

## **ENTRY OF APPEARANCE WAIVER AND CONSENT FORM AND INSTRUCTIONS**

### **Purpose**

The entry of appearance is a substitute for service on your spouse of a summons and a copy of the petition for dissolution of marriage. If your spouse will sign the entry of appearance, he/she is agreeing that the case can go ahead as if he/she had already gotten a summons and had not filed any response with the court. This is a substitute so, if your spouse signs the entry of appearance, you do not have to serve him/her with a summons.

### **What You Have to Do**

If your spouse is willing to sign the entry of appearance, you must complete the entry of appearance and have your spouse sign it in front of a notary public and have it notarized. It can then be filed with the circuit clerk. Since this document is your spouse's entry and not yours, neither your fee waiver nor your payment of your own filing fees covers the cost of filing this document. Therefore, the filing fee for the filing of your spouse's entry of appearance must be paid or your spouse must get a fee waiver from the judge.

### **How to Complete the Sheet**

You have two choices. You can fill in the form on your computer and then print the form. Or, you can print the form from your computer and fill in the form with a pen or typewriter.

To use your computer to fill in the form, move your mouse over the lines you need to fill in and start typing your information. If you want to erase all of the information you have typed in the form, click on the "form reset" button on the last page of the form.

Please note that you cannot type in the spaces where your signature is required. Additionally, you will need to have this form signed and stamped by a notary public. Do not write or type in the spaces that the notary should complete.

Each numbered instruction corresponds to the same number on the Entry of Appearance.

- (1) Insert the number of the circuit in which your courthouse is located. If you do not know this, you can ask the Circuit Clerk at the Courthouse.
- (2) Insert the name of the county in which you are filing your case.
- (3) Insert your name.
- (4) Insert the name of your spouse.
- (5) Insert the case number assigned by the Circuit Clerk (you got this from the clerk when you filed your case).
- (6) Insert the name of your spouse.
- (7) Insert the date this form is signed by your spouse.

- (8) Have your spouse sign the form on this line (this must be done in the presence of the Notary Public).
- (9) Insert the name of your spouse.
- (10) Insert the name of the State in which your spouse will be signing the entry.
- (11) Insert the name of County in which your spouse will be signing the entry.
- (12) Have the Notary Public put his/her name here.
- (13) Insert the name of your spouse.
- (14) Have the Notary Public insert the date on which the document is notarized.
- (15) Have the Notary Public sign the entry here.

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE (1) \_\_\_\_\_ JUDICIAL CIRCUIT  
(2) \_\_\_\_\_ COUNTY

IN RE THE MARRIAGE OF:	)	
	)	
(3) _____,	)	
	)	
Plaintiff,	)	
	)	
and	)	No. (5) _____
	)	
(4) _____,	)	
	)	
Defendant.	)	

**ENTRY OF APPEARANCE**  
**WAIVER AND CONSENT**

I, (6) \_\_\_\_\_, hereby enter my appearance in the above-entitled cause as Defendant therein, and expressly waive my right to be served with a summons and copy of the petition for dissolution of marriage and consent that the case may go forward with the same force and effect as though I had been served with a summons and a copy of the dissolution of marriage and 30 days had passed without a response or appearance by me.

I further state that I understand that I have the right to seek my own attorney or represent myself in this case, but have voluntarily chosen not to do so.

I further certify that I am aware that property owned by myself and Plaintiff may be classified as marital or non-marital property, and I am aware that marital misconduct does not enter into a judicial division of that property. I waive any right that I have to all of said property other than that which will be awarded to me in accordance with the terms of any Judgment of Dissolution of Marriage entered in this case.

I further consent that immediate default may be taken and entered therein against me upon the filing of this appearance or at any time thereafter, and that an immediate hearing in this case may be had without further notice to me.

Date: (7) \_\_\_\_\_

Signature: (8) \_\_\_\_\_

Print Name (9) \_\_\_\_\_

STATE OF (10) \_\_\_\_\_ )

)

COUNTY OF (11) \_\_\_\_\_ )

I, (12) \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that (13) \_\_\_\_\_, 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 on (14) \_\_\_\_\_.

(15) \_\_\_\_\_

NOTARY PUBLIC