



CHAPTER 35B
ARTICLE 2 - JURISDICTION

N.C.G.S. § 35B-20.

Appropriate forum.

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, 02:51 UTC	SOURCE FINGERPRINT 0f187e1b0a9cde6483b6c185 - 36cfae2510932e4d276698af - f854794f4a0ace8a
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- § 35B-20(a)

A court of this State having jurisdiction under G.S. 35B-17 to adjudicate incompetence, appoint a general guardian or a guardian of the person, or issue a protective order may decline to exercise its jurisdiction if it determines at any time that a court of another state is a more appropriate forum.
- § 35B-20(b)

If a court of this State declines to exercise its jurisdiction under subsection (a) of this section, it shall either dismiss or stay the proceeding. The court may impose any condition the court considers just and proper, including the condition that a petition for the appointment of a general guardian or guardian of the person or issuance of a protective order be filed promptly in another state.
- § 35B-20(c)

In determining whether it is an appropriate forum, the court shall consider all relevant factors, including:

(1)

Any expressed preference of the respondent.

(2)

Whether abuse, neglect, or exploitation of the respondent has occurred or is likely to occur and which state could best protect the respondent from the abuse, neglect, or exploitation.

(3)

The length of time the respondent was physically present in or was a legal resident of this or another state.

(4)

The distance of the respondent from the court in each state.

(5)

The financial circumstances of the respondent's estate.

(6)

The nature and location of the evidence.

- (7) The ability of the court in each state to decide the issue expeditiously and the procedures necessary to present evidence.
- (8) The familiarity of the court of each state with the facts and issues in the proceeding.
- (9) If an appointment was made, the court's ability to monitor the conduct of the guardian or guardian of the estate. (2016-72, s. 1.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT 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. 35B-17	(a)	<i>"of this State having jurisdiction under"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 35B-20 (2026).

PINPOINT

N.C. Gen. Stat. § 35B-20(a) (2026).

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.

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