

### **395.160 Removal of representatives.**

- (1) If a personal representative moves out of the state and fails to designate a process agent as required by KRS 395.015(1), becomes insane or otherwise incapable to discharge the trust, goes bankrupt or insolvent or is in failing circumstances, the District Court shall remove him, and the other personal representative, if there is another, shall discharge the trust. If he resides in the county of his appointment or in an adjoining county, and is not insane, he shall have ten (10) days' notice before the order of removal is made. If he is insane, the notice shall be given to his committee, if he has one, and if there is no committee, the court may appoint one.
- (2) The district court may remove a personal representative for failing to give additional security when required under KRS 62.060 and appoint another.
- (3) The court shall require a personal representative who is removed to settle his accounts, and deliver over the decedent's estate to the person appointed in his stead.

**Effective:** January 2, 1978

**History:** Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 386, effective January 2, 1978. -- Amended 1974 Ky. Acts ch. 299, sec. 15. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 3839, 3840, 3846.