

PERSONAL REPRESENTATIVE OR SPECIAL ADMINISTRATOR, AND AN APPOINTMENT IS NOT MADE WITHIN THE 15 DAY PERIOD, THE RESIGNING PERSONAL REPRESENTATIVE MAY APPLY TO THE COURT FOR THE APPOINTMENT OF HIS SUCCESSOR.

(C) RESIGNATION EFFECTIVE.

THE RESIGNATION IS EFFECTIVE UPON THE APPOINTMENT OF A SUCCESSOR, AND THE RESIGNING PERSONAL REPRESENTATIVE SHALL IMMEDIATELY ACCOUNT FOR AND DELIVER THE PROPERTY BELONGING TO THE ESTATE TO THE SUCCESSOR OR SPECIAL ADMINISTRATOR.

(D) RESIGNATION OF COPERSONAL REPRESENTATIVE.

THE RESIGNATION OF A COPERSONAL REPRESENTATIVE IS EFFECTIVE UPON THE GIVING OF NOTICE AND THE FILING OF THE STATEMENT OF RESIGNATION AS PROVIDED IN THIS SECTION.

REVISOR'S NOTE: This section presently appears as Art. 93, §6-305. It is divided into four subsections. The only other changes are in language and style.

6-306. REMOVAL.

(A) CAUSE FOR REMOVAL.

A PERSONAL REPRESENTATIVE SHALL BE REMOVED FROM OFFICE UPON A FINDING BY THE COURT THAT HE:

(1) MISREPRESENTED MATERIAL FACTS IN THE PROCEEDINGS LEADING TO HIS APPOINTMENT,

(2) WILLFULLY DISREGARDED AN ORDER OF THE COURT;

(3) IS UNABLE OR INCAPABLE, WITH OR WITHOUT HIS OWN FAULT, TO DISCHARGE HIS DUTIES AND POWERS EFFECTIVELY;

(4) HAS MISMANAGED PROPERTY;

(5) HAS FAILED TO MAINTAIN ON FILE WITH THE REGISTER A CURRENTLY EFFECTIVE DESIGNATION OF AN APPROPRIATE LOCAL AGENT FOR SERVICE OF PROCESS AS DESCRIBED IN §5-105(A)(6); OR

(6) HAS FAILED, WITHOUT REASONABLE EXCUSE, TO PERFORM A MATERIAL DUTY PERTAINING TO THE OFFICE.

(B) REMAINING IN OFFICE.

EVEN IF THERE EXISTS CAUSE FOR REMOVAL FOR FAILURE