

Fifty-ninth
Legislative Assembly
of North Dakota

Introduced by

Legislative Council

(Criminal Justice Committee)

1 A BILL for an Act to create and enact a new section to chapter 30.1-28 of the North Dakota
2 Century Code, relating to the appointment of a successor guardian.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 30.1-28 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Appointment of successor guardian.**

- 7 1. If the appointment of a successor guardian is required, the current guardian or any
8 interested person may file a motion with the court for the appointment of a
9 successor guardian.
- 10 2. The motion and supporting documents must be served on the ward, the ward's
11 guardian ad litem, and every other interested person who has made an
12 appearance or requested notice of proceedings.
- 13 3. A notice of motion must accompany the motion and must include a statement that
14 provides an opportunity for hearing if requested in regard to the appointment of a
15 successor guardian. If a hearing is not requested, the court may appoint a
16 successor guardian.
- 17 4. If the current or former guardian serves or served as a public administrator or a
18 corporate guardian with more than ten wards, the motion and notice of motion may
19 be served by first-class mail. If a hearing is not requested by or on behalf of the
20 ward listed in the notice, the court may sign an order appointing a successor
21 guardian for that ward.