

STATE OF ILLINOIS

UNITED STATES OF AMERICA

COUNTY OF DU PAGE

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

**RULE 110**  
**EXPLANATION OF RIGHTS**  
**OF INTERESTED PERSONS**  
**DURING INDEPENDENT ADMINISTRATION:**  
**FORM OF PETITION TO TERMINATE ADMINISTRATION**

Rights of Interested Persons during Independent Administration; Form of Petition to Terminate Administration.

A copy of an order granting Independent Administration of decedent's estate is 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 of 1975 (Illinois Compiled Statutes 1991, 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 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.

A petition in substantially the following form as shown on the reverse side 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 (Illinois Compiled Statutes 1991, 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 and must send notice to or obtain the approval of each interested person before the estate can be closed (Illinois Compiled Statutes 1991, 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 (Illinois Compiled Statutes 1991, 775 ILCS 5/28-11).

