

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	CITATION TO DISCOVER ASSETS TO DEBTOR'S EMPLOYER	<i>For Court Use Only</i>
Instructions ▼ Directly above, enter the name of the county where the case was filed. Enter the name of the plaintiff. Enter the name of the defendant. Enter the name and address of the employer. Enter the case number.	_____ Plaintiff <i>(First, middle, last name)</i> v. _____ Defendant <i>(First, middle, last name)</i> _____ Respondent <i>(Employer's Business Name)</i> _____ <i>Street</i> _____ <i>City</i> _____ <i>State</i> _____ <i>ZIP</i>	_____ _____ Case Number

In **1**, if the debtor is a person, enter the name and address for the debtor. If the debtor is a business, enter the name and address of the registered agent. The registered agent can be found on the [Illinois Secretary of State's website](#).

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:

Debtor's name

Street, Apt #

City _____ *State* _____ *ZIP*

In **2**, you will need to find out whether court will be in person, or by phone or video. Contact the Circuit Clerk by phone or visit their website. Once you have this information, check **2a** or **2b**.

Fill out court date and time above your selection, and then:

If you check **2a**, fill out the address of the court building where the Debtor will attend in person.

If you check **2b**, fill out:

- the phone number for the Circuit Clerk's office.
- the instructions for how to appear by phone or video.

2. You must fill out the attached *Answer to Citation Proceeding* form and file it or attend court on _____ at _____ ☐ a.m. ☐ p.m.

Date _____ *Time*

☐ **a. In person**

in courtroom _____

The address of _____

Street

City _____ *State* _____ *ZIP*

OR

☐ **b By phone or video**

Information and instructions for how you must attend by phone or video:

Attending by phone or video is also called a "Remote Appearance." For more information, call the Circuit Clerk _____

Local Circuit Clerk's phone number

or visit their website to find out how to do this.

Notice to Debtor	<ul style="list-style-type: none"> You can attend the court date listed in section 2. You may be able to claim certain protections (exemptions) at that court date. See <i>How to File an Emergency Motion to Claim Exemption</i> for information on how to file this Motion. If you need to be heard earlier than the court date listed in section 2, you can file an <i>Emergency Motion to Claim Exemption</i>. You do not have to attend court, but if you do not attend court, and you work for the employer, the court may garnish your paycheck.
Notice to Employer	<ul style="list-style-type: none"> If you do not answer or attend the court date listed in section 2, the judge may do one of two things: <ul style="list-style-type: none"> Issue a rule to show cause; OR Enter a conditional judgment. 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. 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.

3. The employer's duties and obligations:

- a. Fill out and return the *Answer* on page 4 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 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.
Do not withhold any wages from the debtor if the debtor's income after taxes is equal to or
- d. less than 45 times (x) the federal or Illinois minimum wage, whichever is greater. ***Illinois minimum wage will increase between January 1, 2020 and January 1, 2025. See the Exempt Wages Table on the last page of this form 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.

In 4a, enter the name of the debtor and the date of the judgment. If the judgment has been renewed ("revived"), enter that date.

In 4b, enter the amount of the judgment.

4. Certification by the creditor:

- a. A judgment was entered or renewed against _____ ,
Name
the debtor, on _____ .
Date
- b. The amount of the judgment is \$ _____ .

In **4c**, enter how much is still owed to you. You are entitled to the judgment amount, court costs (like filing fees, service fees, sheriff's fee, etc.), and post-judgment. Subtract any payments made by the debtor.

- c. The current amount that remains to be paid, including the creditor's court costs and post-judgment interest, minus any payment made by the debtor or on behalf of the debtor after the judgment was entered, is \$_____ plus costs of this proceeding.

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.

Under the Code of Civil Procedure, [735 ILCS 5/1-109](#), making a statement on this form that you know to be false is perjury, a Class 3 Felony.

I certify that everything in the *Citation to Discover Assets to Debtor's Employer* is true and correct. I understand that making a false statement on this form is perjury and has provided by law under [735 ILCS 5/1-109](#).

/s/
Your Signature

Street Address

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign and print your name.

Print Your Name

City, State, ZIP

Email

Telephone

Enter your complete address, telephone number, and email address, if you have one.

Attorney # (if any)

GETTING COURT DOCUMENTS BY EMAIL: You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information, notice of court dates, or documents from other parties.

STOP!

The Circuit Clerk will fill in this section.

Witness this Date: _____

Seal of Court

Clerk of the Court: _____

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	ANSWER TO CITATION PROCEEDING (TO BE FILLED OUT BY EMPLOYER)	<i>For Court Use Only</i>
Instructions ▼ To creditor: Fill out this section in the same way you did on page 1. Do not complete the rest of the form. To employer: fill out page 4 and sign below.	_____ Plaintiff (<i>First, middle, last name</i>) v. _____ Defendant (<i>First, middle, last name</i>) _____ Respondent (<i>Employer's Business Name</i>)	_____ Case Number

In 1, check the box that applies. If your answer is "No," enter the last date of employment and go to the Certification Section. If your answer is "Yes," complete the rest of the form.	1. Do you pay any money to the debtor listed in section 1 on the <i>Citation</i> ? <input type="checkbox"/> Yes <input type="checkbox"/> No If the debtor is no longer working for you, enter the last date _____ <i>Date</i>
In 2, check any boxes that apply.	2. Of the money paid to the debtor, is any of that money (<i>check all that apply</i>): a. <input type="checkbox"/> Subject to prior court ordered deduction (including child/spouse support) Case Number _____ State _____ County _____ b. <input type="checkbox"/> Disability <input type="checkbox"/> Retirement <input type="checkbox"/> Otherwise exempt (<i>specify</i>): _____
NOTE: If income varies, withholding must be recalculated for every pay period.	CALCULATION TO DETERMINE AMOUNT OF WITHHOLDING <i>(If income varies, withholding must be recalculated for every pay period.)</i>
In 3, check how often you pay the debtor.	3. Do you pay debtor: <input type="checkbox"/> Every week <input type="checkbox"/> Every two weeks <input type="checkbox"/> Semi-monthly <input type="checkbox"/> Monthly <input type="checkbox"/> Other: _____
In 4, enter the amounts for the most recent paycheck.	4. A. Gross wages per paycheck _____ B. Mandatory contributions to pensions or retirement plan _____ C. Subtract (B) from (A) _____ D. Multiply (C) by 0.15 _____ E. Total of FICA, State Tax, Federal Tax, and Medicare _____ F. Subtract (E) from (C) _____ G. Enter amount of exempt wages per pay period. See the Exempt Wages Table on the next page. If the pay period is not in this table, multiply the number of weeks in the pay period by the weekly exempt wages amount. _____ H. Subtract (G) from (F) _____ I. The <i>lesser</i> of (D) or (H) _____ J. Child Support or other Court Ordered Deduction _____ K. Subtract (J) from (I) _____ L. Multiply (K) by 0.02 (statutory fees to the employer) _____ M. Subtract (L) from (K) for amount to be withheld _____
NOTE: If a number is negative, enclose in parentheses like this: (\$50.00).	A. _____ B. _____ C. _____ D. _____ E. _____ F. _____ G. _____ H. _____ I. _____ J. _____ K. _____ L. _____ M. _____
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.	
The amount to be withheld is in 4M.	

EXEMPT WAGES TABLE				
Timeframe:	If Paid Weekly	If Paid Every 2 Weeks	If Paid Semi-Monthly	If Paid Monthly
January 1, 2020 - June 30, 2020 (Minimum Wage \$9.25/hr)	\$416.25	\$832.50	\$901.88	\$1,803.75
July 1, 2020 – December 31, 2020 (Minimum Wage \$10/hr)	\$450	\$900	\$975	\$1,950
January 1, 2021 - December 31, 2021 (Minimum Wage \$11/hr)	\$495	\$990	\$1,072.50	\$2,145
January 1, 2022 - December 31, 2022 (Minimum Wage \$12/hr)	\$540	\$1,080	\$1,170	\$2,340
January 1, 2023 - December 31, 2023 (Minimum Wage \$13/hr)	\$585	\$1,170	\$1,267.50	\$2,535
January 1, 2024 - December 31, 2024 (Minimum Wage \$14/hr)	\$630	\$1,260	\$1,365	\$2,730
January 1, 2025 (Minimum Wage \$15/hr)	\$675	\$1,350	\$1,462.50	\$2,925

Under the Code of Civil Procedure, [735 ILCS 5/1-109](#), making a statement on this form that you know to be false is perjury, a Class 3 Felony.

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign and print your name.

Enter your complete address, telephone number, and email address, if you have one.

File this *Answer* with the Circuit Clerk and send a copy to the Plaintiff/Plaintiff's attorney and the debtor.

I certify that everything in the *Answer to Citation Proceeding* is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under [735 ILCS 5/1-109](#).

Your Signature

Street Address

Print Your Name

City, State, ZIP

Email

Telephone

Attorney # (if any)