

394.250 When action in circuit court stays proceedings under will -- Court may stop distribution.

An action filed in the circuit court, pursuant to KRS 394.240, shall not, unless taken within twelve (12) months from the entry of the district court's order, prevent the appointment of an administrator or executor by the district court or the settlement, distribution, and division of the decedent's estate. The circuit court in which proceedings are pending may make an order restraining the further distribution and division of the estate. Should such a restraining order be made, the court may in its discretion require the plaintiffs to give bond as required by the Rules of Civil Procedure concerning injunctive relief in civil actions generally. Such an order shall not restrain administration of the estate other than as set out in the order.

Effective: January 2, 1978

History: Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 362, effective January 2, 1978. -- Amended 1974 Ky. Acts ch. 299, sec. 8. --Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4851.