

NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

_____, Plaintiff, v. _____, Defendant.
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NOTICE OF DIVORCE HEARING

First Subsequent

PLEASE READ ALL INSTRUCTIONS ON THE BACK BEFORE COMPLETING THIS FORM

1. Please check one:
 I am an attorney; I have an attorney; My spouse has an attorney;
 No attorneys are involved in this case.
2. Date requested for divorce hearing: _____
3. I understand that a copy of this document must sent be to the other party: Yes No
4. Do you need an interpreter? Yes No If so, what language: _____
5. Does your spouse need an interpreter? Yes No If so, what language: _____
6. I wish to schedule this matter for Trial Remote Summary Judgment Motion

*******DO NOT FILL OUT THIS BOX – CLERK TO COMPLETE*******

ALL PARTIES ARE HEREBY NOTIFIED THAT the divorce hearing in this case will take place on the **date in #2 above in Courtroom 5B** of the **Wake County Courthouse located at 316 Fayetteville Street, Raleigh, North Carolina at 10:30 a.m.** If the Defendant does not object to the divorce and does not wish to be heard by the judge, he or she may watch the proceedings without coming to court via WebEx at **Meeting ID# 798 770 579** (Check for Trial)

ALL PARTIES ARE HEREBY NOTIFIED THAT motions for Summary Judgment will be heard on **the date in #2 above remotely via WebEx at: Meeting ID#798 770 579 at 9:00 a.m.** Parties may object to having a remote hearing for good cause. Instructions for how to object are on the back of this form. If the court finds good cause for the objection to the remoteness of the hearing, the case will be set for trial. (Check for SJ Motion)

CERTIFICATE OF SERVICE:

I hereby certify that a copy of this **Notice of Hearing** has been served on all parties/counsel in the following manner:

By depositing a copy in the US Mail in a properly addressed, postpaid envelope to: _____

By hand delivery to: _____

Other: _____

Date: _____

(Signature)

(Printed name)

Plaintiff Defendant Attorney for Plaintiff Attorney for Defendant

PLEASE READ ALL INSTRUCTIONS BEFORE COMPLETING THE FRONT OF THIS FORM

****NOTICE OF HEARING FEE WITH MOTION FOR SUMMARY JUDGMENT - \$20****

All uncontested divorces (without request for incorporation of separation agreement) and motions for summary judgment in divorce cases may be set by this notice. Summary Judgment Divorces will be heard remotely at **9:00 a.m.** on FRIDAYS at **WebEx Meeting ID #798 770 579**, and divorce trials for attorneys and self-represented persons will be heard at **10:30 a.m.** on FRIDAYS in Courtroom 5B.

NOTICE TO INDIVIDUALS WITHOUT ATTORNEYS:

You must follow the instructions listed below

- The earliest date your divorce hearing may be scheduled is the first FRIDAY 41 days AFTER the Summons and Complaint were served on your spouse. If that date falls on a Court holiday, you will need to select another Friday. If you arranged for Sheriff's service, you will receive a small white card from the Clerk of Superior Court showing the date of service. If you chose a different method of service, you will need to provide proof to the Court as to when you served the Defendant. See Rule 4 Instructions for Initial Service of the Summons and Complaint on Defendant.
- Complete the appropriate portions of this Notice of Hearing and take three (3) copies to the Clerk's Office located on the 1st floor of the Wake County Courthouse. Have all three copies file stamped. Leave one copy with the Clerk, serve one copy on your spouse, and keep one copy for yourself. This Notice must be served on your spouse at least 5 business days prior to the scheduled hearing (excluding weekends or court holidays). Service of this Notice may be made by sending it via U.S. mail in a properly addressed envelope, postpaid, to your spouse's last known address, by delivery to your spouse's attorney of record, or by hand delivery to your spouse. See Rule 5 of the North Carolina Rules of Civil Procedure.
- If you are seeking summary judgment rather than, or in addition to a trial, you must also file a motion for summary judgment. The motion must be served on the other party at least 10 days prior to the hearing.
- **SUMMARY JUDGMENT MOTIONS:** On the date designated in **blank #2** on the front of this form, use WebEx and go to **Wake Courtroom 5B Personal Room Meeting ID#798 770 579 at 9:00 a.m.** The cases will be called in the order of appearance. Please email copies of your completed **JUDGMENT FOR ABSOLUTE DIVORCE**, SCRA Affidavit, and Certificate of Absolute Divorce to Tasha.S.ONeal@nccourts.org at least 72 hours before the hearing.

Parties may object to having a remote hearing by mailing or emailing written objections to the clerk (Tasha.S.ONeal@nccourts.org) at least two (2) days before the hearing. Written objections should include the names of the parties, the file number, and the basis for the objection. Objections may also be made orally in Courtroom 5B at 9:00 a.m. on the day of the hearing.

- **FOR TRIALS:** On the date designated in **blank #2** on the front of this form, go to **Courtroom 5B** and be seated. Defendants who do not object to the proceedings and do not wish to speak to the judge may prefer to watch the hearing remotely via WebEx at **Wake Divorce Personal Meeting Room ID#798 770 579**. The cases will be called in numerical order. The person seeking the divorce should bring **THREE** copies of the **JUDGMENT FOR ABSOLUTE DIVORCE**. At the hearing, you will be given a Certificate of Absolute Divorce that must be filled out on the date of the hearing in **Black Ink**. If you are appearing remotely for a summary judgment motion or trial, the personal meeting room can be accessed by going to www.WebEx.com and selecting the "JOIN" tab. Type in the meeting ID number listed above in the box. Make sure your video and audio are working properly before selecting "Join the meeting." Mute your microphone until your case is called for hearing.

*Please note, Employees of the Clerk's Office or the Court are **PROHIBITED BY LAW** from advising you regarding your legal situation.*