IC File #_____

Emp. Code #_____

Carrier Code #_____

Employer FEIN_____

APPLICATION FOR APPOINTMENT OF GUARDIAN AD LITEM

The Use Of This Form Is Required Under The Provisions of The Workers' Compensation Act

_____ _____
_____ _____
_____ v. _____
Plaintiff (s) Defendant (s)

TO THE NORTH CAROLINA INDUSTRIAL COMMISSION:

The undersigned _____ respectfully shows unto the North Carolina Industrial Commission that _____ Is an ☐ infant or ☐ incompetent without general or testamentary guardian in this State, and that by reason thereof can bring an action only by a guardian ad litem; that the person has a cause of action against the defendants on account of the following matter and things:

_____

The undersigned is a reputable person closely connected with the infant or incompetent having the relationship with the infant or incompetent as follows:_____

WHEREFORE, the undersigned prays the Commission that a fit and proper person be appointed Guardian Ad Litem for the infant or incompetent for the purpose of bringing in his behalf an action as above set out.

_____
Signature of Applicant Date

(Please complete page 2 of form)

ORDER APPOINTING
GUARDIAN AD LITEM

It appearing to the North Carolina Industrial Commission from the above application that_____ _____is an ☐ infant or ☐ incompetent having no general or testamentary guardian within this State and that said infant (or incompetent) appears to have a good cause of action against the defendant(s) : and it further appearing to the Commission after due inquiry that_____ is a fit and proper person to be appointed guardian ad litem for the infant or incompetent for the purpose of bringing this action in his or her behalf:

IT IS THEREFORE ORDERED that_____ be and is hereby appointed guardian ad litem of _____to bring this action in his or her behalf.

This _____ day of _____.

_____
Commissioner or Deputy Commissioner

MAIL TO: ***NCIC – EXECUTIVE SECRETARY***
4333 MAIL SERVICE CENTER
RALEIGH, NC 27699-4333
MAIN TELEPHONE: (919) 807-2500
OMBUDSMAN: (800) 688-8349

PLEASE TYPE OR PRINT:

Full name and address of minor or incompetent:

_____

_____

Birth date of minor: _____

Full name and address of proposed guardian ad litem:

_____

_____

DUTIES OF GUARDIAN AD LITEM

In civil actions in North Carolina when any of the parties is an infant or incompetent person, he or she must appear by general or testamentary guardian, if he or she has any within this State, or by guardian ad litem. The guardian ad litem may take such steps as he or she deems appropriate to prosecute the action in behalf of the ward, and may take settlement of the ward's claim, subject to the approval of the Commission. THE GUARDIAN AD LITEM HAS NO AUTHORITY TO RECEIVE OR ACCEPT ANY FUNDS IN BEHALF OF HIS WARD. Only the Clerk of Superior Court or a general guardian appointed under the Clerk's jurisdiction has the authority to receive funds and disburse them for an incompetent or infant.

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