

Sixty-second
Legislative Assembly
of North Dakota

SENATE BILL NO. 2106

Introduced by

Judiciary Committee

(At the request of the Supreme Court)

1 A BILL for an Act to amend and reenact section 27-20-48 of the North Dakota Century Code,
2 relating to immunity for guardians ad litem in juvenile court proceedings.

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
12 guardian ad litem appointed under this section who acts in good faith in making a report to the
13 court is immune from any civil liability resulting from the report. For purposes of determining
14 good faith, the good faith of the guardian ad litem is a disputable presumption.