

If in a proceeding under this clause the court determines that the representative has mismanaged the estate, misappropriated funds or committed other misconduct for which the surety is liable, the court shall settle the account and enter judgment against the representative and the surety as may be appropriate. The judgment may be filed, docketed and enforced in the same manner as any other judgment. This remedy is in addition to any other remedy for breach of the obligations of the bond.

Approved May 19, 1977.

CHAPTER 155—S.F.No.970

An act relating to probate; personal representatives; providing for appointment of successor representatives; amending Minnesota Statutes 1976, Section 524.3-613.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 524.3-613, is amended to read:

524.3-613 **PROBATE PROCEEDINGS; SUCCESSOR PERSONAL REPRESENTATIVE.** ~~Sections 524.3-301 to 524.3-311 and 524.3-401 to 524.3-414 govern proceedings for appointment of~~ Upon notice, if any, as the court or registrar shall require, the court upon petition and the registrar upon application may appoint a personal representative to succeed one whose appointment has been terminated. After appointment and qualification, a successor personal representative may be substituted in all actions and proceedings to which the former personal representative was a party, and no notice, process or claim which was given or served upon the former personal representative need be given to or served upon the successor in order to preserve any position or right the person giving the notice or filing the claim may thereby have obtained or preserved with reference to the former personal representative. Except as otherwise ordered by the court, the successor personal representative has the powers and duties in respect to the continued administration which the former personal representative would have had if his appointment had not been terminated.

Approved May 19, 1977.

CHAPTER 156—S.F.No.972

An act relating to probate; personal representatives; protecting certain good faith purchasers dealing with personal representatives; amending Minnesota Statutes 1976, Section 524.3-714.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 524.3-714, is amended to read:

Changes or additions indicated by underline deletions by ~~strikeout~~