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

| STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY | CITATION TO DISCOVER ASSETS TO DEBTOR'S BANK | For Court Use Only |
|---|---|---|

| Instructions ▼ | |
|---|---|
| Directly above, enter the name of the county where the case was filed. | |
| Enter the name of the plaintiff. | **Plaintiff** *(First, middle, last name)* |
| | v. |
| Enter the name of the defendant. | **Defendant** *(First, middle, last name)* |
| Enter the name of the bank and the address where the bank can be served. | **Respondent** *(Bank name)*<br>*Street*<br>*City* *State* *ZIP* |
| Enter the case number. | **Case Number** |

In **1**, if the debtor is a person, enter the 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 is being sent to the bank and to the debtor because the creditor believes the bank has property belonging to the debtor listed below:**

*Debtor's Name*

*Street, Apt #*

*City* *State* *ZIP*

In **3**, 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 **3a** or **3b**.

Fill out court date and time, and then:

If you check **3a,** fill out the address of the court building where the Debtor will attend in person.

If you check **3b,** fill out:

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

**2. A representative from the bank must fill out the attached *Answer to Citation.***

**3. The next court date is** _____ **at** _____ ☐ **a.m.** ☐ **p.m.**
*Date* *Time*

☐ a. In person
in courtroom _____
The address of the court is: _____
*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 at:** _____
*Local Circuit Clerk's phone number*
**or visit their website to find out how to do this.**

| | |
|---|---|
| **Notice to Debtor** | • You can attend court on the court date listed in section 3. You may be able to claim certain protections (exemptions) at that court date. For a list of exemptions see section 5 below. See *How to File an Emergency Motion to Claim Exemption* for information on how to file this *Motion*.<br>• If you need to go to court earlier than the court date listed in section 3, you can file an *Emergency Motion to Claim Exemption*.<br>• You do not have to attend court. However, if you do not attend, and you have money in this bank, the court may turn your money over to the creditor. |
| **Notice to Bank** | • If you do not answer or attend court on the date listed in section 3, the judge may do one of two things:<br>o Issue a rule to show cause; OR<br>o Enter a conditional judgment.<br>• 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 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.<br>• 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. |

**4. The bank's duties and obligations**:

You must file the *Answer* on page **4** telling the Court about all accounts or safety deposit boxes that the debtor may have an ownership interest in or appears as a signatory. You must not transfer (sell, give away or get rid of) any property not exempt from the enforcement of a judgment. This prohibition shall remain in effect until further order of the court or termination of the proceeding. The bank is required to withhold double the unpaid amount listed below in paragraph **8.** The bank is not required to withhold beyond double the unpaid amount listed below.

If the account consists solely of funds that can be identified as exempt under federal or state law, the bank is PROHIBITED from withholding the funds, and the bank must respond that the funds are exempt. Deposited funds that are exempt under federal and state law include Social Security Disability Insurance (SSDI) and Social Security Retirement Insurance (SSRI), Supplemental Security Income (SSI), veteran's benefits, public assistance benefits, unemployment compensation benefits, child support and/or circuit breaker property tax relief benefits.

**5. The debtor has the right to claim certain protections ("exemptions"). If the debtor claims an exemption, the income or property covered by that exemption cannot be taken to pay the judgment. Here are some exemptions the debtor may be able to claim:**

1. Money or belongings up to $4,000 ("wildcard exemption");
2. Social Security, Supplemental Security Income benefits, and disability;
3. Public assistance benefits;
4. Child support;
5. Unemployment compensation benefits;
6. Workers' compensation benefits;
7. Veteran's benefits;
8. Circuit breaker property tax relief benefits;
9. Debtor's equity interest, up to $2,400, in any one motor vehicle;
10. Debtor's equity interest, up to $1,500, in any professional books, or tools of their trade;
11. Pension and retirement benefits and refunds; AND
12. Debtor's equity interest, up to $15,000, in the house they live in.

**To debtor:** see *Emergency Motion to Claim Exemption* for further instruction on how to ask the court for these exemptions.

The debtor has the right at the court date listed in section **3** to declare property or income as exempt. The debtor also has the right to ask for these exemptions at an earlier date by notifying the clerk in writing at the office of the Circuit Clerk. A court date will be promptly set. Necessary forms must be prepared by the debtor and sent to the bank and the creditor or the creditor's attorney.

In **6a**, enter the name of the debtor and the date of the judgment. If the judgment has been renewed ("revived"), enter that date.

In **6b**, enter the amount of the judgment.

In **6c**, 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.

**6. Certification by the creditor:**

a. A judgment was entered or renewed against _____ ,
*Name*

the debtor, on _____ .
*Date*

b. The amount of the judgment is $_____ .

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 $_____ 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 bank'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 a Debtor's Bank* 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.**

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.

| | |
|---|---|
| */s/* | |
| *Your Signature* | *Street Address* |
| | |
| *Print Your Name* | *City, State, ZIP* |
| | |
| *Email* | *Telephone* |
| | |
| *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:** _____

Enter the Case Number given by the Circuit Clerk: _____

| STATE OF ILLINOIS, CIRCUIT COURT<br>_____ COUNTY | ANSWER TO CITATION PROCEEDING<br>(TO BE FILLED OUT BY DEBTOR'S BANK) | *For Court Use Only* |
|---|---|---|
| **Instructions** ▼<br>**To creditor:** Fill out this section in the same way you did on page 1. | _____<br>**Plaintiff** *(First, middle, last name)*<br>v.<br>_____<br>**Defendant** *(First, middle, last name)*<br>_____<br>**Respondent** *(Bank name)* | _____<br>**Case Number** |

| |
|---|
| **To creditor:** fill out section 1. In **1a**, enter the bank's name. |
| In **1b**, enter the bank's current address. |
| In **1c**, enter the debtor's name. |
| In **1d**, enter the last 4 digits of the debtor's Social Security Number. |
| In **1e**, list the amount of the judgment. |

**1. Information about the respondent and the debtor:**

a. Bank's name: _____

b. Bank's address: _____
*Street Address*

_____
*City* *State* *ZIP*

c. Debtor's name: _____
*First* *Middle* *Last*

d. Debtor's social security number *(last 4 digits)*: _____

e. Judgment $ _____

**NOTICE TO BANK:** This is a *Citation*. You might need to freeze up to double the on the source of the deposits. See question 2.

| |
|---|
| **To creditor:** leave the rest of the form blank. |
| **To bank**: fill out the remaining parts of this form and sign it. Then file this *Answer to Citation Proceeding* with the court and send a copy to the creditor. Contact the Circuit Clerk for instructions on how to file this *Answer* with the court. |

**2. Interrogatories:**

a. On the date of service of the *Citation*, do you have any personal property or money belonging to the debtor?
☐ Yes ☐ No ***If no, do not fill out the rest of the form. Sign below.***

b. Is any of the money deposited into an IRA?
☐ Yes. If yes, do not freeze the IRA accounts. ☐ No

c. Have all of the deposits made during the past 90 days been electronically deposited and identified as Social Security, Unemployment Compensation, Public Assistance, Veteran's Benefits, Pension, or Retirement?
☐ Yes. If yes, do not freeze the account. ☐No

d. Is the account's current balance equal to or less than the total of the exempt deposits? ☐Yes. If yes, do not freeze the account. ☐No

If you checked **No** in **b**, **c**, and **d**, then freeze up to double the amount of the judgment.

**3. Property:**

a. ☐ Account

| | Account Type | Account Balance | Amount Withheld |
|---|---|---|---|
| 1. | | $ | $ |
| 2. | | $ | $ |
| 3. | | $ | $ |
| 4. | | $ | $ |
| 5. | | $ | $ |
| 6. | | $ | $ |

b. ☐ Safety Deposit ☐ Yes ☐ No

c. ☐ Other property *(rents, mortgages, etc.)*

| | Describe Property | Value of Property | Amount Withheld |
|---|---|---|---|
| 1. | | $ | $ |
| 2. | | $ | $ |

d. ☐ Less Right of Offset for Loans $ _____

e. **Total Amount Frozen:** $ _____

**4. List all electronic monthly deposits:**

| | Account Number | Source of Deposit | Monthly Amount |
|---|---|---|---|
| 1. | | | $ |
| 2. | | | $ |
| 3. | | | $ |

**5. List all joint account holders or anyone who has a claim on the property:**

If all of the property belongs to another person who is not the debtor, do not freeze the property.

a. _____
*First* *Middle* *Last Name*

_____
*Street*

_____
*City* *State* *ZIP*

Account Information: Type: ☐ Checking ☐ CD ☐ Savings
Account Number: _____

b. _____
*First* *Middle* *Last Name*

_____
*Street*

_____
*City* *State* *ZIP*

Account Information: Type: ☐ Checking ☐ CD ☐ Savings
Account Number: _____

c. _____
*First* *Middle* *Last Name*

_____
*Street*

_____
*City* *State* *ZIP*

Account Information: Type: ☐ Checking ☐ CD ☐ Savings
Account Number: _____

| | |
|---|---|
| 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 *Answer to Citation Proceeding* is true and correct. I understand that making a false statement on this form is perjury and has penalties by law under 735 ILCS 5/1-109.** |
| 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. | *Your Signature* _____ *Street Address* _____<br>*Print Your Name* _____ *City, State, ZIP* _____ |
| Enter your complete address, telephone number, and email address, if you have one. | *Email* _____ *Telephone* _____ |
| Mail or hand-deliver a copy of this completed *Answer* to the Circuit Clerk, plaintiff, and debtor. | *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.



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