

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

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 ☐ *granted* or ☐ *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 **30** minutes ☐ to set a trial date for permanent hearing.

This the _____ day of _____, 20_____.

District Court Judge