

# THE RISELING REPORT . . . . .

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## **OKLAHOMA ADOPTS UNIFORM INTERNATIONAL WILLS ACT**

The Uniform International Wills Act (“UIWA”) became law in Oklahoma on November 1, 2010. The UIWA was drafted by the Uniform Law Commission to implement the 1972 UNIDROIT “Convention Providing a Uniform Law on the Form of an International Will.” Prior to the enactment of the UIWA, an Oklahoma Court would recognize, probate, and enforce foreign Wills provided that the Wills were made in accordance with the law of the jurisdiction where the Will was executed. By adopting the UIWA, an Oklahoma has given its residents the ability to have their Oklahoma Wills enforced abroad.

The UIWA has provisions for how an International Will is executed and witnessed. Like Oklahoma’s domestic Wills statute, an International Will requires two witnesses. However, unlike a domestic Will, an International Will also requires the execution of the Will to take place in front of an “authorized person” who attaches a certificate to the Will stating that the Will was executed in accordance with the UIWA. An “authorized person” is an attorney admitted to practice in the State of Oklahoma or a member of the diplomatic and consular service of the United States.

UIWA has been adopted by the following U.S. jurisdictions: Alaska, California, Colorado, Connecticut, Delaware, District of Columbia, Illinois, Maryland, Minnesota, Montana, Nevada, New Mexico, Oklahoma, U.S. Virgin Islands, & Virginia. The following international jurisdictions currently honor International Wills executed in compliance with the UIWA: Belgium, Bosnia, Ecuador, Herzegovina, Canada, Cyprus, France, Italy, Libya, Niger, Portugal, and Slovenia.

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