

TITLE 8: FAMILY LAW AND PROBATE
DIVISION 2: PROBATE LAW AND PROCEDURE

§ 2501. Petition for Transfer of Decedent's Personalty.

When a decedent leaves personal property, including but not limited to cash, bank or other accounts, wages or salary due, shares of stock or other interest in any business enterprise, and goods and chattels of any nature, of a total value not exceeding \$5,000, which total value is in excess of the exempt property, homestead allowance, and family allowance, described in 8 CMC § 2601, and known debts, if any, of less than that amount, and the person or persons entitled to the personal property left by the decedent cannot readily obtain its possession, the surviving spouse, any adult child, including an adopted child, either parent, any brother or sister, the eldest brother of decedent's mother, or the head of the lineage of the decedent may file a sworn petition in the court asking the issuance of an order that the personal property be transferred to the petitioner. If none of the persons named in this section file a petition within 90 days of the death of the decedent, then any creditor of the decedent may file a sworn petition as set forth in 8 CMC § 2502.

Source: PL 3-106, ch. 5, § 1.