

## Simple, Uncontested Divorce Requirements

The requirements for a "Simple" divorce are usually no kids, no maintenance (alimony), no real estate and no retirement investments. Few marriages fall into that category. If you have kids, you should have an attorney help with at least the custody and visitation agreements and support orders. *Pro se* litigants (do-it-yourselfers) often overlook the simplest things (who gets the kids' dependency exemptions for their tax return? - will it alternate? - how? Who pays for summer camp? What if the insurance needs to be changed? What about college expenses?). They later realize that the cost of their mistake is several times what a reasonable attorney would have charged to do the job right in the first place. An ounce of prevention.

The requirements for an "Uncontested" divorce are simple - no -read that **NO** -arguing or negotiating. An uncontested case is supposed to be a done-deal from the minute a client walks into an attorney's office. Our experience is that, although many divorce cases *could* be uncontested, one or both parties does something to make it a contested divorce. If you can get your spouse to sign off on a written settlement agreement, the case can go forward. Too many times, though, we've heard the line: "*I want my (records, tapes, photos, CDs, etc.) back.*" The point is that if you have a disagreement over a single item, then you don't have an uncontested divorce. The case probably will gradually get more involved: "*Oh, you want your CDs back -then I want the CD player.*" Then "*if you want the CD Player, then I want the entertainment center,*" and so on and so on.

### You're like most people if...

Most people facing a divorce:

- know that their marriage is over but do not have a final agreement on all of the stuff that has accumulated during the marriage,
- don't have the time or inclination to put together all the information (income information, after-divorce tax analyses, asset valuations, home appraisals, retirement account balances, etc.) or prepare all the papers (pleadings, certificates, agreements, exhibits, QDROs, etc.) to do their own divorce,
- agree on issues involving the kids,
- haven't really talked about a week-to-week and month-to-month parenting schedule (vacations, holidays, birthdays, what to do when both parents work and a child is sick, etc.),
- haven't talked about who will pay child support and how much it will be,
- don't want to spend a ton of money on things that seem so simple and understandable,

If you fall into the above group, you're like most people. Your case is like most of the cases we handle. Most cases are concluded in less than 90 days. Most cases cost less than \$2,000 and uncontested divorce cases usually cost less than \$500! You can try to sort things out on your own, but you'll probably be better off having our lawyers do the heavy lifting. Hiring our law firm is just a good idea. We are professionals. We have decades of experience behind us. We will be looking out for you. You won't have to deal with your soon-to-be former spouse on every (or any) issue if you don't want to. You can be as involved as you want. You may instruct your attorney to settle your case on the terms you agree to. You're in charge, our lawyers are just doing the work for you.

Call our office. You'll save yourself a lot of frustration, anxiety, time and, in the long run, you'll probably save a lot of money.

**Low Cost attorneys:** You've probably seen advertisements for "Low-Cost Divorce: From \$99.00." Here's how those operations work: First, they don't include the filing fees and other court costs -which can easily add up to \$500 or more. You show up and pay \$99.00 and a representative (usually not an attorney, just a data-entry clerk) takes your information. A few days later you'll learn that your papers can be prepared as soon as you pay the paper-preparation fee (figure, another \$99.00). You'll probably want a change or two in the papers - and your spouse may want a change or two. Every time the papers are changed, you'll probably have to pay another fee. Some low-cost attorneys may not permit any changes in your papers: they reason that if you want a change, then your case isn't really "simple and uncontested." After the papers are completed, you'll learn that your case can be started and the papers can be filed with the court once you pay the filing fee and a service charge (figure, \$350 to \$400). If the courthouse is across the street, you'll probably have to pay a street-crossing fee and if the lawyer sneezes you'll probably be charged a nose-blowing fee. Finally, if you want a lawyer to go with you to court, you'll have to prepay a court appearance fee. By the time you're done, you'll probably end up paying between \$1,500 and \$2,000.

Low cost attorneys make their money by charging nickel-and-dime fees for everything and processing huge numbers of "clients." You're hardly a client, though – you're a number. One Chicago-area firm boasts, McDonald's-style: "Over 20,000 clients." Imagine having your divorce case – your kids, your assets, your future – be one of 20,000 files churning in a morass of paper. You'll do better to work with our reputable law firm. We don't cut corners, we do a very good job of looking out for you and we charge a very fair price. We're honest, hardworking, thoughtful, caring people just like you. We have kids, spouses, former spouses, etc. Our lawyers are skilled, knowledgeable, experienced professionals. Give us a call. There's no charge and you've got nothing to lose.

**Do-It-Yourself:** If your case is a little complicated (kids, house, retirement, etc.), but you and your spouse are basically in agreement, try [www.LawyerSchmoyer.com](http://www.LawyerSchmoyer.com). For a one-time, flat fee of only \$185 you get access to our law firm's Do-It-Yourself website and program and a full staff of Illinois divorce lawyers ready to answer all your questions. The site is chock-full of useful, do-it-yourself information. Once you've answered a simple, on-line questionnaire, our lawyers will prepare your papers for you, no charge. Our attorneys will review your documents to make sure everything is in order. Your papers are sent to you for signatures and then you're off to the courthouse. Unlike other on-line do-it-yourself sites, though, you won't be left in the lurch. You'll get a simple but comprehensive book "How to Do Your Own Divorce" and you'll have a full staff of attorneys backing you up. If you ever feel like you need an attorney's help or advice, call our law firm. Our attorneys will answer all of your questions and make sure that you can get your case done on your own. HERE'S HOW TO LEARN MORE: [www.LawyerSchmoyer.com](http://www.LawyerSchmoyer.com).

**Do-It-Yourself Books and Software:** There are two big problems with do-it-yourself divorce books and software: First, they don't take into account local nuances. Virtually all of these products are written for a national audience and they are not always properly tailored for Illinois law, much less the local, county courts. Even books and programs written specifically for Illinois often ignore important local requirements - requirements that change from county to county, and year to year. Second, they rarely -if ever -are backed up by an attorney. What if you have a question? What if the judge says there's a problem with the papers? What if your spouse wants to change the language of the papers and the program or forms won't permit that? Do yourself a favor; if you want to do-it-yourself, work with our law firm where you know the product is tailored to Illinois law and is backed up by a full staff of seasoned, Illinois divorce lawyers all at no extra charge.

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This article was written by the law office of Cowell Taradash, P.C., whose attorneys are familiar with the latest court decisions, recent changes in the law and even the tendencies of many judges. We can help. Contact us at 866.987.6723 or [info@illinoisdivorce.com](mailto:info@illinoisdivorce.com).