



CHAPTER 35A
ARTICLE 5 - APPOINTMENT OF GUARDIAN FOR INCOMPETENT PERSON

N.C.G.S. § 35A-1212.1.

Recommendation of appointment of guardian by will or other writing.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT No amendment history on record	RETRIEVED 21 September 2026, 03:03 UTC	SOURCE FINGERPRINT b65252b4835983a5709190c2 - 9f236fbfdc45af3b3ab406cb - 551f450b765a5770
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Any parent may by will recommend appointment of a guardian for an unmarried child who has been adjudicated an incompetent person and specify desired limitations on the powers to be given to the guardian. If both parents make such recommendations, the will with the latest date shall, in the absence of other relevant factors, prevail. Such recommendation shall be a strong guide for the clerk in appointing a guardian, but the clerk is not bound by the recommendation if the clerk finds that a different appointment is in the incompetent adult's best interest. If the will specifically so directs, a guardian appointed pursuant to such recommendation may be permitted to qualify and serve without giving bond, unless the clerk finds as a fact that the interest of the incompetent adult would be best served by requiring the guardian to give bond. (2005-333, s. 1.)

END OF SECTION TEXT

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APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 35A-1212.1 (2026).

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