

Petition for Rule to Show Cause Instructions

1) Prepare your forms

- Attach a copy of the child support order or divorce judgment to your Petition. Mark this as Exhibit A.
- Attach copies of any documents that will show the judge that the other person violated the court order. For example, a history of child support payments. If your child support payments are sent to you through the Illinois State Disbursement Unit (ILSDU), visit <https://www.ilsdu.com/> to view and download a copy of your payment records.
- If you attached additional documents, mark them as Exhibit B, Exhibit C, etc.
- Sign the Petition on pages 2 and 3.

2) File your forms

- If possible, wait at least 30 days from date of court order or judgment before filing your Petition. This will make it easier to enforce the court order.
- File the completed forms with the clerk. The method you are required to use depends on the county where you are filing.
 - E-filing: Most counties require you to file your forms and documents electronically. See <https://www.illinoislegalaid.org/legal-information/e-filing-basics> for more information.
 - Paper filing: If your county allows paper filing, or you have an E-filing Exemption, take your completed forms to the circuit court clerk's office in the courthouse. See http://www.illinoiscourts.gov/CircuitCourt/CircuitCourtJudges/CCC_District.asp for courthouse locations. The clerk will stamp your forms. This stamp is important because it's proof that you filed the form with the court. They will give you a copy for your records.
- There may be a fee for e-filing, and there is a fee to file most forms with the court and additional court costs. The amount depends on the type of case you have and the county where you are filing. The e-filing system will calculate the fees depending on the type of case you have. If you do not pay the fees or include a fee waiver your e-filed document may be rejected. These fees may also include a credit card or eCheck processing fee.
- If you do not have money to pay court fees, use the Fee waiver program at <https://www.illinoislegalaid.org/legal-information/fee-waiver>.

3) Schedule your hearing

- You will need to schedule a hearing with the clerk. How you will find out about the hearing date and time depends on how you filed your case.
 - E-filing: The website you used to electronically file may let you pick your court date (or hearing date) and time. If it does not, contact the clerk.
 - Paper filing: If you filed in person at the courthouse, the clerk will let you pick or they may pick for you.
- Once you have the court date information, add the hearing date and time, courtroom number, and courthouse address to your Notice of Court Date for Motion.
- Sign the Notice of Court Date for Motion.

4) Deliver a copy of your forms

- In the Proof of Delivery, describe how and when you are delivering your forms to the other person in our case. If the other person has a lawyer, you must deliver the forms to the lawyer.
- You must deliver your forms by 5:00 PM on the date you choose. If you are e-filing, you might not receive your file-stamped copies from the clerk until the next day.
- Sign the Proof of Delivery.
- Using Certified Mail with a Return Receipt Request (green card) will help show the court that the other person received your Petition and knew about the hearing.
- Deliver these forms:
 - A file-stamped copy of your Petition with the attached order or judgment (marked as Exhibit A);
 - Any other attached documents showing that the other person did not obey the court order (marked as Exhibit B, Exhibit C, etc.);
 - Notice of Court Date for Hearing; and
 - Proof of delivery.
- File the Notice of Hearing for Court Date and Proof of Delivery if you have not done so already. See step 2 above for instructions on filing.

5) Go to court for the petition hearing

- Bring a copy of the documents you delivered to the hearing. Also bring the blank Order on Rule to Show Cause.
- At this hearing, the judge might make a finding that other person is in contempt of court for not obeying the order or judgment. The judge can make this decision based on your Petition, your supporting documents, and what you say in court.
- What happens depends on who is at the Petition hearing.
- If the other person is present, they can either obey the order in court or make plans to. The judge will schedule another court date to see if they followed through with their plan. The judge might also schedule another court date if the person asks for time to get a lawyer.
- If the other person does not show up in court, the judge might order you to deliver the Petition to the other person another way. For example, you may have to ask the Sheriff to deliver (serve) the forms.
- If the judge thinks the other person knew about the court date but did not show up, the judge may issue a warrant, also called a body attachment, to bring the other person to court.
- Follow the judge's instructions on the next steps.

6) Return to court for the rule hearing or compliance

- If the other person has obeyed the court order, the contempt finding is purged (removed).
- If the other person has not obeyed the court order, the judge may send the other person to jail until they are willing to obey.
- If the other person is unable to obey, the judge may order the other person to do something else. For example, if the other parent cannot pay child support because they do not have a job, the judge may order them to look for work and keep track in a job diary.
- The judge may schedule another court date if necessary.