

**75-3-1003 Closing estates -- By sworn statement of personal representative -- Waiver of accountings.**

- (1) Unless prohibited by order of the court and except for estates being administered in supervised administration proceedings when all of the distributees of the estate consent in writing, a personal representative may close an estate by filing with the court no earlier than four months after the date of original appointment of a general personal representative for the estate, a verified statement stating that the personal representative, or a prior personal representative whom the personal representative has succeeded, has:
  - (a) determined that the time limitation for presentation of creditors' claims has expired;
  - (b) fully administered the estate of the decedent by making payment, settlement, or other disposition of all claims which were presented, expenses of administration and estate, inheritance and other death taxes, except as specified in the statement, and that the assets of the estate have been distributed to the persons entitled. If any claims remain undischarged, the statement shall state whether the personal representative has distributed the estate subject to possible liability with the agreement of the distributees or it shall state in detail other arrangements which have been made to accommodate outstanding liabilities; and
  - (c) sent a copy of the statement to all distributees of the estate and to all creditors or other claimants of whom he is aware whose claims are neither paid nor barred and has furnished a full account in writing of his administration to the distributees whose interests are affected thereby.
- (2) If no proceedings involving the personal representative are pending in the court one year after the closing statement is filed, the appointment of the personal representative terminates.
- (3) Any accounting required under this section or either Section 75-3-1001 or 75-3-1002 may be waived when all of the distributees of the estate consent in writing to the waiver.

Amended by Chapter 179, 1992 General Session