

**412.070 Compensation of party pressing claims in common interest for others --
Notice to interested persons.**

- (1) In actions for the settlement of estates, or for the recovery of money or property held in joint tenancy, coparcenary, or as tenants in common, or for the recovery of money or property which has been illegally or improperly collected, withheld or converted, if one (1) or more of the legatees, devisees, distributees or parties in interest has prosecuted for the benefit of others interested with him, and has been to trouble and expense in that connection, the court shall allow him his necessary expenses, and his attorney reasonable compensation for his services, in addition to the costs. This allowance shall be paid out of the funds recovered before distribution. The persons interested shall be given notice of the application for the allowance, provided, however, that if the court before whom the action is pending should determine that it is impracticable and too expensive to notify all of the parties individually, then by order of said court, personal notice may be dispensed with and in lieu thereof, notice of the application shall be given by an advertisement pursuant to KRS Chapter 424.
- (2) The compensation herein provided for shall be authorized in actions now pending as well as actions hereafter instituted; provided, that in actions now pending final orders and judgments have not been ordered and the fund has not come into actual being.

History: Amended 1966 Ky. Acts ch. 239, sec. 227. -- Amended 1954 Ky. Acts ch. 204, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 489.