

### **633.22 Probate powers of clerk.**

The clerk shall have and may exercise within the county all the powers and jurisdiction of the court and of the judge thereof, in the following matters:

1. The appointment of personal representatives who are residents of the state, guardians and conservators for minors, the fixing and determining of the amount of the bond, or waiving the same when permitted by law or by will, and the approval of any and all bonds given by fiduciaries in the discharge of their duties.
2. The examination and approval of all intermediate and interlocutory accounts and reports of fiduciaries.
3. The admission of wills of decedents to probate, when not contested, and the making of necessary orders in relation thereto, including orders for the issuance of commissions to take depositions. Proof may be made before the clerk in the same manner as is made in open court.
4. The making of all necessary orders in relation to the personal effects of a deceased person, where no objection is filed, and perform all other acts within the clerk's jurisdiction, as provided in this probate code.
5. The approval, when notice has been waived by all persons interested, of petitions and reports, or joint petitions and reports, in respect to the sale, mortgage, pledge, lease or exchange of property pursuant to sections 633.386 to 633.400.
6. The entering of routine scheduling orders in probate matters as established by the chief judge in each judicial district.

[C51, § 1276; R60, § 2308; C73, § 2315, 2321; C97, § 250, 3267, 3268; S13, § 3268; C24, 27, 31, 35, 39, § **11828, 11832, 11838**; C46, 50, 54, 58, 62, § 631.10, 632.1, 632.7; C66, 71, 73, 75, 77, 79, 81, § 633.22]

94 Acts, ch 1050, §1; 2005 Acts, ch 38, §51