



ERICSA 63RD ANNUAL TRAINING CONFERENCE & EXPOSITION

MAY 3-7, 2026

Milwaukee

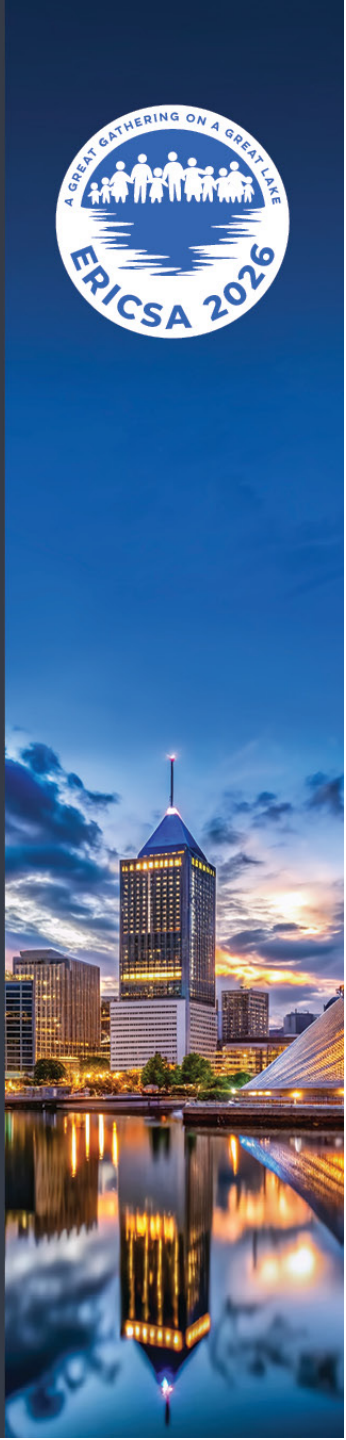
WISCONSIN



A VIEW FROM THE BENCH

Setting Child Support Orders Under Challenging Circumstances

Judge Frederick Rosa
Judge Regina Scannicchio
Judge Thomas Walsh
Judge Charles Tripp
Commissioner Jason Mishelow--Moderator



TOPICS TO BE COVERED

Setting Support for the Self-employed

1. No books/No records cases – how to determine income
2. Sophisticated cases – role of experts

The Question of the Incarcerated Payor

1. The goals of prison hold opens vs the realities of the Payor
2. The effect of the type of offense in the support decision

Difficult Litigants

1. Sovereign Citizens
2. The Mentally Ill



Self Employed No Books/No Records



Do you consider how much they would make at similar employment if they were working as an employee, and if so, where do you get that number?



Do you consider what they pay their employees; for example, is it reasonable for the owner to make less than the highest paid employee?



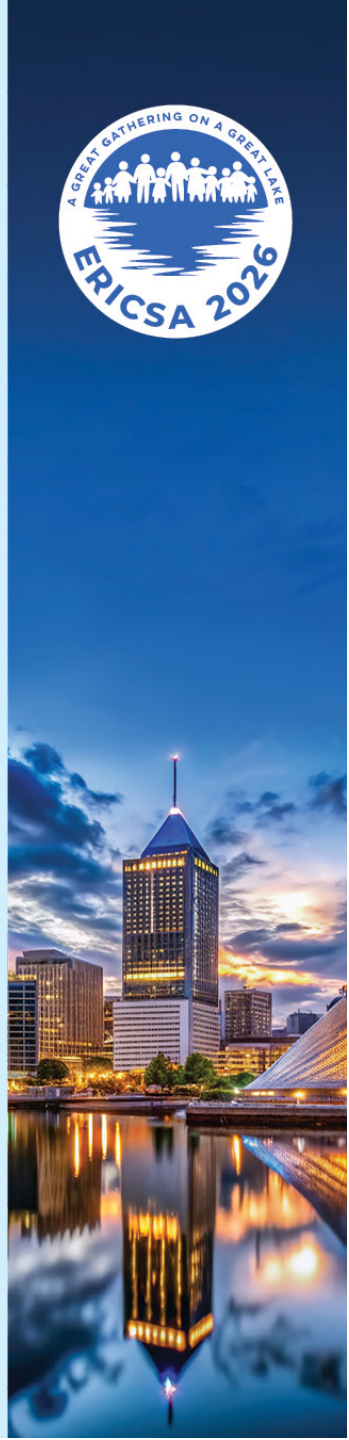
Do you consider lifestyle, such what car they are driving or their listed housing expenses?



To what extent do you consider the statement of the payee if the same business was being run while the parties were together? What if the parties had filed joint tax returns showing little income or losses from the business?



Have you ever required litigant to bring in statements such as loan applications where they are more inclined to present a more favorable financial picture?



Sophisticated Business

When do you require an expert?

How do you consider instances where the owner is able to control when income is recognized?

How do you handle the business that shows perpetual losses?

The Question of the Incarcerated Payor



The hold open for incarcerated payors is based on the dual goal of stopping an order that will not be paid in the short term and eliminating large arrearages upon release.



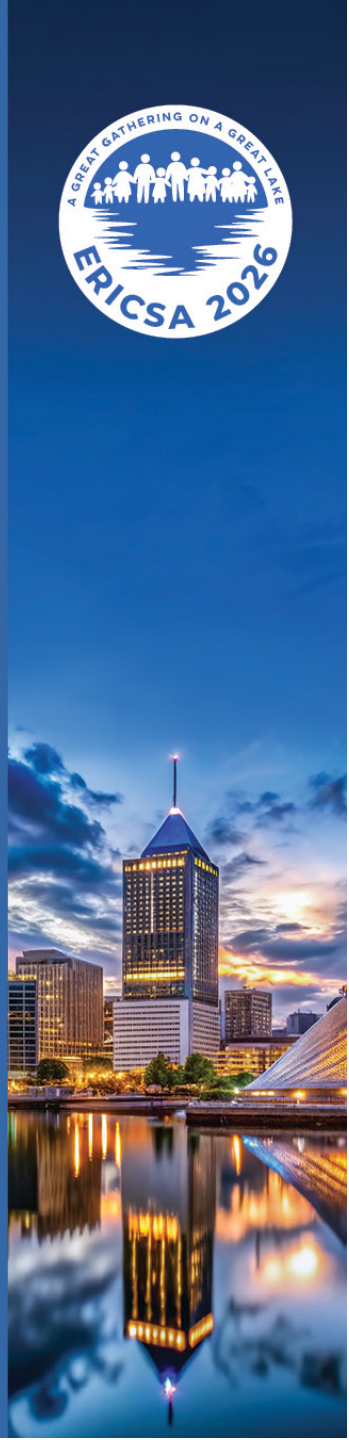
Do you look at prison hold opens differently when the payor already has a large arrearage prior to incarceration?



Will you hold open for payors who have had previous prison hold opens?



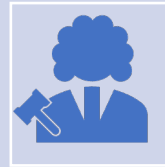
How does the reason for incarceration impact the decision? What if its DV related but not to the mother in the present case?



Sovereign Citizens



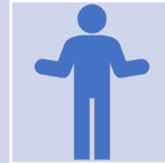
How do you get them to identify themselves? What do you do if they refuse?



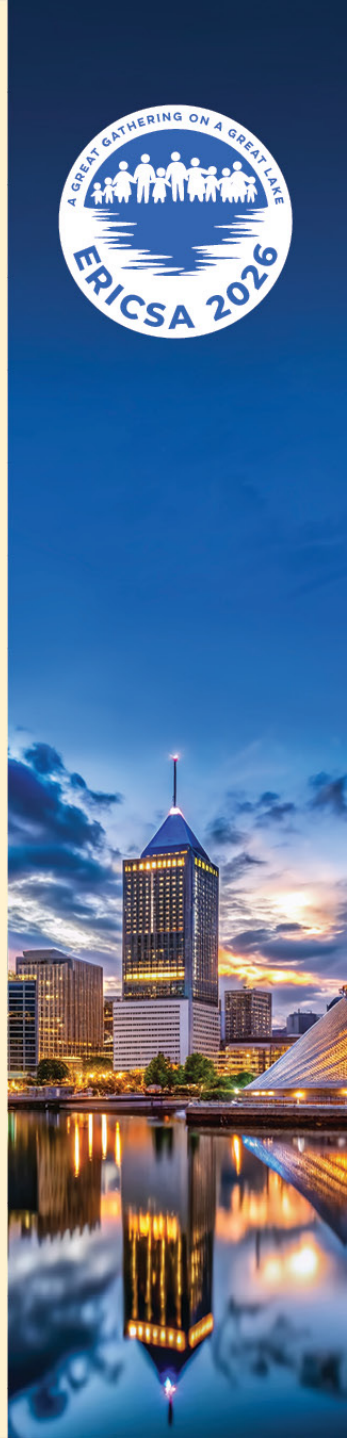
How do you handle the claims of lack of jurisdiction or improper procedure?



How do factor in refusal to fill out a financial disclosure or provide any income information?



In the context of contempt actions how do you deal with a statement by payor that they will not pay?





Questions?