

IN THE CIRCUIT COURT OF THE 7TH JUDICIAL CIRCUIT
MACOUPIN COUNTY ILLINOIS

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

WAGE DEDUCTION NOTICE

NOTICE: The court shall be asked to issue a wage deduction summons against the employer named above for wages due or about to become due to you. The wage deduction summons may be issued on the basis of a judgment against you in favor of the judgment creditor in the amount stated above.

The amount of wages that may be deducted is limited by federal and Illinois law.

- (1) Under Illinois law, the amount of wages that may be deducted is limited to the lesser of (I) 15% of gross weekly wages or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the federal minimum hourly wage.
- (2) Under federal law, the amount of wages that may be deducted is limited to the lesser of (I) 25% of disposable earnings for a week or (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.
- (3) Pension and retirement benefits and refunds may be claimed as exempt from wage deduction under Illinois law.

You have the right to request a hearing before the court to dispute the wage deduction because the wages are exempt. To obtain a hearing in counties with a population of less than 1,000,000 you must notify the clerk of the court in writing at **PO Box 197; Carlinville, IL 62626-0197** 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 you or your attorney and sent to the judgment creditor and the employer, or their attorney, regarding the time and location of the hearing. This notice may be sent by regular first class mail.

(Source: P.A. 86-1268)

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY, ILLINOIS

Plaintiff-

vs.

No. _____

Defendant-

and

Return date _____

Employer-

AFFIDAVIT FOR WAGE DEDUCTION ORDER

_____ on oath states:

1. Judgment was entered in this case on _____, 19____, 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 employer _____ is or will be indebted to the judgment debtor for wages due or to become due.

5. The last known address of the judgment debtor is: _____

I request that summons be issued and directed to the employer.

Signed and sworn to before me

_____, 19____.

Notary Public

CERTIFICATE OF ATTORNEY

I certify that judgment was entered as stated in paragraph 1 above, and the Wage Deduction Notice has been mailed to the judgment debtor by first class mail at the judgment debtors last known address.

Attorney for judgment creditor

Name _____

Attorney for _____

Address _____

City _____

Telephone _____

NOTE:

FOUR (4) COPIES OF THIS AFFIDAVIT MUST BE SERVED ON THE EMPLOYER. Answer to interrogatories on reverse side hereof to be filed not less than 84 days after service of summons, but on or before the return date as shown on this Affidavit and/or Summons.

IN THE CIRCUIT COURT OF THE 17th JUDICIAL CIRCUIT
Macoupin COUNTY, ILLINOIS

Return Date: _____

Case Number: _____

INTERROGATORIES/ANSWER TO WAGE DEDUCTION PROCEEDINGS

Employer/ Agent: _____, certifies under penalty of perjury that the following Answer is true and correct to the best of her/his knowledge and belief concerning the property of the judgment debtor:

Debtor Name: _____ Soc. Sec. No. _____

Do you pay monies to the judgment debtor listed above? Yes _____ No _____

State whether any funds paid to the debtor are for disability, retirement or are in any other way exempt or subject to other Court Order: _____

One Pay Period equals: _____ day(s) _____ week(s) _____ month(s).

CALCULATION TO DETERMINE AMOUNT OF WITHHOLDING

(A) Gross Wages minus mandatory contributions to pension or retirement plans is (A) _____

(B) METHOD I - 15% of (A) = (B) _____

METHOD II

(C) Enter Total FICA, State and Federal Tax and Medicare (C) _____

(D) Subtract (C) from (A) = (D) _____

(E) Enter Minimum wage per pay period (45 x \$6.50 per week) (E) _____

(F) Subtract (E) from (D) (F) _____

(G) Enter the lesser of Line (B) or (F) (G) _____

(H) Enter Child Support or other Court Ordered Deduction (H) _____

(I) Subtract (H) from (G) (I) _____

(J) Subtract Employer's Statutory Fee (§5/12 - 814) (J) _____

(K) Amount to be applied to judgment (K) _____

Line I is the amount to be withheld from employee's paycheck as of the date of service of Summons and not disbursed until further order of Court.

Signature of Employer _____

INSTRUCTIONS

1. Mail a copy of this Answer to the Court and mail to attorney for Plaintiff and give 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 deducted funds.

Employer/ Agent _____

Agent Name: _____

Employer Name: _____

Address: _____

Phone: _____

Fax: _____

Clerk of the Circuit Court

_____ County Courthouse

_____ Street

_____ City, State, Zip

NOTE: A copy of this Answer should be mailed to the Court, Attorney for Plaintiff or Judgment Creditor and to the Defendant.

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
MACOUPEN COUNTY ILLINOIS

Plaintiff

No. _____

-VS-

Defendant

Address of Employer:

And

Employer

WAGE DEDUCTION SUMMONS

To the employer:

YOU ARE SUMMONED and required to file answers to the judgment, creditor's, interrogatories.

In the office of the clerk of this court PO BOX 197 ; Carlinville, Illinois, on or before

(21 to 40 days after issuance of summons)

However, if this summons is served on you less than 3 days before that date, you must file answers to the interrogatories on or before a new return date, to be set by the court, not less than 21 days after you were served with this summons.

This proceeding applies to non-exempt wages due at the time you were served with this summons and to wages which become due thereafter until the balance due on the judgment is paid.

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

FEDERAL AGENCY EMPLOYERS: Effective upon service of this summons and pursuant to 5 USC 552a, you are to commence to pay over deducted wages to the attorney for the judgment creditor in accordance with 735 ILCS 5/12-808.

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 the above date.

Witness, _____

(Clerk of the Circuit Court)

By: _____

Seal of Court)

(Deputy)

Plaintiff's attorney or plaintiff if not represented by an attorney)

Name:

Attorney for

Address

City

Telephone

Plaintiff.
v.

Employer.

NO.

WAGE DEDUCTION ORDER

THIS CAUSE coming on to be heard upon the return of a Wage Deduction Summons served upon the employer and the answer filed by the employer, a Wage Deduction Notice having been served upon the employee and the Court fully advised;

IT IS HEREBY ORDERED:

- 1.. That a lien is hereby imposed upon the non-exempt wages of _____, as of the date of the service of the Wage Deduction Summons in the amount of \$ _____ which includes court costs and interest to date and credit for payments to date.
2. That _____ is ordered to deduct 15 % of the defendant's non-exempt gross wages after deductions for mandatory pension or retirement plans or where the spouse/child support deduction order, if any, leaves funds up to 15% of the non-exempt gross wages, each pay period, to be remitted to Plaintiff's attorney (or *Pro Se* creditor) at least monthly. No deductions may occur if Defendant's net check is less than 45 times the federal minimum wage.
3. That a Wage Deduction judgment is hereby entered against Employer, _____ in the periodic sum ordered above each pay period in favor of Defendant _____, for the use of the Plaintiff, _____.
4. That employer turn over to Plaintiff the withheld wages from the date of service of the wage deduction proceedings to the date of this order, pursuant to the calculations set forth herein.
5. A lien obtained hereunder shall have priority over any subsequent lien obtained hereunder, except that liens for the support of a spouse or dependent children shall have priority over all other liens obtained hereunder. Employer is further directed to file an amended Answer with this Court and send a copy to the attorney for Plaintiff, or the Plaintiff, informing the Court as to spouse/child support deductions received after the entry of this Order.
6. That this continuing Wage Deduction Order shall remain in effect until the judgment of \$ _____ plus 9% simple interest and costs of \$ _____ are paid in full, the defendant ceases to be employed by the employer, the employee files a bankruptcy, or this Court enters an order modifying this order.
7. That any other liens or wage deduction proceedings (other than spouse/child support) shall be held and stacked in the order received by the employer and take effect only upon the conclusion of this Order.
8. That this Court retains jurisdiction of the parties hereto and subject matter hereof to amend this order upon any change in circumstances.

Name
Atty. for
Address
City
Phone

DATE: _____

JUDGE