

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
☐ District ☐ Superior Court Division
☐ District Court Division - Small Claims
☐ Before The Clerk

NOTE: In a criminal or juvenile delinquency proceeding where the defendant's/juvenile's right to be present or right to confront witnesses is implicated, form AOC-CR-411 ("Waiver Of Rights And Consent To Audio Video Proceeding") is also required.

Name And Address Of Plaintiff(s) Or Petitioner(s)

☐ Criminal: STATE

VERSUS / IN THE MATTER OF

Name And Address Of Defendant(s), Respondent(s), Or Juvenile(s)

MOTION FOR ☐ FULLY REMOTE HEARING ☐ HYBRID REMOTE HEARING AND ORDER ON MOTION

G.S. 7A-49.6

Name And Mailing Address Of Attorney(s) For Plaintiff(s) Or Petitioner(s) Or Of Prosecutor

Name And Mailing Address Of Attorney(s) For Defendant(s), Respondent(s), Or Juvenile(s)

Nature Of Hearing

Date Of Hearing

MOTION FOR REMOTE HEARING

The undersigned hereby requests that the hearing referenced above be conducted, or partially conducted, via audio and video transmission, pursuant to G.S. 7A-49.6 on the grounds listed below. (If a hybrid hearing is requested, specify which participant(s) wants to participate remotely, their physical location while participating, and the contact information for the participant(s).)

- ☐ I have consulted the opposing party/attorney regarding this motion and they
☐ take no position on a remote hearing. ☐ agree to a remote hearing. ☐ desire an in-person hearing.
☐ I have not consulted the opposing party/attorney regarding this motion.

The estimated time needed for the hearing on this motion is: _____.

Date	Name Of Movant (type or print)	Signature Of Movant	<input type="checkbox"/> Plaintiff/Petitioner	<input type="checkbox"/> Plaintiff/Petitioner's Attorney
			<input type="checkbox"/> Def./Resp./Juvenile	<input type="checkbox"/> Def./Resp./Juvenile's Attorney
			<input type="checkbox"/> Other: _____	

☐ This Motion for Remote Hearing is scheduled for hearing:

Date Of Hearing On Motion	Time Of Hearing On Motion	Location Of Hearing On Motion

(Certificate Of Service and Order On Motion on next pages)

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Motion For Remote Hearing was served as follows:

PLAINTIFF/PETITIONER 1 OR STATE:*Date Served**Name Of Person Served*

- ☐ By sending it by email from ICMS/File & Serve to
- ☐ plaintiff/petitioner's attorney/prosecutor at an email address of record with the court, specifically: _____
- ☐ plaintiff/petitioner at an email address of record with the court in the case (only if a consent to receive service by electronic filing or case management system is filed with the court), specifically: _____
- ☐ By sending it by email to plaintiff/petitioner's attorney/prosecutor at an email address of record with the court in the case (use when the court's electronic filing or case management system is not available), specifically: _____
- ☐ By sending it by email to plaintiff/petitioner at an email address of record with the court in the case (only if a consent to receive email at this address is filed with the court), specifically: _____
- ☐ By depositing it in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to plaintiff/petitioner at the address shown above for that person.
- ☐ By hand delivery to plaintiff/petitioner. ☐ Other manner of service: _____

PLAINTIFF/PETITIONER 2:*Date Served**Name Of Person Served*

- ☐ By sending it by email from ICMS/File & Serve to
- ☐ plaintiff/petitioner's attorney at an email address of record with the court, specifically: _____
- ☐ plaintiff/petitioner at an email address of record with the court in the case (only if a consent to receive service by electronic filing or case management system is filed with the court), specifically: _____
- ☐ By sending it by email to plaintiff/petitioner's attorney at an email address of record with the court in the case (use when the court's electronic filing or case management system is not available), specifically: _____
- ☐ By sending it by email to plaintiff/petitioner at an email address of record with the court in the case (only if a consent to receive email at this address is filed with the court), specifically: _____
- ☐ By depositing it in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to plaintiff/petitioner at the address shown above for that person.
- ☐ By hand delivery to plaintiff/petitioner. ☐ Other manner of service: _____

DEFENDANT/RESPONDENT/JUVENILE 1:*Date Served**Name Of Person Served*

- ☐ By sending it by email from ICMS/File & Serve to
- ☐ defendant/respondent/juvenile's attorney at an email address of record with the court, specifically: _____
- ☐ defendant/respondent/juvenile at an email address of record with the court in the case (only if a consent to receive service by electronic filing or case management system is filed with the court), specifically: _____
- ☐ By sending it by email to defendant/respondent/juvenile's attorney at an email address of record with the court in the case (use when the court's electronic filing or case management system is not available), specifically: _____
- ☐ By sending it by email to defendant/respondent/juvenile at an email address of record with the court in the case (only if a consent to receive email at this address is filed with the court), specifically: _____
- ☐ By depositing it in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to defendant/respondent/juvenile at the address shown above for that person.
- ☐ By hand delivery to defendant/respondent/juvenile. ☐ Other manner of service: _____

DEFENDANT/RESPONDENT/JUVENILE 2:*Date Served**Name Of Person Served*

- ☐ By sending it by email from ICMS/File & Serve to
- ☐ defendant/respondent/juvenile's attorney at an email address of record with the court, specifically: _____
- ☐ defendant/respondent/juvenile at an email address of record with the court in the case (only if a consent to receive service by electronic filing or case management system is filed with the court), specifically: _____
- ☐ By sending it by email to defendant/respondent/juvenile's attorney at an email address of record with the court in the case (use when the court's electronic filing or case management system is not available), specifically: _____
- ☐ By sending it by email to defendant/respondent/juvenile at an email address of record with the court in the case (only if a consent to receive email at this address is filed with the court), specifically: _____
- ☐ By depositing it in a post-paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service, addressed to defendant/respondent/juvenile at the address shown above for that person.
- ☐ By hand delivery to defendant/respondent/juvenile. ☐ Other manner of service: _____

*Date**Signature Of Person Serving Motion**Name Of Person Serving Motion**Title Of Person Serving Motion*

ORDER ON MOTION FOR REMOTE HEARING

- ☐ This Motion was reviewed by the court out of session.
- ☐ A hearing on the Motion for a Remote Hearing was held.
- ☐ The Court ☐ finds ☐ does not find that the hearing shall be held via audio and video transmission.

Therefore, it is ORDERED that this hearing shall be held on _____ at _____

- ☐ in person in Courtroom _____.
- ☐ fully remote via audio video transmission. ☐ hybrid remote via audio video transmission.

If the hearing is to be held via fully remote or hybrid remote means, the participant(s) listed below is/are permitted to testify remotely, from the locations listed below. The participant(s) must provide contact information to the Court prior to the hearing.

NOTE TO COURT AND PARTIES IN A CRIMINAL OR JUVENILE DELINQUENCY PROCEEDING: *Where the defendant's/juvenile's right to be present or right to confront witnesses is implicated, form AOC-CR-411 ("Waiver Of Rights And Consent To Audio Video Proceeding") is also required.*

Participant Name	Location Participating From

Date	Name Of Judicial Official (type or print)	Signature Of Judicial Official

☐ Assistant CSC ☐ Clerk Of Superior Court ☐ Magistrate ☐ District Ct. Judge ☐ Superior Ct. Judge

NOTE: G.S. 7A-49.6 grants each presiding judicial official discretionary authority to conduct civil proceedings by remote audio and video transmission without the need to find good cause **unless** a party objects.

Except as otherwise permitted by law, when the right to confront witnesses or be present is implicated in criminal or juvenile delinquency proceedings, the court may not proceed by audio and video transmission unless the court has obtained a knowing, intelligent, and voluntary waiver of the defendant's or juvenile respondent's rights.