

**379.170 Circuit court has jurisdiction of action for settlement of estate.**

- (1) The provisions of KRS 379.010 to 379.160 shall not prevent an action to settle an estate by the assignee, or by any creditor or creditors representing one-fourth (1/4) of the liabilities, from being brought in the Circuit Court. When an action involving a settlement of the estate is brought in the Circuit Court of the county in which the assignment was made, the jurisdiction of the District Court shall cease, and all papers relating to the estate filed in the District Court shall be transferred by the clerk of the Circuit Court to the files of the Circuit Court. The Circuit Court may exercise any power conferred on the District Court by KRS 379.010 to 379.160 in administering and settling the assigned estate.
- (2) The assignee may sell the personal and real property belonging to the assigned estate, at public or private sale, and convey and pass all the right and title to the same which the grantor had in the deed of assignment at its date. The assignee shall, within ten (10) days after the sale, report the sale to the Circuit Court in which the suit for settlement of the estate is pending. The report shall thereupon be laid over ten (10) days for exceptions, and if no exceptions are filed within that time the report shall thereupon be confirmed. If exceptions are filed, they shall be heard and determined by the court.

**Effective:** January 2, 1978

**History:** Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 301, effective January 2, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 96.