

**59-905. Duty of county attorney and attorney general.** The state shall be a party to all proceedings to which K.S.A. 59-901 applies. The county attorney shall represent the state and shall diligently protect and conserve the estate for the benefit of the state, scrutinize all claims against the estate, and diligently defend against all such claims. Claimants shall have the burden of proving their claims by clear and convincing evidence. The attorney general may appear and assist the county attorney, or take charge thereof in lieu of the county attorney. The state may institute any proceedings deemed necessary or proper in the handling of such estate, and defend any proceedings instituted by another. The attorney general may appoint such persons deemed necessary to investigate, protect, conserve, defend or handle such estate, and any such estate now pending or hereafter commenced in any court of this state shall be liable in a reasonable amount for all obligations and expenses incurred by the county attorney or attorney general in protecting, conserving, investigating, defending or handling of such estate, and the same shall be allowed by the district court as costs of administration upon application of the county attorney or attorney general and due proof.

**History:** L. 1939, ch. 180, § 75; L. 1973, ch. 231, §5; L. 1976, ch. 242, § 11; Jan. 10, 1977.