



think a multidisciplinary evaluation would be beneficial, or highlight the reasons you think the respondent should or should not have competency restored.

10. An incompetent adult is “[a]n adult or emancipated minor who lacks sufficient capacity to manage the adult’s own affairs or to make or communicate important decisions concerning the adult’s person, family, or property whether the lack of capacity is due to mental illness, intellectual disability, epilepsy, cerebral palsy, autism, inebriety, senility, disease, injury, or similar cause or condition.” N.C.G.S. § 35A-1101(7).
11. This Court can, on its own motion or the motion of any party, order a multidisciplinary evaluation. N.C.G.S. § 35A-1130(c). A multidisciplinary evaluation is “[a]n evaluation that contains current medical, psychological, and social work evaluations as directed by the clerk and that may include 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 shall set forth the nature and extent of the disability and recommend a guardianship plan and program.” N.C.G.S. § 35A-1101(14).
12. A multidisciplinary evaluation is considered current if it is not more than a year old at the time it is presented to the court. N.C.G.S. § 35A-1101(14). “If a current multidisciplinary evaluation is not available and the clerk determines that one is necessary, the clerk, on his own motion or the motion of any party, may order that such an evaluation be performed pursuant to G.S. 35A-1111.” N.C.G.S. § 35A-1212(b).
13. This Court “shall enter an order adjudicating that the ward is restored to competency” if it “finds by a preponderance of the evidence that the ward is competent.” N.C.G.S. § 35A-1130(d).
14. This Court “shall enter an order denying” the request for restoration if it “fails to find that the ward should be restored to competency.” N.C.G.S. § 35A-1130(f).

**Based on the above report, the Guardian ad Litem makes the following recommendations to the Court:**

For the following recommendations, select only those that are relevant:

ADJUDICATE COMPETENT AND RESTORE COMPETENCY:

- I. That the Court find by a preponderance of the evidence that the Ward is a competent person.
- II. That the Court adjudicate the Ward as restored to competency, using the authority granted to the Court under N.C.G.S. § 35A-1130(d).
- III. That in being so restored to competency, the Ward be authorized, under N.C.G.S. § 35A-1130(d), to manage affairs, enter into contracts, control and sell real and personal property, and exercise all rights as if incompetency had never been adjudicated, and that the Division of Motor Vehicles be notified that the Ward is restored to competency. *Id.*

NOT ADJUDICATE COMPETENT AND DISMISS RESTORATION MOTION:

- I. That the Court fail to find by a preponderance of the evidence that the Ward should be restored to competency.
- II. That the Court deny the request for restoration of the Ward’s competency, under N.C.G.S. § 35A-1130(f).

ORDER MULTIDISCIPLINARY EVALUATION:

- I. That the Court order a multidisciplinary evaluation of the Ward be completed to assist in determining whether the Ward is competent. N.C.G.S. § 35A-1130(c).

Submitted, this the \_\_\_\_ of \_\_\_\_\_, 20\_\_.

GAL’S NAME, ATTORNEY  
GUARDIAN AD LITEM FOR THE WARD

GAL ADDRESS AND CONTACT INFORMATION