

2006 CONFERENCE PREVIEW – Page 3

FAMILY SUPPORT FORUM

The Official Newsletter of the Illinois Family Support Enforcement Association

Vol. 18

July/August, 2006

No. 2

Gov. Blagojevich announces Illinois' 2006 child support collections reach \$1.14 billion, most collected in any single year ever; National Child Support Enforcement Association Selects Illinois for the 2006 Most Improved Program Award

Governor's Office Press Release

CHICAGO - Governor Rod R. Blagojevich today announced that in fiscal year 2006 the State of Illinois' child support collections reached \$1.14 billion, which is over 11 percent higher than last year's \$1 billion in record-breaking collections, and more than 50 percent higher than the \$729 million collected in fiscal year 2001. As a result of the continued improvements and turnaround of Illinois' child support enforcement on behalf of Illinois parents, the National Child Support Enforcement Association (NCSEA) has named Illinois as the 2006 Most Improved Program in the country.

"Every year, as the cost of raising children and providing a loving and secure home continues to go up, more and more parents are struggling to meet those needs alone," said Gov. Blagojevich. "Before I became Governor, the child support system in our state was the worst in the nation. But this program has turned around and is now breaking its own records and receiving national recognition for its improvements. More Illinois parents than ever are getting the payments they are owed so their children can have the childhood they deserve."

In the mid-1990s, the Illinois Department of Healthcare and Family Services (HFS) Child Support Division's performance fell steeply, causing hardship for thousands of Illinois parents.



In fact, in 2000, Illinois faced the serious threat of federal penalties for poor child support enforcement.

Over the past three years, Governor Blagojevich launched a number of innovative and aggressive programs to improve child support collections, including the Deadbeat Parents website and the New Hire Directory website. These changes have resulted in significant

improvements for parents and children who rely on the system. For example, in 2006, the Governor's New Hire outreach and website, which enables the state to use employers' new hire information to find and collect from delinquent parents, collected \$3.8 million monthly on average, up from \$1.5 million monthly in 2004. In addition, more than 16,000 employers who previously did not report their new hires are now regularly reporting.

(Continued on page 16)

- In This Issue -

NCSEA Most Improved	1
German Child Support Office	2
2006 Conference Information	3
IFSEA President's Update	8
IV-D Update	9
Legislative Update	10
Cases & Commentary	11
All Kids	17
EPPICard	18
Private Sector News	18
IFSEA Officers and Directors	19
Membership Renewal	20

See Conference Scholarship
Application on page 6

German Child Support Office an Informative Visit

By Trudy Rein

Guten Tag. In April of this year, I was off on a wonderful adventure to Germany. The last time I was there was thirty years ago so there was a lot of catching up to do. I went to Germany to visit my son Kristopher, who is in the Air Force. He

would be off to Iraq in just a short time so we planned a small vacation together. However, since he had a lot of work to do I had a few days to go exploring on my own.

While in Mannheim, I decided to see if there was a child support office anywhere nearby. I found an office in Heidelberg, which was just a short train ride away. I called the office and explained that I worked for child support in Chicago, Illinois, and asked if it would be possible for me to visit and see what a child support office in Germany was like. They were so happy that someone would actually be interested enough to call and want to visit them. The following day I was on the train to Heidelberg. I was a little nervous since my German wasn't that good and I did not know what to expect. I arrived about 9am, and three workers greeted me. After a short tour of the office, we sat down in their conference room and exchanged information over cake and coffee for about two hours.

I found out that the office I was in was the German Institute for Youth Human Services and Family Law. This is the contact partner for the Central Registries in all of the United States and is the local support unit for all states. It was founded



in 1906. The focal point of the activity of the Institute is the support of the Youth Welfare offices in the prosecution and implementation of claims for support on behalf of

children living in Germany and abroad. They are involved in establishing paternity and pursuing support claims internationally. They have been active in over 40 different countries. They handle over 4,000 cases a year worldwide. They are constantly involved in extending their relationships with the United States.

I informed them of some of the things we do in our child support offices. They were interested in how cases were assigned and what all the different regions in the state did. They also wanted to know how we decide on the support amount and in turn they gave me a chart of how they increase their support automatically every three years and how it is automatically modified based on the ages of the children and amount of money the NCP earns. It was all very interesting and informative and when we finished we felt that it was a very worthwhile visit.

I was so delighted that I let myself venture "outside the box" and form a new partnership with my new German friends. I let them know about our partnering initiative and we felt we were establishing a partnership of our own. They are anxious for me to visit again and I hope that I will have the chance to someday.

Notice of the Date and Location of the Annual Meeting and Training Conference

Pursuant to Article V of the by-laws of the Illinois Family Support Enforcement Association, notice is given of the date and location of the Annual Meeting, to be held in conjunction with a Training Conference. The conference will be held from October 15 through October 17 at the Chicago City Center, 300 East Ohio Street, Chicago, IL. The meeting will be held in conjunction with the conference. A copy of the conference registration and agenda is included in this issue of the Forum. Pursuant to Article X of the by-laws, proposed amendments must also be provided to the membership in writing with or prior to the official notice of the membership meeting. No by-law amendments have been proposed.

2006 Conference Facilities & Accommodations

The Illinois Family Support and Enforcement Association's Eighteenth Annual Training Conference and Members' Meeting will be held October 15-17, 2006, at the Chicago City Centre Hotel, located at 300 East Ohio Street, Chicago, IL 60611. The Conference site is conveniently located between Chicago's top visitor attractions - The Magnificent Mile and Navy Pier. Chicago City Centre, a Holiday Inn hotel offers premiere downtown lodging and extends warm hospitality to all guests, through their friendly, efficient staff and professional amenities unparalleled by any other downtown Chicago hotel. Chicago City Centre Hotel is the preferred downtown Chicago hotel for those "in the know." The Chicago City Centre has 495 guest rooms. Room amenities include:

- "Smart Desk" workstation
- 2 multi-line speaker telephones
- Free High Speed Internet service
- Wall mounted data ports
- Voice mail
- Coffee maker
- Current movies
- Hair dryer
- Iron & board

The hotel offers a beautiful and relaxing atmosphere that includes five dining outlets including two restaurants, coffee shop and bakery, lounge and a lobby sports bar and grill. The City Centre Hotel has just completed a 2.8 million dollar renovation and now offers a 10,000 square foot full service fitness center, which is

attached to the hotel. Lake Shore Athletic Club features a large indoor pool, 3 indoor tennis courts and the latest in fitness equipment. Entrance to the fitness center is complimentary to hotel guests. Spa services and court time are available at a nominal fee.

A block of rooms is reserved for IFSEA Conference participants at the rate of \$199.00 (plus tax) per night. To reserve a room call the Holiday Inn Reservations line toll-free at 1 (800) HOLIDAY. Rooms will be held until September 24, 2006. Make your reservations early and be sure to mention IFESA when making reservations. To find out more, visit the hotel's website at www.chicc.com.

This year's conference is packed with interesting speakers, informational breakout sessions, networking opportunities and entertainment. While you will not want to leave the excitement that is in store for you at this year's conference, if you do find a spare moment you may want to visit downtown Chicago for shopping, site-seeing, entertainment or dining.

2006 Conference Registration Form

(Please submit separate registration for each person attending)

Please register me for IFSEA's Eighteenth Annual Conference on Support Enforcement, October 15 – 17, 2006.

PLEASE TYPE OR PRINT LEGIBLY.

Name (to appear on Membership Certificate): _____

Title & Employer: _____

Office Address: _____

City/State/Zip: _____

Preferred Mailing Address: _____ Ph: _____

E-Mail Address: _____

Send *FORUM* to my E-Mail address.

My Registration fee of \$ _____ is enclosed will be paid by (agency): _____

Please confirm, in advance, with the appropriate authority if you think your agency is paying your registration.

(Registration fees must be paid in full, or firm-billing arrangements must be made prior to the start of the conference.)

(\$110.00 fee required for registrations received on or before September 30, 2006, \$135.00 required thereafter)

NOTE: If a payment is not enclosed, the signature of an official authorized to guarantee payment is required.

The undersigned hereby certifies that he/she is authorized to guarantee payment by the agency indicated below.

Signature: _____

Agency: _____

Please answer: I will will not be attending the Sunday dinner.

Vegetarian Meals preferred.

If any of your meal plans change, please notify the conference chair Mary Morrow at least 5 days before the conference.

Please include ____ additional tickets for the Sunday dinner (include \$25.00 extra for each additional ticket).

Please include ____ additional tickets for all meals (include \$50.00 extra for each additional set of tickets).

(Guest's Meal Preferences: ____ Regular meals ____ Vegetarian meals.)

Please return with Registration Fee to:

IFSEA Conference Registration

1917 South Whittier Avenue

Springfield, IL 62704

(FEIN No. 37-1274237)

Nominations Sought for IFSEA Director Election

Half of the twenty member-elected IFSEA Director positions will be subject to election at the Annual Members' Meeting to be held during the 18th Annual Conference on Support Enforcement. Two directors are to be elected from Cook County plus four from each of the two downstate regions. Terms of office for Directors elected this year extend until 2008.

The Annual Meeting will again be split into two parts during IFSEA's Conference program. The election of Directors (including any nominations from the floor) will take place Monday, October 16th at 9:45 a.m. at the Conference. Results will be announced at the Annual Members' Meeting on Tuesday, October 17th.

Pursuant to Art. VII of the By-Laws, nominations for election are to be submitted in writing to the Nominations & Resolutions Committee at least seven days prior to the election - i.e., by October 09, 2006. Nominations may also be made from the floor if supported by five members from the region to be represented by the elected Director. However, time is extremely limited at the meetings, so advance nominations are urged.

If you would like to be elected to the IFSEA Board of Directors, or you know someone you would like to see elected, please complete the Director Nomination form provided below and return it to: **IFSEA, Nominations & Resolutions Committee, 1917 South Whittier, Springfield, IL, 62704.** Incumbents seeking re-election also require nomination. Only regular members in good standing (membership dues paid for 2005-2006) may be elected or appointed to the Board of Directors.

Those holding elected positions on the current IFSEA Board of Directors and their terms of office are as follows (see page 2 for the complete Board and officers):

2004-2006*	2005-2007
Christa Ballew (Maximus)	Christine Kovach (Madison Co Asst. State's Atty)
Mary Morrow (HFS, DCSE)	Jeffrey McKinley (Asst. Atty. Gen'l.)
Pamela Compton (HFS, DCSE)	James Ryan (Private Attorney)
Deanie Bergbreiter (Asst. Atty. Gen'l.)	Georgia Heth (Asst. Atty. Gen'l.)
Scott Black (Asst. Atty. Gen'l.)	Mary K. Manning (Champaign Co. Asst. State's Attorney)
Jeanne Fitzpatrick (Asst. Atty. Gen'l.)	Barbara McDermott (HFS, DCSE)
Charles Kirian (Retired, HFS, DCSE)	Lawrence Nelson (Asst. Atty. Gen'l.)
Patti Litteral (HFS, DCSE)	Sherrie Runge (HFS, DCSE)
Scott Michalec (Asst. Atty. Gen'l.)	Norris Stevenson (HFS, DCSE)
Matthew Ryan (Asst. Atty. Gen'l.)	Christine Towles (HFS, DCSE)

* Directors whose terms end this year. The one-year terms of "At-Large" Directors Irene Halkas-Curran (Lake County Asst. States Attorney) and Durman Jackson (Cook County Asst. States Attorney) also expire at this year's election.

NOMINATION FOR ELECTION TO THE BOARD OF DIRECTORS ILLINOIS FAMILY SUPPORT ENFORCEMENT ASSOCIATION

October 16-17, 2006

For a two-year term of office

2006 – 2008

I hereby nominate the following person for election to the IFSEA Board of Directors:

Nominee:

Position/Employer:

Office Address (County):

Credentials/Comments:

Illinois Family Support Enforcement Association

Illinois Family Support Enforcement Association
 2006 Annual Training Conference, October 15-17, 2006
 Chicago City Centre, 300 East Ohio Street, Chicago, Illinois

CONFERENCE AT-A-GLANCE

SUNDAY, OCTOBER 15, 2006

4:00 - 7:00	Registration	Ballroom Level Lobby
6:00 - 7:00	Appetizers/Cash Bar	LaSalle Ballroom
7:00 - 9:00	Annual Banquet	LaSalle Ballroom
9:00 - 11:00	Hospitality Suite	

MONDAY, OCTOBER 16, 2006

8:00 - 5:00	Exhibitors	Conference Room 2
8:30 - 10:00	PLENARY SESSION <ul style="list-style-type: none"> • Opening Remarks • Illinois IV-D Update • Federal/OCSE Update • Attorney General Update • Case Law Update • Legislative Update • Annual IFSEA Election 	LaSalle Ballroom
10:00 - 12:00	BREAK OUT SESSIONS <ul style="list-style-type: none"> A. Bankruptcy B. Collection and Enforcement Options 	<ul style="list-style-type: none"> A. LaSalle Ballroom B. State Room C. Huron Room
12:00 - 1:00	LUNCH	LaSalle Ballroom
1:00 - 2:20	BREAK OUT SESSIONS <ul style="list-style-type: none"> A. Determining Understated Income B. Fragile Families - NCSEA 	<ul style="list-style-type: none"> A. Stateroom B. LaSalle Ballroom
2:20 - 2:30	REFRESHMENT BREAK	
2:30 - 3:50	BREAK OUT SESSIONS <ul style="list-style-type: none"> A. Hot Tips for Lawyers B. Legal Basics for Non-Lawyers C. FPLS - Mining for Gold 	<ul style="list-style-type: none"> A. LaSalle Ballroom B. Stateroom C. Huron Room
4:00 - 5:00	BREAK OUT SESSIONS <ul style="list-style-type: none"> A. ARDC/Third Party Issues B. Seven Habits C. SDU and Currency Exchanges 	<ul style="list-style-type: none"> A. Huron Room B. Stateroom C. LaSalle Ballroom
5:00 - 6:00	DIRECTORS MEETING	Boardroom

TUESDAY, OCTOBER 17, 2006

8:00 - 12:00	Exhibitors	Conference Room 2
8:30 - 10:00	Judges Panel	LaSalle Ballroom
10:00 - 11:30	HFS Strategic Plan and Initiatives	LaSalle Ballroom
11:30 - 12:30	Annual Meeting (Door Prizes)	LaSalle Ballroom

Illinois Family Support Enforcement Association Board of Directors announces the 2nd annual opportunity for an

IFSEA Training Conference Scholarship

IFSEA's 2006 Conference will be held October 15th-17th in Chicago, Illinois.

- The scholarship will include the conference fee and lodging for the 2006 Annual Training Conference.
- Conference registration includes all meals with the exception of dinner on Monday night.
- The Scholarship recipient will be responsible for their transportation to and from the conference.
- Applicants need not be current IFSEA members but are required to be dedicated to the improvement of family support enforcement in Illinois.

Applicant Information:

Name:	
Title:	
Agency:	
Address:	
Telephone #:	Fax #:
E-mail Address:	

For what type of child support agency do you work? Check one:

- IDPA Illinois Attorney General's Office State's Attorney's Office____
 Private Attorney Other_____

Job Description – Please attach a brief description of the type of work you do.

Essay – Please tell us in one to two pages why you are interested in applying for the scholarship and how attending the IFSEA Training Conference will benefit you and your customers.

Applications must be postmarked by (to be announced). Please return this application and related documentation to:

Illinois Family Support Enforcement Association
Attention: Pamela Compton
1917 South Whittier Avenue
Springfield, Illinois 62704

Thank you for your application!



From the President . . .

. . .IFSEA UPDATE

By Christine Kovach

Greetings fellow IFSEA members and colleagues! I hope this issue of the Forum provides you some great information about our upcoming conference in October. Many of the members of IFSEA are busy assisting Mary Morrow and her staff in organizing and preparing an informative annual conference, which will be held in Chicago from Sunday, October 15th through Tuesday, October 17th. If you have not made your hotel reservations, please be sure to do that as soon as possible.

NCSEA's recent recognition of the improvements in the Child Support Enforcement program in Illinois will be nationally recognized at the NCSEA Annual Training Conference & Expo in Dallas, Texas. The Most Improved Program Award from NCSEA demonstrates our dedication and commitment to the discussion and exchange of ideas for the improvement of the program as a whole. Never underestimate the significant contribution and impact you can make by sharing your ideas and concerns with your co-workers and supervisors to help improve our child support enforcement program. With great pride and admiration, my congratulations extend to the entire child support community for all their hard work and commitment to making a difference in the lives of the custodial parents and their children.

I would like to encourage the members to share copies of the Forum with other co-workers who may not have received a copy of the Forum. Further, I would like to encourage members to share our Scholarship program with co-workers who might like to attend the annual conference in October. The Scholarship program is a wonderful opportunity to share and introduce IFSEA to our partners and co-workers who might not otherwise have the ability to attend the conference.

I want to wish all my co-workers, partners and friends throughout the State best wishes for a safe and happy ending to your summer! I am honored and thankful to be representing IFSEA in Dallas at the NCSEA convention and hope to share my experience with the membership in October. I look forward to seeing many existing and new members at our annual conference in Chicago.



from HFS . . .

. . .ILLINOIS IV-D UPDATE

Child Support is a Promise to Families

By Pamela Compton

I was recently at a meeting of IV-D Directors from around the nation and heard a phrase that I've been thinking about ever since. While discussing collections, the IV-D Director from New Jersey said "child support is a promise to a family". For me, that statement is profound in its simplicity. We've always known that our work is important to families, but this statement puts it into perspective. Requiring parents to fulfill their economic obligations to their children is important to children, to families, and to the community. We know that there are two sides to child support enforcement: to strengthen families and to demand the fulfillment of an obligation when one parent fails to do their part. Some families have parents who are willing to do their part, but are unable. Others have parents who are able to contribute to the economic wellbeing of their children but are not willing to keep their promise. Our goal is to obtain collections from both groups – fulfilling the promise of support for all families. The most difficult part of our work is making decisions about initiatives, practices, and individual case management while determining which strategies are more effective for those unable to pay versus which strategies to pursue for those who are unwilling to pay. Different practices lead to success with each group. Over the last few years, we've undertaken initiatives aimed at keeping promises to families of both groups and will soon be undertaking new initiatives with similar goals.

Our special enforcement remedies are aimed at the non-custodial parents who are unwilling to pay. These methods, including tax offset, passport denial, professional, occupational and recreational license revocation and suspension, and others are truly "involuntary" in nature. Non-custodial parents subject to these remedies typically have the means to meet their obligations but choose not to do so. Figures through May 2006 show more than \$108 million in collections from administrative special enforcement measures for State Fiscal Year 2006. Notable for this fiscal year are our efforts in Asset Recovery and Passport Denial. The Collections and Asset Recovery Unit (CARU) is on target to collect \$10 million this fiscal year, a more than 3.5% increase over last year's collections of \$9.66 million. In March, April, and May, CARU collected more than \$1 million dollars and broke previous monthly collection records in two of those months. This method continues to prove itself and we hold high hopes for its continued success. Passport denial is another tremendously successful collection method. This year we exceeded \$1 million in collections paid by delinquent non-custodial parents whose passports were held. That is nearly double last year's collections of \$551,000. With the lowering of the passport denial threshold from \$5,000 to \$2,500 (effective 10-01-2006), the expansion of passport requirements, and the newly enacted provision allowing

federal offsets for debt after the emancipation of the minor children (effective 10-01-2007) we expect even higher collections this year.

Other enforcement methods continue to pay dividends for Illinois families. Total collections for the fiscal year again exceeded \$1 billion dollars! Collections on IV-D cases rose more than 10% for Federal Fiscal Year 2005, in part due to the success of the New Hire Initiative. Our monthly average of collections due to New Hire information is now \$3.8 million, compared to \$1.5 million in 2004. This initiative has borne out its promise to make collections for families more regular and to discourage "job hopping" as a means to avoid the payment of support. In Federal Fiscal Year 2002, only 39% of current support was collected for IV-D cases; by 2005 we were collecting more than 53%. We still have a long way to go to ensure that the promise of support to families is kept, but we have made significant progress.

While we have improved our key performance indicators, we have also improved our cost efficiency. In Federal Fiscal Year 2002, we collected \$2.62 for every \$1 spent in program expenses. By 2005, we were collecting \$3.68 for every \$1 spent. This is truly an indication that we have improved our focus while using our resources more wisely to promote outcomes for families. We have performed well over recent years, and I am grateful to each and every one of you for the part you continue to play in our program's accomplishments.

House Bill 4788 will authorize HFS to forgive arrears owed to the State in exchange for regular payment of current support to families. Enactment will give us another strategy to help low-income fathers fulfill their promise to families. In addition to implementation of the enforcement enhancements offered by the Deficit Reduction Act, other strategies are currently being evaluated to improve collections from non-custodial parents who are unwilling to pay.

While many improvement strategies have proven to be effective and others are being developed or implemented, we must acknowledge the challenges that lie ahead. We must improve our ability to establish paternity for children, especially focusing on increasing the number of paternities established in hospital for newborns. We must improve our collections, especially collections of current support. We have done well at containing the growth rate of arrears, but we must continue to reduce arrears that accumulated in past years. In short, we must not rest but forge ahead in our commitment to fulfilling the promise of support. Collectively, we can make a difference in fulfilling promises to families!



From the Statehouse . . .

. . .LEGISLATIVE UPDATE

2006 Illinois Support-Related Legislation

The following is a summary of the few bills potentially relevant to family support enforcement introduced in the Illinois General Assembly in, 2006 that have become law.

Summaries of bills and their status, including direct links to the text of each bill and to Public Acts following their approval by the Governor, are now available on IFSEA's web site, www.illinoisfamilysupport.org.

by Thomas P. Sweeney

S.B. 2162 P.A. 94-0928, eff. 6/26/06

PARENTAGE ACT; CUSTODY, VISITATION TO SEX OFFENDER FATHER

Amends the Illinois Parentage Act of 1984. Prohibits the custody of or visitation with a child by a person found to be the father of the child under the Act without the consent of the child's mother or guardian or guardian of the mother if she is a minor, if the father has been convicted or pled guilty to one of the listed sex offenses and that offense was related to his conduct in the fathering the child. Approved by the Governor, 6/26/06.

H.B. 4383 P.A. 94-0923, eff. 1/1/07?

MEDICAL INSURANCE REIMBURSEMENT

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that the court shall order the obligor to reimburse the obligee for 50% of the premium for placing the child on his or her health insurance policy if: (i) a health insurance plan is not available to the obligor through an employer or labor union or trade union and the court does not order the obligor to cover the child as a beneficiary of any health insurance plan that is available to the obligor on a group basis or as a beneficiary of an independent health insurance plan to be obtained by the obligor; or (ii) the obligor does not obtain medical insurance for the child within 90 days of the date of the court order requiring the obligor to obtain insurance for the child. However, it further amends the Illinois Marriage and Dissolution of Marriage Act to provide that when the court is required to order the obligor to reimburse the obligee for 50% of the health insurance premium, the court may decline to enter the order if it makes a finding it would be inappropriate to do so after considering all the factors listed in Section 505 (a)(2) for deviation from guidelines.

Permits the court to order the obligor to reimburse the obligee for 100% of the premium for placing the child on his or her health insurance policy.

Amends the Illinois Parentage Act of 1984; Instructs the court to use the guidelines in the listed Sections of the Illinois Marriage and Dissolution of Marriage Act for purposes of child health insurance coverage. Approved by the Governor, 6/26/06.

H.B. 4788 P.A. 94-0971, eff. 1/1/07

DHFS; CHILD SUPPORT COMPROMISE

As amended in the House, amends the Illinois Public Aid Code. Provides that the Department of Healthcare and Family Services may provide by rule for compromise of debt owed to the State in the form of child support arrearages and accrued interest.

Senate amendment provides that the rule to be adopted by DHFS shall provide that assigned obligations shall be compromised only in exchange for regular payment of support owed to the family and shall require that obligors considered for debt compromise demonstrate inability to pay during the time the assigned obligation accumulated. Provides that the rule shall provide for nullification of any compromise agreement and the prohibition of any future compromise agreement if the obligor fails to adhere to the compromise agreement. Provides that the rule shall establish debt compromise criteria calculated to maximize positive effects on families and the level of federal incentive payments payable to the State under the Social Security Act. Approved by the Governor, 6/30/06.



From the Courthouse . . .

. . .CASES & COMMENTARY

The following is a summary of arguably support-related cases published since cases were last summarized in the FORUM – essentially a “Year-Plus in Review.”

Direct links to slip opinions of these and other recent decisions are maintained on IFSEA’s web site, www.illinoisfamilysupport.org, soon after they are released.

by Thomas P. Sweeney

Failure to Timely File With Putative Father Registry Bars Action to Establish Parentage

J.S.A v. M.H., 361 Ill. App. 3d 745, ___ N.E. 2d ___ (3rd Dist., 10/28/05), dismissed an interlocutory appeal and vacated prior rulings for lack of jurisdiction.

In January, 1996, M.H. gave birth to a child. At that time both she and J.S.A., subsequently shown by DNA tests to be the child’s father, were married to other people. In 1999 J.S.A. filed a petition to establish parentage and to intervene in adoption proceedings by M.H.’s husband. The trial court initially ordered a “best interests” hearing before proceeding with new DNA tests for M.H. and J.S.A., but the Appellate Court reversed that ruling. On remand, DNA tests were ordered for M.H.’s husband, adoption proceedings were stayed pending those results, and J.S.A was determined to be the child’s biological father when M.H.’s husband refused to take the DNA tests. All the while there were motions pending by M.H. and her husband to reconsider denial of their motions to dismiss J.S.A. from the adoption proceedings and enjoin his parentage action because he had failed to register with the Putative Father Registry. When the trial court denied all those motions M.H. and her husband filed this interlocutory appeal.

Appeal dismissed for lack of jurisdiction. The plain language of Section 12.1 of the Adoption Act unequivocally states that failure to register with the Putative Father Registry bars a putative father from “thereafter bringing or maintaining *any action* to assert any interest in the child.” This requirement must be satisfied before the 20-year limitation of the Parentage Act applies. Because J.S.A. was barred from pursuing a parentage action, all prior orders in the parentage action are void, and the Appellate Court’s prior rulings are vacated.

On January 25, 2006, the Illinois Supreme Court granted M.H.’s petition for review (No. 101697).

Percentage Guidelines Do Not Apply in Split-Custody Situations, But Support May Be Modified Based on Other Changed Circumstances

In Re Marriage of Wittland, 361 Ill. App. 3d 785, 838 N.E. 2d 308 (4th Dist., 11/4/05), reversed dismissal of a petition to set child support where parties had previously agreed neither would pay support for children in the other parent’s custody.

The parties were divorced in 1998, with Roger having physical custody of the parties’ two children. By an agreed order entered in April, 2004, modifying the parties’ prior custody arrangement, Rhonda assumed custody of one of the children. The agreed order provided further, “due to each party having physical custody of one child, no child support is ordered herein.”

Five months later Rhonda petitioned to modify support for the child in her custody, alleging changed circumstances attributable to the child turning 16, driving and requiring insurance and car expenses. The court dismissed that petition, finding it could not modify a “non-existent” support order. A second petition to set support, filed in December, 2004, was also dismissed, the court finding it had discretion to ignore support guidelines in split-custody cases. Rhonda appeals.

Reversed. While the guidelines of Section 505 may not apply in split-custody situations, the factors set forth in that section do apply and should be considered. Courts have the responsibility to protect the best interests of the children and are not bound by agreements of the parties. Furthermore the parties may not agree that support is non-modifiable. “The right to modify child support is a statutory right, and

parties are always able to petition the court upon a change in circumstances.” The parties’ agreement that neither would pay support does not preclude the trial court from considering the issue. Dismissal of Rhonda’s petitions improperly denied her right to present evidence on the issue.

Lost Contributions from Divorced Second Husband, Increased Income of First, Justifies Support Modification

In Re Marriage of Breitenfeldt, 362 Ill. App. 3d 668, 840 N.E. 2d 694 (4th Dist., 11/30/05), vacated and remanded denial of a petition to modify child support.

In November, 2003, Teri petitioned through the State’s Attorney’s office to increase child support for her two children. Following a hearing (described as confusing by those present) the Trial Court found her ex’s “income under Section 505” to be \$1,954 per month based on year-to-date income figures for the first 130 days of the year, and modified support to \$488.50 per month. (In making this finding the judge first disregarded income totals reflected on Respondent’s pay checks as a form of SPIFF (bonus), then subtracted a portion of the same income a second time where it was shown as a deduction from pay checks to reflect his having received it in the form of advances. The details of how the Court arrived at this income finding were not discussed in this appeal.) That ruling was, unfortunately, not appealed.

Through private counsel originally retained on non-support issues (too late to challenge the earlier ruling), with the benefit of pay records provided by Respondent’s employer for the entire year of 2003, Teri petitioned to modify the May, 2003 order in March, 2004. Her petition alleged that her financial circumstances had deteriorated as the result of a divorce from her second husband in January, 2004, and that Mr. Breitenfeldt’s income for the year, properly calculated under Section 505, averaged at least \$3,000 per month. Hearings were held on that petition in July and August, 2004.

At those hearings documentary evidence presented included (1) records of every pay stub respondent received from the beginning of 2003 through June, 2004, and summaries of the income and deductions shown, (2) Respondent’s tax returns for 2003, (3) Respondent’s W-2’s for 2003, and (4) Petitioner’s financial affidavit. A payroll clerk from his employer was called to clarify the “SPIFF” income and deduction issue. However, she ended up giving confusing and sometimes contradictory testimony in response to the judge’s leading questions regarding the relationship between “salary”

and “commission” income. Respondent is a car salesman. He is paid a “salary,” or draw, of \$1,000 every two weeks. On the 15th of each month he is paid a separate check for “commission” due from the prior month if he has one coming. His paychecks also include as income two forms of “SPIFF” which are a kind of bonus. However, each pay stub that includes a SPIFF as income also shows an equal amount as a “SPIFF Advance” deduction. The Clerk testified the SPIFF’s are shown as income to make sure they are reflected as taxable income, but deducted as “advances” because they are paid to the employee in cash outside the payroll system. Summaries of Respondent’s 2003 pay records showed total gross income of \$55,598, including “salary” of \$26,000, “commission” of \$17,986, “SPIFF”s totaling \$6,575, and a “demo allowance” totaling \$1,200. Respondent’s testimony and tax returns established that his wife contributed nothing to the family income, and they received tax refunds totaling \$3,857 for 2003. Petitioner testified that as the result of her divorce in January, 2003, she now had new child care costs of \$300 per month and no insurance for herself or the children, and one less income with which to pay basic living costs for herself and the two children.

Petitioner argued that, including all forms of income (including Respondent’s tax refunds), his “net income” properly calculated under Section 505 averaged more than \$3,700 per month for the year 2003, and his support should be increased to at least \$1,000 per month. This time the court focused its attention on the relationship between “salary” and “commission” forms of income, rather than on the inclusion or exclusion of “SPIFF” income. Failing to see any error in its prior calculation, the court compared year-to-date pay records from the end of April, 2004, and April, 2003, and concluded: “it’s pretty clear that his income is pretty similar to what it was a year ago. . .” As to the Petitioner’s circumstances, he observed only, “obviously there’s only one income available for fixed costs. But, on the other hand, there’s one less adult who must be supported, as well. That’s really the only notable change in circumstances that I find that this time.” Without making any determination of Respondent’s “net income,” he denied modification. Following denial of a motion to reconsider, Petitioner appeals.

With one dissent, vacated and remanded with directions to modify support “in light of” its findings. The Appellate Court first found abuse of discretion in finding no change in circumstances as to the change in Petitioner’s finances. “Importantly” she now had one income with which to support the children. And with child support of only \$488.50 per

month, an increase of \$300 per month for child care is a substantial drain on her finances. Nothing in the record supported the trial court's conclusion the loss of her husband's income was offset by reduced costs: "Petitioner still has the same expenses: food, clothing and transportation costs. Rent and utilities no doubt doubled."

The Trial Court also abused its discretion in failing to find a substantial increase in Respondent's income. While sympathizing with the trial court's confusion over the interplay between his salary, commission and SPIFF categories of income – confusion "exacerbated by respondent's attorney and [the payroll clerk's] confusing and, at times, seemingly inaccurate testimony" – the Appellate Court nevertheless found the conclusion urged by Respondent and apparently accepted by the Court "makes no sense." Respondent argued, and the trial court concluded, that his income shown as "commission" was *reduced* by income received as "salary." Looking, for example, at pay records for a month when he received a commission check for \$2,750, Respondent's argument would mean his only income for that month was \$750 after the \$2,000 received as salary was subtracted. "This makes no sense." Year-end total for salary *plus* commissions *plus* SPIFF's and demo allowance is consistent with the income reported on Respondent's W-2 and tax returns for the year. "It defies logic that University Auto Park, on its W-2, and respondent, on his tax return, would list as income money respondent never received or from which he never derived any benefit."

Based on the documentary evidence, the Appellate Court calculated Respondent's total income for 2003 to be \$55,598.03. Allowable deductions actually withheld totaled \$14,923.43, but with tax refunds added back in as income the Court found Respondent's net income for 2003 was \$44,531.60, or \$3,763.71 per month. This is a substantial increase over the \$1,954 per month found to be his income in May, 2003, and "results in a monthly child support obligation of \$1,039.07." Accordingly, the order denying modification was vacated, and the cause remanded "to modify support in light of our findings." Without commenting on the documentary evidence, Justice McCullough dissented, agreeing with Respondent that the clerk's testimony provided a sufficient basis for the trial court's ruling.

(At the remand hearing payroll records, W-2's and tax returns for 2004 and 2005 showed Respondent's total income had increased to \$68,454 and \$70,525 respectively, calling for guideline support of more than \$1,300 per month in each year. Respondent's counsel again argued the SPIFF income should be ignored to arrive at his "real" income. But this time the employer's office manager was unequivocal in her testimony that SPIFF and other advances shown as deductions have to be added back in to reflect actual income received. Final ruling is under advisement following submission of written arguments. Also under advisement is Petitioner's motion for assessment of attorney's fees and costs incurred for the appeal – sums advanced entirely by her attorney.)

Per 1997 Civil Practice Amendments, Child Support May be Enforced at Any Time; 20-Year Limitation For Judgment Revival Does Not Apply

In Re Marriage of Saputo, ___ Ill. App. 3d ___, ___ N.E. 2d ___ (1st Dist., No. 1-05-0402, 3/10/06), reversed dismissal of a petition to revive and enforce orders for child support entered in 1966.

In their 1966 divorce Louis was ordered to pay \$30 per week in child support. In August, 2004, Caroline filed a "Petition for Revival of Judgment" to enforce the support order, alleging that no payments had ever been made and claiming an arrearage plus interest of \$375,529.71. Louis moved to dismiss, asserting the 20-year limit for revival of judgments under Section 13-218 of the Code of Civil Procedure (the last installment of support becoming a judgment in 1982). Acknowledging that Section 12-108(a) of the Code provides that "[c]hild support judgments, including those arising by operation of law, may be enforced at any time," Louis persuaded the court that this language only applied to public aid cases. Caroline appeals dismissal of her petition.

Reversed. Language added to Section 12-108(a) by amendment in 1997 "plainly and unambiguously" provides that child support judgments may be enforced at any time, and excludes child support from judgments that need to be revived. There is no limitation restricting the exception for child support judgments to public aid actions. Section 2-1602 of the Code, governing the mechanism for revival of judgments, also excludes child support judgments

from a need for revival. Because the statutory language is clear, there is no need to look to legislative history to aid in its interpretation.

While Caroline's petition sought revival of the judgments, since revival is not needed her petition should be construed as a petition seeking enforcement. The court erred in summarily dismissing it. While earlier decisions had applied a 20-year limitation to collection of child support, those cases occurred prior to the 1997 amendments, and are therefore no longer controlling. Left for the trial court to resolve was a question whether some of the child support due in this case might have been barred by the 20-year limitation prior to the 1997 amendments taking effect.

Equitable Estoppel May Be Defense to Support Arrearages When Custody of Child is Changed

In Re Marriage of Jungkans, ___ Ill. App. 3d ___, ___ N.E. 2d ___ (2nd Dist., No. 2-05-0640, 4/19/06), reversed summary rejection of an equitable estoppel defense to a support arrearage claim.

In 1992 Keith was ordered to pay child support of \$250 per month for two children. In 1994 one of the children went to live with him, and remained with him until her emancipation. Beginning in January, 1995, he reduced his child support payment to \$125 per month. The parties disputed whether this was by agreement. No modification of the prior order was sought from the court.

Approximately nine years later Marie, through IDPA, sought to enforce the order, claiming \$14,750 in arrearages. Keith urged the defense of equitable estoppel, but the court held it was without power to recognize that defense, and entered judgment for that sum. Keith appeals.

Reversed. While extra-judicial agreements to modify support are not enforceable, it is not true that equitable estoppel may not be a legitimate defense in certain circumstances. Where one parent assumes responsibility for the support of a child, the child's right to support is not compromised and requiring payment to continue to the non-custodial parent would result in a windfall to that parent while reducing resources needed by the custodial parent for that child. In concluding it had no power to consider that defense in this case the trial court erred. Cause

remanded, without expressing any opinion on the merits of the equitable estoppel defense itself.

Operating Expenses of Self-Employed Obligor Excluded from Income in Support Determination; Interest Not Allowed on Retroactive Support

In Re Marriage of Tegeler, ___ Ill. App. 3d ___, ___ N.E. 2d ___ (2nd Dist., No. 2-05-0584, 4/28/06), among other issues, reversed a determination of obligor's income and support obligation but affirmed denial of interest on an award of retroactive child support.

The parties were divorced in 2000, and an agreed order entered in 2002 provided that they would share equal time with their two children, neither party would pay support, and a Joint Parenting Agreement would be entered. In January, 2004, Paula filed petitions for entry of a Joint Parenting Agreement or Order and to determine child support, and later a "Motion to Determine Child Support Arrearage." She then sought child support retroactive to August, 1999, the date she and the children allegedly moved away from Mr. Tegeler. In August, 2004, Paula became the primary custodian of the one remaining minor child.

Hearings on child support were held in October, 2004 and April, 2005. The Court looked to Mr. Tegeler's income over the three years from 2002 through 2004. A farmer, Mr. Tegeler's tax returns showed the following: for 2002, income of \$441,614, expenses of \$427,485 (including \$39,573 for depreciation) and taxes paid of \$1,656; for 2003, income of \$487,971, expenses of \$468,537 (including \$33,486 for depreciation) and taxes paid of \$2,422; and for 2004, income of \$528,456, expenses of \$514,648 (including \$55,230 for depreciation) and taxes paid of \$1,611. In his written closing argument, Mr. Tegeler's attorney argued that, if depreciation is not allowed as a deduction, his net income for the years 2002, 2003 and 2004 was \$52,046, \$50,498, and \$67,427 respectively.

The Court denied support for periods prior to January, 2004, and awarded \$250 per month for the period from January through July, 2004. Starting August 1, 2004, the court awarded \$945 per month, resulting in an "arrearage" of \$11,200 as of the date of the order in May, 2005. The court did not specify how the figure of \$945 was determined, but it appears to be consistent with

20% of the average of three years “net income” argued by Mr. Tegeler’s attorney. The court ordered him to start paying \$945 per month in August, 2004, with an additional \$300 per month on the arrearage, and provided that the arrearage in retroactive support should not accrue interest. Marie appealed denial of further retroactive child support, the determination of support ordered, denial of interest and denial of attorney’s fees.

On the income determination issue, Paula first argued the trial court had deviated from guidelines without explaining why. The Appellate Court concluded that, except for the period from January to July, 2004, the court’s order was apparently intended to be 20% of Mr. Tegeler’s net income

She next argued the trial court should not have deducted day-to-day operating expenses from respondent’s income as there was no evidence these were “expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income,” citing *Gay v. Dunlap*, 279 Ill. App/ 3d 240 (1996). Quoting extensively from Justice Cook’s dissent in *Gay*, this court found a way to distinguish this case from the outcome so often resulting from application of the rule enunciated in *Gay*. “Income” is not defined in Section 505, but this Court had stated in earlier decisions that income “represents a gain or profit that is generally understood to be a return on an investment of labor or capital, thereby increasing the recipient’s wealth.” “As respondent’s wealth is increased only by his gross farm revenues *minus* his day-to-day operating expenses, we conclude that the trial court properly adopted respondent’s use of this figure [deducting operating expenses] as his “income” before subtracting the deductions specifically listed in section 505(a)(3). . . . Petitioner’s construction of the statute would result in imputing to respondent several hundred thousand dollars of income that he does not actually possess, and we believe the legislature did not intend such an unjust result.” So the way for self-employed obligors to deduct business operation expenses that do not constitute

repayment of debts is simply to exclude them from the calculation of “income: before applying the deductions specified in Section 505. Clever! (And probably an arguably fair way to avoid the often harsh consequences for the self-employed businessman that have resulted from the strict construction of *Gay*.)

The Appellate Court rejected Marie’s next argument that respondent’s “line of credit” should be considered as income. Seemingly taking exception with the Supreme Court’s ruling in *In Re Marriage of Rogers*, 213 Ill. 2d 129 (2004), the Court concluded, “loans typically should not be counted as income because they usually do not directly increase an individual’s wealth.” Marie’s complaint that respondent’s deferred grain sales were not taken into account was also rejected, since the court had used several years’ income as the basis for its calculations. However, the Appellate Court did find some merit in Marie’s argument that unexplained deposits in the respondent’s personal checking accounts in excess of the income otherwise found needed to be re-examined as a potential source of additional income, and therefore remanded for that review.

Marie next complains that the court erred in denying interest on the retroactive child support. This is resolved by the language of Section 505(b) then in effect, that “a support obligation, or any portion of a support obligation, which becomes due and remains unpaid for 30 days or more shall accrue simple interest at the rate of 9% per annum.” “As petitioner was not entitled to the back child support until the trial court awarded her such support on May 10, 2005, it logically follows that it cannot be considered an overdue obligation.” What is not clear from this ruling is whether Marie was arguing about interest on installments attributed to months before May, 2005, or whether the trial court had ordered that the “arrearage” subsequently found would not draw interest like any other judgment until it is paid off.

(Continued from page 1)

Under the Blagojevich administration, the Child Support Division also significantly strengthened existing collection tactics. Child support collections that resulted from passport seizures in Illinois airports grew dramatically from only \$203,000 in 2002, to over \$1 million in 2006. In addition, the Division of Child Support Enforcement successfully seized \$10 million in assets in 2006, compared to \$2.7 million in 2002.

Each year the National Child Support Enforcement Association (NCSEA) recognizes outstanding achievements in child support enforcement and the 2006 award was given to the State of Illinois' program for its increased collections and new programs. An Awards Committee comprised of NCSEA members in the public, private and international sectors make the award selections. The award will be presented at the NCSEA's 55th Annual Training Conference & Expo in Dallas, Texas on August 1, 2006.

"NCSEA congratulates Illinois on its improved performance. The steady improvement Illinois has shown really demonstrates its commitment to children," said Mary Anne Wellbank, President-elect of the NCSEA.

Two Illinois mothers, Debra Harris of Lynwood and Karen Degrasse of Chicago, joined the Governor today to talk about the help and support they have received through Illinois' child support enforcement program.

Deborah Harris has two children, Keji Ogunfemi (13) and Lola Ogunfemi (13.). When the father of her children tried to return to his home country of Nigeria, he was stopped through the Child Support Division's passport denial system until he paid the child support he owed. As a result, Harris recently received just under \$25,000.

"The Department of Healthcare and Family Services continues to work with the Governor to implement new, innovative and aggressive measures to bring more child support dollars to Illinois' hard working parents and their deserving children," said Barry Maram, HFS Director.

Child support is the second largest income source for low-income families who qualify for the program. In 2002, more than 972,723 children in Illinois were owed child support payments totaling about \$2.8 billion, with a collection rate of 24 percent. Today, the collection rate is 36 percent, with 680,763 children's support being enforced by the Department of Healthcare and Family Services.

The continued improvements in child support collections in Illinois are due to the critical programs

Governor Blagojevich has implemented since taking office.

The Illinois/Iowa Joint Child Support Enforcement Office. In October 2005, Governor Blagojevich announced that Illinois joined forces with the state of Iowa to increase enforcement of child support laws through the opening of a new, jointly staffed child support enforcement office in Rock Island, IL. This is the second interstate child support office in the country. Located close to the state line, the new facility has one full time employee from each state that work together to ensure improved interstate information sharing, faster collection of court-ordered child support and more efficient enforcement of child support laws. In the six first months of the collaboration, \$234,351 was collected.

The Deadbeat Parents Website. In November 2003, Governor Blagojevich launched the Deadbeat Parents Website, www.ilchildsupport.com/deadbeats, that identified parents who owe more than \$5,000 in child support payments, and has resulted in the collection of nearly \$190,000 since program's launch. In addition, the Department of Healthcare and Family Services (HFS) received federal certification of the Key Information Delivery System (KIDS), the main computer for the child support process.

New Hire Initiative. In Illinois, 80 percent of child support is collected through wage withholdings, a method facilitated by the Illinois Department of Employment Security's New Hire Directory. The Blagojevich administration made it easier for employers to comply with the New Hire Directory by establishing a website to get information and clarification about the law, and developed easy-to-understand marketing materials that assisted in the employer education process. HFS also provided onsite training at employer sites and association meetings.

These initiatives and resulting success earned the Division of Child Support Enforcement (DCSE) an \$8.4 million federal bonus award for meeting federal child support indicators, the largest incentive ever received by Illinois under a performance based system.

All child support enforcement services are free and include the automatic location of employers, automatic service of income withholding notices, the submission of child support debt to credit reporting agencies and to the state and federal governments that can then intercept tax refunds, suspend or revoke professional and occupational licenses and deny passports. Information about applying is available on the HFS website, www.hfs.illinois.gov.

All Kids Program Launches

By HFS Staff

As of July 1, 2006, Governor Blagojevich's All Kids program has officially begun. This program is a complete healthcare plan for every child in Illinois and makes this state the first in the nation to ensure that all children, regardless of medical conditions or income level, have access to healthcare.

The All Kids program, which has rolled in KidCare and Medicaid, covers doctor visits, hospital stays, prescription drugs, vision care, dental care and eyeglasses. It can be used for regular check-ups and immunization shots, as well as special services like medical equipment, speech therapy and physical therapy.

Children can receive All Kids health insurance if they live in Illinois, they are 18 years old or younger and they meet the insurance requirements. They can keep their current doctors if those doctors have signed up to accept All Kids and agree to coordinate the children's care.

Children who have health insurance can qualify for All Kids as long as their families' incomes meet certain limits. All Kids income limits for children who have insurance include the following criteria:

Two-person family: \$26,000 per year

Three-person family: \$33,000 per year

Four-person family: \$40,000 per year

Five-person family: \$47,000 per year

The limit is higher for larger families.

If a family drops its child's health insurance, they will have to wait 12 months before their child can receive All Kids unless their income is lower than the amounts shown above.

Some families get All Kids for free. Some families have to pay premiums and co-payments for All Kids health insurance. The amount of premiums and co-payments depends on the family's income, the family's size, and how many children are in the All Kids program. Co-payments will never have to be paid when a child gets a regular check-up or shots. These are called well-child visits and they are free for all children enrolled in All Kids.

The easiest way to apply for All Kids services is by using the online application process found at allkidscovered.com. Families can also request an application by mail by calling 1-866-ALL-KIDS. For more information on the program, please visit allkidscovered.com.

SDU EPPICard Program

By Christine Towles

The Illinois State Disbursement Unit (ILSDU) has offered direct deposit to custodial parents since 1999. In April 2005 the ILSDU introduced another electronic disbursement option, a stored value card called the Illinois EPPICard™. It works the same way a debit card works. The difference between the EPPICard™ and a bank issued debit card is that an EPPICard™ does not have an underlying individual consumer account (such as a checking account). A custodial parent does not have to have a bank account or have a credit check done to receive the EPPICard™.

SDUs across the nation have found electronic disbursements to be safer, faster and more reliable than paper checks. Unlike paper checks, funds sent electronically cannot be lost, stolen or destroyed and electronic funds can be delivered even when mail service is interrupted due to natural disasters. Many states have mandated electronic disbursement of child support – Ohio, Iowa, Georgia, Pennsylvania and Michigan to name a few. Illinois' electronic disbursement options are voluntary. The ILSDU began sending notices to custodial parents in February 2006 introducing the "Opt Out" program. The notice lets payees know that they can choose between the EPPICard™ and direct deposit to receive their child support payments. If they fail to choose one or the other, an EPPICard™ will be issued to them - unless they contact the ILSDU and indicate they want to continue receiving a check. To date, the ILSDU's Opt-out program has issued 23,300 custodial parents EPPICards™, 30,800 parents have signed up for direct deposit and only 600 parents have opted-out. The ILSDU anticipates all eligible payees will be enrolled in either electronic payment option by the end of August.

Only child support payments from the ILSDU can be deposited into an EPPICard™ account; a custodial parent cannot deposit funds from other sources into their card account. Each EPPICard™ account is FDIC insured and receives the same protections against theft and fraud as bank issued debit cards.

To activate the card, the custodial parent needs to call EPPIC™ customer service (877-567-1769) and select a PIN. Once they have a PIN, cardholders can access their funds from a teller at a bank location that displays the MasterCard® mark, they can get money back with purchases and they can withdraw cash at ATMs. And since it works like a MasterCard® debit card, they can use it to make purchases anywhere MasterCard® is accepted. The EPPIC™ customer service line gives cardholders 24/7 access to their card account balance and their last ten transactions. Cardholders with Internet access can log on to www.eppicard.com and check their balance, transactions and print a statement if they like.

News from the Private Sector

By Jeff Ball

The National Council of Child Support Directors (NCCSD) Strategic Partnership Committee launched last July an ad hoc committee of private sector representatives who attended a meeting at NCSEA in Cincinnati or who have shown interest in being part of the committee. Casey Hoffman of Texas started the ad hoc committee on behalf of NCCSD. He randomly chose five names to be the steering committee from attendees at the Cincinnati meeting. These five were Mary Ann Wellbank, PSI; Sean Curtin, PCG; Cathy Bayse, ACS; Rob Wells, Young Williams; Jeff Ball, MAXIMUS. The charge to the ad hoc committee was to determine how much interest there was in a self-sustaining committee of the private sector that would interface with the NCCSD Strategic Partnership Committee to discuss issues of common concerns, such as the procurement process, and then mobilize that interest to better the procurement process. The ad hoc committee held meetings at WICSEC in San Diego, NCSEA Midyear in DC, ERICSA in Clearwater, FL and NCCSD in Lincoln, NE. Another meeting is scheduled for NCSEA in Dallas, TX.

It was determined last fall that the initial focus would be educational -- to share information about the procurement process with the state directors at conferences. The private sector determined that communication exchanged will be beneficial to both government and private sector persons involved in the procurement process. Cathy Bayse sent a survey of procurement issues out to private-sector attendees at the meetings and received about 20 responses, which she tabulated. Jan Grinnell of First Data hosted an invitational private sector / state panel discussion at ERICSA as a non-agenda event. Jeff Ball was on a panel at the NCCSD conference with Alisha Griffin of NJ, Herschel and Alicia Key from TX to discuss suggestions to improve the process from both state procurement and private sector response points of view. The NCSEA meeting is expected to highlight specific RFP or contract provisions that may present issues in general and how the provisions' language can be modified to be more helpful when states are selecting the best value or highest point total vendor. The ad hoc committee has made it through to its one-year anniversary, but must build on its modest start if it is going to be a dynamic change agent or at the very least, a positive forum for procurement betterment.

FAMILY SUPPORT FORUM

is the official newsletter of the

ILLINOIS FAMILY SUPPORT ENFORCEMENT ASSOCIATION

509 South 6th Street
Springfield, IL 62701

Published and distributed free to members of the Association.

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