STATE OF NORTH CAROLINA
COUNTY OF _____

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. ____-CVD-_____

_____
Plaintiff

:
:
:
:
:
:
:
:

MOTION TO
WAIVE MEDIATION

vs.

_____
Defendant

Pursuant to N.C.G.S. §50-13.1 and Rule 4(b) of the First Judicial District Local Rules, the undersigned party/attorney moves that mediation of this custody/visitation case through the mandatory custody mediation program be waived, and in support of this motion states *(check all that apply)*:

☐ The party making this motion lives more than one hundred (100) miles away from the Court. *[This exception is within the Court's discretion. NOTE: Telephone conferencing/WebEx conferencing is available as an option.*]

☐ The parties have agreed to combined FFS/custody or private mediation subject to approval from the Court.

☐ The other party has abused/neglected the minor child(ren) involved in this case.

☐ The other party ☐ suffers from alcoholism ☐ abuses drugs ☐ abuses me.

☐ The other party suffers from severe psychological, psychiatric, or emotional problems.

☐ Other: _____

☐ Documents supporting the above allegations are attached hereto.

Date _____	Signature of Movant: _____ Printed Name: _____	☐ Plaintiff/ Attorney ☐ Defendant/ Attorney

STATE OF NORTH CAROLINA
COUNTY OF _____

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. ____-CVD-_____

_____ :
Plaintiff :
:
vs. :
:
_____ :
Defendant :

CERTIFICATE OF SERVICE
OF MOTION TO
WAIVE MEDIATION

I certify that a copy of this **Motion** was served on the Defendants by:

☐ US Mail properly addressed as follows: _____

_____

_____

_____

☐ Facsimile to: _____

☐ E-Mail to: _____

   Other: _____

This the _____ day of _____, 20____.

_____

STATE OF NORTH CAROLINA
COUNTY OF _____

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. ___-CVD-_____

_____
Plaintiff

vs.

ORDER
GRANTING/DENYING
CUSTODY MEDIATION

_____
Defendant

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

☐ Mandatory custody mediation is waived because the case is being referred to private custody mediation. If private mediation is unsuccessful, then the case is to be returned to Court for referral to the mandatory custody mediation program.

☐ 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 matters in the case.

☐ Other: _____

_____

Date	Name of District Court Judge	Signature of District Court Judge

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

Date of Hearing	Time of Hearing ☐ AM ☐ PM	Location of Hearing
Date	Name of District Court Judge	Signature of District Court Judge

STATE OF NORTH CAROLINA
COUNTY OF _____

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. ____-CVD-_____

_____
Plaintiff

vs.

_____
Defendant

:
:
:
:
:
:
:
:

CERTIFICATE OF SERVICE
OF ORDER TO
WAIVE MEDIATION

I certify that a copy of this **Order** was served on the Defendants by

☐ US Mail properly addressed as follows:

_____

_____

_____

_____

☐ Facsimile to: _____

☐ E-Mail to: _____

Other: _____

This the _____ day of _____, 20____.

_____