

524.3-310 INFORMAL APPOINTMENT PROCEEDINGS; NOTICE REQUIREMENTS.

The moving party must give notice as described by section 524.1-401 of an intention to seek an appointment informally; (1) to any person demanding it pursuant to section 524.3-204; and (2) to any person having a prior or equal right to appointment not waived in writing and filed with the court. Notice of the appointment of the personal representative shall be given under the direction of the court administrator by publication once a week for two consecutive weeks in a legal newspaper in the county where the application is filed and by mailing a copy of the notice by ordinary first class mail to all interested persons, other than creditors. The notice, in the form prescribed by court rule, shall state that any heir, devisee or other interested person may be entitled to appointment as personal representative or may object to the appointment of the personal representative and that the personal representative is empowered to fully administer the estate including, after 30 days from the date of issuance of letters, the power to sell, encumber, lease or distribute real estate, unless objections thereto are filed with the court (pursuant to section 524.3-607) and the court otherwise orders. Further, if the decedent was born in a foreign country or left heirs or devisees in any foreign country, notice shall be given to the consul or other representative of such country, if the representative resides in this state and has filed a copy of appointment with the secretary of state. The secretary of state shall forward any notice received to the appropriate consul residing in Minnesota and on file with that office. No defect in any notice nor in publication or service thereof shall limit or affect the validity of the appointment, powers, or other duties of the personal representative.

History: 1974 c 442 art 3 s 524.3-310; 1975 c 347 s 35; 1978 c 525 s 14; 1984 c 615 s 2; 1986 c 444; 1Sp1986 c 3 art 1 s 82