

<b>STATE OF ILLINOIS, CIRCUIT COURT</b>  _____ COUNTY	<b>CITATION TO DISCOVER ASSETS TO DEBTOR'S EMPLOYER</b>	<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.	<b>Plaintiff</b> <i>(First, middle, last name)</i>	
Enter the name of the defendant.	v.	
Enter the name and address of the employer.	_____	
Enter the case number.	<b>Defendant</b> <i>(First, middle, last name)</i>	
	_____	
	<b>Respondent</b> <i>(Employer's Business Name)</i>	
	_____	
	Street	<b>Case Number</b>
	City State ZIP	

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, enter the courtroom number, date and time of the court date, and address of the courthouse.

**2. You must fill out the attached Answer to Citation Proceeding form and file it or come to courtroom \_\_\_\_\_ on:**

*Number*

\_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.

*Date Time*

The address of the court is: \_\_\_\_\_

*Street*

\_\_\_\_\_

*City State ZIP*

**Notice to Debtor**

- You can come to court on the court date listed in section 2. You may be able to claim certain protections (exemptions) at that court date. See *How to File an Emergency Motion to Claim Exemption* for information on how to file this *Motion*.
- If you need to be heard earlier than the court date listed in section 3, you can file an *Emergency Motion to Claim Exemption*.
- You do not have to come to court, but if you do not come to court, and you work for the employer, the court may garnish your paycheck.

**Notice to Employer**

- If you do not answer or come to the court date listed in section 2, the judge may do one of two things:
  - 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 come to court on the court date and why you should not be found in contempt of court. If you do not come to 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 you 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.
- d. Do not withhold any wages from the debtor if the debtor’s income after taxes is equal to or 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.

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.

**4. Certification by the creditor:**

- a. A judgment was entered or renewed against \_\_\_\_\_, the debtor, on \_\_\_\_\_ .  

*Name*

*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, is \$ \_\_\_\_\_ plus costs of this proceeding.

Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

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 penalties provided by law under [735 ILCS 5/1-109](#).**

*/s/* \_\_\_\_\_  
*Your Signature*

\_\_\_\_\_  
*Street Address*

\_\_\_\_\_  
*Print Your Name*

\_\_\_\_\_  
*City, State, ZIP*

\_\_\_\_\_  
*Telephone*

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.

**STOP!**

The Circuit Clerk will fill in this section.

**Witness this Date:** \_\_\_\_\_

*Seal of Court*

**Clerk of the Court:** \_\_\_\_\_

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

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.

In 2, check any boxes that apply.

**NOTE:** If income varies, withholding must be recalculated for every pay period.

In 3, check how often you pay the debtor.

In 4, enter the amounts for the most recent paycheck.

**NOTE:** If a number is negative, enclose in parentheses like this: (\$50.00).

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.

1. Do you pay any money to the debtor listed in section 1 on the *Citation*?  Yes  No  
  
 If the debtor is no longer working for you, enter the last date employed: \_\_\_\_\_  
*Date*
  2. Of the money paid to the debtor, is any of that money (*check all that apply*):
    - a.  Subject to prior court ordered deduction (including child/spouse support)  
 Case Number \_\_\_\_\_ State \_\_\_\_\_ County \_\_\_\_\_
    - b.  Disability  Retirement  Otherwise exempt (*specify*): \_\_\_\_\_
- CALCULATION TO DETERMINE AMOUNT OF WITHHOLDING**  
*(If income varies, withholding must be recalculated for every pay period.)*
3. Do you pay debtor:  Every week  Every two weeks  Semi-monthly  
 Monthly  Other: \_\_\_\_\_
4.
 

A. Gross wages per paycheck	A. _____
B. Mandatory contributions to pensions or retirement plan	B. _____
C. Subtract (B) from (A)	C. _____
D. Multiply (C) by 0.15	D. _____
E. Total of FICA, State Tax, Federal Tax, and Medicare	E. _____
F. Subtract (E) from (C)	F. _____
G. Enter amount of exempt wages per pay period. See the <b>Exempt Wages Table</b> 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.	G. _____
H. Subtract (G) from (F)	H. _____
I. The <i>lesser</i> of (D) or (H)	I. _____
J. Child Support or other Court Ordered Deduction	J. _____
K. Subtract (J) from (I)	K. _____
L. Multiply (K) by 0.02 (statutory fees to the employer)	L. _____
M. Subtract (L) from (K) for amount to be withheld	M. _____

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

After you finish this form, sign and print your name.

Enter your complete current address and telephone number.

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*

\_\_\_\_\_  
*Telephone*