

# Mariyana T. Spyropoulos

Clerk of the Circuit Court Cook County

# Probate Division

The Probate Division handles the following:

- Wills, estates, settlements, withdrawals, guardianships
- Claims against an estate arising in contract, tort, etc.
- Administration of estates of descendants, disabled persons, minors, and wards
- Petitions to sell or assign annuity contracts
- Problems that arise under the Illinois Power of Attorney Act

Probate Division, Room 1202  
Daley Center, 50 W. Washington  
Chicago, IL  
(312) 603-6441

## Guardianship

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

### How does someone become a guardian?

A petition for guardianship must be filed in the Clerk's Office. Once guardianship papers 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, for guardianship of a minor, a background check is conducted on all potential guardians. Finally, a judge will make the determination of who will be appointed guardian.

For further assistance, contact:

- The Guardianship Assistance Desk for Minors: 69 W. Washington, Room 1020 Chicago, IL 60602 (312)603-0135.
- The Adult Guardianship Assistance Desk: 205 W. Randolph Street, Suite 1610, Chicago, IL 60606 (312)376-1880.

### How does guardianship differ from adoption?

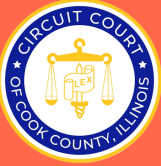
With adoption, birth parents give up all rights and responsibilities for the child. In guardianship, parents keep some of their rights and responsibilities. For instance, with guardianship, parents can visit the child or challenge the guardian's power and they can get custody back by going to court.

If able, the parents must contribute money to support the child. The guardian can seek this support in Child Support Court.

***The Clerk of the Circuit Court of Cook County is barred by law from providing legal advice.  
This document is not legal advice.***

Self Represented Litigant Center: (872) 529-1093  
Customer Service: (312) 603-5030  
[www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org)

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## How do I open a Probate Estate?

To open a Probate Estate, you need to hire an attorney. Copies of court forms and a listing of free and low cost legal help are available in the Probate Division.

## Do I need to file a will of a deceased person with the court?

Yes. Deliver it to the Probate Division in person or mail it using tracking or certified mail. Include the date of death and a self-addressed stamped envelope to receive a Will Receipt for your records. If you want a certified copy of the will, enclose a check for \$2.00 for the first page, \$.25 for pages 2-20, and \$.50 each for additional pages, plus a certification fee of \$2.00.

## How do I get a certified copy of a will to make a claim with the State Treasurer's Office?

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, provide either the Probate case number or the name of the deceased and the date/year of death (if available).

The fees for this service are:

- Photocopies: \$2.00 for the first page, \$.25 for pages 2-20, and \$.50 each for additional pages.
- Certification: \$2.00 per document certified.

If making your request by mail, please include a self-addressed stamped envelope, otherwise a mailing fee and a fee for postage will be charged.

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