

**11 NCAC 23H .0203 APPOINTMENT OF GUARDIAN AD LITEM**

(a) Infants or incompetents may bring an action under this Subchapter only through their guardian *ad litem*. The Commission shall appoint a person as guardian *ad litem* if the Commission determines it to be in the best interest of the infant or incompetent. The Commission shall appoint a guardian *ad litem* only after due inquiry as to the fitness of the person to be appointed.

(b) No compensation due or owed to the infant or incompetent shall be paid directly to the guardian *ad litem*.

(c) The Commission may assess a fee to be paid to an attorney who serves as a guardian *ad litem* for actual services rendered upon receipt of an affidavit of actual time spent in representation of the infant or incompetent.

*History Note:* Authority G.S. 143-166.4;  
Eff. August 1, 1979;  
Amended Eff. July 1, 2014;  
Recodified from 04 NCAC 10H .0203 Eff. June 1, 2018.