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Administration of Estates; Disposition

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used to secure all administered estates.⁷ The official bond will only act as security, however, if the aggregate value of all the estates administered by the public administrator does not exceed the amount of the official bond.⁸ Additionally, Chapter 285 authorizes a court to require public administrators in these counties to execute separate bonds for any estate according to established procedures.⁹

7. *Id.* §253.040(4) (enacted by 1983 Nev. Stat. c. 285, §1, at 678).

8. *Id.*

9. *Id.*; see also *id.* §142.020 (general bond requirements of public administrators).

Administration of Estates; disposition

NEV. REV. STAT. §§134.230, 134.240, 134.250, 145.100 (repealed); §§140.040, 153.020, 155.190, 156.080 (amended).
SB 163 (Committee on Judiciary); 1983 STAT. Ch 273

Chapter 273 changes the law of administering estates relating to perishable goods,¹ appeals,² and notification procedures.³ Additionally, Chapter 273 repeals provisions concerning the inheritance rights of aliens.⁴

Perishable Estates

Under existing law, if problems arise in the appointment or continued service of an estate administrator,⁵ the court must appoint a special administrator.⁶ Prior law allowed a special administrator to sell perishable estates only upon order of the court.⁷ Chapter 273 eliminates the requirement of a court order.⁸ The special administrator remains liable, however, for the actual value of the property unless the court ap-

1. Compare NEV. REV. STAT. §140.040(2)(b) (amended by 1983 Nev. Stat. c. 273, §1, at 668) with 1971 Nev. Stat. c. 361, §1, at 648 (amending NEV. REV. STAT. §140.040).

2. Compare NEV. REV. STAT. §155.190(3) (amended by 1983 Nev. Stat. c. 273, §3, at 670) with 1981 Nev. Stat. c. 236, §2, at 463 (amending NEV. REV. STAT. §155.190).

3. Compare NEV. REV. STAT. §§153.020(3) (amended by 1983 Nev. Stat. c. 273, §2(3), at 669), 156.080(2) (amended by 1983 Nev. Stat. c.273, §4, at 670) with 1977 Nev. Stat. c. 301, §1, at 570 (amending NEV. REV. STAT. §153.020), 1969 Nev. Stat. c. 73, §§1, 2 at 95 (amending NEV. REV. STAT. 156.080).

4. 1983 Nev. Stat. c. 273, §5, at 671 (repealing NEV. REV. STAT. §§134.230, 134.240, 134.250).

5. NEV. REV. STAT. §140.010 (causes for appointment of special administrator).

6. *Id.*

7. 1971 Nev. Stat. c. 361, §1, at 648 (amending NEV. REV. STAT. §140.040).

8. Compare NEV. REV. STAT. §140.040(2)(b) (amended by 1983 Nev. Stat. c. 273, §1, at 668) with 1971 Nev. Stat. c. 361, §1, at 648 (amending NEV. REV. STAT. §140.040).

proves the sale.⁹

Appeals

Prior law provided that an appeal may be taken to the Nevada Supreme Court if an order or decree sets aside an estate not exceeding \$1,000 in value.¹⁰ Chapter 273 raises this limit and permits an appeal only when the estate is valued at not more than \$25,000.¹¹

Notification Procedures

Under existing law, the trustee of any trust pending execution may petition the district court for a settlement of accounts.¹² Prior to the enactment of Chapter 273, the clerk of the court, upon the filing of the trustee's petition, was required to post notice of the hearing at the county courthouse at least ten days before the hearing.¹³ Chapter 273 increases the effectiveness of the notice by requiring that notice be sent by registered or certified mail to each beneficiary's last known address.¹⁴ This notice must be sent at least ten days prior to the hearing.¹⁵ Other notification provisions are made for disposing of property of persons missing for more than ninety days.¹⁶ Existing law requires a trustee to petition the court for an order authorizing any disposition.¹⁷ Prior law mandated that the clerk notify by mail those individuals who would inherit at law or by will from the missing person, and post notice of the hearing at the county courthouse.¹⁸ Chapter 273 deletes the courthouse posting requirement.¹⁹

Inheritance Rights of Aliens

Prior law predicated the inheritance rights of aliens residing abroad upon the reciprocal rights of United States citizens to inherit from individuals of the alien's country.²⁰ The burden of proving reciprocity fell upon the alien.²¹ If this burden was not met and no heirs were eligible

9. NEV. REV. STAT. §§140.040(2)(b) (amended by 1983 Nev. Stat. c. 273, §1, at 668), 148.170.

10. 1981 Nev. Stat. c. 236, §2, at 463 (amending NEV. REV. STAT. §155.190).

11. NEV. REV. STAT. §155.190(3) (amended by 1983 Nev. Stat. c. 273, §3, at 670).

12. *Id.* §153.020(2).

13. 1977 Nev. Stat. c. 301, §1, at 570 (amending NEV. REV. STAT. §153.020).

14. NEV. REV. STAT. §§153.020(3) (amended by 1983 Nev. Stat. c. 273, §2, at 669.), 155.010.

15. *Id.* §155.010(1).

16. *Id.* §156.080.

17. *Id.*

18. 1969 Nev. Stat. c. 73, §§1,2, at 95 (amending NEV. REV. STAT. §156.080).

19. *Id.*; NEV. REV. STAT. §153.020; 1969 Nev. Stat. c. 73, §§1, 2, at 95 (amending Nev. Rev. Stat. §156.080).

20. 1931 Nevada Compiled Laws §9894.

21. *Id.* §9894.01.

to take the property, the property escheated to the state.²² Chapter 273 repeals all of these provisions.²³

22. *Id.* §9894.02.

23. 1983 Nev. Stat. c. 273, §5, at 671 (repealing NEV. REV. STAT. §§134.230, 134.240, 134.250).

