

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division
Before The Clerk

County

IN THE MATTER OF:

Name Of Respondent

NOTICE OF HEARING ON
INCOMPETENCE AND ORDER
APPOINTING GUARDIAN AD LITEM

G.S. 35A-1107, 35A-1108, 35A-1109

County Of Residence Of Respondent

Date Of Birth

Name And Address Of Respondent

Name And Address Of Attorney-Guardian Ad Litem

A petition has been filed alleging that the respondent is incompetent and requesting that a guardian be appointed!

You are notified to appear before the Clerk of Superior Court on the date and at the time and place specified below for a hearing on the attached petition. You may file a written response in the office of the clerk on or before the time set for hearing.

If at the hearing the Court finds by clear, cogent, and convincing evidence that you are incompetent, an adjudication of incompetence will be entered and a guardian of the person or a guardian of the estate or a general guardian or a limited guardian may be appointed.

Date Of Hearing

Time Of Hearing

AM PM

Place Of Hearing

A motion for the appointment of an interim guardian has also been made.

You are further notified to appear before the Clerk on the earlier date and at the time and place specified below for a hearing on the motion for the appointment of an interim guardian contained in the attached petition. (Disregard if box above not checked.)

Date Of Hearing On Interim Guardian

Time Of Hearing

AM PM

Place Of Hearing

ORDER APPOINTING GUARDIAN AD LITEM

It is ORDERED that the attorney named above be and hereby is appointed as guardian ad litem to represent the respondent at all stages of this proceeding. The respondent has the right to retain an attorney, at the respondent's own expense, and if the respondent does so, the Court may discharge the guardian ad litem.

Date Issued

Time Of Issuance

AM PM

Signature

INSTRUCTIONS TO PETITIONER:

Assistant CSC

Clerk Of Superior Court

This Notice and a copy of the petition must be personally served on the respondent and must be served on the guardian ad litem by any method which complies with Rule 4 of the Rules of Civil Procedure. In addition, within five (5) days after filing the petition, you must mail this Notice and a copy of the petition, by first class mail, to the respondent's next of kin named in the petition and any other persons the clerk may designate (except those persons who have accepted notice) and file with the Clerk an affidavit of that mailing or a certificate of acceptance of notice.

RETURN OF SERVICE

I certify that this Notice and a copy of the petition were received and served as follows:

SERVICE ON THE RESPONDENT

<i>Date Served</i>	<i>Time Served</i> <input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Name Of Respondent</i>
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By delivering to the respondent named above personally a copy of the notice and petition.

Address Where Respondent Served

Respondent WAS NOT served for the following reason:

SERVICE ON GUARDIAN AD LITEM

<i>Date Served</i>	<i>Name Of Guardian Ad Litem</i>
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Service accepted by guardian ad litem.

<i>Date Received</i>	<i>Signature</i>
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By delivering to the guardian ad litem named above personally a copy of the notice and petition.

By leaving a copy of the notice and petition at the guardian ad litem's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name Of Person With Whom Copies Left

Address Where Copies Delivered Or Left

Other manner of service: *(specify)*

Guardian ad litem WAS NOT served for the following reason:

<i>Date Received</i>	<i>Date Of Return</i>	<i>Name Of Sheriff</i>
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<i>County</i>	<i>Deputy Sheriff Making Return</i>
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NOTE TO SHERIFF:

A sheriff who serves this Notice and Petition shall do so without demanding fees in advance. G.S. 35A-1109.