

**392.110 Default or collusive judgment no bar to dower or curtesy -- Collusive assignment does not bind heir.**

- (1) The surviving spouse shall not be barred of dower or curtesy by reason of any judgment rendered by default or collusion against the decedent, if the surviving spouse would be entitled to dower or curtesy had there been no such judgment.
- (2) No heir shall be bound by any collusive or ex parte assignment of dower or curtesy to the surviving spouse, except so far as the surviving spouse shows himself to have been justly entitled to the dower or curtesy.

**Effective:** October 1, 1942

**History:** Amended 1974 Ky. Acts ch. 386, sec. 82. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2140.