

HOW TO GET A DIVORCE (WITH CHILDREN)

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WARNING:

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

This guide will give you general instructions on how to complete a simple divorce case.

It cannot and does not try to 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 (WITH CHILDREN)

NOTE: If there are any words or terms used in these instructions that you do not understand, please visit Illinois Legal Aid Online at illinoislegalaid.org/lexicon/glossary. For more information about going to court including how to fill out and file forms, call or text Illinois Court Help at 833-411-1121 or go to ilcourthelp.gov.

These instructions apply to marriages and civil unions. Whenever the instructions say “marriage” it also means “civil union.”

Can I ask the court for a divorce in Illinois?

You can ask for a divorce if:

- You are married;
- You or your spouse have 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 divorce, but the court might not be able to give you a divorce. If your minor children have not lived in Illinois for at least 6 months, the court may not be able to decide on a parenting plan for the children.

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 with Children):** asks the court for a divorce and gives information needed to begin a divorce case. The email address (if you have one) and mailing address you put on the *Petition* is where important legal documents will be sent to you. 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.
- **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 or is completed by your spouse after being served by a *Summons*.

- **Judgment of Dissolution of Marriage/Civil Union (Divorce with 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 maintenance will be paid.
- **Parenting Plan:** lists who is responsible for decision making for the children and a schedule for when the children are with you and when they are with the other parent.
- **Certification of Agreement:** is used if you and your spouse have agreed on what will be in the *Judgment* and *Parenting Plan*
- **Qualified Domestic Relations Order (QDRO):** is used to divide a pension or retirement plan. You will need this if the Judge orders that a QDRO be prepared. There is no statewide form. Contact the Pension Plan Administrator and ask if they provide a form.

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 online at: illinoiscourts.gov/documents-and-forms/approved-forms

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 (with or without a mortgage), etc.;
- List of all pension and retirement accounts that you or your spouse have;
- List of all the debts that you and your spouse have made since you got married, together or separately;
- Full names and birthdates of children you have with your spouse, including any children that were adopted by both of you; AND
- Full names and birthdates of children that were born or adopted during the marriage, but only one of you is a parent or adoptive parent of these children.

Find Illinois Supreme Court approved forms at: illinoiscourts.gov/documents-and-forms/approved-forms.

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: If your divorce is granted and you need certified copies of the court order.
- Transcript Fee: In some counties, you may be ordered to get a transcript. A transcript is a written record of your divorce court date.

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 online at: illinoiscourts.gov/documents-and-forms/approved-forms

Do I have to take a Parenting Class?

Yes. There is a statewide requirement that parents complete a class about parenting and divorce as part of their divorce case. Ask the Circuit Clerk for information about completing this class. There is normally a fee for the class. If you have an *Order for Waiver of Court Fees* you do not have to pay the fee.

Who will assist me during my divorce case?

- Circuit Clerk: you will file your divorce forms with the 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 legal notice on your spouse.
 - The Sheriff's office is normally located in the county seat along with the county courthouse.
- Judge: You will see and speak to the judge at your court dates. The judge will listen to evidence from you and your spouse and then 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 of Dissolution of Marriage/Civil Union (Divorce With Children)*.

STEP 1: COMPLETE FORMS

A. *Petition for Dissolution of Marriage/Civil Union (Divorce With 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 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 6: Information About Children

You must give the court information about children who are and are not part of the marriage.

- **Section 6(c): Minor Children of the Marriage/Civil Union**
 - List children that under the age of 18 and were either born to or adopted by both of you.
 - The children could have been born or adopted before or during the marriage.
 - The court can decide decision-making and parenting time only for the children listed in Section 6(c).
 - The court can order support for the children listed in Section 6(c).
- **Section 6(f): Adult Children of the Marriage/Civil Union**
 - List children that are 18 years old or older and were either born to or adopted by both of you.
 - The children could have been born or adopted before or during the marriage.
 - The court can order support for the children listed in Section 6(f) only if they are still in high school or are disabled.
 - The court can order payment for educational expenses for children listed in Section 6(f) if they are in college or another type of education program.
- **Section 6(g): Children Not of the Marriage/Civil Union**
 - List children that:
 - You gave birth to, but your spouse is not the other parent;

- Your spouse gave birth to, but you are not the other parent;
- You adopted, but your spouse did not; OR
- Your spouse adopted, but you did not.
- The court cannot make decisions about decision-making, parenting time, or order support for the children listed in Section 6(g).

Section 7(c): Parenting Plan

A *Parenting Plan* contains information about who will make decisions for the children and a schedule for when the children are with each parent. If you have completed the *Parenting Plan* by the time you are ready to file your case, you can attach it to your *Petition for Dissolution of Marriage/Civil Union (Divorce with Children)*. If not, you must file it within 120 days of the date you file your *Petition*. Follow the instructions on the *Parenting Plan* for help in completing it.

Section 8: 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 9, 10, 11 & 12: 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, or pension/retirement accounts. If you and your spouse cannot agree on how to divide the property, the judge will decide who gets the property.

Section 13: Maintenance (also known as alimony)

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

- To get maintenance, 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.

Section J: 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.

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.
- You must file the *Petition for Dissolution of Marriage/Civil Union (Divorce with Children)* with the trial court by the filing deadline that applies to your case.
- You must electronically file (e-file) court documents unless (1) you are an inmate in a prison or jail and you do not have a lawyer, (2) you have a disability that keeps you from e-filing, or (3) you qualify for an exemption from e-filing.
 - You will qualify for an exemption if: (1) you do not have internet or computer access at home and it would be difficult for you to travel to a place where you could use a computer; (2) you have trouble reading or speaking in English, or (3) you tried to e-file your documents, but you were unable to complete the process because the equipment or assistance you need is not available.
 - If you qualify for an exemption, fill out a *Certification for Exemption from E-Filing* found here: <https://www.illinoiscourts.gov/documents-and-forms/approved-forms/>.
- File the original and 1 copy of your forms and the *Certification* with the trial court clerk's office in person or by mail.
- To e-file, create an account with an e-filing service provider. Visit 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 eFileLL, see the self-help user guides here: illinoiscourts.gov/self-help/how-to-e-file/.
- If you do not have access to a computer or if you need help e-filing, take your form to the Circuit Clerk's office where you can use a public computer terminal to e-file your forms.

Provide notice to your spouse.

There are 2 ways to give notice to your spouse:

1. Entry of appearance

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); OR

2. Serve your spouse with a *Summons* and *Petition*

If you and the person you're sending the *Summons* and *Petition* to have an email address, you must send them by email or by notification through the e-filing system. If you or the person you're sending the *Summons* and

Petition to does not have an email address, you may give them to the other party by personal hand delivery, mail, or third-party commercial carrier (for example, FedEx or UPS).

- Give the Circuit Clerk your *Summons* and they will issue it.
- Staple the *Summons* to the front of the copy of the *Petition* that will go to your spouse.
- Get the name, address, and telephone number of the Sheriff for the county and 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 cost of 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 waiver.
 - Anything else you need to do to get the *Summons* and *Petition* served on 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 the correct number of 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 the correct number of your *Summons* and your *Petition* to the Sheriff's office.
 - Include payment for the fees or your *Order for Waiver of Court Fees*.
 - Include the *Letter to the Sheriff* found online at: illinoiscourts.gov/documents-and-forms/approved-forms
 - Include a self-addressed and stamped envelope for the Sheriff to mail the *Return of Service* to you.

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 and file the original with the Circuit Clerk.
- 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* (called an Alias *Summons*), have it issued by the Circuit Clerk, 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 or log into the EFSP you used to file your document and see if it is there.
- 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* found online at: illinoiscourts.gov/documents-and-forms/approved-forms

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.

Find Illinois Supreme Court approved forms at: illinoiscourts.gov/documents-and-forms/approved-forms.

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;
 - Whether either of you will receive maintenance and how much; AND
 - Who will make decisions for the children and the parenting time schedule.
 - Follow the instructions on the *Judgment of Dissolution of Marriage/Civil Union (Divorce with Children)* to add all of your agreements to the *Judgment*. Both you and your spouse must initial each page of the *Judgment*.
- Follow the instructions on the *Parenting Plan*, to add all of your agreements to the *Parenting Plan*. Both you and your spouse must initial each page of the *Parenting Plan*.
- If child support is going to be ordered, complete an *Order for Support*. That form and instructions are found online at: illinoiscourts.gov/documents-and-forms/approved-forms

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
 - Copies of the *Judgment of Dissolution of Marriage/Civil Union (Divorce with Children) Parenting Plan*, and *Order for Support* (if needed).
- 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

Make sure you know how you are to attend your court date.

Your court date could be in person, by phone or by video. If it is by phone or video it is called a "Remote Appearance." Call the Circuit Clerk or visit their website for more information. To find the phone number for your Circuit Clerk, visit illinoiscourts.gov/courts/circuit-court/circuit-court-clerks/

- 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.
- If your court date is by phone or video:
 - Make sure to have the call-in or login information for your court date and make sure your technology is working.
 - Follow the instructions on the court notice you received. Call the Circuit Clerk or Circuit Court or visit their websites for specific technology instructions.
 - Follow these recommendations to appear by phone or video: illinoiscourts.gov/self-help/court-by-phone-or-video

Present your case to the judge.

- Give the judge your prepared *Judgment of Dissolution of Marriage/Civil Union (Divorce with Children)*, *Parenting Plan*, and *Order for Support* (if needed).
- Tell the judge you and your spouse have an agreement and the details of that agreement.
- If the judge approves your agreement, the *Judgment*, *Parenting Plan*, and *Order for Support* will be signed.
 - Get a copy of the *Judgment*, *Parenting Plan*, and *Order for Support* that were 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.
 - 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

Find Illinois Supreme Court approved forms at: illinoiscourts.gov/documents-and-forms/approved-forms.

- written statements of witnesses).
- Follow the instructions on the *Judgment of Dissolution of Marriage/Civil Union (Divorce with Children)* to complete only those sections you can fill out in advance.
- If you have not already completed and filed your *Parenting Plan*, complete it now. The instructions on the *Parenting Plan* will help you do this.
- If child support is going to be ordered, complete an *Order for Support*. That form and instructions are found online at: illinoiscourts.gov/documents-and-forms/approved-forms

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
 - Copies of the *Judgment of Dissolution of Marriage/Civil Union (Divorce with Children)*, *Parenting Plan*, and *Order for Support* (if needed).
- 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.
- If your court date is by phone or video:
 - Make sure to have the call-in or login information for your court date and make sure your technology is working.
 - Follow the instructions on the court notice you received. Call the Circuit Clerk or Circuit Court or visit their websites for specific technology instructions.
 - Follow these recommendations to appear by phone or video: illinoiscourts.gov/self-help/court-by-phone-or-video

Present your case to the judge.

If your spouse does not come to court:

- Give the judge your prepared *Judgment of Dissolution of Marriage/Civil Union (Divorce with Children)*, *Parenting Plan*, and *Order for Support* (if needed).
- Tell the judge what you want ordered in the *Judgment*, *Parenting Plan*, and *Order for Support* (if needed).
- 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*, *Parenting Plan*, and *Order for Support* will be signed.
 - Get a copy of the each order that was entered by the judge.
 - If your spouse was not in court to get a copy, you must send them a copy of each order by 5:00 p.m. on the date you get the *Judgment*. Fill out and file a *Proof of Delivery* form with the Circuit Clerk to show that you sent the copy. You can find the *Proof of Delivery* online at: illinoiscourts.gov/documents-and-forms/approved-forms

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 with Children)*, *Parenting Plan*, and *Order for Support* (if needed).

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 with 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.
- If the judge has enough information, the judge may decide right then to enter the *Judgment of Dissolution of Marriage/Civil Union (Divorce with Children)*, *Parenting Plan*, and *Order for Support*.
 - Get a copy of each order that was entered by the judge.

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

There are several things you need to do after your court date.

- 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 with Children)*. There may be a fee for this.
- 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.
- 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.
- 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 with Children) until you return the transcript to the court.

- In Cook County, if the judge orders you to get a transcript follow these steps:
 - If you have a fee waiver, ask the judge to enter an Order for Free Transcript;
 - Call the court reporter's office 3 to 4 weeks after your court date 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;
 - 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
 - Sign the last page of the transcript and return it to the judge's clerk in the courtroom where you got the divorce.
- 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.
- 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* online at: illinoiscourts.gov/documents-and-forms/approved-forms

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

1. I am Petitioner in this case.

2. I am providing the following information about where I live and where Respondent (*my spouse*) 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
- I am employed by: _____
Employer Name
- c. I would like to go back to a maiden or a former married name:
 Yes No
 Former name: _____
First *Middle* *Last*

4. I am providing the following information about Respondent (*my spouse*):

- a. Age: _____
- b. I know Respondent's current address: Yes No
 Address: _____
Street, Apt # *City* *State* *ZIP*
- c. Phone Number: _____

In 2a , if you check "Yes," enter the date you started living in Illinois.
In 2b , if you check "Yes," enter the date 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 and the name of your employer.
In 3c , if you want to go back to a former name, check "Yes" and enter that name.

In 4a , enter Respondent's age.
In 4b , check the box that applies. Enter Respondent's current complete address if known.
In 4c , enter Respondent's current phone number.

In **4d**, check all boxes that apply to Respondent.
If Respondent is employed, enter their job title and the name of their employer.

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

- d. Respondent is employed:
 Yes No Do not know
 Respondent receives Social Security benefits
 Respondent is employed as: _____
Job Title
- Respondent is employed by: _____
Employer Name
- e. Respondent is currently on active duty as a member of the Armed Forces of the United States of America:
 Yes No Do not know

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 **6a**, first check "Yes" if you are pregnant. Then say if the child is Respondent's.

In **6b**, first check "Yes" if Respondent is pregnant. Then say if the child is yours.

- 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 Respondent or I have filed for dissolution of marriage or civil union 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. I am providing the following information about children:

- a. I am pregnant.
 Yes No
 Respondent is the parent of the unborn child:
 Yes No Do not know
- b. Respondent is pregnant.
 Yes No Do not know
 I am the parent of the unborn child:
 Yes No Do not know
- c. The minor children (*under the age of 18*) born to or adopted together by me and Respondent before or during our marriage/civil union are:
 None (*if you check this box, do not complete Sections 6 (d-g) or Section 7*)

	Name	Date of Birth
1.		
2.		
3.		

I have listed additional minor children on the attached *Additional Minor Children* form.

In **6c**, check "None" if you have no children with Respondent, who are under the age of 18. Otherwise, list the name and date of birth of each child in the box.

In **6d**, check the box that applies to the children listed in **6c**.
If one or more of the children live with someone else, enter the first and last name of the non-parent, and the names of the children who live with the non-parent.

- d. The minor children currently live:
- Primarily with me.
 - Primarily with Respondent.
 - With both of us.
 - Not with either parent, but with someone else:

	Name of Non-Parent	Names of Children Living with the Non-Parent
1.		
2.		
3.		

Other places the minor children have lived in the last 5 years:

	City	State
1.		
2.		
3.		

In the past 5 years the children have lived with someone else and not with either parent:

- Yes No

	Name of Non-Parent	City	State
1.			
2.			
3.			

In **6e**, check "Yes" if the children listed in 6c have lived in Illinois for at least 6 months.

- e. The minor children listed in Section 6c have lived in Illinois for the last 6 months:
 Yes No

In **6f**, check "None" if you have no children with Respondent who are 18 or older. Otherwise, list the name and age of each child 18 or older.

- f. The adult children (*age 18 or older*) born to or adopted together by me and the Respondent before or during our marriage/civil union are:
 None

	Name	Age	Disabled		In School	
			<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
1.			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I have listed additional adult children on the attached *Additional Adult Children* form.

In **6g**, check "None" if the only children you had during the marriage/civil union are listed in **6c** and **6f**.
If you or Respondent separately had or adopted other children during the marriage/civil union, list their names and birthdates here.
Check the box to say whether the child belongs to you or Respondent.

- g. The **other** children born to or adopted by either me or Respondent, but not both of us, during this marriage/civil union are:
 None

	Name	Date of Birth	Born to or Adopted by	
1.			<input type="checkbox"/> Petitioner	<input type="checkbox"/> Respondent
2.			<input type="checkbox"/> Petitioner	<input type="checkbox"/> Respondent
3.			<input type="checkbox"/> Petitioner	<input type="checkbox"/> Respondent

I have listed additional children on the attached *Additional Other Children* form.

In **7a**, check the box that applies to the children listed in **6c**.
Check “Yes” only if there is a court order giving someone else rights to the children or if there is a current court case in which someone else is asking for rights to the children.

In **7b**, check the box that applies to the children listed in **6c**.
If there is or was another court case, enter the county and state where it is or was and whether the case is still going on.
If the case is still going on, enter the next court date.

In **7c**, check the first box if you are attaching the *Parenting Plan* form. Check the second box if you will file it within 120 days of the date you file this *Petition*.

In **8a**, check “Yes” if you or 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 **8b**, check “Yes” only if you and Respondent have agreed on who will pay which debts.

In **9a**, check “Yes” if either of you got any personal property after the date of the marriage/civil union. Check “No” only if you are sure there is no personal property.

In **9b**, check “Yes” only if you and Respondent have already divided all the personal property.

7. I am providing the following information about the care of the children:

- a. There is another person, that is not Respondent or me, who claims to have an allocation of parental responsibility or parenting time (*custody/visitation rights*):
 Yes No
Information about the person claiming allocation of parental responsibility or parenting time:

Name _____
First Last

Address: _____
Street, Apt # City State ZIP

- b. I know of other court cases about the allocation of parental responsibility or parenting time:

Yes No

Information about the other court cases:

Case Name: _____
Petitioner v. Respondent

Case Location: _____
County State

Case Number: _____

This case is still ongoing: Yes No

The next court date is: _____
Date

- c. Allocation of parental responsibility:

I have attached my *Parenting Plan* form to this *Petition*

I will file my *Parenting Plan* form within 120 days of the date I file this *Petition*

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

- a. Respondent and I have debts from the time of the marriage/civil union that are still owed (*either together or individually*):

Yes No

- b. Respondent and I have already divided the debts from the time of the marriage/civil union that are still owed:

Yes No

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

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

Yes No

- b. Respondent and I have already divided the personal property and/or bank accounts obtained during the marriage/civil union.

Yes No

In 10a , check "Yes" if together you and Respondent own a home, have a mortgage, or have a contract for deed.
In 10b , check "Yes" if you own a home, have a mortgage, or have a contract for deed.
In 10c , check "Yes" if Respondent owns a home, has a mortgage, or has a contract for deed.
In 11a , check the box that applies to you.
In 11b , check the box that applies to Respondent.
In 12 , check "Yes" if you have any claims that you are owed for money damages or injuries, whether you have filed the case or not.
In 13a , check "Yes" if you can support yourself. Check "No" if you need support from Respondent.
In 13b , check "Yes" if Respondent can support himself/herself.

10 I am providing the following information about real estate:

- a. Respondent and I own or are buying real estate together:
 - Yes No
- b. I own or am buying real estate separately:
 - Yes No
- c. Respondent owns or is buying real estate separately:
 - Yes No Do not know

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

- a. I have pension or retirement accounts (*including IRAs*):
 - Yes No
- b. Respondent has pension or retirement accounts (*including IRAs*):
 - Yes No Do not know

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

- Yes No

13. I am providing the following information about maintenance (*also known as alimony*):

- a. I am able to support myself without maintenance:
 - Yes No
- b. Respondent is able to support himself/herself without maintenance:
 - Yes No Do not know

I ASK THE COURT TO ORDER:

- A.** A *Judgment of Dissolution of Marriage/Civil Union (Divorce With Children)* for me and my spouse.
- B.** That the *Parenting Plan* for the minor children that I file be approved.
- C.** Child support for the care or education of the minor children:
 - Yes No
- D.** Support for the care or education of the adult children:
 - Yes No
- E.** That I get to keep all of my non-marital/non-civil union property.
- F.** That Respondent gets to keep all of their non-marital/non-civil union property.
- G.** A fair division of the marital/civil union property.
- H.** A fair division of the debts obtained during the marriage/civil union.

In C , check "Yes" if you want child support to be ordered.
In D , check "Yes" if you want support for an adult disabled child or for college expenses for an adult child.

In **I**, check "Me" if you want to get maintenance from Respondent. Check "Respondent" if you want to pay maintenance to Respondent. Check "Neither" if you do not want to get or pay maintenance.

I. That maintenance be awarded to:
 Me Respondent Neither

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

J. That after the divorce I be allowed to return to using my former name:
 Yes No Not applicable

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.

I certify that everything in the *Petition For Dissolution Of Marriage / Civil Union (Divorce with 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

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.

Print Your Name

City, State, ZIP

Telephone

Email

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

Attorney # (if any)

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	SUMMONS PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION	<i>For Court Use Only</i>
Instructions ▼	_____ Petitioner <i>(First, middle, last name)</i> v. _____ Respondent <i>(First, middle, last name)</i> <input type="checkbox"/> Alias Summons <i>(Check this box if this is not the 1st Summons issued for this Respondent.)</i>	
Enter above the county name where the case was filed.		
Enter your name as Petitioner.		
Enter the name of your spouse/partner as Respondent.		
Enter the Case Number given by the Circuit Clerk.	_____ Case Number	

IMPORTANT: You have been sued.

- Read all documents attached to this Summons. To participate in the case, you **MUST** file an official document with the court within the time stated on this Summons called an “Appearance” and a document called an “Answer/Response.” If you do not file an *Appearance* and *Answer/Response* on time, the court may decide the case without hearing from you, and you could be held in default and lose the case.
- All documents referred to in this Summons can be found at ilcourts.info/forms. Other documents may be available from your local Circuit Court Clerk’s office or website.
- After you fill out the necessary documents, you need to electronically file (e-file) them with the court. To e-file, you must create an account with an e-filing service provider. For more information, go to ilcourts.info/efiling. If you cannot e-file, you can get an exemption that allows you to file in-person or by mail.
- You may be charged filing fees, but if you cannot pay them, you can file an Application for Waiver of Court Fees.
- It is possible that the court will allow you to attend the first court date in this case in-person or remotely by video or phone. Contact the Circuit Court Clerk’s office or visit the Court’s website to find out whether this is possible and, if so, how to do this.
- Need help? Call or text Illinois Court Help at 833-411-1121 or go to ilcourthelp.gov for information about going to court, including how to fill out and file documents. You can also get free legal information and legal referrals at illinoislegalaid.org.

In **1a**, enter the name and address of Respondent.

1. Respondent's address and service information

a. Respondent's primary address/information for service:

Name *(First, Middle, Last)*: _____
 Street Address, Unit #: _____
 City, State, ZIP: _____
 Telephone: _____ Email: _____

b. If you have more than one address where Respondent might be found, list that here:

Name *(First, Middle, Last)*: _____
 Street Address, Unit #: _____
 City, State, ZIP: _____
 Telephone: _____ Email: _____

c. Method of service on Respondent

Sheriff Sheriff outside Illinois _____
County & State

Special process server Licensed private detective

In **1b**, enter a second address for Respondent, if you have one.

In **1c**, check how you are sending your documents to Respondent.

In **2**, Enter your name, address, phone number and email address, if you have one. 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.

2. Contact information for the Petitioner:

Name (First, Middle, Last): _____
Street Address, Unit #: _____
City, State, ZIP: _____
Telephone: _____ Email: _____

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.

Important information for the person getting this form:

You have been sued. Read all of the documents attached to this *Summons*. To participate in the case, you must follow the instructions listed below. If you do not, the court may decide the case without hearing from you and you could lose the case. *Appearance* and *Answer/Response* forms can be found at: ilcourts.info/forms.

In **3a**, fill out the address of the court building where the Respondent may file or e-file their *Appearance* and *Answer/Response*.

3. Instructions for person receiving this Summons (Respondent):

- a. To respond to this *Summons*, you must file *Appearance* and *Answer/Response* forms with the court within 30 days after you have been served (*not counting the day of service*) by e-filing or at:
Address: _____
City, State, ZIP: _____
- b. A DISSOLUTION ACTION STAY IS IN FULL FORCE AND EFFECT UPON SERVICE OF THIS SUMMONS. THE CONDITIONS OF THE STAY ARE SET FORTH ON THE BOTTOM OF THIS PAGE. ANY PERSON WHO FAILS TO OBEY THE DISSOLUTION ACTION STAY MAY BE SUBJECT TO PUNISHMENT FOR CONTEMPT.
- c. You may be able to attend court by phone or video conference. This is called a "Remote Appearance."
Call the Circuit Clerk at: _____ or visit their website
Circuit Clerk's phone number
at: _____ to find out more about how to do this.
Website

Witness this Date: _____

Seal of Court

Clerk of the Court: _____

Seal of Court

This Summons

Date of Service: _____
(Date to be entered by an officer or process server on the copy of this Summons left with the Defendant or other person.)

In **3c**, fill out the clerk's phone number and website. All of this information is available from the Circuit Clerk. Find their phone number at ilcourts.info/CircuitClerks.

STOP!

The Circuit Clerk will fill in this section.

STOP!

The officer or process server will fill in the 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	PROOF OF SERVICE OF SUMMONS AND PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION	<i>For Court Use Only</i>
Instructions Enter above the county name where the case was filed. 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>) <input type="checkbox"/> Alias Summons (<i>Check this box if this is not the 1st Summons issued for this Respondent.</i>)	_____ Case Number

****Stop. Do not complete the form. The sheriff or special process server will fill in the form.****

My name _____ **and I state**
First, Middle, Last

that I served the *Summons and Petition for Dissolution of Marriage/Civil Union* on the Respondent

_____ **as follows:**
First, Middle, Last

Personally on the Respondent:

Male Female Non-Binary Approx. Age: _____ Race _____
 On this _____ at this time: _____ a.m. p.m.
 Address, Unit _____
 City, State, ZIP: _____

On someone else at the Respondent's home who is at least 13 years old and is a family member or lives there:

On this _____ at this time: _____ a.m. p.m.
 Address, Unit _____
 City, State, ZIP: _____
 And left it with: _____

First, Middle, Last
 Male Female Non-Binary Approx. Age: _____ Race: _____

and by sending a copy to Respondent in a postage-paid, sealed envelope to the above address on _____, 20 _____.

I was not able to serve the *Summons* and *Petition* on Respondent:

First, Middle, Last

I made the following attempts to serve the *Summons* and *Petition* on the Respondent:

1. On this date: _____ at this time: _____ a.m. p.m.
Address: _____
City, State, _____
Other information about service _____

2. On this date: _____ at this time: _____ a.m. p.m.
Address: _____
City, State, ZIP: _____
Other information about service attempt: _____

3. On this date: _____ at this time: _____ a.m. p.m.
Address: _____
City, State, ZIP: _____
Other information about service attempt: _____

DO NOT complete this section. The sheriff or private process server will complete it.

If you are a special process server, sheriff outside Illinois, or licensed private detective, your signature certifies that everything on the *Proof of Service of Summons and Petition for Dissolution of Marriage/Civil Union* is true and correct to the best of your knowledge. You understand that making a false statement on this form could be perjury.

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.

By:

Signature by: Sheriff
 Sheriff outside Illinois:

County and State
 Special process server
 Licensed private detective

FEES
Service and Return: \$ _____
Miles _____ \$ _____
Total _____ \$ _____

Print Name

If *Summons* is served by licensed private detective or private detective agency:
License Number: _____

**LETTER TO THE SHERIFF
(SERVING A SUMMONS AND FORMS)**

Instructions to User

1. Complete this letter.
2. With this letter, include the *Summons* and a copy of the *Petition for Dissolution of Marriage/Civil Union*, payment or *Order for Waiver of Court Fees*, and a self-addressed and stamped envelope for the sheriff to mail the Affidavit of Service to you.
3. Send your letter and the documents listed above to the sheriff's office in the county and state where your spouse lives.

Date: _____

Sheriff of _____ County State of _____

Address of sheriff _____

Dear Sheriff:

Re: _____ v. _____ Case Number: _____
Plaintiff/Petitioner *Defendant/Respondent*

I am enclosing the *Summons* and *Petition for Dissolution of Marriage/Civil Union*

to be served on: _____
Name of Spouse

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

Check the box that applies:

- I am enclosing an *Order for Waiver of Court Fees* entered by the Court in _____ County, Illinois, which waives the cost of service; **OR**
- I am enclosing the cost of service \$ _____.

After you have served the enclosed documents, please complete the Affidavit of Service and return it to me in the enclosed self-addressed stamped envelope.

Thank you for your attention to this matter.

Sincerely,

Signature

Printed Name

Street Address, Apt #

City *State* *Zip*

Phone

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	JUDGMENT OF DISSOLUTION OF MARRIAGE / CIVIL UNION (DIVORCE WITH CHILDREN)	<i>For Court Use Only</i>
Instructions ▼ Directly above, enter the county where you filed this case. Enter the full name of Petitioner, Respondent, and the case number as listed on the <i>Petition for Dissolution of Marriage/Civil Union (Divorce with Children)</i> .	_____ Petitioner (<i>First, middle, last name</i>) v. _____ Respondent (<i>First, middle, last name</i>)	_____ Case Number

DO NOT complete this section.

A court date was held on the *Petition for Dissolution of Marriage/Civil Union (Divorce with Children)* filed by the Petitioner. The court heard the testimony of Petitioner Respondent and considered all of the evidence and 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:

DO NOT complete 1a and 1b.

DO NOT complete 2a, 2b, or 2d.

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.

In 3a, check the box that applies to you.

In 3b, check the box that applies to the Respondent.

In 4, check whether it is a marriage or civil union.

In 4a, enter the date you were married/united.

In 4b, enter the place the marriage/civil union took place.

If this is an agreement, enter initials on each page.

1. **Present in Court:**
 - a. Petitioner present: Yes No
 represented by Lawyer: _____
 - b. Respondent present: Yes No
 represented by Lawyer: _____

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
 - d. This Court has jurisdiction under the Uniform Child-Custody Jurisdiction and Enforcement Act: Yes No

3. **Residency Requirement:**
 - a. Petitioner has been living in Illinois at least 90 days immediately before the filing of the *Petition* or immediately before the time of this hearing:
 Yes No
 - b. Respondent has been living in Illinois at least 90 days immediately before the filing of the *Petition* or immediately before the time of this hearing:
 Yes No

4. **Information about the Marriage Civil Union:**
 - a. Parties were married/united on: _____
Date
 - b. Parties were married/united in: _____
County *State* *Country*

Petitioner's initials: _____
 Respondent's initials: _____

5. 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.

6. Children of the Marriage/Civil Union:

a. Petitioner is pregnant:

- Yes No
 The unborn child is Respondent's:
 Yes No Unknown

b. Respondent is pregnant:

- Yes No Unknown
 The unborn child is Petitioner's:
 Yes No Unknown

c. The minor children (*under the age of 18*) born to or adopted together by the parties before or during the marriage/civil union are:

None

	Name	Date of Birth
1.		
2.		
3.		

I have listed additional minor children on the attached *Additional Minor Children* form.

d. The adult children (*age 18 or older*) born to or adopted together by the parties before or during the marriage/civil union are:

None

	Name	Age	Disabled	In School
1.			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.			<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

I have listed additional adult children on the attached *Additional Adult Children* form.

e. The **other** children born to or adopted by either Plaintiff or Respondent, but not both, this marriage/civil union are:

None

	Name	Date of Birth	Born To or Adopted By	
1.			<input type="checkbox"/> Petitioner	<input type="checkbox"/> Respondent
2.			<input type="checkbox"/> Petitioner	<input type="checkbox"/> Respondent
3.			<input type="checkbox"/> Petitioner	<input type="checkbox"/> Respondent

I have listed additional children on the attached *Additional Other Children* form.

7. Allocation of Parental Responsibility:

- a. No minor children.
 b. It is in the best interests of the minor children that the *Parenting Plan* of
 Petitioner Respondent Both Parties (*agreement*)
 be approved by the court.
 c. It is in the best interests of the minor children that the court enter its own *Parenting Plan*.

In **6a**, part one, check "Yes" if you are pregnant.

In **6a**, part two, check "Yes" if the child is Respondent's.

In **6b**, part one, check "Yes" if the Respondent is pregnant.

In **6b**, part two, check "Yes" if the child is yours.

In **6c**, check "None" if you have no children with the Respondent who are under the age of 18. Otherwise, list the names and birthdates of the children.

In **6d**, check "None" if you have no children with the Respondent who are 18 or older. Otherwise, list the names and birthdates of the children and select "Yes" or "No" for whether each child is disabled or enrolled in school.

In **6e**, check "None" if the only children you had during the marriage/civil union are listed in 7c and 7d. If you or the Respondent separately had or adopted other children during the marriage/civil union, list their names and birthdates here.

DO NOT complete 7.

Petitioner's initials: _____

Respondent's initials: _____

Complete sections **8a**, **8b** and **8c** if you and your spouse have an agreement, otherwise, **DO NOT** complete these sections.

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.

Complete sections **9a**, **9b**, and **9c** if you and your spouse have an agreement, otherwise, **DO NOT** complete these sections.

If you and your spouse have an agreement, check the first box and the box for "Both Parties", otherwise, **DO NOT** complete **B**.

If you have a Support Order in another case enter the information in **C2**.

If you and your spouse have an agreement, complete **D**, otherwise, **DO NOT** complete **D**.

Petitioner's initials: _____

Respondent's initials: _____

8. Real Estate:

a. Parties have an interest in real estate, which is an asset of 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. Petitioner or Respondent has an interest in non-marital real estate: Yes No

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

9. Maintenance (also known as alimony):

a. These parties have waived the right to maintenance:

Petitioner Respondent Neither party

b. This party is entitled to maintenance:

Petitioner Respondent Neither party Other:

c. The amount awarded is \$ _____ based on guidelines; OR

deviation from guidelines based upon these findings:

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. Allocation of Parental Responsibility:

1. That the *Parenting Plan* of the following party is approved and made a part of this court order:

Petitioner Respondent Both Parties (*agreement*)

2. That the Court has entered its own *Parenting Plan*, which is made a part of this order.

3. Other orders: _____

C. Support for Minor Children:

1. An *Order for Support* shall be entered.

2. Support shall continue as ordered in court case: _____
Court case number

located in: _____
County State

3. Child support is reserved (*no child support is ordered at this time*).

D. Claiming Children as Dependents on State and Federal Tax Returns:

1. The right to claim children as dependents on state and federal tax returns belongs to:

- Petitioner Respondent for all tax years
- Petitioner Respondent for even-numbered tax years
- Petitioner Respondent for odd-numbered tax years

Each party shall have the right to claim one-half of the children each tax year. If there is an odd-number of children, Petitioner shall claim the additional child in

even odd-numbered years and Respondent shall claim the additional child in even odd-numbered years.

2. This order does not address the right to claim the children as household residents for the purpose of applying for earned income credit.
3. If a party has a duty to pay child support for the minor children and is awarded the right to claim one or more of the minor children as dependents for tax purposes, that right may only be exercised if that party is current in their child support obligation by January 15 of the year following the relevant tax year.

If you and your spouse have an agreement, complete **E**, otherwise, **DO NOT** complete **E**.

E. Support for Adult Children (for education or disabled child):

1. Support is ordered as follows:
 Petitioner Respondent
will pay: _____

2. Support for adult children is reserved (no support is ordered at this time).

In **F1**, **DO** fill in the name of creditor and amount owed for debts after the date of marriage/civil union in the chart. If you and your spouse have an agreement, check who is to pay the debts, otherwise, **DO NOT** check who is to pay the debt.

F. Debts and Liabilities:

1. These debts shall be paid by 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"/>

I have listed additional debts on the *Additional Debts and Liabilities* form.

2. Debts not included in the chart above shall be paid by the parties as follows:
 Each party will be responsible for 50% of each joint debt.
 Each party will pay all of the debts in their own name.
3. Parties shall indemnify and hold the other party harmless for the debts they are assigned.

If you and your spouse have an agreement, complete **F2**, otherwise, **DO NOT** complete **F2**.

G. Pension and Retirement Accounts:

1. Each party is awarded the pension and retirement accounts in their own name.
2. Petitioner is awarded _____% of the marital/civil union portion of Respondent's pension/retirement accounts.
3. Respondent is awarded _____% of the marital/civil union portion of Petitioner's pension/retirement accounts.
4. Petitioner Respondent shall prepare a *Qualified Domestic Relations Order*.
5. Other orders: _____

If you and your spouse have an agreement, complete **G**, otherwise, **DO NOT** complete **G**.

Petitioner's initials: _____

Respondent's initials: _____

If you and your spouse have an agreement, complete **H**, otherwise, **DO NOT** complete **H**.

“Marital real estate” is an interest in real estate obtained during the marriage or civil union.

H. Real Estate:

1. Petitioner Respondent is awarded the marital real estate and shall pay the other party \$_____ for their interest in the real estate.
2. 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 _____%
3. Until the marital real estate is sold, mortgage payments will be paid by Petitioner _____% Respondent _____%
4. Until the marital real estate is sold, real estate taxes will be paid by Petitioner _____% Respondent _____%
5. Until the marital real estate is sold, insurance will be paid by Petitioner _____% Respondent _____%
6. Until the marital real estate is sold, cost of maintaining the property will be paid by Petitioner _____% Respondent _____%
7. Petitioner Respondent is entitled to claim mortgage payments for federal and state tax purposes.
8. Petitioner Respondent is entitled to claim property tax payments for federal and state tax purposes.
9. Petitioner Respondent will refinance the debt on the real estate to remove the other party from the obligation by: _____
Date
10. Petitioner Respondent will sign a quitclaim deed transferring their interest to the other party by: _____
Date
11. Other orders: _____

If you and your spouse have an agreement, complete **I**, otherwise, **DO NOT** complete **I**.

Chart: DO list the personal property obtained during the marriage/civil union in the chart. If you and your spouse have an agreement, check who gets the property, otherwise, **DO NOT** check who gets the property.

I. Personal Property and Bank Accounts:

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

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"/>
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"/>
<input type="checkbox"/> I have attached an <i>Additional Personal Property & Bank Accounts</i> form.			

3. Any personal property exchange required by this order shall take place within 30 days of the date of this *Judgment*.
4. Other orders (*including pets*): _____

Petitioner's initials: _____
Respondent's initials: _____

If you and your spouse have an agreement, complete **J**, otherwise, **DO NOT** complete **J**.

J. Maintenance:

- 1. Parties are forever barred from claiming maintenance from the other.
- 2. An *Order for Support* shall be entered.
- 4. Other orders: _____

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

K. Former Name:

- 1. Petitioner is permitted to resume using the former last name of:

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

Former Last Name

If you and your spouse have an agreement, complete **L**, otherwise, **DO NOT** complete **L**.

L. Other Relief:

- 1. None
- 2. Relief as follows: _____

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

Petitioner's initials: _____

Respondent's initials: _____

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

ENTERED:

Judge

Date