

**Rule 100.13. Definitions. For purposes of these rules, the following terms shall have the following meanings:**

(a) “Act” shall mean the Expedited Child Support Act of 1990.

(b) “Administrative hearing officer” shall mean the person employed by the chief judge of the circuit court of each circuit, county, multicounty area or multicircuit area establishing an expedited child support system for the purpose of hearing child support and parentage matters and recommending orders.

(c) “Expedited child support hearing” shall mean a hearing before an administrative hearing officer pursuant to the Act and these rules.

(d) “Plan” shall mean the plan submitted by the chief judge of a judicial circuit to the Supreme Court for the creation of an expedited child support system in such circuit pursuant to the Act and these rules.

(e) “System” shall mean the procedures and personnel created by the Act and these rules for the expedited establishment, modification, and enforcement of child support orders, and for the expedited establishment of parentage.

(f) “IV-D program” shall mean the Child Support Enforcement Program established pursuant to Title IV, Part D, of the Social Security Act (42 U.S.C. §651 *et seq.*) as administered by the Illinois Department of Public Aid.

Adopted April 1, 1992, effective immediately.

Committee Comments

Rule 100.1 Implementation of Expedited Child Support System

Rule 100.1 provides for the creation of an Expedited Child Support System in judicial circuits. It specifies that each judicial circuit which elects to create such a System must submit a Plan of Implementation to the Supreme Court for approval, identifies the matters which must be set forth in the Plan, and provides for Supreme Court review and approval. The rule addresses the availability of the System to various classes of participants, the use of demonstration programs, and funding of Systems. The rule makes judicial circuits responsible for administration of the System and reporting of data relative to the System. The rule also provides for the establishment of local rules to accompany these rules and specifies those other rules, acts and codes which apply to the conduct of the System.

Rule 100.2. Appointment, Qualification and Compensation of Administrative Hearing Officers

Rule 100.2 provides for the appointment, qualification, disqualification and compensation of administrative hearing officers. The rule specifies that administrative hearing officers take an oath of office and conduct hearings according to applicable disciplinary rules.

Rule 100.3. Actions Subject to Expedited Child Support Hearings

Rule 100.3 lists those actions which are eligible to be heard by an administrative hearing officer if so specified in the judicial circuit’s Plan of Implementation.

#### Rule 100.4. Authority of Administrative Hearing Officers

Rule 100.4 specifies the powers of administrative hearing officers relative to the conduct of child support hearings, management of discovery, authority over parties, and resolution of matters.

#### Rule 100.5. Blood Tests

Rule 100.5 provides the administrative hearing officers with authority to recommend submission to blood tests. The rule provides for the admissibility of blood test results, a party's objections to matters involving blood tests, the evidentiary value of blood tests and the cost of blood tests in matters before an administrative hearing officer.

#### Rule 100.6. Scheduling of Hearings

Rule 100.6 sets forth the procedure for assignment of a hearing date before an administrative hearing officer, the time period in which a hearing must be held, and the procedure for providing notice to the responding party.

#### Rule 100.7. Conduct of the Hearings

Rule 100.7 governs the conduct of expedited child support hearings and specifies that the rules of evidence apply to such hearings. The rule prescribes the circumstances under which certain specified documents are presumptively admissible in evidence. The rule sets forth the procedure for offering expert testimony and a party's right to subpoena the maker of admissible documents and to cross-examine parties and their agents. The rule also provides for compelling the appearance of a witness at an expedited child support hearing.

#### Rule 100.8. Absence of Party at Hearing

Rule 100.8 governs the conduct of the expedited child support hearing in the absence of a party, the service of the recommended order and notice upon an absent party, and the filing of objections by an absent party.

#### Rule 100.9. Transfers for Judicial Hearings

Rule 100.9 lists those matters which must be transferred to a judge for a judicial hearing or court order.

#### Rule 100.10. Submission of Recommendations to the Court

Rule 100.10 sets forth the procedure for submission of recommendations to a judge upon acceptance of a recommended order by both parties, and the presentation of the recommended order and of a written notice of the right to a judicial hearing to each party. The rule sets forth the procedure for scheduling a judicial hearing upon rejection of the recommended order by either

party, notice to the parties of such hearing, and transmittal to the judge of a written statement indicating the issues to which the parties agree and those to which they disagree and of all documentary evidence presented at the expedited child support hearing.

#### Rule 100.11. Authority Retained by the Court

Rule 100.11 sets forth the judge's authority to review recommendations of administrative hearing officers, to conduct judicial hearings, to hear contested parentage actions, to issue special orders and to impose sanctions.

#### Rule 100.12. Judicial Hearings

Rule 100.12 governs the procedure whereby a judge reviews recommended orders and enters judicial orders based thereon. The rule sets forth the conduct of further judicial hearings and the resolution of contested matters. The rule also provides for the presentation of orders to the parties.

#### Rule 100.13. Definitions

Rule 100.13 defines certain terms, in accordance with the Expedited Child Support Act, as used throughout the Expedited Child Support Rules.