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Child and Spousal Support: Maintenance Enforcement Survey Statistics, 2005/2006



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Child and Spousal Support: Maintenance Enforcement Survey Statistics, 2005/2006

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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^s value rounded to 0 (zero) where there is a meaningful distinction between true zero and the value that was rounded
- ^P preliminary
- ^r revised
- x suppressed to meet the confidentiality requirements of the *Statistics Act*
- ^E use with caution
- F too unreliable to be published

Table of contents

Highlights	6
1.0 Introduction	7
1.1 Background	7
1.2 Report overview	7
2.0 A description of maintenance enforcement services	8
2.1 Registration	8
2.2 Payment processing	8
2.3 Enforcement	9
2.4 Case closure	9
3.0 Survey results	11
3.1 Caseloads and their characteristics	11
3.2 Financial aspects of MEP caseload	14
3.3 Enforcement/case closure	18
3.4 Data tables	20
4.0 Methodology	45
4.1 Background	45
4.2 Data collection	45
4.3 Survey coverage	45
4.4 Reported timeframes	46
4.5 Data limitations	46
4.6 Confidentiality	47
5.0 Appendix A: Glossary of terms	48
6.0 Bibliography	53

Highlights

- Survey results indicate that Maintenance Enforcement Programs (MEPs), which assist in the collection and enforcement of spousal and child support payments, continue to operate primarily for the benefit of children. Of the cases registered with the programs in March 2006, over 90% included a support amount for children.¹
 - The average monthly caseload for 2005/2006 increased slightly from the previous fiscal year in four of the seven reporting jurisdictions, with increases ranging from 1% in Ontario up to 4% in Prince Edward Island. Three jurisdictions reported decreases in caseload, with the largest drop being 3% in New Brunswick.
 - For cases with a regular monthly payment, a large proportion involved a payment between \$1 and \$400, ranging from 43% in the Northwest Territories to 69% in Nova Scotia and New Brunswick. Less than 5% of cases required a monthly payment greater than \$1,000.
 - The majority of cases registered with a Maintenance Enforcement Program (MEP) are in compliance with their regular monthly payment. For the month of March 2006, the proportion of cases making their full payment ranged from 56% to 78%. In nearly all reporting provinces and territories, the percentage of cases in compliance has increased since March 2002.
 - During 2005/2006, reporting MEPs collected the majority of the money that was due in the form of regular monthly payments. Of the seven provinces and territories that provided these data, the percentage of the regular amount collected ranged from 61% in the Northwest Territories to 90% in Quebec. The amount collected by these jurisdictions for regular payments was \$604 million, much of it for the benefit of the children. This does not include amounts for other types of payments, particularly collection of arrears.
 - Many cases already have arrears when they first register with a MEP. In March 2006, this was true for between 46% and 72% of those cases enrolled in the MEPs in six provinces. However, many of these cases had either paid off or reduced the amount owing by the end of 2005/2006.
-
1. This is based on data from six jurisdictions. Overall for 2005/2006, 10 jurisdictions provided data for the survey. However, some results do not include all 10 survey respondents because the data were not available.

1.0 Introduction

1.1 Background

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

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 (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 Maintenance Enforcement Programs or to generalize the results to all support orders in Canada.

1.2 Report overview

This report, the sixth annual release, presents results from two surveys: the Maintenance Enforcement Survey (MES) and the Survey of Maintenance Enforcement Programs (SMEP). These two surveys collect standardized, national information about the caseload, case characteristics and client characteristics for cases enrolled in MEPs across Canada.

The MES, the older survey, collects aggregated data in the form of pre-defined tables, so opportunities for further manipulation of the data are limited. The SMEP collects microdata on each individual case, meaning the analytical potential of the data is greatly enhanced. The SMEP is currently being implemented and will eventually replace the MES. For now, the data are being aggregated and presented according to the MES format.

The results discussed in this report comprise child and spousal support data for 10 provinces and territories. Prince Edward Island, New Brunswick, Quebec, Ontario, Saskatchewan, and British Columbia provide MES data, while Nova Scotia, Alberta, Yukon and the Northwest Territories report data through the new SMEP. The report provides an analysis of the characteristics of cases that are registered with the maintenance enforcement programs in these 10 provinces and territories and highlights changes that have occurred over the five-year period covered by the report.

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 these jurisdictional differences.

2.1 Registration

All support recipients with an enforceable court order or agreement² 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.

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.³ In many jurisdictions, the payor has to agree to the withdrawal. This request can be denied if the recipient is collecting social assistance.⁴

Seven jurisdictions, including Prince Edward Island, Saskatchewan, Alberta, British Columbia, Yukon, the Northwest Territories and Nunavut have an “opt-in” program, whereby registration is at the option of either the recipient or payor. The only exception is cases where the recipient is entitled to social assistance, in which case enrolment is mandatory.

“Opt-in” jurisdictions tend to have a higher proportion of difficult cases, meaning cases already

having arrears when they first register, or where there has been some difficulty in securing payments. Conversely, “opt-out” jurisdictions tend to have relatively more cases to administer and enforce because all new court orders and agreements in the jurisdiction are automatically enrolled.

2.2 Payment processing

Much of the visible activity of MEPs involves the processing and disbursement of payments to recipients. In most jurisdictions, payors can make payments by cheque, money order, credit card, telephone or Internet banking, or by pre-authorized payment. 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.

Eight MEPs use a “pay-to” system to process payments; 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. The remaining jurisdictions use a combination of “pay-to” and “pay-through”. The “pay-through” approach refers to a system where payors forward their payment to the MEP; the MEP records the payment and forwards it to the recipient.

2. Domestic contracts that meet jurisdictional requirements for enforcement include paternity agreements and separation agreements filed in court.
3. Data on the number of individuals who opt out of programs are not available.
4. Provinces and territories treat child support as income and deduct it in whole or in part from social assistance benefits to which recipients would be otherwise entitled.

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 seek legal advice. One option that might be considered is 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 process that intensifies with the complexity of the case. This is particularly true when it is clear that the payor has the means to make payments, but refuses. In the situation where the payor cannot afford further payments, many MEPs will not increase the intensity of the enforcement actions.

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. 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 federal government provides assistance to the enforcement efforts of the MEPs. The Family Law Assistance Services Section of the federal Department of Justice provides access to federal databases for searching for payors,⁵ and allows for the interception of federal funds⁶ and the denial/suspension 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 MEPs operate 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%.

Deterrent penalties and service fees have been introduced by MEPs in Nova Scotia, Quebec, Ontario, Saskatchewan, Alberta, and British Columbia. Examples of these penalties include the following:

- Nova Scotia charges penalties and fees for NSF cheques, the issuance of a garnishment, and the revocation of motor vehicle privilege. There is also an annual administrative default fee of \$213.
- In Quebec, the MEP charges for NSF cheques and applies collection charges for unpaid demands for payment.
- Deterrent penalties and service fees are being phased-in in Alberta. In the first phase, beginning November 2005, three penalties were introduced: a default penalty for late or missed payments, a penalty for NSF items and a penalty for failure to file a Statement of Finances.
- British Columbia introduced a default fee in 1998/1999. Each year the payor is charged the equivalent of one month's maintenance, to a maximum of \$400, upon the second default of the year.

These types of provincial/territorial variations must be considered when assessing the information compiled in this report.⁷

2.4 Case closure

Conditions for withdrawal from a program vary 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.

Payors can also withdraw from the program, but under limited circumstances. In particular, 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, Yukon and the Northwest

5. Databases at the Canada Revenue Agency and Human Resources and Skills Development Canada (HRSDC) can be searched for a payor's address, as well as their employer's name and address.

6. 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.

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

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 having the MEP administer their case. 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 Survey results

3.1 Caseloads and their characteristics

Cases, consisting of payors, recipients, and court-ordered or voluntarily agreed support obligations are managed by MEPs. The MES and the SMEP count 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).⁸ 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 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. Because ISO-out cases are cases that have been sent to another jurisdiction for monitoring and enforcement, they are excluded from all but two of the publication tables (Table 1 and Table 20). This avoids double counting of cases.

Maintenance enforcement cases by ISO status, for the eight provinces and territories that report these data, are presented in Table 1. In 2005/2006, MEP cases requiring day-to-day enforcement responsibilities (non-ISO and ISO-in cases) comprised the majority of cases, accounting for 72% of cases in Yukon, up to 99% of cases

in Quebec. MEPs in the western provinces and the territories reported larger proportions of interjurisdictional support order cases (ISO-in and ISO-out cases), with figures ranging from 23% in British Columbia to 56% in Yukon.

MEP caseload

The number of cases enrolled in a maintenance enforcement program can vary slightly from one month to the next. In 2005/2006, there were swings in enrolment of between 1% and 3% in some jurisdictions in some months, but in general, monthly caseload was stable in most provinces and territories (Table 2).⁹

In comparison to the year before, caseload in maintenance enforcement programs increased in four out of seven provinces and territories in 2005/2006 (Table 2).¹⁰ Prince Edward Island had the largest increase, with average monthly caseload rising 4%. Quebec, Ontario and Yukon showed smaller increases.

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

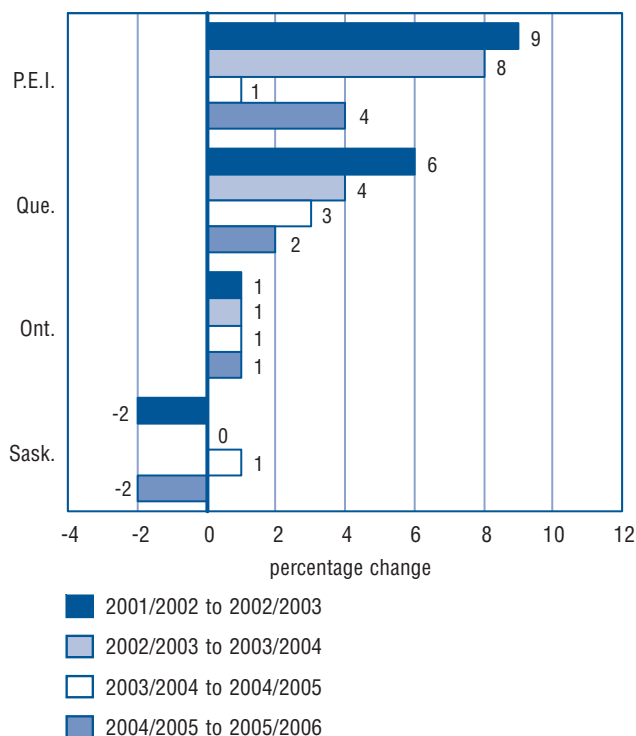
9. The reader should note that as a result of the random rounding methodology, some small differences can be expected in corresponding values among various tables. Tables with corresponding values for the total number of maintenance enforcement cases enrolled (excluding ISO-out cases) on March 31, 2006 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, 2006 are: Tables 16, 17 and 18. In these tables, total cases enrolled may vary slightly between tables due to the random rounding methodology.

10. 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 are not available.

For the remaining three reporting provinces, average monthly caseload was down 2% to 3% in 2005/2006.

While Table 2 indicates a decline in the caseload for British Columbia, as explained in more detail in Section 4.3, these counts do not include all cases that are being enforced. There are cases where the payor owes money to the provincial government for failure to make support payments. If these cases were included, British Columbia's average monthly caseload would show an increase of 1% from 45,635 in 2004/2005 to 46,222 in 2005/2006.

Figure 1
Percentage change in the average number of maintenance enforcement cases enrolled, 2001/2002 to 2005/2006



Notes: 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 and for Saskatchewan for 2004/2005 is based on 11 months of data.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey.

Over the four-year period between 2001/2002 and 2005/2006, the year-over-year growth in average monthly caseload slowed in Quebec but remained constant in Ontario (Figure 1). Prince Edward Island has experienced growth each year and is the only

jurisdiction where the growth rate in average monthly caseload was higher in 2005/2006 than in 2004/2005. In Saskatchewan, there is no consistent pattern in the caseload trend which fluctuates yearly.

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. Based on results from the three jurisdictions that provided data for the four-year period between 2001/2002 and 2005/2006, it appears that the number of new enrolments is declining (Table 3).¹¹ In British Columbia there were 4,107 new enrolments in 2005/2006, compared to 5,751 in 2001/2002 (-29%). Similarly, Quebec had a decline of 22% and Saskatchewan a decline of 18%. Despite these findings, new enrolments continue to account for about one-tenth of cases administered each year.

Unlike new enrolments, the number of terminations over the five-year period has remained level in Saskatchewan and British Columbia and increased in Quebec. The overall result of these changes has been that over the last two or three years, the number of cases being terminated has exceeded the number of cases being added to the caseload in Saskatchewan and British Columbia. Quebec has continued to gain more cases than it loses, but at a slower rate.

As indicated earlier, the number of cases registered with the MEPs is fairly stable from one month to the next, varying by less than 4%. However, this figure masks the considerable change that takes place in the composition of the MEP caseload. In Quebec, for example, there were 14,130 new or re-enrolled cases added to the caseload in 2005/2006, while 7,746 cases were closed. Combined, these cases represent 21% of Quebec's average monthly caseload. The results were similar for other MEPs, ranging from 25% for Saskatchewan to 38% for Yukon. Thus MEPs administer many more cases than indicated by their monthly enrolment figures (Tables 2 and 3).

Length of enrolment

In March 2006, in all but one reporting jurisdiction, over half of the cases enrolled had been registered in the MEP for more than 5 years (Table 4). Nova Scotia had the

11. As cases in opt-out jurisdictions are automatically enrolled from the court, these jurisdictions should have a higher number of new enrolments relative to opt-in jurisdictions, where the recipients have to voluntarily enrol their cases in the MEP. Furthermore, year-to-year change in new enrolments should be more stable for opt-out jurisdictions. Quebec is an opt-out jurisdiction; Saskatchewan and British Columbia are opt-in jurisdictions.

highest proportion, with 64% of cases. Northwest Territories was the exception with under half (46%) of its cases registered for more than 5 years.

These figures are, in part, a function of the length of time that the maintenance enforcement programs have been established in each province. As of March 2006, the programs have been in place for 10 years in Nova Scotia and Quebec, 18 years in Prince Edward Island, British Columbia and the Northwest Territories, 19 years in Yukon and 20 years in Saskatchewan and Alberta.

As the MEPs' time in operation has lengthened, the proportion of older MEP cases has grown. In 2005/2006, for example, cases enrolled for more than 10 years accounted for 23% of enrolled cases in Saskatchewan and Prince Edward Island, up from 2001/2002 figures of 10% and 13%, respectively.

Source of orders and type of beneficiary¹²

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.

Most MEP cases have support obligations that are the result of either federal or provincial orders, rather than provincial agreements.¹³ In March 2006, the proportion of cases based on provincial agreements was 10% or less in the four reporting jurisdictions (Saskatchewan, Alberta, British Columbia, and Yukon) (Table 5). As for the remaining 90% of cases, Saskatchewan and Alberta had a fairly even split between support cases arising from orders under the *Divorce Act* and orders under provincial legislation, whereas in British Columbia and Yukon a considerably larger proportion of cases were under a provincial order.

These results vary depending on who is the beneficiary of the support payments. Cases where children alone are the recipients of support heavily influence the overall findings, as this type of case accounts for the majority of cases in all reporting jurisdictions. 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 Alberta, for example, 87% of spouse with children cases and 91% of spouse

only cases were under the *Divorce Act* compared with a figure of 41% for cases where the beneficiaries were children only.

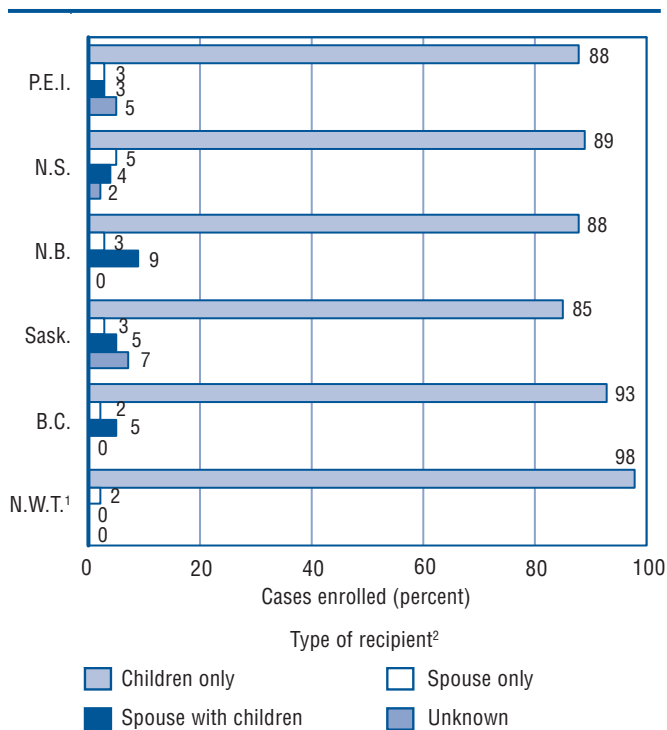
Characteristics of recipients, payors and children

Survey data indicate that MEPs operate primarily for the benefit of children. Of the cases registered with the reporting provinces on March 31, 2006, the large majority included a support amount for children, ranging from 90% of the caseload in Saskatchewan to 98% for British Columbia and the Northwest Territories. A more detailed breakdown of these numbers in Figure 2 shows that the proportion of cases involving support solely for children ranged from 85% 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 and the Northwest Territories to 5% in Nova Scotia. These proportions remained almost unchanged from the previous year.

Survey results continue to indicate that in the large majority of cases, the recipient is a female and the payor is a male. On March 31, 2006, this was true for at least 91% of the cases in the six reporting provinces and territories (Nova Scotia, Saskatchewan, Alberta, British Columbia, Yukon, and the Northwest Territories) (Table 6). The figure for Prince Edward Island was lower at 87%, but there was a high proportion of unknowns (13%).

12. 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.
13. 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, or were never married, 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.

Figure 2
Maintenance enforcement cases enrolled, by type of recipient, at March 31, 2006



1. In the Northwest Territories, spouse and children cases are included under the children only category.
2. The “Unknown” type of recipient category includes a very small proportion of “Other” type of recipient cases.

Notes: Figures may not total 100% due to rounding. ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

The median¹⁴ age of payors, recipients and children is fairly consistent for all seven provinces and territories. On March 31, 2006, the median age for recipients ranged from 37 years in the Northwest Territories to 40 years in Prince Edward Island and British Columbia (Table 7). For payors, the median age varied from 40 years in the Northwest Territories to 43 years in British Columbia and in Yukon. Payors tended to be older than recipients, which is not unexpected given the fact that the majority of cases have male payors and female recipients and men tend to be older than their spouses (Clark and Crompton 2006). Depending on the jurisdiction, the median age for children ranged between 13 and 15 years. The median ages for payors, recipients and children have gradually increased over the last five years in Prince Edward Island, Saskatchewan and British Columbia. Again, 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 reduced dollar for dollar based on the amount of the child support payments. 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 and the SMEP use the term “assignment status” to describe 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 social assistance payments 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 should be noted that not all persons receiving social assistance are required to assign their support payments to the government.

The proportion of assigned MEP cases varies from province to province. As of March 31, 2006, the percentage of assigned cases ranged from 4% in Saskatchewan to 23% in New Brunswick (Table 8). The proportion of assigned cases has decreased from its level in previous years in all jurisdictions providing multiple years of data, except in Nova Scotia. For 2003 at least, 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).

3.2 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 a court order or an agreement that has been 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”.

14. 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.

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 2006, in the 10 reporting provinces and territories, a large proportion of cases, ranging from 43% in Northwest Territories to 69% in Nova Scotia and New Brunswick, involved a regular monthly payment between \$1 and \$400. The proportion of cases involving a monthly payment amount above \$1,000 ranged from 2% to 5%. This pattern is consistent over the previous four 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 2006, Nova Scotia had the lowest median monthly regular payment due at \$200, while the Northwest Territories had the highest (\$350). 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 \$286 in Yukon. This amount increased gradually as the number of children covered in the support order increased. In particular for cases with 3 or more children, the median rose to \$360 in Nova Scotia and \$545 in Yukon. With some minor exceptions, 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 the median payment due, as median regular payment for spouse only cases was higher than most or all of the children only categories in all reporting jurisdictions.

From 2001/2002 to 2005/2006, the monthly median regular amount due remained the same or increased in the three reporting jurisdictions. More specifically, from 2001/2002 to 2005/2006 the median amount due for all types of beneficiary increased by 3% in Prince Edward Island (from \$219 to \$225), 11% in Saskatchewan (from \$225 to \$250) and remained constant in British Columbia at \$250.

Compliance

There are many ways of examining compliance, and consequently many definitions in use. However, timeliness and sufficiency of payment are 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 15th, can pay late, but still be considered by the survey to be in compliance if the money is received by the last day of the month. Conversely, if a payment is due on the 30th of the month and is received one day past month-end, the case is considered in default for that month.

Compliance is also based on 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 2006. The figures ranged from 56% of cases in Nova Scotia to 78% of cases in Quebec. As with all the survey results, jurisdictional practices have an impact on these

figures. For example, Nova Scotia¹⁵ (as well as British Columbia and Yukon) permits direct payments, a policy which has the effect of lowering compliance rates, while Quebec¹⁶ legislation allows the MEP to provide an advance to the recipient in certain situations, a policy which has the effect of raising compliance rates.

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. One possible explanation could be that higher support amounts generally indicate greater income and employment stability, thus an increased likelihood that the paying parent may be 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. In March 2006, in each reporting jurisdiction, compliance was highest for cases with spouse only beneficiaries. Compliance on spouse only cases ranged from 60% in Yukon to 81% in Saskatchewan. Conversely, compliance rates for children only cases were lower: from 55% in Nova Scotia to 66% in Saskatchewan.

The MES monthly compliance rate does not consider whether partial payments have been made. However, the survey does measure, on an annual basis, the dollar amounts that were paid as a proportion of the amounts due for all cases that were enrolled at some point during the year. During 2005/2006, MEPs in the seven provinces and territories reporting these data were successful in collecting approximately 80% of the regular dollars due (Table 13). This amounted to a total of \$604 million. Figures for collections for individual jurisdictions ranged from 61% for regular amounts due in the Northwest Territories to 90% for Quebec. Over the most recent five-year period the proportion of regular amounts collected to amounts due appears to be up slightly in most reporting jurisdictions.

Compliance varies from one month to the next. The 60 month view of compliance presented in Table 14 provides some sense of this. During the 2005/2006 fiscal year, in individual jurisdictions, compliance increased or decreased by as much as 13 percentage points from one month to the next. This variation really only

tells part of the story. It is likely that many more individual cases are regularly falling in and out of compliance, contrary to what would appear to be the case from the overall compliance figures. 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.

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.

The majority of cases that enrol with a MEP have a history of payment problems prior to registration. Of the cases enrolled on March 31, 2006, the figures varied from 46% of cases in Alberta to 72% of cases in British Columbia that entered the program with arrears (Table 15).¹⁷ However, by the end of the 2005/2006 fiscal year, a large proportion of these cases (from 46% in British Columbia to 74% in Quebec) had either reduced or eliminated the outstanding amount owed.

15. Nova Scotia, British Columbia and Yukon 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.
16. 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.
17. The figures for Prince Edward Island are not comparable as the arrears status at entry was not known for 24% of cases.

For cases that entered the MEP without arrears, many also had no arrears on March 31, 2006. This included anywhere from 34% of cases in Alberta to 83% in Quebec.

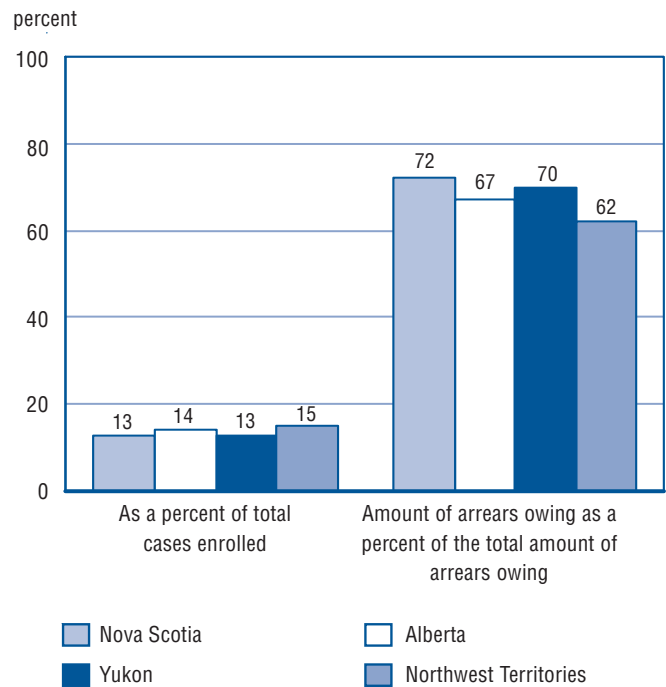
Table 16 presents counts for MEP cases with arrears, as well as the amount of those arrears. Some cases may account for tens or hundreds of thousands of dollars in arrears, and others will have very modest amounts due. As such, it is not appropriate to calculate an average amount of arrears per case. In March 2006, the proportion of MEP caseload having arrears ranged from 45% in Quebec to 85% in New Brunswick.

The proportion of cases with arrears has remained stable over the last five years for most reporting provinces and territories, in particular Prince Edward Island, Saskatchewan and British Columbia. Quebec and Ontario have, however, experienced declines. In Quebec the proportion of cases with arrears fell from 49% in March 2002 to 45% in March 2006. The comparable figures for Ontario were 75% and 72%, respectively.

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. One exception in 2006 was Ontario which had a decline of 7% in the number of cases with arrears and a 1% decline in the total amount of arrears.

As indicated earlier, a small percentage of cases can account for a large proportion of arrears. This is evident from data now available from the Survey of Maintenance Enforcement Programs. Cases with arrears on March 31, 2006 were ranked according to the amount of arrears and then divided into 10 groups with an equal number of cases per group. In the four jurisdictions reporting data to the SMEP, 10% of the cases with arrears accounted for between 40% and 53% of total arrears owing (Figure 3). An additional 10% of cases accounted for a further 20% of arrears. Thus, in Nova Scotia, 20% of cases with arrears accounted for 72% of total arrears, representing \$61.0 million. In Alberta, it was 67% of arrears, or \$258.9 million. Comparable figures for Yukon were 70% of arrears and \$2.5 million, while for Northwest Territories it was 62% of total arrears and \$4.1 million. In terms of the overall caseload, these 20% of cases with arrears represented an even smaller portion of the total caseload, making up 15% or less of total cases registered in the four reporting jurisdictions.

Figure 3
Cases with most arrears owing on March 31, 2006



Notes: ISO-out cases are excluded.
Cases with arrears on March 31, 2006, are ranked from lowest to highest amount of arrears owing. This chart shows the top 20% of cases in terms of amount of arrears owing.
Source: Statistics Canada, Canadian Centre for Justice Statistics, Survey of Maintenance Enforcement Programs.

Completeness and timeliness of payments

When examining cases with arrears by the percentage received of the regular monthly amount due, survey data indicate that cases tend to fall into two extremes: cases that make their payment in full and cases that make no payment at all. In March 2006, of those cases that had arrears, between 36% (Nova Scotia) and 60% (Alberta) of cases made their regular monthly payment in full, whereas between 33% (Quebec) and 56% (Nova Scotia) made no payment at all. Over the last five years, some provinces have seen an increase in compliance for cases having arrears, as indicated by the increase in the proportion of cases paying 100% or more of the regular March payment (Table 17).

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 amount of time that has elapsed since the last payment was received for those cases with arrears. As shown in Table 18, in March 2006, a payment had been made within the month for anywhere from 31% of cases (Ontario) to 55% (New Brunswick and Alberta). In Quebec, Saskatchewan and British Columbia, the proportion of cases having made a payment in the last month was higher than it was 5 years earlier. For example, in British Columbia, in March 2006, 41% of cases with arrears had made a payment in the last month compared to 36% of cases in March 2002.

Depending on the jurisdiction, 7% to 19% of cases with arrears had an elapsed time between payments of more than 1 to 3 months. Overall, the proportion of cases with arrears where a payment was received within the previous three months ranged from 39% in Ontario to 70% in New Brunswick.

Cases where a payment has not been made in over a year and those where no payment has ever been made are more difficult cases. These cases, which accounted for 18% to 49% of the arrears cases, might signal the loss of contact with the payor and therefore indicate that trace and locate activities have not been successful. These cases may also involve situations where there are limitations put on the 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.

3.3 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. This is particularly true when it is clear that the payor has the ability to pay but refuses. 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 2005/2006, the six reporting provinces and territories applied different types of enforcement actions. In Nova Scotia, demand for payment was the most frequently used administrative action at 30%. Demand for information accounted for 36% of actions in Yukon and 31% in Saskatchewan. In Alberta and British Columbia, trying to find the payor or “tracing” was the most often performed administrative enforcement activity (20% and 32% respectively). Finally, jurisdictional garnishments and attachments was the most frequently used administrative enforcement activity in the Northwest Territories during the 2005/2006 fiscal year.

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 aviation or marine license) and federal garnishment of salaries and pensions. In all jurisdictions except Northwest Territories, interception of federal funds was the most widely used administrative action under federal legislation. For example, it accounted for 28% of actions in Nova Scotia. In Northwest Territories, federal licence suspension was used more often.

Very few court-based enforcement activities were undertaken, generally less than 5% of enforcement actions. Of the various kinds of court enforcement activities, default hearings were the most widely used in Saskatchewan and the Northwest Territories. 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 Alberta and British Columbia.

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

Case closure

As indicated in Section 3.1, 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.¹⁸ As shown in Table 20, there are provincial variations in these reasons. In 2005/2006, expiration of the support order accounted for 81% of case terminations in Quebec and for 38% in the Northwest Territories. In

Nova Scotia and Alberta, close to half (45% and 46% respectively) of the reasons for case termination were withdrawal by programs.¹⁹ In Saskatchewan and British Columbia, withdrawal by the program, withdrawal by either the recipient or payor, and expiration of the support order each accounted for approximately the same proportion of closures—about one-fifth of terminated cases in Saskatchewan and one-third in British Columbia.

-
18. 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-enrol. See Section 2.5 for a description of jurisdictional MEP withdrawal policy.
19. Reasons for withdrawal by the MEP can include: withdrawn by or transferred to another jurisdiction, recipient accepting direct payments, and location of recipient or payor unknown.

3.4 Data tables

Table 1

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

	Cases enrolled		Non-ISO	ISO-in	ISO-out
	number	percent			
Prince Edward Island					
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
2005/2006	2,676	100	85	11	4
Nova Scotia					
2001/2002	..	..	..	..	..
2002/2003	..	..	..	..	..
2003/2004	..	..	..	..	..
2004/2005	20,526	100	83	6	11
2005/2006	20,580	100	82	6	12
Quebec¹					
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
2005/2006	129,390	100	98	1	1
Saskatchewan					
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
2005/2006	9,366	100	69	13	19
Alberta					
2001/2002	..	..	..	..	..
2002/2003	..	..	..	..	..
2003/2004	..	..	..	..	..
2004/2005	..	..	..	..	..
2005/2006	50,271	100	75	16	9
British Columbia					
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
2005/2006	44,544	100	77	9	14
Yukon					
2001/2002	..	..	..	..	..
2002/2003	..	..	..	..	..
2003/2004	591	100	39	32	29
2004/2005	603	100	40	32	28
2005/2006	582	100	44	28	28
Northwest Territories					
2001/2002	..	..	..	..	..
2002/2003	..	..	..	..	..
2003/2004	..	..	..	..	..
2004/2005	855	100	47	29	24
2005/2006	816	100	50	27	23

1. 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.

Notes: 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.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 2
Maintenance enforcement cases enrolled, April 2001 to March 2006

	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Average ¹
Prince Edward Island													
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	2,033
2002/2003	2,118	2,142	2,154	..	2,193	2,205	2,211	2,244	2,271	2,280	2,289	2,307	2,219
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	2,396
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	2,429
2005/2006	2,469	2,511	2,502	2,523	2,547	2,514	2,547	2,535	2,565	2,550	2,559	2,571	2,533
Nova Scotia													
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	18,249	18,282	18,231	18,240	18,285	18,267	18,189	..
2005/2006	18,228	18,207	18,204	18,171	18,207	18,207	18,225	18,204	18,132	18,144	18,183	18,177	18,191
New Brunswick													
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	13,391
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	13,289
2005/2006	12,972	12,936	12,912	12,909	12,873	12,876	12,846	12,840	12,831	12,855	12,840	12,807	12,875
Quebec													
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	91,365
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	96,552
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	100,671
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	103,298
2005/2006	104,670	104,847	105,063	105,270	105,600	105,669	105,735	105,861	106,122	106,230	106,425	106,227	105,643
Ontario													
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	172,941
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	173,959
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	175,233
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	177,508
2005/2006	178,662	178,680	179,154	179,517	179,838	180,090	180,429	180,942	180,966	181,032	180,192	175,005	179,542
Saskatchewan													
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	7,969
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	7,771
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	7,802
2004/2005	7,800	..	7,809	7,860	7,908	7,893	7,848	7,887	7,875	7,875	7,863	7,791	7,855
2005/2006	7,767	7,740	7,773	7,761	7,794	7,737	7,752	7,725	7,770	7,737	7,653	7,635	7,737
Alberta													
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..	..	..	..	..	..	..
2005/2006	46,578	47,043	47,607	46,977	46,170	46,143	46,125	46,107	46,110	46,083	46,062	45,963	46,414
British Columbia													
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	39,718
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	40,046
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	39,811
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	39,199
2005/2006	38,712	38,661	38,637	38,601	38,532	38,514	38,460	38,493	38,499	38,496	38,394	38,355	38,530
Yukon													
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	414	423	429	423	429	432	420	432	432	426	426	420	426
2004/2005	420	408	414	432	423	414	411	417	420	426	438	438	422
2005/2006	432	429	438	444	435	432	423	426	423	423	414	423	429
Northwest Territories													
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..	..	..	..	..	..	..
2005/2006	645	648	642	648	639	642	636	636	636	627	621	627	637

1. 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 are not available.

Note: ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 3

Maintenance enforcement cases administered, by new enrollments, re-enrollments or terminations/withdrawals, by fiscal year

	Cases administered during fiscal year ¹	Cases					
		New enrollments		Re-enrollments ²		Terminations ³	
	number	number	percent	number	percent	number	percent
Nova Scotia							
2001/2002	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..
2005/2006	20,718	2,166	10	612	3	2,547	12
Quebec							
2001/2002	112,305	16,797	15	759	1	5,757	5
2002/2003	120,393	15,834	13	921	1	6,618	5
2003/2004	127,026	14,490	11	987	1	7,023	6
2004/2005	131,097	12,969	10	900	1	7,029	5
2005/2006	135,606	13,149	10	981	1	7,746	6
Saskatchewan							
2001/2002	8,931	837	9	..	..	1,080	12
2002/2003	8,643	774	9	42	0	948	11
2003/2004	8,808	846	10	210	2	969	11
2004/2005	8,910	810	9	192	2	1,116	13
2005/2006	8,724	684	8	192	2	1,095	13
British Columbia							
2001/2002	45,165	5,751	13	567	1	5,100	11
2002/2003	45,348	4,869	11	603	1	5,409	12
2003/2004	45,072	4,593	10	678	2	5,298	12
2004/2005	43,959	3,654	8	609	1	5,151	12
2005/2006	43,455	4,107	9	642	1	5,109	12
Yukon							
2001/2002	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..
2003/2004	483	54	11	21	4	66	14
2004/2005	507	72	14	27	5	72	14
2005/2006	504	57	11	21	4	84	17
Northwest Territories							
2001/2002	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..
2005/2006	714	78	11	12	2	87	12

1. 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.

2. Re-enrollments 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-enrollments only.

3. Terminations are cases that terminated or withdrew from the MEP during the fiscal year and did not re-enrol.

Note: ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 4
Maintenance enforcement cases enrolled, by length of enrolment, by fiscal year

	Total		Length of time enrolled (years)						
			≤1	>1 to 3	>3 to 5	>5 to 7	>7 to 10	>10 to 15	>15
	number	percent	percentage of cases						
Prince Edward Island									
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
2005/2006	2,553	100	8	17	17	14	21	18	5
Nova Scotia									
2001/2002	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..
2004/2005	18,174	100	8	14	15	13	50	..	..
2005/2006	18,177	100	8	14	13	13	23	28	..
Quebec^{1,2}									
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	..	..
2005/2006	127,860	100	10	20	20	23	27	..	..
Saskatchewan³									
2001/2002	7,860	100	10	18	16	27	19	9	1
2002/2003	7,695	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
2005/2006	7,620	100	8	19	13	13	24	20	3
Alberta									
2001/2002	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..	..	..
2005/2006	45,969	100	9	17	15	12	17	21	10
British Columbia									
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
2005/2006	38,349	100	10	17	16	16	20	16	5
Yukon									
2001/2002	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..
2003/2004	414	100	12	16	19	16	20	17	..
2004/2005	435	100	14	16	16	16	20	19	..
2005/2006	417	100	10	20	13	16	19	17	5
Northwest Territories									
2001/2002	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..
2004/2005	657	100	15	20	19	14	17	13	1
2005/2006	630	100	12	23	19	15	15	15	1

1. In Quebec, length of time enrolled does not exceed 10 years because the MEP information system was implemented by the Ministère du Revenu du Québec in 1996, and the date of enrolment for previously enrolled cases was set to 1996.
2. 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.
3. 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 2001/2002, this corresponds with cases of 5 to 7 years duration with the maintenance enforcement program and, in 2003/2004, it corresponds with cases of 7 to 10 years duration.

Notes: Percentages may not total 100% due to rounding.
 ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 5

Maintenance enforcement cases enrolled, by authority of order/agreement and type of beneficiary, at March 31, 2006

Province and type of beneficiary:	Total		Authority of order/agreement							
			Divorce Act		Provincial order		Provincial agreement		Unknown	
	number	percent	number	percent	number	percent	number	percent	number	percent
Nova Scotia¹										
Children only	16,242	100	4,530	28	.	.	.	.	11,712	72
Spouse only	864	100	432	50	.	.	.	.	432	50
Spouse with children	780	100	501	64	.	.	.	.	279	36
Unknown	279	100	81	29	.	.	.	.	198	71
Total	18,165	100	5,544	31	.	.	.	.	12,621	69
Saskatchewan										
Children only	6,501	100	2,730	42	2,895	45	339	5	537	8
Spouse only	213	100	159	75	21	10	9	4	24	11
Spouse with children	366	100	285	78	57	16	6	2	18	5
Unknown	546	100	267	49	153	28	21	4	105	19
Total	7,626	100	3,441	45	3,126	41	375	5	684	9
Alberta										
Children only	34,611	100	14,106	41	15,741	45	4,764	14	0	0
Spouse only	1,053	100	960	91	93	9	0	0	0	0
Spouse with children	894	100	774	87	114	13	6	1	0	0
Unknown	9,417	100	102	1	42	0	9	0	9,264	98
Total	45,975	100	15,942	35	15,990	35	4,779	10	9,264	20
British Columbia										
Children only	35,625	100	8,259	23	24,945	70	2,382	7	39	0
Spouse only	849	100	432	51	324	38	93	11	0	0
Spouse with children	1,761	100	690	39	927	53	144	8	0	0
Unknown	108	100	57	53	42	39	6	6	3	3
Total	38,343	100	9,438	25	26,238	68	2,625	7	42	0
Yukon										
Children only	312	100	90	29	207	66	15	5	0	0
Spouse only	12	100	9	75	3	25	0	0	0	0
Spouse with children	6	100	3	50	0	0	50	50	0	0
Unknown	93	100	9	10	30	32	3	3	51	55
Total	423	100	111	26	240	57	5	5	51	12

1. 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.

Notes: Percentages may not total 100% due to rounding.
ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 6
Maintenance enforcement cases enrolled, by sex of payor and recipient, at March 31

	Cases enrolled		Sex of payor and recipient		
			Male payor female recipient	Female payor male recipient	Unknown ¹
	number	percent	percentage of cases		
Prince Edward Island					
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
2006	2,571	100	87	0	13
Nova Scotia					
2002	..	..	..	..	..
2003	..	..	..	..	..
2004	..	..	..	..	..
2005	18,177	100	96	3	1
2006	18,171	100	96	3	1
Saskatchewan					
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
2006	7,629	100	98	2	0
Alberta					
2002	..	..	..	..	..
2003	..	..	..	..	..
2004	..	..	..	..	..
2005	..	..	..	..	..
2006	45,972	100	96	3	1
British Columbia					
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
2006	38,349	100	96	3	1
Yukon					
2002	..	..	..	..	..
2003	..	..	..	..	..
2004	417	100	97	2	1
2005	438	100	97	3	1
2006	423	100	96	3	1
Northwest Territories					
2002	..	..	..	..	..
2003	..	..	..	..	..
2004	..	..	..	..	..
2005	654	100	90	4	6
2006	630	100	91	3	6

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

Notes: Percentages may not total 100% due to rounding.
 ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 7**Maintenance enforcement cases enrolled, by median age of payor, recipient and children, at March 31**

	Payor	Recipient	Children
	median age (years)		
Prince Edward Island			
2002	40	38	14
2003	41	39	14
2004	41	39	14
2005	41	38	14
2006	42	40	15
Nova Scotia			
2002	..	..	..
2003	..	..	..
2004	..	..	..
2005	41	39	14
2006	42	39	14
Saskatchewan¹			
2002	40	38	13
2003	41	38	14
2004	41	39	14
2005	41	39	14
2006	42	39	14
Alberta			
2002	..	..	..
2003	..	..	..
2004	..	..	..
2005	..	..	..
2006	41	38	13
British Columbia			
2002	41	38	12
2003	41	39	13
2004	42	39	13
2005	42	40	13
2006	43	40	13
Yukon			
2002	..	..	..
2003	..	..	..
2004	42	38	13
2005	43	38	13
2006	43	39	13
Northwest Territories			
2002	..	..	..
2003	..	..	..
2004	..	..	..
2005	39	36	13
2006	40	37	14

1. 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.

Note: ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 8
Maintenance enforcement cases enrolled, by assignment status, at March 31

	Cases enrolled		Cases assigned ¹	
	number		number	percent
Prince Edward Island				
2002	2,106		324	15
2003	2,307		351	15
2004	2,460		336	14
2005	2,457		348	14
2006	2,571		348	14
Nova Scotia				
2002	..		..	..
2003	..		..	..
2004	..		..	..
2005	18,189		2,415	13
2006	18,177		2,394	13
New Brunswick				
2002	..		..	..
2003	..		..	..
2004	13,536		3,225	24
2005	12,987		2,967	23
2006	12,807		2,913	23
Quebec				
2002	94,134		24,162	26
2003	98,664		23,175	23
2004	102,339		22,650	22
2005	104,385		21,441	21
2006	106,227		20,223	19
Ontario				
2002	172,128		18,519	11
2003	173,124		17,520	10
2004	176,730		17,625	10
2005	178,251		16,965	10
2006	175,005		16,356	9
Saskatchewan				
2002	7,854		480	6
2003	7,686		396	5
2004	7,848		378	5
2005	7,791		366	5
2006	7,635		315	4
Alberta				
2002	..		..	..
2003	..		..	..
2004	..		..	..
2005	..		..	..
2006	45,963		2,649	6
British Columbia²				
2002	40,065		10,524	26
2003	39,948		7,782	19
2004	39,774		6,435	16
2005	38,814		5,601	14
2006	38,355		5,205	14

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

2. 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.

Note: ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 9

Maintenance enforcement cases enrolled, by regular monthly payment due, at March 31

	Total		Regular monthly payment due (dollars)							
			0 ¹	1 to 200	201 to 400	401 to 600	601 to 800	801 to 1,000	1,001 to 2,000	over 2,000
Prince Edward Island										
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
2006	2,571	100	16	31	34	12	4	2	2	0
Nova Scotia										
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..	..	..
2005	18,183	100	10	43	27	11	4	2	2	1
2006	18,171	100	11	41	28	11	4	2	2	1
New Brunswick										
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
2006	12,816	100	15	40	29	10	3	1	2	1
Quebec										
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
2006	106,227	100	9	20	37	18	8	3	4	1
Ontario										
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
2006	175,005	100	23	22	27	14	6	3	4	1
Saskatchewan										
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
2006	7,635	100	13	29	32	15	6	3	2	0
Alberta										
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..	..	..
2005	..	..	..	..	..	..	..	..	..	..
2006	45,963	100	19	24	30	14	6	3	3	1
British Columbia										
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
2006	38,343	100	13	28	33	14	5	3	3	1
Yukon										
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	423	100	11	23	34	19	5	4	3	1
2005	441	100	12	26	36	18	3	3	2	1
2006	414	100	12	22	38	18	4	2	3	0

Table 9**Maintenance enforcement cases enrolled, by regular monthly payment due, at March 31 (continued)**

	Total		Regular monthly payment due (dollars)							
			0 ¹	1 to 200	201 to 400	401 to 600	601 to 800	801 to 1,000	1,001 to 2,000	over 2,000
	number	percent	percentage of cases							
Northwest Territories										
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..	..	..
2005	654	100	16	14	32	20	8	6	4	0
2006	636	100	14	11	32	24	9	5	5	0

1. 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.

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

ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 10

Maintenance enforcement cases enrolled and regular monthly median payment due, by type of beneficiary, at March 31, 2006

	Total	Type of beneficiary								
		One child	2 children	3 children or more	Spouse only	Spouse with one child	Spouse with 2 children	Spouse with 3 children or more	Other	Unknown
Prince Edward Island										
Cases enrolled (number)	2,568	1,332	678	261	75	39	36	9	0	138
Monthly median regular amount due (dollars)	225	200	300	300	500	250	500	469	...	206
Nova Scotia										
Cases enrolled (number)	18,165	10,098	4,707	1,437	864	285	324	171	3	276
Monthly median regular amount due (dollars)	200	150	283	360	350	374	600	717	195	200
Saskatchewan										
Cases enrolled (number)	7,626	3,726	1,941	834	213	129	156	81	0	546
Monthly median regular amount due (dollars)	250	205	311	416	400	350	600	735	...	..
Alberta										
Cases enrolled (number)	45,975	22,482	9,387	2,742	1,053	330	384	180	0	9,417
Monthly median regular amount due (dollars)	250	250	440	559	500	930	1,250	1,683	...	..
British Columbia										
Cases enrolled (number)	38,343	23,355	9,138	3,132	849	753	684	324	0	108
Monthly median regular amount due (dollars)	250	202	359	400	500	786	700	800	...	..
Yukon										
Cases enrolled (number)	423	213	75	24	12	6	0	0	0	93
Monthly median regular amount due (dollars)	300	286	400	545	200	888	0	0	...	..
Northwest Territories¹										
Cases enrolled (number)	630	339	165	114	12	.	.	.	0	0
Monthly median regular amount due (dollars)	350	300	406	515	633	.	.	.	...	...

1. 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.

Note: ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 11

Maintenance enforcement cases enrolled, by regular monthly payment due and proportion in compliance, at March 31

	Regular monthly payment due (dollars)							
	Total	1 to 200	201 to 400	401 to 600	601 to 800	801 to 1,000	1,001 to 2,000	over 2,000
	percentage of cases in compliance							
Prince Edward Island								
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
2006	58	44	51	57	61	50	47	...
Nova Scotia¹								
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..
2005	55	45	54	55	58	55	49	53
2006	56	44	54	57	58	53	53	51
New Brunswick								
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	61	48	56	62	60	61	66	44
2005	60	49	55	56	54	57	47	40
2006	62	52	58	59	62	58	55	27
Quebec²								
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
2006	78	68	74	81	84	87	86	83
Ontario³								
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
2006	66	47	56	62	64	66	63	54
Saskatchewan								
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
2006	69	60	67	67	62	64	64	56
Alberta								
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..
2005	..	..	..	..	..	..	..	..
2006	70	59	66	61	63	66	62	59
British Columbia¹								
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
2006	65	55	61	62	61	61	55	55
Yukon								
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	62	50	54	67	43	83	50	100
2005	65	53	62	62	50	50	100	100
2006	60	48	55	60	50	67	75	...

Table 11

Maintenance enforcement cases enrolled, by regular monthly payment due and proportion in compliance, at March 31 (continued)

	Regular monthly payment due (dollars)							percentage of cases in compliance
	Total	1 to 200	201 to 400	401 to 600	601 to 800	801 to 1,000	1,001 to 2,000	
Northwest Territories								
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..
2005	57	39	53	45	50	42	75	...
2006	61	54	54	56	47	40	73	...

1. 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.
2. In certain cases, if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.
3. Ontario may have some cases that paid beyond month end that are included as having made a payment in the month.

Notes: 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.

Source: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 12

Maintenance enforcement cases in compliance with regular payments due, by type of beneficiary, at March 31, 2006

	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	
	number	number	percent	number	number	percent	number	number	percent
Prince Edward Island	2,274	1,293	57	72	54	75	87	54	62
Nova Scotia ¹	16,245	8,865	55	861	600	70	777	462	59
New Brunswick	11,217	6,957	62	384	261	68	1,164	702	60
Saskatchewan	6,504	4,320	66	216	174	81	366	246	67
Alberta	34,596	21,768	63	1,053	759	72	894	462	52
British Columbia ¹	35,625	23,112	65	849	588	69	1,764	987	56
Yukon ¹	306	174	57	15	9	60	3	0	0
Northwest Territories ²	621	375	60	15	12	80	.	.	.

1. Nova Scotia, British Columbia and Yukon 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.
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.

Notes: ISO-out cases are excluded.

Regular payments are the ongoing amount ordered or agreed to. Compliance indicates that the regular amount expected in a month was received in full by the end of the month. "Other" and "Unknown" type of recipient categories are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 13

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

	Cases administered with a regular amount due ¹	Regular amount due	Regular amount received	
	number	millions of dollars	millions of dollars	percent
Prince Edward Island				
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
2005/2006	2,271	8.4	5.6	66
Nova Scotia				
2001/2002	..	..	..	..
2002/2003	..	..	..	..
2003/2004	..	..	..	..
2004/2005	..	..	..	..
2005/2006	18,879	62.9	39.3	62
Quebec²				
2001/2002	88,842	375.9	328.3	87
2002/2003	94,143	406.2	360.3	89
2003/2004	..	..	..	..
2004/2005	100,359	453.5	407.6	90
2005/2006	102,915	470.7	421.5	90
Saskatchewan				
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
2005/2006	7,863	31.6	25.4	80
British Columbia³				
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
2005/2006	37,809	148.9	109.1	73
Yukon				
2001/2002	..	..	..	..
2002/2003	..	..	..	..
2003/2004	444	1.8	1.1	63
2004/2005	450	1.7	1.2	68
2005/2006	450	1.7	1.2	70
Northwest Territories				
2001/2002	..	..	..	..
2002/2003	..	..	..	..
2003/2004	..	..	..	..
2004/2005	..	..	..	..
2005/2006	645	3.1	1.9	61

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

Notes: 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.

Sources: Statistics Canada, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 14

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

	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
	percentage of cases in compliance											
Prince Edward Island												
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
2005/2006	54	56	53	53	54	53	53	52	53	54	55	58
Nova Scotia¹												
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	53	53	54	53	51	53	55
2005/2006	54	56	55	53	54	53	53	55	52	54	53	56
New Brunswick												
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
2005/2006	58	63	58	59	61	59	60	56	58	62	59	62
Quebec²												
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
2005/2006	78	79	80	80	80	80	78	80	79	75	77	78
Ontario³												
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
2005/2006	65	65	66	64	65	65	65	66	65	65	64	66
Saskatchewan												
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	66	64	65	65	65	67	65	64	63	68
2005/2006	68	67	68	61	67	66	66	67	66	63	65	69
Alberta												
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..	..	..	..	..	..
2005/2006	58	59	59	57	58	58	58	61	59	61	61	70
British Columbia¹												
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
2005/2006	65	63	64	62	63	63	63	63	62	63	63	65
Yukon												
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	59	59	58	59	55	58	59	54	59	54	55	62
2004/2005	60	61	60	62	60	60	57	61	58	56	59	65
2005/2006	62	64	64	56	63	60	59	59	61	56	57	60

Table 14**Maintenance enforcement cases enrolled, by compliance on regular monthly payments due, at month end (continued)**

	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
	percentage of cases in compliance											
Northwest Territories												
2001/2002	..	..	..	..	..	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..	..	..	..	..	57
2005/2006	56	60	47	51	56	57	52	56	49	57	54	61

1. 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.
2. In certain cases if the program is certain to recover the sum from the payor, Quebec legislation allows for the MEP to provide an advance to the recipient to help ensure regularity of payments. Advances are considered to be support payments and must be repaid by the payor.
3. Ontario may have some cases that paid beyond month end that are included as having made a payment for the month.

Notes: ISO-out cases are excluded.

Regular payments are the ongoing amount ordered or agreed to. Compliance indicates that the regular amount expected in a month was received in full by the end of the month.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 15

Maintenance enforcement cases enrolled, by arrears history and status, at March 31, 2006

	Total	Status at entry						Unknown
		No arrears at entry		Entered with arrears				
		No current arrears	Arrears have increased	Arrears have been paid off	Arrears have decreased	Arrears remained constant	Arrears have increased	
Prince Edward Island¹								
Cases enrolled (number)	2,568	129	153	327	222	36	1,080	621
Cases enrolled (percent)	100	5	6	13	9	1	42	24
Nova Scotia								
Cases enrolled (number)	18,171	3,696	4,704	2,661	2,142	246	4,578	144
Cases enrolled (percent)	100	20	26	15	12	1	25	1
Quebec²								
Cases enrolled (number)	127,857	35,253	6,975	42,003	19,389	528	20,517	3,192
Cases enrolled (percent)	100	28	5	33	15	0	16	2
Saskatchewan								
Cases enrolled (number)	7,629	1,518	1,284	1,596	1,179	45	2,007	0
Cases enrolled (percent)	100	20	17	21	15	1	26	0
Alberta								
Cases enrolled (number)	45,975	8,598	16,395	5,355	4,947	105	10,575	0
Cases enrolled (percent)	100	19	36	12	11	0	23	0
British Columbia								
Cases enrolled (number)	38,349	5,931	4,794	7,341	5,475	513	14,295	0
Cases enrolled (percent)	100	15	13	19	14	1	37	0

1. Prince Edward Island has a high number of unknowns because of a change in its information system.

2. 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. 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.

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

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.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 16
Maintenance enforcement cases with arrears, by amount owing, at March 31

	Cases enrolled		Cases with arrears		Arrears due
	number	number	percent	number	millions of dollars
Prince Edward Island					
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	2,463	1,716	70		11.6
2006	2,571	1,767	69		13.4
Nova Scotia¹					
2002	..	..	..		..
2003	..	..	..		..
2004	..	..	..		..
2005	18,183	12,009	66		82.3
2006	18,171	11,661	64		85.1
New Brunswick					
2002	..	..	..		..
2003	..	..	..		..
2004	13,542	9,924	73		39.2
2005	12,981	10,539	81		39.0
2006	12,816	10,917	85		40.3
Quebec					
2002	94,131	45,963	49		294.0
2003	98,667	46,695	47		278.5
2004	102,336	48,723	48		283.7
2005	104,388	45,387	43		285.3
2006	106,227	47,682	45		297.2
Ontario					
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
2006	175,005	126,486	72		1,190.6
Saskatchewan					
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	7,785	4,674	60		37.3
2006	7,635	4,512	59		38.5
Alberta					
2002	..	..	..		..
2003	..	..	..		..
2004	..	..	..		..
2005	..	..	..		..
2006	45,963	32,016	70		387.3
British Columbia^{1, 2}					
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	38,808	25,410	65		277.5
2006	38,343	25,077	65		284.4
Yukon					
2002	..	..	..		..
2003	..	..	..		..
2004	423	288	68		3.9
2005	441	282	64		4.0
2006	414	258	62		3.6

Table 16

Maintenance enforcement cases with arrears, by amount owing, at March 31 (continued)

	Cases enrolled		Cases with arrears		Arrears due
	number		number	percent	millions of dollars
Northwest Territories					
2002	..		..	..	..
2003	..		..	..	..
2004	..		..	..	..
2005	654		522	80	6.5
2006	636		495	78	6.6

1. 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.
2. In British Columbia, dollars due and received for interest have not been included.

Notes: 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.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 17

Maintenance enforcement cases with arrears, by percentage received of regular monthly payment due, at March 31

	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
	number	percent	percentage of cases with arrears					
Prince Edward Island								
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
2006	1,770	100	47	1	3	3	4	42
Nova Scotia¹								
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..
2005	11,997	100	57	0	2	2	3	36
2006	11,670	100	56	1	2	3	3	36
New Brunswick								
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	9,927	100	43	0	2	2	3	49
2005	10,533	100	37	1	3	3	4	52
2006	10,923	100	34	1	3	3	4	56
Quebec²								
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
2006	47,676	100	33	2	6	2	6	50
Ontario								
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
2006	126,483	100	37	1	2	2	4	53

Table 17

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

	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	
			percentage of cases with arrears					
	number	percent						
Saskatchewan								
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
2006	4,512	100	41	1	2	3	2	51
Alberta								
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..
2005	..	..	..	..	..	..	..	..
2006	32,022	100	34	1	2	2	2	60
British Columbia¹								
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
2006	25,077	100	42	2	3	3	4	46
Yukon								
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	282	100	43	1	2	4	2	48
2005	279	100	44	1	2	2	1	49
2006	252	100	49	0	2	2	2	44
Northwest Territories								
2002	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..
2005	522	100	44	0	2	2	2	49
2006	498	100	37	2	3	4	2	52

1. 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.
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.

Notes: Percentages may not total 100% due to rounding.
ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 18

Maintenance enforcement cases with arrears, by elapsed time since last payment, at March 31

	Total cases with arrears		New cases in default ≤ 30 days since enrolment	Time since payment received (months)				No payments ever made		Unknown
				≤1	>1 to 3	>3 to 12	>12	Cases ≤ 12 months old	Cases >12 months old	
Prince Edward Island										
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
2006	1,767	100	1	43	9	11	25	3	8	0
Nova Scotia¹										
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..	..	..
2005	12,009	100	0	34	11	7	0	3	5	39
2006	11,661	100	1	34	11	12	4	4	5	29
New Brunswick										
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
2006	10,917	100	0	55	15	10	13	1	5	0
Quebec²										
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
2006	47,682	100	1	49	19	14	12	2	4	0
Ontario										
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
2006	126,486	100	1	31	8	11	38	3	8	0
Saskatchewan										
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
2006	4,512	100	0	48	16	15	14	3	4	0
Alberta										
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..	..	..
2005	..	..	..	..	..	..	..	..	..	..
2006	32,016	100	1	55	7	10	0	3	6	19
British Columbia¹										
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
2006	25,077	100	1	41	19	16	16	4	4	0

Table 18**Maintenance enforcement cases with arrears, by elapsed time since last payment, at March 31**
(continued)

	Total cases with arrears		New cases in default ≤ 30 days since enrolment	Time since payment received (months)				No payments ever made		
				≤1	>1 to 3	>3 to 12	>12	Cases ≤ 12 months old	Cases >12 months old	Unknown
	number	percent					percent			
Yukon										
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	288	100	0	48	14	17	0	5	0	17
2005	282	100	3	45	18	13	6	1	3	11
2006	258	100	1	37	17	20	10	5	2	7
Northwest Territories										
2002	..	..	..	..	..	..	..	..	..	..
2003	..	..	..	..	..	..	..	..	..	..
2004	..	..	..	..	..	..	..	..	..	..
2005	..	..	..	..	..	..	..	..	..	..
2006	495	100	2	53	16	16	1	3	0	8

1. Nova Scotia and British Columbia maintain 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.
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.

Notes: Percentages may not total 100% due to rounding.
ISO-out cases are excluded.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 19**Number and type of enforcement actions for maintenance enforcement cases administered, 2005/2006**

	Nova Scotia	Saskatchewan	Alberta	British Columbia	Yukon	Northwest Territories
	number					
Administrative enforcement action:						
Demand for payment	2,274	324	5,670	29,421	...	...
Demand for information	738	3,300	22,746	1,617	372	24
Maintenance enforcement plan trace	117	2,646	30,363	51,756	189	57
Jurisdictional garnishment and attachment	1,878	1,965	23,310	32,541	123	561
Voluntary payment arrangement	54	0	8,652	711	3	...
Credit Bureau reporting	...	0	774	7,140	36	...
Land registration	0	543	186	3,321	3	0
Personal property lien	...	...	8,019	3,111	9	...
Motor vehicle licence intervention	177	390	20,547	3,189	30	...
Writ of execution	...	51	0	...	0	36
Collection calls	...	...	...	0	...	...
Examination of payor	135	...	...	0	...	...
Interception of provincial funds	.	0	.	...	.	.
Order forfeiture of security	.	0	.	0	.	.
Other administrative enforcement actions	36	0	39	15,822	93	30
Subtotal	5,409	9,219	120,306	148,629	858	708

Table 19

Number and type of enforcement actions for maintenance enforcement cases administered, 2005/2006 (continued)

	Nova Scotia	Saskatchewan	Alberta	British Columbia	Yukon	Northwest Territories
Administrative action under federal legislation				number		
Federal trace (FOAEAA*-Part I)	...	0	6,816	3	21	81
Interception of federal funds (FOAEAA-Part II)	2,070	1,284	15,639	8,184	90	195
Federal licence suspension (FOAEAA-Part III)	...	0	9,033	2,430	63	366
Federal garnishment (GAPDA**)	30	6	48	36	0	...
Subtotal	2,100	1,290	31,536	10,653	174	642
Total administrative actions	7,509	10,509	151,842	159,282	1,032	1,350
Court enforcement						
Default hearing	0	189	12	699	.	66
Committal hearing	...	3	...	192	.	...
Other court enforcement activities ¹	0	0	405	2,193	.	3
Total court enforcement actions	...	192	417	3,084	.	69
				percent		
Administrative enforcement action						
Demand for payment	30	3	4	18	...	...
Demand for information	10	31	15	1	36	2
Maintenance enforcement plan trace	2	25	20	32	18	4
Jurisdictional garnishment and attachment	25	19	15	20	12	41
Voluntary payment arrangement	1	0	6	0	0	...
Credit Bureau reporting	...	0	1	4	3	...
Land registration	0	5	0	2	0	0
Personal property lien	...	...	5	2	1	...
Motor vehicle licence intervention	2	4	14	2	3	...
Writ of execution	...	0	0	...	0	3
Collection calls	...	...	...	0	...	...
Examination of payor	2	...	...	0	...	...
Interception of provincial funds	0	0	0	...	0	0
Order forfeiture of security	0	0	0	0	0	0
Other administrative enforcement actions	0	0	0	10	9	2
Subtotal	72	88	80	93	83	53
Administrative action under federal legislation						
Federal trace (FOAEAA-Part I)	...	0	4	0	2	6
Interception of federal funds (FOAEAA-Part II)	28	12	10	5	9	14
Federal licence suspension (FOAEAA-Part III)	...	0	6	2	6	27
Federal garnishment (GAPDA)	0	0	0	0	0	...
Subtotal	28	12	20	7	17	47
Total administrative actions	100	100	100	100	100	100
Court enforcement						
Default hearing	0	98	3	23	.	96
Committal hearing	...	2	...	6	.	...
Other court enforcement activities ¹	0	0	97	71	.	4
Total court enforcement actions	0	100	100	100	.	100

* *Family Orders and Agreements Enforcement Assistance Act*

** *Garnishment, Attachment, and Pension Diversion Act*

1. Other kinds of court enforcement activity include execution orders, registering an order against personal property, appointing a receiver, order to provide information, issuing a warrant for arrest, appointing a trustee in bankruptcy, and issuing writs for seizure and sale.

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

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.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

Table 20
Maintenance enforcement cases terminated, by reason for termination, by fiscal year

	Total cases terminated		Reason for termination				
			Withdrawal by recipient/payor	Order expired	Withdrawal by program	Death of either party	Other
	number	percent	percentage of terminated cases				
Nova Scotia							
2001/2002	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..
2005/2006	2,739	100	33	22	45	0	0
Quebec							
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
2005/2006	7,746	100	10	81	3	4	2
Saskatchewan¹							
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
2005/2006	1,341	100	18	21	19	3	39
Alberta							
2001/2002	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..
2005/2006	8,793	100	20	31	46	3	0
British Columbia							
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
2005/2006	5,934	100	31	37	30	2	0
Yukon²							
2001/2002	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..
2003/2004	81	100	7	11	22	0	59
2004/2005	93	100	10	13	29	0	48
2005/2006	105	100	9	9	23	0	60
Northwest Territories							
2001/2002	..	..	..	..	..	..	..
2002/2003	..	..	..	..	..	..	..
2003/2004	..	..	..	..	..	..	..
2004/2005	..	..	..	..	..	..	..
2005/2006	111	100	22	38	32	8	0

1. 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".

2. In Yukon, the "Other" category includes "unknown" reasons for termination.

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

Terminated cases include cases that were registered for at least part of the year.

Sources: Statistics Canada, Canadian Centre for Justice Statistics, Maintenance Enforcement Survey and Survey of Maintenance Enforcement Programs.

4.0 Methodology

4.1 Background

The Maintenance Enforcement Survey (MES) and the Survey of Maintenance Enforcement Programs (SMEP) gather 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 maintenance enforcement programs (MEPs).

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.

The SMEP is currently being implemented by the CCJS. It is a microdata survey that will eventually collect data from all 13 provincial/territorial MEPs. Once all jurisdictions currently reporting to the MES are converted to SMEP, the MES will be terminated. The switch from aggregate to microdata collection allows for more extensive and dynamic analysis of maintenance enforcement information. The SMEP can produce all statistics presently available through the MES, as well as numerous additional types of analysis and views of maintenance enforcement data.

4.2 Data collection

The MES and the SMEP are administrative surveys that collect data from the case management information systems maintained by provincial and territorial MEPs. 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.

4.3 Survey coverage

The current report presents data for fiscal years 2001/2002 through 2005/2006. For 2005/2006, there are 10 reporting jurisdictions: Prince Edward Island, New Brunswick, Quebec, Ontario, Saskatchewan and British Columbia, which report to the MES survey, and Nova Scotia, Alberta, Yukon and the Northwest Territories which provide data to the SMEP survey. Together, these 10 jurisdictions account for about 95% of Canada's population.

Because the survey was implemented in different jurisdictions at different points in time, data coverage over the five-year period varies by jurisdiction. Additionally, some publication tables do not include all 10 survey respondents because the data are not available from some jurisdictions.

In 2003/2004, British Columbia enacted legislation that expanded the definition of maintenance to include amounts owing to the provincial government as a result of failure to pay monthly support amounts. In particular, any payor that fails to make their full monthly support payment twice in the same calendar year is subject to a default fee of one month's maintenance or \$400, whichever is less. This default fee is treated as maintenance and cases are enforced in the same way as other support cases. This has resulted in an increase in British Columbia's caseload by about 7,000 cases. Information on these cases is not available because the MES data extraction software has not been updated to capture information for them. Once British Columbia is converted to the new Survey of Maintenance Enforcement Programs, this information will become available.

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

4.4 Reported timeframes

As support payments are often paid monthly, much of the MES data and all of the SMEP data are collected from the MEPs on a monthly basis. The MES also collects some annual data. For example, information such as median age of payors and recipients and median child support obligation is not prone to large monthly fluctuations and is collected for the fiscal year ending March 31.

Data for the MES are collected in a “snapshot” manner, meaning they provide a view of the various statistics at the end of the month or the end of the fiscal year. 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. Data from the SMEP are also collected in a “snapshot” manner, so they too provide a view of the various statistics at month-end. However, unlike the MES, the survey captures any adjustments to payments or other information that are made in subsequent months.

4.5 Data limitations

Section 2 describes the operational differences that exist among maintenance enforcement programs, from how cases are enrolled and closed, to how they are enforced, that may have an impact on the interpretation of survey data. In addition, because the survey data are obtained from operational information systems designed to assist the MEPs in monitoring and enforcing their caseload, 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.²⁰ 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.

Nova Scotia data do not 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 1st and 16th of every month.

Quebec’s program does not distinguish between types of beneficiaries, 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. Therefore, case counts for the annual tables will be greater.

Saskatchewan

Saskatchewan’s information system 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 they are covered by the support agreement.

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

British Columbia

In British Columbia, as in Nova Scotia, the legislation permits the acceptance of direct payments of support. Until the MEP receives notification that the payment has been made, the case is considered to be “in default” and the compliance rate will appear to be lower than it actually is.

British Columbia legislation requires that interest be charged on late and unpaid maintenance. This interest is payable to the recipient. Although the dollars due and received for interest are not collected by the MES, this practice could influence payment compliance.

As described in Section 4.3, British Columbia introduced a default fee in 1998/1999. Each year the payor is charged the equivalent of one month’s maintenance, to a maximum of \$400, upon the second default of the year. This penalty, which is payable to the MEP, has resulted in an increase in caseload by about 7,000 cases, but information on these cases is not collected by the MES.

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’ program cannot distinguish between “children only” cases and “spouse and children” beneficiary cases. Both types of cases are captured as “children only” in the SMEP.

Yukon

In Yukon, 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.

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.

4.6 Confidentiality

Maintenance Enforcement Survey data have been subjected to a confidentiality procedure known as “random rounding” to reduce the likelihood of associating the data with any identifiable individual. The technique of random rounding provides protection against disclosure, but does not add significant distortion to the data. In this report, all MES and SMEP 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.

5.0 Appendix A: Glossary of terms

Administrative survey

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

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 that 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 or vary a support order, or to have an existing order recognized and enforced when the parties are in different jurisdictions.

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.

Opt-in registration

In an "opt-in" registration system, enrolment with a MEP is at the option of either the recipient or payor. The only exception is cases where the recipient is entitled to social assistance, in which case enrolment is mandatory.

Opt-out registration

In an automatic or "opt-out" registration system, 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. In many jurisdictions, the payor has to agree to the withdrawal. This request can be denied if the recipient is collecting social assistance.

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.

Pay-through system

The pay-through approach refers to a system where payors forward their payment to the MEP; the MEP records the payment and forwards it to the recipient.

Pay-to system

In a "pay-to" system, the payor makes his/her payment payable to the MEP, which functions as a clearinghouse for the payment before disbursing it to the recipient.

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" or "respondent".

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” or “claimant”.

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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