

IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

IN RE THE MATTER OF PROCEDURES IN
THE FAMILY DIVISION FOR ENTRY OF
FINAL JUDGMENTS

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Family Division
Standing Order 24-02

2024CA45

FILED
MAY 15 2024
KATHERINE M. KEEFE
McHENRY CTY. CIR. CLK.

IT IS HEREBY ORDERED by the Judges of the Family Division, the following procedures shall be followed in Courtrooms 359 (Judge Johnson), 360 (Judge Altman), 361 (Judge Zalud), and 358 (Judge Lamb) to enter final judgments.

- ¶ 1. **Purpose.** The purpose of this Standing Order is to provide guidelines to attorneys and litigants in family division cases about prove-ups and entry of final judgments.
- ¶ 2. **Preferred Method of Prove-up.** Unless otherwise allowed by the judge presiding over a case, prove-ups shall be scheduled to occur in CR 358.
- ¶ 3. **Prove-up through submission of documents.** Upon approval of the judge presiding over the case, the parties may enter a Judgment of Dissolution of Marriage through the submission of documents to the court for review and approval. This type of prove-up is only allowed if the following conditions are met:
 - a. Respondent has filed an appearance; and
 - b. Any maintenance or child support is consistent with statutory guidelines and not reserved; and
 - c. The judge presiding over the matter agrees.
- ¶ 4. **Method of Submission.** If allowed by the court, proposed final judgments and agreements shall be emailed to the assigned judge via the following email address: familydivision@22ndcircuit.illinoiscourts.gov. If the agreed order is approved by the judge, it will be entered and filed with the Clerk of the Circuit Court and otherwise made available as soon as reasonably possible.
- ¶ 5. **Content of Proposed Judgments or Agreements.** Parties and their attorneys seeking entry of a Judgment of Dissolution should submit the following documents: the Judgment; Marital Settlement Agreement; Allocation Judgment; Proof of Completion of Parenting

Classes (if required but not previously filed), and a copy of Certificate of Dissolution (half-sheet). Submissions must comply with the following requirements:

- a. Any judgment or agreement shall contain the signature of all counsel of record and the verified or sworn signature of each party. It shall indicate who prepared the document.
- b. The Allocation Judgment shall include a statement that the parties believe the terms of the Allocation Judgment are in the best interests of the child(ren). All mandatory provisions under Section 602.10 must be included (e.g., mediation provision) in the parenting plan.
- c. Any judgment or agreement that sets child support or maintenance must reference the appropriate statutory calculation (i.e. income and duration, income sharing) and/or specify the basis for any deviation and/or waiver or reservation of same. The basis for any disproportionate distribution of marital property should be explained in detail, along with a reference to the relevant statutory factors.

¶ 6. **Supporting Affidavits.** In addition to the other proposed documents, each party shall provide a verified or sworn affidavit setting forth the following:

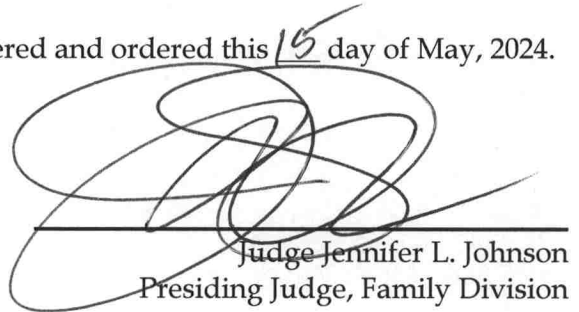
- a. A statement that the party is submitting the following documents to the court for review and execution, followed by a list of each document submitted to the court along with the affidavit;
- b. An agreement that the Court has subject matter jurisdiction over this case, including jurisdiction to make an initial child-custody determination in accordance with the Uniform Child Custody Jurisdiction and Enforcement Act and to establish a child support order under the Uniform Interstate Family Support Act, as applicable.
- c. An agreement that the Court has personal jurisdiction over the parties;
- d. An agreement that there are grounds for divorce due to irreconcilable differences and the factual basis to support a finding of irreconcilable differences;
- e. The number of children born to, or adopted by the parties, how many of those children are now emancipated, if any, and if either of the parties are currently pregnant;
- f. An acknowledgement that the affiant has read and reviewed each of the proposed judgments and agreements in its entirety, along with any exhibits or attachments;
- g. An acknowledgement that the affiant has a full and complete understanding of the terms of the proposed judgments and agreements and a willingness and desire to be legally bound by the terms of each document;
- h. An acknowledgment that the party was not forced or coerced to enter into any of the proposed judgments or agreements;

- i. An acknowledgment that the party entered into the proposed judgment or agreement freely, knowingly and voluntarily;
- j. An acknowledgment that any obligations of maintenance and/or child support set forth in the judgments and agreements have been determined in accordance with statutory guidelines, as applicable; or if there is any deviation from the guidelines that the deviation is appropriate, equitable and just after considering all relevant facts and statutory factors to justify the deviation;
- k. A belief that the proposed judgments and agreements are a fair, reasonable and equitable division of the marital estate;
- l. A belief that the proposed judgments and agreements are not unconscionable.
- m. A willingness and desire that the court approve their agreement(s) and incorporate it into the Judgment of Dissolution of Marriage;
- n. A waiver of the physical appearance at the prove-up of both parties, including the right to cross-examine other parties;
- o. A waiver of the transcript of a prove-up by the parties and an acknowledgment that there will not be an electronic record of the proceeding;
- p. If either side is a self-represented litigant, an acknowledgment that they are not represented by opposing counsel and that they have waived the opportunity to confer with an attorney prior to signing the proposed judgments and agreements;
- q. An understanding that execution and entry of the proposed judgments and agreements shall be at the court's discretion;
- r. An understanding that any previously-scheduled court dates remain in place unless and until the court executes the proposed judgments and agreements.

¶ 7. **Related Orders.** Orders for Support, Income Withholding Orders and other analogous post-judgment orders (such as QDRO and QILDRO) shall be presented separately as Agreed Orders after Judgment is entered.

¶ 8. **Effective date.** The effective date of this order is May 16 2024.

So entered and ordered this 15 day of May, 2024.



Judge Jennifer L. Johnson
Presiding Judge, Family Division



Judge Robert J. Zalud



Judge Jeffrey J. Altman



Judge Cynthia D. Lamb