



# PETITION FOR DIVORCE WITH CHILDREN

(DIVORCE WITH CHILDREN)  
IN THE STATE OF ILLINOIS, CIRCUIT COURT

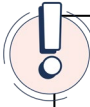
**COUNTY:** \_\_\_\_\_  
*County Where You Are Filing the Case*

**PETITIONER:** \_\_\_\_\_  
*Who started the case. First, Middle, and Last Name*

**RESPONDENT:** \_\_\_\_\_  
*Who the case was filed against. First, Middle, and Last Name*

**Case Number**  
*(Clerk fills in)*

You may have questions as you fill out the form. Learn more by reading the *How To Get A Divorce with Children Instructions* at [ilcourts.info/how-to-divorce-children](http://ilcourts.info/how-to-divorce-children).

 This form may take between 30-45 minutes to fill out. Some questions involve personal finances, so you may need to refer to other documents to complete it. There are fees to file court forms like this one, but you may qualify to file for free. Check with your Circuit Clerk for cost and fee waiver information.



## 1. PETITIONER (YOU)

*The Petitioner is the person who starts a 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. I have lived in Illinois for longer than **90 days**:

Yes  No

The county I **currently live in** is: \_\_\_\_\_.

C. **My age** is: \_\_\_\_\_.

D. I am **employed**: *(check all that apply)*

Yes  No  I receive Social Security, unemployment or other types of benefits

I am employed as: \_\_\_\_\_.

*Job title*

I am employed by: \_\_\_\_\_.

*Employer's name*

E. I would like to go back to a maiden or a former married name:

Yes  No

If **yes**, my **maiden** or **former name** is \_\_\_\_\_.

*First, Middle, and Last Name*

*This form is approved by the Illinois Supreme Court and must be accepted in all Illinois Courts. Forms are free at [ilcourts.info/forms](http://ilcourts.info/forms).*



## 2. RESPONDENT (YOUR SPOUSE)

*The Respondent is the person who a 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

B. My spouse has lived in Illinois for longer than **90 days**:

Yes     No

C. My spouse's **age** is: \_\_\_\_\_.

D. I know my spouse's **current address**:

Yes — If yes, enter your **spouse's current address**:

\_\_\_\_\_  
*Street, Apt. #, City, State, and Zip Code*

No — See page 9 of the [instructions](#) before completing the form.

E. My spouse is **employed** (check all that apply):

Yes     No     I Don't Know

My spouse receives Social Security, unemployment or other types of benefits

My spouse is employed as: \_\_\_\_\_.

*Job title*

My spouse is employed by: \_\_\_\_\_.

*Employer's name*

F. 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 or civil union:

We were married/united on: \_\_\_\_\_.

*Month, Day, and Year*

We were married/united in: \_\_\_\_\_.

*County, State, and Country*

B. I or my spouse filed a case to dissolve this marriage or civil union in Illinois or another state or country:

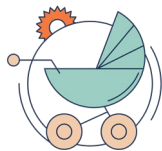
No     I Don't Know     Yes, in: \_\_\_\_\_.

*County, State, or Country*

C. We have been **separated since**: \_\_\_\_\_.

*Month, Day, and Year*

D. Irreconcilable differences have caused the irretrievable breakdown of the **marriage or civil union**.



#### 4. PREGNANCY

This section lets the judge know whether there are children who are not yet born and whether they will need to be part of the final court order.

A. I am **pregnant**:

Yes     No

My spouse is the **parent** of the unborn child:

Yes     No     I Don't Know

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

#### 5. CHILDREN THAT YOU AND YOUR SPOUSE HAVE TOGETHER

This section is about children you and your spouse had or adopted together who are younger than 18 years old, or who are older, but you are asking for support because they are still in school or have a disability.

A. Information for Child #1

The name of the child: \_\_\_\_\_.

*First, Middle, and Last Name*

The child's **age** is: \_\_\_\_\_.

The child was:

Born or adopted before the marriage     Born or adopted after the marriage

Does the child **have a disability**?

Yes     No

Is the child **in school**?

Yes     No

-----  
*Only fill out this section if the child is UNDER 18 YEARS OLD:*

This child has lived in Illinois for the last 6 months or more:

Yes     No     I Don't Know

Current address of the child: \_\_\_\_\_

*Street Address, Apt. #, City, State, and Zip Code*

List any other addresses where the child has lived for the last 5 years:

\_\_\_\_\_  
*Street Address, Apt. #, City, State, and Zip Code*

\_\_\_\_\_  
*Street Address, Apt. #, City, State, and Zip Code*

\_\_\_\_\_  
*Street Address, Apt. #, City, State, and Zip Code*

\_\_\_\_\_  
*Street Address, Apt. #, City, State, and Zip Code*

B. Information for Child #2

The name of the child: \_\_\_\_\_.

*First, Middle, and Last Name*

The child's age is: \_\_\_\_\_.

The child was:

- Born or adopted before the marriage
- Born or adopted after the marriage

Does the child **have a disability**?

- Yes
- No

Is the child **in school**?

- Yes
- No

-----  
*Only fill out this section if the child is UNDER 18 YEARS OLD:*

This child has lived in Illinois for the last 6 months or more:

- Yes
- No
- I Don't Know

Current address of the child: \_\_\_\_\_

*Street Address, Apt. #, City, State, and Zip Code*

List any other addresses where the child has lived for the last 5 years:

\_\_\_\_\_

*Street Address, Apt. #, City, State, and Zip Code*                      *Street Address, Apt. #, City, State, and Zip Code*

\_\_\_\_\_

*Street Address, Apt. #, City, State, and Zip Code*                      *Street Address, Apt. #, City, State, and Zip Code*

C. Information for Child #3

The name of the child: \_\_\_\_\_.

*First, Middle, and Last Name*

The child's age is: \_\_\_\_\_.

The child was:

- Born or adopted before the marriage
- Born or adopted after the marriage

Does the child **have a disability**?

- Yes
- No

Is the child **in school**?

- Yes
- No

-----  
*Only fill out this section if the child is UNDER 18 YEARS OLD:*

This child has lived in Illinois for the last 6 months or more:

- Yes
- No
- I Don't Know

Current address of the child: \_\_\_\_\_

*Street Address, Apt. #, City, State, and Zip Code*

List any other addresses where the child has lived for the last 5 years:

\_\_\_\_\_

*Street Address, Apt. #, City, State, and Zip Code*                      *Street Address, Apt. #, City, State, and Zip Code*

\_\_\_\_\_

*Street Address, Apt. #, City, State, and Zip Code*                      *Street Address, Apt. #, City, State, and Zip Code*

I have more than 3 children and have listed my other children on the attached **Additional Children Information - Petition** form.

## 6. MORE INFORMATION ABOUT YOUR CHILDREN

*This section asks for other information about your children. If you answer "yes" to any of these questions, fill out the Other Information about Children form and attach it to this Petition.*

- A. My spouse or I have a child (by birth or adoption) with someone else since the date of marriage:  
 No  Yes (complete and attach the *Other Information About Your Children* form)
- B. I have been involved in a court case, other than this one, which was about custody or visitation for one or more of the children I have with my spouse:  
 No  Yes (complete and attach the *Other Information About Your Children* form)
- C. I know of another court case that does not involve custody or visitation, which may affect what type of order is entered in this case about the children I have with my spouse. For example, adoption, guardianship, order of protection, or juvenile:  
 No  Yes (complete and attach the *Other Information About Your Children* form)
- D. I know there is another person, who is not me or my spouse, who has physical custody of one or more of the children I have with my spouse or claims to have rights to legal custody, physical custody, or visitation:  
 No  Yes (complete and attach the *Other Information About Your Children* form)
- E. One or more of the children has lived at an address with another adult without either parent in the last 5 years:  
 No  Yes (complete and attach the *Other Information About Your Children* form)

## 7. CURRENT ARRANGEMENT

*Let the judge know if any of these things are happening.*

- A. Is child support currently being paid for children of the marriage?  
 Yes  No
- B. Is maintenance (alimony) currently being paid from one spouse to the other?  
 Yes  No
- C. Is there currently a schedule for when the children are with one of you or the other?  
 Yes  No

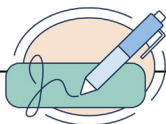


### 8. WHAT ARE YOU ASKING THE JUDGE TO DO?

Make your official request to the judge to end your marriage or civil union. This section contains requests that are **always included** when filing for divorce.

I ask the judge 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 **each party** gets to keep all of their non-marital/non-civil union property.
- D. A **fair division** of the marital/civil union property.
- E. A **fair division of the debts** obtained during the marriage/civil union.
- F. Each party be assigned their non-marital/non-civil union **debt**.
- G. Child support for the care or education of the minor children, if appropriate.
- H. Support for the care or education of the adult children, if appropriate.
- I. That maintenance be awarded, if appropriate.
- J. That I be allowed to return to using my former name if I wish.
- K. For any other relief that is appropriate.



### SIGN

Under [735 ILCS 5/1-109](#), your signature means that:

- 1) everything in this document is true and correct, or I have been informed or I believe it to be true and correct, and
- 2) I understand that making a false statement on this form is perjury and has penalties provided by law.

*If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name. 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.*

Your Signature /s/ \_\_\_\_\_ Print Your Name \_\_\_\_\_

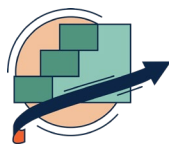
Your Phone Number \_\_\_\_\_ Attorney Number (if any) \_\_\_\_\_

Your Email (if you have one) \_\_\_\_\_

Your Address \_\_\_\_\_  
Street, Apt. # City State Zip Code

I am using an alternative address because disclosing my address would put me or my household at risk.

Be sure to **check your email every day** so you do not miss important information, court dates, or documents from other parties.



### **NEXT STEP FOR PERSON FILLING OUT THIS FORM:**

- File this form with the Circuit Clerk in the county you live in or in the county your spouse lives in. For more information on where to file, go to [ilcourts.info/clerks](http://ilcourts.info/clerks).
- Arrange to notify your spouse that you have filed for divorce. Information on how to do that can be found at [ilcourts.info/how-to-divorce-children](http://ilcourts.info/how-to-divorce-children).
- Confirm that the Sheriff has notified your spouse by serving them with the forms.



Learn more about each step in the process by reading the *How To Get A Divorce with Children Instructions* at [ilcourts.info/how-to-divorce-children](http://ilcourts.info/how-to-divorce-children).

### **NEXT STEP FOR PERSON RECEIVING THIS DOCUMENT**

- You must file an official form with the court called an *Appearance* and a form called an *Answer or Response* no later than 30 days from the date you received this *Petition* and *Summons*.
- If you do not file an *Appearance* and an *Answer or Response* on time, the judge may decide the case without hearing from you. This is called “default.” As a result, you could lose the case.
- *Appearance* and *Answer or Response* forms can be found at [ilcourts.info/forms](http://ilcourts.info/forms).