

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY, ILLINOIS

—vs—

NO. _____

YOUR FAILURE TO APPEAR AT THIS HEARING MAY RESULT IN YOUR ARREST

CITATION TO DISCOVER ASSETS

To: _____
(NAME AND ADDRESS OF DEFENDANT OR RESPONDENT)

YOU ARE COMMANDED to appear before the Judge presiding in Room _____ of the
_____ County Courthouse, _____,
_____, Illinois, on _____, ___ at _____ .m. to be
examined under oath to discover assets or income, not exempt from the enforcement of the judgment.

A Judgement against _____ (Judgment Debtor)
was entered on _____, ___ and \$ _____ remains unsatisfied.

YOU ARE COMMANDED to produce at the examination:

All books, papers or records in your possession or control which may contain information concerning the property or income of, or indebtedness due judgment debtors and:

YOU ARE PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from execution or garnishment belonging to the judgment debtor or to which the judgment debtor may be entitled or which may be acquired by or become due to the judgment debtor and from paying over or otherwise disposing of any money not so exempt, which is due or becomes due to the judgment debtor, until the further order of court or termination of the proceedings. You are not required to withhold the payment of any money beyond double the amount of the balance due.

WARNING: YOUR FAILURE TO APPEAR IN COURT AS HEREIN DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL.

CERTIFICATE OF ATTORNEY OR JUDGMENT CREDITOR

Judgment Amount \$ _____ Balance Due \$ _____

Date Of Judgment/Revival _____

Name of Court Entering Judgment _____

Case No. _____

The undersigned certifies, under penalties provided by law pursuant to 735 ILCS 5/1-109, that the information contained herein is true and correct.

Name _____
Attorney for _____
Address _____
City _____
Telephone _____

WITNESS: _____
Date _____

CLERK OF COURT

CITATION NOTICE

Judgment Debtor's last known:

Judgment Creditor's Attorney/Judgment Creditor:

Name: _____

Address: _____

City: _____

Phone: _____

Judgment in the amount of \$ _____

Name of person receiving Citation: _____

NOTICE: The court has issued a citation against the person named above. The citation directs that person to appear in court to be examined for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest. The citation was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above. On or after the court date shown above, the court may compel the application of any discovered income or assets toward payment on the judgment.

The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law. **THE JUDGMENT DEBTOR HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE:**

- (1) (a) Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed \$2,000 in value, in any personal property as chosen by the debtor.
 - (b) Social Security and SSI benefits.
 - (c) Public assistance benefits;
 - (d) Unemployment compensation benefits;
 - (e) Worker's compensation benefits;
 - (f) Veteran's benefits;
 - (g) Circuit breaker property tax relief benefits;
 - (h) The debtor's equity interest, not to exceed \$1,200 in value, in any one motor vehicle; and
 - (i) The debtor's equity interest, not to exceed \$750 in value, in any implements, professional books, or tools of the trade of the debtor.
- (2) Under Illinois law, every person is entitled to an estate in homestead, when it is owned and occupied as a residence, to the extent in value of \$7,500, which homestead is exempt from judgment.
- (3) Under Illinois law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 15% of gross weekly wages of (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage.
- (4) Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 25% of disposable earnings for a week of (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.
- (5) Pension and retirement benefits and refunds may be claimed as exempt under Illinois law.

The judgment debtor may have other possible exemptions under the law.

THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. The judgment debtor also has the right to seek a declaration at an earlier date, by notifying the clerk in writing at the office of the Clerk of the Circuit Court, _____, Illinois. When so notified, the Clerk of the Circuit Court will provide a hearing date and the necessary forms that must be prepared by the judgment debtor or the judgment debtor's attorney and sent to the judgment creditor regarding the time and location of the hearing. This Notice may be sent by regular First Class Mail.