



**How to serve someone by the Sheriff in Illinois–Divorce Supplement© This supplement includes a forms guide as well as forms. The forms guide is for use only in filling out the forms. For more information about what these forms mean or are used for, consult the appropriate Self Help packet.**

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**Forms included in this supplement:**

Application to Sue as a Poor Person  
Summons (Divorce) –Circuit Clerk Copy  
Summons (Divorce) –Defendant Copy  
Letter to Sheriff

## FORMS GUIDE

### ALL FORMS

At the top of each form is the “caption.” It is completed as follows:

STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE (number of circuit) JUDICIAL CIRCUIT  
(name of county) COUNTY

(Your name)	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. (get from the Clerk at the time you file)
	)	
(The party you are suing's name)	)	
	)	
Respondent.	)	

Determine the number of the “Circuit” according to the chart on the next page. If your county does not appear in the chart, call the Circuit Clerk in the county in which you will be filing your case and ask for the number of the Circuit.

## **Circuit Courts in Illinois**

Cook County is its own judicial circuit. The rest of the counties in Illinois fall into one of 22 circuits.

First Circuit -	The counties of Alexander, Pulaski, Massac, Pope, Johnson, Union, Jackson, Williamson and Saline.
Second Circuit -	The counties of Hardin, Gallatin, White, Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson, Richland, Lawrence and Crawford.
Third Circuit -	The counties of Madison and Bond.
Fourth Circuit -	The counties of Clinton, Marion, Clay, Fayette, Effingham, Jasper, Montgomery, Shelby and Christian.
Fifth Circuit -	The counties of Vermilion, Edgar, Clark, Cumberland and Coles.
Sixth Circuit -	The counties of Champaign, Douglas, Moultrie, Macon, DeWitt and Piatt.
Seventh Circuit -	The counties of Sangamon, Macoupin, Morgan, Scott, Greene and Jersey.
Eighth Circuit -	The counties of Adams, Schuyler, Mason, Cass, Brown, Pike, Calhoun and Menard.
Ninth Circuit -	The counties of Knox, Warren, Henderson, Hancock, McDonough and Fulton.
Tenth Circuit -	The counties of Peoria, Marshall, Putnam, Stark and Tazewell.
Eleventh Circuit -	The counties of McLean, Livingston, Logan, Ford and Woodford.
Twelfth Circuit -	The county of Will.
Thirteenth Circuit	The counties of Bureau, LaSalle and Grundy.
Fourteenth Circuit -	The counties of Rock Island, Mercer, Whiteside and Henry.
Fifteenth Circuit -	The counties of JoDaviess, Stephenson, Carroll, Ogle and Lee.
Sixteenth Circuit -	The counties of Kane, DeKalb and Kendall.
Seventeenth Circuit -	The counties of Winnebago and Boone.
Eighteenth Circuit -	The county of DuPage.
Nineteenth Circuit -	The counties of Lake
Twentieth Circuit -	The counties of Randolph, Monroe, St. Clair, Washington and Perry.
Twenty-first Circuit -	The counties of Iroquois and Kankakee.
Twenty-Second Circuit-	The county of McHenry

## **Instructions for Individual Forms**

### **FORM: Application to Sue as a Poor Person**

Introduction: Your name.

Paragraph 1: Your address, include street and city.

Paragraph 2: The amount and source of your income, for example, \$339.00 per month in AFDC, supplemented by Food Stamps.

Paragraph 3: List other sources of income not listed in 2.

Paragraph 4: The amount of income you had in the last year.

Paragraph 5: Should be the same as 2, unless you expect your income to go up or down, in which case you should list what you expect your income to be.

Paragraph 6: List the names and birthdates of your children and/or others you support financially.

Paragraph 7: First blank: total value of your possessions; Second blank: year and make of your car; if you do not have a car, simply put "none." Third blank: value of your car.

**\*Before you sign your name on the blank line where it says "Plaintiff" you will need to locate a notary public to watch you sign the form. A Notary Public can probably be found at the Circuit Clerk's Office or at your local bank. Make sure you bring identification with you so that the notary can verify that you are the person you claim to be in the document.**

### **FORM: Divorce and 30 Day Summons: Circuit Clerk *and* Respondent's copy**

In each Respondent blank: Put the full name and address of the person you are trying to serve. Include the street address, city, county, state, and zip code.

Clerk of the Court blank: Put the name of the city of the courthouse where you filed your lawsuit on both blank lines.

To the Officer blank: Put any special instructions you want the sheriff to know, especially if the address is a rural route or if the person you are trying to serve is only at the residence at certain times. For example "house is the 3<sup>rd</sup> green house on the left," or "Respondent is only home from 4:00 to 5:00 pm." If you have no special instructions, then leave this blank. **LEAVE ALL OTHER LINES BLANK, THE CLERK WILL FILL THESE OUT.**

Prepared by blanks: Put your name, address, and telephone where you can be reached here. This is important in the event the sheriff or Clerk needs to contact you with a question.

**FORM: Letter to Sheriff**

First blank: Name of county where the party you are suing lives.

Second blank: Street address of the Sheriff. (List street, city, and state.)

Fourth blank: Your case name. (For example, In Re the Marriage of Jones)

Fifth blank: Your case number (For example, 96-D-97)

Sixth blank: Name of the county in which your case is filed.

Seventh blank: Indicate you are using a Summons.

Eighth blank: The document (i.e. the Petition) that you are serving on the person.

Ninth blank: Name of the party you are suing.

Tenth blank: Address at which you want the party you are suing served with your Petition.

Call the Sheriff's office in the county where the party you are suing resides and ask whether they will accept your Illinois order waiving the costs of service. If the Sheriff will accept your waiver, check box 1 and list the name of the county in which your case was filed. If the Sheriff will not accept the waiver or if you did not get a waiver then check box 2 and list the cost of serving the party you are suing. (Ask the Sheriff's office for this amount.)

Sign your name and print your name, address, and telephone number where you can be reached. Don't forget to include a self-addressed, stamped envelope.



\_\_\_\_\_.

7. I own no real estate. The total value of all my personal property does not exceed \$\_\_\_\_\_ in value and consists of clothing and furniture, and other household items, including a 20\_\_\_\_, \_\_\_\_\_ motor vehicle, valued at \$\_\_\_\_\_.

8. I filed no applications for leave to sue or defend as a poor person during the preceding year, and none were filed on my behalf.

9. I am unable to pay the costs of commencing and prosecuting this action.

10. I have a meritorious claim.

WHEREFORE, Applicant prays the Court to permit her/him to commence and prosecute this action as a poor person under 735 ILCS 5/5-105 of the Code of Civil Procedure.

\_\_\_\_\_  
Petitioner

STATE OF \_\_\_\_\_ )  
 )  
County of \_\_\_\_\_ )

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that \_\_\_\_\_, personally known to me to be the same person whose name is subscribed to the foregoing waiver of summons, appeared before me this day in person, and acknowledged that he signed said appearance as his free and voluntary act, for the purpose therein set forth.

Given under my hand and Notarial Seal, \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL DISTRICT  
COUNTY OF \_\_\_\_\_

IN RE THE MARRIAGE OF: )  
 )  
 )  
\_\_\_\_\_) )  
    Petitioner, ) Case Number \_\_\_\_\_  
 )  
    and )  
 )  
\_\_\_\_\_) )  
    Respondent. )

**SUMMONS-DIVORCE**

**To the Respondent**

You are summoned and required to file an answer to the Petition for Dissolution of Marriage in this case, a copy of which is hereto attached, or otherwise file your appearance in the office of the Clerk of this Court, \_\_\_\_\_, Illinois, within 30 days after service of this summons, not counting the day of service. **IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT. YOU ARE FURTHER NOTIFIED THAT A DISSOLUTION ACTION STAY IS IN FULL FORCE AND EFFECT UPON SERVICE OF THIS SUMMONS. THE CONDITIONS OF THE STAY ARE SET FORTH ON THE REVERSE SIDE OF THIS SUMMONS, AND ARE APPLICABLE TO THE PARTIES AS SET FORTH IN THE STATUTE.**

**To the Officer:**

This summons must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than **30 days** after its date.

WITNESS, Circuit Clerk of the \_\_\_\_\_ Judicial Circuit, and the seal thereof, in the City of \_\_\_\_\_, in \_\_\_\_\_ County, Illinois.

(Seal of the Clerk here) Date: \_\_\_\_\_, 20\_\_.

Signed: \_\_\_\_\_, Clerk of the \_\_\_\_\_ Judicial Circuit.

Prepared by: \_\_\_\_\_ (pro se)

**SUMMONS-ORIGINAL**

**CIRCUIT CLERK'S COPY  
RETURN OF SERVICE  
To be completed by Sheriff**

The undersigned certifies that he/she served this Summons on the Defendant as follows:  
(Check appropriate blank, and complete service information below)

\_\_\_\_\_ a) (Individual Respondent - personal):  
By leaving copy of the complaint with each individual personally.

\_\_\_\_\_ b) (Individual Respondent - abode):  
  
By leaving a copy and a copy of the complaint at the usual place of abode of each individual defendant with a person of his family, of the age of 13 years or upwards, informing that person of the contents and also by sending a copy of the summons in a sealed envelope with postage fully prepaid, addressed to each individual defendant at his usual place of abode.

\_\_\_\_\_ c) (Other service – explain below)

**SERVICE INFORMATION:**

Name of Respondent: \_\_\_\_\_

Summons given to:  
Name: \_\_\_\_\_ Sex \_\_\_\_\_ Race \_\_\_\_\_ Approximate Age \_\_\_\_\_

**Place of Service**  
Street Address: \_\_\_\_\_ City of \_\_\_\_\_  
State of \_\_\_\_\_

**Date of Service**  
\_\_\_\_\_, 20 \_\_\_\_ Time \_\_\_\_\_

Date of mailing (if abode service was used) \_\_\_\_\_

Signed:  
  
\_\_\_\_\_, Sheriff of \_\_\_\_\_ County, State of \_\_\_\_\_

STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL DISTRICT  
COUNTY OF \_\_\_\_\_

IN RE THE MARRIAGE OF: )  
 )  
 )  
\_\_\_\_\_) )  
Petitioner, ) Case Number \_\_\_\_\_ )  
 )  
and )  
 )  
\_\_\_\_\_) )  
Respondent )

SUMMONS-DIVORCE

**To the Respondent**

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WITNESS, Circuit Clerk of the \_\_\_\_\_ Judicial Circuit, and the seal thereof, in the City of \_\_\_\_\_, in \_\_\_\_\_ County, Illinois.

(Seal of the Clerk here) Date: \_\_\_\_\_, 20\_\_\_\_.

Signed: \_\_\_\_\_, Clerk of the \_\_\_\_\_ Judicial Circuit.

Prepared by: \_\_\_\_\_(pro se)

Date of Service: \_\_\_\_\_, 20\_\_\_\_  
(to be inserted by the officer)

Summons–Respondent’s Copy  
**CONDITIONS OF DISSOLUTION ACTION STAY**

750 Illinois Compiled Statutes, Section 5/501.1

- (a) Upon service of a summons and petitioner or praecipe filed under the Illinois Marriage and Dissolution of Marriage Act or upon the filing of the respondent’s appearance in the proceeding, whichever first occurs, a dissolution action stay shall be in effect against both parties and their agents and employees, without bond or further notice, until a final judgment is entered, the proceeding is dismissed, or until further order of the court.
- (1) restraining both parties from physically abusing, harassing, intimidating, striking, or interfering with the personal liberty of the other party or the minor children of either party; and
  - (2) restraining both parties from removing any minor child or either party from the State of Illinois or from concealing any such child from the other party, without the consent of the other party or an order of the court.
- (b) In a proceeding filed under this Act, the summons shall provide notice of the entry of the automatic dissolution action stay in a form as required by applicable rules.

LETTER TO SHERIFF

DATE: \_\_\_\_\_

Sheriff of \_\_\_\_\_ County

\_\_\_\_\_

Dear Sheriff:

Re: \_\_\_\_\_, Case number: \_\_\_\_\_  
( \_\_\_\_\_ County, Illinois)

Enclosed you will find a Petition for a Dissolution of Marriage and a summons to be served on the Respondent \_\_\_\_\_, who lives at

\_\_\_\_\_.

Once you have served the enclosed documents, I would appreciate it if you would complete the Return of Service and return it to me in the enclosed self-addressed stamped envelope.

() I have also enclosed an order entered by the Court here in \_\_\_\_\_ County, Illinois, which waives the cost of service because I am a poor person.

() I have also enclosed the cost of service \$ \_\_\_\_\_.

Thank you for your attention to this matter.

Sincerely, \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_