

What is the Divorce Process in Illinois?

How to Start the Divorce Process

WOODSTOCK, IL, US, May 6, 2022 /EINPresswire.com/ -- Every year, more than 24,000 couples in Illinois get divorced.

However, getting divorced involves more than just signing a piece of paper and finding somewhere new to live.

So [what is the divorce process in Illinois](#) and how can individuals prepare for it? Read on to find out everything there is to know about getting divorced in Illinois.

What is the Divorce Process in Illinois?

When it comes to getting divorced in Illinois, there are several things that need to be considered. Any divorce case can involve:

A lot of paperwork and submission deadlines

Discussions about the division of assets

Agreements for arrangements such as child custody

Pre-trials

Trials in family court if an agreement cannot be reached before this

With that in mind, let's take a closer look at exactly what each step in the legal divorce process in Illinois involves.

1. Deciding on the Grounds for Divorce

The most common contributing factors to divorce relate to irreconcilable differences. These



include a lack of commitment, conflicting opinions, and arguments. Other grounds for divorce, such as infidelity, tend to be “final straw” acts.

It is up to individuals to identify what to select as grounds for their divorce. Think about this carefully as it may have a bearing on the litigation process further down the line. This will ensure a fair outcome for most circumstances.



For example, let's say that someone files for a divorce on the grounds of adultery. In that case, the ex may have to offer additional financial reparations for emotional damages during the marriage.

People who have suffered domestic abuse during a relationship should mention this in their divorce paperwork. This will have an impact on child custody arrangements. It can also help file for temporary protection from an ex-partner.

However, people should be prepared to support their reason for seeking a divorce. They will need this if a spouse contests the reasons for filing for a divorce. If someone cannot provide evidence to support their reasoning then they may have to file a no-fault divorce instead.

If individuals are not sure which type of divorce to choose, it is a good idea to ask a legal professional. They will be able to review the details of a case and suggest which type of divorce should be filed for.

2. Filing A Petition for the Dissolution of Marriage

To begin the legal divorce process people need to file a petition for the dissolution of marriage. This is a form that lists the details of a marriage and the reasons for seeking a divorce.

For example, people will need to provide:

- Personal information for both spouses
- The date of marriage
- Location of marriage
- The names of any children that spouses have together
- The date of separation

While filling out the petition, it is important to also provide information on the division of assets and child custody arrangements. For example, someone can propose that:

- Each spouse will get to keep their individually owned items
- Maintaining the marital home as your residence
- Dividing the property that you have acquired during the marriage
- Joint or sole custody of any minors

3. Serving a Spouse With the Divorce Paperwork

After a person has filed their petition for dissolution of marriage with the local court they also need to present a copy of it to their spouse. This will need to be done even if they have discussed getting divorced before.

This gives them an opportunity to look through the petition themselves and respond to it (more on this in a moment.)

At the same time as serving a spouse with the petition, they will also receive a summons to appear and answer it. This usually contains a date for responding to the petition. Illinois requires a third party to present a spouse with a copy of the petition and their summons. People cannot just pass this on themselves.

The local courthouse will do this for an additional fee. In that case, the County Sheriff will deliver the paperwork on someone's behalf.

Once a spouse has been served with a petition they will have 30 days to respond to it.

4. Receiving a Response From A Spouse

A spouse needs to provide a response to their petition. This is known as their "Answer to the Petition for Dissolution".

It is their opportunity to contest the reasons for divorce or any of the other of the spouses terms. This can happen even if a spouse seemed to agree with the terms before filing for a divorce.

Once someone has received and read their response they may be able to reach an agreement quickly. This might involve adjusting minor terms. In that case, people will be able to present a petition that they agree upon to the court.

5. The Litigation Process

Litigation is another name for the negotiations that happen when a couple gets divorced. This

might include deciding who gets to keep the marital home, for example, and other financial assets.

The litigation process can be very long as it requires full disclosure of the assets involved.

For example, to demonstrate financial history individuals will need to provide tax returns, paychecks, and bank statements. People may also need to provide a full list of their financial investments.

This is usually the start of the “discovery” process.

Get Support With the Divorce Process in Illinois Today

These are just 5 of the 10 steps involved in the divorce process in Illinois. This process requires a lot of time and practical planning to reach a happy agreement.

Click here to [learn more about What Is the Divorce Process in Illinois](#) and read about the other 5 steps, visit [Prime Law Group](#) today!

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