

Iris Y. Martinez
Clerk of the Circuit Court
of Cook County



A Guide

To

Probate

Division

The Probate Division hears proceedings regarding:

- Estates, wills, settlements, withdrawals, guardian-ships and testamentary instruments;
- Claims against an estate arising in contract, tort or otherwise;
- Administration of estates of decedents, disabled persons, minors and wards;
- Petitions to sell or assign annuity contracts; and
- Problems that arise under the Illinois Power of Attorney Act.

Other Services:

The Clerk's Office offers Passport Services in the Probate Division. Interested persons may complete passport applications and take standard passport photographs.

Frequently Asked Questions

What is Guardianship?

Guardianship involves the appointment by a court of a legally responsible individual or agency on behalf of a person who is not able to independently manage his or her affairs due to a mental disability or minor status (person under the age of 18).

How does guardianship differ from adoption?

With adoption, birth parents give up all rights and responsibilities for the child. With guardianship, parents keep some of their rights and responsibilities. For instance, with a guardianship, parents can visit the child or challenge the guardian's power and they can get custody back by going to court. Also, if able, the parents must contribute money to support the child. The guardian can seek this support in Child Support Court.

How does someone become a guardian?

A petition for guardianship must be filed in the Clerk's Office. Once guardianship papers (the Petition) are filed with the court, parties appear in court in about three (3) to six (6) weeks. This time is used to let the parents (or interested party) know what is going on. The judge reviews the petition and a background check is conducted on all potential guardians. Finally, a judge will make the determination of who will be appointed guardian of a minor. Contact The Chicago Volunteer Legal Services Guardianship Assistance Desk for Minors for further information and assistance at 69 W. Washington, Room 1020 Chicago, IL 60602 or (312) 603-0135.

My father's will was filed with your office in 1999 and I need a certified copy of the will to make a claim with the State Treasurer's Office. How can I get this and how much will it cost?

- You may request a certified copy of a will that was filed with the Probate Division by writing us or visiting our office. To expedite this request, it would be helpful to provide either the Probate case number or the name of the decedent and the date/year of death (if this information is available).
- The fees for this service are: photocopies \$2.00 for the first page, and \$.50 each additional page. Certification \$4.00 per document certified.
- If making your request by mail, please include a self-addressed stamped envelope, otherwise a fee for postage will be charged.

Frequently Asked Questions Continued

What are the fees for a passport and may I use a credit card to pay them?

We are not yet equipped to accept credit card payment in the Probate Division. Currently, we accept the following methods of payment: cash, personal check, company check, or money order. Passport fees set by the Department of State, effective August 19, 2002, are as follows.

FEES FOR U.S. PASSPORT (Form DS-11) These fees are non-refundable.

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Age	Passport Fee	Processing Fee	Total Fee
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	Check or money order payable to: Passport Services	Cash or check payable to: Clerk of the Circuit Court of Cook County	
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16 and over	\$110	\$35	\$145
Under 16	\$80	\$35	\$105

After submitting your application, you will receive your passport within 6 weeks

Fee for Passport Photos: \$10

For two (2) color, standard passport-size photos

Fees for Passport Renewal (Form DS-82)

This fee is non-refundable.

Total Fee
\$110

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You may renew your passport via mail only if you:

1. Already have a passport that is not damaged; and
2. Received it within the past 15 years; and
3. Were over age 16 when it was issued; and
4. Still have the same name as in passport (or you can legally document your name change).

You must apply for your U.S. passport in person if:

1. You are applying for a U.S. passport for the first time.
2. Your previous U.S. passport was lost, stolen or damaged.
3. Your previous U.S. passport has expired and was issued more than 15 years ago.

4. Your previous passport has expired and it was issued when you were under age 16.
5. Your name has changed since your passport was issued and you do not have a legal document formally changing your name.

Expedited Service

1. Cost, in addition to regular application fees, is \$60 per application plus overnight delivery costs.
2. Two-way overnight delivery is strongly suggested.
3. If you mail-in, clearly mark Expedited on the envelope. With expedited service and two-way overnight delivery, you will receive your passport within 2 weeks.

If scheduled international departure is in less than 14 days, or passport is needed for foreign visas, application at a Regional Passport Agency may be advised. An appointment is required. Visit www.travel.state.gov/passport for more information on passport requirements and applications.

Office of the Clerk of the Circuit Court of Cook County
Probate Division
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Hours of Operation:
Monday - Friday
8:30 a.m. to 4:30 p.m.
Excluding Court Holidays



www.cookcountyclerkofcourt.org CookCountyClerkofCourt

This handout is not a substitute for professional legal advice.