PETITION TO VACATE A DEFAULT JUDGMENT (AFTER 30 DAYS)

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/PETITIONER OR IN RE: _____

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

DEFENDANTS/RESPONDENTS: _____

Who the case was filed against.

_____   _____

_____   **Case Number**

First, Middle, and Last Name, or Business Name

> Do not use this form if the default judgment was entered in the last 30 days. Instead, use the *Motion to Vacate a Default Judgment (Within 30 Days)*.

1. NAME & DEFAULT JUDGMENT DATE

Tell the court who you are and when the default judgment order was entered against you.

My name is: _____ _____ _____

        First   *Middle*   *Last Name*

A default judgment was entered against me on: _____

        Date (Month, Day, Year)

I am filing this petition within 2 years after the date the default judgment was entered, or I am filing because I did not receive proper notice of the court case.

2. REASONS FOR PETITION

Explain why you are asking the judge to cancel (vacate) the default judgment and reopen your case. (check all that apply)

☐ I have a valid claim or defense in the case, I had a good reason for not participating in the case earlier, and I acted quickly once I found out about the judgment.

My claim or defense in the case:

_____

_____

My reason for not participating in the case earlier:

_____

_____

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts. Forms are free at ilcourts.info/forms.

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When I found out about the judgment and what I did after I found out:

_____

_____

☐ I was not properly notified about the case (served) or another exception applies. *You must explain below.*

Explain:

_____

_____

3. REQUEST TO THE JUDGE

I ask the judge to cancel (vacate) the default judgment pursuant to 735 ILCS 5/2-1401 and set a new court date. I want to participate in the case.

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*

WHAT'S NEXT

NEXT STEP FOR PERSON FILLING OUT THIS FORM:

After you fill out your *Petition*, file it with the Circuit Clerk's office in the county where your case is taking place. Find your Circuit Clerk at ilcourts.info/clerks. You will need to get a court date and file a *Notice of Court Date for Petition.* Ask the Circuit Clerk if you have to schedule a court date or if one will be scheduled automatically when you file your *Petition*. In some counties, you may get the court date when you e-file. Include the court date on your *Notice.*

After you file your *Petition,* you must notify the person or business who sued you. You can do this by sending them the forms by certified mail. You could also ask the sheriff or a private process server to deliver them.

Learn more about each step in the process and how to file in our Instructions:
ilcourts.info/how-to-vacate-default

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.

If there are any words or terms 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.