

HOW TO DO NOTICE BY PUBLICATION (with fee waiver)

1. Complete and file a Motion for Order Allowing Publication Notice and 735 ILCS 5/2-206 Affidavit. File the Motion with the Circuit Clerk. Keep a file-stamped copy with your other court papers.
2. Wait for the Judge to make a ruling on your motion. If it is granted, get a copy of the Order Regarding Publication Notice and go to the next step. If it is not, you may not give notice by publication.
3. Complete the Publication Notice except for the response date and to make 2 copies.
4. Take your Publication Notice to the Carbondale Times and ask to speak to the person who handles legal notices.
5. Tell the person who handles legal notices that you want your notice published once a week for 3 weeks in a row.
6. Ask for the date your notice will first appear in the newspaper. Then put a date in your notice that is at least 45 days after the date your notice will first appear in the newspaper. This is a longer period of time than is required, but it will protect you if there is a delay in publishing your notice. Put the same date on your other 2 copies of the notice.
7. Leave the original Publication Notice with the newspaper and take the 2 copies with you.
8. Give the newspaper your mailing address so that they can mail you a Certificate of Publication. You need this certificate in order to prove that the publication notice was done.
9. Give the newspaper a copy of the Order Regarding Publication Notice that requires the Jackson County Treasurer to pay the cost of the publication. The newspaper will then bill the county.
10. Mail a copy of the Publication Notice to the other party at their last known address. You must do this even if you know that they no longer live at that address. This must be done within 10 days after the date the notice first appears in the newspaper, but it can be done earlier than that.
11. Complete a Proof of Mailing and attach a copy of the Publication Notice. File it with the Circuit Clerk. Keep a file-stamped copy with your other court papers.
12. When you receive the Certificate of Publication from the newspaper, file it with the Circuit Clerk. Keep a file-stamped copy with your other court papers.

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

_____,)
 _____,)
)
 Petitioner,)
 vs.)
 _____,)
)
 Respondent.)

Case No. _____ - D - _____

MOTION FOR AN ORDER ALLOWING PUBLICATION NOTICE
AND 735 ILCS 5/2-206 AFFIDAVIT

I am providing the following information about my motion:

1. I have been granted an order waiving my filing fees, which allows me to pursue my case without payment of costs, including costs of service of process and service by publication. 735 ILCS 5/5-105(a)(1).
2. I cannot find the location of Respondent. Because of this, I cannot have a Sheriff serve a summons on Respondent personally.
3. That before filing this Motion, I tried to locate Respondent, but have been unable to do so.
4. Respondent has either left Illinois or has hidden in Illinois so that I cannot serve them with a summons.
5. I have carefully searched for Respondent's location by doing the following:
 - Contacted friends and relatives of Respondent about Respondent's location;

- Searched on the internet for information about Respondent's location;
- Attempted to serve a summons on Respondent at Respondent's last known address.

6. None of these attempts has produced any information about Respondent's location.

7. The last known address of Respondent is:

_____.

WHEREFORE, I request that the Court enter an order allowing me to provide notice to Respondent by publication and ordering the Jackson County Treasurer to make payment to the newspaper that publishes the required notice.

Petitioner

I certify that everything in the Motion for Order Regarding Publication Notice and 735 ILCS 5/2-206 Affidavit 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.

Petitioner

Attorney Name: _____
Representing: _____
Address: _____
City, State: _____
Phone: _____
Email: _____

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

_____ ,)	
)	
)	
Petitioner,)	
vs.)	Case No. _____ - D - _____
)	
_____ ,)	
)	
Respondent.)	

ORDER REGARDING PUBLICATION NOTICE

The Court having considered the Motion for Order Regarding Publication Costs and Affidavit for Service by Publication filed by Petitioner and, having previously entered an order waiving fees for Petitioner, finds that the Motion should be granted.

IT IS HEREBY ORDERED THAT:

A. Petitioner may notify Respondent of this case by publication.

B. Petitioner shall:

1. Prepare a Notice of Publication that contains a date for Respondent to file a response or otherwise appear; the date in the notice shall be at least 45 days after the date the notice will first appear in the newspaper;
2. Publish the notice in the **CARBONDALE TIMES** newspaper;
3. Send a copy of the Publication Notice to Respondent at their last known address within 10 days after the date the notice first appears in the newspaper;

4. File with the Circuit Clerk a proof of mailing stating the date a copy of the publication notice was mailed to Respondent and the address to which the notice was sent; and
5. File with the Circuit Clerk the Certificate of Publication prepared by the newspaper.

C. The Treasurer of Jackson County shall pay the costs of publication upon presentation of a statement by the Carbondale Times pursuant to 55 ILCS 5/5-1106.

DATE: _____

ENTER: _____
JUDGE

Contact information for the Carbondale Times:

Carbondale Times
701 W Main St, Carbondale, IL 62901
Phone: (618) 457-4084
E-mail: ctimes@midwest.net

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

_____ ,)	
)	
)	
)	
vs.)	Case No. _____ - D - _____
)	
_____ ,)	
)	
)	
Respondent.)	

PUBLICATION NOTICE

Notice is given you, _____, Respondent, that _____,
(insert name of Respondent) (insert name of Petitioner)
Petitioner, has filed this case asking for a dissolution of marriage and other relief.

Unless you file your response or otherwise file your appearance in this case with the office of the Circuit Clerk of Jackson County, 1001 Walnut Street, Murphysboro, Illinois, on or before: _____, a judgment of
(Insert date at least 45 days after the notice will first appear in the newspaper)
dissolution of marriage and other relief may be granted as requested in the Petition.

CINDY SVANDA, CIRCUIT CLERK

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

_____,)
 _____,)
)
 Petitioner,)
 vs.)
 _____,)
)
 Respondent.)

Case No. _____ - D - _____

PROOF OF MAILING

I am providing the following information:

1. I mailed a copy of the Publication Notice:

On this date: _____

To the Respondent at this address:

2. I have attached a copy of the Publication Notice to this Proof of Mailing.

Petitioner

I certify that everything in the proof of mailing is true and correct. I understand that making false statements on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

Petitioner

Attorney Name: _____
 Representing: _____
 Address: _____
 City, State: _____
 Phone: _____
 Email: _____