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International Wills in Oregon: ORS 112.232 and the Uniform International Wills Act

by Kwisik "Kenny" Kim, Associate, Chinn Smith Winters LLP



Attorneys navigating cross-border estate planning may encounter questions about whether a will, such as one executed abroad by a non-resident decedent who left assets in Oregon, can be admitted to probate in Oregon as a valid will. The Uniform International Wills Act (UIWA), codified at ORS 112.232, provides a statutory framework to address this issue. A will executed in compliance with the UIWA is deemed valid in form under Oregon law, regardless of where it was signed, where the testator resided, or where the assets are located. For practitioners, understanding the requirements of the international will format is essential to advising clients

with international ties and ensuring that their wills are honored in Oregon courts and potentially abroad.

Background: Oregon's Adoption of the Uniform International Wills Act

To promote certainty and uniformity in the formal validity of wills for individuals with assets or connections in multiple countries, the Convention Providing a Uniform Law on the Form of an International Will was held in Washington D.C., in October 1973 (Convention). The United States was

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among the countries that signed or ratified the Convention.

Although the United States signed the Convention, its implementation requires state-level enabling legislation because, under the federal system, wills and estates are primarily governed by state law. To facilitate this, the Uniform Law Commission developed the UIWA as a model for state adoption. As of today, fewer than half of the states, including Oregon, have enacted the UIWA. In Oregon, the Act is codified at ORS 112.232.

Cross-Jurisdictional Recognition of UIWA-Compliant Wills

Oregon recognizes a will that complies with the requirements of the UIWA as valid in form, regardless of the place of execution, the location of the testator, or the situs of the assets. ORS 112.232(2)(a). Under ORS 112.235(3), “[a] will executed in compliance with the [UIWA] is deemed to have complied with the formalities of this section.” Similarly, ORS 112.255(2) provides that “[a] will is lawfully executed if it complies with the [UIWA].” If Oregon recognizes an international will, it would allow the personal representative to distribute the decedent’s assets located in Oregon in accordance with Oregon law.

Likewise, an international will executed in Oregon in accordance with the UIWA should also be recognized as valid in form in other U.S. jurisdictions that have adopted the UIWA, as well as in foreign countries that are parties to the Convention. If that jurisdiction

- recognizes the international will, it would allow for the distribution of the decedent’s assets located there in accordance with that jurisdiction’s law. Best practice, however, particularly for clients with real property in other countries, is to work with local counsel to ensure compliance with any local law requirements, as the rules governing the disposition of real property can be stricter than those for personal property.

Requirements of an International Will in Oregon

ORS 112.232(3) and (5) lay out the mandatory formalities for a will to qualify as an “international will.” These formal requirements are in addition to the usual will formalities. In summary, an international will must meet the following key requirements:

- **Written Form:** The will must be in writing in any language of the testator’s choice (it may be hand-written or by typed). ORS 112.232 (3)(a).
- **Declaration:** The testator must declare, in the presence of two witnesses and an authorized person, that the document is their will and that they know its contents. ORS 112.232(3)(b). The testator need not disclose the contents to the witnesses or authorized person. *Id.*

Signature: The testator must then sign the will (or acknowledge a prior signature) in the presence of those witnesses and the authorized person. ORS 112.232(3)(c). If a testator is unable to sign, they may direct

“International Wills”

Continued from previous page

someone else present, including the authorized person or a witness, to sign on the testator’s behalf, and then the authorized person must note the reason for the testator’s inability to sign on the will. ORS 112.232(3)(d).

- **Attestation by Witnesses and Authorized Person:** The two witnesses and the authorized person must there and then attest the will by signing it in the presence of the testator, following the testator’s signing or acknowledgment. ORS 112.232(3)(e).
- **Certificate by Authorized Person:** The certificate signed by the authorized person is a critical feature of an international will. Either an attorney admitted and currently licensed to practice law in Oregon or certain U.S. diplomatic and consular officers, if designated by federal services regulation), can serve as the “authorized person” to supervise the execution of the will. ORS 112.232(1)(b) and (9). The authorized person must complete and sign the certificate, as prescribed in ORS 112.232(5), attach it to the will, retain a copy of the signed certificate, and provide a copy to the testator. ORS 112.232(5).

Absent evidence to the contrary, the signed certificate serves as conclusive proof that the statutory formalities have been met, including the date and place of execution, the testator’s declaration that the document is their will, the testator’s signature in the presence of witnesses, the signatures of the witnesses and authorized person, proper numbering and signing of each page, and verification of



identities. ORS 112.232(5), (6).

ORS 112.232(4) sets forth additional requirements of an international will. However, a will that complies with subsection (3) remains valid even if it does not satisfy the requirements of subsection (4). ORS 112.232(4)(d).

- **Location of Signatures:** All signatures must be at the end of the will. ORS 112.232(4) (a). If the will is multiple pages, each page should be numbered and signed by the testator (or by a proxy signer if the testator is unable to sign), as noted above. Id.
- **Date:** The date of the will must be the date on which the authorized person signs it, and the authorized person must record that date at the end of the will. ORS 112.232(4)(b).
- **Safe Keeping:** The authorized person is also required to ask the testator about safekeeping of the will and record the testator’s wishes on that in the certificate. ORS 112.232(4)(c).

“International Wills”*Continued from previous page*

In summary, ORS 112.232 and related statutes offer a framework for attorneys handling international wills. Even if a will does not qualify as an international will under Oregon law, it may still be admitted to probate if it was executed in accordance with the law of the place where it was signed, Oregon law, or the law of the testator’s domicile at the time of execution or death (see ORS 112.255(1)), or on other applicable grounds.

In practice, however, using the UIWA format provides greater certainty and simplicity for many clients, as compliance with its requirements is sufficient on its face to satisfy Oregon’s standards for execution.

Sources:

OSB 112.232 (Uniform International Wills Act).

ORS 112.235 (Execution of a will).

OSB 112.255 (Validity of execution of a will).

Administering Oregon Estates, §4.2-2(c) (OSB Legal Pubs 2023).

U.S. Dep’t of State, Convention Providing a Uniform Law on the Form of an International Will, <https://www.state.gov/wills-convention> (last visited July 30, 2025).

Uniform Law Comm’n, Uniform International Wills Act (1977) – Act Summary, <https://www.uniformlaws.org/committees/community-home?CommunityKey=e0a2332d-5263-4fab-880f-1607fc5affba> (last visited July 30, 2025).

Int’l Inst. for the Unification of Priv. L. (UNIDROIT), Convention Providing a Uniform Law on the Form of an International Will (1973),

<https://www.unidroit.org/instruments/international-will/> (last visited July 30, 2025). K. Zelko, ORS 112.232, the Uniform International Wills Act – Neither Uniform nor International, *Or. Est. Plan. & Admin. Sec. Newsl.*, Vol. V, No. 2 (May 1988).

About The Author

Kwisik “Kenny” Kim is originally from Seoul, South Korea. Before practicing law, he spent more than a decade in overseas business contracting, including long-term assignments in Africa, before transitioning into law.

Kenny joined Chinn Smith Winters in 2025 to focus his practice on civil defense and litigation. He began his legal career at an estate planning and probate law firm in 2021 before joining CSW. The skills and experience gained from both his business and legal careers bring a unique dimension to his practice.

**Register Now for Celebrating Oregon Lawyers on Oct. 22**

You are invited to the 2025 Celebrating Oregon Lawyers event, where we will honor the remarkable work of so many lawyers making a difference every day across our state.

Celebrate Oregon Lawyers honors the winners of the Oregon State Bar Awards, the winners of the Pro Bono Challenge, and our 50-year and 40-year members. Among the impressive list of award winners, Robert Klonoff will receive the Award of Merit, the highest honor given by the bar. You can see the list of other award winners [here](#).

This year’s Celebrate Oregon Lawyers event will be held on Wednesday, October 22, beginning at 5:00 p.m. at the Sentinel Hotel in Portland.

Please register today [here](#), and we look forward to celebrating with you in October!

Reviving Community, Not Just CLE Credit: The Spirit of the UnCLE



By Austin Willhoft, Attorney Fellow, Kueny Law featuring Mark Williams

When elder law veteran Mark Williams launched the first UnCLE in Oregon, it was an experiment. No keynote speakers. No printed binders. No PowerPoint slides. Just a group of attorneys gathered in a hotel meeting room, talking shop.

“NAELA had something similar called the ‘Un-Program’,” Williams explained. “You’d fly into an airport hub, pick your session, and walk into a room where people were simply sharing ideas, experiences, and forms. I shamelessly ripped off the format — and the name.”

That original idea grew into what is now the UnCLE — a longstanding tradition that has only gained momentum over the years. Its unconventional format isn’t a drawback; in fact, it’s what makes the event so effective. By breaking away from the standard CLE structure, the UnCLE fosters a level of openness, collaboration, and real-world problem-solving that continues to resonate with elder law attorneys across Oregon.

From Resistance to Ritual

“There was real resistance at first,” Williams recalled. “No one thought anyone would show up to a CLE without a speaker or formal materials. But they did — and they loved it.” Early events drew about 60 attendees. But once word spread, the UnCLE became a can’t-miss gathering for Oregon elder law attorneys. The decision to hold it outside

Portland was strategic. “If you hold it in Portland, lawyers go back to their offices between sessions,” Williams said. “By hosting it in Eugene, we made it immersive. People stuck around, had lunch, and talked — really talked.” Having attended the UnCLE in 2025, I now understand exactly what he means. The atmosphere was relaxed yet rich in insight. I found myself having meaningful conversations not just during sessions, but over coffee, lunch, and late into the evening. The informality allowed me, as someone fresh out of law school, to ask questions without hesitation and receive guidance from some of the most experienced minds in our field.

A Space to Learn, Share, and Be Human

The UnCLE is known for its community-based discussion, open-ended dialogue, and long breaks designed to spark informal mentorship and collaboration. “You can bring up a problem and get real-time insight from 15 or 25 lawyers who know exactly what you’re dealing with,” said Williams. “And it’s not 800 lawyers silently judging you — it’s a sympathetic room.” These moments have value that far exceeds CLE credits. During this year’s UnCLE, for example, discussions from Medicaid eligibility and the undue hardship waiver to protective proceedings gave new and experienced attorneys alike clarity on difficult issues. I even brought up a case I was working on, and within minutes, I had a half-dozen attorneys weighing in,

offering suggestions, and sharing stories. That kind of collaborative support simply doesn't happen in a lecture hall. "One of the best things about the UnCLE is realizing you're not the only one facing these puzzles," Williams said. "You find out how others are dealing with the same state agency or the same obscure rule."

A Growing Field with Deep Roots

Williams has practiced elder law for over 35 years, but his passion hasn't dimmed. If anything, it's strengthened through the bonds formed in events like the UnCLE. "What keeps me coming back is the people — they're not just smart, they're kind," he said. "We're not adversaries in elder law. We're collaborators trying to solve problems for families." He's seen the field grow from a handful of practitioners to a dynamic and collegial community. Still, he notes, there's a critical need for newer attorneys to enter the field as older generations retire. "People like Cindy Barrett, Donna Meyer, and Wes Fitzwater saw early on that this field couldn't survive if only a few people were experts," Williams said. "We need new voices, new energy — and spaces like the UnCLE to pass that torch."

As someone who attended the UnCLE this year, I've seen firsthand how that torch gets passed — through casual conversations, shared outlines, open Q&A, and a willingness to make space for those just entering the field. It's one of the few legal communities where mentorship feels woven into the culture.

UnCLE 2026: Don't Miss It!

The next UnCLE is expected to take place in

Bend, OR in May 2026. Whether you're new to elder law or a longtime practitioner, UnCLE offers something that traditional CLEs simply can't replicate. "No two clients are the same," Williams said. "Every week, someone walks into your office with a story you've never heard before. That's what makes this work so fulfilling. And UnCLE? It reminds you you're not alone in it."

Since attending the UnCLE, I find myself more confident in my case strategy discussions, more likely to pick up the phone and call another elder law attorney, and more open to sharing what I know with others. The experience made me more connected to the purpose behind the work. If you've never attended UnCLE, this is your chance to experience the wisdom, warmth, and camaraderie that makes this event unlike any other. See you in Bend.

About The Author

Austin is a recent graduate of Willamette University and is excited to continue advancing his legal career. Known for his dynamic personality and passion for learning, Austin is steadily expanding his expertise in Estate and Long-Term Care Planning.

Austin is currently participating in the Supervised Practice Portfolio Examination (SPPE) through the Oregon State Bar. The program provides him the opportunity to develop and demonstrate practical legal skills under the direct supervision of a licensed attorney. Successful completion of this program will qualify Austin for licensure in the State of Oregon.

Don't Miss Out! UnCLE 2026 Date and Location Announcement

May 1st, 2026 - UnCLE will be at the Riverhouse Lodge in Bend, Oregon. The Riverhouse Lodge has graciously agreed to 25 rooms on Thursday 4/30/26 and 20 rooms Friday 5/1/26 for \$187.62 per night. Call the Riverhouse Lodge today and reserve your room. Be sure to let them know you are with the OSB Elder Law Section UnCLE to get your discount.

OSB Estate Planning Education & Events



Cosponsored by the Estate Planning and Administration Section

Date: Friday, November 14, 2025

Time: 8:55 a.m.–4:30 p.m.

Location: Oregon State Bar Center, 16037 SW Upper Boones Ferry Rd, Tigard

Credits: 6 General CLE credits

Cost: \$210

The Estate Planning and Administration Section is co-sponsoring a full-day, in-person CLE designed for seasoned estate planning professionals. This year's program explores practical strategies for handling complex, multi-state estates and addresses the Oregon natural resource property exclusion. Additional sessions will focus on planning considerations following the "One Big Beautiful Bill" and navigating potential conflicts between federal and state law.

A panel of experienced practitioners will also host an Ask the Experts segment, offering attendees the opportunity to discuss real-world challenges and emerging trends in estate planning.

For questions about dietary needs or accessibility accommodations, please contact the OSB CLE Department at (503) 431-6326 or (800) 452-8260, ext. 326 at least 72 hours before the event.

[Click here for the OSB Event Page](#)

BROCHURE AVAILABLE ON PAGES 9 through 11

OSB Estate Planning Education & Events



Upcoming Web Credenza Content

[LIVE REPLAY: Trust and Estate Planning in 2025: Embracing Change and Overcoming](#)

10/23/2025 / COURSE DESCRIPTION

Trust and estate planning in 2025 will require navigating many rocky patches. There are new assets classes. Inflation is rising. We are still dealing with the ongoing effects of the pandemic. There is legislation pending to substantially alter the taxability of estates. Familiar planning platforms and techniques may no longer be efficacious as change unfolds. Planning requires not only looking at the law as it is today but as it may change – perhaps dramatically – during the year. This program will provide you with a practical guide to planning in the uncertainty.

- Tax legislation that will or has changed the taxability of estates
- Planning with rising inflation – and higher interest rates?
- Trends in valuation of estates with higher rates
- Considering how to handle new asset classes
- Planning for the ongoing effects of the pandemic

COURSE INFO

- Presentation Date: 10/23/2025
- Next Class Time: 10:00 AM PT
- Duration: 60 min
- Format: Audio Webcast
- Program Code: 01312025cc
- MCLE Credits: 1 hour(s)

[Mine, Yours and Ours: Trust and Estate Planning for Non-Traditional Families, Part 1](#)

10/29/2025 / COURSE DESCRIPTION

Modern families demand modern planning strategies that traditional estate planning often fails to address. This comprehensive two-part program equips attorneys with the specialized knowledge needed to serve blended families, unmarried partners, LGBTQ+ couples, and other non-traditional family structures. Navigate complex inheritance issues, custody considerations, and beneficiary designations that reflect today's diverse family realities.

- You can read about Part 1 and Part 2 contents [here](#)

COURSE INFO

- Presentation Date: 10/28/2025
- Next Class Time: 10:00 AM PT
- Duration: 60 min.
- Format: Audio Webcast
- Program Code: 10282025
- MCLE Credits: 1 hour(s)

Speakers:

Missia H. Vaselaney
Michael Sneeringer

Advanced Estate Planning 2025

Cosponsored by the Estate Planning and Administration Section

Register at www.osbar.org/seminars (search for AEP25)



Geared for more experienced estate planning attorneys, this seminar covers a host of topics to stay proficient. Learn about planning for clients with multi-state estates and the Oregon natural resource property exclusion. Delve into estate planning after the One Big Beautiful Bill and planning for conflicts between federal and state law. A panel of featured speakers will answer your estate planning questions during the Ask the Experts session. **Estate Planning and Administration Section members save \$20 off registration rates. Special thanks to the Estate Planning and Administration Section for sponsoring lunch for all in-person attendees.**

Friday, November 14, 2025

8:55 a.m.–4:30 p.m. PST

Oregon State Bar Center

16037 SW Upper Boones Ferry Rd., Tigard or
Via Live Webcast

CLE credits: 6 General

MCLE ID #: 126467

Register now at www.osbar.org/seminars
(search for AEP25)



In-Person Event

\$125	ONLD member
\$180	Estate Planning and Administration Section member
\$200	OSB member
\$210	Non-OSB member
\$0	Box lunch (section sponsored)

Electronic materials are included with your registration.



Live Webcast

\$125	ONLD member
\$180	Estate Planning and Administration Section member
\$200	OSB member
\$210	Non-OSB member

Webcast registration includes online access to the recorded seminar for 60 days after the event. Electronic materials are included with your registration.



Closed captions available

50-Year and Active Pro Bono OSB members and Oregon judges and their lawyer staff – please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413 to register for the seminars.



Questions or need help with registration?

Call or email the OSB CLE Service Center:
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Advanced Estate Planning 2025

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Schedule

- | | |
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| <p>8:00 Registration and Continental Breakfast</p> <p>8:55 Welcome</p> <p>9:00 Multi-State Estates: Planning for Clients Who Own Property in Multiple States</p> <ul style="list-style-type: none"> • Washington estatetax changes • Preservation of community property in Oregon • Using LLCs to change taxable situs • Drafting to accommodate multiple states with differing tax structures <p>Susan Bock, Stoel Rives LLP, Portland, OR</p> <p>10:00 Break</p> <p>10:10 Oregon Natural Resource Property Exclusion</p> <ul style="list-style-type: none"> • Overview of amended statuteand new administrative rule • Choosing between the exclusion and the credit • Using business entities for property ownership • Intra-family transfers and asset replacements • Drafting to maximize benefits <p>John Draneas, Draneas Huglin Dooley LLC, Lake Oswego, OR</p> <p>Heather Gilmore, Heather O Gilmore PC, Keizer, OR</p> <p>Barbara Smith, Heltzel Williams PC, Salem, OR</p> <p>11:40 Lunch (Sponsored by the Estate Planning and Administration Section)</p> <p>12:40 Estate Planning After the One Big Beautiful Bill!</p> <p>Hot Planning topics now that we have permanence in the estate tax</p> <p>Paul Lee, Northern Trust, New York, NY Mr. Lee's presentation is generously sponsored by Northern Trust Company</p> <p>2:10 Break</p> | <p>2:20 Planning for Conflicts Between Federal and State Law • Differences between Federal and Oregon estate tax laws</p> <ul style="list-style-type: none"> • Where you can't, or don't want to, have it both ways <p>John Hawkins, Grove Mueller Swank PC, Salem, OR</p> <p>3:20 Break</p> <p>3:30 Ask the Experts</p> <p>Our panel includes some of our featured speakers as well as additional experts. You're welcome to ask them any questions you have—no estate planning topic is off-limits.</p> <p>Susan Bock, Stoel Rives LLP, Portland, OR</p> <p>John Draneas, Draneas Huglin Dooley LLC, Lake Oswego, OR</p> <p>Heather Gilmore, Heather O. Gilmore PC, Keizer, OR</p> <p>John Hawkins, Grove Mueller Swank PC, Salem, OR</p> <p>Barbara Smith, Heltzel Williams PC, Salem, OR</p> <p>4:30 Adjourn</p> |
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Advanced Estate Planning 2025

Cosponsored by the Estate Planning and Administration Section

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Cancellations: Cancellation requests must be received at least 72 hours prior to the date of the seminar to qualify for a refund. Refunds are subject to a \$25 cancellation fee. To cancel, please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413.

Tuition Assistance: Email a request stating your financial situation to cle@osbar.org or call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413, no later than one week before the seminar.

Dietary Restrictions or Accessibility

Accommodations: Please call (503) 431-6375 or (800) 452-8260, ext. 375, at least 72 hours before the date of the seminar.

Hotel Accommodations: Discounted rates are available at The Grand Hotel at Bridgeport, 7265 SW Hazel Fern Rd., Tigard, OR 97224. Call 503-968- 5757 / toll free 1-866-968-5757 and reference the Oregon State Bar rate or click [here](#) reserve online.

Products

AEP25.CD

Audio CDs with electronic materials..... \$200

This seminar will be available on-demand after the live program. Please visit www.osbar.org/seminars and search for AEP25. On-demand access is available for 60 days after the date of purchase.

Are You Interested in Learning About or Just Getting Started in Private Practice?

The Professional Liability Fund is sponsoring a practical skills seminar, "Learning the Ropes," for new admittees and lawyers entering private practice. The workshop includes information on developing a successful practice and avoiding legal malpractice, professionalism/ethics workshop, practical tips from judges and lawyers, and presentations on setting up effective office systems.

Attendance at the full program will satisfy MCLE requirements for new admittees' first reporting period. The workshop will be held Nov. 10-12 at the DoubleTree Hotel Lloyd Center in Portland. The \$50 registration fee includes the entire workshop and lunch on Nov. 10 and 11.

Registration deadline is Nov. 1. You may print a flyer from the PLF website www.osbplf.org. If you do not have Internet access, write, fax or e-mail Karen Neese, Professional Liability Fund, P.O. Box 1600, Lake Oswego, OR 97035; fax: (503) 684-7250; or e-mail: karenn@osbplf.org.

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