

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2269

Short Title: Settlement in Caveat to Will.

(Public)

Sponsors: Representatives Stam; and Pope.

Referred to: Judiciary.

June 1, 1990

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW A SUPERIOR COURT JUDGE TO ENTER JUDGMENT IN A
2 CAVEAT PROCEEDING IN ACCORDANCE WITH A SETTLEMENT
3 AGREEMENT ENTERED INTO BY THE PARTIES, EITHER SUSTAINING OR
4 SETTING ASIDE THE WILL AND TO REDUCE THE APPROPRIATION TO
5 THE ADMINISTRATIVE OFFICE OF THE COURTS FOR JUROR FEES.
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7 The General Assembly of North Carolina enacts:

8 Section 1. Article 6 of Chapter 31 of the General Statutes is amended by
9 adding a new section to read:

10 "**§ 31-37.1. Parties may enter into a settlement agreement.**

11 Prior to an entry of judgment by the superior court in a caveat proceeding, the parties
12 may enter into a settlement agreement, whereupon judgment may be entered by the
13 court, without a verdict by a jury, in accordance with the terms of the settlement
14 agreement, either sustaining or setting aside the contested will."

15 Sec. 2. The appropriation from the General Fund to the Administrative
16 Office of the Courts for the 1990-91 fiscal year for juror fees is reduced by the sum of
17 \$10,000.

18 Sec. 3. Section 1 of this act shall become effective October 1, 1990, and shall
19 apply to all caveats to wills whether filed on, before or after that date. Section 2 of this
20 act shall become effective July 1, 1990.