

Rule 143

PROBATE PROCEEDING: TIME FOR HEARING WHEN DEFENSE TO PETITION FILED

- (a) **Hearing Continued When Defense Filed.** When a defense to a petition—other than a general denial such as one by a guardian *ad litem* or an attorney under the Servicemembers Civil Relief Act—is filed in a probate proceeding, the court must continue the hearing on the petition for at least 14 days unless the court finds there is a compelling reason to hear the petition immediately or continue the matter for a shorter period of time.
- (b) **Notice of Hearing.** Notice of a modified hearing date ordered under subsection (a), with a copy of the filed defense, must be given under K.S.A. 59-2208.

[**History:** New rule promulgated May 23, effective September 1, 1977; Am. effective April 1, 1987; Am. effective September 8, 2006; Restyled rule and amended effective July 1, 2012.]