sawyer	51,188	28,162	54,667	134,017
Shawano	63,247	34,796	67,545	165,588
Sheboygan	182,865	100,606	195,294	478,765
Taylor	33,765	18,577	36,061	88,403
Trempealeau	46,868	25,786	50,055	122,709
Vernon	37,257	20,498	39,790	97,545
Vilas	26,206	14,418	27,988	68,612
Walworth	164,722	90,625	175,919	431,266
Washburn	38,301	21,072	40,905	100,278
Washington	132,325	72,801	141,320	346,446
Waukesha	322,029	177,170	343,918	843,117
Waupaca	89,345	49,154	95,417	233,916
Waushara	45,428	24,993	48,516	118,937
Winnebago	299,027	164,515	319,353	782,895
Wood	<u>149,388</u>	<u>82,189</u>	<u>159,543</u>	<u>391,120</u>
Total	\$12,824,873	\$6,375,000	\$12,375,000	\$31,574,873

ATTACHMENT 4

CY 2013 Estimated County Allocations for Child Support Federal Incentive
Payments, \$4.25 Million GPR, and Federal Matching Funds for GPR

<u>County</u>	<u>Incentive Payment</u>	<u>GPR Funding</u>	<u>Federal Matching Funds</u>	<u>Total Funding</u>
Adams	\$41,181	\$15,104	\$29,320	\$485,605
Ashland	45,536	16,701	32,420	94,657
Barron	104,751	38,420	74,580	217,751
Bayfield	25,522	9,361	18,171	53,054
Brown	485,096	177,923	345,380	1,008,399
Buffalo	18,395	6,747	13,097	38,239
Burnett	35,997	13,203	25,629	74,829
Calumet	49,856	18,286	35,496	103,638
Chippewa	109,719	40,242	78,117	228,078
Clark	43,232	15,857	30,781	89,870
Columbia	92,044	33,760	65,534	191,338
Crawford	30,777	11,289	21,914	63,980
Dane	783,979	287,547	558,179	1,629,705
Dodge	141,468	51,887	100,722	294,077
Door	40,569	14,880	28,885	84,334
Douglas	116,306	42,659	82,809	241,774
Dunn	74,874	27,462	53,309	155,645
Eau Claire	179,913	65,988	128,094	373,995
Florence	7,631	2,799	5,433	15,863
Fond du Lac	173,362	63,585	123,430	360,377
Forest	27,214	9,982	19,377	56,573
Grant	66,918	24,545	47,646	139,109
Green	54,032	19,818	38,470	112,320
Green Lake	30,885	11,328	21,990	64,203
Iowa	30,094	11,038	21,427	62,559
Iron	9,719	3,565	6,920	20,204
Jackson	46,724	17,138	33,268	97,130
Jefferson	138,409	50,765	98,544	287,718
Juneau	63,571	23,317	45,262	132,150
Kenosha	442,439	162,277	315,008	919,724
Kewaunee	24,550	9,005	17,480	51,035
La Crosse	198,668	72,867	141,448	412,983
Lafayette	21,958	8,054	15,634	45,646
Langlade	57,991	21,270	41,289	120,550
Lincoln	56,875	20,861	40,495	118,231

<u>County</u>	<u>Incentive Payment</u>	<u>GPR Funding</u>	<u>Federal Matching Funds</u>	<u>Total Funding</u>
Manitowoc	\$137,581	\$50,461	\$97,954	\$285,996
Marathon	223,542	81,990	159,157	464,689
Marinette	90,065	33,034	64,125	187,224
Marquette	24,946	9,150	17,762	51,858
Milwaukee	4,634,724	1,246,025	2,418,754	8,299,503
Monroe	95,464	35,014	67,968	198,446
Oconto	68,682	25,191	48,900	142,773
Oneida	67,386	24,716	47,978	140,080
Outagamie	274,297	100,606	195,294	570,197
Ozaukee	75,126	27,554	53,487	156,167
Pepin	9,755	3,578	6,946	20,279
Pierce	43,088	15,804	30,678	89,570
polk	59,143	21,692	42,108	122,943
Portage	101,260	37,140	72,095	210,495
Price	23,182	8,503	16,506	48,191
Racine	637,363	233,771	453,791	1,324,925
Richland	31,533	11,566	22,452	65,551
Rock	422,317	154,897	300,682	877,896
Rusk	37,689	13,824	26,835	78,348
St. Croix	99,496	36,493	70,839	206,828
Sauk	116,018	42,553	82,603	241,174
Sawyer	51,188	18,775	36,446	106,409
Shawano	63,247	23,197	45,030	131,474
Sheboygan	182,865	67,071	130,197	380,133
Taylor	33,765	12,385	24,041	70,191
Trempealeau	46,868	17,191	33,371	97,430
Vernon	37,257	13,665	26,526	77,448
Vilas	26,206	9,612	18,659	54,477
Walworth	164,722	60,417	117,280	342,419
Washburn	38,301	14,048	27,270	79,619
Washington	132,325	48,534	94,213	275,072
Waukesha	322,029	118,113	229,278	669,420
Waupaca	89,345	32,769	63,610	185,724
Waushara	45,428	16,662	32,344	94,434
Winnebago	299,027	109,677	212,902	621,606
Wood	<u>149,388</u>	<u>54,792</u>	<u>106,361</u>	<u>310,541</u>
Total	\$12,824,873	\$4,250,000	\$8,250,000	\$25,324,873

COUNTY OF MILWAUKEE
Inter-Office Communication

DATE: May 26, 2011

TO: Lee Holloway, Chairman, Milwaukee County Board

FROM: Lisa Marks, Director, Department of Child Support Enforcement

SUBJECT: **REQUEST FROM THE DIRECTOR OF THE DEPARTMENT OF CHILD SUPPORT FOR AUTHORITY TO REVIEW AND APPLY FOR FEDERAL GRANT OPPORTUNITIES WHICH MAY BECOME AVAILABLE THROUGH THE DEPARTMENT OF HUMAN SERVICES – ADMINISTRATION FOR CHILDREN AND FAMILIES BEFORE THE END OF CALENDAR YEAR 2011, AND WHICH DO NOT REQUIRE A LOCAL MATCH GREATER THAN \$10,000, OR 10 % OF A \$100,000 GRANT**

Issue:

Milwaukee County Ordinance 56.06 requires County Board approval prior to submitting grant applications and accepting grant funding.

Discussion:

Governor Walker's proposed 2012-2013 budget creates tremendous fiscal challenges in providing excellent child support services to the Milwaukee County community. Therefore, the department is seeking authority for flexibility in proactively searching for other funding sources through potentially applicable grants. The department is aware of several grant opportunities that have been or will be formally announced by the Department of Human Service – Administration for Children and Families. Three recent announcements have been made, but require research as to application participation. It appears that two of the three opportunities may be limited to the State of Wisconsin and not local municipalities. Additionally, a larger grant specially related to fatherhood initiatives is anticipated sometime over the summer months, pursuant to "The Claims Resolution Act of 2010 (Pub. L. 111-291)."

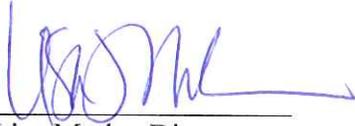
Fiscal:

No fiscal impact is anticipated during the research and application process. The department will bring an updated report upon any grant awards.

Recommendations:

The department is recommending approval of the request for authority to explore an apply for grant funding through the end of calendar year 2011 when the required local match does not exceed \$10,000 or 10 % of a \$100,000 grant.

Respectfully submitted,



Lisa Marks, Director
Department of Child Support Enforcement

- cc: Chris Able, Milwaukee County Executive
Willie Johnson Jr., Chairman, Judiciary, Safety and General Services Committee
John Thomas, Chairman, Finance and Audit Committee
George Aldrich, Chief of Staff, Milwaukee County Executive's Office
Cynthia (CJ) Pahl, Assistant Fiscal & Budget Administrator, Department of Administrative Services
Rick Ceschin, Analyst – County Board
Antoinette Thomas-Bailey, Analyst – Department of Administrative Services
Linda Durham, Committee Clerk – County Board

Attachments

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(Item _____) From the Director, Department of Child Support Enforcement, requesting authorization to apply for grant dollars offered by the federal Department of Health and Human Services' Administration of Children and Families to support Child Support services.

A RESOLUTION

WHEREAS, the federal Department of Health and Human Services' Administration of Children and Families is currently offering a variety of grants with the potential to supplement the provision of child support services in Milwaukee County; and

WHEREAS, the Department of Child Support Enforcement (CSE) is interested in reviewing grant opportunities with an eye to apply for those that creatively address issues facing Milwaukee County child support participants and/or allow CSE to partner with community resources to improve services to participants; and

WHEREAS, CSE will not apply for any grant that requires a county match greater than \$10,000, either with county funding or in-kind services, and will not apply for any grant that is contrary to the adopted budget or any existing policy, including federal and state regulations/statutes, or is inconsistent with CSE's role and mission; and

WHEREAS, CSE requests authorization to apply for grants per Section 56.06 of the Code of General Ordinances; and

WHEREAS, approval of this resolution would result in zero tax levy for Milwaukee County; now therefore,

BE IT RESOLVED, that the Committee on Judiciary, Safety, and General Services of the Milwaukee County Board of Supervisors hereby authorizes the Director of Child Support Enforcement to apply for grants through calendar year 2011 from the Department of Health and Human Services' Administration of Children and Families which support Child Support services in Milwaukee County, require no county match greater than \$10,000 and are consistent with the adopted budget., existing County policy and the role and mission of CSE.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: May 26, 2011

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: From Director, Child Support Enforcement, requesting authorization to execute a contract for the 2009 Children First Contracts with New Concepts and United Migrant Opportunity Services Inc. (UMOS) to provide employment services to unemployed or under-employed child support obligors.

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact | <input type="checkbox"/> Increase Capital Expenditures |
| <input type="checkbox"/> Existing Staff Time Required | <input type="checkbox"/> Decrease Capital Expenditures |
| <input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below) | <input type="checkbox"/> Increase Capital Revenues |
| <input type="checkbox"/> Absorbed Within Agency's Budget | <input type="checkbox"/> Decrease Capital Revenues |
| <input type="checkbox"/> Not Absorbed Within Agency's Budget | |
| <input type="checkbox"/> Decrease Operating Expenditures | <input type="checkbox"/> Use of contingent funds |
| <input type="checkbox"/> Increase Operating Revenues | |
| <input type="checkbox"/> Decrease Operating Revenues | |

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure		
	Revenue		
	Net Cost		
Capital Improvement Budget	Expenditure		
	Revenue		
	Net Cost		

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated.¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

No tax levy impact is anticipated. Local match requirements can be addressed in the proposed 2012 operating budget.

Department/Prepared By Lisa J. Marks, Director

Authorized Signature _____

Did DAS-Fiscal Staff Review? Yes x No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.



OFFICE OF CORPORATION COUNSEL

Milwaukee County

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JOHN F. JORGENSEN
Acting Corporation Counsel

MARK A. GRADY
Acting Deputy Corporation Counsel

JOHN E. SCHAPEKAHM
TIMOTHY R. KARASKIEWICZ
JEANEEN J. DEHRING
ROY L. WILLIAMS
COLLEEN A. FOLEY
LEE R. JONES
MOLLY J. ZILLIG
ALAN M. POLAN
Principal Assistant
Corporation Counsel

DATE: May 24, 2011

TO: Lee Holloway, Chairman
Milwaukee County Board of Supervisors

FROM: Roy L. Williams, Principal Assistant Corporation Counsel

SUBJECT: **Melissa Felix vs. Milwaukee County BHD**
ERD Case No.: CR200801153
EEOC Case No.: 26G200800942C

Former Employee: Melissa Felix
2876 N 51st St
Milwaukee, WI 53210

I request that this matter be referred to the Committee on Judiciary, Safety and General Services for approval of a settlement. I request authority to settle this case for the total sum of \$4,328.00. Of this amount, \$4,328.00 will be paid by the Wisconsin County Mutual Insurance Corporation and \$0 (zero) will be paid by Milwaukee County.

In this case, Melissa Felix filed a discrimination complaint against Milwaukee County. She alleged that Milwaukee County (specifically the Behavioral Health Division) discriminated against her by refusing to make reasonable accommodations for her religious observances. She also alleged that she was terminated because of her creed. On June 23, 2009 a hearing was held before Administrative Law Judge James Schacht. After the hearing the judge essentially found that reasonable accommodations were not made, but he also found that Ms. Felix did not show that she was terminated because of her religion or creed.

The attorney for Ms. Felix submitted a request for attorney's fees and costs totaling \$12,650.00. I objected to the amount and submitted a brief on the issue because the attorney's fees were excessive. They were especially excessive considering the fact that Ms. Felix received nothing

from the judge's decision. Judge Schacht reduced the fees to \$4,328.00. Counsel for Ms. Felix then appealed to Labor & Industry Review Commission (LIRC). After additional briefs and submissions to LIRC, Judge Schacht's decision was affirmed. On May 15, 2011, I spoke to counsel for Ms. Felix and was told that Ms. Felix will not appeal further.

Milwaukee County's insurance company is in agreement with the payment of attorney's fees. Finally, it is the recommendation of the Office of Corporation Counsel that the fees be paid.

Thank you,

ROY L. WILLIAMS
Principal Assistant Corporation Counsel

RLW/amb

C: Linda Durham (Electronically)



OFFICE OF CORPORATION COUNSEL

Milwaukee County

**INTEROFFICE COMMUNICATION
ATTORNEY WORK PRODUCT**

JOHN F. JORGENSEN
Acting Corporation Counsel

MARK A. GRADY
Acting Deputy Corporation Counsel

JOHN E. SCHAPEKAHM
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ROY L. WILLIAMS
COLLEEN A. FOLEY
LEE R. JONES
MOLLY J. ZILLIG
ALAN M. POLAN
Principal Assistant
Corporation Counsel

DATE: May 25, 2011

TO: Mr. Lee Holloway, Chairman
Milwaukee County Board of Supervisors

FROM: Molly Zillig, Principal Assistant Corporation Counsel

SUBJECT: **Nancy Gall v. Milwaukee County (Discrimination)**
ERD Case No. CR2010000882
EEOC Case No. 26G201000839C

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting to approve the payment of \$25,000.00 minus appropriate payroll deductions to Nancy Gall to settle her claims in full. Additionally, \$5,000.00 for attorneys' fees incurred by Nancy Gall to the Hawks Quindel SC will be charged to Milwaukee County's 2010 deductible with the Wisconsin County Mutual Insurance Corporation.

Nancy Gall (white female), a former Milwaukee County employee, has sued Milwaukee County alleging racial and age discrimination arising from the abolishment of her Human Resources Analyst II position last year as part of the cutbacks in the 2010 budget.

Two months before her position was abolished, the Department of Human Resources requested a reclass of an HR Analyst I position to an HR Analyst I position (Bilingual/Spanish). The reclass was approved. After the approval, there were three HR Analyst positions in the Department of Human Resources, the newly reclassified position of HR Analyst I (Bilingual/Spanish), Ms. Gall's HR Analyst II position and an HR Analyst III position. A Hispanic female held the HR Analyst I (Bilingual/Spanish) position (and had previously held the HR I position) and an African American male held the HR Analyst III position.

There is conflicting testimony as to why the HR Analyst II position had to be abolished as compared to abolishing any other HR position. It is Ms. Gall's position that the reclass of the HR Analyst I position was done to intentionally prevent her from "bumping" into that position when her position was abolished as she is not bilingual and that HR did not have a need for a full time bilingual analyst on or about October 16, 2009 when the reclass was approved.

Mr. Lee Holloway, Chairman
Milwaukee County Board of Supervisors
June 7, 2011
Page Two

The Office of Corporation Counsel recommends approval of this Settlement.

Should you have any additional questions, please contact me.

Thank you.

Molly J. Zillig

Cc: Linda Durham
Candace Richards

RESOLUTION

Re: Nancy Gall v. Milwaukee County Human Resources
ERD No. CR2010000882
EEOC No. 26G201000839C

WHEREAS, Nancy Gall, a former Milwaukee County employee, worked as a Human Resources Analyst II until her position was abolished as part of the cutbacks in the 2010 budget; and,

WHEREAS, Ms. Gall alleges that her position was abolished because of race and age discrimination; and,

WHEREAS, Ms. Gall claimed losses of more than \$80,000.00 for lost wages and compensatory damages as well as attorney's fees of \$6,000.00; and,

WHEREAS, a settlement has been negotiated calling for the payment of \$25,000.00 to Nancy Gall in settlement of all claims including all subrogated interests, as well as payment of \$5,000 for attorneys' fees incurred by Nancy Gall to the Hawks Quindel SC; and

WHEREAS, Corporation Counsel recommends said payment; and,

WHEREAS, the Committee on Judiciary, Safety and General Services at its meeting on June 9, 2011 voted in () to recommend payment; now, therefore;

BE IT RESOLVED, that Milwaukee County Board of Supervisors does hereby approve the said payment of \$25,000.00 to Nancy Gall in full settlement of all claims arising out of the alleged discrimination and payment of \$5,000 for attorneys' fees incurred by Nancy Gall to the Hawks Quindel SC.

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: May 24, 2011

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: Discrimination Lawsuit Filed by
Nancy Gall vs. Milwaukee County
ERD Case No. CR201000882
EEOC Case 26G201000882

FISCAL EFFECT:

- | | |
|--|--|
| <input type="checkbox"/> No Direct County Fiscal Impact
<input type="checkbox"/> Existing Staff Time Required
<input checked="" type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input checked="" type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|--|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	25,000	0
	Revenue	0	0
	Net Cost	25,000	0
Capital Improvement Budget	Expenditure	0	0
	Revenue	0	0
	Net Cost	0	0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
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- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.

Approval of this resolution will result in the payment of \$25,000 in back wages minus payroll deductions which will be charged to the Department of Human Resources salary account.

Approval of this resolution will result in a charge being applied to Milwaukee County's 2010 deductible with the Wisconsin County Mutual Insurance Corporation in the amount of \$5,000.

Department/Prepared By Corporation Counsel

Authorized Signature _____

Did DAS-Fiscal Staff Review? Yes No

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.