

395.040 Administrator -- Persons entitled to be appointed -- Discovery of will.

- (1) The court shall grant administration to the relations of the deceased who apply for administration, preferring the surviving husband or wife, or if the surviving husband or wife does not nominate a suitable administrator, then such others as are next entitled to distribution, or one (1) or more of them whom the court judges will best manage the estate.
- (2) If no person mentioned in subsection (1) applies for administration within sixty (60) days from the death of an intestate, the court may grant administration to a creditor, or to any other person, in its discretion.
- (3) No master or other commissioner whose duty it is to settle the accounts of a personal representative shall be appointed an administrator.
- (4) If a will is afterwards produced and proved, the administration shall cease, and the court may grant a certificate of the probate of the will, or, in the proper case, letters of administration with the will annexed.

Effective: July 15, 1982

History: Amended 1982 Ky. Acts ch. 277, sec. 11, effective July 15, 1982. -- Amended 1974 Ky. Acts ch. 299, sec. 14. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 3867, 3896, 3897.