§ 2112. Compensation of persons acting under powers of attorney or other instruments

1. At any time during the administration of an estate and irrespective of the pendency of a particular proceeding the court is authorized either on its own initiative or on application by the fiduciary or a person interested to fix and determine the compensation, charges and expenses of a person acting under a power of attorney or other instrument described in EPTL 13-2.3 for services rendered to his principal, and to review and determine the validity and reasonableness of any such compensation, charge or expense, whether or not it has been fixed previously by agreement.

2. In the event any such person has already received or been paid a sum in excess of the fair and reasonable value of his services, charges and expenses as determined by the court the latter is authorized to direct him to refund the excess. A proceeding therefor may be commenced by the court on its own initiative or by the petition of a person interested.

3. Nothing contained herein shall be deemed to authorize the practice of law by an attorney in fact or other person acting under an instrument described in EPTL 13-2.3 who is not an attorney of this state.