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Ohio Revised Code

Section 2113.18 Removal of executor or administrator.

Effective: January 13, 2012
Legislation: Senate Bill 124 - 129th General Assembly

(A) The probate court may remove any executor or administrator if there are unsettled claims existing between the executor or administrator and the estate that the court thinks may be the subject of controversy or litigation between the executor or administrator and the estate or persons interested in the estate.

(B) The probate court may remove any executor or administrator upon motion of the surviving spouse, children, or other next of kin of the deceased person whose estate is administered by the executor or administrator if both of the following apply:

(1) The executor or administrator refuses to bring an action for wrongful death in the name of the deceased person.

(2) The court determines that a prima-facie case for a wrongful death action can be made from the information available to the executor or administrator.