

PROBATE STANDING ORDER 2

All petitions for the opening of decedent's estates, and submitted orders for same, shall be substantially in the following forms, subjectively modified to account for singular/plural/gender terms.

Petition to Issue Letters for Intestate Estate

Order for Issuance of Letters (Intestate)

Petition to Admit Will and to Issue Letters

Order Admitting Will and for Issuance of Letters

Date: 3/8/21

Enter:   
Judge Donald P. Shriver

**IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT  
WINNEBAGO COUNTY, ILLINOIS**

In the Matter of: \_\_\_\_\_ )  
 ) \_\_\_\_\_ P \_\_\_\_\_  
 )  
 Decedent. )

PETITION TO ISSUE LETTERS FOR INTESTATE ESTATE

Petitioner(s) \_\_\_\_\_, pursuant to 755 ILCS 5/9-4 of the  
 Probate Act of 1975, hereby affirm(s) and state(s):

1. The name and place of residence of the decedent at the time of his or her death:

2. The date and place of death of decedent:

3. The approximate value of the decedent's  
 Real estate \$ \_\_\_\_\_ Personal estate \$ \_\_\_\_\_  
 Amount of annual income from real estate \$ \_\_\_\_\_

4. The names and post office addresses of all heirs of the Decedent and whether any of them is a minor or a person with a disability (M/D), and whether any of them is entitled either to administer or to nominate a person to administer equally with or in preference to the Petitioner (P/E):

Name	Address	M/D?	P/E?

5. The name and post office address of the person(s) nominated as administrator(s).  
 Petitioner(s) affirm(s) that the proposed administrator(s) is/are: a) at least 18 years of age; b) a resident of the United States; c) not of unsound mind; d) not an adjudged person with a disability; and e) has not been convicted of a felony:

6. The facts showing the right of the Petitioner(s) to act as or to nominate the administrator(s):

7. Unless supervised administration is requested, the name and address of any personal fiduciary acting or designated to act pursuant to Section 28-3 for any minor or adult with a disability. A copy of said personal fiduciary's Oath of Office, indicating their acceptance of that responsibility, is attached to this Petition.

8. Petitioner(s) request(s)  Independent or  Supervised administration of this Estate pursuant to 755 ILCS 5/28-2.

9.  Petitioner(s) request(s) a waiver of surety and the Administrator(s) has/have filed an Oath of Office and Bond of Representative -- No Surety at double the value of the personal estate for approval as

all parties in interest consent to a no surety bond

other: \_\_\_\_\_

or

The Administrator has submitted an oath and surety bond for approval pursuant to 755 ILCS 5/12-5.

WHEREFORE Petitioner(s) request entry of an order granting the Petition and opening the Decedent's Estate and for the issuance of Letters of Office.

**Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she/they verily believes the same to be true.**

Date: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

**IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT  
WINNEBAGO COUNTY, ILLINOIS**

In the Matter of: \_\_\_\_\_ )  
 )  
 ) \_\_\_\_\_ P \_\_\_\_\_ )  
Decedent. )

ORDER FOR ISSUANCE OF LETTERS (INTESTATE)

THIS CAUSE being heard on the Petition of  
for the issuance of Letters of Office pursuant to 755 ILCS 5/9-4 of the Probate Act of 1975,

IT IS HEREBY ORDERED that:

1. The Estate of the Decedent is opened;
2. Letters of Office shall issue to \_\_\_\_\_  
as (Co-) Administrator(s) of the Estate;
3. This Estate shall be  independently administered or  supervised;
4. Either  30 days have elapsed since the service of the Petition upon those of equal or higher preference to serve as administrator, and no objection has been filed; or  all persons of equal or higher preference to the (Co-) Administrator(s) have consented to the appointment;
5. Within 60 days of the issuance of Letters, or such other time as allowed by the Court, the (Co-) Administrator(s) shall file an inventory of the Estate, unless waived;
6. Within 14 months of the issuance of Letters, or such time as allowed by the Court, the (Co-) Administrators(s) shall file an accounting of this Estate, unless waived;
7. If the (Co-) Administrator(s) is/are not a resident of the State of Illinois, the attorney representing this Estate shall act as the resident agent and accept service of process and notice;
8. Annual status date (to be set by the court) shall be \_\_\_\_\_ at 8:30 am in courtroom 314. If the Estate remains open on the annual status date, the (Co-) Administrator(s) must either file a written report on the status of the administration prior to that date, or appear in person, and then request a further status date up to 12 months thereafter. Failure to provide a status update or appear may result in the entry of an order dismissing the cause for want of prosecution.

Date: \_\_\_\_\_

Enter: \_\_\_\_\_

**IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT  
WINNEBAGO COUNTY, ILLINOIS**

In the Matter of: \_\_\_\_\_ )  
 ) \_\_\_\_\_ P \_\_\_\_\_  
 )  
 Decedent. )

PETITION TO ADMIT WILL and to ISSUE LETTERS

Petitioner(s) \_\_\_\_\_, in reference to the Will filed with the Winnebago County Circuit Clerk's office, \_\_\_\_\_ W \_\_\_\_\_, pursuant to 755 ILCS 5/6-2 of the Probate Act of 1975, hereby affirm and state:

1. The name and place of residence of the testator at the time of his or her death:
  
2. The date and place of death the testator:
  
3. The date of Testator's Will (and any Codicil(s)) and any facts that Petitioner(s) believe(s) the Will to be the valid last Will of the testator:
  
4. The approximate value of the testator's  
 Real estate \$ \_\_\_\_\_ Personal estate \$ \_\_\_\_\_  
 Amount of annual income from real estate \$ \_\_\_\_\_
  
5. The names and post office addresses of all heirs and legatees (H, L, or Both) of the testator and whether any of them is a minor or a person with a disability (M or D):

Name	Address	H/L/Both	M/D?

6. The name and post office address of the proposed Executor(s). Petitioner(s) affirm(s) that the proposed Executor(s) is/are: a) at least 18 years of age; b) a resident of the United States;

c) not of unsound mind; d) not an adjudged person with a disability; and e) has not been convicted of a felony. The Proposed Executor(s) is:  the named Executor(s) in the Will (or named successor due to death or declination of other named Executor(s)); or  requesting Letters with the Will annexed (specify preference pursuant to 755 ILCS 5/9-3, and provide consents from any such person of equal or greater priority or show compliance with 755 ILCS 5/6-2):

7. Unless supervised administration is requested, the name and address of any personal fiduciary acting or designated to act pursuant to Section 28-3 for any minor or adult with a disability. A copy of said personal fiduciary's Oath of Office, indicating their acceptance of that responsibility, is attached to this Petition.

8. Petitioner(s) request(s)  Independent or  Supervised administration of this Estate pursuant to 755 ILCS 5/28-2.

9.  No surety is required for the Executor(s) pursuant to the Will, and each Executor has filed an Oath of Office and Bond of Representative – No Surety for approval, at double the value of the personal estate; or

Petitioner requests a waiver of surety and each proposed Executor has filed an Oath of Office and Bond of Representative – No Surety for approval, either  because all legatees consent (and have filed such waiver) or  other (specify);

Each Executor has submitted an oath and surety bond for approval pursuant to 755 ILCS 5/12-5.

WHEREFORE Petitioner(s) request(s) entry of an order admitting the Decedent's Will to probate, opening the Decedent's Estate, and for the issuance of Letters of Office.

**Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she/they verily believes the same to be true.**

Date: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

**IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT  
WINNEBAGO COUNTY, ILLINOIS**

In the Matter of:

) \_\_\_\_\_ P \_\_\_\_\_  
)  
)  
Decedent.                             )  
)

ORDER ADMITTING WILL and for ISSUANCE OF LETTERS

THIS CAUSE being heard on the Petition of \_\_\_\_\_ to admit the Decedent’s Will and for the issuance of Letters of Office pursuant to 755 ILCS 5/6-2 of the Probate Act of 1975,

IT IS HEREBY ORDERED that:

- 1. The Will (including any Codicils) filed with the Winnebago County Circuit Clerk’s office, \_\_\_\_\_ W \_\_\_\_\_ is admitted to probate;
- 2. Letters of Office shall issue to \_\_\_\_\_ as (Co-) Executor(s) of the Estate;
- 3. This Estate shall be  independently administered or  supervised;
- 4. Pursuant to 755 ILCS 5/6-10, not more than 14 days after entry of this Order, the (Co-) Executor(s) or (Co-) Petitioner(s) shall mail a copy of this Order and required notice pursuant to Rule 108 to each of the heirs and legatees, unless the heir or legatee has provided a written waiver. Proof of service, or the waivers, shall be filed with the Winnebago County Circuit Clerk within 28 days after entry of this Order;
- 5. Within 60 days of the issuance of Letters, or such time as allowed by the Court, the (Co-) Executor(s) shall file an inventory of the Estate, unless waived;
- 6. Within 14 months of the issuance of Letters, or such time as allowed by the Court, the (Co-) Executor(s) shall file an accounting of this Estate, unless waived;
- 7. If an Executor is not a resident of the State of Illinois, the attorney representing this Estate shall act as the resident agent and accept service of process and notice.
- 8. Annual status date (to be set by the court) shall be \_\_\_\_\_ at 8:30 am in courtroom 314. If the Estate remains open on the annual status date, the Executor must either file a written report on the status of the administration prior to that date, or appear in person, and then request a further status date up to 12 months thereafter. Failure to provide a status update or appear may result in the entry of an order dismissing the cause for want of prosecution.

Date: \_\_\_\_\_

Enter: \_\_\_\_\_