

Thomas J. Kasper  
Gitlin & Kasper  
Practice Limited to Family Law  
111 Dean Street  
Woodstock, IL 60098  
815-338-0021

Mid-Pointe  
November 4, 2007

**FACING DISSOLUTION (DIVORCE)**

In McHenry County in 2006, 1215 new divorce cases were filed. National statistics show over 50% of marriages end in divorce. There are many reasons for divorce, including our cultural acceptance of divorce. The reasons for divorce generally fall in one or more, if not all, of the following categories:

A. Reasons for Divorce.

1. Domestic Violence.
2. Mental Illness.
3. Depression.
4. Addiction.
5. Infidelity.
6. Child Related Disputes.
7. Money.

1. Domestic Violence. Many of the divorce cases filed in McHenry County in 2006 also involved orders of protection. In addition to orders of protection in divorce cases, there are also separate independent civil orders of protection as well as orders of protection as part of a criminal matter. In McHenry County in 2006 there were 539 civil order of protection cases filed. This is in addition to many other orders of protection filed in divorce and/or criminal cases.

Domestic violence under the Illinois Domestic Violence Act 750 ILCS 60/101 et. seq. involves not only physical abuse, but also harassment. Harassment is defined as “knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances: would cause a reasonable person emotional distress: and does cause emotional distress to the petitioner,” 750 ILCS 60/103(7). Harassment can be presumed by many of the following acts:

- a. Disturbing the plaintiff at school or work;
- b. Repeatedly telephoning plaintiff at school or work;
- c. Stalking/following plaintiff about a public place;
- d. Keeping plaintiff under surveillance;
- e. Improperly concealing a minor child from the plaintiff; and/or
- f. Threatening physical force or violence.

Many divorces are the end result of ongoing and repeated domestic violence of the abuse and harassment variety.

2. Mental Illness. Mental illness is a significant contributor to the divorce rate. Mental illness that goes undiagnosed or untreated often results in disputes or problems in one or many of the other categories in this list (domestic violence, alcohol abuse, etc.).

3. Depression. Depression might also fall in the category of mental illness above, but there are varying degrees of depression. Quite often depression, if untreated or unchecked, results in many of the other items set forth above such as infidelity, alcohol and drugs, etc. A spouse will sometimes say “I am not in love” or “I have to find myself.” While these are quite often signs of depression, they are also frequently used as code words for “I have a boyfriend/girlfriend that I am not admitting.”

4. Addiction. Alcohol, prescription drugs and illegal drugs are also a significant contributing factor to the reasons for divorce. Frequently couples were both involved in alcohol and drugs and one spouse is now reformed and objects to the other spouse’s continuing use of

