



# EMERGENCY MOTION TO CLAIM EXEMPTION

IN THE STATE OF ILLINOIS, CIRCUIT COURT

COUNTY: \_\_\_\_\_

*County Where the Case Was Filed*

*Enter the case information as it appears on the Citation form.*

PLAINTIFF: \_\_\_\_\_

*Who started the case. First, Middle, and Last Name, or Business Name*

DEFENDANT: \_\_\_\_\_

*Who the case was filed against. First, Middle, and Last Name, or Business Name*

RESPONDENT: \_\_\_\_\_

*Bank. Bank's Name*


Case Number

**To Debtor:** You have an automatic exemption of \$1000, which will be applied to a bank account as part of your \$4000 "wildcard" exemption.

Certain money, like social security, is already protected. The wildcard exemption protects personal property that is not otherwise protected, like employment income or money you got as a gift.

1. I am the debtor.
2. My accounts at \_\_\_\_\_ have been frozen.  
*Name of Bank*
3. My personal property is exempt (protected) because:  
☐ I am claiming my **wildcard exemption** to protect \$4000 from non-exempt property.
4. In addition, my accounts contain money from the following **exempt sources of income:**  
(check all that apply)  
☐ Social Security, SSI benefits, and disability  
☐ Pension and retirement benefits and refunds  
☐ Public assistance benefits  
☐ Child support  
☐ Unemployment compensation benefits  
☐ Workers' compensation benefits  
☐ Veterans' benefits  
☐ Circuit breaker property tax relief benefits
5. The amount of money in my accounts that I am claiming as exempt is up to \$4000.

6. I ask for the following:

- Declare my funds to be exempt.
  - Release a sum up to \$4000.
  - Set a court date for the *Citation to Discover Assets to a Debtor's Bank*.
  - Grant any other relief that is fair.
- 



# SIGN

Under [735 ILCS 5/1-109](#), my signature means that:

- 1) Everything in this document is true and correct, or I have been informed or I believe it to be true and correct, and
- 2) I understand that making a false statement on this form is perjury and has penalties provided by law.

If you are filling out this form online, sign your name by typing it. If you are filling out this form by hand, sign and print your name.

Signature /s/ \_\_\_\_\_ Print Name \_\_\_\_\_

☐ I am completing this form for myself

Phone Number \_\_\_\_\_ Email (if you have one) \_\_\_\_\_

Address \_\_\_\_\_  
*Street, Apt. #                                  City                                  State                                  Zip Code*

Be sure to **check your email every day** so you do not miss important information, court dates, or documents from other parties.

☐ I am a lawyer completing this form on behalf of a client (Client name): \_\_\_\_\_

Lawyer Name \_\_\_\_\_ Attorney Number \_\_\_\_\_

Lawyer Phone Number \_\_\_\_\_ Law Firm \_\_\_\_\_

Lawyer Email \_\_\_\_\_

Address \_\_\_\_\_

Street, Apt. #

City

State

Zip Code



## WHAT'S NEXT

## NEXT STEP FOR PERSON FILLING OUT THIS FORM:

After you fill out your forms, file them with the Circuit Clerk's office in the county where your case is taking place. Then, send your forms to the other people in the case. To find your Circuit Clerk, visit [ilcourts.info/clerks](http://ilcourts.info/clerks)

If you do not already have a court date for your *Emergency Motion to Claim Exemption*, you will need to get one and file a *Notice of Court Date for Emergency Motion to Claim Exemption*. When you file your *Motion*, ask the Circuit Clerk if you have to schedule a court date or if one will be scheduled automatically. In some counties, you may get the court date when you e-file. Include the court date on your *Notice*.



Learn more about each step in the process and how to file in the instructions:

[ilcourts.info/how-to-exemption-motion](http://ilcourts.info/how-to-exemption-motion)