

**CIRCUIT COURT OF COOK COUNTY, ILLINOIS
TIMOTHY C. EVANS, CHIEF JUDGE**

**DOMESTIC RELATIONS DIVISION
GRACE J. DICKLER, PRESIDING JUDGE**

**JOINT SIMPLIFIED
DISSOLUTION OF
MARRIAGE/CIVIL UNION**

**INFORMATION
AND
INSTRUCTIONS**

**PROVIDED BY THE OFFICE OF
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT OF
COOK COUNTY, ILLINOIS**

This brochure describes how to dissolve a dissolution of marriage/civil union through a procedure called Joint Simplified Dissolution. 750 ILCS 5/451 et. seq.

There are two kinds of divorces in Illinois. The usual is a formal dissolution. The shorter and easier way - described in this brochure - is called Joint Simplified Dissolution.

It is important that you read this brochure carefully to see if you qualify for the simplified procedure. You may only get this type of dissolution if you meet ALL of the legal requirements set forth in sections 2(a) through 2(j) of the petition. (Form CCCR 0019B)

This brochure also includes general information on dissolution and explains how to fill out the forms the Clerk of the Court will give you.

GENERAL INFORMATION CONCERNING DISSOLUTIONS OF MARRIAGES/CIVIL UNIONS

A dissolution of marriage/civil union is a serious step. To make sure that you know all of your rights, think about the following:

- It is in your best interest to talk to a lawyer about dissolution of your marriage/civil union. A lawyer might give you important information about your rights. If you want, you can have a lawyer file a Simplified Dissolution for you.**
- Employees of the Office of the Clerk of the Circuit Court cannot give you advice or help you draft forms.**
- This brochure is only meant to help you to obtain a Simplified Dissolution by yourselves. It does not tell you about all of your rights and responsibilities.**
- If you get a Joint Simplified Dissolution, you are giving up any future right to support from your former spouse.**
- A JUDGMENT OF DISSOLUTION OF MARRIAGE/CIVIL UNION PERMANENTLY SETTLES ALL FINANCIAL RIGHTS ARISING OUT OF YOUR MARRIAGE/CIVIL UNION, INCLUDING THE RIGHT TO PROPERTY HELD IN THE NAME OF YOUR SPOUSE AND THE RIGHT TO SUPPORT FROM YOUR SPOUSE. A JUDGMENT ENTERED IN A DISSOLUTION PROCEEDING IS FINAL. YOU WILL HAVE NO RIGHT TO APPEAL. SUCH JUDGMENT MAY ONLY BE SET ASIDE ON GROUNDS OF FRAUD, DURESS, ACCIDENT, MISTAKE, OR OTHER GROUNDS AT LAW OR IN EQUITY.**
- You and your spouse remain married/in a civil union and cannot remarry/enter into a new civil union until a judgment dissolving your marriage/civil union is signed by the Judge.**

DEFINITIONS

Some of the legal words used in this brochure and the various forms referred to have special meanings. Here are a few of the more important ones:

Dissolution of Marriage/Civil Union - This is the legal term in Illinois for divorce.

Fair Market Value - An estimate of money you could get if you sold your property to a stranger, as, for example, through a want ad in a newspaper. It does not mean what you paid for it originally, and it does not mean how much it would cost you to replace it if you lost it.

Irreconcilable Differences - This means that you are certain that your marriage/civil union is over and that you made a serious attempt to try to resolve your differences and save your marriage/civil union. You also have to be separated for six months before you can get a Dissolution.

Maintenance or spousal support - We used to call spousal support or maintenance "alimony." It is the money that one spouse pays to the other because that spouse is unable to support himself or herself.

Marital/Civil Union debts - This is money you owe to creditors for goods or services you bought during your marriage/civil union. It is important for you to know that your creditors are not bound by the agreement in your Judgment of Dissolution.

Marital/Civil Union property - This is all property you obtained during your marriage/civil union, except for gifts to one spouse or inheritances to one spouse. For example, your wedding gifts are marital/civil union property.

There are some kinds of marital/civil union property you might not realize you have. A pension that you have through your work during your marriage/civil union is marital/civil union property. You should ask your employer for a statement telling you how much your pension is worth.

Total annual income - This refers to the combined annual income of both parties from all sources.

Waiver - This means that you are giving up a legal right forever. If you waive your right to something like maintenance (alimony), you can never change your mind in the future and ask a Court to award it to you.

INSTRUCTIONS FOR SIMPLIFIED DISSOLUTION MARRIAGE/CIVIL UNION

There are three *standard* forms which must be completed to obtain a Joint Simplified Dissolution:

1. Joint Petition for Simplified Dissolution (CCDR 0019A - CCDR 0019 C).
2. Affidavit In Support of Joint Petition for Simplified Dissolution (CCDR 0019D).
3. Judgment for Joint Simplified Dissolution (CCDR 0019 E - CCDR 0019 F).

These forms have been drafted to be self-explanatory and are easy to complete. ALL forms must be completed before filing the case with the Clerk of the Court. IN ORDER TO QUALIFY FOR THE JOINT SIMPLIFIED DISSOLUTION PROCEDURE YOU MUST MEET ALL OF THE REQUIREMENTS SET FORTH IN SECTIONS 2(a) THROUGH 2(j) IN THE PETITION.

1. The *Petition* (CCDR 0019 A - CCDR 0019 C). Prepare the form in ink. Make one original and two copies. All boxes must be filled in and the form signed by both parties.

Attach to the petition and each copy a duplicate of your agreement concerning the division of your marital/civil union property and debts in excess of \$100 in value. Prepare two copies. There is no standard form for this purpose, but the Office of the Clerk of the Court has a suggested form (CCDR 19 A - C) you may wish to use if you have no other form. All your property has to be divided before the Judge will sign your Judgment of Dissolution. If you have a joint bank account, you should close it out and get two different bank accounts. With credit card accounts that you both have been using, you should close the accounts, destroy the cards and apply for separate accounts. If both of your names are on a title to a car and you agree that one of you is going to own the car, you will need to take action to change the title. You should call or visit a Secretary of State/Department of Motor Vehicle office to find out how to do this.

If either party wishes to resume his/her name before marriage/civil union, complete paragraph C in the petition.

2. The *Affidavit* (CCDR 0019 D). This form is self-explanatory.

Complete the heading and have both parties sign. Make two copies of the original.

3. The *Judgment* (CCDR 0019 E - CCDR 0019 F). In anticipation of the Court granting the Judgment of Dissolution, this form must be completed in advance. Fill in the headings, the boxes and paragraph F if either party intends to resume her/his maiden name or former name. Both parties must sign the Judgment indicating their approval. Make two copies of the original.

4. Filing the Forms. Bring all forms (original and the two copies) to the Office of the Clerk of the Circuit Court. (See back page for Court locations). You are required to pay court costs to file a Petition for Simplified Dissolution. Bring cash or a money order made out to the Clerk of the Circuit Court.

If you do not have enough money to pay the costs, you can fill out an application asking the Court to allow you to file your case without cost. (form CCG 0689 A/B).

The Clerk of the Court will give you a form from the State of Illinois, Bureau of Vital Statistics, which both you and your spouse must complete and sign.

Additional photocopies of all forms may be submitted to be stamped at the time of filing. The Clerk of the Court will randomly assign your case to judges hearing Petitions for Joint Simplified Dissolution. The Clerk will advise you of the name of the judge, location of courtroom and the time of the hearing (which may be the same day or soon after).

5. The *Hearing*. On the day and at the time of the hearing BOTH PARTIES MUST APPEAR. Tell the judge's clerk in the courtroom that you both are present and wish to have your case heard. Be prepared to present photo identification if requested.

At the conclusion of the hearing, the judge will sign the original copy of the Judgment and the clerk will stamp the copies and give one to each of you.

If you need a certified copy of the Judgment, you can obtain one from the Clerk's Office. There will be a fee charged.

If you have any questions, you may call the Office of the Clerk of the Court at (312) 603-6300.

*We gratefully acknowledge the assistance of
the Chicago Bar Association, Matrimonial Law
Committee, in the preparation of this brochure.*

COURT LOCATIONS

- District # 1: Chicago, 50 W. Washington St., Richard J. Daley Center, Room 802, Chicago, IL 60602**
- District # 2: Skokie Courthouse, 5600 Old Orchard Rd., Skokie, IL 60077**
- District # 3: Rolling Meadows Courthouse, 2121 Euclid Ave., Rolling Meadows, IL 60008**
- District # 4: Maywood Courthouse, 1500 Maybrook Dr., Maywood, IL 60153**
- District # 5: Bridgeview Courthouse, 10220 S. 76th Ave., Bridgeview, IL 60455**
- District # 6: Markham Courthouse, 16501 S. Kedzie Pkwy, Markham, IL 60428**