

Getting Started

Dissolution of Marriage/Civil Union (Divorce with Children)

IMPORTANT: This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to get a divorce when you and your spouse have children together. Your use of the forms does not guarantee you will be successful in court.

To learn how to fill out the forms and file them with the court, read the *HOW TO GET A DIVORCE (WITH CHILDREN)* instruction sheet and the instructions on the forms.

Name of the forms:	<ul style="list-style-type: none">• <i>Petition for Dissolution of Marriage/Civil Union (Divorce With Children)</i>• <i>Judgment of Dissolution of Marriage/Civil Union (Divorce With Children)</i>• <i>Parenting Plan</i>• <i>Summons</i> (if needed)• <i>Entry of Appearance (Petition for Dissolution of Marriage/Civil Union)</i> (if needed)
Purpose of the forms:	<ul style="list-style-type: none">• To ask a judge for a divorce or to end a civil union• To notify your spouse that you have done this• To give the judge a way to end the marriage or civil union
Types of cases the forms CAN be used for:	Divorce or ending a civil union when you and your spouse have children together.
Types of cases the forms CANNOT be used for:	The form cannot be used if: 1. You and your spouse do not have children together; 2. You or your spouse is pregnant; 4. You do not have an address for your spouse; OR 3. Your spouse is on active duty with any branch of the U.S. military service or they live outside of the United States, unless they sign an <i>Entry of Appearance</i> form.
Cost to file the forms:	There is a fee for filing. If you cannot afford to pay the filing fee, you can ask the court to file for free by filing the <i>Application for Waiver of Court Fees</i> found online at: illinoiscourts.gov/Forms/approved/Circuit.asp .
Special information or papers needed to complete the forms:	<ol style="list-style-type: none">1. Date and place of the marriage/civil union.2. Date you and your spouse separated.3. Addresses for you and your spouse.4. Place of employment for you and your spouse.5. Whether you or your spouse receive Social Security.6. Names and birth dates of all of the children you and your spouse have together or separately.7. If there are other cases that involve you, your spouse, or the children of you and your spouse, you will need the case number of each, the county and state they were filed in and whether the case is still active.8. Whether you and/or your spouse own or have an interest in real estate.9. Whether you and/or your spouse have a pension/retirement account.10. A list of the property of the marriage.11. A list of the debts of the marriage.
Statutes covering the forms:	(750 ILCS 5/) Illinois Marriage and Dissolution of Marriage Act.
For more information:	Read the <i>HOW TO GET A DIVORCE (WITH CHILDREN)</i> instructions that come with the form. You may also find more information and resources at the courthouse or by going online to illinoislegalaid.org .