



**Presented by:**

- **Lowell Krahn**  
*Senior Underwriting Attorney*  
Attorneys' Title Guaranty Fund, Inc.
- **Alisa Swerdlove**  
*Underwriting Attorney*  
Attorneys' Title Guaranty Fund, Inc.

## Decedents



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio  
problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**

## Death of the Title Holder

- At the time of the title holder's death, title vests in the heirs of the decedent, subject to the power of sale of the personal representative, if, and when, appointed.
- If a probate was opened under independent administration, the personal representative has the statutory power to sell the property.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Death of the Title Holder

- The definition of "Representative" includes executor, administrator, or guardian.
  - See 755 ILCS 5/1-2.15
- If a probate estate has not been opened, all heirs and devisees must execute the deed.
  - We will discuss this later in the program.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Death of the Title Holder

- **Real Life Example:**

- Deed vests title in two people, with no mention of tenancy. One title holder died. Sometime after, they record a Joint Tenancy Affidavit for the Decedent.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

## Death of the Title Holder

- **The Joint Tenancy Affidavit is given no effect because the decedent was a tenant in common.**

- To convey the property:
  - a Probate Estate must be opened; or
  - the heirs must deed out via a bond in lieu.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

# Probate



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**

# Probate

- **Probate Act of 1975**
  - 755 ILCS 5/et seq.
  - Effective January 1, 2020



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**

## Probate

- Filing a will does not give effect to the will.
- To give full effect to the will, the will must be probated.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

- Probate means you go to the Probate Court and open a proceeding.
- A Personal Representative doesn't have the authority to deed out the property until Letters of Office are issued by the Court.
  - A deed given by the Executor of an unprobated estate is invalid.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

- **Advantages of Probate include:**

- A 6-month Statute of Limitations on claims against the estate/decedent;
- An Executor/Administrator deeds out, so only that person need sign the deed;
- All proceeds go to the Executor/Administrator for disbursement;



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

- **Advantages of Probate include:**

- No need to file guardianship proceedings when dealing with heirs that are minors or incompetent adults;
- Can address issues of missing heirs or not all heirs wanting to sell;
- Centralized way to address claims against the estate.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

### Disadvantages:

- It can be expensive;
- Must go to Probate Court and that takes time;
- Probate may not be necessary if all heirs agree to sell the property;
- Administrator and Executor cannot delegate their fiduciary duties.
  - No use of Power of Attorney allowed.
    - The Executor or Administrator must execute the deed.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

- In that probate proceeding, the Executor/Administrator is appointed, and Letters of Office are issued.
- Letters of Office are required to clear the Schedule B, Part II, Estate Exceptions on the commitment.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

### ■ Schedule B Part II Estate Exceptions

- *Proceedings pending the Circuit Court of \* County, entitled Estate of [Name of Deceased], Deceased, under case No. [Case Number].*
- *Statutory Rights, Powers, and Duties of the Independent Administrator/Executor of the Estate of [Name of the Decedent], Deceased.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

### ■ Schedule B Part II Estate Exceptions

- *Bond for the Sale of Real Estate should be approved by Court Order in the proceeding pending in the Estate of [Name of Decedent], Deceased, Case No. [Case Number].*
- *This commitment is made on the assumption that the title to the real estate is to be conveyed by [Name of Independent Administrator/Executor] using an Administrator's/Executor's Deed and should show actual consideration in said Deed.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts



## Probate

- Independent Executors or Independent Administrators do not need a court order to sell the property.
- Claims can be paid at closing on the closing settlement statement.
- Proceeds must go back to the Executor/Administrator of the estate.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

- Legatees who are bequeathed the property must consent in writing to the sale of the property by the Personal Representative. 755 ILCS 5/28-8(i).



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

- **The Independent Executor/Administrator of the Estate must convey to the buyer.**
  - *Fred Flintstone, Independent Executor of the Estate of Wilma Flintstone, Deceased.*
- **Custom and practice is to put the purchase price on the deed.**



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

- **A Notice of Probate/Release of Estate's Interest can be recorded if the Personal Representative is not selling the property.**
- **The Notice of Probate/Release of Estate's Interest in the chain of title is a vesting document.**



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

- Once Probate is closed, anyone with an interest in the real estate may record a Notice of Probate/Release of Estate's Interest, which will direct a title examiner to the Probate Case.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate – 1099

- The estate is required to have its own tax identification number (or EIN) if:
  - the administration of an estate is the result of a person's death;
  - a tax return is to be filed for the estate.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Probate

### ■ Claim Example

- File closed with unpaid real estate taxes due, which resulted in a claim.
- ATG paid the taxes and, because of the shortened claims period, had to seek reimbursement within that six-month period or the claim would have been barred.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Closed Probate Problem

- Attorney filed a Joint Tenancy Affidavit. Property was held as tenants in common.
- Decedent had a Tennessee probate, which closed 14 years ago.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Closed Probate Problem

- **How can the property be conveyed?**
  - You must either re-open the foreign probate case and open an ancillary probate case in Illinois, or deed out using Bond in Lieu.
    - See 755 ILCS 5/22-1, *et seq.*
      - 755 ILCS 5/22-4, allows a nonresident representative to file a petition to lease, sell, or mortgage the real estate in the court of the county where the real estate is located.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Closed Probate Problem

- **How can the property be conveyed?**
  - The nonresident representative must attach to the petition:
    - copies of the letters of office;
    - copies of the court order from the foreign state authorizing the conveyance;
    - copies of any bond the foreign court required; and
    - an authenticated copy of the order of the court approving any bond.
  - By filing these documents, a nonresident representative can quickly obtain an Illinois court's approval to sell the Illinois real estate.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Closed Probate Problem

- **How can the property be conveyed?**
  - Or the heirs at law and devisees under the will can deed out using a Bond in Lieu of Probate.



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

### Advantages

- No need to go to Probate Court so you can deed out immediately.
- Might be less expensive than going to Court.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

### Disadvantages

- Claims period is two years.
- All heirs and devisees must co-operate.
- Heirs must pay any claims against the Estate.
- You cannot deed out pursuant to a bond in lieu if there are:
  - missing or estranged heirs;
  - heirs who are minors;
  - disabled Adult heirs;
  - uncooperative heirs.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

- Name searches are required of all heirs and devisees when deeding out because federal tax liens filed in the county against the heir(s) attach to the property.
  - *Drye v United States*, 120 S Ct 474, 145 L Ed 2d 466 (1999)



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

- Title Exceptions
  - *A satisfactory table of the heirship and proof of the death, testacy, or intestacy, and of the value of the Estate of [Name of the Decedent], Deceased, should be furnished, and this Commitment is subject to such further exceptions, if any, as may then be deemed necessary.*
  - *Claims against the Estate of [Name of the Decedent], Deceased.*
  - *Federal and Illinois Estate Taxes that may be charged against the Estate of [Name of the Decedent], Deceased.*
  - *Statutory rights, powers, and duties of the personal representative of the Decedent, if, and when, appointed.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts



## Bond in Lieu of Probate

### ■ Procedure

- Affidavit of Heirship
- Bond in Lieu Personal Undertaking
- A bond may be held.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

### ■ Affidavit of Heirship must include:

- statement that the decedent owned the property;
- the marital status of the decedent;
- any children born or adopted to the decedent;
- a list of all heirs.
  - Pursuant to 755 ILCS 5/2-1(h), there is no distinction between the whole and the half blood.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Affidavit of Heirship Issues

- **Many Heirs Living in Different States**
  - Improperly executed and/or notarized deeds;
  - Overnight delivery company loses the deed.
- **Deceased Heirs**
  - Their heirs must be listed in the original Affidavit of Heirship.
- **Minor Heirs**
  - Opening a guardianship or probate required.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

- **Bond in Lieu Personal Undertaking**
  - Must be signed by all heirs at law and devisees under the will to insure over the decedent estate exceptions on title to pay any claims.
  - Need only be signed if titleholder died less than two years ago.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

- The bond held is a high-risk premium.
- Amount of Bond Held
  - Less than one year ago:
    - 2% of the purchase price
  - Less than two, but more than one year ago:
    - 1% of the purchase price
  - The amount held is negotiable.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

- When a will isn't probated, all heirs and devisees must sign the deed, personal undertaking, and a pay proceeds letter.
- All other documents can be signed using a Power of Attorney (POA).



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

- **When Heirs are Deeding to a New Buyer**
  - Improper Language
    - *Estate of Sam Seller conveys and warrants to Bob and Betty Buyer.*
      - This is improper language in the Grantor statement. Estates cannot be Grantors!
      - Review Grantor/Grantee language carefully as it may NOT be the same as the vesting on the commitment.
  - Proper Language
    - *Sean Seller, sole heir of Sam Seller, deceased.*
      - This is a proper Grantor statement.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

- **Watch for Breaks in the Chain**
  - If an Affidavit of Heirship isn't recorded before the heirs deed out, how does one know who died and who the heirs are?
    - If it's in the chain of title, a hold harmless over those exceptions will allow them to be waived.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Other Considerations

- Titleholders who own property as tenants by the entirety, then divorce, now hold the property as tenants in common unless the Divorce Decree explicitly states they hold it as joint tenants.
- Should an ex-spouse die before sale, his/her share of the proceeds will go to his/her heirs.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Other Considerations

- **755 ILCS 5/Article II, et seq.**
  - Descent and Distribution
    - Decedent with spouse and descendants:
      - ½ to spouse
      - ½ to descendants *per stirpes*
    - If no spouse, all to descendants;
    - If no descendants, all to spouse.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

### Multiple Deceased Heirs

- You take each decedent individually.
  - Joint Tenant Decedent
    - A Joint Tenancy Affidavit must be recorded with a copy of the death certificate.
  - Decedent Heirs
    - Look to descent and distribution rules.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Bond in Lieu of Probate

### Death Certificates

- Verify the cause of death was not homicide.
  - An heir who murders the titleholder cannot inherit the property.
- Cook County requires a certified copy of the Death Certificate to record a Joint Tenancy Affidavit or Affidavit of Heirship.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments (TODIs)



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments

- **755 ILCS 27, et seq.**
- **A Hybrid of a Will and a Deed**
  - Grantor must know the nature of his bounty.
  - Must be of sound mind and memory.
  - Two witnesses are required.
    - The witness must acknowledge that the grantor signed in the witness' presence, as his/her free and voluntary act, that at the time of execution the grantor was of sound mind and memory.
    - The witness' signatures must be notarized.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments

- **TODIs:**
  - must be recorded before death;
    - There is no requirement of notice, delivery, or acceptance.
  - are revocable;
    - If the titleholder(s) deed to a third party, the TODI is revoked.
- **Beneficiary may record a Notice of Death.**
  - 755 ILCD 27/75



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments

- **TODI Exception:**
  - *Right, title, and interest of [Name of Beneficiary or Beneficiaries] under Transfer on Death Instrument executed by [Executed by], and recorded [Date recorded], as Document No. [Document number]. A valid original or certified copy of the Owner's death certificate must be furnished for review.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts



## Transfer on Death Instruments

- Failure of the TODI to contain the Statutory language will render the TODI void and ineffective.
- Effective January 1, 2022, the Statute provides for substantial compliance with Section of the Statute.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments

- 755 ILCS 27/40 and 27/45 were amended, and the changes will take effect starting January 1, 2022.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments

### 755 ILCS 27/40

#### Requirements

- (a) A transfer on death instrument:
  - (1) must (i) contain the essential elements and formalities of a properly recorded *inter vivos* deed, **but does not need to state consideration or the address of the beneficiaries**; and (ii) must be executed, witnessed, and acknowledged in substantial compliance with section 45;
  - (2) must state that the transfer to the designated beneficiary is to occur at the owner's death; and



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments

### 755 ILCS 27/40

#### Requirements

- (a) A transfer on death instrument:
  - (3) must be recorded before the owner's death in the public records in the office of the recorder of the county or counties in which any part of the residential real estate is located.
- (b) The failure to comply with any of the requirements of subsection (a) will render the transfer on death instrument void and ineffective to transfer title to the real property at the owner's death.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments

- **755 ILCS 27/45**

- Signing, attestation, and acknowledgment.
  - (a) Every transfer on death instrument shall be signed by the owner or by some person in his or her presence and by his or her direction, and shall be attested in writing by 2 or more credible witnesses, whose signatures along with the owner's signature shall be acknowledged by a notary public.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments

- **755 ILCS 27/45**

- The witnesses shall attest in writing **substantially as follows**: (i) that on the date thereof the owner executed the transfer on death instrument in their presence **of the witnesses**; (ii) **that the owner's execution** was his or her own free and voluntary act; **and** (iii) that at the time of the execution the witnesses believed the owner to be of sound mind and memory.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments

### ■ 755 ILCS 27/45

- Signing, attestation, and acknowledgment.
  - (b) Except as provided in subsection (c), if the transfer on death instrument is not witnessed by at least 2 credible witnesses, it is not executed in substantial compliance with subsection (a) and is void.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Transfer on Death Instruments

### ■ 755 ILCS 27/45

- Signing, attestation, and acknowledgment.
  - (c) If a beneficiary, or his or her spouse, attests to the execution of the TODI, the interest transferred to that beneficiary and all persons claiming under him or her is void as to that beneficiary unless the TODI is otherwise duly attested by a sufficient number of witnesses as under subsection (a) exclusive of that person and the notary, and he or she may be compelled to testify as if the interest had not been given, but the beneficiary is entitled to receive so much of that interest or share given to him or her by the TODI not to exceed the value or share that he or she would have received had no TODI been established.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

# Trusts



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**

# Trusts

- **Illinois Trust Code:**
  - 760 ILCS 3/*et seq.*



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**

## Trusts

- Trustee's powers are limited to those prescribed in the Illinois Trust Code 760 ILCS 3/et seq. and those dictated in the trust agreement.
- ATG can accept a Certification of Trust executed by the trustee pursuant to 760 ILCS 3/1013 instead of reviewing the trust itself.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

- A deed must be granted to a trustee and a trustee must convey as grantor.
- A trust has no power to grant or accept property because:
  - it has no independent existence;
  - it is a fiduciary relationship between people.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

- A deed that isn't granted to a trustee does not fail unless the trust agreement fails to name a trustee.
- A trustee no longer must acknowledge the acceptance of property into the trust.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

- **Schedule B Part II Trust Exceptions**
  - ATG should be furnished with the following:
    - *a. A Certification of Trust executed by the trustee in accordance with 760 ILCS 3/1013, together with excerpts of the trust agreement and amendments thereto relating to the designation of trustees and the powers of the trustee to act in the current transaction; or*
    - *b. In the alternative, the trustee, in his or her sole discretion, may deliver to ATG a properly certified copy of the original trust agreement, under which title to the land is held, together with all amendments thereto.*
  - ATG reserves the right to raise additional exceptions or make further requirements after review of the documentation provided.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

### ▪ Schedule B Part II Trust Exceptions

- *ATG should be advised as to whether the trust under which title to the Land is held is still in force and effect, and this Commitment is subject to such further exceptions, if any, as may be deemed necessary.*
- *Terms, powers, provisions and limitations of the trust under which title to the Land is held.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

### ▪ Schedule B Part II Trust Exceptions

- *If title is to be conveyed to a trustee, the deed in trust must be recorded.*
- *In any sale of trust property for which ATG or its agents are responsible for reporting the sale for tax purposes, if the trust is a grantor trust under the provisions of the Internal Revenue Code, then the taxpayer identification numbers of the grantors, along with any allocation of the sales price among the grantors, must be provided to ATG, its agents, or closers. If the trust is not a grantor trust, then the trustee must provide its taxpayer identification number to ATG, its agents, or closers. A taxpayer identification number may be obtained at <https://irs.gov>.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts



## Trusts

### Trustee's Deed

- The trustee grants, sells, and conveys the real estate.
- Grantor statement at the beginning of the deed must list the name of the trustee followed by the trust information.
- This same grantor language should also appear in the signature block and notary block.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

### Trustee's Deed Grantor Clause

- *The Munster Family Trust dated March 13, 2013, does hereby grant, sell, and convey to Wilma Flintstone.*
  - This is an invalid conveyance.
- *Herman Munster, as Trustee of the Munster Family Trust dated March 13, 2013, does hereby grant, sell, and convey to Wilma Flintstone.*
  - This is a valid conveyance.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

### ▪ Warranty Deed in Trust (Full Power Deed)

- The grantor conveys and warrants to the trustee of the trust.
- Full power and authority over the real estate is granted to the trustee in the deed itself.
- Advantage
  - If the trust is lost or misplaced, the trustee can still convey the property.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

### ▪ Deed in Trust Grantee Clause

- *Barney Rubble conveys and warrants to The Fred Flintstone Irrevocable Trust under Trust Agreement dated May 2, 2019.*
  - This is an invalid conveyance. A trust never holds title by itself. The trustee is required.
- *Wilma Flintstone conveys and warrants to Betty Rubble, as Trustee of The Betty Rubble Family Trust dated May 2, 2019.*
  - This is a valid conveyance because the trustee and trust is named in the grantee clause.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

- **A trustee cannot delegate his fiduciary duties unless the power to do so is specifically granted in the trust agreement.**
  - This means that a trustee cannot use a POA unless the trust specifically grants the trustee the power appoint an agent and assign to them discretionary duties.



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

- **ATG prefers to pay proceeds to the Trustee of the Trust because the Trustee must make distributions and owes an accounting to the beneficiaries.**



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

- Pursuant to 760 ILCS 3/704, a vacancy in Trusteeship can be filled by:
  - a person designated in the trust agreement;
  - a person appointed by the majority of beneficiaries who are distributes; or
  - a person appointed as trustee by the Court.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

- When the original settlor or trustee is incapacitated, the procedure for removal must be strictly followed before a new trustee can be appointed.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

### ■ Poor Drafting Examples

- Trust Agreement had two inconsistent clauses regarding incapacity.
  - A trustee may only be removed for cause and requires a removal order by a court of competent jurisdiction. If no designated Successor, Court will approve a Successor Trustee.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trusts

### ■ Inconsistent Clauses

- Two licensed physicians must determine that the trustee cannot manage his/her property or financial affairs.
- A court of competent jurisdiction declares the trustee to be disabled, incompetent, or legally incapacitated.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trust Challenges

- Titleholders deed property into their trust, only to forget that they've done so and later they record a deed that vests the property into an entirely new trust.
- The new deed in trust is outside the chain of title.
- Meanwhile, the first trust agreement is destroyed and the attorney that drafted it is deceased.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Trust Notes

- **Trustee's Deed v. Warranty Deed**
  - Buyer's attorney wants a warranty deed.
    - Successor Trustee wants to convey using a Trustee's Deed.
      - Quit Claim Deed format
    - Settlor, Trustee, Beneficiary can convey using a Warranty Deed.
      - They are familiar with the property; a warranty deed is appropriate.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

# Guardianship



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Guardianship

- **Guardianship of Adults**
  - 755 ILCS Xla., *et seq.*
- **Guardianship of Minors**
  - 755 ILCS 5/XI, *et seq.*



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Guardianship

- For both minor estates and disabled persons, always examine the estate proceedings to determine the following:
  - a proper petition was filed;
  - all necessary parties were properly named and served or have submitted to the court’s jurisdiction; and
  - orders were entered appointing the guardian and ordering the sale of the real estate.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Guardianship: Disabled Adults

- Article Xla of the Probate Code (755 ILCS 5/11a-1 et seq.) governs disabled persons’ estates.
- A petition must be filed seeking an adjudication of the person’s disability and appointing a guardian.
  - Court may appoint:
    - Plenary Guardian; or
    - Limited Guardian.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts



## Guardianship: Disabled Adults

### ■ Guardianship of a Disabled Adult/Minor

- A Court Order is required to purchase, sell, or mortgage/refinance property.
- Proper grantor language:
  - *Wilma Flintstone as Guardian for the Estate of Fred Flintstone, a disabled adult.*
  - *Betty Rubble as Guardian for Bamm-Bamm Rubble, a minor.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Guardianship: Disabled Adults

### ■ Exceptions for Schedule B.

- If the title examination or other evidence discloses that a guardian has been appointed for the title holder who has been adjudicated a disabled person, raise the following exceptions on the title commitment:
  - *1. Proceeding pending in the Circuit Court of \* County, entitled Estate of \*, a disabled adult, under Case No. \*.*
  - *2. Statutory right, powers, and duties of the guardian of the Estate of \*, a disabled adult.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Guardianship: Disabled Adults

### ▪ Exceptions for Schedule B.

- If the title examination or other evidence discloses that a guardian has been appointed for the title holder who has been adjudicated a disabled person, raise the following exceptions on the title commitment:
  - *3. Any conveyance of the Land must be made by the guardian of the Estate of \*, pursuant to a proper order entered in Case No. \*, and such conveyance should recite that the same is executed pursuant to a proper order entered in Case No. \*, ordering the conveyance and should recite therein the full consideration for which it is given. In addition, the guardian should file the bond required by ¶12-9 of the Probate Act.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Guardianship: Minors

### ▪ Minors' Estates

- Governed by Article XI of the Probate Act, 755 ILCS 5/11-1 *et seq.*
  - Minor
    - Anyone who is under 18 years of age.
  - A minor needs a guardian in order to sell real estate.
  - As with other estates, the proceeding is initiated with the filing of a petition.
  - Under 755 ILCS 5/11-13, a court may authorize a guardian to execute and deliver deeds, bills of sale, or other instruments.



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Guardianship: Minors

### ▪ Exceptions for Schedule B

- If the title examination or other evidence discloses that a guardian has been appointed for the minor, raise the following exceptions on the title commitment:
  - 1. *Proceeding pending in the Circuit Court of \* County, entitled Estate of \*, a minor, under Case No. \*.*
  - 2. *Statutory right, powers, and duties of the guardian of the Estate of \*, a minor.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## Guardianship: Minors

### ▪ Exceptions for Schedule B

- If the title examination or other evidence discloses that a guardian has been appointed for the minor, raise the following exceptions on the title commitment:
  - 3. *Any conveyance of the Land must be made by the guardian of the Estate of \*, a Minor, pursuant to a proper order entered in Case No. \*. Such conveyance should recite that the same is executed pursuant to a proper order entered in Case No. \* ordering the conveyance and should recite therein the full consideration for which it is given. In addition, the guardian must file the bond required by Section 12-9 of the Probate Act.*



Lowell Krahn  
ATG  
Chicago



Alisa Swerdlove  
ATG  
Chicago

Audio  
problems?  
Listen by phone:  
888.788.0099  
Access Code:  
883 5021 7823



ATG LEGAL  
EDUCATION

Back to Basics, Part 4: Probate, Intestacies, and Trusts

## ATG Underwriting Help

- **Email**
  - legal@atgf.com
- **Phone**
  - 800.252.0402 or
  - 312.752.1990



**Lowell Krahn**  
ATG  
Chicago



**Alisa Swerdlove**  
ATG  
Chicago

**Audio  
problems?**  
Listen by phone:  
**888.788.0099**  
Access Code:  
**883 5021 7823**



**ATG LEGAL  
EDUCATION**