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How to Complete Your Illinois Affidavit of Heirship

Affidavit of Heirship (identity of heirs of an Illinois decedent)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR DOCUMENT.

About this form. An affidavit of heirship is a sworn statement of a deceased person's family history that identifies the legal heirs. Title companies use it to clear title to inherited Illinois real estate, often with a probate order or other proof.

1. **Who signs**
   Someone who knew the decedent and the family well, preferably a person who is not an heir. Title companies often want two such affiants, each signing a separate affidavit.
2. **Complete every item (Pages 1–3)**
   Give full names, dates, and addresses. Write "None" where an item does not apply.
3. **Swear before a notary (Page 3)**
   Sign under oath before the notary with a current, government-issued photo ID. We can notarize several affiants at one appointment.

After It's Signed

- Record the original with the county recorder (or county clerk) where the property is located. if it relates to real estate.
- Ask the title company what else it requires. In Illinois, transferring real estate of a decedent often still requires a probate order or a recorded transfer on death instrument.

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Have questions about this document? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**.

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AFFIDAVIT OF HEIRSHIP

State of Illinois

Above space for Recorder's use only

This instrument was prepared by:

Name

Address

After recording, mail to:

Name

Address

Send subsequent tax bills to:

Name

Address

Affiant:

Full name

Residence address

The affiant, being first duly sworn on oath, states:

1. I knew the decedent named below for the period stated, and I am personally familiar with the decedent's family and marital history.

Name of decedent

Date of death

I knew the decedent for (years)

2. At death, the decedent resided at:

Address, city, county

Affiant's initials: _____

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3. Marital history (each marriage, spouse's name, and how and when it ended; name of surviving spouse, if any):

4. Children (name, date of birth, other parent, and address; for any deceased child, date of death and that child's descendants). Include adopted children:

5. If no surviving descendants: parents, brothers and sisters, and descendants of deceased brothers and sisters:

6. Will (check one):

The decedent died without a will.

The decedent left a will, admitted to probate as follows:

Court, case number, date

7. No probate estate has been opened for the decedent, except:

Court and case number, or "None"

8. The decedent's heirs under Illinois law, and their shares, are:

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9. Real estate owned by the decedent (county, PIN, and legal description; attach Exhibit A if needed):

10. All of the decedent's debts, funeral expenses, and taxes have been paid, except:

11. I am not entitled to any part of the decedent's estate, except as stated here (write "None" if none):

Interest of affiant

Dated

X

Signature of affiant

Printed name

JURAT

STATE OF ILLINOIS)
COUNTY OF) SS.

Subscribed and sworn to (or affirmed) before me on

(date)

by (name of affiant)

X

Notary Public

(Notary seal)

Notary's printed name

My commission expires

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