

# APPENDIX TO USCIS POLICY UPDATES FOR SPECIAL IMMIGRANT JUVENILES PRACTICE ADVISORY

- 1. Sample guardianship predicate order, Lake County, Illinois
- 2. Sample divorce predicate order, Cook County, Illinois

## IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT LAKE COUNTY, ILLINOIS



	_,		C.	
ESTATE OF	}		DEC 2 0	2016
*	a minor	Sen No.: <u>16 P</u>	Enr. Canburge CIRCUITY	LERK

AMENDED KUEK A	PPOINTING GUARDIAN FOR A MINOR
On the verified petition of _	, a reputable citizen of the state of Illinois
for the appointment of a guardian of	(Name of Petitioner), a minor, whose
Tor the appointment of a guardian of _	(Name of Minor)
date of birth is;	hose current residence is (Minor's Address)
the Court finds that Petitioner is qualified his/her acceptance and oath of office. A	d and willing to act as guardian and has herewith presented to the Court dditional findings of court:
A. Minor appeared in Cou	rt and gave consent. Mother gave consent in
B. Reunification is not years ago because her I	viable due to abandonment of her approximately 121
Minor has been release	d to Petitioners by the Office of Refugee Resettlem
In the Court has reviewed the minor's b	irth certificate and confirmed the minor's date of birth is (Minor's Birth Date)
the minor's mother's name is:	្រុះជាមើរជាមុ <b>x</b> ninor's father's
name is _	<u>.                                    </u>
☐ The Court has reviewed and accepted	the Affidavit of Petitioning Guardian of the Person for a Minor Child and the
related reports on the criminal backgr	ound check and Department of Children and Family Services Register for
the Petitioner.	
IT IS HEREBY ORDERED THAT	(Name of Petitioner) is appointed.
☐ Temporary Guardianship:	
☐ Temporary guardian of the person	of the minor; □ temporary guardian of the estate of the minor; and that
Letters of Office as Temporary Guard	lan [□ Co-Guardians] of the Person [□ and Estate] shall issue, subject to
termination on	, 20 and this cause is continued to said date at 9:00 a.m. in courtroom
Cfor pre	sentation of:   proof of publication proof of proof of service by mail
☐ return of background check ☐ cor	sent of parent or guardian
☐ nomination by minor, and entry of	olenary guardianship order.
Plenary Guardianship:	
·	he minor; □ pleпагу guardlan of the estate of the minor; and that Letters of
	ardians] of the Person [□ and Estate] shall issue, subject to termination on
the Minor's 18th birth date on	20.1.7

Z Other The C		finds	that 1	the effo	rt to con	tact the	father made in t
El Sa	lvado	or guai	rdiansl	hip serv	es as suf	ficient	notice.
Dated at	t Wauke	gan, Illinoi	s this	day	Enter:	Donna-J	o R. Vorderstrasse
of			20	'	-		Judge
Prepare	d by:						
Nam							
	rney for: _ ress: _	Petiti	oners				
		Wauk	egan,	IL 6008	5		
	phone:			_			
ARD	C:						
$\mathbf{E}-\mathbf{m}$	ail f	or ser	vice:				

Attorney No. 59043

### IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT – DOMESTIC RELATIONS DIVISION

IN RE THE MARRIAGE OF:		)		
		)		
		)		
	Petitioner	)		
		)	No.	16 D
v.		)		
		)	Cal.	54
	\sqrt{g}	)		
	Respondent	)		
	-	)		

#### AMENDED JUDGMENT FOR DISSOLUTION OF MARRIAGE

THIS CAUSE coming to be heard before this Court on Petitioner's Emergency Motion to Modify the Previous Judgment of Dissolution and Allocation of Parental Responsibilities included therein ("Motion"), pursuant to 735 ILCS 5/2-1203 and 750 ILCS 5/610.5, filed by Petitioner,

(""), present in court personally and by and through her volunteer attorney, Zachary T. Hunsinger, the minor,

it appearing that Respondent,

(""), was given notice of the pendency of this action by email, having previously waived service, and having defaulted for want of appearance and response, the Court considering all of the evidence, hearing from both Petitioner and the minor child, and being fully informed in the premises:

#### FINDS THAT:

- 1. This Court has jurisdiction of the parties hereto and the subject matter hereof.
- 2. At the commencement of this action, resided in the County of Cook, State of Illinois and has so resided for at least ninety (90) days prior to the findings herein. That urrently resides in Chicago, Illinois.

- 3. At the time of filing this Petition, resided in Lima, Cortes, Honduras.
- The Parties were lawfully married on 998. The marriage took place and was registered in San Pedro Sula, Cortes, Honduras. Thereafter, the parties resided together until on or about January 2005.
- 5. One child was born to the parties during this marriage, namely
  - 'ho is a resident of Cook County, Illinois, is 17 years of age, was born on is currently unmarried.
- 6. No additional children were born to, or adopted by, the parties and the Petitioner is not currently pregnant. The home state of the minor is the State of Illinois.
- 7. On August 5, 2015, a filed her Petition for Dissolution of Marriage.
- 8. On September 29, 2016, signed a waiver of service.
- 9. The Petitioner is 38 years of age. She is currently employed as a cleaner, in Chicago, and receives approximately \$12,000 per year. She resides at Chicago, IL 60659.
- 10. The Respondent is 37 years of age. He is currently employed as a taxi driver in La Lima, Hondurans and receives an unknown amount per year. He resides in La Lima, Honduras.
- 11. Petitioner, by competent evidence, has established that the parties are separated and have lived separate and apart for a continuous period in excess of two years.
- 12. Irreconcilable differences have caused the irretrievable breakdown of the marriage. The parties' efforts at reconciliation have failed and future attempts at reconciliation would be impracticable and not in the best interest of the family.
- 13. The marital property has been previously and satisfactorily divided between the parties.
- 14. Both parties are in possession of their own non-marital property.

- 15. The parties have no marital debts.
- 16. Purrently resides with and loes not exercise any regular visitation or parenting time with her.
- is a fit and proper person to have exclusive parental decision making and responsibilities and primary placement of the child.
- 18. The Respondent is able-bodied, capable of self-support, and well-able to contribute to the child's support.
- 19. father resides out of the country and, despite his obligation, is unavailable to care for her due to his neglect, abuse, and abandonment of her.
- 20. Reunification is not viable with her father and it is not in the best interest for to return to her parents' country of nationality or residence since her father has abandoned her and left all responsibilities of her care to the Petitioner.
- 21. has lived with her mother since April of 2014.
- 22. has not been in contact with her father since January 2015.
- 23. father did not provide her with any financial assistance, adequate food, clothing, shelter, and education while she lived in Honduras.
- 24. witnessed her father hit her mother and heard her father call her mother derogatory names.
- 25. received threats from gang members while she lived in Honduras.
- 26. as not lived with her father since January of 2005.
- 27. has acclimated well to living with her mother, the Petitioner since April 2014.

THEREFORE, by virtue of the Statutes of the State of Illinois, and on motion of the Petitioner, it is the Judgement of the Court, and

#### IT IS HEREBY ORDERED THAT:

- A. is hereby found to be in default.
- B. The bonds of matrimony heretofore existing between the Petitioner, !
  - and the Respondent, be dissolved and the marriage is accordingly dissolved as to both parties.
- C. : is forever barred and foreclosed from spousal maintenance, homestead, and from any all other rights, claims, or demands whatsoever in and to the property of the other now owned or hereafter acquired.
- D. The issue of spousal maintenance for a lis hereby barred.
- E. is a fit and proper person to have exclusive parental decision making and responsibilities, along with primary residential placement, of the minor child (what previously was called custody and control of the parties' minor child):

### born on

- F. Parenting time between ...nd the minor is hereby reserved.
- G. The issue of child support and contribution to child related expenses is hereby reserved.
- H. This Court shall retain jurisdiction of this cause until the terms of this judgement have been fully complied with in all respect.
- I. Parties are awarded all property in their respective names, possession, and control.
- J. Parties are responsible for all debts in their own names and shall hold the other harmless relative to any such debts.

K. Illinois is the home state under UCCJEA relative to minor,

ENTERED this

n. \_ day of \_

Vega # 18

Zachary T. Hunsinger, Lsw, Esq. Attorney for Petitioner Hunsinger Law & Consulting 205 W. Randolph St., Ste. 510 Chicago, IL 60606 (312) 772-3346 Attorney No.: 59043 zach@hunsingerlaw.com

ENTERED
JUDGE RAUL VEGA-1863

JAN 10 2017

DORUTHY BROWN CLERK OF THE CIRCUIT COURT OF GOOK COUNTY, IL

3.6 2.