

Catawba Valley Paralegal Association
Continuing Paralegal Education Presentation

Shirley Herman Anthony, Presenter
September 13, 2011
Catawba Valley Community College Auditorium
6:00 o'clock P.M.

“A Primer on Probate”

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| A. What is probate – and why do so many planners seek to avoid it? | 10 min. |
| 1. Advantages and Disadvantages | |
| 2. Common versus solemn form | |
| 3. Probate versus non-probate assets | |
| 4. Process in general | |
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| B. Dying testate versus dying intestate | 10 min. |
| 1. North Carolina Intestate Succession Act | |
| 2. Personal representative | |
| 3. Bonding requirements | |
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| C. Small estate administration | 5 min. |
| 1. Affidavit for Collection of Personal Property | |
| 2. Automobiles | |
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| D. Surviving Spouses | 15 min. |
| 1. Surviving Spouse’s Year’s Allowance | |
| 2. Petition for Summary Administration | |
| 3. Elective Share | |
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| E. Taxes to be considered | 10 min. |
| 1. Decedent’s final income tax return | |
| 2. Income tax return for estate | |
| 3. Federal estate tax return | |
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| F. Question and Answer time | 10 min. |

*Resources:

1. North Carolina General Statutes Chapters 28A, 29, 30 and 31
2. McLamb, Janet H. and Vira, Lisa K., Edwards’ North Carolina Probate Handbook
3. Huggard, John Parker, North Carolina Estate Settlement Practice Guide