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DISTRICT IV

April 30, 2026

To:

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Electronic Notice

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You are hereby notified that the Court has entered the following opinion and order:

2025AP507

In re the Paternity of S.J.W.: Connie L. Bennett v. Charles L. Walker (L.C. # 2007PA676PJ)

Before Blanchard, Kloppenburg, and Taylor, JJ.

Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in Wis. Stat. Rule 809.23(3).

Charles L. Walker, pro se, appeals an order denying his postjudgment motions in an underlying paternity action. Walker argues that the circuit court erred in denying his motions because it had no jurisdiction over child support-related matters; that Walker was entitled to expungement of his child support arrears; and that the circuit court violated his due process

rights. We conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2023-24).¹ We reject these arguments and summarily affirm.²

Walker and Connie L. Bennett are the parents of a child born in July 2007. After Walker's paternity was established in August 2008, the circuit court ordered Walker to pay \$51 per week in child support and \$9 per week in child support arrears. Joint legal custody was awarded, and Bennett was awarded primary physical placement of the child, with periods of physical placement to Walker.

Over the years, there were many contempt motions brought by Bennett and the State to compel Walker to make his child support and arrears payments. Several warrants issued for Walker's arrest as a result. In October 2020, the circuit court found Walker in contempt for failing to pay child support. The court imposed and stayed jail time and set a purge condition that Walker pay child support in the amount of \$51 per week. Walker moved for a new hearing on the contempt order multiple times, but failed to appear for multiple hearings.

In 2021, Walker moved to modify child support, child support arrears, legal custody, and physical placement. The circuit court held a *de novo* hearing on the motion. The court concluded that, although the State of Wisconsin no longer had jurisdiction over the legal custody and physical placement of the parties' child, who had long ago moved to another state with the child's mother, the court continued to have jurisdiction over child support-related issues. On the child support issues, the circuit court determined that the passage of time and Walker's health

¹ All references to the Wisconsin Statutes are to the 2023-24 version.

² Bennett did not file a respondent's brief. We nevertheless affirm the circuit court based on our review of Walker's brief and the appellate record.

issues established a substantial change of circumstances warranting a suspension of Walker's child support payments. In addition, the court ordered Walker to keep the court updated about his efforts to receive Social Security Insurance benefits ("SSI").

In February 2023, Walker notified the circuit court that he had begun to receive monthly SSI. In May 2023, the court held a hearing. It found that Walker was receiving \$717.78 per month in SSI, but the court determined that, pursuant to WIS. ADMIN. CODE § DCF 150.02(13)(a)10.g., SSI is not considered "gross income" available for child support payments. *See* WIS. STAT. § 49.22(9) (requiring the state Department of Children and Families to promulgate rules that provide a standard for courts to use in determining a child support obligation based on a percentage of the gross income and assets of either or both parents.) The court noted that "[c]hild support was previously set to zero and that remains appropriate pursuant to the SSI award." However, the court also found that Walker had been paying \$134 a month for a cell phone for the parties' child, and that Walker had the ability to pay this monthly amount towards his child support arrears, which, with fees and costs, then totaled over \$49,000. In a June 2023 written order, the court amended the October 2020 contempt order to reflect a monthly purge payment of \$134 towards child support arrears. Walker did not appeal the order or comply with the purge condition, and a warrant and commitment order was issued in September 2023.

In December 2024, Walker filed in the circuit court a motion "to dismiss my child support case, forgive all arrears, and vacate any outstanding warrants and liens." Walker also filed two additional motions to substitute the assigned court commissioner and the circuit court and for recusal of each.

On February 10, 2025, a circuit court commissioner held a hearing on Walker's motions. The commissioner denied the motions after Walker refused to present any evidence in support of his claims because Walker took the position that he would present his case only to the circuit court. On February 27, 2025, the circuit court held a de novo hearing on the motions, which were denied and incorporated into a written order on February 28, 2025. Walker appeals.

As best we understand, Walker argues in this appeal that the circuit court erred in denying his motions on the following grounds: (1) the court lacked subject matter jurisdiction over child-support-related issues and therefore had no authority to issue a warrant based on Walker's alleged contempt for nonpayment of arrears; (2) Walker is entitled to expungement of his child support arrears; and (3) the court's conduct violated Walker's due process rights. We reject these arguments and affirm.

Walker argues that the circuit court lacked subject matter jurisdiction over the child support-related issues in this case and therefore had no authority to issue a warrant for his arrest or to impose child support arrears payments in June 2023 as a purge condition for Walker's then contempt. "Whether a court has jurisdiction is a question of law." *State ex rel. V.J.H. v. C.A.B.*, 163 Wis. 2d 833, 840, 472 N.W.2d 839 (Ct. App. 1991). "We review questions of law independently without any deference to the trial court." *Id.* "Subject matter jurisdiction is defined as the power of the court to entertain a certain type of action." *Kohler Co. v. Wixen*, 204 Wis. 2d 327, 336, 555 N.W.2d 640 (Ct. App. 1996). Wisconsin courts have subject matter jurisdiction over all actions affecting the family. *See* WIS. STAT. §§ 767.01. Child support is an action affecting the family. *See* WIS. STAT. § 767.001(1)(f).

Walker does not dispute that the circuit court properly exercised jurisdiction over child support-related matters arising from the original paternity action underlying this appeal. Instead,

he asserts that the court lost jurisdiction over the entire case because the parties' child and the child's mother have not lived in Wisconsin for many years. Walker's argument appears to be based on an erroneous conflation of the court's admitted loss of subject matter jurisdiction over legal custody and physical placement matters with the court's continued subject matter jurisdiction over child support-related issues. *See* WIS. STAT. § 822.22(1)(a) (Wisconsin courts may lose exclusive jurisdiction of child custody issues if the child and one parent no longer have a significant connection with the state and substantial evidence is no longer available in the state concerning the child). Here, the court concluded that it continued to have jurisdiction over child support-related matters. Walker fails to develop an argument supported by legal authority that the court no longer had subject matter jurisdiction over child support-related matters or that it lacked the authority to find Walker in contempt of court or to issue warrants. This court may decline to address arguments that are undeveloped and are not supported by reference to legal authority, and we do so here. *See State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992).

Walker also may mean to argue that the circuit court erred in June 2023 in ordering him to pay \$134 per month towards his child support arrears, arguing that SSI is protected from garnishment for child support or arrears under federal guidelines. However, Walker did not timely appeal this order and accordingly remains bound by this order. Therefore, an appeal of the June 2023 order is not before us and we will not revisit it.

To the extent that Walker intends to argue that the circuit court erred in denying his request to "forgive" the total amount of his child support arrears, Walker fails to reference supportive legal authority for the proposition that it is within a court's power to do so. Like his other assertions, this assertion is undeveloped, and we reject it on that basis. *See id.* at 646-47.

Walker also makes various assertions that the circuit court’s conduct denied Walker due process. A due process-related challenge presents an issue of law that this court reviews de novo. *See State v. Sorenson*, 2002 WI 78, ¶25, 254 Wis. 2d 54, 646 N.W.2d 354. First, Walker contends that the circuit court violated his due process rights “by trying to force [him] to pay arrears out of social security benefits.” We reject this argument for the reason already discussed. Walker also contends that the court violated his due process rights because, at the February 2025 hearing on Walker’s motions, the court “never agreed to grant [Walker] a fair due process” and because the court rejected Walker’s substitution and recusal requests. Here, too, Walker fails to develop these arguments with citation to the record or supporting legal authority, and we decline to address these arguments further. *See Dieck v. Unified Sch. Dist. of Antigo*, 157 Wis. 2d 134, 148 n.9, 458 N.W.2d 565 (Ct. App. 1990) (unsupported factual assertions need not be considered without a record cite); *see also Pettit*, 171 Wis. 2d at 646-47 (a court need not consider arguments that are unsupported by legal citations or are otherwise undeveloped).

For all these reasons, we summarily affirm the circuit court’s February 2025 order denying Walker’s motions.

IT IS ORDERED that the order of the circuit court is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals