

FAMILY SUPPORT FORUM

The Official Newsletter of the Illinois Family Support Enforcement Association

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No. 1

IFSEA TURNED 30!



Pamela Lowry, former HFS, DCSS Administrator, addressed attendees at IFSEA's 30th anniversary conference, "Inspired by Our Past, Envisioning Our Future". The event, held last October at the Wyndham Springfield City Centre, brought together Child Support professionals from across the state to learn and to celebrate the many strides made by the organization during its 30-year history.

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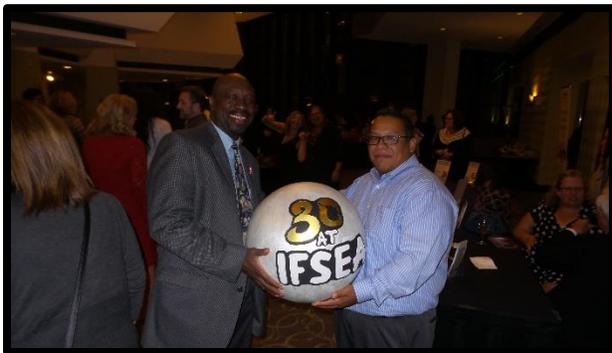


... 2017 IFSEA Conference in Pictures
Inspired by our Past, Envisioning Our Future



IFSEA paid tribute to its founders and past presidents during its 30th anniversary. Maurice Franklin, 2017 IFSEA president, is pictured with (l-r): Thomas Sweeney, Thomas Vaught, Lawrence Nelson

IFSEA 2017 Scholarship winners: (l to r): James Wilcockson, Vanessa Sanchez, Jennifer Maxx (Cox), Okema Knight and Tabitha Cook.





Christa Ballew, former IFSEA treasurer, was the 2017 recipient of IFSEA's prestigious Madalyn Maxwell Lifetime achievement award.



Director Details . . .

. . .IFSEA UPDATE

Changes in Illinois Child Support Leadership



Pamela Lowry – DCSS Director 2004-2018

The children and families of Illinois had a powerful advocate in Pam Lowry, who served as the HFS/DCSS director since 2004. Lowry, who directed the department through budget woes and the initiation of Income Shares, decided to retire from state government in July of this year. Mary Bartolomucci, who most recently served as deputy administrator over Central Operations for HFS/ DCSS, has been appointed acting IV-D administrator to immediately assume Lowry's responsibilities.

Under Lowry's leadership, the Illinois Child Support Program earned national praise and recognition. Her many accomplishments include: championing more transparency in the establishment of child support by managing the state's shift to Income Shares, keeping Illinois child support collections steady during bleak economic times for state government, and participating in countless efforts to ensure the Illinois Child Support Program remained responsive to the needs of the families and children she served.

Her achievements have been widely praised and commemorated by those who know how much she has accomplished, including the Illinois House of Representatives, the Illinois Family Support Enforcement Association (IFSEA), the federal Office of Child Support Enforcement (OCSE), and the National Child Support Enforcement Association (NCSEA).

Bartolomucci, who replaces Lowry, is also a proven and capable leader. She began her career in state service at the Department of Public Aid in 1985. In December 1987, when the operation was just a bureau, she directed her talents to child support work. During her years at the department, Bartolomucci has taken on a variety of increasingly more challenging roles ranging from the front line worker responsible for completing tax protest account reviews, to supervisory and managerial positions such as Assistant Deputy Administrator and Deputy Administrator with oversight for Central Operations.

To Pam Lowry, IFSEA sends its sincere gratitude and appreciation for her stellar service and wish her all the best retirement has to offer. IFSEA also welcomes Mary Bartolomucci and looks forward to continuing progress under her leadership.



From the President . . .

. . .IFSEA UPDATE

By John Harris

Our 2017 conference held special significance; not only did we celebrate 30 years of serving the children and families of Illinois, but the occasion of our 30th anniversary also gave us the perfect platform to honor IFSEA's founding members and celebrate our organization's rich history of accomplishment.

"IFSEA at 30 - *Remembering our Past, Envisioning our Future*," was held in Springfield at the elegant Wyndham City Centre. It offered relevant information and resources including:

- How to determine individual tax under Income Shares
- Information about the latest flexibility, efficiency and modernization issues in Child Support
- Tips for perfecting Service of Process
- Skill building fundamentals
- 7.5 hours of Continuing Legal Education credit for attorneys



I offer sincere thanks to each committee member, committee chairperson, moderator, speaker, and volunteer who made the conference possible. The level of dedication by all involved was evident and resulted in a seamless event that was educational and enjoyable.

Now, IFSEA's 2018 annual conference is quickly approaching! "**Working Together Through Changing Times**", will be held Monday, October 22 and Tuesday, October 23, 2018 at Pheasant Run Resort in historic St. Charles, Illinois. OCSE Commissioner Scott Lekan will keynote.

The Board of Directors thanks the talented individuals who have signed up for each of the Committees. If you have yet to sign up, it's not too late to help; contact a board member and we will connect you to the proper committee chairperson. If you're not yet an IFSEA member, contact a board member and we will help activate your membership and learn about IFSEA's benefits.

I look forward to the 2018 conference, which is being planned by the extremely talented Daun Perino, IFSEA's 2017/2018 First Vice President. She and her team are diligently at work to create a 'must attend' event for all Illinois child support professionals. This year, let's continue to learn from our past as we shape a successful future. I look forward to seeing you all conference.



IFSEA ITEMS . . .

. . .News and Information to Keep You Current

WE'RE PLANNING A CONFERENCE

Make your reservations for IFSEA's 2018 training conference today! **“Working Together Through Changing Times”**, will be held Monday, October 22 and Tuesday, October 23, 2018 at Pheasant Run Resort in historic St. Charles, Illinois. The cost of the conference is \$85. Continuing Legal Education credit is available for attorneys for an additional \$25 fee.

The conference will feature a keynote address by OCSE Commissioner Scott Lekan, a festive awards dinner and celebration, and multiple breakout training sessions so you can choose topics that suit your interests. It will also feature interactive panel discussions, including a Judge's Panel. This conference encourages and offers a multitude of opportunities for professional growth, networking and fun.

A special hotel rate of \$80 per night is available at the Pheasant Run Resort. The fee includes a variety of activities and amenities including, Bourbon Street, indoor/outdoor pools, a fitness center with sauna, outdoor patio with fire pit, tennis and basketball courts, lounge and bar areas, Zanies Comedy Club, iPANic Escape Room, Spa Vargas Wellness, and an 18 hole Championship Golf Course.

For more conference details and to reserve your spot visit <https://www.illinoisfamilysupport.org/annual-conference-information/>.

NEWS FROM THE BOARD OF DIRECTORS

- During our 2017 Board of Director's meeting, it was suggested that a review of the by-laws would be in order. The President formed a committee to review the by-laws. We are nearing the end of the review and will offer any proposed changes at our 2018 annual BOD meeting.
- On 06/25/2017 a special meeting of the Board of Directors was called to discuss purchasing AV equipment to mitigate future AV rental fees. The Board unanimously voted to move forward with the purchase of audio equipment.

MORE CLE SEMINARS IN THE WORKS

- Stay tuned for information about upcoming Continuing Legal Education seminars. Though technical and communication difficulties resulted in the May 18th CLE seminar on mental health law being cancelled, more programs are being planned.



From the Legislature . . .

. . .2018 Updates

The following child support-related bills have been passed by the 100th General Assembly and signed by the Governor in 2017, thus becoming Public Acts. The effective date is reflected with each Public Act synopsis.

[SB 67 Collaborative Process Act \(Public Act 100-0205\)](#) *Effective Date - January 1, 2018*

Synopsis As Introduced: Creates the Collaborative Process Act. Defines terms. Provides that the Act applies to collaborative process participation agreements that meet the requirements of the Act signed on or after the effective date of the Act. Contains provisions concerning: requirements of collaborative process participation agreements; the beginning and conclusion of the collaborative process; proceedings before the court; disclosure of information; standards of professional responsibility and mandatory reporting; confidentiality; and privileges. Provides that the Act is subject to the supervisory authority of the Illinois Supreme Court.

Senate Committee Amendment No. 1: Provides that "collaborative process matter" does not include any dispute, transaction, claim, problem, or issue that: (i) is the subject of a pending action under the Juvenile Court Act of 1987; (ii) is under investigation by the Illinois Department of Children and Family Services pursuant to the Abused and Neglected Child Reporting Act; or (iii) resulted in a currently open case with the Illinois Department of Children and Family Services. Provides that a collaborative process terminates when, among other circumstances, the process no longer meets the definition of collaborative process matter. Provides that nothing in the collaborative process may prohibit a party or nonparty participant from making a report of abuse, neglect, abandonment, or exploitation of a child or adult under the law of this State. Removes language providing that the privilege against disclosure for collaborative process communications applies in certain situations if a child protective services agency or adult protective services agency is a party to or otherwise participates in the process.

The Bill created a voluntary mechanism for resolution of domestic relations issues. This Bill codifies uniform procedures for dispute resolution and agreements in a collaborative process. This Bill should not have an adverse effect on the IV-D Program.

[SB 69 Family Law-Child Support \(Public Act 100-0015\)](#) *Effective Date - July 1, 2017*

Synopsis As Introduced: Amends the Illinois Marriage and Dissolution of Marriage Act. Combines the changes made to the Section concerning child support by Public Act 99-90, Public Act 99-763, and Public Act 99-764. Adds provisions concerning the computation of the basic child support obligation. Makes changes concerning the child support guidelines, the duty of support, income calculation, presumptions in favor of the child support guidelines, minimum child support obligations, income greater than the support schedule, child care expenses, shared and split physical care, and health care. Replaces references to "supporting parent" and "payor" with references to "obligor". Makes other changes. Effective July 1, 2017.

Senate Floor Amendment No. 1: In provisions concerning income calculation, provides that upon the request or application of a parent actually supporting (instead of "having") a presumed, acknowledged, or adjudicated child living in or outside of that parent's household, there shall be an adjustment to child support.

This Public Act was a Trailer Bill to the Illinois Marriage and Dissolution of Marriage Act and was meant as a technical cleanup of a number of provisions regarding (child support that were enacted by several Public Acts. The Public Acts involved are: Public Act 99-0090 (SB 57): Family Law - Various (amended a number of provisions in the Illinois Marriage and Dissolution of Marriage Act); Public Act 99-0763 (HB 3898): Family Law and Parentage - Reproduction Assistance (amended various provisions in the Illinois Marriage and Dissolution of Marriage Act and the Illinois Parentage Act of 2015. This Public Act established procedures regarding parentage of a child of assisted reproduction. Other provisions of the Bill did not affect the title IV-D program); Public Act 99-0764 (HB 3982): Child Support Guidelines (This Public Act replaced the percentage of obligor income model with a specific income shares model. The effective date coincides with the implementation of Income Shares Guidelines in Illinois).

HB 2812 DHS-Child Support-Obligor Income
(Public Act 100-0487)

Effective Date - June 1, 2018

Synopsis As Introduced: Amends the Illinois Public Aid Code. Adds cellular telephone companies to the list of persons and entities that are required to provide, upon request by the Child and Spouse Support Unit, location information concerning putative fathers and non-custodial parents for the purpose of establishing a child's paternity or establishing, enforcing, or modifying a child support obligation. Provides that a cellular telephone company shall respond to a request for location information within 15 days after receiving the request or be subject to a specified penalty. Provides that a cellular telephone company shall not be liable to any person for disclosure of location information as required, except for willful and wanton misconduct. Defines "cellular telephone company". Makes changes to the definition of "location information".

Senate Committee Amendment No.1: Further amends the Illinois Public Aid Code. Provides that "cellular telephone company" includes a cellular telephone or wireless carrier or provider, but does not include a pre-paid wireless carrier or provider. Provides that the term "physical whereabouts" does not include real time or historical location tracking information.

This Public Act provides for obtaining information regarding an obligor from cellular telephone companies.



From the Legislature . . .

. . . Pending Legislation

The following is a brief synopsis of the child support related bills that were passed by the 100th General Assembly in 2018. These Bills have not yet been signed by the Governor.

[SB 2289 IMDMA-Update Cross References](#)

Effective Date - January 1, 2019

Synopsis As Introduced: Amends the Code of Criminal Procedure of 1963, the Illinois Marriage and Dissolution of Marriage Act, and the Illinois Domestic Violence Act of 1986 by correcting cross references to Sections that have been repealed and by changing a county population threshold.

[Senate Committee Amendment No. 1](#): Provides that in considering a maintenance award, the court shall consider the tax consequences to each party (instead of the tax consequences of the property division upon the respective economic circumstances of the parties). Deletes language providing that: the amount of maintenance under specified provisions shall be calculated by taking 30% of the payor's gross annual income minus 20% of the payee's gross annual income; and that the amount calculated as maintenance, when added to the gross income of the payee, may not result in the payee receiving an amount that is in excess of 40% of the combined gross income of the parties. Provides instead that: the amount of maintenance under specified provisions shall be calculated by taking 33 1/3% of the payor's net annual income minus 25% of the payee's net annual income; the amount calculated as maintenance, when added to the net income of the payee, shall not result in the payee receiving an amount that is in excess of 40% of the combined net income of the parties; modification of maintenance orders entered before January 1, 2019 that are and continue to be deductible by the payor and includable as income to the payee shall be calculated by taking 30% of the payor's gross annual income minus 20% of the payee's gross annual income, unless both parties expressly provide otherwise in the modification order and the amount calculated as maintenance, when added to the gross income of the payee, may not result in the payee receiving an amount that is in excess of 40% of the combined gross income of the parties. Deletes a provision concerning unallocated maintenance. Makes changes in the provisions concerning the amount and duration of maintenance; life insurance benefits; the definitions of "gross income" and "net income" for

purposes of calculating child support; adjustments to income; modification; and other matters. Adds an effective date of January 1, 2019. The bill provides for a new formula to calculate maintenance as well as changes the amount and duration of maintenance. Changed the definitions of "gross income" and "net income" for purposes of calculating child support; adjustments to income; modification; and other matters. "Gross income" includes maintenance treated as taxable income for federal income tax purposes to the payee and received pursuant to a court order in pending proceedings or any other proceedings and shall be included in the payee's gross income for purposes of calculating the parent's child support obligation. "Net income" includes maintenance not includable in the gross taxable income of the payee for federal income tax purposes under a court order in the pending proceedings or any other proceedings and shall be included in the payee's net income for purposes of calculating the parent's child support obligation.

[HB 3920 Veh CD- Unpaid Civil Penalty](#)

The Bill provides that a person someone who drives or is in actual physical control of a motor vehicle while his or her driver's license or privilege to drive is suspended for non-payment of child support will be issued a ticket. If someone receives three or more tickets and does not pay the fine, they will be guilty of a Class A misdemeanor.

Synopsis As Introduced: Amends the Illinois Vehicle Code. Provides that a person who drives or is in actual physical control of a motor vehicle on any highway of this State when his or her driver's license, permit, or privilege to drive is revoked or suspended due to an unpaid civil penalty shall be guilty of a petty offense (rather than a Class A misdemeanor). Provides that a local law enforcement officer shall issue the person a \$50 citation for the violation.

Fiscal Note (Office of the Secretary of State): HB 3920 has no fiscal impact on the Secretary of State's office.

House Floor Amendment No. 3: Replaces everything after the enacting clause. Continued. . . Amends the Illinois Vehicle Code. Provides that a person who drives or is in

...continued ... actual physical control of a motor vehicle while his or her driver's license or privilege to drive is suspended due to certain violations of the Code shall receive a Uniform Traffic Citation from the law enforcement officer. Provides that a person who receives 3 or more Uniform Traffic Citations without paying any fees associated with the citations shall be guilty of a Class A misdemeanor. Makes conforming changes.

The Bill provides that someone who drives or is in actual physical control of a motor vehicle while his or her driver's license or privilege to drive is suspended for non-payment of child support will be issued a ticket. If someone receives three or more tickets and does not pay the fine, they will be guilty of a Class A misdemeanor.

HB 4754 HAM 2 ABL E Acct Prog-Asset Protect
Effective date -This Act takes effect upon becoming law

Synopsis As Introduced: Amends the State Treasurer Act. Provides that unless prohibited by federal law, upon the death of a designated beneficiary, proceeds from an ABL E account may be transferred to the estate of a designated beneficiary or to an account for another eligible individual specified by the designated beneficiary or the estate of the designated beneficiary. Provides that an agency or instrumentality of the State may not seek payment under specified provisions of the federal Internal Revenue Code from the account or its proceeds for benefits provided to a designated beneficiary. Effective immediately.

House Floor Amendment No. 2: Replaces everything after the enacting clause. Re-inserts the provisions of the introduced bill. Amends the Trusts and Trustees Act.

Provides that the court or a person with a disability may irrevocably assign resources of that person to either or both of: (i) an ABL E account; or (ii) a discretionary trust that complies with the Medicaid reimbursement requirements of federal law. Provides that "resources" includes, but is not limited to, any interest in real or personal property, judgment, settlement, annuity, maintenance, minor child support, and support for non-minor children. Provides that assignment is not authorized if otherwise prohibited by law. Provides that a court may reserve the right to determine the amount, duration, or enforcement of the irrevocable assignment. The Bill allows the Court **or a person with a disability to irrevocably assign resources, including,** maintenance, minor child support, and support for non-minor children to certain trust accounts.

HB 5599 Child Care-Income Threshold
Effective date -This Act takes effect upon becoming law

Synopsis As Introduced: Amends the Illinois Public Aid Code. Provides that notwithstanding any other provision of law or administrative rule to the contrary, beginning in fiscal year 2019, the specified threshold for working families must be no less than 185% of the then-current federal poverty level for each family size. Effective immediately.

Fiscal Note (Dept. of Human Services): There is no fiscal impact to the Department of Human Services. Effective October 1st 2017, the FPL was increased to 185% for eligibility in the Child Care Assistance Program (CCAP). The Department's opposition is because the legislation sets in statute the income level at the 185% threshold for low-income working families applying for CCAP. By establishing it in law, it restricts the State from decreasing the FPL for eligibility. The FPL is currently set in rule, and rules allow the necessary flexibility to raise and/or lower the FPL in order to be fiscally responsible and comply with any changes in federal law that may impact the Child Care Program.

The Bill sets the income threshold for child care.



From Our Committees . . . *. . .2018 Updates*

Conference Committee

This year's IFSEA Conference will be held on Monday, October 22 and Tuesday, October 23, 2018 at Pheasant Run Resort in St. Charles, Illinois. For conference details, visit our website at: <https://www.illinoisfamilysupport.org/annual-conference-information/>.



Angela Williams

Watch our website and the Family Support Forum for details on reservations and conference agendas as they become available. Anyone interested in joining the Conference Committee can contact Daun Perino.

Membership Committee

The 2017 IFSEA 30th Anniversary Conference held in Springfield, Illinois included 148 attendees with an overall membership of 140. Five Founding members were present. Since the conference, 2 new members have been added for a current total of 142 active 2017-2018 members. The committee hopes to increase membership throughout 2018 by marketing and detailing the value of being an IFSEA member. We will also be promoting the 2018 Annual Conference. If you would like to join the Membership Committee or would like information regarding IFSEA membership, please contact Angela Williams at Angela.Williams@Illinois.gov. Application for this year's membership is also available on the last page of the Forum.

Scholarship Committee

The Committee was pleased to award five scholarships to the 2017 Conference. Congratulations to the recipients:

- Tabitha Cook - Centralized Enforcement Unit Team 2, Springfield
- Okema Knight - Division of Child Support Enforcement, Belleville Regional Office
- Jennifer Maas (Cox) - Child Support Services, Peoria Region, Rock Island Satellite Office
- Vanessa Sanchez - Child Support Specialist, Cook Southern Region
- James Wilcockson - Client Services Unit, Springfield

The 2017 Gift Basket Auction and 50/50 Raffle generated over \$1,400.00 for the 2018 Scholarship fund. Thank you to all who participated! The 2018 Scholarship Application is under committee review and will be distributed upon finalization. To join the Scholarship Committee or to request additional information, please contact LaurenCraven@maximus.com or JanetLee.Smith@illinois.gov.

CLE Committee

The CLE committee would like to give a big "Thank You" to the prior chair – Lorelei Frost for her years of service and participation. We have a big gap to fill now that she has moved on to her next challenge. As always, we welcome new committee members and ideas for future CLEs. Please contact committee chair, Christopher B. Smith at chris@dixonjohnston.com to share CLE topics or to join the committee.

Legislative Committee

Please see complete Legislative Updates in this issue.

FAMILY SUPPORT FORUM

The official free newsletter of the

ILLINOIS FAMILY SUPPORT ENFORCEMENT ASSOCIATION

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2017-2018 Officers

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ILLINOIS FAMILY SUPPORT ENFORCEMENT ASSOCIATION

Application for Membership / Address Correction

Please: accept my application for membership in IFSEA. correct my address as noted below.

Regular membership - please enclose \$25.00 annual dues.

Subscription membership - please enclose \$25.00 annual fee.

Affiliate membership - (dues to be determined by Directors upon acceptance).

Applicant's Name: _____

Position/Title: _____

Employer/Agency: _____

Office _____

City/State/Zip: _____ Office Phone: _____

Preferred Mailing Address: _____

Preferred Phone: _____ Preferred Fax: _____

E-Mail Address: _____

Send Forum to E-Mail Address

Is this a New Application Renewal Address Correction ONLY?

Please return with dues to: IFSEA, 401 Main St. Ste. 680, Peoria, IL 61602

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(1/05)