

## IN THE SUPREME COURT OF THE STATE OF KANSAS

## ORDER

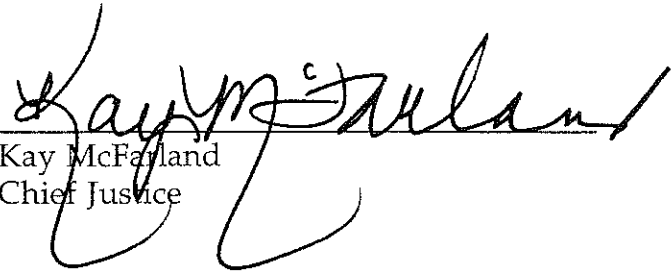
WHEREAS, the 1995 Legislature repealed K.S.A. 59-620, which had allowed sealed wills to be deposited with the district courts; and

WHEREAS, the 1995 Legislature repealed K.S.A. 59-212(a)(3), which required an index of deposited wills to be maintained;

NOW THEREFORE, IT IS DETERMINED AND ORDERED that sealed wills deposited with the district courts pursuant to K.S.A. 59-620 shall be maintained for a period of 75 years from date of deposit. During such time, the will shall be delivered only to the testator or upon testator's written order witnessed by at least two subscribing witnesses. If notified of testator's death, the court shall open the will publicly, give notice to the executor named in the will and such other persons as directed by the court, and retain the same. If proper venue is in another court, the will shall be transmitted to such court after a copy has been made. All sealed wills on deposit exceeding 75 years from date of deposit shall be destroyed without notification or reproduction. Means of destruction may include shredding, burning, or other method approved by the administrative judge pursuant to Supreme Court Rule 108.

FURTHERMORE, IT IS DETERMINED AND ORDERED that the will deposit index shall be maintained and shall include the date of destruction of deposited wills pursuant to Supreme Court Rule 108.

BY ORDER OF THE COURT this 8<sup>th</sup> day of May, 1996.

  
Kay McFarland  
Chief Justice