

## **CHAPTER 30.1-35**

### **EFFECTIVE DATE - TRANSITION**

#### **30.1-35-01. Time of taking effect - Provisions for transition.**

1. This title takes effect on July 1, 1975.
2. Except as provided elsewhere in this title, on the effective date of this title or any amendment to this title:
  - a. The title or amendment applies to any wills of decedents dying thereafter. No provision of this title, however, shall be effective to invalidate any will executed prior to July 1, 1975, when that will would be valid under the laws of this state in effect at the time of its execution.
  - b. The title or amendment applies to any proceedings in court then pending or thereafter commenced regardless of the time of the death of decedent except to the extent that in the opinion of the court the former procedure should be made applicable in a particular case in the interest of justice or because of infeasibility of application of the procedure of this title.
  - c. Every personal representative, including a person administering an estate of a minor or incompetent holding an appointment on that date, continues to hold the appointment but has only the powers conferred by this title or the amendment and is subject to the duties imposed with respect to any act occurring or done thereafter.
  - d. An act done before the effective date in any proceeding and any accrued right is not impaired by this title or the amendment. If a right is acquired, extinguished, or barred upon the expiration of a prescribed period of time which has commenced to run by the provisions of any statute before the effective date, the provisions shall remain in force with respect to that right.
  - e. Any rule of construction or presumption provided in this title or the amendment applies to instruments executed and multiple-party accounts opened before the effective date unless there is a clear indication of a contrary intent.
  - f. A person holding office as judge of the court on the effective date of this title may continue the office of judge of this court and may be selected for additional terms after the effective date of this title.