

(A) PROBATE OF WILL.

UNLESS IT IS ADMITTED TO ADMINISTRATIVE OR JUDICIAL PROBATE, OR RECORDED AS PROVIDED IN §5-504, A WILL IS INEFFECTIVE TO TRANSFER PROPERTY OR TO NOMINATE A PERSONAL REPRESENTATIVE.

(B) LETTERS.

EXCEPT FOR A FOREIGN PERSONAL REPRESENTATIVE, A PERSON MAY NOT QUALIFY AS OR EXERCISE THE POWERS AND DUTIES OF A PERSONAL REPRESENTATIVE UNLESS HE HAS BEEN APPOINTED ADMINISTRATIVELY OR JUDICIALLY.

REVISOR'S NOTE: This section presently appears as Art. 93, §5-102. Only a slight change is made in style and language.

5-103. VENUE.

(A) PROPER COUNTY.

THE VENUE FOR ADMINISTRATIVE OR JUDICIAL PROBATE IS 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 THE LARGEST PART IN VALUE OF THE PROPERTY OF THE DECEDENT 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 EVIDENCING A DEBT, OBLIGATION, STOCK, OR CHOSE IN ACTION. IF THERE IS NO INSTRUMENT, THE RESIDENCE OF THE DEBTOR GOVERNS. THE SITUS OF AN INTEREST IN PROPERTY HELD IN TRUST IS ANY COUNTY WHERE THE TRUSTEE MAY BE SUED.

(C) PROCEEDINGS IN MORE THAN ONE COUNTY.

PROBATE PROCEEDINGS CONCERNING A DECEDENT MAY NOT BE MAINTAINED IN MORE THAN ONE COUNTY. IF A PROCEEDING IS COMMENCED IN MORE THAN ONE COUNTY, THE COURT OF THE COUNTY WHERE PROCEEDINGS ARE FILED FIRST HAS EXCLUSIVE JURISDICTION TO DETERMINE VENUE. IF PROPER VENUE IS FINALLY DETERMINED TO BE IN ANOTHER COUNTY, THE PROCEEDING, INCLUDING A WILL, PETITION, OR ANY OTHER PAPER FILED, SHALL BE TRANSFERRED TO THE PROPER COURT.