

**TITLE 8: FAMILY LAW AND PROBATE**  
**DIVISION 1: DOMESTIC RELATIONS**

**§ 1981. Findings and Intent.**

The Legislature finds that the only Commonwealth statute specifically concerning the appointment and conduct of guardians ad litem are in the context of wardships for the protection of abused or neglected children, at 6 CMC §§ 5323(c) and 5325(a)(3). The Legislature further finds that it is necessary to devise a coherent and consistent system for the appointment, conduct, powers and obligations of guardians ad litem when necessary for the protection of juveniles subject to the provisions of this Act, for other minor children who are subject to the provisions of Title 6, Division 5, Chapter 3 [6 CMC §§ 5311-5325] of the Commonwealth Code, and for other legally incompetent individuals who are in need of such guardians ad litem. This chapter is intended to apply to the appointment of guardians ad litem in matters where the welfare of the subject juvenile, other minor or other legally incompetent individual is a matter of concern to the court, and is not intended to change the process of appointment or the duties and obligations of a guardian ad litem appointed pursuant to actions brought under the Probate Code, 8 CMC § 2101 et seq, or appointed pursuant to the court's probate rules, including Probate Rule 26, or to modify any of the duties and obligations of a guardian ad litem appointed pursuant to the Uniform Parentage Act, 8 CMC § 1700 et seq.

**Source:** PL 16-47, § 35(a), modified.

**Commission Comment:** The Commission replaced “this Section 35” with “this chapter” and “Division 5, Article of” with “Division 5, chapter 3 [6 CMC §§ 5311-5325] of” pursuant to 1 CMC § 3806(d) and (g). Public Law 16-47, effective November 30, 2009, contained amendments to Titles 6 and 8 of the Commonwealth Code, severability and savings provisions and the following:

Section 1. Short Title. This Act shall be referred to as the "Juvenile Justice Act of 2008."

Section 2. Finding, Policy, Purpose. The Legislature finds that the Commonwealth needs a comprehensive juvenile justice system that will be based on the following principles: accountability; community protection; and competency development. Where a juvenile has been found to be within the purview of the Juvenile Justice Act, the court shall impose a disposition that will protect the community, hold the juvenile accountable for his or her actions, and assist the juvenile in developing skills to become a contributing member of a diverse community. It is the policy of the Commonwealth that the parents or other legal guardians of the juvenile offender participate in the accomplishment of these goals through participation in counseling and treatment designed to develop positive parenting skills and an understanding of the family's role in the juvenile's behavior. The Legislature finds that the parents or legal guardians of the juvenile offender must be held accountable, where appropriate, through monetary reimbursement for supervision and confinement of the juvenile offender, and restitution to victims of the juvenile's delinquent acts. In enacting this legislation, the Legislature intends that the juvenile justice system shall encompass the following aspects: day treatment, education, community programs, probation services, observation and assessment of juveniles in residential settings, secure facilities for detained juveniles, and after-care and assistance for juveniles before they exit the juvenile justice system. The primary purpose of this Act is to provide a continuum of programs which emphasize the juvenile offender's accountability for his or her actions while assisting the juvenile offender in the development of skills necessary to function effectively and positively in the community in a manner consistent with public safety. These services and programs will individualize treatment and control of the juvenile offender for the benefit of the juvenile and the protection of society. Parents or other legal guardians are a vital part of the process. Where appropriate, parents or other legal guardians of the juvenile offender shall participate in counseling and treatment designed to develop positive parenting skills and an understanding of the family's role in the juvenile's behavior.

Section 36. Construction. Construction - This Act shall be interpreted under the laws of the Commonwealth of the Northern Mariana Islands.