

§ 35A-1202. Definitions.

The following definitions apply in this Subchapter:

- (1) Accounting. – The financial or status reports filed with the clerk, designated agency, respondent, or other person or party with whom the reports are required to be filed.
- (2) Clerk. – The clerk of superior court.
- (3) Designated agency. – The State or local human services agency designated by the clerk in an order to prepare, cause to be prepared, or assemble a multidisciplinary evaluation and to perform other functions as the clerk may order. A designated agency includes, without limitation, State, local, regional, or area mental health, intellectual disability, vocational rehabilitation, public health, social service, and developmental disabilities agencies, and diagnostic evaluation centers.
- (4) Disinterested public agent. – The director or assistant directors of a county department of social services. Except as provided in G.S. 35A-1213(f), the fact that a disinterested public agent provides financial assistance, services, or treatment to a ward does not disqualify that person from being appointed as guardian.
- (5) Estate. – Any interest in real property, choses in action, intangible personal property, and tangible personal property, and includes any interest in joint accounts or jointly held property.
- (6) Financial report. – The report filed by the guardian concerning all financial transactions, including receipts and expenditures of the ward's money, sale of the ward's property, or other transactions involving the ward's property.
- (7) General guardian. – A guardian of both the estate and the person.
- (8) Guardian ad litem. – A guardian appointed pursuant to G.S. 1A-1, Rule 17, Rules of Civil Procedure.
- (9) Guardian of the estate. – A guardian appointed solely for the purpose of managing the property, estate, and business affairs of a ward.
- (10) Guardian of the person. – A guardian appointed solely for the purpose of performing duties relating to the care, custody, and control of a ward.
- (11) Incompetent person. – A person who has been adjudicated to be an "incompetent adult" or "incompetent child" as defined in G.S. 35A-1101(7) or (8).
- (12) Minor. – A person who is under the age of 18, is not married, and has not been legally emancipated.
- (13) Multidisciplinary evaluation. – An evaluation that contains current medical, psychological, and social work evaluations as directed by the clerk and that may contain current evaluations by professionals in other disciplines, including without limitation education, vocational rehabilitation, occupational therapy, vocational therapy, psychiatry, speech-and-hearing, and communications disorders. The evaluation is current if made not more than one year from the date on which it is presented to or considered by the court. The evaluation shall set forth the nature and extent of the disability and recommend a guardianship plan and program.
- (14) Status report. – The report required by G.S. 35A-1242 to be filed by the general guardian or guardian of the person.
- (15) Ward. – A person who has been adjudicated incompetent or an adult or minor for whom a guardian has been appointed by a court of competent jurisdiction.

(1987, c. 550, s. 1; 1997-443, s. 11A.13; 2012-151, s. 12(b); 2014-100, s. 12D.4(a); 2018-47, s. 1(c).)