

13.39A
Definition Of Forgery

Use For Cases Where The Offense Is Alleged To Have Occurred After December 31, 2011

A person commits the offense of forgery when he, with intent to defraud, knowingly

[1] [(makes a false document) (alters any document to make it false)] and that document is apparently capable of defrauding another.

[or]

[2] [(issues) (delivers)] a [(false document) (document altered to make it false)] which he knows has been falsely made or altered and the document is apparently capable of defrauding another.

[or]

[3] possesses, with intent to [(issue) (deliver)] a [(false document) (document altered to make it false)] which he knows has been falsely made or altered and the document is apparently capable of defrauding another.

[or]

[4] unlawfully uses the digital signature of another.

[or]

[5] unlawfully uses the signature device of another to create an electronic signature of that other person.

Committee Note

720 ILCS 5/17-3 (West 2021), amended by P.A. 97-231, effective January 1, 2012.

Give Instruction 13.40A.

When giving bracketed numbers [1], [2] or [3], give Instruction 13.42 defining “document capable of defrauding another” and Instruction 13.42A defining “false document” or “document that is false”.

When giving bracketed number [4], give Instruction 5.12, defining “digital signature”.

When giving bracketed number [5], give Instruction 5.13, defining “electronic signature”.

When applicable, give Instruction 5.14, defining “signature device”.

Use applicable paragraphs and bracketed material.

The brackets and numbers are provided solely for the guidance of court and counsel and should not be included in the instruction submitted to the jury.