



CHAPTER 7B
ARTICLE 6 - BASIC RIGHTS

N.C.G.S. § 7B-602.

Parent's right to counsel; guardian ad litem.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2025-16, s. 1.9 — twelfth act in the lineage	21 September 2026, 04:17 UTC	ba6614420c935639ae67b1dc - 66eb2130f2d3b905f7064844 - 360577393fa862ad

§ 7B-602(a) In cases where the juvenile petition alleges that a juvenile is abused, neglected, or dependent, the parent has the right to counsel and to appointed counsel in cases of indigency unless that person waives the right. When a petition is filed alleging that a juvenile is abused, neglected, or dependent, the clerk shall appoint provisional counsel for each parent named in the petition in accordance with rules adopted by the Office of Indigent Defense Services, shall indicate the appointment on the juvenile summons or attached notice, and shall provide a copy of the petition and summons or notice to the attorney. At the first hearing, the court shall dismiss the provisional counsel if the respondent parent:

- (1) Does not appear at the hearing;
- (2) Does not qualify for court-appointed counsel;
- (3) Has retained counsel; or
- (4) Waives the right to counsel.

The court shall confirm the appointment of counsel if subdivisions (1) through (4) of this subsection are not applicable to the respondent parent.

The court may reconsider a parent's eligibility and desire for appointed counsel at any stage of the proceeding.

§ 7B-602(a1) A parent qualifying for appointed counsel may be permitted to proceed without the assistance of counsel only after the court examines the parent and makes findings

of fact sufficient to show that the waiver is knowing and voluntary. The court's examination shall be reported as provided in G.S. 7B-806.

§ 7B-602(b)

In addition to the right to appointed counsel set forth above, a guardian ad litem shall be appointed in accordance with the provisions of G.S. 1A-1, Rule 17, to represent a parent who is under the age of 16 years. On motion of any party or on the court's own motion, the court may appoint a guardian ad litem for a parent who is 16 or 17 years old and who is not married or otherwise emancipated. The appointment of a guardian ad litem under this subsection shall not affect the minor parent's entitlement to a guardian ad litem pursuant to G.S. 7B-601 in the event that the minor parent is the subject of a separate juvenile petition.

§ 7B-602(c)

On motion of any party or on the court's own motion, the court may appoint a guardian ad litem for a parent who is incompetent in accordance with G.S. 1A-1, Rule 17.

§ 7B-602(d)

The parent's counsel shall not be appointed to serve as the guardian ad litem and the guardian ad litem shall not act as the parent's attorney. Communications between the guardian ad litem appointed under this section and the parent and between the guardian ad litem and the parent's counsel shall be privileged and confidential to the same extent that communications between the parent and the parent's counsel are privileged and confidential.

§ 7B-602(e)

Repealed by Session Laws 2013-129, s. 17, effective October 1, 2013, and applicable to actions filed or pending on or after that date.

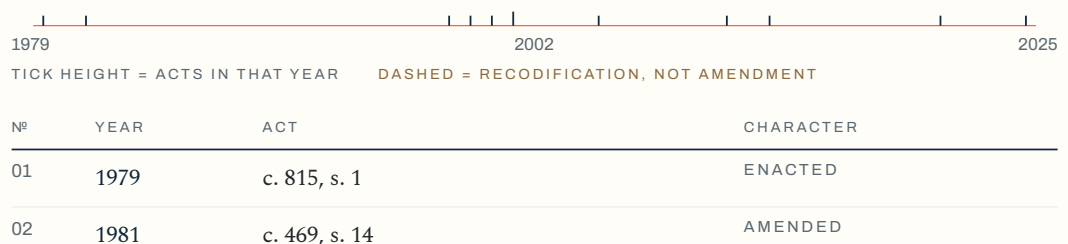
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
12 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.



03	1998	S.L. 1998-202, s. 6	AMENDED
04	1999	S.L. 1999-456, s. 60	AMENDED
05	2000	S.L. 2000-144, s. 16	AMENDED
06	2001	S.L. 2001-208, s. 2	AMENDED
07	2001	S.L. 2001-487, s. 101	AMENDED
08	2005	S.L. 2005-398, s. 2	AMENDED
09	2011	S.L. 2011-326, s. 12(a)	AMENDED
10	2013	S.L. 2013-129, s. 17	AMENDED
11	2021	S.L. 2021-100, s. 4	AMENDED
12	2025	S.L. 2025-16, s. 1.9	AMENDED

APPARATUS II
3 AUTHORITIES

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. 7B-806	(a1)	<i>"shall be reported as provided in"</i>
G.S. 1A-1	(b)	<i>"in accordance with the provisions of"</i>
G.S. 7B-601	(b)	<i>"a guardian ad litem pursuant to"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 7B-602 (2025).

PINPOINT

N.C. Gen. Stat. § 7B-602(a) (2025).

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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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1979, c. 815, s. 1; 1981, c. 469, s. 14; 1998-202, s. 6; 1999-456, s. 60; 2000-144, s. 16; 2001-208, s. 2; 2001-487, s. 101; 2005-398, s. 2; 2011-326, s. 12(a); 2013-129, s. 17; 2021-100, s. 4; 2025-16, s. 1.9.)

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