



This is for information and instruction. Do not file it.

HOW TO FILL OUT AND SUBMIT A VERIFIED CLAIM

1

FILL OUT THE REQUIRED FORM.

Your *Verified Claim* is your written response to the Notice of Pending Forfeiture.

The Notice of Pending Forfeiture is a document sent to the owner of the property by the State's Attorney. The Notice explains why the State can permanently take the property and where to send the *Verified Claim* form.

Use these forms:

- *Verified Claim*

2

SUBMIT YOUR FORM TO THE STATE'S ATTORNEY'S OFFICE.

You must submit a copy of your *Verified Claim* to the State's Attorney's Office.

To do this, mail or take your *Verified Claim* to the State's Attorney's Office listed in the Notice of Pending Forfeiture.

The Notice may have more instructions on how to submit your *Verified Claim*.

3

NEXT STEPS.

The State's Attorney's Office will send you a response to your *Verified Claim* within a few weeks. If you do not get a response, contact the State's Attorney's Office to follow up.

If the State's Attorney starts a court case to proceed with forfeiture, your case will go to court. If your case goes to court, you will need to file an *Appearance*.

If you need to file an *Appearance* for a court case, use these forms:

- *Appearance (Civil Asset Forfeiture)*
- *Additional Proof of Delivery (Civil Asset Forfeiture)* (if needed)
- *Application for Waiver of Court Fees* (if needed)

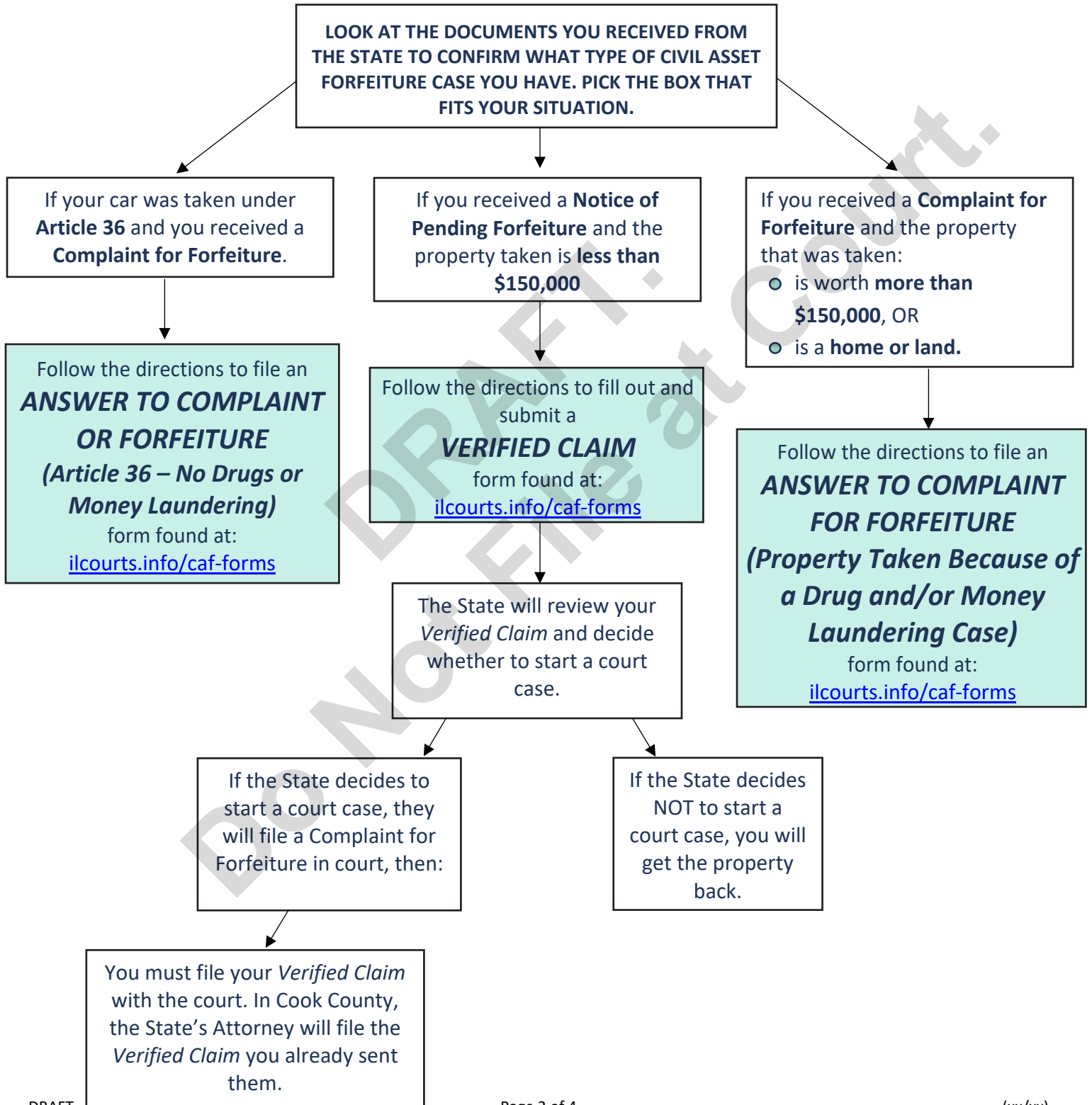
Laws covering these forms: Illinois Supreme Court Rules [131](#), [137](#), and [138](#);
Illinois Statutes [720 ILCS 570/505](#), [720 ILCS 570-100](#), [720 ILCS 5/29B-1](#), [725 ILCS 150/1](#) and [410 ILCS 620/1](#).



This packet is not legal advice. It provides general instructions on how to use these forms in your court case. It cannot and does not try to cover everything that might happen in your court case. Your use of the forms does not guarantee you will be successful in court.

How a judge handles a case can vary from county to county. **Your county may have special requirements that are not covered in these instructions.** Ask the Circuit Clerk's office if your county has local rules and, if so, where you can get a copy.

CHOOSE THE CORRECT FORM TO RESPOND TO YOUR CIVIL ASSET FORFEITURE CASE





STEP 1

FILL OUT THE REQUIRED FORM.



ARE THESE FORMS FOR ME?

In a civil asset forfeiture case, the government is trying to keep property it took from you, like a car, money, or other belongings. It is a **separate court process** from a criminal court case, even if both are about the same event. This civil case has its own case number, deadlines, and notices. If you do not participate in this civil asset forfeiture case, you will lose your property. This can happen even if you win the related criminal case or if you were not the person accused of the crime.

Use this form to **tell the State's Attorney that you have a claim to the property that was taken and that you want it back.**

Use this form if:

- You received a Notice of Pending Forfeiture for a case involving drugs or money laundering.

DO NOT use these forms if:

- Your case is a **criminal forfeiture case**.
- Your civil asset forfeiture case does **not** involve drugs or money laundering.

Forms required:

- *Verified Claim*: Your written statement explaining that you own the property that was taken and why you should get it back.

You can find all of the statewide forms online at: ilcourts.info/forms.



IMPORTANT INFORMATION

If you would like to learn more about civil asset forfeiture, go to ilao.info/get-forfeit-property.

What is a Notice of Pending Forfeiture?

- The Notice of Pending Forfeiture is the document sent to the property owner by the State's Attorney. The Notice explains why the state can take your property. It explains where to send the *Verified Claim* form.

Is there a deadline for submitting a *Verified Claim*?

- Yes. You have 45 days from the date you received the Notice of Pending Forfeiture to submit your *Verified Claim* to the State's Attorney's Office. The Notice of Pending Forfeiture you got should include your exact deadline.

What happens if I don't submit a *Verified Claim*?

- If you are required to submit a *Verified Claim* to the State's Attorney's Office and you do not do so, **you will lose your property.**
- You **must** submit a *Verified Claim* if you want to try to get your property back.

Is there a cost to submit a *Verified Claim*?

- No. There is no cost to submit a *Verified Claim* to the State's Attorney.



STEP 2

SUBMIT YOUR FORM TO THE STATE'S ATTORNEY'S OFFICE.

- After filling out the form, you must submit the *Verified Claim* to the State's Attorney's Office.
 - Mail or take in person your *Verified Claim* to the State's Attorney's Office listed on the Notice of Pending Forfeiture you received.
 - The Notice will have instructions on how to submit your *Verified Claim* by mail or in person.
 - Some counties may allow you to submit it electronically. Contact the State's Attorney's Office listed on the Notice you received if you need more information.
- Keep a copy of the *Verified Claim* that you submit to the State's Attorney's Office.



STEP 3

NEXT STEPS.

- Watch your mail for any updates from the State's Attorney's Office. If you do not receive anything after one month of submitting your *Verified Claim*, contact the State's Attorney's Office.
- After the State's Attorney reviews your *Verified Claim*, they will decide whether to file a forfeiture case against you. If the State's Attorney files a forfeiture case, you will receive a Complaint for Forfeiture and notice of a future court date in the mail.
- If you get a notice that there is a court date for your case, you may have to file an *Appearance* and *Answer* form with the court. You can find those forms here: ilcourts.info/forms.
 - There may be fees to file court forms. **If you cannot afford to pay costs and fees, you can ask the court to file for free or at a reduced cost by filing an *Application for Waiver of Court Fees*.** This is a separate form you can find at: ilcourts.info/fee-waiver-forms.

EXTRA HELP WITH THE FORMS



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.

If there are any words or terms used in these instructions that you do not understand, please **visit Illinois Legal Aid Online** at 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.

