

HOW TO GET A DIVORCE (NO CHILDREN)

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WARNING:

You cannot use this guide and the forms unless you have an address for your spouse or partner.

This guide gives general instructions on how to complete a simple divorce case.

It cannot and does not cover everything that might happen in a divorce case. If you do not understand whether these instructions apply to your case, you should speak with a lawyer.

How divorce cases are handled by a judge can vary from county to county.

There may be requirements in your county that are not covered in these instructions. Ask the Circuit Clerk if your county has local rules and, if so, where you can get a copy.

INTRODUCTION TO GETTING A DIVORCE IN ILLINOIS (NO CHILDREN)

These instructions apply to marriages and civil unions. If the instructions say:

- "marriage" it also means "civil union"; AND
- "spouse" it also means "partner."

Can I ask the court for a divorce in Illinois?

You can ask for a divorce if:

- You are married;
- You or your spouse has lived in Illinois for at least 90 days; AND
- There is no other divorce case already filed and still pending anywhere else (not dismissed).

NOTE: If your spouse is on active military service, you can ask for a divorce, but the court might not be able to give you a divorce.

What forms do I need to ask the court for a divorce?

Below are some of the common forms used in divorce cases. Depending on your specific situation, you may not need all of the forms listed or you may need other forms not listed here.

- **Petition for Dissolution of Marriage/Civil Union (Divorce No Children):** asks the court for a divorce and gives information needed to begin a divorce case.
- **Certificate of Dissolution of Marriage*:** lists information about your case that is sent to the Illinois Department of Public Health after your divorce is final.
- **Summons:** tells your spouse that you are asking the court for a divorce.
- **Entry of Appearance:** is completed by your spouse to tell the court that they do not need to receive a *Summons*.
- **Judgment of Dissolution of Marriage/Civil Union (Divorce No Children):** is used by the judge to grant or deny your divorce. If granted, the *Judgment* will also divide property, assign debt, and determine whether spousal support will be paid.

Where can I find the forms I need?

*You can get the Certificate of Dissolution of Marriage at the Circuit Clerk's office.

You can find the rest of the forms at:

<http://www.illinoiscourts.gov/Forms/approved/>.

What information will help me fill out the court forms?

- Date you were married;
- Date you were physically separated;
- City, county, state, and country where you were married;
- Current home address for your spouse or other address where your spouse can be found;
- List of all personal property, including bank accounts that you and your spouse own together or separately;
- List of all real estate that you and your spouse have an interest in together or separately own (with or without a mortgage), purchasing contract for deed, etc.;
- List of all claims for money for injuries or damages that you or your spouse have suffered;
- List of all pension and retirement accounts that you or your spouse have; AND
- List of all the debts that you and your spouse have made since you got married, together or separately.

What costs will I need to pay to ask the court for a divorce?

- **Filing Fee:** to file your forms with the Circuit Clerk of the Circuit Court in the county where you are filing your divorce.
- **Service Fee:** to serve the *Summons* on your spouse.
- **Certified Copy Fee (optional):** to get certified copies of the *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)*.
- **Transcript Fee:** to get a written recording of your divorce court hearing. Some counties require this.

What if I cannot afford to pay the costs?

- If you cannot afford to pay the fees, you can ask the court to file for free. Fill out the *Application for Waiver of Court Fees* to ask the court for a fee waiver. This is a separate set of forms you can find at: <http://www.illinoiscourts.gov/Forms/approved/>.

Who will assist me during my divorce case?

- **Circuit Clerk:** The Circuit Clerk will accept your divorce forms, collect fees for filing your divorce case, and help schedule a court date. The Circuit Clerk cannot give you legal advice.
- **Sheriff:** you will ask the sheriff in the county where your spouse lives to serve a *Summons* on your spouse.
- **Judge:** you will see and speak to the judge at your court dates. The judge will decide whether you get a divorce. The judge cannot give you legal advice.

When will I be divorced?

You are divorced when the judge signs the *Judgment for Dissolution of Marriage/Civil Union (Divorce No Children)*.

STEP 1: COMPLETE FORMS.

A. *Petition for Dissolution of Marriage/Civil Union (Divorce No Children)*

To help you fill out the form, the *Petition* has line-by-line instructions on the left-side of the form. Below is more helpful information.

Section 5(e): Reason for Divorce

All divorces are granted because of irreconcilable differences.

- **Irreconcilable Differences:** means you and your spouse do not get along anymore and you do not want to be married.
- If you have been separated 6 months or more, tell this to the judge.
- If you have been separated less than 6 months you will have to show the judge that you and your spouse:
 - Separated because you cannot get along anymore; AND
 - Tried to fix the problems in your marriage, but could not, or the problems are so bad that trying to fix them is not best for your family.

Section 7: Debts

You must tell the court if you and your spouse have debts from the marriage that are still owed. If you and your spouse cannot agree on how to divide the debt, the judge will decide who is responsible for each debt.

Sections 8, 9, 10 & 11: Personal Property, Real Estate Pension/Retirement Accounts & Money Claims

You must tell the court if you and your spouse own personal property (clothing/furniture), real estate, pension/retirement accounts, or money claims. If you and your spouse cannot agree on how to divide the property, the judge will decide who gets the property.

Section 12: Maintenance/Spousal Support

Maintenance/ spousal support is money paid from one spouse to the other on a regular basis.

- To get maintenance/spousal support you must show the court there is a good reason such as a long marriage, poor health, or an inability to support yourself.
- The judge is not required to order maintenance/spousal support.

Section G: Former Name

You must tell the court if you want to go back to using a former name.

- The judge can allow you to return to any name you have used before.

- The judge cannot allow you to begin using a new name you have never used before.
- If you want to use a name you have never used before you will have to start a separate court case by filing a *Request for Name Change (Adult)*. You can find the forms at:
<http://www.illinoiscourts.gov/Forms/approved/>.

B. Certificate of Dissolution of Marriage

You must complete this form and file it with the Circuit Clerk.

- Get this form from the Circuit Clerk.
- If you are representing yourself you will leave box 17 blank.
- Boxes 18 and 19 are for the Circuit Clerk to complete so leave those blank.

C. Notice Form

Complete one of these forms:

1. **Summons:** use this if you are going to have the sheriff serve a copy of your forms on your spouse; OR
2. **Entry of Appearance:** use this if your spouse agrees that the sheriff does not have to serve them with a copy of your forms.

You can find these forms at:

<http://www.illinoiscourts.gov/Forms/approved/>.

STEP 2: WHAT DO I DO AFTER I FILL OUT MY FORMS?

File your forms with the Circuit Clerk in the county where your court case should be filed.

- File your case in the county you live in or the county your spouse lives in.
- If you are an inmate in a prison or jail and don't have an attorney, you may file your forms by mail. Otherwise, you must electronically file (e-file) your forms.
- If you are unable to e-file for other reasons, you can ask the court to file by mail or in person. To ask the court for approval to file this way, you can use the *Certification for Exemption from E-Filing* form found here:
<http://www.illinoiscourts.gov/Forms/approved/default.asp>.
- To e-file, create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to select a service provider. Some service providers are free, while others charge a processing fee. For instructions on how to e-file for free with Odyssey eFileIL, see *Odyssey File & Serve: Individual Filer User Guide* here:
<https://tylertech.egain.cloud/kb/ih5/content/PROD-16579/HTML-5-Individual-Filer-User-Guide-20170>

- If you do not have access to a computer, or if you need help e-filing, take your forms to the Circuit Clerk's office, where you can use a public computer to e-file your forms. You can bring your paper *Application*, or bring them saved on a flash drive. The terminal will have a scanner and computer that you can use to scan, save, and e-file your forms.

Serve your spouse with copies of your *Petition for Dissolution of Marriage/Civil Union (Divorce No Children) and Summons*.

- If your spouse signs an *Entry of Appearance*, you do not have to have your spouse served by the sheriff. You are ready to get a court date (skip to "Ask for a court date" below).
- If your spouse did not sign an *Entry of Appearance*, then staple the *Summons* to the front of the copy of *Petition* that will go to your spouse.
- In person or by mail, ask the sheriff in the county where the case was filed to serve your *Summons* and your *Petition* on your spouse.
- In Person
 - Bring 2 copies of your *Summons* and your *Petition* to the sheriff's office.
 - Pay the sheriff's fees OR give the sheriff a copy of your *Order for Waiver of Court Fees* (if you have one) to not be charged a fee.
- By Mail
 - Mail 2 copies of your *Summons* and your *Petition* to the sheriff's office.
 - Include the *Letter to the Sheriff* found at: <http://www.illinoiscourts.gov/Forms/approved/>.
 - Include a self-addressed and stamped envelope for the sheriff to mail the *Return of Service* to you.
 - Pay the sheriff's fees OR mail the sheriff a copy of your *Order for Waiver of Court Fees* (if you have one) to not be charged a fee.
- If your spouse does NOT live in the same county or state where the case was filed:
 - Get the name, address, and telephone number of the sheriff for the county or the state where your spouse lives.
 - Call the sheriff in that county to find out:
 - If it is the correct sheriff's department for the address where you want your spouse served;
 - The address where you should bring or mail your *Summons* and *Petition*;
 - The number of copies of your *Summons* and *Petition* to bring or send; AND
 - The sheriff's fees for service and if they will honor your *Order for Waiver of Court Fees* (if you have one). If the sheriff is in Illinois, the sheriff must honor the fee waiver.

Confirm the sheriff served your *Petition* on your spouse.

- After the sheriff serves your spouse with your *Petition*, they will fill out the *Return of Service* section of your *Summons* form and file it with the Circuit Clerk or mail it to you.
- If the sheriff files the *Summons* with the completed *Return of Service* directly with the Circuit Clerk, call the Circuit Clerk to find out if it has been filed. If it has been filed, ask the Circuit Clerk how to get a copy.
- If the sheriff mails the *Summons* with the completed *Return of Service* to you, make a copy for yourself, file the original with the Circuit Clerk, and have the Clerk file stamp your copy.
- If the sheriff was not able to serve your spouse, ask them why. You should try to fix the problem and then fill out another *Summons* and ask the sheriff to try to serve your spouse again.

Wait for your spouse to file a response with the Circuit Clerk.

- Once the sheriff serves your forms on your spouse, your spouse has 30 days to file an *Appearance* and a response with the Circuit Clerk.
- If you do not get a copy of your spouse's *Appearance* and response within the 30 days, call the Circuit Clerk to ask if there is an *Appearance* and response in the file. If there is, ask the Circuit Clerk to send you a copy or go to the Circuit Clerk's office to pick it up.
- If your spouse files an *Appearance* and response, you may then get a court date from the Circuit Clerk.
- After the 30 days from the date of service, you may get a court date from the Circuit Clerk whether or not your spouse filed an *Appearance* and response.

Ask for a court date.

- Ask the Circuit Clerk if you have to schedule a court date or if one will be scheduled automatically.
- If you need to schedule the court date, ask the Circuit Clerk how to do so. The Circuit Clerk may schedule the court date or you may have to speak with other court staff.
- When you get your court date, ask if the court will send notice of the hearing to your spouse or if you need to.
- If you need to send notice, complete a Notice of Court Date.

STEP 3: HOW TO GET READY FOR COURT AND PRESENT YOUR CASE TO THE JUDGE.

Follow the instructions in **Part A** if you and your spouse agree on all issues and your spouse will attend the court date with you.

Follow the instructions in **Part B** if you and your spouse do not agree on all issues. This includes cases where your spouse has not filed an *Appearance* or response in the case and may not appear at the court date.

A. AGREEMENT

Get ready for your court date.

- Decide and write down all the things you and your spouse have agreed on including:
 - What property will be awarded to each of you;
 - Who will be responsible for each of the debts; AND
 - Whether either of you will receive maintenance and how much.
- Follow the instructions on the *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)* to complete only those sections you can fill out in advance.

Go to your court date.

- You should have either received a court date and time from the Circuit Clerk in person OR on a written notice from the Circuit Clerk. If you cannot find your court date and time, call the Circuit Clerk.
- Bring these items with you to court:
 - Copies of all the documents you filed with the Circuit Clerk; AND
 - A *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)*.
- Get to the courthouse at least 30 minutes early.
- Go to the courtroom number listed on your court form. If your forms do not have a courtroom number look for a list of cases at the courthouse or ask the Circuit Clerk.
- Check in with the courtroom staff and wait for your name and case number to be called.
- When your case is called, walk to the judge and introduce yourself.

Present your case to the judge.

- Give the judge your prepared *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)*.
- Tell the judge you and your spouse have an agreement and the details of that agreement.
- If the judge approves your agreement, the *Judgment* will be signed.
 - Get a copy of the *Judgment* that was entered by the judge.

B. NO AGREEMENT

Get ready for your court date.

- Decide and write down:
 - What you want to ask the judge to do for you;
 - What you will say to the judge if asked to tell your side of the case; AND
 - Questions you have for witnesses, if there are any.
- Gather and make copies of pictures and documents you want the judge to see. Bring the original for the judge and one copy for you and your spouse in the case.
- If you want the judge to hear from other people, those people will have to come to court and be witnesses (*in most cases, you cannot bring in written statements of witnesses*).
- Follow the instructions on the *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)* to complete only those sections you can fill out in advance.

Go to your court date.

- You should have either received a court date and time from the Circuit Clerk in person OR on a written notice from your spouse or Circuit Clerk. If you cannot find your court date and time, call the Circuit Clerk.
- Bring these items with you to court:
 - Copies of all the documents you filed with the Circuit Clerk;
 - Any witnesses you want to testify and any documents you want the judge to look at; AND
 - A *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)*.
- Get to the courthouse at least 30 minutes early.
- Go to the courtroom number listed on your court form. If your forms do not have a courtroom number look for a list of cases at the courthouse or ask the Circuit Clerk.
- Check in with the courtroom staff and wait for your name and case number to be called.
- When your case is called, walk to the judge and introduce yourself.

Present your case to the judge.

1. If your spouse does not come to court.

- Give the judge your prepared *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)*.
- Tell the judge what you want ordered in the *Judgment*.
- Tell the judge if you have documents to present or witnesses to testify.
- The judge will decide if documents and witnesses are necessary.
- The judge might ask you questions rather than look at documents and listen to witnesses.
- If the judge gives you the divorce, the *Judgment* will be signed.
 - Get a copy of the *Judgment* that was entered by the judge.

- If your spouse was not in court to get a copy, you must send them a copy by 5:00 p.m. on the date you get the *Judgment*. Fill out and file a *Proof of Delivery* court form with the Circuit Clerk to show that you sent the copy. You can find the *Proof of Delivery* at:
<http://www.illinoiscourts.gov/Forms/approved/>.

- If the judge has enough information, the judge may decide right then and fill out the *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)*.
 - Get a copy of the *Judgment* that was entered by the judge.

STEP 4: WHAT DO I DO AFTER THE COURT DATE?

1. If you got permission to go back to a former name, ask the Circuit Clerk to certify your copy of the *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)*. There may be a fee for this.
2. The Secretary of State and Social Security Administration will want to see a certified copy of the judgment before changing your name in their records.
3. Keep your copies of all of your court papers in a safe place. If you lose any court papers that were filed with the Circuit Clerk, you can get another copy there. There may be a charge for those copies.
4. In Cook County, and in some other counties, the judge may ask you to get a transcript of the court hearing from the court reporter for the court file. Some judges will not sign your *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)* until you return the transcript to the court.
5. In Cook County, if the judge orders you to get a transcript follow these steps:
 - a. If you have a fee waiver, ask the judge to enter an Order for Free Transcript;
 - b. Call the court reporter's office at (312) 603-8405 to make sure the transcript is ready; if you do not have the Order for Free Transcript, ask what you will be charged for the transcript;
 - c. When the transcript is ready, pick it up at 69 W. Washington St., 9th Floor, Chicago; you will need to bring the Order for Free Transcript or pay the transcript fee; AND
 - d. Sign the last page of the transcript and return it to the judge's clerk in the courtroom where you got the divorce.
6. In other counties, if the judge orders you to get a transcript speak with the Circuit Clerk for more information about how to do that.
7. Send a copy of the *Judgment* to your spouse either by hand or by mail and file a *Proof of Delivery* with the Circuit Clerk. You can find the *Proof of Delivery* at:
<http://www.illinoiscourts.gov/Forms/approved/>.

2. If your spouse comes to court.

- Tell the judge your side of the case and answer questions.
- Show evidence including documents and photos.
- Give a copy to the judge and a copy to your spouse. Be prepared to explain why the document or photo is important.
- Question witnesses.
 - Tell the judge the name of your witnesses.
 - Ask the witnesses questions you prepared in advance.
 - The judge and your spouse can ask questions of your witnesses when you are done.
- The judge decides whether the documents, photos, or witness testimony can be considered in making a decision about your case.
- Tell the judge you have brought a *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)*.

What do I do when my spouse presents their case? (If your spouse does not appear for the court date, this part will not happen.)

- Your spouse will also get to present their case by testifying, giving the judge evidence, and questioning witnesses.
- You will get to see any documents and photos your spouse brings to court. If you do not think the judge should consider them in making a decision about your case, tell the judge why.
- You may ask questions of your spouse's witnesses. Write down your questions while they are speaking to your spouse or judge.

What happens after both sides present their case? (If your spouse does not appear for the court date, this will happen after you present your case to the judge.)

- The judge has to make a decision. The decision is called the *Judgment of Dissolution of Marriage/Civil Union (Divorce No Children)*.
- If the judge needs more information to make a decision, the judge may set up another court date. Make sure you understand what information is needed and get it before the new court date.
- If the judge needs more time to make a decision, the judge will let you know the decision later by mailing a court order or at another court date.

STATE OF ILLINOIS, CIRCUIT COURT COUNTY _____	PETITION FOR DISSOLUTION OF MARRIAGE / CIVIL UNION (DIVORCE NO CHILDREN)	For Court Use Only Case Number _____
Instructions ▼ Directly above, enter county where you will file this case. Enter your name as Petitioner. Enter the name of your spouse/partner as Respondent. The Circuit Clerk will add a Case Number.	Petitioner (First, middle, last name) _____ v. Respondent (First, middle, last name) _____	

Read the *How to Get a Divorce (No Children)* for definitions and how to go court.

In 2a, if you check "Yes," enter the date you started living in Illinois.

In 2b, if you check "Yes," enter the date the Respondent started living in Illinois.

In 3a, enter your age.

In 3b, check all boxes that apply to you. If you are employed, enter your job title.

In 3c, if you want to go back to a former name, check "Yes" and enter that name.

In 4a, enter the Respondent's age.

In 4b, check the box that applies. If you check "Yes," enter the Respondent's current complete address. If you check "No," you must have tried to find Respondent's address.

In 4c, check all boxes that apply to the Respondent. If the Respondent is employed, enter his/her job title.

- 1. I am the Petitioner in this case.**

- 2. I am providing the following information about where I live and where the Respondent (my spouse/partner) lives:**
 - a. I live in Illinois:
 Yes, since: _____
 No

Date

 - b. Respondent lives in Illinois:
 Yes, since: _____
 No
 Do not know

Date

- 3. I am providing the following information about myself:**
 - a. Age: _____

 - b. I am employed (check all that apply):
 Yes
 No
 I receive Social Security benefits

 I am employed as: _____

Job Title

 - c. I would like to go back to using my maiden or a former name:
 Yes
 No

 Former Last Name: _____

Last

- 4. I am providing the following information about the Respondent (my spouse/partner):**
 - a. Age: _____

 - b. I know the Respondent's current address:
 Yes
Address: _____

Street, Apt #
City
State
ZIP

 No, but I tried to find the Respondent and could not find his/her current address.

 - c. The Respondent is employed (check all that apply):
 Yes
 No
 Do not know

 Respondent receives Social Security benefits

 The Respondent is employed as: _____

Job Title

In 4d, check the box that applies.
If the Respondent is on active duty with the military, you cannot use this form, unless the Respondent files an appearance.

In 5, check whether it is a marriage or civil union.

In 5a, enter the date you were married/united.

In 5b, enter the county, state, and country where the marriage/civil union happened.

In 5c, check "Yes" if this is the first time you or Respondent have filed for divorce from each other.

In 5d, enter the date you separated.

In 7a, check "Yes" if you or the Respondent have unpaid debts from after the date of the marriage/civil union. Check "No" only if you are sure there are no unpaid debts.

In 8a, check "Yes" if either of you got any personal property (clothing, car, furniture, etc.) after the date of the marriage/civil union. Check "No" only if you are sure there is no personal property.

In 9a, check "Yes" if together you and the Respondent own a home, have a mortgage, or have a contract for deed.

In 9b, check "Yes" if you own a home, have a mortgage, or have a contract for deed.

In 9c, check "Yes" if the Respondent owns a home, has a mortgage, or has a contract for deed.

In 10a, check the box that applies to you.

In 10b, check the box that applies to the Respondent

d. The Respondent is currently on active duty as a member of the Armed Forces of the United States of America:

Yes No Do not know

5. I am providing the following information about the Marriage Civil Union:

a. We were married/united on: _____
Date

b. We were married/united in: _____
County State Country

c. This is the first time that either the Respondent or I have filed for divorce from each other in Illinois or any other state:

Yes No

d. We have been separated since: _____
Date

e. Irreconcilable differences have caused the irretrievable breakdown of the marriage or civil union.

6. No children were born or adopted during this marriage/civil union and neither party is pregnant.

7. I am providing the following information about the debts that the Respondent and I have after the date we got married/united (both individually and as a couple):

a. The Respondent and I have debts we got after the date of our marriage/civil union that are still owed (either together or individually):

Yes No

8. I am providing the following information about the personal property including bank accounts that the Respondent and I own (both individually and as a couple):

a. The Respondent and I own personal property and/or bank accounts obtained during the marriage/civil union:

Yes No

9. I am providing the following information about real estate:

a. The Respondent and I own or are buying real estate together:

Yes No

b. I own or am buying real estate separately:

Yes No

c. The Respondent owns or is buying real estate separately:

Yes No Do not know

10. I am providing the following information about pension/retirement accounts:

a. I have pension or retirement accounts:

Yes No

b. The Respondent has pension or retirement accounts:

Yes No Do not know

In 11, check yes if you have any claims that you are owed for money damages or injuries, whether you have filed the case or not.

11. I have a claim for money for injuries or damages that I have suffered (worker's compensation, personal injury, accident, etc.)

Yes No

In 12a, check "Yes" if you can support yourself. Check "No" if you need support from the Respondent.

12. I am providing the following information about maintenance/spousal support:

a. I am able to support myself without maintenance/spousal support:

Yes No

b. Respondent is able to support himself/herself without maintenance or spousal support:

Yes No Do not know

In 12b, check "Yes" if the Respondent can support himself/herself. Otherwise check "No" or "Do not know."

I ASK THE COURT TO ORDER:

A. A Judgment of Dissolution of Marriage/Civil Union (Divorce No Children) for me and my spouse/partner.

B. That I get to keep all of my non-marital/non-civil union property.

C. That the Respondent gets to keep all of his/her non-marital/non-civil union property.

D. A fair division of the marital/civil union property.

E. A fair division of the debts obtained during the marriage/civil union.

F. That maintenance/spousal support be awarded to:

Me Respondent Neither

G. That after the divorce I be allowed to return to using my former name:

Yes No Not applicable

In F, check "Me" if you want to get spousal support from the Respondent; check "Respondent" if you want to pay spousal support to the Respondent; or check "Neither" if you do not want to get or pay spousal support.

In G, check "Yes" if you want to go back to using a former name.

I certify that everything in the *Petition For Dissolution Of Marriage / Civil Union (Divorce No Children)* is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

/s/ Your Signature

Street Address

Print Your Name

City, State, ZIP

Email

Telephone

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign and print your name.

Enter your complete address, telephone number, and email address, if you have one. If you need to keep your address secret from your spouse because of domestic violence, you may use another address. That address must be one at which you can receive mail about the case.

GETTING COURT DOCUMENTS BY EMAIL: You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information, notice of court dates, or documents from other parties.

STATE OF ILLINOIS, CIRCUIT COURT COUNTY _____	JUDGMENT OF DISSOLUTION OF MARRIAGE / CIVIL UNION (DIVORCE NO CHILDREN)	<i>For Court Use Only</i>
Instructions ▼ Directly above, enter the county where you filed this case. Enter your name as Petitioner. Enter the name of your spouse/partner as Respondent. Enter the Case Number given by the Circuit Clerk.	_____ Petitioner (<i>First, middle, last name</i>) v. _____ Respondent (<i>First, middle, last name</i>)	_____ Case Number

- DO NOT** complete this section. The judge will complete it at the court date.
- DO NOT** complete 1a and 1b. The judge will complete them at the court date.
- DO NOT** complete 2a and 2b. The judge will complete them at the court date.
- In 2c, check the box that applies to the Respondent. If the Respondent is on active duty, you cannot get a divorce unless the Respondent files an appearance.
- DO NOT** complete 3. The judge will complete it at the court date. The term "Parties" refers to the Petitioner and the Respondent.
- In 4a, check the box that applies to you.
- In 4b, check the box that applies to the Respondent.
- In 5, check whether it is a marriage or civil union.
- In 5a, enter the date you were married/united.
- In 5b, enter place the union took place.

A court date was held on the *Petition for Dissolution of Marriage/Civil Union* filed by the Petitioner. The court heard the testimony of Petitioner Respondent and considered all of the evidence and the relevant parts of the Illinois Marriage and Dissolution of Marriage Act (750 ILCS 5/101 *et seq.*).

The Court makes the following findings of fact:

- 1. Present in Court**
 - a. Petitioner appeared: Yes No
 represented by Attorney: _____
 - b. Respondent appeared: Yes No
 represented by Attorney: _____
- 2. Jurisdiction**
 - a. This court has jurisdiction of the subject matter and Petitioner Respondent
 - b. Respondent is in default: Yes No
 - c. Respondent is currently on active duty as a member of the Armed Forces of the United States of America: Yes No Unknown
- 3. Agreement**
 Parties are in agreement with the terms of this *Judgment*: Yes No
- 4. Residency Requirement**
 - a. Petitioner has been living in Illinois at least 90 days immediately preceding the filing of the *Petition* or immediately preceding the making of these findings: Yes No
 - b. Respondent has been living in Illinois at least 90 days immediately preceding the filing of the *Petition* or immediately preceding the making of these findings: Yes No
- 5. Information about the:** Marriage Civil Union
 - a. Parties were married/united on: _____
Date
 - b. Parties were married/united in: _____
County *State* *Country*

6. Grounds for Dissolution

Irreconcilable differences have caused the irretrievable breakdown of the marriage or civil union and efforts at reconciliation have failed or future attempts at reconciliation would be impracticable and not in the best interests of the family.

7. There are no children born or adopted of this marriage/civil union and neither party is pregnant.

8. Real Estate

a. Parties have an interest in real estate, which was obtained during the marriage/civil union:

Yes No

b. The address of the real estate is:

Street, Apt # *City* *State* *ZIP*

c. A legal description of the real estate is attached to this *Judgment*:

Yes No

d. Plaintiff or Respondent has an interest in non-marital real estate: Yes No

I have listed non-marital real estate on the attached *Non-Marital Real Estate* form.

9. Maintenance/Spousal Support

a. These parties have waived the right to maintenance/spousal support:

Petitioner Respondent

b. This party is entitled to maintenance/spousal support:

Petitioner Respondent Neither party

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

A. The parties are awarded a *Judgment of Dissolution of Marriage/Civil Union* and the bonds of matrimony/civil union existing between Petitioner and Respondent are hereby dissolved.

B. Debts and Liabilities

Each party will be responsible for 50% of each joint debt. (*unless listed in the chart below*)

Each party will be responsible for all of the debts in their own name. (*unless listed in the chart below*)

These debts shall be paid by the parties as follows:

	Debt (Name of Creditor)	Amount Owed	To be paid by:		
			Petitioner	Respondent	Both Equally
1.		\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.		\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.		\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.		\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.		\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.		\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.		\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.		\$	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

There is an *Additional Debts & Liabilities* form attached: Yes No

DO NOT complete section 8a. The judge will complete it at the court date.

In 8b, enter the address of the real estate.

In 8c, check the box that applies. If you have a legal description of the real estate, attach it to this *Judgment*.

In 8d, check yes if either of you owned real estate before you were married/united. Complete and attach the *Non-Marital Real Estate* form.

DO NOT complete sections 9a and 9b. The judge will complete them at the court date.

In B, **DO NOT** check any boxes. The judge will check boxes at the court date.

Chart: DO fill in the name of creditor and amount owed for debts after the date of marriage/civil union in the chart. **DO NOT** check who is to pay the debt.

If you need more room to list debts check "Yes." Complete and attach the *Additional Debts & Liabilities* form.

Parties shall indemnify and hold the other party harmless for the debts they are assigned.

DO NOT complete C. The judge will complete it at the court date.

C. Pension and Retirement Accounts

- Each party is awarded the pension and retirement accounts in his/her own name.
- Petitioner is awarded _____ % of the marital/civil union portion of Respondent's pension/retirement accounts.
- Respondent is awarded _____ % of the marital/civil union portion of Petitioner's pension/retirement accounts.
- Petitioner Respondent shall prepare a Qualified Domestic Relations Order.
- Other orders: _____

DO NOT complete D. The judge will complete it at the court date.

D. Real Estate ("marital real estate" is an interest in real estate obtained during the marriage or civil union.)

- Petitioner Respondent is awarded the marital real estate and shall pay the other party \$ _____ for his/her interest in the real estate.
- The marital real estate shall be sold. The net proceeds of the sale (sale price minus costs of sale) shall be divided with Petitioner to receive _____ % Respondent to receive _____ %
- Until the marital real estate is sold, mortgage payments will be paid by Petitioner _____ % Respondent _____ %
- Until the marital real estate is sold, insurance will be paid by Petitioner _____ % Respondent _____ %
- Until the marital real estate is sold, cost of maintenance will be paid by Petitioner _____ % Respondent _____ %
- Petitioner Respondent is entitled to claim mortgage payments for federal and state tax purposes.
- Petitioner Respondent is entitled to claim property tax payments for federal and state tax purposes.
- Petitioner Respondent shall refinance the debt on the real estate to remove the other party from the obligation by: _____
Date
- Petitioner Respondent shall sign a quitclaim deed transferring his/her interest to the other party by: _____
Date
- Other orders: _____

In E, **DO NOT** check any boxes. The judge will check boxes at the court date.

E. Personal Property and Bank Accounts

- Parties shall keep the property and bank accounts in his/her own name or possession.
- Personal property of the marriage/civil union shall be divided as follows:

Chart: **DO** list the personal property obtained during the marriage/civil union in the chart. **DO NOT** check who gets the property.

Personal Property and Bank Accounts <i>(Be specific in your description of each piece of property)</i>		Property goes to:	
		Petitioner	Respondent
1.		<input type="checkbox"/>	<input type="checkbox"/>
2.		<input type="checkbox"/>	<input type="checkbox"/>
3.		<input type="checkbox"/>	<input type="checkbox"/>
4.		<input type="checkbox"/>	<input type="checkbox"/>

Enter the Case Number given by the Circuit Clerk: _____

5.		<input type="checkbox"/>	<input type="checkbox"/>
6.		<input type="checkbox"/>	<input type="checkbox"/>
7.		<input type="checkbox"/>	<input type="checkbox"/>
8.		<input type="checkbox"/>	<input type="checkbox"/>

There is an *Additional Personal Property & Bank Accounts* form attached: Yes No

If you need more room to list property check "Yes." Complete and attach the *Additional Personal Property & Bank Accounts* form.

- Any personal property exchange required by this order shall take place within 30 days of the date of this *Judgment*.
- Other orders: _____

DO NOT complete **F**. The judge will complete it at the court date.

F. Maintenance/Spousal Support

- Parties are forever barred from claiming maintenance/spousal support from the other.
- Petitioner shall pay to Respondent maintenance/spousal support in the amount of \$ _____ per _____ for the following period: _____ after which maintenance/spousal support shall be barred or _____
- Respondent shall pay to Petitioner maintenance/spousal support in the amount of \$ _____ per _____ for the following period: _____ after which maintenance/spousal support shall be barred or _____
- Other orders: _____

In **G**, if you or the Respondent want to go back to a former name, check the box and enter the former last name.

G. Former Name

- Petitioner is permitted to resume using the former last name of: _____
Former Last Name
- Respondent is permitted to resume using the former last name of: _____
Former Last Name

DO NOT complete **H**. The judge will complete it at the court date.

H. Other Relief

- None
- Relief as follows: _____

I. This court reserves jurisdiction over the parties and the subject matter for purposes of enforcing this *Judgment*.

DO NOT complete this section. The judge will sign and date here.

ENTERED:

Judge

Date

STATE OF ILLINOIS, CIRCUIT COURT	SUMMONS PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION	<i>For Court Use Only</i>
COUNTY		
Instructions ▼		
Directly above, enter the county where you filed this case.	_____ Petitioner <i>(First, middle, last name)</i>	
Enter your name as Petitioner.	v.	
Enter the name of your spouse/partner as Respondent.	_____ Respondent <i>(First, middle, last name)</i>	_____ Case Number
Enter the Case Number given by the Circuit Clerk.		

To Respondent:

_____ *Street, Apt #* _____ *City* _____ *State* _____ *Zip*

You are summoned and required to file an answer to the *Petition for Dissolution of Marriage/Civil Union* in this case, a copy of which is attached, or otherwise file your appearance in the office of the Clerk of this Court, _____ *County*

_____ Illinois, within 30 days after service of this *Summons*, not counting the day of service.

City

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE *PETITION*. YOU ARE FURTHER NOTIFIED THAT A DISSOLUTION ACTION STAY IS IN FULL FORCE AND EFFECT UPON SERVICE OF THIS *SUMMONS*. THE CONDITIONS OF THE STAY ARE SET FORTH ON PAGE 4 OF THIS *SUMMONS*. **ANY PERSON WHO FAILS TO OBEY THE DISSOLUTION ACTION STAY MAY BE SUBJECT TO PUNISHMENT FOR CONTEMPT.**

Attention: E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/faq/gethelp.asp> or talk with your local circuit clerk's office.

To the Officer: This *Summons* must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this *Summons* shall be returned so endorsed. This *Summons* may not be served later than 30 days after its date.

DO NOT complete.

(Seal of Court)

WITNESS _____

Signature

Clerk of the _____ Judicial Circuit, and the seal thereof, at _____ Illinois

Dated _____

Prepared by: _____

Street Address: _____

City, State, ZIP: _____

Phone Number: _____

Circuit Clerk

Date of Service: _____ , _____

Enter your name, address, and phone number. If you do not want your spouse to know your address because of domestic violence, you may use another address. That address must be one at which you can receive mail about the case.

DO NOT complete. The sheriff will complete this after serving *Summons*.

DO NOT complete.
The sheriff will
complete this after
serving *Summons*.

RETURN OF SERVICE

I certify that I served this *Summons* on Respondent as follows:

- By leaving a copy of the *Petition* with each individual personally;

- By leaving a copy of the *Petition* at the usual place of abode of the Respondent with a person of the Respondent's family or a person residing there, of the age of 13 years or upwards, informing that person of the contents of the *Summons* and also by sending a copy of the *Summons* in a sealed envelope with postage fully prepaid, addressed to the Respondent at the Respondent's place of abode;

OR

- Other service: _____

Name of Respondent: _____
First Middle Last

Name of Person *Summons* given to: _____
First Middle Last

Sex: _____ Race: _____ Approx. Age: _____

Place of Service: _____

Date of Service: _____ Time: _____

Date of Mailing: _____

_____, Sheriff of _____ County

By _____, Deputy

STATE OF ILLINOIS, CIRCUIT COURT		SUMMONS PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION (COPY FOR RESPONDENT)		For Court Use Only
COUNTY _____				
Instructions ▼				
Directly above, enter the county where you filed this case.				
Enter your name as Petitioner.	Petitioner (First, middle, last name) _____			
Enter the name of your spouse/partner as Respondent.	v. _____			
Enter the Case Number given by the Circuit Clerk.	Respondent (First, middle, last name) _____			Case Number _____

To Respondent:

Street, Apt # _____ City _____ State _____ Zip _____

You are summoned and required to file an answer to the *Petition for Dissolution of Marriage/Civil Union* in this case, a copy of which is attached, or otherwise file your appearance in the office of the Clerk of this Court, _____ County _____

Illinois, within 30 days after service of this *Summons*, not counting the day of service.

City _____

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE *PETITION*. YOU ARE FURTHER NOTIFIED THAT A DISSOLUTION ACTION STAY IS IN FULL FORCE AND EFFECT UPON SERVICE OF THIS *SUMMONS*. THE CONDITIONS OF THE STAY ARE SET FORTH ON PAGE 4 OF THIS *SUMMONS*. ANY PERSON WHO FAILS TO OBEY THE DISSOLUTION ACTION STAY MAY BE SUBJECT TO PUNISHMENT FOR CONTEMPT.

Attention: E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/faq/gethelp.asp> or talk with your local circuit clerk's office.

To the Officer: This *Summons* must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this *Summons* shall be returned so endorsed. This *Summons* may not be served later than 30 days after its date.

DO NOT complete.

(Seal of Court)

WITNESS _____
Signature

Clerk of the _____ Judicial Circuit, and the seal
thereof, at _____ Illinois

Dated _____

Enter your name, address, and phone number. If you do not want your spouse to know your address because of domestic violence, you may use another address. That address must be one at which you can receive mail about the case.

Prepared by: _____

Circuit Clerk

Street Address: _____

City, State, ZIP: _____

Phone Number: _____

DO NOT complete. The sheriff will complete this after serving *Summons*.

Date of Service: _____

CONDITIONS OF DISSOLUTION ACTION STAY

750 ILCS 5/501.1

- (a) Upon service of a summons and petition or praecipe filed under the Illinois Marriage and Dissolution of Marriage Act or upon the filing of the respondent's appearance in the proceeding, whichever first occurs, a dissolution action stay shall be in effect against both parties, without bond or further notice, until a final judgement is entered, the proceeding is dismissed, or until further order of the court:
- (1) restraining both parties from physically abusing, harassing, intimidating, striking, or interfering with the personal liberty of the other party or the minor children of either party;
and
 - (2) restraining both parties from concealing a minor child of either party from the child's other parent. The restraint provided in this subsection (a) does not operate to make unavailable any of the remedies provided in the Illinois Domestic Violence Act of 1986.
- (b) (Blank).
- (c) (Blank).
- (d) (Blank).
- (e) In a proceeding filed under this Act, the summons shall provide notice of the entry of the automatic dissolution action stay in a form as required by applicable rules.

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	ENTRY OF APPEARANCE (PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION)	<i>For Court Use Only</i>
Instructions ▼ Directly above, enter the county where this case was filed. Enter the name of the person who filed this case as Petitioner. Enter the name of the Respondent. Enter the Case Number given by the Circuit Clerk.	_____ Petitioner (<i>First, middle, last name</i>) v. _____ Respondent (<i>First, middle, last name</i>)	_____ Case Number

In 1, enter your full name.	1. I, _____, am the Respondent and enter my appearance in this case. <div style="text-align: center; margin-left: 100px;"> <i>First Middle Last</i> </div>
In 3, check "Yes" if you are currently on active duty in the military or were released or terminated from active duty in the last 90 days or "No" if you are not.	2. I want notice of any court dates in this case to be sent to me at the address below. 3. I am currently on active duty in the U.S. military or I was released or terminated from active duty within the last 90 days: <input type="checkbox"/> Yes <input type="checkbox"/> No

IMPORTANT: If you are currently on active duty with the U.S. Military you have important rights that you may be giving up by signing this document. See 50 USC §§ 3931 to 3938a for more information or contact the Illinois Armed Forces Legal Aid Network at 855-452-3526 to speak to an attorney.

Under the Code of Civil Procedure, <u>735 ILCS 5/1-109</u> , making a statement on this form that you know to be false is perjury, a Class 3 Felony.	<p style="text-align: center;">I certify that everything in the <i>Entry Of Appearance</i> is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under <u>735 ILCS 5/1-109</u>.</p>												
If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign and print your name.	<table style="width:100%; border: none;"> <tr> <td style="width:50%; border-bottom: 1px solid black; padding-bottom: 5px;"><i>/s/</i></td> <td style="width:50%; border-bottom: 1px solid black; padding-bottom: 5px;"></td> </tr> <tr> <td style="padding-top: 5px;"><i>Your Signature</i></td> <td style="padding-top: 5px;"><i>Street Address</i></td> </tr> <tr> <td style="border-bottom: 1px solid black; padding-bottom: 5px;"></td> <td style="border-bottom: 1px solid black; padding-bottom: 5px;"></td> </tr> <tr> <td style="padding-top: 5px;"><i>Print Your Name</i></td> <td style="padding-top: 5px;"><i>City, State, ZIP</i></td> </tr> <tr> <td style="border-bottom: 1px solid black; padding-bottom: 5px;"></td> <td style="border-bottom: 1px solid black; padding-bottom: 5px;"></td> </tr> <tr> <td></td> <td style="padding-top: 5px;"><i>Telephone</i></td> </tr> </table>	<i>/s/</i>		<i>Your Signature</i>	<i>Street Address</i>			<i>Print Your Name</i>	<i>City, State, ZIP</i>				<i>Telephone</i>
<i>/s/</i>													
<i>Your Signature</i>	<i>Street Address</i>												
<i>Print Your Name</i>	<i>City, State, ZIP</i>												
	<i>Telephone</i>												

Enter your complete current address and telephone number. If you need to keep your address secret from your spouse because of domestic violence, you may use another address. That address must be one at which you can receive mail about the case.	<p>GETTING COURT DOCUMENTS BY EMAIL: If you agree to receive court documents by email, check the box below and enter your email address. You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information or notice of court dates. Other parties may still send you court documents by mail.</p> <p><input type="checkbox"/> I agree to receive court documents at this email address during my entire case.</p> <p style="text-align: center;">_____</p> <p style="text-align: center;"><i>Email</i></p>
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