



FH  
[REDACTED]

**STATE OF WISCONSIN  
Division of Hearings and Appeals**

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In the Matter of

[REDACTED]  
[REDACTED]  
[REDACTED]

DECISION

[REDACTED]

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**PRELIMINARY RECITALS**

Pursuant to a petition filed April 15, 2015, under Wis. Admin. Code §HA 3.03(4), to review a decision by the Dane County Department of Human Services in regard to Child Care, a hearing was held on May 27, 2015, at Madison, Wisconsin. At the request of petitioner, a translator, [REDACTED], translated for the petitioner.

The issue for determination is whether there is any remaining issue in dispute regarding the petitioner's child care benefits as of March 1, 2015.

There appeared at that time and place the following persons:

**PARTIES IN INTEREST:**

Petitioner:

[REDACTED]  
[REDACTED]  
[REDACTED]

Respondent:

Department of Children and Families  
201 East Washington Avenue, Room G200  
Madison, Wisconsin 53703

By: [REDACTED]  
Dane County Department of Human Services  
1819 Aberg Avenue  
Suite D  
Madison, WI 53704-6343

**ADMINISTRATIVE LAW JUDGE:**

Gary M. Wolkstein  
Division of Hearings and Appeals

**FINDINGS OF FACT**

1. Petitioner (CARES # [REDACTED]) is a resident of Dane County who resides with her two children.

- [REDACTED]
2. The county agency authorized child care benefits for petitioner's two children.
  3. The county agency sent a February 12, 2015 Notice of Decision to the petitioner stating that her child care benefits would discontinue effective March 1, 2015, due to failure to cooperate with the Child Support agency for continued child care benefits for her two children.
  4. During the May 27, 2015 hearing, ESS [REDACTED] stipulated that based upon petitioner on March 17, 2015 providing information to the child support agency her child support sanction should be lifted. As a result, petitioner was eligible for child care benefits as of March 1, 2015.
  5. The petitioner concurred with the stipulation set forth in Finding of Fact #4 above, and agreed there was no longer any issue in dispute regarding her child care benefits.

### CONCLUSIONS OF LAW

There is no longer any remaining issue in dispute regarding the petitioner's child care benefits because the county agency representative stipulated that petitioner's two children were eligible for child care benefits retroactive to March 1, 2015.

**THEREFORE, it is**

**ORDERED**

The matter is remanded to the county agency with instructions to take the necessary action to approve petitioner's two children for child care benefits retroactive to March 1, 2015, within 10 days of the date of this Decision.

### **REQUEST FOR A REHEARING**

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or at your local library or courthouse.

### **APPEAL TO COURT**

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Children and Families, 201 East Washington Avenue, Room G200, Madison, Wisconsin 53703, **and** on those identified in this decision as "PARTIES IN INTEREST" **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Madison,  
Wisconsin, this 3rd day of August, 2015

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\sGary M. Wolkstein  
Administrative Law Judge  
Division of Hearings and Appeals



**State of Wisconsin \DIVISION OF HEARINGS AND APPEALS**

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The preceding decision was sent to the following parties on August 3, 2015.

Dane County Department of Human Services  
Child Care Benefits