

AN ACT concerning civil law.

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

Section 5. The Illinois Public Aid Code is amended by changing Section 10-15.1 as follows:

(305 ILCS 5/10-15.1)

Sec. 10-15.1. Judicial registration of administrative support orders and administrative paternity orders.

(a) A final administrative support order or a final administrative paternity order, excluding a voluntary acknowledgement or denial of paternity that is governed by other provisions of this Code, the Illinois Parentage Act of 1984, and the Vital Records Act, established by the Illinois Department under this Article X may be registered in the appropriate circuit court of this State by the Department or by a party to the order by filing:

(1) Two copies, including one certified copy of the order to be registered, any modification of the administrative support order, any voluntary acknowledgment of paternity pertaining to the child covered by the order, and the documents showing service of the notice of support obligation or the notice of paternity and support obligation that commenced the procedure for establishment

of the administrative support order or the administrative paternity order pursuant to Section 10-4 of this Code.

(2) A sworn statement by the person requesting registration or a certified copy of the Department payment record showing the amount of any past due support accrued under the administrative support order.

(3) The name of the obligor and, if known, the obligor's address and social security number.

(4) The name of the obligee and the obligee's address, unless the obligee alleges in an affidavit or pleading under oath that the health, safety, or liberty of the obligee or child would be jeopardized by disclosure of specific identifying information, in which case that information must be sealed and may not be disclosed to the other party or public. After a hearing in which the court takes into consideration the health, safety, or liberty of the party or child, the court may order disclosure of information that the court determines to be in the interest of justice.

(b) The filing of an administrative support order or an administrative paternity order under subsection (a) constitutes registration with the circuit court.

(c) (Blank).

(c-5) Every notice of registration must be accompanied by a copy of the registered administrative support order or the registered administrative paternity order and the documents

and relevant information accompanying the order pursuant to subsection (a).

(d) (Blank).

(d-5) The registering party shall serve notice of the registration on the other party by first class mail, unless the administrative support order or the administrative paternity order was entered by default or the registering party is also seeking an affirmative remedy. The registering party shall serve notice on the Department in all cases by first class mail.

(1) If the administrative support order or the administrative paternity order was entered by default against the obligor, the obligor must be served with the registration by any method provided by law for service of summons.

(2) If a petition or comparable pleading seeking an affirmative remedy is filed with the registration, the non-moving party must be served with the registration and the affirmative pleading by any method provided by law for service of summons.

(e) A notice of registration of an administrative support order or an administrative paternity order must provide the following information:

(1) That a registered administrative order is enforceable in the same manner as an order for support or an order for paternity issued by the circuit court.

(2) That a hearing to contest enforcement of the registered administrative support order or the registered administrative paternity order must be requested within 30 days after the date of service of the notice.

(3) That failure to contest, in a timely manner, the enforcement of the registered administrative support order or the registered administrative paternity order shall result in confirmation of the order and enforcement of the order and the alleged arrearages and precludes further contest of that order with respect to any matter that could have been asserted.

(4) The amount of any alleged arrearages.

(f) A nonregistering party seeking to contest enforcement of a registered administrative support order or a registered administrative paternity order shall request a hearing within 30 days after the date of service of notice of the registration. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered administrative support order or the registered administrative paternity order, or to contest the remedies being sought or the amount of any alleged arrearages.

(g) If the nonregistering party fails to contest the enforcement of the registered administrative support order or the registered administrative paternity order in a timely manner, the order shall be confirmed by operation of law.

(h) If a nonregistering party requests a hearing to contest the enforcement of the registered administrative support order or the registered administrative paternity order, the circuit court shall schedule the matter for hearing and give notice to the parties and the Illinois Department of the date, time, and place of the hearing.

(i) A party contesting the enforcement of a registered administrative support order or a registered administrative paternity order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(1) The Illinois Department lacked personal jurisdiction over the contesting party.

(2) The administrative support order or the administrative paternity order was obtained by fraud.

(3) The administrative support order or the administrative paternity order has been vacated, suspended, or modified by a later order.

(4) The Illinois Department has stayed the administrative support order or the administrative paternity order pending appeal.

(5) There is a defense under the law to the remedy sought.

(6) Full or partial payment has been made.

(j) If a party presents evidence establishing a full or partial payment defense under subsection (i), the court may stay enforcement of the registered order, continue the

proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered administrative support order or the registered administrative paternity order may be enforced by all remedies available under State law.

(k) If a contesting party does not establish a defense under subsection (i) to the enforcement of the administrative support order or the administrative paternity order, the court shall issue an order confirming the administrative support order or the administrative paternity order. Confirmation of the registered administrative support order or the registered administrative paternity order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration. Upon confirmation, the registered administrative support order or the registered administrative paternity order shall be treated in the same manner as a support order or a paternity order entered by the circuit court, including the ability of the court to entertain a petition to modify the administrative support order due to a substantial change in circumstances or a petition to modify the administrative paternity order due to clear and convincing evidence regarding paternity, or petitions for visitation or custody of the child or children covered by the administrative support order or the administrative paternity order. Nothing in this Section shall be construed to alter the effect of a final

administrative support order or a final administrative paternity order, or the restriction of judicial review of such a final order to the provisions of the Administrative Review Law, as provided in Sections ~~Section~~ 10-11 and 10-17.7 of this Code.

(1) Notwithstanding the limitations of relief provided for under this Section regarding an administrative paternity order and the administrative relief available from an administrative paternity order under Sections 10-12 through 10-14.1 of this Code, a party may petition for relief from a registered final administrative paternity order entered by consent of the parties, excluding a voluntary acknowledgement or denial of paternity as well as an administrative paternity order entered pursuant to genetic testing. The petition shall be filed pursuant to Section 2-1401 of the Code of Civil Procedure based upon a showing of due diligence and a meritorious defense. The court, after reviewing the evidence regarding this specific type of administrative paternity order entered by consent of the parties, shall issue an order regarding the petition. Nothing in this Section shall be construed to alter the effect of a final administrative paternity order, or the restriction of judicial review of such a final order to the provisions of the Administrative Review Law, as provided in Section 10-17.7 of this Code.

(Source: P.A. 97-926, eff. 8-10-12; 98-563, eff. 8-27-13.)

Section 99. Effective date. This Act takes effect upon

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becoming law.