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3315 (Rev. 6/11/02) CCG 0015

Memorandum of Judgment



Doc#: 1115218016 Fee: \$48.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 06/01/2011 12:04 PM Pg: 1 of 7

IN THE CIRCUIT COURT OF
COOK COUNTY, ILLINOIS

MARY E. D'APRILE

v.

TODD D'APRILE

Recorder's Stamp

No. 04 D 405

MEMORANDUM OF JUDGMENT

On April 14, 2011, judgment was entered in this court

in favor of the plaintiff Mary E. D'Aprile n/k/a Mary E. Pacejka

and against defendant Todd D'Aprile

whose address is 6498 Apache Drive, Indianhead Park, IL 60525

in the amount of \$ 20,810.81

Atty. No.: 39132

Name: Law Office of Elizabeth Lidd Factor, P.C.

Atty. for: Petitioner

Address: 1030 S. LaGrange Road, Suite 5

City/State/Zip: LaGrange, IL 60525

Telephone: 708-579-5672

Judge

Judge's No.

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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LEGAL DESCRIPTION

UNIT NO. 3573-3 LYNDAL PLACE CONDOMINIUM AS DELINEATED ON THE PLAT OF SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE:

THE WEST ½ OF LOT 207 AND ALL OF LOT 208 IN THE SUBDIVISION OF THE NORTH ½ OF THE WEST 1/3 OF THE NORTHEAST ¼ OF SECTION 35, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH PLAT OF SURVEY IS ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM RECORDED AUGUST 11, 2005 AS DOCUMENT NO. 0522303082 TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

COMMONLY KNOWN AS: 3573 LYNDAL AVENUE, UNIT #3E, CHICAGO, ILLINOIS 60647.

PIN NO. 13-35-212-026-1004

Property of Cook County Clerk's Office

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- 4217 - Continuance - Allowed
- 4250 - Order, Plaintiff, Defendant or Witness to Appear - Allowed
- 4253 - Produce Exhibits or other Records or Documents or Person - Allowed
- 4284 - Strike or Withdraw Motion or Petition - Allowed
- 4312 - Finding of Delinquency - Allowed
- 4324 - Child Support Order Above Statutory Guidelines - Allowed
- 4325 - Child Support Order Below Statutory Guidelines - Allowed
- 4386 - Order to Pay Fees - Allowed

- 4435 - Order on Motion to Provide Medical Insurance - Allowed
- 4512 - Order Arrearage Set (amount needed) - Allowed
- 4567 - Order For Child Support - Allowed
- 4568 - Order Temporary Maintenance - Allowed
- 4600 - Order Support Payments Made Direct to Petitioner
- 4601 - Order Support Payments Made Direct to C.C.C./S.D.U. - Allowed
- 4604 - Order Support Payments Made Direct to Respondent - Allowed

(Rev. 4/01/05) CCDCR 0107 A

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

PAGE 1 OF 6

UNIFORM ORDER FOR SUPPORT AGREED

- Initial Order Modification Enforcement

MARY D'APRILE, n/k/a MARY PACEJKA

Petitioner / Oblige

Obligor

v.

TODD D'Aprile

Respondent / Oblige

Obligor

Docket No. 2004 D 405

IV D-No. C

Calendar No. 61

Illinois Department of Public Aid is, or has been, granted leave to intervene.

Definitions: **Obligor** - An individual who owes a duty to make support payments pursuant to an order for support
Obligee - An individual to whom a duty of support is owed or the individual's legal representative
Payor - Any payor of income to an obligor
Unallocated Support - A total amount for maintenance and child support and not a specific amount for either

THIS MATTER coming to be heard on Petition for Rule and/ or Modification Support Judgment

The Court Finds:
 The Court has jurisdiction of the parties and the subject matter and that due notice was given by regular mail

- a) The net income of the Obligor is \$ \$526.00 per week (UIB)
- b) The amount of arrearage/judgment as of the date of this order is \$ 17,251.00 for child support and \$ _____ for maintenance or unallocated support as follows: \$ 17,251.00 to Obligee, \$ _____ to the Illinois Department of Public Aid, and/or \$ _____ to the Petitioning State of _____

- c) The amount of child support cannot be expressed exclusively as a dollar amount because all or a portion of the Obligor's net income is uncertain as to source, time of payment, or amount.
- d) Past due contribution to medical expenses retroactive child support is \$ 3,559.81 from 7 October 2004 to 15 April 2011

The Obligee Obligees's Attorney Obligor Obligor's Attorney Assistant State's Attorney, being present

This matter being an Interstate Case, Voluntary Acknowledgment of Paternity was signed on _____

It is Ordered: After hearing By agreement of the parties By default that: _____

MAINTENANCE (Do not complete this section if Unallocated Support is ordered.) Obligor, is to provide:

Payment Amount:
 Current Maintenance: \$ _____ Payment Frequency:
 Arrearage Payment: \$ _____ every week every other week
 monthly
 Payments Begin: _____ (date) twice each month on _____ & _____ (date)
 other _____ (date)

CHILD SUPPORT OR UNALLOCATED SUPPORT

Payment Frequency:
 every week
 every other week
 monthly
 twice each month on _____ & _____ (date)
 other _____ (date)

Payment Amount:
 Current Child Support Payment or Unallocated Support Payment: \$ 270.47
 Arrearage/Retroactive Payment: \$ 138.47
 Other Payment: \$ 46.15
 Payments Begin: 4-16-2011 (date)
 Judgment in the amount of \$ 17,251.00 (supprt)
 s entered against the Obligor on the arrears. \$ 3,599.81 (medical arrears)
 interest \$ 1,391.98 on support arrears as of 4/15/2011

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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PERCENTAGE AMOUNT OF CHILD SUPPORT (Complete this section only if finding (c) is checked above.)

In addition to the specific dollar amount of support ordered above, current child support shall be paid in the amount of 28 % of Obligor's income other than UIB benefits payable within 7 days of receipt (net). The Obligor is further ordered to provide income records sufficient to determine and enforce the percentage amount of child support within 7 days of receipt of income subject to this percentage assessment, to the Obligee and Clerk of the Court, as set forth in the order entered on 4-14-2011, which terms are incorporated herein by reference.

ADDITIONAL CONDITIONS OR FINDINGS

Child Support payment amount deviates from the amount required by statutory minimum guidelines. The amount of support that would have been required under the guidelines is \$ _____

Reasons for deviation: _____

Child Support is based on the needs of the child.

The Child/ren covered by this Order is/are:

Grace D'Aprile	Date of Birth: 08-19-1998	Social Security No.: XXXXXXXX
Jillina D'Aprile	Date of Birth: 04-11-2001	Social Security No.: XXXXXXXX
_____	Date of Birth: _____	Social Security No.: _____
_____	Date of Birth: _____	Social Security No.: _____
_____	Date of Birth: _____	Social Security No.: _____
_____	Date of Birth: _____	Social Security No.: _____

PAYMENT ARRANGEMENTS

(Payments must be sent to the STATE DISBURSEMENT UNIT if this box is checked.) Ill Dept of Employment Sec.

A Notice to Withhold Income shall be issued immediately and shall be served on the employer at the address listed in this Order. Payments shall be made payable to the State Disbursement Unit and sent to the State Disbursement Unit at P. O. Box 5400, Carol Stream, IL 60197-5400. Payments must include CASE NUMBER, COUNTY of the Court issuing this Order, and Obligor's name and social security number. Any subsequent employer may be served with a Notice to Withhold Income without further order of the Court.

The parties have entered into a written agreement providing for an alternative arrangement for the payment of support that is approved by the Court and attached to this Order, meeting all requirements of, and consistent with, applicable law. An income withholding notice is to be prepared and served only if the Obligor becomes delinquent in paying the order of support. Payments shall be made in accordance with the written agreement of the parties attached hereto. In the event the income withholding notice is served, payments shall be made to the State Disbursement Unit as set forth above.

In addition to and separate from amounts ordered to be paid as maintenance or child support, the Obligor shall pay a \$36 per year Separate Maintenance and Child Support Collection Fee. This sum shall be paid directly to the Clerk of the Circuit Court of Cook County, at 28 N. Clark St. Room 200, Chicago, IL 60602, and not to the State Disbursement Unit.

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 DELINQUENCY

If the Obligor becomes delinquent in the payment of support after the entry of this Order for Support, the Obligor must pay, in addition to the current support obligation, the sum of (a) \$ 91.02 for delinquent child support per the payment frequency ordered above for child support, and (b) \$ _____ for delinquent maintenance or unallocated support per the payment frequency ordered above for maintenance or unallocated support, until the delinquency is paid in full. (This additional amount, the total of (a) and (b), shall not be less than 20 percent of the total of the current support amount and the amount to be paid for payment of any arrearage stated in the Order for Support.) A support obligation, or any portion of a support obligation which becomes due and remains unpaid for 30 days or more, shall accrue interest at the rate of 9% per annum.

 TERMINATION

This Obligation to pay child support terminates on April - 11 - 2019 unless modified by written order of the Court or unless the child will not graduate from high school until after attaining the age of 18, then the termination date shall be the earlier of the child's high school graduation or the date on which the child will attain the age of 19. This termination date does not apply to any arrearage that may remain unpaid on that date.

 ARREARS PAYMENT

If any arrears or past due support is owed upon termination, the amount being paid immediately preceding termination, including any current support payment, arrearage payment and/or any delinquency, will continue to be collected as an obligation, not as current support, but as a periodic payment toward satisfaction of the unpaid support. All past due support obligations are still subject to any other special collection methods available to the Illinois Department of Public Aid (such as tax refund offsets and bank liens), as provided by law.

 MEDICAL INSURANCE

The Obligor, Obligee, Obligor and Obligee, shall provide health insurance for the child(ren): as provided in previous order entered on 7 October 2004; enrolling them in any health insurance coverage available through the Obligor's, Obligee's, Obligor's and Obligee's, employment or securing a private health insurance policy, accepted by the Obligor and Obligee or approved by the Court, which names the child(ren) as beneficiary. The Obligor shall provide to the Obligee a copy of the insurance policy and the insurance card within 45 days. The employer or labor union or trade union shall disclose information concerning dependent coverage plans whether or not a court order for medical support has been entered. 750 ILCS 5/505.2.

The Obligor is liable for 50 % of medical expenses incurred by the minor or child(ren) and not covered by insurance, pursuant to the terms of the order entered 4-14-2011, which terms are incorporated herein by reference. The issue of medical insurance is withdrawn.

It is further ordered that (except when the Court finds that the physical, mental or emotional health of a party or that of a minor child, or both, would be seriously endangered by disclosure of the party's address):

The Obligor shall give written notice to the Clerk of the Court, and if a party is receiving child and spouse services under Article X of the Illinois Public Aid Code, to the Department of Public Aid, within 7 days, of:

- any new residential, mailing address or telephone number;
- the name, address and phone number of any new employer, and;
- the policy name and identifying number(s) of health insurance coverage available.

The Obligor shall submit a written report of termination of employment and of new employment, including name and address of the new employer, to the Clerk of the Court and the Obligee within 10 days. Obligor and Obligee shall advise each other of a change of residence within 5 days except when the Court finds that the physical, mental or emotional health of a party or that of a minor child, or both, would be seriously endangered by disclosure of the party's address. An Obligee receiving payments through income withholding shall notify the Clerk of the Court and the State Disbursement Unit within 7 days, of change in residence. The Obligor and Obligee shall report to the Clerk of the Court any change of information included in the Child Support Data Sheet (Exhibit 1) within 5 business days of such a change.

 UNEMPLOYMENT:

Respondent is unemployed and is ordered to seek employment. The Respondent must report periodically to the court with a diary listing the name, address, telephone number and contact person of each employer with which he or she has sought employment.

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- Respondent is ordered to report to the Department of Employment Security for job search services or to complete an application with the local Job Training Partnership Act provider for participation in job search, training or work programs.
- Respondent is unemployed and is ordered to put forth a diligent effort to obtain employment and to cooperate with all instructions of the Illinois Department of Public Aid. The Respondent is ordered to report immediately to the Illinois Department of Public Aid's Non-Custodial Parent Services Unit, 32 W. Randolph St., 14th Floor, for assessment and assignment into the court monitored Job Search program or Earnfare program. Upon finding employment, the Respondent shall notify IDPA in writing at 32 W. Randolph St., 9th Floor, Chicago, IL 60601 within seven days. The Respondent must submit the name and address of the employer, the start date, and the rate of pay to the IDPA Non-Custodial Parent Services Unit. The Respondent's failure to comply with the requirements of this order may result in the State's Attorney seeking a contempt of court order. (Note: Earnfare requires a \$50.00 minimum support order.)
- GENETIC TEST REIMBURSEMENT:** Obligor shall pay \$ _____ to the Illinois Department of Public Aid (IDPA) for a genetic test reimbursement. Payments must be made in lump sum or installments by personal check or money order payable to Illinois Department of Public Aid and either mailed to: Illinois Department of Public Aid, Title IV-D Accounting Unit, P.O. Box 19138, Springfield, IL 62705-9138, or conveyed as otherwise directed by the Court. Payment must include IV-D number as shown on this Order.

This Order does not preclude the Illinois Department of Public Aid from collecting any arrearage established by or which may accrue under this Order for Support by use of the offset provisions of Section 6402(c) of the Internal Revenue Code of 1954, and 15 ILCS 405/10.05(a) as amended. Such arrearage shall be considered as "past due" or "due and payable" within the meaning of said statutory provisions. This order does not preclude the placing of a lien on real and personal assets or initiating a proceeding for garnishment, attachment of sequestration pursuant to law and the Code of Civil Procedure.

This order of support supercedes any and all prior orders of support under this case number.

Other: Obligor shall contribute to 50% of minor children's educational expenses, as set forth in paragraph 5 of the order entered on 4-14-2011, which terms are incorporated herein by reference.

Obligee shall be entitled to claim GRACE and JILLIAN for purposes of income taxation, pursuant to paragraph 6 of the order entered on 4-14-2011, which terms are incorporated herein by reference.

Respondent shall contribute the sum of \$3,433.63 to Petitioner's attorney's fees and costs of this action, pursuant to paragraph 9 of the order entered on 4-14-2011, which terms are incorporated herein by reference.

This cause is continued for status of job search at 9:45 m. without further notice without further notice to Respondent. without further notice to Petitioner to 8 24 2011

FAILURE TO APPEAR MAY RESULT IN ENTRY OF A DEFAULT JUDGMENT.

FOR EXPEDITED CHILD SUPPORT CASES ONLY:

NOTICE OF RIGHT TO REQUEST A JUDICIAL HEARING: You have a right to request a Judicial Hearing. If either party does not agree to the recommended Order or any part thereof, this case will be transferred for an immediate Judicial Hearing.

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This order may be vacated or amended within 30 days of its entry. This order is not valid until signed by a judge.

So recommended to this Court by the Hearing Officer this _____ day of _____

Hearing Officer's Signature _____

Mary Pacejka
Petitioner/ Obligee's Signature

[Signature]
Respondent/ Obligor's Signature

Petitioner/ Obligee's Attorney's Signature _____

Respondent/ Obligor's Attorney's Signature _____

The support obligation herein required under this order, or any portion of the obligation, which becomes due and remains unpaid for 30 days or more shall accrue simple interest at the rate of 9% per annum.

FAILURE TO OBEY ANY OF THE PROVISIONS OF THIS ORDER MAY RESULT IN A FINDING OF CONTEMPT OF COURT.

April 14, 2011
Date

Prepared by: _____
City. Code No.: 39132
Name: Law Office of Elizabeth Lidd Factor, P.C.
City. for: Petitioner/Obligee Mary Pacejka
Address: 1030 S. LaGrange Road, Suite 5
City/State/Zip: La Grange, IL 60525
Telephone: 708-579-5672

Judge _____
ENTERED
JUDGE LEIDA J. GONZALEZ (201100-1612)
APR 14 2011
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS