



Statement from Andrea Durbin, Chair of Pay Now Illinois
Coalition and CEO of Illinois Collaboration on Youth

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We are terribly disappointed in today's ruling from the Appellate Court.

The Appellate Court has directed providers to the Court of Claims for relief. This is at best a theoretical, not a practical remedy. Even prior to the destructive budget impasse, human service providers routinely waited years for a judgment, and then had to wait for a subsequent appropriation to be paid. This process could literally take three, four, or even five years. When providers are due payment for service from an entire year or more, waiting for half a decade for payment does nothing to help providers meet payroll and pay their bills today. Further, the Court of Claims is in no way equipped to handle the massive filings that would result if all providers and vendors who are owed money from the State of Illinois sought relief through this means.

Providers contemplating contracts for FY18 should consider the state of affairs as it exists today. We have no budget for FY17 or FY18, the partisan warfare continues in Springfield, and at this point we have a total breakdown in the functioning of our state. This decision helps to remove some of the uncertainty that providers have faced over the past two years.

Pay Now Illinois still has a case pending in St. Clair County. We expect a decision shortly and certainly hope for a different outcome. We will also evaluate our next steps as a coalition; we have tried to go directly to the Illinois Supreme Court before and will consider whether to pursue that option again.

The real losers from today's decision are the children, youth, families, and communities we serve – the elderly, the disabled, the homeless, people with mental health needs, or people who are addicted, victims of sexual assault or domestic violence, youth who run away from home or who are in trouble with the law – as well as the hundreds and thousands of employees who come to work each day trying to keep people safe, healthy, and able to achieve their potential. No one should rejoice in this decision.