

# What Happens If I Don't Pay Child Support?

What you should know about child support liens and administrative actions

## **Always remember: Your child deserves your full support**

Even if you can't be there every day, your child needs and deserves your full emotional **and** financial support.

### **Enforcement will never become an issue if you follow these simple tips:**

- Pay support when it's due. Avoid getting behind in your payments.
- Report to your child support agency your address or employer changes. Notices will be mailed to you before many of the actions below are taken.
- Even if child support is withheld from your income, you are responsible to make sure it is paid. If you switch jobs, you must pay your support until income withholding is in place with your new employer. If you need a payment coupon, contact your worker or visit us on-line (see box below).
- If you begin to have problems making your support payments, call your child support agency immediately.
- Arrange, with your child support agency, a payment plan to pay your past-due support.
- Ask the court to review your support order if you become injured or seriously ill and cannot work or if you are laid off or unable to work. Your child support agency may be able to help.

Sign up to use the free **Child Support Online Services** web site ([dcf.wisconsin.gov](http://dcf.wisconsin.gov)) to see your payments and balances, print payment coupons, and to update your address and phone number.

## **How is past-due support collected?**

Child support agencies, courts, and the state and federal government may take a variety of actions to collect support that is not paid. Some actions are automatic when a debt reaches a certain level. Some are taken case-by-case. Administrative actions can happen even if you are making payments. Here are descriptions of common actions:

### **Child Support Liens**

A Child Support Lien is a hold placed on property (such as land and cars). These liens are placed administratively, meaning **without a court hearing**. A list of parents with child support liens and the amounts owed are published on the Child Support Lien Docket web site. This electronic list of names is a public record and may be viewed in local register of deeds offices. A lien is automatically placed on the docket when your past-due support is \$500 or more. The lien includes the payments that have not been paid, according to your court order. The lien amount does not include any interest, fees or costs owed.

### **If you are listed on the Child Support Lien Docket:**

- You will be sent a Notice of Lien and Credit Bureau Reporting indicating the lien amount and the date it was placed on the lien docket.
- A lien is automatically placed on your real property (home, land) and on your titled property with the Wisconsin Department of Transportation (car, truck).
- You must pay (satisfy) your child support lien or get a release document from your child support agency before you can sell your property.
- Your child support lien is reported to the credit bureaus. This could affect your ability to get loans. All liens that are paid-in-full remain on your credit report for 7 years from the paid date.
- State agencies will deny you certain grants and loans. These grants and loans include student loans and higher education grants, as well as mortgage loans from the Wisconsin Housing and Economic Development Authority (WHEDA). If you agree to and follow a payment plan, you might receive these grants and loans.

## Further Administrative Enforcement Actions

If you have a child support lien, the child support agency may also take these administrative enforcement actions (without going to court):

- Request the suspension or denial of your professional, occupational, driver's, and recreational (hunting and fishing) licenses when your child support lien equals or exceeds three months' worth of support.
- Intercept lump-sum pension payments from your public retirement funds, such as the retirement funds for employees of the State of Wisconsin, City of Milwaukee, and Milwaukee County.
- Intercept your judgments, settlements or insurance claims, such as a car accident or personal injury settlement.
- Seize bank accounts including your checking, savings, IRAs, and mutual funds when your child support lien equals or exceeds \$1,000 or three months' worth of support (whichever is greater).
- Seize your real property (land) and titled personal property (cars) when your child support lien equals or exceeds six months' worth of support.

Before these administrative actions are taken, child support mails a notice to you at the address that is listed at the child support agency. The notice informs you of the right to a hearing, encourages payment plans and provides a coupon to pay the lien amount in full to avoid the action. Action can be taken even if you do not receive the notice because you did not report your new address to the agency.

## How Can I Get a Payment Plan?

A payment plan **will not stop** your name from being placed on the lien docket, but it will stop further administrative enforcement actions (those listed above). A payment plan may be a lump-sum payment or an increased amount to go towards your past-due amount, or both. You should request a plan in writing and verify your current income and assets to your child support agency. The agency will create the plan and mail it for you to review and sign. If you have provided the agency with your income and asset information and disagree with the amount (terms) of the payment plan, you can request a court hearing.

## Court Actions

If you fail to pay child support, courts may also take action. Charges such as contempt of court or criminal nonsupport may be filed. If you're convicted, the court may fine and/or jail you for not paying support. The child support agency or the parent who is owed support may file papers for a contempt hearing. Criminal nonsupport is a crime prosecuted by the district attorney. Child support agencies may refer cases to the district attorney. The parent who is owed support may file a complaint directly with the district attorney.

## Where can I find more information?

Contact your child support agency for information about your case. It is listed in your phone book under "County Government" and online at **childsupport.wisconsin.gov**. See the *Guide to Past-Due Support* for detailed information about the tools used to collect support and about payment plans. This guide and many more are available from your child support agency and online at **childsupport.wisconsin.gov**.

DCF is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format, or need it translated to another language, please call (608) 266-9909 or (800) 947-3529 TTY (toll free). For civil rights questions, call (608) 422-6889 or (866) 864-4585 TTY (Toll Free).