



31 Days of Child Support Facts

Fact Day #1: Child support agencies encourage parental responsibility so that children receive the financial and emotional support they need.

Children need financial, emotional, and medical support from both parents to thrive. The national child support program assures that assistance in obtaining support is available to children through:

- locating parents,
- establishing paternity,
- establishing and modifying support obligations to an appropriate amount, and
- monitoring and enforcing those obligations.

Wisconsin's 71 county child support agencies are dedicated to establishing paternity and obtaining child support to encourage the well-being of children and to recognize the essential role both parents have in supporting their children.

Fact Day #2: Child support orders can be modified by a court.

If there has been a significant change of circumstances or placement of the child (ren), either parent can go to court and request that child support be increased, decreased, or even possibly eliminated. The change would be more than 15% of the current order or more than \$50 per month. The child support agency can assist with this process or the parents themselves can request a hearing for modification.

Fact Day #3: Wisconsin courts use guidelines to set child support payment amounts.

The child support guidelines that Wisconsin courts use to set child support payment amounts are called the Child Support Standard. This standard considers the income of the parents, the amount of time the child spends with each parent, and if the parents are supporting other children.



Wisconsin Department of
Children and Families



31 Days of Child Support Facts

Fact Day #4: Child support money paid covers some or all of a child's basic needs, such as food, clothing, housing, utilities, transportation, personal care, education, and health insurance.

Fact Day #5: Both parents have a legal obligation to pay child support until the child turns 18, or 19, if the child is still enrolled in high school or a GED course.

Fact Day #6: You can still owe past-due support after your child turns 18.

When a parent does not pay his or her child support, the debt becomes past due. The current interest charged on past-due child support payments in Wisconsin is 0.5% per month or 6% per year. Note: You can still owe past-due support after your child turns 18. Past-due child support cases can be enforced for up to 20 years after the youngest child on the order turns 18.

Fact Day #7: The federal Consumer Credit Protection Act (CCPA) limits how much money can be withheld from a paying parent's paycheck.

The CCPA limits how much money can be withheld from a paying parent's paycheck to between 50% and 65% of disposable income, depending on whether the paying parent has other children to support and if there is past-due support. Disposable income is what remains after deduction of federal, state, and local withholding taxes, and Social Security taxes. Voluntary deductions for retirement accounts, medical expense accounts, etc., do not reduce disposable income. Employers are responsible for ensuring that the withholding does not exceed the CCPA limits.

Fact Day #8: Child support is not tax deductible by the payer. The recipient does not have to claim it as income for tax purposes.

Fact Day #9: Families will share medical and health care costs (dental, orthodontic, eyeglasses, etc.) that an insurance plan doesn't cover either in proportion to incomes or equally.



Fact Day #10: A child born outside of marriage will not have a legal father unless a paternity acknowledgment form is filled out or paternity is established through a court hearing and/or genetic testing.

Establishing legal fatherhood is in the best interest of the child as it defines their legal relationship. It also gives the child inheritance rights, access to future benefits through the father (social security, veterans benefits, etc.), and access to the medical history of the father.

Fact Day #11: Paternity can be established at any time after the birth of the child.

In Wisconsin, there are three ways to establish paternity:

- a. The mother and father can legally agree to the father's paternity if there is no question as to the identity of the father, the mother is not married, and they are not minors. To accomplish this, the mother and father must sign the state Voluntary Paternity Acknowledgment form.
- b. A child support agency can file legal proceedings for paternity. Both the mother and father are notified of the case and have the opportunity to appear in court. Either party can ask for genetic tests before paternity is decided.
- c. Genetic testing can be done without a requirement for court action and paternity will be automatically established based off the results.

Fact Day #12: Parents who receive W-2, childcare, Caretaker Supplement, BadgerCare Plus, substitute care, or kinship care for a child are required by the state of Wisconsin to cooperate with paternity establishment efforts, along with setting a child support order.

Failure to cooperate may result in benefits being sanctioned, unless there is good cause not to cooperate and a Good Cause Claim is filed.





Fact Day #13: Custody refers to decision-making authority, and in accordance with law, the court is required to presume that joint legal custody is in the best interest of the children.

In joint custody, both parents share legal custody and neither parent's legal custody rights are superior. Parents are required to consult and attempt to reach an agreement while considering major decisions affecting the lives of the children. In sole custody, one parent has legal custody, or sole authority, to make decisions.

Fact Day #14: The placement order addresses where and with whom the child spends time.

Placement refers to the right of a parent to have the child physically placed with them. The parent has the right and responsibility to make, during that placement, routine daily decisions regarding the child's care.

Fact Day #15: The child support agency or the court do not prefer one parent or potential parent over the other on the basis of sex or race.

Any parent can receive child support as it is based on income, who has the majority of placement, and what the child's needs are.

Fact Day #16: The Wisconsin Child Support Program works with other states and countries to aid families seeking support when family members live in different countries. A few examples of other countries that the program services are Austria, Bulgaria, United Kingdom, Czech Republic, France, and Germany.





31 Days of Child Support Facts

Fact Day #17: In Fiscal Year 2022, child support programs nationwide collected \$30.5 billion and served 1 in 5 children in the United States.

Fact Day #18: There are 11 federally recognized Tribes in Wisconsin. Of those, nine operate their own child support program. Tribal child support programs provide services to Native American families consistent with tribal values and cultures.

Fact Day #19: In 2021, the tribal child support programs collected \$53 million in child support and 97% of child support collected went to families.

Fact Day #20: Non-cash support, or in-kind payments are unique to tribal child support programs. Non-cash support must be agreed upon as an acceptable form of support in the place of cash/monetary child support payments.

Fact Day #21: Wisconsin has the second-highest number of state tribal child support programs. The state with the most tribal child support programs is Oklahoma, which has 10.

Fact Day #22: Each tribal child support program operates as a sovereign nation, following each tribe's specific court code and laws. This means that each tribe may have different standards.





31 Days of Child Support Facts

Fact Day #23: The Wisconsin Child Support Program is entering the fourth year of a 10-year Child Support Modernization (CSM) project. The purpose of the CSM project is to modernize the child support program and related child support automated systems – such as Kids Information Data System (KIDS) and the Child Support Online Services (CSOS).

Fact Day #24: The CSM project will impact thousands of stakeholders in over 100 stakeholder groups, including children, parents, and families; employers; local county and tribal child support agencies; judges and family court commissioners; clerks of court; DCF; state and federal partner agencies; private partners, etc.

Fact Day #25: In 2020, five Wisconsin counties received funding to provide ELEVATE (Empowering Lives through Education, Vocational Assessment, Training, and Employment) services to paying parents involved in the child support system. The ELEVATE program provides a supportive range of services to paying parents instead of more traditional enforcement-oriented approaches. Brown, Kenosha, Marathon, Racine, and Wood counties provide ELEVATE services. The program launched in January 2020, and as of May 2023, there was a total of 1,400 enrollments. This program continues through 2024.

Fact Day #26: The ELEVATE four core services are enhanced case management, enhanced child support services, parenting education, and services. As of May 2023, 2,366 new employments have been reported by those enrolled.

Fact Day #27: If a parent is self-employed or paid with cash, they will need to make payments on their own to the Wisconsin State Collections Trust Fund to ensure financial obligations are met.



Fact Day #28: In Fiscal Year 2022, 72% of child support was collected across the United States by income withholding from an employee's paycheck.

- On Aug. 1, 1987, mandatory immediate income withholding became effective statewide.
- On Nov. 1, 1990, immediate income withholding became required nationwide.
- By law, a court order for child support creates an order for income withholding.

Fact Day #29: In 2023, the name of the federal child support program was renamed from the Office of Child Enforcement to the Office of Child Support Services.

Fact Day #30: The federal Office of Child Support Services was established in 1975. In 1996, new welfare reform laws changed the program to ensure children received more of the support paid by their parents and expanded the role of technology in serving families.

Fact Day #31: Each child support agency works with a child support attorney to provide legal services. Child support attorneys represent the state.

