



THE CATHOLIC DIOCESE *of* RALEIGH PLANNED GIVING NEWSLETTER

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The Roman
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Are You a New Resident *of North Carolina?*



Have you or a family member recently moved to North Carolina? If so, then one matter you may want to address is whether one's estate planning documents need to be modified or updated to bring them into conformity with North Carolina law. The substantive language within the will is generally not an issue, but more often the problem is that, under North Carolina law, out-of-state wills may be probated here only if they meet North Carolina's requirements for a validly-executed will.

Many times, out-of-state wills do not meet these particular signature, self-proving, and notary requirements. In addition, estate planning documents that commonly derive from specific statutory authority, such as durable powers of

attorney, health care powers of attorney, and advance directives, are typically very different from state to state. Some states might recognize certain matters that fall within the realm of a health care agent's authority while others may not. Some states might allow an individual to make certain end-of-life decisions in certain particular medical situations, while other states might recognize different medical situations. One might also want to make sure these documents and the decisions made within them conform to Church teaching. Ultimately, these questions can best be answered by visiting with a North Carolina-licensed estate planning attorney who can review the out-of-state documents and offer suggestions on changes that might need to be made to bring them into compliance with North Carolina law.



Resources: *How The Office of Stewardship and Advancement Can Help*

For a free copy of our workbook or list of attorneys in your area please contact the office of Stewardship and Advancement at (919) 821-9774 or email us at ryan.flood@raldioc.org.