

2017 -- S 0663

LC002186

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROBATE COURTS -- CHANGES  
OF NAME

Introduced By: Senators Jabour, Lombardi, Nesselbush, and Archambault

Date Introduced: March 29, 2017

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 8-9-9 of the General Laws in Chapter 8-9 entitled "Probate Courts"  
2 is hereby amended to read as follows:

3 **8-9-9. General probate jurisdiction.**

4 Every probate court shall have jurisdiction in the town or city in which it is established of  
5 the probate of wills; the granting of administration, the appointment of custodians, of  
6 administrators, of guardians of persons and estates, or of persons only or of estates only, and of  
7 conservators; the accepting and allowing of bonds, inventories, and accounts of executors,  
8 administrators, and guardians; the granting of leave to sell at public or private sale, or to mortgage  
9 property, as hereinafter provided; of the making of partition of the real estate of deceased persons;  
10 of the adoption of persons eighteen (18) years of age or older; of change of names of persons  
11 [eighteen \(18\) years of age or older](#); of the removal or filling of a vacancy of a trustee of any trust  
12 established under a will, or the termination of such trust; of setting off and allowing real estate  
13 and personal property to widows and surviving husbands; and of all other matters now within the  
14 jurisdiction of probate courts. The court shall have power to accept the resignation of, or to  
15 remove, any custodian, executor, administrator, or guardian, or any other person appointed by the  
16 court, and also power to do and transact all matters and things incidental to the jurisdiction and  
17 powers vested in probate courts by law. Every probate court shall have the power to follow the  
18 course of equity insofar as necessary to fulfill the mandates of title 33 of the General Laws,

1 specifically: the replacement, removal, or filling of any vacancy of any trustee under a trust  
2 established under a will; or tax minimization or estate planning under § 33-15-37.1. The  
3 jurisdiction assumed in any case by the court, so far as it depends on the place of residence of a  
4 person, shall not be contested in any suit or proceedings except in the original case or on appeal  
5 therein or when the want of jurisdiction appears on the record.

6 SECTION 2. This act shall take effect upon passage.

=====  
LC002186  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO COURTS AND CIVIL PROCEDURE -- PROBATE COURTS -- CHANGES  
OF NAME

\*\*\*

- 1           This act would restrict the jurisdiction of probate courts over change of name to the
- 2 names of persons eighteen (18) years of age or older.
- 3           This act would take effect upon passage.

=====  
LC002186  
=====