

18R112

IN THE GENERAL COURT OF JUSTICE

DISTRICT COURT DIVISION

STATE OF NORTH CAROLINA

ADMINISTRATIVE ORDER 18-02

CABARRUS COUNTY

FILED
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CLERK OF COURTS
CABARRUS COUNTY NC

The undersigned Chief District Court Judge for Cabarrus County District 19-A

does hereby order that all Motions for Emergency Custody **must** be submitted to the judge with an Emergency Custody Cover Sheet. The Emergency Cover Sheet is attached to this Administrative Order. The cover sheet can also be found on the North Carolina Court System website at www.nccourts.org and in the office of the Clerk of Courts and District Court judges. This Order shall be effective February 14, 2018.

This the 14th day of February 2018.

William G. Hamby, Jr.
William G. Hamby, Jr.
Chief District Court Judge

STATE OF NORTH CAROLINA
COUNTY OF CABARRUS

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

FILE NO. _____

)

)
Plaintiff,)
)
vs.)
)

)
Defendant.)
_____)

**EMERGENCY CUSTODY
COVER SHEET**

Please answer *ALL* questions and check *ALL* boxes that apply:

1. A temporary order is sought *ex parte* that does not change the living arrangement of the child(ren).
 A temporary order is sought *ex parte* that does change the living arrangement of the child(ren), however,
 - the child(ren) are exposed to a substantial risk of bodily injury or sexual abuse
 - there is a substantial risk that the child(ren) may be abducted or removed from North Carolina for the purpose of evading the jurisdiction of this State.
2. There is is not a Chapter 50 custody order in place.
3. There is is not an ongoing Chapter 50 custody action.
4. I have have not participated in litigation concerning the custody of the child(ren).
5. I have do not have information about a custody proceeding such as (check all that apply) divorce, proceeding related to domestic violence, a protective order, termination of parental rights or adoption that is pending in a court of this or another state.
6. I have do not have information about any prior or pending criminal charges wherein one of the parties has perpetrated a crime on the other party.
7. There is is not an opposing attorney. Name of opposing attorney

8. A Department of Social Services has not been involved with the family in the past.
 A Department of Social Services has been involved with the family in the past and,
 - The child(ren) were placed with a relative through a Kinship Placement Agreement.
 - The child(ren) were placed in the guardianship of

9. There is is not an open investigation with DSS.

10. For the past five (5) years, the child(ren) have lived as follows:

Period of Residence		Address	Name of Person Lived With	Present Address Of Person
From	To			

I, the undersigned, aver that the contents of this cover sheet are true to my knowledge, except as to those matters stated on information and belief, and, as to those matters I believe them to be true.

This the _____ day of _____, 20_____.

 Plaintiff Defendant

Sworn to this the ___ day of _____, _____

Before _____

Notary Public

My commission expires:

As the attorney, I understand that Rule 3.3(d) of the Revised Rules of Professional Conduct provides: "In *ex parte* proceeding, a lawyer shall inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse."

This the _____ day of _____, 20_____.

 Plaintiff's Attorney Defendant's Attorney

The request for Emergency Custody has been denied. The matter is set for _____ in courtroom #___ at _____ a.m. for a referral to custody mediation the matter is not appropriate for custody mediation and a waiver form is attached hearing for temporary custody with an estimated time of _____ minutes to set a trial date for permanent hearing.

This the _____ day of _____, 20_____.

Judge