Department of Health and Human Services
Maine People Living
Safe, Healthy and Productive Lives

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January 31, 2011

Senator David R. Hastings, Chair
Representative Joan M. Nass, Chair
Members of the Joint Standing Committee on Judiciary
#100 State House Station
Augusta, ME 04333-0100

Re: Child Support Enforcement License Revocation Report: January 1, 2009 through December 31, 2010

Dear Senator Hastings, Representative Nass, and Members of the Joint Standing Committee on Judiciary:

In accordance with 19-A MRSA § 2201(15) and 2202(12), the Department of Health and Human Services' Office of Integrated Access and Support, Division of Support Enforcement and Recovery (DSER) is responsible for reporting biennially to the Legislature and the Governor regarding the license revocation process.

In 1993, the elements of the Report were formulated at the Legislative Session prior to the actual implementation of the process. Unfortunately, the information required by statute does not reflect how the law is applied today. The following License Revocation Report gives an accurate portrayal of the process, how the law is used by DSER and the periodic results.

For Professional and Recreational Licenses:

Requirement #1:

The following is a report of the number of support obligors identified as holding licenses subject to this section. DSER must precede all enforcement actions by sending a Notice of Debt to all non-custodial parents. The Notice of Debt confirms the amount of support ordered and unpaid balances owed. It also lists the various types of enforcement remedies available to DSER to compel compliance with child support collections.

For the reporting period ending December 31, 2010, DSER had an obligated caseload of 58,100. All of these cases become immediately eligible for license revocation if all steps have been unsuccessful to collect support and there have been no payments in the last 60 days. DSER does not identify individual licenses that are held, Rather, it contacts all licensing agencies within Maine and asks that all licenses held by non-paying non-custodial parents be suspended.

Requirement #2:

The following is a report of the number of support obligors identified by the Department who are not in compliance with an order for support. During this reporting period, DSER suspended 8,669 professional, business and recreational licenses of individuals who were not in compliance with their orders for support. Each case is reviewed individually to make certain it meets the requirements for suspension as provided by statute.

Requirement #3:

The following is a report of the number of enforcement actions taken by the Department and the results of those enforcement actions. DSER records show 8,669 professional, business and recreational licenses were suspended by licensing agencies in Maine. At the request of DSER, 6,721 licenses were reinstated as a result of payment agreements entered into by non-custodial parents. It is important to note that future noncompliance with a payment agreement may result in immediate suspension of all licenses held by the nonpaying obligor.

For Drivers Licenses:

Requirement #1:

The following is a report of the number of notices served upon obligors by the Department. DSER issued in excess of 11,481 Notices of Debt during this reporting period. This number combined with DSER's obligated caseload is now the eligible caseload for drivers' licenses suspension. 6,884 drivers' licenses were suspended as a result of actions by DSER during this reporting period.

Requirement #2:

The following is a report of the number of obligors served notice under this section who requested a hearing. DSER and the Office of the Administrative Hearings do not track the specific type of hearing request received from non-custodial parents. A poll of regional staff handling these hearings estimate less than 100 hearings were scheduled statewide to address this issue.

Requirement #3:

The following is a report of the number of hearings held under this section, the results of the hearings, and the number of cases settled without the need for a hearing. DSER estimates that 50 of the scheduled hearings were settled prior to or during the administrative hearing. The majority of the remainder were abandoned by the non-custodial parents. Several obligors were able to demonstrate circumstances that would warrant reinstatement of suspended licenses. Additionally, 4,257 suspension proceedings were settled shortly after certification and statements of compliance were issued to the Bureau of Motor Vehicles as a direct result of payment agreements obtained by DSER.

Requirement #4:

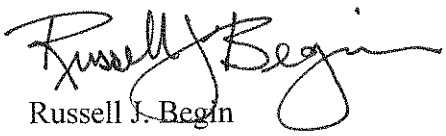
The following is a report of the number of support obligations certified to the Secretary of State for noncompliance with an order for support. From January 1, 2009, through December 31, 2010, there were 6,884 obligors certified to the Secretary of State for noncompliance with an order for support.

Requirement #5:

The following is a report of the costs incurred in the implementation and enforcement of this section and the Department's actions. DSER estimates direct costs under this section to be less than $100,000 from January 1, 2009, through December 31, 2010.

Thank you for the opportunity to report on this valuable child support enforcement remedy. Our hope is to work together to develop the most informative report that illustrates the effectiveness of the license revocation process to the child support program.

Sincerely,



Russell J. Begin
Acting Commissioner

RJB/klv