**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS**

**COUNTY DEPARTMENT – DOMESTIC RELATIONS DIVISON**

|  |  |  |
| --- | --- | --- |
| [FIRST NAME, LAST NAME], | ) |  |
| Petitioner, | ) |  |
|  | ) | No. [NUMBER] |
| and | ) |  |
|  | ) | Cal. |
| [FIRST NAME, LAST NAME], | ) |  |
| Respondent. | ) |  |

## MOTION TO COMPEL PETITIONER/PRESPONDENT

## TO SEEK GAINFUL EMPLOYMENT AND MAINTAIN A JOB DIARY

NOW COMES the Petitioner/Respondent, [FIRST NAME, LAST NAME] (“[FIRST NAME]”) represented by and through himself/herself as a self-represented litigant, pursuant to Section 505.1 of the Illinois Marriage and Dissolution of Marriage Act (“IMDMA”) (750 ILCS 5/505.1), and respectfully moves this Honorable Court for the entry of an Order compelling Petitioner/Respondent, [FIRST NAME, LAST NAME] (“[FIRST NAME]”) to seek employment and maintain a job diary. In support of his/her Motion, [FIRST NAME] states as follows:

1. [FIRST NAME] and [FIRST NAME] have one (1) child together, [FIRST INITIAL. LAST INITIAL.] (DOB: [DATE]).
2. On [DATE], Petitioner/Respondent filed a *Petition to Establish Parentage and Allocate Parental Responsibilities of Minor Child(ren)* [or] *Petition for Allocation of Parental Responsibilities and Parenting Time* in this matter, which remains pending and undetermined before the Court.
3. The minor child resides with [FIRST NAME].
4. [FIRST NAME] is a well and able-bodied person, capable of contributing to the necessary and reasonable expenses of the parties’ minor child.
5. Section 505.1 of the IMDMA provides in relevant part that:

“(a) Whenever it is determined in a proceeding to establish or enforce a child support or maintenance obligation that the person owing a duty of support is unemployed, the court may order the person to seek employment and report periodically to the court with a diary, listing or other memorandum of his or her efforts in accordance with such order.

*750 ILCS 5/505.1.*

1. [FIRST NAME] has an affirmative obligation to financially contribute to the support of the minor child. As such, [FIRST NAME] has an affirmative responsibility to take reasonable steps to seek full-time employment commensurate with their skills, education, experience, and work history. There is no reason why [FIRST NAME], who is fully capable of earning an increased income, should not be obligated to seek gainful, full-time employment and contribute to the child’s necessary expenses.
2. Until such a time as [FIRST NAME] obtains full-time employment earning an income commensurate with their skills, education, experience, and work history, they should be required to maintain a job diary detailing their efforts to become gainfully employed.
3. At a minimum, [FIRST NAME]’s job diary should reflect their reasonable and good faith efforts at becoming employed on a full-time basis, and said diary should include the following information: the name, telephone number, and address of potential employers; the name of a contact person or interviewer; the date of contact or interview; the position applied for, salary information and follow-up notes and results. Furthermore, the job diary should contain a minimum of 3 entries each day. [FIRST NAME] should likewise be required to tender their updated resume to [FIRST NAME]’s counsel within seven (7) days and to further tender their completed job diary to [FIRST NAME]’s counsel every fourteen (14) days until such time as they secures meaningful employment.
4. If [FIRST NAME] refuses to meaningfully search for and/or obtain full-time employment, income should be imputed to them for purposes of determining any support obligations that may arise.
5. If this court determines that [FIRST NAME], for any reason whatsoever, has an impediment to working, then this court should order a vocational evaluation, a 215(a) medical examination, job training and/or a job commensurate with their current aptitude and skills at their own expense.

**WHEREFORE**, the Petitioner/Respondent, [FIRST NAME], respectfully requests this Honorable Court grant the following relief:

1. For entry of an Order compelling [FIRST NAME] to seek and secure gainful and appropriate employment and to tender an updated resume to [FIRST NAME] within seven (7) days and tender a job diary to [FIRST NAME] every fourteen (14) days until full-time employment is obtained;
2. For entry of an Order compelling [FIRST NAME] to report to this Court and to [FIRST NAME] with a detailed record of her job search, including but not limited to resumes sent to potential employers, interviews she has made to potential employers, and general progress towards becoming employed;
3. Alternatively, order [FIRST NAME], at their expense, to undergo a vocational evaluation and/or submit to a mental and physical examination pursuant to Illinois Supreme Court Rule 215(a);
4. In the alternative, impute a reasonable income to [FIRST NAME];
5. For such other and further relief as this Honorable Court deems equitable and just.

Respectfully Submitted,

/s/ [FIRST NAME, LAST NAME]

Petitioner/Respondent

**VERIFICATION BY CERTIFICATION**

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of

Civil Procedure, the undersigned certified that the statements set forth in the Verified Motion to Compel, are true and correct, except as to matters therein stated to be on information and belief, and as to such matters, the undersigned certified as aforesaid that he verily believes the same to be true.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[FIRST NAME, LAST NAME]

[First name, Last name]

[Address]

[Address]

[Email Address]

[Phone number]