



CHAPTER 31

ARTICLE 4 - DEPOSITORY FOR WILLS

N.C.G.S. § 31-11.

Depositories in offices of clerks of superior court where living persons may file wills.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2025-54, s. 6(i) — fourth act in the lineage	21 September 2026, 02:53 UTC	64d9d268cc3675eb057d19ca - ab08a60963532e90272b7d34 - 5fce5e25ddfd945

- § 31-11(a)** The clerk of the superior court in each county of North Carolina is required to keep a receptacle or depository in which any testator who desires to do so may deposit that testator's original paper will for safekeeping. The clerk is only authorized to receive the will from the testator, or an agent or an attorney for the testator. Once a testator has died, the clerk is not authorized to receive the will for the clerk's receptacle or depository from any agent or attorney for the testator.
- § 31-11(b)** The clerk shall, upon written request of the testator, or the duly authorized agent or attorney for the testator, permit said will or testament to be withdrawn from said depository or receptacle at any time prior to the death of the testator.
- § 31-11(c)** While in the clerk's receptacle or depository, the contents of said will shall not be made public or open to the inspection of anyone other than the testator or the testator's duly authorized agent or attorney until the testator has died. Once the clerk has received proof of the testator's death, the clerk is authorized to allow the will to be made open to the inspection of any person interested in the testator's estate. The will shall remain in the clerk's receptacle or depository until the will is offered for probate.
- § 31-11(d)** The clerk is required to retain the original paper will until withdrawn, filed in the deceased testator's estate file, or once 60 years have passed since the will was originally deposited with the clerk. If after 60 years the will has not been withdrawn or filed in the deceased testator's estate file, the clerk is authorized to comply with records

retention rules for deposited wills set by the Director of the Administrative Office of the Courts.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1937		1981		2025
	TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT			CHARACTER
01	1937	c. 435, s. 1			ENACTED
02	1971	c. 528, s. 28			AMENDED
03	2011	S.L. 2011-344, s. 8			AMENDED
04	2025	S.L. 2025-54, s. 6(i)			AMENDED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 31-11 (2025).

PINPOINT

N.C. Gen. Stat. § 31-11(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1937, c. 435, s. 1; 1971, c. 528, s. 28; 2011-344, s. 8; 2025-54, s. 6(i).)

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