IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY, ILLINOIS

IN RE THE MARRIAGE OF:	)	
_____,	)	
Petitioner,	)	No.
and	)	
_____,	)	
Respondent.	)	

PETITION FOR DECLARATION OF INVALIDITY OF MARRIAGE

I, _____ *(your name)*, ask the court to declare my marriage to the Respondent, _____ *(spouse's name)* invalid. The following is true:

1. We both live in _____ *(county)*, Illinois.
2. We were married in _____ *(city)* , _____ *(county)*, Illinois, on _____ *(date of marriage)*. The marriage was registered with the Clerk of _____ *(county)* in _____ *(city)*, _____ *(county)*, Illinois, and we lived together until about _____ *(date of separation)*.
3. Before getting married, my name was _____ *(your full former name)*.

   I ask the court to declare my marriage to the Respondent invalid as of the date of the marriage and that I be allowed to use my former name. I also ask for such other and further, or different, relief as the court sees fit.
4. I am requesting the court to declare my marriage invalid due to *(check one and fill out the corresponding section)*:

   ☐ Inability to Consummate

   ☐ Fraud

   ☐ I was underage

   ☐ Respondent is already married

   ☐ Could not consent

a. Inability to Consummate

I immediately discovered after marriage that Respondent was unable to consummate the marriage by sexual intercourse. Respondent continued to be unable to consummate the marriage until we separated on or about _____ *(date of separation)*. At the time we were married, I did not know of the Respondent's inability.

I understand and believe the Respondent is still unable to consummate the marriage by sexual intercourse and will continue to be so.

b. Fraud

Respondent fraudulently induced me to agree to marriage. When I agreed to marry the Respondent, on or about _____ *(date of consent)*, in _____ *(city)*, _____ *(county)*, _____ *(state)*, and at other times and places, Respondent falsely told me the following *(describe false representations below)*:

Respondent's misrepresentation was an essential part of my consent to the marriage. Respondent either made the statement knowing that it was false or with reckless disregard that it was untrue, intending to induce me to agree to the marriage.

I believed the falsehood to be true and was persuaded to agree to marry the Respondent, after which I discovered the representation to be untrue.

No child has been born or adopted as a result of the marriage. Neither I nor the Respondent is now pregnant.

I and the Respondent separated on or about _____ *(date of separation)*, when I found out the representation was false, and have not lived together since.

c. **I was underage**

I, _____ *(your name)* , by my_____ *(write "mother", "father", or "guardian)* and next friend _____ *(mother, father, or guardian's name)*, claim the following:

At the time of marriage, I had not reached 18 years old, but was only _____ *(age when you got married)* years of age, having been born on _____ *(your birth date)*. My parent(s) or guardian did not consent to this marriage, nor was the marriage approved by a judge.

Check the one that applies:

☐ I have not lived with the Respondent since getting married, and no child has been born as a result of the marriage.

☐ After getting married, I lived with the Respondent until _____ *(date of separation)* , and:

- ☐ I am pregnant as a result of the marriage, or
- ☐ The Respondent is pregnant as a result of the marriage.

d. **Respondent is already married**

When we were married, the Respondent had a spouse who was then and still living, whose name is _____ *(name of legal spouse)*. The Respondent and _____ *(name of legal spouse)* were lawfully married in _____ *(city)*, _____ *(county)*, _____ *(state)*, on _____ *(date of marriage)*.

Respondent and _____ 's *(name of legal spouse)* marriage is still valid and has never been dissolved. Therefore, my marriage to the Respondent is illegal according to the Illinois Marriage and Dissolution of Marriage Act.

No child has been born or adopted as a result of my and Respondent's marriage. Neither of us is pregnant.

I believed in good faith that I was legally married to the Respondent. When I found out on _____ *(date)* that the Respondent was already married, we separated and have not lived together since.

e. Could not consent

I, _____(your name), claim I lacked capacity to consent at the time of the marriage because of:

- ☐ Mental disability
- ☐ Under the influence of drugs or alcohol
- ☐ Force or duress

I have not lived with the Respondent since _____. No child has been born or adopted as a result of the marriage. Neither I nor the Respondent is now pregnant.

CERTIFICATION

Under the penalties for perjury provided by Section 1-109 of the Illinois Code of Civil Procedure, I certify that my statements in this document are true and correct.

Signature: _____ Date: _____

Print name: _____

Address: _____

Phone number: _____