

Citation Notice

Judgment Debtor's last known: _____ Judgment Creditor's Attorney/Judgment Creditor:
Name: _____
Address: _____
City, State, Zip: _____
Phone: _____

Judgment in the amount of: \$ _____

Name of person receiving Citation: _____

Court date and time: _____

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 as 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 \$4,000 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 \$2,400 in value, in any one motor vehicle; and
(i) The debtor's equity interest, not to exceed \$1,500 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 \$15,000, 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 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.
- 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 or (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, 103 W. Main St, Room 21, Olney, IL 62450. 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.

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
RICHLAND COUNTY, OLNEY, ILLINOIS

_____))
Plaintiff))
vs.)) Case No.: _____))
_____)))
Defendant)) IF YOU FAIL TO APPEAR AT THIS HEARING A
WARRANT MAY BE ISSUED FOR 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 33 of the Richland County Courthouse, 103 W. Main St, Olney, Illinois on _____ at _____ to be examined under oath to discover assets or income, not exempt from the enforcement of the judgment. A Judgment 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: 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.

CERTIFICATION OF ATTORNEY OR JUDGMENT CREDITOR

Judgment Amount: \$ _____ Balance Due: \$ _____
Date of Judgment/Revival: _____ Case No.: _____
Name of Court entering Judgment: _____

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: _____ ARDC: _____
Attorney for: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Email: _____

WITNESS: _____

Clerk of Court

Income and Asset Form

To Judgment Debtor: 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 THS HEARING, YOU COULD BE HELD IN CONTEMPT OF COURT AND POSSIBLY ARRESTED.

In answer to the citation and supplemental proceedings served upon the judgment debtor, he or she answers as follows:

Name: _____ Phone No.: _____

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 name 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 at: _____ Checking account balance \$_____

Savings 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, make, model, and VIN): _____

Jewelry (please specify): _____ Personal Computer: _____

Stocks/Bonds: _____ Television: _____

DVD player: _____ Microwave: _____

Business equipment: _____ Stove: _____

Work tools: _____ 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: _____