

What Areas of Practice are Included in Family Law?

Family law encompasses many specific areas of practice which include, adoption, allocation of parental responsibilities (child custody), appeals, child support, dissolution of marriage (divorce), domestic violence, judgment enforcement, orders of protection, paternity, post-decree (post-judgment) matters, pre-marital or post-marital agreements.

Do I Need an Attorney for My Family Law Matter?

We provide a free consultation with our experienced attorneys to determine whether your needs are best served with legal representation. If your case is already pending and the other party has an attorney representing him/her, you are likely at a disadvantage if you do not retain legal counsel. If you think you may not be able to afford a lawyer, but the other party can, the Illinois Marriage and Dissolution of Marriage statute (750 ILCS 5/101 et seq.) may allow your attorney legal grounds to request contribution towards your attorney's fees, either in part or in whole, from the other party, whether the other party is your spouse, partner or the parent of your child(ren). Our attorneys can help walk you through your options so that you are afforded adequate legal counsel to represent your interests. Also, depending on the complexity of the issues in your case, having an understanding of what your rights are and what you may be entitled to under the current law, can be difficult if you do not have legal representation. Our attorneys can also provide you with a financial snapshot of your case given the incomes and debts of both parties. This can be a helpful tool to understanding what you and your spouse, partner or parent of your child(ren) are entitled to in your case. Contact our firm today to schedule a consultation so that you can make an informed decision regarding legal representation given the issues and circumstances of your case.

What if I and My Spouse, Partner, or Parent of My Child(ren) Only Want to Hire One Attorney?

It violates Illinois Supreme Court Rules for one attorney to represent more than one party in a family law matter. However, if you are looking at saving on legal fees and the major issues between the parties are not contested, then one attorney can represent one party to draft the necessary paperwork and legal documents for the other party to review and approve in order to get the matter to judgment. If any issues become overly complex or contested while the case is pending, the party without legal representation can always consult and hire his/her own counsel at any time. Remember, in family law matters, the more the parties agree and attempt to resolve issues between the two of them without the need for lawyers and court intervention, the more you can save financially.

Does My Child(ren) Need Legal Representation?

Bottom line, every case is different. However, if you have children, their best interests should always be at the forefront. If the circumstances indicate that the children's best interests are not being served and depending on factors such as the age of the children, the needs of the children,

the living arrangements for the children, and the medical, educational and emotional circumstances of the children, a child representative or guardian ad litem can be appointed by the Court to represent the children and their best interests. The allocation of the costs of the child representative or guardian ad litem depend on the financial circumstances of the parties and are determined by the Court. But cost should not be the deciding factor if you are concerned the best interests of your child(ren) are not being served in your case. Our vastly skilled and experienced attorneys know when a child representative or guardian ad litem should and should not be involved in a particular case.

How are Financial Circumstances of the Parties Determined?

In any pre or post decree case where there are financial issues that arise, the parties fill out and exchange financial affidavits and supporting financial documents. This gives your attorney, the other party (and his/her attorney) and the Court a financial overview of the income, living expenses, debt, assets and insurance information for both parties. During our consultations, we provide you with this blank *Financial Affidavit* to fill out so that you can have ample time to collect and provide the information that the Court will require of both parties. Should you contact us for a consultation, you can print, fill it out and bring this form with you to aid in providing a more thorough explanation of the issues involved in your case.

Do I Need to Gather Any Other Information in My Case?

If you are getting divorced or going through a child support proceeding, you are entitled to get full and complete discovery from your spouse, partner or parent of your child if you so choose. Likewise, the reverse is also true. So, you may be required to answer a series of questions relevant to the case, commonly known as matrimonial interrogatories. You may also be asked to produce documents relevant to your financial circumstances, to an allocation of parental responsibilities (child custody issues), or to parenting time issues. These are commonly known as requests to produce. Our attorneys help to narrow down the issues that may be contested in your case and make the process of answering and producing formal discovery easier on you. We help obtain documents you may not have access to any longer through subpoenas and thoroughly review the documents you have to ensure they relate to the specific request. Divorce or support cases should not be overwhelming. Representation by skilled legal counsel, helps the process be less emotionally taxing on you.