

MAY 2022

# Final Report of Illinois Justice For All Implementation Grant

## ACCESS TO AND MEANINGFUL PARTICIPATION IN FAMILY COURT

### GRANTEE NAME:

Illinois

### REPORT TIME PERIOD:

April 30, 2021- April 15, 2022  
(with extension to June 30, 2022)

ILLINOIS SUPREME COURT COMMISSION

**ACCESS**

**TO JUSTICE**

EDUCATION. SUPPORT. EMPOWERMENT.





## EXECUTIVE SUMMARY

Under this Justice for All implementation grant this year, we explored barriers and ways to improve navigability of the court system for self-represented litigants facing child-related cases (Divorce, Parentage, add Guardianship). The original plan was to incorporate enhancements into an electronic system with a user-friendly interface to provide litigants with the necessary information, forms, and a better e-filing experience all in one place. However, we learned through our research that such a system was not feasible for a one-year project and refocused our energies on the other aspects of the project during this implementation year.

The new goal was to improve the content and design of court forms, develop new supplemental resources, standardize court procedures, and make information available in the community, not just within the walls of courthouses. We made several findings during this process and have a plan of action to continue working on the initiatives.



**“Taking legal action against someone is nerve wracking enough, but add [these processes] to it – and you wonder – is it worth it?”**

ILLINOIS COURT USER



## FINDINGS

1. Listen to the voices of self-represented litigants, and those who directly serve them, as the best sources for understanding what resources, materials, and systems are needed.
2. Design forms to be simple and uncluttered with adequate white space and clear instructions.
3. Start with a visual resource that illustrates the overall court process for a particular case type.
4. Ensure active participation of self-represented litigants in the development, design, and evaluation process by partnering with community organizations to reach more court users through the organizations' relationships with the public.
5. Standardize processes and information statewide to implement effective technology solutions more efficiently.
6. Provide remote and in-person human assistance through a pilot project, recognizing that technology alone cannot help everyone.

## ACTION ITEMS:

1. Complete the forms redesign process and identify how to best apply the redesign to all existing and future court forms.
2. Complete an analysis of the court form development process to improve efficiency and decrease the time it takes to approve new forms.
3. Publish form suites for initiating a parentage or guardianship case.
4. Complete process maps and other informational materials for cases involving children.
5. Utilize host-site community panels during all resource development initiatives to obtain direct user input.
6. Propose rule changes to standardize the processing of fee waivers throughout the state.
7. Investigate appropriate locations to launch the remote and in-person assistance pilot, then propose a plan for initiating and evaluating the project.
8. Work closely with the electronic filing manager to make improvements to the current e-filing interface, while also exploring other technology solutions to better serve self-represented litigants with all aspects of the court process.



---

## A SPECIAL THANKS



This project was done through a grant from the National Center for State Courts (NCSC) as part of its Justice for All Project. These grants, which are funded by The JPB Foundation, The Public Welfare Foundation, The Kresge Foundation, and Open Society Foundations, have been awarded to 14 states. The grants were created to pursue the following resolutions: meaningful access to effective assistance for essential civil legal needs, and for traditional and non-traditional stakeholders to collaborate to develop a comprehensive approach to achieve meaningful access to justice. For more information about the NCSC's Justice for All Project and to read reports from other states, please visit <https://www.ncsc.org/jfa>.

Additionally, this project would not have been possible without the time and expertise of the Steering and Advisory Committees and staff, most of whom also participated in the planning year of the grant last year. Each Committee member gave hours of their time to inform this project. Their support has been essential and invaluable.



## ILLINOIS JUSTICE FOR ALL ADVISORY COMMITTEE

**Hon. Adrienne W. Albrecht**

*Circuit Judge  
21st Judicial Circuit*

**Margaret Benson**

*Executive Director  
Chicago Volunteer Legal Services*

**Megan Brady**

*Staff Lawyer, Co-Chair of Family Law Task Force  
Prairie State Legal Services*

**Benna Crawford**

*Director of Children and Families Practice Group  
Legal Aid Chicago*

**Hon. Colleen Daly**

*Circuit Judge  
Circuit Court of Cook County, Rolling Meadows*

**Susan LePeau DeCostanza**

*Attorney at Law  
Garcia & DeCostanza, P.C.*

**Heather Dorsey**

*Assistant Director  
Courts, Children and Families Division  
Administrative Office of the Illinois Courts*

**Hon. Rossana Fernandez**

*Circuit Judge  
Circuit Court of Cook County, Rolling Meadows*

**Hon. Michael Fiello**

*Associate Judge  
First Judicial Circuit, Jackson County*

**Dr. Kirk Harris**

*Founder/President and CEO  
Parent and Community Technology and Law Center*

**Rep. Lisa Hernandez**

*Assistant Majority Leader  
24th District Illinois State Representative*

**Caitlin Isbell**

*Staff Attorney  
Land of Lincoln Legal Aid*

**Miguel Keberlein**

*Executive Director  
Legal Aid Society, Metropolitan Family Services*

**Anna Mayer**

*Executive Director  
Taller De José*

**Hon. Elizabeth Rochford**

*Associate Judge  
19th Judicial Circuit*

**Teri Ross**

*Executive Director  
Illinois Legal Aid Online*

**Ellen Tannenbaum**

*Youth & Family Therapeutic Services  
Catholic Charities of the Archdiocese of Chicago*

**Tamika R. Walker**

*Lawyer  
DeRango & Cain, LLC*



## ILLINOIS JUSTICE FOR ALL STEERING COMMITTEE & STAFF

### **Jessica Bednarz**

*Associate Director of Innovation & the Justice  
Entrepreneurs Project  
The Chicago Bar Foundation*

### **Lisa Colpoys**

*Supervising Senior Program Manager  
Illinois Court Help  
Administrative Office of the Illinois Courts*

### **Leslie Corbett**

*Executive Director  
Illinois Equal Justice Foundation*

### **Bob Glaves**

*Executive Director  
The Chicago Bar Foundation*

### **Lekisha Gunn**

*Senior Program Manager, Access and  
Community Trust  
Access to Justice Division  
Administrative Office of the Illinois Courts*

### **Kathryn Hensley**

*Supervising Senior Program Manager  
Access to Justice Division  
Administrative Office of the Illinois Courts*

### **Mark Marquardt**

*Executive Director  
Lawyers Trust Fund of Illinois*

### **Samira Nazem**

*Director of Pro Bono & Court Advocacy  
The Chicago Bar Foundation (at the time of  
participation)*

### **Israel Putnam**

*Senior Program Manager, Forms  
Administrative Office of the Illinois Courts*

### **Cortney Redman**

*Director of Court Advocacy  
The Chicago Bar Foundation*

### **Jill Roberts**

*Deputy Director  
Access to Justice Division  
Administrative Office of the Illinois Courts*

### **Justice Mary K. Rochford**

*Appellate Justice  
1st District Appellate Court  
Chair, Illinois Supreme Court Commission on Access  
to Justice*

### **Alison Spanner**

*Director  
Access to Justice Division & Strategic Planning  
Administrative Office of the Illinois Courts*

### **Sarah Song**

*Supervising Senior Program Manager  
Access to Justice Division  
Administrative Office of the Illinois Courts*



# PLANS, PIVOTS, AND PROGRESS

## ORIGINAL PLAN

After 14 months of research, analysis, fact gathering, and learning during the first Justice For All (JFA) grant, the JFA Advisory Committee, JFA Steering Committee, and JFA staff (collectively referred to as Committee) identified a particularly troubling issue within the Illinois court system. Specifically, the Committee found that self-represented litigants in family cases do not have adequate information and resources to help them understand court procedures. (See [Illinois Justice For All Final Report December 2020: Access to Meaningful Participation in Family Court](#) in Appendix A).



“I was nervous as to whether I was even picking the right forms to fill out.... I get very nervous not knowing if I am doing it correctly.”

ILLINOIS COURT USER

The Committee agreed that self-represented litigants in family cases must have a fuller understanding of court procedures not only

to present their cases properly and equitably, but also to form realistic expectations about the process. In turn, better equipped and informed parties would benefit judges and court staff alike and could also lead to increased cooperation between the parents and guardians. The Committee concluded that self-represented litigants would gain a better understanding of court procedures and process through easier to understand court forms and instructions along with process maps which could be frequently accessed, glossaries of terms, timelines, explanations of costs, and enhanced customer service.

Overall, the goal was to assist self-represented litigants in understanding the steps involved in their cases, what was expected of them, and what information and assistance was available. The Committee planned to develop these resources during the implementation year of the JFA grant.



“It’s not at all clear what needs to be done and at what point in the filing process.”

ILLINOIS COURT USER



The Committee believed that outreach with community groups and organizations that address the needs of families with children (such as schools, community clinics, and human service organizations) would be essential in developing the resources. Additionally, by collaborating and communicating with community groups, we would have an avenue for making the developed resources more readily available and provide valuable information to court users even before a case is filed. Our plan was to establish community panels and through discussions gain insight into public perceptions, define what help was available and what help was needed, generate ideas for solutions, and help with functional testing of any tools which were developed. Additionally, we hoped that by creating these resources and coupling them with an online tool, described below, would be the best way to reach the community.

Furthermore, with most aspects of daily life, services are provided to the public through the internet—from shopping and banking to employment resources and job applications. In Illinois, internet usage and connectivity are also required when starting a court case through electronic filing (e-filing). Yet, according to all reports, the existing e-filing



“I was an IT manager and programmer for 11 years, but it took all day to figure out what I thought I should do [for e-filing] and now they reject what I sent.”

ILLINOIS COURT USER

user interface is incredibly difficult to use since it was designed for lawyers and not self-represented litigants.

Therefore, the Committee’s original intent was to create a user-friendly e-filing interface for family law cases (also called the electronic filing service provider (EFSP), the online system in which someone files documents with the court). We anticipated that the EFSP would include automated interviews integrated within the e-filing interface for fee waiver, divorce, parentage, and guardianship forms. These forms would also include integrated/imbedded legal information and assistance such as videos, process maps, timelines, and informational “call-outs” within the e-filing interface. As a result, resources would be consolidated and available in one spot and self-represented litigants would be able to find this vital information more easily.





“Waiver gets confusing...There should be a disclaimer on the e-filing site that if you select fee waiver you haven’t automatically been granted a fee waiver...[you] still have to e-file an Application for Waiver of Court Fees for a judge to review...”

ILLINOIS COURT NAVIGATOR

Lastly, during this grant period, the project’s plan was to identify court practices and procedures that could be standardized statewide to allow for uniform instructions and equitable treatment of all court users. One such example is the varying procedures and practices used by courts in considering Applications for Waiver of Court Fees. In some courts, a hearing is required only if there is a factual issue on the face of the Application, while other courts require a hearing on every Application. Some courts require copies of certain documents, while others do not. Such inconsistent practices make it difficult to provide accurate guidance on the fee waiver process.

Additionally, and more concerning, some Committee members reported court users experiencing instances of bias and prejudice against people of color and low-income people when seeking fee waivers. Unfair and prejudicial treatment should not exist in any court proceeding. By evaluating and addressing how fee waivers are considered and how courts treat individuals seeking waivers, we commit to improve a process where low-income people have undergone unfair treatment. We planned to seek consistent and standardized procedures and practices for fee waiver applications and to achieve nonprejudicial, respectful, and fair review of the applications for all litigants. Standardizing the fee waiver application process reflects our commitment to end bias that impedes access to justice for all.





## NECESSARY PIVOTS

We began the implementation grant period by researching and analyzing the current e-filing system including Illinois's Guide & File tool, other EFSPs existing nationally, and new cutting-edge technology in order to determine the best path forward in developing or adopting a platform for a self-represented litigant-centered EFSP for family law cases.

As part of this work, a technology consultant, Abhijeet Chavan, conducted in-depth research into how we can improve the entire e-filing journey for self-represented litigants. Mr. Chavan conducted one-on-one interviews with court-based navigators, focus group sessions with circuit clerks from across the state, and reviewed responses to surveys submitted by self-represented litigants who e-filed documents. He also met with legal technology developers with relevant expertise to explore the role technology can play in fostering an improved self-represented litigant experience with e-filing.

Although technology can help alleviate some of the identified pain points, Mr. Chavan's research revealed that e-filing places an immense burden on litigants as they try to understand and navigate the nuances and



“[The] majority of the information you need to fill out is hard to understand for someone with no legal experience, such as the different filing types, court names, descriptions, etc.”

ILLINOIS COURT USER

intricacies of our legal system when the necessary information may be exclusively in the hands of legal professionals and court staff. Although we originally set out to consider the mechanics of e-filing, the research uncovered problems and barriers further upstream which, if addressed, could help litigants better understand and prepare for their entire court journey, including e-filing.

***The research showed a near unanimous call for more plain language information but also significant process simplification. The level of detail and granularity a filer needs to know to e-file is simply unrealistic and leads to inefficiencies where litigants and clerks must go through numerous attempts before a document can be successfully submitted to the court. These experiences have led litigants to become increasingly frustrated and distrustful of our justice system.***



Ultimately, the consultant concluded that implementing the necessary changes to current EFSPs or developing a new one will not be possible in the immediate future. In his report, Mr. Chavan stated that in the interim there were certain steps which could be done to ease the burdens faced by litigants, as follows:

*"Implementation of [this] plan will take a significant amount of time and requires starting small and building incrementally. While this long-term initiative is underway, robust human-centered measures will continue to be necessary in the interim. This can include expanding already existing resources such as [Illinois Court Help], the Illinois JusticeCorps program, the Court Navigators Network, and information provided on [Illinois Legal Aid Online] as well as working on improving the [user experience] of existing EFSPs and standardizing and simplifying court processes across all case types and jurisdictions whenever possible."*

(See the full report, Improving the E-Filing Experience for Self-Represented Litigants in Illinois, in Appendix B).

Based on that information, we concluded that the creation of an EFSP could not be accomplished during this implementation year. Therefore, we pivoted our focus to the redesign and development of statewide standardized forms, the creation of additional helpful resources, the establishment of community panels, the standardization of court processes, and the determination of what a human-centered temporary solution could be.





## PROGRESS MADE

In order to address the remaining, attainable goals of the project during this implementation period, the Committee split into four subcommittees each focusing on one action item. The following are the reports from each subcommittee on their progress during this year of the grant. Various updates about different aspects of the JFA project have also been published in the [Illinois Supreme Court Commission on Access to Justice \(ATJ Commission\) newsletters](#) (See Appendix C).



### SUBCOMMITTEE # 1 – Statewide Standardized Forms Redesign

#### SUBCOMMITTEE MEMBERS:

*Judge Michael Fiello, Judge Colleen Daly, Judge Rossana Fernandez, Tamika Walker, Caitlin Isbell, Cortney Redman, and Israel Putnam*

#### CHARGE QUESTIONS:

*What design and usability improvements could be made to the currently approved Dissolution of Marriage/Civil Union with Children form suites? What progress can be made on creating forms suites for parentage and guardianship case types?*

Although the current standardized forms have been integral to increasing access to Illinois courts for self-represented litigants for many years, the overall layout and functionality of the forms has not been reviewed or updated since their initiation in 2012. As such, the Committee sought to engage a graphic design consultant to reimagine the forms and improve their usability beginning with the [Divorce with Children](#) forms suite (See Appendix D for an excerpt of the currently published forms suite). The consultant would assist in a redesign of this forms suite in a way that is engaging, easy to use, and could be easily applied to all other existing and future form suites.

The Forms Subcommittee received applications from five consultants. After reviewing and rating the proposals submitted by each, the Forms Subcommittee invited the top three applicants for interviews. Briefly, Inc.'s thoughtful and creative approach to the project, as well as their appropriately balanced mix of user testing and promised end-product, ultimately secured them the position.

The Forms Subcommittee's initial step in working with the consultant was to identify the three primary groups of stakeholders and



begin exploring common problems with the current forms through those lenses. These groups were:

- Producers of the forms (ATJ staff and subject matter expert committee members who draft, revise, and maintain the forms)
- Processors of the forms (judges, clerks, and lawyers who work with the forms in court cases every day)
- Users of the forms (the self-represented litigants for whom the forms are meant to function)

The analysis started by inviting a diverse group from around the state comprised from the first two categories. These individuals then participated in several information gathering sessions. From these, we gleaned several insights about how users interact with forms including:

- Litigants feel overwhelmed by the process as a whole and providing forms and instructions by themselves does not fully alleviate this confusion; forms need to be clearly organized and written in plain language
- Virtually no one reads the directions that are on the existing forms in the left margin, and they are often unaware

of the existence of supplemental instruction booklets

- Users need something that allows them to grasp the process as a whole and where a given form operates in that process

In step two, the consultant conducted user testing with litigants on our existing forms to directly observe and identify areas of confusion and/or places that were prone to completion errors. This step provided a platform for Briefly, Inc. to create an initial draft of a new Petition for Divorce with Children that would begin addressing the trouble spots raised by all three groups (See Briefly, Inc.'s Initial Form Prototype in Appendix E).





These identified issues also informed the questions the consultant asked when conducting additional testing with self-represented litigants on the new prototype forms. This portion of testing was conducted through several one-on-one meetings with individual court users as well as a focus group. From this, we were able to confirm many previous insights and gather additional information including:

- Users would benefit from an easily digestible visual road map/checklist to track their progress for the whole process
- Some users will seek more information about the form and the legal action it relates to while others will skip or ignore things they don't understand, or think will slow down their process
- Multiple choice checkboxes are preferred to fill-in blanks when possible since it leaves less room for the user to wonder if they have provided the complete information the court is requesting
- Users want forms that they can complete in one sitting whenever possible and do not have multiple separate parts that need to be located and attached when filing.

However, as a note, this last observation exists in tension with the idea that users also

do not want to have to wade through a 20-page form with lots of inputs that may not apply to their situation. For example, people seeking divorce without children do not want to fill out a form that asks questions about children. This type of tension is reflective of several parts of the form development process where different groups want contradictory things.

Throughout the redesign process, the consultant sought to balance these competing desires as well as possible, but realized there will be trade-offs inherent in any final design. The goal we sought to keep in mind was to place the “cost burden” on the court whenever possible and appropriate, and when a burden must be placed on the litigant, provide resources for that to be borne.



“When looking at the original form for the first time, a feeling of claustrophobia mixed with overwhelming information can instantly cause tension. Before even reading the form, it can look like a lot to take in, putting the user in a negative headspace from the start.”

**BRIEFLY, INC.**



In step three, the Forms Subcommittee participated in testing with ATJ staff. That testing, along with the previous insights provided by self-represented litigants regarding the new prototypes, allowed Briefly, Inc. to coalesce the two prototype versions into a final working design for the basic structure and organization of the form.

In the fourth step, Briefly, Inc. provided a written report and presentation on the findings from all phases of feedback and user testing thus far. Based on this report, the Forms Subcommittee approved the conceptual framework and new structure of the form (See Briefly, Inc.'s Initial Form Redesign & User Testing Report in Appendix F).

At this point, work shifted focus toward designing the style and feel of the form including things like fonts and iconography that would direct the user to instructional material. Briefly, Inc. provided the Forms Subcommittee with three style choices to review. After reviewing and discussing the three styles, the Forms Subcommittee selected the foundational design that would be applied to the forms.

As this JFA grant period is coming to a close, the Forms Subcommittee feels confident that the structural design of the

form will significantly address the majority of issues experienced by users, producers, and processors. It should improve both engagement and the efficacy of the form, allowing those who interact with the forms to understand and utilize them more efficiently with less stress on the end user as well as court personnel.

The work incorporating the new style design in the Divorce with Children suite and on the development of supplemental instructions that will act as a guidebook for the form and court process will continue for several more months with ongoing financial support from the ATJ Commission. This stage will also be thoroughly user tested, utilizing the community host organizations developed through this grant, for effectiveness and once the entire suite of complimentary materials is finalized, we will then work with the vendor to begin the process of conversion of other form suites in different areas of law. The goal is to eventually convert the entire forms library to this new, user-centric format. It is anticipated this project will be ongoing for the next few years.

While the redesign project has been ongoing, two existing forms development subcommittees have been working diligently to produce new forms suites, one for parentage/allocation/child support and another for minor guardianship. Both subcommittees are finalizing drafts of the



forms suites and they will soon go through user testing with the community panel participants.

We had hoped that both of these form suites would be further along in the development process. However, the current forms development process is quite lengthy and includes drafting, user testing, review, public comment, revision, and final review/approval. Once approved, there are processes for submitting forms to be automated and translated. This is all followed up by a lengthy process for reviewing approved forms at least annually. There is currently one full-time staff member who runs the forms project with help from one additional staff member. Together they are responsible for coordinating 13 subject matter subcommittees, the forms committee meetings, and moving all form suites through the development and upkeep processes. To get a new forms suite to final approval currently takes no less than two years.

Therefore, we have begun a review of the standardized forms development process in order to make improvements as to how forms are created and maintained, as well as obtain suggestions on better ways to track forms and updates as well as overall project management. To accomplish those goals, we have hired consultants HBR Consulting

LLC and Bold Duck Studio to work with us on business process analysis (BPA) and project management through this JFA implementation grant. With ongoing support from the ATJ Commission, this project will also continue on after the grant period ends.



## SUBCOMMITTEE #2 - Process Maps and Other Additional Informational Materials

### SUBCOMMITTEE MEMBERS:

*Judge Michael Fiello, Judge Elizabeth Rochford, Margaret Benson, Cortney Redman, Teri Ross, Mark Marquardt, Justice Mary K. Rochford, and Jill Roberts*

### CHARGE QUESTION:

*What are ways to help users complete the forms and understand the court process, such as instructional videos and easy to use graphical representations of the legal process for each suite?*

One recommendation that came out of the first year of the Justice For All grant was that “Labyrinthine Processes Must Be Made Clear.” There are two ways for that to happen. One is to make the processes less confusing and less maze-like. The other is to try to explain the complicated processes more simply and clearly.



The Committee had hoped to be able to do both this year, but ran into multiple roadblocks. The first was that simplifying court procedure in a non-unified court system is a Herculean task that cannot be accomplished easily or quickly. Another subcommittee has focused on standardizing and simplifying the court process for one issue, fee waivers. That work is still in progress.

Initially, the Process Maps Subcommittee thought we would be able to make more progress on the second option of explaining the complicated procedures through process maps and other resources as part of any electronic platform we created. However, after working with the technology consultant, it became clear that a one-stop-shop electronic portal and electronic filing service provider is not feasible at this time.

The Process Maps Subcommittee brainstormed different media options for relaying information such as videos or graphic novels. Each member researched a different mode or type of resource that was being used by courts across the country from videos, to flow charts, to written information, to timelines.

The Process Maps Subcommittee's efforts ran parallel to the work of the forms redesign consultant, not wanting to duplicate any efforts. After the forms redesign consultant

concluded many of their stakeholder interviews, they determined that the redesigned forms suites will include "vertical slice" resources which will assist with the particular step of the process the litigant is in at that time. Meaning, that if the overall divorce process is 25 steps, their work is going to focus on step 1 (and its relation to the others), but not the whole process.

That left room to develop supplementary materials for the three main case types involving children: divorce with children, parentage, and minor guardianship. The Administrative Office of the Illinois Courts' (AOIC) Access to Justice Division (ATJ Division) had previously created a one-page infographic, [Divorce with Children Overview](#) (See Appendix G), which shows the process along a road, indicating the main steps along the way. During the last grant cycle, Committee members worked to define, in full, each step in two other family law processes: minor guardianship and establishing parentage (along with streamlined versions shown in Appendix H).

The Process Maps Subcommittee is now working on finalizing those flow charts/process maps to serve as the general outline for those case types in Illinois. The versions created last year are under review by the subject matter experts and it is hoped that their review will be done and the newly designed (via a graphic designer) process maps completed by June 30.



The idea is that these maps will serve as high-level overviews and that additional materials will be created within each step to explain the requirements and process more fully. When we have a technology solution, the information will be available seamlessly by clicking on each step. Until then, and for those without

access to computers, written materials will be created. We also expect to create checklists and informational videos.

The subcommittee suggests the following process be followed when developing resources in order to ensure accuracy and usability:

STEP	WHAT WILL BE DONE?	WHO IS RESPONSIBLE?
1	Draft informational content	Committee of subject matter experts including lawyers, judges, and court staff facilitated by ATJ staff
2	User Testing for comprehension and usefulness	Court users or those who frequently assist court users, recruited by Community Panel host sites, facilitated by ATJ staff
3	Improve drafts based on feedback	Committee of subject matter experts including lawyers, judges, and court staff facilitated by ATJ staff
4	User Testing for comprehension and usefulness	Court users or those who frequently assist court users, recruited by Community Panel host sites, facilitated by ATJ staff
5	Final edits to content	Committee of subject matter experts including lawyers, judges, and court staff facilitated by ATJ staff
6	Proofreading	Consultant or ATJ staff not yet involved in development of this resource
7	Make visually appealing with graphics and to comply with style guide	Consultant or designated ATJ staff
8	Publish the resource electronically and on paper	ATJ staff
9	Circulate to court stakeholders (via email and newsletter processes)	ATJ staff
10	Translate into Spanish	ATJ Language Access staff send to consultant
11	Circulate to court stakeholders (via email and newsletter processes)	ATJ staff
12	Translate into remaining top languages in Illinois (Arabic, Chinese, Korean, Polish, Russian)	ATJ Language Access staff send to consultant
13	Circulate to court stakeholders (via email and newsletter processes)	ATJ staff





## SUBCOMMITTEE #3 - Community Panels

### SUBCOMMITTEE MEMBERS:

*Heather Dorsey, Dr. Kirk Harris, Ellen Tannenbaum, Caitlin Isbell, Judge Elizabeth Rochford, Leslie Corbett, Miguel Keberlein, Justice Mary K. Rochford, Sarah Song, and Lekisha Gunn*

### CHARGE QUESTION:

*How to identify community groups to participate on panels with the goal that all materials developed for court users are vetted by community members/court users? What is the best payment system to compensate community members?*

The Community Panels Subcommittee kicked off with an initial meeting in early October. The subcommittee was tasked broadly with identifying people who have little to no experience with the court system, and the community organizations that support these individuals, to assist with the forms redesign and creation of supplemental materials. The subcommittee also considered the larger goal of the project: to gain better insight into the experiences of self-represented litigants and build stronger rapport with community partners. Our overarching aim was to build a kinder and more supportive legal system that is centered on the voices of everyday litigants.

Initially, the Community Panels Subcommittee recruited self-represented litigants to share their experiences in the court system, specifically on filling out court forms for divorce. With assistance from the Lake County Law Library and Self-Represented Litigant Coordinator, we were able to immediately recruit five litigants to participate in initial feedback sessions facilitated by Briefly, Inc.

Subsequently, the Subcommittee shifted to recruiting four community organizations throughout Illinois to help with the larger goal of understanding the experiences of litigants. Essentially, the selected organizations will serve as hosts for individuals impacted adversely by the legal system and create safe places for them to discuss their interactions and experiences. Specifically, these organizations



**“It is very, very frustrating and I cannot afford a lawyer to help me, nor do I feel like it is ‘okay’ that people are forced into getting attorneys to assist with this type of thing as it could be made way easier with more instructions.”**

**ILLINOIS COURT USER**



will recruit litigants with whom they already have relationships, provide a familiar site for the feedback sessions, assist with technology, supply language interpretation or translation services, and offer childcare support and/or food and beverages while individuals participate in interviews or focus groups.

We disseminated a promotional flyer (See Appendix I) followed by an application to potential host organizations and received seven applications. In March, the Community Panels Subcommittee voted on the organizations based on certain elements, such as population size served, racial and ethnic makeup of individuals assisted, and geographic location. We selected four organizations located across Illinois: Trinity United Church of Christ, Metropolitan Family Services-North Center, Metropolitan Family Services-Calumet Center, and Project NOW. These organizations serve the populations that we hope will be helped by our forms redesign project and are more than willing to partner with the ATJ Commission in future efforts to assist litigants and improve the cumbersome process of obtaining a divorce in Illinois.

The Community Panels Subcommittee utilized JFA grant funds to award each organization \$3,000 for their efforts to host feedback sessions including recruitment of participants and use of their spaces and equipment

for in-person or virtual sessions. The ATJ Commission will be providing an additional \$1,700 to each organization for the hosts to compensate the individuals that participate in the feedback sessions. Each organization will host approximately four rounds of feedback sessions between April 1, 2022 and March 31, 2023 and aim to recruit roughly 20 clients per organization to attend feedback sessions. Additionally, the Community Panels Subcommittee plans to incorporate check-ins with each organization after each round of feedback to learn more about their recruitment process, what resources were provided and/or needed to help facilitate the sessions, and any new insights gained in terms of making participants feel supported, welcomed, and appreciated for their input.







## SUBCOMMITTEE #4 - Standardization

### SUBCOMMITTEE MEMBERS:

*Megan Brady, Susan LePeau DeCostanza,  
Tamika Walker, Judge Rossana Fernandez,  
Cortney Redman, and Alison Spanner*

### CHARGE QUESTION:

*Are there areas of law, such as the Application for Waiver of Court Fees or Assessments, where the process could be standardized statewide?*

The Standardization Subcommittee examined civil fee and criminal assessment waivers. Waivers are addressed in a wide variety of ways across the state. The procedures often differ courthouse by courthouse and courtroom by courtroom. Standardization of these practices and procedures statewide would reduce confusion, allow for uniform instructions and guidance, and promote more equal treatment of court users. The inconsistent practices involve not only the process, but also the evaluation of waiver requests. For example, in some courts, a

hearing is required only if there is a factual issue on the face of the Application. While other courts require a hearing on every Application. Some courts require the applicant to provide proof of public benefits and others do not. The list goes on.

Such practices are problematic for several reasons. They can lead to unequal treatment of court users. Requiring a litigant to appear in person (or via video conference) as part of a fee waiver application creates procedural hurdles for some litigants but not others. It also opens the door for unintended biases to influence the decision.

Judges, like other professionals, are vulnerable to cognitive and social biases, even (or especially) when making decisions in their area of expertise.<sup>1</sup> Education, training, experience, and professionalism do not eliminate these biases.<sup>2</sup> Some psychology research has specifically shown that judges are vulnerable to the use of inappropriate information in their legal decision-making, even when they know that the information is legally irrelevant or inadmissible.<sup>3</sup>

1. See, e.g., Chris Guthrie, Jeffrey Rachlinski, & Andrew Wistrich, Inside the Judicial Mind, 86 Cornell Law Review 777 (2001); G. Daniel Lassiter, Shari Diamond, Heather Schmidt, & Jennifer Elek, Evaluating videotaped confessions: Expertise provides no defense against the camera-perspective effect, 18 Psychological Science 224 (2007); Andrea Miller, Expertise fails to attenuate gendered biases in judicial decision-making, 10 Social Psychological and Personality Science 227 (2019); Jeffrey Rachlinski, Sheri Johnson, Andrew Wistrich, & Chris Guthrie, Does Unconscious Racial Bias Affect Trial Judges?, 84 Notre Dame Law Review 1195 (2009); Jeffrey Rachlinski, Andrew Wistrich, & Chris Guthrie, Can Judges Make Reliable Numeric Judgments? Distorted Damages and Skewed Sentences. 90 Indiana Law Journal 695 (2015); Jennifer Robbennolt, Punitive damage decision making: The decisions of citizens and trial court judges, 26 Law and Human Behavior 315 (2002).
2. Andrea Miller, Expertise fails to attenuate gendered biases in judicial decision-making, 10 Social Psychological and Personality Science 227 (2019).
3. See, e.g., Birte Englich, Thomas Mussweiler, & Fritz Strack, Playing dice with criminal sentences: The influence of irrelevant anchors on experts' judicial decision making, 32 Personality and Social Psychology Bulletin 188 (2006); Andrew Wistrich, Chris Guthrie, & Jeffrey Rachlinski, Can Judges Ignore Inadmissible Information? The Difficulty of Deliberately Disregarding, 153 University of Pennsylvania Law Review 1251 (2005).





“They have a very complicated system. Ask about payment method rules and fee waiver rules, which are different in different counties. Local court rules are a giant headache.”

ILLINOIS COURT NAVIGATOR

Taken together, the research suggests that requiring an appearance (whether in person or by video conference) during a fee waiver application process creates an unnecessary risk that factors like physical appearance, race, and gender may inappropriately influence the decision. In person or by video conference, litigants may appear to have more or fewer financial means than they really do. The visual information a judge can gain from requiring an appearance is not necessary for the consideration of the fee waiver application, and it may actually prevent the judge from making an accurate and unbiased decision.

Additionally, for those trying to assist litigants, inconsistent practices make it nearly impossible to provide detailed

guidance to someone trying to navigate this process. Implementing uniform requirements regarding process and evaluation of the waiver practices via the Supreme Court Rules that govern waivers is a start towards addressing longstanding systemic income inequality in our society generally and in our justice system specifically. It will also lead to providing court users with more helpful information relating to waivers.

The Standardization Subcommittee drafted proposed changes to the rules regarding fee and assessment waivers to the full JFA Advisory Committee. After incorporating the Committee’s feedback, the Subcommittee proposes that the amendments to Illinois Supreme Court Rules 298 and 404 as seen in Appendix J be submitted to the Illinois Supreme Court for consideration. The Subcommittee has also devised an outreach plan to provide education and informational materials to all relevant court stakeholders (See Appendix K).



# ONGOING WORK AND IMPACT

Due to the several pivots we made and the length of time which must be devoted to the various aspects of the project, our work will continue beyond the original grant deadline and the June 30 extension date. Fortunately, we have the financial support of the ATJ Commission for the remaining forms redesign and process analysis initiatives as well as for the community host organizations' litigant recruitment. And we have the staffing support of the ATJ Division, as a staff member of the Division has been officially designated to continue the project management of the ongoing JFA initiatives. We are also grateful that many members of the Committee have volunteered to continue to support these ongoing efforts.

With that support, the forms redesign, the analysis of the forms development process, the creation of process maps and other informational resources, the community panels, and the standardization efforts will carry on. Additionally, we will also examine the human-centered approach suggested by Mr. Chavan for assisting litigants in navigating the court system and the e-filing system while still pursuing technology-based solutions for the problems uncovered in his report.

In discussing the e-filing report's recommendation that a human-centered approach could be used while developing technology assistance, the Committee recognized that the ideal model would be to provide personal assistance for all self-represented litigants for every step of the court process -- from identifying and completing the correct forms, and then successfully e-filing them, to scheduling and preparing for court dates. However, just like there are not enough lawyers for every litigant in Illinois, there is not enough court personnel to provide such comprehensive services.

The Committee's attention was drawn to the recently established Illinois Court Help (ILCH). ILCH is a hotline staffed by court guides who are trained to provide legal information about court processes. Court users can call, text, or submit a web form to request and receive information. ILCH plans to expand operations by employing a live chat option and increasing call hours from 9am-2pm to 9am-5pm. To do only that expansion, ILCH would need at least four additional court guides.

The Committee believes that a combination of in-person and remote guides throughout



the entire state is essential to truly meet the needs of all litigants. Just as courts need to conduct court dates remotely, in-person, or in hybrid form, we need to serve people throughout the entire court process in multiple ways. ILCH is not currently staffed to provide comprehensive remote and in-person services across the state. Fortunately, Illinois has other resources, such as Illinois JusticeCorps (an AmeriCorps program placing fellows in courthouses for one-year placements in 11 counties) and the Court Navigator Network (a network of current clerk and court staff, including law librarians and self-help center staff, in 23 judicial circuits covering 49 counties). Even so, many counties in the state are operating without any dedicated staff to assist litigants with navigating the court process.

The Committee suggests a pilot program with in-person guides in at least two geographic regions to begin the process of advancing toward statewide coverage. To determine where to run the pilot program, the Committee suggests a study of data from ILCH, Illinois JusticeCorps, and the Court Navigator Network to understand where there is the greatest need for guides who could provide expanded services and offer in-person appointments.

Once that assessment is complete, the Committee will draft a proposal for a two-year pilot program, including the costs associated with such a program. After completion of the pilot, the program will be assessed as to its success and a determination as to any necessary changes before expansion.

An in-person assistance program could be imbedded not only in the courthouses, but also in the community and help us to continue the type of community engagement and collaborations which sprung from the JFA grants. The community host approach of engaging with the public and service organizations is a model that we can replicate into the future.

By including litigants in the process of resource and program development and seeking their feedback on the court system, we have given them a voice as to important and impactful issues. And by listening and appreciating their voices, the resulting products will be far more user friendly and beneficial. More importantly, when the voices of our community are heard, their messages can bring about broader systemic change and improvements to the court system.



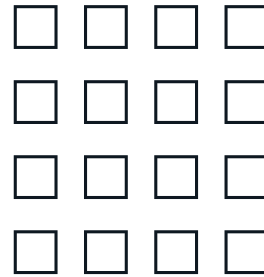
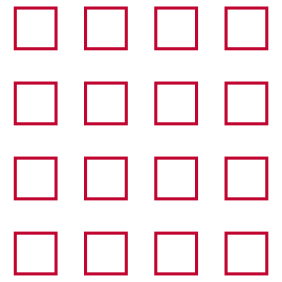


## --- APPENDIX A

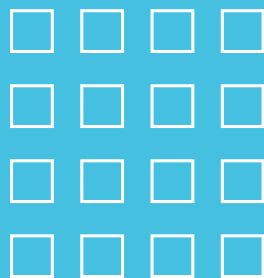


Final Report  
December 2020

# ACCESS TO AND MEANINGFUL PARTICIPATION IN FAMILY COURT



**PARTICIPATION**



**ILLINOIS JUSTICE  
FOR ALL**

ILLINOIS SUPREME COURT COMMISSION

**ACCESS**

**TO JUSTICE**

EDUCATION. SUPPORT. EMPOWERMENT.



*"Accept that self-represented litigants are here to stay.  
Work with them. Create a self-represented litigant culture."*

*– An Illinois court interpreter*



# **ACCESS TO AND MEANINGFUL PARTICIPATION IN FAMILY COURT**

## **ILLINOIS JUSTICE FOR ALL**

**Final Report  
December 2020**

ILLINOIS SUPREME COURT COMMISSION





## EXECUTIVE SUMMARY

Questions of parenting time, child support, allocation of parental responsibilities, parentage, and guardianship arise during times of family transitions and affect the well-being of the children at the heart of families. Because institutions like the Illinois Department of Healthcare and Family Services and Illinois State Board of Education, as well as medical providers require official documentation regarding responsibilities and obligations to the children, the state court system provides the principal avenue to memorialize relationships and agreements.

*Intentionally or not, children often end up in the middle of their parents' separation or divorce proceedings as a result of the adversarial process, and are left in limbo when delays occur.*

Intentionally or not, children often end up in the middle of their parents' separation or divorce proceedings as a result of the adversarial process, and are left in limbo when delays occur. Uncertainties can create and magnify anxiety in children, which increases the likelihood of negative consequences arising out of these court cases.

Family cases are unique because often there is not a true final resolution. Rather, parties frequently come back to the court to seek modifications to judgments or agreements based on new circumstances, to request that the court address new conflicts, or to resolve pre-existing conflicts that were not effectively

addressed the first time. Each time, parents must navigate court processes and procedures, usually with limited information at their disposal.

However, not every parent and guardian seeks the court's assistance, and some explicitly avoid the court system. These people often fall under two main umbrellas: (1) those who do not identify their child-related concerns as legal issues, so do not think of courts as an option; and (2) parents and guardians who see courts as unfamiliar, intimidating, and sometimes hostile to them and their interests.

Among people who are seeking civil justice in court (including family law courts), the number without lawyers now outstrips the number who are represented. Because legal professionals developed the court system, it is not inherently friendly to self-represented litigants. Nationally, there is a call for change, especially for self-represented litigants in family court. Yet, there is more that needs to happen—from the systemic to the granular—to make justice truly accessible to all.

Beginning in the fall of 2019, the Illinois Supreme Court Commission on Access to Justice and the Access to Justice Division of the Administrative Office of the Illinois Courts initiated the Illinois Justice for All project ("the project"). The National Center for State Courts (NCSC) provided vital support for strategic planning. With critical input and guidance from a Steering Committee and an Advisory Committee, the project has examined questions about how to take the next steps to increase access to justice in Illinois for those seeking resolution of a family law issue involving minor children.



The Steering Committee was created to focus and direct the project's development. It is made up of access to justice policy experts. The Steering Committee set the project's course:

**To explore family law to determine if it could be modified to make it simpler and more streamlined for caregivers who cannot afford a lawyer.**

**To help families in the middle of transitions navigate the court process and secure essential resources.**

The Advisory Committee provided subject-matter expertise. Specifically, the Advisory Committee included many different voices from various sectors of the family law process including judges, legal aid lawyers, private lawyers, scholars, service providers, and a state legislator.

The project included interviews of experienced family law practitioners, fathers, and self-represented litigants, in addition to surveys of court staff statewide, the creation of process maps, and collected and studied data. The findings and recommendations are as follows.

## Findings in brief:

1. [Being self-represented is common and difficult](#)
2. [Courts are not a welcoming place](#)
3. [Labyrinthine processes must be made clear](#)
4. [Promising family court innovations are being tried across the state](#)
5. [Courts need to focus on customer service](#)
6. [Community connections are a must](#)

*In 2021, the project will move from research and exploration to implementation.*

## Recommendations

In 2021, the project will move from research and exploration to implementation. Specifically, it will seek to expand self-represented parents' and guardians' understanding of practices and policies in family court related to children, in order to help them better prepare for court when that is their goal.

1. First, the project will take the next steps to make information more readily available in communities.
2. Next, an online tool will be created to simplify, clarify, and make more complete information available for self-represented litigants, from standardized forms to e-filing and process maps.
3. Because not everyone has access to electronic resources, the project will also create paper versions of the resources and distribute them in communities and courthouses.
4. The project will also consider areas ripe for statewide standardization of court practices and procedures.

Throughout implementation, the project will hold firmly to its commitment to identify and dismantle all forms of bias—racial, ethnic, socioeconomic, gender, and others—that impede access to justice for all. This principle, and others articulated in the body of the report, will serve as the basis for ensuring accountability in implementation.

This report summarizes the process undertaken over the last 14 months and how the data collected informed ultimate findings and recommendations for increasing access to justice for self-represented parents and guardians.



## A SPECIAL THANKS



*This project would not have been possible without a grant from NCSC as part of its Justice for All Project. These grants, which are funded by The JPB Foundation, The Public Welfare Foundation, The Kresge Foundation, and Open Society Foundations, have now been awarded to 14 states. The grants were created to pursue the following resolutions: meaningful access to effective assistance for essential civil legal needs, and for traditional and non-traditional stakeholders to collaborate to develop a comprehensive approach to achieve meaningful access to justice. For more information about the NCSC's Justice for All Project and to read reports from other states, please visit <https://www.ncsc.org/jfa>.*

*Additionally, this project would not have been possible without the time and expertise of the Advisory Committee. Despite all of the personal and professional challenges created by the pandemic, each Committee member gave hours of their time to inform this project. Their support has been essential and invaluable.*



## Illinois Justice for All Advisory Committee

**Hon. Adrienne W. Albrecht**

Circuit Judge  
21st Judicial Circuit

**Margaret Benson**

Executive Director  
Chicago Volunteer Legal Services

**Megan Brady**

Staff Lawyer, Co-Chair of Family Law Task  
Force  
Prairie State Legal Services

**Benna Crawford**

Director of Children and Families Practice  
Group  
Legal Aid Chicago

**Hon. Colleen Daly**

Circuit Judge  
Circuit Court of Cook County, Rolling  
Meadows

**Susan LePeau DeCostanza**

Lawyer  
Rubin M. Garcia & Associates

**Heather Dorsey**

Assistant Director, Courts, Children and  
Families Division  
Administrative Office of the Illinois Courts

**Ricardo Estrada**

President and CEO  
Metropolitan Family Services

**Hon. Rossana Fernandez**

Circuit Judge  
Circuit Court of Cook County, Rolling  
Meadows

**Tanya Gassenheimer**

Staff Lawyer  
Shriver Center on Poverty Law

**Dr. Kirk Harris**

Founder/President and CEO  
Parent and Community Technology and Law  
Center

**Hon. Robert Harris**

Circuit Judge  
Circuit Court of Cook County, Daley Center

**Rep. Lisa Hernandez**

Assistant Majority Leader  
24th District Illinois State Representative

**Caitlin Isbell**

Staff Lawyer  
Land of Lincoln Legal Aid

**Miguel Keberlein**

Executive Director  
Legal Aid Society, Metropolitan Family  
Services

**Anna Mayer**

Executive Director  
Taller De José

**Rena' Parker**

Trial Court Administrator  
10th Judicial Circuit

**Hector Rivera**

Counsellor  
Catholic Charities of the Archdiocese of  
Chicago

**Hon. Elizabeth Rochford**

Associate Judge  
19th Judicial Circuit

**Teri Ross**

Executive Director  
Illinois Legal Aid Online

**Jason Sposeep**

Senior Partner  
Shiller, DuCanto & Fleck

**Tamika Walker**

Lawyer  
DeRango & Cain, LLC

**Sarah Watkins**

Interim Library Co-Director  
Marion Carnegie Library



## PLANS, SHIFTS, AND EXISTING RESEARCH

Illinois is lucky to have no shortage of existing programs, services, committees, and organizations working to increase funding for legal aid, improve the Judicial Branch, and to promote access to justice. Specific to the needs of self-represented litigants, the Illinois Supreme Court established the Illinois Supreme Court Commission on Access to Justice ("ATJ Commission") in 2012 and the Access to Justice Division of the Administrative Office of the Illinois Courts ("AOIC ATJ Division") in 2014.

*The mission of the AOIC ATJ Division and the ATJ Commission is to enhance access to justice for vulnerable litigants.*

The mission of the AOIC ATJ Division and the ATJ Commission is to enhance access to justice for vulnerable litigants. The Court directed the ATJ Commission to complement existing efforts and to coordinate and collaborate with the state's civil legal aid funders and service providers.

The initiatives of the ATJ Commission are guided by in-depth strategic planning and set forth in a three-year [strategic plan](#). Those initiatives include: the development of over 30 plain-language legal form suites in several areas of the law and a large body of self-help materials; judicial and court staff education on a variety of issues related to low-income and self-represented litigants; guidance materials for judges and court staff, including

a policy on legal information vs. legal advice; streamlining procedures; and promoting the training of and reliance on qualified interpreters. The ATJ Commission continues to find ways to support the growing number of self-represented litigants and to address related challenges.

The work under this grant started in October of 2019 with the creation of a Steering Committee.

### Illinois Justice for All Steering Committee

**Leslie Corbett**

Executive Director  
Illinois Equal Justice Foundation

**Bob Glaves**

Executive Director  
The Chicago Bar Foundation

**Lekisha Gunn**

Senior Program Manager, Language Access and Community Trust  
Administrative Office of the Illinois Courts

**Mark Marquardt**

Executive Director  
Lawyers Trust Fund of Illinois

**Samira Nazem**

Director of Pro Bono & Court Advocacy  
The Chicago Bar Foundation

**Jill Roberts**

Supervising, Senior Program Manager, Access to Justice Division  
Administrative Office of the Illinois Courts

**Justice Mary K. Rochford**

Appellate Justice  
1st District Appellate Court

**Alison Spanner**

Assistant Director, Access to Justice Division  
Administrative Office of the Illinois Courts



The Steering Committee explored a variety of options for how to work towards achieving justice for all and noted areas of law with high concentrations of self-represented litigants to evaluate. The Committee narrowed its focus to family law and, in particular, issues that affect children. In early 2020, the project's lead consultant interviewed seven professionals (a family court judge, lawyers, a human services program director, and a county resource person for self-represented litigants), to get an early sense of the lay of the land for self-represented litigants with children.

Interviewees described an array of common difficulties encountered by self-represented litigants and by the courts they turn to. They also sketched a landscape in which a number of courts and advocates in Illinois are experimenting with new resources and approaches to meet the needs of parents seeking legal resolution as self-represented litigants.

The most frequently mentioned barrier for self-represented litigants reported by the interviewees was the layperson's challenge of understanding and working within the legal and procedural requirements of the court system.

Those interviewed reported that being unrepresented when the other party had counsel—and thus the knowledge and skills to move effectively through proceedings—was a frequent and frustrating disadvantage. Many of the surveyed court staff also alluded to this challenge.

Practical challenges abound. Mandatory e-filing is difficult, especially for those with limited technology skills or for those who lack internet access. Staying organized in the face of copious paperwork and protracted case timelines is onerous for some. Additionally, negative impacts on litigants' income and job performance can spring from: multiple court dates; court being open only on weekdays; scarce court-based childcare; and limited transportation options for those in more rural areas. Furthermore, qualified interpreters are not consistently available to people with limited English proficiency or to people with hearing impairments.

The surveyed experts said courts are also affected by the difficulties faced by self-represented litigants. Self-represented litigants can slow down courtroom processes, sometimes lack realistic expectations of the

*Fundamentally, the biggest problem is that you are taking someone who knows nothing about the court system that is controlled by lots and lots of rules and people who know them. We're asking them to navigate on their own, so they begin with a severe disadvantage. It can be hard to grasp why certain things (such as service of process) are important, but it has to be done in a specific way and on a specific timeline, and if not, the case won't move forward. Service is difficult to understand. I didn't truly understand it until after law school, when I began practicing. Figuring out service is just the beginning of a string of challenges for people who are representing themselves.*

*– An Illinois family court judge*



process, and necessarily lack the mediating influence of a lawyer. At times, judges are stymied by scant referral options for legal aid, counseling, substance abuse treatment, and other needed services that are affordable, readily available, and close at hand. A judge described frustrations with disputes between two self-represented parties who may present information that is unclear or incomplete, thus leaving the judge without full knowledge of the family's circumstances. Lawyers also said that family law is difficult because such cases require individual assessment and do not lend themselves to cut-and-dried resolutions because of the complicated nature of underlying facts and relationships.

Specific to Illinois, the highest numbers of self-represented litigants are seen in orders of protection cases and family law cases.<sup>1</sup>

The project interviewed a judge in the 21st Circuit (Kankakee) and an attorney in the Circuit Court of Cook County. Both had deep expertise in child guardianship and the experiences of self-represented people in their locales. The judge formerly heard

---

<sup>1</sup> Illinois Courts Annual Report, 2019 found here: [https://courts.illinois.gov/SupremeCourt/AnnualReport/2020/2019\\_Annual\\_Report.pdf](https://courts.illinois.gov/SupremeCourt/AnnualReport/2020/2019_Annual_Report.pdf)



family law and guardianship cases, while the lawyer directs Chicago Volunteer Legal Services (CVLS), which plays a significant role in Cook County guardianship cases.

In Cook County, child guardianship cases are heard in the Probate Division's minor guardianship courtroom. Unlike the slow, often difficult process encountered by many self-represented litigants in family court, the approximately 6,000 guardianship cases heard per year tend to be resolved quickly and easily, in part because statutory requirements are less onerous. Under the Probate Act, the court has authority to award guardianship if the child resides within the county and the parents both consent, cannot be found, or have notice of the case and do not object. Cases become complicated when a parent objects or, later, seeks to terminate the guardianship over the objections of the guardian.

In most cases, parents either consent to guardianship or do not appear in court to object. In a very brief hearing for an initial guardianship, the judge asks petitioners a few questions to ensure that they are prepared to support the child. Child support is not awarded in a guardianship case. A party who wants or needs child support must file a custody or parentage case in the Domestic Relations division.

In the Kankakee court, judges presiding over guardianship cases hear family law cases in the same courtrooms. When the judge interviewed for the project last managed such cases, 70 to 80% included self-represented litigants; that percentage has continued to increase in recent years. Additionally, in half of all cases, neither party is represented.

Both experts said that the Illinois Department of Children and Family Services (DCFS) has opened fewer neglect and abuse cases and has sent more families to Probate Court to establish guardianship, noting that the court lacks the resources that are made available



through DCFS. DCFS places children with family members, and advises them to attain guardianship without information, guidance, or attorneys. As a result of DCFS' opening fewer neglect and abuse cases, caretakers are often at a complete loss in the courtroom.

Years ago, in response to the increase in cases, the Cook County court created a Help Desk, staffed by non-attorney judicial clerks, to assist people preparing and filing guardianships and subsequent petitions to discharge. CVLS is funded to oversee this work and to answer legal questions. Most people seeking guardianship in Cook County have used the Help Desk. Most are older Black women, including grandmothers and aunts who step in to care for children when parents cannot or will not. They tend to be very low-income, self-represented, and eligible for court fee waivers. (The court can be used by anyone, but those who are not low income usually hire an attorney, and attorneys often file in the Domestic Relations Division, likely because they are more familiar with Domestic Relations law and procedures.) In Cook County, there is a single Guardianship courtroom with one presiding judge; the court has calls twice each weekday.

When filing a petition for guardianship or to discharge, parties must consent to criminal and DCFS background checks. CVLS is appointed as guardian ad litem by the judge hearing guardianship cases if a parent or guardian objects to a petition or if either background check turns up information.

In the 21st Circuit, the majority of self-represented litigants are also older and low income; white and African American litigants are about equally represented. In contrast to Cook County, guardianship cases move along at a speed comparable to family law cases. This reflects a much smaller volume of cases downstate in comparison to Cook County's case numbers. The judge also noted that even with fewer cases, the circuit court has a significant need for more court-related resources: there is no mediation or public

guardian; guardians ad litem are assigned, but two of every three are pro bono; and parenting education and counseling are very limited. The judge recommended technological responses to improve the guardianship process, such as an online version of Lawyers in Libraries.<sup>2</sup> More and more lawyers in Kankakee are practicing transactional law only, and most of those now appearing in the Kankakee court live outside the county. To engage them online could greatly increase the pool of prospective attorney volunteers.

It would be useful to know the key factors that make Guardianship Court in Cook County so much easier for self-represented litigants to navigate than family court and how these elements could be incorporated into family court. Some possibilities are suggested above, but more research is needed to confirm these initial impressions.

In February of 2020, after considering the feedback from the interviews and after further discussions, the Steering Committee agreed to focus on parental legal issues, to examine the experiences of self-represented litigant court users, and to determine how courts and the community could better assist them as they seek legal solutions. The Steering Committee planned focus groups in several locations across Illinois consisting of self-represented litigants and the local community organizations that work with them, to implement an online survey of court personnel, and to map justice assets related to identified focus areas to better understand existing resources. The Steering Committee created an Advisory Committee of leaders of community and legal resource organizations; judges; lawyers in private practice and in public service; an elected state representative; a public librarian; and representatives of community and social service organizations.

<sup>2</sup> Lawyers in Libraries are free legal clinics staffed by pro bono attorneys on a regular schedule. They may provide presentations for groups, brief individual consultations, and question and answer time. In Illinois some have been temporarily cancelled during the novel coronavirus pandemic.



In March 2020, COVID-19 struck. The Steering Committee requested and was granted a three-month extension from NCSC, in hopes that the pandemic would pass. When it became clear that the coronavirus would endure, the Steering Committee considered how to make necessary changes to move forward. The Steering Committee realized that in-person Advisory Committee meetings were not possible and that it could not simply replace face-to-face focus groups with online alternatives, given the pervasive digital divide and a lack of broadband access in many parts of the state. With NCSC's support, the Steering Committee revised its approach.

The Steering Committee convened the Advisory Committee online, using tools that had been featured in a webinar series provided by NCSC. While not ideal, meetings on Zoom had become the norm and the adaptation was reasonably seamless. To further engage and learn from and with Advisory Committee members, the Steering Committee also devised four online lunch-and-learn sessions focused on: user-friendly tech, community partnerships, court-based interventions, and the community context in which courts operate.

To replace community focus groups, the Steering Committee turned to existing research about self-represented litigants in family court. The Steering Committee owes a debt of gratitude to earlier research, especially recent work about and recommendations from the self-represented litigants to be addressed, and research conducted by the Institute for the Advancement of the American Legal System (IAALS): [Cases](#)

[without Counsel: Research on Experiences of Self-Representation in U.S. Family Court](#) (May 2016) and [Cases without Counsel: Our Recommendations after Listening to the Litigants](#) (May 2016). The reports are comprehensive and grounded in nuanced qualitative research with 128 subjects interviewed across four different states. The demographic profile of interviewees was in all but one respect representative of Illinois' population; only Latinos/as were significantly under-represented in *Cases without Counsel*.

The Steering Committee used the reports as the foundation for understanding self-represented litigants and supplemented them with telephone interviews with Latino/a self-represented litigants. At the suggestion of an Advisory Committee member, so as to add to our understanding of why some parents avoid court, the Steering Committee also added one online Chicago focus group with low-income African American fathers who mostly prefer not to seek legal resolution in the courts. IAALS' interview protocols were adapted for the interviews and focus group, as well as for the originally planned online survey of court staff.

In addition, members of the Steering and Advisory Committees created process maps for three family law processes: minor guardianship, establishing parentage, and divorce with children. The work group first developed maps showing the complete, multi-step process and then created a simplified version.

Finally, a demographer consultant also provided state data relevant to the project.



# PROJECT PRINCIPLES

Early on, the Steering Committee articulated a set of principles guiding its work:

- Commitment to increasing access to justice
- Value both community insight/experience/wisdom (including the voices of those directly affected by a lack of access to justice), and professional expertise
- Ask questions to help clarify the work
- Begin with expansive consideration, then focus to make decisions
- Emphasize collective decision-making
- Ensure that the project reaches courts and residents in multiple parts of the state

In the course of the project, the Advisory Committee confirmed the above and added:

- Recognize and dismantle all forms of bias—racial, ethnic, socioeconomic, gender, etc.—that impede access to justice for all





## FINDINGS

*A distillation of findings from the focus group, interviews, survey, and literature review process follows.*

### 1. Being Self-Represented Is Common and Difficult

Three of five people with civil cases go to court without a lawyer, and in some family courts, 80 to 100% of cases include at least one self-represented litigant.<sup>3</sup> In a judicial system designed for people represented by lawyers, difficulties are common both for those seeking justice without a lawyer, and for the courts that serve them.

Research shows that financial necessity and the inability to secure a legal aid or pro bono lawyer are the primary reasons that litigants are unrepresented. Lawyers' fees are significant: \$100 to \$200 per hour in small towns and rural areas, and \$200 to \$400 an hour in cities.<sup>4</sup> Legal aid organizations across Illinois, including the state's three Legal

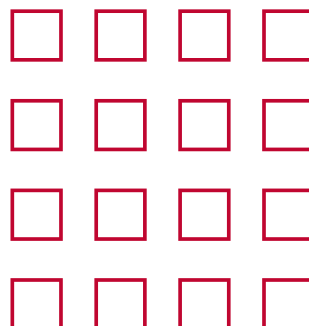
Services Corporation-funded organizations, are usually at capacity and unable to accept new cases, including family law cases, except on a limited basis, prioritizing those marked by family violence. There are fewer than 450 legal aid lawyers in the entire state providing free legal services for the poorest Illinois residents (1.6 million people—and growing in the current economic crisis). Seven of Illinois' 24 judicial circuits have no legal aid offices located within their boundaries. Outside of Cook County, there is only one legal aid lawyer for every 10,000 low-income residents.<sup>5</sup>

<sup>3</sup> Self-Represented Litigation Network, "The Need" <https://www.srln.org/node/21/about-srln>

<sup>4</sup> Illinois Legal Aid Online <https://www.illinoislegalaid.org/legal-information/how-do-lawyers-charge-their-services>

<sup>5</sup> Illinois Supreme Court Commission on Access to Justice, Access to Justice in Illinois, November 2014, page 6.

*There are fewer than 450 legal aid lawyers in the entire state providing free legal services for the poorest Illinois residents (1.6 million people—and growing in the current economic crisis).*





## Socioeconomic Determinants of Need

Information on the socioeconomic characteristics of Illinois families contributes to understanding the population that could potentially become involved with self-represented cases. A primary concern is the income level of families with children, as lower-income families are more likely to lack financial resources to hire an attorney. Other issues that might influence the rate of self-represented filings as well as the experience of the litigants include the number of families who do not speak English<sup>6</sup>, their education, immigration status, possession of financial assets, and access to technology.

Here we examine the extent of families with children in Illinois who are also low income.

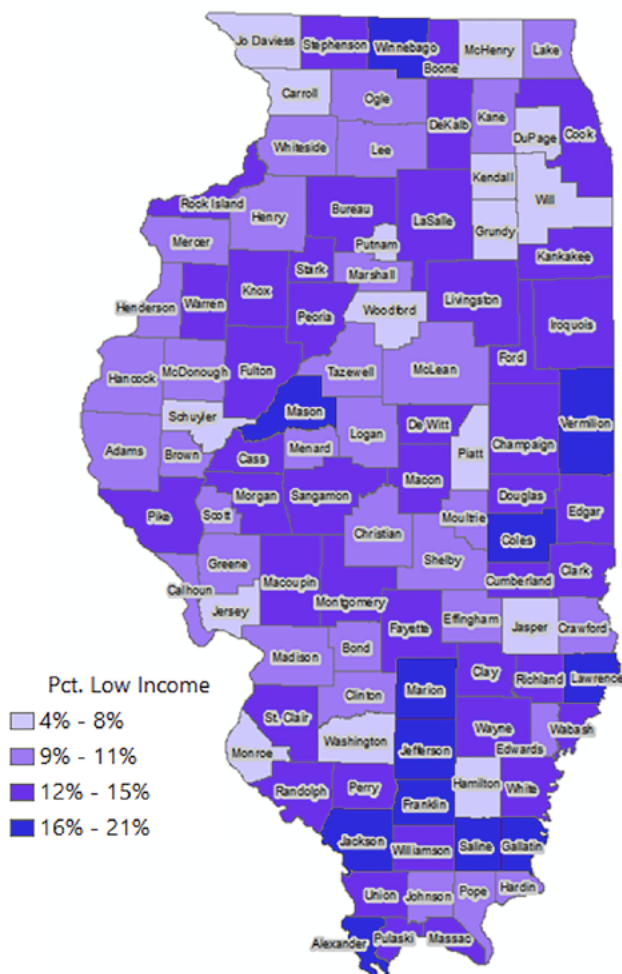
About 12% or one in eight Illinois families include children and have family incomes that are below 150% of the poverty level. For a family of three persons, 150% of the poverty level represents a maximum of about \$32,500 dollars in annual income. To give perspective on this amount, families at or below this income would likely qualify for Medicaid-funded health care, for nutrition assistance such as food stamps, and for other health and human service programs.

The map below shows Illinois geographic patterns of low-income families with children.

6

1.1 million Illinois residents do not speak English “very well” per the American Community Survey of 2014-2018.

### Percentage of Families with Children Who Are Low-Income: 2014-2018



Not all self-represented litigants are low-income. Some parents with means decide to direct their resources instead to other child-related costs, such as tuition. Still others believe their research, analytic, and speaking skills will enable them to manage their case, sometimes with brief coaching from a lawyer. Some self-represented litigants are couples who have come to an agreement and go to court only to formalize their arrangements; many are motivated by a wish to avoid an adversarial process, preferring to remain cordial.

*...being self-represented is a disadvantage...*

Whether from a lack of other options or by choice, being self-represented is a disadvantage—a fact that is widely recognized and acknowledged by self-represented litigants. They feel outmatched by opposing counsel.



The legal process can exacerbate stress during an already difficult time. At times, the outcomes self-represented litigants seek are negatively affected by their lack of representation, with potentially serious negative consequences for their children.

*When I go into court, I feel I'm up against his attorney, him, the guardian ad litem, and the judge. As a woman, a Latina, I feel minute next to them. I feel like I'm up against two suits and a robe—and the whole system.*

*– A self-represented litigant in Illinois*

This assessment was echoed by most of the non-judicial court personnel queried by the project. They overwhelmingly agreed that not having representation has a negative impact on case outcomes. The survey respondents stressed that unrepresented parents are particularly disadvantaged in contested cases and cases in which the other party has a lawyer. A few replied that when both parties are unrepresented or a case is not contested, self-representation can work well.

Of surprise and concern, a majority of the Latino/a self-represented litigants interviewed by the project reported being badly treated by judges and court-appointed guardians ad litem (GALs). The men said their criminal records were the reason they were discriminated against, while the women said their gender and ethnicity were the reason they felt they were intimidated and treated disrespectfully and unjustly. It is hard not to wonder if the presence or representation of a lawyer might

have checked unprofessional behavior by judges and GALs or provided an avenue for accountability. Findings from *Cases without Counsel* do not refer to this experience among those interviewed.

Additionally, more than half of the women who were interviewed reported that they had been abused by their former spouse or partner, which is disturbing on two counts. First, survivors of family violence residing in parts of the metropolitan Chicago area, where the women all lived, can be served by specialized domestic violence legal service programs that have Spanish language capacity. Across the state, survivors are given priority at many legal aid organizations. Yet all of these women were unrepresented and none seemed to know that legal aid was at least theoretically available to them. Second, in these cases, some judges were unaware of or unresponsive to a recent history of violence. This was evident in women being ordered to mediation and communications counseling with their abusers (in both instances, the mediator and counselor intervened to protect the women), and case decisions made without apparent consideration by judges of recent family abuse.





Cases without Counsel and the project's research make clear that self-represented litigants face big challenges. Self-represented litigants lack knowledge of legal and court processes, from the most basic information about filing a case (*Which forms must be filed? How? Where? How much are the fees and how does one pay?*), to the complexities of service, to gathering and presenting evidence. Arcane legal language is a mystery. Many self-represented litigants reached out to multiple sources to find guidance, but none of those interviewed by the project found all the resources they sought.

*Many self-represented litigants reached out to multiple sources to find guidance, but none of those interviewed by the project found all the resources they sought.*

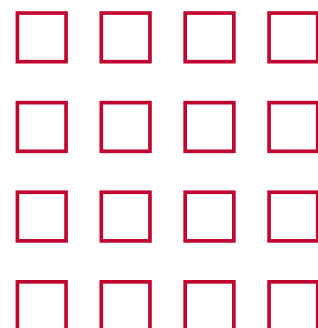
Nevertheless, the litigants suggested three main ways courts could better help them to better represent themselves: provide pro bono representation for every person going to civil court for child-related matters; provide a roadmap of case types and courts; and make changes to simplify the paperwork, use Plain English instead of legalese, and give more time for self-represented litigants to explain themselves to judges.

While many of the court staff members surveyed gave responses that showed care and empathy for self-represented litigants, others expressed frustration at serving as “first responders” for individuals who are often anxious, confused, and agitated. Court personnel—especially clerks and their staff—are seen by self-represented litigants as front-line sources of information and guidance, though not all of them wish to fill that role. What constitutes legal advice versus legal information also appeared to continue to perplex many: 44% of survey respondents said they find navigating the line between the two

difficult. Some offered thoughtful suggestions for improvement.

*Decisions in family cases are best made by the parents involved and a confrontational arena does not present a healthy start for a family to heal from the trauma of divorce. Working with mediators early in the process, rather than with attorneys making arguments about how bad the other person is, would be beneficial. The process should be more conciliatory and less confrontational. The cost of a protracted divorce can be overwhelming, which takes money away from the children and family. This too generates stress that can lead to further complications and strain the family dynamic even more.*

*– An Illinois court administrator*





## 2. Courts are Not a Welcoming Place

Low-income African American fathers who participated in the project's online focus group identified parental allocation of responsibilities, child support, parenting time, guardianship, and parenting/co-parenting as the child-related issues that they were seeking to resolve with a former partner or spouse. The group was asked about their reasons for not going to court to address these issues. In addition to not having money to hire a lawyer and not being able to find legal aid, some of the fathers said they preferred to handle their concerns outside of court. More than half said they did not believe they would be treated fairly by a court. Elaborating, fathers said prior incarceration had been and would be held against them, and judicial rudeness they had experienced or witnessed toward family members rendered them unable to trust that they would be treated respectfully or fairly. They linked their perspectives more broadly to systemic anti-Black racism and prejudice against poor people and those who were formerly incarcerated.

*They linked their perspectives more broadly to systemic anti-Black racism and prejudice against poor people and those who were formerly incarcerated.*

While not avoiding court like the fathers noted above, most of the interviewed Latino/a self-represented litigants also recounted instances in which they had experienced discrimination and disrespect from judges. Racialized injustice is what the Black and Latino/a parents encountered and recounted. Access to justice will only be fully realized when all litigants are welcomed into the court system. This finding is also supported by the NCSC's *Call to Action: Achieving Civil Justice for All*, which states

"courts ultimately must be responsible for ensuring access to justice. Once a case is filed in court, it becomes the court's responsibility to manage the case toward a just and timely resolution."<sup>7</sup>

7 National Center for State Courts. (2016). Civil Justice Initiative: Call to Action: Achieving Civil Justice for All, Recommendations to the Conference of Chief Justices by the Civil Justice Improvements Committee. Page 16. [https://www.ncsc.org/\\_data/assets/pdf\\_file/0021/25581/ncsc-cji-report-web.pdf](https://www.ncsc.org/_data/assets/pdf_file/0021/25581/ncsc-cji-report-web.pdf)

## 3. Labyrinthine Processes Must Be Made Clear

In Greek mythology the labyrinth was a maze so complex that anyone who entered was unable to leave alive. While certainly not fatal, in interview after interview, self-represented litigants described being lost, in the dark, and overwhelmed in courtrooms and cases. Court personnel used the same language in describing their observations of self-represented litigants. The litigants recommended the creation of maps to provide an overview of the process, step by step. They said that such maps would help them anticipate and understand what lay ahead and what they might expect along the way.

*Clear and concise, step-by-step directions the whole way. I understand that's what law school is for, I get it. But there's got to be a resource or a guide or something other than law school, like Cook County Court for Dummies. Something that explains the process beyond the forms.*

*– A self-represented litigant in Illinois*



The AOIC ATJ Division had previously created a one-page infographic, *Divorce with Children Overview*, which shows the process along a road, indicating the main steps along the way. (None of the self-represented litigants we talked with had seen this, nor did any court staff mention it.) Over the summer, two small groups of members from the Steering and Advisory Committee worked to define each step in two other family law processes: minor guardianship, and establishing parentage (in full, along with a streamlined version; JFA staff also created a simplified map for divorce with children).

Each of the full maps for guardianship and parentage are three pages long, and powerfully convey how complex these cases can be. They illustrate the many possible permutations that make it challenging to predict exactly what the sequence of steps will be in any one case, and how easy it is for self-represented litigants to feel lost in the process. The maps also include a great deal of legal terminology and, in one instance, an antiquated step (the “letter of office” in guardianship) that might reasonably be eliminated. In a testament to their utility, when the Advisory Committee reviewed them, several judges commented that they had never before seen a complete, step-by-step illustration of the common processes, and agreed that these maps would likely be valuable as guides for self-represented litigants. To make them useful to laypeople, the maps would require revision, and a plan for continuous distribution.

## 4. Promising Family Court Innovations Are Being Tried Across the State

Over the course of the project, Advisory Committee members taught and learned about promising, innovative responses to challenges faced by self-represented litigants. This included:

- Self-Represented Litigant Friendly Courtrooms. A presiding judge in a self-represented litigant court said the fundamental goals of a courtroom designed solely for self-represented litigants are to provide the benefits of having judges and court personnel who are trained and knowledgeable about best ways to interact with self-represented people, and to provide for more meaningful and direct communication between the judge and the parties. In Illinois this has taken different forms: DuPage County had the first dedicated full-time self-represented family judge; Lake County’s 19th Judicial District has an online Self-Represented Center that is amplified by a special family law court call for self-represented litigants; and the Rolling Meadows courthouse, part of the Circuit Court of Cook County, has a self-represented litigant family court call once a week. Judges on the Advisory Committee noted that the pandemic has led them to use more online technology for remote hearings, with generally positive results.

*Lake County’s courts’ response to self-represented litigants has been particularly holistic.*



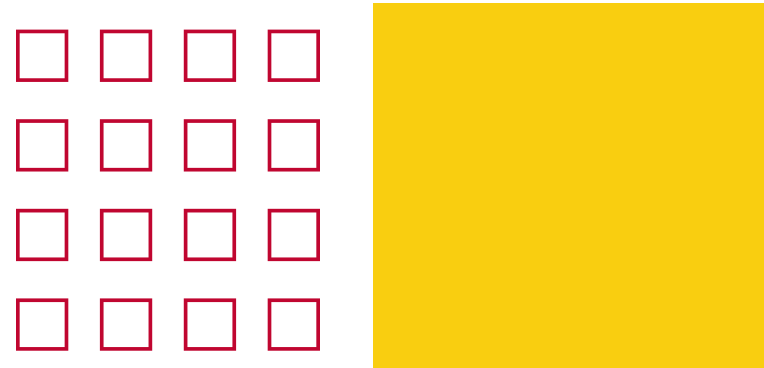
Lake County’s courts’ response to self-represented litigants has been particularly holistic. Its self-represented family law court call is five days a week and no more than fifteen cases are heard per day. The courtroom was described as “a different atmosphere: there are no lawyers present, it’s a smaller room, and friendly and resourceful staff add up to a less intimidating space.” A warm, friendly, bilingual clerk (specially chosen for this demanding role) provides handouts at check-in. JusticeCorps members are in the courtroom daily; they help explain processes and answer questions.<sup>8</sup> Mediators are also in the courtroom and the judge may assign them to cases. Mediation often expedites the process, thereby reducing the number of court appearances and thus reducing the financial costs to litigants. The judge gives litigants an individualized checklist of forms to complete and refers them to the law library down the hall. Librarians provide the indicated forms and help with completing and electronically filing the necessary forms. The court recently added a Self-Represented Litigant Coordinator position.<sup>9</sup> New funding was unanimously approved by the county board, whose members include lawyers who have seen the benefits of the specialized courtroom to the community and to the court system as a whole.

The 15th Circuit, with modest funds, has created Self-Help Centers that are spread across six county courthouses. Clerks and judges refer to the Centers, with judges giving litigants a forms checklist to guide them. The sole staff person offers information and assistance and has made it her business to be

well-acquainted with the local public resource entities to provide supplemental referrals.

- Online Dispute Resolution (ODR). ODR uses various forms of technology (i.e., web-based, video conferencing, chat) to replace or support traditional ways of coming to agreements. The 10th Circuit (Peoria County) has an ODR program (the first pilot in the state) that works well for many self-represented litigant parents. The program is available for mandatory child custody mediation in marriage dissolution cases, specifically for self-represented and very low-income parents. Its administrator noted that ODR reduces parenting plan development time by 50%, and that users describe it as less stressful than in-person dispute resolution. The program manager also noted that most people using it require some level of human assistance in the process.
- Early Resolution Programs (ERP). In Cook, McHenry, and Lake County, courts have created ERPs for self-represented litigants that are designed to shorten the time between case filing to disposition, thereby reducing lost wages of litigants attending court hearings, providing meaningful access to the judicial system, reducing the number of case-processing steps, and limiting the number of post disposition hearings. To date, the programs focus exclusively on uncontested divorces, but could be useful to some parents with child-related legal issues.

However, the Advisory Committee identified



<sup>8</sup> Illinois JusticeCorps is an innovative AmeriCorps program that places college students, recent graduates, and other volunteers in courthouses throughout the state to help the growing number of litigants appearing in court every day without lawyers. Volunteers in the program make the courts a friendlier and more welcoming environment for litigants and other court patrons. JusticeCorps currently sits in 13 counties across the state.

<sup>9</sup> The Self-Represented Litigant Coordinator Program launched in fall 2017 and has served over 50,000 self-represented litigants. Funded through grants from the ATJ Commission, the Program was the first-ever statewide network of court personnel dedicated to working on issues affecting self-represented litigants.



*...one court innovation that has not made the court process easier for self-represented litigants: e-filing.*

one court innovation that has not made the court process easier for self-represented litigants: e-filing. On January 1, 2018, e-filing became mandatory for lawyers and self-represented litigants in Illinois. Unfortunately, the e-filing user interface was not designed with self-represented litigants in mind. The overall framework is not intuitive, is difficult to navigate, and is not designed for users who may have limited technology proficiency or low literacy levels. It is purely text-based, frequently uses technical legal terms, and lacks any sort of graphic or visual depictions to enhance user comprehension.

E-filing is also not mobile friendly, which is particularly problematic because a lack of access to the internet and technology is a significant challenge across the state. Many Illinois residents (and some courthouses) lack broadband internet. In some counties in Illinois, 50 to 75% of households are without internet connections in the home<sup>10</sup> and statewide broadband access is less likely to be available in Black and Latino/a households and for people without high school diplomas or who are low income.<sup>11</sup> A smartphone may be the only reliable way for many people to access the court system for e-filing.

Illinois courts' responsiveness to self-represented litigants is consistent with a larger national movement to better address

<sup>10</sup> Self-Represented Litigation Network Map with the ATJ Commission, citing the Federal Communications Commission's most recent broadband data <https://www.fcc.gov/form-477-mobile-voice-and-broadband-coverage-areas>

<sup>11</sup> Horrigan, John B. "Broadband Adoption in Illinois: Who is online, who is not, and how to expand home high-speed adoption." November 2012. [http://www.broadbandillinois.org/uploads/cms/documents/broadband\\_adoption\\_in\\_illinois.11.09-edsb.pdf](http://www.broadbandillinois.org/uploads/cms/documents/broadband_adoption_in_illinois.11.09-edsb.pdf)

*Illinois courts' responsiveness to self-represented litigants is consistent with a larger national movement to better address these needs.*

these needs. Earlier this year, the Conference of Chief Justices and the Conference of State Court Administrators endorsed and encouraged its members to implement the following recommendations related to family law:<sup>12</sup>

- a. Ensure that family law matters receive the same level of prestige and respect as other court matters by providing them with appropriate recognition, training, funding, and strong leadership;
- b. Aggressively triage cases at the earliest opportunity;
- c. Simplify court procedures so that self-represented parties know what to expect, understand how to navigate the process, can meaningfully engage in the justice system, and are treated fairly;
- d. Ensure that self-help information and services are available both in person and remotely so that all litigants can access the full range of court self-help in the manner that is most appropriate for their needs;
- e. Offer families a choice of dispute resolution options to promote problem-solving and to minimize the negative effects that the adversarial process has on families during the court process and afterwards; and
- f. Promote the well-being of families, including implementation of trauma-responsive practices for families and staff, throughout the life of their case and as the primary desired case outcome

<sup>12</sup> Conference of Chief Justices and the Conference of State Court Administrators Resolution 4 in Support of a Call to Action to Redesign Justice Practices <https://www.ncsc.org/services-and-experts/areas-of-expertise/children-and-families/fji-update>



## 5. Courts Should be Focused on Customer Service

As courts across Illinois continue to develop innovative responses to the COVID-19 pandemic, they face new challenges in providing meaningful services and assistance to court patrons, lawyers, and the public. Navigational assistance and legal information, in large part, were previously offered in person and on a walk-in basis. However, this mode of delivery is no longer as feasible or safe due to measures designed to reduce the number of persons inside courthouses and promote social distancing. Vulnerable and marginalized members of our community are most harmed by this reduction in access to legal resources. Lawyers and litigants also have experienced challenges in understanding procedures and practices that were enacted during the pandemic.

*Consistent research on the experience and attitudes of court users shows that they do not find courts to be customer friendly.*

Court users are the customers of the court system. Consistent research on the experience and attitudes of court users shows that they do not find courts to be customer friendly. NCSC conducts annual surveys of American voters, through the *Public Trust and Confidence Study*, to gauge public perceptions of the state courts. The 2018 data found that 59% of those surveyed agreed “state courts are not doing enough to empower regular people to navigate

the court system without an attorney.”<sup>13</sup> The same survey, conducted in 2017, focused on customer service and found that only 52% of those questioned believe the state courts provide good customer service.<sup>14</sup> Survey respondents report that their most serious concerns are not knowing where to turn for help with forms and procedures (37%); rude, unhelpful, and intimidating court staff (35%); not knowing where one needs to go in the courthouse (29%); the amount of time spent at the courthouse (27%); and not being able to complete forms or pay fees online (24%).<sup>15</sup>

Survey respondents were, however, able to prioritize common-sense solutions to the problems they identified:

- Plain language legal forms that non-lawyers can understand and complete;
- The ability to connect with court staff online or by phone to answer questions rather than traveling to the courthouse; and
- Online self-help services that allow users to file a form, pay a fine, or take other actions online instead of coming to the courthouse.<sup>16</sup>

Due to the pandemic, the majority of Illinois state courts has now adopted the technology required to allow appearances in court by video or phone conferencing. However, ensuring that court patrons, lawyers, and the public have access to information about remote processes, procedures, resources, and other materials—without coming into the courthouse to receive that help—remains elusive.

13 Memorandum from GBA Strategies to the National Center for State Courts 5 (Dec. 3, 2018) [https://www.ncsc.org/\\_data/assets/pdf\\_file/0020/16157/sosc\\_2018\\_survey\\_analysis.pdf](https://www.ncsc.org/_data/assets/pdf_file/0020/16157/sosc_2018_survey_analysis.pdf)

14 Memorandum from GBA Strategies to the National Center for State Courts 2 (Nov. 15, 2017), available here: [https://www.ncsc.org/\\_data/assets/pdf\\_file/0012/16131/sosc-2017-survey-analysis.pdf](https://www.ncsc.org/_data/assets/pdf_file/0012/16131/sosc-2017-survey-analysis.pdf)

15 Id. at 3

16 Id. at 5



While exacerbated by the impact of COVID-19, unequal access to legal information predated the pandemic. The availability and scope of informational services for individuals trying to navigate the court system varies widely across jurisdictions. Some more highly resourced courthouses have staff members dedicated to answering questions, such as Self-Help Center staff, law librarians, JusticeCorps members, or Self-Represented Litigant Coordinators, while less resourced courthouses lack the capacity to provide that same level of personal assistance.

*Communities are important sources of real-world aid to people looking for all kinds of insight and assistance.*

## 6. Community Connections Are a Must

Communities are important sources of real-world aid to people looking for all kinds of insight and assistance. Parents representing themselves search diligently. Most of the fathers from the focus group said that their searches for help had been difficult, frustrating, and overwhelming. Interviewees described reaching out to a number of legal information and coaching sources (e.g., CARPLS and the 19th Circuit Court District's online Center for Self-Representation), as well as to community-based nonprofits for valued counseling and court accompaniment.

A conversation among Advisory Committee members identified a number of challenges that community members face in advance of going to court: (1) filing fees can cost \$300 to \$400; (2) mandatory e-filing of court

documents requires access to a computer, a printer, a scanner, and an email address; (3) some people have difficulty completing documents; and (4) most hearings during the pandemic are remote, which can be easier and less disruptive to one's job, but add a barrier for people without access to or facility with technology.

Advisory Committee members also laid out several community perceptions that may discourage use of courts for problem-solving including:

- Unfamiliarity with how courts work, which may make finding one's way to, into, and through the court system intimidating;
- Language barriers for people with limited English proficiency and for laypeople unfamiliar with legalese;
- Conflating the judicial system with law enforcement, which can be off-putting for community members who have had negative interactions with police and may view judges hearing civil matters as part of the same system. Undocumented immigrants may fear links between state-court judges and the US Department of Homeland Security;
- Lack of trust in the system, based on earlier dealings with other institutions plagued by systemic bias, including anti-Blackness and other forms of racism; a condescending or dismissive attitude toward poor people; and xenophobia. Some immigrants have come from countries with corrupt or government-run judicial systems and may not believe that U.S. judges will act fairly or impartially



*I try not to let the system dictate or define who I am as a father, because it is designed for us to seem like we don't care or we took the easy way out. The biggest barrier is: being all through the systems and being in and out of the systems, it's pretty much designed to put you in debt and hold that over your head. I do the best not to let this dictate who I am as a father to my kids.*

*– An Illinois father who avoids going to court about his children*

Community members' perceptions of courts beg the question: How do judges and court personnel view community members? That is: Do judges and staff routinely show respect and even-handedness in their dealings with people of all backgrounds? Based on our conversations, the answer is no. This is confirmed by the NCSC voter survey wherein people of color expressed the greatest concerns about the behavior of court staff.<sup>17</sup>

Committee members identified three possible community-based solutions:

1. Expand Help Desks and Navigator Programs to Communities. Help Desks and court navigator programs that now exist in courthouses could be replicated in the community. This could provide individuals seeking help with access to trained community justice navigators, pro bono lawyers, law students, and volunteers who could help explain processes, direct litigants to the right forms, and provide short-term coaching to self-represented litigants. A triage approach could help people identify the best options and venues for solving their problems. Locations might include

## *How do judges and court personnel view community members?*

public libraries (where pro bono brief consultations are already available in some locations), human service organizations, faith-based institutions, and other trusted community sites.

2. Increase Availability of Pre-Court Interventions: Early Resolution Programs and Online Dispute Resolution can also be helpful. Online support programs can be of great assistance if courts can solve barriers related to the digital divide and widespread lack of broadband access, and if such programs are attached to humans who can assist when needed.
3. Encourage Use of Conflict Resolution Resources. Another option would be to lift the public profiles of and increase the availability of community-based mediation and other conflict resolution services. These services could help people who prefer not to go to court, as well as those who want to avoid an adversarial process, while also aiding parents who prefer to begin their court cases after a parental agreement has been reached. As noted earlier, mediation is not appropriate for parents whose partners have been abusive but can help other parents and guardians.

While the Advisory Committee acknowledged the importance of engaging community by working with community nonprofits to provide a range of assistance to self-represented litigants, across the state, the number of nonprofit organizations in most counties is actually quite limited.

<sup>17</sup> Memorandum from GBA Strategies to the National Center for State Courts 2 (Nov. 15, 2017), available here: [https://www.ncsc.org/\\_data/assets/pdf\\_file/0012/16131/sosc-2017-survey-analysis.pdf](https://www.ncsc.org/_data/assets/pdf_file/0012/16131/sosc-2017-survey-analysis.pdf)



Most groups providing supportive services are described as “nonprofit” because they have been recognized by the Internal Revenue Service as charitable organizations. Other groups do not have a nonprofit status but may have goals, staff, and financial resources geared to community support. These include public libraries and religious organizations such as churches, temples, or mosques. Some local governmental agencies offer supportive services such as townships, which in Illinois function as a safety net of last resort for at least some residents in financial need.

The nonprofit sector is large in terms of dollars and numbers of entities in Illinois, but it is unclear how many groups may be available to support low-income families whose members are self-represented litigants. Some questions in assessing the nonprofit sector include:

#### How are nonprofits defined?

- There is no definitive listing of nonprofit groups in Illinois.
- Some information on organizations granted tax-exempt status is available, but the kind of services offered by the groups is unclear, as they self-select the category of service they provide, and some do not report any category. Smaller nonprofits can be exempt from filing their information with the IRS.<sup>18</sup>

---

<sup>18</sup> Most but not all nonprofit organizations file a form 990 with the Internal Revenue Service, and publicly available data provides a list of groups operating in Illinois. Most non-profits indicate the type of service they provide, but the categories published by the IRS lack specificity. For example, the category of “Alcohol, Drug Abuse, Treatment Only” may include both counseling centers but also philanthropic foundations that give to such causes.

The project demographer reviewed a database of 3,000-plus nonprofits that filed a form 990 in 2017 and were located in Illinois. He selected groups that fell in one of 169 categories, and further edited the list to remove organizations whose title suggested they did not provide direct services. The final list is likely to overstate the number of viable providers.

It should be noted that nonprofits may be located within a county but may serve persons from outside the county. The headquarters of a nonprofit may be located in one county but there may be satellite offices and/or staff may travel to other counties to provide service. The size of a nonprofit may range from a group with no paid staff up to a large social service agency managing millions of dollars of grant monies.



#### Which nonprofits might specifically support self-represented people?

- Nonprofits can provide transportation assistance to people with disabilities, public benefits enrollment assistance, after-school activities, health care, community organizing, and many other types of support. Some groups within some of these categories may appear to be potentially supportive of self-represented litigants, but the group would need to be contacted in order to understand the nature of their service.

#### Where are the services available?

- The numbers of nonprofits outside of larger population counties is small or nonexistent (see below), even using an expansive definition of nonprofits.

#### How much capacity do the nonprofits have?

- Technically, nonprofit organizations in Illinois range from groups with a few thousands of dollars of annual revenue to entities like the University of Chicago Hospital with many millions of dollars of revenue.
- Many nonprofits are severely stressed. The budget crisis that Illinois experienced several years ago led to even some well-established groups reducing or terminating their services. Covid-19 has changed how groups operate and made face-to-face contact often impossible.



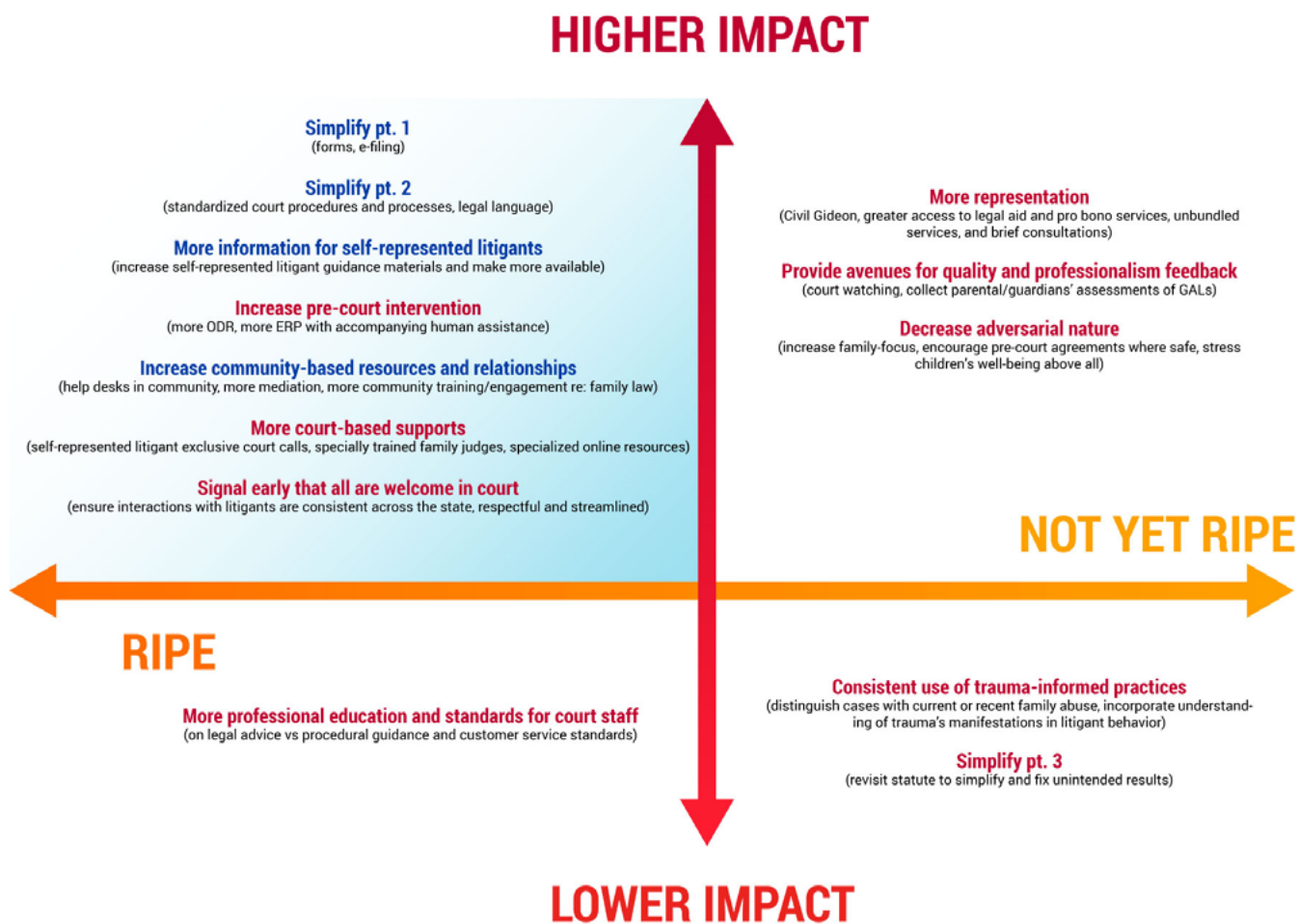




## RECOMMENDATIONS TOWARD MORE JUSTICE FOR ALL

In every aspect of the project's work over the past 14 months, commitment to continuing to open access and fairness within Illinois courts for self-represented litigants has been clear. The Steering Committee found it an easy matter to assemble an Advisory Committee of knowledgeable and respected leaders who actively engaged in project development and generously gave of their time. Responses from those asked to participate in various data collection efforts were strong, even during the pandemic.

With input from approximately 230 people engaged by the project, 20 recommendations for change were identified. After discussion, a consolidated list, showing relative degrees of impact and of ripeness or readiness for change, follows. The items shown in blue represent aspects of the project's implementation plan for 2021.



### Fundamental and Cross-Cutting

Identify and dismantle all forms of bias (racial, ethnic, socioeconomic, gender, etc.) that impede access to justice for all.



During the October 2020 Advisory Committee meeting, a consensus started to form around troubling issues that are in the court's control to improve. Specifically, self-represented litigants in family cases must understand the procedures not only to present their cases but also to form realistic expectations about the process. In turn, the parties' more informed goals will benefit judges and court staff and may also lead to increased cooperation among the parents and guardians. The Advisory body decided that the way to increase this understanding would be through easy (and frequent) access to process maps, standardized forms, glossaries of terms, timelines, explanation of costs, and a general reorientation towards good customer service. However, the pressing question was how to deliver this "understanding."

To do so, the project will start where the parents and guardians are located: the community. Targeting community groups and organizations that address the needs of families with children (such as schools, community clinics, and human service organizations), the project will create resources explaining what people can expect in family court; what the court expects litigants to prove; how the court expects individuals to present evidence; and what legal or other support resources are available in the jurisdiction. The goal is to increase understanding even before a court case is filed. Those resources will be incorporated into the online tool described below.

Next, in most other aspects of daily life people expect and are used to services being available to them through the internet—from shopping to banking to applying for resources and jobs. Internet usage is also required when starting a court case through e-filing. Yet, the existing e-filing user interface is incredibly difficult to use by all reports. Therefore, the project will create a user-friendly e-filing interface (also called the electronic filing service provider, the online process in which someone files documents with the court); automated

interviews, integrated within the e-filing interface, for fee waiver, divorce, parentage, and guardianship forms; and integrated/imbedded legal information such as videos, process maps, timelines, and informational "call-outs" within the e-filing interface. As a result of gathering and consolidating these scattered and sometimes incomplete or inconsistent resources, self-represented litigants will be able to more easily find and absorb information vital to their cases.

*As a result of gathering and consolidating these scattered and sometimes incomplete or inconsistent resources, self-represented litigants will be able to more easily find and absorb information vital to their cases.*

Certainly, there are people in this state who do not have access to or the technical know-how to use an online tool. Therefore, it will be imperative and a priority for the project to also develop paper-based resources that can be used by contacts in the community and court staff alike. As stated in a recent IAALS report on the court's use of technology to improve customer service, "the fact that everyone cannot use a technology solution does not justify [the court's] failure to provide it for those who can use it and want it."<sup>19</sup>

Lastly, the project will also identify court practices and procedures that can be standardized statewide to allow for uniform instructions and treatment of court users. One such example is the different ways in which Applications for Waiver of Court Fees are

---

19 Eighteen Ways Court Should Use Technology to Better Serve Their Customers IAALS, Institute for the Advancement of the American Legal System [https://iaals.du.edu/sites/default/files/documents/publications/eighteen\\_ways\\_courts\\_should\\_use\\_technology.pdf](https://iaals.du.edu/sites/default/files/documents/publications/eighteen_ways_courts_should_use_technology.pdf)



evaluated by judges. In some courts, a hearing is required only if there is a factual issue on the face of the Application while other courts require a hearing on every Application. Some courts require copies of certain documents while others do not. Such inconsistent practices make it very difficult to provide

guidance to someone trying to navigate this process. The project will identify and address other opportunities for standardization as well.

## CONCLUSION

The project's work has resulted in a set of implementation goals. The immediate challenge is to secure funding for a two-year implementation process.

The project's Steering Committee is committed to incorporating the principles that have guided the past fourteen months of work:

- Implementation will prioritize a focus on forms of bias that have become ever more visible during the pandemic and that can be used as a fulcrum for sustained systems change;
- Implementation will include a statewide focus that recognizes different levels of local resources, and opportunities and challenges that vary by locale and court district;
- Implementation will be led in part by the Commission and the Access to Justice Division, the originators of work to date. The Access to Justice Division has effective professional staff, strong relationships across the AOIC, including the AOIC's new Chief Diversity and Inclusion Office, which will be a powerful ally, given the implications of implementation for communities of color;
- In addition, the project plans to

construct an implementation process that allows it to design resources with prospective users, and calls for regular input and assessment from those most affected by the various access to justice barriers identified in this report.

We are excited to roll up our sleeves to continue building a self-represented litigant culture in Illinois.

Alice Cottingham (Alice Cottingham & Associates) and Alison Spanner (AOIC, ATJ Division) wrote this report, with input from community members, judges, lawyers, leaders of legal funding foundations, court staff, community-based organizations, and other research. Althea Gonzalez, consultant, conducted the Latina/o interviews. Rob Paral (Rob Paral & Associates) provided statewide census and poverty data. The fathers' focus group was co-facilitated by Advisory Committee member, Dr. Kirk Harris (then leading Fathers, Families, and Communities) and Althea Gonzalez. Jennifer Kotting designed the report. The project thanks them all for their contributions.



## SPECIFICS ABOUT ILLINOIS JUSTICE FOR ALL DATA

### **Latino/a self-represented litigant interviews**

- 5 women, 2 men
- 4 born in US, 3 in Mexico
- 90-minute phone interviews
- 4 self-represented litigants had no lawyer at any time in their case; 3 had lawyers at times in their case
- 5 of the other parties had a lawyer at some time in their case, 2 did not

### **Fathers' focus group**

- 11 African American, low-income fathers, all associated with Power of Fathers, participated in some or all of the meeting
- Most fathers identified 2 legal issues related to their children (child support, parenting time, guardianship, etc.)
- 90-minute online meeting
- 4 of 6 participating near the end of the meeting said they did not believe they would be treated fairly in court; only one person was actively involved in a court case and had found his judge fair and respectful. (Despite his good experience, the man wondered, "When I listen to other people's cases, when I've been in parenting classes, and when you sit back and analyze and think, and listen to other people, I'm hearing, 'Man, I've been dealing with this for five years. I've been dealing with this two years, I got my own crib, [and] my kids still ain't returned home.' And [I] get to thinking and wondering, like, okay, if they did what the system telling them to do, and they're showing progress, why it's still hard for them to return back home if that parent is showing progress, with all perspective for their child to be returned back into a safe environment, back with the parents?")

### **Court Staff**

- 177 completed surveys from 104 clerks or clerk staff, 57 interpreters, and an array of others
- 77 respondents have been in their positions for more than 15 years
- White staff (76%) were reflective of the percentage of whites in the state's population (77%). Among the 18% (38) who are people of color, almost all were interpreters (Some respondents chose the "prefer not to answer" option)



## SAMPLE PROCESS MAPS

Understanding the steps in a legal process and what comes next is key to successful navigation of the court system. Many self-represented litigants asked for maps illustrating the sequence and flow of common family-focused legal cases. The following are early renditions of comprehensive and simplified process maps to establish parentage.

### COMPREHENSIVE COURT PROCESS FOR PARENTAGE CASES IN ILLINOIS

#### BIG STEPS

#### SUB-STEPS

#### LOCAL VARIANCE

#### THINGS TO NOTE

#### VOLUNTARY ACKNOWLEDGEMENT OF PARENTAGE (VAP)

IMPORTANT FOR JOURNEY  
MAPPING

WARNINGS ABOUT BINDINGS,  
DNA TESTS DON'T MATTER,  
ETC.

CAN BE ON BC  
WITHOUT SIGNING  
A VAP

IF YOU SIGN THIS, YOU ARE THE PARENT  
(WAIVE THE RIGHT TO DNA LATER), CAN GO  
DO OTHER RELIEF

TO FIND OUT IF THERE IS A VAP ANY PARENT  
CAN REQUEST AN HFS FORM THAT YOU SIGN  
AND NOTARIZE TO GET A COPY OF THE VAP,

GET THE VAP OR FIND  
OUT THERE'S NONE  
ON RECORD

#### HFS ADMIN PROCESS IN CHILD SUPPORT (CS) ISSUE

THEN HFS  
ATTORNEYS  
BRING COURT  
CASE

USUALLY TRIGGERED  
WHEN APPLY FOR PUBLIC  
BENEFITS

DO DNA TESTING AND  
MOVE FORWARD FOR  
CS ONLY

EACH PARENT HAS TO FILE A MOTION FOR PETITION  
FOR ALLOCATION

#### COURT

#### FILE A PETITION

CAN FILE JUST  
PARENTAGE FIRST

DNA TESTING FEES

CAN BE DONE AS ONE PETITION FOR PARENTAGE AND  
THEN ALLOCATION/CHILD SUPPORT

MANY COURTS DO NOT WAIVE THE FEES

IF FILE FOR SOMETHING ELSE AND NO PARENTAGE  
ESTABLISHED JUDGE WILL ASK IF YOU AGREE OR ORDER  
DNA TESTING

SAME FOR MEDIATION AND GALS, JUDGES  
NOT WAIVING FEES (OR NOT APPOINTING  
BECAUSE OF IT)



## SERVICE OF PROCESS

FEE WAIVERS SHOULD APPLY TO IL  
SHERIFF AND IL PUBLICATION

BY SHERIFF

COULD BE SPS (COULD BE LEAVE OF COURT OR CAN DO IT)

PUBLICATION IF CAN'T FIND  
PERSON (DUE DILIGENCE)

YOU CAN GET EVERYTHING BUT JUDGE HAS DISCRETION  
(FOR ANY DEFAULT, NO MATTER SERVICE TYPE) TO RESERVE  
CS UNTIL ACTUAL NOTICE OF THE HEARING ON CS

SOME COURTS REQUIRE SUMMONS  
AND 2 ALIAS BEFORE ORDERING IT

SOME PLACES CLERKS ARE RESPONSIBLE FOR  
SELECTING AND GIVING INFO TO NEWSPAPERS

## FILE FOR ALLOCATION

INTERWOVEN  
ISSUES AFFECT  
ONE ANOTHER

## FILE FOR CS

PARENTAGE ACT SAYS CS MUST BE  
IN JUDGMENT (CAN BE RESERVED)  
OR MINIMUM S40 STATUTORY  
REQUIREMENT

PROBABLY CAN'T DO THIS STAND  
ALONE WITHOUT HFS. HAS TO BE A  
DETERMINATION OF TIME WITH THE  
PARENT

## FINANCIAL AFFIDAVIT REQUIRED - PARTIES EXCHANGE

## IF BOTH PARENTS PARTICIPATE

## DEFAULT (IF ONE PARENT DOESN'T SHOW UP)

1ST COURT DATE IS ONLY CASE  
MANAGEMENT IN SOME PLACES, SO NO  
TEMPORARY ORDERS

SOME JURISDICTIONS WILL GET AS MUCH  
DONE AS POSSIBLE ON THAT COURT DATE

SOME WON'T EVEN GET A COURT DATE  
UNLESS YOU ASK FOR ONE

PARENT WHO IS THERE  
(USUALLY) GETS WHAT  
THEY ARE ASKING FOR  
FOR ALLOCATION AND CS  
(\$40 MINIMUM AND  
50% OFF FEES)



**REQUIRED TO DO PARENTING CLASS**

**SUBMIT CERTIFICATE OF CLASS BEFORE  
END OF CASE**

**NOT ALL COURTS ENFORCE THIS**

**ISSUES OF CLASS AVAILABILITY (ESP  
SPANISH LANGUAGE ACCESS)**

**EVERY COURT HAS DIFFERENT  
REQUIREMENTS OF IN-PERSON OR ONLINE  
COSTS AND IF IT WILL BE WAIVED, ETC.**

**COULD GET TEMPORARY ORDERS  
(CS AND VISITATION) - IF AGREE  
OR IF MOTIONED UP FOR THAT DATE**

**MEDIATION (UNLESS DV)**

**MEDIATE ALLOCATION AND  
RESPONSIBILITIES ONLY (USUALLY)**

**PROPOSED PARENTING PLANS SOMETIMES  
HAVE TO SEND TO MEDIATOR BEFOREHAND**

**IF AGREEMENT ON ALLOC / RESP**

**MEDIATOR SUBMITS REPORT ABOUT FULL,  
PARTIAL, OR NO AGREEMENT (SOME SEND THE  
AGREEMENT)**

**AT NEXT COURT DATE: PARTIES SUBMIT  
AGREED JUDGMENT ON ALLOC / RESP, WHICH  
INCLUDES PARENTING PLAN**

**MOVE ON TO CHILD SUPPORT (CS)**

**HFS ONLINE TOOL GROSS TO  
NET TABLE**

**CS SOFTWARE INCLUDES  
OTHER THINGS, SO COULD BE  
DIFFERENT RESULTS**

**SOME COURTHOUSES HAVE  
THE SOFTWARE ON PUBLIC  
COMPUTERS**

**DOESN'T TAKE EVERYTHING INTO  
CALCULATION. BUT IT IS MOBILE  
FRIENDLY**

**NEED TO KNOW ABOUT OTHER PARENT'S CS TO BE ABLE TO  
CORRECTLY CALCULATE (SHOULD GET ON FINANCIAL AFFIDAVIT, BUT  
OFTEN DON'T FILL OUT CORRECTLY)**

**PARENTAGE FINANCIAL AFFIDAVIT SHOULD JUST BE INCOME  
(ATTACH PAY STUBS) AND LIST OTHER CS OBLIGATIONS OR AWARDS  
OR SUPPORTING CHILD WITHOUT COURT ORDERS**

**HAVE TO PUT IN ORDER WHAT THE STATUTORY  
AMOUNT WOULD BE (# SYSTEM GIVES YOU) BUT CAN  
DEVIATE BY AGREEMENT OR JUDGE ORDER (HAVE TO  
SAY WHY)**

**CS TRIAL / HEARING ONLY IF CAN DETERMINE  
SOMEONE'S INCOME OR IF WANT DEVIATION**



**IF PARTIAL OR NO AGREEMENT ON ALLOC / RESP**

**APPOINT CR/GAL (WHO & IF DEPENDS ON THE COURT)**

JUDGES ARE USING "OTHER AVAILABLE METHODS" SO A LOT OF JUDGES ORDERING THERAPY (ISSUE OF IT SAYING IF COURT ORDERED CAN'T USE IN COURT)

**INVESTIGATION**

**MOST JUDGES WILL TRY TO NARROW THE ISSUES FOR TRIAL**

**SET FOR TRIAL**

DAY BEFORE TRIAL, EACH SIDE NEEDS UPDATAD FINANCIAL AFFIDAVIT AND PARENTING PLAN PROPOSAL FOR JUDGE TO REVIEW

**GALS ARE WITNESSES, CR ARE ATTYS IN THE CASE**

GALS GET TO ASK QUESTIONS AND GIVES STATEMENT IN SOME COURTS

**THEN CHILD SUPPORT CALCULATION**

**CS CALCULATION IS BASED ON NUMBER OF OVERNIGHTS. SO ALLOC / RESP NEEDS TO BE DECIDED FIRST**

**EFFECTIVE DATE BY STATUTE COULD BE BIRTH, BUT USUALLY THE DATE OF FILING**

STATEWIDE FORMS FOR PARENTING PLANS AND CHILD SUPPORT ORDERS (WITHHOLDING ORDERS IMPT) GETS MESSY REALLY FAST ESP WITH UNEMPLOYMENT

HFS HAS LONGER TENTACLES FOR ENFORCEMENT

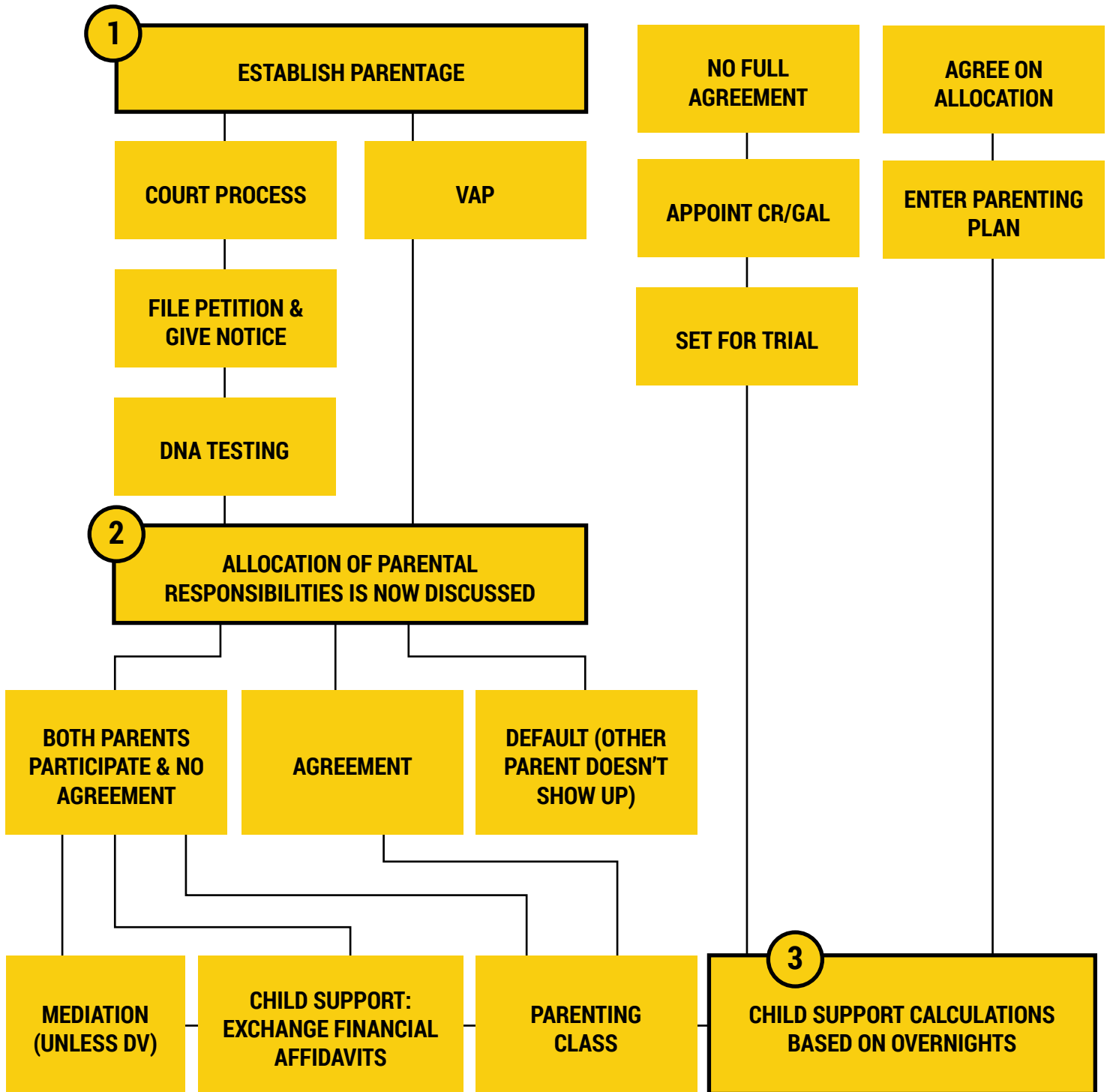
IF THROUGH SDU OR OTHER SERVICE (ADDED COST) THERE ARE DELAYS, LOTS OF STEPS

PARENTING COORDINATOR (IS A PERMANENT GAL AFTER TRIAL WHEN THERE ARE ONGOING ISSUES)

IN PLACE OF MEDIATION OR GOING BACK TO COURT. AND THEY CAN DICTATE DECISIONS



## SIMPLIFIED COURT PROCESS FOR PARENTAGE CASES IN ILLINOIS





## CATEGORIES OF NONPROFITS SHOWN IN MAP ON PAGE 26

Adoption	Community, Neighborhood Development, Improvement (General)
Adult day care organization	Congregate Meals
Adult, Child Matching Programs	Consumer Protection, Safety
Adult, Continuing Education	Counseling, Support Groups
AIDS	Crime and legal-related
Alcohol, Drug Abuse, Prevention Only	Crime Prevention N.E.C.
Alcohol, Drug Abuse, Treatment Only	Crime, Legal Related N.E.C.
Alcohol, Drug and Substance Abuse, Dependency Prevention and Allergy Related Diseases	Delinquency Prevention
Alliance/Advocacy Organizations	Developmentally Disabled Centers, Services
Alzheimer's Disease	Disabled Persons' Rights
Ambulance, Emergency Medical Transport Services	Disaster Preparedness and Relief Services
Ambulatory Health Center, Community Clinic	Diseases of Specific Organs
Arthritis	Diseases, disorders, and medical disciplines
Birth Defects and Genetic Diseases	Diseases, Disorders, Medical Disciplines N.E.C.
Blind/Visually Impaired Centers, Services	Dispute Resolution, Mediation Services
Boy Scouts of America	Down Syndrome
Boys and Girls Clubs (Combined)	Drunk Driving Related
Boys Clubs	Economic Development
Brain Disorders	Emergency Assistance (Food, Clothing, Cash)
Cancer	Employment
Child Abuse, Prevention of	Employment Procurement Assistance, Job Training
Child Day Care	Employment, Job Related N.E.C.
Children's, Youth Services	Ethnic, Immigrant Centers, Services
Citizen Participation	Family Counseling
Civil Liberties Advocacy	Family Planning Centers
Civil Rights, Advocacy for Specific Groups	Family Services
Civil rights, social action and advocacy	Family Services, Adolescent Parents
Civil Rights, Social Action, Advocacy N.E.C.	Family Violence Shelters, Services
Community Coalitions	Financial Counseling, Money Management
Community Health Systems	Financial Institutions, Services (Non-Government Related)
Community improvement and capacity building	Food Banks, Food Pantries
Community Improvement, Capacity Building N.E.C.	Food Service, Free Food Distribution Programs
Community Mental Health Center	Food, agriculture and nutrition
Community Recreational Centers	Food, Agriculture, and Nutrition N.E.C.
Community Service Clubs	Foster Care



Gambling Addiction	Military, Veterans' Organizations
Girl Scouts of the U.S.A.	Minority Rights
Girls Clubs	Neighborhood Centers, Settlement Houses
Group Home (Long Term)	Neighborhood, Block Associations
Group Home, Residential Treatment Facility - Mental Health Related	Nonprofit Management
Health - General and Rehabilitative N.E.C.	Nursing Services (General)
Health care	Nursing, Convalescent Facilities
Health Support Services	Nutrition Programs
Health Treatment Facilities, Primarily Outpatient	Parent/Teacher Group
Health, General and Financing	Patient Services - Entertainment, Recreation
Home Health Care	Personal Social Services
Homeless Persons Centers, Services	Pregnancy center
Homeless, Temporary Shelter For	Protection Against, Prevention of Neglect, Abuse, Exploitation
Homemaker, Home Health Aide	Psychiatric, Mental Health Hospital
Hospice	Public Health Program (Includes General Health and Wellness Promotion)
Hospital, General	Public Housing Facilities
Hospital, Specialty	Public Interest Law, Litigation
Hospitals and Related Primary Medical Care Facilities	Public safety, disaster preparedness and relief
Hot Line, Crisis Intervention Services	Public Safety, Disaster Preparedness, and Relief N.E.C.
Housing and shelter	Public support and societal benefit
Housing Development, Construction, Management	Public, Society Benefit - Multipurpose and Other N.E.C.
Housing Expense Reduction Support	Rape Victim Services
Housing Owners, Renters Organizations	Rehabilitation Services for Offenders
Housing Rehabilitation	Reproductive Health Care Facilities and Allied Services
Housing Search Assistance	Residential, Custodial Care
Housing Support Services -- Other	Salvation Army
Housing, Shelter N.E.C.	Search and Rescue Squads, Services
Human Service Organizations - Multipurpose	Senior Centers, Services
Human services	Senior Citizens' Housing/Retirement Communities
Human Services - Multipurpose and Other N.E.C.	Senior Continuing Care Communities
International Migration, Refugee Issues	Services to Prisoners and Families - Multipurpose
Labor Unions, Organizations	Services to Promote the Independence of Specific Populations
Law Enforcement Agencies (Police Departments)	Sheltered Remunerative Employment, Work Activity Center N.E.C.
Leadership Development	Supplemental Unemployment Compensation
Legal Services	Transportation, Free or Subsidized
Lesbian, Gay Rights	Travelers' Aid
Libraries	Urban League
Low-Cost Temporary Housing	Urban, Community Economic Development
Meals on Wheels	Victims' Services
Men's Service Clubs	Vocational Counseling, Guidance and Testing
Mental health and crisis intervention	Vocational Rehabilitation
Mental Health Association, Multipurpose	
Mental Health Treatment - Multipurpose and N.E.C.	
Mental Health, Crisis Intervention N.E.C.	

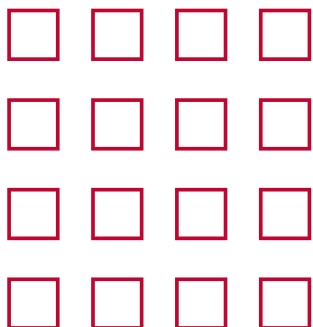


Vocational Training  
Vocational, Technical Schools  
Voter Education, Registration  
Women's center  
Women's Rights  
Women's Service Clubs  
Young Men's or Women's Associations (YMCA, YWCA, YWHA, YMHA)  
Youth Centers, Clubs, Multipurpose  
Youth development  
Youth Development - Agricultural  
Youth Development - Business  
Youth Development N.E.C.  
Youth Development Programs, Other

## Stock Photo Citations:

All photos are from Pexels.com by the following photographers: Alex Green, Andrea Piacquadio, August De Richelieu, Cottonbro, Ekaterina Bolovtsova, Jep Gambardella, Nappy, Sora Shimazaki, Visionpic Net.

**Any views or opinions expressed here are those of the authors and do not necessarily reflect the official policy or position of the Illinois Supreme Court.**







## --- APPENDIX B



# Improving the E-Filing Experience for Self-Represented Litigants in Illinois



Abhijeet Chavan

February 2022

*Prepared for:* Administrative Office of Illinois Courts

*Manager:* Sarah Song, Legal Technology Initiatives, Access to Justice Division

Updated: Mar 8, 2022

Cover photo: Cardinals in a Crab Apple Tree  
By [Ilona L on Flickr](#). CC BY-NC-SA 2.0



# 1 INTRODUCTION

Since 2018, all civil cases in the Illinois Supreme, Appellate, and Circuit Courts are required to be electronically filed. With a few exceptions, *e-filing* is mandatory for all filers in all Illinois counties. Many filers are not represented by an attorney. Often, these *self-represented litigants* (SRLs) -- also called *pro se litigants* -- may not be able to access or afford legal counsel. These SRLs, without an attorney or a legal background, often in a stressful frame of mind during a personal crisis, embark on a journey to resolve their legal issues on their own, navigating through a justice system that has been historically intended primarily for legal professionals. The aim of this study is to understand the current e-filing experience for SRLs and develop an approach for improving it.

Before mandatory e-filing, filers would have to travel to a courthouse building and file paper documents at the court clerks' counter. E-filing enables filers to submit documents electronically from anywhere and anytime using a web browser. Filers are required to submit using one of several authorized *Electronic Filing Service Providers* (EFSP) that connect to Illinois' statewide *Electronic Filing Manager* (EFM) which in turn communicates with a court's *Case Management System* (CMS). Illinois' EFM is operated by Tyler Technologies. Thirteen vendors are certified to serve as EFSPs in Illinois and provide a web-based interface to e-filing. The EFSP mostly used by SRLs is free while the other EFSPs mostly used by legal professionals provide additional fee-based services. Illinois does not have a unified court system and there are several CMS vendors in the state that integrate with the statewide EFM.

To help SRLs e-file, Illinois amended court policies to ensure that court clerks provided adequate space, equipment, and technical support in courthouses. While court staff are not allowed to provide legal advice, Illinois made it clear that they are allowed to assist SRLs with e-filing tasks as this is considered providing legal information, not legal advice. Court staff could help SRLs select an EFSP, create an email account, register with an EFSP, select filing codes, fill out fields, and submit through an EFSP. The *Administrative Office of Illinois Courts* (AOIC) offered training for clerks, court staff, librarians, and others who might help SRLs e-file. AOIC also



collaborated with legal aid organizations such as *Illinois Legal Aid Online* (ILAO) to support SRLs and develop automated interviews to help populate a large suite of statewide forms. AOIC's *Access to Justice* (ATJ) Division offers step-by-step guides, walkthrough videos, and resources in English and Spanish for SRLs. ILAO offers additional resources including charts of process workflows. AOIC's ATJ Division has also launched *Illinois Court Help* (ILCH) , a technology-assisted customer support platform for court users.

The rollout of e-filing in Illinois changed the experience for SRLs from one of working with paper forms and interacting with court staff to a software-driven experience that demands access and familiarity with technology. Even with web-based resources and assistance from trained professionals available, e-filing presents challenges for SRLs. The goal of this study is to better understand the current e-filing experience of SRLs, learn about the advantages and challenges they face, and arrive at recommendations for improving it.

This study was primarily about listening and understanding. We interviewed legal navigators who assist SRLs with e-filing. We conducted focus group sessions with clerks and AOIC staff. Though the scope of this study did not include directly interviewing SRLs, we analyzed feedback comments from SRLs collected via a survey form sent to those who were able to e-file. We talked to experts and vendors who are building the next generation of legal technology solutions.

We would like to thank all the legal navigators, clerks, AOIC staff, and technology experts who shared their experiences with us. We would also like to thank Lisa Colpoys of ILCH and Matthew Newsted of ILAO for their insights.

We conducted this work during a pandemic. Along the way, we came across small unseen acts of empathy by legal professionals as they assisted SRLs during an anxious time of rapid changes and restrictions. Thank you.

We hope that this study will help improve the civil justice ecosystem in the state of Illinois for SRLs and those who assist them.





## 2 NAVIGATOR INTERVIEWS

### Navigator Interview Format

In Illinois, legal navigators assist people without lawyers in navigating the civil justice system. They provide legal information to SRLs, guide them to legal aid services and self-help resources. We interviewed five legal navigators about their experiences helping SRLs with e-filing . Three navigators were from the *Illinois JusticeCorps* volunteer program which employs recent college graduates to assist SRLs at their courthouses or remotely with e-filing. The other two navigators were from staff working at courthouses who assist SRLs with their needs, including e-filing.

Each interview was conducted separately via Zoom and was approximately one hour long. The first part of the interview was about the navigator's background, location, and nature of services they provided. Then we talked about their in-person and/or remote experiences providing e-filing assistance, their understanding of the challenges SRLs faced, and their recommendations for improving the SRL e-filing experience.

Interview notes were shared with the participants after the interview and they were invited to review and make corrections, refinements, or additions as they felt necessary.

### Insights from Navigator Interviews

Here are key insights from legal navigators in their own words organized by theme:

*The current e-filing experience and process is not user-friendly:*

E-filing is not user friendly. It takes so long! It is really time-consuming.



The E-filing platform has too many steps. There is too much to do. We can include information and screenshots to help them but it's just too much.

It might be better to have a completely separate user experience for SRLs.

As long as e-filing is mandatory, make it easier.

SRLs are under stress; they can be angry or frustrated. When in that frame of mind, the e-filing system is very intimidating.

There are about 20 EFSPs and there is a comparison chart but people don't know which one to pick.

*The SRL e-filing experience was inefficient and took too long:*

People will spend hours on an e-file when it should take 15-20 minutes. We have to clarify that they shouldn't be taking so long, and if they are, they should get help.

E-filing should not be such a barrier to justice that it is. It should absolutely not take more than 15-20 minutes.

Remote e-filing is even more challenging than in-person. How long it takes depends from case to case.

e-filing session time is a minimum of 20-30 min and an average of about 45 min. It can be as long as 1.75 hours. It depends a lot on the tech competency of the SRL. Before this session, they have been through at least a couple of hours of filing out the forms.

*SRLs are confused about the process:*

It would help to add information to websites that explains the process.

Provide the SRL a complete overview up front about how the process works, what you need to do, which documents you need, what fees they need to pay and when, what a fee waiver is and how you can get one. Include information about e-filing exemptions and expectations how long it would take. Provide links to county legal self-help centers.

Make an easier process with fewer steps.



*SRLs need information in plain language:*

SRLs do not know what e-filing means or even what filing forms means.

No one (SRLs) seems to know what e-filing is.

System should use plain language.

SRLs need the legal language clarified for them.

*Educate SRLs about their legal issue and where to find resources:*

Educate SRLs about terms as they go along the process -- terms like defendant, plaintiff, petition, etc.

Information is available online but SRLs don't know it is there when they come to me.

Integrate education about the process/journey along with the e-filing process.

*Identifying the correct "filing code" is a major issue:*

Choosing a filing code is too difficult.

Matching the filing code correctly is the most common issue.

About 70 to 80 percent have the wrong filing code.

It would help to eliminate or automatically assign filing codes.

If they miss a court date, they would need the "Motion to Vacate" filing code but they don't know that.

*Dealing with PDFs presents a significant technical hurdle for SRLs:*

I personally help them scan into a PDF.

Our court does not accept a single PDF. We need separate PDFs. This may be different from county to county.

They have to upload documents in PDF. If the document is in JPEG it would fail or be rejected.



Forms need to be in PDF format. SRLs can take a photo and then convert to PDF or fill out the form online and generate PDF. This is a problem.

I would let people email me their JPEGs and I would print out, rescan and then make PDF. Even though some PDF forms are fillable, they have to be flattened. The Judge only sees the embedded image in a PDF anyway.

Reasons for rejection could be one single PDF is not accepted; they need to split up into separate PDFs. Sometimes my first point of contact is after they are rejected. Sometimes people upload form instructions along with the form.

*Steps for registration, payments, and fee waivers are confusing:*

The process of registering for an e-filing account is confusing for SRLs.

SRLs are confused why they have to have a payment method on file during e-filing even though many may have a fee waiver.

I don't think the new website should force you to add a payment method, because some people never have to pay for anything.

Registering...is complicated. [The interface asks them if they are registering as a law firm or SRL.] They know they are not a firm, but they don't know that they are an SRL. Instead it could say "not using a lawyer".

The e-filing fee is \$334 but if rejected, it takes 2 weeks for the SRL to get their money back. If they don't want to wait, they have to put up more money to file again.

One person was out nearly \$1000 for multiple attempts. She was rejected 3 times so the judge referred her to me. Even though I had helped her over Zoom, it got rejected a 4th time. She had to email me the forms and I filed for her.

Cell phones are not allowed in the building. The system makes you verify email addresses, but court kiosks can't be used to verify email. Because the SRL would not have their phone with them, they cannot get past two-factor authentication. I would have to send them back to the parking lot to verify their account by clicking on the verification email. We had made a laminated card in English and Spanish with instructions



for this. Some people went out and never came back, and some come back next week.

*SRLs face challenges of accessibility and the digital divide:*

Think about SRLs mobile experience. Many SRLs only have a cell phone, not a home computer.

More people e-file in-person at court computers than at their home computers. Some think they are required to file from a court computer even though they can do it from anywhere.

Advantage of remote is that they have their cell phone with them so I could walk them through all the steps. But there are many disadvantages too. Many SRLs have internet access only through their phone or their kids' school Chromebooks. Most may not have a scanner at home.

System should work on PCs as well, not just phones. Older generation learned to use computers but are not familiar with smartphones. Poorer people are not familiar with computers but familiar with smartphones. After the pandemic more people were using tablets. So we need it all.

Dyslexia can be an issue. Need a color-coding system that is both color-blind and dyslexic-friendly. Gray boxes are hard to read. Use bright colors and color codings.

It would be ideal to have an app that goes along with e-filing.... The app should have a PDF converter and SRL should be able to take a picture and upload that.

I understand the utility of e-filing but I can also understand people's frustration when they don't have access to technology.

Digital divide is huge and e-filing by itself will not work for everyone. Need to change that requirement. Also literacy and computer competency are major issues.

*Information and software are not enough -- SRLs need human expert assistance*

SRLs are not inclined to sit and read information. Talking to a real person would be helpful.



Current process can be okay as long as people have access to navigators.

It is important to have people to help SRLs walk through that process.

The vast majority of people tend to have lower income and they don't have the tech competency so having a law library and a public library is critical.

If I could change something, I wish we had more people across the state, like JusticeCorp fellows and court navigators, to help SRLs with hands-on help.

We need more places where people can get one-on-one assistance.

Many SRLs are not tech savvy so prefer to have someone do it for them.

People need someone to walk them through the e-filing.

*Current system is challenging to legal navigators and would benefit from standardization and simplification.*

It would be better if it was standardized across different counties.

Local court rules are a giant headache.

I have to figure out which form they need. Sometimes I don't know, and I have to reach out to clerks or my supervisor on which forms to use.

I think a better system would be beneficial to all including SRLs and circuit clerks.

### *Summary*

- The current e-filing experience and process is not user-friendly
- The SRL e-filing experience was inefficient and took too long
- SRLs are confused about the process
- SRLs need information in plain language
- Educate SRLs about their legal issue and where to find resources
- Identifying the correct “filing code” is a major issue



- Dealing with PDFs presents a significant technical hurdle for SRLs
- Steps for registration, payments, and fee waivers are confusing
- SRLs face challenges of accessibility and the digital divide
- Information and software are not enough -- SRLs need human expert assistance
- Current system is challenging to legal navigators as well and would benefit from standardization and simplification

(Note: The navigator interviews also uncovered specific usability and *user experience* issues with the current systems that are not included in the summary above. See Appendices 8.01 -8.05 )





# 3 COURT CLERKS/STAFF FOCUS GROUPS

## Planning & Format<sup>1</sup>

Clerks play an integral role in e-filing since they receive the documents submitted by filers, review them, determine whether they should be accepted or rejected, and relay instructions back to the filer if the submission is rejected. Clerks know the internal business processes that govern how documents have to be e-filed in their jurisdictions and are most often the court stakeholders that SRLs turn to for help with e-filing.

To better understand the SRLs e-filing experience we reached out to the court clerks and staff that assist court users. We created four focus groups with a total of 24 clerks from counties across the state and AOIC staff.

*Focus Groups:*

- *Zones 1 & 4 (4 participants):* Union/1st, Tazewell/10th, Jo Davies/15th, Rock Island/14
- *Zones 2 & 3 (6 participants):* Morgan/7th, Sangamon/7th, Madison/3rd, Moultrie/6th, Montgomery/4th, Vermillion/4th
- *Zone 5 & Court Services (8 participants):* DuPage/18th, AOIC (2), Will/12th, Winnebago/17th, McHenry/22nd (3)
- *Cook (6 participants)*

A week before each group's session we sent out a survey form to:

- Collect background information about each participant
- Get participants to start thinking about the upcoming focus group session so that they can be more productive during the meeting
- Generate topics and themes that can serve as a starting point for the session.

The focus group sessions were conducted via Zoom and lasted 90 minutes. The session format was as follows:



- *Introductions*
- *Orientation*: Overview of the objectives of this meeting, re-iterate what's in scope and what isn't, the process we will follow, and the goals/deliverables by the end of the meeting
- *Brainstorm*: Display topics collected via pre-session survey, ask for more to add to list
- *Themes*: Ask participants to cluster ideas into themes and come up with theme labels and groupings
- *Recommendations*: Collaboratively prepare a list of recommendations
- *Wrap-up*

## Themes Identified by Focus Groups

Included below is a condensed list of themes as identified by the focus groups. Groups identified similar themes and some, such as the need for better *user experience* (UX) and plain language, were identified by most groups. (See appendices for complete list.)

1. Make it simple for SRLs
2. Understanding of the process ahead -- guided walk-through step by step
3. SRLs need information before getting started with e-filing and/or while they are engaging in the process
4. Registration and payment issues and making the process simpler.
5. Access to appropriate technology -- computers and scanners, not just mobile devices
6. Better user experience across computers to phones
7. Expert (human) assistance is needed
8. Plain language used throughout the SRL UX
9. Empathy in process to accommodate different SRL challenges -- language, literacy, etc.
10. Time -- how long it takes the SRL
11. Smarter more helpful tech (do the work it can rather than having the SRL do it)
12. System that is understanding, accommodating, smarter
13. For majority, providing some services or legal advice (expert-assisted or tech-assisted)
14. Amount of time and effort to help SRLs (both SRLs and clerks)



## Recommendations by Focus Groups

Focus groups arrived at the following recommendations. (Presented below in their own words. Some recommendations overlap.)

1. Simplify registration and payment accounts processes
2. Develop an e-filing system that takes into account all the barriers presented by SRLs (e.g., language, technology)
3. Have non-legal experts design away the legalese, legal jargon, etc. ingrained into the system design -- reducing the burden on SRLs
4. Turbo Tax style document assembly to complete statewide forms rather than navigating the lengthy forms and instructions
5. Embed some logic into the system so that it can automatically populate some of the information that is needed to reduce the burden on SRLs
6. Use plain language throughout the SRL UX
7. Make the SRL process more interactive using a question-answer approach instead of filling out a form. (e.g., some sort of indicator that alerts users to next steps, helpful tips, etc.)
8. Make process more time-efficient
9. Reduce cognitive burden on SRL. If the system can figure it out then it should do it in the background without bothering the SRL.
10. Registration should require addition of a payment account since the overwhelming majority of cases at some point in the life of a case will require some sort of fee or fee waiver with a SRL-friendly explanation of how to properly set up a fee waiver account.
11. A series of questions to triage SRLs into certain paths (e.g., Turbo Tax) -- filing in the right district or division and forms packet.
12. Use plain-language throughout the system to make it more accessible and easier to understand (e.g., ad damnum, service)
13. A singular starting point for users to visit with different options to services, forms, resources, etc.
14. Step-by-step directions on the process or the path ahead
15. Direct to dedicated services to address certain types of needs (e.g., for people with limited English proficiency, seniors, people with disabilities, general SRLs, etc.) or case complexity.
16. More resources for state funded organizations for legal advice

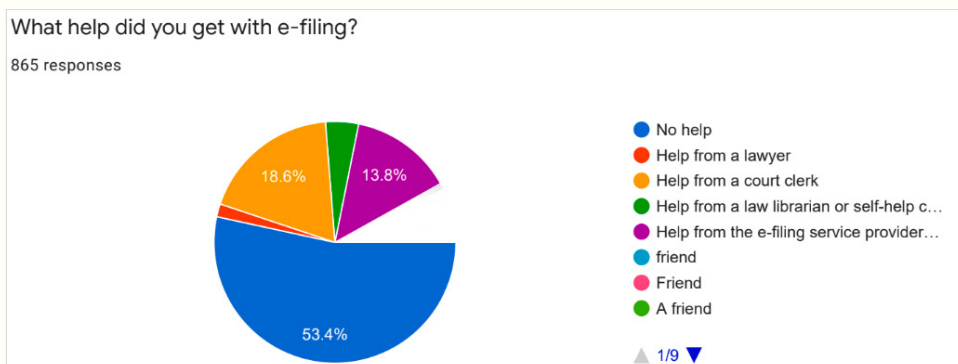
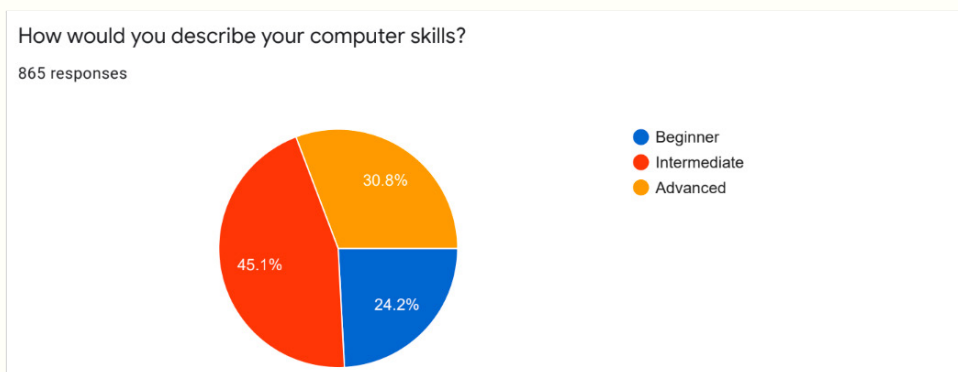
(See Appendices 8.06 - 8.10)





## 4 USER FEEDBACK

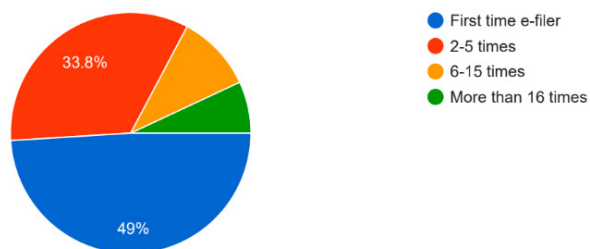
The scope of this study did not include interviewing SRLs directly. However, since the spring of 2021, AOIC had in place an online survey form to collect feedback from users that had successfully submitted an e-filing. The link to the survey was automatically emailed to an e-filer when the user was able to submit a filing. The email asked those without lawyers to fill out the survey. Note that only those who were able to complete a filing received a link to the survey. So this feedback only represents those who were able to submit an e-filing. It is not representative of all SRLs that might have embarked on this journey and does not capture the experience of those filers who left the system because they could not successfully submit a filing.





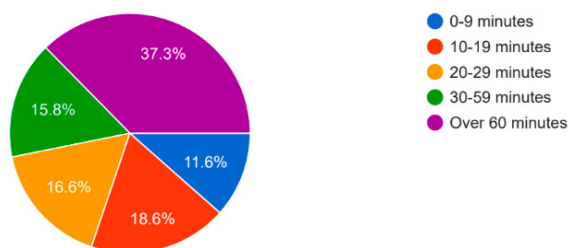
How many times have you tried to e-file, including this time?

865 responses



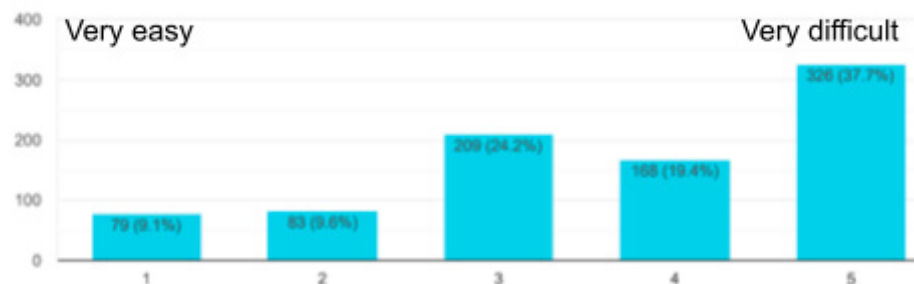
About how long did it take you to e-file?

865 responses



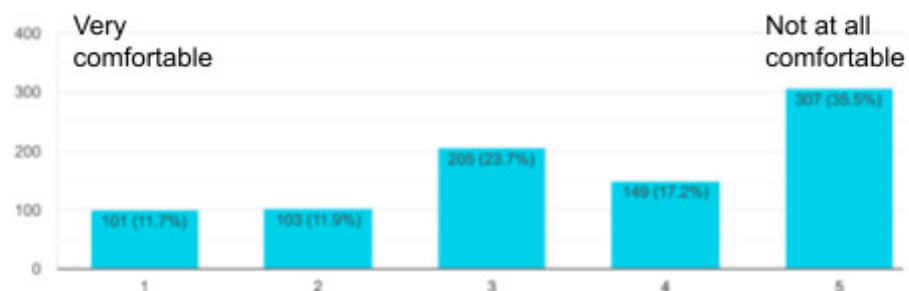
How easy or difficult was it to e-file?

865 responses

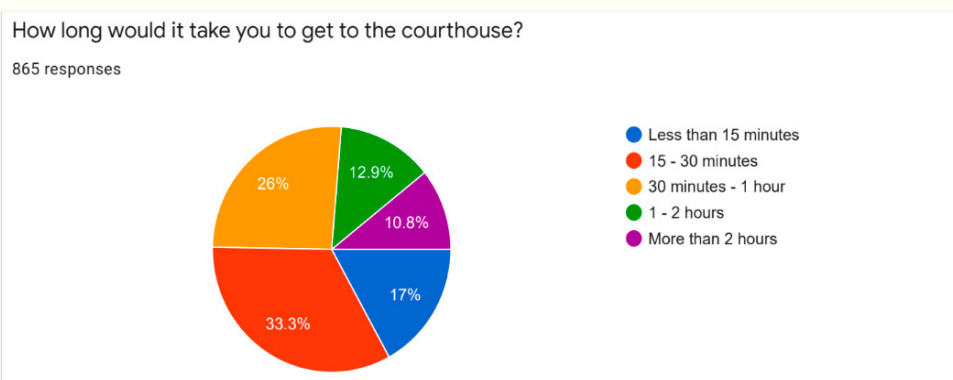
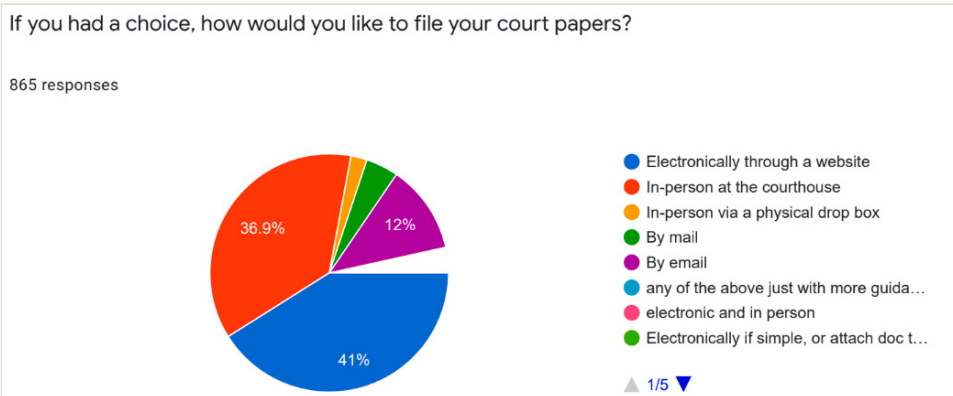


How comfortable did e-filing make you feel about handling your legal issue overall?

865 responses







### Key takeaways:

- 49% of those who responded said they were first-time e-filers while 34% said they had tried e-filing 2-5 times. The remaining needed even more attempts.
- 37% said it took more than 60 minutes to e-file and 16% said it took more than 30 minutes.
- 57% found the e-filing process difficult or very difficult.
- 53% felt the e-filing process made them feel uncomfortable or not at all comfortable about handling their legal process overall.

In addition to the data summarized above users also submitted open-ended feedback comments:

“I’m a college graduate. This is a crazy system.”

“I was an IT manager and programmer for 11 years, but it took all day to figure out what I thought I should do and now they reject what I sent.”



“I was nervous as to whether I was even picking the right forms to fill out.... I get very nervous not knowing if I am doing it correctly.”

“Seems like it was designed to be as difficult as possible. Next time I will use a lawyer. I think that is the intent of the whole process.”

“It is very, very frustrating and I cannot afford a lawyer to help me, nor do I feel like it is ‘okay’ that people are forced into getting attorneys to assist with this type of thing as it could be made way easier with more instructions.”

“I have had it returned 6 times so far for different things each time. Just tell us exactly how to return it -- not change one thing each time. It’s RIDICULOUS.”

“Accessible navigation buttons, fewer infinite loops of connect the dots, understandable payment and fee information in conspicuous locations, UNDERSTANDABLE instructions.”

“It’s not at all clear what needs to be done and at what point in the filling process.”

“A clear explanation of what to expect when filing. I used to work for an attorney and still found the process convoluted and difficult.”

In the responses to the open-ended questions in the survey users pointed out some serious UX issues. They also said they were not able to get a clear picture of what to expect during the e-filing process and felt like they were chasing a moving target. In other comments, users that might have been already stressed when they started the e-filing journey expressed confidence issues. Some of the comments showed something worrisome -- a bad user experience could undermine trust in the justice system.





## 5 ANALYSIS

### Data Preparation

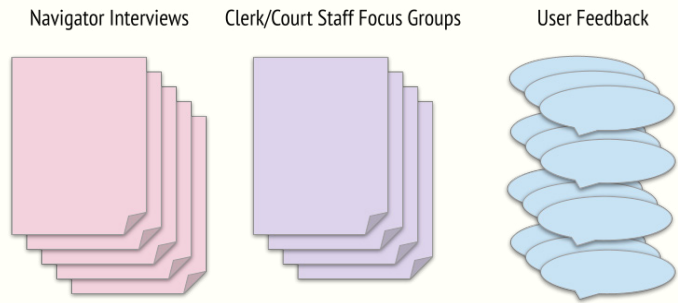
At this stage of the project we had assembled three sets of text data:

1. The experiences, observations and recommendations from legal navigators that provide assistance to SRLs.
2. Themes and recommendations generated by focus groups of clerks and AOIC staff on how to improve the user experience for SRLs.
3. The user feedback collected from a web survey sent to SRLs who were able to e-file.

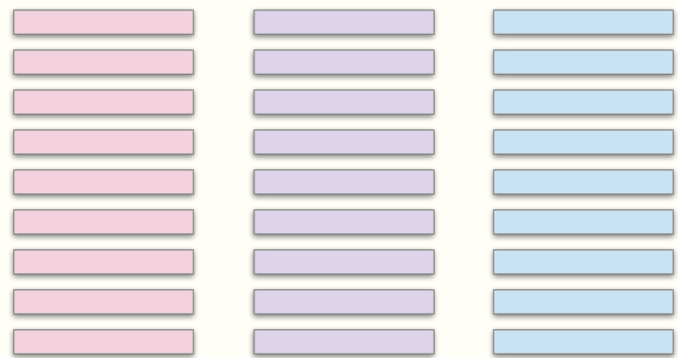
To be able to compare across these three sets, we sliced them into discrete statements. We created a spreadsheet with a row for each statement. This spreadsheet with over 800 rows of statements, enabled us to study comments from all three sources together. Searching for keywords such as “language” or “pdf” we were able to read comments from users alongside observations by legal navigators and recommendations by clerks. We assigned tags to indicate source, topic, theme, etc. While we used this spreadsheet to derive insights for this study, it should be useful in future projects to explore stakeholder feedback on user experience and needs.



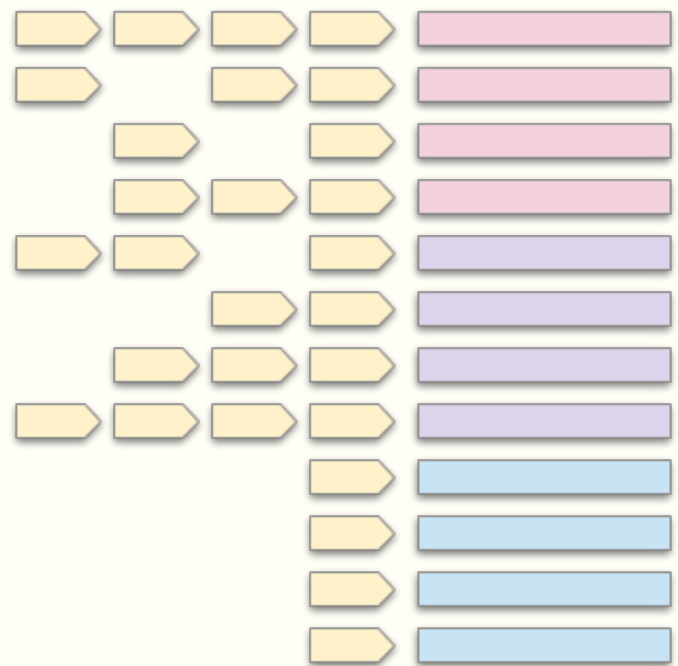
1 - Assemble data sets



2 - Slice into discrete statements



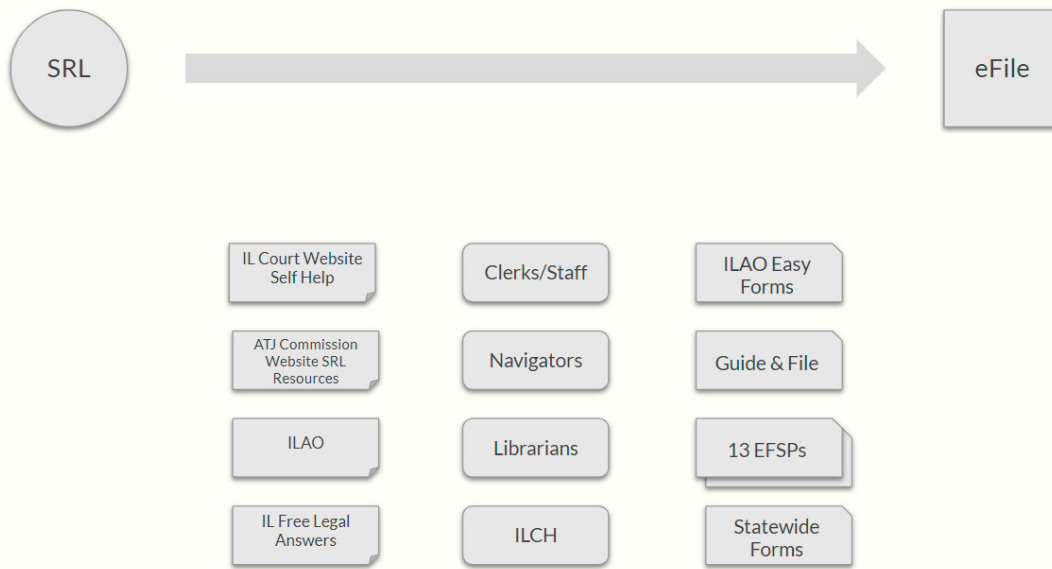
3 - Combine and search keywords





## Observations

In Illinois, the journey to e-file can take SRLs through a landscape of web resources, human experts providing legal assistance, and several technology platforms.



The [Illinois Court Help](#) (ILCH) website is a free service of Illinois Courts, and its court guides help SRLs understand court processes. The [Illinois Supreme Court Commission on Access to Justice](#) (ATJ Commission) lists legal information, court forms, and referrals to free or low-cost legal help. The website of [Illinois Legal Aid Online](#) (ILAO) offers a vast collection of self-help resources for SRLs and step-by-step guides to finding information, filling forms, and connecting with free legal help. SRLs can also get assistance from legal navigators, court clerks and staff as well as librarians. The Illinois Courts website offers [e-filing instructions](#) for SRLs for the most commonly used free EFSP. Several of these resources link to each other so SRLs can discover relevant resources.

However, we found that one common issue SRLs had was not knowing where to start. They were unclear about the process ahead of them and the next steps involved. Some SRLs were not aware of self-help resources and assistance available to them. They took a convoluted path as they tried to discover and navigate to resources and help. Along the way, SRLs might come across a web page that lists 13 EFSPs and an intimidating [EFSP comparison chart](#) that may or may not be relevant to SRLs. When they start to e-file, they may encounter



questions for the first time -- for example, choosing the correct “filing code” -- and an incorrect choice could lead to the filing being rejected.

This creates inefficiencies for the SRLs as well as those who assist them. For example, some SRLs have to consult a legal navigator multiple times as they learn more about their legal issue after finding the right forms or talking to staff. One navigator started keeping notes on paper to be ready in case a SRL returned again for more help. Navigating from one resource to the next, SRLs may need to retell their story, the specifics of their legal issue, and try to recall what they were told by others who had assisted them in the past.



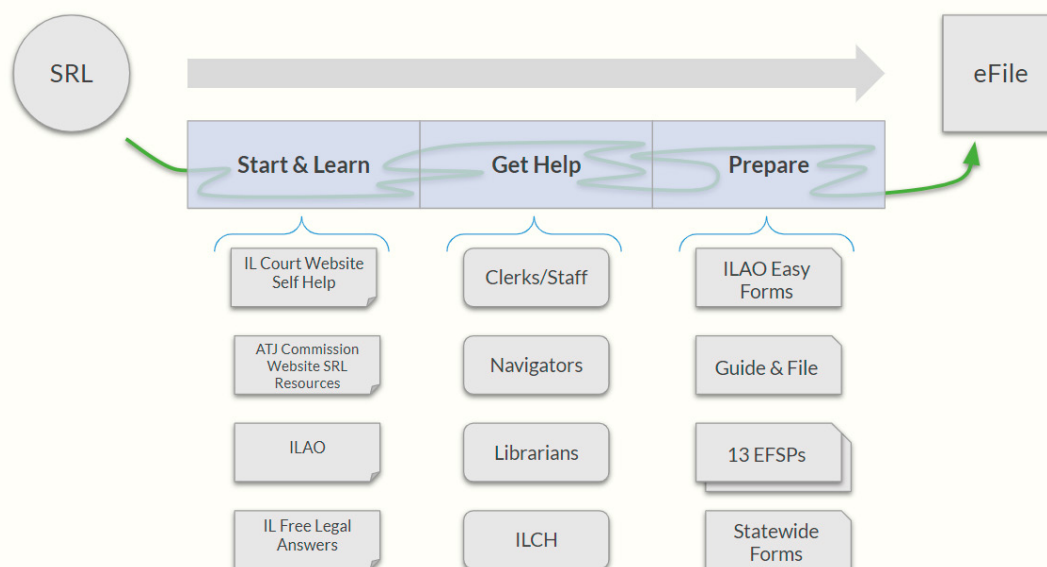
Without the services of a lawyer, SRLs have to not only serve as their own advocate but also as their own law office, assembling and organizing documents, scheduling and tracking tasks, and maintaining notes on their legal progress.

## Concept

To improve the SRL e-filing experience we would need to improve not just the point of e-filing but the whole journey leading to e-filing. From the feedback we collected there appears to be a need for a seamless SRL-centric digital experience that is designed specifically for SRLs, and supports them through the entire journey, helping them learn, connect them with the available assistance and resources, and prepare them for e-filing step-by-step. It would



need to be omni-channel, interacting with users via a web browser, mobile app, email, SMS text message, and phone -- whichever is most convenient to the user. Illinois already has strong assets and expertise to help SRLs such as the services offered by ILCH and ILAO's guides and resources. These could be aligned and linked to create a more seamless and coordinated journey for SRLs.



To provide a seamless experience consider the approach taken by the [Maryland Justice Passport](#) web portal. SRLs can sign up to create a “justice passport” which they can use to track applications for legal services, store important documents, and organize case information. The SRL can then choose to temporarily share case information with a legal service provider when applying for services. This approach can keep the SRL in control of their information and helps them stay organized. An accompanying mobile app could provide SRLs tools to scan documents, schedule tasks, set reminders, and receive notifications.

A dedicated SRL experience would provide a clear starting point for SRLs, informing the user about the steps ahead, recommending relevant resources, and directing the user to appropriate expert help all using plain language and current UX best practices. This would not only help SRLs but it would also be beneficial for those who provide assistance to SRLs.

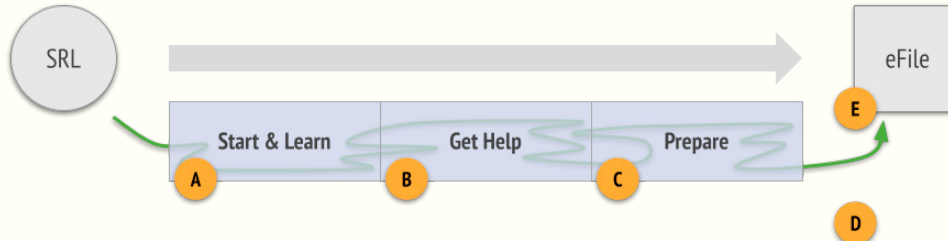




## 6 TECHNOLOGY INTERVIEWS

The next phase in our project was to interview technology experts and vendors that have experience building software to assist SRLs. To build a cohesive and seamless user experience needed to support SRLs through the entire e-filing journey would require a wide range of functionality. We grouped the technical functionality into five broad areas corresponding to different stages of a user's journey:

- A. Start & Learn: web development, content authoring, etc.
- B. Get Help: Guided interviews, triage, connecting with human experts and legal service providers, etc.
- C. Prepare: SRLs tools, forms, etc.
- D. Development Frameworks
- E. e-file Integration: Certified for Tyler Technologies EFM



It may not be possible to find a single vendor or pre-built off the shelf product that would cover all the above areas. It is likely that an initiative of this kind would require collaboration between two or more vendors/contractors coordinated by a multidisciplinary project team that provides :

- Project management
- Ongoing stakeholder engagement
- User feedback analysis
- Data strategy and analysis
- Search engine optimization (SEO) and public relations



Based on what we learned from interviews with legal navigators and clerk focus groups, we reviewed several projects that used technology to provide some type of assistance to SRLs or legal professionals providing services to SRLs. We then compiled a list of technology vendors and developers who appeared to have expertise in building legal technology solutions. From this list we selected five vendors for in-depth interviews. This selection is not meant as a recommendation of these vendors; our selection was based on relevant experience in areas we wanted to learn more about, innovative projects/products, and to cover multiple areas of expertise. The vendors interviewed included access to justice consultants, a large legal technology company, document assembly and e-filing platform vendors, and a law school legal technology research lab. Interviews were conducted via Zoom.

#### Key Takeaways:

- Commercial cloud-based *customer relationship management* (CRM) services or client portal platforms can provide viable framework options for building functionality needed to support SRLs in the early stages of e-filing. These platforms can offer many advantages including lowering cost and time for development, as well as including industry standards for user interface design and security, and offering mobile apps, phone/email integration, and other omni-channel capabilities. The challenge would be mapping and adapting legal processes needs to standardized functionality built into these platforms.
- The act of e-filing is not the desired outcome, it is just the beginning. Design for the outcome. Ideally, SRLs will need to be supported before, during, *and after* e-filing. They will need to be able to access this support from a computer, smartphone, email, text message, or a phone call. Assist SRLs in organizing documents in a cloud-based document repository.
- When complex legal processes need to be expressed in software such as guided interviews, “no-code” or “low-code” approaches are desirable as it enables those with legal expertise to directly build the experiences without requiring a high-level of programming expertise.
- Open source frameworks such as *docassemble* and community-driven initiatives can offer a viable approach to collaboratively innovating and building SRLs-focussed solutions that can be shared and replicated. The



open source legal technology community is growing around these initiatives.

- The complexity of court processes makes it harder for developers and content authors to build SRL-focussed solutions. The many jurisdictional variations multiplies the amount of effort needed to meet SRL needs and compounds the difficulty of development and maintenance efforts.

(See Appendices 8.12 - 8.19)





## 7 RECOMMENDATIONS

In this study, we have collected feedback, opinions, and ideas from legal navigators, court clerks, AOIC staff, SRLs, and technology experts on how to improve the e-filing experience for those that seek to address their legal issues without an attorney. This collection includes a wide range of stakeholder input from general concepts to process improvement ideas to observations about specific user interface issues. Based on our analysis of this compilation, we have distilled five guiding principles and a suggested action plan for improving the e-filing user experience for SRLs in Illinois.

### Guiding Principles

1. *Support SRLs' entire e-filing journey:* SRLs need a user experience that is designed specifically for them and provides seamless support from the point when they begin looking for information about their legal issue all the way through to e-filing. This will help SRLs be better prepared and organized when they e-file and be more efficient for those who help them along the way. It could translate to a better experience when in court since all the steps leading up to that point have been well explained and efficiently handled. It would also result in better data about the entire SRL journey and outcomes.
2. *Simplify court processes and reduce jurisdictional variations:* Complex court processes and differences between jurisdictions impose a heavy load on software developers, content authors, and those who provide support to SRLs. This results in technology implementations that are difficult to build, maintain, and keep updated. In the end, SRLs have to bear the burden of this complexity.
3. *Build upon existing legal technology initiatives:* Illinois already has legal technology initiatives that are building SRL-centric solutions and implementing industry best practices. ILCH is building a statewide omni-channel support system for SRLs using cloud-based services. ILAO



provides self-help resources, step-by-step guides, automated interviews to populate forms, and has familiarity with different technology frameworks. Open source initiatives for document assembly and e-filing may provide components that are suitable for integration.

4. *Consider a modular technology approach:* A monolithic software development project to address all SRLs needs could be a formidable challenge. Instead, consider a more nimble modular approach, building upon available cloud-based services, frameworks, APIs, as well as promising existing initiatives including technology-facilitated access to human assistance and expertise, stitched together with an SRL user account, to create a seamless SRL experience. Think pathways, not platforms.
5. *Start with a viable pilot project:* Identify a legal case pathway that has a significant volume of SRL parties, has a relatively simpler process, and fewer jurisdictional variations across the state. Build consensus to reduce or eliminate jurisdictional variations, and create a simplified statewide process for SRLs before attempting to build a software solution for it. Engage users and stakeholders throughout the project, testing, and incorporating feedback. Valuable lessons learned building one pathway can be used to build the next one.

## Suggested Action Plan

1. *Assemble Task Force:* Invite representatives from all willing jurisdictions and legal aid organizations in the state to participate in a body tasked with selecting one (or top 5) SRL e-filing pathways to be improved and collaboratively simplifying and streamlining one pathway to be built as a statewide pilot project. (The task force format could be modeled on the court focus groups assembled for this study. ) The task force should include neutral experts to inform and facilitate the collaboration. Also appoint a project manager (or a small project team) to provide management and operational continuity for the initiative.



2. *Select Pathway(s)*: Consider three criteria to select the pathway(s) for a pilot project: volume/need, process complexity, and jurisdictional variation. Data to support this decision-making can be compiled through data analysis or opinion surveys. Select the pathway(s) that have the least process complexity, least variation across jurisdictions, and would benefit the most number of SRLs. Additional criteria that could be considered are processes that currently are a significant pain point for court clerks and/or legal aid programs, and pathways for which resources have already been developed by ILCH, ILAO, and others.
3. *Streamline Pathway(s)*: Collaboratively arrive at a streamlined pathway that would be adopted by all participants. The functionality needed for this will become the basis of the functional requirements for the pilot project.
4. *Release RFP and Select Contractor(s)*: The RFP will include the functional requirements for the pilot project developed in the previous step as well as additional technical requirements. (Examples: SRL user account, document repository, SRL tools, etc). Note that due to the nature of this project, it may be likely that several contractors with different expertise areas may be needed and would require technical project management capabilities as well. Project requirements should also include user feedback components and metrics to measure the effectiveness of the project.
5. *Build, Listen, Learn, Refine*: Throughout the building process, listen to users, learn from them and from the metrics, and iteratively refine.

Once the first pathway is operational, repeat by selecting the next pathway to simplify and build -- reusing components already built for the previous one, and building any new functionality needed. Every new pathway built will add to the overall feature set of the system which will start evolving into a full-featured SRL e-filing platform. Also, each new pathway added to this technology implementation will mean another legal process that is simplified and standardized across the state.



We recommend this incremental approach -- with *process improvement and technology implementation being developed together with stakeholder input and user testing* -- to ensure that the technology solution being built is closely tailored to the needs of SRLs and the courts in Illinois.

Implementation of the above action plan will take a significant amount of time and requires starting small and building incrementally. While this long-term initiative is underway, robust human-centered measures will continue to be necessary in the interim. This can include expanding already existing resources such as ILCH, the Illinois JusticeCorps program, the Court Navigators Network, and information provided on ILAO as well as working on improving the UX of existing EFSPs and standardizing and simplifying court processes across all case types and jurisdictions whenever possible.





## 8 APPENDICES



## 8.01 Navigator Interview #1

May 26, 2021

### Background

I started working in August 2020 providing in-person assistance in McHenry County.

### Observations

#### *In-person*

For in-person SRL assistance, there is a help desk in the court clerk's office with plexiglass and computer stations beyond. SRL will go talk to a clerk and get the right forms. They are informed it has to be e-filed. SRLs do not know what e-filing means or even what filing forms means. I think this is the most important takeaway! The website should provide some information on what SRLs are actually doing by logging into their e-filing account -- right now it assumes attorney level knowledge.

Idea: It would help to add information to websites that explains the process.

Information is available online but SRLs don't know it is there when they come to me. When they come to me I look at their form to see what is missing and answer their questions. Then we scan the forms to PDF. During Covid I told them how to do it themselves. Now I personally help them scan into a PDF.

#### *Remotely Over Phone*

No one (SRLs) seems to know what e-filing is. SRLs do not know what filing code to use for a given document. I would recommend including some sort of popup/note on the website like, "Your filing code is the name of your document. For example, if you are uploading a document titled 'Petition,' your filing code would be 'Petition'. Some documents may have attached fees and others may not. If you are not sure if you have to pay a fee, contact your circuit clerk's Office at xxx-xxx-xxxx."

When SRLs create an online account they expect the website will create the case for them. They don't know that it is a separate step that involves creating a



PDF. Sometimes over the phone I would tell how to fill out the PDF and fill in blanks in PDF. There are many steps involved. Merging these processes might help but won't work as one-size-fits all to getting where the forms need to go.

Idea: Guided interviews should be like Turbo Tax. Even if Guide and File is improved, I assume some SRLs will always have to create their own court documents and upload them as PDFs. The website should have some note saying that court forms are what create your case, and e-filing is only the mechanism for submitting court forms to the court. E-filing is useless without court forms.

### *Payment and Waivers*

Such a disclaimer does NOT currently exist, though it should be added. SRLs are confused why they need a payment account on file if (1) they do NOT have a court fee waiver and (2) they do NOT have to pay any court fees. This sometimes happens when an SRL reopens an old case for which they previously had an attorney. I don't think the new website should force you to add a payment method, because some people never have to pay for anything.

Only credit card or echeck is allowed in McHenry County. Given all the local court rules, maybe you should include some disclaimer about how you might be able to use certain payment methods in some places and not in others.

Waiver gets confusing too because they think that when they get a waiver in-person when they see the judge, the waiver is immediate. There should be a disclaimer on the e-filing site that if you select fee waiver you haven't automatically been granted a fee waiver. When SRLs add "waiver" as their payment method, they think they automatically get a waiver of their court fees. This is incorrect. They still have to e-file an Application for Waiver of Court Fees for a judge to review. If the judge grants the request for a waiver, then the SRL can use "Waiver" for their payment method for the duration of their case. If not, then they will have to pay and maybe re-file.

Order of Protection cases have no fees so that is confusing too. SRLs ask "Why do I have no fees for this but not for that." The court fees are in Odyssey but only if you know where to look. People think there is a fee to e-file but there isn't -- but there are court fees.



## Interface

There is a lot of "noise" in the UX that is only applicable to attorneys and that really confuses SRLs. For example, the interface has a "Client Reference Number" that an SRL will never have. In Odyssey there is an option to e-file-and-serve which gets auto-selected. This confuses SRLs because they don't know what "serve" is, and I am not sure if it even works. Half the calls I get are questions about "what is my 'service-contact'" (which is in the interface).

Idea: It might be better to have a completely separate user experience for SRLs. and some explanation of what "serving" a party means. You should include a note that lets them know while they CAN/MIGHT BE ABLE TO serve a party through Odyssey, this is not necessarily the best method of doing so. They could also do by email, hand delivery, etc.

One common issue is in Odyssey at the bottom of the page, SRLs don't know where the "Submit" button is. So when they fill out fields it is only saved as a draft. Most SRLs are not able to find the submit button.

Idea: It should be clear where the Submit button is.

Idea: In some counties when you have your documents approved by the court, you get an email saying your doc was accepted. Include a link to a court-stamped version of the document. This is useful if they need to serve the party. You can find it if you go to your Odyssey account but SRLs don't know that.

*Odyssey Guide and File* (OGF) is more similar to Turbo Tax and has the option to either download all court forms as one multi-page PDF or as separate PDFs. Our court does not accept a single PDF. We need separate PDFs. This may be different from county to county.

Idea: OGF should disable single-PDF option.

SRLs run into a bug on IL Courts website; it's the " print-and-save-as-pdf" vs "save-as-PDF."

## Suggestions

Talk to someone in Cook County. They have a very complicated system. Ask about payment method rules and fee waiver rules which are different in different counties. Local court rules are a giant headache.



For me SRLs usually start in-person or by calling the court. They do not usually start at the website. More people e-file in-person at court computers than at their home computers. Some think they are required to file from a court computer even though they can do it from anywhere.

Idea: Think about SRL's mobile experience. Many SRLs only have a cell phone, not a home computer.

Idea: SRLs are not inclined to sit and read information. Talking to a real person would be helpful. One advantage of in-person assistance is I can be more helpful and help them save time.

People will spend hours on an e-file when it should take 15-20 minutes. We have to clarify that they shouldn't be taking so long, and if they are, they should get help.

This is a key point. E-filing should not be such a barrier to justice that it is. It should absolutely not take more than 15-20 minutes. According to IL Supreme Court Rules, an SRL is EXEMPT from e-filing if it is taking too long/is too hard. SRLs deserve to know their rights, they deserve to know this information. The new system should include a link to this form, and explain that if e-filing is too hard, they should fill out [this form](#) and return it to the clerk's office by mail or in person.

Idea: Provide the SRL a complete overview up front about how the process works, what you need to do, which documents you need, what fees they need to make and when, what a fee waiver is and how you can get one. Include information about e-filing exemptions and expectations on how long it would take. Provide links to county legal self-help centers.

Idea: Educate SRLs about terms as they go along the process -- terms like "defendant, plaintiff, petition, etc. If you are filing a motion you have to give a notice to the other party. SRLs don't know they have to serve notice and that they can do it through e-filing or emailing.

Idea: Integrate education about the process/journey along with the e-filing process.

One other observation. Have the web address actually correspond to the website's name. No one knows what Tyler Host is or why they are receiving emails from Tyler Host.



Another random observation: The process of registering for an e-filing account is confusing for SRLs. Odyssey does not use terms consistently which can be confusing. For instance, it uses "pro se" and "self-represented litigant" interchangeably, but this, again, assumes prior legal knowledge that SRLs don't have. Also, the registration page should have SRLs enter their email address and desired password two times each. It does not currently do so, and people type the wrong thing all the time and then can't log into their account.





## 8.02 Navigator Interview #2

Jun 03, 2021

### Background

I started in March 2020 providing assistance for all civil cases in the 19th Circuit. Mostly family case types and many evictions and some small claims. I specialize in guardianship. I was the first person to take this job. I was only providing remote services when I started. By April 2021 I was providing in-person assistance as well. Our court is fully remote, and I provide individual support in-person.

### Observations

#### *Assistance*

I help SRLs choose the right forms and help them fill them out. I provide basic court info and explain next steps. I direct SRLs to e-file, but I don't provide e-filing help. Another program does that. I started helping with e-filing but it was taking too long.

E-filing is not user friendly. It takes so long! It is really time-consuming. So I stopped helping all the way through. The circuit court has e-filing help stations, and I refer SRLs to the clerk's office.

#### *In-person*

This begins when the SRL is already in the courthouse. SRLs would have stopped in the law library or clerk's office. They can't help with forms so they send the SRLs to me saying the coordinator "can help you with that." I first tell them to finish as much as they can and make an appointment with me. This is not usually the same day.

#### *Remote*

This is via live chat or email reference from the clerk's office or referred by the judge. I sit in each day on a civil court call and provide support via Zoom breakout room. I tell them I am not a lawyer so can't give legal advice, but I can help them fill out the form. I will sit with them for 30 minutes to fill out the



forms and give them e-filing instructions on how to upload. I also offer Zoom Assistance test runs to help people get set up with Zoom for court. There was more need in the beginning of Covid but now most people are comfortable with Zoom. We have Zoom stations in the court and we use DocuSign.

If it is going to take too long in the breakout room to e-file, we give another court date.

## Challenges and Pain Points

E-filing takes too long. Particularly for first-timers, which is most of the SRLs. People get really frustrated with rejections (when their attempt is rejected). Remote e-filing is even more challenging than in-person. How long it takes depends from case to case. It might take 15-minutes if it is easy but I usually allocate 1 hour. Usually it takes 30-60 minutes. Language is a challenge -- I speak Spanish but it takes longer to translate.

E-filing is done in circuit courts office or law library. People have so many questions. They have to register for an account, and figure out making payments. They might have to spend 20-30 minutes e-filing after having spent 45 mins filling out the forms.

I point them to the e-filing exemption. I give them fee waiver information and tell them that they have to file it first. Wait for a couple of days for approval then come back. If granted they come back and file for free.

E-filing is hard from home so they come into court. In-person they fill it out on paper form. For remote we do screen share to help fill out forms.

I usually don't do case management or retain any of their info. Some people come in because they couldn't e-file from home. Then they came in to e-file and have to file for a fee waiver. Then they would have to come in again so I might keep their info to help them when they come back but that's an exception

The e-filing platform has too many steps. There is too much to do. We can include information and screenshots to help them but it's just too much. For example choosing a "Filing Code" is too difficult. Another example -- if they miss court date, they would need "Motion to Vacate" filing code but they don't know that is. SRLs have questions like: Did it go through? Did I submit it? There are many reasons for rejections and if their e-filing is rejected they have to start all over again.



The fee to file a common court document is \$334, but if rejected, it takes 2 weeks for the SRL to get their money back. If they don't want to wait they have to put up more money to file again. One person was out nearly \$1000 for multiple attempts. She was rejected 3 times so the judge referred her to me. Even though I had helped her over Zoom, it got rejected a 4th time so she emailed me the forms and I filed for her.

It is time-consuming for me too. I don't have access to all the info so I have to ask or send them somewhere else.

## Suggestions

Make an easier process with fewer steps.

Send email notifications and e-filing system should be able figure out some things on its own

SRL should be able to log on to an online portal and upload documents and the system should know what it is and what needs to be done.

Illinois is moving to standardized forms from the AOIC/Supreme court. All small claims, appearance forms should look the same

We will keep some remote assistance even after the pandemic. We have divorce hearings from all over the world, even Mongolia. Both in-person and Zoom are suitable for different situations.

The forms themselves are fine and I help them so it's ok. But as long as e-filing is mandatory, make it easier.





## 8.03 Navigator Interview #3

Jun 3, 2021

### Background

I provide assistance in the Cook County Helpline. It's the biggest for e-filing. I mostly assist with Dissolution and Small Claims cases. There are three of us from IL Justic Corp, and we provide assistance remotely. I just pull it up on my screen.

### Observations

#### *Path*

The Odyssey e-file system is not easy to use. SRLs get my number from a judge or circuit clerk which advertises as general help with e-filing. SRLs usually have their paperwork done and need help with e-filing. If they have incorrect forms -- for example for a different case type -- I send them off to fill out the right form and to come back. We usually don't help filling out the forms themselves. Most common is that we tell them about the fee waiver. If you file a fee waiver form, clerks may not see it. We recommend filing for Petition or Appearance (defendant, litigant) and Fee Waiver at the same time. If at the same time a petition is filed and the fee waiver and judge's decision is pending they get notified by email from the circuit clerk. I am not sure if it is from Odyssey "Courtesy Copy" field or it could be on the fee waiver e-file.

#### *Challenges*

Matching the "Filing Code" correctly is the most common issue. Petition and Appearance are a bit easier for filing code. Others like Summons are hard because it may not match the title of the document. Petition for "certification agreement" on form and filing code is "Stipulation for contested cause" so it doesn't match and you have to know that one is referring to the other. Another example is that "Transcripts" are called "Record of proceedings" in the e-filing system. About 70 to 80 percent of SRLs have the wrong filing code



## *Process*

Another issue on PDF is being upside down. The form is in PDF and can be downloaded. ILAO can generate PDFs. Some fill out a paper form and take a picture. Some go to the circuit clerk to get a paper form. They get told e-filing is mandatory, but they might be exempt and they don't know there is an exemption form. Reasons could be language (e.g., English as a second language), not having a computer, or other major roadblocks. Orders of Protection are automatically granted exemptions. They fill out a paper form and bring it into the courthouse. Less than half the time I actually see the form but it's less common. Most people are able to create an e-filing account. They have to upload documents in PDF. If the document is in JPEG it would fail or be rejected.

Odyssey is impossible to use on your phone so we ask them to get to a computer.

We also help with the cross-reference number such as "99500". If you are SRL and get asked to enter this code, they have to select the cross-reference type "Motion Type: Motion". Getting a hearing through e-filing, party info, location etc. follows.

## *Duration*

e-filing session time is a minimum of 20-30 min and an average of about 45 min. It can be as long as 1.75 h. It depends a lot on the tech competency of the SRL. Before this session they have been through at least a couple of hours of filing out the forms.

## *Information*

SRLs don't know they have instructions in Odyssey. I have to give them that info, which code to enter, etc. Some instructions appear in pop-ups but people don't see them or close the pop-ups without reading. There are great resources online but they don't often find them. (Or it may be that those who don't, don't come to me because they have already found them and don't need me.)

## *Suggestions*

SRLs need the legal language clarified for them.



People can't pull up their case by case number because they don't know the case number format (e.g., 19 instead of 2019).

It would help to eliminate or automatically assign filing codes.

Hearing dates : If this situation applies to you you can pick a hearing date. They are presented a hearing date for their motion. If someone files an appearance then they don't get to choose a hearing date. Odyssey does this but not very effectively.

Questions to ask other navigators: Differences in fee waivers, how various courthouses do court dates etc. through Odyssey.





## 8.04 Navigator Interview #4

Jun 3, 2021

### Background

I help with SRL e-filing in the 15th Judicial Circuit. It's a rural area. People travel quite a way to access services. I was the only person 1 day a week for 4 hour. We did a lot of family law. In April 2021 I moved to become an ILCH guide.

### Observations

#### *Path*

During the pandemic, we moved to provide assistance remotely. I got a second cell phone and email address for just this purpose. They called me for help with e-filing. This was usually just over the phone. I offered to assist over Zoom but no one took me up on that. Most coming to me were not very tech savvy. Using Zoom was stressful for them, and e-filing via Odyssey was stressful too. People need someone to walk them through the e-filing. Not everyone has good internet access. Libraries were shut down during the pandemic. SRLs could call me on their own time and convenience over the phone. It takes several calls.

In-person help would take a long time but I could give them forms. I would help them fill out and then e-file forms at the self-help center. This is not true for all counties though. SRLs would be referred from circuit clerk's office, trial court admins, or judges. Some forms are easily accessible like divorce. In the 15th Judicial District people were sent directly to me. Circuit clerk's offices were spread thin.

#### *Service*

I would answer their questions such as "I am trying to get a divorce, what should I do?" I would then send them forms by email and explain what they would have to do, how to fill them out and to file them. I would tell them about fee waivers. I would communicate with them via text, email, and ask them to call me back.

We did some light demographic research for 15th Judicial and I have some data. I will send it to you.



I used the Odyssey Efile system before I started at AOIC. Usually I would be on the phone and help SRLs through the e-filing process. Sometimes I would send them info and instructions and ask them to call me back if they needed help.

### *Courthouse In-Person Experience*

Cell phones are not allowed in the buildings. The system makes you verify email addresses, but court kiosks can't be used to verify email. Can't use two-factor authentication because SRL would not have their phone with them. I would have to send them back to the parking lot to verify their account by clicking on the verification email. We had made a laminated card in English and Spanish with instructions for this. Some people went out and never came back, and some came back next week. Odyssey verification email is not time-limited but some SRLs said it was.

### *Remote Experience*

Advantage of remote is that they have their cell phone with them so I could walk them through all the steps. But there are many disadvantages too. Many SRLs have internet access only through their phone or their kids' school Chromebooks. Odyssey doesn't work as well on mobile phones. Most may not have a scanner at home. Forms need to be in PDF format. SRLs can take a photo and then convert to PDF or fill out the form online and generate PDF. This is a problem. I would let people email me their JPEGs, and I would print out, rescan and then make PDF. Even though some PDF forms are fillable, they have to be flattened. The judge only sees the embedded image in a PDF anyway.

Many forms are not a standardized fillable form. Most have to be printed with a wet signature and scanned. It would just be so much easier if it accepted a JPEG picture.

### *e-filing Challenges*

- Choosing your own security question is complicated.
- Registering for a Firm or Individual account is complicated. They know they are not a firm, but they don't know that they are an SRL. Instead it could say "not using a lawyer". Once registered it is easier.



- State of the filing can be: 1) Pending; 2) Returned: Rejected for some reason; 3) Draft: not submitted, 4) Served: digitally given to other party (usually not relevant for SRL).
- SRLs need to know their location. (Common question: "What district I am in?")
- Category terms can be confusing.
- Yellow buttons are not always helpful.
- Case type can be confusing, but I help them pick the right ones. SRLs don't know that selecting the Case type reveals the filing fee. They also don't realize that save changes saves draft.
- Party info: I am Party auto fills
- The Lead Attorney field is confusing if they don't have an attorney. They get stuck on their own. They don't need to enter this.
- It can also get confusing if they don't have an address.
- Filings: Efile (usually when they are starting) or E-file/Serve options: Filing type, Filing Code, Filing description
- Client reference number: This is typically for attorneys. Even some attorneys don't use it. I hope they get rid of it.
- Courtesy copy options are confusing.
- Lead document gets a stamp. After they save the first document they could add more. But it is confusing because they don't see the "Add Another Filing" option. I asked Tyler to make it green but they haven't. SRL has to repeat for each filing, and it has to be a PDF. (JPEG upload will fail)
- If SRL wants a waiver they would have to set up a waiver account. This means they have to save draft, then go back to setup payment, and then come back to the draft(see below).
- SRL has to click on the "Summary" button. This is confusing to some. SRL has to review and then submit.
- Payment Account: Choose Yellow "Actions Button " and set up a credit card. Fee waiver account will automatically waive it in the e-filing system



temporarily, but a judge's decision is needed. If the judge decides they have to pay they usually have 30 days to pay.

- There are many EFSPs, and clerks send people to one they like. I would send people to Odyssey. There are about 20 EFSPs and there is a comparison chart, but people don't know which one to pick. Many are used by lawyers and have different features. I would get calls from everyone including SRLs and lawyers.
- If rejected, "Copy Envelope" can make a new draft. I help them with it. The term "returned" is confusing; it should be labeled "Rejected." Most people just start a new case. Rejections are pretty common, particularly if they are doing it themselves. Reasons for rejection could be one single PDF is not accepted and they need to split the document up into separate PDFs. Sometimes my first point of contact is after an SRL filing has been rejected. Sometimes people upload form instructions along with the form.
- We used ILAO guided interviews and people uploaded all of it. Some like guided interviews but others don't because it may give too much info. For example you rarely need Final Judgment form but ILAO creates it.

### *Suggestions*

- Digital divide is huge and e-filing by itself will not work for everyone. Need to change that requirement. Also literacy and computer competency are major issues.
- It would be ideal to have an app that goes along with e-filing. Odyssey is unusable on mobile device/tablet. The app should have a PDF converter, and SRL should be able to take a picture and upload that.
- Dyslexia can be an issue. Need a color-coding system that is both color-blind and dyslexic-friendly. Gray boxes are hard to read. Use bright colors and color codings.
- System should work on PCs as well, not just phones. Older generation learned to use computers but are not familiar with smartphones. Poorer people are not familiar with computers but familiar with smartphones. After the pandemic more people were using tablets. So we need it all.
- It would be better if it was standardized across different counties.



- System should use plain language.
- I think a better system would be beneficial to all including SRLs and Local court rules are a giant headache.s.





## 8.05 Navigator Interview #5

Jun 4, 2021

### Background

I have been providing assistance since August 2020 in Bloomington-Normal in the law library. I provide in-person assistance only. I provide legal info, access to court forms, and e-filing help.

### Observations

#### *Path*

Biggest challenge for SRLs is navigating the e-filing process. It took me a while to learn myself. The SRL usually begins their journey with the navigator info that is on our website. Sometimes they learn of us through other counties or through clerks though they don't handle e-filing or have paperwork. Sometimes through judges also. Like in a divorce case SRLs may not enter an appearance so judges will refer them to the law library to get the form and to waive court fees. Usual case types are Small Claims, Family Law, and Guardianship.

When SLRs get to me it's a mix -- some have the forms and some don't. For some, a judge may have written them down for them. For those that don't, I have to figure out which form they need. Sometimes I don't know, and I have to reach out to clerks or my supervisor on which forms to use. One example is Grandmother Petition For Custody Of Unborn Child, and it was complicated

#### *Interaction*

Usual consultation time can be 5 minutes if it is easy with brief instructions. Maximum time can be long. Someone was there for 5 hours but that was an unusual case and they were asking a lot of legal advice questions which I can't answer. A typical interaction is around 20 minutes and it involves getting the forms, filling them out, and answering their questions. Usually I help with e-filing by looking over their shoulder but sometimes I might physically e-file for them if they are having trouble. Many are not tech savvy so prefer to have someone do it for them.



## *Interface*

The Odyssey user interface is not the best. You need knowledge of the law to be able to use it. For example, I ask people to uncheck the "Service" button; they don't know what it is for. Maybe we need a user interface element that tells them what that is for. Sometimes they don't have the contact info for the other person they have to serve. It can be confusing.

Security settings: Almost all e-filed documents are non-confidential so maybe just make it the default.

Lead documents and attachments seemed confusing for me in the beginning. Tried to e-file as one lead document and a bunch of attachments. Difference between lead and attachments can be confusing.

Once you know how to use the software it is straightforward, but it is hard for first-time users. SRLs are under stress; they can be angry or frustrated. When in that frame of mind, the e-filing system is very intimidating. It is important to have people to help SRLs walk through that process.

## *Resources*

Some SRLs have scanners at home so they go off and do it themselves. But the vast majority of people tend to have lower income and they don't have the tech competency so having a law library and a public library is critical. Scanner is available, and it is attached to the computer. We have 3 computers and 3 scanners. We have configured the scanner to save PDFs by default.

## *Suggestions*

Client Reference number: I don't know what that is and I never had to do that. Maybe it's there for a reason but I don't know.

Most SRLs say "I wish I could just hand my forms in." I understand the utility of e-filing, but I can also understand people's frustration when they don't have access to technology. If I could change something, I wish we had more people across the state like JusticeCorp and other court navigators to help SRLs with hands-on help. Bloomington has done training for e-filing for staff. We need more places where people can get one-on-one assistance. Current process can be okay as long as people have access to navigators.



## 8.06 Clerks Focus Groups Session Outline

We used this outline to structure the focus group sessions.

### 1. INTRODUCTIONS

#### a. Facilitators

- i. Sarah Song -- AOIC, Access to Justice: Sarah works on tech projects, including remote court, online dispute resolution, and electronic filing. Before joining the AOIC, Sarah was a housing lawyer at Legal Aid Chicago.
- ii. Abhijeet Chavan -- Consultant: Abhijeet Chavan has over 25 years of technology consulting experience with public-sector, higher education, and non-profit clients.

#### b. Participants

- i. Name -- Court/County/Organization
- ii. Bio

2. ORIENTATION: The Supreme Court's Commission on Access to Justice is conducting in-depth research into how we can improve e-filing for self-represented litigants. We know clerks are on the front lines not only assisting SRLs with submitting their e-filings and figuring out next steps but also establishing business practices and accepting/rejecting these filings. We would like to hear from you, particularly on how to improve the filing process for users, with the goal of reducing not only rejections but also the number of requests from SRLs for support, which we know can be very time consuming. Our goal is to interview small groups of clerks to get a representative picture of clerks' pain points and suggestions for improvements to e-filing that will hopefully cover the diversity of clerks' interests and needs, especially in Cook County. Please bring all your feedback—the good, the bad, the ugly. We want to hear your honest critiques and innovative suggestions. Thank you!
3. BRAINSTORM: Below are the thoughts, what works well and what doesn't, ideas, recommendations, suggestions, issues, pain points, annoyances, requirements, etc. suggested by this group. Can you think of any others?
4. THEMES: Let us try to cluster the above ideas and issues into themes. Feel free to refine, combine, split, or add new ones.
5. RECOMMENDATIONS: Generate a list of recommendations/larger principles to improve e-filing for SRLs.



*Focus Groups:*

- Zones 1 & 4 (4 participants): Union, Tazewell, Jo Davies, Rock Island
- Zones 2 & 3 (6 participants): Morgan/7th, Sangamon/7th, Madison/3rd, Moultrie/6th, Montgomery/4th, Vermillion/4th
- Zone 5 & Court Services (8 participants): DuPage/18th, AOIC (2), Will/12th, Winnebago/17th, McHenry/22nd (3)
- Cook (6 participants)





## 8.07 Focus Group Zones 1 & 4

Sep 8, 2021

Zones 1 & 4 (4 participants): Union, Tazewell, Jo Davies, Rock Island

### Brainstorm

Below are the thoughts, what works well and what doesn't, ideas, recommendations, suggestions, issues, pain points, annoyances, requirements, etc. suggested by this group. Can you think of any others?

1. Simplify the how to instructions
  - a. We print out the packet -- the forms with the instructions. SRLs are intimidated by the number of pages in the packet.
  - b. Struggle with the basic language.
2. Are we going to have more Guide and File programs available?
  - a. What works well with OGF is they are asked questions (like Turbo Tax) and it seems to work well to help SRLs build their petition.
  - b. Guide & File interview for a petition to modify in divorce cases would help
3. No matter how much time we spend with SRL's our Judges require SRLs to know what they are doing when they come to court.
  - a. Don't know how to proceed once the documents are filed and/or they arrive in the courtroom; judges cannot favor one party over another and expect SRLs to present evidence and present their case
  - b. Pro bono legal advice/representation
  - c. All this time spent filling out and filing paperwork just to get shot down in court because they don't have a good legal case
4. Most SRL's are not familiar with the Case Categories and don't always know to choose Law Magistrate for an Eviction or Miscellaneous Remedy for Name Change
5. Explain case subtypes to SRLs
6. Tyler seems to always redirect the filers back to the clerk's office
  - a. Formatting errors such as the PDF not being correct
  - b. Undefined what Tyler's support number can assist with and what they cannot assist with
7. The state should fund pro-bono attorneys in each judicial district.



8. Oftentimes filers include the Statewide Forms instruction pages with their filings and submit everything as one single document.
  - a. Separate lead documents versus one large PDF -- summons separate from appearance separate from another document
  - b. How you separate them and load them into efileIL
9. Easier to understand instructions for each step
10. How can we help our seniors be more comfortable with e-filing
  - a. Not comfortable with computers. Lot of times we just do the waiver.
  - b. They don't know what a PDF is. They don't have access to a scanner.
  - c. 2 stations for SRLs to scan and e-file but most people request an exemption
  - d. Stations available in Rock Island, but clerk has to stand behind the user and directing them on what to click/choose or how to use scanner
  - e. Send people to the law librarian for additional support when short staffed
  - f. Some people would rather have a person guide them then look through manuals or other written resources
11. More forms for stalking no contact and civil no contact.
  - a. Available on ILAO's website but would be helpful to have in one spot on the statewide forms website
12. SRL's indicate they do not receive copy of filed documents
  - a. SRLs do not know how to set themselves up as a service contact
  - b. SRLs do not know how to serve court documents to another party (e.g., do you have to email it to them?)
13. The box for the file stamp is not in the appropriate space.
  - a. Standardized forms have a box, four/five different lines have to be moved, better if forms did not have anything in the top right corner
14. SRLs trying to decide on case type, not attorneys and clerks are not attorneys and don't have expertise beyond more basic types -- cheat sheet that selects the fields based on what you are filing
15. Providing SRLs with referral to Illinois Court Help -- have not heard specific feedback but SRLs have not been coming back to the clerk's office, particularly in smaller offices where someone may not be available to help
16. People arrive and want to tell their stories, taking up a lot of valuable time



17. Moved to Zoom court during pandemic mostly except for some. Provided terminals for those who did not have access to Zoom. Had to provide technical assistance using Zoom, headphones, etc.
18. Lots of questions about what is proper service on the other party
19. SRLs don't just need to know how to e-file. They need to know how to proceed with their case. Clerks have to be careful what we tell them because if they don't get the result they expect they think it is the clerk's fault.
20. Scaling weekly zoom call in to assist SRLs for counties that do not have the resources to staff it on their own; dedicated channel for SRLs to get access to services/assistance
21. SRLs start by calling for information. Then they may make several trips or multiple phone calls. (Not unusual to have a 30-min call with SRLs). Clerks spend a lot of time with SRLs on the phone before they even come in. If they don't have the right or adequate documents they may make several trips.
22. SRLs' reliance on clerks to act as their attorney because they cannot afford one
23. No issue with the current process for fee waivers. But standards for fee waivers are too low (depending on cost of living in the area).

## Themes

Let us try to cluster the above ideas and issues into themes. Feel free to refine, combine, split, or add new ones.

- *Services providing information to SRLs*
  - Case Types -- Guide to which category to file under
- *Legal Advice* For majority, providing some services or legal advice (expert-assisted or tech-assisted) would meet their needs.
  - Pro-bono legal advice
  - Legal Aid (e.g., Prairie State, Land of Lincoln, Legal Aid Chicago)
- *Technology Assistance*
  - Assistance for Seniors
  - Guide and File
  - Tyler Support
- *Amount of time and effort to help SRLs (both SRLs and clerks)*
  - Not adequate resource for clerks to handle SRL needs
- *Plain language and UX*



## Recommendations

Generate a list of recommendations/larger principles to improve e-filing for SRLs.

- A singular starting point for users to visit with different options to services, forms, resources, etc. Step-by-step directions on the process (the path ahead)
- Direct to dedicated services to address certain types of needs (e.g., for people with limited English proficiency, seniors, people with disabilities, general SRLs, etc.) or case complexity.
- More resources for state funded organizations for legal advice for those qualifying.





## 8.08 Focus Group Zones 2 + 3

Aug 13, 2021

### Brainstorm

Below are the thoughts, what works well and what doesn't, ideas, recommendations, suggestions, issues, pain points, annoyances, requirements, etc. suggested by this group. Can you think of any others?

1. The Illinois e-file website is really unuser friendly.
2. The limited number of approved forms available to SRL's.
3. The changes in the Manual of Recordkeeping for circuit clerk's.
4. Assisting with filing
5. Set up Payment Account during the registration process
6. Better Way to view "add another filing"
7. Observation: most SRL's do not understand the difference about the documents that they are filing.
8. I would like the instructions easier for the filer
9. Time to our cms
10. does everyone have problems getting SRL to do it themself
11. SRL's have an extremely hard time when doing from home
12. Can it be audio enabled
13. Kiosk availability for ILCH
14. Advice on front counter training
15. Finding additional resources for low literacy individuals
16. We should not force the filer to choose the Case Category. Each Case Type has only one Case Category. For example, if someone picks Foreclosure, we know it's a CH. Evictions are also a problem (usually coded LM).
17. Making the registration easier. Particularly for courthouses where cell phones are not allowed or users do not recall their passwords.
18. Including definitions with Case Types or using modern descriptions for Case Types. Ex. Replevin
19. SRL customers do not understand how to upload and label their pleadings, nor do they understand what to mark as confidential. It would be nice if the forms committee could identify "Confidential" on their standardized forms.
20. SRL customers do not know which forms that they should be using nor do they understand how to fill them out properly. Form committee needs



- to shorten and simplify those for the SRLs. Filing instructions along with court forms. Left-hand marginal instructions are too much info for SRLs.
21. There needs to be a better way for customers to receive support or assistance other than using the Tyler phone support number. SRL customers and efileIL users usually do not get good support and are referred to speak w/ the individual clerks offices.
  22. Case number search
  23. Document attachment and format (e.g., one large PDF versus separated PDFs); not flattening PDFs prior to filing.
  24. Payment account designation
  25. Electronic service
  26. A how to video on the clerk's website on how to e-file for SRL
  27. When & how to select optional fee services.
  28. Error messages. A thin red line which is sometimes off the screen does not cut it. It should take you to the error and make it obvious
  29. Payment accounts. Why can't it allow filing if there is no fee involved without an account?
  30. Needs a back screen for when they set up their account. They do the email part on the phone then they have to reload the website on a computer to be able to log in.
  31. Perhaps a live chat function for people filing from home to get help?
  32. Clean up logic or categories for filing codes (e.g., summons versus alias versus use of other document options)? Have to balance between too many and too few filing codes. Better organization of drop down options.
  33. People who are responsible for creating our systems (e.g., forms and instructions) are either an attorney or have had decades of experience with these systems; SRLs are not. Some of these terms mean nothing to them (e.g., alias).
  34. What problems does anonymous e-filing (kiosk mode) create down the road? A lot of people cannot create an account. They may not have a phone. What problems does anonymous-filing create for SRLs? Subsequently viewing documents can be difficult.
  35. People coming in the day of their hearing and staff has to assist them on each step of the process. Time to upload can be very fast but other times not so. Judge may send SRL to e-file answer on the same day.
  36. Frustration from SRLs who expect clerks to complete e-filing for them or use of clerk resources devoted just for e-filing.
  37. Odyssey registration process.
  38. Walk-along options either to fill out forms or just to complete the e-filing fields.



39. Misunderstanding between what court considers documents and what SRLs consider documents
40. Statewide forms are confusing and complex -- hard to capture the true SRL perspective when looking at forms since everyone is “part” of the system.
41. 5 public kiosks to help address digital barriers and adding ILCH or ILAO to the kiosk; hard to toe line between legal information versus legal advice.
42. Most helpful is to have a staff person walking through the e-filing process from start (registration) to finish (submission) with a SRL including help filling out forms (e.g., advocates for OPs). Not realistic to devote staff full time to e-filing support. More JusticeCorp fellows.
43. SRLs do not want to read or watch videos, just want to be told what to do. But they may respond well to an interactive program.
  - a. Time is valuable to SRLs and clerks
44. Videos?
45. More guided interviews to fill out statewide forms.
46. Intimidated by 35 page order protection packet. Tyler’s OGF <https://illinois.tylerhost.net/SRL/SRL/ExecuteInterview> was much easier to go through. It doesn’t use big words. It is faster for the filer which makes it faster for the clerk, which makes it faster for the judge. Even print-and-file is useful.
  - a. It may be plain language to us (legal experts) but it is not plain language to SRLs.
  - b. Instructions on the side are good but most people don’t read those. They want to fill it out as quickly as possible and so they don’t read.
  - c. Interactive question-answer is way we are headed
47. 1-312 vs 312 -- lack of familiarity with the tech they have.
48. May have a phone but no access to computers (mobile accessibility)
49. Most file anonymous instead of registration. They don’t think they will need it again.
50. Front-line before they even get to us
51. SRLs are not aware of the time it takes and are unprepared when it takes longer. Something to assist with expectation management.
52. After Jan 1st, new case types, SRLs may not even know which case types. Even legal professionals may not know since we had to add new filing codes.



53. e-filing exemption forms are available but first ask users to try e-filing before turning to paper filing; preference is to receive documents electronically.
54. Filers uploading all documents into one filing (e.g., notice of motion, motion, and proposed order on one PDF).
55. If Tyler's platform is the first step (setting aside the digital divide issue), it does not contain instructions and does not alert filers of errors; errors only come up on the clerk reviewer side.
56. Have to dumb it down -- most people don't understand difference between plaintiff/petitioner and defendant/respondent
57. More visual cues (e.g., graphics, pictures, icons, etc.)
58. Difficult uploading forms (e.g., flattening a PDF). Even I can't do that so how can SRLs? They try to take a picture.
59. Decision paralysis by the time SRLs get to the point of service of process or e-filing
60. e-filing is helpful as it goes into CMS. But it's difficult and mandatory for SRLs.

## Themes

Let us try to cluster the above ideas and issues into themes. Feel free to refine, combine, split, or add new ones.

- Access to appropriate technology -- computers and scanners, not just mobile devices
- Familiarity with using technology
- Legal understanding or lack thereof
- Understanding of the process ahead -- guided walk-through step by step
- Expert (human) assistance
- Plain language used throughout the SRL UX
- Empathy in process to accommodate different SRL challenges -- language, literacy, etc.
- State of mind -- frustrated and stressed
- Time -- how long it takes the SRL
- Smarter more helpful tech (do the work it can rather than having the SRL do it)
- Make it simple for SRLs.



## Recommendations

Generate a list of recommendations/larger principles to improve e-filing for SRLs.

- Use Plain language throughout the SRL UX
- Make the SRL process more interactive using a question-answer approach instead of filling out a form. (e.g., some sort of indicator that alerts users to next steps, helpful tips, etc.)
- Make process more time-efficient and also
- Reduce cognitive burden on SRL. If the system can figure it out then it should do it in the background without bothering the SRL.





## 8.09 Focus Group Zone 5 & Court Services

Aug 12, 2021

Zone 5 & Court Services (8 participants): DuPage/18th, AOIC (2), Will/12th, Winnebago/17th, McHenry/22nd (3)

### Brainstorm

Below are the thoughts, ideas, recommendations, suggestions, issues, pain points, annoyances, requirements, etc. suggested by this group. Can you think of any others?

1. We should not force the filer to choose the Case Category. Each Case Type has only one Case Category. For example, if someone picks Foreclosure, we know it's a CH. Evictions are also a problem (usually coded LM).
2. Formatting the forms to make them more user friendly for SRLs. This should include revising the instruction portions and the lengths of the forms.
3. Making the registration easier.
4. Including definitions with Case Types or using modern descriptions for Case Types. Ex. Replevin
5. SRL customers do not understand how to upload and label their pleadings, nor do they understand what to mark as confidential. It would be nice if the forms committee could identify "Confidential" on their standardized forms. Who should be responsible for marking something "Confidential," filer or the clerk/court? Lack of standardization on how this is handled or treated. Should not be an option on the public facing application. Does not account for all the other security settings (e.g., impounded, sealed, confidential, etc.). At the end of the day, it is not their choice.
6. Need to account for attorney filers versus SRL filers. Separate SRL user interface?
7. SRL customers do not know which forms that they should be using nor do they understand how to fill them out properly. Form committee needs to shorten and simplify those for the SRLs. Filing instructions along with court forms. Left-hand marginal instructions are too much info for SRLs.
8. SRL customers want someone else to do everything for them.



9. SRL customers do not know how to identify their parties based upon the case caption and the party standards.
10. There needs to be a better way for customers to receive support or assistance other than using the Tyler phone support number. SRL customers and efileIL users usually do not get good support and are referred to speak w/ the individual clerks offices.
11. Case number search
12. Document attachment and format (e.g., one large PDF versus separated PDFs); not flattening PDFs prior to filing.
13. Payment account designation
14. Electronic service
15. The state's standardized forms make everything more complex than it needs to be. Simpler forms would benefit everyone, especially SRLs.
16. Would it make sense to allow the ability to file as a "guest" rather than set up an account? The filer would need to enter all of their information and payment info each time, but those who file one time for one case might appreciate this. And many people do not like to save payment information within an online account for fear of fraud.
17. IL state forms coming to our system blank.
18. The attachment of personal information regarding financial affidavit W2, personal account numbers. Related to confidentiality and misunderstanding what that indicator actually accomplishes.
19. A how to video on the clerk's website on how to e-file for SRL
20. When & how to select optional fee services.
21. Emails. Should be one per submission per envelope and one per accept/reject per envelope
22. Error messages. A thin red line which is sometimes off the screen does not cut it. It should take you to the error and make it obvious
23. Payment accounts. Why can't it allow filing if there is no fee involved without an account?
24. Needs a back screen for when they set up their account. They do the email part on the phone then they have to reload the website on a computer to be able to log in.
25. Perhaps a live chat function for people filing from home to get help?
26. Common rejection is for payment reasons. SRLs do not know what optional services (e.g., certified mailing, alias summons, counterclaims, etc.) they have to add and when to add them. Clerks cannot add fees onto a filing in the review process and can only reject it for the filer to



correct. System cannot associate a fee to a filing code unless it is attached to some optional service (for example, counterpetition fees). Why can't it automatically connect that optional fee to the document that is filed? Lawyers struggle with this as well.

27. Clean up logic or categories for filing codes (e.g., summons versus alias versus use of other document options)? Have to balance between too many and too few filing codes. Better organization of drop down options.
28. You cannot bring your phone in. Go outside, come back in, during the registration process. Since you need to verify your identity via your email address.
29. SRLs who do not speak English (most commonly Spanish) are stuck even though they are provided a Spanish version of the form; they have to file responses in English.
30. People who are responsible for creating forms/instructions are either an attorney or have decades of experience with these systems; SRLs are not. Some of these terms mean nothing (e.g., alias).

## Themes

Let us try to cluster the above ideas and issues into themes. Feel free to refine, combine, split, or add new ones.

### *Registration and Payment*

- Common rejection is for payment reasons. SRLs do not know what optional services (e.g., certified mailing, alias summons, counterclaims, etc.) they have to add and when to add them. Clerks cannot add fees onto a filing in the review process and can only reject it for the filer to correct. System cannot associate a fee to a filing code unless it is attached to some optional service (for example, counterpetition fees). Why can't it automatically connect that optional fee to the document that is filed? Lawyers struggle with this as well.
- Payment account designation
- Payment accounts. Why can't it allow filing if there is no fee involved without an account?
- Would it make sense to allow the ability to file as a "guest" rather than set up an account? The filer would need to enter all of their information and payment info each time, but those who file one time for one case might appreciate this. And many people do not like to save payment information within an online account for fear of fraud.



- Making the registration easier.
- You cannot bring your phone in. Go outside, come back in, during the registration process. Since you need to verify your identity via your email address.
- Needs a back screen for when they set up their account. They do the email part on the phone then they have to reload the website on a computer to be able to log in.

### *Standardized Forms and Documents*

- Formatting the forms to make them more user friendly for SRLs. This should include revising the instruction portions and the lengths of the forms.
- SRL customers do not understand how to upload and label their pleadings, nor do they understand what to mark as confidential. It would be nice if the forms committee could identify "Confidential" on their standardized forms. Who should be responsible for marking something "Confidential," filer or the clerk/court? Lack of standardization on how this is handled or treated. Should not be an option on the public facing application. Does not account for all the other security settings (e.g., impounded, sealed, confidential, etc.). At the end of the day, it is not their choice.
- The attachment of personal information regarding financial affidavit W2, personal account numbers. Related to confidentiality and misunderstanding what that indicator actually accomplishes.
- The state's standardized forms make everything more complex than it needs to be. Simpler forms would benefit everyone, especially SRLs.
- IL state forms coming to our system blank.
- SRLs who do not speak English (most commonly Spanish) are stuck even though they are provided a Spanish version of the form; they have to file responses in English.
- Document attachment and format (e.g., one large PDF versus separated PDFs); not flattening PDFs prior to filing.
- Formatting the forms to make them more user friendly for SRLs. This should include revising the instruction portions and the lengths of the forms.
- SRL customers do not know which forms that they should be using nor do they understand how to fill them out properly. Form committee needs to shorten and simplify those for the SRLs. Filing instructions along with court forms. Left-hand marginal instructions are too much info for SRLs.



- Clean up logic or categories for filing codes (e.g., summons versus alias versus use of other document options)? Have to balance between too many and too few filing codes. Better organization of drop down options.

### *SRL Assistance/User Choice + Education*

- Perhaps a live chat function for people filing from home to get help?
- A how to video on the clerk's website on how to e-file for SRL
- Emails. Should be one per submission per envelope and one per accept/reject per envelope
- Error messages. A thin red line which is sometimes off the screen does not cut it. It should take you to the error and make it obvious
- SRL customers want someone else to do everything for them.
- SRL customers do not know how to identify their parties based upon the case caption and the party standards.
- There needs to be a better way for customers to receive support or assistance other than using the Tyler phone support number. SRL customers and efileIL users usually do not get good support and are referred to speak w/ the individual clerks offices.
- We should not force the filer to choose the Case Category. Each Case Type has only one Case Category. For example, if someone picks Foreclosure, we know it's a CH. Evictions are also a problem (usually coded LM).
- Including definitions with Case Types or using modern descriptions for Case Types. Ex. Replevin
- Need to account for attorney filers versus SRL filers. Separate SRL user interface?
- Case number search
- Electronic service
- People who are responsible for creating forms/instructions are either an attorney or have decades of experience with these systems; SRLs are not. Some of these terms mean nothing (e.g., alias, Chancery, detinue, supervision in the traffic context). Need to make an effort to plain language and simplify all of our processes, resources, forms for people who have no interaction with the court system.
- Barriers need to be knocked down.
  - Where do I start?
  - Do I have the technology?
  - SRL UX starts before we speak to them



- No centralized structured way to access the knowledge SRLs need
- State-wide starting point?
- With legal definitions and helps start an SRLs journey that will then branch out into different counties for their own particularities

## Recommendations

Generate a list of recommendations/larger principles to improve e-filing for SRLs.

17. Simplify registration and payment accounts processes (see above)
18. Develop an e-filing system that takes into account all the barriers presented by SRLs (e.g., language, technology)
19. Have non-legal experts design away the legalese, legal jargon, etc. ingrained into the system design -- reducing the burden on SRLs to the ins and outs of the legal system
20. Assistance from the system:
  21. Turbo Tax style document assembly to complete statewide forms rather than navigating the lengthy forms and instructions
  22. Embed some logic into the system so that it can automatically populate some of the information that is needed to reduce the burden on SRLs.





## 8.10 Focus Group Cook County

Aug 26, 2021

Cook County (6 participants)

### Brainstorm

Below are the thoughts, what works well and what doesn't, ideas, recommendations, suggestions, issues, pain points, annoyances, requirements, etc. suggested by this group. Can you think of any others?

1. Acceptable Font for created PDF Files. Cook has had the issue with the vendor being unable to accept a PDF File because of the Font
2. Informing the customer that filling out the payment option is required at registration.
3. Can the Odyssey Guide & File System be updated to include informational Walk Me Pop- Ups that were in the Silverlight version of the eFileIL System.
4. When e-filing, how to save and upload documents.
5. Forms - how to obtain forms and save the fillable forms.
6. Navigating the computer - how to access the website
7. How to attend hearings via Zoom and submit orders
8. Obtaining copies of court orders
9. How to create a version of instructions that people will actually read.
10. How to guide the filer through the trickier parts of e-filing. In Cook County this would be case type selection, Case Cross Reference Section, and Motion Type Selection.
11. Possibility and feasibility of creating some way to provide real time help while filer is in an envelope.
12. Everyone - internally and externally needs a better understanding of how the service functions work in eFileIL.
  - a. SRLs are confused by service in eFileIL and think they do not need to go to sheriff for service required by statute
  - b. If not accepted by the clerk, filing will not be served and that confuses SRLs.



- c. Return of service is confusing and filing of affidavit is insufficient.
  - d. The term “service” to a layperson is confusing, use “service of summons”
  - e. “We use terms that lay people don’t really understand.”
  - f. SRLs confused by the option of serving by certified mail when it isn’t really available to them (must be under \$10k and within IL, excludes eviction cases).
13. Attorney Codes/Self Represented not clear
  14. Forms to use are hard to find
  15. Pops ups not exactly clear to Pro Se's
  16. Divisions not explained
  17. Understanding Waivers from start to finish (criteria, forms, waiver accounts, etc.) and how they will be beneficial to the filer.
    - a. Window prior to creating a payment account that explains this
  18. Specifics for filings and what forms are needed, what filing codes, etc. (e.g., divorce, small claims, mortgage foreclosures, evictions); what are the next steps and criteria you need to select in eFileIL
  19. Walk me pop ups are only shown briefly and missed by many people (e.g., administrative review cases requiring certified mail option) -- needs to be more intuitive and user friendly (should come up and stay there until the correct choice is made)
    - a. Pop ups are not consistent or missing (language supplied by legal dept.)
    - b. Content in pop ups provided by us
    - c. 160 character limit in popups.
    - d. Is it possible to provide an external link to more information and then easily return to your filing?
  20. Before filing, this is what you need, this is how to switch to PDF, this is how you upload, these are the codes you select, etc.
  21. High SRL volume in divorce with children -- only so much clerks can do but there needs to be a set criteria for what to do; better understanding of joint simplified options (e.g., asset limits, children, etc.)
  22. Guide & File system is supposed to provide SRL users with information before getting started with what is needed prior to filing (regardless of case type)



23. SRLs need information before they file and can have significant consequences to someone's life (e.g., foreclosures, evictions, divorce)
24. After selecting the case type, could there be some kind of instruction that tells the user what forms need to be filed?
25. SRLs Appreciate that system is 24 hours now (in pandemic) This is an advantage
26. Partial waivers (25%, 50%, 75%, 100%)
  - a. Pay by phone option used more during pandemic
  - b. Currently partial fee is paid over the counter or by phone
  - c. Have to file motion to get refund if waiver (partial or full) is granted
  - d. Vast majority of fee waivers are full waivers
27. Whole Process is confusing to SRLs. How to replicate face-to-face experience talking to a person providing assistance to a digital system? What options to select -- which forms, attorney codes, etc.
28. Many don't realize they need forms completed before they get to the e-filing site (filled out, formatted, saved, named, etc. properly)
29. Short term: how to get contact information (email, phone number, etc.) front and center
30. Long term: digital navigator system who can hold the user's hand similar to in-person assistance
31. SRLs use computers, or court kiosks primarily. PDFs and fillable-forms are challenging on phones or tablets.
32. Some basic functions don't work well like calculating payments.
33. We don't know there is a PDF issue until it fails. Some issues could be caught before. (Wingdings!)
34. Users are already stressed and upset -- they don't want to be sued or to sue. Now they have to deal with UX issues.
35. Smarter systems react to users' inputs and help them step-by-step. More intuitive.
36. We are asking SRLs to learn something for one-time that attorneys have taken months to learn. This is not like shopping online.
37. Hard to tailor information for SRL to their court/county. This should be expressed real-time to the SRL as they are working through the process.
38. Volume and complexity complicates certain features (e.g., scheduling)



39. Forms -- SRLs should not have to guess. The information should be available to them when they need it

## Themes

Let us try to cluster the above ideas and issues into themes. Feel free to refine, combine, split, or add new ones.

- SRLs need information before getting started with e-filing and/or while they are engaging in the process
- Better User experience across computers to phones
- System that is understanding, accommodating, smarter
- Forms -- how to obtain, which forms needed.

## Recommendations

Generate a list of recommendations/larger principles to improve e-filing for SRLs.

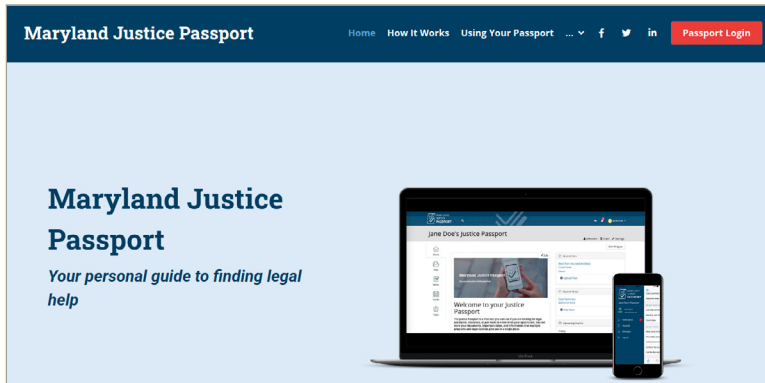
- Registration should require addition of a payment account since the overwhelming majority of cases at some point in the life of a case will require some sort of fee or fee waiver with a SRL-friendly explanation of how to properly set up a fee waiver account.
- A series of questions to triage SRLs into certain paths (Turbo Tax) -- filing in the right district or division and forms packet.
- Use plain-language throughout the system to make it more accessible and easier to understand (e.g., ad damnum, service)





## 8.11 Case Study: Maryland Justice Passport

Website: <https://www.mdjusticepassport.org/>



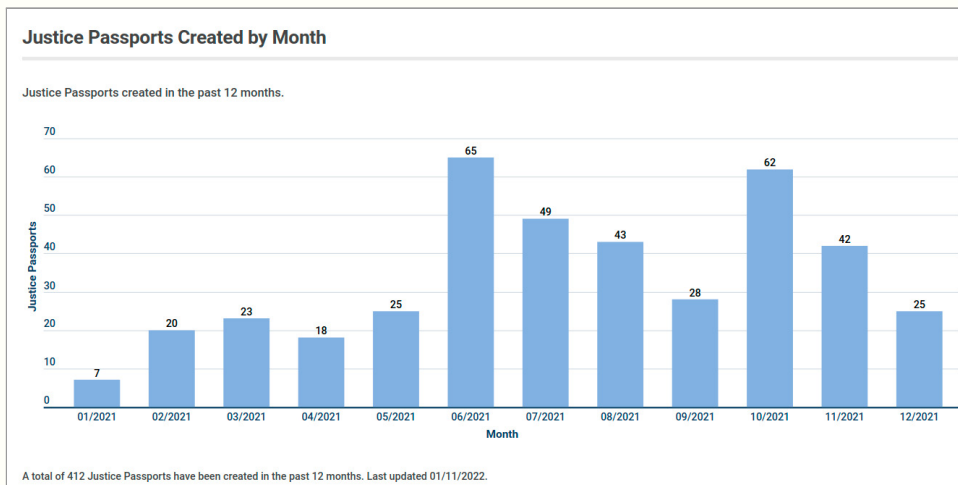
The Maryland Justice Passport (MJP) project is a web portal to assist those seeking legal help. SRLs can sign up to create a “justice passport” that can be used to track applications for legal services, store important documents, and organize case information. The SRL can then choose to share the justice passport with a legal service provider when applying for services.

This project aims to address the [challenges](#) faced by SRLs:

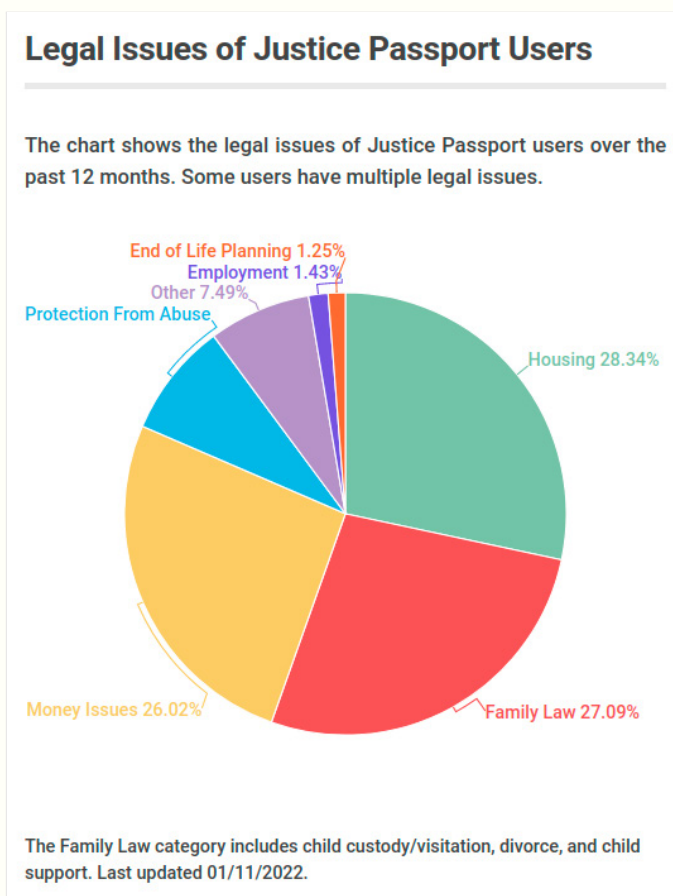
- Unrepresented people may not know which organization they visited for help. This can be a problem when they appear at another organization and are not sure who referred them or why.
- Under stress and without legal experience, people without lawyers may be unable to recall verbal instructions even a few minutes later.
- Unrepresented people may forget where they have been referred for additional help or next steps.
- People without lawyers may be retraumatized by having to re-tell stories over and over, particularly in family law or domestic violence cases.
- People without lawyers may have trouble keeping track of important paperwork like lease agreements and court papers. Housing instability or lack of transportation can complicate this problem.



Over 400 users created MJP passports in 2021.



The top three [legal issues](#) users faced were housing, family law, and financial.





## Pilot in Prince George's County: Project Update Oct 30, 2020

<https://www.youtube.com/watch?v=0RA08WNGv3w>

Provide Litigant with:

- Case summary
- To-do list
- Referrals to legal service providers
- Temporary access to case info for legal services provides via code
- Secure file storage for important case documents
- Links to forms and legal information
- Stay organized as they look for legal help

## Maryland Conference of Circuit Judges: Project Update May 17, 2021

[mdcourts.gov/sites/default/files/import/ccj/pdfs/minutes20210920.pdf](https://mdcourts.gov/sites/default/files/import/ccj/pdfs/minutes20210920.pdf)

*Excerpt from minutes meeting of the Maryland Conference of Circuit Judges on May 17, 2021:*

Sarah Bowes, Executive Director of Civil Justice, Inc., gave a presentation on Maryland Justice Passport, a digital portfolio designed to assist self-represented litigants to better navigate the court system and legal services. It can be used to track applications for services, store documents, and keep all the user's information organized. Ms. Bowes noted that there are 40 legal services organizations that are a part of Maryland Justice Passport. She noted, however, that there is not a coordinated process, so each has to be contacted individually.

Maryland Justice Passport launched in March 2020, but the Covid-19 pandemic slowed its progress. To date, approximately 350 passports have been established and the momentum has been increasing as the court help centers get engaged. Ms. Bowes remarked that people generally are under a lot of stress when involved in the justice system and may not absorb all the information provided during consultations with the various court help centers. Additionally, there can be a significant amount of trauma with having to repeatedly retell their story. Maryland Justice Passport provides a digital facility to house and organize the massive amounts of paperwork, thus helping to alleviate some of those concerns.



Ms. Bowes described some of the features of the dashboard, which includes options for storing files; tracking events; noting tasks; uploading documents, files, and photographs; and organizing notes. With respect to the tasks that can be stored, the litigant can manipulate the number of days to be notified in advance of a scheduled event or appointment. Litigants can share their information, which is helpful when dealing with various organizations.

Ms. Bowes added that one of the most helpful things a provider can receive is a summary of the case which is possible with Maryland Justice Passport. Her goal is to work with the court help centers to ensure they capture the information from litigants seeking assistance. Chief Judge Morrissey thanked Ms. Bowes for her presentation and expressed his appreciation for her efforts. He remarked that part of the larger goal for court help centers is to enlist pro bono attorneys to volunteer so that the centers can refer calls to them to assist.

## SRLN Presentation Oct 8, 2021

[register.gotowebinar.com/recording/3914295897975309839](https://register.gotowebinar.com/recording/3914295897975309839)

(Register to access video recording.)

### Summary:

- Project started March 2020
  - MD AOC sent out RFP to guide litigant
  - [civiljusticenetwork.org](https://civiljusticenetwork.org) (Baltimore) responded
  - Brought on [goa2jtech.com](https://goa2jtech.com) (Colorado)
  - Designed to keep litigant in control
  - Balance litigant and legal provider needs
- Needs
  - Which organization?
  - What steps?
  - Where have they been referred to?
  - Re-traumatized (Having to tell story again and again)
  - Trouble keeping track of important paperwork
- Concept: Make stronger pathway to getting legal help
  - 1) *Court Help Center*
    - 1. Litigant received assistance from Court Help Form
    - 2. Fill out passport form



- 2) *Passport Operations*
  - 1. Receive new passport request notification
  - 2. Passport setup by Court help center, libraries, other partners
- 3) *Litigant*
  - 1. Receive email (and text messages)
  - 2. Setup username and password
  - 3. Setup info and need
  - 4. Take recommended next steps
    - 1. Add documents to passport
    - 2. Apply for legal aid
    - 3. Read self-help information
- Partner Passport Form (Using [airtable.com](https://airtable.com) )
  - Sort of an intake for providers
  - Partners can update litigant passports
  - Add notes, docs, events, and tasks
- Entrance ramp to legal highway
  - Help users stay organized
  - Designed to work with any legal issue
  - Self-help center staff creates focused curated case summary
  - This is efficient for other providers as its concise
  - Can save time for provider
- Created Knowledge Base for litigants & partners
  - Documentation with screenshots
- Partner benefits
  - Case summary and knowledge base
  - Reduced time for support calls
- Platform:
  - Using Enterprise plan on [clinked.com](https://clinked.com)
  - Around \$500 a month
  - SAAS with some customizations
- Challenges
  - Were people -- both litigants and legal partners -- going to use this?
  - Issues accommodating partner-requested customizations
  - But we had buy-in with some partners and able to slowly add new partners
- Stakeholder Engagement
  - Collaboration meetings
  - Relationships are important



- Communication are key (quarterly meetings & monthly newsletter)
- User engagement and testing after development
  - Started by calling user after passport setup to get feedback
  - Formal interviews with users (recorded tasks) using [userinterviews.com](http://userinterviews.com)
- Funding: AOC / A2J Commission
  - Now secured additional funding
  - Extending Passport to other non-legal service providers too
  - (E.g. Foreclosure crisis etc.)
- How do we get this to other parts of the country?
  - - Met with a neighboring interested state
  - - We believe it can be used elsewhere
  - - Presenting at LSC ITC (TIG) conference
  - - Happy to share everything we know





## 8.12 Technical Expertise Areas & Requirements

A large range of technical expertise and services would be needed from technology vendors to build an e-filing solution for all stages of the SRL e-filing journey.

- A) *Start & Learn*
  - Web development and hosting
  - Content authoring experience and familiarity with legal context
  - Efficient user experience and interface design
  - Use of plain language best practices in design and content
  - Accessibility across both desktop and mobile
  - Search Engine Optimization to gain visibility in web searches
- B) *Get Help*
  - Secure user accounts for SRLs and legal partners
  - Email integration for account verification and notifications
  - Phone/SMS integration for authentication and alerts
  - Ask and store user information relevant to providing assistance
  - Upload and store user files including PDFs and photos
  - Integrate API-based services from other platforms
  - Assist users to identify their legal issues
  - Match users with legal partners by legal issues/services
  - Guide users to appropriate resources
  - Recommend appropriate forms
- C) *Prepare*
  - Assist users with e-filing via guided interviews
  - Extract information from uploaded files where possible
  - Test prepared e-filing to catch errors or incomplete information
  - E-file integration
  - Handle rejected e-filings and assist users in filing again
- D) *Development*
  - Expertise in or developer of technology frameworks used as a foundation for building the needed functionality
- E) *E-Filing Integration*
  - Certified for E-filing with Tyler Technologies EFM





## 8.13 Technology Interview Candidates

### *Expertise Areas*

- A. Start & Learn: web development, content authoring, etc.
- B. Get Help: Guided interviews, triage, connecting with partners, etc.
- C. Prepare: SRLs tools, forms, etc.
- D. Development frameworks
- E. E-file Integration: Certified for Tyler Technologies EFM

### *Candidates:*

#### **A2J Tech**

- Expertise Areas: A, B, and C
- <https://www.goa2jtech.com>
- Legal technology consultant
- Developed Maryland Justice Passport  
<https://www.mdjusticepassport.org>

#### **Afterpattern**

- Expertise Areas: B, C, and D
- <https://afterpattern.com>
- Legal technology provider
- Developed document automation for SRLs for Judicial Council of California <https://afterpattern.com/pro-se-litigants>

#### **Clio**

- Expertise Areas: B and D
- <https://www.clio.com>
- Legal technology provider offering products for legal practice management, client intake, and CRM
- Provides integration with other relevant legal technology providers and apps

#### **Docassemble**

- Expertise Areas: D



- <https://docassemble.org>
- Open source legal technology framework for guided interviews and document assembly
- Used as a foundation by other legal technology solutions and vendors

### **Documate**

- Expertise Areas: C
- <https://www.documate.org>
- Legal technology providing a platform for building guided interviews and document automation

### **LawHelp Interactive**

- Expertise Areas: B, C, and possibly E
- <https://lawhelpinteractive.org>
- Legal technology provider for document assembly

### **Suffolk University LIT Lab / Document Assembly Line Project**

- Expertise Areas: C, D, and E (certification in-progress)
- <https://suffolklitlab.org>
- University legal technology lab exploring innovative approaches and solutions to improve access to justice

### **Theory and Principle**

- Expertise Areas: A, B and possibly C
- <https://www.theoryandprinciple.com>
- Legal technology and web development consultant
- Built SRL-oriented projects including Legal Tuneup (Wisconsin) <https://www.theoryandprinciple.com/legal-tune-up> and Colorado Seniors Legal Help <https://www.theoryandprinciple.com/crn>

### **TurboCourt**

- Expertise Areas: C & D
- <https://info.turbocourt.com>
- Online courts platform and online dispute resolution

### **US Legal Pro**

- Expertise Areas: B, C, D, & E
- <https://uslegalpro.com>



- Provides A2J guides, e-filing APIs, and more
- Provides services in Illinois (and many other states)





## 8.14 Technology Candidates Expertise Summary

### All Candidates

	A	B	C	D	E
A2J Tech	●	●	●		
Afterpattern		●	●	●	
Clio		●		●	
Docassemble				●	
Documate			●		
LawHelp Interactive		●	●	●	●
Suffolk LIT			●	●	●
Theory & Principle	●	●	●		
TurboCourt			●	●	
US Legal Pro		●	●	●	●

### Expertise Areas

- F. Start & Learn: web development, content authoring, etc.
- G. Get Help: Guided interviews, triage, connecting with partners, etc.
- H. Prepare: SRLs tools, forms, etc.
- I. Development frameworks
- J. E-file Integration: Certified for Tyler Technologies EFM



## Candidates Selected for Interviews

	A	B	C	D	E
A2J Tech	●	●	●		
Clio		●		●	
Documate			●		
Suffolk LIT			●	●	●
US Legal Pro		●	●	●	●

### Expertise Areas

- K. Start & Learn: web development, content authoring, etc.
- L. Get Help: Guided interviews, triage, connecting with partners, etc.
- M. Prepare: SRLs tools, forms, etc.
- N. Development frameworks
- O. E-file Integration: Certified for Tyler Technologies EFM





## 8.15 Technology Interview: A2J Tech

Dec 17, 2021: Joseph Schieffer, Founder

[A2J Tech](#) is a technology consulting firm specializing in solutions to improve access to justice. We selected it for an interview to learn about the *Maryland Justice Passport* (MJP) project co-developed by A2J Tech with [Civil Justice, Inc.](#)

SRLs do not know who to approach for assistance, what to do next regarding their legal issue, may have to retell their story multiple times to different providers, , and struggle to compile and organize documents.

A2J Tech used several off-the-shelf cloud-based services with some customizations to build the MJP user-facing web portal. This technical approach could be faster and less expensive if available cloud-based services on the market correspond to the project requirements.

The passport creation step in the user workflow was deliberately designed to have the SRL interact with a human expert to ensure that the user was not overwhelmed.

A project of this nature requires extensive collaboration between multiple stakeholders as well as ongoing user feedback and testing. Marketing and communications are important to build community relationships. Strong project management is needed to coordinate the various aspects of the project. One of the challenges was getting buy-in from legal service provider partners addressing the customizations they requested.

A2J has experience building other legal assistance portal projects such as [FixMyRental](#) in Colorado. A2J does not have experience with e-filing but is familiar with the *docassemble* framework used by the [Suffolk LIT Lab](#) which is currently in the process of being certified by Tyler Technologies for e-filing.

For more information about MJP see [8.11 Case Study: Maryland Justice Passport](#).

**Takeaway:** The MJP project is an example of building a customer-centric user experience using off-the-shelf cloud services.





## 8.16 Technology Interview: Clio

Jan 21, 2022: Joshua Lennon, Lawyer In Residence

[Clio](#) is a legal technology provider offering cloud-based products for legal practice management, client intake, and customer relationship management. It provides integration with other relevant legal technology providers and apps. We interviewed Clio to explore if the company was developing products that were meant for SRLs and if they had e-filing capabilities.

Clio's primary focus is on building and providing services for attorneys and law firms. It does not offer any products specifically for SRLs. Clio may expand into the SRL space in the future but not anytime soon. Clio does not currently offer e-filing capabilities either but might be interested in adding that functionality later to the [Clio Manage](#) service, a platform for managing law firms.

Clio recently acquired [Lawyaw](#), a legal document assembly platform. Clio claims that the software uses a *graph database* that enables information to be used across multiple documents making it more efficient. SRLs don't know that they need multiple documents. Document assembly software such as Lawyaw can help reduce the burden on the individual.

SRLs expect that if they upload something to the cloud, they would have access to it again. A filing is not the end but rather its the beginning. A platform should support the litigant through the entire course of the litigation. (Example: [My Legal Briefcase](#).)

Services should be available on computer desktop as well as mobile devices. Remember that the user may want to use one or the other throughout the entire experience. For example, customers may use mobile devices for checking bank balances but for starting an account on applying for loans they may want to use a desktop. For e-filing perhaps the early tasks could be done through mobile but a desktop computer may be preferred for later more complex tasks.

*Takeaway:* Advice on designing for SRLs:

- Designing for the outcome
- Format matters (mobile, desktop, etc.)
- Serve as a document repository for the SRL
- The action of the filing is not the desired outcome, it's just the beginning.





## 8.17 Technology Interview: Documate

Dec 23, 2021: Dorna Moini, Founder

Documate is a platform for building SRL-facing legal expert systems through decision-tree interviews and document assembly tools. It aims to be a no-code platform to build workflows. It also has a network of “documaters” -- professionals with expertise to build interviews using the platform. Documate recently launched a public API to connect different systems to create a more streamlined user experience. It has single sign-on capabilities. Most of Documate’s clients use it as a white-label platform to build standalone products such as [HelloDivorce](#).

Documate does not have experience working with Tyler Technologies’ EFM and does not know if any of their clients have setup EFM integration. In the past Documate used the open source Docassemble technology but it is moving away from it slowly as they build new functionality. Documate integrates with LegalServer and other CRMs such as Zapier but does not have experience integrating with Zendesk. Documate works with legal aid organizations but law firms and the private sector are primary customers.

*Takeaway:* The no-code approach is attractive to those attempting to build innovative legal technology solutions. Companies such as Documate may be adapting to meet that need by focusing more on the private sector.





## 8.18 Technology Interview: Suffolk LIT Lab

Dec 16, 2021: David Colarruso (Director) & Quinten Steenhuis (Faculty)

The Legal Innovation and Technology (LIT) Lab is a research and development unit of Suffolk Law School focussing on legal technology initiatives such as automation tools, process improvement, and data analytics for legal aid organizations, courts, and nonprofits. We interviewed LIT to learn about the status of several relevant projects including the [Court Forms Online](#), Document Assembly Line Project (DALP), and [Spot](#) AI Issue Spotter.

DALP is based on the open source [docassemble](#) framework used for building guided interviews and document assembly. DALP and [docassemble](#) have a growing open source community contributing to the software and using it to build solutions.

We wanted to learn more about the [docassemble](#) integration capabilities with Tyler Technologies EFM and the status of Tyler EFSP e-filing certification for DALP. LIT is currently working on Tyler certification and the process is expected to take about six months. This certification would apply to Tyler's e-filing implementations nationwide except for Texas and Cook County, IL.

The DALP project Massachusetts [Court Forms Online](#) enables SRLs to find and file court forms online. The Massachusetts [Legal Resource Finder](#) project uses [docassemble](#) and Spot to guide users to relevant information. Suffolk is also working on a triage project with ILAO and exploring Spot.

Developers of legal technology-assisted solutions run into significant challenges due to the complexity of the tasks involved. For example, during e-filing it is unclear why a filing was rejected. It could be an omission, incorrect values, or maybe the clerk rejecting the filing -- the cause of the rejection is not always clear.

*Takeaway:* Open source technology such as [docassemble](#) and community-driven initiatives such as DALP can offer a viable approach to innovating. Helping SRLs is made more challenging due to the complexity of court processes.





## 8.19 Technology Interview: US Legal Pro

Dec 12, 2021: Sudeep Bhattarai, Founder

Based in Austin, TX, US Legal Pro (USLP) is a provider of legal resources, document preparation, and e-filing services in many states including Texas, Indiana, California, and Illinois.

While it provides APIs for bulk-filing it is focussed on helping SRLs with e-filing and shared with us some of the challenges encountered in building legal technology solutions for SRLs:

- SRLs do not have time and just want to get the task done.
- SRLs cannot finish a process at one one -- they need to be able to work on a task incrementally over time.
- SRLs need to know where they are in a process and its status.
- Each county is different in terms of process and requirements. Even clerks often do not know the answers to some SRL questions as the process can be complex. This requires a lot of development effort on the part of the developer.

USLP showed us a demonstration of a mobile divorce app with signatures, creating a petition, calculating fees, and enabling the user to create an account. USLP has created a proprietary automation engine and proprietary programming language for building interviews with minimal programming. It works with Tyler EFM (and others) and has developed some integration capabilities with Clio.

*Takeaway:* USLP is an example of a commercial vendor building a solution to help SRLs with forms and e-filing by creating proprietary software. But helping SRLs with e-filing is challenging due to variations in each jurisdiction which need customized solutions.





# Team

## Abhijeet Chavan

*Legal Technology Consultant*

Abhijeet Chavan has over 25 years of technology consulting experience with public sector, higher education, and non-profit clients. In 2017, he was named as a *Fastcase 50 Global Legal Innovator*. He regularly presents at conferences on access to justice and technology. Previously, he served as Senior Executive Advisor for Tyler Technologies. Abhijeet has graduate degrees from the University of Illinois at Urbana-Champaign.

## Sarah Song

*Senior Program Manager (Legal Technology Initiatives)*

*Access to Justice Division of the Administrative Office of Illinois Courts*

Sarah Song works on a number of tech projects, including remote court, online dispute resolution, and electronic filing. Before joining the Administrative Office, Sarah was a housing lawyer at Legal Aid Chicago and the *Thomas Geraghty Fellow* at the Bluhm Legal Clinic. Sarah graduated from Northwestern University and Columbia Law School.







## --- APPENDIX C





September 2021

We are pleased to share this newsletter with all of you to highlight our progress in terms of addressing the justice gap. You will read about two important direct service programs, an ongoing analysis regarding e-filing challenges for self-represented litigants, rule changes requiring the availability of standardized court forms, new and updated standardized court forms, and ongoing training for court staff and court partners. There is no one way to ensure meaningful participation in the court process for self-represented litigants, limited English proficient litigants, litigants with disabilities, and other historically excluded persons. Instead, it is vital that we listen, learn, and evolve. The ATJ Commission and its staff extend our deepest gratitude to the Illinois Supreme Court and all our dedicated volunteers for sharing a vision of a more accessible civil justice system. —Alison Spanner

### Illinois Court Help Serves Nearly 2000 Court Users in First Four Months

By: Lisa Colpoys

The Illinois Court Help program was created to provide court users throughout the state with easy access to trained court guides who answer questions about court processes, forms, and going to court. The court guides also direct people to appropriate legal and community resources. The service opened on May 17, 2021 and began accepting phone calls and text messages to its toll-free number, **833-411-1121**. The phone hotline was initially open between 10am – 2pm.



Your guide  
through  
the courts

After six weeks of operation, on July 1, 2021, the service expanded by opening email as a communication option. Visitors to [ilcourthelp.gov](http://ilcourthelp.gov) can now complete a short web form to ask a question at any time of day. Also on July 1, the Spanish language version of the website launched, and the hours of operation for the telephone hotline were expanded to 9am – 2pm. Text and email messages are answered between 9am – 5pm.

Illinois Court Help was initially staffed by two full-time court guides and a Supervising Senior Program Manager who oversees the program. To get the program up and running, the remaining 8 members of the AOIC Access to Justice Division were trained as court guides, and each contributed 4 hours per week staffing the service. In August, two more full-time court guides were hired to replace temporary ATJ Division members. As of September 1, 2021, Illinois Court Help is staffed by 4 full-time court guides, 4 ATJ Division members who together serve 10 hours per week, and the Supervising Senior Program Manager. During peak hours for the phone hotline there are 4 – 5 guides answering calls, text messages, and email.

Results from the first 4 months, from May 17, 2021 through September 17, 2021 demonstrate both the need for Illinois Court Help's services and its initial success in helping people navigate the court system. The following data from Illinois Court Help's online platform provides a snapshot of the impact the service is having.

#### Who contacts Illinois Court Help?

Between May and September, court guides helped 1987 unique court users, some of them multiple times. An interaction with a court user can be just a single phone call that lasts a few minutes, or it may be several phone calls, text messages, and emails spanning days or weeks until the user's questions are answered.

Court users from 90 of 102 Illinois counties have connected with Illinois Court Help. Approximately 85% of people who contact Illinois Court Help are self-represented litigants. The remaining users include friends and family of a person with a court issue, represented court users, lawyers and law office staff, court staff, and members of the general public.

A court user who contacted Illinois Court Help several times in August recently sent this message – "I would like to thank you all for the help that you have given to me through my divorce process. It was granted today and I don't think I could have done it without your help. I'm so grateful there was help when I needed it most."



#### How do people contact Illinois Court Help?

Two-thirds of people contact Illinois Court Help by phone, and the average length of calls is 9 minutes. The other one-third of people who connect are split equally between text message and email. Usage has increased steadily each month. In August 2021, court guides fielded over 900 interactions with court users. On an average day, court guides will answer over 50 phone calls. The Illinois Court Help website has been visited nearly 10,000 times by 7,500 people.

#### Why do people contact Illinois Court Help?

Over 82% of people who contact Illinois Court Help have a question or issue related to the Circuit Court and 3% have questions about the Appellate or Supreme Court. Of all users, 82% ask questions about civil cases, 5% ask about criminal cases, 3% about traffic cases, 2.5% about other topics, and 7% ask questions of an unknown origin.

The most popular reason why people contact Illinois Court Help is because they have a question or issue related to court processes, court forms, and filing and e-filing documents. Many people are also seeking legal assistance and substantive legal information. The case types that are most prevalent include domestic relations, small claims, and housing/eviction. Surprisingly, nearly 10% of people contacting the service have questions related to probate cases.

#### Future Enhancements

As Illinois Court Help continues to grow and evolve, there are plans to add more services. In the future, web chat will be added as an option so that users can chat in real time from our website, or maybe even another entity's website, such as the website for the Circuit Clerk. We will also develop the [ilcourthelp.gov](http://ilcourthelp.gov) website to include self-help content so users can search for answers before they call, text, or chat with a court guide.

#### **Virtual Help Desk for Civil Appeals Launched**

*By: Kathryn Hensley*

In September 2020, the ATJ Commission, the Administrative Office of the Illinois Courts (AOIC), and the Public Interest Law Initiative (PILI) partnered to establish the first-ever civil appeals virtual help desk to assist self-represented litigants (SRLs) in the Illinois state court system. Since its launch a year prior, Illinois Free Legal Answers for Civil Appeals has received 123 appellate questions, which were answered by 31 volunteer attorneys.



Through this program, SRLs can submit a question about their case and receive an answer from a lawyer who specializes in appeals. They can also attach any documents or images to their message that would be helpful for a lawyer to review, and they can communicate back and forth with the lawyer as often as needed until their question(s) are answered. SRLs must answer a few basic questions to register before they can submit their question.

In addition to assisting SRLs, during the past year, the program also provided training to attorneys on the civil appellate process, provided an overview of the Illinois Free Legal Answers platform, and co-hosted a session on assisting self-represented litigants with Housing questions.

We are currently seeking additional volunteer

#### **Justice For All Grant Update**

*By: Sarah Song*



The first action item we are working on as part of the Justice For All grant, awarded from the National Center for State Courts, is researching what is needed for an SRL-focused electronic filing (efiling) system.

To better understand the efilings experience for SRLs, including parents and guardians, the AOIC Access to Justice Division (ATJ Division) has worked closely with a technology consultant to conduct in-depth research through interviews and focus group sessions with court navigators, Illinois JusticeCorps fellows, and circuit clerk staff members across the state.

We have also given SRL efilers the opportunity to complete a short survey about their efilings experiences and share in their own words what the process is like for them. Themes and recommendations from these interviews and survey responses will be used to guide the next phase of the project.

While this efilings research is ongoing, the Justice For All Advisory Committee members have volunteered to participate in subcommittees to focus on other aspects of the project. Each subcommittee will be meeting monthly, starting this month, to work on the following initiatives:

1. Standardization (delving into whether there are areas of law where the process can be standardized statewide, starting with fee waivers)
2. Forms (design and usability improvements which could be made to improve current form suites)
3. Process maps, videos, and other legal information resources (ways to help users complete forms and understand the whole court process)



# Change in Rule about Standardized Forms

*By: Jill Roberts*

The changes stem from the work of the Illinois Judicial Conference. The Conference is currently operating under a three-year **Strategic Agenda** that was approved by the Illinois Supreme Court in October of 2019. The Agendas first strategic goal is Accessible Justice & Equal Protection Under the Law,” and the first prong of this strategic goal is to

These amendments are intended to:

- Based on the feedback we have received, the forms are helpful to self-represented litigants and court staff assisting court patrons. SRLs have made comments such as: "wonderful form, easy to complete," "very helpful and easy to use," "thank you for making it easy to prepare and file my divorce papers," and "everything was well explained and easy to fill out." We hope the changes to Rule 10-101 will significantly increase the use of the standardized court forms.

## Newly Published Forms Suites

*By: Israel Putnam*

Forms Committee and Subcommittee members continued to work towards fulfilling the ATJ Commission's initiative of developing and publishing certain plain language legal forms. Since the last newsletter, the Forms Committee approved and published updated forms within the following form suites:

-Civil Procedures Suites:

- Appellate Court Forms:**

- ### Supreme Court Forms:

- The Forms Committee also approved and published the following new forms within the Fee/Assessments Waiver for Criminal Cases suite in response to the new pilot project detailed in the statutory amendment to the Criminal Traffic Assessment Act:

- Application and Order for Waiver of Criminal  
and/or Traffic Court Assessments for Use in  
Cook County Only



The ATJ Commission has also created helpful documents in relation to Rule 10-101, including a flyer, a guidance document for courts, an FAQ, and a Benefits of Standardized Court Forms handout. If you are interested in any of these materials, please send Jill Roberts an email at [jroberts@illinoiscourts.gov](mailto:jroberts@illinoiscourts.gov).



When new or updated standardized forms are approved and published to the Court website, we will notify clerks and court staff of the publication. If you are not already receiving the email notifications about published forms and would like to receive them, please email [forms@illinoiscourts.gov](mailto:forms@illinoiscourts.gov) to be added to the notice list.

### ATJ Staff Updates

We welcomed two new staff members in August of 2021. **Brittany Underwood** is one of the new Illinois Court Help guides answering calls on the statewide hotline. She comes to us from the Illinois JusticeCorps program where she served as a fellow in Champaign County. **Nina Wilson** is another new Illinois Court Help guide answering calls on the new hotline. She comes to us from the Illinois JusticeCorps program where she served as a fellow in McHenry County.

Fee/Assessments Waiver for Criminal Cases suite in response to the new pilot project detailed in the statutory amendment to the Criminal Traffic Assessment Act:

-Application and Order for Waiver of Criminal and/or Traffic Court Assessments for Use in Cook County Only

### ATJ Training Sessions

By: Jill Roberts

Since July 2021, ATJ Division has been hard at work offering training sessions and educational materials on a variety of access to justice topics. One major training program was for the Court Navigator Network orientation in August of 2021. About 60 court staff, clerks, and Illinois JusticeCorps fellows from 23 judicial circuits participated in the program and received training on Illinois Legal Aid Online, Implicit Bias, Communication, Evictions, Trauma Informed Services, the Safe Harbor Policy, and Disability Access.



We have also presented on the Safe Harbor Policy and the difference between legal information and legal advice for one county's circuit clerk's office, two public library associations, and the appellate clerks. Additionally, we attended the Illinois Association of Circuit Clerks conference to provide clerks information about all access to justice projects and present on the changes to the Supreme Court Rule 10-101 regarding standardized court forms. Lastly, we assisted with the preparation for two ATJ Zoom sessions as part of the New Judge Orientation, working SRLs in the Courtroom and Ensuring ATJ for Limited English Proficient Litigants.

For more information about the ATJ Commission's work, please contact Alison Spanner at [aspanner@illinoiscourts.gov](mailto:aspanner@illinoiscourts.gov)

Share this email:



[Manage](#) your preferences | [Opt out](#) using TrueRemove™

Got this as a forward? [Sign up](#) to receive our future emails.

View this email [online](#).

2nd and Capitol Ave Supreme Court Bldg  
Springfield, IL | 62706 US

This email was sent to .  
To continue receiving our emails, add us to your address book.

emma

[Subscribe](#) to our email list.





## January 2022

As we enter year 10 since the Illinois Supreme Court created the ATJ Commission, I am feeling renewed by the program updates we bring to you this January. The Illinois Supreme Court's approval of the statewide policy on portable electronic devices is of particular importance as it will increase court users' access to essential information and lead to equal treatment for all members of the public who enter our courthouses.

The other, smaller, lower profile projects discussed below may be less flashy but are just as important to achieving the Commission's goals. These other projects reflect the determination of the Commission and the ATJ Division to constantly make meaningful improvements to our programs to assure that they are efficient and up to date. – Alison Spanner

### New Supreme Court Policy on Portable Electronic Devices

*By: Jill Roberts*

Back in 2018, the ATJ Commission's Court Guidance and Training Committee began studying the issue of whether cell phones and other portable electronic devices should be allowed in courthouses. The timing of this study corresponded with the e-filing mandate for civil cases, a process that required litigants to verify their email addresses, usually via cell phone.



In April 2019, after research, the Committee found cell phone policies in 44 counties in Illinois. Of those 44 counties, 27 allowed portable electronic devices in the courthouses, including the Daley Center which is the largest and most visited courthouse in the state. Many had explicit signage prohibiting the use of cell phones or requiring that they be on silent or powered off inside courtrooms.

Seventeen counties did not allow the public to carry portable electronic devices into the courthouses at all but made exceptions for certain groups of people like employees, lawyers, and jurors. Of those 17 counties, only three provided lockers for court patrons to store their devices while in the courthouses. The Committee was unable to find any counties that prohibited devices entirely.

At that time, the Committee also discovered that 19 states had statewide policies regarding electronic devices in all their courts (many more local courts had more localized policies). All 19 states allowed devices to be in the courthouse buildings and only one prohibited them from courtrooms. Nearly all made mention that devices needed to be off or on silent in courtrooms and that they could not be used for photographs or other recordings. In the spring of 2019, the leaders in this space were [Virginia](#) and [Massachusetts](#).



After discussing this information and the unique challenges in Illinois, including the fact that building security is often run by county sheriff's departments, the Committee asked a working group that included more stakeholders including sheriffs and sheriff association representatives to examine the issue and the collected information. That working group met several times and concluded their work in November 2020. The working group discussed a wide variety of topics, including policies and practices in their respective counties and circuits, a new statewide policy adopted by [Michigan](#) in early 2020, and the balancing of competing interests in favor and against a statewide policy permitting cell phones in Illinois courthouses. Although the working group was unable to reach consensus on recommending a compulsory statewide policy permitting cell phones in Illinois courthouses, the group recommended an aspirational policy, modeled after the Virginia policy, that all jurisdictions work towards achieving based on their individual resources and capacities. Based on all of these efforts and recommendations, a proposed policy on portable electronic devices was drafted.

In June 2021, the Illinois Supreme Court Commission on Access to Justice considered the proposal. The Commission understood that portable electronic devices are essential tools of today's society and are often necessary for court users, in particular self-represented litigants, to access resources, conduct court business, accomplish procedural steps, and to present evidence or arguments in their cases. The Commission saw a need for the proposed policy which requires each courthouse to adopt individualized orders or rules allowing the use of portable electronic devices by all court users. The policy also requires that the terms of the orders and rules be prominently displayed on signage in the courthouses and on court websites. The Commission voted to send the proposal to the Supreme Court for its review.

After seeking the input of the Conference of Chief Judges, the Court adopted the [Illinois Supreme Court Policy on Portable Electronic Devices](#) this month. The new policy requires all courthouses to create local rules or orders addressing the use of devices in courthouse buildings and courtrooms while allowing them to address any security issues by providing restrictions.

The Court Guidance & Training Committee's next steps will be to draft model local rules and signage that courthouses can use. Stay tuned for those sample materials.

### Illinois Court Help

*By: Lisa Colpoys*

Illinois Court Help continues to assist court users daily. Our service platform, Zendesk, published a case study about our program which we invite you to read at: <https://www.zendesk.com/customer/illinois-court-help/>.



Your guide  
through  
the courts

### Community Trust Committee

*By: Lekisha Gunn*



The newly reconstituted Community Trust Committee recently convened for its initial meeting in December 2021 after a lengthy process of seeking applicants and conducting interviews with individuals from a variety of backgrounds. The Community Trust Committee springs from the Cook County Southern Suburbs Working Group, which focused efforts on improving relations between the courts and communities of color in and around the Markham Courthouse.



Court guides remain available for calls and text messages to 833-411-1121 from 9am to 2pm Monday through Friday. People can also submit inquiries anytime via a webform at [ilcourthelp.gov](https://ilcourthelp.gov). Early this year we will be adding a live chat option on that website, too.

### Launching a Business Process Analysis For Standardized Court Form Development and Maintenance

*By: Jill Roberts*



The ATJ Commission has approved the hiring of a business process analysis (BPA) or process improvement consultant to evaluate our current procedures for developing, maintaining, and updating standardized court forms. The existing forms development and update processes were created in 2012 and started with the work of 3 drafting subcommittees and one staff member. Now, there are 52 published form suites and 202 total forms for use in the circuit court, appellate court, and Supreme Court. That work has been done by one full and one half time staff member who coordinate 13 subcommittees and the Forms Committee.

The current process for forms development is, generally, that everything is drafted by subcommittees comprised of subject matter experts. The forms go through user testing and public comment. The forms are reviewed by the central Forms Committee twice before final approval. Each approved form is reviewed at least annually to determine if changes are needed. If so, and the changes are substantive, the Forms Committee reviews and approves the amended form.

To get a new forms suite to final approval currently takes no less than two years. For example, the forms suite on expunging and vacating cannabis convictions began to be drafted in the summer of 2019 but was not finally approved until October 2021. The process for annual review can also be lengthy with subcommittees reviewing comments for

With the Court's approval, the Commission began soliciting applications for broader membership in August 2021 to recruit a more diverse group of individuals from various organizations across the state. Ideally, our goal was to incorporate more leaders in the faith-based community, as well as civic leaders and public servants, who may not necessarily serve as legal professionals. We selected fourteen individuals with a strong commitment to social justice and public service. The committee also includes Deanie Brown, Chief Diversity and Inclusion Officer of the Administrative Office of the Illinois Courts, to provide her expertise and recommendations on building a more racially inclusive court and maintaining strong relationships with diverse communities.

The Community Trust Committee will meet monthly to fulfill two current projects: (1) The charge from the Illinois Supreme Court to consider and develop a Community Justice Navigator program, a recommendation from the Chicago Bar Association/Chicago Bar Foundation Task Force on the Sustainable Practice of Law and Innovation Report; and (2) reengagement of initiatives commenced before the pandemic at the Markham Courthouse and efforts to duplicate the Markham model in a more rural area of the state, Lee County.

Our second Community Trust Committee is tentatively scheduled for the last week of January and our hope is to build upon the previous success of the working group and expand our access to justice efforts into the larger statewide community.

We thank the Cook County Southern Suburbs Working Group for their hard work and look forward to what is to come for this Committee.

### Standardized Form Redesign Project

*By: Israel Putnam*



In June of 2021, the ATJ Commission approved



process for annual review can also be lengthy with subcommittees reviewing comments for nearly a year before updated versions are finalized.

We will ask the consultant to assess the development process and suggest improvements and ways to increase efficiencies for how forms are created and maintained. Additionally, we seek suggestions on better ways to track forms and updates as well as overall project management.

We are currently accepting proposals/quotes from consultants until January 31. If you or someone you know might be interested in this undertaking, please reach out to Jill Roberts at [jroberts@illinoiscourts.gov](mailto:jroberts@illinoiscourts.gov) for more information.

## E(asy) Filing Research Summary

*By: Sarah Song*



As a result of the [Final Report of Illinois Justice for All: Strategic Action Plan](#), we have been working with a technology consultant to conduct in-depth research into how we can improve the entire electronic filing (e-filing) journey for self-represented litigants. His research has included one-on-one interviews with court-based navigators, focus group sessions with circuit clerks from across the state, and reviewing survey responses submitted by self-represented litigants who have been able to e-file. He also met with legal technology developers with relevant expertise to explore the role technology can play in fostering an improved SRL experience.

Although technology can help alleviate some of the identified pain points, the research has revealed how e-filing places an immense burden on SRLs to understand and apply all the nuances and intricacies of our legal system when most of that information is exclusively in the hands of legal professionals and court staff. Although we originally set out to consider

In June of 2021, the ATJ Commission approved the hiring of a graphic design consultant to assist the standardized forms team in redesigning statewide court forms. This initiative was developed in response to a growing need reported by Self-Represented Litigants (SRLs) and observed by the ATJ Commission staff as well as many others involved in the use and development of forms.

The Forms Redesign Council (FRC) was then established in September to oversee the development of this project. The FRC reviewed and graded vendor proposals, narrowed the candidate field, and eventually selected a consultant.

This consultant, [Briefly, Inc.](#), is a New York based graphic design firm specializing in creating legal content that is accessible and engaging. In past projects, they have worked with New York state courts as well as numerous legal self-help services throughout the country, including those in Michigan, Louisiana, and Nevada.

With Briefly's assistance, ATJ Commission staff mapped out important stakeholders and formulated standardized questions. They then held five informational gathering sessions with a cross section of court-related individuals from across the state.

These efforts resulted in some unanimous insights, including the following:

- Instructions in the left-hand margin of forms are not utilized effectively or at all by SRLs
- SRLs are overwhelmed by the entire process and thus have difficulty understanding how or why a form should be filled out, and whether a particular form suits their needs.
- SRLs need something to orient them to the big picture of how their whole case operates and something to guide them along the "milestones" that each form represents.
- SRLs and subject matter experts tend to prefer "shorter" forms; however, judges, attorneys, and other legal professionals are concerned that overly shortened forms will fail to provide enough information to SRLs and the courts that serve them.



the mechanics of e-filing, the research has uncovered deficiencies further upstream that could help SRLs better understand and prepare for not only the step of e-filing but their entire court journey. The research showed a near unanimous call for more plain language information but also significant process simplification. The level of detail and granularity a filer needs to know to e-file is simply unrealistic and leads to inefficiencies where SRLs and clerks have to go through numerous rounds of e-filing before a document can be successfully submitted to the court. These experiences have led SRLs to become increasingly frustrated and distrustful of our justice system.

Much can be done to make this mandatory process more accessible and friendly to SRLs and we look forward to sharing our consultant's final report later this year. Under the direction of the JFA Committee, we will be taking the next steps to change the e-filing journey and are optimistic that the conveniences and benefits of this remote process can be realized by SRLs, clerks, and courts alike.

### ATJ Staff Updates

Kathryn Hensley is out on parental leave after the birth of her son, Elio in December. Join us in congratulating Kathryn and her family! If you have any questions about the appellate resource program while she is on leave, please contact Alison Spanner at [aspanner@illinoiscourts.gov](mailto:aspanner@illinoiscourts.gov).

The next phase of research will be conducting user testing on both existing and prototype forms to acquire input on what design elements and resources the users believe will make forms easier and more efficient to use.

After user testing, initial design drafts will be finalized and brought to the FRC for further review and feedback. The design iterations will be implemented within both the forms themselves and other supplemental materials, such as instructional documents. All these updated documents and guides will then go through further rounds of user testing for refinement.

The current goal is to develop a comprehensive template design, fully apply it to the Divorce with Children suite of forms by the end of April 2022, then start rolling that design out to other form suites over the subsequent months.

The Forms Redesign Council and staff have also been reminded through this process that the court experience is intrinsically complex and challenging for SRLs. Unfortunately, that system will not suddenly change just with a redesign of standardized forms. Additionally, elegant design is often as much about what is left out as what is included. So simple, clean forms will always be more effective than those that are complex and cluttered. As such, the improvements taking place are focused on guiding SRLs through their litigation pathway in a user-friendly way, and one that will hopefully improve the process efficiency for the whole court system as well.

**For more information about the ATJ Commission's work, please contact Alison Spanner at [aspanner@illinoiscourts.gov](mailto:aspanner@illinoiscourts.gov)**

Share this email:



[Manage](#) your preferences | [Opt out](#) using TrueRemove™

Got this as a forward? [Sign up](#) to receive our future emails.

View this email [online](#).



ILLINOIS SUPREME COURT COMMISSION



## QUARTERLY NEWSLETTER

**April 2022**

### Nominations Open for the Jeffery D. Colman Access to Justice Award

*By: Alison Spanner*

The Illinois Supreme Court Commission on Access to Justice (ATJ Commission) is requesting nominations for the Jeffery D. Colman Access to Justice Award. Nominations are due to Alison Spanner ([aspanner@illinoiscourts.gov](mailto:aspanner@illinoiscourts.gov)) by May 9.

This new award will be given to an individual who has made a significant or meaningful contribution to improving access to our court system for litigants who are self-represented, limited English proficient, disabled, or otherwise vulnerable. Please see this [link](#) for more information.

### ATJ at EdCon

*By: Jill Roberts*



The ATJ Commission and ATJ Division were well represented at the Judicial Education Conference which was held during the first week of April. We had an exhibitor table with educational judicial bench cards, informational signage, and promotional materials for Illinois Court Help (see picture). In addition, the division was involved in the preparation or presentation of several sessions with subjects spanning from remote court appearances to language access. ATJ Division staff and Illinois JusticeCorps fellows led a simulation on navigating legal issues alone.

For those attending the Judicial Education Conference in June, be sure to stop by the ATJ table to say hello and pick up an Illinois Court Help mug and phone wallet. Also, sign up for these ATJ-related sessions:

- Monday 2:45pm - Remote Court Appearances with SRLs
- Thursday 8:30am - Disability Rights in the Courthouse



- Monday 2:45pm - Remote Court Appearances with SRLs
- Thursday 8:30am - Disability Rights in the Courthouse
- Thursday 1:30pm
  - Court Fees & Waivers
  - Virtual Court Proceedings
  - Self-Represented Litigants
- Thursday 3:15pm - Navigating Legal Issues Alone (see photo)
- Friday 8:30am
  - Disability Rights in the Courthouse
  - How to Start an SRL Court Call
- Friday 10:15am - How to Overcome Language Barriers Inside and Outside the Courtroom

Additionally, members of the ATJ Division are available to come to your courthouses and present to any constituency (judges, court staff, clerks, all of the above) on various topics (language access, information vs. advice, dealing with SRLs in the courtroom, etc). Contact Jill Roberts at [jroberts@illinoiscourts.gov](mailto:jroberts@illinoiscourts.gov) to schedule a training. You can also find our helpful ATJ materials, including judicial bench cards, at [https://www.illinoiscourts.gov/public/training-material-and-educational-programs#tab\\_pages-appearance](https://www.illinoiscourts.gov/public/training-material-and-educational-programs#tab_pages-appearance).



## Illinois Court Help Approaches 1 Year Mark

*By: Lisa Colpoys*

As [Illinois Court Help](#) nears its one-year anniversary on May 17, 2022, we are excited to share court user stories and data that demonstrate the positive impact the service has had on people who use Illinois courts.



Your guide through the courts

Court users from across the state contact Illinois Court Help by phone, text message, and email to ask questions about court processes, court forms, e-filing, how to find legal help, and more. Some people are seeking instructions to start a small claims case or open a probate estate, while others are involved in cases of

## Interpreter Orientation and Exams- Dates to Know

*By: Noor Alawawda*



The Administrative Office of the Illinois Courts (AOIC) continues to hold orientations and certification exams for the certification of court interpreters. On April 2 and

April 9, we held a virtual two-day orientation. Another virtual two-day orientation will be held on October 15 and 22, both dates must be attended to receive credit. Additionally, two written exam dates will be offered on June 8 and September 14, with a 9am or 12pm time slot available. Alternatively, a written exam date will be offered in early December to accommodate the October orientation candidates.

On April 13, a Zoom Q&A was held for those signed up for the April 22 oral exam date. The Zoom Q&A offered a brief overview of the oral exam as well as an opportunity to ask questions. We will be offering two more oral



estate, while others are involved in cases of crisis like domestic abuse or eviction. Many people reach out more than once for help.

A recent court user who was filing for divorce in DuPage County as a self-represented person spoke with 4 different court guides at various stages of their case to get the required forms, learn about service of process, receive assistance with e-filing, and get help scheduling a court date. They commented that Illinois Court Help guides were “Very helpful! Would have been very hard to navigate representing myself in my divorce without their help!”

By digging into data we can see that in the first 11 months of service, Illinois Court Help’s trained **court guides interacted 12,094 times with 7174 individual court users in 98 (of 102) Illinois counties**. About 36% of those interactions were with people in Cook County. We are still waiting for our first contacts from Edwards, Hamilton, Hardin, and Scott counties.

While we offer several communication channels, court users have shown a preference for talking with a court guide by phone. Since the program has launched, two-thirds of all interactions have been by phone, with the remaining one-third evenly split between text messages and email channels.

The vast majority (85%) of people who connected with Illinois Court Help over the past 11 months were self-represented individuals. Family and friends of people with legal problems and members of the public made up 8% of interactions, and nearly 2% were from lawyers and legal professionals.

The top issues that people sought help with are court processes, court forms, and filing or e-filing documents. 87% of interactions related to a civil court case, while 4% related to criminal cases and 2% to traffic cases. Approximately 2% of interactions relate to appeals. Of the civil cases, the most prevalent types are small claims, divorce, family, eviction, and probate, in that order.

Feedback received from court users has been overwhelmingly positive. A customer satisfaction survey that asks users to rate their experience as Good ☐ or Bad ☐ has been answered by over 12% of all users, 92% of

questions. We will be offering two more oral exam dates later this year, July 22 and October 21. Future dates for skill buildings will be posted in June, which strive to help prepare interpreters for the oral exam and improve their skills. Contact Noor Alawawda at [nalawawda@illinoiscourts.gov](mailto:nalawawda@illinoiscourts.gov) for questions about orientation, written exams, or oral exams.

## Justice For All Grant Update

By: Jill Roberts



In October of 2019, the ATJ Division and the ATJ Commission were awarded a grant from the National Center for State Courts (NCSC) as part of its Justice for All (JFA) project. To fulfill the grant, the ATJ Commission formed a Steering Committee and an Advisory Committee. The committees completed a final report, titled *Access to and Meaningful Participation in Family Court*, which can be found online [here](#).



The grant project engaged approximately 230 people. Based on their input, the Advisory Committee identified 20 recommendations for change in family law cases involving

children. Some of the recommendations will be addressed in the future by the ATJ Commission. However, some of the recommendations for changes call for more immediate action.

For the next phase of the project, the ATJ Division and ATJ Commission will seek to expand self-represented parents’ and guardians’ understanding of family court practices and policies related to children’s issues, and to assist them to better prepare for court proceedings should they seek judicial



experience as Good ☑ or Bad ☐ has been answered by over 12% of all users, 92% of whom rated their experience as good. Court guides have been described by many users as patient, kind, knowledgeable, and a lifesaver!

In the next several months we will expand the Illinois Court Help service to allow court users to chat in real time with a court guide from our website. We will also explore extending the hours the phone hotline is open to accommodate more callers. We look forward to providing excellent service to more court users in our second year!

issues, and to assist them to better prepare for court proceedings should they seek judicial resolution for those issues. We have been working on those issues since April 2021. That work will continue officially through June 2022 when the grant year comes to an end.

However, the work started under the JFA grant will continue with the support of the ATJ Commission into the foreseeable future. Stay tuned in the next newsletter for the report on the second year of the JFA grant.

---

## ATJ Division Updates

*By: Alison Spanner*

I am pleased to share the following staffing changes within the Access to Justice Division, AOIC.

First, in recognition of her years of leadership and innumerable skills, Jill Roberts has been promoted to Deputy Director of the Access to Justice Division. In this role, she will continue to provide her unquestionable guidance to many projects and take on several more, including standardized forms, Illinois Court Help, legal technology initiatives, court staff education, Court Navigator Network, and Community Trust. She will also take a more central role in policy making for the Division and ATJ Commission.

Next, Kathryn Hensley has been promoted to Supervising Senior Program Manager due to her outstanding management of the Appellate Resource Program and the Illinois Supreme Court Volunteer Pro Bono Program for Criminal Appeals. In addition to those programs, in this role, she will manage the standardized forms program and will direct her talents towards execution of the Illinois's Justice for All Report, which focuses on empowering parents and guardians who seek the assistance of the court regarding family law issues. Developing a program from scratch is one of the hardest tasks asked of anyone in the Division, but through the success of the Appellate Resource Program, Kathryn has demonstrated her ability to wrangle nebulous projects and refine them.

Finally, Sarah Song also received a promotion to Supervising Senior Program Manager. In this role, she will continue to dedicate most of her time to addressing issues with e-filing and supporting other legal technology initiatives like Online Dispute Resolution. She will also continue to staff the Illinois Judicial Conference Task Forces including the Court Operations During COVID-19 Task Force and Remote Proceedings Task Force. With this promotion, she has been asked to lend her excellent judgment to the ATJ Commission's Community Trust Committee.

Please join me and the rest of the Division's talented staff—Lisa Colpoys, Noor Alawawda, Israel Putnam, Lekisha Gunn, Helen Doig, Jess Acosta, Brittany Underwood, and Nina Wilson—in congratulating Jill, Kathryn, and Sarah in their promotions. Special thanks are owed to Director Marcia M. Meis for her endless support of the ATJ Division.

---



---

For more information about the ATJ Commission's work, please contact Alison  
Spanner at [aspanner@illinoiscourts.gov](mailto:aspanner@illinoiscourts.gov)

Share this email:



[Manage](#) your preferences | [Opt out](#) using TrueRemove™

Got this as a forward? [Sign up](#) to receive our future emails.

View this email [online](#).

2nd and Capitol Ave Supreme Court Bldg  
Springfield, IL | 62706 US

This email was sent to .

*To continue receiving our emails, add us to your address book.*

emma®

[Subscribe](#) to our email list.





## APPENDIX D



# 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.

<b>Name of the forms:</b>	<ul style="list-style-type: none"><li>• <i>Petition for Dissolution of Marriage/Civil Union (Divorce With Children)</i></li><li>• <i>Judgment of Dissolution of Marriage/Civil Union (Divorce With Children)</i></li><li>• <i>Parenting Plan</i></li><li>• <i>Summons (if needed)</i></li><li>• <i>Entry of Appearance (Petition for Dissolution of Marriage/Civil Union) (if needed)</i></li></ul>
<b>Purpose of the forms:</b>	<ul style="list-style-type: none"><li>• To ask a judge for a divorce or to end a civil union</li><li>• To notify your spouse that you have done this</li><li>• To give the judge a way to end the marriage or civil union</li></ul>
<b>Types of cases the forms CAN be used for:</b>	Divorce or ending a civil union when you and your spouse have children together.
<b>Types of cases the forms CANNOT be used for:</b>	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.
<b>Cost to file the forms:</b>	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: <a href="http://illinoiscourts.gov/documents-and-forms/approved-forms">illinoiscourts.gov/documents-and-forms/approved-forms</a>
<b>Special information or papers needed to complete the forms:</b>	<ol style="list-style-type: none"><li>1. Date and place of the marriage/civil union.</li><li>2. Date you and your spouse separated.</li><li>3. Addresses for you and your spouse.</li><li>4. Place of employment for you and your spouse.</li><li>5. Whether you or your spouse receive Social Security.</li><li>6. Names and birth dates of all of the children you and your spouse have together or separately.</li><li>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.</li><li>8. Whether you and/or your spouse own or have an interest in real estate.</li><li>9. Whether you and/or your spouse have a pension/retirement account.</li><li>10. A list of the property of the marriage.</li><li>11. A list of the debts of the marriage.</li></ol>
<b>Statutes covering the forms:</b>	<a href="#">(750 ILCS 5/)</a> Illinois Marriage and Dissolution of Marriage Act.
<b>For more information:</b>	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 <a href="http://illinoislegalaid.org">illinoislegalaid.org</a> .



# HOW TO GET A DIVORCE (WITH CHILDREN)

---

## Table of Contents

**Introduction to Getting a Divorce in Illinois (with Children)..... 1**  
What forms you need to start a divorce, where to find the forms, and the potential court costs in a divorce case.

**Step 1: Complete Forms..... 2**  
How to fill out the forms needed to ask the court for a divorce.

**Step 2: What do I do after I fill out my forms?..... 3**  
Where to file your court forms and how to notify your spouse about the divorce case.

**Step 3: How to get ready for court and present your case to the judge..... 4**  
How to get a court date, other court forms you may need, and what to do before your court hearing.

**Step 4: What do I do after the court date..... 7**  
What you must do to complete your case.

## 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](http://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](http://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](http://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.



### 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](http://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](https://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 eFileIL, see the self-help user guides here: [illinoiscourts.gov/self-help/how-to-e-file/](https://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](http://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](http://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](http://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](http://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/](http://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](http://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



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](http://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](http://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](http://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.

*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., 9<sup>th</sup> 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](http://illinoiscourts.gov/documents-and-forms/approved-forms)

## 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*

Find Illinois Supreme Court approved forms at: [illinoiscourts.gov/documents-and-forms/approved-forms](http://illinoiscourts.gov/documents-and-forms/approved-forms).



<b>STATE OF ILLINOIS, CIRCUIT COURT</b>		<b>PETITION FOR DISSOLUTION OF MARRIAGE / CIVIL UNION</b>	<i>For Court Use Only</i>
<b>COUNTY</b>		<b>(DIVORCE WITH CHILDREN)</b>	
<b>Instructions ▼</b>			
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.			<b>Case Number</b>

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: \_\_\_\_\_

<i>Street, Apt #</i>	<i>City</i>	<i>State</i>	<i>ZIP</i>
----------------------	-------------	--------------	------------

c. Phone Number:

In <b>2a</b> , if you check “Yes,” enter the date you started living in Illinois.
In <b>2b</b> , if you check “Yes,” enter the date Respondent started living in Illinois.
In <b>3a</b> , enter your age.
In <b>3b</b> , check all boxes that apply to you. If you are employed, enter your job title and the name of your employer.
In <b>3c</b> , if you want to go back to a former name, check “Yes” and enter that name.

In <b>4a</b> , enter Respondent's age.
In <b>4b</b> , check the box that applies. Enter Respondent's current complete address if known.
In <b>4c</b> , 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.		
<input type="checkbox"/> I have listed additional minor children on the attached <i>Additional Minor Children</i> 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
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
<input type="checkbox"/> I have listed additional adult children on the attached <i>Additional Adult Children</i> form.				

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
<input type="checkbox"/> I have listed additional children on the attached <i>Additional Other Children</i> 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.



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: \_\_\_\_\_

<i>Street, Apt #</i>	<i>City</i>	<i>State</i>	<i>ZIP</i>
----------------------	-------------	--------------	------------

- 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.

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

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.

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.

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.

**I.** That maintenance be awarded to:  
☐ Me    ☐ Respondent    ☐ Neither

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

**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*

*Print Your Name*

*City, State, ZIP*

*Telephone*

*Email*

*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.



<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  <b>COUNTY</b>	<b>SUMMONS PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION</b>	<i>For Court Use Only</i>
<b>Instructions ▼</b> 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.	_____ <b>Petitioner</b> <i>(First, middle, last name)</i>  v.  _____ <b>Respondent</b> <i>(First, middle, last name)</i>  <input type="checkbox"/> <b>Alias Summons</b> <i>(Check this box if this is not the 1<sup>st</sup> Summons issued for this Respondent.)</i>	_____ <b>Case Number</b>

**IMPORTANT INFORMATION:**

There may be court fees to start or respond to a case. If you are unable to pay your court fees, you can apply for a fee waiver. You can find the fee waiver application at: [illinoiscourts.gov/documents-and-forms/approved-forms/](http://illinoiscourts.gov/documents-and-forms/approved-forms/).

E-filing is now mandatory with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit [efile.illinoiscourts.gov/service-providers.htm](http://efile.illinoiscourts.gov/service-providers.htm) to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit [illinoiscourts.gov/faq/gethelp.asp](http://illinoiscourts.gov/faq/gethelp.asp) or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit [illinoislegalaid.org](http://illinoislegalaid.org).

Call or text Illinois Court Help at 833-411-1121 for information about how to go to court including how to fill out and file forms. You can also get free legal information and legal referrals at [illinoislegalaid.org](http://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: [illinoiscourts.gov/documents-and-forms/approved-forms/](http://illinoiscourts.gov/documents-and-forms/approved-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*

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 [illinoiscourts.gov/courts/circuit-court/circuit-court-clerks/](http://illinoiscourts.gov/courts/circuit-court/circuit-court-clerks/).

**STOP!**

The Circuit Clerk will fill in this section.

**STOP!**

The officer or process server will fill in the Date of Service.

**Witness this Date:** \_\_\_\_\_

Seal of Court

**Clerk of the Court:** \_\_\_\_\_

**This *Summons* must be served within 30 days of the witness date.**

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.)*

## 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.



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

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

**My name is** \_\_\_\_\_ **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 date: \_\_\_\_\_ 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 date: \_\_\_\_\_ 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, ZIP: \_\_\_\_\_  
Other information about service attempt: \_\_\_\_\_



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 \$ 0.00

\_\_\_\_\_  
Print Name

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

License Number: \_\_\_\_\_



**This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.**

<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  <b>COUNTY</b>		<b>PARENTING PLAN</b> <i>(check the correct box)</i> <input type="checkbox"/> Petitioner's Parenting Plan <input type="checkbox"/> Respondent's Parenting Plan <input type="checkbox"/> Agreed Parenting Plan <input type="checkbox"/> Court's Parenting Plan		<i>For Court Use Only</i>	
<b>Instructions ▼</b> 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> .  Check the box for whose <i>Parenting Plan</i> this is.		<hr/> <b>Petitioner</b> <i>(First, middle, last name)</i>  v.  <hr/> <b>Respondent</b> <i>(First, middle, last name)</i>		<hr/> <b>Case Number</b>	

Do not complete **1a** if  
Petitioner's information  
is protected because of  
domestic violence or  
abuse.

### 1. Parent Information:

- a. Petitioner's contact information:

Name: \_\_\_\_\_  
*First Middle Last*

Address: \_\_\_\_\_  
*Street Address, Apt.*

City	State	ZIP
------	-------	-----

Phone number:

Email:

Petitioner is employed: ☐ Yes ☐ No

Employer name: \_\_\_\_\_

Employer address: \_\_\_\_\_  
*Street Address*

City	State	ZIP
------	-------	-----

Employer phone number: \_\_\_\_\_

- b. Respondent's contact information:

Name: \_\_\_\_\_

*First*                      *Middle*                      *Last*

Address: \_\_\_\_\_  
*Street Address, Apt.*

City	State	ZIP
------	-------	-----

Phone number:

Email: \_\_\_\_\_

Respondent is employed: ☐ Yes ☐ No

Employer name: \_\_\_\_\_

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

Petitioner's initials:

Respondent's initials: \_\_\_\_\_



Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

Employer address: \_\_\_\_\_  
Street Address

City State ZIP

Employer phone number: \_\_\_\_\_

- c. If a parent plans to move, they must give the other parent at least 60 days notice, or notice as soon as possible of (1) the intended move date; and (2) the new address unless the address is protected because of domestic violence or abuse.

For **1c**, if you plan to move, review **Section 10 (Relocation of Minor Children)** to see if that Section applies to your move.

In **2**, list the name and birth date for the minor children of the parties. This plan is only for children who are younger than 18.

**2. This Parenting Plan is for the Following Children Born to or Adopted by the Parties:**

	Name	Date of Birth
1.		
2.		
3.		

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

**3. Rights and Responsibilities of Both Parents:**

Each parent must:

- Make day-to-day decisions for the children when they have them, such as routine discipline, minor medical treatment, curfew, chores, and hygiene.
- Give the other parent the name, address, and telephone number of any health care provider for the children.
- Have access to the children's school records, child care information, extracurricular activity schedules, and medical, dental, and mental health records unless access is denied by the court.
- Notify the other parent as soon as possible of emergencies, health care, travel plans, or other significant child-related issues.

**4. Significant Decision Making (check only one option for each category):**

- Education decisions (*includes choice of schools and tutors*) will be made by:  
☐ Both parents ☐ Petitioner ☐ Respondent
- Health decisions (*includes medical, dental, and psychological decisions*) will be made by:  
☐ Both parents ☐ Petitioner ☐ Respondent
- Religious decisions will be made by:  
☐ Both parents ☐ Petitioner ☐ Respondent ☐ Reserved
- Extracurricular/recreational activities decisions will be made by:  
☐ Both parents ☐ Petitioner ☐ Respondent

**5. Parenting Time Schedule**

(Instructions for this section):

Use the schedule below to show which parent has the child (or children) during each hour block shown. Overnight begins at 9:00 PM and ends at 8:00 AM the next day.

If the schedule will be the same every week, only fill in one schedule. If there will be two schedules that alternate every other week, fill in two schedules. If there will be more than two weekly schedules, fill in more schedules on the *Additional Parenting Time* form and Insert them after the next page.

Petitioner's initials: \_\_\_\_\_

Respondent's initials: \_\_\_\_\_



Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

Fill in the parents' names or initials in the chart below to show which parent has the child (or children) each day at each time listed.

Enter the parents' names and initials on the lines below:

Parent Name: \_\_\_\_\_ Initials: \_\_\_\_\_

Parent Name: \_\_\_\_\_ Initials: \_\_\_\_\_

Write the date that you want the Week 1 parenting time schedule to start.

a. Week 1 Schedule: Week 1 begins on: \_\_\_\_\_  
Date

Start time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
8 AM							
9 AM							
10 AM							
11 AM							
Noon							
1 PM							
2 PM							
3 PM							
4 PM							
5 PM							
6 PM							
7 PM							
8 PM							
9 PM - Overnight							

b. Week 2 Schedule:

Start time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
8 AM							
9 AM							
10 AM							
11 AM							
Noon							
1 PM							
2 PM							
3 PM							
4 PM							
5 PM							
6 PM							
7 PM							
8 PM							
9 PM - Overnight							

Petitioner's initials: \_\_\_\_\_

Respondent's initials: \_\_\_\_\_



Make a schedule for parenting time during the holidays. First read both options 1 and 2 and pick either option 1 or 2. If you want holidays that are not listed, you can write the holidays you want to add on the blank line in 1 or in the "other" boxes in option 2. In option 2, enter the start and end time for each holiday and check which parent has the holiday in even years and which has it in odd years.

c. **Holiday Schedule (check only one):**

1. ☐ The holidays shall be divided between the parents as follows:
- In even-numbered years, Petitioner shall have the minor children on Group A holidays and Respondent shall have the minor children on Group B holidays.
  - In odd-numbered years, Petitioner shall have the minor children on Group B holidays and Respondent shall have the minor children on Group A holidays.

**Group A Holidays:**

- Thanksgiving Day
- Christmas Eve
- New Year's Eve

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Group B Holidays:**

- 4<sup>th</sup> of July
- Labor Day
- Christmas Day

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

2. ☐ The holidays shall be divided between the parents as follows:

Holiday	Time (include a.m./p.m.)		Even Years	Odd Years
	Start Time	End Time		
New Year's Day			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Mother's Day			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Memorial Day			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Father's Day			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
July 4 <sup>th</sup>			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Labor Day			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Halloween			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Thanksgiving Day			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Christmas Eve			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Christmas Day			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
New Year's Eve			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Other:			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Other:			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Other:			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Other:			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.
Other:			<input type="checkbox"/> Pet. <input type="checkbox"/> Res.	<input type="checkbox"/> Pet. <input type="checkbox"/> Res.

d. **School Spring Break**

1. ☐ No specific spring break schedule (follow the regular parenting schedule)
2. ☐ In even-numbered years, Petitioner shall have the entire spring break.  
In odd-numbered years, Respondent shall have the entire spring break.
3. ☐ Other: \_\_\_\_\_

e. **School Summer Break**

1. ☐ No specific summer break schedule (follow the regular parenting schedule)
2. ☐ Each parent shall have \_\_\_\_\_ weeks in the summer:
- In even-numbered years, Petitioner shall have first choice of dates.
  - In odd-numbered years, Respondent shall have first choice of dates.
  - Each parent will notify the other in writing by May 1<sup>st</sup> each year of the weeks they wish to have summer parenting time.

In 5d, choose 1, 2 or 3.  
If you choose 3, you must write in the schedule you want.

In 5e, choose 1, 2 or 3.  
If you choose 3, you must write in the schedule you want.

Petitioner's initials: \_\_\_\_\_

Respondent's initials: \_\_\_\_\_



3. ☐ Other: \_\_\_\_\_  
\_\_\_\_\_

In **5f**, choose 1, 2 or 3.  
If you choose 3, you  
must write in the  
schedule you want.

f. School Winter Break

1. ☐ No specific winter break schedule (*follow the regular parenting schedule*)
2. ☐ Each parent shall have one-half of the winter break:
- In even-numbered years, Petitioner shall have the first half and Respondent shall have the second half.
  - In odd-numbered years, Respondent shall have the first half and Petitioner shall have the second half.
3. ☐ Other: \_\_\_\_\_  
\_\_\_\_\_

g. Conflict

If there is conflict, the priority will be:

- 1st Priority: Holiday
- 2nd Priority: School Break
- 3rd Priority: Regular Weekday/Weekend

For example, it is your weekend to have the children, but Saturday is July 4<sup>th</sup> and it is the other parent's turn to have July 4<sup>th</sup>. Because the Holiday schedule has 1st Priority, the other parent will get their time on July 4<sup>th</sup> even though it is your weekend.

☐ I have listed additional parenting time information on the attached *Additional Parenting Time* form.

If you need more room to determine parenting time, check the box and fill out the *Additional Parenting Time* form and file it with this *Parenting Plan*.

In **6**, read all the options and choose which option for transportation works best. If you choose "a", check which parent will provide the transportation.

**6. Transportation of Children (*check only one*):**

- a. ☐ Petitioner ☐ Respondent shall provide all transportation.
- b. ☐ Each parent shall pick up the children at the start of their parenting time.
- c. ☐ Each parent shall drop off the children at the end of their parenting time.

Choose option **7a** or **7b**. If you check **7b**, you must list the address where the drop off and pick up of the children will be.

**7. Exchange of Children:**

- a. ☐ Drop off and pick up of the children will be at Petitioner's and Respondent's homes unless both parties agree in advance to a different meeting place.
- b. ☐ Drop off and pick up of the children shall take place at: \_\_\_\_\_  
\_\_\_\_\_

In **8**, check **8a** if there will be no right of first refusal. Check **8b** if there will be a right of first refusal.

**8. First Refusal for Childcare:**

- a. ☐ There is no right of first refusal.
- b. ☐ Each parent must offer the other a first right of refusal as follows:
- If a parent needs childcare for a period of 24 hours or more during their time with the children, they must give the other parent the option to care for the children before finding other childcare.
  - As soon as the need for childcare is known, the other parent must be immediately notified.
  - The parent offered the right to care for the children must accept the offer within 2 hours, otherwise the parent needing childcare may use another caregiver.
  - Transportation of the children is the same as for other parenting time.

Petitioner's initials: \_\_\_\_\_

Respondent's initials: \_\_\_\_\_



In 9, state when the children can communicate with the other parent. In 9a, you must choose one of the 3 options. If you check **Other**, you must list when the parent is able to communicate with the children.

Relocation is when a parent seeks to move with children for distances of over 25 or 50 miles (depending on county where they live).

**10a** explains that the parent who has majority or equal parenting and wants to move with children must obtain the permission of the other parent or the court.

**10b** sets out the information that must be in the notice and when the notice must be given.

**10c1** explains what to do if the parents agree on the move and no change to the *Parenting Plan* is needed.

**10c2** explains what to do when the parents agree to the move and need to make changes to the *Parenting Plan*.

**10d** explains what to do if the parents agree with the move but can't agree about the changes to the parenting time schedule.

## 9. Communication:

- a. The parent who does not have the children in their care may have electronic communication with the children (*check only one*):
  - ☐ Anytime
  - ☐ Every day between \_\_\_\_\_ ☐ a.m. ☐ p.m. to \_\_\_\_\_ ☐ a.m. ☐ p.m.
  - ☐ Other: \_\_\_\_\_
- b. Electronic communication includes telephone, e-mail, text, video, etc.
- c. Electronic communication between the children and the other parent must not be unreasonably monitored or interrupted.

## 10. Relocation of Minor Children:

- a. If a parent with the majority of the parenting time or equal parenting time wishes to move with the children, they must have the agreement of the other parent or permission from the court when:
  1. The children's primary residence is in Cook, DuPage, Kane, Lake, McHenry, or Will county and the move is within Illinois but more than 25 miles away from their current residence; OR
  2. The children's primary residence is in any other county in Illinois and the move is within Illinois but more than 50 miles away from their current residence; OR
  3. The move is outside of Illinois and more than 25 miles from the children's primary residence.
- b. The parent asking to move with the children must provide written notice to the other parent. The notice must:
  1. Be given at least 60 days before the move unless that is impossible. If impossible, the notice must be given at the earliest date possible; AND
  2. State the date the parent plans to move; AND
  3. State whether the move is permanent or for a specific time period; AND
  4. State the new address, if known, unless the address is protected because of domestic violence or abuse.
- c. Agreement
  1. If the parents agree on the move and no change is needed to the parenting time schedule, both parties shall sign the notices provided about the move and file it with the court. No court appearance is needed.
  2. If the other parent agrees with the move but changes need to be made to parenting time schedule, and the parents are in agreement about the changes to the parenting time schedule, the moving parent must:
    - Have the other parent sign the notice provided about the move;
    - File the signed notice with the court; AND
    - File an updated parenting plan with the court. The court does not need to approve the move but the court must approve the changes to the *Parenting Plan*.
- d. Partial Agreement
 

If the other parent agrees with the move, but both parents cannot agree on changes to the *Parenting Plan*, the moving parent must:

  - Have the other parent sign the notice provided about the move;
  - File the signed notice with the court;

Petitioner's initials: \_\_\_\_\_

Respondent's initials: \_\_\_\_\_



- Follow the Resolving Disagreements process set out below to try to reach an agreement with the other parent about changes to the parenting time schedule; AND

If no agreement can be reached after completing the Resolving Disagreements process, file a petition to modify the parenting time schedule with the court.

e. No Agreement

If the other parent does not agree with the move, the parent relocating must:

- Follow the Resolving Disagreements process set out below to try to reach an agreement with the other parent; AND
- If no agreement can be reached after completing the Resolving Disagreements process, file a petition with the court asking for permission to move.

**10e** explains what to do when the other parent does not agree with the move.

Some state or federal laws require picking a custodian for the children. In **11a**, choose the parent with the majority of the parenting time. If there is equal parenting time, check the parent that will be receiving Federal and State benefits for the children, like SNAP or TANF.

In **11b**, choose the parent that has the majority of the parenting time with the children. If there is equal parenting time, check the parent whose address will be given to the school as the children's home address.

**11. Designation of Children's Custody and Residence for Other Purposes:**

a. Designation of Custodian for Other Statutes

☐ Petitioner ☐ Respondent is the parent who has the majority of the parenting time with the children. This designation shall not affect parents' rights and responsibilities under the *Parenting Plan*.

b. Children's Residential Address

☐ Petitioner's ☐ Respondent's home is the children's residential address for school enrollment purposes only.

**12. Changing the *Parenting Plan*:**

If a parent wants to change this *Parenting Plan*, they should talk and try to reach an agreement on their own.

Follow the steps in "a" if there is an agreement. Follow the steps in "b" if there is not.

a. Agreement

- Temporary changes may be made without filing a written agreement with the court.
- Permanent changes should be made by filing a new *Parenting Plan* with the court.

b. No agreement

- Follow the Resolving Disagreements process set out below to try to reach an agreement about changes to the *Parenting Plan*. If an agreement is reached, follow the steps in **13a**.
- If no agreement can be reached after completing the Resolving Disagreements process, file a petition with the court asking for changes to be made to this *Parenting Plan*.
- This *Parenting Plan* must be followed until the parents complete the Resolving Disagreements process and agree to a new plan or a new *Parenting Plan* is approved by the court.

Petitioner's initials: \_\_\_\_\_  
Respondent's initials: \_\_\_\_\_



Check **13a** or **b**. If you check **b**, check the reason mediation is not required.

**13. Resolving Disagreements (*mediation*):**

If a parent wishes to change this *Parenting Plan* or feels the other parent is not following this *Parenting Plan*, the parents should talk and try to come to an agreement on their own.

If an agreement cannot be reached, parents must follow the steps below:

- a. ☐ Mediation is required on all issues.

Parents must first try to come to an agreement through mediation.

- Both parents must cooperate in scheduling and participating in mediation.
- Both parents must split the cost of mediation equally unless otherwise ordered by the court.

If mediation is unsuccessful, a parent must file a petition to modify this *Parenting Plan* or a petition to enforce this *Parenting Plan* with the court.

Emergencies: In an emergency situation, a parent may file a petition with the court to get an immediate resolution without first going through mediation.

- b. ☐ Mediation is not required because:

- ☐ One parent has all significant decision making responsibility.
- ☐ There is a history of domestic violence between the parties.
- ☐ Other reason: \_\_\_\_\_

A parent must file a petition to modify this *Parenting Plan* or a petition to enforce this *Parenting Plan* with the court.

Petitioner's initials: \_\_\_\_\_

Respondent's initials: \_\_\_\_\_

If this is your plan, sign it. If both parents agree, both parents must sign the plan.

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

\_\_\_\_\_  
*Petitioner*

\_\_\_\_\_  
*Respondent*

**APPROVED:**

\_\_\_\_\_  
*Judge*

\_\_\_\_\_  
*Date*



<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  _____ <b>COUNTY</b>	<b>JUDGMENT OF DISSOLUTION OF MARRIAGE / CIVIL UNION</b> (DIVORCE WITH CHILDREN)	<i>For Court Use Only</i>
<b>Instructions ▼</b> 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> .	_____ <b>Petitioner</b> (First, middle, last name)  v.  _____ <b>Respondent</b> (First, middle, last name)	_____ <b>Case Number</b>

**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:**

**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.		
<input type="checkbox"/> I have listed additional minor children on the attached <i>Additional Minor Children</i> 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
<input type="checkbox"/> I have listed additional adult children on the attached <i>Additional Adult Children</i> 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
<input type="checkbox"/> I have listed additional children on the attached <i>Additional Other Children</i> 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 dependants 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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 (Be specific in your description of each piece of property)		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 &amp; 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*





## APPENDIX E



# PETITION FOR DIVORCE WITH CHILDREN

(PETITION FOR DISSOLUTION OF MARRIAGE/ CIVIL UNION)

## IN THE STATE OF ILLINOIS, CIRCUIT COURT

COUNTY \_\_\_\_\_  
(the county where **you're** filing the case)

PETITIONER \_\_\_\_\_  
(**your** first, middle, and last name)

RESPONDENT \_\_\_\_\_  
(your **spouse's** first, middle, and last name)

For Court Use Only

Case Number  
\_\_\_\_\_



This form may take between 30-45 minutes to fill out. Some questions involve personal finances, so you might need to refer to other documents to complete it. In general, there are fees to file court forms like this one, but you may qualify to file for free. Check with your local Circuit Clerk for cost and fee waiver information.

1.

### PETITIONER (you)

The person who is starting the case by making a formal request to the judge. In this case, the Petitioner is asking the judge to divorce them from the Respondent.

**A. I live in Illinois**

☐ Yes ☐ No

**B. Have you lived in Illinois for 6 months?**

☐ Yes ☐ No

List the county you **currently live in** \_\_\_\_\_

**C. 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's name) \_\_\_\_\_

**D. I would like to go back to a maiden or a former married name**

☐ Yes ☐ No ☐ Not Applicable

If yes, enter maiden or former married name \_\_\_\_\_  
(First, middle, and last name)

2.

### RESPONDENT (your spouse)

The person who the Petition is filed against. The Respondent will get a chance to tell the judge whether they agree or disagree with what the Petitioner is asking for.

**A. My spouse lives in Illinois**

☐ Yes ☐ No ☐ I Don't Know



# PETITION FOR DIVORCE WITH CHILDREN

(PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION)

2.

## RESPONDENT (your spouse)

CONTINUED.

B. Has your spouse lived in Illinois for longer than **6 months**?

☐ Yes ☐ No

C. My spouse's **age** \_\_\_\_\_

D. I know my spouse's **current address**

☐ Yes ☐ No

If yes, enter **spouse's current address** \_\_\_\_\_

*Street, Apt. #, City, State, and ZIP Code)*

E. My spouse's **phone number** is \_\_\_\_\_

F. My spouse is **employed** (check all that apply)

☐ Yes ☐ No ☐ I Don't Know ☐ My spouse receives social security benefits

My spouse is employed **as** (job title) \_\_\_\_\_

My spouse is employed **by** (Employer's name) \_\_\_\_\_

G. My spouse is currently on **active duty** as a member of the Armed Forces of the United States of America

☐ Yes ☐ No ☐ I Don't Know

3.

## MARRIAGE or CIVIL UNION

The union of two people as spouses which has been made official by law.

A. I am providing the following information about the:

☐ Marriage ☐ Civil Union

We were married/united **on** \_\_\_\_\_  
(month, day, and year)

We were married/united **in** \_\_\_\_\_  
(County, State, and Country)

B. This is the **first time** I or my spouse have filed to dissolve **this marriage or civil union** in Illinois or any other state:

☐ Yes ☐ No ☐ I Don't Know

C. We have been **separated since** \_\_\_\_\_  
(month, day, and year)

D. By filing this form, you are confirming that irreconcilable differences caused the irretrievable breakdown of the marriage or civil union



# PETITION FOR DIVORCE WITH CHILDREN

(PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION)

4.

## CHILDREN

Sections 4 through 5c are about any minor child that both you and your spouse have a biological or legal relationship with (such as by birth, adoption, guardianship, etc).

### A. I am **pregnant**

☐ Yes ☐ No

My spouse is the **parent** of the unborn child:

☐ Yes ☐ No ☐ I Don't Know ☐ Not Applicable

### B. My spouse is **pregnant**

☐ Yes ☐ No ☐ I Don't Know

I am the **parent** of the unborn child:

☐ Yes ☐ No ☐ I Don't Know ☐ Not Applicable

5a.

## INFORMATION for CHILD #1

Provide information to the court about your first child

### i. The **name** of the child \_\_\_\_\_

(First, middle, and last name)

The child's **age** \_\_\_\_\_

The child's **date of birth** \_\_\_\_\_

(month, day, and year)

The Child is **born or adopted by**

☐ Petitioner Only ☐ Respondent Only ☐ Both ☐ I Don't Know

Is the child **under 18 years old?** (if yes, skip to section ii below)

☐ Yes ☐ No

If the child is not under 18, is the **child disabled?**

☐ Yes ☐ No

If the child is not under 18, is the **child in school?**

☐ Yes ☐ No ☐ I Don't Know

### ii. (Only fill out this section if the child is UNDER 18 YEARS OLD.)

Who does the child **primarily live with?** \_\_\_\_\_

(Full name)

Please list any other **people & places** this child has lived with (and where) in the last 5 years.

Name of **non-parent** \_\_\_\_\_

(Full name)

(City, state)

Name of **non-parent** \_\_\_\_\_

(Full name)

(City, state)

Has this child lived in Illinois for the **last 6 months?**

☐ Yes ☐ No ☐ I Don't Know



# PETITION FOR DIVORCE WITH CHILDREN

(PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION)

**5b.**

## INFORMATION for CHILD #2

Provide information to the court about your second child

i. The **name** of the child \_\_\_\_\_  
(First, middle, and last name)

The child's **age** \_\_\_\_\_

The child's **date of birth** \_\_\_\_\_  
(month, day, and year)

The Child is **born or adopted by**

☐ Petitioner Only ☐ Respondent Only ☐ Both ☐ I Don't Know

Is the child **under 18 years old?** (if yes, skip to section ii below)

☐ Yes ☐ No

If the child is not under 18, is the **child disabled?**

☐ Yes ☐ No

If the child is not under 18, is the **child in school?**

☐ Yes ☐ No ☐ I Don't Know

ii. (Only fill out this section if the child is UNDER 18 YEARS OLD.)

Who does the child **primarily live with?** \_\_\_\_\_  
(Full name)

Please list any other **people & places** this child has lived with (and where) in the last 5 years.

Name of **non-parent** \_\_\_\_\_  
(Full name) (City, state)

Name of **non-parent** \_\_\_\_\_  
(Full name) (City, state)

Has this child lived in Illinois for the **last 6 months?**

☐ Yes ☐ No ☐ I Don't Know

**5c.**

## INFORMATION for CHILD #3

Provide information to the court about your third child

i. The **name** of the child \_\_\_\_\_  
(First, middle, and last name)

The child's **age** \_\_\_\_\_

The child's **date of birth** \_\_\_\_\_  
(month, day, and year)

The Child is **born or adopted by**

☐ Petitioner Only ☐ Respondent Only ☐ Both ☐ I Don't Know

Is the child **under 18 years old?** (if yes, skip to section ii below)

☐ Yes ☐ No

If the child is not under 18, is the **child disabled?**

☐ Yes ☐ No



# PETITION FOR DIVORCE WITH CHILDREN

(PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION)

5c.

## INFORMATION for CHILD #3

CONTINUED

If the child is not under 18, is the **child in school**?

☐ Yes ☐ No ☐ I Don't Know

### ii. (Only fill out this section if the child is UNDER 18 YEARS OLD.)

Who does the child **primarily live**

(Full name)

Please list any other **people & places** this child has lived with (and where) in the last 5 years.

Name of **non-parent**

(Full name)

(City, state)

Name of **non-parent**

(Full name)

(City, state)

Has this child lived in Illinois for the **last 6 months**?

☐ Yes ☐ No ☐ I Don't Know

☐ I have **more than 3 children** and have listed additional children on the attached *Additional Children* form.

6.

## CARE of the CHILDREN

Who is responsible for the care of the children.

### A. There is another person, that is not Respondent or me, who has an **active legal claim of parental responsibility** or parenting time (custody/visitation rights):

☐ Yes ☐ No ☐ I Don't Know

If yes, please enter the person's **name**

(First, middle, and last name)

If yes, please enter the person's **address**

Street, Apt. #, City, State, and ZIP Code)

### B. I know of other court cases about the **allocation of parental responsibility** or parenting time:

☐ Yes ☐ No ☐ I Don't Know

If yes, please enter the **case name**

(Petitioner vs Respondent)

If yes, please enter the **case location**

(county and state)

If yes, please enter the **case number**

This case is still **ongoing**

☐ Yes ☐ No ☐ I Don't Know

The next **court date** is

(Month, Day, Year)

### C. Allocation of parental responsibility

☐ I have attached my **Parenting Plan** form to this Petition.  
(For more on the Parenting Plan, see the guide)

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



# PETITION FOR DIVORCE WITH CHILDREN

(PETITION FOR DISSOLUTION OF MARRIAGE/ CIVIL UNION)

## 7. DEBTS

Money you and your spouse currently owe. You will be able to provide more detail later.

- A. My spouse and I have **debts** from the time of the marriage/civil union that are still owed (either together or individually)  
☐ Yes ☐ No ☐ I Don't Know
- B. My spouse and I **have already divided the debts** from the time of the marriage/civil union that are still owed  
☐ Yes ☐ No ☐ I Don't Know ☐ Not Applicable

## 8. PERSONAL PROPERTY

Bank accounts, furniture, TV's, art, etc., you and your spouse acquired since becoming married or united. You will be able to provide more detail later.

- A. My spouse and I own **personal property and/or bank accounts** obtained during the marriage/civil union  
☐ Yes ☐ No ☐ I Don't Know
- B. My spouse and I **already divided the personal property and/or bank accounts** obtained during the marriage/civil union  
☐ Yes ☐ No ☐ I Don't Know ☐ Not Applicable

## 9. REAL ESTATE

Land or buildings you and your spouse own. You will be able to provide more detail later.

- A. My spouse and I own, or are buying, real estate **together**  
☐ Yes ☐ No
- B. I own or am buying real estate **separately**  
☐ Yes ☐ No
- C. My spouse owns or is buying real estate **separately**  
☐ Yes ☐ No ☐ I Don't Know

## 10. PENSION/RETIREMENT/MONEY for INJURIES

Other money or investments you and your spouse have including IRA, 401k, etc. You will be able to provide more detail later.

- A. I have **pension or retirement accounts** (including IRAs)  
☐ Yes ☐ No
- B. My spouse has **pension or retirement accounts** (including IRAs)  
☐ Yes ☐ No ☐ I Don't Know
- C. I have a **claim for money for injuries or damages** that I have suffered (worker's compensation, personal injury, accident, etc.)  
☐ Yes ☐ No



# PETITION FOR DIVORCE WITH CHILDREN

(PETITION FOR DISSOLUTION OF MARRIAGE/CIVIL UNION)

11.

## MAINTENANCE

Money paid from one spouse to the other for basic and necessary financial support. You will be able to provide more detail later.

A. I am able to **support myself** without maintenance

☐ Yes ☐ No

B. My spouse is able to **support himself/herself** without maintenance

☐ Yes ☐ No ☐ I Don't Know

12.

## WHAT ARE YOU ASKING THE COURT TO DO?

Make your official request to the court to end your marriage or civil union.

This section contains requests that are **always included** when filing for divorce.

I am asking 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. That I get to **keep** all of my non-marital/non-civil union property.
- D. That my **spouse gets to keep** all of their non-marital/non-civil union property.
- E. A **fair division** of the marital/civil union **property**.
- F. A **fair division of the debts** obtained during the marriage/civil union.

This section contains requests that are **optional** when filing for divorce.

G. **Child support** for the care or education of the minor children

☐ Yes ☐ No ☐ Not Applicable

H. Support for the **care or education** of the adult children

☐ Yes ☐ No ☐ Not Applicable

I. That maintenance be **awarded to**

☐ You ☐ Your Spouse ☐ Neither

J. That after the divorce I will be allowed to return to using my **former name**

☐ Yes ☐ No ☐ Not Applicable



# PETITION FOR DIVORCE WITH CHILDREN

(PETITION FOR DISSOLUTION OF MARRIAGE/ CIVIL UNION)



## SIGN & FILE

Sign your name & enter the requested information. Then move onto the next steps.

**Signing this form certifies that everything in the Petition for Dissolution of Marriage / Civil Union (Divorce with Children) is true and correct. It acknowledges that making a false statement on this form is perjury and has penalties provided by law under 735 ILC 5/1-109.**

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

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.

Your Signature \_\_\_\_\_

Print Your Name \_\_\_\_\_

Your Address \_\_\_\_\_  
*Street, Apt. #, City, State, and ZIP Code)*

Your Phone Number \_\_\_\_\_

Your Email \_\_\_\_\_

## NEXT STEP:

**File this form with the Circuit Court Clerk in the county you live in or in the county your spouse lives in. More information on how to do that can be found here:**

<https://www.illinoiscourts.gov/courts/circuit-court/circuit-court-clerks/>

## THEN:

**Provide “Notice” to your spouse that you have filed for divorce.**

**Information on how to do that can be found here:**

<https://www.illinoiscourts.gov/courts/circuit-court/circuit-court-clerks/>

## AFTER THAT:

**Confirm that the Sheriff has served the “Notice” on your spouse. After 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.”**





## APPENDIX F





# Initial Form Redesign & User Testing Report



# Contents

About the Report .....	3
Completion Gaps .....	4
Understanding Questions .....	8
Unintuitive .....	10
Instructions are Ignored .....	13
“Where am I in the Process? .....	14
Overwhelming .....	15
Our Conclusion .....	18
Next Steps .....	19



# About the Report

Filling out court forms can often be confusing for a number of reasons. We approached this challenge by connecting with many people who interact directly with these forms every day, asking them for insight into the recurring issues. These folks fell into three categories: Producers (people who create forms), Processors (court personnel who manage usage of forms such as clerks and judges), and Users (self-represented litigants for whom the forms are designed).

Beginning with several group feedback sessions for the Producers and Processors, we identified a number of issues from their perspectives. We then took that knowledge into testing with the User group to validate or illuminate reported concerns from the perspective of self-represented litigants (SRLs).

First, we engaged with individuals one at a time, asking them to fill out the currently published Petition for Divorce with Children, mark up problem areas they experienced, then debrief that experience. After compiling all this feedback, we discovered there were 6 major observations.

- i.** Form design made it easy to miss things
- ii.** Certain questions were difficult to understand

**iii.** Parts of forms were unintuitive or organized in a confusing way

**iv.** Instructions were ignored

**v.** Users were unsure of where this form fit into the overall divorce process

**vi.** Filling out the form could be overwhelming visually and informatively

With this information, we redesigned the Petition for Divorce with Children and moved into A/B testing with a focus group of SRLs, asking them to compare two different prototypes. Each version focused on different attempts to solve the observed problems. With this feedback, we then refined the latest iteration of the form.

Throughout the design process, we were adamant about considering the needs of end users, court staff, and the sustainability of form development. We believe that this improved, intuitive design will result in less confusion and fewer mistakes by the end user, less work for court staff, and a library of forms that is easier to manage. We want this to be a win for everyone.



# 1. Completion Gaps

Court workers and our focus groups have both confirmed that end users miss things on the form. There are multiple reasons and theories as to why this may be.

Users have stated that if they don't know the answer to a question, they will simply leave it blank. This can cause confusion for court personnel, often leaving them to wonder if the user didn't know how to answer it, left it blank on purpose, or simply missed it while going through the form.

**OBSERVATION 1a.** Some specific examples we observed directly was the county information on page 1.

<b>STATE OF ILLINOIS, CIRCUIT COURT</b>		<b>PETITION FOR DISSOLUTION OF MARRIAGE / CIVIL UNION (DIVORCE WITH CHILDREN)</b>
<input type="text"/> <b>COUNTY</b>		
<b>Instructions ▼</b>		
Directly above, enter the county where you will file this case.		
Enter your name as Petitioner.	<b>Petitioner</b> (First, middle, last name)	

**TEST 1a.** The county section is placed in such a way that it has become an anomaly. It is tucked away in a place that is easy to ignore. But what if we placed it in a way that it is grouped with other "starter" information, and has plenty of space so the eye is drawn to it?

It turns out this approach was successful in getting users to fill out this section completely.

<b>IN THE STATE OF ILLINOIS, CIRCUIT COURT</b>		<b>For Court Use Only</b>
<b>COUNTY</b> <input type="text"/> (the county where <b>you're</b> filing the case)		
<b>PETITIONER</b> <input type="text"/> ( <b>your</b> first, middle, and last name)		



# 1. Completion Gaps

*OBSERVATION 1b. Other places were missed when the user found something confusing, and didn't want to waste time.*

## 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

*TEST 1b. The tendency for users wanting to "get through it" seems to be consistent. Studies show that compacted information can make the brain try to speed read. With ample space, bolded words, and larger checkboxes, we can create visual "speed-bumps" for the user to slow down and engage with the question.*

*Users appreciated larger checkboxes, the bolded words, and more spacing. However, they did not mention feeling "slowed down" by the form."*

## 9. REAL ESTATE

Land or buildings you and your spouse own. You will be able to provide more

A. My spouse and I own, or are buying, real estate **together**

☐ Yes ☐ No

B. I own or am buying real estate **separately**

☐ Yes ☐ No

C. My spouse owns or is buying real estate **separately**

☐ Yes ☐ No ☐ I Don't Know



# 1. Completion Gaps

*OBSERVATION 1c. We also noticed that if a user didn't know an answer, or it wasn't applicable to them, they would also skip the question.*

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

*TEST 1c. Giving more options in checkboxes could let the user know it's okay to not know an answer, or that it doesn't apply to their specific situation. This informs the user that they are filling out the form correctly, and communicates to the court worker that the question was read and answered.*

*This was specifically requested by users and has been mentioned in helping with the tension related to filling out the form.*

8.

## PERSONAL PROPERTY

Bank accounts, furniture, TV's, art, etc., you and your spouse acquired since becoming married or united. You will be able to provide more detail later.

- A. My spouse and I own **personal property and/or bank accounts** obtained during the marriage/civil union  
☐ Yes ☐ No ☐ I Don't Know
- B. My spouse and I **already divided the personal property and/or bank accounts** obtained during the marriage/civil union  
☐ Yes ☐ No ☐ I Don't Know ☐ Not Applicable




# 1. Completion Gaps

*OBSERVATION 1d. Also, important information was often completely ignored and unnoticed.*

<p>Under the Code of Civil Procedure, <a href="#">735 ILCS 5/1-109</a>, making a statement on this form that you know to be false is perjury, a Class 3 Felony.</p>	<p><b>I certify that everything in the <i>Petition For</i> (with Children) is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law.</b></p>
	<p>/s/ _____ Your Signature</p>
	<p>_____ Print Your Name</p>
	<p>_____ Telephone</p>

*TEST 1d. Sometimes people just won't read certain content, especially if it appears overly complicated. However, we can mitigate this by visually telling the user that sections are, in fact, important to read. A simple icon usually does the trick.*

*The icon seemed less effective than the actual placement of the information. We feel both the icon and the placement are our best bet on getting more (but not all) people to read this information.*

	<h2>SIGN &amp; FILE</h2> <p>Sign your name &amp; enter the requested information. Then</p>
	<p><b>Signing this form certifies that everything in the <i>Petition for Civil Union (Divorce with Children)</i> is true and correct. It acknowledges that making a false statement on this form is perjury and has penalties provided by law, 735 ILCS 5/1-109.</b></p>
	<p>Enter your complete current address and telephone number. If you need to protect yourself or spouse because of domestic violence, you may use another address. That address will be used to receive mail about the case.</p>
	<p>If you are completing this form on a computer, sign your name by typing it.</p>



## 2. Understanding Questions

A lot of issues arise with a basic understanding of what is being asked. Here are some observations, and our attempts at solving these issues.

**OBSERVATION 2a.** *Confusion can come from the way the question is written. In our focus groups, the idea of having things be more clear, informative and in “plain language” was brought up often.*

*An example was this from the original form.*

**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

**TEST 2a.** *Here is the same question, just with more context, information, and simpler language. This approach was essentially a direct request.*

**10.**

**PENSION/RETIREMENT/MONEY for INJURIES**

Other money or investments you and your spouse have including IRA, 401k, etc.  
You will be able to provide more detail later.

**A.** I have **pension or retirement accounts** (including IRAs)

☐ Yes ☐ No

**B.** My spouse has **pension or retirement accounts** (including IRAs)

☐ Yes ☐ No ☐ I Don't Know

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

☐ Yes ☐ No



## 2. Understanding Questions

*OBSERVATION 2b. Spatial relationships can also cause confusion in a simple question. We found that by grouping things in a more predictable manner, the form was easier to understand, and decreased anxiety.*

*An example was this from the original form.*

**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

*TEST 2b. Here is a different approach. In this example, we are grouping information about the respondent on it's own. We are also making sure our "Yes/No" layout is always grouped together and consistent. The flow and comprehension in this format was appreciated in our focus group. The spacing seemed to make sense, and again, the bolded words helped focus.*

**A. I live in Illinois**  
☐ Yes ☐ No

**B. Have you lived in Illinois for 6 months?**  
☐ Yes ☐ No



### 3. Unintuitive

We found that anomalies, inconsistencies, and random grouping of topics tended to confuse the end user in filling out the form correctly. Often, the form would ask the user to rethink the way layout and format were being used, adding to the time spent figuring out how to complete the form. Here are some of our findings and decisions.

**OBSERVATION 3a.** *The current form will often ask the user to jump between topics, and even types of questions within questions. Below the form is asking the user to be in the mindset of the petitioner, then think about the respondent, then ask if the petitioner lives in Illinois, then enter a date, and then ask “no”, and then bounce back to the respondent. This asks the mind to leap from context to context, adding confusion.*

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

**TEST 3a.** *In our experience, grouping like-minded elements together contextually and visually can quicken understanding and ease tension. Below we grouped all Petitioner questions together. We also made sure that Yes/No checkboxes were spatially related, asking the user to finish that question before moving their mind to a different one. User testing confirmed, overwhelmingly, that this was a more enjoyable experience.*

#### 1. PETITIONER (you)

The person who is starting the case by making a formal request to the judge. In this case, the Petitioner is asking the judge to divorce them from the Respondent.

**A. I live in Illinois**

☐ Yes ☐ No

**B. Have you lived in Illinois for 6 months?**

☐ Yes ☐ No

List the county you **currently live in** \_\_\_\_\_

**C. 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's name) \_\_\_\_\_



### 3. Unintuitive

**OBSERVATION 3b.** Court relevant personnel reported a lot of confusion from users when it came to filling out information about the children. The original form asks the user to quickly move from child to child, filling out information in a cramped space with a layout that hasn't been seen before. This forces the mind to learn a new way of approaching the data, causing a slow down in flow.

- 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
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.

- 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.

**TEST 3b.** A way to quicken understanding, and thus making it more intuitive, is to keep consistency with layout and grouping. Our attempt at using consistent layout, grouping, and language, minimized any "re-learning" of how to fill out information. This was seen as a positive from both users and court relevant personnel.

#### 5a. INFORMATION for CHILD #1

Provide information to the court about your first child

- i. The **name** of the child \_\_\_\_\_  
(First, middle, and last name)

The child's **age** \_\_\_\_\_

The child's **date of birth** \_\_\_\_\_  
(month, day, and year)

The Child is **born or adopted by**

☐ Petitioner Only ☐ Respondent Only ☐ Both ☐ I Don't Know

Is the child **under 18 years old**? (if yes, skip to section ii below)

☐ Yes ☐ No

If the child is not under 18, is the **child disabled**?

☐ Yes ☐ No

If the child is not under 18, is the **child in school**?

☐ Yes ☐ No ☐ I Don't Know

- ii. (Only fill out this section if the child is UNDER 18 YEARS OLD.)

Who does the child **primarily live with**? \_\_\_\_\_  
(Full name)

Please list any other **people & places** this child has lived with (and where) in the last 5 years.

Name of **non-parent** \_\_\_\_\_  
(Full name) (City, state)



# 3. Unintuitive

**OBSERVATION 3c.** A consistent spot of confusion was the “asking the court to order” section. This is an anomaly, and by it's nature will cause the user to pause due to statements mixed with checkboxes and the “finality” of the language.

## 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.
- I. That maintenance be awarded to:  
☐ Me ☐ Respondent ☐ Neither
- J. That after the divorce I be allowed to return to using my former name:  
☐ Yes ☐ No ☐ Not applicable

**TEST 3c.** Our A/B testing got closer to a solution, but reports of confusion were still heavy. Our current iteration here is an attempt to group parts contextually and visually to keep consistency. This will need further testing to confirm whether or not it mitigates confusion.

## 12. WHAT ARE YOU ASKING THE COURT TO DO?

Make your official request to the court to end your marriage or civil union.

This section contains requests that are **always included** when filing for divorce.

I am asking 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. That I get to **keep** all of my non-marital/non-civil union property.
- D. That my **spouse gets to keep** all of their non-marital/non-civil union property.
- E. A **fair division** of the marital/civil union property.
- F. A **fair division of the debts** obtained during the marriage/civil union.

This section contains requests that are **optional** when filing for divorce.

- G. **Child support** for the care or education of the minor children  
☐ Yes ☐ No ☐ Not Applicable
- H. Support for the **care or education** of the adult children  
☐ Yes ☐ No ☐ Not Applicable
- I. That maintenance be **awarded to**  
☐ You ☐ Your Spouse ☐ Neither
- J. That after the divorce I will be allowed to return to using my **former name**  
☐ Yes ☐ No ☐ Not Applicable



# 4. Instructions are Ignored

If one thing was incredibly clear with court personnel and users, it's that the instructions on the side were often ignored. Our findings in this matter were pretty interesting, as we questioned the need for this on the form at all.

**OBSERVATION 4a.** Reports of the instructions being outright ignored are widespread, some even reporting that they didn't even notice them. Our experience led us to theorize the reason behind this was it's placement and the claustrophobic nature of it's layout. The information is so dense it looks like more of a texture than information. And even if it is recognized as information, the presentation makes it difficult to read, causing the eyes to avoid it.

The image shows a portion of a legal form with a blue border. On the left side, there is a vertical column of instructions enclosed in a thin orange border. The main body of the form contains several questions and checkboxes. The instructions in the margin are as follows:

- 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.
- In 5, check whether it is a marriage or civil union.
- In 5a, enter the date you were married/united.

The main form content includes:

- 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 United States of America:  
☐ Yes ☐ No ☐ Do not know
- 5. I am providing the following information about the:  
a. We were married/united on:  Date  
b. We were married/united in:  County  
c. This is the first time that either Respondent or I have been married or in a civil union in Illinois or any other state:  
☐ Yes ☐ No

**TEST 4a.** By making the form itself easier, we found that users were able to get through it in a smooth manner without additional questions, even in the absence of instructions in the margin. Still, users expressed interest in having some additional contextual information. Placing high-level descriptions in the section header addressed this concern and placing further supportive material in an ancillary document will continue to make use of the helpful content for those that want it.

The image shows a section of a legal form titled "5a. INFORMATION for CHILD #1". The title is in a bold, black box. Below the title, the text reads "Provide information to the court about your first child". The form contains several fields and checkboxes:

- i. The name of the child  (First, middle, and last name)
- The child's age
- The child's date of birth  (month, day, and year)
- The Child is born or adopted by  
☐ Petitioner Only ☐ Respondent Only ☐ Both ☐ I Don't Know



# 5. Where am I in the Process?

Reports from users and court relevant personnel are consistent in their determination that the form does little to give any context as to where this form lives in the process of the divorce. What is this form for? What steps does the user take next? How long will this form take to fill out? As none of this information is noticeably present in the original form, we simply added it in our latest iteration.

*TEST 5a. In the A/B testing, we added the “Next step” section to the end of the form. Our focus group all agreed that this helped to add context of where they were at in the process, as well as decreased anxiety. Later in our redesign, we will be ensuring that this section directly relates to our ancillary material to give even more context.*

## **NEXT STEP:**

**File this form with the Circuit Court Clerk in the county you live in or in the county your spouse lives in. More information on how to do that can be found here:**

<https://www.illinoiscourts.gov/courts/circuit-court/circuit-court-clerks/>

## **THEN:**

**Provide “Notice” to your spouse that you have filed for divorce.  
Information on how to do that can be found here:**

<https://www.illinoiscourts.gov/courts/circuit-court/circuit-court-clerks/>

## **AFTER THAT:**

**Confirm that the Sheriff has served the “Notice” on your spouse. After 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.”**

*TEST 5b. The addition of expected time was requested by both users and court personnel. We have added it to the top of the form as it makes the most sense. This has yet to be properly tested, however.*



This form may take between 30-45 minutes to fill out. Some questions involve personal finances, so you might need to refer to other documents to complete it. In general, there are fees to file court forms like this one, but you may qualify to file for free. Check with your local Circuit Clerk for cost and fee waiver information.



# 6. Overwhelming

Reports of anxiety and being overwhelmed are common. The subject matter (in this case, divorce) is already difficult to deal with. This is made even harder with the users thinking the form has to be filled out 100% correctly or more problems will arise.

By adding a confusing form to the mix, it can result in an awful experience for the user. Here are some aspects we observed and our attempts to ease tension.

**OBSERVATION 6a.** *When looking at the original form for the first time, a feeling of claustrophobia mixed with overwhelming information can instantly cause tension. Before even reading the form, it can look like a lot to take in, putting the user in a negative headspace from the start.*

STATE OF ILLINOIS, CIRCUIT COURT		PETITION FOR DISSOLUTION OF MARRIAGE / CIVIL UNION (DIVORCE WITH CHILDREN)		For Court Use Only
COUNTY				
<b>Instructions ▼</b> 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.		Petitioner (First, middle, last name)  v.  Respondent (First, middle, last name)		Case Number
<b>1. I am Petitioner in this case.</b>				
<b>2. I am providing the following information about where I live and where Respondent (my spouse) lives:</b>				
a. I live in Illinois <input type="checkbox"/> Yes, since: <input type="text"/> Date <input type="checkbox"/> No				
b. Respondent lives in Illinois <input type="checkbox"/> Yes, since: <input type="text"/> Date <input type="checkbox"/> No <input type="checkbox"/> Do not know				
<b>3. I am providing the following information about myself:</b>				
a. Age: <input type="text"/>				
b. I am employed (check all that apply): <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I receive Social Security benefits				
I am employed as: <input type="text"/> Job Title				
I am employed by: <input type="text"/> Employer Name				
c. I would like to go back to a maiden or a former married name: <input type="checkbox"/> Yes <input type="checkbox"/> No				
Former name: <input type="text"/> First <input type="text"/> Middle <input type="text"/> Last				

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.



# 6. Overwhelming

**TEST 6a.** When dealing with the spacing of information, our A/B testing proceeded with 2 approaches. A more condensed, but still breathable, version:

**6. Please provide 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

If yes, please enter the person's name (First, middle, and last name) \_\_\_\_\_

If yes, please enter the person's address Street, Apt. #, City, State, and ZIP Code) \_\_\_\_\_

**B.** I know of other court cases about the allocation of parental responsibility or parenting time:  
☐ YES ☐ NO

If yes, please enter the case name (Petitioner vs Respondent) \_\_\_\_\_

If yes, please enter the case location (county and state) \_\_\_\_\_

If yes, please enter the case number? \_\_\_\_\_

This case is still ongoing:  
☐ YES ☐ NO

The next court date is: (Month, Day, Year) \_\_\_\_\_

**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

*And a more spacious version:*

**6. CARE of the CHILDREN**  
Who is responsible for the care of the children.

**A.** There is another person, that is not Respondent or me, who has an **active legal claim of parental responsibility** or parenting time (custody/visitation rights):  
☐ Yes ☐ No ☐ I Don't Know

If yes, please enter the person's **name** (First, middle, and last name) \_\_\_\_\_

If yes, please enter the person's **address** Street, Apt. #, City, State, and ZIP Code) \_\_\_\_\_

**B.** I know of other court cases about the **allocation of parental responsibility** or parenting time:  
☐ Yes ☐ No ☐ I Don't Know

If yes, please enter the **case name** (Petitioner vs Respondent) \_\_\_\_\_

If yes, please enter the **case location** (county and state) \_\_\_\_\_

If yes, please enter the **case number** \_\_\_\_\_

This case is still **ongoing**  
☐ Yes ☐ No ☐ I Don't Know

The next **court date** is (Month, Day, Year) \_\_\_\_\_

**C. Allocation of parental responsibility**  
☐ I have attached my **Parenting Plan** form to this Petition.  
(For more on the Parenting Plan, see the guide)  
☐ I will file my Parenting Plan form within **120 days** of the date I file this Petition

*Initially, more people said they preferred the look of the more condensed version. However, as conversations continued, statements of feeling more tension and anxiety with the condensed version were abundant. Our latest iteration is an attempt to keep things from looking too spacious initially, but also making sure that we keep it breathable enough that tension is diminished.*



## 6. Overwhelming

*OBSERVATION 6b. Again, tension was a big concern with the original form. In addition to spacial relationships, context, visual groupings, and layout, we wondered if wording the form in 1st person was a problem.*

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

*TEST 6b. We wrote the form in 2<sup>nd</sup> Person to see if this would ease any tension. Our findings indicated this was not a significant improvement since preferences for 1<sup>st</sup> or 2<sup>nd</sup> person voice were split about 50/50.*

### 7. DEBTS

- A. Do you and your spouse have **debts** from the time of the marriage/civil union that are still owed (either together or individually)?
- ☐ Yes ☐ No ☐ I Don't Know
- B. Have you and your spouse **already divided the debts** from the time of the marriage/civil union that are still owed?
- ☐ Yes ☐ No ☐ I Don't Know ☐ Not Applicable

*In light of this inconclusive result, we chose to stay with 1st person voice under the thinking that it makes information provided to the court more declarative and familiar to conventional legal processes. As long as questions are worded in a clear and simple manner, this should serve both the end user and court personnel.*

### 7. DEBTS

Money you and your spouse currently owe. You will be able to provide more detail later.

- A. My spouse and I have **debts** from the time of the marriage/civil union that are still owed (either together or individually)
- ☐ Yes ☐ No ☐ I Don't Know
- B. My spouse and I **have already divided the debts** from the time of the marriage/civil union that are still owed
- ☐ Yes ☐ No ☐ I Don't Know ☐ Not Applicable



# Conclusion

Our testing has been thorough and we are confident in the direction the latest iteration of the form is heading.

Again, better design leads to better comprehension, which can lead to fewer mistakes. This results in less wasted time and other costs on everyone's part, which provides a win/win for both end users and court relevant personnel.

This was reflected best by an end user named Humberto V. during our A/B testing focus group who said, "I had to go through the original divorce form 3 times before getting it right. [This version] is way easier to use and understand!"

Our experience has taught us that the learned language of the form, layout expectations, spacial relationships, and flow are all incredibly important for a successful form. A question we usually ask with user interactions is *"does this play out as expected?"* By keeping consistency throughout all questions and layouts, we can make sure that answer is "yes".

Furthermore, cleaning up the layout, giving context, and moving a lot of the deeper discussions off the form itself allows users to focus and move through the form quicker with more accuracy.

Unsurprisingly, we found the simple act of organizing the form in contextual boxes and grouping was the biggest win. Some users even reported "a sense of accomplishment" as they progressed through each section.

We're very optimistic that this feedback has provided us with the data needed to make these forms more user friendly, and less prone to mistakes.

Now, we just need talk about next steps.



# Next Steps

As mentioned throughout the report, we still have a few things to tidy up and test with regards to the structure of the form. We are confident we can tackle these items with ease while moving onto additional tasks to improve visuals, and design the ancillary material. Additional tasks include things like:

- ▶ Hints on the form to look at the ancillary material for more in-depth discussions
- ▶ Branding that relates to the court
- ▶ Comprehensive branding for the forms and ancillary material
- ▶ Adding page numbers and court case numbers
- ▶ Holistic design of ancillary material (process, additional info, road map, etc.)

We hope this report sheds some light on the process, findings, and results of our re-design process.

Thank you.





## --- APPENDIX G



# Divorce with Children Overview

This is an overview of the court process in Illinois. This entire divorce process may often take between six months – 2 years, and often involves multiple court visits.

Petitioner files for divorce 💰

Petitioner gives notice to spouse of divorce case 💰  
(serves summons)

Respondent responds to the divorce case 💰

Both must complete parenting class 💰

If agreement: give judge your marital settlement agreement at a hearing called a “prove up” 💰

If no full agreement: case goes to trial and judge will make decisions for you. 💰

OR

Both update judge about divorce issues

Both must negotiate:

- Property and child support
- Spousal and child support
- Allocation of parental responsibilities (custody)
- Parenting time (visitation)



If both do not agree about all issues, parties can be sent to mediation

💰 Means this step may cost a fee, unless judge grants fee waiver

For the necessary forms and information about how to complete each step, go to: <https://tinyurl.com/divorceselfhelp>.

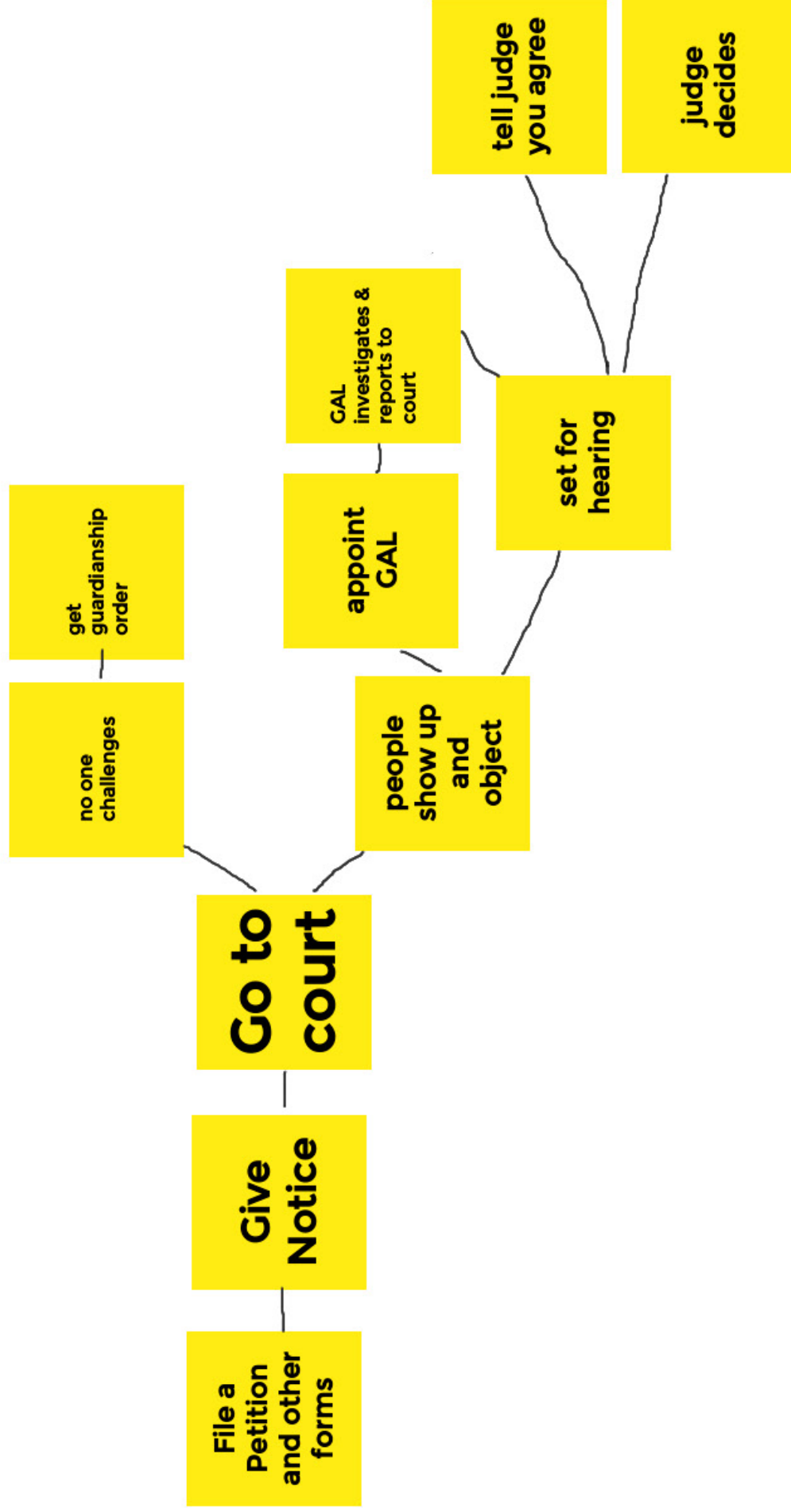
Updated 03/2020





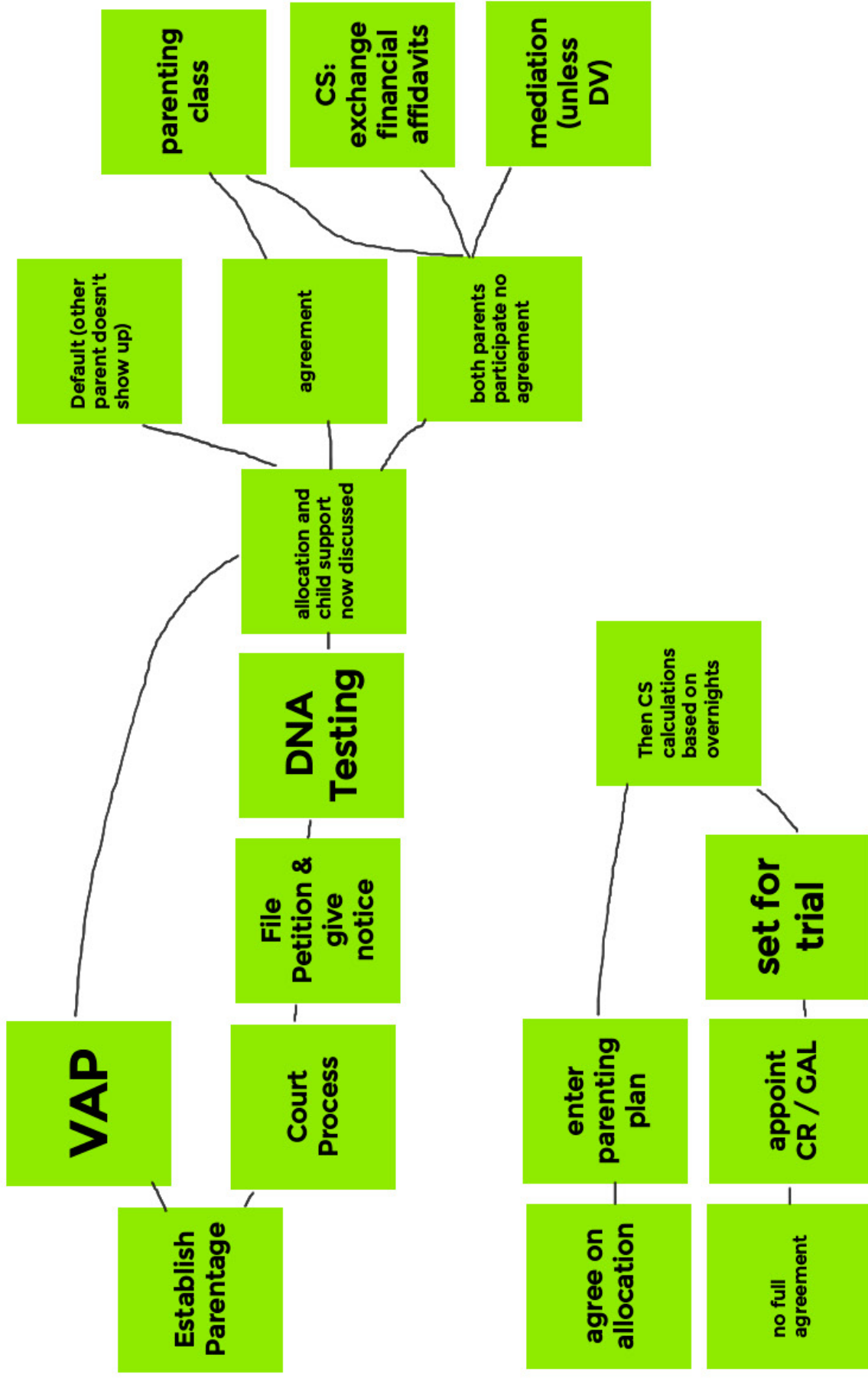
## APPENDIX H







## Simplified Court Process for Parentage Cases in Illinois







## --- APPENDIX I





## PAID OPPORTUNITY TO PARTNER WITH THE COURTS



The Illinois Supreme Court Commission on Access to Justice is looking to partner with community-based organizations that serve individuals who may have legal issues but cannot afford a lawyer.



### DETAILS:

- The Commission will provide partners with up to \$3,000 in funding.
- Partners will help recruit, engage, and facilitate feedback sessions with clients who have little or no legal background or expertise on ways to make courts and court forms simpler, kinder, and more efficient.
- Partner organizations must agree to host a maximum of 4 rounds of feedback and help recruit between 16-24 individuals.\*
- Individuals who participate in the feedback sessions will also be compensated for their time.

\*The specifics for each round of feedback are yet to be determined but will be finalized in consultation with each partner. Rounds may include recruiting and hosting 4-6 individual interviews or small focus groups or distributing and collecting information via a survey. Feedback will be collected remotely by Zoom, phone, or some other remote means.

Interested? Have questions? Please follow-up with:

**Name: Sarah Song**



**Email: [ssong@illinoiscourts.gov](mailto:ssong@illinoiscourts.gov)**



**Phone: 312-793-4162**



**Note:** Sessions may be facilitated by a third-party vendor by Zoom. All participation will be kept strictly confidential and no personally identifying information will be shared with any judges, clerks, attorneys, etc.





## --- APPENDIX J



## **Rule 298. Application for Waiver of Court Fees**

**(a) Contents.** An Application for Waiver of Court Fees in a civil action pursuant to 735 ILCS 5/5-105 shall be in writing and signed by the applicant or, if the applicant is a minor or an incompetent adult, by another person having knowledge of the facts.

(1) The contents of the Application must be sufficient to allow a court to determine whether an applicant qualifies for full or partial waiver of assessments pursuant to 735 ILCS 5/5-105, and shall include information regarding the applicant's household composition, receipt of need-based public benefits, income, expenses, and nonexempt assets.

(2) Applicants shall use the "Application for Waiver of Court Fees" (hereinafter "Application") adopted by the Illinois Supreme Court Access to Justice Commission, which can be found in the Article II Forms Appendix.

**(b) Eligible Fees.** The following fees are subject to waiver payments imposed on a party in connection with prosecution or defense of a civil action, including, but not limited to

(1) all fees waived in 735 ILCS 5/5-105 (a) (1); and

(2) transcripts on appeal, certification fees, record or case search fees, and copies.

**(c) Government Benefit Recipient.** An applicant receiving assistance under one or more of the means-based governmental public benefits programs listed in 735 ILCS 5/5-105(a)(2)(i) is eligible for a fee waiver. Such an applicant can be required to provide proof of receipt of benefits, such as a current benefits statement, prior to approval of the application, but cannot be required to provide any additional information about their income or assets. An applicant who does not receive a means-based governmental public benefit may be required to provide income and asset information relating to the factors listed in 735 ILCS 5/5-105(c)(2-6), including their most recent pay stubs from all employers or most recent 1099s and W-2s.

**(d) Filing Applications.** Applications by persons involved in a civil case, who are exempt from e-filing under Supreme Court Rule 9(c), may be filed by United States mail, third-party commercial carrier, in person, depositing in a drop box receptacle maintained by the Clerk, e-mail, or any other means permitted by the local court. All other Applications for Waiver of Court Fees shall be e-filed.

**(e e) Filing Fee for Application.** No fee may be charged for filing an Application ~~for Waiver of Court Fees~~. The clerk must allow ~~an~~ applicants to file an Application ~~for Waiver of Court Fees~~ in the court where ~~his~~ their case will be heard.

**(f) Transmission of Application after Filing.** When an Application is filed, the Clerk shall transmit the Application within 72 hours to the judge assigned to rule on it.

**(g) Determining Factual Issues.** Upon receiving the filed Application, the judge assigned to rule on it shall, within 72 hours, determine whether a ruling is appropriate based on the information contained in the Application without conducting a hearing, or whether there exists a factual issue regarding the person's eligibility for a waiver of court fees. If no factual issues exist, the Court shall rule on the Application and enter an order. If a factual issue exists, the Court shall enter an order to hold a hearing. The hearing shall be held within 14 business days unless the applicant requests additional time. The order regarding the hearing must contain the following information: (1) The particular question(s) of fact that necessitate the hearing; (2) The date, time, and manner of the hearing (remote or in person); and (3) Any documents to be submitted in support of the Application at or before the hearing and how to submit them to the court.

**(h) Ruling on Application.** The court's ruling on an Application shall be made according to standards set forth in 735 ILCS 5/5-105. If the Application is denied, the court shall enter an order specifying the reasons for the denial. If the court determines the conditions for a full fee waiver under 735 ILCS 5/5-105(b)(1) are satisfied, it shall enter an order permitting the applicant to sue or defend without payment of fees, costs or charges. If the court determines that the conditions for a partial fee waiver under 735 ILCS 5/5-105(b)(2) are satisfied, it shall enter an order permitting the applicant to sue or defend after payment of a specified percentage of fee, costs, or charges. If an Application for a partial fee waiver is granted, and if necessary to avoid undue hardship on the applicant, the court may allow the applicant to defer payment of assessments, costs, and charges.



make installment payments, or make payment upon reasonable terms and conditions stated in the order.

~~**(b) Ruling.** The court shall either enter a ruling on the Application or set the Application for a hearing requiring the applicant to appear in person. The court may order the applicant to produce copies of specified documents in support of the Application at the hearing. The court's ruling on an Application for Waiver of Court Fees shall be made according to standards set forth in 735 ILCS 5/5-105. If the Application is denied, the court shall enter an order to that effect specifying the reasons for the denial. If the court determines that the conditions for a full assessment waiver under 735 ILCS 5/5-105(b)(1) are satisfied, it shall enter an order permitting the applicant to sue or defend without payment of assessments, costs or charges. If the court determines that the conditions for a partial assessment waiver under 735 ILCS 5/5-105(b)(2) are satisfied, it shall enter an order permitting the applicant to sue or defend after payment of a specified percentage of assessments, costs, or charges. If an Application for a partial assessment waiver is granted, and if necessary to avoid undue hardship on the applicant, the court may allow the applicant to defer payment of assessments, costs, and charges, make installment payments, or make payment upon reasonable terms and conditions stated in the order.~~

~~**(i) Transmission of Order to Clerk.** Any order entered regarding an Application shall be immediately transmitted to the Clerk.~~

~~**(j) Transmission of Order to Applicant.** Within 72 hours of receiving any order regarding an Application, the Clerk shall provide a copy of the order to the person who filed it by email, if the person consented to receive court documents by email, or by U.S. mail at the address listed on the Application.~~

**(dk) Cases involving representation by civil legal services provider or lawyer in court sponsored pro bono program.** In any case where a party is represented by a civil legal services provider or attorney in a court-sponsored pro bono program as defined in 735 ILCS 5/5-105.5, the attorney representing that party shall file a certification with the court, and that party shall be allowed to sue or defend without payment of **assessments fees**, costs or charges as defined in 735 ILCS 5/5-105(a)(1) without necessity of an Application under this rule. Instead, the attorney representing the party shall file a certification prepared by utilizing, or substantially adopting the appearance and content of, the form provided in the Article II Forms Appendix.

#### Committee Comment

*An applicant receiving assistance under one or more of the means-based governmental public benefits programs cannot be required to provide any additional information about their income or assets because the recipient of public benefits has been screened, reviewed, and approved by the relevant governmental body and regular recertification is required to maintain the benefit.*

Amended October 20, 2003, effective November 1, 2003; amended September 25, 2014, eff. immediately; amended Dec. 29, 2017, eff. Jan. 1, 2018; amended Feb. 13, 2019, eff. July 1, 2019.



#### **Rule 404. Application for Waiver of Court Assessments**

**(a) Contents.** An Application for Waiver of Court Assessments in a criminal action pursuant to 725 ILCS 5/124A-20 shall be in writing and signed by the applicant or, if the applicant is a minor or an incompetent adult, by another person having knowledge of the facts. The Application should be submitted no later than 30 days after sentencing.

(1) The contents of the Application must be sufficient to allow a court to determine whether an applicant qualifies for a full or partial waiver of assessments pursuant to 725 ILCS 5/124A-20 and shall include information regarding the applicant's household composition, receipt of need-based public benefits, income, expenses, and nonexempt assets.

(2) Applicants shall use the "Application for Waiver of Court Assessments" (hereinafter "Application") adopted by the Illinois Supreme Court Access to Justice Commission, which can be found in the Article IV Forms Appendix.

**(b) Eligible Fees.** The following fees are subject to waiver payments imposed on a party in connection with prosecution or defense of a civil action, including, but not limited to

(1) all fees waived in 725 ILCS 5/124A-20(a); and

(2) transcripts on appeal, certification fees, record or case search fees, and copies.

**(c) Government Benefit Recipient.** An applicant receiving assistance under one or more of the means-based governmental public benefits programs listed in 725 ILCS 5/124A-20(a)(1) is eligible for a fee waiver. Such an applicant can be required to provide proof of receipt of benefits, such as a current benefits statement, prior to approval of the application, but cannot be required to provide any additional information about their income or assets. An applicant who does not receive a means-based governmental public benefit may be required to provide income and asset information relating to the factors listed in 725 ILCS 5/124A-20(c)(1)(2-6) including their most recent pay stubs from all employers or most recent 1099s and W-2s.

**(d) Filing Applications.** Applications by persons involved in a criminal case may be filed by United States mail, third-party commercial carrier, in person, depositing in a drop box receptacle maintained by the Clerk, or any other means permitted by the local court, such as e-filing or e-mail.

**(e) Filing Fees for Application.** No fee may be charged for filing an Application for Waiver of Court Assessments. The clerk must allow an applicant to file an Application for Waiver of Assessments in the court where his their case will be heard.

**(f) Transmission of Application after Filing.** When an Application is filed, the Clerk shall transmit the Application within 72 hours to the judge assigned to rule on it.

**(g) Determining Factual Issues.** Upon receiving the filed Application, the judge assigned to rule on it shall, within 72 hours, determine whether a ruling is appropriate based on the information contained in the Application without conducting a hearing, or whether there exists a factual issue regarding the person's eligibility for a waiver of court assessments. If no factual issues exist, the Court shall rule on the Application and enter an order. If a factual issue exists, the Court shall enter an order to hold a hearing. The hearing shall be held within 14 business days unless the applicant requests additional time. The order regarding the hearing must contain the following information: (1) The particular question(s) of fact that necessitate the hearing; (2) The date, time, and manner of the hearing (remote or in person); and (3) Any documents to be submitted in support of the Application at or before the hearing and how to submit them to the court.

**(h) Ruling on Application.** The court's ruling on an Application for Waiver of Court Assessments shall be made according to standards set forth in 725 ILCS 5/124A-20. If the Application is denied, the court shall enter an order specifying the reasons for the denial. If the court determines the conditions for a full fee waiver under 725 ILCS 5/124A-20(b)(1) are satisfied, it shall enter an order permitting the applicant to sue or defend without payment of fees, costs or charges. If the court determines that the conditions for a partial assessment waiver under 725 ILCS 5/124A-20(b)(2) are satisfied, it shall enter an order permitting the applicant to sue or defend after payment of a specified percentage of fee, costs, or charges. If an Application for a partial assessment



waiver is granted, and if necessary to avoid undue hardship on the applicant, the court may allow the applicant to defer payment of assessments, costs, and charges, make installment payments, or make payment upon reasonable terms and conditions stated in the order.

The court shall either enter a ruling on the Application or shall set the Application for a hearing requiring the applicant to appear in person. The court may order the applicant to produce copies of certain documents in support of the Application at the hearing. The court's ruling on an Application for Waiver of Assessments shall be made according to standards set forth in 725 ILCS 5/124A-20. If the Application is denied, the court shall enter an order to that effect specifying the reasons for the denial. If the court determines that the conditions for a full assessment waiver are satisfied under 725 ILCS 5/124A-20(b)(1), it shall enter an order waiving the payment of the assessments. If the court determines that the conditions for a partial assessment waiver under 725 ILCS 5/124A-20(b)(2) are satisfied, it shall enter an order for payment of a specified percentage of the assessments. If an Application is denied or an Application for a partial assessment waiver is granted, the court may allow the applicant to defer payment of the assessments, make installment payments, or make payment upon reasonable terms and conditions stated in the order.

**(d) Cases involving representation by criminal legal services providers or attorneys in court-sponsored pro bono program.** In any case where a party is represented by a criminal legal services provider or an attorney in a court-sponsored pro bono program, the attorney representing that party shall file a certification with the court, and that party shall be allowed to proceed without payment of assessments as defined in 725 ILCS 5/124A-20(a) without necessity of an Application under this rule. “Criminal legal services provider” means a not-for-profit corporation that (i) employs one or more attorneys who are licensed to practice law in the State of Illinois and who directly provide free criminal legal services or (ii) is established for the purpose of providing free criminal legal services by an organized panel of pro bono attorneys. “Court-sponsored pro bono program” means a pro bono program established by or in partnership with a court in this State for the purpose of providing free criminal legal services by an organized panel of pro bono attorneys.

Adopted Feb. 13, 2019, eff. July 1, 2019.

*Committee Comments*

*(a) The Application for Waiver of Court Assessments form referenced in subparagraph (a)(2) of this rule will be promulgated before its July 1, 2019, effective date*

*(b) An applicant receiving assistance under one or more of the means-based governmental public benefits programs cannot be required to provide any additional information about their income or assets because the recipient of public benefits has been screened, reviewed, and approved by the relevant governmental body and regular recertification is required to maintain the benefit.*





## --- APPENDIX K



## **Outreach Plan**

**Target Audiences:** Judges; clerks and court staff; lawyers; and court users

**How to reach audiences:**

### **Presentations and Education**

**Judges:** work with the Illinois Judicial College to generate several classes. One could be provided online in a seminar format. Another could be prepared and presented during the Judicial Education Conference. Additionally, a course should be prepared for New Judge training.

A presentation to the Conference of Chief Judges and traveling around the state to present to other judges is also needed.

**Clerks and Court Staff:** there would be courses prepared that detail specific information clerks need to accept and process the application waivers. This can also happen in an online seminar format or during the interdisciplinary days at the Judicial Education Conference.

**Lawyers:** adapt presentation for Judges to make relevant to lawyers who serve low income clients. Ensure CLE credit is available for participation in the course. Provide update at community events like the Chicago Bar Foundation's Legal Aid Committee meeting.

### **Handouts and other marketing material**

Make a **one-page** fact sheet judges; clerks and court staff; and lawyers. Produce flyers and posters like "know your rights" for court users.

Create documents or **website content** for court's websites.