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# 2004 CONFERENCE PREVIEW – Page 3

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## FAMILY SUPPORT FORUM

The Official Newsletter of the Illinois Family Support Enforcement Association

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### First Lady outlines success in state's effort to help parents collect child support

*Crackdown on deadbeat parents leads to record high collections of \$950 million in FY2004 Governor Signs Legislation Allowing Parents to Opt for Automatic Deduction of Child Support Payments*

SPRINGFIELD, Ill. – First Lady Patti Blagojevich announced today that the state collected a record amount of child support money in Fiscal Year 2004, taking in almost \$90 million more than the previous year. She also announced that her husband today is signing into law House Bill 4310, legislation designed to make it easier to make child support payments by allowing non-custodial parents to have payments automatically deducted from their bank accounts.

Standing with Barry Maram, the Director of the Illinois Department of Public Aid (IDPA), First Lady Blagojevich said that the Division of Child Support Enforcement collected \$950.1 million in FY 2004, which ended June 30. The 10.4 percent increase in total collections exceeded the agency's target of \$922 million by \$27.2 million. The state collected \$860.5 million in all of FY 2003.

“As the mother of two daughters, I know what it takes to raise a child. It takes love, and patience, and time, and attention – and more patience. And it takes money. Children need a safe, secure place to live. They need nutritious

food. They need clothes, and shoes, and school supplies. They need to see the doctor and the dentist. They need books to read, and toys to play with. All those things cost money,” said the First Lady.

“Most parents understand that, and they do their very best to meet those obligations. But when some parents choose to ignore their responsibility to their children – the State of Illinois is ready and willing to step in and take action,” she added. “Now, I am proud to announce a legislative advance that will help to make child support collection simpler and faster for many families in Illinois. Today, my husband is signing House Bill 4310.”

The legislation, sponsored by state Sen. Iris Martinez (D-Chicago) and state Rep. Cynthia Soto (D-Chicago), requires IDPA to create a child support enforcement debit authorization form that can be used by self-employed non-custodial parents to have their child support payments automatically deducted from their bank accounts. The new mechanism will take effect in six months. (Cont'd on page 13 )

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# ***FAMILY SUPPORT FORUM***

is the official newsletter of the

## **ILLINOIS FAMILY SUPPORT ENFORCEMENT ASSOCIATION**

1917 South Whittier Avenue  
Springfield, IL 62704

Published quarterly and distributed free to members of the Association.

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**2003 - 2004**

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*Secretary*

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(\* indicates appointed Directors representing designated agencies or organizations)

(‡ indicates Directors appointed "At Large")

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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 attempts to publish  
four times a year - in March, June, August/September, and December.***

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

**Contact the Editor or Assignment Editor for details.**

**Please send all contributions to the Editor.**

***The ILLINOIS FAMILY SUPPORT  
ENFORCEMENT ASSOCIATION***

**Invites you to its**

**SIXTEENTH ANNUAL CONFERENCE  
ON SUPPORT ENFORCEMENT  
& MEMBERS' MEETING**

Holiday Inn Chicago-Matteson  
Matteson, Illinois  
October 17 – 19, 2004

**TENTATIVE AGENDA**

**SUNDAY OCTOBER 17, 2004**

3:00 – 7:00 p.m.	REGISTRATION	Salon C
6:00 – 7:00 p.m.	APPETIZERS / CASH BAR	Willow
7:00 – 9:00 p.m.	ANNUAL BANQUET & MYSTERY THEATRE	Willow
9:00 – 10:00 p.m.	HOSPITALITY SUITE	Willow

**MONDAY OCTOBER 18, 2004**

7:30 – 8:30 a.m.	CONTINENTAL BREAKFAST (Included in Registration)	Chestnut
8:00 – 4:00 p.m.	REGISTRATION & EXHIBIT HALL	Salon C
8:30 – 9:30 a.m.	PLENARY SESSION I	Chestnut

Opening Remarks:	Scott Michalec, IFSEA President
Federal IV-D Update:	Speaker: TBA
Illinois IV-D Update:	Lonnie Nasatir, Director, IDPA DCSE
Case Law Update:	Speaker: TBA
Attorney General Update:	Speaker: TBA

**9:30 – 10:30 a.m. BREAKOUT SESSIONS**

**1. Accounting and its Impact on the Child Support World** Chestnut  
This session will cover IDPA account maintenance functions including data gathering, reconciliation and arrears calculation.

Moderator: Durman Jackson, Deputy Supervisor, Child Support Division,  
Cook County State's Attorney's Office

Speakers: Thomas Harlson, IDPA DCSE Chicago  
Gregory Stimpson, IDPA DCSE Chicago

**2. Legal Basics for the non-Attorney** Salon A  
This session covers the legal basics of child support establishment through enforcement.

Moderator: Marjie Haning, IDPA DCSE  
Speaker: Jeanne Teeter, Attorney General's Office  
Nancy Schuester Waites, Lake County State's Attorney's Office

**3. Foster Care Essentials: What You Need to Know** Salon B  
A lively review of Foster Care essentials for the child support worker.

Moderator: Linda Dirksen, IDPA DCSE  
Speakers: Bob Woodrum, DCFS  
Jeffrey McKinley - Assistant Attorney General, Rock Island County  
Karen Williams - Family Support Specialist, DCSE, Springfield Region  
Doug Tucker - Accountant Advanced, DCSE

10:30 – 10:45 a.m. REFRESHMENT BREAK Salon C

10:45 – 11:45 a.m. BREAKOUT SESSIONS

**4. Access and Visitation** Chestnut  
This session surveys the successes of access and visitation programs.

Moderator: Norris Stevenson  
Speakers: Sheila Murphy Russell  
Lisa Cornel  
Stefanie Dwyer

**5. Intake—Getting from Point A to Point C** Salon A  
This session discusses the new Intake procedures adopted by IDPA and influenced by BPR. Discussion of the new Intake Locate Units will be included.

Moderator: Mary Morrow, IDPA DCSE  
Speakers: Mary Morrow, IDPA DCSE  
Nancy Emberton, IDPA DCSE  
Marcy Flatley, IDPA DCSE

**6. What do you suppose that means?** Salon B  
A Lively Discussion Outlining Recently Reported Court Opinions and What Those Decisions Mean to the Child Support Practitioner.

Moderator: Matthew Ryan  
Speakers: Diane Potts  
Theresa Hagans  
Lawrence Nelson  
Elizabeth Phalen

11:45 – 12:10 p.m.      ANNUAL MEMBERS MEETING – PART 1      Chestnut  
Consideration of Proposed By-Law Amendments  
Nominations and Election of Directors for 2004 -2006

12:10 – 1:10 p.m.      LUNCH (Included in Registration)      Chestnut

1:10 – 2:10 p.m.      BREAKOUT SESSIONS

**7. Re-integration of Ex-Offenders Grant—Project Overview**      Chestnut  
This session discusses the re-integration of ex-offenders project, its results and implications.  
Moderator:      Norris Stevenson & Deanie Bergbreiter  
Speakers:      Esther Griswold, Center for Policy Research  
TBA

**8. Paternity Testing—Where are we now?**      Salon A  
Hear how developments in the science of genetic testing help resolve challenging cases: deceased alleged father, family studies, related alleged fathers, and more.  
Moderator:      Z. Williams, Deputy Supervisor, Cook County State’s Attorney’s Office  
Speakers:      George C. Maha, JD, Ph.D., MT

**9. UIFSA—Update**      Salon B  
This session discusses current UIFSA policy and practical application.  
Moderator:      Robert Lyons  
Speaker:      Jeffrey Ball, MAXIMUS

2:15 – 3:15 p.m.      BREAKOUT SESSIONS

**10. Criminal Non-Support: State and Federal Issues**      Chestnut  
This session will review the State and Federal law of criminal non-support.  
Moderator:      Mary Donoghue, Supervisor, Cook County State’s Attorney’s Office  
Speakers:      Sandra Crowley, Cook SAO  
Diane Meyer, Cook SAO  
Caroline Kennedy, Cook SAO  
Ed Kohler, U.S. Attorney’s Office, Northern District of Illinois

**11. Multi-State FIDM and Collection Remedies**      Salon A  
This session will provide an overview of multi-state FIDM and a variety of special enforcement tools and options utilized by IDPA DCSE. Topics include: Dead-beat Parent Project, Professional License Revocation, US Attorney referrals, IL Felony Non Support Actions, Private Collection Agencies, Credit Reporting Agencies, Passport Denial, Credit and Asset Recovery, Wrong Man issues and Revenue Offsets.  
Moderator:      Mary Morrow, IDPA DCSE  
Speakers:      Mary Bartolomucci, IDPA DCSE

Michele Nevins, IDPA DCSE  
 Mary Miller, IDPA DCSE  
 Patti Litteral, IDPA DCSE

**12. Military Pay and its Impact on Current Support & Medical Support**

Salon B

This session discusses child support and medical support enforcement practices as they relate to IV-D participants in the military.

Moderator: Yvette Perez-Trevino, IDPA DCSE

Speaker: TBA

3:15 – 3:30 p.m. REFRESHMENT BREAK Salon C

3:30 – 5:00 p.m. PLENARY SESSION II—NCSEA’S IV-D Worker Certification Proposal Chestnut

Speaker: Karen Craig, Child Support Worker, Jasper County, IN  
 Ms. Craig, a member of the NCSEA workgroup on professional certification for IV-D workers, will discuss the proposal to be presented to NCSEA for consideration in August 2004 and for possible ratification in 2005.

5:00 – 8:00 p.m. DINNER ON YOUR OWN

8:00 – 10:00 p.m. NETWORKING OPPORTUNITY Willow  
 Live Music & Hospitality Suite

**TUESDAY OCTOBER 19, 2004**

7:30 – 8:30 a.m. CONTINENTAL BREAKFAST Chestnut  
 (Included in Registration)

8:00 – 12:00 p.m. REGISTRATION & EXHIBIT HALL Salon C

8:30 – 9:30 a.m. PLENARY SESSION III—Judges’ Panel Chestnut

9:30 – 10:30 a.m. PLENARY SESSION IV—Family Violence and its Impact on IV-D Cases Chestnut

10:30 – 10:45 a.m. REFRESHMENT BREAK Salon C

10:45 – 11:30 a.m. PLENARY SESSION V—IDPA DCSE BPR Chestnut

IV-D Administrator Lonnie Nasatir and Deputy Administrator for Performance Management Bill Mills will provide updates on the IDPA, DCSE's business process re-engineering.

11:30 – 12:00 p.m. ANNUAL MEMBERS MEETING—PART II Chestnut

- Election Results
- Awards Presentations
- Door Prizes (must be present to win)

12:00 – 12:30 p.m.	Box Lunch Provided as you leave the conference	Chestnut
12:15 – 2:00 p.m.	IFSEA Board of Director’s Meeting	Salon B

## Conference Facilities & Accommodations

The Illinois Family Support and Enforcement Association's Sixteenth Annual Training Conference and Members' Meeting will be held at the Holiday Inn, located at 500 Holiday Plaza Drive, Matteson, Illinois 60443. The Conference site is conveniently located in Matteson, a southeast suburb of Chicago, at the four-way intersection of I-57 and Route 30.

The Holiday Inn Chicago Matteson has 204 spacious, quiet rooms, including luxurious whirlpool suites. Room amenities include coffeemaker, 25" remote controlled television, hairdryer, iron and board and high-speed internet access. The hotel offers a beautiful and relaxing atmosphere that includes a restaurant, bakery, lounge and lobby bar. The Holiday Inn Chicago Matteson invites you to escape to their exquisitely landscaped Holidome where the indoor pool, three tier sundeck, sauna, whirlpool, game room and fitness center await you.

A block of rooms is reserved for IFSEA Conference participants at the rate of \$89.00 (plus tax) per night. Reservations can be made by calling the Holiday Inn toll-free at 1 (800) HOLIDAY or by contacting the hotel directly at (708) 747-3500. Rooms will be held until October 3, 2004. Make your reservations early and be sure to mention IFSEA when making reservations. To find out more, visit their website at [www.basshotels.com](http://www.basshotels.com) and select the Holiday Inn Chicago Matteson.

This year's conference is packed with interesting speakers, informational breakout sessions, networking opportunities and entertainment. While you won't want to leave the excitement that's in store for you at this year's conference, if you do find a spare moment, the hotel offers complimentary shuttle service to the train station where you can travel to downtown Chicago for shopping, site seeing or dining.

## Conference Registration

The cost for this year's conference, including all materials and IFSEA membership for 2004-05 is \$110.00 if received by October 4, 2004, and \$135.00 for registrations received later. You may, of course, register as a walk-in at the conference. The registration fee includes the Sunday banquet, Monday luncheon, continental breakfast on Monday and Tuesday and a box lunch on Tuesday.

Payment of registration fees must accompany registration forms or be arranged by the beginning of the conference. Checks made payable to IFSEA and separate registration forms for each attendee should be mailed to Illinois Family Support Enforcement Association, 1917 South Whittier, Springfield, IL 62704.

## Cancellations and Refunds

Registration fees in excess of \$20.00 (membership dues for 2004-05) will be refunded if notice of cancellation is received by Pamela Compton, **before October 4, 2004. NO REFUNDS WILL BE GIVEN FOR CANCELLATIONS RECEIVED AFTER THAT DATE.**

## 2004 Conference Registration Form

(Please submit separate registration for each person attending)

Please register me for IFSEA's Sixteenth Annual Conference on Support Enforcement, October 17 – 19, 2004.

***PLEASE TYPE OR PRINT LEGIBLY***

Name (to appear on Membership Certificate):

\_\_\_\_\_

Title & Employer:

\_\_\_\_\_

Office Address:

\_\_\_\_\_

City/State/Zip:

\_\_\_\_\_

Preferred Mailing Address:

\_\_\_\_\_

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 billing arrangements made prior to the start of the conference.) (\$110.00 fee required for registrations received on or before October 4, 2004, \$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 (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.  
 Vegetarian Meals preferred.

***If any of your meal plans change, please notify the conference Chair Christa Ballew 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.)

I am particularly interested in the following Sessions (tentative, subject to change): (please circle)

- |  |  |
|--|--|
| 1. Accounting and its Impact on the Child Support World    | 2. Legal Basics for the non-Attorney               |
| 3. Foster Care Essentials: What You Need to Know           | 4. Access and Visitation                           |
| 5. Intake – Getting from Point A to Point C                | 6. What do you suppose that means?                 |
| 7. Re-integration of Ex-Offenders Grant – Project Overview | 8. Paternity Testing – Where are we now?           |
| 9. IFSEA Update  | 10. Criminal Non-Support: State and Federal Trends |

**PROPOSED AMENDMENTS TO ILLINOIS FAMILY SUPPORT ENFORCEMENT ASSOCIATION BY-LAWS**

(To be voted on at the annual conference)

*By: Christine Kovach, Assistant State's Attorney, Madison County*

WHEREAS, the current By-Laws provide in Article VI, Section A, Subsection 2(a) for the appointment of representatives from various organizations to serve on the Board of Directors of Illinois Family Support Enforcement Association, hereinafter IFSEA, on an annual basis, and

WHEREAS, some of the appointed directors have traditionally not participated in meetings held by the Board of Directors or in the annual membership meeting, and

WHEREAS, it is the desire of the Board of Directors to eliminate some of the appointed director positions, and

WHEREAS, pursuant to Article X of the By-Laws of IFSEA adopted September 18, 1997 and amended thereafter, the Board of Directors recommends the following for consideration and adoption by the general membership:

ARTICLE VI: Board of Directors

- A. Composition of the Board of Directors: The Association shall be governed by a Board of Directors, comprised as follows:
  - 2. Commencing with the election of the Directors to be conducted at the first Annual Meeting, the Board of Directors shall consist of **26** Directors determined as follows:
    - (a) Appointed Directors: Each of the following shall be authorized to serve as a Director of the Association:
      - The Director of the Illinois Department of Public Aid, or such other person within said agency designated either by name or position, as he/she may designate;
      - The Attorney General of Illinois, or such other representative of that office as he/she may designate;
      - The State's Attorney of Cook County or such other representative of that office as he/she may designate;
      - The President of the Illinois Association of Court Clerks, or such other representative of that association as he/she may designate;
      - ~~[REMOVE] The Chair of the Child Support Advisory Committee established pursuant to Section 12-4/20c of the Illinois Public Aid Code, or such other representative of that committee as he/she may designate;~~
      - ~~[REMOVE] The Chair of the Family Law Section Council of the Illinois State Bar Association, or such other representative of the Council as he/she may designate;~~
      - ~~[REMOVE] The Chair of the Child Support Enforcement Committee of the Illinois House of Representatives, or such other representative of that Committee as he/she may designate;~~

Two individuals appointed by the President of the Illinois Family Support Enforcement Association at the conclusion of each annual election, to serve as "At Large" Directors.



From the IDPA . . .

. . . **ILLINOIS IV-D UPDATE**

A “dashboard report” on the status of the IV-D program

At the close of this fiscal year, total child support collections for Illinois reached \$950 million! In June 2004, Illinois IV-D cases stood at just under 670,000. In the last three years, Illinois has increased its percentage of child support enforcement cases with support orders from 28.4% to a projected 53.0% for federal fiscal year 2004. This represents an 86% increase in cases with orders in just four years. In the last nine years, Illinois has reduced the percentage of account balances protested by the child support debtor receiving a tax intercept notice by 66%. The 5,294 protests received in 2003 represent only 2.6% of non-custodial parents noticed, in comparison to 11.7% for 1995, 7.8% in 1998, 5.9% in 2000, 4.2% in 2001, and 2.9% in 2002. This represents a fourfold improvement in the reliability of account balances.

**IDPA participates in an NCSEA panel on child support arrears**

Associate Administrator Pamela Compton was asked to discuss Illinois’ response to the OCSE’s Big 10 debt analysis study performed in conjunction with the Urban Institute at the annual NCSEA Conference.

Changes over time on three of the most important performance factors are:

	<u>FFY00</u>	<u>FFY01</u>	<u>FFY02</u>	<u>FFY03</u>
	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>
% of cases with a support order	30.0%	35.4%	40.8%	46.7%
% of current charges that were collected	36.5%	37.6%	39.1%	47.0%
% of cases with a support order that received a collection	54.6%	57.3%	58.1%	60.2%

Our data reliability is now recognized by the federal Office of Child Support Enforcement. State child support programs became subject to a new Data Reliability audit beginning in 1999. Since then, Illinois has been one of the few states to pass all factors of the audit each year. On May 3, 2004 IDPA-DCSE received a letter from the federal Office of Child Support Enforcement stating that we passed our Data Reliability Review (DRR) for the FFY03 157 report. The DRR is a limited review of supporting details for those states that which have "demonstrated a consistent pattern of reporting reliable data" on the Data Reliability Audit (DRA) and do not have to undergo the full DRA audit. In comparison, 14 states were notified this year that failure to pass one or more elements tested for data reliability would result in financial sanctions.

In the past year we have almost tripled the number of callers served and reduced caller wait time by more than 60%. Soon we hope to have a new, interactive website available to DCSE customers to complement the DCSE Call Center. We have implemented a new scheduling logic that delivers the right services to our intake customers, based on their needs.

State Fiscal Year (SFY) 2004 began with the transition of the State Disbursement Unit (IL SDU) to a new vendor. The seamless transition has been followed by a year of stability and service to

Illinois families. More than 99% of payments are disbursed within the 2-day timeframe and 42% of incoming payments are received electronically.

In SFY2004, the long-awaited full KIDS certification was received and the Commissioner of the federal Office of Child Support Enforcement Dr. Sherri Z. Heller personally visited Illinois to convey her congratulations. In her remarks, Dr. Heller said that Illinois "is a program that - bottom line results - is on the move and it shows in the data I see in Washington. I commend the child support professionals here in Illinois on this achievement. Effective automation is a key element of a child support enforcement program which is successful in collecting child support and provides good customer service. This certification demonstrates that Illinois is committed and working hard to provide both to children and families."

As we prepare for the 2004 IFSEA Fall Conference, I am happy to report that the IV-D program in Illinois is continuing its journey to performance improvement. These accomplishments are due entirely to the hard work of everyone in the child support community and I thank you for that. I look forward to seeing all of you at the conference and to the exchange of ideas and information that leads to future accomplishments.

(Cont'd from page 1)

Department officials attributed the improved collections to several factors: the high priority placed on the program by the Governor; an aggressive crackdown on deadbeat parents symbolized by the launch of a new Web site; the vast improvement in the state's child support database that was underscored by the federal certification of the system in December; and the successful first year of the new State Disbursement Unit (SDU), which was transferred to a private vendor on July 1, 2003, at a savings of \$9 million a year.

"There's no doubt in my mind that the Division of Child Support Enforcement has turned the corner," said IDPA Director Barry Maram. "We're sending a very strong message that if you don't meet your child support obligations, we're coming after you with all of the high tech tools at our disposal."

Last November, IDPA unveiled a new Deadbeat Parents Web site featuring some of the state's most egregious child support scofflaws. The site - <http://www.ilchildsupport.com/deadbeats/> - runs pictures of delinquent parents who owe more than \$5,000 in past due support and have made no payments in over 90 days. Cases are only featured with the consent of the custodial parent. The site has generated over \$100,000 in payments and numerous tips regarding the whereabouts of non-custodial parents.

In December, Illinois received validation of its efforts to upgrade its child support system when it became the 28th state in the nation to achieve federal certification for its KIDS database, the high tech engine that drives every facet of the child support enforcement process. The database keeps track of all relevant information for the 730,000 child support cases in Illinois and is now capable of automatically serving income withholding orders on employers.

In awarding the federal certification earlier this year, Dr. Sherri Heller, Commissioner of the Federal Office of Child Support Enforcement and the top child support official in the nation, said: "This is a program that - bottom line results - is on the move and it shows in the data I see in Washington,"

One illustration of how the database upgrade lead to better results is the 40 percent increase in collections in FY 2004 by the Division's Collection and Asset Recovery Unit. The unit employs an aggressive approach to imposing liens on real and personal property. It is on track to collect \$2 million more in FY 2004, seizing more than \$7 million in delinquent child support payments.

A second collections area that recorded dramatic gains was the Passport Denial Program, run in conjunction with the U.S. State Department. It bars non-custodial parents who owe more than \$5,000 from renewing their passport or obtaining a new one. The program more than doubled its income in FY 2004, taking in \$562,000, up more than 156 percent from FY 2003.

“The improved performance is directly tied to enhanced automation and a commitment to seeking out new cutting edge enforcement techniques,” said Child Support Enforcement Administrator Lonnie Nasatir.

Child support officials said that another major factor behind the positive results in FY 2004 was the successful first year of the new SDU, which was seamlessly transferred to an outside vendor, ACS State & Local Solutions on July 1, 2003. Thanks to months of preparation, the handoff was carried off without a hitch, in contrast to the process in 1999.

The new SDU uses the latest in high tech data processing equipment to process half a million checks each month, of which 99.97% are turned around in the federally required two business days. In addition, the unit installed an automated voice response system and an interactive Web site that allow customers to retrieve payment information 24-hours-a-day, seven days a week. The new operation saves taxpayers \$9 million a year.

“As you all know, bringing up a child is a huge responsibility. It’s even more challenging for the many single parents who are struggling to make it on their own,” said the First Lady.

“Today, thanks to the hard work of the Division of Child Support Enforcement and the State of Illinois, hundreds of thousands of parents around Illinois are getting the financial support they need – to help their children grow up happy, healthy and strong.”

## **HB4393: THE CASE FOR SAVING CURRENT CHILD SUPPORT**

*By: Karen Winberg-Jensen, Assistant Attorney General, Consumer Fraud Bureau*

In an attempt to assure the receipt of child support, some obligees have turned to private collection agencies. While in some cases these agencies have been instrumental in collecting an arrearage, in other cases they have only caused anguish for the custodial parent. Some custodial parents have complained that the private agencies failed to disclose that they would take large administrative fees out of the current support and failed to disclose that they would take a percentage of any money collected, not just arrears. Even worse, the private agencies took fees out of child support that had been collected not through their efforts, but through the efforts of government agencies. The result to some families was that the amount of support flowing to the family decreased. In 1999 the Office of the Attorney General filed suits against two child support collection agencies alleging violations of the Consumer Fraud Act and the Collection Agency Act.

In January 2003, after reading an article about such abuses in a national news magazine, Senator Ira Silverstein introduced SB44 to regulate the activities of private collection agencies in Illinois. At a Senate Judiciary Committee Hearing in February 2003, Metropolitan Family Services and the Illinois Attorney General's Office testified in support of the bill. On March 24, 2003, SB44 passed the Senate and was sent to the House. The private collection agencies strenuously opposed both fee caps and the restriction on their ability to impose a percentage fee on the collection of current support. The House Judiciary Committee heard testimony, but the issue of allowing a percentage fee on the collection of current support was not resolved. In May 2003, an arbitration session was scheduled in an attempt to reach an accord on a proposed Bill. After five hours of negotiations conducted by former Judge Getty, the sponsors decided not to call SB44, as the proponents believed that the fees caps were too high and the private collection agencies opposed restrictions on current support. It was finally agreed to hold the bill until the next session.

On February 2, 2004 a new Bill, HB4393, was introduced by Rep. Patricia Bellock, with Reps. Julie Hamos and Eileen Lyons as co-sponsors. Simultaneously in the Senate, Senator Silverstein introduced SB2380. The language of both Bills was identical. The Bills required specific contractual disclosures, set fee caps on the percentage of past due support that may be retained as a collection fee, and most importantly prohibited private collection agencies from taking a collection fee out of current support. This bill would amend Section 2.04 of the Collection Agency Act (225 ILCS 425/2.04), a relevant portion of which is set forth below:

(a-5) A collection agency may not impose a fee or charge, including costs, for any child support payments collected through the efforts of a federal, State, or local government agency, including but not limited to child support collected from federal or State tax refunds, unemployment benefits, or Social Security benefits.

No collection agency that collects child support payments shall (i) impose a charge or fee, including costs, for collection of a current child support payment, (ii) fail to apply collections to current sup-

port as specified in the order for support before applying collection to arrears or other amounts, or (iii) designate a current child support payment as arrears or other amount owed. In all circumstances, the collection agency shall turn over to the obligee all support collected in a month up to the amount of current support required to be paid for that month.”

As to any fees or charges, including costs, retained by the collection agency, that agency shall provide documentation to the obligee demonstrating that the child support payments resulted from the actions of the agency. After collection of the total amount or arrearage, including statutory interest, due as of the date of execution of the collection contract, no further fees may be charged.

The battle began again. In February, both the House and Senate Judiciary Committees held hearing on the Bills. Testimony in favor of the bill was provided by the Attorney General’s Office, Metropolitan Family Services and the Sargent Shriver National Center for Poverty Law. Groups such as the Illinois Department of Public Aid, the Chicago Bar Association and the Circuit Clerks Association provided support for the bill. The testimony outlined abuses by some private child support collection agencies. Testimony also covered case law and Illinois statutes arguing that attorneys were precluded from taking a contingency fee from current child support and that that public policy dictates that a private collection agency should not be allowed to retain a portion of current child support. Testifying in opposition were representatives from a Texas-based child support collection agency and an industry association. The private agencies argued that HB4393 would eliminate an option for custodial parents seeking to collect unpaid child support.

While the bills were held in Committee for a while, they finally received do pass recommendations from both committees. On March 2nd, SB2380 passed the Senate. On March 25th, HB4393 passed the House. After both bills passed out of their respective chambers, the process started again when the House bill was presented to the Senate. The same parties again provided testimony to the Senate Judiciary Committee on April 21st and April 27th. The private collection agencies appeared to be making substantial progress in halting the bill. In response to industry lobbying efforts, question and answer memos were circulated to the General Assembly to clarify the legal and policy arguments supporting the position that private collection agencies cannot take a percentage of current support. After some successful meetings with various legislators and consumer calls in favor of this legislation, HB 4393 passed out of the Senate Judiciary Committee with the close vote of 6 in favor, 3 opposed, and one “present” vote. On May 13th, HB4393 was presented to the full Senate for a vote. On the floor of the Senate there ensued a very lengthy and contentious floor debate; there were discussions of the substantive issues by the opponents and proponents, but many seemed swayed by the impassioned personal testimony given in favor of HB4393 by Senator Dave Sullivan. The vote was taken and the numbers flashed above the floor. Success: the Senate voted 44-14-0 to concur with the House in passing HB4393.

The legislation was sent to the Governor on June 11<sup>th</sup>. While waiting for the Governor to make a decision on whether to sign HB4393, letters of support and calls were made to the Governor’s office urging him to sign the bill. On August 10, 2004, HB4393 was signed by the Governor and became Public Act 93-0896.

## **Possibility of National Certification of Child Support Caseworkers Explored**

*By: Karen Craig, Office of Prosecuting Attorney, Jasper Co., IN*

The National Child Support Enforcement Association is currently investigating the possibilities for national certification of child support caseworkers. For a long time, caseworkers have seemed to want a method of demonstrating the value of the position and the skill necessary to do all the things a caseworker has to do.

During the past three years, a task force has been surveying the need for certification, reviewing certification programs of similar occupations and developing a survey to assess the opinions of currently employed caseworkers about certification. The survey asks questions regarding the weight that education, experience and knowledge should carry in a future certification model, and also requests minimal demographic information from the respondents.

The task force is hoping that all caseworkers will take the five minutes or so that the survey requires to fill it out on line so that a wide range of opinions can be used when presenting a proposal for a program to the NCSEA board of directors in December. Presentations have been made to the ERICSA conference in May, Indiana's conference in June, Pennsylvania's in July, and the national conference in August.

Karen Craig, the representative from Indiana, will also be making presentations in October to the Michigan and Illinois caseworker conferences, and the push is being made to get caseworkers to fill out the survey as soon as possible. Karen asks that you log on to [NCSEA.org](http://NCSEA.org), and pull up the Certified Child Support Enforcement Professional Opinion Survey from the bottom of the screen, and voice your opinion about the proposed guidelines. There is still a long way to go on this project, but Karen hopes that a system will be in place within two years. To contact her directly, please email her at [csup@co.jasper.in.us](mailto:csup@co.jasper.in.us) or call her at 219/866-5475.

*Can't make it to the Conference?  
Don't forget to renew your IFSEA Membership!*

**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: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Send Forum to E-Mail Address

Is this a  New Application  Renewal  Address Correction ONLY?  
Please return with dues to: IFSEA, 1917 South Whittier Ave, Springfield, IL 62704

**(FEIN: 37-1274237)**

(8/03)

*\*Note: If you are registering for the Conference, you do not need to complete this application.*

## **NCSEA's Message at their annual Conference**

Children don't know what opportunities are until we show them...  
First step, first word, first day of school, first job, first child...  
The possibilities are endless and so is their potential.

When it comes to discovering golden opportunities for children...  
*We will leave no stone unturned.*

## 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 16th 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 2006.

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 18th at 11:45 a.m. in the Chestnut Room of the Holiday Inn Chicago-Matteson. Results will be announced at the Annual Members' Meeting on Tuesday, October 19th.

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 11, 2004. 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 2004-2005) 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):

2002 – 2004*	2003 - 2005
Scott Michalec (Asst. Atty. Gen'l.)	Christine Kovach (Asst. State's Atty.)
Christa Ballew (Maximus)	Jim Ryan (Atty. at Law)
Pamela Compton (IDPA, DCSE)	Norris Stevenson (IDPA, DCSE)
Durman Jackson (Asst. State's Atty.)	Jeffry McKinley (Asst. Atty. Gen'l.)
Deanie Bergbreiter (Asst. Atty. Gen'l.)	Lawrence Nelson (Asst. Atty. Gen'l.)
Jeanne Fitzpatrick (Asst. Atty. Gen'l.)	Yvette Perez-Trevino (IDPA, DCSE)
Mary Morrow (IDPA, DCSE)	Nancy Schuster Waites (Asst. State's Atty.)
Linda Dirksen (IDPA, DCSE)	Cheryl Drda (Asst. State's Atty.)
Marjie Haning (Retired, IDPA, DCSE)	Mary K. Manning (Asst. State's Atty.)
Matthew Ryan (Asst. Atty. Gen'l.)	Thomas M. Vaught (Asst. Atty. Gen'l.)
Daun Perino (Atty. at Law)	
Yehuda Lebovits (Cook Cty Expedited Hrgs.)	

\* Directors whose terms end this year. The one-year terms of "At-Large" Directors Daun Perino, Attorney at Law, and Yehuda Lebovits, Cook County Expedited Hearings, also expire at this year's election.

**NOMINATION FOR ELECTION TO THE BOARD OF DIRECTORS  
ILLINOIS FAMILY SUPPORT ENFORCEMENT ASSOCIATION  
October 18 – 19, 2004  
For a two-year term of office  
2004 – 2006**

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.