

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN RE: AMENDMENT TO COURT OF CHANCERY RULES, SECTION XVIII, TO ADOPT RULE 186.1

This 15th day of December 2014, IT IS HEREBY ORDERED that Court of Chancery Rules, Section XVIII, Rule 186.1 shall be adopted effective January 1st, 2015.

Rule 186.1 shall be adopted as follows:

Rule 186.1. Appointment of Guardian ad Litem in Trust Matters.

(a) The Court of Chancery shall compile and maintain a list of members of the Delaware Bar, including former or retired judicial officers, who are in good standing and who have represented to the Court of Chancery that they possess the requisite experience and are capable and willing to serve as guardians ad litem in trust matters before the Court of Chancery.

(b) Where a party to a trust matter before the Court of Chancery requires representation, a guardian ad litem shall be selected by the Court from the list compiled by the Court.

(1) A party to a trust matter who requests appointment of a guardian ad litem may specify in its motion whether it believes that any guardian appointed must possess particular qualifications or experience and the reasons why such qualifications or experience are necessary based on the nature of the issues presented. The Court may, in its discretion, take account of such a request when appointing a guardian ad litem.

(2) The parties shall be notified of the guardian ad litem appointed by the Court and shall submit any objection to that appointment within five days. Such objection shall specify the reasons why the party believes the guardian selected by the Court cannot or should not serve in that capacity. The Court shall consider such objection and may in its discretion deny the objection or appoint a substitute guardian ad litem.

(c) Except as may otherwise be provided in (i) the governing trust instrument, (ii) an agreement among the parties to the matter before the Court of Chancery, or (iii) by court order, a guardian ad litem's fees shall be borne by the trust that is the subject of the matter before the Court of Chancery.