

**xxxx Petition to Settle Cause of Action -
Wrongful Death and Survival Action (05/20/25) CCP 0351 A**

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, PROBATE DIVISION**

Case No. _____ Calendar _____

Estate of _____

Deceased

**PETITION TO SETTLE CAUSE OF ACTION -
WRONGFUL DEATH AND SURVIVAL ACTION**

_____, representative of the estate, on oath states:

1. The estate has a wrongful death and survival cause of action against the _____
_____ for injuries sustained by Decedent on _____.
2. A settlement of \$_____ has been offered, and petitioner recommends that it be accepted.
3. Attached as **Exhibit A** is an order (“Settlement Order”) entered by Judge _____
_____ in case number _____,
approving the settlement and determining the distribution of the proceeds.
4. The Settlement Order approved total general charges in the amount of \$_____ to be paid
from the gross settlement proceeds. [The charges to be paid exclusively from Survival
Action proceeds are handled in Paragraph 8.]. See **Exhibit B** for a breakdown of the payee, the
purpose, and the amount of each charge.
5. The amount distributable after the payment of total general charges is \$_____.
6. The Settlement Order provides that the settlement proceeds be allocated:

a.	Amount Allocated to Wrongful Death Action (_____ %)	
b.	Amount Allocated to Survival Action (_____ %)	
c.	Total	

7. The Settlement Order determined each next of kin’s proportionate dependency. The attached
Exhibit B reports the name, relationship, Minor/Disabled, proportionate dependency
percentage, and the share of the Wrongful Death distribution for each next of kin based on the
Settlement Order.
8. The Settlement Order approved total charges in the amount of \$_____ to be paid from
the Survival Action proceeds. **Exhibit B** provides a breakdown of the of the payee, the
purpose, and the amount of each charge.

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9. After the payment of total charges paid from the amount allocated to Survival Action, the net Survival Action proceeds shall be paid to the _____, as Representative of the Estate of _____, Deceased.

The representative asks the court to enter an order that (a) the representative has the authority to settle the estate's claim against the persons or entities for the amount stated, (b) the representative has the authority to receive the distributable amount, (c) the representative's bond or other security is approved, (d) the representative has the authority to pay out distributable amount, and (e) to set the date for presentation of vouchers.

Atty. No.: _____ Pro Se 99500

Atty Name: _____

Atty. Firm: _____

Atty. for: _____

Address: _____

City: _____

State: _____ Zip: _____

Telephone: _____

Primary Email: _____

(Petitioner)

Date: _____.

(Attorney Certification)