

NORTH CAROLINA
COUNTY OF WAKE

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

_____, Plaintiff,
v.
_____, Defendant.

**NOTICE OF SUMMARY JUDGMENT
DIVORCE HEARING**

First Subsequent

PLEASE READ ALL INSTRUCTIONS ON THE BACK BEFORE COMPLETING THIS FORM

1. Date requested for Summary Judgment hearing: _____
2. I understand that a copy of this document must sent be to the other party: Yes No
3. Do you need an interpreter? Yes No If so, what language: _____
4. Does the spouse need an interpreter? Yes No If so, what language: _____
5. The email address where I would like the divorce judgment sent is: _____

ALL PARTIES ARE HEREBY NOTIFIED THAT motions for Summary Judgment will be heard on **the date in #1 above remotely via WebEx at 9:00 a.m.** If your hearing is scheduled **BEFORE January 31, 2020**, use the **Meeting ID#798 770 579**. If your hearing is scheduled **AFTER January 31, 2020**, use the **Meeting ID# 126 101 9327**. Parties may object to having a remote hearing for good cause. Instructions for how to object are on the back of this form.

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 motions for summary judgment (without request for incorporation of separation agreement) may be set by this notice. Summary Judgment divorces will be heard remotely at **9:00 a.m.** on FRIDAYS via **WebEx**.

Motions scheduled **before** January 1, 2021 can be joined using **Meeting ID #798 770 579**.

Motions scheduled **after** January 1, 2021 can be joined using **Meeting ID # 126 101 9327**.

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.
- You must file a motion for summary judgment and serve it on the other party at least 10 days prior to the hearing.
- 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.
- On the date designated in **blank #1** on the front of this form, use WebEx and go to **Wake Divorce Meeting Room at 9:00 a.m.** The Meeting IDs are listed above. Please email copies of your completed **JUDGMENT FOR ABSOLUTE DIVORCE**, SCRA Affidavit, and Certificate of Absolute Divorce to WakeCountyDivorce@nccourts.org at least 72 hours before the hearing.

If the clerk does not receive your documents, the motion for summary judgment will not be heard.

Parties may object to having a remote hearing by mailing or emailing written objections to the clerk WakeCountyDivorce@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 9C at 9:00 a.m. on the day of the hearing. If the court finds good cause for the objection to the remoteness of the hearing, in the discretion of the judge, it may be heard as a live summary judgment divorce at 10:30 a.m., or it may be reset for trial on a future court date.

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 WebEx "Join" 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.*