

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

ESTATE OF _____

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Case No. _____

Deceased

WAIVER OF NOTICE, APPEARANCE FOR LETTERS OF OFFICE AND CONSENT

The undersigned, _____ heir of the decedent and/or legatee under decedent's will dated _____, (and codicil dated _____), having been advised that a petition has been filed by _____,
(Name of Petitioner)

- 1. for admission of that Will to Probate,
- 2. for the appointment of _____, as
(Name(s) of Person Nominated)
 - a. Supervised executor(s)/administrator(s)/administrator(s) will annexed of the estate.
 - b. Independent executor(s)/administrator(s)/administrator(s) will annexed of the estate.

WAIVER OF NOTICE

I hereby acknowledge receipt of and hereby waive:

- a. Notice of the hearing on the petition.
- b. Notice of rights to require formal proof of the will and to contest the admission or denial of admission of the will to probate.
- c. Notice of rights in independent administration.

APPEARANCE FOR LETTERS OF OFFICE

I hereby appear in the above captioned matter, if I have not done so previously.

CONSENT

I hereby consent to admission of the will, if any, consent to the appointment to the nominated representative, consent to an immediate hearing on the Petition and consent to issuance of Letters of Office.

Dated: _____, 20__

Signatures of heir/legatee

Printed name of heir/legatee

Address

City/State/Zip

Prepared by

Name: _____ Pro Se

Address: _____

City: _____ State _____

Phone: _____ Zip code _____

ARDC #: _____

Email Address: _____

RIGHTS OF HEIRS OR LEGATEES (APPLICABLE WHEN DECEDENT LEFT A WILL)

Attached to this Notice are copies of a Petition to probate a Will and an Order admitting the Will to probate. You are named in the Petition as an heir or legatee of the decedent.

Within 42 days after the effective date of the original Order of admission, any heir or legatee may file a petition with the court to require proof of the Will by testimony of the witnesses to the Will in open court or other evidence, as provided in Section 6-21 of the Probate Act of 1975 (755 ILCS 5/6-21).

You also have the right under Section 8-1 of the Probate Act of 1975 (755 ILCS 5/8-1) to contest the validity of the Will by filing a petition with the court within six (6) months after admission of the Will to probate.

RIGHTS OF INTERESTED PERSONS DURING INDEPENDENT ADMINISTRATION

A copy of an Order is enclosed granting independent administration of the decedent's estate. Independent administration means that the executor or administrator will not have to obtain court orders or file estate papers in court during probate. The estate will be administered without court supervision unless an interested person asks the court to become involved.

Under Section 28-4 of the Probate Act (755 ILCS 5/28-4) any interested person may terminate independent administration at any time by mailing or delivering a petition to terminate to the Clerk of the Court. 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.

In addition to the right to terminate 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 (755 ILCS 5/28-5). The independent representative must mail a copy of the estate inventory and account to each interested person and must send notice to or obtain the approval of each interested person before the estate can be closed (755 ILCS 5/28-6, 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 (755 ILCS 5/28-11).

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>.