

Table of Contents

Volume 4

PART I. COMMERCIAL TRANSACTIONS

CHAPTER 1. BAILMENTS

- § 1:1 Bailment defined
- § 1:2 Particular transactions as bailments
- § 1:3 Bailment as contract
- § 1:4 Types of bailments—Liability
- § 1:7 Delivery and acceptance
- § 1:9 Care and use of property—Negligence of bailee
- § 1:11 Conversion by bailee

CHAPTER 2. THE UNIFORM COMMERCIAL CODE—IN GENERAL

- § 2:2 The scope of the Code—Freedom of contract
- § 2:8 Reasonable and seasonable time
- § 2:9 Course of performance, dealing, and trade usage
- § 2:11 Reservation of rights
- § 2:12 Acceleration and insecurity clauses

CHAPTER 3. THE UNIFORM COMMERCIAL CODE—ARTICLE 2, SALES

PART 1. OVERVIEW OF ARTICLE 2

- § 3:4 Goods defined

PART 2. FORM, FORMATION AND READJUSTMENT OF CONTRACT

- § 3:8 Parol Evidence Rule
- § 3:10 Formation of the contract—Generally
- § 3:15 Additional terms in the acceptance—Battle of the forms

PART 3. GENERAL OBLIGATION AND CONSTRUCTION OF CONTRACT

- § 3:44 Open time for payment, running of credit and shipment under reservation
- § 3:51 Express warranties
- § 3:54 Implied warranty of merchantability
- § 3:55 Implied warranty of fitness for a particular purpose
- § 3:60 Privity—Third party beneficiaries of warranties, express or implied

PART 4. TITLE, CREDITORS AND GOOD FAITH PURCHASERS

- § 3:68 Quality of title, good faith purchasers and entrusting

PART 7. REMEDIES

- § 3:122 Buyer's remedies—In general
- § 3:125 Buyer's remedies—Damages
- § 3:126 Buyer's remedies—Buyer's incidental and consequential damages
- § 3:136 Article 2 drafting checklist
- § 3:138 Choice of law *[New]*

CHAPTER 4. THE UNIFORM COMMERCIAL CODE—ARTICLE 2A, LEASES OF GOODS

- § 4:4 Formation of the lease contract
- § 4:6 Warranties
- § 4:8 Disclaimers of warranties
- § 4:15 Hybrid transactions *[New]*

CHAPTER 5. THE UNIFORM COMMERCIAL CODE—ARTICLE 3, NEGOTIABLE INSTRUMENTS

- § 5:2 The concept of negotiability
- § 5:3 Unconditional promise or order
- § 5:6 Payable to order or bearer
- § 5:9 Transfer and negotiation—Indorsement
- § 5:10 The rights of transferees, holders, and holders in due course
- § 5:12 Presentment and notice
- § 5:17 Liability for breach of Article 3 warranties
- § 5:18 Liability for conversion
- § 5:19 Requirements as to signatures

TABLE OF CONTENTS

- § 5:20 Discharge
- § 5:20.50 Accord and satisfaction by use of instrument *[New]*
- § 5:25 Lost, destroyed, or stolen instruments

**CHAPTER 6. THE UNIFORM
COMMERCIAL CODE—ARTICLE 4,
BANK DEPOSITS AND COLLECTIONS**

- § 6:11 The payment obligations of the payor bank
- § 6:14 Liabilities arising from forgery or alteration of items
- § 6:27 Bank Secrecy Act, penalty for nonfiling *[New]*

**CHAPTER 7. THE UNIFORM
COMMERCIAL CODE—ARTICLE 4A,
FUNDS TRANSFERS**

- § 7:6 Obligations of receiving bank in executing a payment order

**CHAPTER 8. THE UNIFORM
COMMERCIAL CODE—ARTICLE 5,
LETTERS OF CREDIT**

A. LETTERS OF CREDIT—IN GENERAL

- § 8:7 Issuer's duties and defenses
- § 8:8 Honor or dishonor
- § 8:11.50 Liability of issuer *[New]*

**CHAPTER 9. THE UNIFORM
COMMERCIAL CODE—ARTICLE 7,
DOCUMENTS OF TITLE**

- § 9:2 Definitions
- § 9:26 Bailee's rights—Liens
- § 9:35 Electronic documents of title *[New]*
- § 9:36 Tangible or electronic document of title as substitute *[New]*

**CHAPTER 10. THE UNIFORM
COMMERCIAL CODE—ARTICLE 8,
INVESTMENT SECURITIES**

A. GENERAL MATTERS

- § 10:3 Determination of obligations and interests as securities or financial assets

CHAPTER 11. THE UNIFORM COMMERCIAL CODE—ARTICLE 9, SECURED TRANSACTIONS

A. INTRODUCTORY REMARKS

§ 11:2 Transactions excluded from Article 9

B. THE CREATION OF AN ENFORCEABLE SECURITY INTEREST

§ 11:9 Essential elements of an enforceable security agreement

§ 11:10 After-acquired property and future advances clauses

§ 11:12 Interests in investment property

§ 11:15 Article 9 assignments

C. PERFECTION OF SECURITY INTERESTS

§ 11:20 Various means of perfection—Rule affecting certificates
of title *[Retitled]*

§ 11:21 Choice of law—Multiple state transactions

§ 11:23 Perfection of security interests in titled motor vehicles

§ 11:23.50 Perfection of security interest in mobile home *[New]*

D. MECHANICS OF VARIOUS FILINGS

§ 11:26 UCC filing—Overview

§ 11:37 Lapse of financing statement—Continuation statements

§ 11:38 Termination statements

§ 11:39.10 Correction statement *[New]*

E. PRIORITY

§ 11:42 Priority between perfected security interests

§ 11:43 Priority between a perfected security interest and
various buyers, chattel paper purchasers or certain
lienholders

§ 11:43.50 Lien for storing and towing motor vehicles *[New]*

F. DEFAULT

§ 11:52 Rights and duties of secured party in possession of
collateral

§ 11:54 Disposition of collateral after default

G. FEES, FORMS, ETC.

§ 11:60 Fees

§ 11:62 UCC Financing Statement—Form UCC-1

TABLE OF CONTENTS

- § 11:63 UCC Financing Statement Addendum—Form UCC-1Ad
- § 11:64 UCC Financing Statement Amendment—Form UCC-3
- § 11:65 UCC Information Request—Form UCC-11
- § 11:66 UCC Additional Party—Form UCC-1AP
- § 11:67 UCC Amendment Additional Party—Form UCC-3AP
- § 11:68 UCC Information Statement—Form UCC-5 *[Retitled]*
- § 11:69 Title lien statement—Form

CHAPTER 11A. THE UNIFORM COMMERCIAL CODE—ARTICLE 12 CONTROLLABLE ELECTRONIC RECORDS *[New]*

- § 11A:1 Introduction *[New]*
- § 11A:2 Acquisition and purchase rights *[New]*
- § 11A:3 Control of controllable electronic records *[New]*
- § 11A:4 Discharge of obligations in controllable accounts and payment intangibles *[New]*
- § 11A:5 Jurisdiction and governing law in controllable electronic records *[New]*

PART II. BANKRUPTCY

CHAPTER 12. BANKRUPTCY

A. IN GENERAL

- § 12:3.50 Bankruptcy Forms—Chapter 7 *[New]*
- § 12:4 Definitions
- § 12:6 The interim trustee
- § 12:11 Jurisdiction of the Bankruptcy Court
- § 12:15 Appeals
- § 12:15.50 Withdrawal of Reference *[New]*
- § 12:18 Bankruptcy rules—General
- § 12:25 Bankruptcy rules—Adversary proceedings—Part VII
- § 12:25.10 Adversary proceeding to seek refund of garnishment—Form *[New]*
- § 12:26 Bankruptcy rules—Appeals to district court or bankruptcy appellate panel—Part VIII
- § 12:37 Involuntary petitions—Abstention
- § 12:38 Conversion
- § 12:40 Exemptions
- § 12:41 Exemption schedule
- § 12:41.10 Exemptions—“Property” and “value” of property defined *[New]*
- § 12:42 Homestead exemption restriction, domicile
- § 12:43 Exemption for household goods

- § 12:46.10 Presumption of abuse—Statement of presumed abuse
[New]
- § 12:46.20 Means test—Presumption of abuse—Rebutted by special
circumstances *[New]*
- § 12:46.30 Presumption of abuse—Motion to dismiss *[New]*
- § 12:46.40 Presumption of abuse—Motion to dismiss—Form *[New]*
- § 12:46.50 Presumption of abuse—Trustee’s memorandum of law
[New]
- § 12:47 Means test certification by debtor’s attorney—Penalty for
abuse
- § 12:47.10 Means test common errors *[New]*
- § 12:48 Statement of current monthly income and means-test
calculation
- § 12:49 Credit counseling

B. THE AUTOMATIC STAY

- § 12:54 Obtaining relief from stay

C. THE BANKRUPTCY ESTATE AND ITS ADMINISTRATION

- § 12:57 Property of the estate
- § 12:57.50 Individual bankruptcy filers *[New]*
- § 12:64 Dismissal for failure to provide documents
- § 12:64.50 Dismissal by debtor *[New]*
- § 12:67 Turnover of property—By the debtors and creditors
- § 12:68 Turnover of property—By custodians
- § 12:73 Executory contracts and unexpired leases
- § 12:81 Trustee’s avoiding powers—Status of the trustee
- § 12:84 Fraudulent transfers
- § 12:87 Preferences—Transfer
- § 12:96.50 Motion to Disburse Unclaimed Monies *[New]*

D. CLAIMS AGAINST THE ESTATE

- § 12:98 Proof of claim—Form
- § 12:99 Transfer of claim other than for security—Form
- § 12:101 Determination of secured status
- § 12:105 Subordination

E. DISCHARGE

- § 12:107 Discharge—Grounds for denial
- § 12:113 Nondischargeable debts
- § 12:116 Reaffirmation agreement—Form

F. CHAPTER 11 REORGANIZATIONS

- § 12:121 Chapter 11—Trustees

TABLE OF CONTENTS

H. DEBT ADJUSTMENT BY INDIVIDUALS

- § 12:149 Debtor's plan—Official Chapter 13 plan form *[Retitled]*
- § 12:153 Chapter 13 plans—Confirmation
- § 12:154 Chapter 13 plans—Modification

I. BANKRUPTCY LITIGATION *[New]*

- § 12:155 Bankruptcy—Effects upon litigation *[New]*
- § 12:156 Stay of proceedings *[New]*
- § 12:157 Proper party in interest *[New]*
- § 12:158 Evaluation of the case *[New]*
- § 12:159 Debtor's duty to list litigation in bankruptcy schedules *[New]*
- § 12:160 Exemption objections *[New]*
- § 12:161 Property exemptions—Unknown values *[New]*
- § 12:162 Amendment of schedules *[New]*
- § 12:163 Case reopening *[New]*
- § 12:164 Employment of professional persons *[New]*
- § 12:165 Employment of professional persons—Disqualification based on employment or representation of creditor *[New]*
- § 12:166 Employment of professional persons—Trustee as attorney or accountant; examiner prohibited *[New]*
- § 12:167 Employment of professional persons—Debtor's prior attorney *[New]*
- § 12:168 Filing of employment application *[New]*
- § 12:169 Employment—Nunc pro tunc *[New]*
- § 12:170 Compensation and expenses awarded to attorneys for trustee *[New]*
- § 12:171 Court discretion in awarding fees *[New]*
- § 12:172 Compensation—Examples *[New]*
- § 12:173 Interim compensation *[New]*
- § 12:174 Reduction of total compensation by interim compensation *[New]*
- § 12:175 Moratorium on payments *[New]*
- § 12:176 Trustee counsel's liability *[New]*
- § 12:177 Application to Employ Attorney for Trustee—Form *[New]*
- § 12:178 Affidavit of disinterestedness—Form *[New]*
- § 12:179 Order to employ attorney for trustee—Form *[New]*
- § 12:180 Application to pay trustee's counsel—Form *[New]*
- § 12:181 Order to pay trustee's counsel—Form *[New]*
- §§ 12:182 to 12:200 *[Reserved]*

J. KENTUCKY UNIFORM VOIDABLE TRANSACTIONS ACT *[New]*

- § 12:201 Debtor-creditor relations—Kentucky Uniform Voidable Transactions Act *[New]*
- § 12:202 Insolvency *[New]*
- § 12:203 Value *[New]*

- § 12:204 Transfers *[New]*
- § 12:205 Transfer voidable as to creditor—Debtor’s intent to hinder, insolvency *[New]*
- § 12:206 Transfer voidable as to creditor—Insufficient equivalent value, insider transfer *[New]*
- § 12:207 Actions for relief *[New]*
- § 12:208 Transfers not voidable *[New]*
- § 12:209 Claim for relief *[New]*
- § 12:210 Debtor’s location *[New]*
- § 12:211 Series Organizations *[New]*
- § 12:212 Small Business Reorganization *[New]*
- § 12:213 Bankruptcy Chapter 15 *[New]*

Volume 4A

PART III. BUSINESS ORGANIZATION

CHAPTER 13. CHOICE OF BUSINESS FORM

- § 13:3 General factors in selecting form of enterprise
- § 13:4 Tax considerations—Generally
- § 13:8 Checklist in connection with selection of business form

CHAPTER 14. CORPORATIONS

A. PROCESS OF INCORPORATING

- § 14:1 Process of incorporating in general
- § 14:4 Corporate entity
- § 14:5 Preincorporation—Promoters’ duties and liabilities
- § 14:15 Corporate name
- § 14:16.50 Abuse of corporate purpose—Shareholder liability *[New]*
- § 14:17 Domicile of corporation
- § 14:31 Bylaws—Form
- § 14:33.50 Corporate records—Right of inspection *[New]*

D. MANAGEMENT STRUCTURE

- § 14:58 Director conflicts of interest
- § 14:61 Standards of conduct for officers

E. CHANGE IN CORPORATE STRUCTURE

- § 14:75.50 Derivative actions following merger *[New]*
- § 14:77.30 Dissolution of a corporate entity by Kentucky Secretary of State *[New]*

TABLE OF CONTENTS

- § 14:77.70 Dissolution of a corporate entity by the circuit court
[New]
- § 14:81 Revocation of dissolution
- § 14:81.50 Dissolution of known claims against dissolved
corporation [New]
- § 14:82 Survival of remedy after dissolution
- § 14:112 Notice to creditors of dissolution—Form

F. FOREIGN CORPORATIONS

- § 14:125 “Foreign” defined
- § 14:126 Qualifying a foreign corporation to do business in
Kentucky

G. SPECIAL PROBLEMS OF CLOSELY-HELD CORPORATIONS

- § 14:145 Shareholder’s derivative actions—Continuous ownership
required [New]
- § 14:146 Disregard of corporate entity; piercing the corporate veil
[New]
- § 14:147 Kentucky Uniform Limited Cooperative Association Act
[New]
- § 14:148 Name of a limited cooperative association [New]
- § 14:149 Articles [New]
- § 14:150 Organic rules [New]
- § 14:151 Initial formation of limited cooperative association [New]
- § 14:152 Public benefit corporations [New]

H. NONSTOCK, NONPROFIT CORPORATIONS [New]

- § 14:153 Purpose [New]
- § 14:154 General powers [New]
- § 14:155 Number and designation of officers [New]
- § 14:156 Committees [New]
- § 14:157 Conflict of interest transactions [New]
- § 14:158 Quorum—No proxy voting [New]
- § 14:159 Books and records [New]

CHAPTER 16. PARTNERSHIPS

A. PARTNERSHIPS

- § 16:1 What constitutes a partnership
- § 16:1.50 Good faith owed to each partner [New]
- § 16:16 A partner’s interest in the partnership
- § 16:20 Dissolution

CHAPTER 17. LIMITED PARTNERSHIPS

- § 17:1 In general

- § 17:5 Name of limited partnership and limited liability limited partnership
- § 17:6 Registration of name of foreign limited partnership
- § 17:37 Restrictions on conversions and mergers

CHAPTER 18. OTHER BUSINESS ENTITIES

C. BUSINESS TRUST

- § 18:4 Business trusts in general
- § 18:17 Foreign business trusts
- § 18:18 Foreign business trusts—Certificate of authority *[Deleted]*

D. LIMITED LIABILITY COMPANIES

- § 18:20 Limited liability companies
- § 18:21 Powers of limited liability companies
- § 18:22 Procedure for forming limited liability companies
- § 18:23 Articles of organization for limited liability companies
- § 18:24 Amendment of articles of organization of limited liability companies
- § 18:25 Restatement of articles of organization
- § 18:26 Forms for limited liability companies *[Deleted]*
- § 18:27 Articles of correction for limited liability companies *[Deleted]*
- § 18:28 Certificate of limited liability company's existence *[Deleted]*
- § 18:29 Exercise of powers by Kentucky limited liability company in any state or country
- § 18:30 Name of limited liability company
- § 18:31 Conversion of partnership or limited partnership to limited liability company
- § 18:32 Membership in limited liability companies
- § 18:32.50 Cessation of membership in limited liability company *[New]*
- § 18:33 Immunity from personal liability
- § 18:34 Management of limited liability companies—Powers and selection
- § 18:35 Liability of members and managers to limited liability companies—Misconduct
- § 18:35.50 Derivative action against limited liability companies *[New]*
- § 18:36 Registered office and registered agent
- § 18:37 Members or managers as agents
- § 18:38 Service of process *[Deleted]*
- § 18:39 Property held by limited liability companies
- § 18:40 Dissolution of limited liability companies

TABLE OF CONTENTS

§ 18:41	Merger of limited liability companies
§ 18:42	Foreign limited liability companies
§ 18:43	Sale of property
§ 18:44	Acquisitions and share exchange
§ 18:45	Nonprofit limited liability company—Interests
§ 18:45.20	Kentucky Uniform Unincorporated Nonprofit Association Act <i>[New]</i>
§ 18:45.25	Unincorporated nonprofit association—Statement of authority <i>[New]</i>
§ 18:45.30	Unincorporated nonprofit association—Certificate of association <i>[New]</i>
§ 18:45.35	Unincorporated nonprofit association—Litigation <i>[New]</i>
§ 18:45.40	Unincorporated nonprofit association—Powers, voting <i>[New]</i>
§ 18:45.45	Unincorporated nonprofit association—Membership <i>[New]</i>
§ 18:45.50	Unincorporated nonprofit association—Manager <i>[New]</i>
§ 18:45.55	Unincorporated nonprofit association—Records <i>[New]</i>
§ 18:45.60	Unincorporated nonprofit association—Dividends and distributions prohibited <i>[New]</i>
§ 18:45.65	Unincorporated nonprofit association—Reimbursements, indemnification permitted <i>[New]</i>
§ 18:45.70	Unincorporated nonprofit association—Dissolution, winding up <i>[New]</i>
§ 18:45.75	Nonprofit limited liability company—Name <i>[New]</i>
§ 18:45.80	Nonprofit limited liability company—Annual report <i>[New]</i>
§ 18:46	Nonprofit limited liability company—Loans and distribution of assets
§ 18:47	Nonprofit limited liability company—Liquidation of assets
§ 18:48	Nonprofit limited liability company—Involuntary dissolution
§ 18:49	Nonprofit limited liability company—Amendments to operating agreements <i>[Deleted]</i>
§ 18:50	Nonprofit limited liability company—Conversion
§ 18:50.50	Nonprofit limited liability company—Interests or distributions prohibited <i>[New]</i>
§ 18:51	Limited liability company—Articles of organization—Form
§ 18:51.50	Limited liability company—Professional limited liability company for attorneys—Articles of organization—Form <i>[New]</i>
§ 18:52	Limited liability company—Operating agreement—Form
§ 18:52.50	Limited liability company—Operating agreement <i>[New]</i>
§ 18:53	Professional limited liability company for attorneys—Operating agreement—Form <i>[New]</i>
§ 18:54	Business data breach notification <i>[New]</i>
§ 18:55	Consumer reporting agencies, violations <i>[New]</i>

PART IV. ADMINISTRATIVE PRACTICE

CHAPTER 19. ADMINISTRATIVE PRACTICE

A. IN GENERAL

- § 19:1.50 Practice of law before administrative hearings *[New]*
- § 19:2 Delegation of powers
- § 19:3 Basic technique in administrative practice
- § 19:4.50 Official record of proceedings *[New]*
- § 19:5 Judicial review
- § 19:5.50 Administrative hearings—Generally *[New]*

B. THE KENTUCKY BOARD OF CLAIMS

- § 19:6 In general

C. ALCOHOL BEVERAGE CONTROL BOARD

- § 19:20 Licenses—Revocation and suspension—Judicial review

D. BOARD OF TAX APPEALS

- § 19:22 In general
- § 19:23 Hearings

PART V. WORKERS' COMPENSATION

CHAPTER 20. WORKERS' COMPENSATION

A. PURPOSE AND SCOPE

- § 20:1 Purpose
- § 20:2.50 Definitions—Schedule of Benefits—Enhancement of award *[New]*

B. DO YOU HAVE A CASE?

- § 20:3 What is covered
- § 20:4 Who is covered
- § 20:5 Rights, benefits, and remedies are exclusive
- § 20:6 Statutes of limitation for injuries
- § 20:8.50 Time limitation for submission of medical provider billings *[New]*
- § 20:9 Notice to employer

TABLE OF CONTENTS

§ 20:10	Retaliation
§ 20:13	Attorney fees
§ 20:14	Discrimination prohibited
§ 20:16	Average weekly wage
§ 20:16.50	Income benefits and interest <i>[New]</i>
§ 20:17	Maximum and minimum benefit rates

D. INJURY OR DISEASE?

§ 20:19	Statutory definitions of injury and occupational disease
§ 20:21	Benefits under occupational disease
§ 20:22	Hearing loss
§ 20:24	Termination of benefits <i>[Retitled]</i>
§ 20:25	Reopening for occupational disease cases
§ 20:26	Death benefits

E. FILING, BUT AGAINST WHOM?

§ 20:27	Filing claim for compensation
§ 20:27.50	Burden of proof <i>[New]</i>
§ 20:28	Necessary and proper parties

F. YOU'VE FILED, NOW WHAT?

§ 20:33	Beginning a claim
§ 20:38	Medical reports
§ 20:43	Hearing before an administrative law judge
§ 20:43.10	Claimant's testimony allowed <i>[New]</i>
§ 20:43.20	Claimant's testimony of psychological condition <i>[New]</i>
§ 20:46	Reopening for occupational disease cases
§ 20:47	Penalties

G. SETTLEMENT

§ 20:52	Benefit calculations for settlements
§ 20:52.50	Offset for employer funded plans <i>[New]</i>
§ 20:53	Partially disabling permanent injury
§ 20:56.10	Assignment of settlement <i>[New]</i>

H. POST-OPINION RELIEF

§ 20:59	Appeal to workers' compensation board
§ 20:67	Appeal to court of appeals
§ 20:68	Appeal to supreme court
§ 20:68.50	Remedies when third party is legally liable <i>[New]</i>

PART VI. EMPLOYMENT RELATIONSHIPS

CHAPTER 21. KENTUCKY RIGHT TO WORK LAW

- § 21:1 In general
- § 21:2 Definitions
- § 21:3 Right to strike permitted for most employees.
- § 21:4 Right to associate for self-organization
- § 21:5 Unfair labor practices prohibited
- § 21:6 Affidavit to support violations
- § 21:7 False affidavit
- § 21:8 Agreements in conflict with the Act are unlawful and void
- § 21:9 Deduction of dues of employee organizations or unions are prohibited
- § 21:10 Prohibitions of labor organizations
- § 21:11 Prohibitions of urban-county governments
- § 21:12 Prohibitions of consolidated local governments
- § 21:13 Sheriff and deputies in consolidated local governments or cities of the first class
- § 21:14 County employees may organize
- § 21:15 Fiscal Court contracts.
- § 21:16 Firefighters collective bargaining—Prohibitions of public employees
- § 21:17 Firefighters collective bargaining—Prohibitions of labor organizations
- § 21:18 Good faith collective bargaining
- § 21:19 Penalties

CHAPTER 22. KENTUCKY CIVIL RIGHTS ACT

- § 22:1 In general
- § 22:1.50 Preemption *[New]*
- § 22:4 Age discrimination
- § 22:5 Disability discrimination
- § 22:8 Procedure for seeking relief under the act
- § 22:10 Retaliation
- § 22:12 Employment conditions or preconditions *[New]*
- § 22:24 Termination of Benefits

CHAPTER 23. FAIR LABOR STANDARDS ACT

- § 23:1 In general
- § 23:2 Payment of wages
- § 23:2.50 Economic realities test *[New]*

TABLE OF CONTENTS

§ 23:3	Minimum wages
§ 23:4	Exclusions from minimum wage and overtime (Exempt Employees)
§ 23:6	Work breaks
§ 23:13	Penalties

CHAPTER 24. KENTUCKY UNEMPLOYMENT COMPENSATION LAW

A. ADMINISTRATION

§ 24:3	Subject employer
§ 24:6	Work records
§ 24:12	Successor employer

B. COLLECTION OF BENEFITS

§ 24:19	Suitable work
§ 24:19.10	Eligible worker resources <i>[New]</i>
§ 24:20	Disqualification
§ 24:21	Misconduct
§ 24:25	Appeals

PART VII. WILLS, TRUSTS AND PROBATE

CHAPTER 25. WILL DRAFTING AND EXECUTION

A. GENERALLY

§ 25:3	Testamentary capacity
--------	-----------------------

B. CONSTRUCTION OF WILLS

§ 25:4	Generally
§ 25:6	Presumption against partial intestacy
§ 25:10	Mechanical requisites to validity
§ 25:14	Fraud and undue influence

C. BASIC CONSIDERATIONS IN WILL DRAFTING

§ 25:24	Safe-keeping of wills
---------	-----------------------

D. DRAFTING CHECKLIST

§ 25:35	Charitable bequests
---------	---------------------

§ 25:41 Spendthrift provision

§ 25:59 Powers of trustee

E. INFORMATION GATHERING

§ 25:62 The testator's family

F. TAX CONSIDERATIONS

§ 25:70 Trusts

G. SAMPLE WILLS

§ 25:77 Living will directive [*Retitled*]

§ 25:77.10 Living will directive—Form [*New*]

§ 25:79 Durable power of attorney

§ 25:80 Funeral planning declarations [*New*]

§ 25:81 Spouse may renounce will [*New*]

CHAPTER 26. TRUST INSTRUMENTS

§ 26:2 Creation of a trust

§ 26:5 Property which may be subject of a trust

§ 26:10 Objectives of land law—Spendthrift trusts

§ 26:11 Classification of trusts

§ 26:11.10 Classification of trusts—Other forms of trust [*New*]

§ 26:11.20 Classification of trusts—Series trust [*New*]

§ 26:11.30 Classification of trusts—Statutory trust [*New*]

§ 26:11.40 Classification of trusts—Statutory trust—Duration [*New*]

§ 26:11.50 Classification of trusts—Statutory trust—Power to sue,
be sued [*New*]

§ 26:12 Classification of trusts—Express trusts

§ 26:14 Classification of trusts—Constructive trusts

§ 26:17.10 Trust governing instruments [*New*]

§ 26:17.20 Trust governing instruments—Mandatory rules [*New*]

§ 26:19 Appointment and tenure of trustees

§ 26:21 Administration of the trust

§ 26:22 Administration of the trust—Power of sale in the trust

§ 26:24 Administration of the trust—Retention of existing
investments

§ 26:25 Administration of the trust—Investments by a fiduciary
[*Retitled*]

§ 26:27 Administration of the trust—Power to mortgage, lease
and repair

§ 26:28 Administration of the trust—Borrowing money

§ 26:30 Administration of the trust—Distribution of the trust
funds

§ 26:32 Fiduciary duties

§ 26:37 Accounting and compensation of trustee

§ 26:38 Trust registration and enforcement of the trust

TABLE OF CONTENTS

§ 26:39	Inter vivos trust
§ 26:44	Kentucky Uniform Statutory Trust Act (2012) <i>[New]</i>
§ 26:45	Kentucky Uniform Statutory Trust Act (2012)—Govern- ing instrument <i>[New]</i>
§ 26:46	Kentucky Uniform Statutory Trust Act (2012)—Forma- tion of statutory trust <i>[New]</i>
§ 26:47	Kentucky Uniform Trust Code <i>[New]</i>
§ 26:48	Kentucky Uniform Trust Code—Trust: definition <i>[New]</i>
§ 26:49	Kentucky Uniform Trust Code—Creation of trust <i>[New]</i>
§ 26:50	Kentucky Uniform Trust Code—Capacity to create a trust <i>[New]</i>
§ 26:51	Kentucky Uniform Trust Code—Types of trusts <i>[New]</i>
§ 26:52	Kentucky Uniform Trust Code—Parties to a trust <i>[New]</i>
§ 26:53	Kentucky Uniform Trust Code—Duties of the trustee and co-trustees <i>[New]</i>
§ 26:54	Kentucky Uniform Trust Code—Trustee bond <i>[New]</i>
§ 26:55	Kentucky Uniform Trust Code—Acceptance of trusteeship <i>[New]</i>
§ 26:56	Kentucky Uniform Trust Code—Judicial standard of discretionary power of trustee <i>[New]</i>
§ 26:57	Kentucky Uniform Trust Code—Place of administration <i>[New]</i>
§ 26:58	Kentucky Uniform Trust Code—Trust combinations <i>[New]</i>
§ 26:59	Kentucky Uniform Trust Code—Liability of trustee <i>[New]</i>
§ 26:60	Kentucky Uniform Trust Code—Vacancy of trustee <i>[New]</i>
§ 26:61	Kentucky Uniform Trust Code—Resignation of trustee <i>[New]</i>
§ 26:62	Kentucky Uniform Trust Code—Removal of trustee <i>[New]</i>
§ 26:63	Kentucky Uniform Trust Code—Compensation of trustee <i>[New]</i>
§ 26:64	Kentucky Uniform Trust Code—Trust registration <i>[New]</i>
§ 26:65	Kentucky Uniform Trust Code—Concurrent jurisdiction of court proceedings over trusts <i>[New]</i>
§ 26:66	Kentucky Uniform Trust Code—Venue for court proceed- ings over trusts <i>[New]</i>
§ 26:67	Kentucky Uniform Trust Code—Modification and termination <i>[New]</i>
§ 26:68	Kentucky Uniform Trust Code—Doctrine of worthier title <i>[New]</i>
§ 26:69	Kentucky Uniform Trust Code—Judicial proceedings <i>[New]</i>
§ 26:70	Kentucky Uniform Trust Code—Venue <i>[New]</i>
§ 26:71	Kentucky Uniform Trust Code—Notice, generally <i>[New]</i>
§ 26:72	Kentucky Uniform Trust Code—Notice requirements for principal place of administration <i>[New]</i>
§ 26:73	Community property trust <i>[New]</i>

CHAPTER 27. ADMINISTRATION OF ESTATES

A. GENERALLY

- § 27:2 Status of persons managing estates
- § 27:4 Jurisdiction

B. DISPENSING WITH ADMINISTRATION

- § 27:7 Exemption to surviving spouse or infant children
- § 27:15 Petition—Order for transfer of exemption and to dispense with administration (surviving spouse—Children—Preferred creditor)

C. APPOINTMENT OF FIDUCIARIES

- § 27:18 Generally
- § 27:23 Successor testamentary trustees
- § 27:24 Attorney for fiduciary
- § 27:24.50 Limited Power of Attorney to Appear, Accept Appointment, and Execute Bond—Form *[New]*
- § 27:25 Compensation of representatives
- § 27:26 Qualification of fiduciaries

D. PERSONAL REPRESENTATIVES

- § 27:27 Instructions and checklist
- § 27:27.50 Notices of appointment by Probate Court Clerk *[New]*
- § 27:29 Time table
- § 27:37 Application for appointment of personal representative—Fiduciary bond—Form
- § 27:38 Application for appointment of personal representative—Certificate of qualification
- § 27:42.25 Informal settlement affidavit of attorney or fiduciary *[New]*
- § 27:42.75 Formal settlement and periodic settlement affidavit of attorney or fiduciary *[New]*

E. CURATORS

- § 27:45 Application for curator

F. POWERS AND DUTIES OF FIDUCIARIES GENERALLY

- § 27:46 Qualifications
- § 27:47 Powers and duties of fiduciaries—Generally
- § 27:48 Assets of the estate

TABLE OF CONTENTS

- § 27:51 Custody and management
- § 27:52 Compromise of claims
- § 27:59 Sale of choses in action
- § 27:60 Setting aside or vacating sale

H. ALLOWANCE AND PAYMENT OF CLAIMS

- § 27:73 Presentation of claims against estate—Time limitations
- § 27:79 Disputed claims
- § 27:80 Payment of claims
- § 27:89 Actions by personal representatives

I. ACCOUNTING AND SETTLEMENTS

- § 27:96 Final settlements—Informal and formal

J. INTESTATE SUCCESSION

- § 27:102 Rights of heirs and distributees

K. TAXES

- § 27:110 State taxes

L. MISCELLANEOUS FORMS

- § 27:115 Summary of Executor's Duties and Authorized Transactions *[New]*
- § 27:116 Uniform Power of Attorney Act *[New]*

Volume 5

PART VIII. TRIAL PRACTICE AND PROCEDURE

CHAPTER 28. SERVICE OF PROCESS

- § 28:1 Purpose of process—Generally
- § 28:1.10 Summons differs from warrant *[New]*
- § 28:1.30 Summons—Issuance *[New]*
- § 28:2 Summons—Form
- § 28:3 Personal service
- § 28:3.10 Misnaming defendant *[New]*
- § 28:3.20 Notice of special appearance and motion to quash service of summons—Form *[New]*
- § 28:3.30 Service upon judgment creditors *[New]*
- § 28:3.40 Kentucky long-arm statute *[New]*
- § 28:5 Constructive service

- § 28:9 Jurisdiction acquired by constructive service—Divorce cases
- § 28:11.50 Service by mail on international defendants *[New]*

CHAPTER 29. PLEADINGS

- § 29:5 Pleading special matters
- § 29:6 Caption; Names of parties
- § 29:18 Supplemental pleadings
- § 29:20 Introduction to appendix of official forms
- § 29:21 FORM 1. Summons
- § 29:22 FORM 2. Complaint on a promissory note
- § 29:23 FORM 3. Complaint on an account
- § 29:24 FORM 4. Complaint for goods sold and delivered
- § 29:25 FORM 5. Complaint for money lent
- § 29:26 FORM 6. Complaint for money paid by mistake
- § 29:27 FORM 7. Complaint for money had and received
- § 29:28 FORM 8. Complaint for negligence
- § 29:29 FORM 9. Complaint for negligence where plaintiff is unable to determine definitely whether the person responsible is A.B. or C.D. or whether both are responsible and where his evidence may justify a finding of wilfulness or of negligence
- § 29:30 FORM 10. Complaint for conversion
- § 29:31 FORM 11. Complaint for specific performance of contract to convey land
- § 29:32 FORM 12. Complaint on claim for debt and to set aside fraudulent conveyance under Rule 18.02
- § 29:33 FORM 13. Complaint for interpleader and declaratory relief
- § 29:34 FORM 14. Motion to dismiss, presenting defenses of failure to state a claim, of lack of service of process, and of lack of jurisdiction under Rule 12.02
- § 29:35 FORM 15. Answer presenting defenses under Rule 12.02
- § 29:36 FORM 16. Answer to complaint set forth in Form 7 with counterclaim for interpleader
- § 29:37 FORM 17. Motion to bring in third-party defendant
- § 29:38 FORM 18. Motion to intervene as a defendant under Rule 24
- § 29:39 FORM 19. Request for production of documents, etc., under Rule 34
- § 29:40 FORM 20. Request for admission under Rule 36
- § 29:41 FORM 21. Allegation of reason for omitting party
- § 29:42 FORM 22. Notice of appeal under Rule 73.03
- § 29:43 FORM 23. Certificate as to transcript under Rule 75.01(2)

CHAPTER 30. THIRD-PARTY PRACTICE AND JOINDER

- § 30:2 Impleader
- § 30:10 Fraudulent joinder *[New]*

TABLE OF CONTENTS

CHAPTER 31. MOTION PRACTICE

- § 31:5 Motion to intervene
- § 31:6 Motion to strike
- § 31:8 Motion to dismiss
- § 31:8.10 Motion to dismiss with prejudice *[New]*
- § 31:9 Motion for judgment on the pleadings
- § 31:41 Petition for removal to federal court—Form
- § 31:42 Writ of mandamus *[New]*
- § 31:43 Writ of prohibition *[New]*

**CHAPTER 32. DEPOSITIONS AND
DISCOVERY**

- § 32:4.50 Stay of discovery *[New]*
- § 32:5 Depositions (Rule 30-32)
- § 32:11 Time and place of taking depositions *[Retitled]*

CHAPTER 33. PREPARATION FOR TRIAL

- § 33:19 Obtaining authorization from client to obtain medically privileged testimony
- § 33:31 Plan for the conduct of the trial and pretrial compliance

CHAPTER 34. JURY TRIALS

- § 34:2.10 Jury trial in federal courts—Federal District Court *[New]*
- § 34:2.20 Jury trial in federal courts—Bankruptcy Court *[New]*

CHAPTER 35. KENTUCKY EVIDENCE LAW

- § 35:1 Kentucky Evidence Law

**CHAPTER 36. DRAFTING JURY
INSTRUCTIONS**

- § 36:1 Importance of preparing instructions
- § 36:1.50 Error in instructions *[New]*
- § 36:3 Court's duty to instruct in civil cases
- § 36:20 Preservation of objection to instruction *[New]*

**CHAPTER 37. KENTUCKY APPELLATE
PRACTICE**

- § 37:1 Introduction
- § 37:10 Appeals
- § 37:16 Notice of appeal
- § 37:17 Notice of appeal—Requirements of notice
- § 37:27 Motions—Interlocutory relief pending appeal from final judgment
- § 37:45 Briefs

§ 37:61 Appeals to the Kentucky Supreme Court—Interlocutory relief in the supreme court

PART IX. SPECIFIC PROCEEDINGS AND PRACTICES

CHAPTER 38. DECLARATORY JUDGMENTS

§ 38:1 Nature of the proceeding
§ 38:4 Statutory provisions in Kentucky

CHAPTER 39. EXECUTIONS

§ 39:1 Executions generally
§ 39:11 Supplementary discovery questions
§ 39:12 When assets are disclosed
§ 39:13 Execution form
§ 39:14 Execution order
§ 39:15 Order for sale
§ 39:24 Wage garnishment—Form
§ 39:25 Notice of rights to assert exemption to wage garnishment—Form
§ 39:26 Affidavit for writ of garnishment (non-wage)—Form
§ 39:27 Order of garnishment (non-wage)—Form
§ 39:29 Notice and affidavit of foreign judgment registration—Form

CHAPTER 40. INJUNCTIONS

§ 40:1 Injunctive relief generally
§ 40:4 Permanent injunctions
§ 40:5 Injunction bond
§ 40:11 Improper subjects for injunctive relief
§ 40:12 Damages for wrongful issuance of injunction

CHAPTER 41. RELEASES

§ 41:4 Fraud or misrepresentation

CHAPTER 44. ARBITRATION AND MEDIATION *[Retitled]*

§ 44:05 Arbitration and mediation—In general *[New]*
§ 44:1 Generally
§ 44:2 Kentucky Uniform Arbitration Act
§ 44:2.50 Federal Arbitration Act and Arbitration Convention *[New]*
§ 44:3 Scope
§ 44:4 Exceptions to scope of Uniform Arbitration Act
§ 44:6 Compelling parties to arbitrate

TABLE OF CONTENTS

§ 44:11	Award
§ 44:12	Fees and expenses of arbitration <i>[New]</i>
§ 44:13	Appeal <i>[New]</i>
§§ 44:14 to 44:19	<i>[Reserved]</i>
§ 44:20	Kentucky Mediation Rules <i>[New]</i>
§ 44:21	Referral of cases to mediation <i>[New]</i>
§ 44:22	Appointment and compensation of mediator <i>[New]</i>
§ 44:23	Mediation procedures <i>[New]</i>
§ 44:24	Attendance at mediation conference <i>[New]</i>
§ 44:25	Reporting to the court <i>[New]</i>
§ 44:26	Agreement <i>[New]</i>
§ 44:27	Confidentiality <i>[New]</i>
§ 44:28	Mediator's privilege of immunity <i>[New]</i>
§ 44:29	Code of Conduct for Mediators <i>[New]</i>
§ 44:30	Competency of mediator <i>[New]</i>
§ 44:31	Impartiality <i>[New]</i>
§ 44:32	Confidentiality <i>[New]</i>
§ 44:33	Consent <i>[New]</i>
§ 44:34	Self-determination <i>[New]</i>
§ 44:35	Conflicts of interest <i>[New]</i>
§ 44:36	Protecting the integrity of the mediation process <i>[New]</i>

PART X. DOMESTIC RELATIONS

CHAPTER 46. ADOPTION AND TERMINATION OF PARENTAL RIGHTS

§ 46:2	Termination of parental rights
§ 46:3	Voluntary termination of parental rights
§ 46:3.50	Voluntary termination during pendency proceeding <i>[New]</i>
§ 46:4	Involuntary termination of parental rights
§ 46:5	Adoption
§ 46:8	Applying for placement approval
§ 46:11	Delivery of the child to the adopting family
§ 46:12	Procedures for adoption
§ 46:13	Consent to adoption
§ 46:16	Confidentiality of adoption records
§ 46:27	Petition for involuntary termination of parental rights
§ 46:40	Paternity—KRS Chapter 406 <i>[New]</i>
§ 46:41	Fictive kin placements for children
§ 46:42	Putative father registry <i>[New]</i>
§ 46:43	Abandoned newborn infants <i>[New]</i>
§ 46:44	Confidentiality and Sealing of Files and Records <i>[New]</i>

CHAPTER 47. CHANGE OF NAME

§ 47:3	Petition for name change
§ 47:4	Name change order

CHAPTER 48. DIVORCE AND CHILD CUSTODY

- § 48:1 Introduction
- § 48:4 Preparation of petition
- § 48:5 Temporary orders
- § 48:5.50 Temporary orders—Commissioner hearings; Family Court procedures *[New]*
- § 48:8 Division of marital debts and assets
- § 48:9 Maintenance
- § 48:10 Child support
- § 48:10.50 Child support—Uniform Child Support Order—Form *[New]*
- § 48:10.51 Nondischargeability of child support payments in bankruptcy *[New]*
- § 48:10.52 Modification of child support *[New]*
- § 48:10.60 Child support—Shared parenting time credits *[New]*
- § 48:11 Cost of action and attorney fees
- § 48:12 Child custody—General *[Retitled]*
- § 48:12.01 Child custody—Joint custody *[New]*
- § 48:12.02 Child custody—Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA) *[New]*
- § 48:12.03 Child custody—Time-sharing *[New]*
- § 48:12.04 Child custody—Split-custody *[New]*
- § 48:12.05 Child custody—Modification of custody or visitation on parental relocation *[New]*
- § 48:12.06 Child custody—Time to file motion *[New]*
- § 48:12.07 Child custody—Factors considered *[New]*
- § 48:12.08 Child custody—Relocation *[New]*
- § 48:12.09 Child custody—Modification in sole-custody cases *[New]*
- § 48:12.10 Child custody—Modification for federal active duty service *[New]*
- § 48:12.11 Child custody—Motion to modify filed within two years of custody decree *[New]*
- § 48:12.12 Child custody—Motion to modify filed two years after date of custody decree *[New]*
- § 48:12.13 Child custody—Party seeking modification has burden *[New]*
- § 48:12.14 Child custody—Reliance on commissioner’s reports *[New]*
- § 48:12.15 Child custody—Petition to obtain custody of minor child—Checklist *[New]*
- § 48:12.16 Child custody—Petition for change of custody—Form *[New]*
- § 48:12.17 Child custody—Safe drop-off location *[New]*
- § 48:12.18 Child custody—Rights denied parent convicted of felony sexual offense *[New]*
- § 48:12.19 Visitation rights to grandparents *[New]*
- § 48:12.20 Parenting coordinators *[New]*
- § 48:28 Property settlement agreement

TABLE OF CONTENTS

§ 48:30	Dissolution of marriage, findings of fact and conclusions of law
§ 48:33	Qualified domestic relations order
§ 48:36	Uniform Interstate Family Support Act <i>[New]</i>
§ 48:37	<i>[Reserved]</i>
§ 48:38	Compensation of guardians <i>[New]</i>
§§ 48:39 to 48:40	<i>[Reserved]</i>
§ 48:40.01	Family Court Rules of Procedure and Practice (FCRPP) <i>[New]</i>
§ 48:40.02	Dissolutions and Property Division—Preliminary Matters <i>[New]</i>
§ 48:40.03	Dissolution and Property Division—Mediation and Case Management Conferences <i>[New]</i>
§ 48:40.04	Dissolutions and Property Division—Obtaining a Decree of Dissolution <i>[New]</i>
§ 48:40.05	Dissolutions and Property Division Dissolutions and Property Division—Procedures Before the Domestic Relations Commissioner <i>[New]</i>
§ 48:40.06	Dissolutions and Property Division Dissolutions and Property Division—Maintenance <i>[New]</i>
§ 48:40.07	Dissolutions and Property Division Custody, Shared Parenting, Visitation and Support—General Provisions <i>[New]</i>
§ 48:40.08	Dissolutions and Property Division Custody, Shared Parenting, Visitation and Support—Custody <i>[New]</i>
§ 48:40.09	Dissolutions and Property Division Custody, Shared Parenting, Visitation and Support—Time-Sharing Visitation <i>[New]</i>
§ 48:40.10	Dissolutions and Property Division Custody, Shared Parenting, Visitation and Support—Form—Model Time-Sharing Visitation Guidelines <i>[New]</i>
§ 48:40.11	Dissolutions and Property Division Custody, Shared Parenting, Visitation and Support—Support <i>[New]</i>
§ 48:40.12	Dissolutions and Property Division Custody, Shared Parenting, Visitation and Support Motions to Establish or Modify Child Support <i>[New]</i>
§ 48:40.13	Domestic violence—Issuance of summons <i>[New]</i>
§ 48:40.14	Dissolutions and Property Division Custody, Shared Parenting, Visitation and Support Domestic Violence—Contempt Proceedings <i>[New]</i>
§ 48:40.15	Domestic Violence—Reissuance of Emergency Protective Order Upon Transfer to Another Circuit <i>[New]</i>
§ 48:40.16	Domestic Violence—Domestic Violence Protocols
§ 48:40.17	Paternity Actions—Paternity Reopenings <i>[New]</i>
§ 48:40.18	Paternity Actions—Genetic Testing <i>[New]</i>
§ 48:40.19	Dependency, Neglect or Abuse—Orders in Dependency, Neglect or Abuse Actions <i>[New]</i>
§ 48:40.20	Dependency, Neglect or Abuse—Notice in Dependency, Neglect or Abuse Actions <i>[New]</i>
§ 48:40.21	Dependency, Neglect or Abuse—Service of Process <i>[New]</i>

- § 48:40.22 Dependency, Neglect or Abuse—Emergency Custody Orders in Dependency, Neglect or Abuse Actions *[New]*
- § 48:40.23 Dependency Neglect or Abuse—Petition *[New]*
- § 48:40.24 Dependency, Neglect or Abuse—Notice of Temporary Removal Hearing *[New]*
- § 48:40.25 Dependency, Neglect or Abuse—Orders from Hearings *[New]*
- § 48:40.26 Dependency, Neglect or Abuse—Continuances *[New]*
- § 48:40.27 Dependency, Neglect or Abuse—Dismissal *[New]*
- § 48:40.28 Dependency, Neglect or Abuse—Transfer *[New]*
- § 48:40.29 Dependency, Neglect or Abuse—Appearances *[New]*
- § 48:40.30 Dependency, Neglect or Abuse—Records and Transcripts *[New]*
- § 48:40.31 Dependency, Neglect or Abuse—Reports *[New]*
- § 48:40.32 Dependency, Neglect or Abuse—Case Plan and Case Progress Reports Required *[New]*
- § 48:40.33 Dependency, Neglect or Abuse—Reviews *[New]*
- § 48:40.34 Dependency, Neglect or Abuse—New Action *[New]*
- § 48:40.35 Adoption and Termination of Parental Rights—Venue and Petition *[New]*
- § 48:40.36 Adoption and Termination of Parental Rights—Adoption *[New]*
- § 48:40.37 Adoption and Termination of Parental Rights—Involuntary Termination *[New]*
- § 48:40.38 Adoption and Termination of Parental Rights—Orders Terminating Parental Rights *[New]*
- § 48:40.39 Adoption and Termination of Parental Rights—Post-Termination of Parental Rights—Review Hearing *[New]*
- § 48:40.40 Status Offenders—Review *[New]*
- § 48:40.41 Status Offenders—Interstate Compact on Placement of Children *[New]*
- § 48:40.42 Status Offenders—Diversion *[New]*
- § 48:40.43 Status Offenders—Petition *[New]*
- § 48:40.44 Status Offenders—Summons *[New]*
- § 48:40.45 Status Offenders—Proceedings *[New]*
- § 48:40.46 Status Offenders—Informal Adjustments *[New]*
- § 48:40.47 Status Offenders—Detention *[New]*
- § 48:40.48 Background checks *[New]*
- § 48:40.49 Duty to report dependency, neglect, abuse, human trafficking *[New]*
- § 48:41 Temporary custody *[New]*
- § 48:42 Foster care—Child protection rights *[New]*
- § 48:43 Deployed Parents Custody and Visitation Act *[New]*
- § 48:44 Deployed Parents Custody and Visitation Act Power of Attorney *[New]*
- § 48:45 Tax exemptions *[New]*
- § 48:46 Mandy Jo's Law *[New]*

TABLE OF CONTENTS

CHAPTER 49. GUARDIANSHIP

B. GUARDIANSHIP OF MINORS

- § 49:6 Rights and duties of the guardian—In general
- § 49:17.50 Settlement of minor's claims *[New]*

C. GUARDIANSHIP OF DISABLED PERSONS

- § 49:18.50 Special needs trust for disabled persons *[New]*
- § 49:21 Appointment
- § 49:28 Specific powers and duties of guardian
- § 49:38 Compensation of guardians

E. FORMS

- § 49:48 Petition for appointment of guardian for minor
- § 49:50 Fiduciary bond
- § 49:73 Application for appointment of fiduciary
- § 49:78 Order appointing counsel
- § 49:80 Order awarding fees
- § 49:81 Order for examination
- § 49:82 Report of interdisciplinary evaluation team
- § 49:83 Order setting time for hearing
- § 49:84 Judgment
- § 49:85 Order of appointment of guardian
- § 49:86 Order of appointment of conservator
- § 49:88 Petition for relief, modification or termination
- § 49:92 Power of Attorney for temporary delegation of parental rights regarding care and custody of child *[New]*
- § 49:92.50 De facto custodian *[New]*
- § 49:93 Power of Attorney for temporary delegation of parental rights regarding care and custody of child—Form *[New]*
- § 49:94 Provision of information to parent or legal guardian about community service programs *[New]*

Table of Laws and Rules

Table of Cases

Index