

STATE OF NORTH DAKOTA
COUNTY OF _____

IN DISTRICT COURT
_____ JUDICIAL DISTRICT

IN THE MATTER OF THE ESTATE OF

_____.

Case No. _____

ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM

****You MUST have the consent of the lawyer you want appointed as the Guardian ad Litem BEFORE you complete and file this document.****

1. The will of _____ (*deceased parent*)
was filed for probate in this court on _____ (*date*), nominating
_____ (*testamentary guardian*) to serve as the
testamentary guardian of, _____, the minor.

2. On _____ (*date*), _____
(*testamentary guardian*) filed an acceptance of the appointment.

Therefore, pursuant to Section 30.1-27-06 of the North Dakota Century Code (N.D.C.C.),
this court orders:

3. _____, is appointed to act as guardian ad
litem for the minor.

4. Fees for the guardian ad litem are to be paid from the deceased parent's estate, if funds
are available.

5. The guardian ad litem shall perform all the duties required under Section 30.1-27-06 of the North Dakota Century Code (N.D.C.C.), including:

a. Interviewing the minor, the testamentary guardian, and other persons interested in the minor's welfare;

b. Explaining the guardianship proceeding to the minor in the language, mode of communication, and terms that the minor is most likely to understand, including the nature and consequence of the proceeding, the minor's rights, and any available legal options, including the right to retain an attorney to represent the minor;

c. Advocating for the best interests of the minor consistent with N.D.C.C. Section 14-09-06.2;

d. Consulting the juvenile court and other agency records to determine whether the testamentary guardian has a criminal history of abuse, neglect, or exploitation of an adult or child, and for viewing the criminal history records;

e. Notifying this court if the minor objects to the appointment of the testamentary guardian; and

f. Submitting a written report to this court within sixty days of this appointment.

6. The guardian ad litem's report must contain findings on whether the appointment of the testamentary guardian is in the best interests of the minor.

7. The guardian ad litem shall serve a copy of the report on the minor, if the minor is fourteen years of age or older; the testamentary guardian; the person having the minor's care and the minor's nearest adult relative as required under Section 27-20-02 of the North Dakota Century Code (N.D.C.C.); and the personal representative of the deceased parent's estate.

8. The person appointed herein to serve as guardian ad litem may not represent the minor in a legal capacity.

9. The guardian ad litem report is closed to the public and is not open to inspection except by this court, parties to the proceeding or their counsel, other persons for those purposes as this court may order for good cause, and other persons authorized by court rule.

10. The guardian ad litem shall have access to confidential juvenile court records and other confidential agency records and shall also have access to educational, legal, financial, medical, psychological, or other treatment information necessary to perform the guardian ad litem's official duties.

BY THE COURT:

Judge of the District Court