

NORTH CAROLINA
COUNTY OF DURHAM

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____ CVD _____
Assigned Judge: _____

_____, Plaintiff, v. _____, Defendant.	
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**REQUEST FOR
EX PARTE/EMERGENCY CUSTODY
CONSIDERATION**

THIS REQUEST MUST ACCOMPANY ALL MOTIONS FOR EX PARTE/EMERGENCY CUSTODY AND SHOULD BE FILLED OUT IN ITS ENTIRETY. Please note: THIS IS NOT A MOTION. A formal motion and proposed order MUST be submitted with this request.

Please answer ALL questions and check ALL boxes that apply:

1. A temporary emergency order is sought *ex parte* that DOES change the living arrangement of the child(ren) because:
 - 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 Family Court (Chapter 50) custody order in place.
3. There is is not an ongoing Family Court (Chapter 50) custody action.
If there is, please provide the file number: _____.
4. There is is not a 50-B Domestic Violence Protective Order involving the custody/visitation of the minor child(ren). If there is, please provide the file number: _____.
5. There is is not an opposing attorney. If yes, name of opposing attorney: _____.
If there is an opposing attorney, please answer ALL of the following:
I have have not had contact with the attorney for the opposing party.
The attorney for the opposing party does does not wish to be heard in this matter, I cannot certify whether opposing attorney wishes to be heard.
6. There is is not an open investigation with the Department of Social Services.
7. The Department of Social Services has **not** been involved with the family in the past.
 The Department of Social Services has been involved with the family in the past, and:
 The child(ren) were placed with _____.

This the _____ day of _____, 20_____.

Signature: Plaintiff/Plaintiff's Attorney
 Defendant/Defendant's Attorney
 Print Name: _____
 Phone Number: _____

- The request for Emergency Custody *ex parte* is GRANTED. Please see attached order for details and information regarding the hearing date for the Return on Ex Parte.
- The request for Emergency Custody *ex parte* is denied. This matter is set for _____ in courtroom _____ at _____ a.m./p.m. for
- a referral to custody mediation a hearing for temporary custody there is no hearing set for any matters.

This the _____ day of _____, 20_____.

District Court Judge Presiding