



*This is for information and instruction. Do not file it.*

# **HOW TO FILE FOR: PARENTAGE (ESTABLISHING A PARENT/CHILD RELATIONSHIP) ALLOCATION OF PARENTAL RESPONSIBILITIES (PARENTING TIME AND DECISION-MAKING) and CHILD SUPPORT**

(You may seek any or all of these at the same time)

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This overview is not legal advice. It provides general instructions on how to use these forms in your court case. It cannot and does not try to cover everything that might happen in your court case. Your use of the forms does not guarantee you will be successful in court.

How a judge handles a case can vary from county to county. **Your county may have special requirements 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.

Laws covering these forms: [750 ILCS 5/600 – 610.5](#), [750 ILCS 5/505](#), and [750 ILCS 36/101 – 403](#) of the Illinois Marriage and Dissolution of Marriage Act. Illinois Parentage Act of 2015, [750 ILCS 46/101- 46/905](#).

# HOW TO FILE FOR: PARENTAGE, ALLOCATION OF PARENTAL RESPONSIBILITIES AND CHILD SUPPORT

# 1

## FILL OUT AND FILE THE PETITION.

To start a case, find the *Petition for Parentage, Allocation of Parental Responsibilities, and Child Support* at [ilcourts.info/forms](http://ilcourts.info/forms). Fill out and file the form with the Circuit Clerk's office in the county where the children live.

### Use this form:

- *Petition for Parentage, Allocation of Parental Responsibilities, and Child Support*

# 2

## NOTIFY THE OTHER PARENT.

After you file the *Petition*, you must notify the other parent that you started a court case. This is done by delivering a *Summons* and a copy of the *Petition* to the other parent. You may hear this called "serving the paperwork." This is usually done by a sheriff's deputy handing a copy of the filed forms to the other parent. If your case includes a request to establish parentage, you also have to provide notice to any presumed parent. To learn what a presumed parent is, see the Definition and Key Terms sections below.

### Use these forms:

- *Summons*
- *Letter to the Sheriff*
- *Notice to Presumed Parent (if needed)*

# 3

## COURT DATES SCHEDULED. PREPARE FOR COURT.

If you do not already have a court date, contact the Circuit Clerk to find out how to get a court date. Once the other parent is served with a *Summons* and *Petition* they may file an *Appearance* or an *Answer or Response* or they may do nothing.

If both parents come to court and agree on all issues, you can prepare a *Parenting Plan* and an *Order for Support*. At the court hearing, both parents present these documents to the judge for the judge's approval.

If there is no agreement or the other party does not come to court, the judge will decide what will happen next.

# 4

## COMPLETE THE CASE.

The Judge will enter a *Parenting Plan, Judgment of Allocation of Parental Responsibilities, and Support Order*. If the other parent was not present, you must send them copies of what the judge signs.

### Use these forms:

- *Parenting Plan*
- *Judgment for Allocation of Parental Responsibilities*
- *Support Order*



# STEP 1

## FILL OUT AND FILE THE PETITION.

# ARE THESE FORMS FOR ME?

You may use these forms to:

- Ask a judge to establish one or more of these things: a parent/child relationship, a parenting time schedule, decision-making authority, and child support.
- Notify the other parent that you have filed a case.
- Notify a presumed parent if that person is different from the person you are filing the case against.

Do not use these forms if:

- Another case about the same issue was already filed and is still pending (not dismissed).
- The other parent is on active duty with any branch of the U.S. military service or they live outside the United States, unless the other parent will sign an *Appearance (Divorce and Parentage)* form.

Where can I get the forms?

You can find the forms at [ilcourts.info/forms](http://ilcourts.info/forms). Your courthouse may have self-help resources that can assist you with information and filling out the forms. You can also contact Illinois Court Help (see page 6 below).

Information you will need to fill out the forms:

- Addresses for you, the other parent, and any presumed parent.
- Place of employment for you and the other parent.
- Whether you or the other parent receive Social Security.
- Names and birth dates of all of the children you are including in this case.
- A copy of any voluntary acknowledgements of parentage (or voluntary acknowledgements of paternity), birth certificates, or court orders for any of the children you are including in this case.
- If there is another court case that involved any children in this case, bring the case number and the county and state where it was filed.

### Forms needed:

***Petition for Parentage, Allocation of Parental Responsibilities, and Child Support:*** can be used to ask the judge to establish a parent/child relationship, a parenting plan, decision-making authority and support. You can use the form for any or all of these things. This form also tells the other parent what you are asking for and why.

IMPORTANT: Documents will be sent to the email address and mailing address you put on the *Petition*. Use an email account 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.

***Parenting Plan:*** says who is responsible for decision-making for the children and includes a schedule for when the children are with you and when they are with the other parent.

***Judgment of Allocation of Parental Responsibilities:*** is used by the judge to grant or deny your request to establish a parent/child relationship, parenting time schedule, and decision-making authority.

***Order for Support:*** is used by the judge to set the amount of support and how often it is to be paid.

***Summons:*** tells the other parent that you have filed a case against them and what they have to do if they want to participate in the case. The type of summons that you need may be different depending on what type of case you are filing and any local court rules that may apply. Ask the Circuit Clerk whether you need to use a summons that sets a court date or one that tells the other parent that they must file a written appearance with the Circuit Clerk within 30 days.

## Forms that you may need:

**Voluntary Acknowledgement of Parentage:** allows the parents to establish a parent/child relationship by agreement. Find the form at [bit.ly/IL-VAP](http://bit.ly/IL-VAP) or see the *Extra Help in Filling Out the Forms* below.

**Order for DNA Testing:** is used by the judge to order DNA testing when testing is necessary to establish a parent/child relationship.

## Forms the other parent may need:

**Appearance:** is used by the other parent to tell the judge that they are participating in the case and includes their contact information.

**Answer or Response:** a form filed by the other parent in which they state their responses to the statements you made in your *Petition*.

## Forms used if there is a presumed parent:

**Notice to Presumed Parent:** is used to notify a presumed parent of a child (see information about presumed parents below) that you have filed a case claiming that someone else is the parent. This notice gives the presumed parent the opportunity to participate in the case if they want to claim they are the parent.

**Presumed Parent Address Affidavit:** is used to provide the Court the name and mailing address of a presumed parent so that the Clerk can mail the *Notice to Presumed Parent* to that person.

**Proof of Delivery for Notice to Presumed Parent:** says how you are sending the *Notice to Presumed Parent* to any presumed parents.

**Declaration of Parentage or Request for Notice:** is used by a person who receives a *Notice to Presumed Parent* and who wants to claim that they have rights as a parent or want to receive notice of court hearings.

# DEFINITIONS AND KEY TERMS

**Petitioner:** the person who starts the case.

**Respondent:** the person who the case is filed against.

NOTE: If you are filing your *Petition* in an existing case, keep the names of the Petitioner and Respondent the same as in the existing case. In other words, if you were the Respondent in the existing case, you will remain the Respondent even though you are filing a *Petition* to start a case.

**Presumed Parent:** is a person that the law assumes is the father of a child because of the facts surrounding the birth of the child. For example:

(1) the person and the mother of the child are married, in a civil union or similar legal relationship and the child is born during that relationship or within 300 days after that relationship was terminated by divorce, death or declaration that the relationship was invalid.

(2) the person and the mother of the child entered into a marriage, civil union or similar legal relationship, which is or could be declared invalid and the child is born during that relationship or within 300 days after that relationship was terminated by divorce, death or declaration that the relationship was invalid.

(3) after the child's birth, the person and the mother of the child enter into a marriage, civil union, or similar legal relationship, even if the marriage, civil union, or similar legal relationship, which is or could be declared invalid, and the person is named, with the person's written consent, as the child's parent on the child's birth certificate.

The statute that defines a presumed parent is [750 ILCS 46/204](#).

**Circuit Clerk:** the clerk’s office is where you will file your forms. The Circuit Clerk will accept your forms, collect fees for filing your case, and help schedule court dates. The Circuit Clerk cannot give you legal advice.

**Sheriff:** the Sheriff in the county where the other parent lives is who you will ask to serve the *Summons* and copy of your *Petition* on the other parent. The Sheriff’s office is normally located in the county seat along with the county courthouse. The Sheriff cannot give you legal advice.

**Judge:** the judge is who you will see and speak to at your court dates. The judge will listen to evidence from you and the other parent and then decide what will be ordered. The judge cannot give you legal advice.

**Default:** for these instructions, “default” means:

- The other parent was served with a summons and a copy of your petition;
- For a summons with a court date included: the other parent did not appear for the court date. For a summons requiring a written appearance: 30 days have passed since the date of service of the summons and your petition; and
- The other parent has not filed an *Appearance* or an *Answer or Response*.

## EXTRA HELP FILLING OUT THE FORMS

IL Court  
Help

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).

If there are any words or terms used in these instructions that you do not understand, please visit Illinois Legal Aid Online at [ilao.info/glossary](http://ilao.info/glossary). You may also find more information, resources, and the location of your local legal self-help center at [ilao.info/lshc-directory](http://ilao.info/lshc-directory).



## COSTS AND FEES

There may be costs and fees to take part in a court case. This might include fees for filing court documents. Some case types have no fee for filing. Depending on the type of court case, there may be other costs and fees charged – for example, sheriff’s fees for serving documents on the other people in the case. If you cannot afford to pay costs and fees, you can ask the court to file for free or at a reduced cost by filing an *Application for Waiver of Court Fees*.

This is a separate form you can find at [ilcourts.info/fee-waiver-forms](http://ilcourts.info/fee-waiver-forms).

# HOW TO FILE THE FORMS



## E-Filing

- After you fill out your court forms, file them with the Circuit Clerk. This is done by electronic filing, called “e-filing.” You do not have to e-file if:
  - You qualify for an exemption (see the Not E-filing section below) or
  - Your case involves a criminal matter or is filed under the Juvenile Court Act of 1987.
- There may be fees to file your forms. See the Costs & Fees section for more information.
- Most people e-file their forms using Odyssey eFileIL at [ilcourts.info/efile](http://ilcourts.info/efile).
- Follow step-by-step instructions and watch videos that walk you through the steps for e-filing at [ilcourts.info/efile-info](http://ilcourts.info/efile-info).
- E-filing is easier on a computer. It may not work on a cell phone or tablet.
- Original wills may not be e-filed.
- If you do not have access to a computer or if you need help e-filing, take your completed forms to a public library or a Circuit Clerk, Appellate Clerk, or Supreme Court Clerk’s office. These places offer public computers where you can e-file your forms.
  - Your courthouse may offer public computers with a scanner where you can turn your paper forms into electronic files.
  - Librarians and courthouse staff may be able to help you e-file, but they cannot provide legal advice.



## Not E-Filing

- Some people are not required to e-file, which means they can file paper forms at the courthouse or by mail. People who do not have to e-file are:
  - Inmates in prison or jail who do not have a lawyer.
  - People with a disability that keeps them from e-filing.
- You may also qualify for an exemption from e-filing if you:
  - Do not have internet or computer access in your home or can’t meaningfully use it.
  - Do not have an email account.
  - Do not have a credit card, debit card, or bank account.
  - Have trouble reading, writing, or speaking English.
  - Tried to e-file your forms, but you were not able to because the equipment or help you needed was not available.
  - Are filing an emergency case as allowed by local rule or order.
- To ask for an exemption from e-filing, use the form at [ilcourts.info/exempt](http://ilcourts.info/exempt). If you cannot print this form, then ask for it at your local courthouse.
  - File your *Certification for Exemption from E-Filing* form along with your other court forms at the Circuit Clerk's office or by mail.
  - Bring or send your signed court forms and at least two copies of your forms to the Circuit Clerk’s office. Ask them to stamp your copies and return them to you.
  - If you need to make copies of your forms, you can do that at the Circuit Clerk’s office. They may charge you a fee to make copies.
- There may be fees to file your forms. See the Costs & Fees section for more information.
- If you mail your court forms to the Circuit Clerk’s office, include a stamped envelope addressed to you. The Circuit Clerk will file your forms and then send your copies back to you in the envelope.



# WHAT'S NEXT



## STEP 2

### NOTIFY THE OTHER PARENT.

- The other parent must be notified that you have filed for parentage so that they can participate in the case if they want to. The judge cannot give you a parentage, parenting plan, or support order unless the other parent gets the type of notice the law requires. Follow the instructions carefully.
- There are 2 options to give notice to the other parent (choose one, you don't have to do both):

#### Option 1: Entry of appearance

- If the other parent signs and files an *Appearance*, you do not need to have them served by the Sheriff.
- There is a separate fee for the other parent to file an *Appearance*. If you have a fee waiver, it does not waive the fees of the other parent. The other parent will have to file their own *Application for Waiver of Court Fees*. In some counties, the charge for filing an appearance by the other parent may be waived by the Clerk if it is filed at the same time you file your petition.



If the other parent has filed an *Appearance* and you and the other parent have an agreement on all issues, you are ready to get a court date (skip to the "Take A Parenting Class" section in Step 3 of the instructions on page 9).

OR

#### Option 2: Serve the other parent with a *Summons* and *Petition*.

- Give the Circuit Clerk your *Summons* and they will date it, sign it, and put their seal on it.
- Staple the *Summons* to the front of a copy of the *Petition*.
- Get the name, address, and telephone number of the Sheriff for the county and the state where the other parent lives.
- Call the Sheriff in that county to find out:
  - If it is the correct Sheriff's department for the address where you want the other parent 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 mail;
  - 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; AND
  - Anything else the Sheriff needs from you to get the *Summons* and *Petition* served on the other parent.
- In person or by mail, have the Sheriff serve your *Summons* and *Petition* on the other parent.
  - 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.
    - ◆ If the address you give the Sheriff for the other parent is in the same county in which you filed the case, you should ask the Sheriff if they are going to file the *Return of Service* directly with the clerk or if they are going to send it to you to file. If the Sheriff is sending it to you, give them a self-addressed and stamped envelope to mail the *Return of Service* to you.
    - ◆ If the Sheriff is in a different county than the one in which you filed your case, give the Sheriff a self-addressed and stamped envelope to mail the *Return of Service* to you.

- 2. By Mail
  - ◆ Mail the correct number of copies 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*.
  - ◆ Include a self-addressed and stamped envelope for the Sheriff to mail the *Return of Service* to you.

### **Confirm the Sheriff served the Petition on the other parent.**

- If the Sheriff serves the other parent 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.
  - Call the Circuit Clerk to find out if the Sheriff filed the *Summons* with the completed *Return of Service* directly with the Circuit Clerk. 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 the other parent, ask them why. You should try to fix the problem and then fill out another *Summons*, called an "alias summons." In some counties you can prepare an alias summons and the Clerk will date, sign, and put their seal on it, in others, you will have to get permission from the judge before the Clerk will do that. Staple the *Summons* the clerk gives back to you to the front of a copy of the *Petition* and ask the Sheriff to try to serve the other parent again.

### **Provide notice to a presumed parent (Parentage cases only)**

- If you are asking the judge to determine parentage and there is a presumed parent in your case you must provide that person with notice. See the definition of a presumed parent in the Key Words and Definitions section above.
- There are 2 options to give notice to a presumed parent (choose one, you don't have to do both):
  - Option 1. Have the Circuit Clerk serve the *Notice to Presumed Parent*.
    - Complete the *Notice to Presumed Parent*
    - Complete and file a *Presumed Parent Affidavit of Address*.
    - Complete a *Proof of Delivery of Notice to Presumed Parent by Circuit Clerk*.
    - Give the Circuit Clerk \$1.50 for the mailing fee along with an original and one copy of the *Notice to Presumed Parent* and the *Proof of Delivery of Notice to Presumed Parent by Circuit Clerk*.
  - Option 2. Have the Sheriff serve the *Notice to Presumed Parent*.
    - Get the name, address, and telephone number of the Sheriff for the county and the state where the presumed parent lives.
    - Call the Sheriff in that county to find out:
      - If it is the correct Sheriff's department for the address where you want the presumed parent served;
      - The address where you should bring, mail, or email your *Notice to Presumed Parent* and the *Proof of Service of Notice to Presumed Parent*;
      - The number of copies of your *Notice to Presumed Parent* and the *Proof of Service of Notice to Presumed Parent* to bring or mail;
      - 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; AND
      - If there is anything else you need to do to get the *Notice to Presumed Parent* served on the presumed parent.
    - In person or by mail, have the Sheriff serve your *Notice to Presumed Parent* .
      - In Person
        - ◆ Bring the correct number of copies of your *Notice to Presumed Parent* 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.

- ◆ Give the Sheriff a self-addressed and stamped envelope for the Sheriff to mail the *Proof of Service of Notice to Presumed Parent* to you.
- By Mail
  - ◆ Mail the correct number of copies of your Notice to Presumed Parent and *Proof of Service of Notice to Presumed Parent* to the Sheriff's office.
  - ◆ Include payment for the fees or your *Order for Waiver of Court Fees*.
  - ◆ Include the *Letter to the Sheriff*.
  - ◆ Include a self-addressed and stamped envelope for the Sheriff to mail the *Proof of Service of Notice to Presumed Parent* to you.



## STEP 3A

### COURT DATES SCHEDULED. PREPARE FOR COURT.



If you are only asking for support, skip 3A and go to 3B on page 10.

#### Wait for the other parent or presumed parent to respond.

If you used a summons that requires the other parent to file a written appearance with the Circuit Clerk:

- After the Sheriff serves your forms on the other parent, the other parent has 30 days to file an *Appearance* or an *Answer or Response* with the Circuit Clerk. The presumed parent also has 30 days to file a *Declaration of Parentage or Request for Notice*.
- If you do not get a copy of the other parent's *Appearance* and *Answer or Response* or a *Declaration of Parentage or Request for Notice* from the presumed parent (if there is one) within the 30 days, call the Circuit Clerk to ask if any of these things have been filed or log into the electronic filing service provider (EFSP) you used to file your document and see if any are there.
- If the other parent files an *Appearance* and *Answer or Response* and the presumed parent (if there is one) either files a *Declaration of Parentage or Request for Notice*, or 30 days have passed since they got notice, you may then get a court date from the Circuit Clerk.
- 30 days after the date of service, you may get a court date from the Circuit Clerk whether or not the other parent filed an *Appearance* and *Answer or Response* or the presumed parent has filed a *Declaration of Parentage or Request for Notice*.

If you used a summons that requires an appearance at a court date:

- You must appear on that court date. If the other parent does not appear for that court date, ask the judge to set another court date at which you can present your case. If the other parent appears, ask the judge to set a deadline for the other parent to file their *Appearance* and *Answer and Response*.

#### Take a Parent Education Class.

- The law requires parents to complete a parent education class for cases requesting an allocation of parental responsibilities.
- Ask the Circuit Clerk for the name and contact information for the court-approved class you must attend.
- 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. You can register for this class as soon as you file your case or wait until the judge orders you to go.



### Ask for a court date.

Important: If you and the other parent have an agreement or the other parent and any presumed parent does not file any response to your petition, you may only need one court date. If there is no agreement or a presumed parent files a *Declaration of Parentage or Request for Notice*, more than one court date may be necessary to complete your case. Before you leave your court date, make sure you know when the next court date is and what you need to do before the next court date.

- Contact the Circuit Clerk and ask if you must schedule a court date or if one will be scheduled for you.
- 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 the other parent or if you need to.
- If you need to send notice, complete a *Notice of Court Date* found at [ilcourts.info/forms](http://ilcourts.info/forms).



Go to Step 4 on Page 11.



## STEP 3B

### IF YOU ARE ONLY ASKING FOR SUPPORT. COURT DATES SCHEDULED. PREPARE FOR COURT.

#### Wait for the other parent to respond.

- Once the Sheriff serves your forms on the other parent:
- If you used a date certain summons: go to the court date. The other parent must appear on the court date included on the summons;
- If you used a 30-day summons, the other parent has 30 days to file an *Appearance* or an *Answer or Response* with the Circuit Clerk.
- If you do not get a copy of the other parent's *Appearance* and *Answer or Response* within the 30 days, call the Circuit Clerk to ask if any of these things have been filed or log into the electronic filing service provider (EFSP) you used to file your document and see if any are there.

#### When you can ask for a Court date.

- Date certain summons: if the other parent does not appear for the court date included on the summons.
- 30 day summons: after the other parent files an *Appearance* and *Answer or Response* or 30 days after the date of service, whether or not the other parent filed an *Appearance* and *Answer or Response*.

### Ask for a court date.

Important: If you and the other parent have an agreement or the other parent and any presumed parent does not file any response to your petition, you may only need one court date. If there is no agreement or a presumed parent files a *Declaration of Parentage or Request for Notice*, more than one court date may be necessary to complete your case. Before you leave your court date, make sure you know when the next court date is and what you need to do before the next court date.

- Date certain summons: ask the judge while you are at the court date included on the date certain summons.
- 30-day summons: 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 notice of the court date will be sent to the other parent by the Clerk or whether you need to do so.
- If you need to send notice, complete a *Notice of Court Date* found at [ilcourts.info/forms](http://ilcourts.info/forms).



## STEP 4A

### AGREEMENT ONLY. COMPLETE THE CASE.



If you and the other parent **do not agree** on all issues, go to step 4B starting on page 12. This includes cases where the other parent has not filed an *Appearance* or an *Answer* in the case and may not appear at the court date.

#### Get ready for your court date.

- Decide and write down all the things you and the other parent have agreed upon.
- Follow the instructions on the forms to complete them. Include all of your agreements in those forms. Only use the forms you need. For example, if you are just asking for child support, just complete the *Support Order*.
- Fill out the *Certification Agreement* if you and the other parent have an agreement on all of the items in the forms you prepare.

#### Go to your court date.

- Bring these items with you to court:
  - Copies of all the documents you filed with the Circuit Clerk; AND
  - Copies of the any of these forms that you are using: *Judgment of Allocation of Parental Responsibilities*, *Parenting Plan*, and *Order for Support*.
- Get to the courthouse at least 30 minutes early.
- Go to the courtroom number listed on your court date notice. If your notice does 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.
  - Instructions for how to appear by phone or video are here: [ilcourts.info/remote-resources](http://ilcourts.info/remote-resources).



#### Make sure you know how 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 [ilcourts.info/clerks](http://ilcourts.info/clerks).

#### Present your case to the judge.

- Give the judge any of these forms that you have prepared: *Judgment of Allocation of Parental Responsibilities*, *Parenting Plan*, and *Order for Support*.
- Tell the judge you and the other parent have an agreement. The judge may put you under oath and ask about the details.
- If the judge approves your agreement, the *Judgment of Allocation of Parental Responsibilities*, *Parenting Plan*, and *Order for Support* will be signed.
- Get a signed copy of the *Judgment of Allocation of Parental Responsibilities*, *Parenting Plan*, and *Order for Support* from the clerk.



Skip to page 13 to read about **What to Do After Court**. Do not read Part B below. It does not apply if you and the other parent have a full agreement.



# PART 4B

## NO AGREEMENT. Complete the Case.

### 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 for the other parent.
  - 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 to complete any of these forms that you are using: *Judgment of Allocation of Parental Responsibilities*, *Parenting Plan*, and *Order for Support*. The judge may want to fill any forms out themselves or make changes to the ones you prepared. The judge may want your documents before your court date.
- If you filed a *Parenting Plan* earlier, but no longer want that to be signed by the judge, complete a new one.
- The *Order for Support* and instructions are found at [ilcourts.info/forms](http://ilcourts.info/forms). The judge may want both you and the other parent to complete a *Financial Affidavit* so that they have information about the income of both parents before calculating support. You can find the *Financial Affidavit* at [ilcourts.info/financial-aff](http://ilcourts.info/financial-aff).

### Go to your court date.

- 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 any of these forms that you are using: *Judgment of Allocation of Parental Responsibilities*, *Parenting Plan*, and *Order for Support*.
- Get to the courthouse at least 30 minutes early.
- Go to the courtroom number listed on your court date notice. If your notice does 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.
  - Instructions for how to appear by phone or video are here: [ilcourts.info/remote-resources](http://ilcourts.info/remote-resources).



#### Make sure you know how 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 [ilcourts.info/clerks](http://ilcourts.info/clerks).

## Present your case to the judge.

### If the other parent does not come to court:

- Give the judge any of these forms that you have prepared: *Judgment of Allocation of Parental Responsibilities, Parenting Plan, and Order for Support*
- Tell the judge what you want in each form you gave to them.
- 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 may put you under oath and ask you questions rather than look at documents and listen to witnesses.
- If the judge decides to grant your requests, they will sign the forms you prepared or write their own orders. The judge may also order you to make changes to the forms you prepared.
  - Get a copy of each order that was signed by the judge.
  - If the other parent 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 them.** Fill out and file a *Proof of Delivery* form with the Circuit Clerk to tell the court how you sent the copy. You can find the *Proof of Delivery* at [ilcourts.info/forms](http://ilcourts.info/forms).

### If the other parent 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 the other parent. 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 the other parent can ask questions of your witnesses when you are done.
- The judge decides whether the documents, photos, or witness testimony can be considered in deciding your case.
- Tell the judge if you have brought any of these forms: *Judgment of Allocation of Parental Responsibilities, Parenting Plan, and Order for Support*.

### What do I do when the other parent presents their case?

- The other parent 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 the other parent 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 the other parent and any of the other parent's witnesses. Write down your questions while they are speaking to the other parent or to the judge so that you remember what to ask them.

### What happens after both sides present their case?

- The judge has to make a decision. The decision is recorded on any of these forms needed: *Judgment of Allocation of Parental Responsibilities, Parenting Plan, and Order for Support*.
- 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 for the judge 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 telling you at another court date.
- If the judge has enough information, the judge may sign any of these forms needed: *Judgment of Allocation of Parental Responsibilities, Parenting Plan, and Order for Support*. Get a copy of each order that was entered by the judge from the clerk.

### What to do after court date.

- Keep copies 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. They may charge for those copies.
- Give the other parent a copy of any of these forms signed by the judge: *Judgment of Allocation of Parental Responsibilities, Parenting Plan, and Order for Support* either by hand or by mail and file a *Proof of Delivery* with the Circuit Clerk. You can find the *Proof of Delivery* at [ilcourts.info/forms](http://ilcourts.info/forms).