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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 18-087

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]**

#### **2. Form, Style and Placement in Administrative Code**

In the second paragraph of the summary of the proposed rule, the department should remove the use of child/ren and child(ren) or should consider choosing one option and using it consistently throughout.

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. In the statutes interpreted section of the proposed rule, the department should insert a period after “Stats”.

b. The department should review the second paragraph of its summary of the proposed rule for accuracy and clarity. The department states that the “provision is intended to give a payer credit for the Social Security benefits his or her child is receiving that are directly attributable to the payer’s work history”. However, in s. DCF 150.03 (5) (a), Wis. Adm. Code, the payer’s child support obligation may be reduced by the amount of Social Security benefits that the payee receives on behalf of the child without any reference to the payer being the parent from whom the child’s entitlement to benefits is derived. Further, the last sentence of the paragraph notes that, in a shared placement situation, the child’s Social Security benefits should be split between the parents in proportion to the time that the child spends with each parent. Again, this does not seem to be connected to whether or not the Social Security benefits to which the child is entitled are directly attributable to the work history of the payer.

c. In the summary of related federal requirements, use of the word “state” should not be capitalized because it is not a proper name. [s. 1.01 (4), Manual.]