

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

Plaintiff)
)
vs.) No. _____
)

Defendant)
)
and)
)

Garnishee)

AFFIDAVIT FOR GARNISHMENT-NON-WAGE

_____ on oath states:

1. Judgment was entered in this case on _____, 20_____, in favor of judgment creditor _____ and against judgment debtor _____ for \$_____ and costs.
2. \$_____ has been paid on the judgment.
3. There is unpaid on the judgment
\$_____ principal
\$_____ costs
\$_____ interest
\$_____ TOTAL
4. I believe garnishee _____ is indebted to the judgment debtor other than for wages, or has in his/her/its possession, custody or control property belonging to the judgment debtor or in which judgment debtor has an interest.
5. The last known address of the judgment debtor is: _____.

I request that summons be issued and directed to the garnishee.
Signed and sworn to before me _____, 20____.

Notary Public

CERTIFICATE OF CLERK OF COURT OR ATTORNEY

I certify that judgment was entered as stated in paragraph 1 above. _____
Clerk of the Court or Attorney for judgment creditor

Name _____
Attorney for _____
Address _____
City _____
Telephone _____

NOTE: FOUR (4) COPIES OF THIS AFFIDAVIT MUST BE SERVED ON THE GARNISHEE Answer to interrogatories on reverse side hereof to be filed 21 to 30 days after service of summons.

INTERROGATORIES TO GARNISHEE

1. When you were served with summons did you have in your possession, custody or control any property belonging to the judgment debtor or in which he/she had an interest?

Answer: _____
(yes or no)

2. If your answer is yes, describe the property:

3. When you were served with the summons were you otherwise indebted to him/her, no matter when payable?

Answer: _____
(yes or no)

4. If your answer is yes, state:

Description: _____

Amount: \$ _____

Date due: _____

5. A copy of the answers to these interrogatories must be filed with the Circuit Clerk and a copy should be sent to the Judgment Creditor or the attorney for the Judgment Creditor by the return date.

6. The garnishee shall forward to the attorney for the Judgment Creditor or the Judgment Creditor, a check for the net amount due the Judgment Creditor, only after the court has entered a deduction order.

DO NOT REMIT FUNDS TO THE CIRCUIT CLERK.

AFFIDAVIT

The undersigned, on oath states that the answers to the interrogatories are true, and that a copy of the completed interrogatories has been mailed by First Class Mail or hand delivered to the Judgment Debtor at his/her last known address.

GARNISHEE

Signed and sworn to before me

_____, 20__.

Notary Public

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT CLERK
MADISON COUNTY, ILLINOIS

Judgment Creditor
vs.

Judgment Debtor

Plaintiff-)
)
)
)
Defendant-)
)
)

No. _____

Address of Judgment Debtor:
(insert last known address)

Name and Address of Attorney for Judgment
Creditor or of Judgment Creditor if not
represented by an attorney:

Amount of Judgment: \$ _____ Return Date: _____

Name of Garnishee _____

GARNISHMENT NOTICE

NOTICE: The court has issued a garnishment summons against the garnishee named above for money or property (other than wages) belonging to the judgment debtor or in which judgment debtor has an interest. The garnishment summons was issued on the basis of a judgment against the judgment debtor in favor of the judgment creditor in the amount stated above.

The amount of money or property (other than wages) that may be garnished is limited by federal and Illinois law. The judgment debtor has the right to assert statutory exemptions against certain money or property of the judgment debtor which may be used to satisfy the judgment in the amount stated above.

Under Illinois or federal law, the exemptions of personal property owned by the debtor include the debtor's equity interest, not to exceed \$2,000 in value, in any personal property as chosen by the debtor, Social Security and SSI benefits; public assistance benefits; unemployment compensation benefits; worker's compensation benefits; veterans' benefits; circuit breaker property tax relief benefits; the debtor's equity interest, not to exceed \$1,200 in value, in any one motor vehicle, and the debtor's equity interest, not to exceed \$750 in value, in any implements, professional books or tools of the trade of the debtor.

The judgment debtor may have other possible exemptions from garnishment under the law.

The judgment debtor has the right to request a hearing before the court to dispute the garnishment or to declare exempt from garnishment certain money or property or both. To obtain a hearing in counties with a population of less than 1,000,000 the judgment debtor must notify the Clerk of the Court in writing at _____
(Address)

_____ on or before the return date specified above. The Clerk of the Court will provide a hearing date and the necessary forms that must be prepared by the judgment debtor or the attorney for the judgment debtor and sent to the judgment creditor and the garnishee regarding the time and location of the hearing. This notice may be sent by regular first class mail.

(Source: PA 82-280)

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT CLERK

MADISON COUNTY, ILLINOIS

Plaintiff)
)
)
vs.)
)

Defendant)
)
and)
)

Garnishee)

No. _____

Address of garnishee:

GARNISHMENT SUMMONS --- NON-WAGE

To the garnishee:

YOU ARE SUMMONED and required to file answers to the judgment creditor's interrogatories, in the office of the clerk of this court _____ Illinois,

on or before _____, 20____.
(21 to 30 days after date of issuance of this summons)

However, if this summons is served on you less than 10 days prior to the return date, you must file answers to the interrogatories on or before 14 days after the return date stated on the summons.

IF YOU FAIL TO DO SO, A CONDITIONAL JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE AMOUNT OF THE JUDGMENT UNPAID.

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 be served later than the above date.

Witness, _____, 20 ____.

(Clerk of the Circuit Court)

(Seal of court)

By _____
(Deputy)

(Plaintiff's attorney or plaintiff if he/she is not represented by an attorney)

Name
Attorney for
Address
City
Telephone

Date of service _____, 20____
(To be inserted by officer on copy left with garnishee defendant or other person)

RETURN OF SERVICE

SHERIFF'S FEES

(Service and return.....\$
(
(Miles\$
(
(Total.....\$

I certify that I served this summons on garnishees as follows:

(check appropriate box, and complete information below)

checkbox

(a)—(Individual garnishees—personal):

By leaving a copy of said summons, 4 copies of the interrogatories, and one copy of the garnishment notice with each individual garnishee personally.

checkbox

(b)—(Individual garnishees—abode):

By leaving a copy of said summons, 4 copies of the interrogatories, and one copy of the garnishment notice at the usual place of abode of each individual garnishee with a person of his/her family, of the age of 13 years or upwards, informing that person of the contents and also by sending a copy of the summons, 4 copies of the interrogatories, and one copy of the garnishment notice in a sealed envelope with postage fully prepaid, addressed to each individual garnishee at his/her usual place of abode, as follows:

Table with 3 columns: Name of garnishee, Mailing Address, Date of Mailing

checkbox

(c)—(Corporation garnishee):

By leaving a copy of said summons, 4 copies of the interrogatories, and one copy of the garnishment notice with the registered agent, officer or agent of each garnishee corporation, as follows:

Table with 3 columns: Garnishee corporation, Registered agent, officer or agent, Date of service

checkbox

(d)—(Other service):

Name of garnishee _____

Name of person Summons given to _____

Sex _____ Race _____ Approximate Age _____

Place of Service _____

exact street address when possible

Date of Service _____ Time _____ Date of Mailing _____

I further certify that within 2 business days of the service upon the garnishee, I have mailed a copy of the garnishment notice and the summons to the judgment debtor by first class mail at the judgment debtor's address indicated in the garnishment notice and within 4 business days of the service upon the garnishee I have filed with the clerk of the court certificates of mailing.

_____, Sheriff of _____ County

By _____, Deputy

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

Judgment Creditor

Vs.

No. _____
Collections

Judgment Debtor

Non Wage Garnishee

ORDER ON NON WAGE GARNISHMENT

This cause comes before the Court for hearing on the return date for the Judgment Creditor's Non Wage Garnishment and on the Garnishee's Answers to Interrogatories. The Court has examined the Court file and finds that:

the Judgment Debtor was served with the Garnishment and garnishment notice by first class mail by the Clerk or as stated in the Judgment Creditor's Certificate of Mailing,**

AND

the Garnishee served the Judgment Debtor with the Garnishee's Answers by first class mail prior to this date.**

The Judgment Debtor fails to appear this date nor did he/she request a hearing prior to this return date as provided in the garnishment notice.

IT IS THEREFORE ORDERED that the Non Wage Garnishee pay over to the Judgment Creditor the sum of \$ _____ held pursuant to the Non Wage garnishment for application to the judgment heretofore entered in favor of the Judgment Creditor.

Date

Presiding Judge

**No garnishment Order can be entered unless both findings are made. Copies to parties and Non Wage Garnishee Defendant

Make check payable to Judgment Creditor and mail directly to:

