STATE OF NORTH CAROLINA

_____ County

File No.

In The General Court Of Justice
Superior Court Division
Before The Clerk

Name Of Plaintiff(s)/Petitioner(s)

VERSUS

Name Of Defendant(s)/Respondent/Decedent

MOTION AND ORDER FOR SHOW CAUSE HEARING

G.S. 5A-23, 7A-38.3B; Rule 5 of the Rules of Mediation for Matters Before the Clerk of Superior Court

MOTION

The undersigned mediator moves the Court to order the persons or entities named below to appear before the Court to show cause why he/she/they should not be held in contempt for failure to pay the mediator's fees as ordered by the Clerk in an Order Regarding Mediation In Matters Before The Clerk Of Superior Court dated _____.

The undersigned mediator is ☐ **Clerk-appointed.** ☐ **Party-selected.**

1. a. Amount due for mediation services (CMP Rules 7(a) and 7(b)) ..... $_____
   Total time spent in mediation: _____ hours, _____ minutes at $_____ per hour.
   b. Amount due for administrative fee (CMP Rule 7(b)) ..... $_____
   c. Amount due for postponement fee (CMP 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 persons or entities named below have failed to timely pay the above fees:

Name of Person/Entity Owing Fees	Address of Person/Entity	Total Amount Owed
		$
		$
		$

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date	*Signature Of Person Authorized To Administer Oaths*
☐ *Notary*	*Date My Commission Expires*
SEAL	*County Where Notarized*

Name And Address Of Mediator

Telephone No. Of Mediator

Signature Of Mediator | *Date*

ORDER ALLOWING SHOW CAUSE HEARING

The above motion for a Show Cause Hearing ☐ is denied ☐ is allowed. The undersigned Clerk/Assistant Clerk finds that there is probable cause to believe that the mediator's fees have not been paid. You are ordered to appear in person at the date, time, and place indicated below to show cause why you should not be held in civil contempt for failure to pay mediator's fees as ordered by the Clerk. If the Clerk finds you in civil contempt, you may be committed to jail for as long as such civil contempt continues. You may be entitled to have counsel represent you at the hearing. You may hire your own counsel. If you are found to be indigent, the Clerk will appoint counsel for you, unless you waive the right to counsel.

Date Of Hearing	*Time Of Hearing* ☐ AM ☐ PM	*Date*	*Name Of Clerk (type or print)*
Location Of Hearing		*Signature*	☐ *Assistant CSC* ☐ *Clerk Of Superior Court*

Original-File
(Over)

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RETURN OF SERVICE

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

Date Served	*Name Of Alleged Contemnor*

☐ By personally delivering to the alleged 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	*Name Of Person Who Served Motion And Order*	*Signature Of Person Who Served Motion And Order*

☐ Other manner of service *(specify):*

☐ Alleged contemnor WAS NOT served for the following reason:

Date Received	*Date Of Return*	*County*

Service Fee		*Signature Of Deputy Sheriff Making Return*
$	☐ *Paid* ☐ *Due*	
		Name Of Deputy Sheriff

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