

INSTRUCTIONS FOR FILING INCOMPETENCY FORMS

This Packet Contains: petition, notice of hearing, and certificate of service.
These forms available at www.nccourts.org. Click on “forms” and enter the form numbers shown below.

The Clerk’s office cannot fill out or help you fill out these forms or notarize your signature.
If you need assistance, you may need to contact an attorney.

PETITION FOR ADJUDICATION OF INCOMPETENCE (FORM AOC-SP-200)

- Fill out petition but do not sign it: “Petitioner” means the person signing the petition
“Respondent” means the person the petitioner says is incompetent
- Sign petition before a notary public
- Need 3 copies plus original of petition (and as many copies as you need for respondent’s next of kin)
- Prepare two fees:
 - (1) \$120 filing fee in cash, money order, or certified check payable to the Clerk of Court
 - (2) \$30 fee in cash, money order, or certified check payable to the Mecklenburg County Sheriff

NOTICE OF HEARING (FORM AOC-SP-201)

- Fill out: name of county
respondent’s name
address where respondent is located (see explanation below)
place for hearing: Suite 3600, Meck. Co. Courthouse, 832 E. 4th St., Charlotte, NC 28202
- Need 4 copies plus original of the notice (and as many copies as you need for respondent’s next of kin)

- The sheriff must personally serve (deliver) the petition and notice to the respondent
- Sheriff will go only to address you put on the notice and only inside Mecklenburg County
- If respondent attends school, is enrolled in a daycare facility, or is an inpatient at a medical facility, you should list that address on the notice and the hours the respondent can be found at that location
- If the respondent leaves the address you listed before the sheriff delivers the documents to the respondent, call the sheriff’s office at 704-336-2543 and give the respondent’s new location
- If you need to give special instructions to the sheriff about delivering the petition and notice, ask the special proceedings clerk for an additional instruction sheet for the sheriff
- A hearing will be scheduled when you submit the petition and notice to the special proceedings clerk

CERTIFICATE OF SERVICE (FORM AOC-SP-207)

- Mail petition and notice of hearing to respondent’s next of kin; see instructions on bottom of notice
- Fill out this certificate of service but do not sign
- Sign certificate before a notary public

FILING PETITION, NOTICE and CERTIFICATE OF SERVICE

Weekdays 9:00 am to 5:00 pm
Suite 3720 – Special Proceedings
Mecklenburg County Courthouse, 832 E. 4th Street, Charlotte, NC 28202
To file via mail: Mecklenburg County Clerk of Superior Court, P.O. Box 37971, Charlotte, NC 28237
Note: Certificate of Service may be filed before or at the hearing