

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 Illinois Marriage and Dissolution of
5 Marriage Act is amended by adding Sections 714 and 715 as
6 follows:

7 (750 ILCS 5/714 new)

8 Sec. 714. Willful default on support; penalties.
9 Beginning on the effective date of this amendatory Act of the
10 93rd General Assembly, a person who willfully defaults on an
11 order for child support issued by an Illinois court may be
12 subject to summary criminal contempt proceedings.

13 Each State agency, as defined in the Illinois State
14 Auditing Act, shall suspend, refuse to renew or issue, or
15 restrict a license or certificate issued by that agency to a
16 person found guilty of criminal contempt under this Section,
17 except that no license or certificate may be suspended while
18 an appeal of a finding of criminal contempt is pending. The
19 suspension, refused to renew or issue, or restriction shall
20 remain in effect until all defaults on an order for child
21 support are satisfied.

22 This Section applies to an order for child support issued
23 under the Illinois Public Aid Code, the Illinois Marriage and
24 Dissolution of Marriage Act, the Non-Support of Spouse and
25 Children Act, the Non-Support Punishment Act, the Illinois
26 Parentage Act of 1984, the Uniform Interstate Family Support
27 Act, or the Revised Uniform Reciprocal Enforcement of Support
28 Act.

29 (750 ILCS 5/715 new)

30 Sec. 715. Information to locate obligors. As used in

1 this Section, "obligor" means an individual who owes a duty
2 to make payments under an order for child support. The
3 State's Attorney or any other appropriate State official may
4 request and is entitled to receive information from
5 employers, telephone companies, and utility companies to
6 locate an obligor who has defaulted on child support
7 payments.

8 Section 10. The Illinois Public Aid Code is amended by
9 changing 10-10 as follows:

10 (305 ILCS 5/10-10) (from Ch. 23, par. 10-10)

11 Sec. 10-10. Court enforcement; applicability also to
12 persons who are not applicants or recipients. Except where
13 the Illinois Department, by agreement, acts for the local
14 governmental unit, as provided in Section 10-3.1, local
15 governmental units shall refer to the State's Attorney or to
16 the proper legal representative of the governmental unit, for
17 judicial enforcement as herein provided, instances of
18 non-support or insufficient support when the dependents are
19 applicants or recipients under Article VI. The Child and
20 Spouse Support Unit established by Section 10-3.1 may
21 institute in behalf of the Illinois Department any actions
22 under this Section for judicial enforcement of the support
23 liability when the dependents are (a) applicants or
24 recipients under Articles III, IV, V or VII; (b) applicants
25 or recipients in a local governmental unit when the Illinois
26 Department, by agreement, acts for the unit; or (c)
27 non-applicants or non-recipients who are receiving child
28 support enforcement services under this Article X, as
29 provided in Section 10-1. Where the Child and Spouse Support
30 Unit has exercised its option and discretion not to apply the
31 provisions of Sections 10-3 through 10-8, the failure by the
32 Unit to apply such provisions shall not be a bar to bringing

1 an action under this Section.

2 Action shall be brought in the circuit court to obtain
3 support, or for the recovery of aid granted during the period
4 such support was not provided, or both for the obtainment of
5 support and the recovery of the aid provided. Actions for
6 the recovery of aid may be taken separately or they may be
7 consolidated with actions to obtain support. Such actions
8 may be brought in the name of the person or persons requiring
9 support, or may be brought in the name of the Illinois
10 Department or the local governmental unit, as the case
11 requires, in behalf of such persons.

12 The court may enter such orders for the payment of moneys
13 for the support of the person as may be just and equitable
14 and may direct payment thereof for such period or periods of
15 time as the circumstances require, including support for a
16 period before the date the order for support is entered. The
17 order may be entered against any or all of the defendant
18 responsible relatives and may be based upon the proportionate
19 ability of each to contribute to the person's support.

20 The Court shall determine the amount of child support
21 (including child support for a period before the date the
22 order for child support is entered) by using the guidelines
23 and standards set forth in subsection (a) of Section 505 and
24 in Section 505.2 of the Illinois Marriage and Dissolution of
25 Marriage Act. For purposes of determining the amount of child
26 support to be paid for a period before the date the order for
27 child support is entered, there is a rebuttable presumption
28 that the responsible relative's net income for that period
29 was the same as his or her net income at the time the order
30 is entered.

31 If (i) the responsible relative was properly served with
32 a request for discovery of financial information relating to
33 the responsible relative's ability to provide child support,
34 (ii) the responsible relative failed to comply with the

1 request, despite having been ordered to do so by the court,
2 and (iii) the responsible relative is not present at the
3 hearing to determine support despite having received proper
4 notice, then any relevant financial information concerning
5 the responsible relative's ability to provide child support
6 that was obtained pursuant to subpoena and proper notice
7 shall be admitted into evidence without the need to establish
8 any further foundation for its admission.

9 An order entered under this Section shall include a
10 provision requiring the obligor to report to the obligee and
11 to the clerk of court within 10 days each time the obligor
12 obtains new employment, and each time the obligor's
13 employment is terminated for any reason. The report shall be
14 in writing and shall, in the case of new employment, include
15 the name and address of the new employer. Failure to report
16 new employment or the termination of current employment, if
17 coupled with nonpayment of support for a period in excess of
18 60 days, is indirect criminal contempt. For any obligor
19 arrested for failure to report new employment bond shall be
20 set in the amount of the child support that should have been
21 paid during the period of unreported employment. An order
22 entered under this Section shall also include a provision
23 requiring the obligor and obligee parents to advise each
24 other of a change in residence within 5 days of the change
25 except when the court finds that the physical, mental, or
26 emotional health of a party or that of a minor child, or
27 both, would be seriously endangered by disclosure of the
28 party's address.

29 The Court shall determine the amount of maintenance using
30 the standards set forth in Section 504 of the Illinois
31 Marriage and Dissolution of Marriage Act.

32 Any new or existing support order entered by the court
33 under this Section shall be deemed to be a series of
34 judgments against the person obligated to pay support

1 thereunder, each such judgment to be in the amount of each
2 payment or installment of support and each such judgment to
3 be deemed entered as of the date the corresponding payment or
4 installment becomes due under the terms of the support order.
5 Each such judgment shall have the full force, effect and
6 attributes of any other judgment of this State, including the
7 ability to be enforced. Any such judgment is subject to
8 modification or termination only in accordance with Section
9 510 of the Illinois Marriage and Dissolution of Marriage Act.
10 A lien arises by operation of law against the real and
11 personal property of the noncustodial parent for each
12 installment of overdue support owed by the noncustodial
13 parent.

14 An order for child support entered under this Section is
15 subject to Section 714 of the Illinois Marriage and
16 Dissolution of Marriage Act.

17 When an order is entered for the support of a minor, the
18 court may provide therein for reasonable visitation of the
19 minor by the person or persons who provided support pursuant
20 to the order. Whoever willfully refuses to comply with such
21 visitation order or willfully interferes with its enforcement
22 may be declared in contempt of court and punished therefor.

23 Except where the local governmental unit has entered into
24 an agreement with the Illinois Department for the Child and
25 Spouse Support Unit to act for it, as provided in Section
26 10-3.1, support orders entered by the court in cases
27 involving applicants or recipients under Article VI shall
28 provide that payments thereunder be made directly to the
29 local governmental unit. Orders for the support of all other
30 applicants or recipients shall provide that payments
31 thereunder be made directly to the Illinois Department. In
32 accordance with federal law and regulations, the Illinois
33 Department may continue to collect current maintenance
34 payments or child support payments, or both, after those

1 persons cease to receive public assistance and until
2 termination of services under Article X. The Illinois
3 Department shall pay the net amount collected to those
4 persons after deducting any costs incurred in making the
5 collection or any collection fee from the amount of any
6 recovery made. In both cases the order shall permit the
7 local governmental unit or the Illinois Department, as the
8 case may be, to direct the responsible relative or relatives
9 to make support payments directly to the needy person, or to
10 some person or agency in his behalf, upon removal of the
11 person from the public aid rolls or upon termination of
12 services under Article X.

13 If the notice of support due issued pursuant to Section
14 10-7 directs that support payments be made directly to the
15 needy person, or to some person or agency in his behalf, and
16 the recipient is removed from the public aid rolls, court
17 action may be taken against the responsible relative
18 hereunder if he fails to furnish support in accordance with
19 the terms of such notice.

20 Actions may also be brought under this Section in behalf
21 of any person who is in need of support from responsible
22 relatives, as defined in Section 2-11 of Article II who is
23 not an applicant for or recipient of financial aid under this
24 Code. In such instances, the State's Attorney of the county
25 in which such person resides shall bring action against the
26 responsible relatives hereunder. If the Illinois Department,
27 as authorized by Section 10-1, extends the child support
28 enforcement services provided by this Article to spouses and
29 dependent children who are not applicants or recipients under
30 this Code, the Child and Spouse Support Unit established by
31 Section 10-3.1 shall bring action against the responsible
32 relatives hereunder and any support orders entered by the
33 court in such cases shall provide that payments thereunder be
34 made directly to the Illinois Department.

1 Whenever it is determined in a proceeding to establish or
2 enforce a child support or maintenance obligation that the
3 person owing a duty of support is unemployed, the court may
4 order the person to seek employment and report periodically
5 to the court with a diary, listing or other memorandum of his
6 or her efforts in accordance with such order. Additionally,
7 the court may order the unemployed person to report to the
8 Department of Employment Security for job search services or
9 to make application with the local Job Training Partnership
10 Act provider for participation in job search, training or
11 work programs and where the duty of support is owed to a
12 child receiving child support enforcement services under this
13 Article X, the court may order the unemployed person to
14 report to the Illinois Department for participation in job
15 search, training or work programs established under Section
16 9-6 and Article IXA of this Code.

17 Whenever it is determined that a person owes past-due
18 support for a child receiving assistance under this Code, the
19 court shall order at the request of the Illinois Department:

20 (1) that the person pay the past-due support in
21 accordance with a plan approved by the court; or

22 (2) if the person owing past-due support is
23 unemployed, is subject to such a plan, and is not
24 incapacitated, that the person participate in such job
25 search, training, or work programs established under
26 Section 9-6 and Article IXA of this Code as the court
27 deems appropriate.

28 A determination under this Section shall not be
29 administratively reviewable by the procedures specified in
30 Sections 10-12, and 10-13 to 10-13.10. Any determination
31 under these Sections, if made the basis of court action under
32 this Section, shall not affect the de novo judicial
33 determination required under this Section.

34 A one-time charge of 20% is imposable upon the amount of

1 past-due child support owed on July 1, 1988 which has accrued
2 under a support order entered by the court. The charge shall
3 be imposed in accordance with the provisions of Section 10-21
4 of this Code and shall be enforced by the court upon
5 petition.

6 All orders for support, when entered or modified, shall
7 include a provision requiring the non-custodial parent to
8 notify the court and, in cases in which a party is receiving
9 child support enforcement services under this Article X, the
10 Illinois Department, within 7 days, (i) of the name, address,
11 and telephone number of any new employer of the non-custodial
12 parent, (ii) whether the non-custodial parent has access to
13 health insurance coverage through the employer or other group
14 coverage and, if so, the policy name and number and the names
15 of persons covered under the policy, and (iii) of any new
16 residential or mailing address or telephone number of the
17 non-custodial parent. In any subsequent action to enforce a
18 support order, upon a sufficient showing that a diligent
19 effort has been made to ascertain the location of the
20 non-custodial parent, service of process or provision of
21 notice necessary in the case may be made at the last known
22 address of the non-custodial parent in any manner expressly
23 provided by the Code of Civil Procedure or this Code, which
24 service shall be sufficient for purposes of due process.

25 An order for support shall include a date on which the
26 current support obligation terminates. The termination date
27 shall be no earlier than the date on which the child covered
28 by the order will attain the age of majority or is otherwise
29 emancipated. The order for support shall state that the
30 termination date does not apply to any arrearage that may
31 remain unpaid on that date. Nothing in this paragraph shall
32 be construed to prevent the court from modifying the order.

33 Upon notification in writing or by electronic
34 transmission from the Illinois Department to the clerk of the

1 court that a person who is receiving support payments under
2 this Section is receiving services under the Child Support
3 Enforcement Program established by Title IV-D of the Social
4 Security Act, any support payments subsequently received by
5 the clerk of the court shall be transmitted in accordance
6 with the instructions of the Illinois Department until the
7 Illinois Department gives notice to the clerk of the court to
8 cease the transmittal. After providing the notification
9 authorized under this paragraph, the Illinois Department
10 shall be entitled as a party to notice of any further
11 proceedings in the case. The clerk of the court shall file a
12 copy of the Illinois Department's notification in the court
13 file. The clerk's failure to file a copy of the notification
14 in the court file shall not, however, affect the Illinois
15 Department's right to receive notice of further proceedings.

16 Payments under this Section to the Illinois Department
17 pursuant to the Child Support Enforcement Program established
18 by Title IV-D of the Social Security Act shall be paid into
19 the Child Support Enforcement Trust Fund. All payments under
20 this Section to the Illinois Department of Human Services
21 shall be deposited in the DHS Recoveries Trust Fund.
22 Disbursements from these funds shall be as provided in
23 Sections 12-9.1 and 12-10.2 of this Code. Payments received
24 by a local governmental unit shall be deposited in that
25 unit's General Assistance Fund.

26 To the extent the provisions of this Section are
27 inconsistent with the requirements pertaining to the State
28 Disbursement Unit under Sections 10-10.4 and 10-26 of this
29 Code, the requirements pertaining to the State Disbursement
30 Unit shall apply.

31 (Source: P.A. 91-24, eff. 7-1-99; 91-212, eff. 7-20-99;
32 91-357, eff. 7-29-99; 91-767, eff. 6-9-00; 92-16, eff.
33 6-28-01; 92-590, eff. 7-1-02.)

1 Section 15. The Non-Support Punishment Act is amended by
2 changing Section 20 as follows:

3 (750 ILCS 16/20)

4 Sec. 20. Entry of order for support; income withholding.

5 (a) In a case in which no court or administrative order
6 for support is in effect against the defendant:

7 (1) at any time before the trial, upon motion of
8 the State's Attorney, or of the Attorney General if the
9 action has been instituted by his office, and upon notice
10 to the defendant, or at the time of arraignment or as a
11 condition of postponement of arraignment, the court may
12 enter such temporary order for support as may seem just,
13 providing for the support or maintenance of the spouse or
14 child or children of the defendant, or both, pendente
15 lite; or

16 (2) before trial with the consent of the defendant,
17 or at the trial on entry of a plea of guilty, or after
18 conviction, instead of imposing the penalty provided in
19 this Act, or in addition thereto, the court may enter an
20 order for support, subject to modification by the court
21 from time to time as circumstances may require, directing
22 the defendant to pay a certain sum for maintenance of the
23 spouse, or for support of the child or children, or both.

24 (b) The court shall determine the amount of child
25 support by using the guidelines and standards set forth in
26 subsection (a) of Section 505 and in Section 505.2 of the
27 Illinois Marriage and Dissolution of Marriage Act.

28 If (i) the non-custodial parent was properly served with
29 a request for discovery of financial information relating to
30 the non-custodial parent's ability to provide child support,
31 (ii) the non-custodial parent failed to comply with the
32 request, despite having been ordered to do so by the court,
33 and (iii) the non-custodial parent is not present at the

1 hearing to determine support despite having received proper
2 notice, then any relevant financial information concerning
3 the non-custodial parent's ability to provide support that
4 was obtained pursuant to subpoena and proper notice shall be
5 admitted into evidence without the need to establish any
6 further foundation for its admission.

7 (c) The court shall determine the amount of maintenance
8 using the standards set forth in Section 504 of the Illinois
9 Marriage and Dissolution of Marriage Act.

10 (d) The court may, for violation of any order under this
11 Section, punish the offender as for a contempt of court, but
12 no pendente lite order shall remain in effect longer than 4
13 months, or after the discharge of any panel of jurors
14 summoned for service thereafter in such court, whichever is
15 sooner.

16 (e) Any order for support entered by the court under
17 this Section shall be deemed to be a series of judgments
18 against the person obligated to pay support under the
19 judgments, each such judgment to be in the amount of each
20 payment or installment of support and each judgment to be
21 deemed entered as of the date the corresponding payment or
22 installment becomes due under the terms of the support order.
23 Each judgment shall have the full force, effect, and
24 attributes of any other judgment of this State, including the
25 ability to be enforced. Each judgment is subject to
26 modification or termination only in accordance with Section
27 510 of the Illinois Marriage and Dissolution of Marriage Act.
28 A lien arises by operation of law against the real and
29 personal property of the noncustodial parent for each
30 installment of overdue support owed by the noncustodial
31 parent.

32 (e-5) An order for child support entered under this
33 Section is subject to Section 714 of the Illinois Marriage
34 and Dissolution of Marriage Act.

1 (f) An order for support entered under this Section
2 shall include a provision requiring the obligor to report to
3 the obligee and to the clerk of the court within 10 days each
4 time the obligor obtains new employment, and each time the
5 obligor's employment is terminated for any reason. The
6 report shall be in writing and shall, in the case of new
7 employment, include the name and address of the new employer.

8 Failure to report new employment or the termination of
9 current employment, if coupled with nonpayment of support for
10 a period in excess of 60 days, is indirect criminal contempt.
11 For any obligor arrested for failure to report new
12 employment, bond shall be set in the amount of the child
13 support that should have been paid during the period of
14 unreported employment.

15 An order for support entered under this Section shall
16 also include a provision requiring the obligor and obligee
17 parents to advise each other of a change in residence within
18 5 days of the change except when the court finds that the
19 physical, mental, or emotional health of a party or of a
20 minor child, or both, would be seriously endangered by
21 disclosure of the party's address.

22 (g) An order for support entered or modified in a case
23 in which a party is receiving child support enforcement
24 services under Article X of the Illinois Public Aid Code
25 shall include a provision requiring the noncustodial parent
26 to notify the Illinois Department of Public Aid, within 7
27 days, of the name and address of any new employer of the
28 noncustodial parent, whether the noncustodial parent has
29 access to health insurance coverage through the employer or
30 other group coverage and, if so, the policy name and number
31 and the names of persons covered under the policy.

32 (h) In any subsequent action to enforce an order for
33 support entered under this Act, upon sufficient showing that
34 diligent effort has been made to ascertain the location of

1 the noncustodial parent, service of process or provision of
2 notice necessary in that action may be made at the last known
3 address of the noncustodial parent, in any manner expressly
4 provided by the Code of Civil Procedure or in this Act, which
5 service shall be sufficient for purposes of due process.

6 (i) An order for support shall include a date on which
7 the current support obligation terminates. The termination
8 date shall be no earlier than the date on which the child
9 covered by the order will attain the age of majority or is
10 otherwise emancipated. The order for support shall state that
11 the termination date does not apply to any arrearage that may
12 remain unpaid on that date. Nothing in this subsection shall
13 be construed to prevent the court from modifying the order.

14 (j) A support obligation, or any portion of a support
15 obligation, which becomes due and remains unpaid for 30 days
16 or more shall accrue simple interest at the rate of 9% per
17 annum. An order for support entered or modified on or after
18 January 1, 2002 shall contain a statement that a support
19 obligation required under the order, or any portion of a
20 support obligation required under the order, that becomes due
21 and remains unpaid for 30 days or more shall accrue simple
22 interest at the rate of 9% per annum. Failure to include the
23 statement in the order for support does not affect the
24 validity of the order or the accrual of interest as provided
25 in this Section.

26 (Source: P.A. 91-613, eff. 10-1-99; 91-767, eff. 6-9-00;
27 92-374, eff. 8-15-01; 92-590, eff. 7-1-02.)

28 Section 20. The Illinois Parentage Act of 1984 is
29 amended by changing Section 14 as follows:

30 (750 ILCS 45/14) (from Ch. 40, par. 2514)

31 Sec. 14. Judgment.

32 (a) (1) The judgment shall contain or explicitly reserve

1 provisions concerning any duty and amount of child support
2 and may contain provisions concerning the custody and
3 guardianship of the child, visitation privileges with the
4 child, the furnishing of bond or other security for the
5 payment of the judgment, which the court shall determine in
6 accordance with the relevant factors set forth in the
7 Illinois Marriage and Dissolution of Marriage Act and any
8 other applicable law of Illinois, to guide the court in a
9 finding in the best interests of the child. In determining
10 custody, joint custody, or visitation, the court shall apply
11 the relevant standards of the Illinois Marriage and
12 Dissolution of Marriage Act. Specifically, in determining the
13 amount of any child support award, the court shall use the
14 guidelines and standards set forth in subsection (a) of
15 Section 505 and in Section 505.2 of the Illinois Marriage and
16 Dissolution of Marriage Act. For purposes of Section 505 of
17 the Illinois Marriage and Dissolution of Marriage Act, "net
18 income" of the non-custodial parent shall include any
19 benefits available to that person under the Illinois Public
20 Aid Code or from other federal, State or local
21 government-funded programs. The court shall, in any event
22 and regardless of the amount of the non-custodial parent's
23 net income, in its judgment order the non-custodial parent to
24 pay child support to the custodial parent in a minimum amount
25 of not less than \$10 per month. In an action brought within 2
26 years after a child's birth, the judgment or order may direct
27 either parent to pay the reasonable expenses incurred by
28 either parent related to the mother's pregnancy and the
29 delivery of the child. The judgment or order shall contain
30 the father's social security number, which the father shall
31 disclose to the court; however, failure to include the
32 father's social security number on the judgment or order does
33 not invalidate the judgment or order.

34 (2) If a judgment of parentage contains no explicit

1 award of custody, the establishment of a support obligation
2 or of visitation rights in one parent shall be considered a
3 judgment granting custody to the other parent. If the
4 parentage judgment contains no such provisions, custody shall
5 be presumed to be with the mother; however, the presumption
6 shall not apply if the father has had physical custody for at
7 least 6 months prior to the date that the mother seeks to
8 enforce custodial rights.

9 (b) The court shall order all child support payments,
10 determined in accordance with such guidelines, to commence
11 with the date summons is served. The level of current
12 periodic support payments shall not be reduced because of
13 payments set for the period prior to the date of entry of the
14 support order. The Court may order any child support
15 payments to be made for a period prior to the commencement of
16 the action. In determining whether and the extent to which
17 the payments shall be made for any prior period, the court
18 shall consider all relevant facts, including the factors for
19 determining the amount of support specified in the Illinois
20 Marriage and Dissolution of Marriage Act and other equitable
21 factors including but not limited to:

22 (1) The father's prior knowledge of the fact and
23 circumstances of the child's birth.

24 (2) The father's prior willingness or refusal to
25 help raise or support the child.

26 (3) The extent to which the mother or the public
27 agency bringing the action previously informed the father
28 of the child's needs or attempted to seek or require his
29 help in raising or supporting the child.

30 (4) The reasons the mother or the public agency did
31 not file the action earlier.

32 (5) The extent to which the father would be
33 prejudiced by the delay in bringing the action.

34 For purposes of determining the amount of child support

1 to be paid for any period before the date the order for
2 current child support is entered, there is a rebuttable
3 presumption that the father's net income for the prior period
4 was the same as his net income at the time the order for
5 current child support is entered.

6 If (i) the non-custodial parent was properly served with
7 a request for discovery of financial information relating to
8 the non-custodial parent's ability to provide child support,
9 (ii) the non-custodial parent failed to comply with the
10 request, despite having been ordered to do so by the court,
11 and (iii) the non-custodial parent is not present at the
12 hearing to determine support despite having received proper
13 notice, then any relevant financial information concerning
14 the non-custodial parent's ability to provide child support
15 that was obtained pursuant to subpoena and proper notice
16 shall be admitted into evidence without the need to establish
17 any further foundation for its admission.

18 (c) Any new or existing support order entered by the
19 court under this Section shall be deemed to be a series of
20 judgments against the person obligated to pay support
21 thereunder, each judgment to be in the amount of each payment
22 or installment of support and each such judgment to be deemed
23 entered as of the date the corresponding payment or
24 installment becomes due under the terms of the support order.
25 Each judgment shall have the full force, effect and
26 attributes of any other judgment of this State, including the
27 ability to be enforced. A lien arises by operation of law
28 against the real and personal property of the noncustodial
29 parent for each installment of overdue support owed by the
30 noncustodial parent.

31 (c-5) An order for child support entered under this
32 Section is subject to Section 714 of the Illinois Marriage
33 and Dissolution of Marriage Act.

34 (d) If the judgment or order of the court is at variance

1 with the child's birth certificate, the court shall order
2 that a new birth certificate be issued under the Vital
3 Records Act.

4 (e) On request of the mother and the father, the court
5 shall order a change in the child's name. After hearing
6 evidence the court may stay payment of support during the
7 period of the father's minority or period of disability.

8 (f) If, upon a showing of proper service, the father
9 fails to appear in court, or otherwise appear as provided by
10 law, the court may proceed to hear the cause upon testimony
11 of the mother or other parties taken in open court and shall
12 enter a judgment by default. The court may reserve any order
13 as to the amount of child support until the father has
14 received notice, by regular mail, of a hearing on the matter.

15 (g) A one-time charge of 20% is imposable upon the
16 amount of past-due child support owed on July 1, 1988 which
17 has accrued under a support order entered by the court. The
18 charge shall be imposed in accordance with the provisions of
19 Section 10-21 of the Illinois Public Aid Code and shall be
20 enforced by the court upon petition.

21 (h) All orders for support, when entered or modified,
22 shall include a provision requiring the non-custodial parent
23 to notify the court and, in cases in which party is receiving
24 child support enforcement services under Article X of the
25 Illinois Public Aid Code, the Illinois Department of Public
26 Aid, within 7 days, (i) of the name and address of any new
27 employer of the non-custodial parent, (ii) whether the
28 non-custodial parent has access to health insurance coverage
29 through the employer or other group coverage and, if so, the
30 policy name and number and the names of persons covered under
31 the policy, and (iii) of any new residential or mailing
32 address or telephone number of the non-custodial parent. In
33 any subsequent action to enforce a support order, upon a
34 sufficient showing that a diligent effort has been made to

1 ascertain the location of the non-custodial parent, service
2 of process or provision of notice necessary in the case may
3 be made at the last known address of the non-custodial parent
4 in any manner expressly provided by the Code of Civil
5 Procedure or this Act, which service shall be sufficient for
6 purposes of due process.

7 (i) An order for support shall include a date on which
8 the current support obligation terminates. The termination
9 date shall be no earlier than the date on which the child
10 covered by the order will attain the age of majority or is
11 otherwise emancipated. The order for support shall state
12 that the termination date does not apply to any arrearage
13 that may remain unpaid on that date. Nothing in this
14 subsection shall be construed to prevent the court from
15 modifying the order.

16 (j) An order entered under this Section shall include a
17 provision requiring the obligor to report to the obligee and
18 to the clerk of court within 10 days each time the obligor
19 obtains new employment, and each time the obligor's
20 employment is terminated for any reason. The report shall be
21 in writing and shall, in the case of new employment, include
22 the name and address of the new employer. Failure to report
23 new employment or the termination of current employment, if
24 coupled with nonpayment of support for a period in excess of
25 60 days, is indirect criminal contempt. For any obligor
26 arrested for failure to report new employment bond shall be
27 set in the amount of the child support that should have been
28 paid during the period of unreported employment. An order
29 entered under this Section shall also include a provision
30 requiring the obligor and obligee parents to advise each
31 other of a change in residence within 5 days of the change
32 except when the court finds that the physical, mental, or
33 emotional health of a party or that of a minor child, or
34 both, would be seriously endangered by disclosure of the

1 party's address.

2 (Source: P.A. 91-767, eff. 6-9-00, 92-590, eff. 7-1-02.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.