**Do I Have to Wait to Get Divorced?**

If you and your spouse are ready to get divorced, waiting for the divorce to be finalized can be challenging. Here’s what you need to know about waiting to get divorced in Illinois, including waiting and residency requirements.

**There Is a Residency Requirement**

In order to file for a divorce in Illinois, you or your spouse must meet the residency requirement in order to bring forth your petition for dissolution of marriage. The requirement is that you must reside in the State of Illinois for a period of 90 days either before filing for divorce or before the entry of the divorce Judgment. That means that even if you just moved to Illinois and have not resided here for 90 days, you can still file for divorce.

**Waiting Period**

There is *no* waiting period for divorce in Illinois, which is different from some other states, where parties are required to be separated for a period of time before the divorce can proceed.

In fact, the amount of time that a couple spends apart before getting divorce now has little effect on divorce cases in Illinois, except for in the case that one party to the divorce is claiming irreconcilable differences, and the other party is contesting the divorce. In this case, if the parties have lived separately and apart for at least six months, there is an [irrebuttable presumption](http://www.ilga.gov/legislation/ilcs/documents/075000050K401.htm) that the couple has irreconcilable differences, and that the requirement to prove this has been satisfied. This does not mean that you *have* to live separately for six months, simply that if you do, your spouse cannot dispute your claim of irreconcilable differences. Further, residing separate and apart under the meaning of the Illinois Marriage and Dissolution of Marriage Act does not necessarily mean that you must have separate residences. You could satisfy this requirement by residing in separate rooms and by ceasing to have marital relations. Further, the six month period would have to be reached prior to the entry of the divorce Judgment, which means you can still file for divorce without having reached the six month mark yet.

**So How Long Will My Divorce Case Take to Finalize?**

Just because there is no official waiting period does not mean that your divorce will be finalized overnight. Instead, you will still need to wait for the process to be completed. Divorce cases vary on how much time they take to finalize depending upon the couple, the issues in the divorce, and whether or not the divorce is contested or uncontested. Under certain circumstances, it is possible to complete a divorce in a few weeks. Other times, when the parties cannot reach an agreement on child issues and financial issues, the divorce could take years.

**Contact Our Experienced Naperville Divorce Attorneys Today**

When you are ready to move on with your life and move forward, waiting for a divorce action to be finalized can be hard to do. When you contact the [experienced Naperville divorce attorneys](http://faylawfirm.com/) at the law offices of Fay, Farrow & Associates, P.C., we can guide you through options for expediting the divorce process, and provide you with more information regarding how to protect your best interests. To schedule your consultation, call us today at 630-961-0060.