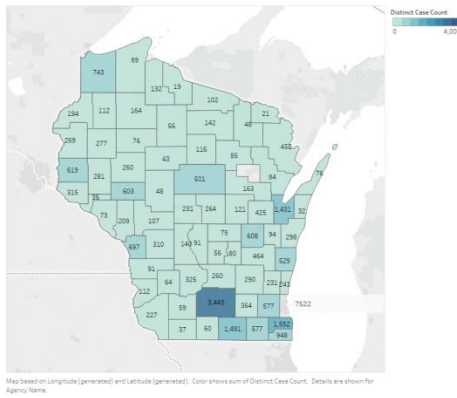




Number of counties:	71
Number of cases:	399,865
Interstate cases:	21,629
Initiating cases:	13,036
Responding cases:	8,593

Bureau of Child Support (Organization)

- The Wisconsin (WI) Child Support Program is state administered and county operated. The Bureau of Child Support (BCS) is part of the Department of Children and Families (DCF) and is located in Madison.
- The WI Child Support Program is administered by BCS and operated in each county by each local county Child Support Agency (CSA). There are 71 local county Child Support Agencies in WI.
- The WI Central Registry, within BCS, receives all new interstate requests and upon review forwards them to the appropriate county or will return them for corrections.
- WI is a judicial state. All of WI's orders are set judicially and must be signed by a court commissioner or judge, though WI does allow for paternity to be established through genetic testing without a requirement for a court action
- The WI KIDS (Kids Information Data System) maintains the official financial records for both IV-D and non-IV-D cases.
- By law, all payments on WI orders (both IV-D and non-IV-D cases) are required to be made through the WI Support Collection Trust Fund (WI SCTF). WI's IV-D caseload was 339,865 as of February 29, 2024.

Record Keeping

- As long as WI maintains the controlling order, we are required to keep a record of all payments received and disbursed unless the WI order is modified by another state.
- The statute that governs this requirement is very strict and WI is considered the official record keeper even if all parties move out of state or another state registers the WI order. The WI case will remain open and charging until another state modifies the WI order.

Website

- Clients can access child support payment information, along with other important information, through a WI website. Please encourage clients to register for the Child Support

Online Services website. The link to create an account is at:

<https://dcf.wisconsin.gov/cs/home>

TANF/Medicaid Referrals

- WI receives a referral from IV-A when TANF (called W-2 in WI) is being received for a child when one parent is not in the household. WI passes through 75% of support collected to current TANF clients and 100% to former TANF clients.
- Economic support agencies in WI are required to refer all Medical Assistance (Title XIX) cases to the child support programs and certain BadgerCare (Title XXI) cases when one parent is not in the household.

Applying for IV-D Services/Collection of Fees

- There is no application fee for an applicant applying for IV-D services in WI (whether participants are on aid or not), non-aid applicants must complete an application.
- There is a \$65 annual receipt and disbursement (R & D) fee charge to the NCP per court case to process and record payment information. R & D fees are not charged on non-WI order intergovernmental cases.
- There is an annual \$35 fee for custodial parents (CPs) in IV-D and non-IV-D cases, except for current or former AFDC/TANF recipients. The fee is collected from maintenance, child or family support, or arrearage payments after the first \$500 in support is collected in one year.

Guidelines Used to Calculate Child Support Orders

- Child Support Standard is applied in WI. A percentage of the payer's gross income and assets is set at a fixed dollar amount. The percentage standards in WI are: 17% for 1 child; 25% for 2 children; 29% for 3 children; 31% for 4 children; 34% for 5 or more children.
- Provisions for high-income payers, low-income payers, shared-placement, and split-placement.

Interest

- As of April 1, 2014, WI charges .5% per month simple interest on all arrearages greater than one month's worth of support. If a person misses the court-ordered periodic payment, the missed payments are charged interest.

Age of Majority--Wisconsin Statutes § 767.511(4) & 767.89(3)(c)

- The emancipation age in WI is 18, unless the child is still in high school or pursuing a course of education designed to lead to a high school diploma or its equivalent, in which case support continues until age 19.

Statute of Limitations

- Collection of past due support: 20 years after the youngest child reaches age of majority, as an affirmative defense.
- Paternity establishment: age 19, but there is no limit on filing a Voluntary Paternity Acknowledgement.

Unemployment Insurance Withholding/Worker's Compensation

- WI accepts request for Unemployment Insurance benefit withholding from other states. The request should be sent directly to DWD Unemployment Insurance Division, 201 E. Washington Ave, P.O. Box 7905, Madison, WI 53707. Requirement: Federal IW Notice.
- Direct withholding of NCP's Workman's Compensation can be done as well.

State Tax Intercept

- WI can submit for state income tax refund intercept if the NCP has arrears equal to or in excess of \$150 for TANF cases; NonTANF \$500 or greater, per court case.

Wisconsin Support Collection Trust Fund (WI SCTF)- State Disbursement Unit

- WI statute requires that all child support payments (on IV-D and non-IV-D cases) must be paid through the WI SCTF. This is also reflected in WI orders.
- No cash payments are accepted.
- Questions concerning payment of support can be directed to the KIDS Information Line at: 1-800-991-5530.

EPPICard/Debit Card

- A debit card where child support is issued directly to the CP unless the CP requests direct deposit.
- EPPIC can be contacted at 1-877-253-3686 and/ or <https://www.goprogram.com>

Obtaining Financial Documents/Court Orders

- The local child support agency is the official keeper of payment histories. A certified payment history can be obtained from the local child support agency handling the case. Copies of court orders can also be obtained through the local child support agency.

UIFSA Transmittals/CSENet

- WI uses the current federal forms.
- WI is a full CSENet state.

Obligation Frequency

- Support orders are charged on a monthly basis pursuant to the child support guidelines.

- System automatically converts orders of other frequencies (e.g., weekly, bi-weekly, etc.) to a monthly charge amount.

Interstate Notification of Tax Collection

- In interstate cases, the **initiating** state (the state in which the public assistance assignment or non-assistance application for IV-D services has been filed) must submit the past-due support for tax offset.
- KIDS notifies other states when a federal or state tax intercept collection has been made. It also notifies other states when a recall/reversal has been made on federal or state tax intercept collections previously sent to the other state.
- If the other state has a CSENet agreement with WI to exchange all transaction types via CSENet, KIDS will automatically submit a CSENet transaction. If WI does not have an agreement with the other state to receive all CSENET transactions, KIDS will create the CSET#2 Subsequent Actions (IS15) document. The caseworker will send the transmittal documentation to the other state.

Change of Payee

- If the child receives TANF benefits through a non-parent relative, a referral is sent to the IVD Agency. The support order may be forwarded to the IVD Agency based on the type of benefits received. Payee change is done by court order. The local child support agency decides whether to file an order changing payee to the caretaker with the court based on the anticipated length of the placement or other factors.
- If a caretaker is not receiving TANF benefits, the relative may petition the court for a change of payee.
- Substitute care includes placement in foster care, subsidized guardianship, group homes, child-caring institutions, and juvenile corrections. The current support obligation for a child placed in substitute care is assigned to the appropriate agency while the child is in placement.

New Caretaker for Children

- If no order exists in WI for the child/children and a new caretaker has custody, a petition for child support must be filed to establish support for the new caretaker.
- This same scenario applies if a child is placed in protective custody, if the parent does not have an existing child support obligation for the child. The petition for child support needs to be filed on behalf of the state.

Distribution of Support

- WI follows federal distribution rules.

Retroactivity

- Modifications are retroactive to the date the petition to modify is filed with the court.

- A support order must be made retroactive to either:
 - Back to the date of filing of the action with the court.
 - In special circumstances, may go back to the date of birth of the child.

Enforcement Tools

- Administrative enforcement is based on court orders.
- If the order is foreign (jurisdictions outside of WI), the order must be registered in WI before any of the administrative enforcement functions like liens, credit bureau reporting, license suspension (driver's, occupational, and recreational), passport denial, and account seizure can be invoked.
- As a judicial state, contempt action is used regularly. WI may require the payer to pay a lump sum towards arrears.

Child Support Lien/Credit Bureau Reporting

- Debt qualifies for lien docket/credit bureau reporting if the arrearage debt equals or is greater than \$500 or one month of support, whatever is greater.
- Lien arrearage debt does not include interest, fees, or costs.
- The obligor cannot have a bankruptcy action pending and all obligors on the lien docket must have a SSN and all due-process timelines must have expired.
- Liens must be filed with the County Registry of Deeds and State Department of Transportation.
- Liens attach to real and personal property, not to a specific piece of property.
- Vehicle liens are effective only if the lien is printed on the title.
- Other states must initiate an interstate case if they want to place a lien in WI.

Review and Adjustment/Modifications

- To meet federal requirements, child support agencies must review TANF cases and non-aid cases (if non-aid: upon request of a CP or NCP) if at least 33 months have passed since the support order was established or adjusted. Notices are auto-generated, therefore out of state participants may receive WI notices.
- If a request for review is received outside of the 33 month cycle, the state must review and, if the requesting party demonstrates substantial change in circumstances, adjust the order according to the state's guidelines. The threshold is 15% and \$50 per month change in the ordered amount.
- All modifications are judicial. If the parties agree to the modification, parties can do a stipulation and order, which must be approved/signed by a judge or court commissioner. If there is no agreement between the parties a hearing can be set.
- For an interstate case, other states must submit a Transmittal #1, Confidential Information Form, Personal Information Form, Uniform Support Petition, and General Testimony, along with any supporting documentation when requesting a review and modification of a WI order.

Case Closure

- WI applies federal case closure criteria.
- The child support agency must notify the initiating agency when it closes an interstate case.

Paternity Acknowledgment/Paternity Affidavits/PATH (Paternity Acknowledgment through Hospitals)

- Full faith and credit is given to paternity determinations made by another jurisdiction regardless of whether it was made through voluntary acknowledgment, judicial, or administrative process.
- Requests for certified copies of WI's Voluntary Paternity Acknowledgment must be made to: WI Department of Health Services, Office of Vital Records, P.O. Box 309, Madison, WI 53701-0309. A \$20.00 fee must be included with the request.
- If your jurisdiction will accept a certified copy of the birth query report from WI Office of Vital Records birth query database, the jurisdiction may contact the WI Bureau of Child Support or a child support agency for an interstate birth query. This report will include a statement: Birth Facts Certified by State Registrar for Child Support Paternity Cases only. This report will also include the last paternity action or a marital indicator. There is no cost to the inquiring jurisdiction.

Incarcerated Parents

Per Child Support Bulletin, CSB 13-04, released by the Bureau of Child Support.

When initially setting a support order for an incarcerated NCP, the CSA shall consider the payer's actual assets and income while incarcerated, along with the total length of incarceration, to determine whether the NCP has the ability to pay under IV-D guidelines and WI case law. Support orders may be held open if the NCP has no ability to pay while incarcerated.

Upon request of an incarcerated payer whose anticipated future period of incarceration is twelve months or more, the CSA shall evaluate his or her case(s) to determine whether a review is appropriate. The CSA may elect to review cases if the period of incarceration is less than twelve months.

Regardless of the length of incarceration, if any of the following statements apply, **the CSA may not evaluate the case for review and adjustment.**

- The payer is incarcerated for nonpayment of child support.
- The payer is incarcerated for a crime committed against any child.
- The payer is incarcerated for a crime committed against a party in the child support case.

The Tribal Role

- WI has 11 federally recognized tribes:

Bad River, Forest County Potawatomi, Ho-Chunk Nation, Lac Courte Oreilles, Lac du Flambeau, Menominee Nation, Oneida, Red Cliff, Sokaogon, St. Croix, and Stockbridge-Munsee

The Tribal Role (con't)

- Nine tribes receive direct federal funding from the Office of Child Support Enforcement to operate their IV-D agencies. These tribes are:
Forest County Potawatomi, Ho-Chunk Nation, Lac Courte Oreilles, Lac du Flambeau, Menominee Nation, Oneida, Red Cliff, Stockbridge-Munsee and Sokaogon Chippewa Community*
*
- Seven tribes use the statewide Kids Information Data System (KIDS) for their tribal child support program. These tribes are:
Ho-Chunk Nation, Lac du Flambeau, Menominee Nation, Oneida, Red Cliff, and Stockbridge-Munsee. Sokaogon Chippewa Community will use KIDS for its tribal child support program in 2018.
- Forest County Potawatomi and Lac Courte Oreilles use the Model Tribal System—not KIDS.