

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Estate of

No. _____

Deceased

WAIVER OF NOTICE

The undersigned heirs of the decedent, *or legatees under decedent's will dated _____, _____, (and codicil dated _____, _____)

having been advised that a petition has been filed by _____

* (a) for the admission to probate of that will, and (b) for the appointment of _____ as

_____ of the estate, (representative) (independent representative)

consent to that appointment and 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.

* Strike if no will.
** Strike if supervised administration.

SEE REVERSE SIDE

RIGHT OF HEIRS OR LEGATEES (APPLICABLE WHERE DECEDENT LEFT A WILL)

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)

Each heir or legatee also has the right under section 8-1 or 8-2 of the Illinois Probate Act of 1975 (755 ILCS 5/8-1, 8-2) to contest the validity of the will or the denial of admission by filing a petition with the court within six months after entry of the order admitting or denying the will.

**RIGHTS OF INTERESTED PERSONS DURING INDEPENDENT ADMINISTRATION
(APPLICABLE WHERE AN INDEPENDENT REPRESENTATIVE IS APPOINTED)**

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 of 1975 (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 nonresiduary 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 or deliver a copy of the estate inventory and accounting 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 any 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).

Atty. No. _____

Atty. Name: _____

Firm Name: _____

Atty. for: _____

Address: _____

City/State/Zip: _____

Telephone: _____