

2012 Kansas Statutes

17-6906. Same; procedure for adjudicating creditors' claims; appeal. (a) The clerk of the district court, immediately upon the expiration of the time fixed for the filing of claims, in compliance with the provisions of K.S.A. 17-6905, and amendments thereto, shall notify the receiver of the filing of the claims, and the receiver, within 30 days after receiving the notice, shall inspect the claims, and if the receiver or any creditor shall not be satisfied with the validity or correctness of the same, or any of them, the receiver shall forthwith notify the creditors whose claims are disputed of such decision. The receiver shall require all creditors whose claims are disputed to submit themselves to such examination in relation to their claims as the receiver shall direct, and the creditors shall produce such books and papers relating to their claims as shall be required. The receiver shall have power to examine, under oath or affirmation, all witnesses produced before the receiver touching the claims, and shall recommend to the court the allowance or disallowance of the claims, or any part thereof, and notify the claimants of such determination.

(b) The court shall approve, disapprove or modify the recommendations of the receiver and shall cause notice thereof to be given to the claimants. Within 30 days after receipt of such notice, any creditor or claimant dissatisfied with the court's determination shall have the right to a hearing thereon. The court, after hearing, shall determine the rights of the parties. Any party aggrieved thereby may appeal to the supreme court as a matter of right from the order or decree expressing such determination.

History: L. 1972, ch. 52, § 109; L. 2004, ch. 143, § 67; Jan. 1, 2005.