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Administration for Children and Families,
Office of Planning, Research, and Evaluation
330 C Street, SW.
Washington, DC 20201
Attn: OPRE Reports Clearance Officer

RE: Proposed Information Collection Activity; 45 CFR 303.7—Provision of Services in Intergovernmental IV–D; Federally Approved Forms (OMB #0970–0085)

The Illinois Department of Healthcare and Family Services, Division of Child Support Services has specific comments regarding three (3) of the proposed forms in the intergovernmental forms suite:

1. Child Support Enforcement Transmittal #3 – Request for Assistance/Discovery
 - a. The changes made to the Transmittal #3 reference AT 17-07, yet they did not address how to communicate with other states when a state exercises the option of direct income withholding pursuant to another state's order when all parties leave the order issuing state and now reside in the same state. In order to correct this issue, we suggest adding an 11c or a new 12 to the Transmittal #3 to specifically address this situation.
2. Declaration in Support of Establishing Parentage
 - a. Illinois is a fact-based pleading state. Generally, the party attesting to sexual intercourse in a paternity action is one of the biological parents. If another party is attempting to attest to the conception of the child, it is based on information and belief and hearsay and is not a fact as they were not present with the biological parents at the time of conception. A nonbiological parent, grandmother, grandfather, child support representative, a foster care worker, etc., could not attest under penalty of perjury to the sexual intercourse between the biological parents, the exclusivity of the relationship between the biological parents, or other intimate details presumably known only to the biological parents. If a nonbiological parent or entity were to attest to sexual intercourse between the biological parents, a challenge could occur (and has occurred in Illinois) regarding the actual knowledge and legal validity of what the nonbiological parent or entity has stated.
 - b. If it is the opinion of OCSE that the form should remain in its current state allowing another party to attest to the conception and parentage of the child, it would seem that an option for "Don't Know" or "Not applicable" should be added to section II., 1., c., d., e., f., g., h., i., k., l., m., n.
3. Uniform Support Petition (note, our comments on the USP are substantively similar to those made regarding the Declaration in Support of Establishing Parentage)
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- b. It is our opinion that the signatory for the USP should be the same as the person who signed any underlying document, as multiple signatories could prove problematic in any contested case.

If there are any questions regarding any of our above comments, please contact me via telephone at 217-524-4610 or email at Bryan.Tribble@illinois.gov.

Sincerely,



Bryan Tribble
Manager of Policy - Bureau of Policy and Program Support
Illinois Department of Healthcare and Family Services
Division of Child Support Services
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