

## CHAPTER 206.

[S. B. 33.]

## PROBATE PRACTICE AND PROCEDURE.

AN ACT relating to probate practice and procedure; providing that heirs, devisees, legatees and creditors may have notice of certain proceedings on written request, providing that in a decree of distribution the sum of one hundred dollars or less may be distributed to a minor for his use without requiring a bond or guardianship proceedings, and regulating the investment of funds in guardianship proceedings; amending section 64 of chapter 156 of the Laws of 1917, as amended by section 1 of chapter 132 of the Laws of 1939, (section 1434, Remington's Revised Statutes), and adding two new sections to chapter 156 of the Laws of 1917, as amended, to be designated as section 164-1 (section 1534-1, Remington's Revised Statutes) and section 213-1 (section 1583-1, Remington's Revised Statutes).

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Section 64 of chapter 156 of the Laws of 1917, as amended by section 1 of chapter 132 of the Laws of 1939, (section 1434, Remington's Revised Statutes) is amended to read as follows:

Amendments.

Section 64. At any time after the issuance of letters testamentary or of administration upon the estate of any decedent, any person interested in said estate as heir, devisee, legatee or creditor whose claim has been duly served and filed, or attorney for such heir, devisee, legatee, or creditor, may serve upon the executor or administrator (or upon the attorney for such executor or administrator) and file with the Clerk of the court wherein the administration of such estate is pending, a written request stating that he desires special notice of any or all of the following named matters, steps or proceedings in the administration of said estate, to-wit:

Interested person may have notice.

Written request of proceedings.

(1) Filing of petitions for sales, leases or mortgages of any property of the estate.

Steps.

(2) Petitions for any order of solvency.

## Steps.

- (3) Filing of accounts.
- (4) Filing of petitions for distribution.
- (5) Petitions by the executor or administrator for family allowances and homesteads.

## Content of request.

Such requests shall state the postoffice address of such heir, devisee, legatee or creditor, or his attorney, and thereafter a brief notice of the filing of any of such petitions or accounts, except petitions for sale of perishable property, or other personal property which will incur expense or loss by keeping, shall be addressed to such heir, devisee, legatee or creditor, or his attorney, at his stated postoffice address, and deposited in the United States postoffice, with the postage thereon prepaid, at least five (5) days before the hearing of such petition or account; or personal service of such notices may be made on such heir, devisee, legatee, or creditor, or attorney, not less than five (5) days before such hearing, and such personal service shall be equivalent to such deposit in the postoffice, and proof of mailing or of personal service must be filed with the Clerk before the hearing of such petition or account. If upon the hearing it shall appear to the satisfaction of the court that the said notice has been regularly given, the court shall so find in its order or judgment, and such judgment shall be final and conclusive.

## Manner of service.

## Time.

## Order of court.

## Amendment by addition.

SEC. 2. Chapter 156 of the Laws of 1917, as amended be amended by adding thereto a new section to be designated as section 164-1 (section 1534-1 of Remington's Revised Statutes), to read as follows:

Section 164-1. When a decree of distribution is made by the court in administration upon a decedent's estate and distribution is ordered to a person under the age of twenty-one (21) years, of a sum of one hundred dollars (\$100) or less, the court, in such order of distribution, shall order the same paid to the Clerk of the Superior Court wherein administration of such estate is pending, and the same shall

## Distribution to minors.

## Pay to Clerk.

be paid by the Clerk, for the use and as the property of said minor, to the person named in said order of distribution to receive the same, without requiring bond or appointment of any guardian.

SEC. 3. Chapter 156 of the Laws of 1917, as amended be amended by adding thereto a new section to be designated as section 213-1 (section 1583-1 of Remington's Revised Statutes), to read as follows:

Amendment  
by addition.

Section 213-1. All moneys which may come into the possession of any guardian and which are a part of the guardianship estate which shall be properly available for investment may be, by any guardian, and without the permission of the court, invested in such bonds, securities, or other choses in action as are made by law, legal investments for trust companies, or mutual savings banks doing business under the laws of the State of Washington, or invested in the savings accounts of banks, trust companies, mutual savings banks, national banking associations, and savings and loan associations whose funds are insured by the United States of America or any of its agencies, to the extent that such funds are insured. Except as herein provided, no investment shall be made by any guardian except with the permission of the proper court first had and obtained. The investment of the guardianship funds in any manner, other than provided by law for the investment of funds of trust companies or mutual savings banks, shall not be authorized by any court except in instances where the court finds upon evidence taken, and makes specific written findings showing that substantial detriment or loss may result to the ward if such other investment be not made.

Guardian  
may invest  
estate funds.

Legal  
investments.

Exception.

Passed the Senate February 27, 1941.

Passed the House March 12, 1941.

Approved by the Governor March 24, 1941.