

CIRCUIT COURT OF ILLINOIS

Sixth Judicial Circuit
Circuit Court of Illinois
Champaign County
Champaign County
Sixth Judicial Circuit
Champaign County

Petitioner

vs.

Case No.: _____

Respondent

CITATION AND CERTIFICATION

The Circuit Clerk has reviewed the below listed Petitioner/Petitioner's Attorney Certification and based thereon issues this Citation.

1. The last known address of the **Respondent** is:
_____.
2. The name, address and phone number of the **Petitioner** and/or his/her attorney is:

_____.
3. The current balance, including costs, interest and attorney's fees, if applicable, is:
\$_____.
4. YOU, the RESPONDENT, are hereby ordered to appear for examination before the Court in courtroom _____, Champaign County Courthouse, 101 East Main Street, Urbana, Illinois, on the _____ day of _____, 20_____, at _____ a.m./p.m. At this hearing you may be questioned by the Petitioner, his/her counsel or by the Court about your assets and income which are not exempt from execution.

THE RESPONDENT HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE RESPONDENT WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE.

IF YOU FAIL TO APPEAR IN COURT AS DIRECTED IN THIS NOTICE, YOU MAY 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

A Citation Notice and an Income and Asset Form is attached.

PLEASE READ THEM.

PETITIONER/PETITIONER'S ATTORNEY CERTIFICATION

I, the undersigned, certify under penalties of perjury pursuant to 735 ILCS 5-1-109 and state the following:

1. Amount of Judgment: \$_____
2. Date of Judgment: _____
3. Balance currently due: \$_____
4. Interest on Judgment: \$_____

Signature of Petitioner or Petitioner's Attorney

WITNESS, Linda S. Frank, Clerk of the Circuit Court of Champaign County, Illinois this _____ day of _____, 20_____.

Clerk of the Circuit Court

IMPORTANT CITATION NOTICE

The **Respondent** is hereby prohibited from making or suffering any transfer or other disposition of or interfering with any property not exempt from execution or garnishment belonging to you, or to which you may be entitled or which may hereafter be acquired by you or become due to you.

YOU are prohibited from paying over or otherwise disposing of any monies not exempt which are due or which become due until further order of this Court.

IF YOU, THE RESPONDENT, VIOLATE THIS CITATION, THE COURT MAY PUNISH YOU FOR CONTEMPT OF ITS ORDERS.

YOU are informed that money and property from some sources or up to certain amounts may not be taken from you. These funds are protected under Federal and State Laws. Money or property which may not be taken is called "exempt" property. Exempt property includes the following:

1. Social Security and SSI benefits;
2. Welfare benefits (AFDC, AABD, General Assistance, Public Assistance benefits, including food stamps and TANF);
3. Certain life insurance proceeds;
4. Workers Compensation awards;
5. Unemployment Compensation awards;
6. Veterans benefits;
7. Circuit Breaker Property Tax Relief benefits;
8. Certain alimony and support payments;
9. Certain pension and retirement benefits;
10. Certain payments on account of bodily injury or wrongful death;
11. \$4,000 (equity value) of personal property, as chosen by you, including bank accounts;
12. \$2,400 (equity value) of any one motor vehicle;
13. 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 or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage or, under a Wage Deduction Summons served on or after January 1, 2006, the minimum hourly wage prescribed by Section 4 of the Minimum Wage Law, whichever is greater;
14. \$1,500 (equity interest) in Respondent's tools of the trade, professional books or implements;
15. \$15,000 homestead exemption in a residence which is owned and occupied by the Respondent;
16. 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 or (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.
17. The Respondent may have other possible exemptions under the law.

THE RESPONDENT HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH. THE RESPONDENT ALSO HAS THE RIGHT TO SEEK A DECLARATION AT AN EARLIER DATE, BY NOTIFYING THE CLERK IN WRITING AT CIRCUIT CLERK, 101 EAST MAIN, URBANA, ILLINOIS 61801. WHEN SO NOTIFIED, THE CLERK OF THE COURT WILL PROVIDE A HEARING DATE FOR THE RESPONDENT. THIS NOTICE MUST BE SENT BY PERSONAL SERVICE OR ABODE SERVICE.

If you think that your income or property is exempt, and if you have any questions about your exemptions, you should take this paper to a lawyer at once. A lawyer can advise you more specifically of your rights. If you cannot afford a private attorney, there is the Land of Lincoln Legal Assistance Program (217-356-1351).

The court date specified on the front page of this Citation is the date set for you to tell the Judge if you have an exemption. **IF YOU DO NOT GO TO COURT ON THE DATE AT THE TIME SCHEDULED ON THE FRONT PAGE OF THIS CITATION, A BENCH WARRANT MAY BE ISSUED FOR YOUR ARREST.**

CIRCUIT COURT OF ILLINOIS

Sixth Judicial Circuit
Champaign County

INCOME AND ASSET FORM

To Respondent: Please complete this form and bring it with you to the hearing referenced in the enclosed Citation notice. You should also bring to the hearing any documents you have to support the information you provide in this form, such as pay stubs and account statements. The information you provide will help the Court determine whether you have any property or income that can be used to satisfy the Judgment entered against you in this matter. The information you provide must be accurate to the best of your knowledge.

IF YOU FAIL TO APPEAR AT THIS HEARING, YOU COULD BE HELD IN CONTEMPT OF COURT AND POSSIBLY ARRESTED.

In answer to the Citation and supplemental proceedings served upon the Respondent, he or she answers as follows:

Name: Home Phone Number:

Home Address:

Date of Birth: Marital Status: I have dependents.

Do you have a job? YES NO

Company's name I work for:

Company's address:

JOB:

I earn \$ per

If self employed, list here your business name and address:

Income from self employment is \$ per year

I have the following benefits with my employer:

I do not have a job, but I support myself through:

Government Assistance \$ per month SSI \$ per month

Unemployment \$ per month Pension \$ per month

Social Security \$ per month Other \$ per month

REAL ESTATE:

Do you own any real estate? YES NO

I own real estate at

with names of other owners

Additional real estate I own:

I have a beneficial interest in a land trust.

The names and address of the trustee is:

The beneficial interest is listed in my name and

There is a mortgage on my real estate. State the mortgage company's name and address for each parcel of real estate owned:

An assignment of beneficial interest in the land trust was signed to secure a loan from

I have the following accounts:

Checking account at ; Checking account balance \$

Savings account at ; Savings account balance \$

Money market or certificate of deposit at Safe deposit box at

Other accounts (please identify):

I OWN:

A vehicle (state year, model, and VIN):

Jewelry (please specify): Other property described as:

Stocks/Bonds: Personal computer:

DVD player: Television:

Stove: Microwave:

Work tools: Business equipment:

Farm equipment:

Other property (please specify):

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

Signature: Date: