

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

§ 1986. Guardian to Represent Best Interests of Juvenile, Other Minor or Other Legally Incompetent Individual; Guardian to Receive Notice of All Proceedings; Obligation of Guardian Continuing One; Authority of Guardian.

(a) The guardian ad litem is charged in general with the duty of representation of the juvenile, other minor or other legally incompetent individual's best interests. After appointment by the court to a case involving an abused or neglected juvenile, other minor or other legally incompetent individual, the guardian ad litem shall receive appropriate notice of all court hearings and proceedings regarding the juvenile, other minor or other legally incompetent individual. The obligation of the guardian ad litem to the court continues until the guardian ad litem is formally relieved by the court.

(b) The guardian ad litem is authorized to:

- (1) conduct an independent assessment of the facts;
- (2) confer with and observe the juvenile, other minor or other legally incompetent individual involved;
- (3) interview persons involved in the case;
- (4) participate in any evaluation team for the case on which the guardian ad litem has been appointed;
- (5) make recommendations to the court concerning the child's welfare; and
- (6) make motions necessary to enforce the orders of the court, seek judicial review, or petition the court for relief on behalf of the child.
- (7) exercise additional powers ordered by the court that may be appropriate in the circumstances of each case.

(c) The guardian ad litem is authorized, through counsel if appropriate, to introduce, examine, and cross-examine witnesses in any proceeding involving the juvenile, other minor or other legally incompetent individual and participate in the proceedings to any degree necessary to represent the juvenile, other minor or other legally incompetent individual adequately.

Source: PL 16-47, § 35(f), modified.

Commission Comment: The Commission changed capitalization for conformity and inserted the semi-colon in subsection (b)(4) pursuant to 1 CMC § 3806(f) and (g).