

What is "No-Fault" Divorce?

[\(provided by J. Richard Kulerski, P.C.\)](#)

You still need grounds for divorce in Illinois. While still keeping its other eleven grounds for divorce, Illinois has adopted a modified "No-Fault" law which has become our twelfth ground for divorce.

With the other ground, you must come to Court and lay the blame on your spouse. With our "No-Fault" ground, you don't blame anyone for the breakup of the marriage. you need only tell the Court that irreconcilable differences have caused the irretrievable breakdown of the marriage and that you believe that efforts at reconciliation have failed or that future attempts at reconciliation would be impracticable and not in the best interests of the family.

Divorce is about feelings.

Mediation is about feelings.

Court is not about feelings.

We call this a modified "No-Fault" law because it can be used only after a period of separation. A six month separation is required if both parties agree to use this ground. Otherwise, a two year separation is needed before "No-Fault" can be employed.

"Separation", as it applies to this ground, has been extended to also include living under the same roof but not as Husband and Wife (i.e. no physical contact, freedom to come and go without explanation, separate laundry, checking accounts, etc.).

Information provided by:

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