

**IN THE CIRCUIT COURT OF THE TWENTY-SECOND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS
Probate Division**

**RIGHTS OF INTERESTED PERSONS DURING INDEPENDENT ADMINISTRATION:
FORM of PETITION TO TERMINATE ADMINISTRATION**

A copy of a petition for letters and a copy of an order granting Independent Administration of decedent's estate are enclosed. This 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 (775 ILCS 5/28-4) any interested person may petition the Court to terminate Independent Administration at any time by mailing or delivering a Petition to Terminate to the Clerk of 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.

A petition in substantially the following format may be used to terminate Independent Administration.

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 (775 ILCS 5/28-5). The Independent Administrator or Executor must mail a copy of the estate inventory and final account to each interested person before the estate can be closed (775 ILCS 5/28-11). Any interested person has the right to question or object to any item included in or omitted from an inventory or account to insist on a full court accounting of all receipts and disbursements with prior notice, as required in Supervised Administration (775 ILCS 5/28-11).

Filings to be made with:

McHenry County Circuit Clerk
Probate Division
2200 N. Seminary Avenue
Woodstock, IL 60098
(815) 334-4310

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Estate of _____)
)
)
) Case Number _____
_____)
Deceased)

PETITION TO TERMINATE INDEPENDENT ADMINISTRATION

- _____ on oath states:
1. On _____, 20____ an order was entered granting independent administration to _____ as independent_____. (executor or administrator)
 2. I am an interested person in this estate as _____ (heir, non-residuary legatee, residuary legatee, creditor or representative)
 3. *The will _____ direct independent administration. (does, does not)
 4. I request that independent administration be terminated.

Signature of Petitioner

Name _____ Subscribed and Sworn to before me

Attorney for _____ Date: _____ 20 ____

Address _____

Notary Public

City, State Zip _____

Telephone _____

*Strike if no will