

75-3-201 Venue for first and subsequent estate proceedings -- Location of property.

- (1) Venue for the first informal or formal testacy or appointment proceedings after a decedent's death is:
 - (a) In the county where the decedent had his domicile at the time of his death.
 - (b) If the decedent was not domiciled in this state, in any county where property of the decedent was located at the time of his death.
- (2) Venue for all subsequent proceedings involving administration and distribution of decedent's estates is in the place where the initial proceeding occurred, unless the initial proceeding has been transferred as provided in Subsection (3) of this section or in Section 75-1-303.
- (3) If the first proceeding was informal, on application of an interested person and after notice to the proponent in the first proceeding, the court, upon finding that venue is elsewhere, may transfer the proceeding and the file to the other court.
- (4) For the purpose of aiding determinations concerning location of assets which may be relevant in cases involving nondomiciliaries, a debt, other than one evidenced by investment or commercial paper or other instrument in favor of a nondomiciliary, is located where the debtor resides, or if the debtor is a person other than an individual, at the place where it has its principal office. Commercial paper, investment paper, and other instruments are located where the instrument is. An interest in property held in trust is located where the trustee may be sued.

Enacted by Chapter 150, 1975 General Session