



MEMORANDUM OF UNDERSTANDING

Between

Pennsylvania Community Foundation Association (PACFA)

and

**Register of Wills and Clerks of Orphans' Court Association of Pennsylvania
(RWOCAP)**

Effective Date: 5/1/26

I. Background

Act 50 of 2025 ("Act 50"), signed into law at the end of 2025, amended Pennsylvania's intestate succession laws, including provisions within Title 20 (Decedents, Estates and Fiduciaries Code), to direct certain unclaimed or heirless estate assets to qualified community foundations for the benefit of the county in which the decedent resided. The Act requires notice to the Office of Attorney General pursuant to 20 Pa.C.S. provisions governing estates without known heirs, and establishes criteria under which a qualified community foundation may receive and steward such funds in a permanent endowed county charitable fund.

Act 50 was spearheaded by RWOCAP with the support of PACFA. Now that Act 50 is law, both organizations recognize that successful implementation requires coordinated guidance, uniform interpretation, and transparent reporting. Some responsibilities are mandated by statute; others are implied by professional standards or represent best practices necessary for consistent statewide implementation.

II. Organizational Missions and Shared Interest

A. RWOCAP

RWOCAP represents the elected Registers of Wills and Clerks of Orphans' Court across Pennsylvania. Its mission is to promote uniformity, professionalism, and excellence in probate and orphan's court administration.

Successful implementation of Act 50 ensures lawful administration of intestate estates under Title 20, clarifies procedures for personal representatives, and preserves the integrity of estate settlement processes.

B. PACFA

PACFA strengthens and unifies community foundations across the Commonwealth to enhance collective impact and promote best practices.

Successful implementation of Act 50 ensures that qualified community foundations steward endowed broad-based county funds in compliance with statutory requirements, maintain public trust, and support charitable purposes consistent with legislative intent.

III. Shared Goals

- Promote consistent statewide interpretation and implementation of Act 50 and related Title 20 provisions.
- Provide clear guidance to county offices, personal representatives, and community foundations.
- Maintain transparency and accountability in the transfer and use of estate assets.
- Preserve legislative intent and protect the long-term sustainability of Act 50.

IV. Responsibilities of RWOCAP

- Serve as a resource to county Registers of Wills and Clerks of Orphans' Court regarding interpretation of Act 50 and related provisions of Title 20.
- Clarify procedures for personal representatives, including statutory notice requirements to the Office of Attorney General when administering estates without known heirs.
- Collaborate with PACFA to create and maintain a common Act 50 information sheet and FAQ.
- Host the Act 50 Community Foundation Certification List on the RWOCAP website for reference by county officials and fiduciaries.
- Provide educational programming to members regarding Act 50 implementation and best practices.
- Communicate with elected officials regarding the efficacy and sustainability of Act 50.

V. Responsibilities of PACFA

- Serve as a resource to Pennsylvania community foundations regarding Act 50 interpretation and compliance.
- Maintain an up-to-date certification list of community foundations meeting statutory criteria under Act 50.
- Host the Act 50 Community Foundation Certification List on the PACFA website or a link to the RWOCAP website for reference by county officials and fiduciaries.
- Conduct an annual certification and reporting survey of qualified community foundations to:
 - Certify that each foundation continues to align with the criteria set forth in Act 50.
 - Report the number of estates realized in each county within their geographic area of impact.
 - Report the assets realized in each county within their geographic area of impact.

- Provide impact stories and examples of grants made from endowed broad-based county funds derived from Act 50.
- Provide RWOCAP, no later than January of each year:
 - The updated Community Foundation Certification List; and
 - Aggregate data from the previous year collected through the annual survey process.
- Provide RWOCAP each January with the updated certification list, prior-year aggregate data, and samples of impact stories.
- Collaborate with RWOCAP to create and maintain a common Act 50 information sheet and FAQ.

VI. Joint Responsibilities

- Meet at least annually to review implementation progress.
- Share non-confidential aggregate data for legislative and public reporting.
- Develop uniform guidance language for use by county offices and community foundations.
- Collaboratively address statutory or procedural ambiguities as they arise.
- Evaluate whether legislative clarifications are necessary and jointly communicate recommendations if appropriate.

VII. Term and Amendment

This MOU shall remain in effect for three (3) years from the effective date and may be renewed or amended upon written agreement of both parties. Either party may terminate this MOU with ninety (90) days' written notice.

VIII. Non-Binding Nature

This MOU reflects the good-faith intentions of the parties and does not create legally enforceable obligations beyond those required by Act 50, Title 20 of the Pennsylvania Consolidated Statutes, or other applicable law.

Signatures

Mike Batchelor

President, Pennsylvania Community Foundation Association

Date: 04/20/2026

[Signature]

President, Register of Wills and Orphans' Court Association of Pennsylvania

Date: 04/17/2026