

STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT  
CLINTON COUNTY, CARLYLE, ILLINOIS

|   |   |   |
|---|---|---|
|   | ) |   |
|   | ) | Case No. _____                            |
| Judgment Creditor                                       | ) |   |
| Plaintiff   | ) |   |
|   |   |   |
| VS.   | ) |   |
|   | ) |   |
|   | ) | Name and address of attorney for Judgment |
| Judgment Debtor   | ) | Creditor or of Judgment Creditor if not   |
| Defendant   | ) | represented by an Attorney:               |
| Address of Judgment Debtor (insert last known address): |   |   |
|   |   |   |
|   |   |   |
|   |   |   |
| Amount of Judgment: \$ _____                            |   | Return Date: _____                        |
| Name of Garnishee: _____                                |   |   |

**Garnishment Notice – Non-Wage**

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 the 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 not 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; workers' 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 850 Fairfax Street, Room 220, Carlyle, IL 62231 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 P.A. 82-280.)*

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 CLINTON COUNTY, CARLYLE, ILLINOIS

|           |   |   |
|-----------|---|---|
|           | ) |   |
| Plaintiff | ) |   |
| vs.       | ) | Case No. _____                                  |
|           | ) |   |
|           | ) | Return Date:                                    |
| Defendant | ) |   |
| and       | ) |   |
|           | ) | 21 to 30 days after date of issuance of summons |
|           | ) |   |
| Garnishee | ) |   |

**Affidavit for Garnishment – Non-Wage**

\_\_\_\_\_, on oath states:

1. Judgment was entered in this case on \_\_\_\_\_, 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 \_\_\_\_\_,

SEAL \_\_\_\_\_

Notary Public

**CERTIFICATE OF CLERK OF COURT OR ATTORNEY**

I certify that judgment was entered as stated in paragraph 1 above.

\_\_\_\_\_  
 Clerk of Court or Attorney for Judgment creditor

Name: \_\_\_\_\_

Attorney for: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

NOTE: Four (4) copies of this affidavit must be served on the garnishee answer to interrogatories on reserve side hereof to be filed 21 to 30 days after service of summons.

Return Date: \_\_\_\_\_

Case No. \_\_\_\_\_

**INTERROGATORIES/ANSWERS TO GARNISHEE**

Agent of Garnishee, \_\_\_\_\_, certifies under penalty of perjury that with regard to the property of the judgment debtor, the garnishee files the following answer to this garnishment and on the date of service of garnishment summons had possession of the following property of the judgment debtor,

1. At the time of service of the garnishment summons, did you have in your custody or control any personal property or monies belonging to the judgment debtor or in which he/she had an interest?  Yes  No

Circle one or more of the following and indicate the amount held:

- (A) Savings Account (Amount withheld) \$ \_\_\_\_\_
- (B) Checking and/or Now Account (Amount withheld) \$ \_\_\_\_\_
- (C) Certificate of Deposit (Amount held) \$ \_\_\_\_\_
- (D) Money Market Account (Amount held) \$ \_\_\_\_\_
- (E) Trust Account (Amount held) \$ \_\_\_\_\_
- (F) Safety Deposit Box \$ \_\_\_\_\_
- (G) Adverse Claimant Name & Address: \_\_\_\_\_
- (H) Other Personal Property (Describe): \_\_\_\_\_

Sub Total \$ \_\_\_\_\_

Less right of offset for other loans \$ \_\_\_\_\_

Less deduction of fees limited by 205 ILCS 5/48.1(g) \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

According to the business records kept by the garnishee, we show the above accounts to be held in the name(s) of others in addition to the defendant. Their name(s) and address are as follows:

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

and we show all funds held as of \_\_\_\_\_ (as of date of service of summons).

The agent of the garnishee certified under penalties as provided by law pursuant to 735 ILCS 5/1-109 that the answers to the interrogatories are true. I further certify that I have mailed to the address indicated on the reverse side, a copy of the completed interrogatories, to the judgment debtor.

\_\_\_\_\_  
Agent for Garnishee

**INSTRUCTIONS**

1. A copy of this Answer must be filed with the Clerk of the Court, a copy mailed to attorney for Plaintiff and mail a copy to the Defendant.
2. You will receive a copy of a Court Order by fax or mail instructing you how to proceed and where to send withheld funds.

Garnishee/Agent:

Agent Name: \_\_\_\_\_

Employer Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Clerk of the Circuit Court  
Clinton County Courthouse  
850 Fairfax St., Room 220  
Carlyle, IL 62231

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|           |   |                       |
|-----------|---|-----------------------|
|           | ) |                       |
| Plaintiff | ) |                       |
| vs.       | ) | Case No. _____        |
|           | ) |                       |
|           | ) |                       |
| Defendant | ) |                       |
| and       | ) | Address of Garnishee: |
|           | ) | _____                 |
|           | ) | _____                 |
| 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 850 Fairfax Street, Room 220, Carlyle, Illinois, 62231, on or before \_\_\_\_\_, \_\_\_\_\_ (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 indorsement of services and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so indorsed. This summons may not be served later than the above date.

Witness, \_\_\_\_\_, \_\_\_\_\_  
Clerk of the Circuit Court

(SEAL OF COURT) By \_\_\_\_\_  
Deputy

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

Name: \_\_\_\_\_  
Attorney for: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

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

|                |                      |          |
|----------------|----------------------|----------|
|                | ( Service and return | \$ _____ |
| SHERIFF'S FEES | ( Miles _____        | \$ _____ |
|                | ( Total              | \$ _____ |

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

A. Individual defendants – personal:

(The officer or other person making service, shall (a) identify as to sex, race, and approximate age of the defendant with whom the summons was left, and (b) state the place where (whenever possible in terms of an exact street address) and the date and time of the day when the summons was left with the defendant.)

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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 the family or a person residing there, of the age of 13 years or upwards, informing that person of the contents of the summons. (The officer or other person making service, shall (a) identify as to sex, race, and approximate age of the person, other than the defendant, with whom the summons was left; and (b) state the place where (whenever possible in terms of an exact street address) and the date and time of day when the summons was left with such person.)

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and also by sending a copy of the summons and of the complaint in a sealed envelope with postage fully prepaid, addressed to each individual defendant at his or her usual place of abode, as follows:

| Name of Defendant | Mailed Address | Date of mailing |
|-------------------|----------------|-----------------|
|-------------------|----------------|-----------------|

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C. Corporation defendants:

By leaving a copy and a copy of the complaint with the registered agent, officer or agent of each defendant corporation, as follows:

| Defendant Corporation | Registered agent, officer or agent | Date of service |
|-----------------------|------------------------------------|-----------------|
|-----------------------|------------------------------------|-----------------|

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D. Other service:

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\_\_\_\_\_, Sheriff of \_\_\_\_\_ County

By: \_\_\_\_\_, Deputy

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|           |   |                |
|-----------|---|----------------|
|           | ) |                |
| Plaintiff | ) |                |
| vs.       | ) | Case No. _____ |
|           | ) |                |
|           | ) |                |
| Defendant | ) |                |
| and       | ) |                |
|           | ) |                |
|           | ) |                |
| Garnishee | ) |                |

**Deduction Order – Non-Wage**

After having examine the pleadings and hearing the evidence, the Court finds that the defendant garnishee is indebted to the judgment debtor; that the defendant garnishee has in their possession, in the sum of \$ \_\_\_\_\_ and that costs should be taxed to \_\_\_\_\_.

It is order that the defendant garnishee pay over to the plaintiff \$ \_\_\_\_\_ for application on the judgment debt, and \$ \_\_\_\_\_ for costs advanced, leaving a balance due on judgment of \$ \_\_\_\_\_. Costs are taxed to \_\_\_\_\_.\*

ENTER

|  |       |
|--|-------|
|  | Judge |
|--|-------|

Name: \_\_\_\_\_  
Attorney for: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

\* The Court may order the costs of obtaining a Deduction Order paid by the Judgment creditor or out of the property due, or by the garnishee, or may apportion the same as shall be just and equitable.