

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT - PROBATE DIVISION

Case No. _____ Calendar _____

Estate of _____

Deceased

COMMISSION FOR DEPOSITION OF WITNESS TO WILL

TO: _____

You are commissioned pursuant to §6-5 of the Probate Act of 1975 [755 ILCS 5/6-5] to take the evidence deposition of _____, [name] [address] [city/state/zip], an attesting witness to the decedent's Will, a photographic copy of which is attached. You are authorized to bring the witness before you at such time and place as you may designate for examination upon the attached written questions.

The deposition is to be taken, certified and filed in accordance with the instructions on the second page of this document.

_____, 20____

[signature of Clerk of Court]

SEAL

[of Clerk of Court]

Attorney Number _____

Name _____

Firm Name _____

Attorneys for _____

Address _____

City/State/Zip _____

Telephone _____

Email _____

DIRECTIONS FOR TAKING DEPOSITION

1. The officer shall put the witness on oath. The questions and answers to interrogatories and any cross interrogatories shall be recorded by the officer personally or by someone under the officer's direction and in the presence of the officer.
2. No party, attorney or person interested in the proceeding shall be present during the taking of the deposition or dictate, write or draw up any answer to any question. The officer shall attach to the deposition a copy of the notice and the questions received by the officer.
3. When the testimony is transcribed, the deposition shall be submitted to the witness for examination and read to or by the witness, unless waived by the witness. Any change which the witness desires to make shall be entered on the deposition by the officer with the witness's reason for making the change.
4. The deposition shall be signed by the witness unless the witness is unable or refuses to sign, in which event the officer shall state the reason in the certification.
5. The officer shall seal the complete deposition together with all exhibits in an envelope endorsed with the title and number of the estate, and marked "Deposition of _____", and promptly deliver it or send it by registered mail, return receipt requested, to:

Clerk of the Circuit Court of Cook County
County Department – Probate Division
1202 Richard J. Daley Center
50 West Washington Street
Chicago, Illinois 60602