



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 02/06/04, by Michael J. Madigan

**SYNOPSIS AS INTRODUCED:**

750 ILCS 5/507

from Ch. 40, par. 507

Amends the Illinois Marriage and Dissolution of Marriage Act. Makes a stylistic change in provisions concerning the payment of support or maintenance to the clerk of the circuit court.

LRB093 17048 DRJ 42712 b

1 AN ACT concerning child 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 changing Section 507 as follows:

6 (750 ILCS 5/507) (from Ch. 40, par. 507)

7 Sec. 507. Payment of maintenance or support to court.

8 (a) In actions instituted under this Act, the court shall  
9 order that maintenance and support payments be made to the  
10 clerk of the circuit court as trustee for remittance to the  
11 person entitled to receive the payments. However, the court in  
12 its discretion may direct otherwise where circumstances so  
13 warrant.

14 Upon notification in writing or by electronic transmission  
15 from the Illinois Department of Public Aid to the clerk of the  
16 court that a person who is receiving support payments under  
17 this Section is receiving services under the Child Support  
18 Enforcement Program established by Title IV-D of the Social  
19 Security Act, any support payments subsequently received by the  
20 clerk of the court shall be transmitted in accordance with the  
21 instructions of the Illinois Department of Public Aid until the  
22 Department gives notice to the clerk of the court to cease the  
23 transmittal. After providing the notification authorized under  
24 this paragraph, the Illinois Department of Public Aid shall be  
25 entitled as a party to notice of any further proceedings in the  
26 case. The clerk of the court shall file a copy of the Illinois  
27 Department of Public Aid's notification in the court file. The  
28 failure of the clerk to file a copy of the notification in the  
29 court file shall not, however, affect the Illinois Department  
30 of Public Aid's right to receive notice of further proceedings.

31 (b) The clerk of court shall maintain records listing the  
32 amount of payments, the date payments are required to be made

1 and the names and addresses of the parties affected by the  
2 order. For those cases in which support is payable to the clerk  
3 of the circuit court for transmittal to the Illinois Department  
4 of Public Aid by order of the court or upon notification of the  
5 Illinois Department of Public Aid, and the Illinois Department  
6 of Public Aid collects support by assignment, offset,  
7 withholding, deduction or other process permitted by law, the  
8 Illinois Department shall notify the clerk of the date and  
9 amount of such collection. Upon notification, the clerk shall  
10 record the collection on the payment record for the case.

11 (c) The parties affected by the order shall inform the  
12 clerk of court of any change of address or of other condition  
13 that may affect the administration of the order.

14 (d) The provisions of this Section shall not apply to cases  
15 that come under the provisions of Sections 709 through 712.

16 (e) To the extent the provisions of this Section are  
17 inconsistent with the requirements pertaining to the State  
18 Disbursement Unit under Section 507.1 of this Act and Section  
19 10-26 of the Illinois Public Aid Code, the requirements  
20 pertaining to the State Disbursement Unit shall apply.

21 (Source: P.A. 90-18, eff. 7-1-97; 90-673, eff. 1-1-99; 90-790,  
22 eff. 8-14-98; 91-212, eff. 7-20-99; 91-357, eff. 7-29-99.)