

The Tapella & Eberspacher Law Firm

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The 3 Things Every Parent Should Know About Illinois' New Divorce Laws

By: Attorney Alex Heritier

The State of Illinois has made big changes to the way divorce proceedings will take place by enacting sweeping changes in the Marriage and Dissolution of Marriage Act. The changes went into effect for all pending and future divorce proceedings on January 1, 2016.

The new law revised the prior Marriage and Dissolution of Marriage Act that was originally enacted in 1977. In the past 40 years, marriage has changed dramatically. The new law is intended to focus more on the needs of the parties and their children. Of course, there is so much at stake, you should still have an attorney assist you rather than trying to work through the divorce process on your own.

While there are many things for both clients and attorneys to learn about the new law, following are the major changes you should be aware of.

1) Grounds and Waiting Period Largely Eliminated

Under the prior law, petitioners for a divorce were required to state the 'grounds' for the divorce, which included adultery. This process often lead to more fighting and fewer settlements. The new law allows for only one ground to be plead in a new divorce proceeding:

“Parental responsibility functions as custody used to: it is a measure of who has decision making rights for the children in education, health, religion, and extracurricular activities.”

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10 All Natural (and free) Ways to Sleep Better

Sleep is vital to your health and well being. Drowsy driving causes nearly 1 million car wrecks every year and sleep deprivation has been linked with many notorious disasters, like the grounding of the Exxon Valdez.

Many studies have shown that people with chronic pain from injuries or accidents hurt less when they get enough sleep. Unfortunately, being in pain can make it more difficult to sleep, and many medications include insomnia among their side effects. About 9 million U.S. adults use prescription sleep aids. Here are 10 tips to help you get a great night's sleep without medication so that you can stay safe and healthy.

- 1) **Go to sleep and get up at the same time every day.** This helps set your body's internal clock and gives you a better quality of sleep. Try to avoid sleeping in—even on weekends. To help you understand your habits, track your sleep for at least two weeks, including how many times you wake up during the night, what you ate, and what kind of exercise you got during the day.
- 2) **Set a realistic bedtime and stick to it.** Work your way towards your goal by going to bed 15 minutes earlier each night until you build the earlier bedtime habit. Start your new routine about an hour before bed by setting out the things you need for the next day and enjoying a cup of non-caffeinated tea.
- 3) **Expose yourself to more light during the day.** Open the windows as soon as you wake up and try to take your work breaks outside.
- 4) **Avoid bright screens within two hours of your bedtime.** This includes your phone, TV, and e-readers. The blue light emitted by electronics can disrupt your body's rhythms. Make sure your bedroom is as dark as possible, and keep the lights dim if you have to get up during the night.
- 5) **Stop smoking.** Nicotine is a stimulant which means it can keep you from falling asleep. Smokers are four times more likely not to feel as well rested after a night's sleep than nonsmokers.
- 6) **Turn off your mind.** If racing thoughts are keeping you awake, make a plan of action by writing down specific steps that you will take to address those issues the next day. Try listening to a favorite podcast or downloading a meditation app for your phone.
- 7) **Have the right kind of snack.** Hunger can keep you from falling asleep. The perfect bedtime snack will include a healthy carbohydrate as well as a protein. Try whole grain toast with cheese or turkey, a banana with peanut butter, whole grain cereal and milk, or fruit and low fat yogurt.
- 8) **Set the stage.** Make your bedroom a retreat by getting a pillow that properly supports your spine and neck, use a white noise maker, and make sure the temperature in the room is cool—around 65 degrees.
- 9) **Try relaxation techniques.** Research techniques like Progressive Muscle Relaxation (tensing all of your muscles and then relaxing them) and intentional breathing. Try the 4, 7, 8 technique. Inhale through your nose for 4 seconds,

hold it for 7 seconds and then breathe out through your mouth for 8 seconds.

- 10) **Consider getting your furry friend his own bed.**

Cats can be active in the middle of the night, and dogs may whine or snore while you're sleeping. More than half of people who sleep with their pets say the animals disturb their slumber.



Meet the T&E Team

Business Administrator, Maggie Wickersham, has been a member of the T&E team for nearly 5 years, after working for many years in the accounting department at RR Donnelly's.

Maggie ensures that all of our billing and accounting runs smoothly, and sometimes that means some serious detective work! When a T&E team member has questions about a financial matter, Maggie is the woman with the answers.

Maggie says that her favorite part of her job is the diversity in the things she does. "Each day is different and I am involved in many different functions of the firm—getting to interact with everyone."

When Maggie is not at work, she enjoys reading, needlework, and paper crafting. She also enjoys spending time with her husband, Rick, and their Miniature Golden Retriever; Happy. We appreciate all of Maggie's knowledge and hard work!



Legal Lingo

Complaint:

A "complaint" is the document which is placed on file with a county's circuit clerk to initiate a lawsuit.

The heading of the complaint lists the circuit and county where the lawsuit is being filed, the name of the injured or wronged person, and the name of the person who caused the injury or other harm.

The body of the complaint sets forth the basis for the lawsuit by making factual assertions, called "allegations."

The "prayer for relief" asks the Court to award a verdict in favor of the injured person. [In Illinois], when asking for compensation for an injury, the prayer for relief will not ask for a specific amount but will instead generally ask for an amount either "in excess of" or "not to exceed" [\$50,000.00.]

The complaint will also contain a "jury demand" if the injured or wronged party wishes to exercise their right to a trial by jury.



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irreconcilable differences. This phrase assigns no blame and merely states that the marriage is no longer viable.

In addition, waiting periods have been significantly reduced. Previously, if one party objected, irreconcilable differences could only be demonstrated if the parties had been living separate and apart for two years. Under the new law, courts accept that irreconcilable differences exist if the parties have lived separate and apart for 6 months or more.

2) Custody & Visitation Redefined as Parental Responsibilities & Parental Time

The new law almost completely eliminates the words "custody" and "visitation" from the modern divorce proceeding. Instead, we are now left with "parental responsibility" and "parental time."

"Parental responsibility" functions as custody used to: it is a measure of who has decision making rights for the children in education, health, religion, and extracurricular activities. "Parental time" functions as visitation used to.

There are still a number of factors courts use to evaluate assigning parental time and parental responsibility, but there is a heightened focus on both parents remaining involved with the care of the children. However, the "best interests of the child" is still the primary focus in deciding these matters.

3) Parenting Plans are mandatory

In order for courts to evaluate the new assignment of parental time and parental responsibilities, courts will now require both parties to submit a Parenting Plan to the court. This Parenting Plan will set forth a proposed assignment for various functions.

The parenting plan may be agreed upon by the parties, in which case they will submit a joint parenting plan. If there are disagreements between the parents, separate parenting plans will be submitted and the court will need to rule on how those functions are to be assigned.

Anyone going through a divorce should discuss how these changes in the law will impact their own personal situation with a knowledgeable attorney. The new focus on resolving divorce proceedings quicker, and less painfully, should be a benefit for all. To schedule a free consultation with one of our qualified attorneys, call **1-855-522-5291** or **chat with someone 24/7 at www.TapellaLaw.com**.

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Kelli-Jo's White Chocolate Walnut Blondies with Maple Butter Sauce

Blondies

3 Cups All-purpose Flour
¼ tsp Salt
1 tsp Baking Powder
10 tbs Unsalted Butter (melted)
2 Cups Light Brown Sugar
3 Whole Eggs
1 tsp Vanilla Extract
½ Cup walnuts (chopped)
1 Cup White Chocolate Chips

Sauce

2 tbs Unsalted Butter
1½ Cup Heavy Cream
6 tbs Maple Syrup
3 tbs Light Corn Syrup

Garnish

Vanilla Ice Cream
Chopped Walnuts



Blondies

Preheat oven to 350 degrees (325 degrees for glass pan). In medium bowl, Sift together flour, salt and baking powder (set aside). In large mixing bowl, mix melted butter with brown sugar until well blended. Add in eggs and vanilla, stir well. Slowly add flour mixture to butter, sugar and egg mixture and mix adding in nuts and chocolate (batter will be thick). Spray pan with nonstick cooking spray then pour batter into 9 x 13 baking pan. Bake 25-30 minutes

Sauce

Melt butter in a medium sauce pan over medium heat (be careful not to let butter burn). Add heavy cream, maple syrup, and corn syrup. Allow this mixture to simmer over medium heat for 20-30 minutes. Wait for the mixture to thicken. You don't want to bring this to a boil, just a slight bubbly simmer. Stir occasionally. Once it has reduced by about a third, it's ready.

Prepare to serve

You can put the sauce directly over the blondies or keep it separate. Keep the sauce refrigerated if you keep the two separate. I like to keep the sauce separate from the blondies, heat my blondie up in the microwave for about 25 seconds and serve with vanilla ice cream, the sauce, and chopped walnuts!

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