§ 2206. Compulsory account and related relief; proceedings thereupon

1. A petition to compel an account made pursuant to 2205 may request multiple relief (a) pursuant to 711 and 719 to suspend and/or remove a fiduciary who fails to appear on the return date of process or fails to file an account within such time and in such manner as directed by the court; (b) to appoint, immediately, an eligible person to succeed a fiduciary whose letters have been suspended or revoked; and (c) to take and state an account on behalf of a fiduciary who fails to account and procure its settlement.

2. On the presentation of a petition made pursuant to 2205 or when so directed by the court, process, including a summary statement of any proposed stated account, shall issue to the fiduciary accordingly and on the return thereof if the fiduciary fails to appear or to file an account or to show good cause to the contrary or to present a petition as prescribed in 2208 the court may by order direct the fiduciary to account within the time and in the manner directed by the court, to cause process to issue requiring all persons necessary to be served under 2210 to show cause why the account should not be judicially settled, cause such process to be served upon such persons and that the fiduciary attend before the court from time to time for the purpose of the settlement of the account. In addition, the order may (a) immediately suspend the letters of a fiduciary who fails to appear on the return date of process or who fails to file an account within such time and in such manner as directed by the court, (b) immediately appoint an eligible person to succeed a fiduciary whose letters are suspended, (c) schedule a hearing for the modification or revocation of the letters of a fiduciary whose letters are suspended, and (d) schedule a hearing to take and state an account on behalf of a fiduciary who fails to file an account and procure its settlement. Such order shall also direct the issuance of supplemental process to such persons entitled to notice on an application to suspend, modify or revoke a fiduciary's letters, to appoint a successor fiduciary or to settle a fiduciary's account.

3. The pendency of a proceeding against a fiduciary to compel an

accounting does not preclude the fiduciary from presenting a petition as prescribed in 2208. If such petition is presented on or before the return of process as prescribed herein, process issued thereon need not be directed to the petitioner who compelled the accounting, and the two proceedings must be consolidated.

4. After hearing the proofs of the parties the court may take and state the account and make such order or decree as justice shall require, notwithstanding the failure or refusal of the fiduciary to file such account and procure its settlement.