

In Cook County, Illinois, if a person dies with a will, that will **must** be filed with the Probate Division of the Clerk of the Circuit Court within 30 days of the death, even if all assets are in a trust and no formal probate estate is being opened. Filing is not the same as probating; it is merely placing the will on record.

Here is what you need to do to file a will in Cook County:

## 1. Gather Required Information and Documents

- **Original Last Will and Testament:** You must file the original document, not a copy.
- **Certified Death Certificate:** You will need the date of death and often a copy of the death certificate.
- **Identify the Decedent:** You will need their name and last address.
- **Filing Fee:** As of late 2024/2025, there may be a fee for filing, and a \$10 fee for "safekeeping" if you are just filing it for record.

## 2. Complete the Filing Process

- **File in Person or by Mail:** The will should be filed with the Clerk of the Circuit Court of Cook County, Probate Division, located at the Richard J. Daley Center, 50 West Washington St., Room 1202, Chicago, IL 60602.
- **Fill Out the "Card" (Information):** The Clerk's office uses a "File Card" or "Will Record Book" for this purpose. You will need to provide:
  - **Decedent:** The name of the deceased person.
  - **Date of Death:** When the person passed away.
  - **Received From:** Your name and address (or the firm/individual bringing in the will).
  - **Containing:** Number of pages in the document.
  - **Dated:** The date the will was created.
- **Get a Receipt:** If you file in person, request a stamped "Will Receipt" for your records. If filing by mail, include a self-addressed stamped envelope to receive a receipt.

## 3. Consider Needing a Certified Copy

If you need a certified copy of the will for other purposes (like notifying the state treasurer), you must explicitly request it and pay an additional fee (approx. \$2.00 for the first page, \$0.25-0.50 for additional pages, plus a \$2.00 certification fee).

## **Important Notes**

- **Trust Assets:** Because all property is in a trust, you do **not** need to file a petition to open a probate estate, which is a separate, more involved process.
- **Deadline:** The will must be filed within 30 days of learning of the death.
- **No Probate Necessary:** Simply filing the will for safekeeping does not mean you have to go through the court process, as the trust manages the assets.