



2022-23 Annual Report

**OFFICE OF SUPPORT ENFORCEMENT AND CHILD SUPPORT RECALCULATION
SERVICE**

August 2023
Justice and Public Safety



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INTRODUCTION

We are pleased to present the annual report for the **Office of Support Enforcement (OSE)** and the newly established **Child Support Recalculation Service (CSRS)**. This report offers a comprehensive overview of the progress and achievements made by both programs during the previous fiscal year.

The Office of Support Enforcement continues to lead the country statistically in ensuring that support payments are paid in full, on time and on a regular basis. This report will provide detailed information on our caseload, client demographics, collection, and enforcement activities undertaken to enforce support obligations. These statistics highlight our unwavering commitment to the families we serve and the effectiveness of our efforts.

Additionally, we are proud to highlight the accomplishments of the Child Support Recalculation Service. This service has been specifically designed to provide an alternative to the adversarial court process. Thereby reducing the time, expenses, and stress associated with modifying court-ordered child support amounts. The CSRS has just completed their first year of service and has already made significant strides in delivering a more efficient and accessible means of recalculating child support. As we move forward, we are eager to build upon the momentum we have generated, expanding our reach, and serving the needs of New Brunswickers even more effectively.

The success of both programs is attributed to the dedication and hard work of our OSE team in Grand Falls and our CSRS team in Fredericton. Our commitment to building relationships, client-centric service and collaborating with our stakeholders is the foundation of our success this past year and enables us to achieve further results in the future.

Sincerely,



Robin Huisman
Director of Support Enforcement and
Recalculation Services

THE OFFICE OF SUPPORT ENFORCEMENT

HIGHLIGHTS

- The Office of Support Enforcement (OSE) has received federal funding to upgrade the Family Support Order Service (FSOS) computer program. This includes updating 250 forms and adding 110 forms, an automatic notification system for our clients, enabling us to become 95% paperless and other user and client upgrades.
- 961 new enrollments which represents a decrease of 5% from the previous year.
- Total payments disbursed: \$53,923,959.30, a decrease of 1% from the previous year (\$54,745,611.17).
- The total number of orders/agreements received in Grand Falls in 2022-2023 is a total of 1791, a decrease of 6% from the previous year.

Region	Orders/Agreements/ Variations 2021-2022	Orders/Agreements/ Variations 2022-2023
Bathurst	141	133
Campbellton	55	53
Edmundston	70	55
Fredericton	353	374
Miramichi	102	60
Moncton	607	582
Saint John	464	450
Woodstock	121	84

- All calls come into the program at our office in Fredericton through the ICE Managing System for triaging. For this fiscal year, 26,902 calls were answered out of 31,174 received which gives a response rate of 86%. The number of calls received decreased by 9% from the previous year.

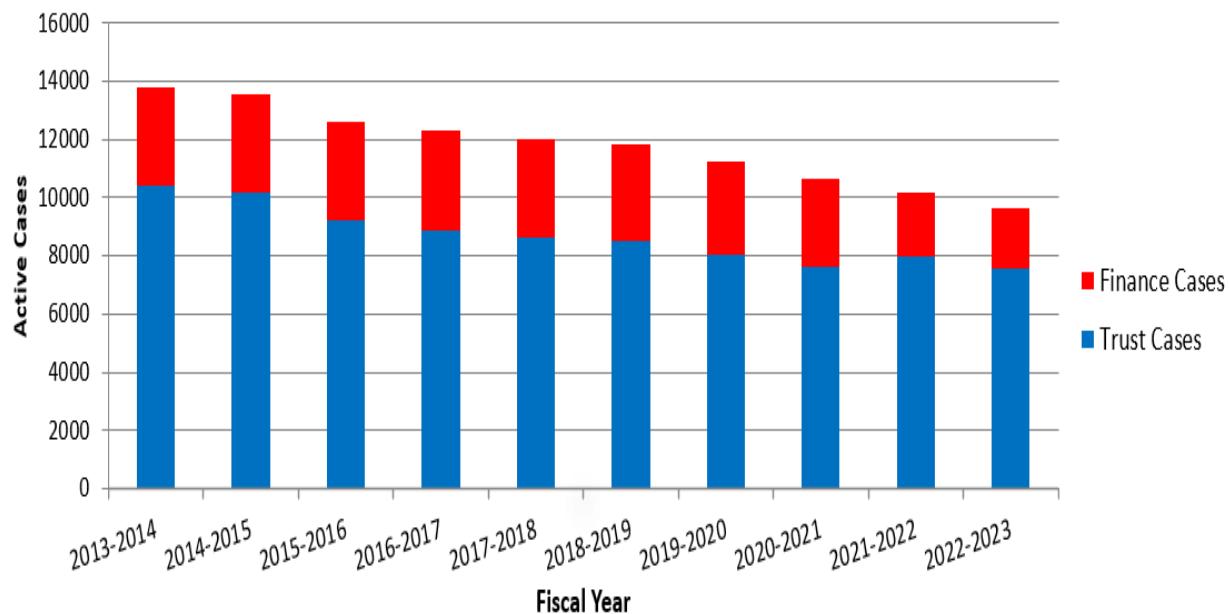
CASE MANAGEMENT

Total Active Cases 10-Year Comparison

Over the same period as the previous year, the OSE experienced a further decrease of 2% in its caseload. This decline is primarily attributed to cases that were no longer eligible and subsequently withdrawn. Additionally, Minister of Finance cases also saw a reduction of 1% during this period.

At End of Fiscal Year	Trust Cases	Finance Cases	Total Active Cases
2013-2014	10,406	3,371	13,777
2014-2015	10,155	3,401	13,556
2015-2016	9,217	3,388	12,605
2016-2017	8,882	3,406	12,288
2017-2018	8,629	3,371	12,000
2018-2019	8,517	3,299	11,816
2019-2020	8,022	3,232	11,254
2020-2021	7,653	3,004	10,657
2021-2022	8,007	2,175	10,182
2022-2023	7,550	2,111	9,661

Active Caseload - 10 Year Comparison



CASE PROFILE

Total Active Cases by Support Type

Most of the support orders enforced by the OSE are child support orders. The balance of the caseload is made up of spousal support orders or orders for which both child support and spousal support are payable.

Support Type	Case Count	Percentage of Active Caseload
Child Support	8,416	87%
Child + Spousal Support	751	8%
Spousal Support Only	451	4.5%
Other (includes affidavit schedules and fees)	43	.5%
Total Number of Active Cases	9,661	100%

INTERJURISDICTIONAL SUPPORT ORDERS

Interjurisdictional support orders, commonly referred to as ISOs, involve parties residing in different locations. In cases where the support payer resides within the province of New Brunswick, the responsibility for enforcement falls under the jurisdiction of the OSE. Such cases are labelled as "ISO-In".

Conversely, in an ISO-Out file, the support payer resides in another province, territory, or country, and enforcement becomes the prerogative of the reciprocating jurisdiction. The reciprocating jurisdiction collects the support payments on behalf of the OSE and subsequently disburses them to the respective support recipients. The authority to enforce ISO files is established under the Interjurisdictional Support Orders Act, allowing for seamless cooperation and coordination among different jurisdictions.

By effectively managing ISO cases, we ensure that support recipients receive the necessary financial support, regardless of geographical boundaries, and foster collaboration with other jurisdictions to ensure timely and consistent enforcement.

	Non-ISO	ISO-In	ISO-Out	Total
Cases	8,124	740	797	9,661

ISO-In saw a decrease of 5% and ISO-Out a decrease of 6% from the previous year.

CLIENT MANAGEMENT

Our Clients

An analysis of the gender and age distribution among OSE clients reveals that the majority of payers are male, while most recipients and custodial parents are female. On average, OSE clients are approximately 45 years of age, representing a diverse group of individuals seeking support enforcement services.

Additionally, the average age of an OSE dependent is 16 years. As a result, files enrolled in the program typically span an average of 3 years, extending until the age of majority for the dependent child. In some instances, cases may extend beyond this period, particularly in situations where support is payable after the age of 19.

	Male	Female	Undefined	Average Age
Payers	8,690	443	84	45
Recipients	450	8,733	116	43
Dependents	6,509	6,323	992	16

	19 years of age or under	Over 19 years of age	Age Unknown
Number of Dependents	9,825	3,985	14

FAMILY SUPPORT OUTCOMES

Caseload and Dollar Profile

Of the total \$57,224,952.26 due in family support during the 2022-2023 fiscal year, the OSE collected \$52,721,626.89 for its recipients. The increased collection rate for social assistance cases saw an increase as the OSE is only collecting arrears since the change to the social assistance policy in 2022. An additional \$1,202,332.41 was allocated on arrears that were due, but for which no enforceable amount was ordered in 2021-2022.

Year	Caseload			Ending Due (\$)			Allocated (\$)			Collection Rate		
	Minister of Finance Account	Trust Account	Total	Minister of Finance Account	Trust Account	Total	Minister of Finance Account	Trust Account	Total	Minister of Finance Account	Trust Account	Total
March 2023	2111	7,550	9,661	82,386.20	57,142,566.06	57,224,952.26	862,183.27	51,859,443.62	52,721,626.89	1046.5%	90.8%	92.1%
March 2022	2175	8007	10,182	1,625,097.48	54,863,831.75	56,488,928.23	2,430,173.40	51,128,516.60	53,558,690.00	149.5%	93.2%	94.8%

ENFORCEMENT

OSE is committed to a progressive approach to enforcement, carefully tailoring enforcement measures to encourage voluntary compliance among defaulters in meeting their support obligations. Under the authority of the *Support Enforcement Act*, we leverage both administrative and judicial enforcement mechanisms to facilitate the timely collection of support payments.

Our progressive enforcement strategy is designed to be gradual yet effective. It commences with informal measures, such as collection calls and default letters, and advances to more formal interventions, culminating in judicial enforcement hearings. This multi-tiered approach ensures a balanced and fair enforcement process.

In the following section, we provide a detailed analysis of both administrative and judicial enforcement methods, highlighting their impact on compliance rates and the successful collection of support payments.

Collection Calls and Default Letters

Our most frequently utilized enforcement tools are collection calls and default letters, forming the initial stage of our progressive enforcement procedure. These tools serve as a proactive means for OSE to establish communication with our clients before considering more assertive enforcement actions. By employing collection calls and default letters, we aim to encourage compliance and foster a cooperative approach to meeting support obligations.

	Total
Number of Collection Calls Made	10,503
Number of Default Letters Issued	3,465

Payment Orders

Payment orders, also known as garnishments, represent a highly effective collection tool utilized by the OSE under the authority of the *Support Enforcement Act*. Throughout the fiscal year 2022-2023, a total of 2,124 new payment orders were issued to various income sources of our clients, including employers, insurance companies, and banks. This number further expanded to 3,487 when considering the inclusion of federal garnishments.

Source	Issued	Suspended	Revoked or Completed
Income Source (<i>excluding garnishments under FOAEA</i>)	2018	339	1487
Financial Institution	235	n/a	236

Note: The change in status to "suspended" or "revoked/completed" includes changes to payment orders issued in years before 2022-2023.

Driver's Licences

In the fiscal year 2022-2023, the OSE issued 380 notices of intention to suspend a payer's driver's licence. These notices represent a higher-level enforcement action taken when a payer's support arrears exceed four months and when previous, less invasive enforcement attempts have proven unsuccessful.

Notably, there was a significant increase of 29% in the number of notices issued compared to the previous year. Concurrently, the number of payment arrangements made decreased by 5% during the same period. These trends highlight the necessity of escalating enforcement measures in cases of persistent non-compliance and emphasize the importance of timely resolution to support obligations.

	Notices Issued	Licences Suspended	Licences Restricted	Payment Arrangements Made	Completed/Terminated	Actions Withdrawn
Intention to Suspend Driver's Licence	380	231	0	57	26	256

Credit Bureau Reporting

During the fiscal year 2022-2023, the OSE took higher-level enforcement action by issuing 210 notices to report the payer to Equifax. These notices are specifically issued for cases with arrears exceeding three months' worth of support, and when less intrusive enforcement measures have not yielded successful results.

Reporting the payer to Equifax is a significant step aimed at addressing persistent non-compliance and reinforcing the importance of meeting support obligations. This action serves to alert credit agencies about the outstanding support arrears, potentially impacting the payer's credit score and financial standing.

By implementing such enforcement measures, the OSE aims to encourage the timely resolution of support obligations and reinforce the accountability of the payer in fulfilling their responsibilities.

	Notices Issued	Reports Active	Payment Arrangements Made	Completed/Terminated	Actions Withdrawn
Intention to Report to Credit Bureau	210	150	2	4	154

Enforcement Hearings

Enforcement hearings represent a crucial step initiated by our enforcement staff, providing support payers whose accounts are in default with an opportunity to present their reasons for non-payment. The primary objective of these hearings is to secure a formal order for the repayment of arrears. Notably, in the fiscal year 2022-2023, a total of 59 enforcement hearings were initiated, marking a decline of 44% compared to the previous year.

As the highest-level enforcement measure available to the OSE, a judicial enforcement hearing underscores the gravity of the situation and highlights the significance of resolving outstanding support obligations. These hearings serve as a mechanism to ensure that appropriate actions are taken to address delinquent payments and reinforce the importance of meeting support obligations in a timely manner.

Type of Hearing	Initiated in 2021-2022	Initiated in 2022-2023	Hearings held in 2022-2023*
Administrative	53	42	64
Judicial	10	17	20

* Numbers of hearings held can include hearings initiated in a previous year (2021-2022) but for which a hearing was held in 2022-2023.

Enforcement under the *Family Orders and Agreements Enforcement Assistance Act* (FOAEA)

Under the federal *FOAEA Act*, the OSE is granted authority to undertake specific actions against a support payer's federal entitlements. In cases where defaulting payers cannot be located, the enforcement office may issue a request to Justice Canada to initiate a tracing process, utilizing information from federal databanks. Similarly, enforcement officers may seek garnishment of federal benefits, including Employment Insurance and income tax refunds, and have the authority to suspend licences issued by the Government of Canada.

In the fiscal year 2022-2023, the OSE witnessed a notable increase in various federal enforcement actions. Tracing requests saw a significant rise of 20%, while garnishments rose by 17%, and federal licence denials increased by 16%, all compared to the previous year.

These statistics underscore the OSE's dedication to employing all available tools to ensure compliance with support obligations and recover overdue payments from defaulting payers.

By leveraging the provisions of the federal *FOAEA Act*, we aim to protect the rights of support recipients and foster a sense of responsibility among payers in fulfilling their financial duties.

Type of Action	Number of Actions Initiated 2021-2022	Number of Actions Initiated 2022-2023
Tracing Requests	1,161	1,441
Garnishments/Benefit Interceptions	1,363	1,623
Federal Licence Denials (including passport, marine and aviation licences)	79	94

Payment Arrangements

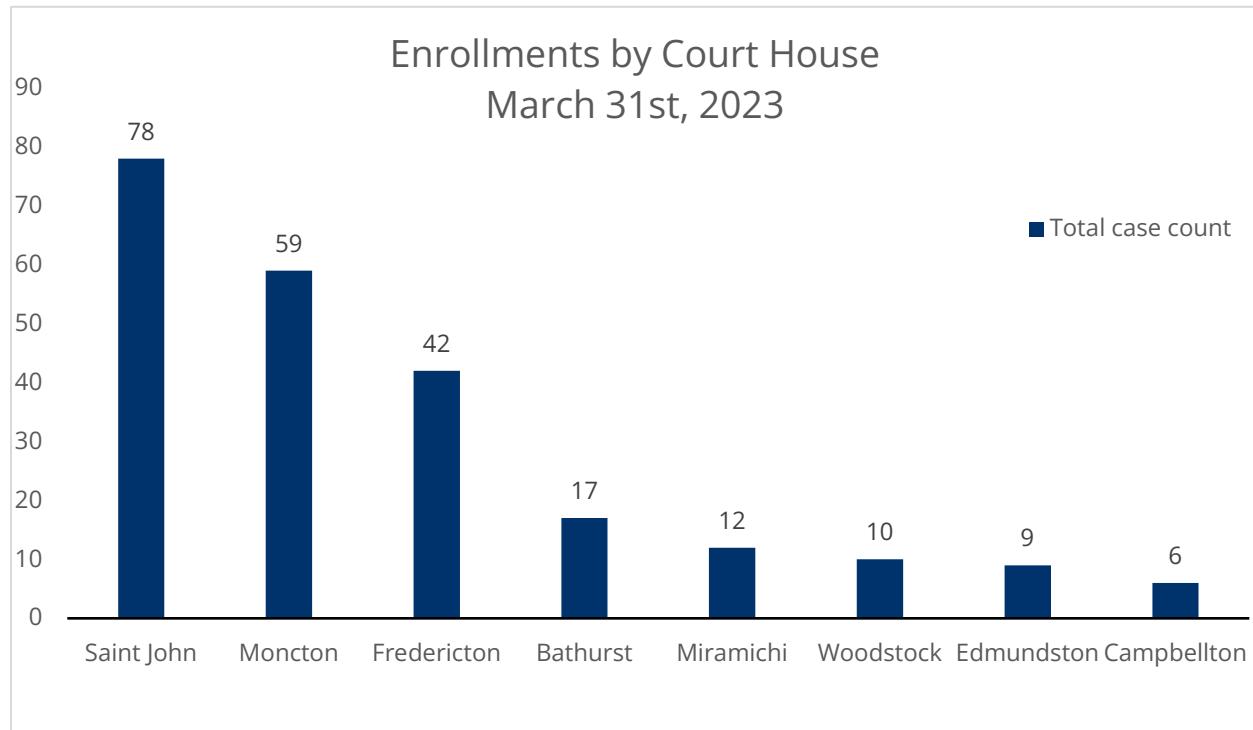
Since centralization, enforcement officers have been actively engaging in negotiating payment arrangements with payers who willingly agree to allocate an additional amount towards arrears. This approach allows us to closely monitor the number of negotiations undertaken for effective support enforcement. Notably, in the fiscal year 2022-2023, payment arrangements witnessed a significant increase of 3% compared to the previous year.

	Initiated in 2021-2022	Initiated in 2022-2023
Payment Arrangement	443	454

THE CHILD SUPPORT RECALCULATION SERVICE

HIGHLIGHTS

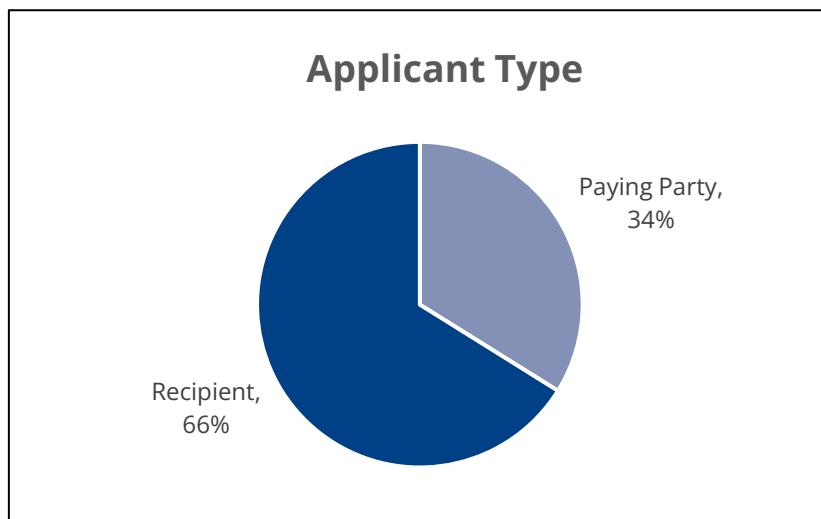
- Operations launched on April 1, 2022.
- 245 case enrollments.
- 98 active files – 196 individuals did not have to go through the court process to vary their child support order.
- All calls come into the program at our office through the ICE Managing System. For this fiscal year, 1,192 calls were answered out of 1,289 which gives a response rate of 92%.
- 77% of decisions made resulted in the child support increasing and 23% resulted in a decrease.



CASE PROFILE

The CSRS (Child Support Recalculation Service) is a voluntary "opt-in" program designed to streamline the support recalculation process. It requires only one party to apply for our services, and if the file is eligible for recalculation, the other party is automatically enrolled.

During our first fiscal year of operation, the CSRS witnessed a significant difference in the number of recipient applicants compared to paying parties. Nearly double the number of recipients applied for our services, reflecting the recognition of the program's benefits and its viable alternative option to the court process.



In our first fiscal year, we received 245 applications for recalculation. 98 of these were eligible and the CSRS has issued decisions on the files. We had two files that went through the objection process and 145 applications were deemed ineligible. The reasons that would make a case ineligible are detailed on the subsequent page.

Source	Active	Withdrawn	Objected
Case Status	98	145	2

ELIGIBILITY

The CSRS operates as an administrative service, which necessitates meeting specific eligibility requirements before initiating support recalculation.

Currently, the CSRS can recalculate 40% of the cases that apply for our services. We acknowledge the importance of expanding our reach and are actively collaborating with our stakeholders to increase the level of eligibility. This ongoing effort seeks to enhance access to the CSRS for a broader range of support recipients and payers, promoting efficiency in recalculating support amounts.

By continually working with our stakeholders and addressing eligibility factors, we aim to optimize our operations and contribute to improved outcomes for families seeking support recalculation services. The CSRS remains committed to providing a reliable and accessible platform to meet the diverse needs of our clients.

Ineligibility Reason	Count
Imputed	98
Not According to Child Support Guidelines	37
No Income on Court Order	15
Client Resides Out of Province	5
Too Complex	2
Self Employed	3