the court is treated as a form of contemt that, by special state statute, can lead to a sentence in jail of up to one year, subject to earlier release upon the defendant's paying his full arrearage or working out some lesser arrangement satisfactory to the court. Most men jailed do in fact purchase their early release by paying an amount less than full arrearage...

"The steps taken before jailing and the extent of reliance on jail vary from county to county, but in every county the agency mails warning letters to delinquent fathers, and nearly all agencies issue orders to show cause directing the men to appear in court and explain their delinquency. Even in the counties that rely most upon jailing, the number of collection efforts short of jail dwarfs the number of sentences."

As part of the study, Chambers compared the Friend of the Court operations in two Michigan counties: Genesee County, including the city of Flint, where a self-starting enforcement process and the jailing of defaulters have long been favored; and Washtenaw County, including Ann Arbor, where the Friend of the Court budget has placed higher priority on the use of social workers and other professionals for marital counseling and child custody matters, rather than on collections. These two approaches have had a noticeable effect on payment rates, according to Chambers.

"During 1974, Genesee County judges imprisoned 224 men for failing to pay support, a rate of five per 10,000 persons in the county, making Genesee one of the high-jailing counties. In a random sample we drew of over 400 divorced men whose cases were open in 1970, the men had paid an average of 74 per cent of the total amount due over a mean period of seven years. Only 14 per cent of the men had paid less than 10 per cent of all amounts due."

By contrast, in Washtenaw County, said Chambers, "it is perhaps not surprising, even if somewhat disheartening, that a random sample of about 400 men under support decrees has paid on the average only 56 per cent of everything due—over 25 per cent less than the average portion paid by the Genesee men. This was true despite the fact that median earnings are higher in Washtenaw, unemployment lower, and the county population only slightly more than half as large. Over twice as many Washtenaw men (30 per cent) had paid less than 10 per cent of their amounts due."

Chambers also studied the distribution of payments in the two counties over a period of years:

"The distribution of payments suggests that in each county a substantial number of men consciously or unconsciously test the enforcement system in the early years. In Genesee a significant number are 'burned' and move toward full payments. In Washtenaw, many who paid nearly in full or in part in the first year move toward non-payment after finding either that a period of haphazard payments is ignored or followed by hollow threats or that, even if they are arrested, they are soon released and forgotten."

In general, Chambers concluded, "the study does seem to confirm one commonplace prediction: swift and certain punishment can reduce the incidence of some forms of undesired conduct so long as potential offenders perceive a clear link between their own behavior and a system that leads to punishment. If a policeman is watching and customers know it, fewer candy bars are stolen. The sad finding of our study has been that, in the absence of sanctions, so many fathers fail to pay. The striking finding has been the effectiveness of enforcement agencies in many Michigan counties in creating a sense of a policeman at the elbow."

Chambers also concluded that the child support study does not have implications for other forms of undesirable behavior—such as rape or armed robbery, for example—because, unlike parents paying child support, the identities of criminals generally remain unknown until they are arrested.

In child support cases, "we can expect that jail will have a greater effect when men know that all their actions are observed," said Chambers. "Most armed robbers and rapists hope that their identity will remain unknown... Thus the very factor that made our study possible—the all-knowing files of the Friend of the Court—makes our findings ungeneralizable to most other forms of conduct."

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Carrington To Assume Duke Law Deanship

Paul D. Carrington, a member of the U-M law faculty since 1965, has been named dean of Duke University's law school, effective July 1.

A specialist in civil procedure and the appellate courts, Carrington is also an authority on American legal education.

In 1971 he headed a study by the Association of American Law Schools, known as the "Carrington Report," which advocated major changes in the law school curriculum. Among other things, the study recommended reducing the law school program for general practitioners from three years to two, with extra training for lawyers who plan to specialize in a particular field or prepare for law teaching.

U-M law Dean Theodore J. St. Antoine noted that Carrington is "one of the acknowledged leaders and most influential thinkers on problems of American legal education. He has been an extraordinarily valuable presence on the U-M faculty. I can't think of Duke's getting a finer dean."

A native of Texas, Carrington graduated from Harvard Law School in 1955. He taught at the universities of Wyoming, Indiana, and Ohio State University before joining the Michigan law faculty.

The law dean's post at Duke has been vacant since 1976, when Dean A. Kenneth Pye was named Duke chancellor. Pye called Carrington one of the nation's "most distinguished legal educators, a man of extraordinarily able leadership and expertise in matters of law school standards."

Among other scholarly work, Carrington co-authored a law school casebook in civil procedure. He is currently chairman of the Association of American Law Schools' accreditation committee.