

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

Case No. _____ Calendar _____

Estate of _____
Deceased

**NOTICE TO HEIRS AND LEGATEES REGARDING
RIGHTS DURING INDEPENDENT ADMINISTRATION**

Attached to this **NOTICE** are copies of a **PETITION** for independent administration and an **ORDER** granting independent administration of a decedent's estate. Independent administration means that the executor or administrator will not have to obtain court orders or file estate documents in court during probate. The estate will be administered without court supervision, unless an interested person asks the court to become involved.

Under §28-4 of the Probate Act of 1975 [755 ILCS 5/28-4] any interested person may request termination of independent administration at any time by mailing or delivering a petition to terminate to the clerk of the court. E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>, or talk with your local circuit clerk's office.

However, if there is a Will which directs independent administration, independent administration will be terminated only if the court finds there is good cause to require supervised administration; and if the petitioner is a creditor or non-residuary legatee, independent administration will be terminated only if the court finds that termination is necessary to protect the petitioner's interest.

A **PETITION** in the form shown on the reverse side or attached to this **NOTICE** may be used to request termination of independent administration.

In addition to the right to request termination of independent administration, any interested person may petition the court to hold a hearing and resolve any particular question that may arise during independent administration, even though supervised administration has not been requested (§28-5 [755 ILCS 5/28-5]). The independent representative must mail or deliver a copy of the estate inventory and final account to each interested person and must send notice to or obtain the approval of each interested person before the estate can be closed (§§28-6 and 28-11 [755 ILCS 5/28-6 and 5/28-11]). Any interested person has the right to question or object to any item included in or omitted from an inventory or account or to insist on a full court accounting of all receipts and disbursements with prior notice, as required in supervised administration (§28-11 [755 ILCS 5/28-11]).

NOTE: Section 28-2 of the Probate Act of 1975 [755 ILCS 5/28-2] requires that this NOTICE be included with the NOTICE mailed to each heir or legatee under §6-10 or §9-5 [755 ILCS 5/6-10 or 5/9-5].

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Case No. _____ Calendar _____

Estate of _____ Deceased

PETITION TO TERMINATE INDEPENDENT ADMINISTRATION

In accordance with §28-4 of the Probate Act of 1975 ("Probate Act") [755 ILCS 5/28-4], _____ states under the penalties of perjury: _____ [printed name of the Petitioner]

1. On _____, an Order was entered granting independent administration to _____ as independent _____; [printed name of the independent representative] (executor) (administrator)

2. I am an interested person in this estate as _____ (an heir) _____ (a non-residuary legatee) _____ (a residuary legatee) _____ (a creditor) _____ (a representative) _____ [if other, specify];

3. * (a) The Will does not direct independent administration.

OR

* (b) The Will directs independent administration, but there is good cause to require supervised administration because _____

OR

* (c) The Will directs independent administration, but termination of independent administration is necessary to protect my interest as a creditor or non-residuary legatee because _____

I request that independent administration be terminated.

[signature of the Petitioner]

* **Strike if not applicable.**

Attorney Number _____

Name _____

Firm Name _____

Attorneys for _____

Address _____

City/State/Zip _____

Telephone _____

Email _____