

Getting Started

Emergency Motion to Claim Exemption

IMPORTANT: This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to file an *Emergency Motion to Claim Exemption*. Your use of the forms does not guarantee you will be successful in court.

To learn how to fill out the forms and file them with the court, read the *How to do an Emergency Motion to Claim Exemption* sheet and the instructions on the forms.

Names of forms:	<ul style="list-style-type: none"> • <i>Emergency Motion to Claim Exemption</i> • <i>Notice of Court Date for Emergency Motion to Claim Exemption</i> • <i>Order on Emergency Motion to Claim Exemption</i>
Purpose of the forms:	To ask the judge for access to the money in your accounts as soon as possible.
Types of cases the forms CAN be used for:	Cases where a creditor has filed a <i>Citation to Discover Assets to a Debtor's Bank</i> ordering it to freeze your accounts.
Types of cases the forms CANNOT be used for:	<ul style="list-style-type: none"> • Cases where your accounts have not been frozen. • Cases where your accounts have been frozen for unpaid child support or taxes.
Cost to file the forms:	There may be a fee for filing. If you cannot afford to pay the filing fee, you can ask the court to file for free by filing the <i>Application for Waiver of Court Fees</i> found at: http://www.illinoiscourts.gov/Forms/approved/
Special information or papers needed to complete the forms:	<ul style="list-style-type: none"> • The name and address of your bank that has frozen your accounts. You can find this in the <i>Citation to Discover Assets to a Debtor's Bank</i>. • The name and address of the creditor, or the creditor's attorney. You can find this in the <i>Citation to Discover Assets to a Debtor's Bank</i>.
Statutes covering the forms:	735 ILCS 5/12-1001 , 735 ILCS 5/12-1006
Where to find the forms and instruction sheet:	http://www.illinoiscourts.gov/Forms/approved/ .
For more information:	Read the <i>How to do an Emergency Motion to Claim Exemption</i> instruction sheet that comes with these forms. You may also find more information, resources, and the location of your local county self help center at: http://www.illinoislegalaid.org/ .