**An Overview of the Latest Changes to 2018 Illinois Spousal Maintenance Law**

[House Bill 2537](http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=91&GA=100&DocTypeId=HB&DocNum=2537&GAID=14&LegID=&SpecSess=&Session=) was passed on July 28, 2017 by the Illinois General Assembly proposing drastic changes to the way spousal maintenance is awarded in divorce cases. The bill suggests a few modifications to the IMDMA’s Section 504 that provides statutory guidelines for spousal maintenance payments. The new law is likely to go into effect in the beginning of 2018. Let’s discuss how HB 2537 will affect the spousal maintenance payments, if it is signed into law in the following year.

**Current Illinois Spousal Maintenance Law**

According to 750 ILCS 5/504 of the IMDMA, courts are required to take into account several factors in order to determine whether alimony should be awarded. If the factors mandate spousal maintenance, the family law court will use the statutory formula to calculate the amount of maintenance that should be awarded to the receiving spouse, along with the duration till which the paying spouse will continue to pay it.

The current law entertains the spousal maintenance cases of parties whose combined gross annual income is less than $250,000. If eligible, the length of the marriage is multiplied with a certain percentage, which increases as more number of years are added to the duration.

**Understanding the Statutory Guidelines for the New Maintenance Law**

The 2018 spousal maintenance law has changed the combined gross income threshold to $500,000 from the previous $250,000. This change was introduced to apply the statutory guidelines to divorce cases involving families with higher income. If the combined income exceed the threshold, the court will have the discretion in determining the duration and amount of maintenance by weighing in different factors explained in [our previous blog](https://lawyer-il.com/understanding-the-changes-to-the-new-illinois-maintenance-law/).

Under the new statutory guidelines, the length of the marriage and multiplying factors will be changed in the following way:

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| **Length of the Marriage** | **Multiplying Factor** |
| Less than 5 years | 0.20 |
| 5 Years | 0.24 |
| 6 Years | 0.28 |
| 7 Years | 0.32 |
| 8 Years | 0.36 |
| 9 Years | 0.40 |
| 10 Years | 0.44 |
| 11 Years | 0.48 |
| 12 Years | 0.52 |
| 13 Years | 0.56 |
| 14 Years | 0.60 |
| 15 Years | 0.64 |
| 16 Years | 0.68 |
| 17 years | 0.72 |
| 18 Years | 0.76 |
| 19 Years | 0.80 |

For marriages lasting 20 years or more, the maintenance is awarded for either an indefinite term or equal to the duration of the marriage. This has replaced the statutory guidelines of the current law that provide the court with options of either permanent maintenance or for a period equal to the duration of the marriage, when it has lasted for 20 years or more. In addition, maintenance for an indefinite term will replace permanent maintenance, giving courts the ability to decide a fixed term in addition to the total number of years of the marriage after which the spousal maintenance payments will be terminated.

With the changing legal landscape of Illinois family laws, it can be confusing to understand how the new statutory guidelines may affect your divorce case. However, if you retain the legal services of an experienced and knowledgeable family law attorney, you can rest assured that they will guide you through the process and will ensure that your spousal maintenance issue is handled in the right way. [Contact](http://lawyer-il.com/contact/) the Law Office of Fedor Kozlov, P.C. today at (847) 241-1299 to schedule a free initial consultation.