

2017 Children First Program Guide



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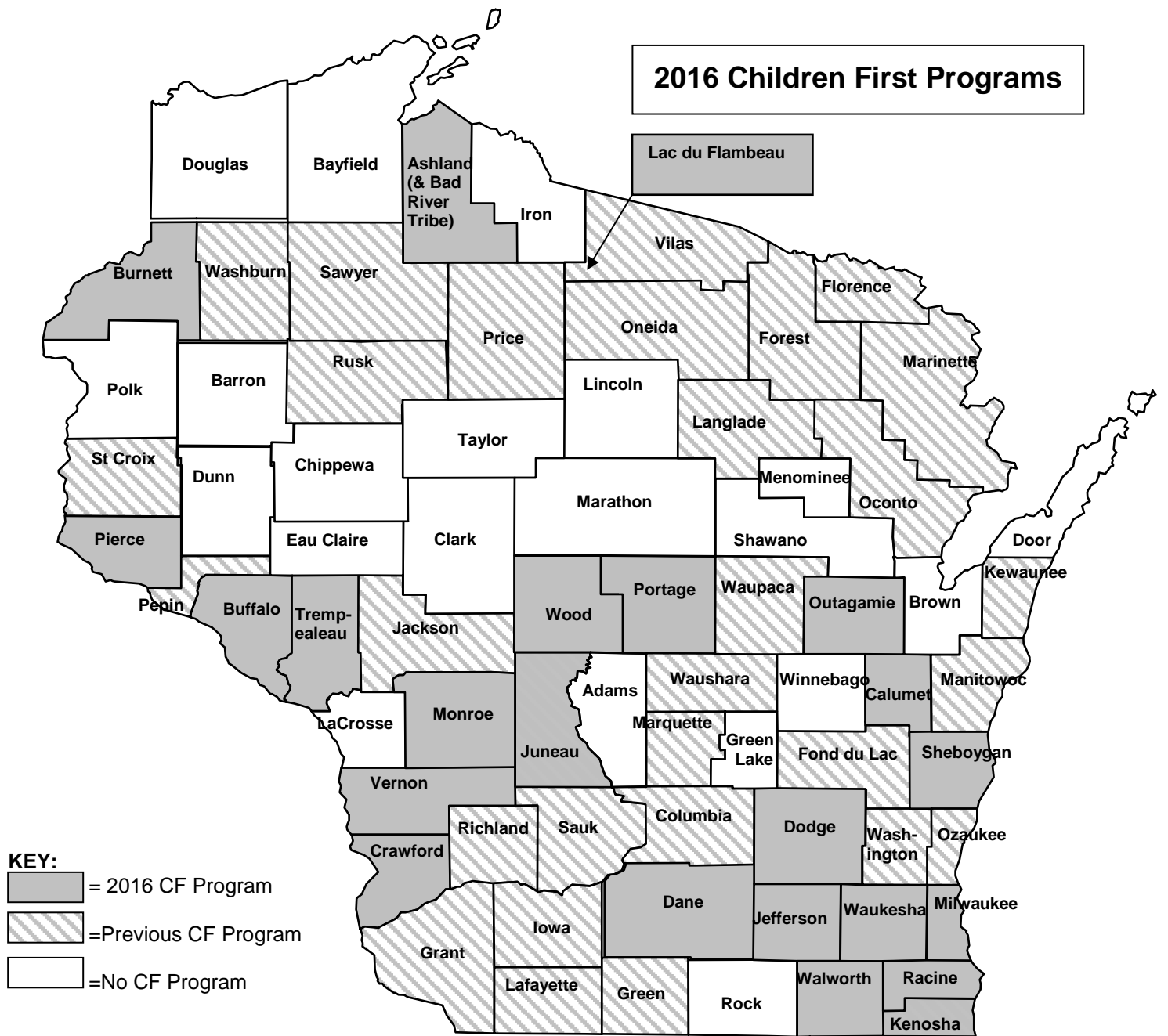
Table of Contents

Map – Children First Programs	1
Introduction	2
Background.....	2
Program Administration.....	2
Program Eligibility and Court Orders	3
Participation Requirements	4
Travel Reimbursement for Children First Participation	4
Children First Referral and Registration	4
Children First Data Entry and Tracking	5
➤ Registration and Enrollment.....	5
➤ Orientation.....	6
➤ Assessment and Employability Plan (EP)	6
➤ Activities	6
➤ Activities Without CARES Codes	7
➤ Child Support Payment Tracking	7
➤ Documenting Case Information/Comments	7
Dual Enrollment	7
Children First Program Non-Compliance.....	7
Fact-Finding Process	8
Program Completion	8
Out of County Noncustodial Parents	9
Children First Forms.....	9
Program Monitoring by Department of Children and Families	9
Children First Program Funding	9
Expense Reporting	10
Child Support Agency Responsibilities.....	11

ATTACHMENTS:

1. [Wis. Stats. §§ 49.36 and 767.55](#)
2. [Children First Program Registration Form](#)
3. [Children First Initial Appointment Notice](#)
4. [Your Rights and Responsibilities](#)
5. [Children First Fact Finding Appointment Notice](#)
6. [Children First Reconciliation Agreement](#)
7. [Notification of Non-Compliance with Children First Program](#)
8. [Affidavit of Non-Compliance with Children First Program](#)
9. [Affidavit of Successful Completion of Children First Program](#)

2016 Children First Programs



Counties and Tribes with Current Children First Programs

Ashland	Buffalo	Burnett
Calumet	Crawford	Dane
Dodge	Jefferson	Juneau
Kenosha	Milwaukee	Monroe
Pierce	Portage	Outagamie
Racine	Trempealeau	Vernon
Walworth	Waukesha	Wood
Bad River Tribe (part of Ashland Co's CF Program)	Lac Du Flambeau Tribe	

Introduction

Children First (CF) was developed to provide employment and training services for noncustodial parents (NCPs) who are not paying child support due to being unemployed or underemployed. Children First participation and program requirements are explained in Wis. Stats. §§ 49.36 and 767.55. Copies of these statutes are included as attachments in this program guide.

Although the Children First program has a work first philosophy, a combination of job search activities as well as other services may be provided to promote self-sufficiency and responsible parenting. Per Wis. Stat. § 767.55, the NCP successfully completes the Children First Program when he/she makes timely payment in full for three consecutive months, or participates in the Children First Program for 16 weeks.

Emerging research on the effectiveness of child support employment and engagement programs suggests that NCPs who are paying child support are more likely to be involved in the lives of their children. The primary goal of the Children First program is to improve the ability of the NCP to pay court ordered support through gainful employment. In addition, the Children First program provides services and support to encourage NCPs to participate in the lives of their children in order to increase child well-being.

Participation in the Children First Program is court ordered. In cases where the NCP is unable to meet a child support obligation, the court may order participation in the Children First program.

Background

Children First, or the Community Work Experience program for NCPs, was authorized by 1987 Wisconsin Act 413. The Children First program was implemented in 1990 in Racine and Fond du Lac counties as part of the welfare reform plan for Wisconsin. The program continues to expand and included 21 counties and 2 tribes in 2016, as illustrated on the 2016 Children First Programs map on page 1 of this guide.

Program Administration

The Children First program is administered through the Department of Children and Families (DCF), Division of Family and Economic Security (DFES). Within DFES, the Bureau of Child Support (BCS) has oversight responsibilities for the program that include policy development and interpretation, program planning, and contract funding.

Wis. Stat. § 49.36(2) permits DCF to contract with any county agency, tribal governing body, or Wisconsin Works (W-2) agency to administer the program. Children First contracts may be issued as an addendum to a W-2 contract, an addendum to the annual county/tribal child support contract, or as a separate contract. The contract agency may elect to subcontract with other private or public agencies to conduct all or part of the Children First program activities, and may direct the Children First participant to participate in other appropriate community activities. The contract agency must designate a contract administrator who is responsible for all DCF communications related to the Children First program.

Contract agencies are allowed flexibility in designing the program structure. However, all programs must comply with state statutes and state policies and procedures in administering the program. This program guide sets current policies and procedures.

Operation of the Children First program requires a formal partnership at the county or tribal level between the child support agency (CSA), the county/tribal judicial system, and often the W-2 agency or another employment and training program, such as FSET (administered through the

Department of Health Services), or a Workforce Investment or Workforce Development Board (administered through the Department of Workforce Development) that provides services to assist unemployed or underemployed individuals to prepare for and obtain employment. Individuals with a disability may also be eligible for Vocational Rehabilitation services through the Division of Vocational Rehabilitation in the Department of Workforce Development.

The employment and training services provided through the program are to be designed at the local level and may include, but are not limited to, self-directed job search programs, employment-related workshops and seminars, facilitated job clubs, career counselling or other employment-based coaching or counselling. Clearly defined partnerships with local providers of employment and training services are essential for the success of any Children First program.

Child support enforcement activities are funded under the child support (IV-D) program and are **not** reimbursable with Children First funds. Only Children First program activities are reimbursable with Children First funds.

Establishment of consortium and/or partnership arrangements to deliver Children First services is encouraged. The contract agency must be designated as the lead agency and is responsible for the consortium or partnership. Tribal governing bodies may provide services to NCPs who reside on tribal lands and/or to other tribal members who do not reside on tribal lands.

Program Eligibility and Court Orders

Per Wisconsin statutes, participation in the Children First program must be court ordered. In addition, the NCP must be ordered to pay current support.

Wis. Stats. §§ 767.55 and 49.36 provide the eligibility requirements for the Children First program. Copies of these statutes are found as attachments to this program guide. The court may order a NCP to participate in the program provided **all** of the following criteria are met (Wis. Stat. § 767.55), and the criteria are included as findings of the court in the court order:

- The parent is legally able to work full-time;
- The parent works an average of less than 32 hours per week, and is not participating in an employment and training program;
- The parent earns less than he/she has the ability to earn or has an actual weekly gross income of less than 40 times the federal minimum hourly wage;
- The parent resides in a county with a work experience and job training program under Wis. Stats. §. 49.36 and that county agrees to enrol the parent;
- The court order must establish support in the amount the parent was ordered to pay in the most recent determination of support, or an amount equal to the amount determined by applying the percentage standard established under Wis. Stats. § 49.36; or
- The court order must provide that, after the obligation to make payments ordered under Wis. Stats. § 767.55 ceases, the parent must make payments calculated under Wis. Stats. §§ 767.511 (1j) or (1m).

The Kids Information Data System (KIDS) contains a Children First Court Order (EN28) document that complies with statutory requirements. The table below lists additional KIDS documents that reference or pertain to the Children First program.

Remedial Contempt Order (EN10)	path 09,13,01,03
Affidavit for Contempt (EN22)	path 09,13,01,07
Order to Show Cause (EN23)	path 09,13,01,08

Stip/Order for Contempt (EN25)	path 09,13,01,10
Children First Order (EN28)	path 09,13,01,13
Compliance Enforcement Letter (EN31)	path 09,13,02,13
Paternity Judgment-Long (PE16)	path 09,07,12
Stip/Judgment of Paternity (PE25)	path 09,07,13
Paternity Judgment-Default (PE38)	path 09,07,18
Order-Amending Judgment (RA14)	path 09,11,13
Stip/Order-Amending Judgment (RA15)	path 09,11,14
Stip/Order for Support (SE06)	path 09,09,05
Order for Support (SE07)	path 09,09,06

Participation in the Children First program does not reduce or eliminate the NCP's child support liabilities. If the NCP fails to make payments as ordered, the unpaid amount accrues as a debt, and interest is calculated.

Participation Requirements

Per Wis. Stats. § 49.36, the following restrictions are placed on NCP participation in the Children First program:

- The NCP may not be required to participate for more than 32 hours per week in the Children First program;
- The NCP may not be required to participate for more than 16 weeks during each 12-month period.
- If the NCP is employed, he/she may not be required to participate for more than 80% of the difference between 40 hours and the number of hours actually worked in the unsubsidized job during that week; and
- Children First participants may be co-enrolled in other work programs if they meet the programs' specific eligibility criteria. If a person is required by a governmental agency to participate in another work or training program, the NCP may not be required to participate in the Children First program in a week for more than 32 hours minus the number of hours he/she is required to participate in the other program.

If the NCP misses hours (or days) of assigned activities during the 16-week period, the missed time may be added to the 16-week period until the total obligation is satisfied. The 16 weeks of required participation in the Children First program do not need to be consecutive. If participation is interrupted, the Children First employment and training agency may allow re-entry into the program to complete the remaining period of eligibility.

Travel Reimbursement for Children First Participation

Pursuant to Wis. Stats. § 49.36(6), the Children First program shall provide up to \$25 per month reimbursement for travel expenses for Children First participants to attend Children First activities.

Children First Referral and Registration

The CSA is responsible to act as a liaison between the courts and the Children First program by identifying individuals who meet the eligibility requirements outlined in Wis. Stat. § 767.55, and to recommend to the court that eligible NCPs be court ordered to participate in the program. The CSA is responsible to ensure that for each noncustodial parent referred to the Children First program, an appropriate court order is executed, including appropriate findings pursuant to Wis. Stat. § 767.55.

The CSA must complete the Children First Registration Form, obtain the signature of the NCP, and send the Registration Form to the agency providing the Children First services. All Children First programs must use the Children First Registration Form found in the attachment section of this program guide as it contains the information that must be entered into CARES to begin the enrollment process.

Children First programs may request that the CSA inform the NCP of the date, time, and location of the Children First orientation or appointment. This information can be included on the Children First Registration Form or on the Children First Court Order found in KIDS.

Children First Data Entry and Tracking

All Children First cases are tracked and monitored in the Client Assistance for Re-Employment and Economic Support (CARES) system. All Children First cases must be entered into the CARES system. For all services or activities that include data entry into CARES, the CARES data entry must be completed within five business days of the event, service or activity. Please refer to the Wisconsin CARES guide for information specific to Children First case entry. A copy of the CARES guide can be found at:

<http://dcf.wisconsin.gov/files/w2/pdf/cares-guide.pdf>

CARES reporting is crucial for program evaluation and planning purposes. It also provides a summary of previous work and employment program participation history on NCPs for Children First case managers.

CARES data entry will normally be the responsibility of the CSA's contracted Children First service provider. If a CSA believes it needs access or the CSA contracts with a new employment and training contractor, the CSA should submit its request on a KIDPOL Request Form explaining why access is required.

➤ Registration and Enrollment

Upon receipt of the Children First Registration Form, the agency providing the Children First services must enroll the NCP by entering the participant demographic information and Children First enrollment information into CARES.

CARES Guide, Section 2, Chapter 2: Entry into Work Programs provides information on completing Client Registration. Within CARES/Client Registration, screen CRPR begins the Client Registration process for non-eligibility programs including Children First. Refer to the CARES Guide for steps in completing Client Registration for Children First participants.

Once the Client Registration has been completed in CARES, the participant will be referred to the Work Programs subsystem (CARES Guide, Section 2: Work Programs). Enrollment in the Work Programs subsystem must be completed, including the Client Information screen (WPWI). This screen includes information regarding whether the participant is in the Children First program, the county/tribe in which the individual is ordered to participate, and is also the screen where completion codes must be entered.

Upon completion of this CARES data entry, the participant is considered enrolled in Children First, and the 16-week Children First clock begins.

Failure to enrol an individual in the Children First program in the CARES work programs subsystem will make that individual ineligible for Children First funding.

➤ Orientation

All Children First Program participants must receive orientation. At a minimum, orientation must provide an overview of the Children First program, an overview of the activities that are offered by the program, and the expectations for program participation. The participant must sign a Rights and Responsibilities form. A sample form is attached to this program guide. Completion of orientation must be documented in CARES.

Please note that effective March 7, 2016, all Children First participants must complete a drug screen using a DCF approved drug screening questionnaire. The screen consists of 10 questions that the participant answers. Based on the results of this screen, the CF manager will determine whether a drug test is required. For more information on this process, please contact Phyllis.Fuller@wisconsin.gov.

➤ Assessment and Employability Plan (EP)

An Assessment regarding barriers to employment and an Employability Plan (EP) must be completed in CARES for every Children First participant.

Assessment information is entered in CARES on screens WPED, WPAW, WPEH, WPJR, WPBD, and WPRU. These screens collect information regarding education, employment history, barriers, and goals.

An EP is completed on CARES screens WPJS and WPAS. The EP must include the assigned activities and hours of participation. The EP should be updated anytime there is a change in activities. Every attempt should be made to have the Children First participant sign the EP. Attempts should be documented. If a participant fails to sign the EP, it is still valid.

(Note: the screens described in this document are currently undergoing review and redesign as part of a modernization project and may be modified or renamed as that project progresses.)

➤ Activities

Children First participants may be involved in assigned activities up to 32 hours per week. Children First services provide NCPs with an opportunity to improve their ability to pay court ordered support and to provide overall support to their children. Services may include case management, services to assist the NCP in finding and maintaining employment, skills training, and parenting improvement services to promote self-sufficiency and responsible parenting. Individual Children First programs may design services to enhance program outcomes. These may include fatherhood and/or peer support services. However, only activities pertaining to employment are allowable costs for Children First funding.

Children First service providers are expected to identify programs that provide employment-related services that participants may be eligible for, including programs such as Food Share Employment and Training (FSET), Transitional Jobs, Transform Milwaukee Jobs, W-2 NCP programming, Vocational Rehabilitation program, and employment and training administered through the Department of Workforce Development. Children First participants shall be given a referral to such programs as an assigned Children First activity. The Children First service provider shall contact the program to determine whether the individual is likely to be eligible and for information about how the individual can apply. The Children First service provider shall make an appointment for the individual, provide instructions on how to contact the program and make application, or otherwise assist the individual to obtain employment and training services.

Assigned activities must be entered on CARES screen WPCS once the EP has been completed. After entering activities, information may be viewed, updated, and closed on CARES screen WPCH. All of the activities available for the Children First program are described in detail as work program components in CARES guide, Section 2: Work Programs, Appendix 01: Definitions of Components and Statuses are at <http://dcf.wisconsin.gov/files/w2/pdf/cares-guide.pdf>.

Upon completion of assigned activities, activity completion codes and dates must be entered in CARES.

➤ **Activities Without CARES Codes**

For fatherhood–focused services, mediation, family formation services or other activities that are not included among the CARES activity code definitions, please enter CARES code PL (Parenting/Life Skills) and include an explanation in Case Comments regarding what type/s of activities/services are being provided and the number of hours of participation. Non-participation should also be recorded as specified below under Children First program Non-Compliance.

➤ **Child Support Payment Tracking**

Per Wisconsin statutes, a NCP may successfully complete the Children First program by completing 16 weeks of employment and training activities, or by making timely payment in full for three consecutive months. Children First case managers must monitor (in KIDS) child support payments made by NCPs enrolled in the program. Case managers may track child support payments by going into the KIDS system and checking the IV-D Case Account Statement screen (FAA-Case, path 05, 10, IV-D#).

Child support payments may also be entered into CARES as an activity simultaneously with other activities. Please refer to CARES guide, Section 2: Work Programs, Appendix 01: Definitions of Components or Statuses.

➤ **Documenting Case Information/Comments**

Case comments are a formal record of case action or program-related information for an individual. Workers should record comments immediately to ensure a sequential history. When comments are warranted, they must be made no later than 24 hours after the action or contact with a participant. CARES screen CMCC is one of the most important screens to be completed on the Work Programs side of the CARES system.

Dual Enrollment

Subject to the limitations in Wis. Stat. § 49.36, dual enrollment in other employment and training activities may be required as an assigned activity for Children First participants provided the NCP also meets that program’s specific eligibility criteria.

Children First Program Non-Compliance

The NCP is considered to be in non-compliance if he/she refuses, or fails (without Good Cause) to cooperate with the Children First program requirements. Use the WPNH- Non-Participation History screen in CARES to record incidences of non-participation. Record any missed activities on this screen; also record Good Cause.

- Enter the CARES Non-compliance code while the NCP is in this status. Non-compliance with Children First program involves either:

1. Refusal or failure to participate in Orientation, Assessment, and Employability planning and/or,
2. Refusal or failure to participate in assigned activities.
3. Refusal or failure to participate in a drug screen, drug test, or treatment when required.

Notify the child support agency of the non-compliance.

Fact-Finding Process

Children First programs must have a Fact-Finding procedure for participants in non-compliance. The following model may be used if local procedures are not available. Sample forms are included in the attachment section of this program guide.

- If the NCP does not appear for the initial orientation appointment, the appointment must be rescheduled within two weeks;
- The second appointment should include a Fact-Finding to identify the reasons for non-compliance and to help resolve the problem so that the NCP can participate in the program;
- A Reconciliation Agreement should be signed by the NCP during the Fact-Finding appointment; and/or
- If an agreement cannot be reached, or the NCP fails to appear, a Notice of Non-Compliance must be mailed to the NCP, with a copy sent to the CSA. The notice must include information on the right to an Administrative Review hearing.

In the Children First program, the Administrative Review is conducted by either the agency providing the Children First services or the CSA. The Administrative Review is conducted following the agency's normal administrative review process under DCF 101.22. The NCP must be given reasonable notice and opportunity for review, the agency must conduct the review, render their decision as soon as possible after review (interpreted to mean within 15 business days), and notify the NCP of the decision by certified letter with a copy to the CSA. No enforcement action will be taken until the Administrative Review decision is rendered; however, the Children First court order will remain in effect, and arrearages and interest will continue to accrue during this process.

If the response is negative, the NCP may request a departmental review (fair hearing), within 15 days of the date of the certified letter, which are conducted by the State of Wisconsin Department of Administration (DOA). Requests for a hearing must be made in writing to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. The review request form is available at <http://dha.state.wi.us/home> or by calling (608) 266-7709. The email contact is: DHAmail@wisconsin.gov.

If the NCP does not respond or participate in the Fact-Finding process, or comply with the Children First program requirements, the child support agency must be notified of the non-compliance in the form of an Affidavit. Sample Affidavit forms can be found in the attachment section of this program guide.

Program Completion

Per Wis. Stat. § 767.55, in order to successfully complete the Children First program, the NCP must make timely payment in full of the court ordered support for three consecutive months, or complete sixteen weeks participation in employment and training activities.

Case managers must notify the child support agency of the successful completion or of non-compliance in the form of an Affidavit. Components (activities) must be closed on CARES

screen WPCH and a completion code entered on WPWI, followed by the disenrollment process on WPDS. Refer to CARES Guide, Section 2, and Chapter 9-Exit From Work Programs.

Out of County Noncustodial Parents

Wisconsin Stat. §. 767.55 addresses the issue of a NCP who resides in a county other than the county where the court action takes place. It is understood that the statute is also meant to address situations where a tribal jurisdiction may be involved. The use of the word “county” is not meant to exclude the possibility of tribal jurisdiction.

Effective April 1, 2016, Wis. Stat. §767.55 (2) 1. 1m was amended to read: “The parent resides in a county, or resides within a reasonable driving distance, as determined by the court from a county, that has a work experience and job training program under Wis. Stat. §49.36 and that county agrees to enrol the parent in the program”.

A court in a county with a Children First program may now order a parent to participate in a Children First program in the county in which they live or in another county, if that county is within a reasonable driving distance as determined by the court, and that county agrees to enrol the participant in its program.

In all cases of crossing over county boundaries, only one agency may claim reimbursement. The administrative agencies involved in cross county/tribal services may negotiate reimbursement arrangements between themselves.

Children First Forms

The Children First Registration Form is mandatory for every Children First program. This is because the CARES data entry will be done using the information on this form. In addition, court orders for participation in Children First must include findings pursuant to Wis. Stats. § 767.55.

Other forms for program operations are subject to local agency discretion.

Program Monitoring by Department of Children and Families

DCF will monitor compliance with state statutes and policies governing the administration of the Children First program. The Children First provider in collaboration with the Child Support Agency must complete and file a quarterly Children First Program Report with BCS. See Attachment 3. The reports are due on April 30, July 31, October 31, and January 31.

Children First agencies are also required to complete a weekly survey to provide the number of participants screened, tested, and referred for drug treatment.

Program and policy monitoring within CSAs will be completed by Regional Administrators and will occur during regular scheduled on-site visits. In addition, DCF may monitor financial records and case records related to Children First expenditures. Children First and partner agencies are expected to comply with monitoring requests.

Children First Program Funding

Program funding for Children First is state general-purpose revenue (GPR). The state budget for the Children First program is established by the Legislature. Allocations are calculated on the number of NCP participants, or *slots* that a Children First program may need in comparison to the availability of funds in the state budget. Children First programs may also use other appropriate funding sources, and/or other available agency or community resources to serve Children First participants.

Wisconsin statute restricts Children First reimbursement to not more than \$400 per participant in a 12-month period. Children First funding is to be used for employment and training services and activities. Children First funds may not be used for services authorized under Title IV-D of the Social Security Act for the administration of the child support program or to meet the federal match requirements of the child support program. Because of the limited funding available for the Children First program, participating agencies are expected to create partnerships with other state and federally funded employment and training programs to expand the services and options available to individuals court ordered into the Children First program. Funding is available for case management activities as noted in the Expense Reporting section.

The Department may deobligate unexpended funds awarded to Children First programs when the contract amount is under spent. These funds may be redistributed to other participating Children First agencies to maximize the number of individuals that can be served by the program.

Expense Reporting

Beginning January 1, 2017, DCF will switch from the current grant system CORE for Children First reimbursement claims to SPARC (System for Payment and Reports of Contracts). Participating Children First agencies must follow DCF procedures and use the prescribed SPARC claim forms to request program reimbursement. Claims must be submitted by the 25th of the month for the previous month's activity for W-2 expenditures and by the 23rd of the month for child support expenditures. Payments are deposited on the 5th of the next month for W-2 expenditures and the 30th of the next quarter for child support expenditures per DCF procedures. Expenditures reported after the due date will be reimbursed the following month or quarter depending upon the program expenditure type.

Child support case management activities for the Children First program are eligible for federal financial participation (FFP) reimbursement at 66%. The following case management activities may contribute to improving child support outcomes:

- Identifying noncustodial parents that are unemployed or experiencing other social and family circumstances that impede the parent's ability to pay child support;
- Making referrals to other service agencies;
- Tracking and monitoring child support payments;
- Follow-up and tracking NCPs where the court issued an order directing a NCP to attend a work program;
- Collecting and analyzing data, as well as entering documentation in the state child support system or CARES;
- Conducting timely review and modification; and
- Providing specialized enforcement.

These costs may be claimed on SPARC Line 0701 and reported by DCF on the federal Office of Child Support Enforcement Quarterly Child Support Expenditure Report. Drug screening is considered a case management activity and any activities associated with screening are to be reported on SPARC line 0701.

The SPARC Reporting line for Drug Testing is 0702 and for Drug Treatment is 0703. Both costs will be reimbursed by the state at 100%. If you have any questions regarding drug testing or drug treatment, please contact BCS at bcinfo@wisconsin.gov.

Child Support Agency Responsibilities

1. Act as liaison between the courts and the Children First program.
2. Identify and recommend individuals that meet the eligibility requirements outlined in Wis. Stats. § 767.55 to the court.
3. Ensure that each NCP referred to the Children First program has an appropriate court order, including appropriate findings pursuant to Wis. Stats. § 767.55.
4. Complete the Children First Registration Form, obtain the signature of the NCP, and send the Registration Form to the agency providing the Children First services. You do not need to submit a copy of the court order with the Children First Registration Form.
5. If requested by the Children First program, inform the NCP of the date, time, and location of the Children First orientation or appointment.
6. Enter the Children First order in KIDS on the Court Order Entry screen (FOC, path 05, 04, IV-D#, F6). Set the end date of the order for one year.
7. When a Children First agency notifies the CSA of NCP program completion, either by compliance or noncompliance, update the court order entry screen with the order end date.

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Attachments

Wisconsin Statute Chapter 49.36

CHAPTER 49.36 Work experience program for noncustodial parents.

- (1) In this section:
- (a) "Custodial parent" means a parent who lives with his or her child for substantial periods of time.
 - (b) "Tribal governing body" means an elected tribal governing body of a federally recognized American Indian tribe or band.
- (2) The department may contract with any county, tribal governing body, or Wisconsin works agency to administer a work experience and job training program for parents who are not custodial parents and who fail to pay child support or to meet their children's needs for support as a result of unemployment or underemployment. The program may provide the kinds of work experience and job training services available from the program under s. 49.193, 1997 stats., or s. 49.147(3) or (4). The program may also include job search and job orientation activities. The department shall fund the program from the appropriation under s. 20.445 (3)(dz).
- (3) (a) Except as provided in par. (f), a person ordered to register under s. 767.55(2)(am) shall participate in a work experience program if services are available.
- (b) A person may not be required to participate for more than 32 hours per week in the program under this section.
 - (c) A person may not be required to participate for more than 16 weeks during each 12-month period in a program under this section.
 - (d) If a person is required by a governmental entity to participate in another work or training program, the person may not be required to participate in a program under this section in a week for more than 32 hours minus the number of hours he or she is required to participate in the other work or training program in that week.
 - (e) If a person is employed, the person may not be required to participate in a program under this section in a week for more than 80% of the difference between 40 hours and the number of hours actually worked in the unsubsidized job during that week.
 - (f) A person who works, on average, 32 hours or more per week in an unsubsidized job is not required to participate in a program under this section.
- (4) When a person completes 16 weeks of participation in a program under this section, the county, tribal governing body, or Wisconsin works agency operating the program shall inform the clerk of courts, by affidavit, of that completion.
- (5) A person participating in work experience as part of the program under this section is considered an employee of the county, tribal governing body, or Wisconsin works agency administering the program under this section for purposes of worker's compensation benefits only.
- (6) A county, tribal governing body, or Wisconsin works agency administering the program under this section shall reimburse a person for reasonable transportation costs incurred because of participation in a program under this section up to a maximum of \$25 per month.
- (7) The department shall pay a county, tribal governing body, or Wisconsin works agency not more than \$400 for each person who participates in the program under this section in the region in which the county, tribal governing body, or Wisconsin works agency administers the program under this section. The county, tribal governing body, or Wisconsin works agency shall pay any additional costs of the program.

History: 1987 a. 413; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 2135 to 2142; 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16.

**767.55 Child support:
employment-related orders.**

(1) GENERALLY. In an action for modification of a child support order under s. 767.59 or an action in which an order for child support is required under s. 767.511 (1), 767.805 (4), or 767.89 (3), the court may order either or both parents of the child to seek employment or participate in an employment or training program.

(2) NONCUSTODIAL PARENT. (a) In this subsection, “custodial parent” means a parent who lives with his or her child for substantial periods of time.

(am) In an action for modification of a child support order under s. 767.59, an action in which an order for child support is required under s. 767.511 (1), 767.805 (4), or 767.89 (3), or a contempt of court proceeding to enforce a child support or family support order in a county that contracts under s. 49.36 (2), the court may order a parent who is not a custodial parent to register for a work experience and job training program under s. 49.36 if all of the following conditions are met:

1. The parent is able to work full time.
 - 1m. If the parent resides in a county, or resides within a reasonable driving distance as determined by the court, from a county that has a work experience and job training program under s. 49.36 and that county agrees to enroll the parent in the program.
2. The parent works, on average, less than 32 hours per week, and is not participating in an employment or training program which meets guidelines established by the department.
3. The parent’s actual weekly gross income averages less than 40 times the federal minimum hourly wage under 29 USC 206 (a) (1) or the parent is earning less than the parent has the ability to earn, as determined by the court.

(b) Under this subsection, the parent is presumed to be able to work full time. The parent has the burden of proving that he or she is not able to work full time.

(c) If the court enters an order under par. (am), it shall order the parent to pay child support equal to the amount determined by applying the percentage standard established under s. 49.22 (9) or equal to the amount of child support that the parent was ordered to pay in the most recent determination of support under this chapter. The child support obligation ordered under this paragraph continues until the parent makes timely payment in full for 3 consecutive months or until the person participates in the program under s. 49.36 for 16 weeks, whichever occurs first. The court shall provide in its order that the parent shall make child support payments calculated under s. 767.511 (1j) or (1m) after the obligation to make payments ordered under this paragraph ceases.

CHILDREN FIRST PROGRAM REGISTRATION FORM

This form **MUST** be completed by the Child Support Agency and sent to the agency providing the Children First Services.

Children First Participant Name (First, Middle Initial, Last)	Social Security Number
Mailing Address (Number, Street, City, State, Zip Code)	Date of Birth (Month/Day/Year)
Gender: Please indicate Male or Female	Race (Optional)
Work Program Appointment Information: Location, Date, Time (If available - Optional) If information is not available – the Work Program office will mail an appointment to the participant.	

The Children First Program is administered through the Wisconsin Department of Children and Families (DCF), Division of Family and Economic Supports (DFES). Within DFES, the Bureau of Child Support (BCS) has oversight responsibilities for the program, which includes policy development and interpretation, program planning, and contract funding.

County/Tribe Where Court Ordered	Court Order Effective Date
IV-D Case Number	Current order for support? (Please indicate yes/no)
CSA Contact	Phone ()
CSA Address (Street, City and zip)	

Children First Initial Appointment Notice

**Address of Children First Program
Address
City, State, Zip**

TO: _____

SS#: _____

DATE MAILED: _____

An appointment has been scheduled for you with your Case Manager, _____, for a meeting. **If you fail to keep this appointment, your case may be referred to the Child Support Agency/Clerk of Courts for possible contempt of court charges.** If you have a conflict with the time and date of the appointment listed below, please contact me at (_____)_____-_____.

Your appointment is scheduled for:

Day _____ Date _____ Time _____

Our office is located at _____.

Mailed/Received/Signed this _____ day of _____, 20____.

Children First Case Manager

YOUR RIGHTS AND RESPONSIBILITIES

CHILDREN FIRST PROGRAM

YOUR RESPONSIBILITIES ARE:

Assigned Activities: You must keep all Children First appointments, appointments made with other agencies through this program, and complete all other assigned activities or explain why you cannot. If you remain unemployed after four to six weeks of job search activities, you may be required to participate in a volunteer work experience assigned by your case manager. If you miss an appointment or do not complete assigned activities, without good cause, you will be in non-compliance. You will be scheduled for a reconciliation appointment to resolve the problems surrounding your failure to comply with program requirements (see below under Non-Compliance Resolution).

Medical Information: Should you report any physical or mental inability to be employed or to participate in the Children First program, YOU must provide the medical verification at your own expense through your doctor of choice within 10 days.

Job Search: Unless otherwise stated in your Employability Plan (EP), you may spend up to 32 hours per week in job search activities with the goal of obtaining full-time permanent employment. The number of jobs you apply for per week will be determined at the time your EP is developed with your case manager. You will be required to document your job search on contact sheets provided to you and submit them to your case manager on a weekly basis.

Change of Mailing Address or Phone Number: You must notify the Children First office of any changes in your mailing address or phone number within one week of the change. You also have a responsibility to report these changes to the County Child Support Agency at _____.

Notify Children First of new employment or interruptions in employment: You must notify your Children First case manager immediately if you get a job, quit a job, get fired from a job, or your employment is interrupted for ANY reason. If you begin working with a temporary agency and then are hired directly by the company you were assigned to, you must notify the Children First Office of this change so a new wage assignment will be issued to the company that will be paying your wages. You must notify your Children First case manager immediately of any problems that would prevent you from maintaining employment or participating in the Children First program.

IMPORTANT: If you leave employment without good cause, your case can be referred back to Court for failure to maintain employment. Your case manager will discuss this policy with you further. (Good cause for leaving a job may include: new employment, no work available for you, illness, unreasonable work conditions, health and safety hazards, and religious reasons. Proof of good cause will be required from you.)

I understand that I have been ordered by the court to participate in the Children First Program.

YOUR RIGHTS ARE:

Good Cause: Acceptable reasons for missing a Children First appointment may include illness, court appearance, no transportation, bad weather, and other serious problems. You must call your Children First case manager before the appointment or as soon as possible to explain your absence.

Non-Compliance Resolution: After enrollment, if it appears that you are not cooperating with Children First, a meeting will be scheduled with your case manager for you to explain your non-compliance. The Children First case manager has a responsibility to report your participant record to the Child Support Agency and/or the Family Court Judge or Commissioner. You will have an opportunity to reconcile with Children First and begin cooperating with its requirements before any action is taken to refer your case for legal enforcement.

Notification: You will be notified in writing if you are to appear in court for non-compliance.

Fair Hearing: You may request an administrative hearing if you believe any action taken is in error.

Complaints: If you have complaints or concerns about discrimination, assignments, or other problems, contact the Children First Supervisor at (_____)_____-_____. You may also contact the Wisconsin Department of Children and Families at bcinfo@wisconsin.gov if you are unable to resolve your complaint with the Children First Program Provider.

Participant Signature

Date

Children First Case Manager Signature

Date

CHILDREN FIRST FACT FINDING APPOINTMENT NOTICE

**Address of Children First Program
Address
City, State, Zip**

TO: _____ **SS#:** _____

Date Mailed: _____

You have been scheduled for a meeting because your record indicates you have not met requirements of the Children First program in the following area(s):

At this meeting, you will have the chance to explain your apparent failure to meet the program requirements.

If you fail to keep this appointment, your case may be referred to the Child Support Agency and/or the Clerk of Courts for possible contempt of court charges. If you have a conflict with the date or time of the appointment, please contact me at (____)____-_____.

Your appointment is scheduled for:

Day _____ Date _____ Time _____

Our office is located at _____.

Mailed/Received/Signed this _____ day of _____, 20____.

Children First Case Manager

**NOTIFICATION OF NON-COMPLIANCE WITH
CHILDREN FIRST PROGRAM**

TO: _____ **DATE MAILED:** _____

RE: COURT CASE No. _____

It has been determined that you, _____, have failed to cooperate with the Children First program in _____ county (tribal jurisdiction). Your case has been referred to _____ County (Tribal) Child Support for non-compliance. This determination is based on the following facts:

If you dispute the facts above, or the conclusion of non-compliance, you are entitled to an Administrative Hearing. Contact _____ at (____) _____ - _____ within 10 days of the above date to schedule a hearing. Your case has been referred to Child Support Enforcement for possible legal action.

FAILURE TO COMPLY WITH THE CHILDREN FIRST PROGRAM MAY LEAD TO A FINDING OF CONTEMPT OF COURT.

Signed:

Children First Case Manager

cc: Children First participant
CSA
File

