

Getting Started

Hardship Motion

IMPORTANT: This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to use a *Hardship Motion* form in your case. Your use of these forms does not guarantee you will be successful in court.

To learn how to fill out the forms and file them with the court, read the *How to File a Hardship Motion* instruction sheet and the instructions on the forms.

Names of the forms:	<ul style="list-style-type: none"> • <i>Hardship Motion</i> • <i>Additional Information for Hardship Motion</i> (if needed) • <i>Appearance (Civil Asset Forfeiture)</i> • <i>Notice of Court Date for Hardship Motion</i> • <i>Order on Hardship Motion</i> • <i>Proof of Delivery</i> (if needed) • <i>Additional Proof of Delivery (Civil Asset Forfeiture)</i> (if needed)
Purpose of the forms:	Use these forms when your car has been taken by the police and you need it back. You must have a “substantial hardship.”
Types of cases the forms CAN be used for:	Civil asset forfeiture cases.
Types of cases the forms CANNOT be used for:	All other cases.
Cost to file these forms:	There is no fee to file the <i>Hardship Motion</i> . There is a fee to file the <i>Appearance</i> form. If you cannot afford to pay the filing fee, you can ask the court to file for free or at a reduced cost by filing the <i>Application for Waiver of Court Fees</i> .
Special information or papers needed to complete the forms:	<ul style="list-style-type: none"> • Make, model, and year of car, • Vehicle Identification Number (VIN) of car, if known, AND • The lien holder's contact information, if you are paying off a loan on the car. <p>NOTE: For the court date, you must also bring:</p> <ul style="list-style-type: none"> • A valid driver's license, • Proof of car insurance, AND • Proof of state and city (if required by your city) registration.
Statutes covering the forms:	725 ILCS 150/3.5(e) and 720 ILCS 5/36-1
Where to find the forms and instruction sheet:	illinoiscourts.gov/Forms/approved/
For more information:	Read the <i>How To File a Hardship Motion</i> instruction sheet that comes with these forms. You may also find more information, resources, and the location of your local legal self-help center at illinoislegalaid.org .