



CHAPTER 35A

ARTICLE 21 - STANDBY GUARDIANSHIP

N.C.G.S. § 35A-1375.

Determination of incapacity or debilitation.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 313, s. 1 — first act in the lineage	21 September 2026, 05:11 UTC	5e153ac1182910533c54790d - d9a88bafd2a0a17552dcdc37 - b8b566831678d56e

§ 35A-1375(a) If requested by the petitioner, designator, or standby guardian, an attending physician shall make a determination regarding the incapacity or debilitation of the petitioner or designator for purposes of this Article.

§ 35A-1375(b) A determination of incapacity or debilitation shall:

- (1) Be made by the attending physician to a reasonable degree of medical certainty;
- (2) Be in writing; and
- (3) Contain the attending physician's opinion regarding the cause and nature of the incapacity or debilitation, as well as its extent and probable duration.

§ 35A-1375(c) The attending physician shall provide a copy of the determination of incapacity or debilitation to the standby guardian, if the standby guardian's identity is known to the physician.

§ 35A-1375(d) The standby guardian shall ensure that the petitioner or designator is informed of the commencement of the standby guardian's authority as a result of a determination of incapacity or debilitation and of the possibility of a future suspension of the standby guardian's authority pursuant to G.S. 35A-1376.

APPARATUS I
1 ACT

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.

1995				1996
TICK HEIGHT = ACTS IN THAT YEAR				DASHED = RECODIFICATION, NOT AMENDMENT
Nº	YEAR	ACT	CHARACTER	
01	1995	c. 313, s. 1	ENACTED	

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 35A-1376	(d)	"the standby guardian's authority pursuant to"

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 35A-1375 (1995).

PINPOINT
N.C. Gen. Stat. § 35A-1375(a) (1995).

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
(1995, c. 313, s. 1.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

