

## IL Divorce attorney

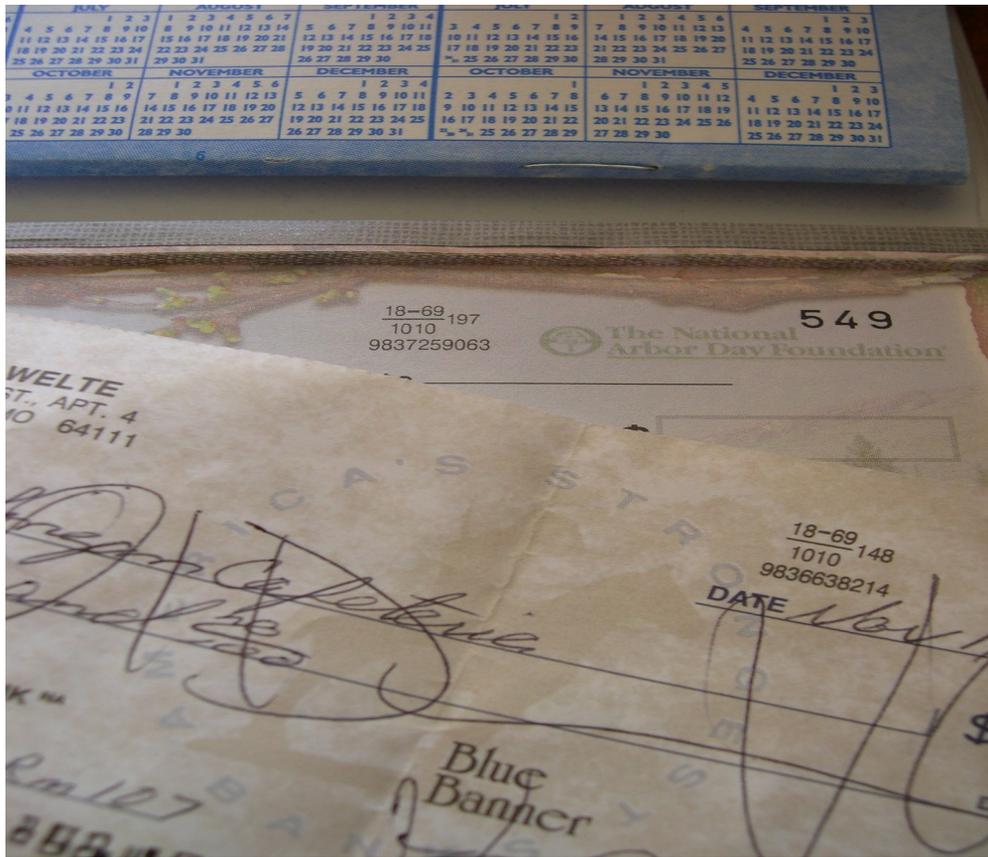


Image courtesy of [Morgue File](#)

### Walsh and Ex-Wife reach private settlement in child support battle

Congressman Joe Walsh and his ex-wife have reportedly ended a highly publicized child support battle in private. According to AP reports, Walsh settled for an undisclosed amount in a private settlement, ending the battle.

In 2010, Walsh's ex-wife, Laura sued for about \$117,000 owed in back child support and interest. After the suit was filed, Walsh faced a public relations nightmare when various blogs and media outlets dubbed him a “deadbeat dad.” After Walsh asked for the case to be dismissed, political opponents criticized him for engaging in election year politics.

Walsh's response was that from 2005-2010, his income dropped while his ex-wife began making more money. As a result, he argued that he was not responsible for paying the amount of child support asked for by Laura Walsh.

In Illinois, the amount of child support to be paid is governed by [750 ILCS 5/505](#). The guidelines for determining the amount paid in most cases are: The financial needs and resources of the child (or children), The financial needs and resources of the custodial parent, the standard of living the child or children would've enjoyed had the marriage not have been dissolved, the physical and emotional

condition of the child and his educational needs, and the financial resources and needs of the non-custodial parent.

While courts use the above criteria to determine the amount of child support due, each case is unique. To determine the exact amount of child support due, it is important to [consult with an attorney](#) with experience in family law.

Divorce attorney:



Photo courtesy of [Morgue File](#)

Proving a fault divorce in Illinois

While Illinois allows for a no-fault divorce, [state statues set out](#) specific situations that would qualify as fault on either party in the event of a dissolution of marriage.

In order to qualify as fault, one of the parties must have committed adultery or bigamy, engaged in physical or mental cruelty towards the other spouse, experienced proven impotence, deserted the other spouse for a period of one year or more, demonstrated habitual drunkenness for the two years or more,

In some cases, fault is present if one spouse has been convicted of a felony or "other infamous crime." The law will find fault if one spouse is proven to have attempted the life of the other by poison or other means showing malice, or have given the other spouse a sexually transmitted disease.

The chapter also makes provisions for how drug abuse qualifies as a reason for determining fault in a divorce proceeding. To meet this requirement, there must be a proven "use of an addictive

drug by a person when using the drug becomes a controlling or a dominant purpose of his life."

In Illinois, the most common form of filing divorce is through a "no fault" divorce. In a no-fault none of the "dirty laundry" covered under the chapter has to be aired during the proceeding. Neither spouse has to prove that the other is the one who caused injury or defend himself or herself from the accusation of having committed any harm against the other spouse. In no fault, neither party receives any preferential treatment.

In the process of trying to find fault with the other spouse, it is extremely important to consult with an experienced divorce attorney who will examine the specifics of their case and determine the best way to proceeding with a filing of a dissolution of marriage.

## Bankruptcy



Image courtesy of [Morgue File](#)

Attorneys General from over ten states [including Illinois](#) have penned a letter to the Federal Housing Finance Agency to encourage loan giants Freddie Mac and Fannie Mae to reduce loan principals for homeowners who are struggling to avoid foreclosure on their homes.

The letter states that by using principle forgiveness, the cost to investors and banks would be minimal. Despite a statement in January by Federal Housing Finance Agency head Edward DeMarco that principal forgiveness would result in a burden to tax payers, the coalition of Attorneys General argue that forgiveness could result in savings of almost \$1.7 billion.

As Freddie Mac and Fannie Mae own the majority of home loans in the United States, the letter urges them to act as a leader in principal forgiveness, rather than a hinderance in restarting the economy.

The attorneys further argue in the letter that increasing incentive payments to investors under the Home Affordable Modification Program (HAMP) would help ally concerns that forgiveness would negatively impact Freddie Mac and Fannie Mae. While many lenders have complained that participating in in [forgiveness](#) would involve costly changes to existing computer programs, the recent [Foreclosure Settlement](#) proves that lenders are capable of handling any resulting changes in

their existing programs and procedures when dealing with home mortgages.

Despite a concerted effort by public officials to help homeowners facing foreclosure, residents of Illinois struggling with foreclosure should consult an experienced attorney to determine if a declaration of bankruptcy under Chapter 13 could help them with retaining their home.

Austin, TX personal injury



Image courtesy of [Morgue File](#)  
Sequin Student survive fiery crash in Sequin

Nine students from Sequin ISD are [lucky to be alive](#) after narrowly escaping a crash with a PT Cruiser. According to Department of Public Safety Trooper Jason Reyes, the bus was traveling along Hwy 123 to Seguin High School and Barnes Middle School when a PT Cruiser moved over to the shoulder to allow an eighteen wheeler to pass.

The eighteen wheeler clipped the PT Cruiser, causing the smaller vehicle to spin onto oncoming traffic and crash head on with the school bus. The impact of the crash caused the bus to turn upside down, igniting the vehicle with the thirteen students and four adults trapped inside.

Firefighters credit the construction of the bus, a three week old vehicle with a chassis designed to separate in the event of a collision, with saving the lives of the thirteen inside.

One of the students, a ninth grade football player Jason Reed is credited with saving his fellow students. With the bus lying upside down, he helped his fellow passengers to safety.

While most of the students suffered only minor injuries, one adult and one student were sent to San Antonio area hospitals. The Texas Department of Public Safety accident team will analyze the wreckage before giving a full report of the accident.

While the Department of Public Safety still investigates the details of the crash, the families of some of the passengers are already taking matters into their own hands. According to the Houston Chronicle, at least one family has secured the services of [an attorney](#) following the crash.

## Estate Planning, IL

### Per Stripes



Image courtesy of [Morgue File](#)

Per Stripes is the default method of dividing up a [deceased person's estate in Illinois](#), if the deceased dies without having a will. Per stripes is based on each branch of his or her heirs. The estate is then divided equally according to the number of children that the deceased person has.

If Mary dies without a surviving spouse with two children, Allen and Brad with Brad, each will get an equal amount of money from her estate. If Brad is dead and has three children, Cathy, David and Ethan, each of the three will split Brad's half of the inheritance. If any of the three have children, grandchildren or great-grandchildren, then the half that would've gone to the deceased Brad will be split evenly amongst them.

This method was created to allow each branch of a person's family to inherit equally without playing favorites at the time of dividing up an estate. In many cases in Illinois, this is a fair and equitable method of dividing up an estate. If Per Stripes is used, then it means that one or more of the original heirs (in the original generation) to an estate has predeceased the person whose estate is being divided.

In some cases, however, this method of distribution is not desirable. Say one child has numerous children and great grandchildren, which would mean each could receive a small amount from the estate. In other cases, if the deceased is estranged from their child and the child's descendants and wishes for none of them to inherit a portion of the estate, without a will, the grandchildren of the disinherited branch will receive an equal amount of the estate according to Illinois state statute.

For individuals who desire to have their estate divided according to their wishes, it is important to

consult an experienced attorney who can help them plan their estate according to their instructions.

Court rules disabled girl's family can sue City of Chicago for neglect.

A federal appellate court ruled that the family of a girl attacked after being released from police custody could sue the police for negligence. The city had moved to dismiss the charges against the officers involved, but the judge ruled that the case can proceed as soon as this October.

In the ruling, the judge wrote that the [police were aware](#) that Christina Eilman suffered from a bipolar disorder when they released the girl without care after arresting her had Midway airport following a disruption that she caused. Police department policy requires that officers dealing with a mentally ill individual take the individual to a hospital for an evaluation. But in Eilman's case, officers decided to release her from their custody without arrainging a medical evaluation.

Instead, Eilman was released to high crime neighborhoods surrounding Midway, where she was attacked and sexually assaulted

In addition to questioning the police's responsibility to provide medical care for Eilman, the judge questioned if Eilman's constitutional rights were also violated when the police took the woman from the relative safety of Midway to a high crime location approximately seven miles away from the airport. As Eilman was a California native and had no knowledge of the neighborhood and the danger she was in, she had no way of knowing that she was in danger.

Eilman was lured into a high rise where she was attacked and assaulted before being thrown from a seventh-floor window. The resulting fall caused a shattered pelvis and brain injury. As a result of her injuries, Eilman now lives with her parents and requires round the clock care.