

DATE: February 8, 2023

FROM: Jill Burchardt, Manager Family Court Services/Tara Berry, Clerk of Court

RE: Fee Increase for Parent Education Course

General Description:

Family Court Services is requesting an increase in the fee charged for parents to attend the parent education program, Partners in Parenting, offered by the office of Family Court Services to parents involved in the family court system, from \$10 to \$20 per parent.

Action Requested:

Motion to approve a resolution to increase the fee to attend the parent education program to \$20 per parent.

Procedural Steps:

Committee of Jurisdiction: JPS
Action taken: Motion Approved
Other Committee: P&F
Action taken: Motion Approved
County Board

Meeting date: January, 9 2023
Vote: Unanimous
Meeting date: February 8, 2023
Vote: Unanimous
Meeting date: February 28, 2023

Background:

The last fee increase for attendance at the parent education program was approximately 2001. A motion to raise the fee from \$10 to \$20 was made at a judge's meeting and unanimously approved in October 2022.

Pursuant to Wis. Stat. 767.401, a court may require any parent involved in an action affecting the family or in an action to determine paternity of a child to attend an educational course that addresses the effects of a dissolution of marriage on the child, child development, family dynamics, parenting skills and co-parenting skills. Pursuant to Winnebago County Local Court Rule 3.20, all parents ordered to ~~participate in custody mediation~~ participate in custody mediation are required to participate in the parent education program offered by the Office of Family Court Services and all parents who are parties to a paternity action are required to attend the parent education program. Participation in parent education programming and mediation helps to reduce the case load in the family court system and reduces litigation overall.

Since 2010, the office of Family Court Services and the Child Support office shared responsibility for administering the parent education course. The child support office prepared/sent all court orders and prepared all informational packets for the paternity cases. The office of Family Court Services prepared all material for mediation clients, taught all classes (offered twice monthly) and prepared all invoices for all parents. The course fee of \$10/parent was collected and kept by the office of Family Court Services for all parents that attended, primarily to cover the cost of teaching the course and for the larger administrative load related to collection of fees.

In August 2021, the Child Support office relinquished all involvement in the parent education course, and the office of Family Court Services now provides all preparation, administration and teaching of the twice monthly offered program. The expense involved with the course is not covered by the current fee of \$10/parent.

Policy Discussion:

- Average attendance (5-year average) is 245 parents every year, with a current total potential revenue of \$2,450
- Average mediator salary is \$34/hour. Average administrative associate II pay rate is \$20.50. Calculations arrived at by averaging out minimum and maximum salary for the positions.
- One mediator spends 4 hours each course between set up, teaching, and clean-up of class. Support staff spends approximately 2 hours each course preparing folders for course participants, checking clients into class, invoicing and data entry. Total salary expended per class is \$168.
- A course folder is provided to the parents that includes supplemental material that is paid for out of our current budget. This expense has increased, as the office of Family Court Services has assumed this expense in full in 2021. The budget for 2023 was prepared prior to this request, and does not include the amount needed to cover increase expense in office supplies. The 2022 budget for office supplies is already over, and this overage will continue into 2023 unless costs are recovered through a fee increase.
- Average parent attendance per class 10 people. At current rate of \$10/parent, we are not covering salary/expenses.
- At \$20/parent, costs would be covered, and surplus gained could result in providing parents more information in their resource folders.

Every county provides a different option for the required parent education course. Some nearby counties that have a Family Court Services office and offer similar, in-person programs proctored by the office of Family Court Services staff or by a local agency (ie: UW Extension staff):

Outagamie County \$10 (approved to increase to \$20 beginning in March 2023)

Fond du Lac County \$40/parent

Calumet County \$20/parent

Dane County \$40/parent

Dodge County \$20/parent

Other counties that offer mediation through contact workers or through their Department of Human Services offices typically require parents to attend a course on-line (ie: Children in the Middle, Children in Between). These on-line courses are \$40 to \$60/parent.

- These courses are not specific to Wisconsin nor are they specific to Winnebago County process and procedure.
- These courses were previewed by the staff at Family Court Services during COVID shutdowns, and were rejected as options due to the length, the inclusion of financial discussions (which are left out of current programming as this is not covered in mediation with our office) and due to the cost associated with them.

Raising the fee charged to parents for attending the course from \$10 to \$20 will put this county in-line with other, similarly situated counties, will cover the cost of staff salary for time spend providing this service and will generate additional revenue to improve the product provided to the parents.

Attachments:

- Wis. Stat. 767.401
- Winnebago County Local Court Rule 3.20
- Winnebago County 2022 Compensation Schedules for Mediator and Administrative Associate II
- Fee Comparison Tables

767.401 Educational programs and classes.

(1) PROGRAMS: EFFECTS OF DISSOLUTION ON CHILDREN; PARENTING SKILLS.

- (a) During the pendency of an action affecting the family in which a minor child is involved and in which the court determines that it is appropriate and in the best interest of the child, the court, on its own motion, may order the parties to attend a program specified by the court concerning the effects on a child of a dissolution of the marriage. If the court orders the parties to attend a program under this paragraph and there is evidence that one or both of the parties have engaged in interspousal battery, as described in s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) (am), the court may not require the parties to attend the program together or at the same time.
- (b) During the pendency of an action to determine the paternity of a child, or an action affecting the family for which the underlying action was an action to determine the paternity of a child, if the court determines that it is appropriate and in the best interest of the child, the court, on its own motion, may order either or both of the parties to attend a program specified by the court providing training in parenting or coparenting skills, or both.
- (c) A program under par. (a) or (b) shall be educational rather than therapeutic in nature and may not exceed a total of 4 hours in length. The parties shall be responsible for the cost, if any, of attendance at the program. The court may specifically assign responsibility for payment of any cost. No facts or information obtained in the course of the program, and no report resulting from the program, is admissible in any action or proceeding.
- (d) Notwithstanding s. 767.35 (1), the court may require the parties to an action affecting the family in which a minor child is involved to attend a program under par. (a) or (b) as a condition to the granting of a final judgment or order in the action affecting the family.
- (e) A party who fails to attend a program ordered under par. (a) or (b) or pay costs specifically ordered under par. (c) may be proceeded against under ch. 785 for contempt of court.

(2) CLASSES ON PARENTING.

- (a) During the pendency of a divorce or paternity action, the court may order the parties to attend a class that is approved by the court and that addresses such issues as child development, family dynamics, how parental separation affects a child's development, and what parents can do to make raising a child in a separated situation less stressful for the child.
- (b) The court may not require the parties to attend a class under this subsection as a condition to the granting of the final judgment or order in the divorce or paternity action, however, the court may refuse to hear a custody or physical placement motion of a party who refuses to attend a class ordered under this subsection.
- (c)
 1. Except as provided in subd. 2., the parties shall be responsible for any cost of attending the class.
 2. If the court finds that a party is indigent, any costs that would be the responsibility of that party shall be paid by the county.

History: 1993 a. 225; 1997 a. 45; 1999 a. 9; 2001 a. 61; 2003 a. 130; 2005 a. 443 ss. 59 to 63, 180; Stats. 2005 s. 767.401.

3.20 Parent Education Program:

Parties who are ordered into custody mediation shall be required to participate in the Parent Education Program offered by the Office of Family Court Services for Winnebago County. In addition, parties who are not required to attend custody mediation may be ordered to attend the Parent Education Program by the Court if the court deems it appropriate. Any party not ordered to attend the Parent Education Program by the court may also request to be enrolled in the program by contacting the Director of Family Court Services or the Family Court Commissioner.

All parents who are parties to paternity actions shall be required to participate in the Paternity Parent Education Program offered through the New Parent Program in conjunction with the Office of Family Court Services.

Grade	Current Title	Dept	Minimum	Top of Range A	Control Point Top of Range B	Top of Range C	Top of Range D
24	Grade 24 - Hourly		\$28.63	\$30.07	\$31.57	\$35.31	\$39.50
24	Grade 24 - Salaried		\$59,557	\$62,535	\$65,660	\$73,452	\$82,189
24	Maintenance & Operations Manager	Airport					
24	Office Supervisor	Child Support					
24	Family Court Services Mediator	Circuit Courts					
24	Chief Deputy Clerk of Courts	Clerk of Courts					
24	Chief Deputy Coroner	Coroner					
24	Diversion Program Coordinator	District Attorney					
24	Office Supervisor	District Attorney					
24	HVAC Specialist	Facilities					
24	Master Electrician	Facilities					
24	Plumber	Facilities					
24	Purchasing Manager	Finance					
24	Office Supervisor	Highway					
24	Highway Maintenance Supervisor	Highway					
24	Traffic Operations Supervisor	Highway					
24	Human Resource Advisor	Human Resources					
24	Risk Manager	Human Resources					
24	Office Supervisor	Human Services - AD					
24	Special Projects Coordinator	Human Services - AD					
24	Case Manager - Lead	Human Services - BH					
24	Psychiatric Nurse	Human Services - BH					
24	Qualified Therapist - In Training	Human Services - BH					
24	Youth CCS Lead Specialist	Human Services - BH					
24	Systems Analyst	Information Systems					
24	Food and Nutrition Services Manager	Park View Health Center					

Grade	Current Title	Dept	Minimum	Top of Range A	Control Point Top of Range B	Top of Range C	Top of Range D
Grade 14							
14	Tax Listing Specialist	Planning and Zoning	\$16.38	\$17.21	\$18.06	\$20.10	\$22.60
14	Records Associate	Register of Deeds					
Grade 15							
15	Administrative Associate II	Circuit Courts	\$17.29	\$18.15	\$19.06	\$21.22	\$23.86
15	Administrative Associate II	Clerk of Courts					
15	Administrative Associate II	County Clerk					
15	Facilities Specialist	Facilities					
15	Financial Associate I	Highway					
15	Administrative Associate II	Human Services - BH					
15	C.N.A.	Park View Health Center					
15	Restorative Aide	Park View Health Center					
15	Corrections Financial Associate	Sheriff					
15	Financial Associate I	Sheriff					
15	Financial Associate I	Treasurer					
Grade 16							
16	Financial Associate II	Child Support	\$17.98	\$19.06	\$20.01	\$22.28	\$24.81
16	Administrative Associate III	Circuit Courts					
16	Administrative Associate III	Clerk of Courts					
16	Financial Associate II	Clerk of Courts					
16	Jury Clerk	Clerk of Courts					
16	Administrative Associate III	Corporation Counsel					
16	Administrative Associate III	County Clerk					
16	Administrative Associate III	District Attorney					
16	Financial Associate II	Finance					
16	Administrative Associate III	Highway					

County to County Fee Comparison Table (Fees Per Parent)

COUNTY	PARENT EDUCATION GROUP FEE	MEDIATION FEE (after 1 free session)	CUSTODY STUDY RETAINER FEE	CUSTODY STUDY HOURLY FEE	STUDY TEAM MEMBERS
WINNEBAGO	\$10	\$150	\$400*	\$40	2 Evaluators
OUTAGAMIE	\$10 (going to \$20 in 3/23)	\$100	\$350	\$35 (anticipated request to raise fees occurring in 2023)	1 Evaluator
CALUMET	\$20	\$160	\$500	\$48	1 Evaluator
LACROSSE	\$50	\$100	\$3,550 maximum flat fee	N/A	1 Evaluator, GAL, mental health provider
DANE	\$40	\$100	\$2,000 maximum flat fee	N/A	1 Evaluator
DODGE	\$20 in person \$40 on-line	\$100	\$175	\$50/hour	1 Evaluator
JEFFERSON	\$10 (basic course) \$75 (high conflict course)	\$150	\$750 flat fee	N/A	1 Evaluator
WAUKESHA	\$60	\$200	\$1,000 maximum flat fee	N/A	1 Evaluator

FOND DU LAC	\$40	\$100	\$600	\$30	1 Evaluator
ROCK	\$40	\$75 to \$125	N/A	N/A	GAL only, fee is \$350

*Winnebago County is the only county that does not require pre-payment of fees in order to access services immediately

When retainer/hourly billing utilized, final billing ranges from \$700 to \$1500 per parent depending on complexity of case