

the proceedings are certified to the Orphans' Court is included in §3-106(a). The provisions of §210(3) appear in §3-108(b).

SEC. 3-108. REAPPEARANCE OF ABSENTEE.

(A) IN GENERAL.

AN ABSENTEE WHO APPEARS AFTER THE GUARDIANSHIP HAS BEEN TERMINATED UNDER §3-106 MAY NOT BRING AN ACTION TO RECOVER ANY PORTION OF HIS PROPERTY FROM THE DISTRIBUTEES OF HIS ESTATE. HE IS LIMITED TO A CLAIM FOR REIMBURSEMENT FROM THE ABSENTEE INSURANCE FUND.

(B) PROCEEDING BY CLAIMANT AGAINST TREASURER.

IN A PROCEEDING BY THE CLAIMANT AGAINST THE TREASURER, THE COURT MAY ORDER PAYMENT TO THE CLAIMANT OF THAT PART OF THE ACCUMULATED FUND FROM ALL SOURCES AS IN THE COURT'S OPINION IS FAIR AND REASONABLE UNDER ALL THE CIRCUMSTANCES.

REVISOR'S NOTE: This section is new language derived from Art. 16, §§ 206 and 210(3). As is apparently the case under present law, the right to claim against the fund is not restricted to absentees subject to termination by §3-106(b).

SEC. 3-109. INSURANCE ON LIFE OF ABSENTEE NOT FOUND TO BE DEAD.

(A) PAYMENT TO BENEFICIARIES. NO CONTEST BY INSURER.

IF THE GUARDIANSHIP IS TERMINATED UNDER §3-106(B), THE COURT MAY DIRECT THE PAYMENT TO THE BENEFICIARIES OF ANY SUM DUE AND UNPAID UNDER ANY POLICY OF INSURANCE ON THE LIFE OF THE ABSENTEE, IF THE CLAIM IS UNCONTESTED BY THE INSURER.

(B) PAYMENT TO BENEFICIARIES - CONTESTED CASES.

IF THE GUARDIANSHIP IS TERMINATED UNDER §3-106(B) AND AN INSURER CONTESTS A CLAIM UNDER SUBSECTION (A) OF THIS SECTION, THE COURT HAS JURISDICTION OF THE MATTER AND SHALL DETERMINE, WITH THE AID OF A JURY IF ONE IS CALLED FOR, THE ISSUE OF DEATH OF THE ABSENTEE AND ANY OTHER ISSUE ARISING UNDER THE POLICY.