

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2269
Committee Substitute Favorable 7/5/90

Short Title: Settlement in Caveat to Will.

(Public)

Sponsors:

Referred to:

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.
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6 The General Assembly of North Carolina enacts:

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

9 "**§ 31-37.1. Parties may enter into a settlement agreement.**

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

14 Sec. 2. This act shall become effective October 1, 1990, and shall apply to all
15 caveats to wills whether filed on, before or after that date.