

**WISCONSIN DEPARTMENT OF WORKFORCE DEVELOPMENT  
Division of Workforce Solutions  
Bureau of Child Support**

**To: Child Support Directors  
Child Support Supervisors or Lead Workers  
Child Support Attorneys**

**From: Director  
Bureau of Child Support**

**Subject: Grandparent Liability**

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**CHILD SUPPORT  
BULLETIN**

**No.: 07-03**

**Date: 01/10/07**

**Purpose**

This bulletin informs child support agencies (CSAs) of their responsibilities for grandparent liability and sets forth the conditions necessary to receive IV-D funding for these activities.

**Background:**

Wisconsin Statutes § 49.90, provides that a parent has an obligation to maintain or support the child of a dependent person under the age of 18 (grandparent liability). Under the statute, a public assistance authority or board may submit a report of their findings to the corporation counsel for action.

The statute permits a grandparent, the minor parent, or the child of a minor dependent parent, to apply to the circuit court for an order to compel maintenance. In addition, the statute permits, but does not require, a county CSA to initiate an action under this section whether or not the child is receiving public assistance.

Under the Social Security Act 42 USC 666 (a) (18), orders against paternal or maternal grandparents may, at state option, be enforced under IV-D regulations if the custodial parent of the grandchild is receiving TANF benefits. Therefore, services to obtain support from a grandparent are eligible for IV-D reimbursement *only if the custodial parent* (usually the minor parent of the grandchild) is receiving cash TANF benefits.

**CSA Responsibility for Grandparent Liability Cases**

CSAs may provide grandparent liability services upon the request of the corporation counsel, the other grandparent(s), the minor parent, or the child of a minor dependent. However, IV-D funding (FFP) for grandparent liability cases is available *only* if the minor parent is receiving TANF cash assistance or is a member of a household receiving TANF cash assistance. Grandparent liability services provided in a case where the minor parent is not receiving TANF cash assistance must be tracked separately and cannot be reported for child support (FFP) reimbursement.