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# Child and Spousal Support: Maintenance Enforcement Survey Statistics, 2004/2005



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# Child and Spousal Support: Maintenance Enforcement Survey Statistics, 2003/2004

Paul Robinson, Statistics Canada

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- . not available for any reference period
- .. not available for a specific reference period
- ... not applicable
- 0 true zero or a value rounded to zero
- 0<sup>s</sup> value rounded to 0 (zero) where there is a meaningful distinction between true zero and the value that was rounded
- <sup>P</sup> preliminary
- <sup>r</sup> revised
- x suppressed to meet the confidentiality requirements of the *Statistics Act*
- <sup>E</sup> use with caution
- F too unreliable to be published

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## Note to readers

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This is the fifth release of information from the Maintenance Enforcement Survey (MES), which collects data on child and spousal support from the maintenance enforcement programs. This report presents fiscal year 2000/2001 through 2004/2005 child and spousal support data for Prince Edward Island, Saskatchewan and British Columbia. Some annual data for Nova Scotia, Quebec, Alberta<sup>1</sup> and the Northwest Territories are available as well. Monthly snapshot data for these same provinces plus New Brunswick and Ontario are also presented.

Estimates indicate that less than one-half of all support cases are registered with a maintenance enforcement program (MEP) (Department of Justice 2000). Consequently, survey data are not representative

of all support orders in Canada. Furthermore, the MEPs differ in a number of important aspects, including enrolment process, enforcement powers, and how cases are closed. For this reason, readers should be cautious in using the survey data to evaluate specific enforcement programs or generalize the results to all support orders in Canada.

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- 1 In 2004/2005, the Alberta MEP moved to a new case management information system, so the MES data extraction software, which was designed for the old system, became obsolete. Therefore, Alberta could not provide data for 2004/2005. New data extraction software is being developed in a joint project between the CCJS and Alberta, and Alberta should be able to resume participation in the MES next year.

## Highlights

- Survey results indicate that maintenance enforcement programs are operating primarily for the benefit of children. Of the cases registered with the programs in March 2005, the large majority included a support amount for children. This included 91% of the caseload in Prince Edward Island and Saskatchewan, 94% in Nova Scotia, 97% in New Brunswick and the Northwest Territories, and 98% in British Columbia.
- The average monthly caseload for 2004/2005 increased slightly from the previous fiscal year in four of the six reporting jurisdictions. The average monthly caseload increased by 1% in Prince Edward Island, Ontario and Saskatchewan, and by 3% in Quebec. In New Brunswick and British Columbia, on the other hand, average monthly caseload decreased by 1% and 2% respectively.
- For cases having a regular monthly payment, a large proportion of cases involved a payment between \$1 and \$400 in all seven reporting jurisdictions (from 46% in the Northwest Territories to 70% in Nova Scotia). Few cases required a monthly payment greater than \$1,000.
- The median amount of regular monthly payment increases as the number of child beneficiaries for the case increases. Median monthly amount due for cases where the beneficiary was one child was \$150 in Nova Scotia and \$200 in Saskatchewan and British Columbia in March 2005. The median monthly amount due rose to \$269 in Nova Scotia, \$300 in Saskatchewan and \$350 in British Columbia for cases with two child beneficiaries, and \$343 and \$400 in both Saskatchewan and British Columbia for cases with three or more child beneficiaries. Cases where the beneficiary was spouse and children portrayed a similar pattern.
- For the month of March 2005, the most recent month of data available, the majority of cases were in compliance with their regular monthly payment due, ranging from 55% of cases in Prince Edward Island and Nova Scotia<sup>2</sup> to 78% of cases in Quebec<sup>3</sup>.
- During 2004/2005, reporting MEPs collected the majority of the money that was due in the form of regular monthly payments. Of the three provinces that provide these data, Prince Edward Island collected 67% of the approximately \$8 million due for the year, British Columbia collected 73% of the \$150 million due, Saskatchewan collected 77% of the \$32 million due.
- In March 2005, of those cases enrolled in the MEPs in Nova Scotia, Quebec, Saskatchewan and British Columbia, between 52% and 71% of payors had first entered the program with arrears. Of these cases, 46% of cases in British Columbia, 48% of cases in Nova Scotia, 56% of cases in Saskatchewan and 75% of cases in Quebec had either paid off their arrears or decreased the amount owing. In about 1% of cases, arrears remained constant in all jurisdictions.

2. Nova Scotia and British Columbia maintain a policy of allowing direct payments to be made and received by their clientele throughout the case duration, and since most of these direct payments are not reported until after the survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.
3. In certain cases, if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.

## 1.0 Introduction

### 1.1 Background

During the 1980s and 1990s, provincial and territorial governments created maintenance enforcement programs (MEPs) to provide the necessary administrative support to payors and recipients of child and spousal support and to improve compliance with support payments. Through provincial/territorial legislation, the programs were given a number of administrative enforcement powers to secure payments before resorting to the courts for the more difficult cases.

At the same time, the federal government set up the Family Law Assistance Services Section (FLAS) in the federal Department of Justice to assist the maintenance enforcement programs. Federal legislation was enacted<sup>4</sup> to permit the interception or garnishment of federal funds such as income tax refunds, and federal employee's salaries or pensions. The legislation also allowed the FLAS to provide trace and locate information using federal databases<sup>5</sup>.

The MEPs across Canada differ in a number of important aspects because of different local needs and policies. These differences include client profile, enforcement powers in legislation, enforcement practices, the enrolment process, how payments are handled and registered, the responsibilities of clients, and how cases are closed.

Not all support cases are registered with a MEP. A survey of separated and divorced parents indicates that MEPs handle 40 to 50% of all support orders and agreements in Canada, a proportion that varies greatly across provinces (Department of Justice Canada 2000). Given that the primary purpose of the MEPs is to assist recipients in collecting their payments, it is expected that their cases often have issues related to securing payment or regularity of payment.

Readers should therefore be cautious in using the survey data to evaluate specific enforcement programs or generalize the results to all support orders in Canada.

### 1.2 Development of the Maintenance Enforcement Survey

The 1990s saw considerable growth in the sophistication of MEP automated information systems and this greatly expanded their capabilities to process and report information, and to communicate with each other and with federal enforcement services. With this increased data capacity, an opportunity arose for the Canadian Centre for Justice Statistics (CCJS), in consultation with the MEPs and the Department of Justice Canada, to develop standardized national information about case characteristics, support payment compliance and enforcement for cases enrolled in MEPs across Canada. Specifications for the Maintenance Enforcement Survey (MES) were established in 1995.

After a period of development, MES data collection began in Prince Edward Island, Saskatchewan, and British Columbia in 1999/2000, and in Quebec, Ontario and Alberta in 2000/2001. New Brunswick began providing data in 2003/2004, and in the following year, Nova Scotia and the Northwest Territories started their participation in the survey.

4. *Garnishment, Attachment and Pension Diversion Act (1983)* and the *Family Orders and Agreements Enforcement Assistance Act (1987)*.
5. Databases at the Canada Revenue Agency and Human Resources and Skills Development Canada (HRSDC) can be searched for a payor's address. HRSDC databases can also be searched for a payor's employer.



The MES collects aggregated data, which are tabulated by the MEP and sent to the CCJS. As a result, opportunities for further manipulation of the data are limited. But in 2003, the CCJS received funding from Treasury Board through the Child-centred Family Justice Strategy to re-develop the MES. The new survey is called the Survey of Maintenance Enforcement Programs and the specifications were created in consultation with the MEPs and the federal/provincial/territorial departments responsible for the administration of justice.

The main focus of the re-development is to change from aggregate to microdata collection, so that information on each case will be collected according to much more detailed survey specifications. This new approach to data collection will greatly enhance the analytical potential of the survey. Development work is currently on-going.

### 1.3 Report overview

This report presents annual child and spousal support data for Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, Alberta, British Columbia and the Northwest Territories. Monthly snapshot data for these same jurisdictions plus New Brunswick and Ontario are

also presented. The report provides an analysis of the characteristics of cases that are registered with the maintenance enforcement programs in these nine provinces and territories and highlights changes that have occurred over the five year period covered by the report.

Apart from this introduction, the report is organized into three additional sections:

Section 2 provides a brief description of terminology used by the MEPs, and of their main functions and processes, especially those that have a bearing on the interpretation of the data.

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

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

A glossary of standard definitions is provided in Appendix A.

## 2.0 A description of maintenance enforcement services

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

### 2.1 Registration

All potential support recipients with an enforceable court order or agreement<sup>6</sup> can avail themselves of the services of a maintenance enforcement program. However, not all cases of child and spousal support that exist in a province or territory are administered by maintenance enforcement programs. Recipients and payors may amicably deal with support payments and never use the services of a MEP.

About half of the jurisdictions have adopted an automatic or “opt-out” registration system. This includes Newfoundland and Labrador, Nova Scotia, New Brunswick, Quebec, Ontario, and Manitoba. In these six jurisdictions, maintenance orders are automatically enrolled with a maintenance enforcement program at the time of the order. To be removed from the caseload of a MEP, a recipient must ask to be withdrawn from the program<sup>7</sup>. In many jurisdictions, the payor has to agree to the withdrawal. This request can be denied if the recipient is collecting social assistance<sup>8</sup>.

Seven jurisdictions have a voluntary “opt-in” program. This includes Prince Edward Island, Saskatchewan, Alberta, British Columbia, Yukon, the

Northwest Territories and Nunavut. Either or both the recipient and the payor can register with the MEP. The only exceptions are cases where the recipient is entitled to social assistance, in which case enrolment is mandatory.

Because registration is voluntary, “opt-in” jurisdictions tend to have a higher proportion of difficult cases – those with arrears already in existence, or where there has been some difficulty in securing payments. Conversely, “opt-out” jurisdictions tend to have relatively more cases to administer and enforce, as all new court orders and agreements in the jurisdiction are automatically enrolled.

There are administrative requirements to be met in order for a case to be registered; personal information on both parties, employment, legal and financial information are required to set up the case and payment information. Letters are generated notifying clients of their responsibilities, and/or identifying that enforcement action may follow. Review of cases and the determination of appropriate enforcement measures are in addition to these activities, and may differ widely for each case. Tracing may be initiated if information as to the location of either the payor or recipient is missing, and to determine if the case must be sent elsewhere under interjurisdictional support orders legislation.

6. Domestic contracts that meet jurisdictional requirements for enforcement include paternity agreements and separation agreements filed in court.
7. Data on the number of individuals who opt out of programs are not available.
8. Provinces and territories treat child support as income and deduct it in whole or in part from social assistance benefits received by recipients.

## 2.2 Payment processing

The payment of support is processed and handled by a variety of methods. MEPs may receive payments for cases from a number of sources, which may or may not be a result of enforcement actions on their part. Most MEPs offer a number of different methods of paying a support obligation: by cheque, money order, credit card, telephone or Internet banking, and most recently, by pre-authorized payment plans from bank accounts. Payments may also come directly from an attachment of wages, a garnishment and attachment of assets (e.g. bank account), or a federal interception of federal monies owed to the payor, such as an income tax refund.

Much of the visible activity of MEPs involves the processing of payments and disbursement of payments to recipients. There are two models in use in Canada. There is a “pay-to” system, where the payor makes his/her payment payable to the MEP, which functions as a clearinghouse for the payment before disbursing it to the recipient. Newfoundland and Labrador, Prince Edward Island, New Brunswick, Quebec, Ontario, Alberta, the Northwest Territories and Nunavut use this approach. All payments received by the program are deposited into a trust account and the government sends the money to the recipient, usually through direct deposit or by cheque.

The second model is a combination of “pay-to” and “pay-through”. The “pay-through” approach refers to a system where payors make their payments via the MEP, which acts simply as the go-between for the parties involved. Once the payment is entered into the system by the MEP, the payment is forwarded to the recipient. Nova Scotia, Manitoba, Saskatchewan, British Columbia and Yukon use this combination model. This means that payments may be made payable to either the recipient or to the MEP.

## 2.3 Enforcement

The MEPs are required by their legislation to monitor and enforce cases registered with them. They must enforce the terms and amount of the order or agreement, and have no discretion to change the terms in any way. Should circumstances change, the parties are encouraged to pursue a variation in the order or agreement through the courts.

MEPs aim at securing regular and ongoing payments, and sufficient amounts to satisfy the obligations. The MEPs resort to enforcement activities

when they are unable to secure support payments. There are a number of enforcement mechanisms that can be used in helping to collect support payments. They can be seen as a graduated mechanism that intensifies with the complexity of the case. Overall, there are two distinct areas of enforcement: administrative and court enforcement. In general, most MEPs will first attempt to obtain payment through administrative means, as this usually produces more timely results than court enforcement.

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

The Family Law Assistance Services Section of the federal Department of Justice provides access to federal databases for searching for payors, allows for interception of federal funds<sup>9</sup> and denial of federally administered licenses including passports (*Family Orders and Agreements Enforcement Assistance Act*). Under GAPDA (*Garnishment, Attachment and Pension Diversion Act*), federal employee salaries and pensions are subject to garnishment.

Because each MEP operates under unique provincial/ territorial legislation, they differ in the nature and scope of their enforcement powers. Garnishments and attachments, for example, may be restricted by a provincial law that limits the percentage of a paycheque that can be attached. In some provinces, this is set at a 50% maximum, while in others it may be 40%. There may also be situations where a program is unable to enforce a support obligation at a certain time, for example, by court order staying or suspending enforcement. These types of provincial/territorial variations must be considered when assessing the information compiled in this report<sup>10</sup>.

9. Federal funds that can be intercepted include income tax refunds, employment insurance benefits, old age security, Canada Pension Plan benefits, interest on regular Canada Savings Bonds, and selected Agriculture programs.

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

## 2.4 Case closure

Withdrawal from a program varies by jurisdiction. Cases can be withdrawn by the recipient (opt-out) or by the program. Recipients can withdraw from the program for a variety of reasons including, for example, that they do not feel they need to have the order enforced. In many jurisdictions, the payor's agreement is required in order for the recipient to withdraw from the program.

Rarely is the payor allowed to withdraw from the program, although this is allowed in Ontario (provided the recipient is in agreement), in British Columbia (if the payor was the one who registered the order and the

recipient is in agreement) and in Saskatchewan, Alberta and the Northwest Territories (if the payor was the one who registered the order). In Quebec, the payor and the recipient can jointly apply to the Court for an exemption from the MEP. In order for the Court to agree, the payor must provide the MEP with security (a sum of money, a letter of guarantee or a guarantee from a financial institution) covering payment of support for one month.

Generally, a case is closed or "terminated" if the terms of the order have expired, or either party dies. There may be situations where a MEP will close a case because it may be impractical to enforce, for example, if a recipient moves and cannot be located.

## 3.0 Overview of the Maintenance Enforcement Survey

### 3.1 Survey methodology

The Maintenance Enforcement Survey (MES) is an administrative survey that collects data from the case management information systems maintained by provincial and territorial maintenance enforcement programs (MEPs). The information systems were initially built to address an operational purpose, which is to assist the MEPs in monitoring and enforcing their registered caseload. As a result, some of the data may not fully comply with survey specifications.

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

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

### 3.2 Coverage

Currently, MES data are available from 1999/2000 to 2004/2005. Data have been collected from nine provinces and territories (although some jurisdictions have not reported data for every reference period), which together account for about 94% of Canada's population. The survey is intended to be implemented nationally, and will eventually cover all cases for which the MEPs have responsibility to monitor and enforce.

The MES collects both annual and monthly data (see Section 3.5). Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, Alberta, British Columbia and the Northwest Territories provide annual and monthly data, while New Brunswick and Ontario provide monthly data only.

The survey was implemented in different jurisdictions at different points in time. Prince Edward Island, Quebec, Ontario, Saskatchewan and British Columbia data are available for the full five-year period covered by the report. New Brunswick data cover the most recent two years (2003/2004 and 2004/2005), while Nova Scotia and the Northwest Territories provided data for 2004/2005. In Alberta, it was not possible to collect data for 2004/2005 because the MEP implemented a new case management information system, thus rendering the MES data extraction software obsolete. However, data are available for the first four years covered by the report.

The jurisdictions currently reporting data to the survey are not representative of the non-reporting provinces and territories. Moreover, the MES survey data are not representative of the estimated 50-60% of support arrangements that exist outside the provincial/territorial MEPs.

### 3.3 Units of count

"Cases" registered with the MEPs are the unit of count for the survey. People associated with those cases (i.e., a payor, a recipient, the children), as well as court orders and domestic contracts giving rise to support obligations, are all components of cases registered.

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

### 3.4 Content

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

The types of information collected by the survey are listed below.

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

### 3.5 Reported timeframes

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

- **Annual tables:** Fiscal year tables cover the period April 1 to March 31 and provide data that summarize the nature and extent of work done throughout the year. Information such as median age of payors and recipients and median child support obligation is not prone to monthly fluctuations and is collected on a yearly basis. Other information measured on an annual basis includes dollar amounts processed and the number of enforcement actions taken.
- **Monthly tables:** As support payments are often paid monthly, the MES collects data on payments due and received each month.

Many of the data tables in the survey are “snapshot” tables, which means they provide a count of the various statistics at the end of the month or the end of the fiscal year. Thus, the survey will not reflect new information coming to light after month-end or year-end data collection, such as the payor having made a direct payment to the recipient or a cheque-based payment being returned for non-sufficient funds.

### 3.6 Provincial/territorial differences

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

#### Prince Edward Island

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

#### Nova Scotia

In Nova Scotia, one practice that affects the survey data is the acceptance of direct payments of support to the recipient. When a payor pays the recipient directly, the MEP does not record the payment until it receives notification, and, as such, the case will be categorized as “in default” because the MEP has no record of payment. As a result, the compliance rate will appear to be lower than it actually is. Also, Nova Scotia cannot distinguish between provincial support orders and support agreements registered under provincial legislation.

#### Quebec

Quebec’s program requires that the payor set up a payment method at the outset, either through payroll deductions or a payment order. If by payment order, payors must remit support payments directly to the MEP and provide a security sufficient to guarantee one month of support payments. In certain cases, if the program is certain to recover the sum from the payor, the legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor. As well, the legislation requires that payments go to the recipients on the 1<sup>st</sup> and 16<sup>th</sup> of every month.

Quebec does not distinguish between type of beneficiary, and therefore cannot report this information to the survey. As well, direct payment cases are included in the annual tables, but not the monthly tables<sup>11</sup>. Therefore, case counts for the annual tables will be greater.

### Saskatchewan

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

### Alberta

Alberta does not initiate any enforcement actions until 35 days following the completion of registration or the payment due date. Therefore, there will never be any cases less than 35 days old reported as in default.

### British Columbia

In British Columbia, one practice that affects the survey data is the acceptance of direct payments of support. When a payor pays the recipient directly, the MEP does not record the payment until it receives notification, and as such, the case will be categorized as “in default” because the MEP has no record of payment. As a result, the compliance rate will appear to be lower than it actually is. Another practice that may indirectly influence survey results is the fact that British Columbia legislation requires that all outstanding accounts be charged interest. No other jurisdiction has such a requirement at this time. Although the dollars due and received for interest are not collected by the MES, this practice could influence payment compliance.

### Northwest Territories

In the Northwest Territories, no data are available for the authority of the order (*Divorce Act*, Provincial order, etc.). The assignment status of a case is also not available. Moreover, the Northwest Territories cannot distinguish between ‘children only’ cases and ‘spouse and children’ beneficiary cases. Both types of cases are captured as ‘children only’ in the MES.

To summarize, the national survey definitions do enable some comparisons between jurisdictions but always within the context of operational differences of the MEPs, differences in case profiles and differences in how data are reported to the survey. Nevertheless, with an

increasing number of MEPs supplying data, a more complete picture of the national context is emerging and ongoing data collection is beginning to provide an opportunity to examine trends over time.

## 3.7 Confidentiality

Maintenance Enforcement Survey data have been subjected to a confidentiality procedure known as “random rounding” to prevent the possibility of associating the data with any identifiable individual. The technique of random rounding provides strong protection against disclosure, but does not add significant distortion to the data. In this report, all MES data involving counts of individuals or cases are randomly rounded either up or down to the nearest multiple of 3. Thus, a case count of 32 would become either 30 or 33 when rounded.

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

## 3.8 Survey of Maintenance Enforcement Programs

As indicated earlier, the new Survey of Maintenance Enforcement Programs (SMEP), is currently being developed by the CCJS. The SMEP is a microdata survey and will eventually replace the MES, once all jurisdictions currently reporting to the MES are converted to SMEP.

The switch from aggregate to microdata collection of maintenance enforcement data was undertaken for two primary reasons. First, microdata collection eases the burden on the CCJS and on the MEPs for developing and maintaining the software programs that extract the data for the survey. Second, microdata collection allows for more extensive and dynamic analysis of maintenance enforcement information. The SMEP will be able to produce all statistics presently available through the MES, as well as a number of additional types of analysis and views of maintenance enforcement data.

As of March 31, 2005, two jurisdictions (Nova Scotia and the Northwest Territories) are providing SMEP data to the CCJS. SMEP development projects are ongoing in Prince Edward Island, Alberta and the Yukon.

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

## 4.0 Survey results

This section presents fiscal year child and spousal support data for Prince Edward Island, Nova Scotia, Quebec, Saskatchewan, Alberta<sup>12</sup>, British Columbia, and the Northwest Territories. Monthly snapshot data for these same provinces plus New Brunswick and Ontario are also presented<sup>13</sup>. A number of selected tables, derived from those data tables collected by the survey, are provided at the end of the section. Some of the tables present 5 years of either annual or monthly data, while others present a snapshot for the most recent fiscal year ending March 31, 2005.

The survey results are presented in three parts:

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

The reader should note that as a result of the rounding methodology, some small differences can be expected in corresponding values among various Maintenance Enforcement Survey (MES) tables<sup>14</sup>.

### 4.1 Caseloads and their characteristics

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

#### Interjurisdictional support order status

An important distinction in terms of workload for MEPs is whether a case exists within the confines of their

borders or whether it crosses jurisdictional boundaries. The term that describes this situation is referred to as interjurisdictional support order status (ISO status). ISO status distinguishes three types of cases:

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

The legislation that governs the enforcement of interjurisdictional support orders is called the *Interjurisdictional Support Orders Act*<sup>15</sup>. The purpose of this legislation is to allow one or both of the parties to obtain a support order under provincial legislation, to have an existing order recognized or varied, or to have an order enforced when in different jurisdictions.

12. See Note to Readers, footnote 1.

13. All fiscal year data for New Brunswick and Ontario and some fiscal year data for Quebec and Alberta are unavailable.

14. Tables with corresponding values for the total number of maintenance enforcement cases enrolled (excluding ISO-out cases) on March 31, 2005 are: Tables 2, 4, 5, 6, 8, 9, 10, 15 and 16. Tables with corresponding values for the total number of maintenance enforcement cases enrolled with arrears on March 31, 2005 are: Tables 16, 17 and 18. In these tables, total cases enrolled may vary slightly between tables due to the random rounding methodology.

15. The ISO legislation has replaced REMO (Reciprocal Enforcement Maintenance Orders) / RESO (Reciprocal Enforcement Support Orders) legislation that was put in place several decades ago. Older cases registered in MEPs still fall under REMO/RESO legislation but are included in the ISO case counts. With the exception of Quebec and Yukon, the ISO legislation was proclaimed in 2003 and 2004 in all provinces or territories. See Statistics Canada, *Child and Spousal Support: Maintenance Enforcement Survey Statistics, 2001/2002* for more information on this legislation.



The day-to-day caseload of a MEP consists of monitoring non-ISO and ISO-in cases and taking enforcement action when payments are not forthcoming. ISO-out cases are cases that have been sent to another jurisdiction for monitoring and enforcement because the payor lives and/or has assets there. Apart from two tables (Table 1 and Table 20), these ISO-out cases are excluded from case counts in the survey to avoid double counting.

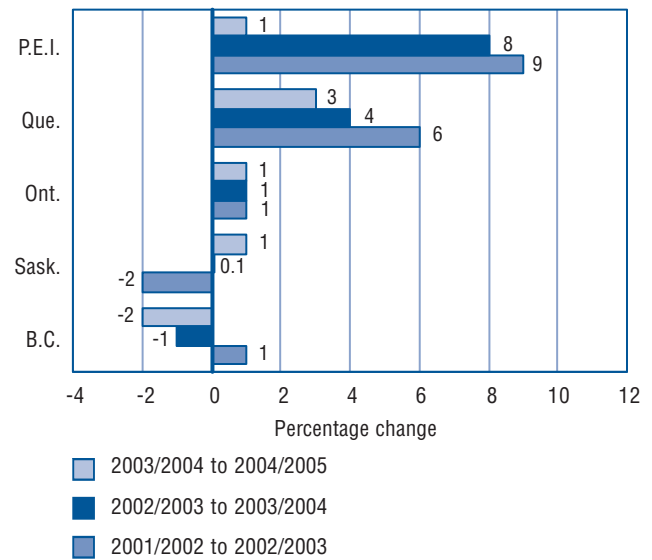
Maintenance enforcement cases by ISO status, for the seven provinces and territories that report these annual data, are presented in Table 1. In 2004/2005, MEP cases entailing day-to-day enforcement responsibilities (non-ISO and ISO-in cases) comprised the majority of cases, accounting for 77% of cases in the Northwest Territories, 80% in Saskatchewan, 86% in British Columbia, 89% in Nova Scotia, 96% in Prince Edward Island and 99% of cases in Quebec. The two western provinces providing data and the Northwest Territories reported larger proportions of interjurisdictional support order cases (ISO-in and ISO-out cases), with proportions of 23% in British Columbia, 32% in Saskatchewan and 53% in the Northwest Territories.

### MEP caseload

The monthly caseload of maintenance enforcement programs generally remained stable throughout 2004/2005 in most provinces based on changes in the number of cases enrolled (excluding ISO-out cases) at the end of each month (Table 2). Because the number of cases enrolled in a maintenance enforcement program may vary significantly from one month to the next, comparing year-over-year changes using cases enrolled for March may mask a general trend in enrolment. Thus, average monthly caseload is used to analyze year-over-year changes.

Average monthly caseload in maintenance enforcement programs increased in 4 out of 6 provinces in 2004/2005 from 2003/2004 (Table 2)<sup>16</sup>. Three provinces had a 1% increase in average monthly caseload from the previous fiscal year: Prince Edward Island, Ontario, and Saskatchewan. Quebec had the largest increase, as average monthly caseload increased by 3%. The average monthly caseload declined in New Brunswick (- 1%) and British Columbia (- 2%).

**Figure 1**  
Percentage change in the average number of maintenance enforcement cases enrolled, 2001/2002 to 2004/2005<sup>1</sup>



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

Source: Statistics Canada, Maintenance Enforcement Survey.

Over the three-year period between 2001/2002 and 2004/2005, the year-over-year growth in average monthly caseload has slowed in Prince Edward Island, and Quebec (Figure 1). In Ontario, growth has remained stable at 1% each year. Saskatchewan is the only jurisdiction where the growth rate in average monthly caseload increased between 2003/2004 and 2004/2005. In British Columbia, average monthly caseload has decreased the last two years.

16. Average monthly caseload is calculated by aggregating the number of cases enrolled in a MEP at the end of each month of the fiscal year, then dividing the sum by 12. In certain instances, monthly average caseload is calculated using 11 months of data if caseload data from one month is not available.

Change in caseload is driven both by the number of newly enrolled cases and re-enrolled cases, as well as the number of cases withdrawing from the MEP. In the three jurisdictions that report data on enrolments and terminations, the number of new enrolments has declined over the four year period between 2004/2005 and 2001/2002 (Table 3)<sup>17</sup>. For example, in British Columbia there were 3,654 new enrolments in 2004/2005, compared to 5,751 new enrolments in 2001/2002 (-36%). Quebec had 12,969 new enrolments in 2004/2005 and 16,797 enrolments in 2001/2002 (-23%). Saskatchewan also had a decrease in the number of new enrolments (810 new enrolments in 2004/2005, compared to 837 in 2001/2002, down 3%). Re-enrolments and terminations have generally been stable over the four-year period.

### Length of enrolment

During the 2004/2005 fiscal year, over half of the cases enrolled in Prince Edward Island, Nova Scotia, Saskatchewan, and British Columbia had been registered in the MEP for more than 5 years (Table 4). Only two jurisdictions had a minority of their cases registered for more than 5 years: Quebec (44% of cases) and the Northwest Territories (45%). Nova Scotia had the highest proportion, with a figure of 63% of cases.

These figures, in part, are a reflection of the length of time that the maintenance enforcement programs have been established in each province. As of March 2005, the programs have been in place 9 years in Quebec and Nova Scotia, 16 years in the Northwest Territories, 17 years in Prince Edward Island and British Columbia, and 19 years in Saskatchewan. Thus in Table 4, Nova Scotia and Quebec have no cases that have been enrolled for more than 10 years.

As the MEPs' time in operation has lengthened, the proportion of older MEP cases has grown. In 2004/2005, cases enrolled for more than 10 years accounted for 18% in British Columbia (up from 14% in 2001/2002), 19% of enrolled cases in Saskatchewan (up from 10% in 2001/2002), and 21% in Prince Edward Island (up from 13% in 2001/2002).

### Source of orders and type of beneficiary<sup>18</sup>

Maintenance enforcement programs enforce both court-ordered support of divorcing or separating parents and support obligations arising from domestic contracts such as separation and paternity agreements. Orders for maintenance or support can result from federal legislation

divorce proceedings (*Divorce Act*) or through provincial/territorial legislation that may ultimately become part of a divorce proceeding.

Most obligations are the result of federal or provincial orders<sup>19</sup>. On March 31, 2005, Nova Scotia had 31% of support orders under the federal *Divorce Act*<sup>20</sup>, while in Saskatchewan 47% of support orders were under the federal *Divorce Act* and 40% were under provincial orders (Table 5). In British Columbia, on the other hand, 25% of cases were under the federal *Divorce Act*, while a considerably larger proportion of cases (68%) were under a provincial order.

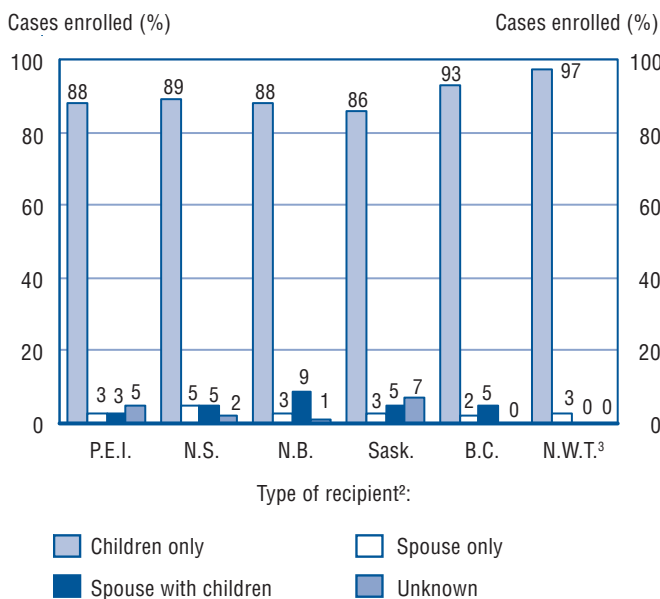
The results vary depending on who is the beneficiary of the support payments. Cases where the spouse alone or the spouse and children are receiving support are more apt to be under the authority of the *Divorce Act*. In Saskatchewan, for example, 76% of spouse with children cases and 78% of spouse only cases were under the *Divorce Act* compared with a figure of 43% for cases where the beneficiaries were children only.

17. As cases in opt-out jurisdictions are automatically enrolled from the court, whereas for opt-in jurisdictions, the recipients have to voluntarily enroll their cases in the MEP, opt-out jurisdictions should have a higher proportion of new enrolments (as a percentage of total cases enrolled) than opt-in jurisdictions. Furthermore, year-to-year change in new enrolments should be more stable for opt-out jurisdictions. For example, Quebec is an opt-out jurisdiction; Saskatchewan and British Columbia are opt-in jurisdictions.
18. The beneficiary is the person(s) entitled to the benefit of the support payment, and is named in the support order. The recipient is the person who receives the support payment (there can only be one recipient per case). The recipient may or may not be a beneficiary of the support payment. For cases where the beneficiary is children only, the recipient is often the parent of the children (and is not a beneficiary), and receives payment from the payor, who would often be the other parent of the children.
19. Couples may separate and decide to formalize their arrangement in a separation agreement. Other couples may obtain a provincial/territorial order for support. In either situation, where a couple pursues a divorce, these arrangements may be incorporated into the final Divorce order, or they may be revisited. If couples do not pursue a divorce, their arrangements as set out in the separation agreement or provincial/territorial order will continue. Parents may have paternity agreements setting out child support obligations that are also enforced.
20. In Nova Scotia, separate figures for provincial orders and agreements are not available.

## Characteristics of recipients, payors and children

Survey data indicate that MEPs operate primarily for the benefit of children. Of the cases registered with the reporting provinces on March 31, 2005, the large majority included a support amount for children. This included 91% for Prince Edward Island and Saskatchewan, 94% for Nova Scotia, 97% for New Brunswick and the Northwest Territories, and 98% of the caseload for British Columbia. A more detailed breakdown of these numbers in Figure 2 shows that the proportion of cases involving support solely for children ranged from 86% in Saskatchewan to 93% in British Columbia. Cases in which the beneficiary was a spouse with children ranged from 3% of cases in Prince Edward Island to 9% in New Brunswick, while spouse only support cases accounted for 2% of cases in British Columbia, up to 5% in Nova Scotia. These proportions remained almost unchanged from the previous year.

**Figure 2**  
Maintenance enforcement cases enrolled, by type of recipient, at March 31, 2005<sup>1</sup>



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

1. ISO-out cases are excluded.
2. The "Unknown" type of recipient category includes a very small proportion of "Other" type of recipient cases.
3. In the Northwest Territories, spouse and children cases are included under the children only category.

**Source:** Statistics Canada, Maintenance Enforcement Survey.

Survey results indicate that in the large majority of cases, the recipient is a female and the payor is a male. On March 31, 2005, this was true for 89% or more of the cases in the five reporting provinces and territories (Prince Edward Island, Nova Scotia, Saskatchewan, British Columbia, and the Northwest Territories) (Table 6).

The median<sup>21</sup> age of payors, recipients and children is fairly consistent for all five provinces and territories. On March 31, 2005, the median age for recipients ranged from 36 years in the Northwest Territories to 40 years in British Columbia (Table 7). For payors, the median age was 39 years in the Northwest Territories, 41 years in Prince Edward Island, Nova Scotia and Saskatchewan, and 42 years in British Columbia. The median age for children was either 13 or 14 years, depending on the jurisdiction. The median ages for payors, recipients and children have gradually increased over the last five years in Prince Edward Island, Saskatchewan and British Columbia. This is not unexpected given that the length of case enrolment is increasing in each of these jurisdictions.

## Social assistance

The social assistance status of a recipient is an important aspect of maintenance enforcement. All provinces and territories treat child support payments as income for determining the amounts of monthly social assistance benefits. As such, all social assistance benefits to recipients are deducted dollar for dollar based on the amount of the child support payments. When social assistance benefits reach zero, then the remainder of the child support payments are passed to the recipient. If a parent is entitled to receive child support and makes an application for social assistance, the social benefits agency will require the parent to seek child support payments.

The MES "assignment status" variable refers to those cases where some or all of the support payment goes to the government rather than the recipient. This occurs when the government is providing financial support to the recipient, or has done so in the past, and the support coming from the payor is being used to defray these costs. It is to be noted that not all persons receiving social assistance need to assign their cases.

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

The proportion of assigned MEP cases varies from province to province (Table 8). As of March 31, 2005, 13% of cases were assigned in Nova Scotia, 14% in Prince Edward Island and in British Columbia, 21% in Quebec, and 23% in New Brunswick. The other reporting provinces show smaller proportions, with 10% or less of their cases being assigned. The proportion of assigned cases has decreased from its level in previous years in all jurisdictions providing multiple years of data. This may be related to a general decrease in the proportion of the population on social assistance that was observed in all Canadian provinces between 1993 and 2003 (Roy 2004).

## 4.2 Financial aspects of MEP caseload

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

An order may contain other amounts that are also enforceable by the MEP. These are usually called “event-driven amounts” or sometimes “lump-sum payments”. They can be characterized as payments that must be paid when they come due, perhaps when a receipt or an invoice is produced. Examples would include the payment of dental bills or yearly sports enrolment fees. Other payments that may be due in a month include scheduled arrears, fees, costs and penalties. For the purposes of the survey, these payments, plus payment amounts regularly due, are called “total payments due”.

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

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

It is possible for a case to have arrears and be in compliance with total expected payments at the same time. This would be the situation if the payor were making all the current payments due, including the scheduled arrears payment.

### Amounts regularly due

Table 9 presents the distribution of cases by regular monthly payment due for March each year. In 2005, in the eight reporting provinces and territories, a large proportion of cases, ranging from 46% to 70%, involved a regular monthly payment between \$1 to \$400. For half of the jurisdictions, the proportion of cases involving a payment of \$1 to \$200 was similar to that for cases involving a payment of \$201 to \$400. However, a larger percentage of cases were found in the first category for Nova Scotia and New Brunswick, whereas the reverse was observed in Quebec and the Northwest Territories. The proportion of cases involving a monthly payment amount above \$1,000 ranged from 2% to 5%. This pattern is consistent over the previous five years.

The distribution of MEP cases by total payment due, which includes regular payment due plus event-driven payments, scheduled arrears, and fees, costs and penalties, was found to be quite similar. Most cases had total monthly payments of \$400 or less.

Another view of amounts regularly due, showing the median payment due by type of beneficiary, is presented in Table 10. For March 2005, Nova Scotia had the lowest median monthly regular payment due at \$200, while the Northwest Territories had the highest (\$325). Median payment due varies depending on the type of beneficiary. The median monthly amount due for cases where the beneficiary was one child ranged from \$150 in Nova Scotia to \$200 in Saskatchewan and British Columbia. This amount increased gradually as the number of children covered in the support order increased. In particular, the median for cases having 2 children was \$269 in Nova Scotia, \$300 in Saskatchewan and \$350 in British Columbia. For cases with 3 or more children, the median rose to \$343 in Nova Scotia and \$400 in Saskatchewan and British Columbia. This same pattern is evident for cases involving an amount for both the spouse and children. The presence of a spouse as a beneficiary also increased median payment due, as median regular payment for spouse only cases is higher than most or all of the children only categories in all reporting jurisdictions.

## Compliance

There are many ways of examining compliance, and consequently many definitions in use. However, timeliness and sufficiency of payment are the two key components of compliance. For the survey, compliance is measured on a monthly basis in relation to the amount of money due and received. It is measured as of the last day of the month. This means that cases having an amount due earlier in the month, for example the 15<sup>th</sup>, can pay late, but still be considered by the survey to be in compliance if the money is received by the last day of the month. Conversely, if a payment is due on the 30<sup>th</sup> of the month and is received one day past month-end, the case is considered in default for that month.

Compliance is also based on fullness of payment. A partial payment, no matter how close to the amount due (e.g., 90%), would not satisfy the obligation, and so for the purposes of the survey would not be considered to be in compliance. Thus, the monthly figures are based on the number of cases in full compliance – having made the full payment of the amount due by month-end.

Compliance can be measured in terms of both regular and total monthly payments due. As shown in Table 11, the majority of cases were in compliance with their regular monthly payments for the month of March 2005. The figures ranged from 55% of cases in Prince Edward Island and Nova Scotia to 78% of cases in Quebec.

Compliance varies somewhat by the amount of regular payment due. Generally, the lowest compliance rates were for cases with regular amounts due between \$1 and \$200. In 2005, with the exception of New Brunswick and Saskatchewan, the lowest compliance rate of each province and territory was found in this payment category, with figures ranging from 39% in the Northwest Territories to 67% in Quebec. One possible explanation could be that higher support amounts generally indicate greater income and employment stability, thus an increased likelihood that the paying parent is able to deal with unforeseen situations (disruption in employment, unanticipated major expenses, etc.) while maintaining child support payments.

A similar distribution was observed for MEP cases in compliance with total payments. However, compliance with total payments tends to be slightly lower than compliance with regular amounts due.

Table 12 provides an additional element, presenting compliance with regular payments due by type of beneficiary. It shows that there is variation in compliance

by type of beneficiary. In each reporting jurisdiction, with the exception of the Northwest Territories, compliance is highest for cases with spouse only beneficiaries. Compliance on spouse only cases ranged from 50% in the Northwest Territories to 78% in Saskatchewan. Conversely, compliance rates for children only cases were lower: from 54% in Prince Edward Island and Nova Scotia to 65% in Saskatchewan and British Columbia. Compliance rates on spouse and children cases were higher than children only cases in Prince Edward Island, Nova Scotia, and Saskatchewan, but were lower in New Brunswick and British Columbia.

Another view of compliance shows the dollar amounts that were paid as a proportion of the amounts due. During 2004/2005, MEPs in the four provinces reporting these annual data were successful in collecting most of the regular dollars due (Table 13). Prince Edward Island collected 67% of the approximately \$8 million due for that year, British Columbia collected 73% of the approximately \$150 million due<sup>22</sup>, and Saskatchewan collected 77% of the approximately \$32 million due. These figures are based on cases administered, that is all cases that were enrolled at some point during the year.

Compliance can vary from one month to the next. The 60 month view of compliance presented in Table 14 provides some sense of this. In individual jurisdictions, compliance increases or decreases by as much as nine percentage points in a given month. This variation could indicate that many individual cases are regularly falling in and out of compliance. These observations are consistent with findings from the National Longitudinal Survey of Children and Youth, which indicate that approximately 45% of children in their mother's custody moved from one "compliance" category (regular on time, regular at times late, irregular, and not for at least six months) to another within a 2-year period (Juby, Le Bourdais, and Marcil-Gratton 2003). This has implications for MEPs in that compliance may change frequently over the life of a single case, thus requiring constant monitoring of all of a MEP's caseload.

22. British Columbia maintains a policy of allowing direct payments to be made and received by its clientele throughout the case duration, and since most of these direct payments are not reported until after the survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.

## Arrears history and level

Arrears refer to money owing from earlier missed payments. Maintenance enforcement programs can register cases with arrears already accumulated. Arrears can also accrue during the time the MEP has management of the case, should payments not be made and enforcement fail to secure sufficient payment. Arrears are sometimes subject to court-ordered or negotiated scheduled payment plans, with the objective being for the payor to gradually repay the amount due over a period of time. As long as the payment schedule is being adhered to, it is likely no additional enforcement action will be taken.

Table 15 provides a view of the arrears history of MEP cases in five provinces — Prince Edward Island, Nova Scotia, Quebec, Saskatchewan and British Columbia. Data available from these provinces indicate that over one-half of cases had a history of payment problems prior to entering a maintenance enforcement program. Of the cases enrolled on March 31, 2005, 52% of those in Nova Scotia, 62% of those in Saskatchewan, 65% of those in Quebec and 71% of those in British Columbia entered the program with arrears. The figure for Prince Edward Island is not comparable as the arrears status at entry was not known for 26% of cases. Of these cases that were enrolled with arrears, in 46% of the cases in British Columbia, 48% in Nova Scotia, 56% in Saskatchewan and 75% in Quebec, arrears had either decreased or had been paid off as of March 31, 2005. Arrears remained constant in roughly 1% of cases in the four provinces.

The remaining cases (29% in British Columbia, 32% in Quebec, 38% in Saskatchewan and 47% in Nova Scotia) entered the MEP without arrears. Of these cases, about 43% in Nova Scotia, 52% in Saskatchewan, 56% in British Columbia and 84% in Quebec did not have arrears as of March 31, 2005.

Table 16 presents MEP case counts with arrears, as well as the dollars associated with those arrears. Some cases may account for tens or hundreds of thousands of dollars in arrears, and others will have very modest amounts due. As such, it is not appropriate to calculate an average amount of arrears per case.

The proportion of cases with arrears has remained stable over the years for most reporting provinces. Quebec experienced the largest decline in the proportion of cases with arrears from 52% in March 2001 to 43% in March 2005. New Brunswick saw an increase in the proportion of cases with arrears between March 2004 and 2005, due

to a combination of a smaller caseload and an increase in the number of cases with arrears.

Most provinces reported an increase in the dollar amount of arrears, but this is not surprising since the number of cases with arrears has generally increased as well.

## Proportion and timeliness of payments

When looking at the distribution of cases with arrears by the percentage received of the regular monthly amount due, survey data indicate that cases tend to fall into two extremes. In March 2005, most cases that had arrears either made the regular monthly payment in full (ranging from 36% in Nova Scotia to 53% in Ontario) or they made no payment (ranging from 35% in Quebec to 57% in Nova Scotia) (Table 17). Over the five years that data are available, most provinces have seen an increase in compliance over that time period.

There can be many reasons why a payor is not making expected payments and the MEPs can be limited in the actions that they can undertake. For example, there are stays of enforcement that occur on some cases, or other impediments to enforcement such as prolonged periods of social assistance, unemployment, disability, or incarceration. These often unpredictable situations can leave the recipient without support payments for periods ranging from a few weeks up to 12 months or more.

The MES captures information on the elapsed time since the last payment was received for those cases with arrears. As shown in Table 18, in March 2005, a payment had been made within the month in about one-half of cases with arrears. This was true for all seven reporting provinces. The figures for Ontario, Saskatchewan and British Columbia were higher than what they were 5 years earlier. For example, in Ontario, the elapsed time between payments was one month or less in 29% of cases in March 2001, but rose to 45% in 2005.

Depending on the jurisdiction, an additional 9% to 20% of cases had an elapsed time between payments of more than 1 to 3 months. This means that in total, the proportion of cases with arrears where a payment was received within the previous three months ranged from 54% in Ontario to 66% in Quebec and New Brunswick.

There are more difficult cases, those where a payment has not been made in over a year and those where no payment has ever been made. These cases, which accounted for 19% to 36% of the arrears cases,

might signal the loss of contact with the payor and therefore indicate that trace and locate activities have not been successful. These cases may also involve situations where there are limitations put on the possible enforcement actions, such as stays of enforcement or laws that limit the attachment and garnishment of wages (see Section 2.3).

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

### 4.3 Enforcement/Case closure

#### Enforcement actions

Maintenance enforcement programs can undertake a variety of actions to enforce current payments or existing arrears. There are two main categories of enforcement actions: administrative enforcement and court enforcement. Administrative enforcement by the MEP includes jurisdictional garnishment and attachment (of money owed to the payor) and MEP traces (attempts to find the payor using jurisdictional information banks). Court enforcement occurs before a judge and can include default and committal hearings.

Enforcement actions increase in intensity in response to more difficult cases and complex situations. As a matter of practice, administrative enforcement measures are exhausted early in the process, with the provincial/territorial avenues being taken first. In most jurisdictions, federal enforcement assistance, in the form of federal tracing, federal garnishment and federal license denial, are taken after most provincial/territorial avenues have been exhausted. If those mechanisms fail to generate payment, MEPs then have court enforcement activities as an option, and these are generally taken as a last resort.

As Table 19 shows, in 2004/2005, the two reporting provinces used different types of enforcement actions. In British Columbia, trying to find the payor or “tracing” was the most often performed administrative enforcement activity (31% of all administrative enforcement activities), followed by demand for payment and jurisdictional garnishments and attachments (both at 20%) whereas in Saskatchewan, demand for information (35% of actions) was the most frequently used administrative enforcement activity, followed by

tracing (24%) and jurisdictional garnishments and attachments (20%).

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

Data from the two reporting provinces indicate that very few court-based enforcement activities were undertaken. Court enforcement activities made up approximately 2% of all reported enforcement activities during 2004/2005 for Saskatchewan and British Columbia. Of the various kinds of court enforcement activities, default hearings were the most widely used in Saskatchewan. Activities that fell under the “other” category, which include issuing a warrant for arrest, appointing a trustee in bankruptcy, and issuing writs for seizure and sale, were more widely used in British Columbia.

Overall, the distribution of enforcement activities remained consistent with what was reported in previous years.

#### Case closure

As indicated in Section 4.1, MEP cases can be enrolled in the program for a short period of time or for many years. Eventually though, a case will be closed or terminated. There can be a number of reasons for the termination of a case within a maintenance enforcement program<sup>23</sup>. As shown in Table 20, there are provincial variations in these reasons. In 2004/2005, expiration of the support order accounted for 81% of case terminations in Quebec. In British Columbia, withdrawal by the program, withdrawal by either the recipient or payor, and expiration of the support order each accounted for about one-third of terminated cases.

23. The Maintenance Enforcement Survey does not count the activity of opting in or out of maintenance enforcement programs. Terminations are cases that terminated from the MEP during the fiscal year and did not re-enroll. See Section 2.5 for a description of jurisdictional MEP withdrawal policy.

## 4.4 Data Tables

Table 1

### Maintenance enforcement cases enrolled, by ISO (interjurisdictional support order) status, by fiscal year<sup>1</sup>

	Cases enrolled		Non-ISO	ISO-in	ISO-out
	No.	%			
<b>Prince Edward Island</b>					
2000/2001	..	..	..	..	..
2001/2002	2,223	100	83	12	5
2002/2003	2,424	100	84	11	5
2003/2004	2,571	100	85	11	4
2004/2005	2,568	100	85	11	4
<b>Nova Scotia</b>					
2000/2001	..	..	..	..	..
2001/2002	..	..	..	..	..
2002/2003	..	..	..	..	..
2003/2004	..	..	..	..	..
2004/2005	20,526	100	83	6	11
<b>Quebec<sup>2</sup></b>					
2000/2001	..	..	..	..	..
2001/2002	107,826	100	98	1	1
2002/2003	115,152	100	98	1	1
2003/2004	121,464	100	98	1	1
2004/2005	125,652	100	98	1	1
<b>Saskatchewan</b>					
2000/2001	10,065	100	67	14	19
2001/2002	9,690	100	68	13	19
2002/2003	9,483	100	68	13	19
2003/2004	9,663	100	68	13	19
2004/2005	9,675	100	67	13	19
<b>Alberta</b>					
2000/2001	47,412	100	75	14	11
2001/2002	50,541	100	75	15	10
2002/2003	53,322	100	75	15	10
2003/2004	51,978	100	76	15	10
2004/2005	..	..	..	..	..
<b>British Columbia</b>					
2000/2001	45,069	100	77	10	13
2001/2002	46,377	100	77	9	14
2002/2003	46,335	100	77	9	14
2003/2004	46,191	100	77	9	14
2004/2005	45,132	100	77	9	14
<b>Northwest Territories</b>					
2000/2001	..	..	..	..	..
2001/2002	..	..	..	..	..
2002/2003	..	..	..	..	..
2003/2004	..	..	..	..	..
2004/2005	858	100	47	30	23

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

- ISO refers to interjurisdictional support orders. The provinces and territories have enacted legislation to ensure that orders/agreements can be enforced beyond their borders. Non-ISO cases are typically cases where both parties live in the same province/territory. ISO-in cases are cases that the province/territory has been asked by another jurisdiction to enforce because the payor lives and/or has assets inside their borders. ISO-out cases are cases that the province/territory has sent to another jurisdiction for enforcement because the payor lives and/or has assets outside their borders. ISO was formerly referred to as Reciprocal Enforcement of Maintenance Orders (REMO) status.
- In Quebec, cases enrolled in the annual tables include direct payment cases. Direct payments are defined as payments made by the payor to the recipient which do not involve the maintenance enforcement program.

Source: Statistics Canada, Maintenance Enforcement Survey.



Table 2

Maintenance enforcement cases enrolled, April 2000 to March 2005<sup>1</sup>

	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Average <sup>2</sup>
<b>Prince Edward Island</b>													
2000/2001	1,764	1,767	1,794	1,812	1,827	1,851	1,866	1,890	1,899	1,908	1,920	..	<b>1,845</b>
2001/2002	1,938	1,962	1,980	2,010	2,022	2,028	2,043	2,058	2,067	2,082	2,094	2,106	<b>2,033</b>
2002/2003	2,118	2,142	2,154	..	2,193	2,205	2,211	2,244	2,271	2,280	2,289	2,307	<b>2,219</b>
2003/2004	2,319	2,340	2,343	2,364	2,364	2,400	2,418	2,424	2,442	2,430	2,451	2,460	<b>2,396</b>
2004/2005	2,481	2,481	2,499	2,508	2,343	2,349	2,364	2,394	2,400	2,430	2,439	2,457	<b>2,429</b>
<b>Nova Scotia</b>													
2000/2001	..	..	..	..	..	..	..	..	..	..	..	..	..
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	18,249	18,282	18,231	18,240	18,285	18,267	18,189	...
<b>New Brunswick</b>													
2000/2001	..	..	..	..	..	..	..	..	..	..	..	..	..
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	13,155	13,197	13,227	13,314	13,374	13,389	13,449	13,485	13,518	13,515	13,536	13,536	<b>13,391</b>
2004/2005	13,482	13,506	13,488	13,515	13,446	13,434	13,308	13,215	13,083	13,002	12,996	12,987	<b>13,289</b>
<b>Quebec</b>													
2000/2001	..	79,929	81,147	82,146	83,094	83,910	84,633	85,272	85,761	86,535	87,363	88,164	<b>84,359</b>
2001/2002	88,713	89,481	89,691	89,877	90,576	90,864	91,500	91,974	92,412	93,345	93,810	94,134	<b>91,365</b>
2002/2003	94,755	94,959	95,316	95,730	96,027	96,102	96,597	96,912	97,317	97,863	98,382	98,664	<b>96,552</b>
2003/2004	99,075	99,552	99,696	100,029	100,299	100,587	100,677	100,878	101,238	101,682	102,000	102,339	<b>100,671</b>
2004/2005	102,522	102,792	102,846	102,888	103,035	103,218	103,095	103,344	103,611	103,755	104,082	104,385	<b>103,298</b>
<b>Ontario</b>													
2000/2001	170,364	169,938	170,034	170,313	170,205	169,845	170,025	170,202	170,277	170,511	170,988	171,567	<b>170,356</b>
2001/2002	171,843	172,455	173,247	174,042	174,471	174,768	174,807	174,801	169,998	171,045	171,684	172,128	<b>172,941</b>
2002/2003	172,140	173,094	173,907	174,360	175,308	175,851	175,923	174,075	173,142	173,223	173,358	173,124	<b>173,959</b>
2003/2004	172,935	173,346	173,532	173,502	174,159	174,744	175,794	176,175	176,700	177,492	177,690	176,730	<b>175,233</b>
2004/2005	176,769	176,397	176,418	177,036	177,120	177,231	177,948	177,933	178,122	178,326	178,542	178,251	<b>177,508</b>
<b>Saskatchewan</b>													
2000/2001	8,028	8,028	8,019	8,058	8,142	8,133	8,115	8,124	8,133	8,130	8,094	8,124	<b>8,094</b>
2001/2002	8,070	8,058	8,085	8,061	7,992	8,004	7,953	7,917	7,905	7,887	7,836	7,854	<b>7,969</b>
2002/2003	7,863	7,809	7,803	7,821	7,791	7,788	7,800	7,767	7,746	7,758	7,614	7,686	<b>7,771</b>
2003/2004	7,680	7,725	7,752	7,758	7,809	7,818	7,866	7,827	7,824	7,857	7,854	7,848	<b>7,802</b>
2004/2005	7,800	..	7,809	7,860	7,908	7,893	7,848	7,887	7,875	7,875	7,863	7,791	<b>7,855</b>
<b>Alberta</b>													
2000/2001	42,624	42,465	42,483	42,018	41,823	41,667	41,628	41,553	41,592	41,688	42,129	42,300	<b>41,998</b>
2001/2002	42,264	42,327	42,597	43,008	44,088	44,643	44,892	44,880	44,964	45,270	45,294	45,507	<b>44,145</b>
2002/2003	45,651	45,942	45,915	46,122	46,035	46,326	46,854	46,992	47,715	48,039	48,123	48,240	<b>46,830</b>
2003/2004	48,327	48,189	48,201	47,565	47,424	47,181	46,695	46,515	45,981	45,627	46,122	46,986	<b>47,068</b>
2004/2005	..	..	..	..	..	..	..	..	..	..	..	..	..
<b>British Columbia</b>													
2000/2001	37,878	37,911	38,022	38,226	38,313	38,475	38,514	38,631	38,826	39,054	39,087	39,165	<b>38,509</b>
2001/2002	39,204	39,201	39,426	39,552	39,657	39,747	39,717	39,903	40,017	40,086	40,041	40,065	<b>39,718</b>
2002/2003	40,011	40,011	40,044	40,119	40,197	40,170	40,092	40,080	39,978	39,984	39,912	39,948	<b>40,046</b>
2003/2004	39,957	39,912	39,924	39,888	39,741	39,684	39,708	39,771	39,792	39,792	39,789	39,774	<b>39,811</b>
2004/2005	39,753	39,732	39,552	39,396	39,273	39,144	39,039	38,928	38,895	38,901	38,958	38,814	<b>39,199</b>
<b>Northwest Territories</b>													
2000/2001	..	..	..	..	..	..	..	..	..	..	..	..	..
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..	..	..	..	..	656	...

1. ISO-out cases are excluded.

2. The average monthly caseload for the year is calculated by taking the sum of the monthly figures and dividing by 12. In certain instances, monthly average caseload is calculated using 11 months of data if caseload data from one month is not available.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 3****Maintenance enforcement cases administered by new enrollments, re-enrollments or terminations/withdrawals by fiscal year<sup>1</sup>**

	Cases administered during fiscal year <sup>2</sup>	Cases					
		New enrolments		Re-enrolments <sup>3</sup>		Terminations <sup>4</sup>	
	No.	No.	%	No.	%	No.	%
<b>Quebec</b>							
2000/2001	..	..	..	..	..	..	..
2001/2002	<b>112,305</b>	16,797	15	759	1	5,757	5
2002/2003	<b>120,393</b>	15,834	13	921	1	6,618	5
2003/2004	<b>127,026</b>	14,490	11	987	1	7,023	6
2004/2005	<b>131,097</b>	12,969	10	900	1	7,029	5
<b>Saskatchewan</b>							
2000/2001	9,120	1,023	11	93	1	990	11
2001/2002	<b>8,931</b>	837	9	..	..	1,080	12
2002/2003	<b>8,643</b>	774	9	42	0	948	11
2003/2004	<b>8,808</b>	846	10	210	2	969	11
2004/2005	<b>8,910</b>	810	9	192	2	1,116	13
<b>British Columbia</b>							
2000/2001	<b>43,968</b>	5,949	14	567	1	4,809	11
2001/2002	<b>45,165</b>	5,751	13	567	1	5,100	11
2002/2003	<b>45,348</b>	4,869	11	603	1	5,409	12
2003/2004	<b>45,072</b>	4,593	10	678	2	5,298	12
2004/2005	<b>43,959</b>	3,654	8	609	1	5,151	12

1. ISO-out cases are excluded.
2. This is the number of cases enrolled for all or part of the fiscal year. This figure may be undercounted, as it does not include non-ISO cases that become ISO-outs during the year.
3. Re-enrolments are cases that were not enrolled in the MEP at the beginning of the fiscal year, but re-enrolled at some point during the year. Cases that were newly enrolled, withdrawn then re-enrolled all in the same year are categorized as re-enrolments only.
4. Terminations are cases that terminated or withdrew from the MEP during the fiscal year and did not re-enrol.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 4**  
**Maintenance enforcement cases enrolled, by length of enrolment, by fiscal year<sup>1</sup>**

	Total		Length of time enrolled (years)						
			≤1	>1 to 3	>3 to 5	>5 to 7	>7 to 10	>10 to 15	>15
	No.	%	Percentage of cases						
<b>Prince Edward Island</b>									
2000/2001	..	..	..	..	..	..	..	..	..
2001/2002	2,103	100	13	20	21	17	18	11	2
2002/2003	2,310	100	12	20	17	19	18	13	2
2003/2004	2,466	100	9	20	16	17	20	16	3
2004/2005	2,454	100	10	17	18	14	20	17	4
<b>Nova Scotia<sup>2</sup></b>									
2000/2001	..	..	..	..	..	..	..	..	..
2001/2002	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..
2004/2005	18,177	100	8	14	15	13	50	...	...
<b>Quebec<sup>2, 3</sup></b>									
2000/2001	..	..	..	..	..	..	..	..	..
2001/2002	106,551	100	16	39	32	13	...	...	...
2002/2003	113,775	100	14	30	31	25	...	...	...
2003/2004	120,003	100	12	25	29	24	10	...	...
2004/2005	124,068	100	11	22	23	25	19	...	...
<b>Saskatchewan<sup>4</sup></b>									
2000/2001	8,136	100	11	19	27	20	15	7	...
2001/2002	7,860	100	10	18	16	27	19	9	1
2002/2003	7,698	100	9	17	16	23	22	12	1
2003/2004	7,833	100	10	16	15	13	30	14	2
2004/2005	7,791	100	10	18	14	13	26	17	2
<b>British Columbia</b>									
2000/2001	39,156	100	15	27	20	13	15	11	...
2001/2002	40,065	100	14	24	20	15	13	14	...
2002/2003	39,954	100	11	23	20	16	14	16	...
2003/2004	39,783	100	11	20	19	16	16	17	1
2004/2005	38,814	100	9	19	18	17	18	15	3
<b>Northwest Territories</b>									
2000/2001	..	..	..	..	..	..	..	..	..
2001/2002	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..
2004/2005	660	100	15	19	20	13	17	14	1

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

1. ISO-out cases are excluded.
2. In Nova Scotia and Quebec, length of time enrolled will not exceed 9 years because in 1996 MEP information systems were implemented by the Nova Scotia Department of Justice and the Ministère du Revenu du Québec, and the date of enrolment for previously enrolled cases was set to 1996.
3. In Quebec, cases enrolled in the annual tables include direct payment cases. Direct payments are defined as payments made by the payor to the recipient which do not involve the maintenance enforcement program.
4. In Saskatchewan in 1997, an increase in staff, judges, and the introduction of the Child Support Guidelines may have increased the number of cases processed in that year. In 1999/2000, this corresponds with cases of 3 to 5 years duration with the maintenance enforcement program and, in 2003/2004, it corresponds with cases of 7 to 10 years duration.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 5****Maintenance enforcement cases enrolled, by authority of order/agreement and type of beneficiary, at March 31, 2005<sup>1</sup>**

Province and type of beneficiary:	Total		Authority of order/agreement							
			<i>Divorce Act</i>		Provincial order		Provincial agreement		Unknown	
	No.	%	No.	%	No.	%	No.	%	No.	%
<b>Nova Scotia<sup>2</sup></b>										
Children only	16,209	100	4,572	28	..	..	..	..	11,637	72
Spouse only	867	100	432	50	..	..	..	..	435	50
Spouse with children	819	100	522	64	..	..	..	..	297	36
Unknown	285	100	87	31	..	..	..	..	198	69
<b>Total</b>	<b>18,180</b>	<b>100</b>	<b>5,613</b>	<b>31</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>12,567</b>	<b>69</b>
<b>Saskatchewan</b>										
Children only	6,618	100	2,868	43	2,874	43	303	5	573	9
Spouse only	231	100	180	78	21	9	9	4	21	9
Spouse with children	375	100	285	76	60	16	6	2	24	6
Unknown	504	100	264	52	141	28	12	2	87	17
<b>Total</b>	<b>7,728</b>	<b>100</b>	<b>3,597</b>	<b>47</b>	<b>3,096</b>	<b>40</b>	<b>330</b>	<b>4</b>	<b>705</b>	<b>9</b>
<b>British Columbia</b>										
Children only	36,066	100	8,706	24	24,993	69	2,325	6	42	0
Spouse only	828	100	426	51	315	38	87	11	0	0
Spouse with children	1,791	100	708	40	942	53	141	8	0	0
Unknown	129	100	57	44	54	42	12	9	6	5
<b>Total</b>	<b>38,814</b>	<b>100</b>	<b>9,897</b>	<b>25</b>	<b>26,304</b>	<b>68</b>	<b>2,565</b>	<b>7</b>	<b>48</b>	<b>0</b>

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

1. ISO-out cases are excluded.

2. In Nova Scotia, separate figures for provincial orders and agreements are not available. The combined figure is included in unknown. Furthermore, the authority of the support order is unavailable for cases that do not have an active regular payment obligation.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 6**  
**Maintenance enforcement cases enrolled, by sex of payor and recipient, at March 31<sup>1</sup>**

	Cases enrolled	Total	Sex of payor and recipient		
			Male payor Female recipient	Female payor Male recipient	Unknown <sup>2</sup>
			No.	%	Percentage of cases
<b>Prince Edward Island</b>					
2001	..	..	..	..	..
2002	2,106	100	95	0	5
2003	2,307	100	95	0	5
2004	2,466	100	95	0	5
2005	2,457	100	91	0	9
<b>Nova Scotia</b>					
2001	..	..	..	..	..
2002	..	..	..	..	..
2003	..	..	..	..	..
2004	..	..	..	..	..
2005	18,177	100	96	3	1
<b>Saskatchewan</b>					
2001	8,130	100	98	1	1
2002	7,854	100	98	1	1
2003	7,695	100	98	2	1
2004	7,839	100	98	2	0
2005	7,791	100	98	2	0
<b>British Columbia</b>					
2001	39,162	100	97	2	1
2002	40,065	100	97	2	1
2003	39,942	100	97	2	1
2004	39,780	100	97	3	1
2005	38,811	100	97	3	1
<b>Northwest Territories</b>					
2001	..	..	..	..	..
2002	..	..	..	..	..
2003	..	..	..	..	..
2004	..	..	..	..	..
2005	654	100	89	4	7

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

1. ISO-out cases are excluded.

2. The "Unknown" category includes a small proportion of "Other" cases, which consists of male payor and male recipient, or female payor and female recipient.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 7****Maintenance enforcement cases enrolled, by median age of payor, recipient and children, at March 31<sup>1</sup>**

	Payor	Recipient	Children
	Median age (years)		
<b>Prince Edward Island</b>			
2001	..	..	..
2002	40	38	14
2003	41	39	14
2004	41	39	14
2005	41	38	14
<b>Nova Scotia</b>			
2001	..	..	..
2002	..	..	..
2003	..	..	..
2004	..	..	..
2005	41	39	14
<b>Saskatchewan<sup>2</sup></b>			
2001	40	38	13
2002	40	38	13
2003	41	38	14
2004	41	39	14
2005	41	39	14
<b>British Columbia</b>			
2001	41	38	12
2002	41	38	12
2003	41	39	13
2004	42	39	13
2005	42	40	13
<b>Northwest Territories</b>			
2001	..	..	..
2002	..	..	..
2003	..	..	..
2004	..	..	..
2005	39	36	13

1. ISO-out cases are excluded.

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

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 8**  
**Maintenance enforcement cases enrolled, by assignment status, at March 31<sup>1</sup>**

	Cases enrolled		Cases assigned <sup>2</sup>	
	No.		No.	%
<b>Prince Edward Island</b>				
2001	..		..	..
2002	2,106		324	15
2003	2,307		351	15
2004	2,460		336	14
2005	2,457		348	14
<b>Nova Scotia</b>				
2001	..		..	..
2002	..		..	..
2003	..		..	..
2004	..		..	..
2005	18,189		2,415	13
<b>New Brunswick</b>				
2001	..		..	..
2002	..		..	..
2003	..		..	..
2004	13,536		3,225	24
2005	12,987		2,967	23
<b>Quebec</b>				
2001	88,164		25,305	29
2002	94,134		24,162	26
2003	98,664		23,175	23
2004	102,339		22,650	22
2005	104,385		21,441	21
<b>Ontario</b>				
2001	171,567		19,563	11
2002	172,128		18,519	11
2003	173,124		17,520	10
2004	176,730		17,625	10
2005	178,251		16,965	10
<b>Saskatchewan</b>				
2001	8,124		543	7
2002	7,854		480	6
2003	7,686		396	5
2004	7,848		378	5
2005	7,791		366	5
<b>Alberta<sup>3</sup></b>				
2001	42,300		5,826	14
2002	45,507		3,474	8
2003	48,240		3,783	8
2004	46,986		4,638	10
2005	..		..	..
<b>British Columbia<sup>4</sup></b>				
2001	39,165		10,638	27
2002	40,065		10,524	26
2003	39,948		7,782	19
2004	39,774		6,435	16
2005	38,814		5,601	14

1. ISO-out cases are excluded.

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

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

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

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 9**  
**Maintenance enforcement cases enrolled, by regular monthly payment due, at March 31<sup>1</sup>**

	Total		Regular monthly payment due (\$)							
			0 <sup>2</sup>	1-200	201-400	401-600	601-800	801-1,000	1,001-2,000	over 2,000
	No.	%	Percentage of cases							
<b>Prince Edward Island</b>										
2001	..	..	..	..	..	..	..	..	..	..
2002	2,103	100	13	35	34	11	4	2	1	0
2003	2,295	100	11	35	36	12	3	1	1	1
2004	2,469	100	14	33	35	11	4	1	2	0
2005	2,463	100	14	33	35	11	4	1	2	0
<b>Nova Scotia</b>										
2001	..	..	..	..	..	..	..	..	..	..
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..	..	..
2005	18,183	100	10	43	27	11	4	2	2	1
<b>New Brunswick</b>										
2001	..	..	..	..	..	..	..	..	..	..
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	13,542	100	17	41	27	8	3	1	1	0
2005	12,981	100	16	40	28	9	3	2	2	0
<b>Quebec</b>										
2001	88,161	100	12	22	36	16	6	3	4	1
2002	94,131	100	12	22	36	16	6	3	4	1
2003	98,667	100	11	22	37	16	7	3	4	1
2004	102,336	100	10	21	37	17	7	3	4	1
2005	104,388	100	10	21	37	17	7	3	4	1
<b>Ontario</b>										
2001	171,567	100	21	26	26	13	6	3	4	1
2002	172,131	100	20	26	26	13	6	3	4	1
2003	173,118	100	20	25	27	13	6	3	4	1
2004	176,727	100	21	24	26	14	6	3	4	1
2005	178,251	100	23	22	26	13	6	3	4	1
<b>Saskatchewan</b>										
2001	8,121	100	12	35	31	13	5	2	2	0
2002	7,857	100	12	35	32	13	5	2	2	0
2003	7,701	100	12	34	31	14	5	2	2	0
2004	7,836	100	13	32	32	14	6	2	2	0
2005	7,785	100	13	31	32	15	5	2	2	0
<b>Alberta</b>										
2001	42,312	100	20	30	27	12	5	3	3	0
2002	45,504	100	25	27	26	12	5	3	3	0
2003	48,252	100	25	24	26	13	5	3	3	1
2004	46,977	100	30	22	24	12	5	3	3	1
2005	..	..	..	..	..	..	..	..	..	..
<b>British Columbia</b>										
2001	39,159	100	10	35	32	13	5	2	2	0
2002	40,065	100	10	34	32	13	5	3	3	1
2003	39,942	100	11	33	33	14	5	3	2	1
2004	39,774	100	12	31	33	14	5	3	2	1
2005	38,808	100	13	29	33	14	5	3	3	1
<b>Northwest Territories</b>										
2001	..	..	..	..	..	..	..	..	..	..
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..	..	..
2005	654	100	16	14	32	20	8	6	4	0

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

1. ISO-out cases are excluded.

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

Source: Statistics Canada, Maintenance Enforcement Survey.



**Table 10****Maintenance enforcement cases enrolled and regular monthly median payment due, by type of beneficiary, at March 31, 2005<sup>1</sup>**

	Nova Scotia		Saskatchewan		British Columbia		Northwest Territories <sup>2</sup>	
	Cases enrolled	Monthly median regular dollar amount due	Cases enrolled	Monthly median regular dollar amount due	Cases enrolled	Monthly median regular dollar amount due	Cases enrolled	Monthly median regular dollar amount due
	No.	\$	No.	\$	No.	\$	No.	\$
<b>Type of beneficiary:</b>								
One child	10,026	150	3,771	200	23,454	200	333	300
2 children	4,686	269	1,992	300	9,459	350	189	400
3 children or more	1,497	343	855	400	3,153	400	114	515
Spouse only	867	350	231	377	828	500	18	500
Spouse with one child	306	350	129	333	789	480	.	.
Spouse with 2 children	333	551	156	570	693	684	.	.
Spouse with 3 children or more	180	606	90	786	309	800	.	.
Other	6	190	0	...	0	...	0	...
Unknown	279	175	504	..	129	..	0	...
<b>Total</b>	<b>18,180</b>	<b>200</b>	<b>7,728</b>	<b>250</b>	<b>38,814</b>	<b>250</b>	<b>654</b>	<b>325</b>

1. ISO-out cases are excluded.

2. The Northwest Territories cannot distinguish between 'children only' cases and 'spouse and children' cases. Both types of cases are included in the 'children only' categories.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 11****Maintenance enforcement cases enrolled, by regular monthly payment due and proportion in compliance, at March 31<sup>1</sup>**

	Regular monthly payment due (\$)							
	Total	1-200	201-400	401-600	601-800	801-1,000	1,001-2,000	over 2,000
Percentage of cases in compliance								
<b>Prince Edward Island<sup>2</sup></b>								
2001	..	..	..	..	..	..	..	..
2002	53	39	50	48	56	75	60	67
2003	49	34	47	51	57	64	36	67
2004	55	43	50	55	58	50	36	50
2005	55	44	49	53	61	55	47	50
<b>Nova Scotia<sup>3</sup></b>								
2001	..	..	..	..	..	..	..	..
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..
2005	55	45	54	55	58	55	49	53
<b>New Brunswick</b>								
2001	..	..	..	..	..	..	..	..
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	61	48	56	62	60	61	66	44
2005	60	49	55	56	54	57	47	40
<b>Quebec<sup>4</sup></b>								
2001	75	63	71	79	81	84	83	79
2002	78	66	73	81	84	86	84	82
2003	79	68	75	81	85	86	85	83
2004	79	68	74	82	85	87	86	84
2005	78	67	73	81	84	86	85	85
<b>Ontario<sup>5</sup></b>								
2001	63	44	54	59	61	61	59	51
2002	60	41	51	56	58	59	56	45
2003	61	41	52	57	60	60	58	46
2004	63	42	54	60	62	65	61	51
2005	64	43	54	59	62	63	60	51
<b>Saskatchewan</b>								
2001	65	56	62	62	62	63	67	57
2002	63	54	62	61	56	63	54	60
2003	65	56	64	62	65	63	59	50
2004	67	59	64	67	62	62	68	83
2005	68	60	65	64	61	67	61	50
<b>Alberta</b>								
2001	62	48	53	56	57	57	54	49
2002	63	47	52	54	54	53	52	40
2003	66	47	55	58	62	64	66	72
2004	70	51	58	61	64	63	65	59
2005	..	..	..	..	..	..	..	..
<b>British Columbia<sup>3</sup></b>								
2001	61	53	58	59	59	58	55	47
2002	61	53	59	59	58	57	52	51
2003	60	51	57	59	58	56	53	53
2004	63	53	60	62	60	58	55	55
2005	65	55	61	63	61	60	56	56

**Table 11 – concluded****Maintenance enforcement cases enrolled, by regular monthly payment due and proportion in compliance, at March 31<sup>1</sup>**

	Regular monthly payment due (\$)							
	Total	1-200	201-400	401-600	601-800	801-1,000	1,001-2,000	over 2,000
Percentage of cases in compliance								
<b>Northwest Territories</b>								
2001	..	..	..	..	..	..	..	..
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..
2005	57	39	53	45	50	42	75	...

1. ISO-out cases are excluded. Regular payments are the ongoing amount ordered or agreed to. Compliance in this instance indicates that the regular amount expected in the month was received. The figure for compliance on total cases includes cases where no monthly payment is due. As cases with no payment in a month are coded as 100% compliant, the compliance for total cases may be higher than it would be if based solely on the numbers for the different payment categories shown in this table.
2. Prince Edward Island has a small number of cases. Consequently, a small change in the number of cases in compliance can result in a large change in the percentage of cases in compliance.
3. Nova Scotia and British Columbia maintain a policy of allowing direct payments to be made and received by their clientele throughout the case duration, and since most of these direct payments are not reported until after the survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.
4. In certain cases if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.
5. Ontario may have some cases that paid beyond month end that are included as having made a payment in the month.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 12****Maintenance enforcement cases in compliance with regular payments due, by type of beneficiary, at March 31, 2005<sup>1</sup>**

	Type of beneficiary								
	Children only			Spouse only			Spouse with children		
	Cases enrolled	Cases in compliance		Cases enrolled	Cases in compliance		Cases enrolled	Cases in compliance	
	No.	No.	%	No.	No.	%	No.	No.	%
Prince Edward Island	2,175	1,185	54	75	54	72	81	48	59
Nova Scotia <sup>2</sup>	16,209	8,751	54	870	600	69	819	465	57
New Brunswick	11,388	6,789	60	366	234	64	1,164	678	58
Saskatchewan	6,669	4,341	65	231	180	78	375	261	70
British Columbia <sup>2</sup>	36,060	23,310	65	834	594	71	1,788	1,008	56
Northwest Territories <sup>3</sup>	636	363	57	18	9	50	.	.	.

1. ISO-out cases are excluded. Compliance in this instance indicates that the regular amount expected in a month was received by the end of the month. "Other" and "Unknown" type of recipient categories are excluded.
2. Nova Scotia and British Columbia maintain a policy of allowing direct payments to be made and received by their clientele throughout the case duration, and since most of these direct payments are not reported until after the survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.
3. The Northwest Territories cannot distinguish between 'children only' cases and 'spouse and children' cases. Both types of cases are included in the 'children only' categories.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 13****Maintenance enforcement cases administered with a regular amount due, by amount due and received, by fiscal year<sup>1</sup>**

	Cases administered with a regular amount due <sup>2</sup>	Regular amount due	Regular amount received	%
	No.	millions \$	millions \$	
<b>Prince Edward Island</b>				
2000/2001	..	..	..	..
2001/2002	1,953	7.0	4.8	68
2002/2003	2,121	7.7	5.1	66
2003/2004	2,238	8.2	5.4	66
2004/2005	2,361	8.3	5.5	67
<b>Quebec<sup>3</sup></b>				
2000/2001	..	..	..	..
2001/2002	88,842	375.9	328.3	87
2002/2003	94,143	406.2	360.3	89
2003/2004	98,004	432.0	397.0	92
2004/2005	..	..	..	..
<b>Saskatchewan</b>				
2000/2001	8,571	30.5	23.8	78
2001/2002	8,265	30.0	23.6	79
2002/2003	8,022	29.5	23.2	79
2003/2004	7,995	30.2	23.5	78
2004/2005	7,953	32.3	24.7	77
<b>British Columbia<sup>4</sup></b>				
2000/2001	39,561	143.5	101.8	71
2001/2002	40,548	150.3	107.2	71
2002/2003	40,584	154.0	109.3	71
2003/2004	40,098	151.6	108.1	71
2004/2005	38,706	149.8	109.2	73

1. ISO-out cases are excluded. Cases administered include cases registered for at least part of the year, i.e. cases enrolled and cases terminated. The amount due represents the total regular amount due for the year.
2. Excludes those cases that only have other types of payments due (scheduled arrears, event-driven payments, and fees, costs and penalties).
3. In certain cases if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.
4. British Columbia maintains a policy of allowing direct payments to be made and received by its clientele throughout the case duration, and since most of these direct payments are not reported until after the survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 14****Maintenance enforcement cases enrolled, by compliance on regular monthly payments due, at month end<sup>1</sup>**

	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Percentage of cases in compliance												
<b>Prince Edward Island</b>												
2000/2001	53	57	54	56	51	52	53	53	50	51	53	..
2001/2002	51	54	54	52	51	53	53	54	50	52	48	53
2002/2003	55	53	54	..	51	52	50	53	49	50	52	49
2003/2004	55	52	52	52	50	52	51	52	51	53	51	55
2004/2005	50	54	51	52	56	53	55	55	53	54	55	55
<b>Nova Scotia<sup>2</sup></b>												
2000/2001	..	..	..	..	..	..	..	..	..	..	..	..
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	53	53	54	53	51	53	55
<b>New Brunswick</b>												
2000/2001	..	..	..	..	..	..	..	..	..	..	..	..
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	48	59	55	59	54	..	58	55	56	59	54	61
2004/2005	59	61	57	58	60	57	55	57	57	59	52	60
<b>Quebec<sup>3</sup></b>												
2000/2001	..	75	76	76	77	76	76	77	77	73	76	75
2001/2002	76	76	78	78	78	78	78	79	78	76	78	78
2002/2003	78	79	80	80	80	79	80	80	80	77	78	79
2003/2004	79	79	80	79	80	79	79	79	79	76	78	79
2004/2005	79	79	81	81	81	80	79	79	79	75	78	78
<b>Ontario<sup>4</sup></b>												
2000/2001	57	61	62	60	60	59	62	62	58	61	61	63
2001/2002	62	63	63	62	62	61	63	61	59	60	59	60
2002/2003	59	63	61	60	60	59	60	60	59	61	59	61
2003/2004	60	62	62	61	59	62	62	59	60	61	..	63
2004/2005	63	63	64	64	63	63	63	63	63	62	64	64
<b>Saskatchewan</b>												
2000/2001	62	68	63	65	64	63	65	54	62	63	64	65
2001/2002	63	66	65	66	64	62	66	65	64	62	63	63
2002/2003	68	67	63	65	63	64	65	65	63	64	64	65
2003/2004	67	65	64	66	60	63	65	61	65	60	61	67
2004/2005	67	..	66	64	65	65	65	67	65	64	63	68
<b>Alberta</b>												
2000/2001	55	62	60	57	60	57	60	61	54	60	61	62
2001/2002	61	62	60	63	63	61	64	61	60	62	61	63
2002/2003	64	63	62	64	63	63	65	65	65	63	67	66
2003/2004	68	66	66	68	64	67	66	65	66	66	66	70
2004/2005	..	..	..	..	..	..	..	..	..	..	..	..

**Table 14 – concluded****Maintenance enforcement cases enrolled, by compliance on regular monthly payments due, at month end<sup>1</sup>**

	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
	Percentage of cases in compliance											
<b>British Columbia<sup>2</sup></b>												
2000/2001	62	65	64	63	63	64	64	63	63	62	62	61
2001/2002	61	61	64	61	63	61	56	60	60	61	59	61
2002/2003	61	60	60	61	59	59	60	60	60	59	59	60
2003/2004	61	61	60	60	59	61	62	59	61	58	58	63
2004/2005	62	61	62	61	62	61	61	64	64	63	63	65
<b>Northwest Territories</b>												
2000/2001	..	..	..	..	..	..	..	..	..	..	..	..
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..	..	..	..	..	57

1. ISO-out cases are excluded. Regular payments are the ongoing amount ordered or agreed to. Compliance in this instance indicates that the regular amount expected in a month was received by the end of the month.
2. Nova Scotia and British Columbia maintain a policy of allowing direct payments to be made and received by their clientele throughout the case duration, and since most of these direct payments are not reported until after the survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.
3. In certain cases if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.
4. Ontario may have some cases that paid beyond month end that are included as having made a payment for the month.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 15****Maintenance enforcement cases enrolled, by arrears history and status, at March 31, 2005<sup>1</sup>**

		Prince Edward Island <sup>2</sup>		Nova Scotia		Quebec <sup>3</sup>		Saskatchewan		British Columbia	
		No.	%	No.	%	No.	%	No.	%	No.	%
<b>Status at entry:</b>	<b>Status at March 31, 2005:</b>										
No arrears at entry	No current arrears	117	5	3,651	20	33,024	27	1,560	20	6,288	16
	Arrears have increased	153	6	4,920	27	6,318	5	1,413	18	4,950	13
Entered with arrears	Arrears have increased	1,011	41	4,746	26	19,620	16	2,043	26	14,391	37
	Arrears have decreased	222	9	2,094	12	18,486	15	1,167	15	5,643	15
	Arrears remained constant	24	1	243	1	519	0	54	1	432	1
	Arrears have been paid off	282	11	2,448	13	42,672	34	1,554	20	7,110	18
Unknown		648	26	75	0	3,432	3	0	0	0	0
<b>Total</b>		<b>2,457</b>	<b>100</b>	<b>18,177</b>	<b>100</b>	<b>124,071</b>	<b>100</b>	<b>7,791</b>	<b>100</b>	<b>38,814</b>	<b>100</b>

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

1. ISO-out cases are excluded. At entry into a maintenance enforcement program, arrears status may be unknown until an accurate balance is produced. Therefore, some payors can actually be in arrears but be recorded as having no arrears.
2. Prince Edward Island has a high number of unknowns because of a change in its information system.
3. On November 1, 1996, the Ministère du Revenu implemented the information system of the maintenance enforcement program. When that happened, Quebec knew the amount of arrears due at the time, but could not establish the arrears status at entry for the cases registered before that date. These "unknown" cases account for approximately 3% of Quebec's caseload.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 16**  
**Maintenance enforcement cases with arrears, by amount owing, at March 31<sup>1</sup>**

	Cases enrolled		Cases with arrears		Arrears due
	No.	No.	%		millions \$
<b>Prince Edward Island</b>					
2001	..	..	..		..
2002	2,103	1,479	70		9.2
2003	2,295	1,635	71		10.8
2004	2,469	1,755	71		12.5
2005	2,457	1,716	70		11.6
<b>Nova Scotia<sup>2</sup></b>					
2001	..	..	..		..
2002	..	..	..		..
2003	..	..	..		..
2004	..	..	..		..
2005	18,189	11,997	66		82.3
<b>New Brunswick</b>					
2001	..	..	..		..
2002	..	..	..		..
2003	..	..	..		..
2004	13,542	9,924	73		39.2
2005	12,987	10,539	81		39.0
<b>Quebec</b>					
2001	88,161	46,272	52		300.9
2002	94,131	45,963	49		294.0
2003	98,667	46,695	47		288.5
2004	102,336	48,723	48		273.7
2005	104,385	45,387	43		285.3
<b>Ontario</b>					
2001	171,567	123,744	72		1,047.6
2002	172,131	129,693	75		1,129.9
2003	173,118	131,931	76		1,182.2
2004	176,727	132,654	75		1,192.0
2005	178,251	136,623	77		1,198.8
<b>Saskatchewan</b>					
2001	8,121	5,106	63		32.6
2002	7,857	4,725	60		31.3
2003	7,701	4,524	59		32.0
2004	7,836	4,674	60		34.4
2005	7,791	4,674	60		37.3
<b>Alberta</b>					
2001	42,312	26,064	62		226.9
2002	45,504	26,964	59		237.9
2003	48,252	27,015	56		248.0
2004	46,977	25,788	55		256.0
2005	..	..	..		..
<b>British Columbia<sup>2,3</sup></b>					
2001	39,159	25,680	66		241.7
2002	40,065	26,187	65		252.5
2003	39,942	26,433	66		261.0
2004	39,774	26,421	66		269.9
2005	38,814	25,410	65		277.5
<b>Northwest Territories</b>					
2001	..	..	..		..
2002	..	..	..		..
2003	..	..	..		..
2004	..	..	..		..
2005	654	525	80		6.5

1. ISO-out cases are excluded. Readers are cautioned against calculating an average per case amount of arrears. Some cases have tens or hundred of thousands of dollars of arrears, while others have a very small amount. The average will be influenced by these cases at either end of the range.
2. Nova Scotia and British Columbia maintain a policy of allowing direct payments to be made and received by their clientele throughout the case duration, and since most of these direct payments are not reported until after the survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.
3. In British Columbia, dollars due and received for interest have not been included.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 17**  
**Maintenance enforcement cases with arrears, by percentage received of regular monthly payment due, at March 31<sup>1</sup>**

	Total cases with arrears		Percentage received of regular monthly payment due (%)					
			0	1 to 25	26 to 50	51 to 75	76 to 99	100 and over
			Percentage of cases with arrears					
No.	%							
<b>Prince Edward Island</b>								
2001	..	..	..	..	..	..	..	..
2002	1,476	100	48	1	4	3	6	39
2003	1,629	100	50	1	8	3	5	33
2004	1,758	100	47	1	4	3	4	41
2005	1,722	100	47	1	4	2	6	40
<b>Nova Scotia<sup>2</sup></b>								
2001	..	..	..	..	..	..	..	..
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..
2005	11,997	100	57	0	2	2	3	36
<b>New Brunswick</b>								
2001	..	..	..	..	..	..	..	..
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	9,927	100	43	0	2	2	3	49
2005	10,533	100	37	1	3	3	4	52
<b>Quebec<sup>3</sup></b>								
2001	46,278	100	36	1	4	2	4	52
2002	45,963	100	34	1	4	2	4	54
2003	46,686	100	33	1	5	2	5	54
2004	48,726	100	30	1	5	3	6	55
2005	45,396	100	35	2	6	3	7	48
<b>Ontario</b>								
2001	123,732	100	40	1	2	3	5	48
2002	129,702	100	42	1	2	3	5	46
2003	131,931	100	41	1	2	3	5	48
2004	132,651	100	40	1	1	2	5	51
2005	136,623	100	37	1	2	2	5	53
<b>Saskatchewan</b>								
2001	5,106	..	..	..	..	..	..	..
2002	4,725	100	46	1	3	3	2	44
2003	4,521	100	46	1	2	2	3	45
2004	4,668	100	44	1	2	2	2	49
2005	4,677	100	43	1	2	3	2	50
<b>Alberta</b>								
2001	26,073	100	51	1	2	2	2	42
2002	26,964	100	51	1	2	2	2	41
2003	27,015	100	48	1	3	3	2	43
2004	25,788	100	45	1	3	2	2	47
2005	..	..	..	..	..	..	..	..
<b>British Columbia<sup>2</sup></b>								
2001	25,668	100	48	2	3	3	4	40
2002	26,181	100	48	2	4	3	4	40
2003	26,424	100	48	2	4	3	4	39
2004	26,424	100	45	2	3	3	4	44
2005	25,413	100	42	2	3	3	4	46



Table 17 – concluded

**Maintenance enforcement cases with arrears, by percentage received of regular monthly payment due, at March 31<sup>1</sup>**

	Total cases with arrears		Percentage received of regular monthly payment due (%)					100 and over
			0	1 to 25	26 to 50	51 to 75	76 to 99	
	No.	%	Percentage of cases with arrears					
<b>Northwest Territories</b>								
2001	..	..	..	..	..	..	..	..
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..
2005	522	100	44	0	2	2	2	49

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

1. ISO-out cases are excluded.
2. Nova Scotia and British Columbia maintain a policy of allowing direct payments to be made and received by their clientele throughout the case duration, and since most of these direct payments are not reported until after the survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.
3. In certain cases if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 18**  
**Maintenance enforcement cases with arrears, by elapsed time since last payment, at March 31<sup>1</sup>**

	Total cases with arrears		New cases in default ≤ 30 days since enrolment	Time since payment received (months)				No payments ever made		Un-known
				≤1	>1 to 3	>3 to 12	>12	Cases ≤ 12 months old	Cases >12 months old	
	No.	%	Percentage of cases with arrears							
<b>Prince Edward Island</b>										
2001	..	..	..	..	..	..	..	..	..	..
2002	1,479	100	1	44	11	11	19	3	10	0
2003	1,635	100	1	43	10	11	22	3	9	0
2004	1,755	100	1	44	9	10	24	3	9	0
2005	1,716	100	0	45	10	12	21	4	8	0
<b>New Brunswick</b>										
2001	..	..	..	..	..	..	..	..	..	..
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	9,924	100	0	46	14	11	17	1	11	0
2005	10,539	100	0	51	15	10	15	1	7	0
<b>Quebec<sup>2</sup></b>										
2001	46,272	100	2	45	13	16	8	5	11	0
2002	45,963	100	1	47	17	14	9	2	9	0
2003	46,695	100	1	56	11	14	10	2	6	0
2004	48,723	100	1	52	17	12	11	2	5	0
2005	45,387	100	1	46	20	14	12	2	5	0
<b>Ontario</b>										
2001	123,744	100	1	29	8	10	40	3	9	0
2002	129,693	100	0	30	10	10	37	4	9	0
2003	131,931	100	1	33	9	10	35	4	10	0
2004	132,654	100	0	36	8	10	33	4	10	0
2005	136,623	100	0	45	9	10	24	3	9	0
<b>Saskatchewan</b>										
2001	5,106	100	..	..	..	..	..	..	..	..
2002	4,725	100	0	44	19	16	13	4	3	0
2003	4,524	100	0	44	19	16	14	4	4	0
2004	4,674	100	0	46	17	16	14	4	3	0
2005	4,674	100	0	47	18	14	13	4	3	0
<b>Alberta<sup>3</sup></b>										
2001	26,064	100	...	37	26	12	16	5	4	0
2002	26,964	100	...	36	22	15	15	6	5	0
2003	27,015	100	...	42	19	15	15	4	4	0
2004	25,788	100	...	42	19	13	19	3	4	0
2005	..	..	..	..	..	..	..	..	..	..
<b>British Columbia<sup>4</sup></b>										
2001	25,680	100	1	35	23	17	15	5	5	0
2002	26,187	100	1	36	23	16	14	5	5	0
2003	26,433	100	1	37	22	16	15	4	5	0
2004	26,421	100	1	39	20	16	16	4	4	0
2005	25,410	100	1	41	19	15	16	4	4	0

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

1. ISO-out cases are excluded.
2. In certain cases if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.
3. Alberta policy allows 35 days following the completion of registration for the payor to make the first payment. Therefore, there will never be any cases less than 35 days old reported as in default.
4. British Columbia maintains a policy of allowing direct payments to be made and received by its clientele throughout the case duration, and since most of these direct payments are not reported until after the survey data are collected, a substantial number of payors are reported as not having paid, even though they actually have.

Source: Statistics Canada, Maintenance Enforcement Survey.

Table 19

Number and type of enforcement actions for maintenance enforcement cases administered, 2004/2005<sup>1</sup>

	Saskatchewan		British Columbia	
	No.	%	No.	%
<b>Administrative enforcement action:</b>				
Demand for payment	93	1	30,675	20
Demand for information	4,023	35	1,431	1
Maintenance enforcement plan trace	2,745	24	49,248	31
Jurisdictional garnishment and attachment	2,271	20	30,975	20
Voluntary payment arrangement	0	0	597	0
Credit Bureau reporting	0	0	7,290	5
Land registration	543	5	2,826	2
Personal property lien	0	0	2,808	2
Motor vehicle licence intervention	384	3	3,132	2
Writ of execution	57	0	0	0
Collection calls	0	0	0	0
Examination of payor	0	0	0	0
Interception of provincial funds	0	0	0	0
Order forfeiture of security	0	0	3	0
Other administrative enforcement actions	0	0	16,785	11
<b>Subtotal</b>	<b>10,116</b>	<b>87</b>	<b>145,770</b>	<b>93</b>
<b>Administrative action under federal legislation:</b>				
Federal trace (FOAEAA-Part I)	0	0	3	0
Interception of federal funds (FOAEAA-Part II)	1,464	13	8,604	5
Federal licence suspension (FOAEAA-Part III)	0	0	2,508	2
Federal garnishment (GAPDA)	6	0	27	0
<b>Subtotal</b>	<b>1,470</b>	<b>13</b>	<b>11,142</b>	<b>7</b>
<b>Total administrative actions</b>	<b>11,586</b>	<b>100</b>	<b>156,912</b>	<b>100</b>
<b>Court enforcement:</b>				
Default hearing	210	99	633	21
Committal hearing	3	1	165	5
Execution order	0	0	18	1
Register order against personal property	0	0	9	0
Appointment of receiver	0	0	3	0
Order to provide information	0	0	0	0
Other court enforcement activities <sup>2</sup>	0	0	2,235	73
<b>Total court enforcement actions</b>	<b>213</b>	<b>100</b>	<b>3,063</b>	<b>100</b>

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

1. ISO-out cases are excluded. Cases administered includes all cases registered for at least part of the year, i.e., cases enrolled and cases terminated. More than one action may be associated with the same case.
2. Other kinds of court enforcement activity include issuing a warrant for arrest, appointing a trustee in bankruptcy, and issuing writs for seizure and sale.

Source: Statistics Canada, Maintenance Enforcement Survey.

**Table 20**  
**Maintenance enforcement cases terminated, by reason for termination, by fiscal year<sup>1</sup>**

	Total cases terminated		Reason for termination				
			Withdrawal by recipient/payor	Order expired	Withdrawal by program	Death of either party	Other
	No.	%	Percentage of terminated cases				
<b>Quebec</b>							
2000/2001	..	..	..	..	..	..	..
2001/2002	5,757	100	23	68	2	3	3
2002/2003	6,615	100	24	68	3	3	2
2003/2004	7,023	100	14	78	3	3	1
2004/2005	7,029	100	11	81	3	4	1
<b>Saskatchewan<sup>2</sup></b>							
2000/2001	1,287	100	17	19	14	3	47
2001/2002	1,341	100	15	16	11	3	56
2002/2003	1,188	100	19	22	14	3	43
2003/2004	1,164	100	17	21	12	4	47
2004/2005	1,350	100	16	21	14	2	47
<b>Alberta</b>							
2000/2001	4,242	100	26	53	17	3	2
2001/2002	4,581	100	26	50	17	3	5
2002/2003	6,309	100	47	35	13	2	3
2003/2004	7,851	100	55	30	12	2	1
2004/2005	..	..	..	..	..	..	..
<b>British Columbia</b>							
2000/2001	5,541	100	34	30	34	2	0
2001/2002	5,934	100	32	31	35	2	0
2002/2003	6,303	100	34	30	34	2	0
2003/2004	6,159	100	33	32	33	2	0
2004/2005	5,931	100	30	33	35	2	0

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

1. Terminated cases include cases that were registered for at least part of the year.
2. In Saskatchewan, the "Other" category includes reasons for termination such as "transferred to other jurisdictions", "order replaced", "provisional order never confirmed" and "order successfully disputed".

Source: Statistics Canada, Maintenance Enforcement Survey.

## 5.0 Appendix A: Glossary of terms

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### Administrative survey

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

### Aggregate survey

This refers to a survey where information on individual cases is not collected, but where data are summarized, collected and reported for pre-defined categories. More specifically, computer interfaces map survey concepts to local system information and the data are then electronically extracted from the system in aggregate form.

### Appointment of receiver

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

### Arrears

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

It is possible for a case to have arrears and be in compliance with total expected payments at the same time. This would be the situation if the payor were making all the current payments due, including the scheduled arrears payment.

### Assignment status

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

### Authority for the order

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

### Beneficiary

The beneficiary is the person(s) entitled to the benefit of the support payment, and is named in the support order. The beneficiary may be children only, spouse only, or both. In a very small number of cases in some jurisdictions, the beneficiary may also be a parent of the payor.

### Cases enforced (cases administered)

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

## Cases enrolled

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

## Collection calls

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

## Committal hearing

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

## Compliance/default

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

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

## Credit Bureau reporting

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

## Default hearing

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

## Demand for information

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

## Demand for payment

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

## Direct payments

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

## Enforcement activity

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

- Administrative activities are those mechanisms employed by the MEP itself, and would include demands for information, jurisdictional garnishment and attachment and Credit Bureau reporting as examples.
- Quasi-judicial enforcement are activities undertaken by a master or court administrator, and may involve conducting a default hearing.
- Court-based enforcement involves court and judge time and is generally employed as a last resort. These tend to be more serious enforcement actions, involving default hearings, issuing of warrants, and default orders, and may culminate in fines or jail.

## Event-driven payments

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

## Examination of payor

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

## Execution order

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

## Family Orders and Agreements Enforcement Assistance Act (FOAEAA)

Under the three parts of the federal *Family Orders and Agreements Enforcement Assistance Act (FOAEAA)*, MEPs can access different services provided by the Family Law Assistance Service (FLAS) of the federal Department of Justice. Part I allows for requests to search various federal databanks to determine the location of the payor. Part II allows for the interception of federal money owing to a payor. This most frequently takes the form of intercepting an income tax refund. Part III allows the MEP to apply through FLAS to the applicable federal department to have federally-administered licenses revoked or denied. This encompasses passports and certain transport (aviation and marine) licenses.

### Federal garnishment

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

### Federal licence suspension

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

### Federal trace

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

## Garnishment, Attachment, and Pension Diversion Act (GAPDA)

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

### Garnishment and attachment

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

## Interception of federal funds

Under the *Family Orders and Agreements Enforcement Assistance Act (Part II)*, the maintenance enforcement program can intercept federal funds, such as income tax refunds, employment insurance benefits, old age security, Canada Pension Plan benefits, interest on regular Canada Savings Bonds, and selected Agriculture programs.

## Interception of provincial funds

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

## ISO status

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

- **Non-ISO cases**

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

- **ISO-in cases**

These are cases that the jurisdiction has been asked to enforce by another jurisdiction because the payor is known to reside and/or have assets in its jurisdiction.

- **ISO-out cases**

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

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

## Jurisdiction

This describes the province or territory.

## Jurisdictional garnishment

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

## Land registration

This refers to actions taken to encumber the sale of specific real estate. A support order may be registered in the Land Registry Office in the jurisdiction against the payor's land. Upon registration, both the ongoing support obligation and any arrears owing become a charge on the property. The charge may be enforced by sale of the land.

## Maintenance enforcement plan trace

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

## Microdata survey

This refers to a survey where information is extracted for each individual case. Summary data (mostly aggregations of the values for each case record) are produced at the CCJS.

## Motor vehicle license intervention

A motor vehicle license intervention may be placed in order to prevent the renewal of licenses (and in some jurisdictions, motor vehicle-related services) and/or suspension of driving privileges prior to satisfying the support obligation.

## Order forfeiture of security

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

## Order to provide information

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

## Payor

The payor is the person named in the order/agreement who provides the support payments. Some MEPs refer to the payor as the 'debtor'.

## Personal property lien

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

## Reason for termination

Cases will terminate or cease to be enrolled in a MEP for a variety of reasons. For example, orders expire as children age, the payor or recipient may die, or the recipient or payor may choose to withdraw from the program. In some instances the program may close the case depending upon its policy. For example, a MEP might close a case if the recipient cannot be located or if the recipient is accepting direct payments contrary to the program's policy.

## Recipient

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

## Register order against personal property

This refers to the registration of the maintenance order against property of the payor.

## Regular payments

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

## Total payments

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



**Voluntary payment arrangement**

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

**Writ of execution**

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

**Writ of seizure and sale**

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

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