

STATE OF NORTH CAROLINA

File No.

\_\_\_\_\_ County

In The General Court Of Justice  
District Court Division

IN THE MATTER OF

Name Of Juvenile

ORDER IN CONTEMPT PROCEEDING  
(PARENT, GUARDIAN, CUSTODIAN OR CARETAKER  
IN ABUSE/NEGLECT/DEPENDENCY CASE)

G.S. 5A-11, 5A-21, 7B-407, 7B-904(e)

Name And Address

Parent  Guardian  Custodian  Caretaker

NOTE TO CLERK: **Black out name of juvenile prior to sending order to sheriff.**

This matter was heard before the undersigned judge on an Order to Show Cause why the person (parent, guardian, custodian or caretaker) named above should not be held in civil or criminal contempt.

Based on the evidence, the Court FINDS THE FOLLOWING FACTS  beyond a reasonable doubt:

- 1. The person named above was properly served with an Order to Show Cause on (date) \_\_\_\_\_.
- 2. The person named above was present and  was represented by counsel.  waived his/her right to be represented by counsel.
- 3. **FAILURE TO COMPLY - CIVIL CONTEMPT.** The person named above willfully fails and refuses to comply with an order of the court entered on (date) \_\_\_\_\_, in that: (describe conduct)

The order remains in force, and the purpose of the order may still be served by compliance with its terms. The person is able to  comply with the order.  take reasonable measures that would enable him/her to comply with the order, namely: (describe measures)

- 4. **FAILURE TO COMPLY - CRIMINAL CONTEMPT.** The person named above willfully failed to comply with an order of the court entered on (date) \_\_\_\_\_, despite his/her ability to comply. He/she failed to comply in that: (describe conduct)
- 5. **FAILURE TO APPEAR - CRIMINAL CONTEMPT.** After being personally served with a Summons, the person named above willfully failed to appear in this matter on (date) \_\_\_\_\_. He/she had the ability to appear and his/her failure to appear was without lawful excuse.
- 6. Other:

Based on the Findings of Fact, the Court CONCLUDES AS A MATTER OF LAW that:

- 1. the evidence does **not** establish that the person named above is in contempt.
- 2. the person named above **is** in civil contempt.
- 3. the person named above **is** guilty of criminal contempt.
- 4. Other:

(Over)

The Court therefore ORDERS that:

**NOTE:** A person who is found in civil contempt shall not, for the same conduct, be found in criminal contempt. G.S. 5A-12(d), 5A-21(c), 5A-23(g).

- 1. this Contempt Proceeding be **dismissed**.
- 2. **CIVIL CONTEMPT.** The person named on the reverse side shall be immediately taken into custody by the sheriff of this county. The person shall remain in custody until he/she purges himself/herself of contempt by complying with the following release conditions: *(specify release conditions)*

When these conditions have been met, the person shall be released. If the person named on the reverse side is not sooner released, the sheriff is ORDERED to produce him/her in court at the date, time and place set out below to review the above conditions.

Date Of Hearing	Time Of Hearing <input type="checkbox"/> AM <input type="checkbox"/> PM	Place Of Hearing
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- 3. **CRIMINAL CONTEMPT. NOTE TO COURT:** *If suspending a sentence for contempt, impose judgment on form AOC-CR-604. (check all that apply)*
  - the person named on the reverse side is hereby censured for contempt.
  - the person named on the reverse side  shall pay a fine of \$ \_\_\_\_\_ (*max. \$500.00*).  shall pay the costs of court.
  - the person named on the reverse side shall be imprisoned for a term of \_\_\_\_\_ days in the custody of the  
 Sheriff.  Other: \_\_\_\_\_.
  - The person shall be given credit for \_\_\_\_\_ days' pretrial confinement.  Work release is recommended.
  - This sentence shall run at the expiration of the sentence imposed in file number \_\_\_\_\_.

**NOTE TO COURT:** *If a finding of criminal contempt was made by a judicial official inferior to a Superior Court Judge, the appeal is to Superior Court. G.S. 5A-17. On appeal from criminal contempt imposing confinement, there must be bail hearing "within a reasonable time period" after confinement is imposed. The contemnor may not be confined more than 24 hours without a bail hearing. See G.S. 5A-17(b) for officials who may conduct the hearing.*

- 4. Other:

Date	Name Of Judge (type or print)	Signature Of Judge
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