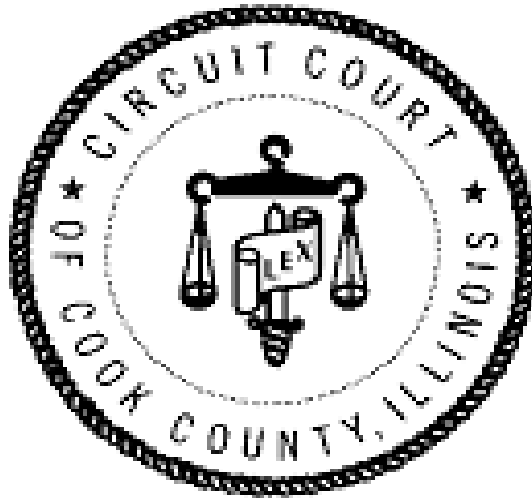


**DOROTHY BROWN
CLERK OF THE CIRCUIT COURT OF COOK COUNTY**

CRIMINAL IDENTITY THEFT FREQUENTLY ASKED QUESTIONS



Petitions May Be Filed With or Without An Attorney

If you want an attorney and need assistance locating one, the Clerk's Office has a list of "Legal Service Providers" available for your reference

Visit Us At:

www.cookcountyclerkofcourt.org

July 2007

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• Identity Theft Order (Form #CCCR-0021)	
• Order Denying Petition for Correction and Sealing of an Arrest and Conviction Record Due to Identity Theft (Form # CCCR 0024)	

**DOROTHY BROWN
OFFICE OF THE CLERK OF THE CIRCUIT COURT
COOK COUNTY, ILLINOIS**

FREQUENTLY ASKED QUESTIONS

1. WHAT IS CRIMINAL IDENTITY THEFT?

Criminal Identity Theft is when someone has falsely identified himself or herself using your identity during his/her misdemeanor or felony criminal or traffic arrest, citation, or conviction. It is also when a criminal complaint has been filed against the perpetrator in your name, or your identity has been mistakenly associated with a criminal conviction. The Illinois statute that addresses criminal identity theft is 20 ILCS 2630/5(b).

2. HOW DO I BRING MY CRIMINAL IDENTITY THEFT CLAIM BEFORE A JUDGE?

You may file a petition to have a court order entered to correct the arrest order, the conviction record, if any, and all official records by removing your name from all such records and inserting in the records the name of the offender, if known. (20 ILCS 2630/5(b)).

3. HOW MUCH DOES IT COST TO FILE MY CRIMINAL IDENTITY THEFT PETITION?

There is **no fee to file** an Identity Theft Petition *with the Clerk's Office*. However, because of the other fees and costs listed below, **the total cost to remove your identity from a court case could be between \$97.00 and \$109.00 if there is only one case in which your identity was stolen**. If there is more than one case in which your identity was stolen, this cost will be slightly higher, as described below.

Below are the items for which you may need to pay a fee to a Federal, State, City, or County agency:

The results of a fingerprint search from the Chicago Police Department or Illinois State Police will cost \$16.00 to \$20.00. (See Question # 4, below.) A name search with the Chicago Police Department or Illinois State Police will cost \$16.00 to \$20.00. (See Question #4.)

Certified copies of dispositions from the Clerk's Office for the cases in which your identity was stolen will cost \$9.00 per certified copy. 705 ILCS 105/27.2a. (See Question #4.)

The United States Postal Service charge for serving copies of your court filings on the Cook County State's Attorney's Office, via first-class mail will be \$.39, or \$4.64 if via certified mail, return receipt requested. (See Question #8.)

Certified copies of your granted Court Order to send to the Illinois State Police and each local arresting agency will cost \$9.00 per copy, plus the cost of copying. For copying, the Clerk's Office must charge \$2.00 for the first page, \$.50 each for pages 2-19, and \$.25 each for the remaining pages. 705 ILCS 105/27.2a. (See Question #11.)

The United States Postal Service charge for serving copies of your granted Order on the Illinois State Police and arresting agencies, via first-class mail will be \$.39 per agency served, or \$4.64 each if via certified mail return receipt requested. (See Question #11.)

The Illinois State Police will charge \$60.00 *per Order* to change their records in accordance with the Court Order(s). The local arresting agency may also require you to pay a separate fee to them in order to process the Court's Order. (See Question #11.)

4. HOW DO I MAKE SURE I AM LISTING ALL THE CASES THAT FALSELY CONTAIN MY IDENTITY ON MY PETITION?

It is your responsibility to list ALL of the cases you wish to correct on your Petition. The Clerk of the Circuit Court of Cook County is not responsible for confirming that you have listed all pertinent cases on your Petition.

You should ask the Chicago Police Department or Illinois State Police to conduct a **criminal history record search of your name**. This is an effective way to confirm that you are listing ALL of the cases you wish to have corrected.

The Clerk's Office will print certified copies of the case dispositions of the cases in which your identity was stolen. Illinois law requires the Clerk's Office to charge **\$9.00 per certified copy**. (705 ILCS 105/27.2a.)

Also, ask the Chicago Police Department or Illinois State Police for a **fingerprint criminal record search**. (Not all misdemeanor traffic cases are fingerprinted.) This search will reveal that the person who used your identity in the criminal case(s) has a different fingerprint than you.

You should attach the original copy of the result of your fingerprint search to your identity theft petition, or, in the alternative, bring the original copy to court with you on your first court date. You should also attach the certified copies of dispositions for the cases in which your identity was stolen.

For Records in the City of Chicago:

CHICAGO POLICE DEPARTMENT

Access and Review Division
3510 South Michigan Avenue
First Floor

Chicago, Illinois 60602
312-745-5570

Fingerprints taken:
Weekdays, 8:00 a.m.–12:00 p.m.
Pick-up criminal history results:
Weekdays, 2:00 p.m. – 3:30 p.m.

Fee for fingerprint arrest and conviction information: \$16.00

For Records in the State of Illinois: (conviction information only)

ILLINOIS STATE POLICE

Division of Administration
Bureau of Identification
260 North Chicago Street
Joliet, Illinois 60431

815-740-5160, ext. 2743

Order forms online at: www.isp.state.il.us

Fee for non-fingerprint conviction information: \$16.00

Fee for fingerprint conviction information: \$20.00

5. WHICH FORMS DO I FILL OUT TO START MY COURT CASE?

Fill out the following free forms, attached to this packet, or available at the Clerk's Office or online at www.cookcountyclerkofcourt.org:

- **Notice of Filing** (Form #CCCR-0325A for use in District 1, or Form #CCCR-0324A for use in Districts 2-6)
- **Petition for Correction and Sealing of an Arrest and Conviction Record Due to Identity Theft** (Form #CCCR-0019)
- **Supplement to Identity Theft Petition**, if you need more space to list all the cases in which your identity was stolen (Form #CCCR-0018)
- **Identity Theft Order** (Form #CCCR-0021)
- **Order Denying Petition for Correction and Sealing of an Arrest and Conviction Record Due to Identity Theft** (Form # CCCR 0024)

If there are **separate cases** that arose in more than one of the Departments, Divisions, or Districts listed in answer to question #7, below, **you should file separate Petitions for each location.** (Circuit Court of Cook County General Order 17.7).

For every Petition you file, you should also file an Order with your case information on it for the judge to fill-out when s/he has made a decision.

6. HOW DO I PROVE MY IDENTITY WAS IMPERSONATED?

If you have any documents supporting the fact that your identity was impersonated, please **attach copies of these documents to the Petition that you file with the court** so that the judge has the opportunity to review them before making his/her decision. **You should attach the original copy of the results of your fingerprint search to your Petition, or you can bring this to court with you for your first court appearance.**

In addition to the results of your fingerprint search, the documents you attach to your Petition(s) **may include, for example:**

- The results of name searches from the Clerk's Office (certified copies of dispositions) and from the Chicago Police Department or Illinois State Police to show the cases in which your identity was stolen.
- A copy of your Driver's License, State I.D., Passport, or Matricula Consular card to show that it does not match the physical description or birth date of the person arrested;
- A certified copy of your birth certificate to show that the birth date given by the person arrested does not match your birth date. (If you want to attach a certified copy of your birth certificate to your Petition, you can obtain one for \$15.00 from the Illinois Department of Public Health, Division of Vital Records, 605 W. Jefferson Street, Springfield, IL 62702-5097 or order online at www.idph.state.il.us/vitalrecords/birth.htm.)
- Evidence that you were at work or out of the city/state/country at the time the offense was committed; and
- Any other document that you believe supports your case.

7. WHERE DO I GO TO FILE MY PETITION(S)?

- If your identity falsely appears in a **criminal or traffic case** that arose in the **City of Chicago** and was heard by a Criminal Bureau judge, your completed forms should be filed in the Criminal Department or in the Criminal Division:

DISTRICT 1 -- CRIMINAL DEPARTMENT – CHICAGO

Richard J. Daley Center
50 West Washington Street
Room 1006
Chicago, Illinois 60602
General Information: 312-603-4641 or -4642
Criminal Manager: 312-603-4648
Traffic Manager: 312-603-2923

DISTRICT 1 -- CRIMINAL DIVISION – CHICAGO

2650 South California Avenue
Chicago, Illinois 60608
General Information: 773-869-3147

- If your identity falsely appears in a **misdemeanor or felony traffic case** that arose in the **City of Chicago** and was heard by a Traffic Division judge, your completed forms should be filed in the Traffic Division:

DISTRICT 1 – TRAFFIC DIVISION – CHICAGO

Richard J. Daley Center
50 West Washington Street
Room LL-20, Lower Level
Chicago, Illinois 60602

General Information: 312-603-2926
Criminal Manager: 312-603-2959
Traffic Manager: 312-603-2924

- ◆ If your identity falsely appears in a **criminal or traffic case** that arose in **any of the five Suburban Districts**, the forms should be filed in the respective District:

DISTRICT 2 – SKOKIE

5600 Old Orchard Road
Skokie, Illinois 60077

General Information: 847-470-7250
Criminal Manager: 847-470-7269
Traffic Manager: 847-470-5088
Assistant Traffic Manager: 847-470-7546

Cities and Villages within District 2:

Deerfield, Des Plaines, Evanston, Glencoe, Glenview, Golf, Kenilworth, Lincolnwood, Morton Grove, Niles, Northbrook, Northfield, Park Ridge, Prospect Heights, Skokie, Wilmette, Winnetka, Cook County Sheriff, Cook County Forest Preserve, Illinois State Police Districts 3 and 15.

DISTRICT 3 – ROLLING MEADOWS

2121 Euclid Avenue
Rolling Meadows, Illinois 60008

General Information: 847-818-3000
Criminal Manager: 847-818-2701
Traffic Manager: 847-818-2193
Assistant Traffic Manager: 847-818-2578

Cities and Villages within District 3:

Arlington Heights, Barrington, Barrington Hills, Bartlett, Bensenville, Buffalo Grove, Elgin, Elk Grove Village, Hanover Park, Harwood Heights, Hoffman Estates, Iverness, Mount Prospect, Norridge, Prospect Heights, Palatine, Rolling Meadows, Roselle, Rosemont, Schaumburg, Schiller Park, South Barrington, Streamwood, Wheeling, Cook County Sheriff, Cook County Forest Preserve, Illinois State Police Districts 2, 3, and 15.

DISTRICT 4 – MAYWOOD

1500 Maybrook Avenue
Maywood, Illinois 60153

General Information : 708-865-6040
Criminal Manager: 708-865-4978
Traffic Manager: 708-865-5195
Assistant Traffic Manager: 708-786-2481

Cities and Villages within District 4:

Animal Control, Bellwood, Berkeley, Berwyn, Broadview, Brookfield, Burlington North/Sante Fe Railroad, Cicero, Cook County Sheriff, Elmwood Park, Forest Park, Forest Preserve, Franklin Park, Hillside, Hines Hospital, Illinois Commerce Commission, LaGrange Park, Maywood, Maywood Park District, Melrose Park, Memorial Park, Metra Police Department, Northlake, North Riverside, Public Safety, Oak Park, River Forest,

River Grove, Riverside, Secretary of State Police, Stone Park, Triton College, Union Pacific Railroad, Water Reclamation, Westchester, Illinois State Police Districts 3 and 15.

DISTRICT 5 – BRIDGEVIEW

10220 South 76th Avenue
Bridgeview, Illinois 60455

General Information:	708-974-6500
Criminal Manager:	708-974-6387
Traffic Manager:	708-974-6906
Assistant Traffic Manager:	708-974-6520

Cities and Villages within District 5:

Alsip, Bedford Park, Bridgeview, Burbank, Burr Ridge, Chicago Ridge, Countryside, Crestwood, Evergreen Park, Forest View, Hickory Hills, Hinsdale, Hodgkins, Hometown, Indian Head Park, Justice, LaGrange, Lemont, Lyons, Merrionette Park, McCook, Oak Lawn, Orland Hills, Orland Park, Palos Hills, Palos Park, Stickney, Summit, Tinley Park, Western Springs, West Haven, Willow Springs, Worth, Cook County Sheriff, Cook County Forest Preserve, and Illinois State Police Districts 3 and 15.

DISTRICT 6 – MARKHAM

16501 South Kedzie Parkway
Markham, Illinois 60426

General Information:	708-210-4551
Criminal Manager	708-210-4217
Assistant Criminal Manager:	708-210-4604
Traffic Manager:	708-210-4486
Assistant Traffic Manager:	708-210-4577

Cities and Villages within District 6:

Blue Island, Burnham, Calumet City, Calumet Park, Chicago Heights, Country Club Hills, Crete, Dixmoor, Dolton, East Hazelcrest, Flossmoor, Ford Heights, Glenwood, Harvey, Hazelcrest, Homewood, Lansing, Lynwood, Markham, Matteson, Midlothian, Oak Forest, Olympia Fields, Park Forest, Phoenix, Posen, Richton Park, Riverdale, Robbins, Sauk Village, South-Chicago Heights, South Holland, Steger, Thornton.

8. ONCE I’VE FILED MY PETITION(S) WITH THE COURT, WHERE DO I SEND COPIES OF MY PETITION(S)?

Once you have filed your Notice of Filing, Petition and Order with the Court, there is no requirement in the law that you send copies of these documents to anyone else. However, to expedite the processing of your petition, and because your judge may require it, **you should send a copy of each of these documents to the Cook County State’s Attorney’s Office**, at the addresses listed on the Notice of Filing. It is *recommended* that you deliver this notice by **certified mail, return receipt requested**; so that you can provide the court with evidence that the State’s Attorney’s Office was served. When the State’s Attorney’s Office receives your Petition, they will sign the certified mail green card, which the Post Office will return to you as evidence that the State’s Attorney’s Office received notice of your Petition. Bring this certified mail green card with you to court to show the judge.

Keep your own file-stamped copies of the documents you filed for your records.

9. WHAT DO I DO AFTER I HAVE FILED MY PETITION WITH THE COURT?

On the day you file your Petition, the Clerk's Office will notify you in writing of the date, time, and location of your first court hearing date with the judge.

On your hearing date you should dress appropriately for court. You should arrive before the time of your hearing at the courthouse where your case will be heard. Go to the judge's courtroom and look to see if there is a computer printout of cases posted *outside* the doors. If there is, look for the "line number" assigned to your case. Use this line number to check-in with the Courtroom Clerk seated inside the courtroom so that s/he knows that you are there. Please turn off all cell phones or pagers and men should remove their hats.

When the Courtroom Clerk announces your line number and case name, please approach the judge's bench, state your name and introduce yourself as the "Petitioner." The judge may ask you questions or ask you to make a statement. If you refer to the judge during your presentation, you should respectfully call him/her "Your Honor" or "Judge." Explain to the judge the evidence supporting your identity theft claim and provide the judge with any documents supporting your case that are not already attached to your Petition. It is important to be respectful of the court and the judge.

If your court case is in District 1 or District 6 and you have small children, aged 4-12, you may first register them with the Courtroom Clerk when you check in and then drop them off at a courthouse **children's center**. If you are in the Daley Center, you may bring the children to the Rhoda Bresler Children's Room after checking in with the Courtroom Clerk. If you are in District 6, you may bring your children to the K.C. Conlon Children's Room in the Markham Courthouse. At the children's centers, a limited number of children are supervised and entertained with crafts, toys, and books. Children may only leave the Children's Room with the person who brought them. This service is free and available every day court is in session. Please allow enough time to check in, bring the children to the children's center, and return to the courtroom before the time of your hearing.

10. AFTER MY PETITION IS GRANTED BY THE JUDGE, WHAT DO I DO NEXT?

If your Petition is granted, the judge will require your assistance to draft a court Order. This document will Order the correction of the arrest order, conviction record, if any, and all official records of the arresting authority by removing the alleged victim's name from all such records and inserting in the records the name of the offender, if known. (20 ILCS 2630/5(b)).

The judge will ask you to complete the Order form in duplicate to reflect his/her ruling. You can easily create the copy by inserting carbon paper, provided by the Clerk's Office, between two identical blank forms before you fill them out. Please write down the

judge's ruling in the most accurate way you can on the Order form and give the completed Order and a copy to the Courtroom Clerk.

The Courtroom Clerk will give the original Order to the judge for signature, which will later be placed in the court file. The Courtroom Clerk will stamp your copy as "entered." **Do not leave the Courtroom without your copy of the Order that has the judge's entered stamp on it.**

11. AFTER MY PETITION IS GRANTED, WHAT DO I HAVE TO DO ONCE I LEAVE THE COURTROOM?

When you leave the courtroom, take your enter-stamped Order to the Clerk's Office to have certified copies made. **You will need one certified copy to send to the Illinois State Police and one certified copy to send to each local police agency that made the arrest(s) in the case(s) listed on your Petition.** You may also want to keep a certified copy for yourself.

A "certified" copy is a copy of the Court's Order containing a Clerk's Office seal verifying it to be an authentic court document. You may want to keep a certified copy of your order, for example, to prove to an employer that a criminal record that contained your name does not involve you.

As required by Illinois law, the Clerk's Office charges a fee of **\$9.00 for each certified copy** of your identity theft Order. (705 ILCS 105/27.2a). The Clerk's Office must also charge a **copying fee of \$2.00 for the first page, \$.50 each for pages 2-19,** and \$.25 each for pages 20 and more.

Send a certified copy of your Court Order to the Illinois State Police (see address listed in Question #4) **and to the local arresting agencies.** It is *recommended* that you send these documents via certified mail, return receipt requested so that you will have proof that they received them. You will thereafter receive a letter from the Illinois State Police asking you to send a **payment of \$60.00 per Order** for the State Police to correct the case information described on the Order(s). **In order to ensure that the law enforcement records are corrected, it is important to follow the instructions of the State Police and local arresting agency.** The State Police will notify you that their record has been corrected within 30-45 days after receiving your \$60.00 fee and paperwork. The local arresting agency may also require you to pay a fee.

The State Police will then forward the material to the FBI so that the FBI can also process the court's Order if it elects to do so. In about 30 days, the Illinois State Police will receive notice from the FBI that they have completed their processing. You will not receive anything from the FBI directly. You may call the State Police to check on the status of the FBI processing at 815-740-5160. If, at any time, you want to know what is on your FBI record, you may call the FBI at 304-625-3878. (The FBI charges an \$18.00 fee for this service).

12. IF MY PETITION IS DENIED, CAN I APPEAL THAT DECISION?

If the judge denies your Petition, you may ask the Presiding Judge of the Division(s) or District(s) in which your identity theft case was heard to reconsider your Petition(s). To do this, you can file a motion to reconsider and a notice of motion and obtain a new court date. You should serve a copy of these documents on the Cook County State's Attorney's Office via certified mail return receipt requested. The court forms are available in the Criminal Department, Criminal Division, Traffic Division, and Suburban Districts, or are available online at www.cookcountyclerkofcourt.org.

The fee to file a motion to reconsider is \$60.00, if filed before 30 days after entry of the Order denying your identity theft petition, or \$90.00 if filed later than 30 days after entry of the Order denying your identity theft petition. 705 ILCS 105/27.2a.

**For additional information concerning Criminal Identity Theft contact:
The Illinois Attorney General Identity Theft Hotline
1-866-999-5630
TTY: 1-877-844-5461**

THE CLERK'S OFFICE IS PROHIBITED FROM GIVING LEGAL ADVICE,
PREPARING THE FORMS, OR ADVISING THE PARTIES
ON HOW TO COMPLETE THE REQUIRED FORMS
705 ILCS 110/1; 705 ILCS 205/10; Illinois Supreme Court Rule 756(b)

NOTES: _____

*Drafted by: Candice Jones Smith, Legal Intern
Edited by: Office of the General Counsel, Clerk of the Circuit Court of Cook County*

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS
 or
 _____,
 A Municipal Corporation,
 v.

 Defendant/Petitioner



Case No(s). _____

Drug Test Attached, if applicable

NOTICE OF FILING
(District One Cases Only)

To: Cook County State's Attorney
 2650 S. California Ave., 11th Floor
 Chicago, Illinois 60608

Illinois State Police
 260 N. Chicago St.
 Joliet, Illinois 60432

Chicago Police Department
 3510 S. Michigan Ave.
 Chicago, Illinois 60653

Corporation Counsel
 121 N. LaSalle St., Room 600
 Chicago, Illinois 60602

Take notice that I have this day filed with the Clerk of the Circuit Court of Cook County, Illinois the following:

- | | |
|---|--|
| <input type="checkbox"/> Petition to Expunge | <input type="checkbox"/> Petition to Unseal and Reseal |
| <input type="checkbox"/> Petition to Expunge and Seal | <input type="checkbox"/> Order to Expunge (and Seal) |
| <input type="checkbox"/> Petition to Seal Conviction | <input type="checkbox"/> Order to Seal Conviction |
| <input type="checkbox"/> Petition to Seal Arrest Record | <input type="checkbox"/> Order to Seal Arrest Record |

A true and correct copy of the same is attached hereto and served upon you.

PROOF OF SERVICE

On the _____ day of _____, _____, I on oath state that I served this notice and true and correct copies of the above-checked documents by delivering copies personally to each entity to whom they are directed or by mailing copies to each entity to whom they are directed by depositing the same in the U.S. Mail, proper postage fully prepaid, at the United States Postal Depository located at _____ on the _____ day of _____, _____, before the hour of 5:00 p.m.

Date

Signature

Defendant/Petitioner
 Deputy Clerk

Atty. No.: _____ Pro Se 99500

Attorney (or Pro Se Petitioner)

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

ADDRESSES FOR THE COOK COUNTY STATE'S ATTORNEY'S OFFICES

District 1

Cook County State's Attorney
2650 S. California Ave., 11th Floor
Chicago, IL 60608

District 2 - Skokie

Cook County State's Attorney
5600 Old Orchard Rd., Room 263
Skokie, IL 60077

District 3 - Rolling Meadows

Cook County State's Attorney
2121 Euclid, Room 223
Rolling Meadows, IL 60008

District 4 - Maywood

Cook County State's Attorney
1500 W. Maybrook Dr., Room 252
Maywood, IL 60153

District 5 - Bridgeview

Cook County State's Attorney
10220 S. 76th Ave., Room 223
Bridgeview, IL 60455

District 6 - Markham

Cook County State's Attorney
16501 S. Kedzie Pkwy., Room 220
Markham, IL 60428

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS
 or
 _____,
 A Municipal Corporation,
 v.

 Defendant/Petitioner



Drug Test Attached,
 if applicable

Case No(s). _____

NOTICE OF FILING

To: Cook County State's Attorney's Office

Arresting Agency or Agencies

Illinois State Police
 260 North Chicago Street
 Joliet, Illinois 60432

Chief Legal Officer(s) of the Unit(s) of
 Local Government that Arrested You

Take notice that I have this day filed with the Clerk of the Circuit Court of Cook County, Illinois the following:

- | | |
|---|--|
| <input type="checkbox"/> Petition to Expunge | <input type="checkbox"/> Petition to Unseal and Reseal |
| <input type="checkbox"/> Petition to Expunge and Seal | <input type="checkbox"/> Order to Expunge (and Seal) |
| <input type="checkbox"/> Petition to Seal Conviction | <input type="checkbox"/> Order to Seal Conviction |
| <input type="checkbox"/> Petition to Seal Arrest Record | <input type="checkbox"/> Order to Seal Arrest Record |

A true and correct copy of the same is attached hereto and served upon you.

PROOF OF SERVICE

On the _____ day of _____, _____, I on oath state that I served this notice and true and correct copies of the above-checked documents by delivering copies personally to each entity to whom they are directed or by mailing copies to each entity to whom they are directed by depositing the same in the U.S. Mail, proper postage fully prepaid, at the United States Postal Depository located at _____ on the _____ day of _____, _____, before the hour of 5:00 p.m.

Date: _____

Atty. No.: _____ *Pro Se 99500*
 Attorney (or Pro Se Petitioner)

Signature _____
 Defendant/Petitioner
 Deputy Clerk

Name: _____
 Address: _____
 City/State/Zip: _____
 Telephone: _____

ADDRESSES FOR THE COOK COUNTY STATE'S ATTORNEY'S OFFICES

District 1

Cook County State's Attorney
2650 S. California Ave., 11th Floor
Chicago, IL 60608

District 2 - Skokie

Cook County State's Attorney
5600 Old Orchard Rd., Room 263
Skokie, IL 60077

District 3 - Rolling Meadows

Cook County State's Attorney
2121 Euclid, Room 223
Rolling Meadows, IL 60008

District 4 - Maywood

Cook County State's Attorney
1500 W. Maybrook Dr., Room 252
Maywood, IL 60153

District 5 - Bridgeview

Cook County State's Attorney
10220 S. 76th Ave., Room 223
Bridgeview, IL 60455

District 6 - Markham

Cook County State's Attorney
16501 S. Kedzie Pkwy., Room 220
Markham, IL 60428

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

or

_____,

A Municipal Corporation,

v.

Defendant,

Petitioner.



Case Nos. _____

PETITION FOR CORRECTION AND SEALING OF AN ARREST AND CONVICTION RECORD DUE TO IDENTITY THEFT

Pursuant to 20 ILCS 2630/5(b), the Petitioner petitions the Court to order the correction and sealing of the arrest and conviction record(s), listed below, bearing the Petitioner's identity, and in support of the Petition states as follows:

- 1. Petitioner's identity was stolen or otherwise came into the possession of the Defendant.
- 2. Case Number Falsely Containing Petitioner's Identity: _____

Charge(s) Against Defendant in Above Case: _____

Date of Arrest: _____ / _____ / _____ Arresting Agency/Agencies: _____

Defendant's IR/SID #, if any: _____ Petitioner's IR/SID #, if any: _____

Petitioner's Date of Birth: _____ / _____ / _____ Sex: _____ Race: _____

My identity was stolen or otherwise came into the possession of the Defendant in more than one case. I have provided the above-requested information for each additional case on the attached form.

- 3. A person other than the Petitioner was convicted of the crime(s) or violation(s) of municipal ordinance(s) under the Petitioner's identity listed on this form.

WHEREFORE, the Petitioner petitions this Court to:

- A. Order that the arresting authority, the Department of State Police, other criminal justice agencies, the prosecutor, and the Clerk of the Circuit Court remove the name of the Petitioner from all the official records in connection with the above-listed arrest(s) and conviction(s). *(Please attach copies of any supporting documents to this Petition.)*
- B. Order that the arresting authority, the Department of State Police, other criminal justice agencies, the prosecutor, and the Clerk of the Circuit Court insert the name of the true offender, if known, of the above crime(s): _____, IR/SID # _____, in the place of the Petitioner's name in all official records in the above case(s).
- C. Order that the Clerk of the Circuit Court seal the court records relating to the above named cases, and insert the above true offender's name in the electronic index in the place of the Petitioner's name.
- D. The Petitioner prays that the records falsely containing his/her identity be corrected by the Department of State Police, the prosecutor, the arresting authority, and the Clerk of the Circuit Court, and be sealed by the Clerk of the Circuit Court as allowed by law.

VERIFICATION BY CERTIFICATION

Date: _____, _____

Atty. No.: _____ Pro Se 99500

Attorney (or Pro Se Petitioner):

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that s/he verily believes the same to be true.

Signature of Petitioner

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

or

_____,
A Municipal Corporation,

v.

Defendant,

Petitioner.

Case No. _____

SUPPLEMENT TO IDENTITY THEFT PETITION

Case Number Falsely Containing Petitioner's Identity: _____

Charge(s) Against Defendant in Above Case: _____

Date of Arrest: _____ / _____ / _____ Arresting Agency/Agencies: _____

Defendant's IR/SID #, if any: _____ Petitioner's IR/SID #, if any: _____

Petitioner's Date of Birth: _____ / _____ / _____ Sex: _____ Race: _____

Case Number Falsely Containing Petitioner's Identity: _____

Charge(s) Against Defendant in Above Case: _____

Date of Arrest: _____ / _____ / _____ Arresting Agency/Agencies: _____

Defendant's IR/SID #, if any: _____ Petitioner's IR/SID #, if any: _____

Petitioner's Date of Birth: _____ / _____ / _____ Sex: _____ Race: _____

Case Number Falsely Containing Petitioner's Identity: _____

Charge(s) Against Defendant in Above Case: _____

Date of Arrest: _____ / _____ / _____ Arresting Agency/Agencies: _____

Defendant's IR/SID #, if any: _____ Petitioner's IR/SID #, if any: _____

Petitioner's Date of Birth: _____ / _____ / _____ Sex: _____ Race: _____

Case Number Falsely Containing Petitioner's Identity: _____

Charge(s) Against Defendant in Above Case: _____

Date of Arrest: _____ / _____ / _____ Arresting Agency/Agencies: _____

Defendant's IR/SID #, if any: _____ Petitioner's IR/SID #, if any: _____

Petitioner's Date of Birth: _____ / _____ / _____ Sex: _____ Race: _____

(Attach additional sheets if necessary.)

VERIFICATION BY CERTIFICATION

Date: _____, _____

Atty. No.: _____

Pro Se 99500

Attorney (or Pro Se Petitioner):

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that s/he verily believes the same to be true.

Signature of Petitioner

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

or

_____,
A Municipal Corporation,

v.

Defendant,

Petitioner.



Case Nos. _____

IDENTITY THEFT ORDER

This matter coming before the Court pursuant to 20 ILCS 2630/5(b) for hearing on Petitioner's Petition for Correction and Sealing of an Arrest and Conviction Record Due to Identity Theft, the Court being fully advised finds as follows:

1. Petitioner _____ is an aggrieved person whose identity was stolen or otherwise obtained without authorization by another who was convicted of the following crime(s) or violation(s) of municipal ordinance(s) under the Petitioner's identity:

Case #: _____ Charge: _____

Case #: _____ Charge: _____

Case #: _____ Charge: _____

Case #: _____ Charge: _____

Case #: _____ Charge: _____

2. The Petitioner has presented sufficient evidence that the true offender, if known, _____, IR/SID # _____, Date of Birth ____/____/____, used the Petitioner's identity in the above incident(s).

IT IS HEREBY ORDERED:

- A. The Petition for Correction and Sealing of an Arrest and Conviction Record Due to Identity Theft is granted.
- B. The arresting authority, the Department of State Police, other criminal justice agencies, the prosecutor and the Clerk of the Circuit Court shall remove the name of the Petitioner from all official records in connection with the above-listed arrest(s) and conviction(s), and obliterate the name of the Petitioner in the official index.
- C. The arresting authority, the Department of State Police, other criminal justice agencies, the prosecutor and the Clerk of the Circuit Court shall insert the name of the true offender, if known, _____, IR/SID # _____, in the place of the Petitioner's name in all official records of the above-listed case(s).
- D. The Clerk of the Circuit Court shall insert the name of the true offender, if known, _____, IR/SID # _____, in the place of the Petitioner's name in the official index in connection with the above-listed case(s).
- E. The Clerk of the Circuit Court shall place the above-listed case(s) under seal.
- F. Nothing in this Order shall limit the Department of State Police, the prosecutor(s), and the arresting agency/agencies from listing under an offender's name the false names s/he has used.
- G. This Order shall not affect any official index issued by the Clerk of the Circuit Court before the entry of this Order.

Prepared by:

Atty. No.: _____ Pro Se 99500

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

ENTERED:

Dated: _____

Presiding Judge

Judge's No.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS

or

_____,

A Municipal Corporation,

v.

_____,

Defendant,

_____,

Petitioner.

Case Nos. _____

ORDER DENYING PETITION FOR CORRECTION AND SEALING OF AN ARREST AND CONVICTION RECORD DUE TO IDENTITY THEFT

Petitioner filed his/her Petition for Correction and Sealing of an Arrest and Conviction Record Due to Identity Theft, dated _____, _____, stating that his/her identity was stolen or otherwise came into the possession of the Defendant, and that an arrest and conviction occurred in the Petitioner's name by the person who stole or otherwise came into possession of the Petitioner's identity.

The Court, having reviewed the Petition and the objections thereto, of any, and being otherwise fully advised in the premises finds that:

On _____, _____ the Arresting Agency, Department of State Police, Other Criminal Justice Agencies and/or Prosecutor objected to the Petition for Correction and Sealing of an Arrest and Conviction Record Due to Identity Theft, alleging that:

Petitioner did not provide sufficient evidence to the court in support of his/her Petition for Correction and Sealing of an Arrest and Conviction Record Due to Identity Theft for the Court to make an informed decision in the above-captioned cases.

IT IS HEREBY ORDERED that the Petition for Correction and Sealing of an Arrest and Conviction Record Due to Identity Theft as filed by the Petitioner on _____, _____ be and is hereby DENIED.

Prepared by:

Atty. No. _____

Pro Se 99500

ENTERED:

Name: _____

Dated: _____, _____

Address: _____

City/State/Zip: _____

Telephone: _____

Presiding Judge

Judge's No.