

395.255 List of fiduciaries who fail to submit inventory -- Notice to compel filing of inventory or account -- Show cause hearing -- Extensions.

- (1) It shall be the duty of the clerk of the court to report to the judge once each month the names and addresses of all fiduciaries who failed to submit an inventory or settlement due according to law during the previous calendar month.
- (2) The judge shall notify the fiduciaries reported under subsection (1) of this section of their failure to file an inventory or settlement and shall warn them of the penalties provided by law.
- (3) If a fiduciary neglects or refuses to file an inventory or settlement when due according to law, or when ordered by the court, the court shall notify the fiduciary of his or her delinquency and fix a date when the inventory or settlement shall be filed.
- (4)
 - (a) If the fiduciary fails to file the inventory or settlement by the extended date ordered by the court, the court shall enter an order for the fiduciary to appear before the court to show cause why he or she should not be found to have breached his or her fiduciary duty and be:
 1. Removed from service as a fiduciary;
 2. Found in contempt of court;
 3. Fined in accordance with KRS 395.990;
 4. Denied any allowance for his or her services; or
 5. Be subject to any other penalty authorized by law for breach of a fiduciary duty.
 - (b) Failure to appear at a show cause hearing under this subsection shall result in automatic removal from service as a fiduciary.
- (5) The time for filing an inventory or settlement under this section shall not be extended by more than thirty (30) days following a hearing:
 - (a) Unless there is pending in Circuit Court a suit to settle the estate; or
 - (b) Upon good cause shown by the fiduciary.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 134, sec. 14, effective July 15, 2026. -- Created 1942 Ky. Acts ch. 167, sec. 12.