

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025**

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**HOUSE BILL 354  
PROPOSED COMMITTEE SUBSTITUTE H354-PCS30297-RN-6**

Short Title: Civil Procedure/Gatekeeper Orders/Database.

(Public)

Sponsors:

Referred to:

March 12, 2025

1 A BILL TO BE ENTITLED  
2 AN ACT AMENDING RULE 17 OF THE NORTH CAROLINA RULES OF CIVIL  
3 PROCEDURE TO PROVIDE FOR THE ISSUANCE OF GATEKEEPER ORDERS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 1A-1, Rule 17 of the Rules of Civil Procedure, is amended by  
6 adding a new subsection to read:

7 "(f) Gatekeeper Order. – A person who has been adjudicated incompetent and has been  
8 prohibited from filing pleadings in court may file a pleading with the court only through the  
9 person's guardian or counsel. If a person has been identified by the Administrative Office of the  
10 Courts as having been so adjudicated, then the court shall strike any pleading not filed by the  
11 person's guardian or counsel and issue a gatekeeper order to prevent the person from executing  
12 filings in violation of this subsection. A gatekeeper order entered under this subsection shall be  
13 served on the person's guardian and counsel. Nothing in this subsection shall prohibit a person  
14 who has been adjudicated incompetent from filing any pleading without the assistance of that  
15 person's guardian or counsel in any of the following: (i) an action against that person's guardian  
16 or counsel, (ii) an action appealing the determination of being adjudicated incompetent, (iii) an  
17 action petitioning for modification of guardianship, (iv) an action to restore the person's  
18 competency, and (v) an action in which the person who has been adjudicated incompetent is sued.  
19 The court shall withdraw the gatekeeper order and allow the person to file pleadings with a court  
20 if the person's competency has been restored."

21 **SECTION 2.** The Administrative Office of the Courts shall develop a functional  
22 database of all persons currently adjudicated as incompetent by a North Carolina court as  
23 described in Section 1 of this act. The database must be updated when a person has been  
24 adjudicated incompetent, when a guardianship has been modified, and when a person's  
25 competency has been restored. The database must be readily accessible to judges and the clerks  
26 of superior court.

27 **SECTION 3.** This act becomes effective December 1, 2025, and applies to actions  
28 and proceedings brought or pending on or after that date.



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