



CITATION TO DISCOVER ASSETS TO DEBTOR'S EMPLOYER

IN THE STATE OF ILLINOIS, CIRCUIT COURT

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

RESPONDENT:

Employer.

Employer's Business Name

Employer's Street Address

City

State

Zip Code

Case Number

1. This citation and notice are being sent to you and the debtor because the creditor believes the debtor listed below is employed by you or works for you under some other contractual relationship:

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.

A. You must fill out the attached *Answer to Citation Proceeding* form and file it

- or -

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.

B. Attend court any of the ways checked:

☐ **In person at:** _____
Courtroom Address *Courtroom Number*

☐ **Remotely** (video or telephone option)

By video conference at: _____
Video Conference Website

Log-in information: _____
Video Conference Log-in Information, Meeting ID, Password, etc.

By telephone at: _____
Call-in Number for Telephone Remote Appearance

To find out more about remote court options:

Phone: _____ or Website: _____
Circuit Clerk's Phone Number Website URL



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, SAVINGS BANK, OR CREDIT UNION ACCOUNT AND OTHER ASSETS AND COULD BE SUBJECT TO ARREST AND IMPRISONMENT.
- If you go to court on the court date listed in section 2 you may be able to claim certain protections (exemptions) at that court date. See *How to File an Emergency Motion to Claim Exemption* for information on how to file this *Motion*.
- 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*.
- You have a right to challenge the employer's calculations of withholding that the employer includes in their *Answer* to this *Citation*.
- If you do not attend court and you work for this employer, the court may garnish your paycheck.

Notice to Employer

- You are prohibited from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from enforcement of a judgment, a deduction order or garnishment, property belonging to the judgment debtor or to which they may be entitled or which may thereafter be acquired by or become due to them, and from paying over or otherwise disposing of any monies not so exempt, which are due to the judgment debtor. This prohibition shall remain in effect until further order of court or termination of the proceeding. You are not required to withhold the payment of any monies beyond double the amount of the total sum due to the judgment creditor.
- **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.
- If you do not answer or attend the court date listed in section 2, the judge may do one of two things:
 - Enter a conditional judgment; OR
 - Issue a rule to show cause.
- If the court enters a conditional judgment, you will have 30 days to answer or appear. If you fail to do so, then the court may enter a final judgment against you.
- If there is a rule to show cause court date, you will have to explain why you did not attend court on the court date and why you should not be found in contempt of court. If you do not attend the rule to show cause on the set court date, the judge may find you in contempt, and you might be arrested and jailed.

3. The employer's duties and obligations:

- A.** Fill out and return the *Answer* on page **5** on or before the court date listed on page **1**. The *Answer* asks basic questions about the debtor and their income.
- B.** The first question in the *Answer* is whether the debtor is employed by you or works for you under some other contractual relationship.
- i.** If they do not, then check the "No" box, and send the form back.
 - ii.** If the debtor does work for you, answer the rest of the *Answer* about pay periods, hourly wage, gross pay, and required deductions from gross pay.
The *Answer* explains how to calculate the amount you need to withhold for the garnishment/turnover order.
 - iii.** If a positive amount is listed on section **4M** on the *Answer*, withhold that amount until there is a court order to turn over the wages or the *Citation* is dismissed.
 - iv.** If income varies, withholding must be recalculated for every pay period.
- C.** Sign the form, file the original with the Circuit Clerk who issued the *Citation*, and keep a copy for yourself. Give or send a copy of the completed *Answer* to the debtor and to the creditor.
- D.** Do not withhold any wages from the debtor if the debtor's income after taxes is equal to or less than 45 times (x) the federal or Illinois minimum wage, whichever is greater. See the **Exempt Wages Table** below to determine what wages are exempt based on the current minimum wage.
If the debtor's wages after taxes are more than this exemption, then you should withhold either (1) 15% of the debtor's gross income or (2) the debtor's income after taxes minus the exemption, whichever is less. See how to calculate the amount in the *Answer*.

Do not turn over any funds until you receive a wage deduction/turnover order.

EXEMPT WAGES TABLE				
<u>Timeframe:</u>	<u>If Paid Weekly</u>	<u>If Paid Every 2 Weeks</u>	<u>If Paid Semi-Monthly</u>	<u>If Paid Monthly</u>
As of January 1, 2025	\$675	\$1350	\$1462.50	\$2925
<i>(Minimum Wage \$15/hr)</i>				

4. 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 after the judgment was entered is \$_____.

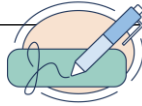
Check one of the boxes below depending on the judgment:

- ☐ 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.

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 employer's registered agent.

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



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.



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

ilcourts.info/how-to-employer-citation

**THE NEXT FORM IS FOR THE EMPLOYER TO FILL OUT AND FILE OR
BRING TO COURT.**



ANSWER TO CITATION PROCEEDING

(TO BE FILLED OUT BY EMPLOYER)
IN THE STATE OF ILLINOIS, CIRCUIT COURT

COUNTY: _____

County Where You Are Filing the Case

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.

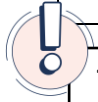
First, Middle, and Last Name

RESPONDENT:

Employer.

Employer's Business Name

Case Number



To Creditor:

- Fill out the section above in the same way you did on page 1. Do not complete the rest of the form.

To Employer:

- Fill out the form below and sign at the bottom.
- Section 4 will automatically calculate the correct dollar amounts if you are filling this form out on a computer.

1. Do you pay any money to the debtor listed in section 1 on the *Citation*? ☐ Yes ☐ No



If your answer is **Yes**, complete the rest of the form.

If your answer is **No**, check the box next to **A** or **B** below and answer depending on the situation. Then, sign at the end of the form.

A. ☐ If the debtor is no longer working for you, enter the last date of employment: _____
Date

B. ☐ The debtor is working for you but is not currently getting paid because of
☐ Unpaid leave or ☐ Other: _____
until _____
Approximate Date of Return

2. Of the money paid to the debtor, is any of that money (*check all that apply*):

- A. ☐ Subject to prior court ordered deduction (including child/spousal support)
Case Number: _____ State: _____ County: _____
- B. ☐ Disability ☐ Retirement ☐ Otherwise exempt (*specify*): _____

3. How often do you pay the debtor?

- ☐ Every week ☐ Every two weeks ☐ Semi-monthly
☐ Monthly ☐ Other: _____

4. CALCULATION TO DETERMINE AMOUNT OF WITHHOLDING

Enter the amounts for the most recent paycheck. The amount to be withheld is in **4M**. If income varies, withholding must be recalculated for every pay period. If a number is negative, enclose it in parentheses like this: (\$50.00).

- A. Gross wages per paycheck..... **A.** _____
- B. Mandatory contributions to pensions or retirement plan..... **B.** _____
- C. Subtract (B) from (A)..... **C.** _____
- D. Multiply (C) by 0.15..... **D.** _____
- E. Total of FICA, State Tax, Federal Tax, and Medicare..... **E.** _____
- F. Subtract (E) from (C)..... **F.** _____
- G. Enter amount of exempt wages per pay period from the **Exempt Wages Table** below. If the pay period is not in this table, multiply the number of weeks in the pay period by the weekly exempt wages amount..... **G.** _____
- H. Subtract (G) from (F)..... **H.** _____
- I. The lesser of (D) or (H)..... **I.** _____
- In **4I**, if the number is zero or a negative number, do not withhold any wages.
If it is a positive number, continue the calculation.*
- J. Child Support or other Court Ordered Deduction..... **J.** _____
- K. Subtract (J) from (I)..... **K.** _____
- L. Multiply (K) by 0.02 (statutory fees to the employer)..... **L.** _____
- M. Subtract (L) from (K) for amount to be withheld..... **M.** _____

Amount To Be Withheld**EXEMPT WAGES TABLE**

Timeframe:	If Paid Weekly	If Paid Every 2 Weeks	If Paid Semi-Monthly	If Paid Monthly
As of January 1, 2025	\$675	\$1350	\$1462.50	\$2925
<i>(Minimum Wage \$15/hr)</i>				

