**Section 160.71 Credit for Payments Made Directly to the Title IV-D Client**

Where the operative court or administrative order for support requires child support payments to be made to the Department, the State Disbursement Unit, or the Clerk of the Circuit Court, the Department will allow a one time credit to its child support accounts receivable for payments made directly to the Title IV-D client, up to the amount of the past due support owed to the Title IV-D client, when:

a) a court of competent jurisdiction enters an order requiring credit; or

b) the following circumstances exist:

1) either:

A) the order for support was entered in Illinois; or

B) if the order for support is a foreign order:

i) the order has been registered in Illinois; and

ii) the law of the state that entered the order allows credit for payments made directly to the Title IV-D client; and

2) a balance of support is owed to the Title IV-D client; and

3) there has been no other instance, after the effective date of this Section, in which the Department credited its child support accounts receivable for payments made by the responsible relative directly to the Title IV-D client; and

4) either:

A) the Title IV-D client signs a statement specifying the payments that the client is requesting be credited to the accounts receivable; or

B) the responsible relative provides the Department with clear and convincing documentation (such as copies of canceled checks or money order receipts) showing that the payments for which the relative is requesting credit were made and the Department has given the Title IV-D client opportunity to acknowledge or deny receipt of the payments.

(Source: Amended at 33 Ill. Reg. 591, effective January 5, 2009)