



KENOSHA COUNTY

BOARD OF SUPERVISORS

Resolution No. _____

Subject: A Resolution Regarding Substitute Care Collections			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted:		Date Resubmitted:	
Submitted by: Supervisors Decker, Geertsen, and Stocker			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/> Agreement	
Prepared by: Supervisor Erin Decker		Signature:	

WHEREAS, on February 25, 2022, the Wisconsin Department of Children and Families issued Child Support Bulletin 22-03 regarding Child Support Orders for Children in Out-of-Home Care; and

WHEREAS, this bulletin stated child support obligations that are ordered in a case under Wisconsin Chapter 48 or Wisconsin Chapter 938 are not enforceable by a county child support agency (CSA); and

WHEREAS, this bulletin furthermore stated Wis. Stat. s. 59.53(6)(b) instructs the attorneys who are responsible for support enforcement to “institute, commence, appear in, or perform other prescribed duties in actions or proceedings under sub. (5) and ss. 49.22(7), 767.205(2), 767.501, and 767.80 and ch. 769.” There is no instruction to institute, commence, appear in, or perform other duties in actions under ch. 48 or ch. 938; and

WHEREAS, per the July 29, 2022, Office of Child Support Enforcement (OCSE) Dear Colleague Letter, the Administration for Children and Families encourages child welfare agencies to implement across-the-board policies that require an assignment of the rights to child support for children who receive title IV-E foster care maintenance payments (FCMPs) only in very rare circumstances; and

NOW THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors respectfully requests the State of Wisconsin allow counties greater flexibility in methods of collecting reimbursement from parents for substitute care costs for children in out of home care; and

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors respectfully requests the State of Wisconsin allow referrals from child welfare offices to child support agencies in most circumstances to establish a child support order for children in out-of-home care; and

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors respectfully requests the State of Wisconsin allow referrals be delayed for the initial six months to promote reunification but be reevaluated for referral after the initial six-month period as often, reunification occurs in the first six months and the delay would defray unnecessary administration costs and promote reunification during the that timeframe; and

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors respectfully requests the State of Wisconsin allow immediate referrals from child welfare offices to child support agencies to establish paternity for children in out of home care; and

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors respectfully requests the State of Wisconsin allow for child support cases that already have an established order to collect child support be immediately redirected to the County for children in out of home care; and

BE IT FURTHER RESOLVED, that the Kenosha County Board of Supervisors respectfully requests the State of Wisconsin establish a state workgroup comprised of stakeholders in child welfare, child support, and county and human services representatives to review the child welfare referral process to child support agencies; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to Kenosha County's legislative delegation, Governor Evers, the Secretary of the Wisconsin Department of Children and Families, all other Wisconsin counties, and the Wisconsin Counties Association.

Tim Stocker

David Geertsen

Erin Decker