



CHAPTER 31
ARTICLE 6 - CAVEAT TO WILL

N.C.G.S. § 31-32.

Filing of caveat.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT No amendment history on record	RETRIEVED 21 September 2026, 03:29 UTC	SOURCE FINGERPRINT 48a39011622f7fe0eec6a901 - 9efa692c01110643e46abee5 - 44ffe73535b6bc7
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§ 31-32(a) At the time of application for probate of any will, and the probate thereof in common form, or at any time within three years thereafter, any party interested in the estate, may appear in person or by attorney before the clerk of the superior court and enter a caveat to the probate of such will; Provided that if any person entitled to file a caveat be within the age of 18 years, or incompetent as defined in G.S. 35A-1101(7) or (8), then such person may file a caveat within three years after the removal of such disability.

§ 31-32(b) The caveat shall be filed in the decedent's estate file. The clerk of superior court shall give notice of the filing by making an entry where the will is recorded, evidencing that the caveat has been filed and giving the date of such filing.

§ 31-32(c) If a will has been probated in solemn form pursuant to G.S. 28A-2A-7, any party who was properly served in that probate in solemn form shall be barred from filing a caveat. (C.C.P., s. 446; Code, s. 2158; Rev., s. 3135; 1907, c. 862; C.S., s. 4158; 1925, c. 81; 1951, c. 496, ss. 1, 2; 1971, c. 1231, s. 1; 2011-344, s. 8; 2024-33, s. 11.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
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G.S. 35A-1101(7) or (8)	(a)	<i>"years, or incompetent as defined in"</i>
G.S. 28A-2A	(c)	<i>"probated in solemn form pursuant to"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 31-32 (2026).

PINPOINT

N.C. Gen. Stat. § 31-32(a) (2026).

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

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