

MOTIONS TO VACATE

Motions to vacate (change) judgments *more than* 30 days but *less than* 2 years after the date the judgment was entered by the Court.

Name _____

Case No. _____

The payment of the applicable fee required by statute must be paid to the Clerk of the Circuit Court *before* your case will be brought into Court. Payment of the fee is not a promise or guarantee that the prior judgment will change in any way. That decision will be left entirely up to the judge hearing your motion.

Your motion (request) that the prior judgment be changed must be **IN WRITING** (verbal motions will **NOT** be considered and must include the following:

1. The reasons for the delay in bringing this motion since the date the judgment was entered:

2. Details of any defense (excuse) to the charge(s) that you would be prepared to show to the Court if the prior judgment was vacated:

3. The **SPECIFIC REASONS** why you failed to appear in Court on any prior scheduled dates:

4. Any other information you are asking the Court to know in considering your motion:

When your filing fee is paid and you have filed your written motion with the Clerk of the Circuit Court, you must have your motion scheduled for hearing in the same Court where the original judgment was entered (unless the Circuit Clerk directs otherwise), on a date that the police department who issued the charge(s) will be present in Court – The clerk will supply you with that information.

If you have any questions on the law that applies to Motions to Vacate Judgments, you may wish to speak with an attorney. The Office of the Circuit Clerk and its employees are **NOT** able to give advice on how to prepare your motion, the applicable law, or what the judge’s decision will be. Your failure to appear on any date set for hearing of your motion will result in the motion being dismissed/denied and your filing fee would **NOT** be returned. Your motion must be signed and verified, using the following verification language:

Under penalties as provided by law for false certification pursuant to Section 1-109 of the Code of Civil Procedure and perjury pursuant to Section 32-2 of the Criminal Code of 1961, the undersigned certifies that the statements set forth in this instrument are true and correct.

Signature _____

Date _____

NO PERSONAL CHECKS

**MAIL TO: Clerk of the Circuit Court – Traffic Division
18 N. County St.
Waukegan, IL 60085**