

AUG 02 2024

STATE OF ILLINOIS)
) SS
NINETEENTH JUDICIAL CIRCUIT)

Circuit Clerk

ADMINISTRATIVE ORDER NO. 24-17

NINETEENTH JUDICIAL CIRCUIT
CIRCUIT COURT OF LAKE COUNTY

PROCEDURES FOR PROVE-UP BY AFFIDAVIT IN FAMILY LAW CASES

WHEREAS the Nineteenth Judicial Circuit continuously searches for ways to increase court efficiency and providing benefits to litigants;

IT IS HEREBY ORDERED that in cases where both parties are represented by counsel and are ready for the Final Judgment to be entered, Family Division Judges will be available to review and consider entering Judgments of Dissolution of Marriage without the presence of counsel, litigants, and transcripts, within the following parameters:

1. Counsel should upload to the eCourt portal the fully executed proposed settlement documents to include the Judgment, Marital Settlement Agreement, Allocation Judgment, and Parenting Plan (if applicable). The Certificate of Dissolution shall be e-filed.
2. The Allocation Judgment/Parenting Plan may be entered as a matter of course for Court review and possible approval if signed by both parties. Please ensure that all mandatory clauses are included within the Plan (e.g. mediation provision) and the parenting class certificates have been e-filed.
3. With respect to the Marital Settlement Agreement, setting of child support and maintenance should reference calculation pursuant to statute (i.e. income and duration, income sharing) and/or specify the basis for deviation and/or waiver or reservation of the same. The disproportionate distribution of marital property (assets and liabilities), if any, should also be explained.
4. Attached to the Judgment parties must sign an Affidavit indicating:
 - a. Agreement that the Court has both personal and subject matter jurisdiction, and
 - b. One or both of the parties have lived in Lake County, Illinois, for 90 days, and
 - c. Stipulation as to grounds and description of grounds and specifically include if the parties have lived separate and apart for a period of not less than 6 months immediately preceding the submission of said judgment, and
 - d. Review of the Agreement by the parties in its entirety, and
 - e. The parties understand of the terms of the Agreement and intent to be bound by them, and
 - f. Number of children born or adopted to the parties, emancipation of those

- children or lack of same, and the parties present condition as to pregnancy, and
- g. The parties' entry into the Agreement freely and voluntarily, and
 - h. The parties' belief that the Agreement is a fair and equitable division of the marital estate and not unconscionable, and
 - i. If the parties are waiving maintenance, their understanding that they cannot ask for maintenance in the future from any court, and
 - j. The parties' desire that the Court approve their Agreement(s), incorporate it/them into the Judgment and enter the Final Judgment of Dissolution, and
 - k. Any request to resume use of former last name (if applicable), and
 - l. The parties waive cross examination of the other party, and
 - m. The parties waive appearance either in person or via Zoom at a prove-up, and
 - n. The parties waive a transcript from a prove-up, and
 - o. Proof of completion of parenting class where applicable by both parties.
- 5. Although entry of said Final Judgment shall be at the Court's discretion, a certification pursuant to 735 ILCS 5/1-109 should be added to the proposed documents.
 - 6. Signatures must be either handwritten or authenticated through DocuSign or similar program.
 - 7. The attorneys shall also submit an agreed order in the eCourt portal striking all futures dates.
 - 8. The Uniform Order of Support and Withholding Order shall be uploaded to the eCourt portal with the proposed settlement.
 - 9. All other similar post-judgment orders such as Q.D.R.O.'s shall be presented separately as Agreed Orders after Judgment is entered.

IT IS FURTHER ORDERED that all prove-up proceedings will remain with the Judge assigned to the case. Cases that have already been set for prove-up in C-402 will remain as previously set, unless the parties agree to submit their case for prove-up by affidavit as outlined above.

IT IS FURTHER ORDERED that this Order will become effective on August 19, 2024.

DATED this 2nd day of August, 2024.

ENTERED:



DANIEL B. SHANES,
Chief Judge