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**State of Wisconsin
 Governor Scott Walker**

**TO: W-2 Agencies
 Income Maintenance Supervisors
 Income Maintenance Lead Workers
 Income Maintenance Staff
 Workforce Development Boards
 Job Center Leads and Managers
 Training Staff
 Child Care Coordinators**

**FROM: Janice Peters, Director
 Division of Family and Economic Security
 Bureau of Working Families**

DFES OPERATIONS MEMO					
No: 12-01					
DATE: 01/06/2012					
FS	<input type="checkbox"/>	MA	<input type="checkbox"/>	BC+	<input type="checkbox"/>
SC	<input type="checkbox"/>	CTS	<input type="checkbox"/>	FSET	<input type="checkbox"/>
CC	<input type="checkbox"/>	W-2	<input checked="" type="checkbox"/>	EA	<input type="checkbox"/>
CF	<input type="checkbox"/>	JAL	<input checked="" type="checkbox"/>	JC	<input type="checkbox"/>
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PRIORITY: HIGH					

**SUBJECT: Updates to W-2 Policy on Cooperation with Child Support and
 Collaboration with the Child Support Agency**

CROSS REFERENCE: Operations Memo 10-30: *Wisconsin Works (W-2) Policy Updates on Cooperation with Child Support and Child Support Assignment and Distribution*
 DCF 102 Child Support Cooperation for W-2

EFFECTIVE DATE: February 1, 2012

PURPOSE

The purpose of this memo is to establish Wisconsin Works (W-2) policies for the W-2 agencies' follow-up on noncooperation with child support by a parent in a W-2 Group and encourage W-2 agencies to collaborate with Child Support Agencies (CSAs).

BACKGROUND

W-2 law and policy require W-2 applicants/participants to fully cooperate with child support as a condition of receiving W-2 services. This includes cooperation with establishing paternity and with establishing and enforcing child support orders. The CSA makes the determination about whether a W-2 applicant/participant is cooperating with child support.

The Bureau of Working Families has learned that in response to the CSA's determination of noncooperation with child support, W-2 agencies have developed various timeframes and follow-up steps which result in inconsistent services to W-2 applicants/participants across W-2 agencies. The W-2 Policy Manual Chapter on Child Support (currently Chapter 16) has been

updated to establish consistent policies for W-2 agencies' follow-up on noncooperation with child support and to encourage W-2 agencies to collaborate with CSAs regarding any child support issues that affect a W-2 Group.

POLICY UPDATES

Below is a summary of the policy updates that will be made to the W-2 Policy Manual Chapter on Child Support. Attached are two versions of the chapter:

- With changes incorporated; and
- With track changes to show the new policies, policies already issued in Operations Memo 10-30, policies in DCF Administrative Rule 102, and various clarifications and reorganization to improve presentation of the W-2 policies on child support.

As part of a larger reorganization of the W-2 Policy Manual, the Child Support Chapter is moving from Chapter 16 to Chapter 15. All related references will be updated in the next manual release.

The updates described below will be made in the next W-2 manual release.

Section 15.1:

- Incorporates policies from Operations Memo 10-30 on the assignment of child support payments to the State of Wisconsin as a condition of receiving W-2 cash assistance and updates information on the distribution of child support payments.
- Creates two new subsections on Distribution of Child Support Payments (15.1.2) and Informing Applicants about Assignment of Child Support (15.1.3).

Section 15.2:

- Incorporates policies from Operations Memo 10-30 on the W-2 agency's collaboration with the CSA about a W-2 applicant's and participant's cooperation with child support and any child support issues affecting the W-2 applicant's or participant's family.
- Creates a new section on fees for the CSA's Services (15.2.2).

Section 15.3:

- Incorporates policies from DCF Administrative Rule 102 on the CSA's determination of noncooperation with child support, and requirements for the custodial parent's cooperation (now in section 15.3.2.1) and the noncustodial parent's cooperation (now in section 15.3.2.2) with child support.

Section 15.4:

- Renumbered into its own section on W-2 Agency's Follow-up on Noncooperation.
- Requires the W-2 agency to determine if any of the following three situations exist when the CSA has determined noncooperation with child support:
 - An exemption for a child younger than 60 days;
 - A good cause claim; or
 - The person who had not been cooperating now is cooperating.
- Requires the W-2 agency's determination of any of the above three situations to be completed in 7 working days from the date of the CSA's determination of noncooperation.

- Requires the W-2 agency to take the following steps on the 8th working day from the date of the CSA's determination of noncooperation:
 - End the W-2 placement in CARES;
 - Run W-2 eligibility in CARES to close the W-2 case; and
 - Confirm the W-2 case is closed in CARES.
- Requires the W-2 agency to determine if there are any of the above three situations when a W-2 Group reapplies while an individual is not cooperating with child support after the W-2 case closed for a reason other than noncooperation with child support.
- Clarifies in Section 15.4.2 that when a W-2 Group has multiple child support cases, and a parent in the W-2 Group has not cooperated with child support without an exemption or good cause, then the entire W-2 Group is ineligible for W-2 even if the parent or another parent in the W-2 Group is cooperating with child support for another child support case.
- Clarifies three instances of noncooperation without an exemption or good cause for noncooperation that results in the W-2 Group remaining ineligible for W-2 for a period of six months or until all members of the W-2 Group cooperate with child support, whichever is later.
- Reorganizes into this section, from existing subsection 15.3.2 on Noncooperation with the CSA, a W-2 agency's access to the child support automated system.

Section 15.5:

- Renumbered into its own section on Exemption to Noncooperation. It was previously subsection 16.3.2. Edited for clarity.
- Clarifies that if there are multiple children in a child support case that has an exemption for having a child under the age of 60 days, that exemption applies to all of the children in the child support case.

Section 15.6:

- Renumbered and clarifies that a CWW entry by the Income Maintenance (IM) agency regarding a good cause claim for noncooperation with child support currently over-rides the W-2 agency's entry. The Department is working on a solution to eliminate the IM agency's entry over-riding the W-2 agency's entry.
- If the IM determination of good cause does not match the W-2 agency's determination, the W-2 agency is encouraged to coordinate with the IM agency. If coordination is not effective, the W-2 agency should contact the Department's regional coordinator to discuss next steps.
- Incorporates policies from DCF 102 into Section 15.6.3 on Filing a Good Cause Claim.

Section 15.7:

- Renumbered and incorporates policies from DCF 102 on the W-2 agency determining that good cause exists or does not exist, and reviewing good cause claims.

Section 15.8:

- Renumbered and clarifies based on DCF 102 the Fact Finding policy for the CSA's noncooperation determination and the W-2 agency's good cause determination.

The section on Child Support Confidentiality (currently 16.5.1) is eliminated because general information on confidentiality is included in Section 4.2. The section on the Children First Program (currently 16.6.1) is eliminated because information on Children First is found in 14.2.1.

AGENCY ACTION REQUIRED

W-2 agencies must discuss the policy updates in Chapter 15 with staff and update any relevant local agency procedures.

ATTACHMENTS

Wisconsin Works Manual, Chapter 15 Child Support (with track changes)

Wisconsin Works Manual, Chapter 15 Child Support (with all revisions accepted)

CONTACTS

For Policy Questions in the Balance of State: Bureau of Regional Operations, W-2 Regional Coordinators

For Policy Questions in Milwaukee: Milwaukee Operations Section Regional Administrators

For CARES Processing Questions: W-2 Help Desk

*Program Categories – FS – FoodShare, MA – Medicaid, BC+ – BadgerCare Plus, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – FoodShare Employment and Training, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RCA – Refugee Cash Assistance Program, RMA - Refugee Medical Assistance Program, *Other EP – Other Employment Programs.