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HOUSE JOINT RESOLUTION

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WHEREAS, House Resolution 1101 (5/19/08), House Resolution 1428 (7/15/08), House Resolution 1517 (9/10/08), House Resolution 11 (2/11/90), and House Resolution 870 (2/11/10) formed the Illinois Family Law Study Committee; and

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WHEREAS, The Illinois Family Law Study Committee subcommittee on custody, aka POD 1, produced a report on April 10, 2010, which stated in the pertinent section that "Secondarily, the effect of the present system, in practice, has created "cottage industries" of GALs/child representatives, custody evaluators, and others, who have increased litigation costs and are not necessarily helpful in reducing conflicts between the parents"; and

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WHEREAS, The House of Representatives, Judiciary I Civil Law Committee issued a May 15, 2012 letter signed by all 11 committee members to members of the Illinois Supreme Court Attorney Registration and Disciplinary Commission, voicing concern about the lack of attorney discipline "occurring in the area of child representatives and guardian ad litem appointed under the Marriage and Dissolution of Marriage Act (750 ILCS 5/506) in various court systems throughout the State; and

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WHEREAS, The Illinois family court system participates in,

1 and is otherwise subsidized by, a Federal Program involving
2 child support enforcement State and federal funding under,
3 inter alia, Social Security Act, Title IV-D (42 U.S.C. § 651 et
4 seq), Title 45 Code of Federal Regulations Illinois Public Aid
5 Code (305 ILCS 5/10-1 et seq), Title 89 Illinois Administrative
6 Code; and

7 WHEREAS, Illinois' participation in the aforesaid Title
8 IV-D Federal Program requires strict adherence to the State and
9 federal laws and rules and regulations governing said program;
10 and

11 WHEREAS, The Illinois budget impasse resulted in the March
12 2016 resurrection of a 1992 federal lawsuit involving the
13 aforesaid Title IV-D Federal Program, the executive agency of
14 the Governor responsible for the administration of said Federal
15 Program, namely, the Illinois Department of Healthcare and
16 Family Services (HFS), and a certified class of Cook County
17 parents; 2016 court proceedings disclosed costly
18 intergovernmental agreements between HFS and circuit courts in
19 11 of the 102 counties of Illinois, among other issues of
20 fiscal and legal concern involving the administration of the
21 Title IV-D Federal Program and Illinois family court
22 proceedings statewide; and

23 WHEREAS, The April 10, 2010 report of the Illinois Family

1 Law Study Committee, subcommittee on custody, among other
2 authorities, indicate an unaddressed systemic problem in the
3 Illinois family court system which calls into question
4 Illinois' adherence to the State and federal laws and rules and
5 regulations governing Illinois' participation in the aforesaid
6 Title IV-D Federal Program; and

7 WHEREAS, A majority of members of the Senate and House of
8 Representative of the Illinois General Assembly are committed
9 to the lawful participation of Illinois in the Title IV-D
10 Federal Program; and

11 WHEREAS, The Illinois Legislature has not passed an annual
12 state budget since May of 2014; and

13 WHEREAS, A majority of members of the Senate and House of
14 Representatives of the Illinois General Assembly are committed
15 to the passing of a balanced budget funding lawful proceedings
16 of the judicial branch of Illinois government; therefore, be it

17 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
18 NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
19 SENATE CONCURRING HEREIN, that we urge the Governor to formally
20 request the assistance of the U.S. Department of Justice,
21 Office of the United States Attorneys, Civil Division, Federal
22 Programs Branch pertinent to the issues raised herein; and be

1 it further

2 RESOLVED, That a suitable copy of this resolution be
3 presented to the Governor.