

5-103. *Venue.*

(a) *Proper County.* The venue for administrative or judicial probate shall be in the County in which the decedent had his domicile at the time of his death, or, if the decedent was not domiciled in Maryland, the County in which the petitioner believes that the largest part in value of the decedent's property in Maryland was located at the time of his death.

(b) *Situs.* For the purpose of determining venue for the administration of the estate of a decedent who was not domiciled in Maryland at the time of his death, the situs of tangible personal property is its location. The situs of intangible personal property is the location of the instrument, if any, evidencing a debt, obligation, stock or chose in action, or if there is no such instrument, the residence of the debtor. The situs of an interest in property held in trust is located in any County where the trustee may be sued.

(c) *Petition in more than one County.* Probate proceedings concerning a decedent shall not be maintained in more than one County. If such a proceeding is commenced in more than one County, the Court of the County where first filed shall have exclusive jurisdiction to determine venue. If proper venue is finally determined to be in another County, the proceeding, including any will, petitions or other papers filed therein, shall be transferred to the proper Court.

5-104. *Order of right to letters; persons excluded.*

(a) *Generally.* In granting letters in administrative or judicial probate, or in appointing a successor personal representative or a special administrator as provided in Part 4 of Subtitle VI, the Court and Register shall observe the following order of priority, with all persons in any of the following paragraphs considered as a class:

- (1) executors named in a will admitted to probate;
- (2) (a) the surviving spouse and children of an intestate decedent; or (b) the surviving spouse of a testate decedent;
- (3) residuary legatees;
- (4) the children of a testate decedent who are entitled to share in the estate;
- (5) the grandchildren of the decedent who are entitled to share in the estate;
- (6) the parents of the decedent who are entitled to share in the estate;
- (7) brothers and sisters of the decedent who are entitled to share in the estate;
- (8) other relations of the decedent who apply for administration;
- (9) the largest creditor of the decedent who applies for administration;
- (10) any other person having a pecuniary interest in the proper administration of the decedent's estate who applies for administration;