

**LA CROSSE COUNTY CHILD SUPPORT
FREQUENTLY ASKED QUESTIONS**

1. Q: Why is your agency involved in our case? We reside together.

A: The Economic Support division of the county who handles public assistance may not be aware that you are residing together. When a public assistance case is opened and it is determined that one of the parents is absent from the home, there is an automatic referral to the Child Support Agency to pursue a child support obligation. This is necessary to offset the cost of assistance supported by the taxpayers of the State of Wisconsin. The Child Support Agency will continue to pursue an obligation for child support until it is reported to Economic Support that you reside together.

Or

A: The agency may be involved in instances where the parties reside together if medical assistance paid for the cost of the child's birth. The agency is responsible for determining the amount to be repaid and obtaining a court order for repayment of these expenses.

Or

A: Paternity has not yet been established for the child. The Child Support Agency is responsible for ensuring that every child receiving public assistance has a father named on his/her birth certificate.

2. Q: I don't want child support payments from the other parent. How do I prevent this? A: If you are receiving public assistance such as TANF benefits including W-2 or Care Taker Supplement or Child Care assistance, the agency is required to seek a child support obligation to offset the cost to the taxpayers for the public assistance. If you are receiving medical assistance such as Badgercare, then you have the ability to complete a notarized statement for the agency indicating that you don't want child support. The agency would not pursue a child support obligation but would still need to pursue a court order for health insurance coverage.

If you fear that the other parent may harm you or the child, you may file a Good Cause Claim with the Economic Support division of the county. If the claim is approved, the Child Support Agency would not pursue an order.

3. Q: Why should I pay my child support when the other parent doesn't let me see the child? A: The issue of placement/visitation is separate and distinct from the requirement to meet your child support obligation. The child support agency does not have the authority to address custody and placement issues. The Family Court Commissioner's office can assist with placement and custody and potentially may make a referral to the Mediation Department of the County to assist parties in working toward an agreeable placement schedule. You may contact the FCC office at (608) 785-5600. If you need to bring a motion before the court to have the matter addressed, documents for this purpose are available through the Clerk of Courts office or online at <http://wicourts.gov/>

4. Q: I've been laid off from my job and I can't meet my support obligation. What options are available to me?

A: During periods of unemployment, you will be expected to conduct five (5) job searches per week and turn them into the agency to show proof that you are trying to seek work. You can also take advantage of a local court rule that allows for your child support obligation to be reduced during periods of unemployment. This is possible if your court order does not indicate that you can't take advantage of a local court rule because periods of unemployment were already considered in determining your child support obligation. Contact your Support Specialist for further details.

5. Q: I can't work due to injury. Can't my child support be suspended?

A: Only the court can make a determination about ending a support obligation due to injury. The agency will not bring a motion to end the support, but you have the ability to bring a motion before the court yourself. Documents to bring a motion before the court are available through the Clerk of Courts office or online at <http://wicourts.gov/>. Generally, the child support agency will require medical documentation to support an inability to work. The documentation should include a determination about your ability to work including work limitations with an expected duration for the incapacity. While your child support obligation may not end, the agency will not enforce payment of the obligation if acceptable documentation has been provided. It is critical during this time that you

provide routine updates on the status of your medical condition as requested by your Support Specialist and to keep the agency informed of any worker's compensation, disability or social security activity or benefits being received. It is possible that your order can be reduced while you are receiving worker's compensation or disability benefits under a local court rule. Contact your Support Specialist for further details.

6. Q: I'm having difficulty obtaining employment due to my past criminal record. How do you expect me to meet my obligation when I don't have a job?

A: The Child Support Agency realizes that barriers, such as a criminal history, present difficulties in obtaining employment for child support payers. Resources such as Work Force Connections (402 N. 8th St. La Crosse, (608) 789-5620), a state employment agency, may be able to assist you in how to address these types of concerns with potential employers. They can also provide you with employers who routinely hire employees with criminal records.

7. Q: I have a contempt hearing and it states that I may have to go to jail. What's going to happen at this hearing?

A: The agency brought this motion before court because it deems that there has been a willful disregard in following your court order. The Family Court Commissioner will determine if the court finds a willful disregard and may find you in contempt of court. Generally, the FCC will assign a number of days of jail time, but stay or suspend that sentence and allow the opportunity to purge yourself of the jail time if you follow the purge conditions. All the purge conditions will be outlined in an order from the court that you will receive. The most common purge conditions include:

- Pay your support obligation as ordered
- Keep the Child Support Agency informed of any changes in address and employment within 10 days of the change
- Complete five (5) job searches per week during periods of unemployment and turn them into the Child Support Agency.
- Provide copies of medical documentation or tax returns upon request of the Child Support Agency

8. Q: My employer is deducting the child support from my checks, but they aren't sending in the money. What should I do?

A: You are ultimately responsible for making child support payments. If you notice that the payments are being deducted by your employer, but they are not being credited to your account, you need to keep copies of your paystubs to prove the deductions were made by your employer. Your Support Specialist may then take action against the employer for failure to send in the payments.

9. Q: What happens if the placement arrangement changes and I end up having the child more often?

A: You may have your order reviewed if there is a substantial change in circumstances. Placement is one criterion the Child Support Agency reviews in modifying orders. In order to qualify as a shared placement payer, a paying parent needs to have the child placed in their home at least 25% of the time or 92 *overnights* annually. There is a formula that is utilized based on the incomes of the parties, the number of children, and the number of overnights. You may access the shared placement calculator at: http://dcf.wisconsin.gov/bcs/order/guidelines_tools.htm

Parties who exercise a shared placement arrangement will assume the child's basic support costs in proportion to the time that the parent has placement of the child. Variable expenses means the reasonable costs above basic support costs incurred by or on behalf of a child. These costs may include but not limited to those that involve substantial cost such as: the cost of child care, tuition, a child's special needs, school lunches, sports equipment, activity fees and field trips . Uncovered medical expenses will always be shared equally between the parents.