



CHAPTER 35A
ARTICLE 13 - REMOVAL OR RESIGNATION OF GUARDIAN; SUCCESSOR GUARDIAN; ESTATES WITHOUT GUARDIANS;
TERMINATION OF GUARDIANSHIP

N.C.G.S. § 35A-1292.

Resignation.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2012-151, s. 12(d) — second act in the lineage	RETRIEVED 21 September 2026, 03:39 UTC	SOURCE FINGERPRINT 9d18072053e25eb2c1dd0ead - ecc26923be389def3f1c32ae - 5fe067f3fc739e5b
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§ 35A-1292(a) Any guardian who wishes to resign shall file a motion with the clerk setting forth the circumstances of the case. If a general guardian or guardian of the estate, at the time of making the application, also exhibits his final account for settlement, and if the clerk is satisfied that the guardian has fully accounted, the clerk may accept the resignation of the guardian and discharge him and appoint a successor guardian. The guardian so discharged and his sureties are still liable in relation to all matters connected with the guardianship before the discharge and shall continue to ensure that the ward's needs are met until the clerk officially appoints a successor. The guardian shall attend the hearing to modify the guardianship, if physically able.

§ 35A-1292(b) A general guardian who wishes to resign as guardian of the estate of the ward but continue as guardian of the person of the ward may apply for the partial resignation by petition as provided in subsection (a) of this section. If the general guardian also exhibits his final account as guardian of the estate for settlement, and if the clerk is satisfied that the general guardian has fully accounted as guardian of the estate, the clerk may accept the resignation of the general guardian as guardian of the estate, discharge him as guardian of the estate, and issue to him letters of appointment as guardian of the person, but the general guardian so discharged as guardian of the estate and his sureties are still liable in relation to all matters connected with the guardianship of the estate before the discharge.

APPARATUS I
2 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1987		2000		2012
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1987	c. 550, s. 1	ENACTED	
02	2012	S.L. 2012-151, s. 12(d)	AMENDED	

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 35A-1292 (2012).

PINPOINT

N.C. Gen. Stat. § 35A-1292(a) (2012).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1987, c. 550, s. 1; 2012-151, s. 12(d).)

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