

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
District Court Division

Name And Address Of Plaintiff(s)

VERSUS

Name And Address Of Defendant(s)

**MOTION AND ORDER TO WAIVE
CUSTODY MEDIATION/
GROUP ORIENTATION**

G.S. 50-13.1(c)

MOTION

The undersigned party moves that mediation/group orientation case through the mandatory custody mediation program be waived, and in support of the motion states:

(Check only the boxes that apply)

- 1. The party making this Motion lives more than fifty (50) miles from the Court.
- 2. Custody mediation would be an undue hardship because _____
- 3. The parties have agreed to private mediation subject to the approval of the Court.
- 4. The other party has abused or neglected the minor child(ren) involved in the case.
- 5. The other party suffers from alcoholism. abuses drugs. abuses me.
- 6. The other party has severe psychological, psychiatric, or emotional problems.

I UNDERSTAND THAT I WILL HAVE TO APPEAR IN COURT AND OFFER EVIDENCE TO SUPPORT THE STATEMENTS I HAVE CHECKED ABOVE SHOULD THE CHIEF DISTRICT COURT JUDGE CONDUCT A HEARING ON THE REQUEST AS SET OUT IN LOCAL RULE 2.4.

Date

Signature Of Movant

- Plaintiff
- Defendant

NOTICE

You are hereby notified that if you wish to be heard on this Motion To Waive Custody Mediation/Group Orientation, you must respond in writing within five (5) days to the office of the Chief District Court Judge, Room 208, Beaufort County Courthouse, Washington, NC 27889 or mail to: Chief District Court Judge, PO Box 1403, Washington, NC 27889. The Chief Judge may rule on the request for waiver based on the written motion and any responses thereto. You will be further notified only should a hearing on the request be required by the Chief Judge.

CERTIFICATE OF SERVICE

I certify that on the date of mailing shown below a copy of this Motion and Notice was served on the opposing party(ies) at the address listed above by depositing a copy in a post-paid, properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Date Of Mailing

Date Of Certification

Signature Of Movant

NOTE TO MOVING PARTY: Date and sign the Motion and mail a copy to the other party by regular mail. Complete the Certificate of Service and forward the original to the Chief District Court Judge.

(Over)

ORDER

- 1. The Court concludes that the movant has shown good cause to waive mediation and group orientation under the mandatory custody mediation program, and the motion is allowed.

- 2. Mandatory custody mediation is waived because the case is being referred to private mediation. If private mediation is unsuccessful, then the case is to be returned to Court for referral to the mandatory custody mediation program. The plaintiff defendant must attend the scheduled group orientation. The motion is allowed as to mediation only.

- 3. The motion is denied and it is ordered that this case be referred to the custody mediation program for mediation of all unresolved custody and visitation issues in the case.

- 4. The Chief Judge requires that a hearing be conducted on (date) _____. Notice to attend is set out below.

<i>Date</i>	<i>Name Of District Court Judge (Type Or Print)</i>	<i>Signature Of District Court Judge</i>
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NOTICE OF HEARING

NOTICE TO THE DEFENDANT(S)/PLAINTIFF(S):

You are hereby notified that this Motion To Waive Custody Mediation will be heard on the date, time and at the location set out below. You must be present if you wish to be heard.

<i>Date Of Hearing</i>	<i>Time Of Hearing</i>	<input type="checkbox"/> AM <input type="checkbox"/> PM	<i>Location Of Hearing</i>
<i>Date</i>			<i>Signature Of Chief District Court Judge Or Designee</i>