

Sixty-second
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1078

Introduced by

Representatives S. Meyer, Weisz, Delmore

Senators J. Lee, Mathern

1 A BILL for an Act to amend and reenact section 27-20-48 of the North Dakota Century Code,
2 relating to the immunity of a ~~lay~~-guardian ad litem.

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

4 **SECTION 1. AMENDMENT.** Section 27-20-48 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **27-20-48. Guardian ad litem - Immunity.**

7 The court at any stage of a proceeding under this chapter, on application of a party or on its
8 own motion, shall appoint a ~~lay~~-guardian ad litem for a child who is a party to the proceeding if
9 the child has no parent, guardian, or custodian appearing on the child's behalf or their interests
10 conflict with the child's or in any other case in which the interests of the child require a guardian.
11 A party to the proceeding or that party's employee or representative may not be appointed. ~~A lay~~
12 ~~guardian ad litem appointed under this section is immune from civil liability for damages for acts-~~
13 ~~or omissions of ordinary negligence~~any act or omission arising out of that individual's duties and
14 responsibilities as a ~~lay~~-guardian ad litem, unless the act or omission constitutes gross or willful
15 negligence or gross or willful misconduct.