
When Should You Contest a Will in North Carolina?

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The death of a loved one causes strong emotional reactions. When it is discovered that the loved one left their estate in an unexpected manner, the strong feeling of grief is often accompanied by a feeling of anger and betrayal. When you contact a lawyer to help you determine if a will should be contested, you should be prepared to talk about the following subjects:

Mental Incapacity

A will is not valid if the testator was not competent at the time it was executed. You should be prepared to discuss what you and /or others observed about the mental status of the testator around the time the will was executed. If available, it is very helpful to know what the deceased medical records show about his or her mental capacity around the time the will was executed.

Undue Influence

Elderly people are sometimes unable to protect themselves. This is especially true in connection with persons they trust. Sometimes another person is able to substitute their will for the will of an elderly person. If this happens, it may be possible to overturn a will based undue influence.

Fraud

Elderly people often have poor memories. Sometimes unscrupulous people are able to deceive an elderly person and con them into executing a new will. If this happens it may be possible to overturn the will based on fraud.

Defective Execution

There are strict rules governing the execution of wills in North Carolina. An experienced attorney will be able to determinate whether a will was properly executed. Improperly executed wills are not valid under the North Carolina law.

Will contests often involve complex issues of law and fact. It is critical for you to have experienced representation. Our team has lawyers who regularly teach other lawyers how to handle will contest cases. If you believe that you may have

proper grounds to contest a will, please contact one of our experienced litigators below:

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