

**IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT  
DEKALB COUNTY, ILLINOIS**

Plaintiff - Judgment Creditor,	)	
	)	
vs.	)	CASE NO.: _____
	)	
Defendant - Judgment Debtor,	)	Return Date: _____
	)	21 to 40 days after day of issuance of Summons.
and	)	
	)	
Employer.	)	

**AFFIDAVIT FOR WAGE DEDUCTION ORDER**

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

1. I believe employer \_\_\_\_\_ is indebted to the Judgment Debtor, \_\_\_\_\_ for wages due or to become due. Employer's address is \_\_\_\_\_

2. The last known address of the Judgment Debtor is \_\_\_\_\_

I request that the Circuit Clerk issue Summons to the employer and **I certify that a copy of the Wage Deduction Notice was mailed to the Judgment Debtor, by first class mail, at his/her last known address on \_\_\_\_\_.**

Name: _____	Affiant: _____	
Attorney for Judgment Creditor: _____		Under penalty of perjury as provided by law pursuant to 735 ILCS 5/1-109 the Affiant certifies that the statements set forth herein are true and correct.
Address: _____		
City/State/Zip: _____		
Telephone: _____		
Attorney No.: _____		

**CERTIFICATE OF ATTORNEY OR PLAINTIFF-JUDGMENT CREDITOR**

**Note: You must also attach a copy of the underlying judgment or a certification by the Circuit Clerk that entered the judgment unless signed by the attorney of record.**

I, the undersigned certify under penalty of perjury as provided by law pursuant to 735 ILCS 5/1-109 that the following information is true:

1. Judgment in the above-captioned case was entered on \_\_\_\_\_.
  2. The amount of Judgment was ..... \$ \_\_\_\_\_
  3. Allowable costs previously expended:
    - a) Initial filing fee ..... \$ \_\_\_\_\_
    - b) Original and alias Summons ..... \$ \_\_\_\_\_
    - c) Filing and Summons cost of prior supplementary proceedings ..... \$ \_\_\_\_\_
  4. Filing and summons cost for this proceeding ..... \$ \_\_\_\_\_
  5. Statutory interest due on Judgment from date above ..... \$ \_\_\_\_\_
- TOTAL ..... \$ \_\_\_\_\_
- DEDUCT:** Total amount paid by or on behalf of the Judgment debtor prior to this proceeding .. \$ \_\_\_\_\_
- BALANCE DUE PLAINTIFF- JUDGMENT CREDITOR** ..... \$ \_\_\_\_\_

\_\_\_\_\_  
Attorney or Plaintiff-Judgment Creditor

## WAGE DEDUCTION

### CALCULATION OF INTEREST & COURT COSTS

735 ILCS 5/2-1303: Interest on Judgment

Statutory interest is 9% per annum from the date of judgment unless the debtor is a unit of local government (then 6%).

A. Calculation of amount upon which interest can be charged:

1. Add amount of judgment;
2. Add allowable court costs;
3. Add previously charged interests; and
4. Subtract all prior payments or credits on the judgment.

If the balance due is greater than the amount of the judgment, then calculate interest on the amount of the judgment only for the date of the judgment or your last calculation of interest.

If the balance due is less than the amount of the judgment, then calculate interest on the balance due from the date of the judgment or your last calculation of interest.

B. Notes to the above calculations:

1. Attorney's fees that are awarded by the court are part of the judgment and interest accrues thereon.
2. Interest should be calculated to the date that you are making the calculations or filing your pleading. It should not be calculated to the return date of your wage deduction or garnishment because the debtor may satisfy the judgment prior to the return date and the creditor is not entitled to unaccrued interest.

C. Recent (April 1997) case on calculation of interest:

Halloran v. Dickerson 223 Ill.Dec.325, 679 N.E.2d 774. Holding of case is that allowable court costs and pre-judgment interest are to be added to final judgment. Interest is then calculated on the basis of a 360-day year. All payments are first applied to accrued post judgment interest and then the principal judgment.

D. Notes on Court Costs:

1. Generally, all Clerk and Sheriff fees are chargeable as court costs, if included by Court Order.
2. To be chargeable, witness fees and deposition expenses should be taxed by the Court.
3. Non-chargeable court costs include levy bonds, replevin bonds and expenses related to recovery of property beyond the service of the order by the sheriff (people who assist the sheriff in enforcing orders such as eviction movers, tow truck operators, locksmiths).
4. General rule on fee charged by private process servers: Service fees are allowed up to the same fee that could be charged by the Sheriff unless the court allows higher costs on a case by case basis.