

1 AN ACT in relation to support.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Uniform Interstate Family Support Act is
5 amended by renumbering Sections 100, 102, 903, 904, and 905;
6 by changing and renumbering Sections 101 and 103; by changing
7 Sections 201, 202, 204, 205, 206, 207, 208, 209, 301, 302,
8 303, 304, 305, 306, 307, 310, 311, 312, 314, 316, 317, 319,
9 401, 501, 502, 503, 506, 507, 601, 602, 604, 605, 607, 610,
10 611, 612, 701, 801, 802, and 901; by adding Sections 210,
11 211, and 615; by changing the headings of Article 2, Part 1,
12 Article 2, Part 2, and Article 2, Part 3; and by changing the
13 heading of Article 6 as follows:

14 (750 ILCS 22/101) (was 750 ILCS 22/100)

15 Sec. 101. ~~100~~. Short title. This Act may be cited as
16 the Uniform Interstate Family Support Act.

17 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
18 by P.A. 88-691.)

19 (750 ILCS 22/102) (was 750 ILCS 22/101)

20 Sec. 102. ~~101~~. Definitions. In this Act:

21 "Child" means an individual, whether over or under the
22 age of 18, who is or is alleged to be owed a duty of support
23 by the individual's parent or who is or is alleged to be the
24 beneficiary of a support order directed to the parent.

25 "Child-support order" means a support order for a child,
26 including a child who has attained the age of 18.

27 "Duty of support" means an obligation imposed or
28 imposable by law to provide support for a child, spouse, or
29 former spouse including an unsatisfied obligation to provide
30 support.

1 "Home state" means the state in which a child lived with
2 a parent or a person acting as parent for at least 6
3 consecutive months immediately preceding the time of filing
4 of a petition or comparable pleading for support, and if a
5 child is less than 6 months old, the state in which the child
6 lived from birth with any of them. A period of temporary
7 absence of any of them is counted as part of the 6-month or
8 other period.

9 "Income" includes earnings or other periodic entitlements
10 to money from any source and any other property subject to
11 withholding for support under the law of this State.

12 "Income-withholding order" means an order or other legal
13 process directed to an obligor's employer or other debtor, as
14 defined by the Illinois Marriage and Dissolution of Marriage
15 Act, the Non-Support of Spouse and Children Act, the
16 Non-Support Punishment Act, the Illinois Public Aid Code, and
17 the Illinois Parentage Act of 1984, to withhold support from
18 the income of the obligor.

19 "Initiating state" means a state from which a proceeding
20 is forwarded or in which a proceeding is filed for forwarding
21 to a responding state under this Act or a law or procedure
22 substantially similar to this Act.

23 "Initiating tribunal" means the authorized tribunal in an
24 initiating state.

25 "Issuing state" means the state in which a tribunal
26 issues a support order or renders a judgment determining
27 parentage.

28 "Issuing tribunal" means the tribunal that issues a
29 support order or renders a judgment determining parentage.

30 "Obligee" means:

31 (A) ~~(i)~~ an individual to whom a duty of support is
32 or is alleged to be owed or in whose favor a support
33 order has been issued or a judgment determining
34 parentage has been rendered;

1 (B) ~~(iii)~~ a state or political subdivision to which
 2 the rights under a duty of support or support order have
 3 been assigned or which has independent claims based on
 4 financial assistance provided to an individual obligee;
 5 or

6 (C) ~~(iii)~~ an individual seeking a judgment
 7 determining parentage of the individual's child.

8 "Obligor" means an individual, or the estate of a
 9 decedent:

10 (i) who owes or is alleged to owe a duty of
 11 support;

12 (ii) who is alleged but has not been
 13 adjudicated to be a parent of a child; or

14 (iii) who is liable under a support order.

15 "Person means an individual, corporation, business trust,
 16 estate, trust, partnership, limited liability company,
 17 association, joint venture, government, governmental
 18 subdivision, agency, instrumentality, public corporation, or
 19 any other legal or commercial entity.

20 "Record" means information that is inscribed on a
 21 tangible medium or that is stored in an electronic or other
 22 medium and is retrievable in perceivable form.

23 "Register" means to record a support order or judgment
 24 determining parentage in the appropriate Registry of Foreign
 25 Support Orders.

26 "Registering tribunal" means a tribunal in which a
 27 support order is registered.

28 "Responding state" means a state in which a proceeding is
 29 filed or to which a proceeding is forwarded for filing from
 30 an initiating state under this Act or a law or procedure
 31 substantially similar to this Act.

32 "Responding tribunal" means the authorized tribunal in a
 33 responding state.

34 "Spousal-support order" means a support order for a

1 spouse or former spouse of the obligor.

2 "State" means a state of the United States, the District
3 of Columbia, Puerto Rico, the United States Virgin Islands,
4 or any territory or insular possession subject to the
5 jurisdiction of the United States. The term includes:

6 (A) (i) an Indian tribe; and

7 (B) (ii) a foreign country or political subdivision
8 jurisdiction that:

9 (i) has been declared to be a foreign
10 reciprocating country or political subdivision under
11 federal law;

12 (ii) has established a reciprocal arrangement
13 for child support with this State as provided in
14 Section 308; or

15 (iii) has enacted a law or established
16 procedures for issuance and enforcement of support
17 orders which are substantially similar to the
18 procedures under this Act, ~~the Uniform Reciprocal~~
19 ~~Enforcement of Support Act, or the Revised Uniform~~
20 ~~Reciprocal Enforcement of Support Act.~~

21 "Support enforcement agency" means a public official or
22 agency authorized to seek:

23 (A) (1) enforcement of support orders or laws
24 relating to the duty of support;

25 (B) (2) establishment or modification of child
26 support;

27 (C) (3) determination of parentage; or

28 (D) (4) to locate obligors or their assets; or

29 (E) determination of the controlling child support
30 order.

31 "Support order" means a judgment, decree, or order, or
32 directive, whether temporary, final, or subject to
33 modification, issued by a tribunal for the benefit of a
34 child, a spouse, or a former spouse, which provides for

1 monetary support, health care, arrearages, or reimbursement,
2 and may include related costs and fees, interest, income
3 withholding, attorney's fees, and other relief.

4 "Tribunal" means a court, administrative agency, or
5 quasi-judicial entity authorized to establish, enforce, or
6 modify support orders or to determine parentage.

7 (Source: P.A. 90-240, eff. 7-28-97; 91-613, eff. 10-1-99.)

8 (750 ILCS 22/103) (was 750 ILCS 22/102)

9 Sec. 103. ~~102.~~ Tribunal of State. The circuit court is a
10 tribunal of this State. The Illinois Department of Public Aid
11 is an initiating tribunal. The Illinois Department of Public
12 Aid is also a responding tribunal of this State to the extent
13 that it can administratively establish paternity and
14 establish, modify, and enforce an administrative
15 child-support order under authority of Article X of the
16 Illinois Public Aid Code.

17 (Source: P.A. 90-240, eff. 7-28-97.)

18 (750 ILCS 22/104) (was 750 ILCS 22/103)

19 Sec. 104. ~~103.~~ Remedies cumulative.

20 (a) Remedies provided by this Act are cumulative and do
21 not affect the availability of remedies under other law,
22 including the recognition of a support order of a foreign
23 country or political subdivision on the basis of comity.

24 (b) This Act does not:

25 (1) provide the exclusive method of establishing or
26 enforcing a support order under the law of this State; or

27 (2) grant a tribunal of this State jurisdiction to
28 render judgment or issue an order relating to child
29 custody or visitation in a proceeding under this Act.

30 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
31 by P.A. 88-691.)

1 (750 ILCS 22/Art. 2, Part 1 heading)

2 PART-1.-EXTENDED-PERSONAL-JURISDICTION

3 (750 ILCS 22/201)

4 Sec. 201. Bases for jurisdiction over nonresident.

5 (a) In a proceeding to establish or, enforce, ~~or modify~~
6 a support order or to determine parentage, a tribunal of this
7 State may exercise personal jurisdiction over a nonresident
8 individual or the individual's guardian or conservator if:

9 (1) the individual is personally served with notice
10 within this State;

11 (2) the individual submits to the jurisdiction of this
12 State by consent, by entering a general appearance, or by
13 filing a responsive document having the effect of waiving any
14 contest to personal jurisdiction;

15 (3) the individual resided with the child in this State;

16 (4) the individual resided in this State and provided
17 prenatal expenses or support for the child;

18 (5) the child resides in this State as a result of the
19 acts or directives of the individual;

20 (6) the individual engaged in sexual intercourse in this
21 State and the child may have been conceived by that act of
22 intercourse;

23 (7) (Blank); or

24 (8) there is any other basis consistent with the
25 constitutions of this State and the United States for the
26 exercise of personal jurisdiction.

27 (b) The bases of personal jurisdiction set forth in
28 subsection (a) or in any other law of this State may not be
29 used to acquire personal jurisdiction for a tribunal of the
30 State to modify a child support order of another state unless
31 the requirements of Section 611 or 615 are met.

32 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
33 by P.A. 88-691.)

1 (750 ILCS 22/202)

2 Sec. 202. Duration of personal jurisdiction. Personal
3 jurisdiction acquired by a tribunal of this State in a
4 proceeding under this Act or other law of this State relating
5 to a support order continues as long as a tribunal of this
6 State has continuing, exclusive jurisdiction to modify its
7 order or continuing jurisdiction to enforce its order as
8 provided by Sections 205, 206, and 211.

9 ~~Procedure--when-exercising-jurisdiction-over-nonresident-~~
10 ~~A-tribunal-of-this--State--exereising--personal--jurisdietion~~
11 ~~over-a-nonresident-under-Section-201-may-apply-Section-316-to~~
12 ~~receieve--evidence--from--another--state,--and--Section-318-to~~
13 ~~obtain-disceovery-through-a-tribunal-of-another-state.--In-all~~
14 ~~ether-respects,--Articles-3-through-7-do--not--apply--and--the~~
15 ~~tribunal--shall--apply--the-procedural-and-substantive-law-of~~
16 ~~this-State,--including-the-rules-on-choicc-of-law--other--than~~
17 ~~these-established-by-this-Aet.~~

18 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
19 by P.A. 88-691.)

20 (750 ILCS 22/Art. 2, Part 2 heading)

21 PART 2.-PROCEEDINGS INVOLVING TWO OR MORE STATES

22 (750 ILCS 22/204)

23 Sec. 204. Simultaneous proceedings in another state.

24 (a) A tribunal of this State may exercise jurisdiction
25 to establish a support order if the petition is filed after a
26 petition or comparable pleading is filed in another state
27 only if:

28 (1) the petition in this State is filed before the
29 expiration of the time allowed in the other state for
30 filing a responsive pleading challenging the exercise of
31 jurisdiction by the other state;

32 (2) the contesting party timely challenges the

1 exercise of jurisdiction in the other state; and

2 (3) if relevant, this State is the home state of
3 the child.

4 (b) A tribunal of this State may not exercise
5 jurisdiction to establish a support order if the petition is
6 filed before a petition or comparable pleading is filed in
7 another state if:

8 (1) the petition or comparable pleading in the
9 other state is filed before the expiration of the time
10 allowed in this State for filing a responsive pleading
11 challenging the exercise of jurisdiction by this State;

12 (2) the contesting party timely challenges the
13 exercise of jurisdiction in this State; and

14 (3) if relevant, the other state is the home state
15 of the child.

16 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
17 by P.A. 88-691.)

18 (750 ILCS 22/205)

19 Sec. 205. Continuing, exclusive jurisdiction to modify
20 child-support order.

21 (a) A tribunal of this State that has issued ~~issuing~~ a
22 support order consistent with the law of this State has and
23 shall exercise continuing, exclusive jurisdiction to modify
24 its ~~ever--~~ a child-support order if the order is the
25 controlling order and:

26 (1) at the time of the filing of a request for
27 modification ~~as--long--as~~ this State is ~~remains~~ the
28 residence of the obligor, the individual obligee, or the
29 child for whose benefit the support order is issued; or

30 (2) even if this State is not the residence of the
31 obligor, the individual obligee, or the child for whose
32 benefit the support order is issued, the parties consent
33 in a record or in open court that the tribunal of this

1 State may continue to exercise the jurisdiction to modify
 2 its order until--all-of-the-parties-who-are-individuals
 3 have-filed-written-consents-with--the--tribunal--of--this
 4 State-for-a-tribunal-of-another-state-to-modify-the-order
 5 and-assume-continuing, exclusive-jurisdiction.

6 (b) A tribunal of this State that has issued issuing a
 7 child-support order consistent with the law of this State may
 8 not exercise its continuing exclusive jurisdiction to modify
 9 the order if:

10 (1) all of the parties who are individuals file
 11 consent in a record with the tribunal of this State that
 12 a tribunal of another state that has jurisdiction over at
 13 least one of the parties who is an individual or that is
 14 located in the state of residence of the child may modify
 15 the order and assume continuing, exclusive jurisdiction;
 16 or

17 (2) its order is not the controlling order the
 18 order-has-been-modified-by-a-tribunal--of--another--state
 19 pursuant-to-a-law-substantially-similar-to-this-Act.

20 (c) If a--child-support-order-of-this-State-is-modified
 21 by--a--tribunal--of--another--state---pursuant---to---a---law
 22 substantially--similar--to-this-Act, a-tribunal-of-this-State
 23 loses-its-continuing, exclusive-jurisdiction-with--regard--to
 24 prospective--enforcement--of--the-order-issued-in-this-State,
 25 and-may-only:

26 (1)--enforce-the--order--that--was--modified--as--to
 27 amounts-accruing-before-the-modification;

28 (2)--enforce--nonmodifiable--aspects--of-that-order;
 29 and

30 (3)--provide-other-appropriate-relief-for-violations
 31 of-that-order-which-occurred-before-the-effective-date-of
 32 the-modification.

33 (d)--A--tribunal--of--this--State--shall--recognize---the
 34 continuing, exclusive--jurisdiction-of a tribunal of another

1 state which has issued a child-support order pursuant to the
 2 Uniform Interstate Family Support Act or a law substantially
 3 similar to that this Act which modifies a child-support order
 4 of a tribunal of this State, tribunals of this State shall
 5 recognize the continuing, exclusive jurisdiction of the
 6 tribunal of the other state.

7 (d) A tribunal of this State that lacks continuing,
 8 exclusive jurisdiction to modify a child-support order may
 9 serve as an initiating tribunal to request a tribunal of
 10 another state to modify a support order issued in that state.

11 (e) A temporary support order issued ex parte or pending
 12 resolution of a jurisdictional conflict does not create
 13 continuing, exclusive jurisdiction in the issuing tribunal.

14 ~~(f) A tribunal of this State issuing a support order~~
 15 ~~consistent with the law of this State has continuing,~~
 16 ~~exclusive jurisdiction over a spousal support order~~
 17 ~~throughout the existence of the support obligation. A~~
 18 ~~tribunal of this State may not modify a spousal support order~~
 19 ~~issued by a tribunal of another state having continuing,~~
 20 ~~exclusive jurisdiction over that order under the law of that~~
 21 ~~state.~~

22 (Source: P.A. 90-240, eff. 7-28-97.)

23 (750 ILCS 22/206)

24 Sec. 206. ~~Enforcement and modification of support order~~
 25 ~~by tribunal having~~ Continuing jurisdiction to enforce
 26 child-support order.

27 (a) A tribunal of this State that has issued a
 28 child-support order consistent with the law of this State may
 29 serve as an initiating tribunal to request a tribunal of
 30 another state to ~~enforce: or modify a support order issued in~~
 31 ~~that state.~~

32 (1) the order if the order is the controlling order
 33 and has not been modified by a tribunal of another state

1 that assumed jurisdiction pursuant to the Uniform
2 Interstate Family Support Act; or

3 (2) a money judgment for arrears of support and
4 interest on the order accrued before a determination that
5 an order of another state is the controlling order.

6 (b) A tribunal of this State having continuing,
7 exclusive jurisdiction over a support order may act as a
8 responding tribunal to enforce or modify the order. If a
9 party--subject--to--the--continuing--exclusive--jurisdiction--of
10 the--tribunal--no--longer--resides--in--the--issuing--state--in
11 subsequent--proceedings--the--tribunal--may--apply--Section--316
12 {Special-Rules-of-Evidence-and-Procedure}-to-receive-evidence
13 from--another--state--and--Section--318--{Assistance--with
14 Discovery}-to-obtain-discovery-through-a-tribunal-of-another
15 state.

16 {c}-A-tribunal-of-this-State-which-lacks-continuing,
17 exclusive-jurisdiction-over-a-spousal-support-order-may-not
18 serve-as-a-responding-tribunal-to-modify-a-spousal-support
19 order-of-another-state.

20 (Source: P.A. 90-240, eff. 7-28-97.)

21 (750 ILCS 22/Art. 2, Part 3 heading)

22 PART 3--RECONCILIATION
23 OF MULTIPLE ORDERS

24 (750 ILCS 22/207)

25 Sec. 207. Determination Recognition of controlling
26 child-support order.

27 (a) If a proceeding is brought under this Act and only
28 one tribunal has issued a child-support order, the order of
29 that tribunal controls and must be so recognized.

30 (b) If a proceeding is brought under this Act, and two
31 or more child-support orders have been issued by tribunals of
32 this State or another state with regard to the same obligor

1 and same child, a tribunal of this State having personal
 2 jurisdiction over both the obligor and individual obligee
 3 shall apply the following rules and by order shall determine
 4 in-determining which order controls ~~to-recognize-for-purposes~~
 5 ~~of-continuing, exclusive-jurisdiction:~~

6 (1) If only one of the tribunals would have
 7 continuing, exclusive jurisdiction under this Act, the
 8 order of that tribunal controls and must be so
 9 recognized.

10 (2) If more than one of the tribunals would have
 11 continuing, exclusive jurisdiction under this Act:

12 (A) an order issued by a tribunal in the
 13 current home state of the child controls; and--must
 14 be-so-recognized, but

15 (B) if an order has not been issued in the
 16 current home state of the child, the order most
 17 recently issued controls ~~and-must-be-so-recognized.~~

18 (3) If none of the tribunals would have continuing,
 19 exclusive jurisdiction under this Act, the tribunal of
 20 this State ~~having-jurisdiction-over-the-parties~~ shall
 21 issue a child-support order, which controls ~~and-must-be~~
 22 ~~so-recognized.~~

23 (c) If two or more child-support orders have been issued
 24 for the same obligor and same child, upon request of ~~and--if~~
 25 ~~the-obligor-or-the-individual-obligee-resides-in-this-State,~~
 26 a party who is an individual or a support enforcement agency,
 27 may--request a tribunal of this State having personal
 28 jurisdiction over both the obligor and the obligee who is an
 29 individual shall to determine which order controls ~~and--must~~
 30 ~~be--so--recognized~~ under subsection (b). The request may be
 31 filed with a registration for enforcement or registration for
 32 modification pursuant to Article 6, or may be filed as a
 33 separate proceeding. ~~The--request--must-be-accompanied-by-a~~
 34 ~~certified--copy--of--every--support--order--in--effect.---The~~

1 ~~requesting--party--shall--give--notice--of--the--request--to--each~~
2 ~~party--whose--rights--may--be--affected--by--the--determination.~~

3 (d) A request to determine which is the controlling
4 order must be accompanied by a copy of every child-support
5 order in effect and the applicable record of payments. The
6 requesting party shall give notice of the request to each
7 party whose rights may be affected by the determination.

8 (e) The tribunal that issued the controlling order under
9 subsection (a), (b), or (c) ~~is--the--tribunal--that~~ has
10 continuing, ~~exclusive~~ jurisdiction to the extent provided in
11 under Section 205 or 206.

12 (f) ~~(e)~~ A tribunal of this State that which determines
13 by order which is the identity of the controlling order under
14 subsection (b)(1) or (2) or (c), or that which issues a new
15 controlling order under subsection (b)(3), shall state in
16 that order:

17 (1) the basis upon which the tribunal made its
18 determination;

19 (2) the amount of prospective support, if any; and

20 (3) the total amount of consolidated arrears and
21 accrued interest, if any, under all of the orders after
22 all payments made are credited as provided by Section
23 209.

24 (g) ~~(f)~~ Within 30 days after issuance of an order
25 determining which is the identity of the controlling order,
26 the party obtaining the order shall file a certified copy of
27 it in with each tribunal that issued or registered an earlier
28 order of child support. A party or support enforcement agency
29 obtaining ~~who obtains~~ the order that and fails to file a
30 certified copy is subject to appropriate sanctions by a
31 tribunal in which the issue of failure to file arises. The
32 failure to file does not affect the validity or
33 enforceability of the controlling order.

34 (h) An order that has been determined to be the

1 controlling order, or a judgment for consolidated arrears of
2 support and interest, if any, made pursuant to this Section
3 must be recognized in proceedings under this Act.

4 (Source: P.A. 90-240, eff. 7-28-97.)

5 (750 ILCS 22/208)

6 Sec. 208. ~~Multiple~~ Child-support orders for two or more
7 obligees. In responding to ~~multiple~~ registrations or
8 petitions for enforcement of two or more child support orders
9 in effect at the same time with regard to the same obligor
10 and different individual obligees, at least one of which was
11 issued by a tribunal of another state, a tribunal of this
12 State shall enforce those orders in the same manner as if the
13 ~~multiple~~ orders had been issued by a tribunal of this State.

14 (Source: P.A. 90-240, eff. 7-28-97.)

15 (750 ILCS 22/209)

16 Sec. 209. Credit for payments. A tribunal of this State
17 shall credit amounts Amounts collected and-credited for a
18 particular period pursuant to any child-support order against
19 the amounts owed for the same period under any other
20 child-support order for support of the same child a--support
21 order issued by a tribunal of this or another state must-be
22 credited-against-the-amounts-accruing-or-accrued-for-the-same
23 period-under-a-support-order-issued-by-the-tribunal--of--this
24 State.

25 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
26 by P.A. 88-691.)

27 (750 ILCS 22/210 new)

28 Sec. 210. Application of Act to nonresident subject to
29 personal jurisdiction. A tribunal of this State exercising
30 personal jurisdiction over a nonresident in a proceeding
31 under this Act, under other law of this State relating to a

1 support order, or recognizing a support order of a foreign
 2 country or political subdivision on the basis of comity may
 3 receive evidence from another state pursuant to Section 316,
 4 communicate with a tribunal of another state pursuant to
 5 Section 317, and obtain discovery through a tribunal of
 6 another state pursuant to Section 318. In all other respects,
 7 Articles 3 through 7 do not apply and the tribunal shall
 8 apply the procedural and substantive law of this State.

9 (750 ILCS 22/211 new)

10 Sec. 211. Continuing, exclusive jurisdiction to modify
 11 spousal-support order.

12 (a) A tribunal of this State issuing a spousal-support
 13 order consistent with the law of this State has continuing,
 14 exclusive jurisdiction to modify the spousal-support order
 15 throughout the existence of the support obligation.

16 (b) A tribunal of this State may not modify a
 17 spousal-support order issued by a tribunal of another state
 18 having continuing, exclusive jurisdiction over that order
 19 under the law of that state.

20 (c) A tribunal of this State that has continuing,
 21 exclusive jurisdiction over a spousal-support order may serve
 22 as:

23 (1) an initiating tribunal to request a tribunal of
 24 another state to enforce the spousal-support order issued
 25 in this State; or

26 (2) a responding tribunal to enforce or modify its
 27 own spousal-support order.

28 (750 ILCS 22/301)

29 Sec. 301. Proceedings under Act.

30 (a) Except as otherwise provided in this Act, this
 31 Article applies to all proceedings under this Act.

32 (b) ~~This Act provides for the following proceedings:~~

1 (1)--establishment-of-an-order-for--spousal--support
2 or-child-support-pursuant-to-Article-4;

3 (2)--enforcement----of----a----support---order---and
4 income-withholding--order--of---another---state---without
5 registration-pursuant-to-Article-5;

6 (3)--registration-of-an-order-for-spousal-support-or
7 child--support--of-another-state-for-enforcement-pursuant
8 to-Article-6;

9 (4)--modification-of-an-order-for-child--support--or
10 spousal--support--issued-by--a--tribunal--of--this-State
11 pursuant-to-Article-2, Part-2;

12 (5)--registration-of-an-order-for-child--support--of
13 another-state-for-modification-pursuant-to-Article-6;

14 (6)--determination--of-parentage-pursuant-to-Article
15 7;-and

16 (7)--assertion--of--jurisdiction--over--nonresidents
17 pursuant-to-Article-2, Part-1.

18 (e) An individual obligee or a support enforcement
19 agency may initiate ~~commence~~ a proceeding authorized under
20 this Act by filing a petition in an initiating tribunal for
21 forwarding to a responding tribunal or by filing a petition
22 or a comparable pleading directly in a tribunal of another
23 state which has or can obtain personal jurisdiction over the
24 obligor.

25 (Source: P.A. 90-240, eff. 7-28-97.)

26 (750 ILCS 22/302)

27 Sec. 302. Proceeding ~~Action~~ by minor parent. A minor
28 parent or a guardian or other legal representative of a minor
29 parent may maintain a proceeding on behalf of or for the
30 benefit of the minor's child.

31 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
32 by P.A. 88-691.)

1 (750 ILCS 22/303)

2 Sec. 303. Application of law of State. Except as
3 otherwise provided in by this Act, a responding tribunal of
4 this State shall:

5 (1) ~~shall~~ apply the procedural and substantive law,
6 ~~including-the-rules-on-choice-of-law,~~ generally applicable to
7 similar proceedings originating in this State and may
8 exercise all powers and provide all remedies available in
9 those proceedings; and

10 (2) ~~shall~~ determine the duty of support and the amount
11 payable in accordance with the law and support guidelines of
12 this State.

13 (Source: P.A. 90-240, eff. 7-28-97.)

14 (750 ILCS 22/304)

15 Sec. 304. Duties of initiating tribunal.

16 (a) Upon the filing of a petition authorized by this
17 Act, an initiating tribunal of this State shall forward ~~three~~
18 ~~copies-of~~ the petition and its accompanying documents:

19 (1) to the responding tribunal or appropriate
20 support enforcement agency in the responding state; or

21 (2) if the identity of the responding tribunal is
22 unknown, to the state information agency of the
23 responding state with a request that they be forwarded to
24 the appropriate tribunal and that receipt be
25 acknowledged.

26 (b) If requested by the responding tribunal, a
27 ~~responding-state-has--not--enacted--this--Act--or--a--law--or~~
28 ~~procedure--substantially--similar--to--this--Act,~~ a tribunal of
29 this State shall may issue a certificate or other document
30 and make findings required by the law of the responding
31 state. If the responding state is a foreign country or
32 political subdivision jurisdiction, upon request the tribunal
33 shall may specify the amount of support sought, convert that

1 amount into the equivalent amount in the foreign currency
 2 under applicable official or market exchange rate as publicly
 3 reported, and and provide any other documents necessary to
 4 satisfy the requirements of the responding state.

5 (Source: P.A. 90-240, eff. 7-28-97.)

6 (750 ILCS 22/305)

7 Sec. 305. Duties and powers of responding tribunal.

8 (a) When a responding tribunal of this State receives a
 9 petition or comparable pleading from an initiating tribunal
 10 or directly pursuant to Section 301**(b)(e)**, it shall cause the
 11 petition or pleading to be filed and notify the obligee where
 12 and when it was filed.

13 (b) A responding tribunal of this State, to the extent
 14 not prohibited ~~otherwise-authorized~~ by other law, may do one
 15 or more of the following:

16 (1) issue or enforce a support order, modify a
 17 child-support order, determine the controlling
 18 child-support order, or ~~render a judgment to~~ determine
 19 parentage;

20 (2) order an obligor to comply with a support
 21 order, specifying the amount and the manner of
 22 compliance;

23 (3) order income withholding;

24 (4) determine the amount of any arrearages, and
 25 specify a method of payment;

26 (5) enforce orders by civil or criminal contempt,
 27 or both;

28 (6) set aside property for satisfaction of the
 29 support order;

30 (7) place liens and order execution on the
 31 obligor's property;

32 (8) order an obligor to keep the tribunal informed
 33 of the obligor's current residential address, telephone

1 number, employer, address of employment, and telephone
2 number at the place of employment;

3 (9) issue a bench warrant for an obligor who has
4 failed after proper notice to appear at a hearing ordered
5 by the tribunal and enter the bench warrant in any local
6 and state computer systems for criminal warrants;

7 (10) order the obligor to seek appropriate
8 employment by specified methods;

9 (11) award reasonable attorney's fees and other
10 fees and costs; and

11 (12) grant any other available remedy.

12 (c) A responding tribunal of this State shall include in
13 a support order issued under this Act, or in the documents
14 accompanying the order, the calculations on which the support
15 order is based.

16 (d) A responding tribunal of this State may not
17 condition the payment of a support order issued under this
18 Act upon compliance by a party with provisions for
19 visitation.

20 (e) If a responding tribunal of this State issues an
21 order under this Act, the tribunal shall send a copy of the
22 order to the obligee and the obligor and to the initiating
23 tribunal, if any.

24 (f) If requested to enforce a support order, arrears, or
25 judgement or modify a support order stated in a foreign
26 currency, a responding tribunal of this State shall convert
27 the amount stated in the foreign currency to the equivalent
28 amount in dollars under the applicable official or market
29 exchange rate as publicly reported.

30 (Source: P.A. 90-240, eff. 7-28-97.)

31 (750 ILCS 22/306)

32 Sec. 306. Inappropriate tribunal. If a petition or
33 comparable pleading is received by an inappropriate tribunal

1 of this State, ~~it~~ the tribunal shall forward the pleading and
2 accompanying documents to an appropriate tribunal in this
3 State or another state and notify the obligee where and when
4 the pleading was sent.

5 (Source: P.A. 90-240, eff. 7-28-97.)

6 (750 ILCS 22/307)

7 Sec. 307. Duties of support enforcement agency.

8 (a) A support enforcement agency of this State, upon
9 request, shall provide services to a petitioner in a
10 proceeding under this Act. This subsection does not affect
11 any ability the support enforcement agency may have to
12 require an application for services, charge fees, or recover
13 costs in accordance with federal or State law and
14 regulations.

15 (b) A support enforcement agency that is providing
16 services to the petitioner ~~as-appropriate~~ shall:

17 (1) take all steps necessary to enable an
18 appropriate tribunal in this State or another state to
19 obtain jurisdiction over the respondent;

20 (2) request an appropriate tribunal to set a date,
21 time, and place for a hearing;

22 (3) make a reasonable effort to obtain all relevant
23 information, including information as to income and
24 property of the parties;

25 (4) within 10 days, exclusive of Saturdays,
26 Sundays, and legal holidays, after receipt of a written
27 notice in a record from an initiating, responding, or
28 registering tribunal, send a copy of the notice to the
29 petitioner;

30 (5) within 10 days, exclusive of Saturdays,
31 Sundays, and legal holidays, after receipt of a written
32 communication in a record from the respondent or the
33 respondent's attorney, send a copy of the communication

1 to the petitioner; and

2 (6) notify the petitioner if jurisdiction over the
3 respondent cannot be obtained.

4 (c) A support enforcement agency of this State that
5 requests registration of a child-support order in this State
6 for enforcement or for modification shall make reasonable
7 efforts:

8 (1) to ensure that the order to be registered is
9 the controlling order; or

10 (2) if two or more child-support orders exist and
11 the identity of the controlling order has not been
12 determined, to ensure that a request for such a
13 determination is made in a tribunal having jurisdiction
14 to do so.

15 (d) A support enforcement agency of this State that
16 requests registration and enforcement of a support order,
17 arrears, or judgement stated in a foreign currency shall
18 convert the amounts stated in the foreign currency into the
19 equivalent amounts in dollars under the applicable official
20 or market exchange rate as publicly reported.

21 (e) A support enforcement agency of this State shall
22 issue or request a tribunal of this State to issue a
23 child-support order and an income-withholding order that
24 redirect payment of current support, arrears, and interest if
25 requested to do so by a support enforcement agency of another
26 state pursuant to Section 319 of the Uniform Interstate
27 Family Support Act.

28 (f) (e) This Act does not create or negate a
29 relationship of attorney and client or other fiduciary
30 relationship between a support enforcement agency or the
31 attorney for the agency and the individual being assisted by
32 the agency.

33 (Source: P.A. 90-240, eff. 7-28-97.)

1 (750 ILCS 22/310)

2 Sec. 310. Duties of the Illinois Department of Public
3 Aid.

4 (a) The Illinois Department of Public Aid is the state
5 information agency under this Act.

6 (b) The state information agency shall:

7 (1) compile and maintain a current list, including
8 addresses, of the tribunals in this State which have
9 jurisdiction under this Act and any support enforcement
10 agencies in this State and transmit a copy to the state
11 information agency of every other state;

12 (2) maintain a register of names and addresses of
13 tribunals and support enforcement agencies received from
14 other states;

15 (3) forward to the appropriate tribunal in the
16 county place in this State in which the individual
17 obligee who is an individual or the obligor resides, or
18 in which the obligor's property is believed to be
19 located, all documents concerning a proceeding under this
20 Act received from an initiating tribunal or the state
21 information agency of the initiating state; and

22 (4) obtain information concerning the location of
23 the obligor and the obligor's property within this State
24 not exempt from execution, by such means as postal
25 verification and federal or state locator services,
26 examination of telephone directories, requests for the
27 obligor's address from employers, and examination of
28 governmental records, including, to the extent not
29 prohibited by other law, those relating to real property,
30 vital statistics, law enforcement, taxation, motor
31 vehicles, driver's licenses, and social security.

32 (c) The Illinois Department of Public Aid may determine
33 that a foreign country or political subdivision has
34 established a reciprocal arrangement for child support with

1 Illinois and take appropriate action for notification of this
2 determination.

3 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
4 by P.A. 88-691.)

5 (750 ILCS 22/311)

6 Sec. 311. Pleadings and accompanying documents.

7 (a) In a proceeding under this Act, a A petitioner
8 seeking to establish ~~or~~ modify a support order ~~or~~ to
9 determine parentage or to register and modify a support order
10 of another state in a proceeding under this Act must file a
11 verify the petition. Unless otherwise ordered under Section
12 312, the petition or accompanying documents must provide, so
13 far as known, the name, residential address, and social
14 security numbers of the respondent and the petitioner or the
15 parent and alleged parent, and the name, sex, residential
16 address, social security number, and date of birth of each
17 child for whose benefit whom support is sought or whose
18 parentage is to be determined. Unless filed at the time of
19 registration, the petition must be accompanied by a certified
20 copy of any support order known to have been issued by
21 another tribunal in effect. The petition may include any
22 other information that may assist in locating or identifying
23 the respondent.

24 (b) The petition must specify the relief sought. The
25 petition and accompanying documents must conform
26 substantially with the requirements imposed by the forms
27 mandated by federal law for use in cases filed by a support
28 enforcement agency.

29 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
30 by P.A. 88-691; 88-691, eff. 1-24-95.)

31 (750 ILCS 22/312)

32 Sec. 312. Nondisclosure of information in exceptional

1 circumstances. If a party alleges in an affidavit or a
2 pleading under oath that the health, safety, or liberty of a
3 party or child would be jeopardized by disclosure of specific
4 identifying information, that information must be sealed and
5 may not be disclosed to the other party or public. After a
6 hearing in which a tribunal takes into consideration the
7 health, safety, or liberty of the party or child, the
8 tribunal may order disclosure of information that the
9 tribunal determines to be in the interest of justice. Upon--a
10 ~~finding, which may be made ex parte, that the health, safety,~~
11 ~~or--liberty--of a party or child would be unreasonably put at~~
12 ~~risk by the disclosure of identifying information, or--if--an~~
13 ~~existing--order--so provides, a tribunal shall order that the~~
14 ~~address--of--the--child--or--party---or---other---identifying~~
15 ~~information--not be disclosed in a pleading or other document~~
16 ~~filed in a proceeding under this Act.~~

17 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
18 by P.A. 88-691.)

19 (750 ILCS 22/314)

20 Sec. 314. Limited immunity of petitioner.

21 (a) Participation by a petitioner in a proceeding under
22 this Act before a responding tribunal, whether in person, by
23 private attorney, or through services provided by the support
24 enforcement agency, does not confer personal jurisdiction
25 over the petitioner in another proceeding.

26 (b) A petitioner is not amenable to service of civil
27 process while physically present in this State to participate
28 in a proceeding under this Act.

29 (c) The immunity granted by this Section does not extend
30 to civil litigation based on acts unrelated to a proceeding
31 under this Act committed by a party while present in this
32 State to participate in the proceeding.

33 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96

1 by P.A. 88-691; 88-691, eff. 1-24-95.)

2 (750 ILCS 22/316)

3 Sec. 316. Special rules of evidence and procedure.

4 (a) The physical presence of a nonresident party who is
5 an individual the-petitioner in a responding tribunal of this
6 State is not required for the establishment, enforcement, or
7 modification of a support order or the rendition of a
8 judgment determining parentage.

9 (b) An A--verified--petitioner, affidavit, a document
10 substantially complying with federally mandated forms, or and
11 a document incorporated by reference in any of them, which
12 would not be excluded under the hearsay rule if given in
13 person, is admissible in evidence if given under penalty of
14 perjury oath by a party or witness residing in another state.

15 (c) A copy of the record of child-support payments
16 certified as a true copy of the original by the custodian of
17 the record may be forwarded to a responding tribunal. The
18 copy is evidence of facts asserted in it, and is admissible
19 to show whether payments were made.

20 (d) Copies of bills for testing for parentage, and for
21 prenatal and postnatal health care of the mother and child,
22 furnished to the adverse party at least 10 days before trial,
23 are admissible in evidence to prove the amount of the charges
24 billed and that the charges were reasonable, necessary, and
25 customary.

26 (e) Documentary evidence transmitted from another state
27 to a tribunal of this State by telephone, telecopier, or
28 other means that do not provide an original record writing
29 may not be excluded from evidence on an objection based on
30 the means of transmission.

31 (f) In a proceeding under this Act, a tribunal of this
32 State shall may permit a party or witness residing in another
33 state to be deposed or to testify by telephone, audiovisual

1 means, or other electronic means at a designated tribunal or
2 other location in that state. A tribunal of this State shall
3 cooperate with tribunals of other states in designating an
4 appropriate location for the deposition or testimony.

5 (g) If a party called to testify at a civil hearing
6 refuses to answer on the ground that the testimony may be
7 self-incriminating, the trier of fact may draw an adverse
8 inference from the refusal.

9 (h) A privilege against disclosure of communications
10 between spouses does not apply in a proceeding under this
11 Act.

12 (i) The defense of immunity based on the relationship of
13 husband and wife or parent and child does not apply in a
14 proceeding under this Act.

15 (j) A voluntary acknowledgment of paternity, certified
16 as a true copy, is admissible to establish parentage of the
17 child.

18 (Source: P.A. 90-240, eff. 7-28-97.)

19 (750 ILCS 22/317)

20 Sec. 317. Communications between tribunals. A tribunal
21 of this State may communicate with a tribunal of another
22 state or foreign country or political subdivision in a record
23 writing, or by telephone or other means, to obtain
24 information concerning the laws ~~of--that-state~~, the legal
25 effect of a judgment, decree, or order of that tribunal, and
26 the status of a proceeding in the other state or foreign
27 country or political subdivision. A tribunal of this State
28 may furnish similar information by similar means to a
29 tribunal of another state or foreign country or political
30 subdivision.

31 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
32 by P.A. 88-691.)

1 (750 ILCS 22/319)

2 Sec. 319. Receipt and disbursement of payments. A
3 support enforcement agency or tribunal of this State shall
4 disburse promptly any amounts received pursuant to a support
5 order, as directed by the order. The agency or tribunal
6 shall furnish to a requesting party or tribunal of another
7 state a certified statement by the custodian of the record of
8 the amounts and dates of all payments received.

9 (b) If neither the obligor, nor the obligee who is an
10 individual, nor the child resides in this State, upon request
11 from the support enforcement agency of this State or another
12 state, the support enforcement agency of this State or a
13 tribunal of this State shall:

14 (1) direct that the support payment be made to the
15 support enforcement agency in the state in which the
16 obligee is receiving services; and

17 (2) issue and send to the obligor's employer a
18 conforming income-withholding order or an administrative
19 notice of change of payee, reflecting the redirected
20 payments.

21 (3) The support enforcement agency of this State
22 receiving redirected payments from another state pursuant
23 to a law similar to subsection (b) shall furnish to a
24 requesting party or tribunal of the other state a
25 certified statement by the custodian of the record of the
26 amount and dates of all payments received.

27 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
28 by P.A. 88-691.)

29 (750 ILCS 22/401)

30 Sec. 401. Petition to establish support order.

31 (a) If a support order entitled to recognition under
32 this Act has not been issued, a responding tribunal of this
33 State may issue a support order if:

1 (1) the individual seeking the order resides in
2 another state; or

3 (2) the support enforcement agency seeking the
4 order is located in another state.

5 (b) The tribunal may issue a temporary child-support
6 order if the tribunal determines that such an order is
7 appropriate and the individual ordered to pay is:

8 (1) a presumed father of the child;

9 (2) petitioning to have his paternity adjudicated;

10 (3) identified as the father of the child through
11 genetic testing;

12 (4) an alleged father who has declined to submit to
13 genetic testing;

14 (5) shown by clear and convincing evidence to be
15 the father of the child;

16 (6) an acknowledged father as provided by
17 applicable State law;

18 (7) the mother of the child; or

19 (8) an individual who has been ordered to pay child
20 support in a previous proceeding and the order has not
21 been reversed or vacated.

22 ~~{1}--the-respondent-has-signed-a-verified--statement~~
23 ~~acknowledging-parentage;~~

24 ~~{2}--the---respondent--has--been--determined--by--or~~
25 ~~pursuant-to-law-to-be-the-parent;-or~~

26 ~~{3}--there-is-other-clear--and--convincing--evidence~~
27 ~~that-the-respondent-is-the-child's-parent.~~

28 (c) Upon finding, after notice and opportunity to be
29 heard, that a respondent owes a duty of support, the tribunal
30 shall issue a support order directed to the respondent and
31 may issue other orders pursuant to Section 305.

32 (Source: P.A. 90-240, eff. 7-28-97.)

1 Sec. 501. Employer's receipt of income-withholding order
2 of another state. An income-withholding order issued in
3 another state may be sent by or on behalf of the obligee, or
4 by the support enforcement agency, to the person or entity
5 defined as the obligor's employer under the
6 income-withholding law of this State without first filing a
7 petition or comparable pleading or registering the order with
8 a tribunal of this State.

9 (Source: P.A. 90-240, eff. 7-28-97.)

10 (750 ILCS 22/502)

11 Sec. 502. Employer's compliance with income-withholding
12 order of another state.

13 (a) Upon receipt of an income-withholding order, the
14 obligor's employer shall immediately provide a copy of the
15 order to the obligor.

16 (b) The employer shall treat an income-withholding order
17 issued in another state which appears regular on its face as
18 if it had been issued by a tribunal of this State.

19 (c) Except as otherwise provided in subsection (d) and
20 Section 503 the employer shall withhold and distribute the
21 funds as directed in the withholding order by complying with
22 terms of the order which specify:

23 (1) the duration and amount of periodic payments of
24 current child-support, stated as a sum certain;

25 (2) the person or--agency designated to receive
26 payments and the address to which the payments are to be
27 forwarded;

28 (3) medical support, whether in the form of
29 periodic cash payment, stated as a sum certain, or
30 ordering the obligor to provide health insurance coverage
31 for the child under a policy available through the
32 obligor's employment;

33 (4) the amount of periodic payments of fees and

1 costs for a support enforcement agency, the issuing
2 tribunal, and the obligee's attorney, stated as sums
3 certain; and

4 (5) the amount of periodic payments of arrearages
5 and interest on arrearages, stated as sums certain.

6 (d) An employer shall comply with the law of the state
7 of the obligor's principal place of employment for
8 withholding from income with respect to:

9 (1) the employer's fee for processing an
10 income-withholding order;

11 (2) the maximum amount permitted to be withheld
12 from the obligor's income; and

13 (3) the times within which the employer must
14 implement the withholding order and forward the child
15 support payment.

16 (Source: P.A. 90-240, eff. 7-28-97.)

17 (750 ILCS 22/503)

18 Sec. 503. Employer's compliance with two or more
19 ~~multiple~~ income-withholding orders. If an obligor's employer
20 receives two or more ~~multiple~~ income-withholding orders with
21 respect to the earnings of the same obligor, the employer
22 satisfies the terms of the ~~multiple~~ orders if the employer
23 complies with the law of the state of the obligor's principal
24 place of employment to establish the priorities for
25 withholding and allocating income withheld for two or more
26 ~~multiple~~ child support obligees.

27 (Source: P.A. 90-240, eff. 7-28-97.)

28 (750 ILCS 22/506)

29 Sec. 506. Contest by obligor.

30 (a) An obligor may contest the validity or enforcement
31 of an income-withholding order issued in another state and
32 received directly by an employer in this State by registering

1 the order in a tribunal of this State and filing a contest to
2 that order as provided in Article 6, or otherwise contesting
3 the order in the same manner as if the order had been issued
4 by a tribunal of this State. ~~Section--604--applies--to--the~~
5 ~~contest.~~

6 (b) The obligor shall give notice of the contest to:

7 (1) a support enforcement agency providing services
8 to the obligee;

9 (2) each employer that has directly received an
10 income-withholding order relating to the obligor; and

11 (3) the person ~~or--agency~~ designated to receive
12 payments in the income-withholding order or if no person
13 ~~or--agency~~ is designated, to the obligee.

14 (Source: P.A. 90-240, eff. 7-28-97.)

15 (750 ILCS 22/507)

16 Sec. 507. Administrative enforcement of orders.

17 (a) A party or support enforcement agency seeking to
18 enforce a support order or an income-withholding order, or
19 both, issued by a tribunal of another state may send the
20 documents required for registering the order to a support
21 enforcement agency of this State.

22 (b) Upon receipt of the documents, the support
23 enforcement agency, without initially seeking to register the
24 order, shall consider and, if appropriate, use any
25 administrative procedure authorized by the law of this State
26 to enforce a support order or an income-withholding order, or
27 both. If the obligor does not contest administrative
28 enforcement, the order need not be registered. If the
29 obligor contests the validity or administrative enforcement
30 of the order, the support enforcement agency shall register
31 the order pursuant to this Act.

32 (Source: P.A. 90-240, eff. 7-28-97.)

1 (750 ILCS 22/Art. 6 heading)

2 ARTICLE 6.

3 REGISTRATION, ENFORCEMENT, AND

4 MODIFICATION OF SUPPORT ORDER

5 AFTER-REGISTRATION

6 (750 ILCS 22/601)

7 Sec. 601. Registration of order for enforcement. A
8 support order or an income-withholding order issued by a
9 tribunal of another state may be registered in this State for
10 enforcement.

11 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
12 by P.A. 88-691.)

13 (750 ILCS 22/602)

14 Sec. 602. Procedure to register order for enforcement.

15 (a) A support order or income-withholding order of
16 another state may be registered in this State by sending the
17 following records documents and information to the
18 appropriate tribunal in this State:

19 (1) a letter of transmittal to the tribunal
20 requesting registration and enforcement;

21 (2) 2 copies, including one certified copy, of the
22 order all--orders to be registered, including any
23 modification of the an order;

24 (3) a sworn statement by the person requesting
25 party-seeking registration or a certified statement by
26 the custodian of the records showing the amount of any
27 arrearage;

28 (4) the name of the obligor and, if known:

29 (i) the obligor's address and social security
30 number;

31 (ii) the name and address of the obligor's
32 employer and any other source of income of the

1 obligor; and

2 (iii) a description and the location of
3 property of the obligor in this State not exempt
4 from execution; and

5 (5) except as otherwise provided in Section 312,
6 the name and address of the obligee and, if applicable,
7 the ~~agency--er~~ person to whom support payments are to be
8 remitted.

9 (b) On receipt of a request for registration, the
10 registering tribunal shall cause the order to be filed as a
11 foreign judgment, together with one copy of the documents and
12 information, regardless of their form.

13 (c) A petition or comparable pleading seeking a remedy
14 that must be affirmatively sought under other law of this
15 State may be filed at the same time as the request for
16 registration or later. The pleading must specify the grounds
17 for the remedy sought.

18 (d) If two or more orders are in effect, the person
19 requesting registration shall:

20 (1) furnish to the tribunal a copy of every support
21 order asserted to be in effect in addition to the
22 documents specified in this Section;

23 (2) specify the order alleged to be the controlling
24 order, if any; and

25 (3) specify the amount of consolidated arrears, if
26 any.

27 (e) A request for a determination of which is the
28 controlling order may be filed separately or with a request
29 for registration and enforcement or for registration and
30 modification. The person requesting registration shall give
31 notice of the request to each party whose rights may be
32 affected by the determination.

33 (Source: P.A. 92-463, eff. 8-22-01.)

1 (750 ILCS 22/604)

2 Sec. 604. Choice of law.

3 (a) Except as otherwise provided in subsection (d), the
4 law of the issuing state governs:

5 (1) the nature, extent, amount, and duration of
6 current payments under a registered support order; and
7 ~~other obligations of support and~~

8 (2) the computation and payment of arrearages and
9 accrual of interest on the arrearages under the support
10 order; and

11 (3) the existence and satisfaction of other
12 obligations under the support order.

13 (b) In a proceeding for arrears under a registered
14 support order arrearages, the statute of limitation under the
15 laws of this State or of the issuing state, whichever is
16 longer, applies.

17 (c) A responding tribunal of this State shall apply the
18 procedures and remedies of this State to enforce current
19 support and collect arrears and interest due on a support
20 order of another state registered in this State.

21 (d) After a tribunal of this or another state determines
22 which is the controlling order and issues an order
23 consolidating arrears, if any, a tribunal of this State shall
24 prospectively apply the law of the state issuing the
25 controlling order, including its law on interest on arrears,
26 on current and future support, and on consolidated arrears.

27 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
28 by P.A. 88-691.)

29 (750 ILCS 22/605)

30 Sec. 605. Notice of registration of order.

31 (a) When a support order or income-withholding order
32 issued in another state is registered, the registering
33 tribunal shall notify the nonregistering party. The notice

1 must be accompanied by a copy of the registered order and the
2 documents and relevant information accompanying the order.

3 (b) A The notice must inform the nonregistering party:

4 (1) that a registered order is enforceable as of
5 the date of registration in the same manner as an order
6 issued by a tribunal of this State;

7 (2) that a hearing to contest the validity or
8 enforcement of the registered order must be requested
9 within 20 days after the date of mailing or personal
10 service of the notice;

11 (3) that failure to contest the validity or
12 enforcement of the registered order in a timely manner
13 will result in confirmation of the order and enforcement
14 of the order and the alleged arrearages and precludes
15 further contest of that order with respect to any matter
16 that could have been asserted; and

17 (4) of the amount of any alleged arrearages.

18 (c) If the registering party asserts that two or more
19 orders are in effect, a notice must also:

20 (1) identify the two or more orders and the order
21 alleged by the registering person to be the controlling
22 order and the consolidated arrears, if any;

23 (2) notify the nonregistering party of the right to
24 a determination of which is the controlling order;

25 (3) state that the procedures provided in
26 subsection (b) apply to the determination of which is the
27 controlling order; and

28 (4) state that failure to contest the validity or
29 enforcement of the order alleged to be the controlling
30 order in a timely manner may result in confirmation that
31 the order is the controlling order.

32 (d) (e) Upon registration of an income-withholding order
33 for enforcement, the registering tribunal shall notify the
34 obligor's employer pursuant to the Income Withholding for

1 Support Act.

2 (Source: P.A. 90-240, eff. 7-28-97; 90-655, eff. 7-30-98;
3 90-673, eff. 1-1-99; 91-357, eff. 7-29-99.)

4 (750 ILCS 22/607)

5 Sec. 607. Contest of registration or enforcement.

6 (a) A party contesting the validity or enforcement of a
7 registered order or seeking to vacate the registration has
8 the burden of proving one or more of the following defenses:

9 (1) the issuing tribunal lacked personal
10 jurisdiction over the contesting party;

11 (2) the order was obtained by fraud;

12 (3) the order has been vacated, suspended, or
13 modified by a later order;

14 (4) the issuing tribunal has stayed the order
15 pending appeal;

16 (5) there is a defense under the law of this State
17 to the remedy sought;

18 (6) full or partial payment has been made; or

19 (7) the statute of limitation under Section 604
20 precludes enforcement of some or all of the alleged
21 arrearages; or

22 (8) the alleged controlling order is not the
23 controlling order.

24 (b) If a party presents evidence establishing a full or
25 partial defense under subsection (a), a tribunal may stay
26 enforcement of the registered order, continue the proceeding
27 to permit production of additional relevant evidence, and
28 issue other appropriate orders. An uncontested portion of
29 the registered order may be enforced by all remedies
30 available under the law of this State.

31 (c) If the contesting party does not establish a defense
32 under subsection (a) to the validity or enforcement of the
33 order, the registering tribunal shall issue an order

1 confirming the order.

2 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
3 by P.A. 88-691.)

4 (750 ILCS 22/610)

5 Sec. 610. Effect of registration for modification. A
6 tribunal of this State may enforce a child-support order of
7 another state registered for purposes of modification, in the
8 same manner as if the order had been issued by a tribunal of
9 this State, but the registered order may be modified only if
10 the requirements of Section 611, 613, or 615 have been met.

11 (Source: P.A. 90-240, eff. 7-28-97.)

12 (750 ILCS 22/611)

13 Sec. 611. Modification of Child-Support Order of Another
14 State.

15 (a) If Section 613 does not apply, except as otherwise
16 provided in Section 615, upon petition a tribunal of this
17 State may modify After a child-support order issued in
18 another state which is has been registered in this State, ~~the~~
19 ~~responding--tribunal--of--this--State--may--modify--that--order--only~~
20 ~~if--Section--613--does--not--apply--and~~ if, after notice and
21 hearing, the tribunal ~~it~~ finds that:

22 (1) the following requirements are met:

23 (A) (i) neither the child, nor the individual
24 petitioner who is an individual, nor and the
25 respondent resides ~~do--not--reside~~ in the issuing
26 state;

27 (B) (ii) a petitioner who is a nonresident of
28 this State seeks modification; and

29 (C) (iii) the respondent is subject to the
30 personal jurisdiction of the tribunal of this State;
31 or

32 (2) this State is the State of residence of the

1 child, or a party who is an individual, is subject to the
2 personal jurisdiction of the tribunal of this State and
3 all of the parties who are individuals have filed written
4 consents in a record in the issuing tribunal for a
5 tribunal of this State to modify the support order and
6 assume continuing, exclusive jurisdiction ~~over the order.~~
7 ~~However, if the issuing state is a foreign jurisdiction~~
8 ~~that has not enacted a law or established procedures~~
9 ~~substantially similar to the procedures under this Act,~~
10 ~~the consent otherwise required of an individual residing~~
11 ~~in this State is not required for the tribunal to assume~~
12 ~~jurisdiction to modify the child support order.~~

13 (b) Modification of a registered child-support order is
14 subject to the same requirements, procedures, and defenses
15 that apply to the modification of an order issued by a
16 tribunal of this State and the order may be enforced and
17 satisfied in the same manner.

18 (c) Except as otherwise provided in Section 615, a
19 tribunal of this State may not modify any aspect of a
20 child-support order that may not be modified under the law of
21 the issuing state, including the duration of the obligation
22 of support. If two or more tribunals have issued
23 child-support orders for the same obligor and same child, the
24 order that controls and must be so recognized under Section
25 207 establishes the aspects of the support order which are
26 nonmodifiable.

27 (d) In a proceeding to modify a child-support order, the
28 law of the state that is determined to have issued the
29 initial controlling order governs the duration of the
30 obligation of support. The obligor's fulfillment of the duty
31 of support established by that order precludes imposition of
32 a further obligation of support by a tribunal of this State.

33 (e) (d) On issuance of an order by a tribunal of this
34 State modifying a child-support order issued in another

1 state, the a tribunal of this State becomes the tribunal
2 having continuing, exclusive jurisdiction.

3 (Source: P.A. 90-240, eff. 7-28-97.)

4 (750 ILCS 22/612)

5 Sec. 612. Recognition of order modified in another
6 state. If a child-support order issued by a tribunal of this
7 State is modified ~~shall--recognize--a--modification--of--its~~
8 ~~earlier--child-support--order~~ by a tribunal of another state
9 which assumed jurisdiction pursuant to the Uniform Interstate
10 Family Support Act, a tribunal of this State a---law
11 ~~substantially--similar--to--this--Act--and, upon request, except~~
12 ~~as--otherwise--provided--in--this--Act, shall:~~

13 (1) may enforce its the order that was modified only as
14 to arrears and interest amounts accruing before the
15 modification;

16 ~~(2)--enforce--only--nonmodifiable--aspects--of--that--order;~~

17 (2) ~~(3)~~ provide either appropriate relief only for
18 violations of its that order which occurred before the
19 effective date of the modification; and

20 (3) ~~(4)~~ recognize the modifying order of the other
21 state, upon registration, for the purpose of enforcement.

22 (Source: P.A. 90-240, eff. 7-28-97.)

23 (750 ILCS 22/615 new)

24 Sec. 615. Jurisdiction to modify child-support order of
25 foreign country or political subdivision.

26 (a) If a foreign country or political subdivision that
27 otherwise meets the requirements for inclusion under this Act
28 as set forth in subpart (B) of the definition of "State"
29 contained in Section 102 will not or may not modify its order
30 pursuant to its laws, a tribunal of this State may assume
31 jurisdiction to modify the child-support order and bind all
32 individuals subject to the personal jurisdiction of the

1 tribunal whether or not the consent to modification of a
 2 child-support order otherwise required of the individual
 3 pursuant to Section 611 has been given or whether the
 4 individual seeking modification is a resident of this State
 5 or of the foreign country or political subdivision.

6 (b) An order issued pursuant to this Section is the
 7 controlling order.

8 (750 ILCS 22/701)

9 Sec. 701. Proceeding to determine parentage. (a) A
 10 tribunal of this State authorized to determine parentage of a
 11 child may serve as ~~a an-initiating-or~~ responding tribunal in
 12 a proceeding to determine parentage brought under this Act or
 13 a law substantially similar to this Act, ~~to-determine-that~~
 14 ~~the-obligee-is-a-parent-of-a-particular-child-or-to-determine~~
 15 ~~that-an-obligor-is-a-parent-of-that-child.~~

16 ~~(b)--In-a-proceeding-to-determine-parentage,-a-responding~~
 17 ~~tribunal-of-this-State-shall-apply-the-Illinois-Parentage-Act~~
 18 ~~of-1984,-and-the-rules-of-this-State-on-choice-of-law.~~

19 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
 20 by P.A. 88-691.)

21 (750 ILCS 22/801)

22 Sec. 801. Grounds for rendition.

23 (a) For purposes of this Article, "governor" includes an
 24 individual performing the functions of governor or the
 25 executive authority of a state covered by this Act.

26 (b) The governor of this State may:

27 (1) demand that the governor of another state
 28 surrender an individual found in the other state who is
 29 charged criminally in this State with having failed to
 30 provide for the support of an obligee; or

31 (2) on the demand of by the governor of another
 32 state, surrender an individual found in this State who is

1 charged criminally in the other state with having failed
2 to provide for the support of an obligee.

3 (c) A provision for extradition of individuals not
4 inconsistent with this Act applies to the demand even if the
5 individual whose surrender is demanded was not in the
6 demanding state when the crime was allegedly committed and
7 has not fled therefrom.

8 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
9 by P.A. 88-691.)

10 (750 ILCS 22/802)

11 Sec. 802. Conditions of rendition.

12 (a) Before making demand that the governor of another
13 state surrender an individual charged criminally in this
14 State with having failed to provide for the support of an
15 obligee, the Governor of this State may require a prosecutor
16 of this State to demonstrate that at least 60 days previously
17 the obligee had initiated proceedings for support pursuant
18 to this Act or that the proceeding would be of no avail.

19 (b) If, under this Act or a law substantially similar to
20 this Act, ~~the Uniform Reciprocal Enforcement of Support Act,~~
21 ~~or the Revised Uniform Reciprocal Enforcement of Support Act,~~
22 the Governor of another state makes a demand that the
23 governor of this State surrender an individual charged
24 criminally in that state with having failed to provide for
25 the support of a child or other individual to whom a duty of
26 support is owed, the governor may require a prosecutor to
27 investigate the demand and report whether a proceeding for
28 support has been initiated or would be effective. If it
29 appears that a proceeding would be effective but has not been
30 initiated, the governor may delay honoring the demand for a
31 reasonable time to permit the initiation of a proceeding.

32 (c) If a proceeding for support has been initiated and
33 the individual whose rendition is demanded prevails, the

1 governor may decline to honor the demand. If the obligee
2 prevails and the individual whose rendition is demanded is
3 subject to a support order, the governor may decline to honor
4 the demand if the individual is complying with the support
5 order.

6 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
7 by P.A. 88-691.)

8 (750 ILCS 22/901)

9 Sec. 901. Uniformity of application and construction.
10 In applying and construing this Uniform Act consideration
11 must be given to the need to promote uniformity of This--Act
12 ~~shall--be--applied--and--construed--to--effectuate--its--general~~
13 ~~purpose--to--make--uniform~~ the law with respect to its the
14 subject ~~of--this--Act~~ matter among states that enact enacting
15 it.

16 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
17 by P.A. 88-691.)

18 (750 ILCS 22/902) (was 750 ILCS 22/903)

19 Sec. 902. ~~903.~~ Severability clause. If any provision of
20 this Act or its application to any person or circumstance is
21 held invalid, the invalidity does not affect other provisions
22 or applications of this Act which can be given effect without
23 the invalid provision or application, and to this end the
24 provisions of this Act are severable.

25 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
26 by P.A. 88-691.)

27 (750 ILCS 22/903) (was 750 ILCS 22/904)

28 Sec. 903. ~~904.~~ Effective date. (See Sec. 999 for
29 effective date.)

30 (Source: P.A. 88-550, eff. date changed from 1-1-95 to 1-1-96
31 by P.A. 88-691.)

1 (750 ILCS 22/904) (was 750 ILCS 22/905)

2 Sec. 904. ~~905~~. Repeal. The Revised Uniform Reciprocal
3 Enforcement of Support Act is repealed on the effective date
4 of this amendatory Act of 1997. An action that was commenced
5 under the Revised Uniform Reciprocal Enforcement of Support
6 Act and is pending on the effective date of this amendatory
7 Act of 1997 shall be decided in accordance with that Act as
8 it existed immediately before its repeal by this amendatory
9 Act of 1997.

10 (Source: P.A. 90-240, eff. 7-28-97.)

11 (750 ILCS 22/902 rep.)

12 Section 10. The Uniform Interstate Family Support Act is
13 amended by repealing Section 902.

14 Section 99. Operative date. This Act shall become
15 operative upon at least one of the following 2 events taking
16 place, whichever occurs first, but in no event prior to July
17 1, 2004:

18 (1) The amendment by Congress of subdivision (f) of
19 42 U.S.C. Sec. 666 to statutorily require or authorize,
20 in connection with the approval of state plans for
21 purposes of federal funding, the adoption of the Uniform
22 Interstate Family Support Act as promulgated by the
23 National Conference of Commissioners on Uniform State
24 Laws in 2001.

25 (2) The approval, either generally or with specific
26 application to Illinois, by the federal office of Child
27 Support Enforcement or by the Secretary of Health and
28 Human Services, of a waiver, exemption, finding, or other
29 indicia of regulatory approval of the Uniform Interstate
30 Family Support Act, as promulgated by the National
31 Conference of Commissioners on Uniform State Laws in
32 2001, in connection with the approval of state plans for

1 purposes of federal funding.