

RCW 11.12.020 Requisites of wills—Foreign wills—Electronic presence. (1) Except as provided in RCW 11.12.400 through 11.12.491, every will shall be in writing signed by the testator or by some other person under the testator's direction in the testator's presence or electronic presence, and shall be attested by two or more competent witnesses, by subscribing their names to the will, or by signing an affidavit that complies with RCW 11.20.020(2), while in the presence or electronic presence of the testator and at the testator's direction or request: PROVIDED, That a last will and testament, executed in the mode prescribed by the law of the place where executed or of the testator's domicile, either at the time of the will's execution or at the time of the testator's death, shall be deemed to be legally executed, and shall be of the same force and effect as if executed in the mode prescribed by the laws of this state. Any will executed by a testator and witnesses who are not in the same physical location but in the electronic presence of one another in accordance with this section may be executed, attested, or acknowledged in counterparts, which together shall be considered a single document.

(2) This section shall be applied to all wills, whenever executed, including those subject to pending probate proceedings. [2021 c 140 s 1013; 1990 c 79 s 1; 1965 c 145 s 11.12.020. Prior: 1929 c 21 s 1; 1917 c 156 s 25; RRS s 1395; prior: Code 1881 s 1319; 1863 p 207 ss 53, 54; 1860 p 170 ss 20, 21. FORMER PART OF SECTION; re nuncupative wills, now codified as RCW 11.12.025.]

Effective date—2021 c 140 ss 1001-1016: See note following RCW 11.12.400.