

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1591

Short Title: Judicial Dept. Funds.

(Public)

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Sponsors: Senator Marvin.

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Referred to: Appropriations.

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June 6, 1990

A BILL TO BE ENTITLED

1 AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF  
2 THE COURTS, TO EXTEND THE TERMS OF CERTAIN SPECIAL SUPERIOR  
3 COURT JUDGES, AND TO CLARIFY PROVISIONS REGARDING THE  
4 APPOINTMENT OF A GUARDIAN AD LITEM.  
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6 The General Assembly of North Carolina enacts:

7 Section 1. (a) Notwithstanding G.S. 7A-45, G.S. 7A-45.1, Section 7 of  
8 Chapter 509, Session Laws of 1987, or any other provision of law, if any special  
9 superior court judge who is holding office on the effective date of this act first took  
10 office as an appointed or elected regular or special superior court judge in the calendar  
11 year 1986, the term of office of that judge is extended through December 31, 1994.

12 (b) There is appropriated from the General Fund to the Judicial Department  
13 the sum of \$61,260 for fiscal year 1990-91, to cover the costs of the extended term for  
14 the period of January 1, 1991, through June 30, 1991.

15 Sec. 2. G.S. 7A-289.29 is amended by adding the following new subsections:

16 "(c) In proceedings under this Article, the appointment of a guardian **ad litem**  
17 shall not be required except, as provided above, in cases in which an answer is filed  
18 denying material allegations, or as required under G.S. 7A-289.23; but the court may, in  
19 its discretion, appoint a guardian **ad litem** for a child, either before or after determining  
20 the existence of grounds for termination of parental rights, in order to assist the court in  
21 determining the best interests of the child.

22 (d) If a guardian **ad litem** has previously been appointed for the child under G.S.  
23 7A-586, and the appointment of a guardian **ad litem** could also be made under this  
24 section, the guardian **ad litem** appointed under G.S. 7A-586, and any attorney appointed

1 to assist that guardian, shall also represent the child in all proceedings under this Article  
2 and shall have the duties and payment of a guardian **ad litem** appointed under this  
3 section, unless the court determines that the best interests of the child require  
4 otherwise."

5           Sec. 3. Section 1 of this act shall become effective July 1, 1990. The  
6 remainder of this act is effective upon ratification.