

How to serve someone by the Sheriff in Illinois -- Supplement®

This supplement includes a forms guide as well as forms. The forms guide is for use only in filling out the forms. For more information about what these forms mean or are used for, consult the appropriate Self Help packet.

©Board of Trustees, Southern Illinois University
January 2001

Forms that are included in this supplement:

Application to Sue As A Poor Person

Summons Requiring Appearance on a Specific Date -- Circuit Clerk copy

Summons Requiring Appearance on a Specific Date -- Defendant copy

Summons Requiring Appearance on a Specific Date -- Circuit Clerk copy
(forcible entry and detainer and recovery of personal property only)

Summons Requiring Appearance on a Specific Date -- Defendant copy
(forcible entry and detainer and recovery of personal property only)

Summons (30 days) -- Circuit Clerk copy

Summons (30 days) -- Defendant copy

Summons (Divorce) -- Circuit Clerk copy

Summons (Divorce) -- Defendant copy

Order To Show Cause -- Circuit Clerk copy
(use only to enforce a court order)

Order To Show Cause -- Defendant copy
(use only to enforce a court order)

Citation To Discover Assets -- Circuit Clerk copy

Citation To Discover Assets -- Defendant copy

Letter To Sheriff

FORMS GUIDE

ALL FORMS:

At the top of each form is the "caption". It is completed as follows:

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE **(number of circuit)** JUDICIAL CIRCUIT
(name of county) COUNTY

(your name))	
)	
Plaintiff,)	
)	
vs	)	No. (get from Clerk at the time you
)	
(the party you are suing's name))	
)	
Defendant.)	

Determine the number of the "Circuit" according to the chart on the next page. If your county does not appear in the chart, call the Circuit Clerk in the county in which you will be filing your case and ask for the number of the Circuit.

FORM: Application to Sue as a Poor Person

- Introduction:** Your name
- Paragraph 1:** Your address, include street and city.
- Paragraph 2:** The amount and source of your income, for example,
\$339.00 per month in AFDC, supplemented by Food Stamps.
- Paragraph 3:** List other sources of income not listed in 2.
- Paragraph 4:** The amount of income you had in the last year.
- Paragraph 5:** Should be the same as 2, unless you expect your income to go up or down, in which case you should list what you expect your income to be.
- Paragraph 6:** List the names and birthdates of your children and/or others you support financially.
- Paragraph 7:** First blank: total value of your possessions;
Second blank: year and make of your car; if you do not have a car, simply put "none";
Third blank: value of your car;

Sign your name on both blank lines above where it says "Plaintiff" and print your name below each signature.

FORM: Divorce and 30 day Summons: Circuit Clerk and Defendant's copy

- To each Defendant blank:** Put the full name and address of the person you are trying to serve. Include the street address, city, county, state, and zip code.
- Clerk of this Court blank:** Put the name of the city of the courthouse where you filed your lawsuit here.
- To the Officer blank:** Put any special instructions you want the sheriff to know, especially if the address is a rural route or if

the person you are trying to serve is only at the residence at certain times. For example "house is the 3rd green house on the left, or Defendant is only home from 4:00 to 5:00 p.m." If you have no special instructions, then leave this blank.

LEAVE ALL OTHER LINES BLANK, THE CLERK WILL FILL THESE OUT.

Prepared by blanks: Put your name, address, and telephone where you can be reached here. This is important in the event the sheriff or Clerk needs to contact you with a question.

FORM: Summons Requiring Appearance On A Specific Day: Clerk and Defendant's copy

To each Defendant blank: Put the full name and address of the person you are trying to serve. Include the street address, city, county, state, and zip code.

1st Blank: Put the name of the city of the courthouse where you filed your lawsuit here.

2nd Blank: The date (month and day) of your hearing. You will get this date from the Clerk. Note that this Summons cannot be served later than 3 days before this date.

3rd Blank: The year of your hearing.

4th Blank: The time of your hearing.

To the Officer blank: Put any special instructions you want the sheriff to know, especially if the address is a rural route or if the person you are trying to serve is only at the residence at certain times. For example "house is the 3rd green house on the left, or Defendant is only home from 4:00 to 5:00 p.m." If you have no special instructions, then leave this blank.

LEAVE ALL OTHER LINES BLANK, THE CLERK WILL FILL THESE OUT.

Prepared by blanks: Put your name, address, and telephone where you can be reached here. This is important in the event the sheriff or Clerk needs to contact you with a question.

FORM: Summons Requiring Appearance On A Specific Day: Clerk and Defendant's copy

(Forcible Entry and Detainer and recovery of personal property only)

To each Defendant blank: Put the full name and address of the person you are trying to serve. Include the street address, city, county, state, and zip code.

1st Blank: Put the name of the city of the courthouse where you filed your lawsuit here.

2nd Blank: The date (month and day) of your hearing. You will get this date from the Clerk. Note that this Summons cannot be served later than 3 days before this date. This date also cannot be less than 7 days or more than 40 days after the date the summons is issued by the Clerk.

3rd Blank: The year of your hearing.

4th Blank: The time of your hearing.

To the Officer blank: Put any special instructions you want the sheriff to know, especially if the address is a rural route or if the person you are trying to serve is only at the residence at certain times. For example "house is the 3rd green house on the left, or Defendant is only home from 4:00 to 5:00 p.m." If you have no special instructions, then leave this blank.

LEAVE ALL OTHER LINES BLANK, THE CLERK WILL FILL THESE OUT.

Prepared by blanks: Put your name, address, and telephone where you can be reached here. This is important in the event the sheriff or Clerk needs to contact you with a question.

FORM: Order To Show Cause

Introduction: First blank: Name and address of party who has not complied with the court order.

LEAVE THE REST OF THE FORM BLANK FOR THE JUDGE TO COMPLETE.

FORM: Citation To Discover Assets (Circuit Clerk and Defendant's copy)

Name and address of

Debtor:	Name and address of person who owes you money.
Name and address of Creditor:	Your name and address.
Date of Judgment:	The date your money judgment was entered by the court.
Case number of original judgment:	The case number that appears on the money judgment that was entered by the court.
Original amount owed:	The total amount of money awarded to you by the court.
Balance due:	How much is left owed on the judgment.
Hearing date and time:	Do not fill out until you get this information from the Clerk.
First blank:	Name of county where you are filing your Citation.
Second blank:	What records or information you want the debtor to bring to the hearing.
Creditor blank:	Sign your name here
Creditor address and phone number:	Your address and phone number.

FORM: Citation Notice (Circuit Clerk and Defendant's copy)

Name and address of Debtor:	Name and address of person who owes you money.
Name and address of Creditor:	Your name and address.
Date of Judgment, amount awarded, and amount unpaid:	The date your money judgment was entered by the court, the total amount of money awarded to you by the court, and how much is left owed on the judgment.
Court date and time:	Do not fill out until you get this information from the Clerk.
First blank:	Address of Circuit Clerk where you are filing your Citation.

FORM: Letter to Sheriff

- First blank:** Name of county where the party you are suing lives.
- Second blank:** Street address of the Sheriff. (list street, city, and state)
- Fourth blank:** Your case name. (for example, In Re The Marriage Of Jones)
- Fifth blank:** Your case number (for example 96-D-67)
- Sixth blank:** Name of county in which your case is filed.
- Seventh blank:** Indicate whether you are using a Summons or an Order To Show Cause
- Eighth blank:** The document (Petition, Complaint, etc.) that you are serving on the person.
- Ninth blank:** Name of the party you are suing.
- Tenth blank:** Address at which you want the party you are suing served with your Petition.

Call the Sheriff's office in the county where the party you are suing resides and ask whether they will accept your Illinois order waiving the costs of service. If the Sheriff will accept your waiver, check box 1 and list the name of the county in which your case was filed. If the Sheriff will not accept the waiver or if you did not get a waiver then check box 2 and list the cost of serving the party you are suing. (ask the Sheriff's office for this amount)

Sign your name and print your name, address, and telephone number where you can be reached. Don't forget to include a self-addressed, stamped envelope.

STATE OF ILLINOIS

COUNTY OF _____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL DISTRICT

_____)	
Plaintiff,	)	Case Number: _____
v.)	
	)	Amount of money claimed: \$ _____
_____)	
Defendant.)	
)	

SUMMONS -- 30 days

To each Defendant:

You are summoned and required to file an answer to the complaint in this case, a copy of which is attached, or otherwise file your appearance, in the office of the clerk of this court within 30 days after service of this summons, not counting the date of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the Officer:

This summons must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than **30 days** after its date below.

WITNESS, Circuit Clerk of the _____ Judicial Circuit, and the seal thereof, in the City of _____, in _____ County, Illinois.

(Seal of Clerk here)

Date: _____, 20 ____.

Signed: _____, Clerk of the _____ Judicial Circuit

Prepared by:

_____ (pro se)

**SUMMONS - ORIGINAL
CIRCUIT CLERK'S COPY**

RETURN OF SERVICE
to be completed by Sheriff

The undersigned certifies that he/she served this Summons on the Defendant as follows:

(Check appropriate blank, and complete service information below)

_____ **a) (Individual defendant - personal):**

By leaving copy of the complaint with each individual personally.

_____ **(b) (Individual defendant - abode):**

By leaving a copy and a copy of the complaint at the usual place of abode of each individual defendant with a person of his family, of the age of 13 years or upwards, informing that person of the contents and also by sending a copy of the summons in a seal envelope with postage fully prepaid, addressed to each individual defendant at his usual place of abode.

_____ **(c) (Other service -- explain below)**

SERVICE INFORMATION:

Name of Defendant: _____

Summons given to:

Name: _____ Sex _____ Race _____ Approximate Age _____

Place of Service

Street Address: _____ City of _____, State of _____

Date of Service:

_____, 20 ____ Time _____

Date of Mailing (if abode service was used) _____

Signed:

_____, Sheriff of _____ County, State of _____

By: _____, Deputy

STATE OF ILLINOIS

COUNTY OF _____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL DISTRICT

_____)	
Plaintiff,	)	Case Number: _____
v.)	
	)	Amount of money claimed: \$ _____
_____)	
Defendant.)	
)	

SUMMONS -- 30 days

To each Defendant:

You are summoned and required to file an answer to the complaint in this case, a copy of which is attached, or otherwise file your appearance, in the office of the clerk of this court within 30 days after service of this summons, not counting the date of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the Officer:

This summons must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than **30 days** after its date below.

WITNESS, Circuit Clerk of the _____ Judicial Circuit, and the seal thereof, in
the City of _____, in _____ County, Illinois.

(Seal of Clerk here)

Date: _____, 20 ____.

Signed: _____, Clerk of the _____ Judicial Circuit

Prepared by:

_____ (pro se)

Date of Service _____, 20 ____

(to be inserted by officer)

SUMMONS - DEFENDANT'S COPY

STATE OF ILLINOIS

COUNTY OF _____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL DISTRICT

_____)	
Plaintiff,	)	Case Number: _____
v.)	
	)	Amount of money claimed: \$ _____
_____)	
Defendant.)	
)	

SUMMONS REQUIRING APPEARANCE ON A SPECIFIC DAY

To each Defendant:

You are summoned and required to appear before this Court at _____, Illinois, on _____, _____, 20 ____ at _____ .M to answer the Complaint filed against you in this case. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the Officer:

This summons must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service and not less than 3 days before the date of appearance listed above. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than **3 days** before the date of appearance listed above.

WITNESS, Circuit Clerk of the _____ Judicial Circuit, and the seal thereof, in the City of _____, in _____ County, Illinois.

(Seal of Clerk here)

Date: _____, 20 ____.

Signed: _____, Clerk of the _____ Judicial Circuit

Prepared by:

_____ (pro se)

**SUMMONS - ORIGINAL
CIRCUIT CLERK'S COPY**

RETURN OF SERVICE

to be completed by Sheriff

The undersigned certifies that he/she served this Summons on the Defendant as follows:

(Check appropriate blank, and complete service information below)

_____ **a) (Individual defendant - personal):**

By leaving copy of the complaint with each individual personally.

_____ **(b) (Individual defendant - abode):**

By leaving a copy and a copy of the complaint at the usual place of abode of each individual defendant with a person of his family, of the age of 13 years or upwards, informing that person of the contents and also by sending a copy of the summons in a seal envelope with postage fully prepaid, addressed to each individual defendant at his usual place of abode.

_____ **(c) (Other service -- explain below)**

SERVICE INFORMATION:

Name of Defendant: _____

Summons given to:

Name: _____ Sex _____ Race _____ Approximate Age _____

Place of Service

Street Address: _____ City of _____, State of _____

Date of Service:

_____, 20 _____ Time _____

Date of Mailing (if abode service was used) _____

Signed:

_____, Sheriff of _____ County, State of _____

By: _____, Deputy

STATE OF ILLINOIS

COUNTY OF _____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL DISTRICT

_____)	
Plaintiff,	)	Case Number: _____
v.)	
	)	Amount of money claimed:
\$ _____)	
_____)	
Defendant.)	
)	

SUMMONS REQUIRING APPEARANCE ON A SPECIFIC DAY

To each Defendant:

You are summoned and required to appear before this Court at _____, Illinois, on _____, _____, 20 ____ at _____ .M to answer the Complaint filed against you in this case. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the Officer:

This summons must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service and not less than 3 days before the date of appearance listed above. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than **3 days** before the date of appearance listed above.

WITNESS, Circuit Clerk of the _____ Judicial Circuit, and the seal thereof, in

the City of _____, in _____ County, Illinois.

(Seal of Clerk here)

Date: _____, 20 ____.

Signed: _____, Clerk of the _____

Judicial Circuit

Prepared by:

_____ (pro se)

SUMMONS - ORIGINAL
CIRCUIT CLERK'S COPY
RETURN OF SERVICE
to be completed by Sheriff

The undersigned certifies that he/she served this Summons on the Defendant as follows:

(Check appropriate blank, and complete service information below)

- _____ **a) (Individual defendants - personal):**
By leaving copy of the complaint with each individual personally.
- _____ **(b) (Individual defendants - abode):**
By leaving a copy and a copy of the complaint at the usual place of abode of each individual defendant with a person of his family, of the age of 13 years or upwards, informing that person of the contents and also by sending a copy of the summons in a seal envelope with postage fully prepaid, addressed to each individual defendant at his usual place of abode.
- _____ **(c) (Other service -- explain below)**

SERVICE INFORMATION:

Name of Defendant: _____

Summons given to:

Name: _____ Sex _____ Race _____ Approximate
Age _____

Place of Service

Street Address: _____ City of _____, State of _____

Date of Service:

_____, 20 _____ Time _____

Date of Mailing (if abode service was used) _____

Signed:

_____, Sheriff of _____ County, State of _____

By: _____, Deputy

STATE OF ILLINOIS

COUNTY OF _____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL DISTRICT

IN RE THE MARRIAGE OF:

Plaintiff,

and.

Defendant.

)
)
)
)
)
)
)
)
)
)
)

Case Number

SUMMONS- Divorce

To each Defendant:

You are summoned and required to file an answer to the Petition for Dissolution of Marriage in this case, a copy of which is hereto attached, or otherwise file your appearance in the office of the Clerk of this Court , _____, Illinois, within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT. YOU ARE FURTHER NOTIFIED THAT A DISSOLUTION ACTION STAY IS IN FULL FORCE AND EFFECT UPON SERVICE OF THIS SUMMONS. THE CONDITIONS OF THE STAY ARE SET FORTH ON THE REVERSE SIDE OF THIS SUMMONS, AND ARE APPLICABLE TO THE PARTIES AS SET FORTH IN THE STATUTE.

To the Officer:

This summons must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than **30 days** after its date.

WITNESS, Circuit Clerk of the _____ Judicial Circuit, and the

seal thereof, in

the City of _____, in _____

County, Illinois.

(Seal of Clerk here)

Date: _____, 20 ____.

Signed: _____, Clerk of the _____

Judicial Circuit

Prepared by:

_____ (pro se)

Date of Service: _____, 20 ____

(To be inserted by officer)

SUMMONS - DEFENDANT'S COPY

CONDITIONS OF DISSOLUTION ACTION STAY

750 Illinois Compiled Statutes, Section 5/501.1

(a) Upon service of a summons and petition or praecipe filed under the Illinois Marriage and Dissolution of Marriage Act or upon the filing of the respondent's appearance in the proceeding, whichever first occurs, a dissolution action stay shall be in effect against both parties and their agents and employees, without bond or further notice, until a final judgment is entered, the proceeding is dismissed, or until further order of the court.

(1) restraining both parties from physically abusing, harassing, intimidating, striking, or interfering with the personal liberty of the other party or the minor children of either party; and

(2) restraining both parties from removing any minor child or either party from the State of Illinois or from concealing any such child

from the other party, without the consent of the other party or an order of the court.

- (b)** In a proceeding filed under this Act, the summons shall provide notice of the entry of the automatic dissolution action stay in a form as required by applicable rules.

STATE OF ILLINOIS

COUNTY OF _____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL DISTRICT

_____)	
Plaintiff,	)	Case Number: _____
v.)	
	)	Amount of money claimed:
\$ _____)	
_____)	
Defendant.)	
)	

**SUMMONS REQUIRING APPEARANCE ON A SPECIFIC DAY
(forcible entry and detainer and recovery of personal property only)**

To each Defendant:

You are summoned and required to appear before this Court at _____, Illinois, on _____, _____, 20____ at _____ .M to answer the Complaint filed against you in this case. This date cannot be less than 7 days or more than 40 days after the date this summons was issued. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the Officer:

This summons must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service and not less than 3 days before the date of appearance listed above. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than **3 days** before the date of appearance listed above.

WITNESS, Circuit Clerk of the _____ Judicial Circuit, and the seal thereof, in

the City of _____, in _____
County, Illinois.

(Seal of Clerk here)

Date: _____, 20 ____.

Judicial Circuit

Signed: _____, Clerk of the _____

Prepared by:

_____ (pro se)

**SUMMONS - ORIGINAL
CIRCUIT CLERK'S COPY
RETURN OF SERVICE
to be completed by Sheriff**

The undersigned certifies that he/she served this Summons on the Defendant as follows:

(Check appropriate blank, and complete service information below)

_____ **a) (Individual defendant - personal):**
By leaving copy of the complaint with each individual personally.

_____ **(b) (Individual defendant - abode):**
By leaving a copy and a copy of the complaint at the usual place of abode of each individual defendant with a person of his family, of the age of 13 years or upwards, informing that person of the contents and also by sending a copy of the summons in a seal envelope with postage fully prepaid, addressed to each individual defendant at his usual place of abode.

_____ **(c) (Other service -- explain below)**

SERVICE INFORMATION:

Name of Defendant: _____

Summons given to:

Name: _____ Sex _____ Race _____ Approximate Age _____

Place of Service

Street Address: _____ City of _____, State of _____

Date of Service:

_____, 20 _____ Time _____

Date of Mailing (if abode service was used) _____

Signed:

_____, Sheriff of _____ County, State of _____

By: _____, Deputy

STATE OF ILLINOIS

COUNTY OF _____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL DISTRICT

_____)	
Plaintiff,	)	Case Number: _____
v.)	
	)	Amount of money claimed:
\$ _____)	
_____)	
Defendant.)	
)	

**SUMMONS REQUIRING APPEARANCE ON A SPECIFIC DAY
(forcible entry and detainer and recovery of personal property only)**

To each Defendant:

You are summoned and required to appear before this Court at _____, Illinois, on _____, _____, 20____ at _____ .M to answer the Complaint filed against you in this case. This date cannot be less than 7 days or more than 40 days after the date this summons was issued. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the Officer:

This summons must be returned by the Officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service and not less than 3 days before the date of appearance listed above. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than **3 days** before the date of appearance listed above.

WITNESS, Circuit Clerk of the _____ Judicial Circuit, and the seal thereof, in the City of _____, in _____ County, Illinois.

(Seal of Clerk here)

Date: _____, 20 ____.

Signed: _____, Clerk of the _____

Judicial Circuit

Prepared by:

_____ (pro se)

Date of Service: _____, 20 __

(To be completed by officer)

SUMMONS - DEFENDANT'S COPY

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

_____)	
)	
Plaintiff,)	
)	
vs.	)	No. _____ -- _ -- _
)	
_____)	
)	
Defendant.)	

ORDER TO SHOW CAUSE

Name and Address of Person to be Served with this Order:

This cause having come on to be heard on the Petition for Order to Show Cause filed by _____, the Court having considered the petition and having been otherwise fully informed in the premises, finds that it should be granted.

WHEREFORE, IT IS HEREBY ORDERED that _____
shall appear on the _____ day of _____, 20____, at _____
____.m. at the _____ county courthouse, _____,
Illinois, and show cause, if any he/she has, why he/she should not be held
in contempt of court and punished for failing to comply with order entered
by this Court on _____, 20 ____.

DATE

JUDGE

**ORDER TO SHOW CAUSE- ORIGINAL
CIRCUIT CLERK'S COPY**

**RETURN OF SERVICE--ORDER TO SHOW CAUSE
to be completed by Sheriff**

**The undersigned certifies that he/she served this Order To Show Cause on the
Defendant as follows:**

(Check appropriate blank, and complete service information below)

- _____ **a) (Individual defendant - personal):**
By leaving copy of the complaint with each individual personally.
- _____ **(b) (Individual defendant - abode):**
By leaving a copy and a copy of the complaint at the usual place of abode
of each individual defendant with a person of his family, of the age of 13
years or upwards, informing that person of the contents and also by
sending a copy of the summons in a seal envelope with postage fully
prepaid, addressed to each individual defendant at his usual place of
abode.
- _____ **(c) (Other service -- explain below)**

SERVICE INFORMATION:

Name of Defendant: _____

Order To Show Cause given to:

Name: _____ Sex _____ Race _____ Approximate Age _____

Place of Service

Street Address: _____ City of _____, State of _____

Date of Service:

_____, 20 _____ Time _____

Date of Mailing (if abode service was used) _____

Signed:

_____, Sheriff of _____ County, State of _____

By: _____, Deputy

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

_____,)	
)	
Plaintiff,)	
)	
vs.	)	No. _____
_____,)	
)	
Defendant.)	

ORDER TO SHOW CAUSE

Name and Address of Person to be Served with this Order:

This cause having come on to be heard on the Petition for Order to Show Cause filed by _____, the Court having considered the petition and having been otherwise fully informed in the premises, finds that it should be granted.

WHEREFORE, IT IS HEREBY ORDERED that _____ shall appear on the _____ day of _____, 20____, at _____ .m. at the _____ county courthouse, _____, Illinois, and show cause, if any he/she has, why he/she should not be held in contempt of court and punished for failing to comply with order entered by this Court on _____, 20 ____.

DATE JUDGE

Date of Service: _____, 20 ____

(To be completed by officer)

ORDER TO SHOW CAUSE- DEFENDANT'S COPY

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

Plaintiff,
vs. _____ No. _____

Defendant.

CITATION NOTICE

Name and Address of Debtor:

Defendant.

)

CITATION NOTICE

Name and Address of Debtor:

Name and Address of Creditor:

Date of Judgment, amount awarded, and amount unpaid:

Court Date and Time:

NOTICE: The Court has issued a citation against you. The citation directs you to appear in court to be examined for the purpose of allowing the creditor to discover income and assets belonging to you or in which you have an interest. The citation was issued because of a judgment against you in favor of the creditor in the amount stated above. On or after the above date, the court may compel you to apply any discovered non-exempt income or assets to pay towards the judgment.

The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law. **YOU HAVE THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS WHICH MAY NOT BE USED TO PAY THE JUDGMENT LISTED ABOVE.** Those exemptions are listed on the reverse side of this Notice

CITATION NOTICE- DEFENDANT’S COPY

YOUR EXEMPTION RIGHTS

You may have other rights not listed here

1. Under Illinois or federal law, the following items are exempt and cannot be taken from you to pay this judgment:

Social Security and SSI benefits;

public assistance benefits;

unemployment compensation benefits;

worker's compensation benefits;

veterans' benefits;

circuit breaker property tax relief benefits;

your equity interest, not to exceed \$2000 in value, in any personal property you choose;

your equity interest, not to exceed \$1200 in value, in any one motor vehicle;

your equity interest, not to exceed \$750 in value, in any tools of your trade.

2. Under Illinois law, you are entitled to the first \$7500 of the value of your home as long as you live there.

3. Under Illinois law, the amount of your salary that may be applied toward a judgment is limited to the lesser of (a) 15% of your gross weekly salary or (ii) the amount by which your net weekly exceeds \$231.75.

4. Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (a) 25% of your net weekly salary or (b) the amount by which your net weekly salary exceeds \$154.50.

5. Pension and retirement benefits and refunds may be claimed as exempt under Illinois law.

YOU HAVE THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT INCOME OR ASSETS OR BOTH.

You also have the right to seek declaration at an earlier date by notifying the clerk in writing at the following address:

When so notified, the Clerk will obtain a prompt hearing date and will provide the necessary forms that must be prepared by you or your attorney and sent to the creditor or the creditor's attorney regarding the time and location of the hearing. This notice may be sent by regular first class mail.

YOUR EXEMPTION RIGHTS

You may have other rights not listed here

1. Under Illinois or federal law, the following items are exempt and cannot be taken from you to pay this judgment:

Social Security and SSI benefits;

public assistance benefits;

unemployment compensation benefits;

worker's compensation benefits;

veterans' benefits;

circuit breaker property tax relief benefits;

your equity interest, not to exceed \$2000 in value, in any personal property you choose;

your equity interest, not to exceed \$1200 in value, in any one motor vehicle;

your equity interest, not to exceed \$750 in value, in any tools of your trade.

2. Under Illinois law, you are entitled to the first \$7500 of the value of your home as long as you live there.

3. Under Illinois law, the amount of your salary that may be applied toward a judgment is limited to the lesser of (a) 15% of your gross weekly salary or (ii) the amount by which your net weekly exceeds \$231.75.

4. Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (a) 25% of your net weekly salary or (b) the amount by which your net weekly salary exceeds \$154.50.

5. Pension and retirement benefits and refunds may be claimed as exempt under Illinois law.

YOU HAVE THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT INCOME OR ASSETS OR BOTH.

You also have the right to seek declaration at an earlier date by notifying the clerk in writing at the following address: _____

When so notified, the Clerk will obtain a prompt hearing date and will provide the necessary forms that must be prepared by you or your attorney and sent to the creditor or the creditor's attorney regarding the time and location of the hearing. This notice may be sent by regular first class mail.

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

_____,

Plaintiff,

v.

_____,

Defendant.

)
)
)
)
)
)
)
)
)
)

Case no: _____

CITATION TO DISCOVER ASSETS

Name and Address of Debtor: _____

Name and Address of Creditor: _____

Date of Judgment _____ Case number of original judgment _____

Original amount owed \$ _____ Balance due: \$ _____

Hearing Date and Time: _____

YOU ARE ORDERED TO APPEAR before a Judge in the Circuit Court of _____ County at the above date and time for a hearing to discover any non-exempt assets and income that you may have to pay off the judgment listed above.

YOU ARE REQUIRED to bring with you any and all books, papers, or records in your possession or control that contain information concerning your property, income, and assets, including _____

YOU ARE PROHIBITED from disposing, transferring, encumbering, or giving away any non-exempt income or assets until further order of the court or termination of the Citation proceedings.

YOUR FAILURE TO APPEAR IN COURT AS HEREIN DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL. EVEN IF YOU ONLY HAVE NON-EXEMPT INCOME AND ASSETS AND OR YOU CANNOT PAY TOWARDS THIS JUDGMENT, YOU MUST APPEAR.

The undersigned certifies, under penalties of law, pursuant to Section 5/1-109 of the Illinois Code of Civil Procedure, that the above information about the judgment is true and correct as to their belief/ knowledge.

Creditor

Creditor Address and phone number

**CITATION TO DISCOVER ASSETS -- ORIGINAL
CIRCUIT CLERK COPY**

Note to Sheriff: This Citation must be served within 5 days of the date of the hearing as stated above.

**RETURN OF SERVICE-- CITATION TO DISCOVER ASSETS
to be completed by Sheriff**

The undersigned certifies that he/she served this Citation To Discover Assets on the Defendant as follows:

(Check appropriate blank, and complete service information below)

_____ **a) (Individual defendant - personal):**

By leaving copy of the complaint with each individual personally.

_____ **(b) (Individual defendant - abode):**

By leaving a copy and a copy of the Citation at the usual place of abode of each individual defendant with a person of his family, of the age of 13 years or upwards, informing that person of the contents and also by sending a copy of the Citation in a seal envelope with postage fully prepaid, addressed to each individual defendant at his usual place of abode.

_____ **(c) (Other service -- explain below)**

SERVICE INFORMATION:

Name of Defendant: _____

Citation To Discover Assets given to:

Name: _____ Sex _____ Race _____ Approximate Age _____

Place of Service

Street Address: _____ City of _____, State of _____

Date of Service:

_____, 20 _____ Time _____

Date of Mailing (if abode service was used) _____

Signed:

_____, Sheriff of _____ County, State of _____

By: _____, Deputy

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

_____)	
)	
Plaintiff,)	
v.	)	Case no: _____
)	
_____)	
)	
Defendant.)	

CITATION TO DISCOVER ASSETS

Name and Address of Debtor: _____

Name and Address of Creditor: _____

Date of Judgment _____ Case number of original judgment _____

Original amount owed \$ _____ Balance due: \$ _____

Hearing Date and Time:

YOU ARE ORDERED TO APPEAR before a Judge in the Circuit Court of _____ County at the above date and time for a hearing to discover any non-exempt assets and income that you may have to pay off the judgment listed above.

YOU ARE REQUIRED to bring with you any and all books, papers, or records in your possession or control that contain information concerning your property, income, and assets, including _____.

YOU ARE PROHIBITED from disposing, transferring, encumbering, or giving away any non-exempt income or assets until further order of the court or termination of the Citation proceedings.

YOUR FAILURE TO APPEAR IN COURT AS HEREIN DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL. EVEN IF YOU ONLY HAVE NON-EXEMPT INCOME AND ASSETS AND OR YOU CANNOT PAY TOWARDS THIS JUDGMENT, YOU MUST APPEAR.

The undersigned certifies, under penalties of law, pursuant to Section 5/1-109 of the Illinois Code of Civil Procedure, that the above information about the judgment is true and correct as to their belief/ knowledge.

Creditor

Creditor Address and phone number

**CITATION TO DISCOVER ASSETS
DEFENDANT'S COPY**

Date of Service: _____, 20 __
(To be completed by officer)

LETTER TO SHERIFF

DATE: _____

Sheriff of _____ County

Dear Sheriff:

Re: _____, Case number: _____ (_____ County, Illinois)

Enclosed you will find a _____ and a _____
to be served on the Defendant _____, who lives
at

_____.

Once you have served the enclosed documents, I would appreciate it if you would complete the Return of Service and the enclosed Affidavit of Service (required by Illinois law only for out of state service) and return it to me in the enclosed self-addressed stamped envelope.

() I have also enclosed an order entered by the Court here in _____ County, Illinois, which waives the cost of service because I am a poor person.

() I have also enclosed the cost of service \$ _____.

Thank you for your attention to this matter.

Sincerely,
