

Who May Use the Joint Simplified Dissolution of Marriage Procedure?

To use the Joint Simplified Dissolution of Marriage procedure, the following must apply to you and your spouse.

- Irreconcilable differences have caused the irretrievable breakdown of your marriage. All efforts at reconciliation of the differences have failed and future attempts at reconciliation would not be in your best interest of you and your spouse.
- You and your spouse must have lived separate and apart for at least six months and you must be willing to waive the requirements for a two year separation before obtaining a dissolution on the grounds of irreconcilable differences.
- You must have been married less than eight (8) years and either you or your spouse (or both) must have lived in the State of Illinois for at least ninety (90) days immediately prior to filing for the dissolution.
- No children were born or adopted by you and your spouse during your relationship and the wife is not now pregnant.
- Neither party has a gross annualized income in excess of \$20,000.00 and the total annual income of the parties is less than \$35,000.00. The total value of marital property you and your spouse own, less any encumbrances (amount owed on the property, such as the amount owed on a car loan), must be less than \$10,000.00. Neither you nor your spouse may own any real estate.
- You and your spouse each must be willing to permanently give up any right to maintenance (alimony).
- You and your spouse must have disclosed to each other all assets each of you have, and disclosed all tax returns filed during your marriage.
- You and your spouse must sign a written agreement dividing between yourselves all marital assets worth more than \$100.00 and dividing responsibility for all debts and liabilities. You must divide the property and sign and exchange all documents (such as automobiles titles, etc.) necessary to carry out the agreement before any court hearing.
- You and your spouse must waive any right you may have to a bifurcated hearing on your dissolution petition (a hearing held in two parts, one to decide the issues related to granting the dissolution and another to decide any property or other issues).

FILING FEE: \$302.00

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

IN RE THE MARRIAGE OF:

_____))
(Type or Print Plaintiff's Name) Plaintiff;))
)) NO.
))
vs.))
))
_____))
(Type or Print Defendant's Name) Defendant.))

JOINT PETITION FOR SIMPLIFIED DISSOLUTION OF MARRIAGE

Now come Plaintiff, _____, without counsel, and Defendant, _____,
(Type or Print Plaintiff's Name) (Type or Print Defendant's Name)
without counsel, and hereby petition this Honorable Court for a dissolution of the marriage between Plaintiff and
Defendant. In support of this petition for dissolution of marriage, the parties state as follows:

1. The Plaintiff is presently _____ years of age; Plaintiff's occupation is _____;
Plaintiff resides at _____, Illinois;
(Street Address) (City)
and has has not resided in the State of Illinois for at least ninety (90) days immediately preceding
(Check one)
the filing of this Petition for Dissolution of Marriage.
2. The Defendant is presently _____ years of age; Defendant's occupation is _____;
Defendant resides at _____, Illinois;
(Street Address) (City)
and has has not resided in the State of Illinois for at least ninety (90) days immediately preceding
(Check one)
the filing of this Petition for Dissolution of Marriage.
3. The Plaintiff and Defendant have been married for less than eight (8) years prior to the filing of this petition;
they were married on _____, _____; and the marriage was registered in _____
(Month) (Day) (Yr.) (County)
County, _____.
(State)
4. No children were born to the Plaintiff and Defendant during their relationship; no children were adopted by
the parties; and _____, to her knowledge, is not pregnant.
(Type or Print Wife's Name)
5. The parties have lived separate and apart for a continuous period in excess of six (6) months and
irreconcilable differences have caused the irretrievable breakdown of their marriage; efforts at reconciliation
have failed and future attempts at reconciliation would be impracticable and not in the best interests of the
parties. The parties have signed an affidavit waiving the requirement for a continuous period living separate
and apart in excess of two (2) years. The parties have lived separate and apart since _____,
(Month and Day) (Yr.)

6. Neither party is dependent on the other party for spousal support (also known as alimony or maintenance), or each party is willing to waive the right to spousal support. Both parties understand that consulting with attorneys may help determine eligibility for spousal support. Both Plaintiff and Defendant waive any rights to maintenance.
7. Neither Plaintiff nor Defendant has any interest in real property (real estate).
8. The parties have disclosed to each other all assets and their tax returns for all years of the marriage.
9. Neither party has a gross annualized income in excess of \$20,000; the Plaintiff's gross annual income from all sources is \$_____ ; the Defendants's gross annual income from all sources is \$_____ ; and the total annual income of the parties is less than \$35,000.00.
10. The total fair market value of all marital property, after deducting all encumbrances, is less than \$10,000.00 and the parties have executed a written agreement dividing all assets in excess of \$100.00 in value and allocating responsibility for debts and liabilities between the parties. A copy of the written agreement, signed by both parties, is filed with this petition.
11. (Optional) _____'s former/maiden name was
(Type or Print Wife's Name)

(Type or Print Wife's Maiden OR Former Name)

WHEREFORE, the parties pray as follows:

- A. That the parties be awarded a Judgment of Dissolution of Marriage dissolving the bonds of matrimony existing between them.
- B. That the written agreement of the parties dividing marital assets, debts and liabilities, a copy of which is filed with this petition, be incorporated into the final order and judgment of this Court granting the petition for dissolution of marriage.
- C. (Optional) That _____ be restored to her former/maiden name,
(Type or Print Wife's Name)

(Type or Print Wife's Maiden OR Former Name)
- D. That this Court grant the parties such other and further relief as may be just.

(Plaintiff's Signature)

(Defendant's Signature)

Plaintiff

Defendant

VERIFICATION

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

_____, Plaintiff, being first duly sworn upon oath, depose and say
(Type or Print Plaintiff's Name)
that I have read the foregoing Joint Petition for Simplified Dissolution of Marriage, understand the contents
thereof, and believe the same to be true and correct to the best of my knowledge and belief.

Plaintiff (Plaintiff's Signature)

Subscribed and sworn to before me, a Notary Public, this ____ day of _____, _____.

NOTARY PUBLIC

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

_____, Defendant, being first duly sworn upon oath, depose and
(Type or Print Defendant's Name)
say that I have read the foregoing Joint Petition for Simplified Dissolution of Marriage, understand the
contents thereof, and believe the same to be true and correct to the best of my knowledge and belief.

Defendant (Defendant's Signature)

Subscribed and sworn to before me, a Notary Public, this ____ day of _____, _____.

NOTARY PUBLIC

IN RE THE MARRIAGE OF:

 (Type or Print Plaintiff's Name) Plaintiff;)
)
)
 vs.)
)
)
 _____)
 (Type or Print Defendant's Name) Defendant.)

NO.

**JOINT AFFIDAVIT REGARDING SEPARATION OF THE PARTIES,
DIVISION OF PROPERTY AND WAIVER OF BIFURCATED HEARING**

NOW COME _____, Plaintiff, and _____
(Type or Print Plaintiff's Name) (Type or Print Defendant's Name)

Defendant, and being first sworn on their oaths, depose and state as follows:

1. That irreconcilable differences have caused the irretrievable breakdown of their marriage.
2. That all efforts at reconciliation of the differences between the parties have heretofore failed and future attempts at reconciliation would be impracticable and not in the best interest of the parties.
3. That the parties have lived separate and apart for a continuous period of more than six (6) months prior to the date of this affidavit, having separated on or about _____, 19____ and having remained living separate for all times thereafter.
 (Month) (Day) (Year)
4. a. That each of the parties hereto expressly waive the requirement that the continuous period of living separate and apart be in excess of two (2) years in order for the Court to enter a Dissolution of Marriage based upon irreconcilable differences which have caused the irretrievable breakdown of their marriage; and,
 b. Each of the parties further stipulates that the requirement shall be reduced to a period only in excess of six (6) months rather than in excess of two (2) years as provided by Section 401(a) (2) of the Illinois Marriage and Dissolution of Marriage Act.
5. That the marital property belonging to the parties has been divided according to the terms of the written agreement of the parties filed with the Petition for Dissolution of Marriage in this cause, and that the parties have executed all documents required to carry out the agreement.
6. That the parties waive any right either may have to a bifurcated hearing in this cause.
7. That each of the parties represents that their signing of this Affidavit is their individual, sole, voluntary act.

 Plaintiff (Plaintiff's Signature)

 Defendant (Defendant's Signature)

VERIFICATION

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

I, _____, being first duly sworn upon oath, depose and say that
(Type or Print Plaintiff's Name)
I have read the foregoing Joint Affidavit, understand the contents thereof, and believe the same to be true and correct to the best of my knowledge and belief.

Plaintiff (Plaintiff's Signature)

Subscribed and sworn to before me, a Notary Public, this _____ day of _____, _____.

NOTARY PUBLIC

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

I, _____, being first duly sworn upon oath, depose and say that
(Type or Print Defendant's Name)
I have read the foregoing Joint Affidavit, understand the contents thereof, and believe the same to be true and correct to the best of my knowledge and belief.

Defendant (Defendant's Signature)

Subscribed and sworn to before me, a Notary Public, this _____ day of _____, _____.

NOTARY PUBLIC

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY, ILLINOIS

IN RE THE MARRIAGE OF:

(Type or Print Plaintiff's Name)

Plaintiff;

vs.

NO.

(Type or Print Defendant's Name)

Defendant.

JUDGMENT FOR DISSOLUTION OF MARRIAGE

This cause having come on for hearing on the Joint Petition for Simplified Dissolution of Marriage filed by the parties hereto; the Court having examined and considered the Petition, the Affidavit of the parties, and all other pleadings and exhibits filed in this matter; the Court having heard the testimony presented herein; and the Court being otherwise fully advised in the premises, finds as follows:

1. This Court has jurisdiction over the subject matter and the parties hereto.
2. _____ and/or _____ now, and for ninety (90) days continuously
(Type or Print Plaintiff's Name and/or Defendants Name, or Both Names)
and immediately preceding this date, have been residents of the State of Illinois.
3. The parties have been married for less than eight (8) years prior to the filing of this petition; the parties were married on _____; and the marriage was registered in _____
(Month) (Day) (Yr) (County)
County, _____
(State)
4. The parties have lived separate and apart for a continuous period in excess of six (6) months; irreconcilable differences have caused the irretrievable breakdown of the marriage; efforts at reconciliation have failed; and, further efforts at reconciliation would not be in the best interests of the parties.
5. The parties have each signed an affidavit waiving the requirement for a continuous period living separate and apart in excess of two (2) years.
6. The parties have each signed a waiver of any right to a bifurcated hearing in this cause.
7. No children were born to or adopted by the parties during their relationship and to the best of her knowledge _____ is not pregnant at this time.
(Type or Print Wife's Name)
8. Both the Plaintiff and Defendant have waived any right to maintenance.
9. Neither Plaintiff nor Defendant has any interest in real property. The parties have disclosed to each other all assets and their tax returns for all years of the marriage. Neither party has a gross annualized income in excess of \$20,000, and the total annualized income of the parties is less than \$35,000.

10. The total fair market value of all marital property owned by the parties, after deducting all encumbrances, is less than \$10,000.00. The parties have executed a written agreement, which the Court finds is not unconscionable, dividing all assets in excess of \$100.00 in value and allocating responsibility for all debts and liabilities between the parties. A copy of the written agreement, signed by both parties, was filed with the petition in this cause and is hereby incorporated by reference as if fully set forth herein.

11. (Optional) _____'s former/maiden name was _____
(Type or Print Wife's Name) (Type or Print Wife's Maiden OR Former Name)

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

- A. The present marriage between the parties is hereby dissolved, and Plaintiff and Defendant are each hereby awarded a Judgment of Dissolution of Marriage dissolving their present bonds of matrimony.
- B. This Court adopts as a part of this Judgment, as if it were fully set forth herein, the agreement of the parties concerning the distribution of assets, debts and liabilities. Plaintiff and Defendant each is hereby ordered to dispose of all claims each may have against the other, and to dispose of all assets, debts and liabilities, in accordance with and pursuant to the agreement entered into by the parties and presented to this Court. Plaintiff and Defendant are each ordered to timely execute any and all titles, certificates and other documents of any kind or nature whatsoever, necessary to carry out the terms and condition of this Judgment of Dissolution of Marriage as to the division of assets, debts and liabilities ordered herein.
- C. Each of the parties is hereby denied maintenance for now and for all times hereafter.
- D. (Optional) _____ is hereby restored to her former/maiden name,
(Type or Print Wife's Name)

(Type or Print Wife's Maiden OR Former Name)
- E. Except for the provisions contained in this Judgment of Dissolution of Marriage, each of the parties is hereby barred and foreclosed from making any and all claims against the other whether for alimony or maintenance, homestead rights, dower rights, rights of inheritance or any and all other property rights, whether real, personal or mixed, which either of them may now have or may hereafter acquire arising out of the marital relationship heretofore existing between them.
- F. This Court retains jurisdiction of this cause for the purpose of enforcing the provisions of this Judgment of Dissolution of Marriage.

ENTERED: _____

JUDGE

APPROVED AS TO FORM AND CONTENT:

Plaintiff (Plaintiff's Signature)

Defendant (Defendant's Signature)

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

IN RE THE MARRIAGE OF:

(Type or Print Plaintiff's Name) Plaintiff;)
)
vs.) NO.
)

(Type or Print Defendant's Name) Defendant)

AGREEMENT AS TO ASSETS AND DEBTS

Now come _____, Plaintiff, and _____,
(Type or Print Plaintiff's Name) (Type or Print Defendant's Name)
Defendant, and hereby agree to the following distribution of all marital assets in excess of One Hundred Dollars
(\$100.00) in value and the following division of all marital debts and liabilities.

Marital Assets

<u>Description of Asset and Estimated Value</u> <small>(List all marital assets in excess of One Hundred Dollars [\$100.00] in value – assets of lower value may be listed)</small>	<u>Party to Receive Asset</u> <small>(Enter name of Party [Husband or Wife] who will receive the asset)</small>
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____