# Getting Started

# Emergency Motion to Claim Exemption

**IMPORTANT**: This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to file an *Emergency Motion to Claim Exemption*. Your use of the forms does not guarantee you will be successful in court.

To learn how to fill out the forms and file them with the court, read the *How to do an Emergency Motion to Claim Exemption* sheet and the instructions on the forms.

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| **Names of forms:** | • *Emergency Motion to Claim Exemption*<br>• *Notice of Court Date for Emergency Motion to Claim Exemption*<br>• *Order on Emergency Motion to Claim Exemption* |
| **Purpose of the forms:** | To ask the judge for access to the money in your accounts as soon as possible. |
| **Types of cases the forms CAN be used for:** | Cases where a creditor has filed a *Citation to Discover Assets to a Debtor's Bank* ordering it to freeze your accounts. |
| **Types of cases the forms CANNOT be used for:** | • Cases where your accounts have not been frozen.<br>• Cases where your accounts have been frozen for unpaid child support or taxes. |
| **Cost to file the forms:** | There may be a fee for filing. If you cannot afford to pay the filing fee, you can ask the court to file for free by filing the *Application for Waiver of Court Fees* found at: http://www.illinoiscourts.gov/Forms/approved/ |
| **Special information or papers needed to complete the forms:** | • The name and address of your bank that has frozen your accounts. You can find this in the *Citation to Discover Assets to a Debtor's Bank*.<br>• The name and address of the creditor, or the creditor's attorney. You can find this in the *Citation to Discover Assets to a Debtor's Bank*. |
| **Statutes covering the forms:** | 735 ILCS 5/12-1001, 735 ILCS 5/12-1006 |
| **Where to find the forms and instruction sheet:** | http://www.illinoiscourts.gov/Forms/approved/. |
| **For more information:** | Read the *How to do an Emergency Motion to Claim Exemption* instruction sheet that comes with these forms. You may also find more information, resources, and the location of your local county self help center at: http://www.illinoislegalaid.org/. |



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