

Custody and placement FAQs

See FAQs below

Last updated on February 13, 2025.

What if I have concerns about the other parent or a stepparent?

Start by discussing your concerns with the other parent. Try to work out something mutually acceptable. It's better for children when their parents work together to share concerns, information, and decision-making.

That's not saying it's easy to do, especially if one or both of you have new partners. But making the effort will help your children. If you've talked things over and you still have concerns, you can pursue family counseling or meet with a child specialist.

You also could agree to obtain a mediator's assistance or contact your county's family court commissioner or clerk of court for court-referred mediation.

When mediation doesn't resolve your concerns, you may file a motion to change placement. But a motion based solely on the fact that you don't like the other parent's parenting style or new partner may not be sufficient to warrant a change to the court order.

Unless there are safety issues, it is generally best for parents to find a way to work out issues without the court's involvement. You should consult with a family law attorney before filing any court action.

When my children are with the other parent, they are neglected. What can I do?

If you are concerned about safety issues or the environment at the other parent's home, you should contact your local department of human services. These agencies are responsible for investigating suspected child abuse or neglect cases reported to them.

See our [Child Protective Services article](#).

Can I refuse to let the other parent see the children?

No, even if they owe unpaid child support - custody and placement is a court order. However, certain situations, such as protecting the child from immediate abuse or harm, might justify violating a court order. If you plan on violating the court order due to a health or safety issue, speak to a family law attorney.

The other parent is not following our court ordered placement agreement. Can I stop paying support?

No. Wisconsin family law draws a very definite line between the issues of placement and child support. This is to prevent children from being punished due to disagreements between their parents. No parent may stop paying court-ordered support because the other parent denies placement arrangements.

Can a child refuse to see a parent in Wisconsin?

No, a child cannot choose not to see a parent if the court orders them to. The court will do what they believe to be in the best interest of the child. That isn't always what the child wants though.

What happens if the other parent does not take our children as provided in the order?

It's difficult to force an unwilling parent to spend time with their children. If your children's other parent fails to take them for placement as provided in your order, try to discuss the problem. Could the order be revised to better suit the other

parent's scheduling or other needs? Consider co-parent or family counseling.

If a parent repeatedly and unreasonably fails to take the children as provided in the court order, you may ask the court to modify the placement schedule to order a schedule consistent with what's actually happening. See our article [How to modify placement or custody orders if parents don't agree](#). A change in placement may also be a basis for you to ask for a change in child support. See our article [How to change a child support order if parents don't agree](#).

[All about custody and placement](#) [Custody & Placement](#) [Family Law](#)

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