



# CITATION TO DISCOVER ASSETS TO A THIRD PARTY RESPONDENT

IN THE STATE OF ILLINOIS, CIRCUIT COURT

(This form is not meant to be used for bank accounts or wage garnishment.)

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

*County Where the Case Was Filed*

*Enter the case information as it appears on your other court documents.*

**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:**

*The name of the third party.*

\_\_\_\_\_  
*First, Middle, and Last Name, or Business Name*

*Address where can be served.*

\_\_\_\_\_  
*Respondent's Street Address*

\_\_\_\_\_  
*City State Zip Code*

\_\_\_\_\_  
**Case Number**

1. This citation is being sent to you, \_\_\_\_\_, because the creditor  
*Respondent*

**believes that you have property or information about the property or income of the debtor listed below. You must attend court. See the next page for more information.**

*Enter the name and address of the debtor.*

\_\_\_\_\_  
*Debtor's Name*

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

**2. Court Date Information**

*Information about getting a court date and how to attend is available from the Circuit Clerk. You can find their contact information at [ilcourts.info/clerks](http://ilcourts.info/clerks). If you are e-filing in Cook County, you may get the court date when you e-file.*

**A. You (the respondent) must attend court on:**

\_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m. in \_\_\_\_\_  
*Month, Day, Year Time Courtroom Number*

*Court dates may be scheduled in-person, remotely, or a combination of in-person and remotely. Find out how your court date will be scheduled and provide that information here. Add the Clerk's phone number and website.*



#### 4. Production Notice

If requested by the creditor, the respondent is required to produce copies of all books & records about the income or property of the judgment debtor, including, but not limited to, the following documents:

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#### 5. Notice to Debtor

- **IF YOU FAIL TO APPEAR IN COURT AT THE DATE AND TIME PROVIDED, YOU MAY LOSE THE RIGHT TO PROTECT MONEY IN A BANK ACCOUNT AND OTHER ASSETS AND YOU COULD BE SUBJECT TO ARREST AND IMPRISONMENT.**
- If you go to court on the date listed in section 2 you may be able to claim certain protections (exemptions). **See *How to File an Emergency Motion to Claim Exemption*** for information on this *Motion* at [ilcourts.info/collections-forms](http://ilcourts.info/collections-forms).
  - If you need to go to court earlier than the court date listed in section 2, you can file an *Emergency Motion to Claim Exemption*.
- A debtor who is an individual or person has the **right to claim certain protections (“exemptions”)**. If a debtor claims an exemption, the income or property covered by that exemption cannot be taken to pay the judgment.
- **If you do not attend court**, and the respondent has money or property belonging to you, **then the court may give money or property to the creditor.**
- **Automatic protections:** If you have \$1,000 or less in a bank account, that amount will be automatically exempt and available to you through the return date listed in Section 2.
- **Right to protect other funds:** You have the right to protect money in a bank account up to \$4,000 by using the “wildcard” exemption.
- **Right to unfreeze funds for emergencies:** If you need the money frozen in your bank account for emergencies or necessities, you can file the *Emergency Motion to Claim Exemption* form.
- **Business entities do not have any exemptions.**

Here are some exemptions the debtor may be able to claim:

- A. Money, property, or belongings up to \$4,000 in value (“wildcard exemption”), of which \$1,000 will be automatically applied to the debtor’s bank, savings bank, or credit union account through the end of the hearing above in section 2.
- B. Social Security, Supplemental Security Income, and disability benefits.
- C. Public assistance benefits.
- D. Child support.
- E. Unemployment compensation benefits.
- F. Workers’ compensation benefits.
- G. Veteran’s benefits.
- H. Circuit breaker property tax relief benefits.
- I. Debtor’s equity interest in any one motor vehicle, up to \$3,600.
- J. Debtor’s equity interest in any professional books, or tools of their trade, up to \$2,250.
- K. Pension and retirement benefits and refunds.
- L. Debtor’s equity interest, up to \$50,000 for an individual and \$100,000 for two or more individual owners, in the house they live in.  
*Equity interest is the money the debtor would get if they sold their property and paid off any outstanding loans.*

- M. Personal property such as furniture, books, kitchen appliances, necessary provisions, washing machine, clothes dryer, yard equipment, and household equipment and tools.
- N. Personal possessions such as clothing, pets, personal health aids, medications, computers or similar electronic devices, and telephones.
- O. One piece of jewelry up to a value of \$5,000.
- P. Personal bodily injury awards up to \$22,500.

The debtor has the right to declare property or income as exempt at the court date listed in section 2. The debtor also has the right to ask for these exemptions at an earlier date by notifying the clerk in writing at the office of the Circuit Clerk. A court date will be set. Necessary forms must be prepared by the debtor and sent to the bank and the creditor or the creditor's attorney.

#### 6. Certification By the Creditor

- A. Enter the name of the debtor and the date of the judgment. If the judgment has been renewed ("revived"), enter that date.

A judgment was entered or renewed against \_\_\_\_\_,  
Name

the debtor, on \_\_\_\_\_.  
Date

- B. The amount of the judgment is \$ \_\_\_\_\_.  
Amount of Judgment

- C. Enter how much is still owed to you. You are entitled to the judgment amount, court costs (e.g., filing fees, service fees, sheriff's fee, etc.), and post judgment interest of 9% per year. Subtract any payments made by the debtor.

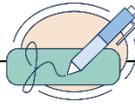
The **current balance due**, including judgment interest and the creditor's court costs, minus any payments made by the debtor or on behalf of the debtor since the judgment was entered is \$ \_\_\_\_\_.

Check one of the boxes below depending on the judgment:

- This is a consumer debt judgment with 5% per year post judgment interest.
- This is **not** a consumer debt judgment with 9% per year post judgment interest.

#### 7. You must mail this Citation by first-class regular mail to the debtor.

I certify I will mail by regular first-class mail a copy of the *Citation* to the debtor at the address shown above within 3 business days after service on the respondent.



### SIGN

Under [735 ILCS 5/1-109](#), your 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*

**STOP** The Circuit Clerk will fill in this section.

**To be filled in by the Circuit Clerk:**

Witness this Date: \_\_\_\_\_

*Seal of Court*

Clerk of the Court: \_\_\_\_\_



## 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. After the Circuit Clerk's office has stamped the court's seal to this form, then send your forms to the other people in the case. Find your Circuit Clerk: [ilcourts.info/clerks](http://ilcourts.info/clerks).



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

[ilcourts.info/how-to-third-party-citation](http://ilcourts.info/how-to-third-party-citation)

### NEXT STEP FOR PERSON RECEIVING THIS DOCUMENT:

For more information about going to court including how to fill out and file forms, call or text **Illinois Court Help** at 833-411-1121 or go to [ilcourthelp.gov](http://ilcourthelp.gov).

If there are any words or terms that you do not understand, please **visit Illinois Legal Aid Online** at [ilao.info/glossary](http://ilao.info/glossary). You may also find more information, resources, and the location of your local legal self-help center at [ilao.info/lshc-directory](http://ilao.info/lshc-directory).