

**FAMILY SUPPORT
FORUM**

The Official Newsletter of the Illinois Family Support Enforcement Association

Vol. 12

AUGUST – SEPTEMBER, 2000

No. 3

**Starved Rock State Park to Host
12th Annual IFSEA Conference**



Starved Rock

(Photo: T. Sweeney)

If you are feeling frazzled and overwhelmed with work, then be sure to put this year's IFSEA Conference on your schedule and *Retreat to the Rock*.

The 12th Annual IFSEA Conference will be held October 15, 16, and 17th at the rustic Starved Rock Lodge. The lodge is located in Starved Rock State Park, situated along the Illinois River at Rtes.178 & 71 in Utica, Illinois. October should be a beautiful month to enjoy the natural beauty of Starved Rock State Park and to catch up on all the latest news and trends in child support enforcement.

The Sunday night banquet will be at the Celebration 150 Banquet Hall, located north of Utica on Rte 6, 1/2 mile west of Rte 178, (just south of the Interstate 80 exit for Utica). *(See the map inset on page 6.)* Sunday registration will also be at the Celebration 150 Banquet Hall. Our keynote speaker will be Appellate Court Justice Peg Breslin. Justice Breslin has been active in family law

(Cont'd. on page 6)

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FAMILY SUPPORT FORUM

is the official newsletter of the

ILLINOIS FAMILY SUPPORT ENFORCEMENT ASSOCIATION

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(* indicates appointed Directors or their designee)

(† indicates Directors appointed at large)

Newsletter Editor

Thomas P. Sweeney

P. O. Box 370

Tolono, IL 61880

tele. & fax: (217) 485-5302

e-mail: tsweeney@pdnt.com

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STATEMENTS AND OPINIONS EXPRESSED IN THE ***FAMILY SUPPORT FORUM***
ARE THOSE OF THE AUTHORS AND DO NOT NECESSARILY REFLECT THOSE
OF THE OFFICERS, DIRECTORS OR MEMBERSHIP OF THE ASSOCIATION

***Depending on contributions, the FORUM will attempt to publish
four times a year - in March, June, August/September, and December.***

Items for publication are needed by the 8th of the month.

**News items and other articles of interest to Illinois family
support practitioners are eagerly sought.**

Contact the Editor for details.

Please Contribute - its YOUR Newsletter!

("12th Annual Conference," cont'd. from page 1)

issues as a State Representative and now on the Appellate court. She is an entertaining speaker and brings an interesting and informed perspective to the important issue of child support enforcement.

In addition to an interesting selection of workshops on Monday, including the latest on the SDU, this year's program features a panel of legislators discussing how they approach child support legislation and a judicial roundtable on how to cope with the new percent of income law. We've added an "All American Barbecue lunch" on Tuesday, and a behind the scenes tour of the Third District Appellate Court Tuesday afternoon.

Accommodations

Space at Starved Rock is limited, but there are still a few rooms and cabin rooms available at Starved Rock Lodge. You can call the lodge at 815-667-4211 or 800-868-7625. We have also reserved a block of rooms at the Holiday Inn Express in Oglesby, Illinois which is located off Interstate 39 (Exit 54). For reservations call 815-883-3535 or 1-800-HOLIDAY. It is only 4-1/2 miles from the lodge on Route 71. The state room rate is \$55/night and includes a breakfast bar in the morning and cookies and milk at night. These rooms will be held until September 15th.

Alternative lodging is also available at:

- Days Inn, 120 N. Lewis, Oglesby, IL (I-39 Exit 54) 815-883-9600
- Rose Inn Bed and Breakfast, 323 Clark Street, Utica, IL 815-667-7000
- Ramada Limited, 4389 Venture Drive (I-80 Peru Exit) 815-224-9000
- Comfort Inn, 5240 Trompeter Rd. (I-80 Peru Exit) 815-223-8585

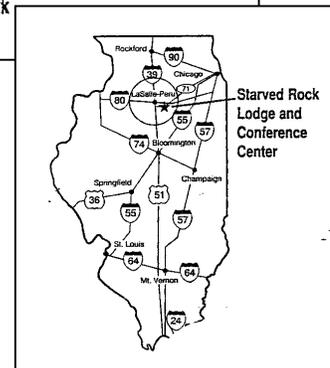
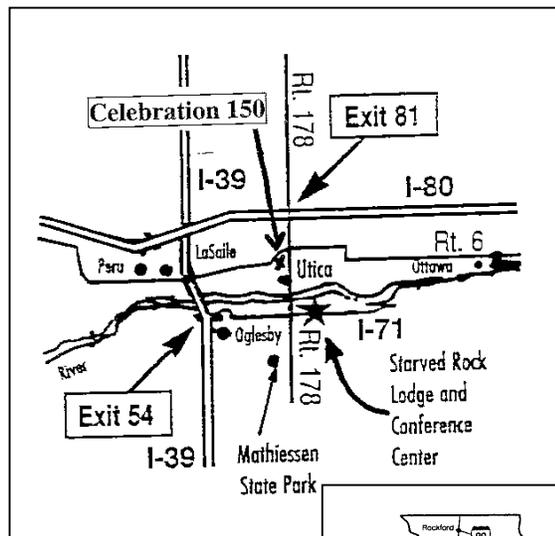
Conference Registration

Cost for the conference, including materials, meals and IFSEA Membership for the 2000-2001 year is \$100.00 if registration is received by October 5, 2000, and will be \$125.00 thereafter. Registration will be accepted at the conference. Your registration fee includes dinner Sunday night (reservation required- see registration form), continental breakfast on Monday and Tuesday, and lunch on Monday and Tuesday. Additional meal tickets are available (\$25.00 per person for the Sunday banquet and \$50.00 per person for all meals) and must be purchased in advance. If you or your guests prefer vegetarian meals please indicate that preference on your registration form. **PLEASE HELP US PLAN BY INDICATING ON YOUR REGISTRATION FORM THE SESSIONS AND EVENTS YOU EXPECT TO ATTEND.** Registration fees must be paid or arranged for no later than the start of the conference. Please make checks payable to IFSEA and mail them along with a separate registration form for each attendee to: IFSEA Conference Registration, P .0. Box 370, Tolono, Illinois 61880-0370

Cancellation and Refunds

Registration fees in excess of \$20.00 (membership dues for 2000-2001) will be refunded if notice of cancellation is received by Tom Sweeney, IFSEA Registration, **before October 5, 2000. NO REFUNDS WILL BE GIVEN FOR CANCELLATIONS RECEIVED AFTER THAT DATE.**

**For more information on IFSEA, Starved Rock and the conference,
Check out IFSEA on the Web at: www.illinoisfamilysupport.org.**



2000 Conference Registration Form

(Please submit separate registration for each person attending)

I will attend IFSEA's Twelfth Annual Conference on Support Enforcement, October 15-17, 2000.

PLEASE TYPE OR PRINT LEGIBLY.

Name (to appear on Membership Certificate): _____

Title & Employer: _____

Office Address: _____

City/State/Zip _____ Phone: _____

Preferred Mailing Address: _____

My Registration fee of \$_____ [] is enclosed [] will be paid by _____

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 made, prior to the start of the conference.)

(\$100.00 fee required for registrations received on or before October 5, 2000, \$125.00 required thereafter)

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

The undersigned hereby certifies that (s)he is authorized to guarantee payment by the agency indicated below.

Signature: _____

Agency: _____

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

I [] will [] will not be attending the Tuesday breakfast. .

I [] will [] will not be attending the Tuesday lunch.

[] } Vegetarian Meals preferred.

(If any of your meal plans change, please notify Jeanne Fitzpatrick as soon as possible at (815) 433-7063.)

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.)

I am particularly interested in the following Sessions: (please circle)

1. Plenary Session - General Session

2. State Disbursement Unit

3. Hot Topics

4. Keep it Cool, Keep it Professional

5. Account Resolution Solutions

6. Interstate Perspectives

Tuesday morning sessions:

7. Legislative Panel

8. Judicial Roundtable

[] I do intend to take the Appellate Court tour. (Transportation to/from Ottawa is NOT provided.)

Please return with Registration Fee to:

IFSEA Conference Registration

P.O. Box 370, Tolono, IL 61880-0370

(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 Twelfth 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 2002.

This year 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 15th at 11:45 a.m. in the Great Hall of Starved Rock Lodge, Utica, Illinois. Results will be announced at the Annual Members' Meeting on Tuesday, October 16th.

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 8, 2000. Nominations may also be made from the floor if supported by five members from the region to be represented by the elected Director. However, 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, P.O. Box 370, Tolono, IL 61880-0370. Incumbents seeking re-election also require nomination. Only regular members in good standing (membership dues paid for 2000-2001) may be elected 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):

Region	1998- 2000*	1999 – 2001
1.	Anne M. Jeskey, (IDPA, DCSE); Durman Jackson, (Asst. State's Atty.)	Stephanie Cummings, (Asst. State's Atty.); James W. Ryan, (Atty. at Law);
2.	Deanie Bergbreiter, (IDPA, DCSE); Jeanne Fitzpatrick, (Asst. Atty. Gen'l.); Scott Michalec, (Asst. Atty. Gen'l.); Deborah Seyller (Circuit Clerk)	Jeffrey McKinley, (Asst. Atty. Gen'l.); Lawrence Nelson, (Asst. Atty. Gen'l.); Yvette Perez-Trevino, (IDPA, DCSE); Nancy S. Waites, (Atty. at Law)
3.	Marilynn Bates, (IDPA, DCSE); William Henry, (Asst. Atty. Gen'l.); Debra Roan, (IDPA, DCSE); John Rogers, (IDPA, DCSE)	Cheryl Drda, (Asst. State's Atty.); Christine Kovach, (Asst. State's Atty.); Thomas P. Sweeney, (Atty. at Law); Thomas M. Vaught, (Asst. Atty. Gen'l.)

* Directors whose terms end this year. The one-year terms of "At-Large" Directors Linda Engelman, Support Staff Coordinator for the Attorney General's office, and Sharon Lowe, Supervising Secretary for the Attorney General's office, both from Springfield, also expire at this year's election.

**NOMINATION FOR ELECTION TO THE BOARD OF DIRECTORS
ILLINOIS FAMILY SUPPORT ENFORCEMENT ASSOCIATION
October 15 – 16, 2000
For a two-year term of office
2000 - 2001**

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

Nominee: _____

Position/Employer: _____

Office Address (County): _____

Credentials/Comments: _____

Person Making Nomination if other than Nominee: _____

Office Address (County): _____

To be eligible for election the nominee must be a regular member of the association,
in good standing (with dues paid for the upcoming year) prior to the election.

**Return before October 8, 2000, to:
IFSEA, Nominating & Resolutions Committee
P.O. Box 370, Tolono, IL 61880-0370**

Changes in Support Assignment Law Complicate IV-D Arrearage Allocation

By Thomas M. Vaught

Prior to October 1, 1998, it was not particularly difficult to determine what portion of support arrearages accrued on behalf of a welfare recipient was owed to the state. But changes in federal rules for the assignment of support rights have since made any such fixed determination nearly impossible.

Assignment of Support in Illinois

States that operate a child support enforcement program under Title IV-D of the Social Security Act are required by that Act to secure an assignment of support rights from families that receive Temporary Assistance to Needy Families (TANF), formerly Aid to Dependent Families (AFDC). The assignment of support rights in Illinois is by operation of law. This assignment is imposed by statute. 305 ILCS 5/10-1 provides, in part:

“By accepting financial aid under this Code, a spouse or a parent or other person having custody of a child shall be deemed to have made assignment to the Illinois Department for aid under Articles III, IV, V and VII or to a local governmental unit for aid under Article VI of any and all rights, title, and interest in any support obligation up to the amount of financial aid provided. . . .”

The statute encompasses an assignment of support for “any and all rights, title and interest in any support obligation.” This statute was interpreted to include the rights to arrearages accrued at the time of the assignment as well as an assignment of support payments which became due while the obligee received assistance, up to the amount of assistance provided. See Dept of Public Aid ex rel. Peavy v. Peavy, 307 Ill App 3d 16, (2nd District, 7 September 1999); In the Matter of Stovall, 721 F 2d 1133. OCSE comments indicate that if someone received assistance prior to October 1, 1998, this assignment continues so long as the assistance continues. The new assignment law would not apply until there was a break in assistance (see OCSE-AT-97-17, question 32).

Changes in Federal Law

Illinois does not claim such a broad assignment for assistance cases begun after October 1998. The Federal law governing assignments was changed by both the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and the Balanced Budget Act. States were allowed several options for the effective date of the assignment allowed by these changes (see 42 U.S.C. 608 (a) (3)). Illinois elected to distribute

collections under § 657(a)(6). As a result of this decision the date for the change in assignment law in Illinois became October 1, 1998.

While the amount of assistance paid by the State is still the maximum the State can collect, the new assignment is also conditioned by the time and means of collection. This assignment is explained by Federal Office of Child Support Enforcement Action Transmittal 28-24 (OCSE-AT-28-24).

“(a) For an assignment of support rights entered into prior to October 1, 1998, the applicant assigns to the State all rights to support which have previously accrued and which will accrue prior to the family leaving the assistance rolls.

(b) For an assignment entered into on or after October 1, 1998:

(1) with respect to collections by Federal income tax refund offset, the applicant assigns to the State all rights to support which have previously accrued and which will accrue prior to the family leaving the assistance rolls.

(2) with respect to collection by other than Federal income tax refund offset,

(A) the applicant assigns to the State all rights to support which will accrue while the family is receiving assistance; and

(B) the applicant temporarily assigns to the State all rights to support which accrued prior to the family receiving assistance, until the family leaves the assistance rolls.”

New Categories of Assignment

To explain this OCSE has called into existence the following categories.

1. PERMANENTLY ASSIGNED ARREARAGES - Those arrearages, not exceeding the amount of unreimbursed assistance, as of the date assistance is terminated and which (1) were assigned under the assignment provision in effect on September 30, 1998, or (2) which accrued (after October 1, 1998) while a family is received assistance. [See paragraphs (a) and (b) (2) (A) above.]

(Cont'd. on page 10)

2. **TEMPORARILY ASSIGNED ARREAR-AGES** - Those arrearages, not exceeding the amount of unreimbursed assistance, not covered in the definition of Permanently Assigned Arrearages. These arrearages are assigned during the time period that the family receives assistance. When assistance is terminated this assignment is converted to Conditionally Assigned Arrearages. [See paragraph (b) (2) (B) above.]

3. **CONDITIONALLY ASSIGNED ARREAR-AGES** - When assistance is terminated the arrearages that were temporally assigned are changed to this classification. The method of collection determines whether the State or the family receives payment of these arrearages. If the collection is made by means of a Federal income tax refund offset there is an assignment and the money belongs to the State. If the collection is made by any other means there is no assignment and the money belongs to the family. [See paragraph (b) (1) above.]

Illinois Administrative Code Changes

While 305 ILCS 5/10-1 has not been amended, the Illinois Administrative Code has implemented the required change in the assignment of support. 89 Ill. Adm. Code 160.20 provides, in part;

“(b) Notwithstanding the authority cited in subsection (a) of this Section [subsection a recites the applicable portion of 305 ILCS 5/10-1, the relevant part of which is set forth above] the following provisions shall apply:

- 1) For an assignment entered into prior to October 1, 1998, the applicant assigns the Department all rights that have previously accrued and shall accrue prior to the family leaving assistance; and
- 2) For an assignment first entered into on or after October 1, 1998:

A) With respect to any support collections by the federal income tax refund offsets, the applicant assigns the Department all rights that have previously accrued and that shall accrue prior to the family leaving assistance; and

B) With respect to any support collections by other than federal income tax offset:

- i) The applicant assigns to the Department any support rights that accrue and will accrue while the family is receiving assistance; and
- ii) The applicant temporarily assigns to the Department all rights to support that accrued prior to the family receiving assistance, such assignment to be in effect only until the family ceases to receive assistance.

c) The amount of support assigned to the Department shall not exceed the cumulative amount of unreimbursed assistance provided to the family during all periods of assistance.”

Conclusion

It is neither proper nor desirable for a court to determine whether an arrearage is due to the State or to an individual. The assignment is determined by the status of the individual, on or off of assistance, and by the method of collection, by Federal Tax Intercept or otherwise. These variables make it impossible to know whether money belongs to the State or to the individual prior to the time it is collected. If it became necessary to have the rights determined in a court order all three categories would have to be set forth and reference made to applicable law.

IFSEA's on the Web!

www.illinoisfamilysupport.org *

- ***More information about IFSEA.***
- ***Family Support FORUM – back issues and selected articles.***
- ***Complete & updated information about the Conference, with links to more information about Starved Rock Park and Lodge.***
- ***Useful links to other organizations and research sources.***

*(*Site still under construction; any suggestions will be appreciated.)*

Emancipation Table, Updated March, 2000

Contributed by Jeanne Teter, Asst. Attorney General

[Ed. Note: With increased demand to enforce other state's support orders under UIFSA it has become increasingly important for Illinois practitioners to be familiar with other states' laws – such as in the various ages of emancipation. The following up-dated table is offered to assist in this area. Caution is advised, however, as laws and exceptions are always changing.]

State	Age	Exceptions	Statutory Citation
Alabama	19		Code of Ala. 28-1-1 (1999)
Alaska	18	19, if attending h/s & residing w/ CP	Alaska Stat. 25.24.140(a); 170(a) (1999)
Arizona	18	19, if attending h/s	A.R.S. 25-320(c), 25-809(c), 25-50(c) (1999)
Arkansas	18	Or should have graduated h/s, whichever is later Or upon earlier marriage, death or court order	Ark. Stat. Ann. 9-14-237 (1999)
California	18	Until marriage, h/s graduation or age 19, whichever is first	Cal. Fam. Code 3901 (1999)
Colorado	19	May continue until high school graduation, but not beyond 21	C.R.S. 14-10-115 (1999)
Connecticut	18	For order entered on or after 7/1/94, until completion of h/s or age 19, whichever is first	Conn. Gen. Stat. 46b-84 (1999)
Delaware	18	Age 19 or receipt of h/s diploma, whichever is first	13 Del. Code 501 (1999)
D C	21	Or point at which self-supporting through marriage, employment or military service	D.C. Code Ann. 30-401
Florida	18	19 if still in high school	Fla. Stat. 743.07 (1999)
Georgia	18	Order entered after 7/1/92 may extend to age 20 if still in h/s	O.C.G.A. 19-6-15(e) (1999)
Guam	18	Disability of child	Guam Civ. Code 5102(c)
Hawaii	19	Full time student	HRS 580-47 (1999)
Idaho	18	19 if attending h/s	Idaho Code 32-706
Illinois	18	Order may extend	755 ILCS 5/11-1
Indiana	21	Or earlier emancipation	Ind. Code 31-16-6-6 (1999)
Iowa	18	7/1/97 change in law; up to age 19 if completing h/s or GED	Iowa Code 598.21(54) (1997)
Kansas	18	Extends through end of school year in which child turns 18; may be extended until 19th b/day by agreement of parents	KSA 60-1610 (1998)
Kentucky	18	19, if attending high school	KRS 403.213 (1998)
Louisiana	18	19, if full-time student and dependent	La. R.S. 9:315.22 (2000)
Maine	18	Until child graduates from h/s, withdraws or turns 19, whichever is first; Orders entered before 1/1/90 expire on child's 18th b/day, but can be modified before 18th b/day and exztended as above	19-A M.R.S. 1653(8) (1998)
Maryland	18	For higher education upon petition fo parties or destitution of adult child	Md. Ann. Code art. 1, sec. 24 (1999) Md. Fam. Law Code Ann. 8-103 (1999)
Massachusetts	18	Court may extend to 21	Mass. Ann. Laws, ch. 4, 7; ch. 208, 28 (1999)
Michigan	18	May extend until 19-1/2 for completion of h/s or beyond by agreement of parties	MCL 722.3a (1999) MSA 25.244(3a) (1999)
Minnesota	18	Until age 20 if child still attending h/s	Minn. Stat. 518.54(2) (1999)
Mississippi	21	Unless marries, or earlier discontinues full-time school enrollment or becomes financially independent	Miss. Code Ann. 93-5-23 (2000)

Emancipation Chart, Cont'd.

Missouri	18	Can continue to age 22 if child enrolls in college or vocational school by Oct. 1 following h/s graduation and meets req'ts of statute	452.340 R.S. Mo. (1999)
Missouri	18	Can continue to age 22 if child enrolls in college or vocational school by Oct. 1 following h/s graduation and meets req'ts of statute	452.340 R.S. Mo. (1999)
Montana	18	Or upon h/s graduation, whichever is later, but no later than 19. Orders entered prior to 10/1/91 subject to termination at age 18	Mont. Code Ann. 40-4-208(5) (1999) 40-5-201 (1999)
Nebraska	19	Unless child marries, dies or is emancipated by the court, age in effect at time of order controls	R.R.S. Neb. 42-371.01 (1999)
Nevada	18	19 if still in high school	Nev. Rev. Stat. 125.510 (2000)
New Hampshire	18	Or terminates h/s, whichever is later; marriage; military service	RSA 458:35-c (1999)
New Jersey		Case by case basis	N.J. Stat. 9:17B-3 (1999)
		18 is age of majority	N.J. Stat. 9:178-3 (1999)
New Mexico	18	Unless still in h/s, then up to 19	N.M. Stat. Ann. 40-4-7 (2000)
New York	21		NY CLS Dom Rel 2 (1999); NY CLS Family Ct Act 413 (1999)
N. Carolina	18	Unless attending secondary school full time or up to age 20, whichever comes first	N.C. Gen. Stat. 50-13.4 (1999)
N. Dakota	18	Court can extend to age 19 or h/s graduation, whichever comes first, if child is attending h/s full time and resides w/ CP	N.D. Cent. Code 14-09-08.2 (2000)
Ohio	18	Can be extended no longer than 19th b/day of child if child attends h/s on full time basis	ORC Ann. 3103.03 (Anderson 1999) 3109.01 (Anderson 1999)
Oklahoma	18	C/s may continue until age 19 if child is still in h/s	43 Okl. St. 112 (1999)
Oregon	18	21, if attending school half-time or more	ORS 107.108 (1997)
Pennsylvania	18	Post 18 for "delinquent" or "unemployable" child	23 Pa.C.S. 432 (1999)
Puerto Rico	21	Or whenever self-supporting through marriage	P.R. Laws Ann. Tit. #
Rhode Island	18	To 19 if still attending h/s	R.I. Gen. Laws 15-5-16.2 (1999)
S. Carolina	18	19 if still attending h/s	S.C. Code Ann. 20-7-420(17) (1998)
S. Dakota	18	19, if full-time student in a secondary school	S.D. Codified Laws 25-5-18.1 (2000)
Tennessee	18	Unless child is still in h/s,; in such cases emancipation occurs when child graduates from h/s or when class child is in at 18th b'day graduates	Tenn. Code Ann. 34-11-102 (1999)
Texas	18	Or when child graduates from h/s, whichever is later	Tex. Fam. Code 154.001 (1999)
Utah	18	Or has graduated from h/s during the child's normal and expected year of graduation, whichever is later	Utah Code Ann. 78-45-7.10 (1999)
Vermont	18	Or terminates secondary education, whichever is later, if order so states	15 VSA 658 (2000)
Virginia	18	Until 19 or graduates from h/s, whichever comes first	Va. Code Ann. 19.1-278.15 (1999)
Virgin Islands	18	May be extended to age 22 if attending accredited school	16 V.I.C. 341 (1998)
Washington	18	For judicial orders unless extended by order. For admin. Orders, may be extended to age 19	Wash. Rev. Code 26.19.090, 26.09.170 (1999); WAC 388-11-155 (1999)
W. Virginia	18	Court may extend to age 20 if child remains in secondary school	W. Va. Code 48-2-15d (2000)
Wisconsin	18	Unless child is still in h/s, then until age 19	Wisc. Stat. 767.25 (1999)
Wyoming	18	Through age 20 if attending high school full-time	Wyo. Stat. 14-2-204 (1999)

Part of Lottery Prize Frozen for Child Support

\$880,000 held for future support of daughter, 15

(Reported in the Champaign-Urbana News-Gazette, August 7, 2000)

By Scripps Howard News Service. The Florence, Ky., man who recently won a \$65.4 million Powerball jackpot will have to set aside \$880,000 for future child support payments until a judge determines exactly how much a daughter from a former marriage should receive.

Kenton County, Ky., Circuit Judge Patricia Summer issued the agreed order Friday after a court hearing seeking to have the Kentucky Lottery Commission set aside money for the child support payments, said Kenton County Attorney Garry Edmondson.

The court will appoint a receiver to hold the money, Edmondson said.

Another court hearing will determine how much Mack Metcalf should pay in weekly child support

Currently he is supposed to pay \$50 a week, but his ex-wife, Marilyn Collins, is asking for more money because Metcalf is worth more after having won the lottery, said Rita Ferguson, an assistant county attorney.

A caseworker with the county attorney's office recognized Metcalf's name last week during a televised news account about the jackpot winner.

Metcalf owes about \$31,000 in back child-support payments -- \$8,000 of which will go to the state as reimbursement for Aid to Families With Dependent Chil-

dren.

"Everything worked out great," Edmondson said.

Metcalf and his former wife were married March 18, 1984. They separated on Dec. 24, 1985, when their daughter was 14 months old, according to court records.

Metcalf is supposed to pay child support until his daughter, now 15, is 18, Edmondson said.

Metcalf, 42, has said he plans to get a lump sum cash payment of \$34.1 million. He plans to split the money 60 percent-40 percent with his current wife.

Lottery officials didn't immediately find out that he owed back child support because he gave them a fake Social Security number.

Woman Charged With Public Aid Fraud

Case comes from probe over support checks

(Reported in the Champaign-Urbana News-Gazette, August 18, 2000)

Springfield (Copley) An ongoing probe into potential fraud during the statewide child-support crisis has produced a felony charge against a Springfield woman who helped process the checks.

Evelyn R. Williams of 911 N. Third St., Apt. 2, was charged in Sangamon County Circuit Court with public assistance fraud in connection with \$5,500 she allegedly received through deception from the Illinois Department of Public Aid.

The charge, filed by Sangamon County State's Attorney John Schmidt in July, carries a potential penalty of three to 14 years in prison and a \$10,000 fine. Williams has pleaded inno-

cent, and the next court hearing in the case is scheduled Aug. 24.

"Public assistance money is a precious commodity, and it should go to those who need it most and are entitled to it," Schmidt said Thursday.

Schmidt said he is working on the case with Public Aid Inspector General Robb Miller, who is conducting a statewide probe designed to track down any tax-payor-supported emergency assistance that may have gone to people trying to scam the system in fall 1999 and spring 2000.

Miller wouldn't rule out the possibility of more arrests in connection with the probe. Nor would he speculate about the level of fraud that may have made its way

into Public Aid's issuance of \$10 million in emergency child-support checks that benefited more than 27,000 families statewide.

"We have not finished our review," Miller said. "It's a very laborious project."

Gov. George Ryan set in motion the emergency aid system a few weeks after the state's problem-plagued central clearinghouse for child-support checks opened Oct. 1 in the DuPage County community of Wheaton.

An Illinois auditor general's report earlier this year found that Public Aid's procedures for issuing and monitoring emergency checks were lax, at least initially. Some emergency checks were sent out even though workers at a state hot line had not checked facts

(Cont'd. on page 14)

(“Fraud,” cont’d from page 13)

provided by callers pleading for help in feeding their children or paying bills.

Williams, 41, worked for Public Aid through a Springfield temporary employment agency from Oct. 22 through Dec. 7, state officials said. She was part of a Springfield-based work force overseen by Public Aid to assist the Wheaton-based clearinghouse, which had been created because of a federal mandate.

Williams couldn’t be reached for comment, and her

attorney, Sangamon County Public Defender Brian Otwell, declined comment.

Court documents said the alleged criminal activity by Williams occurred sometime between March 1997 and the present. Schmidt said the wording was intentionally broad to cover what prosecutors believe was “an on-going scheme.” He wouldn’t elaborate.

Problems in switching much of the processing of child-support checks from circuit court clerks’ offices in all 102 counties to a single clearinghouse caused widely publicized delays and other

problems for tens of thousands of Illinois families who depended on the money. President Clinton and Congress approved the federal mandate in 1996 as part of a wide-ranging welfare reform law.

Miller said his 300-employee office has reviewed about 34,000 of the total 35,568 emergency payments. Almost all of the reviewed checks were devoid of fraud, he said.

Still, Public Aid Director Ann Patla said Thursday that it would be “premature” for her to comment on any findings thus far.

Miller will issue a public report when the investigation is complete, Patla said, but that date is unclear.

*Are child support topics making the news in your area? They might not have been reported throughout the state. Share them with the FORUM. Send copies of interesting articles to the **Family Support FORUM**, P. O. Box 370, Tolono, IL 61880-0370. Be sure to include the full name, date and location of the publication in which the item appeared.*

OFFICIAL NOTICE TO MEMBERS

The Twelfth Annual Members' Meeting & Election of Directors of the Illinois Family Support Enforcement Association

will be held in two parts:

Part I: Monday, October 16, 2000, at 11:45 a.m.

Part II: Tuesday, October 17, 2000, at 11:30 a.m.

both sessions in the Starved Rock Room

Starved Rock Lodge & Conference Center

Starved Rock State Park

Utica, IL

The primary items of business will be the nomination and election of Directors for 2000-2002.

Check out IFSEA on the Web!

www.illinoisfamilysupport.org

***Membership Applications / Renewals
Now Being Accepted
For 2000-2001***

***IFSEA membership is included in your registration
for IFSEA's 12th Annual Conference in October.***

***But if you are unable to attend the Conference
your membership in IFSEA will expire in October
unless you send in a renewal application.***

***Don't forget to renew your membership
TODAY!***

**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 \$20.00 annual dues.
- Subscription membership - please enclose \$20.00 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: _____

Is this a New Application Renewal Address Correction ONLY?

Please return with dues to: IFSEA, P. O. Box 370, Tolono, IL 61880-0370

(FEIN: 37-1274237)

(8/00)

See You at Starved Rock!



Starved Rock Lodge
Starved Rock State Park
*Site of IFSEA's 12th Annual
Conference on Support Enforcement
October 15 – 17, 2000*

Celebration 150 Banquet Hall

*Rte. 6, 1/2 mi. West of Rte. 178, Utica
Site of Sunday Reception & Banquet*



Third District Appellate Court

*1004 Columbus St.
(Rtes. 23 & 71 northbound)
Ottawa, Illinois
"Behind the Scenes" Tour
Tuesday, Oct. 17, 2000*

(Photos: T. Sweeney)

Illinois Family Support Enforcement Association

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