

# Press Release



FROM THE OFFICE OF STATE REPRESENTATIVE LA SHAWN K. FORD

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## **LAWMAKER FILES BILL TO END 9% INTEREST ON CHILD SUPPORT**

*Note to media: Facebook Live on this subject with Rep. Ford and Mr. Leving is [here](#).*

CHICAGO – State Rep. **LaShawn K. Ford** (D-Chicago) announced today that he has filed legislation to eliminate interest on child support arrearages. By state law, arrearages are currently subject to interest of 9%. [H.B. 5811](#) would strike the statutory language that imposes interest.

“We are trying to get hard-working child support payers current, and adding interest, especially at this rate, keeps child support payers behind,” Ford said at a press conference in Chicago. “With COVID-19, people are out of work or have had their hours cut back. Times are tough for many child support payers. We don’t want to compound the problem by adding interest.”

Ford also addressed the need to remove impediments to children benefitting from both of their parents. “We want to make sure children have a relationship with fit parents. If we want to combat the violence in our state, our laws must favor a healthy co-parent relationship, not an antagonistic one,” he said.

Ford has been reforming the child support system during all his 13 years in Springfield.

Ford was joined by attorney **Jeffery M. Leving**, a Fathers’ Rights advocate and founder of the Fatherhood Educational Institute, who noted that the prime rate hasn’t been 9% since 2001. “There are 18 states, plus the District of Columbia, that do not charge interest on child support arrearages. Illinois shouldn’t either,” Leving said. “When custodial parents struggle with their responsibilities, we try to help them. But when child support payers struggle, we punish them. This is totally counterproductive.”

States that do not levy interest on child support arrearages are Connecticut, Delaware, Hawaii, Idaho, Indiana, Kansas, Louisiana, Maine, Maryland, Mississippi, Montana, New Hampshire, New Jersey, North Carolina, Pennsylvania, South Carolina, South Dakota and Utah. (SOURCE: National Council of State Legislators [www.ncsl.org/research/human-services/interest-on-child-support-arrears.aspx](http://www.ncsl.org/research/human-services/interest-on-child-support-arrears.aspx))

Only eight states charge a higher rate than Illinois.

“Many people assume that those who are delinquent in paying child support are jerks. The reality is that many can’t pay the bills for their basic necessities, and an emergency like a car repair or a broken refrigerator can upend their lives. These parents – primarily fathers – need our help, not punishment,” Leving said.

Ford and Leving also support other initiatives aimed at helping single and divorced fathers:

- **Repeal of Deadbeats Don’t Drive Act.** In 1996, Illinois passed what was known as the Deadbeats Don’t Drive Act, based on the assumption that parents who fall behind on child support are rich jerks who enjoy the cruelty of making the custodial parent suffer. In reality, child support payers – almost all of whom are fathers – sometimes just struggle to pay. Taking away a driver’s license is counterproductive, for child support payers who have to drive for work, or to get to work, especially in rural parts of the state where transit is not available. Driver’s licenses should not be suspended for any reason unrelated to driving. “We’re not trying to get ‘deadbeat dads’ off the hook. If anything, we’re trying to keep them on the hook by making it possible for them to work and earn a paycheck,” Leving said.
- **Child Support Accountability.** Illinois has statutes that establish how much a non-custodial parent must pay a custodial parent in child support, but there is nothing in the way of laws on how the child support can be spent. Child support-paying parents sometimes write checks for thousands each month to support their children, only to find that the kids are neglected, in terms of clothes and shoes, medical care, extracurricular school activities, sports equipment, books and so on. Child-support payers should be able to insist that their payments go to support their children, and get court-ordered relief if needed.
- **[H.B. 185](#)**, of which Ford is a sponsor, would start child custody hearing with the presumption that equal shared parenting is in the best interests of the children. Litigants from that point could present evidence why one or the other parent is more fit, less fit or unfit for parenting time, but the case would start with the equal parenting presumption. Under current law, there is no presumption.

Additional speaker at news conference: **James M. Hagler**, family law attorney and board member of the Fatherhood Educational Institute.