

## Resources for Self-Represented Litigants



### Emergency Motions:

#### ***Q: What is considered an “emergency”?***

**A:** As outlined in local court rule 15.10, <https://www.dupageco.org/Courts/LocalCourtRules/2649/>, an emergency is determined to be an extraordinary measure and shall be heard at the discretion of the court.

#### ***Q: How can I file an emergency motion?***

**A:** Under Local Court Rule 6.08, <https://www.dupageco.org/Courts/LocalCourtRules/2625/>, you will need to e-file an affidavit along with your emergency motion.

#### **Q: What is an Affidavit?**

**A:** An affidavit is a sworn statement made by the moving party explaining why the situation is an emergency. Illinois Legal Aid offers a free affidavit to download available here: <https://www.illinoislegalaid.org/legal-information/affidavit-blank>

#### **Q: How do I write an emergency motion?**

**A:** A blank motion is available using either Illinois Legal Aid’s motion document

preparation program <https://www.illinoislegalaid.org/legal-information/motion> OR using the downloadable forms through the Illinois Supreme Court website [https://courts.illinois.gov/Forms/approved/procedures/Motion Approved.pdf](https://courts.illinois.gov/Forms/approved/procedures/Motion%20Approved.pdf).

Your motion will typically include why you require an emergency hearing and what you would like the Judge to do.

Make sure to write “Emergency Motion” at the top of the form. You can do this by completing the forms, downloading them, printing them, and then writing "Emergency" in front of Motion at the top.

Remember to re-scan them and upload them again as a PDF to your computer.

If you have any problems with scanning, you can always print these forms off and have them manually filed in the Circuit Clerk's Office at the courthouse. It is a good idea to call ahead before arriving at the courthouse to make sure someone will be able to help you e-file. Their phone number is 630-407-8700.

#### **Q: What about a copy of existing court order?**

**A:** If you have a copy of the existing court order, save that as a PDF as well.

#### **Q: How do I E-file the affidavit, emergency motion and existing court order?**

**A:** Login and e-file these three (3) documents through e-filing website: <https://il.i2file.net/#/>.

**Q: How do I schedule a court date?**

**A:** You will be able to schedule a court date when you e-file.

If you have any questions with the e-filing process, please contact the Circuit Clerk's Office at 630-407-8700.

After scheduling a court date, complete a "Notice of Motion".

**Q: What do I do after I schedule a court date?**

**A: You must create a Notice of Motion:**

If you used Illinois Legal Aid's document preparation program to create your Motion, the "Notice of Motion" is automatically produced for you. Otherwise, complete the Notice of Motion as a [downloadable form](#).

Fill in the Notice of Motion with the scheduled court date information.

If the other party has an email address saved with i2File, just complete the Notice of Motion and e-file it.

**Q:** What if the other party does not have an email address on file with i2file.net?

**A:** You can certify mail a copy of the e-filed Affidavit, Emergency Motion, existing court order, and Notice of Motion and then e-file the Notice Motion after sending everything.

**Q: What should I bring with me to court on my court date?**

**A.** Make sure to arrive at the courthouse at least 10 minutes early on your court date and bring copies of your forms with you.

**Divorce**

**Q: How do I file for a divorce? (we don't have any children)**

**A:** A complete guide regarding filing for a divorce in DuPage County without children is available on the DuPage County Law Library website. Use this information only if no children at all were born or adopted into the marriage or civil union. The link is available here:

<https://www.dupageco.org/LawLibrary/3398>

**Q: How do I file for a divorce if we have children and agree to all aspects of the divorce?**

**A:** A complete guide regarding filing for a divorce in DuPage County with children is also available on the DuPage County Law Library website. Use this information only if children (of any age) were born or adopted into the marriage or civil union AND you and your spouse agree to the divorce. The link is available here:

<https://www.dupageco.org/LawLibrary/44897/>

**Q: How do I file for a divorce if we have children but do not agree to the divorce?**

**A:** A complete guide regarding filing for a divorce in DuPage County with children if parents do not agree is available on the DuPage County Law Library website. Use this information only if children (of any age) were born or adopted into the marriage or civil union AND you and your spouse do not agree to the divorce. The link is available here:

<https://www.dupageco.org/LawLibrary/41300/>