

How to Start or Apply for Child Support

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Through the court

Child support can be filed by itself or as part of a divorce case, a separation case, a custody case, or a paternity case.

1. When the court is already involved with a family through a *divorce* or a *separation* action, parents can ask the court to also order child support as part of that original case.
 - a. At the beginning or during a divorce or separation, a spouse can ask the court for a temporary order to decide if child support should be paid while the case is still in progress. Fill out:
 - [Order to Show Cause](#) & [Affidavit to Show Cause and Request for Hearing for Temporary Order](#)
 - b. At any time before the final hearing in the case:
 - i. if you and your spouse can agree on a child support amount, you can sign an agreement called a 'stipulation'. If the court approves the child support stipulation, it becomes part of the judgment of divorce or legal separation.
 - ii. if you and your spouse cannot agree on a child support amount, you can propose an amount to the court in your proposed parenting plan or marital settlement agreement.
 - c. When the judge finally enters the judgment of divorce or separation, if the judge determines that a child-support duty is owed, the judge must order one or both parents to pay reasonable amounts to support the child.
2. When the court is already involved with a family through a *paternity action*, parents can ask the court to also order child support as part of that original case.

- Child support will only be ordered in a paternity case after paternity has been established and only if a parent or the State requests support.
3. If there are no previous family cases where you can attach a request for child support, you can file an independent action (one not tied to an already existing family case) requesting child support. There are two types of independent actions you can file requesting child support:
- a. "An action for child support" under Wisconsin Statute section 767.001(1)(f). An action brought under Wis. Stat. 767.001(1)(f) is titled "In re the support of A.B" where A.B. are the initials of the child.
 - b. "An action to compel support" under Wisconsin Statute section 767.501. If someone isn't taking care of their minor child, a case can be started to make them provide support. This is called an 'action to compel support'. The case may be started by the person's spouse, child, a person with legal custody of the child, or a relative who is responsible for caring for the child but doesn't have legal custody. The state of Wisconsin can also bring an action to compel support if anyone in the household of the child starts receiving public benefits or if one of the parents requests an application for child support services. An action brought under Wis. Stat. 767.501 is titled "In re the support or maintenance of A.B. (Child)".

Through the child support agency

Only a court can order child support. But a local child support agency may be able to provide many services, including locating absent parents, helping establish court orders for child support, and contacting the paying parent's employer and setting up income withholding. To receive services from Wisconsin Child Support Services, you can fill out a [Parent Application for Child Support Services](#) and submit it to your local agency. All families may apply for child support services at their local child support agency without paying an application fee.

If you are in an aid/benefit program, you automatically receive child support services. Aid/benefit programs include the W-2, SSI Caretaker Supplement, Kinship Care, WI Shares (child care), and federally-funded foster care programs. If the BadgerCare Plus program refers you to child support, you will automatically receive services.

Having a court order for support does not mean you are receiving case management services from your county or tribal child support agency. You need to apply for services if you are not in an aid/benefit program listed above. You can request services by contacting your [local child support agency](#).

[How to request child support](#) [Child Support](#) [Family Law](#)

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