



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2003 Wisconsin Act 287 [2003 Assembly Bill 624]	Statute of Limitation for Child Support Collection
2003 Acts: www.legis.state.wi.us/2003/data/acts/	Act Memos: www.legis.state.wi.us/lc/act_memo/act_memo.htm

2003 Wisconsin Act 287 codifies the previous interpretation of the statute of limitation for an action to collect child support so that such an action may be commenced within 20 years after the youngest child under the order reaches the age of 18 or, if he or she is enrolled full-time in high school or its equivalent, reaches the age of 19.

Under current law, an action on a judgment or decree of a court of record is barred unless it is commenced within 20 years after the judgment or decree was entered. In *State v. Hamilton*, the Wisconsin Supreme Court determined that this statute of limitation applies to an independent action to collect child support owed under a judgment or order. [261 Wis. 2d 458, 661 N.W.2d 832 (2003).]

Before the enactment of the current statute of limitation, the statute of limitation for an action on a judgment or decree was 20 years after the action accrued. In the context of collecting delinquent child support, the statute of limitation was interpreted as being 20 years after the youngest child under the support order reached majority.

The Act codifies the previous interpretation of the statute of limitation for actions to collect delinquent child support.

Effective Date: Act 287 becomes effective on May 1, 2004 and first applies to actions to collect child or family support that are not barred on the effective date.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.