

633.85 Liability of fiduciary employing agents.

The fiduciary shall not be personally liable for the acts or omissions of any specialist, subordinate, or agent, unless it can be shown that the acts or omissions of the specialist, subordinate, or agent would have been a breach of duty by the fiduciary had the fiduciary personally done it, and that one of the following applies:

1. The fiduciary directed or permitted the breach.
2. The fiduciary did not select or retain the specialist, subordinate, or agent with reasonable care.
3. The fiduciary did not properly supervise the specialist, subordinate, or agent.
4. The fiduciary approved, acquiesced, or cooperated in the neglect, omission, misconduct, or default by the specialist, subordinate, or agent.

[C66, 71, 73, 75, 77, 79, 81, §633.85]

[2020 Acts, ch 1063, §337](#)

Section amended