

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
☐ District ☐ Superior Court Division

Name Of Plaintiff(s)

VERSUS

Name Of Defendant(s)

**MOTION AND ORDER
FOR SHOW CAUSE HEARING**G.S. 7A-38.1, 7A-38.4A; Rules for Mediated Settlement Conferences
and Other Settlement Procedures in Superior Court Civil Actions; Rules
for Settlement Procedures in District Court Family Financial Cases**MOTION**

The undersigned mediator moves the Court to order the parties named below to appear before the Court to show cause why he/she/they should not be held in contempt for failure to pay mediator's fees as ordered by the Court in its Order dated _____ for ☐ Superior Court Mediated Settlement Conference.

☐ District Court Family Financial Settlement Conference.

The undersigned mediator is ☐ **court-appointed.** ☐ **party-selected.**

1. a. Amount due for mediation services (MSC Rules 7(a) and 7(b) / FFS Rules 7(a) and 7(b)) \$ _____

Total time spent in mediation: _____ hours _____ minutes at \$ _____ per hour.

b. Amount due for administrative fee (MSC / FFS Rule 7(b)) \$ _____

c. Amount due for postponement fee (MSC Rule 7(e) / FFS Rule 7(f)) \$ _____

d. Amount due for out-of-pocket expenses or other agreed upon fees: (please specify below) _____ \$ _____

Total amount due Mediator \$ _____

2. The parties named below have failed to timely pay the above fees:

Name of Party Owning Fees	Address of Party	Total Amount Owed by Party
		\$
		\$
		\$

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Name And Address Of Mediator

Date

Signature Of Person Authorized To Administer Oaths

☐ Notary

Date My Commission Expires

Telephone No.

SEAL

County Where Notarized

Signature Of Mediator

Date

ORDER ALLOWING SHOW CAUSE HEARING

The above motion for a Show Cause Hearing ☐ is denied. ☐ is allowed. The Court finds probable cause to believe that the mediator's fees have not been paid. The parties named above are ordered to appear in person at the date, time, and place shown below to show cause why they should not be held in civil contempt for their failure to pay mediator's fees as ordered by the Court. If the Court finds a party in civil contempt, he or she may be committed to jail for as long as such civil contempt continues. A party may be entitled to have counsel represent him or her at the hearing. You may hire your own counsel. If you are found to be indigent, the Court will appoint counsel for you, unless you waive the right to counsel.

Date Of Hearing	Time Of Hearing ☐ AM ☐ PM	Location Of Hearing
Date	Name Of Judge (type or print)	Signature Of Judge

Original - File
(Over)

	RETURN OF SERVICE	
--	--------------------------	--

I certify that this Motion and Order was received and served as follows:

Date Served

Name Of Contemnor

- ☐ By personally delivering to the contemnor named above a copy of this Motion and Order.
- ☐ By leaving a copy of this Motion and Order at the dwelling house or usual place of abode of the contemnor named above with a person of suitable age and discretion residing therein.

Name Of Person With Whom Copy Left

Address Where Copy Delivered Or Left

Date Accepted

Signature Of Person Who Served Motion And Order

☐ Other manner of service: *(specify)*

☐ Contemnor WAS NOT served for the following reason:

Date Received

Date Of Return

Signature Of Deputy Sheriff Making Return

Service Fee

\$

☐ *Paid*

☐ *Due*

Name Of Sheriff (type or print)

County Of Sheriff