

2012 Kansas Statutes

59-3206. Objections to continuing administration as simplified estate; procedure; change to supervised administration. After letters testamentary or letters of administration have been issued under the Kansas simplified estates act, if:

(a) Any person having an interest in the estate files an objection to the administration of the estate under the Kansas simplified estates act and states his or her reasons therefor, or

(b) the executor or administrator files a statement alleging that the estate cannot be administered advantageously under the act, the issue of continuing administration under the Kansas simplified estates act shall be heard by the court, after notice has been given pursuant to K.S.A. 59-2208.

If the court finds that administration under the Kansas simplified estates act should be terminated, it shall so order and direct supervised administration.

After the filing of the objection, but prior to the hearing thereon, the court, on its own motion, or on application of a person interested in the estate, may require the filing of a bond, and make orders with respect to the estate, as provided in the Kansas probate code.

After a finding that supervised administration is necessary, letters testamentary or letters of administration shall be issued and all proceedings shall be governed by the applicable parts of the Kansas probate code, and letters issued under the Kansas simplified estates act shall be revoked.

The change to supervised administration shall not: Require republication of a notice to creditors which has been duly published; invalidate a proper inventory and valuation previously filed; invalidate any action previously taken by, or prejudice the rights of, any person who has in good faith dealt with the executor or administrator in reliance on such executor's or administrator's authority.

History: L. 1975, ch. 299, § 34; Jan. 1, 1976.