



Your Guide to Parents' Rights & Responsibilities

WI BUREAU OF CHILD SUPPORT



Parents' rights

Parents' responsibilities

How parents can help

Legal representation

Parents' civil rights

Confidentiality

Need more information?

Other child support guides

- Support services
- Legal fatherhood
- Setting support amounts
- Getting support
- Paying support
- Changing or ending support
- Past-due support
- Child Support Agencies
- Parent resources
- W-2 Services, Cash Benefits Programs, and Child Support
- Child Support and BadgerCare Plus
- Repaying birth costs

Both parents are responsible for supporting their children.

All children have a right to financial support from both parents.

Parents' rights

Parents who apply for child support services have a right to:

- apply for child support enforcement services from their county child support agency without paying an application fee. Divorced and separated parents should apply for services in the county where their divorce or legal separation was granted. (Tribal members may apply for services from their tribal child support program.)
- receive help in getting and enforcing a child support court order
- ask that the child support agency notify him or her if the agency takes administrative enforcement actions against the other parent (These actions include the seizure of property and denial of licenses. Parents should put this request in writing.)
- be told if the child support agency plans to close their case
- receive most child support services free of charge if they get cash benefits from the W-2, SSI Caretaker Supplement, or Kinship Care programs (Families in these programs are automatically referred to child support.)
- ask the child support agency to stop providing services in their case if they no longer take part in the W-2, SSI Caretaker Supplement, or Kinship Care programs. Parents should put this request in writing. Parents in the BadgerCare Plus program who were referred to the child support program also have this right if they no longer take part in the program.
- file a written complaint and have their case reviewed if they believe that the local agency has delayed mandatory actions or has not taken mandatory actions on their case (All child support agencies have a complaint procedure posted in their agencies.)

Both parents in cases receiving services from their child support agency have the right to:

- receive help in establishing legal fatherhood (paternity)
- ask their child support agency for "privacy protection" if the release of their address, telephone number, employer, or other location information would put them or their children at risk
- ask for a review of an existing order

Parents' responsibilities

When receiving services from their child support agency, both parents are responsible for telling the child support agency if they:

- move, change jobs, change their name, or have a change of income (required by state law) Parents can update their addresses online at dcf.wisconsin.gov/bcs or by contacting their child support agency.
- change telephone numbers
- change custody or placement of their children
- ask the court to change their support order (The child support agency must approve a legal agreement between parents that changes the amount of support. Parents should submit the agreement to their child support agency before they file the agreement with the court.)
- change health insurance coverage
- schedule any court hearings about their child support case

Parents are also responsible for telling the child support agency if:

- the other parent or their minor child dies
- the paying parent will be receiving a lump-sum of payment of any kind (such as an insurance settlement, an inheritance, or retroactive Social Security payments) if past-due support is owed

Parents receiving or wanting to receive support are responsible for telling their child support agency:

- any information that they have or could find out that is needed to find the other parent
- any information that they have or could find out that is needed to establish paternity (legal fatherhood)
- any information that they have or could find out that is needed to establish an order for child support

How parents can help

- Both parents should always cooperate with their child support worker by completing necessary forms and keeping appointments.
- Parents applying for child support services should provide the child support agency with copies of any court orders they already have for support or legal fatherhood (paternity). Parents should also provide copies of divorce decrees and any temporary or marital support orders.
- Parents applying for child support services should provide any information they know about the other parent, including full name, place of birth, current address, employment or other income information, and Social Security or Tax Identification number.

Legal representation

- It is very important that parents understand that child support attorneys who appear at their support court hearings are there to represent the interests of the State of Wisconsin. Child support attorneys do not represent either parent.
- There is no attorney-client relationship between parents and child support attorneys.
- The child support attorney will handle legal issues connected with obtaining and enforcing a child support order. Parents may hire a private attorney if they wish. Parents applying for services should inform their child support agency if they hire a private attorney.
- Child support attorneys do not handle custody and visitation issues.

Parents' civil rights

The following civil rights laws protect parents from discrimination in the delivery of child support services:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Age Discrimination Act of 1975
- Americans with Disabilities Act of 1990

The Wisconsin Child Support program does not discriminate when providing services or employment on the basis of age, race, color, sex, national origin, ancestry, marital status, religion, sexual orientation, arrest/conviction record, use of lawful products, military status, disability, or political affiliation.

Parents have a right to free language assistance. Parents who need this material or information in another language, in an alternate format, or need help in using child support services, should contact:

- their county or tribal child support agency (Local child support agency phone numbers are listed in the phone book under “county government” or tribal name, and online at dcf.wisconsin.gov/bcs.)
 - If the local agency cannot help, parents may call:
(608) 266-9909
(800) 947-3529 TTY (toll free)

If parents have questions about discrimination and harassment, they may:

- ask to speak to their caseworker’s supervisor or the agency’s equal opportunity coordinator to try to resolve their concerns
- contact the Wisconsin Child Support program at: (608) 266-9909 or (800) 947-3529 TTY (toll free)

Complaints must be filed within 180 days of the alleged discriminatory action.

Confidentiality

In general, information about a specific child support case cannot be given to anyone other than the parties (usually the mother and the father), their attorneys, or an attorney assigned to the child without the written consent of the parties. Information may be shared with others for the purpose of administration of the child support program and other related programs. Related programs include the Medicaid/BadgerCare Plus, Kinship Care, SSI Caretaker Supplement, and W-2 programs. If the release of a parent’s address, phone number, employer, or other location information would put the parent or the children at risk of harm, the parent should talk to the child support worker about privacy protection.

The exceptions to confidentiality are:

- Child Support Lien Docket - Information on this electronic list is public information.
- Records maintained by the clerk of courts
 - Release of information maintained by the clerks of court is regulated by Wis. Stats. §19.33 and §19.35.
- Criminal and civil court actions

Need more information?

- Contact your local child support agency for information about your case. Phone numbers are listed under “County Government” or tribal name and online at dcf.wisconsin.gov/bcs.
- Go to dcf.wisconsin.gov/bcs for more information about child support and support services. Most public libraries offer free Internet access.

Or contact

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 the Wisconsin Relay Service (WRS) – 711 TTY (Toll Free). For civil rights questions, call (608) 422-6889 or Wisconsin Relay Service (WRS) – 711 TTY (Toll Free).