

**COUNTY OF PITT
3A JUDICIAL DISTRICT**

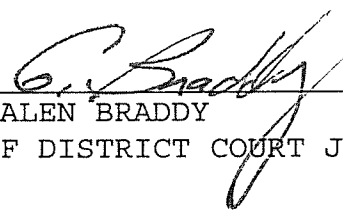
**DISTRICT COURT DIVISION
FAMILY COURT**

**ORDER ADOPTING RULES
FOR FAMILY COURT**

FILED
2023 JAN -5 P 2:12
PITT CO., O.S.
BY

Pursuant to Rule 2 of the General Rules of Practice for Superior and district Courts, and N.C.G.S. §50 the attached Local Rules for Family Court are hereby adopted effective February 1, 2023 and shall apply to all cases filed on or after that date and, insofar as practical, to all pending cases. These Rules supersede all previous rules for Family Court cases in the District Court Division of the 3A Judicial District, Pitt County.

It is so ordered this 4 day of January 2023.



G. GALEN BRADDY
CHIEF DISTRICT COURT JUDGE

3A JUDICIAL DISTRICT FAMILY COURT RULES

(Effective 1 February 2023)

Table of Contents

Rule 1:	GENERAL RULES AND GOALS FOR DISPOSITION	1
Rule 2:	JUDICIAL ASSIGNMENTS, EVENT DATES, CONTEMPT MOTIONS, AND EX PARTE SUBMISSIONS	5
Rule 3:	TRACKING, MANAGING, CALENDARING, ORDERS, & CLOSING CASES....	7
Rule 4:	REQUESTS TO CONTINUE OR REQUESTS FOR ADDITIONAL HEARING TIME	10
Rule 5:	TRIAL EXHIBITS, TELEPHONE/VIDEO PARTICIPATION, SUBPOENAS & EXPERT REPORTS.....	12
Rule 6:	CHILD SUPPORT (NOT IV-D)	14
Rule 7:	CHILD CUSTODY	17
Rule 8:	POSTSEPARATION SUPPORT AND ALIMONY	21
Rule 9:	EQUITABLE DISTRIBUTION.....	23

Rule 1: GENERAL RULES AND GOALS FOR DISPOSITION

1. 1. Purpose and Citation. The purpose of the 3A Judicial District Family Court Rules is to provide a framework for the fair, just, and timely resolution of legal problems affecting families and children appearing in this District’s Family Court. These Rules are intended to supplement the North Carolina General Statutes, North Carolina Rules of Civil Procedure, the North Carolina Rules of Evidence, and the General Rules of Practice for Superior and District Courts for application in this District in the resolution of Family Court matters. These Rules, and all amendments hereafter, shall be filed by the Family Court Administrator with the Clerk of Superior Court in Judicial District 3A and with the Administrative Office of the Courts, along with a notation of the Effective Date of each version. These Rules may be cited as 3AFCR.

1. 2. Application and Amendments. These Rules shall apply to all Chapter 50, Chapter 50A, and Chapter 52C matters, whether an initial filing, counterclaim, or a motion in the cause. These Rules shall not apply to Chapter 7B Juvenile Proceedings, or Chapter 50B Domestic Violence Actions. These Rules are not intended to be complete in every detail or to cover every situation that may arise. In the event that these Rules fail to address a specific matter, they should be construed to avoid technical, unnecessary, or unreasonable delay, to avoid prejudice to any party, to promote the fair resolution of family law cases, and to promote the ends of justice. The Family Court Office (FCO) and its administrators are authorized to act in consultation with an assigned/presiding Judge or the Chief District Court Judge in applying and interpreting these Rules. These Rules are subject to amendment or modification as experience or need may dictate.

1. 3. Family Court Rules Advisory Committee. A Family Court Rules Advisory Committee shall be established by the Chief District Court Judge. The Committee shall be comprised of at least two attorneys with more than ten (10) years of experience in Family Court or with a North Carolina State Bar specialist certification in Family Law; a Family Court Office Administrator; an Assistant or Deputy Clerk of Court with experience in Family Court matters; and a Family Court District Court Judge. One member of the appointed Committee shall be designated by the Chief District Court Judge as its Chairperson. The Chief District Court Judge may add members to the Committee as he/she deems necessary. The Committee Members shall serve at the discretion of the Chief District Court Judge. The function of the Committee shall be to review the Rules for amendments as may be necessary to serve their purposes in Family Court cases; to serve as a liaison and resource for Family Court, the practicing Bar, and the public as may be necessary to promote the just resolution of family law cases; to assist the Family Court in the development of standard forms for use in Family Court cases; to communicate and inform Family Court of legal and practice issues affecting the Family Court and these Rules; and to make recommendations to Family Court to better serve families and cases in the Family Court system of this District. The Family Court Advisory Committee shall meet at such times as may be set out or established by its Chairperson or the Chief District Court Judge.

1. 4. Compliance and Sanctions. Parties and attorneys shall comply with these Rules. Although a party is not required to have an attorney, any party who is not represented by an attorney shall nevertheless be required to comply with these Rules and shall keep the FCO informed of his/her current mailing address, phone number, and email address for the receipt of electronic communications. FCO shall inform unrepresented parties of the obligation to comply with these Rules and shall provide information to unrepresented parties as to how they may obtain a copy of the Rules. Failure to comply with any section of these Rules and/or the applicable Rules of Civil Procedure and General Statutes may subject the parties and/or their counsel to sanctions as allowed by law and as deemed appropriate in the discretion of the Court, including but not limited to the following: (1) Delay or continuance of the matter pending compliance; (2) Monetary sanctions; (3) Exclusion of evidence; (4) Dismissal of a claim or claims. Dismissal of any claim shall be considered and imposed as a sanction only after the Court has considered and rejected available lesser sanctions as appropriate under the applicable facts and circumstances. A case or issue in the case which has been noticed properly for a conference or hearing shall be subject to dismissal for failure to appear and prosecute the matter if, at the time the matter is called for conference or hearing, the attorneys and/or parties necessary for the hearing of the matter are not present and ready to proceed, unless they have notified the Court of an emergency or good cause explanation which would excuse their presence.

1. 5. Court Sessions. The Chief District Court Judge shall designate Family Court Sessions and assign Judges for such sessions. Emergency matters may be heard by the Judge assigned to a case in any courtroom regardless of the session to which the Judge is assigned for the week. If, due to illness, vacation, or other cause, the Judge assigned to a case is not available to hear ex parte or other emergency matters, another District Court Judge may hear those matters. See also Rule 2.4 below regarding motions for entry of ex parte orders.

1. 6. Availability of Rules and Forms. The FCO will maintain copies of these Rules, and any associated available Family Court forms (See attached Appendix of Forms), which may

be furnished to attorneys, parties, and the public upon request. FCO shall inform pro se parties of the existence of these Rules and Forms, of the obligation to comply with these Rules and Forms, and how a copy of them may be obtained. Counsel dealing with unrepresented parties are encouraged and expected to assure that such parties are made aware of the existence of these Rules and Forms. Except as otherwise specifically required by these Rules, where forms are required by the Rules, attorneys or pro se parties may use either the forms provided by FCO and attached to these Rules or a substantially similar form of their choosing which sets forth the necessary information. Use of the Pitt County Family Court approved forms set forth in the Appendix to these Rules is encouraged.

1. 7. Goals for Disposition. The North Carolina Family Court Advisory Committee has established a case management plan to aid in the just, fair, and timely resolution of family law cases filed in this district. This plan meets the suggested guidelines promulgated by the Administrative Office of the Courts for the Family Courts in North Carolina. Unless otherwise specified, days are calendar days. In the event there is an excusable or unavoidable delay in accomplishing the lawful service of process of legal documents, or for good cause shown, any time frame provided by these Rules (including the outer time frame) may be extended in a written Order entered by an assigned District Court Judge or the Chief District Court Judge. The Judge, in his/her discretion, may extend the outer time limit of the time frames described in these Rules for good cause shown or in accord with an agreement/consent between the parties and/or counsel of record. Only the Court may extend the outer or maximum time limits provided by these Rules. So long as the outer time limits for the entry of permanent Orders or Judgments as established below are not exceeded, without the necessity of a Court Order the parties and/or counsel of record may establish the appropriate time frames for an event or activity by written agreement signed by all parties or their counsel of record and filed in the case record. Established and scheduled hearing and trial dates may only be continued or extended by the Order of the Court. The time frames as listed in these Rules represent the goals for the completion of Family Court matters and events. Unless extended as provided above, parties and counsel of record shall adhere to the schedule and time limits as indicated.

MATTER/EVENT	TIME LIMITS FOR COMPLETION
Hearing to be held for Temporary CSUP	Within 75 days of service of Claim
Entry of Temporary CSUP Order	Within 90 days of service of Claim
Hearing to be held for Permanent CSUP	Within 335 days of service of Claim
Entry of Permanent CSUP Order	Within 365 days of service of Claim
Hearing to be held for Temporary CUST	Within 75 days of service of Claim
Entry of Temporary CUST Order	Within 90 days of service of Claim
Scheduling of CUST Mediation Orientation	Within 10 days of service of Claim
Completion of CUST Mediation	Within 60 days of service of Claim
Hearing to be held for Permanent CUST	Within 335 days of service of Claim
Entry of Permanent CUST Order	Within 365 days of service of Claim
Hearing to be held for PSSU	Within 120 days of service of Claim

Entry of PSSU Order	Within 150 days of service of Claim
Appoint Mediator for ALIM	Within 45 days of service of Claim
Scheduling & Discovery PT Conf for ALIM	Within 120 days of service of Claim
Complete Mediation ALIM	Within 210 days of service of Claim
Final PT Conf ALIM	Within 240 days of service of Claim
Trial of ALIM Claim	Within 270 days of service of Claim
Entry of ALIM Order	Within 365 days of service of Claim
Appoint Mediator for EQU D	Within 45 days of service of Claim
Initial Pretrial for EQU D	Within 120 days of service of Claim
Complete Mediation for EQU D	Within 210 days of service of initial EQU D Claim
Final PT Conf EQU D	Within 240 days of service of initial EQU D Claim
Trial of EQU D	Within 270 days of service of initial EQU D Claim
Entry of EQU D Judgment/Order	Within 365 days of service of initial EQU D claim, or within 30 days following completion of trial if later

1. 8. Scheduling/Discovery Conferences/Orders. To assist in meeting the goals and time frames set forth in Rule 1.7 above, within sixty (60) days following the filing of any claim or motion identified in Rule 1.7, counsel for the parties and/or any unrepresented party shall confer for the purpose of establishing a discovery and scheduling plan which complies with Rule 26(f) of the North Carolina Rules of Civil Procedure, N.C. General Statute §50-21, and the time limits of Rule 1.7. The party who filed the initial claim or motion shall initiate the communication with the other counsel or unrepresented party for this purpose. In the event that the parties are able to reach an agreement on a case discovery and scheduling plan, they shall complete the Scheduling and Discovery Order, FORM #8 (See attached Appendix of Forms), which shall be signed by all counsel of record or unrepresented parties and submitted to the FCO within five days from the date of the planning discussion and agreement. The FCO shall promptly submit the plan contained in Form #8 to the assigned Judge for consideration and entry as a case scheduling Order.

Additional specifics regarding the initial scheduling and discovery conference with respect to alimony and equitable distribution are set forth in Rules 8 and 9 below.

Any case appropriately designated as a complex equitable distribution matter shall be identified as such at this scheduling and discovery conference and shown in Form #8. Requests to designate a family law case as a complex case shall be made in accordance with Rules 2.1 and 2.2 of the General Rules of Practice. When all parties are in agreement, a request for 2.1 designation may be presented to the Assigned Judge as a consent motion/consent order. When all parties are not in agreement, the request shall be made in the form of a motion and scheduled for hearing at the time of this required scheduling and discovery conference. In both instances, the motion should include information on the factors set out in Rule 2.1(d) of the General Rules of Practice.

In the event the parties are unable to agree on a discovery and scheduling plan or the assigned Judge does not approve the plan, then the FCO shall schedule a conference with counsel and unrepresented parties and the assigned Judge to address all scheduling and discovery matters and for the entry of an appropriate Order.

In the event the initial discovery and scheduling plan does not address those matters set forth in N.C. General Statute §50-21(d), then the FCO shall schedule a meeting to comply with the statute. Nothing in this Rule shall be construed as superseding the requirements of any statute, and conflicting statutory provisions shall control.

The FCO administrators shall be responsible for monitoring, managing, and maintaining compliance with the time limits required by these Rules and any applicable statutes for the resolution of Family Court cases and matters. The FCO administrators shall notify the Court and the concerned parties or counsel of record of any noncompliance, and they are authorized to schedule a hearing with a District Court Judge in order to resolve or otherwise address the noncompliance.

Rule 2: JUDICIAL ASSIGNMENTS, EVENT DATES, CONTEMPT MOTIONS, AND EX PARTE SUBMISSIONS

2.1. Judicial Assignment and Event Dates. Immediately following the filing of a Chapter 50, 50A, or 52C case matter, whether an initial filing, a counterclaim, or a motion in the cause, the moving party shall contact the FCO to obtain or confirm the Judge assigned and to commence the case event dates pertaining to the filing. This contact may be in person, by email, by telephone, or by fax. FCO will review other or pending Pitt County Family Court calendaring of any counsel of record prior to reserving a hearing date. Counsel of record and/or unrepresented parties shall cooperate and communicate in advance to the extent practical and reasonable for the purpose of agreeing on hearing or event dates and times. Once assignments and relevant event dates are provided by the FCO, it is the responsibility of the filing party or counsel to record this information on the Notice of Hearing Form (Form #2, See Appendix of Forms), to file the Form #2 with the Clerk, to provide a copy to the FCO, and to serve a copy in accordance with the Rules of Civil Procedure. A copy of the pleadings and Form #2 shall be placed in the FCO box in the Clerk of Superior Court's office, faxed, e-mailed, or hand-delivered to the FCO after filing. If Form #2 is not filed and provided to the FCO within three (3) days of receiving the requested event date(s), the event date(s) may be released for other cases to be scheduled and new event or hearing date(s) will have to be obtained by the requesting party.

2.2. Submission of Filings. Unless and until e-filing is established and approved for the district, filing of required documents in Family Court matters shall be by mail or hand-delivery of the documents to the Clerk of Superior Court's Office for filing/issuance of Summons. Judge assignment and the initial event dates pertaining to the filing shall be established by the FCO. The Clerk of Superior Court shall provide a case number at the time of the initial filing and all subsequent filings shall contain the proper case number.

2. 3. Motions for Contempt/Order to Show Cause. All motions for contempt and/or motions for entry of Orders to Show Cause shall be filed with the Clerk of Superior Court. A proposed Order to Show Cause should be submitted to the FCO with a copy of the Motion for Order to Show Cause. If an Order to Show Cause is signed, the FCO shall schedule the show cause for hearing in front of the assigned Judge, along with the date for an advisement hearing. The Order to Appear and Show Cause shall contain the date, time, and place for the show cause hearing as well as the date, time, and place for the advisement hearing. A Copy of the Order shall be e-mailed, hand-delivered, faxed, or placed in the FCO box in the Office of the Clerk of Superior Court by the party filing the Motion or seeking the Order to Show Cause. Unless a formal written Motion or Request is filed with the Court in advance of the hearing date, hearings for Motions in the Cause for contempt and/or Show Cause Orders shall be allotted one (1) hour for hearing. Additional time may be allowed by the Court to assure due process and a fair hearing to any party seeking additional time for the hearing. Failure to make a timely request for additional time shall be deemed a waiver. To the extent practical and consistent with due process, each party shall be allocated one-half of the hearing for the presentation of their evidence and case (direct examination of the party's witnesses, cross-examination of the opposing party's witnesses, examination of affidavits, and opening and closing statements).

If a party has been properly served with and actually received Notice of his/her right to apply for appointed counsel in a contempt matter and thereafter fails to appear for the noticed advisement hearing or fails to make an application for counsel in a timely manner, or to otherwise request appointed counsel in advance of the date set for trial of the contempt matter, absent compelling evidence to the contrary, then the party's failure to appear and to make the request shall be evidence of the party's waiver of appointed counsel and consent to the scheduled trial of the contempt issues. Absent compelling evidence or law to the contrary, the Court may treat such failure by a party to appear and to request appointed counsel as a waiver. Nothing herein is intended to or shall operate to deny an eligible person their statutory or constitutional right to counsel, and the Court shall make appropriate inquiries as may be required by law before determining the waiver. This Rule is intended to promote the efficient and timely resolution of contempt matters and to avoid unreasonable delay.

2. 4. Motions for Ex Parte Orders. Ex parte Orders shall be sought only for such circumstances as are allowed by the North Carolina General Statutes and North Carolina Rules of Civil Procedure. Ex parte filings shall not be abused, and ex parte Orders are intended to address urgent matters of an emergency nature pending the opportunity for a full hearing involving all parties before the Court. In cases wherein the moving party knows the adverse party to be represented by counsel, unless otherwise exempted by statute (Temporary Restraining Order notice exemption) or clear and convincing emergency or safety circumstances, reasonable notice shall be given to opposing counsel, who shall be given the opportunity to be heard at the time of presenting the motion to the Court. Reasonable notice shall be presumed to be oral notice given at least one (1) hour prior to appearance before the Court for the purpose of making the motion. When seeking an ex parte ruling, counsel or an unrepresented party must inform the Court of the identity of any known opposing counsel. In its discretion, the Court may conduct a hearing and enter an ex parte Order in open Court based on the emergency allegations or it may hear the matter and enter an ex parte Order in chambers.

A copy of the pleading/motion requesting an ex parte Order shall be delivered to the FCO along with the proposed ex parte Order for review by the Judge. If the filing is in a new case in which a hearing has not been held, or in a case in which a Judge has been assigned but no hearings have been held, the moving party shall contact the FCO which will schedule a hearing on the ex parte request before any District Court Judge or the presentation of the ex parte filings to any District Court Judge. The case will then be assigned to a different District Court Judge for future hearings, including the return hearing. If the ex parte request is in a case in which a Judge has been assigned and hearings have been conducted previously, then FCO may schedule a hearing on the ex parte request before the previously assigned Judge.

If entered, the ex parte Order shall contain the date, time, and place for the return hearing and a copy of the Order shall be delivered to the FCO by e-mail, facsimile, hand-delivery, or by leaving it in the FCO box in the Clerk's office. The return hearing on ex parte Orders shall be held whenever possible within ten (10) days of the signing of the Order before the assigned Judge, or as otherwise ordered by the Court. A return hearing on an ex parte Order shall be given one (1) hour for hearing unless additional time has been allowed pursuant to these Rules. Each party shall be allocated one-half of the hearing for the presentation of their evidence and case (direct examination of the party's witnesses, cross examination of the opposing party's witnesses, examination of affidavits, and opening and closing statements).

2. 5. Ex Parte Communications. An ex parte communication is one on behalf of a party to a matter pending before the Court that occurs in the absence of an opposing party or counsel of record, without notice to that party or counsel, and outside the record. Lawyers and parties participating in adversarial proceedings before the Court are prohibited from communicating as to the merits of the case with a Judge before whom the proceeding is pending if the communication occurs outside of official proceedings. The opposing counsel or opposing party shall participate, be informed in advance or contemporaneously, and be copied on any matters involving written or oral communications to, with, or intended for a Judge about a pending case. Ex parte communications are expressly prohibited and shall be avoided by parties, counsel, and the Court, except as expressly permitted by law.

2. 6. All other Motions. Any motion in a cause shall be scheduled for hearing by the moving party. It is the responsibility of the moving party to obtain a hearing date from the FCO and to provide notice of the hearing date to all concerned counsel and parties of record. For administrative purposes, motions in cases shall be removed from the active docket by administrative Order when the issues have not been scheduled for hearing or appear to have been abandoned or not prosecuted within a reasonable period of time. Motions shall not be allowed to remain open indefinitely without a hearing date.

Rule 3: TRACKING, MANAGING, CALENDARING, ORDERS, & CLOSING CASES

3. 1. Case Tracking & Managing Cases. The FCO shall establish and maintain a case tracking system pursuant to these Rules, the Rules of Civil Procedure, applicable statutes, and the General Rules of Practice for Superior and District Courts. The FCO shall monitor the pending

docket and manage the cases so that all Family Court issues are addressed in a timely and just manner. Counsel of record and unrepresented parties shall cooperate and assist the FCO in identifying and scheduling issues to be heard in their cases.

3. 2. Notices of Hearings/Trials. Except as to ex parte matters, an attorney or unrepresented party scheduling a hearing or trial with the Court must make a good-faith effort to request a date for the hearing or trial when each interested party and counsel are available. Failure to comply with this requirement is an adequate ground on which the Court may grant a continuance. The party desiring a hearing in a Family Court matter shall confer with the FCO in accordance with these Rules to obtain dates and times for the required event, serve the opposing party or counsel with copies of all relevant pleadings, motions, Judicial Assignments, and/or Notices as required and within the time limits set forth by these Rules and any governing statute or Rule of Civil Procedure. All notices and required Forms shall be filed with the Clerk's office for inclusion in the case file, and a copy of the relevant pleading or Motion and any Notices shall be provided to the FCO.

FCO will review and consider the other Pitt County Family Court calendar schedules already set for any counsel of record prior to scheduling a hearing date. Family Court may reschedule the last scheduled hearing in the event an attorney is inadvertently double-booked for two hearings on the same date and time. This may be accomplished by rescheduling the last scheduled hearing to another date by Administrative Order, without the necessity of a formal request to continue.

If a party or counsel receiving a Notice of Hearing objects 1) to the matter being heard, or 2) being heard at the date or time designated in the Notice, or 3) to the amount of time needed for the hearing, he or she shall contact the noticing party or counsel immediately and shall attempt to resolve any conflict regarding the scheduling as soon as possible. If the parties reach an agreement for having the matter heard at a different date or time, the moving party shall confer with the FCO to determine if the proposed hearing date and time is available and advise the FCO of the agreement to change the hearing date or time before the assigned Judge, and another Notice setting forth the agreed upon date and time shall be sent by the noticing party to the opposing party or counsel and the FCO. If the parties cannot agree on a new date and time for the hearing, or if a party contends that additional hearing time is warranted, the objecting party or counsel shall file and serve a Motion to Continue pursuant to these Rules, to include a request for additional hearing time. See also Rule 4 below regarding requests to continue or requests for additional hearing time.

3. 3. Upcoming Court Events. All pending cases shall be scheduled regularly for status conferences, hearings, and/or orientation dates, as may be applicable or necessary to comply with time limits set by these Rules and until the case is resolved in a final form. The FCO will review pending actions and shall schedule cases without upcoming court dates for a status conference, hearing, or other appropriate appearance to ensure that the Court addresses matters in a timely manner. The FCO may obtain an Order from an assigned Judge closing a case administratively. When an Appellate Court remands cases to the Pitt County District Court, appellant's counsel shall promptly notify the FCO so that the case can be scheduled for compliance with the appellate decision.

3. 4. Consolidated Cases. When cases have been consolidated for trial, they will be treated as one (1) case for calendaring purposes, using the oldest case file number. A copy of the Order consolidating the cases for trial shall be filed in each pertinent court file, and all subsequent documents filed thereafter shall be captioned with the oldest file number only. Final Orders or Judgments entered in the consolidated cases shall be filed in each of the consolidated case files.

3. 5. Settlement of Contested Issues. Parties are encouraged to engage in settlement discussions at every opportunity. The FCO recognizes the importance to families and litigants of resolving disputes in a timely manner, of minimizing misunderstandings that frequently occur when resolutions are not committed to writing, and of the Court's responsibilities to assist the parties in resolving these disputes. Unless agreements have been reduced to writing, signed by the parties, their attorneys, and the assigned Judge prior to the time of a scheduled court date, parties and counsel shall appear in court as scheduled. If a resolution has been reached but not reduced to writing at the time of the scheduled court date, the parties and their counsel shall appear as scheduled and shall execute a Memorandum of Judgment/Order (Form AOC-CV-220), unless excused by the Court.

3. 6. Orders and Judgments. Judges shall announce a ruling 1) in permanent custody actions within fourteen (14) days of the hearing conclusion; 2) in postseparation support and alimony actions within fourteen (14) days of the hearing conclusion; and 3) in equitable distribution actions within twenty-one (21) days of the hearing conclusion. Unless prepared by the Court, the Judge shall designate the counsel to prepare the Order or Judgment of the Court. The written Order or Judgment signed and entered in the case shall control the determination of the matter at issue. The Order or Judgment prepared by counsel shall be submitted to the Judge for entry within the time limits prescribed by these Rules or by the date established by the Court. The party preparing the proposed Order or Judgment shall provide an electronic copy of the proposed document to the opposing party or counsel within twenty-one (21) days after the ruling. The opposing party or opposing counsel shall have fourteen (14) days to submit written objections to the proposed Order or Judgment to the other counsel. The parties or counsel shall thereafter have seven (7) days to reach an agreement on the Order or Judgment. If an agreement is not reached on the proposed Order or Judgment, both parties shall submit proposed Orders or Judgments with an Order Submission Form (Form #11, See Appendix of Forms) to the assigned Judge who shall enter an Order or Judgment within seven (7) days of receipt of the proposed documents. Orders or Judgments to which opposing counsel or unrepresented parties have made no response within fourteen (14) days of receipt shall be delivered to the Family Court Office for signature by the assigned Judge. A file-stamped copy of each Order, Judgment, or any dismissal shall be provided to the Family Court Staff by the party or counsel responsible for its preparation. Orders or Judgments identified as delinquent shall be addressed in a timely manner by FCO and/or the assigned Judge, and appropriate sanctions may be imposed by the Court in its discretion and as permitted by law.

3. 7. Closing Cases. In Family Court Matters, when a Judgment or Order is entered which renders any other pending issues moot, FCO and the Clerk shall consult with the assigned Judge to determine whether to close the moot or abandoned issues administratively. Administrative Orders are not needed to close moot issues. Maintenance of court records, including the Judgment Docket, is the province of the Clerk's Office pursuant to N.C. Gen. Stat. § 7A-109.

Rule 4: REQUESTS TO CONTINUE OR REQUESTS FOR ADDITIONAL HEARING TIME

4. 1. General Rule. Domestic cases should be addressed at the earliest opportunity and within the time frames established by these Rules. Continuances or extensions of time may be allowed by the Court for good cause, particularly those which would affect the fundamental fairness of the trial process, including a consideration of the factors listed below in this Rule, or when additional hearing time is requested and warranted.

4. 2. Conflicts. The Family Court and FCO shall consult and work with other trial courts to manage expeditiously and fairly any conflicts involving cases in other courts. Conflicts in schedules and with appearances of counsel or parties in other courts shall be resolved as set forth in Rule 3.1 of the General Rules of Practice. Age of case, subject matter, and priority of setting shall be given as much consideration as the level of a Court when resolving conflicts. Attorneys and/or parties shall notify the Court, the FCO, and opposing party/counsel of any other Court conflict(s) as they become known and shall communicate with attorney and Judges of this District and other Judges to resolve such conflicts. In resolving District Court division conflicts, juvenile cases shall have priority over other matters.

4. 3. Procedures for Continuance. All applications for continuance shall be by written motion (Form #9, See attached Appendix of Forms). However, oral motions shall be permitted when the reasons for the continuance were not known in time for the preparation and filing of a written motion. All parties must be notified of a motion to continue. A copy of the Motion to Continue must be served upon all counsel of record and/or unrepresented parties at the same time the motion is delivered to the FCO. In addition to the service requirements required by statute, distribution of the motion must be made by the quickest means feasible, including facsimile transmission, electronic mail, and/or hand-delivery. All parties and counsel of record shall have an opportunity to submit a written response or objection to a written motion to continue (Form #12, See attached Appendix of Forms). If the motion is received within five (5) business days of the hearing date; and there is no input regarding the opposing party's or opposing counsel's position, the Court may be unable to address the request prior to the hearing and will address the request at the time of the hearing.

4. 4. Factors to be Considered for Continuance. Factors to be considered by the Court when deciding a motion for continuance shall include, but shall not be limited to, the following factors:

1. The effect on children and/or parties if the issue is continued and not resolved;
2. Whether there is an existing temporary order dealing with the issue that is the subject of a continuance request;
3. The impact of a continuance on the safety of the parties or any other persons;

4. Whether the issue has been identified statutorily or by these Rules as an issue to be addressed expeditiously, i.e., child support, interim child custody, postseparation support;
5. The age of the case or the claim or matter at issue;
6. The availability of and the impact on witnesses;
7. The time constraints on and the availability of identified expert witnesses;
8. The status of the trial calendar for the session and any relevant future sessions;
9. The moving party, number of, and grounds for any previous continuances;
10. The extent to which the moving counsel or party participated in the scheduling of the trial date or time allowed for hearing;
11. The due diligence of counsel or the party in promptly making a motion for continuance as soon as practicable;
12. Whether the basis of the motion is the existence of a legitimate conflict with another court setting;
13. The period of delay caused by the continuance request;
14. Illness of counsel, a party, an essential witness, or a close family member;
15. The position of opposing counsel or unrepresented parties;
16. Whether the parties themselves consent to the continuance;
17. Present or future inconvenience or unavailability of the parties, attorneys, or witnesses if the case is continued; and,
18. Any other factor that promotes the fair administration of justice.

4. 5. Responsibility of the Parties/Counsel. The burden is on the party requesting the continuance to contact the opposing counsel or party prior to submitting the motion to the FCO, and to include the opposing party's/counsel's position on the request as 1) joining in the request; 2) consenting to or not objecting to the request, or 3) opposing the request (Form #9, See attached Appendix of Forms). If the opposing party cannot be reached or fails to respond, that should be noted on the request as well as a statement about the efforts made and why contact was not possible. A party or counsel opposing the request shall submit a written response to the Family Court Staff immediately upon receipt of the written Motion for Continuance (Form #12, See attached Appendix of Forms).

4. 6. Requests for Additional Hearing Time. Any motion requesting additional time for a hearing or trial shall allege specific reasons and an estimate of the total time needed. Except for good cause shown, a party or counsel requesting additional hearing time shall file a written motion at least ten (10) days prior to the scheduled hearing setting forth the reasons for the request. The opposing party shall file a response, in writing, within five (5) days of service of the request. The Court may decide the matter without a formal hearing based on the written submissions. The Court's determination shall be made in writing, served on counsel or the parties, and filed in the record with twenty-four (24) business hours following the non-moving party's responsive filing. Absent good cause shown, if there is less than fourteen (14) days' notice given to a party for a scheduled hearing, the party or counsel seeking additional time must make his/her request within three (3) business days of being served with the Notice of the Hearing and the opposing party shall file a response, in writing, within two (2) days of being served with the moving party's request. The Judge shall make a ruling on the request within twenty-four (24) hours of the opposing party's filing and shall advise the parties, in writing, of the decision.

4. 7. New Date. If a Request to Continue or for additional hearing or trial time is allowed, the FCO and/or the assigned Judge will assist the parties and counsel in obtaining a rescheduled date for the impacted court event. The new date shall be set forth in the Court's Continuance Order.

Rule 5: TRIAL EXHIBITS, TELEPHONE/VIDEO PARTICIPATION, SUBPOENAS & EXPERT REPORTS

5. 1. Exhibits. Exhibits to be used at any hearing or trial must be 1) marked clearly as either "Plaintiff's Exhibit" or "Defendant's Exhibit", 2) numbered, without regard to the sequence they may be presented at trial, and 3) listed on a document showing the number and a shorthand statement of what the Exhibit is or represents. Unless the parties or counsel for the parties agree otherwise, or unless the Court orders otherwise, the list and an electronic or hard copy of exhibits must be provided to the opposing counsel or party not less than five (5) business days before the trial or hearing Form #14, See attached Appendix of Forms). Each party and/or their counsel shall assure there are sufficient copies of the proposed exhibits at the hearing for each party, the Clerk of Court, and the presiding Judge.

5. 2. Telephone/Video Conference. In its discretion, the Court may order or allow oral argument on any motion by telephone conference call or video conference (using any technology approved by the Administrative Office of Courts), provided that all participants to the conference can be heard by all other parties at all times. In conjunction with FCO, counsel and/or parties shall schedule such conferences at a time convenient for all involved. To the extent necessary, the Judge may direct which party or parties shall make the technical arrangements and bear the cost of any such conference. ;

5. 3. Telephone/Video Testimony. In its discretion, the Court may allow witnesses to testify by telephone or video connection. The opposing party and/or counsel shall be given adequate advance notice of a party's desire to allow a witness to testify by telephone or video. If a party or counsel opposes the request, the attorneys and/or any unrepresented party shall meet with

the presiding Judge in advance of the date of the scheduled hearing to determine whether or not the telephone or video testimony will be permitted.

5. 4. Subpoenas and Privileged or Confidential Records Request. When a subpoena is issued, whether for testimony, or for the production of documents or tangible things, the attorney or party issuing the subpoena must, at the same time, serve, by facsimile, e-mail, and/or mail, a copy of the subpoena upon opposing counsel or party in the manner permitted by the Rules of Civil Procedure or as may have been expressly agreed or consented to by parties or their counsel.

Privileged and confidential records and documents shall be protected as provided by law. Requests for confidential or privileged records shall comply with law, shall protect, and preserve existing privileges and confidential materials, and subpoenas for protected confidential or privileged records shall not be issued ex parte. A hearing on a request for confidential or privileged records with proper notice to all parties or their counsel shall be held to determine that the legal requirements of a particular statute regarding confidential or privileged records are met, and an Order entered regarding the production of confidential or privileged records if allowed by the Court. Orders entered for production of health care records and social services records protected by law when allowed by the Court after Motion and hearing shall require that such records be produced under seal to the FCO or to the assigned Judge/Court. Such records shall not be produced to a party, attorney, or other individual at any other location absent an Order of the Court for such production and an appropriate use. FCO shall notify parties or counsel of its receipt of such subpoenaed records. The Court shall hear counsel's or party's position or objections concerning the records in a timely manner and upon proper notice, and it shall then enter an appropriate Order concerning the review and use of the records which preserves and protects any privileges or confidential rights of a party or entity. Health care records and information shall not be copied or shared except as may be allowed by the Order of the Court. The Chief District Court Judge may, from time to time, issue directives or policies for the review and copying of such records in a manner to promote efficiency and to protect the sensitive nature of such record production or review and copying. Copies of these directives and policies shall be available at the FCO and shall be distributed among all interested or relevant parties, counsel, and entities.

5. 5. Subpoenas Submitted for Issuance by Court. Any subpoena that is submitted to the Court by an unrepresented party or an attorney for issuance by the Court will not be considered unless it is accompanied by a completed Order Submission Sheet indicating that the requesting party or attorney has communicated with the opposing party/attorney about the subpoena; whether the opposing party/attorney objects to the assigned Judge issuing the Subpoena; whether the opposing party/attorney requests entry of a Protective Order relating to the materials to be produced under Subpoena; and whether a copy of the Order Submission Sheet and all documents submitted to the assigned Judge have been sent to the opposing party/attorney. All documents submitted to the assigned Judge must be delivered to the opposing party/attorney in the same or quicker manner as the manner used to convey it to the assigned Judge. If the opposing party/attorney does not object to the issuance of the Subpoena by the Court, the Subpoena will be issued by the Court if otherwise proper pursuant to Rule 45 of the North Carolina Rules of Civil Procedure. If the opposing party/attorney seeks a Protective Order regarding the records, FCO will schedule the matter for hearing or conference with the assigned Judge, with notice to all interested persons.

5. 6. Reports of Experts. Unless otherwise agreed in writing by the parties or their counsel of record, or unless otherwise ordered by the Court, the parties or their counsel of record shall exchange written reports of expert witnesses, including, but not limited to, appraisals, business valuations, psychological valuations, custodial evaluations, and forensic accounting reports not less than forty-five (45) days prior to the hearing or trial at which the evidence shall be presented and the reports utilized as an exhibit. The purpose of this provision is to allow the parties and counsel the opportunity to review and consider the expert information and reports in advance of trial for settlement purposes, so that each party has an adequate opportunity to depose the expert witness, and to allow each party/counsel the opportunity to prepare for such expert evidence in advance of the hearing date.

The intent of this provision is to prevent unfair advantage or delay, consistent with the timelines for resolution of Family Court cases and issues. Matters involving expert testimony and evidence shall be made the subject of scheduling plans and Orders and shall be scheduled to promote the timely exchange and delivery of expert opinions and reports. Absent a good cause explanation, the failure to exchange or deliver an expert's report as required by these Rules shall be grounds for the Court to exclude or deny the expert evidence and report as evidence at the scheduled hearing. "Good cause" shall be a matter determined within the discretion of the Court and consistent with the timely and fair resolution of Family Court cases.

Rule 6: CHILD SUPPORT (NOT IV-D)

6. 1. Child Support Hearings. The time limits for disposition of temporary and permanent child support claims are set forth in Rule 1.7 above.

A hearing for temporary child support shall be allotted three (3) hours unless additional time is allowed by the Court pursuant to these Rules. Each party shall be allocated one-half (½) of the total time allowed for the hearing, which time shall include direct examination, cross examinations, presentation of exhibits, opening statement, and closing argument.

If at the temporary hearing both parties and the presiding Judge agree, the parties may proceed with a hearing for the establishment of a permanent order of child support.

It is the policy of Family Court to determine a claim for temporary child support at the earliest practical time based on the existing circumstances, even though custody mediation has not been completed and the issue of custody has not been determined. The issue of temporary or permanent child support shall be calendared for hearing together with any claim for temporary or permanent child custody that is also at issue, so long as there is sufficient time to hear both claims.

Temporary and permanent child support orders shall be entered within the time limits set forth in Rule 1.7 absent an extension allowed by Order of the Court.

6. 2. Initial Mandatory Disclosures for Child Support. Every party to an action for child support, whether it be a temporary, permanent, or modification action has the duty to provide

the documents designated by this Rule to the other party and/or their counsel. The parties shall file with the Clerk and serve a Notice and Certification of Initial Mandatory Disclosures (Form #7, See attached Appendix of Forms), and they shall produce their Initial Mandatory Disclosures as required herein to the other party and/or opposing counsel no later than fourteen (14) days prior to a scheduled child support hearing, whether the hearing is scheduled for temporary child support, permanent child support, or a modification of child support. The parties and/or their respective counsel of record may agree in writing (letter, stipulation, text, e-mail, facsimile, consent order) to a different, specific date and time for the mutual exchange and filing of their Initial Mandatory Disclosures in advance of a hearing. When filing their respective Notice and Certification of Initial Mandatory Disclosures (Form #7, See attached Appendix of Forms), the parties shall not file with the Clerk the supporting documents. Parties and counsel shall ensure that all social security numbers are redacted from documents filed with the Clerk, or tendered as exhibits, unless otherwise permitted or required. Only Form #7 shall be filed with the Clerk. The supporting documents accompanying Form #7 shall not be filed and shall only be exchanged between the respective parties and/or respective counsel. The required documents shall be organized in an orderly manner and shall be separated/segregated by subject or item for easy identification and use. The required Initial Mandatory Disclosures are as follows:

In all Child Support proceedings, each party shall produce and certify the production of the following to the other party/other attorney of record:

1. Income tax returns for the preceding two (2) years including W-2 and K-1 forms, and all schedules and attachments;
2. Pay stubs/earning statements for the preceding twelve (12) months. Single pay stubs showing year-to-date cumulative information shall be sufficient for the months covered by the stub;
3. All other documents related to or showing an "income" as it is defined in the North Carolina Child Support Guidelines from all sources for the 12-month period immediately preceding the production date. This disclosure includes, but is not limited to income from salaries and wages, commissions, bonuses, dividends, profit sharing, in-kind payments for a party's benefit through ownership or operation of a business, partnership, or corporation (e.g., car allowance, gas allowance, country club payments, etc.) VA disability, social security benefits (not SSI), workers' compensation benefits, unemployment insurance benefits, employment disability pay and/or insurance benefits, and alimony or maintenance received from persons other than the opposing party to the instant action;
4. All documents reflecting current work-related childcare expenses and costs for the Guideline calculation of child support, or for which child support reimbursement is sought;
5. All documents reflecting current health care insurance costs and premiums as allocated to or paid for the child or children for whom support is being determined;

6. All documents reflecting any extraordinary expenses for the child or children for which reimbursement is sought (private school tuition, camps, music lessons, car insurance, or extra-curricular activities) under the Guidelines or related to any request for departure or deviation from the Guidelines; and,
7. All documents regarding any obligation for child support for any other child(ren) not the subject of the current child support action.

In cases where a party is self-employed and/or where the North Carolina Child Support Guidelines do not apply due to high incomes, or in a case where a party is seeking a deviation from the guidelines, each party shall disclose and produce the following items:

1. All documents listed above for disclosure in guideline child support cases;
2. Individual and business bank statements for the last twenty-four (24) months for any and all individual and business bank accounts including canceled checks, check registers, online statements, and evidence of checks paid;
3. Credit card statements for the last twenty-four (24) months for any credit card for which the producing party is an authorized user;
4. Business, partnership, and/or corporate tax returns for the past two (2) years, including K-1 and all attachments and schedules for any such entities owned and/or operated by the party and from which the party derives any income or benefit; and,
5. General ledgers, and profit and loss statements for the past two (2) years, for each business, partnership, or corporate entity owned and/or operated by the party and from which the party earns or derives any income or benefit.

6. 3. Exchange of Child Support Affidavit (Form #3). For child support determinations based on and within the Guideline formula for calculations, the parties shall serve their completed and verified Child Support Affidavit (Form #3, See attached Appendix of Forms), with a Certificate of its Service on the opposing party or counsel, not less than fourteen (14) days prior to the scheduled child support hearing. The parties and/or their respective counsel may agree in writing (letter, text, e-mail, facsimile, consent order) to a different, specific date to exchange their Child Support Affidavit (Form #3, See attached Appendix of Forms) in advance of the hearing.

6. 4. Exchange of Financial Affidavit (Form #4). For child support proceedings involving Self-Employed Parties, Non-Guideline Cases (high income), and Deviation Cases, the parties shall serve their completed and verified Financial Affidavit (Form #4, See attached Appendix of Forms), with a Certificate of its Service, fourteen (14) days prior to the scheduled child support hearing. The parties and/or their respective counsel may agree in writing (letter, text, e-mail, facsimile, consent order) to a different, specific date to exchange and file their Financial Affidavit in advance of the hearing. The Financial Affidavit shall be accompanied by all available documents utilized to calculate the average expenses for each line item with the documents

segregated and identified by each line item. If credit card statements are used to calculate average expenses, then the charges utilized for each line item must be identified in a manner that permits easy identification of the charges corresponding to each line-item expense. Any line-item expense which represents an estimate as opposed to an actual calculation must be identified clearly as an estimate.

6. 5. Affidavits in a Temporary Child Support Hearing. Parties and/or their counsel may elect, or the Court may order, that temporary child support shall be established based solely by affidavits to be served and filed in the proceeding. Additionally, even with a hearing, the Court shall have the discretion to permit some or all evidence for entry of a temporary, non-prejudicial Child Support Order to be presented based upon affidavits without cross-examination of the affiant. All affidavits intended for use or admission at a temporary child support hearing shall be served by e-mail, fax, or hand-delivery to the opposing party or his/her counsel at least fourteen (14) days prior to the scheduled hearing. Rebuttal affidavits then shall be served in the same manner by the opposing party or counsel no later than seven (7) days before the scheduled temporary hearing. The Court may, in its discretion, postpone or waive these filing, hearing, and timeline requirements. Affidavits submitted under this Rule shall be based on personal knowledge, shall not contain inadmissible hearsay, shall be signed, dated, and verified under oath before a Notary Public, and shall contain the full address and phone number of the affiant.

6. 6. Applicability to Modifications of Child Support. The provisions of this Rule shall apply to all motions to modify child support.

Rule 7: CHILD CUSTODY

7. 1. Time Limits. The time limits for disposition of temporary and permanent child custody claims are set forth in Rule 1.7 above.

7. 2. Definitions. As used herein, “custody” or “child custody” includes custody, visitation, or other parenting issues, but does not include child support.

7. 3. Participation in AOC Mandatory Custody Mediation. Consistent with N.C. Gen. Stat. § 50-13.1(b), the parties to any contested custody case filed in this District shall participate in the mandatory mediation of their custody dispute in accordance with these Rules and the governing statutes. Unless waived by an Order of the Court pursuant to these Rules, mediation shall be required for all determinations involving an issue related to child custody, including modifications of custody.

Participation in the mandatory custody mediation shall be concluded prior to the hearing on the issues of temporary or, if no temporary custody is sought, prior to the hearing on permanent custody and visitation, unless waived by the Court pursuant to these Rules or governing statute. Nothing herein shall restrict the calendaring of hearings to occur after mediation, and Notices of Hearing may be filed prior to the conclusion of mediation so long as set for a date after the conclusion of the mediation. Ex parte custody, temporary custody incident to an Order for Domestic Violence, and emergency custody shall not be subject to this Rule.

If the parties have attended a mediation orientation within the preceding two (2) years, they shall not be required to attend and repeat the orientation session and shall instead be ordered to attend their individual case mediation session(s) only.

The mandatory mediation shall be accomplished 1) through the AOC Custody Mediation Office in Pitt County (CMO) or 2) through private mediation by a North Carolina certified family mediator. If the parties mutually elect to use private mediation, the election shall be made in writing prior to the scheduled Custody Mediation Orientation set forth below in these Rules, shall contain the name of the mediator, and shall be filed with the Clerk in the case file, with a copy provided to FCO. If the parties mutually agree to private mediation but cannot agree to a mediator, the Family Court/FCO shall appoint a North Carolina certified mediator. The private mediator, whether appointed or chosen by the parties, shall comply with the reporting and timeline requirements of this Rule.

7. 4. Calendaring, Scheduling, and Participation for Mediation. The FCO shall schedule all custody issues, including initial determinations of custody and modifications of custody, for Custody Mediation Orientation to occur within the time period set forth in Rule 1.7 above. The filing or moving party and/or counsel shall be responsible for informing FCO of the custody claim within five (5) days of its filing and shall provide a copy of the pleading or Motion and the proofs of service concerning the custody claim. Following receipt of the claim and service documents, FCO shall prepare and serve the parties or their counsel with an Order to Attend Custody Mediation (Form #5, See attached Appendix of Forms) scheduling the Custody Mediation Orientation. The assigned Judge shall enter the Order for mediation. FCO shall provide a copy of the Order to the CMO or any assigned private mediator. The filing/moving party is required to ensure that the mediation has been ordered and scheduled.

A date for Custody Mediation shall be assigned in all custody cases unless mediation is waived by Order of the Court pursuant to these Rules. Mediation shall be scheduled to conclude within and in consideration of the time limits set forth in Rule 1.7 above. Individual mediation sessions will be scheduled by the Custody Mediator either at the time of the parties' initial mediation orientation session, or if such orientation is not required, then at the time the orientation session was determined to be unnecessary. A privately selected certified mediator shall likewise schedule mediation within the prescribed time limits. Unless excused by an Order of the Court, the parties to a custody case, including cases involving contempt related to custody, must attend and participate in the mediation sessions as scheduled and ordered.

The CMO mediation includes a general orientation session, a one (1) hour parent education session, and at least one (1) mediation session to fulfill the Court's Order to Attend Mediation, whether through private mediation or with the CMO. Any party who fails to attend and participate in the orientation or mediation as ordered shall be subject to the contempt powers of the Court.

7. 5. Waiving the Custody Mediation Process. In some instances, and for good cause, mediation may be waived on motion of either party or on the Court's own motion, and pursuant to N.C. Gen. Stat. § 50-13.1(c) (Form AOC-CV-632). "Good cause" may include, but is not limited to, the following: a showing of undue hardship to a party, travel distances, an agreement between the parties for voluntary mediation subject to court approval, allegations of abuse or neglect of

minor child, allegations of alcoholism, drug abuse, or domestic violence, or allegations of severe psychological, psychiatric, or emotional problems. A showing by either party that the party resides more than 100 miles from the Court may be considered good cause, although remote mediation can be accomplished through technology and will not automatically result in good cause. The appointment of a parenting coordinator shall be "good cause" to exempt the parties from custody mediation.

Parties desiring an Order waiving mediation shall complete, file, and serve a Motion to Waive Custody Mediation (Form AOC-CV-632) and provide a copy to FCO at least ten (10) days prior to the date of the scheduled orientation. If there is a current domestic violence protection order in effect between the parties, a copy shall be attached to the Motion to Waive Custody Mediation. The opposing party or counsel shall file a response if they object to the Motion to Waive Custody Mediation, within five (5) days of service and/or receipt of the Motion, whichever is later. The FCO shall submit the Motion and any response to the Court. The Court may, in its discretion, require a hearing or grant or deny the motion ex parte without a hearing. A Motion and Order to Waive Custody Mediation shall not be required if prior to the scheduled custody mediation orientation sessions, the parties submit a Consent Order resolving all pending custody issues.

7. 6. Outcomes of Mediation. If the parties are able to reach a full resolution of the contested issues as to custody and/or motions for contempt relating to custody, then as soon as is practicable, the CMO shall prepare a draft of the terms of resolution in writing. The CMO shall distribute copies of the draft to all parties and their attorneys, advising the parties to review the agreement with their attorneys if they are represented by counsel. A deadline shall be established for the parties to return to the CMO to execute the finalized written agreement if they voluntarily agree to do so. Final signed agreements executed by all parties and, if applicable, their counsel of record shall be presented to the Court. The Court shall then enter each agreement as a Court Order, and it shall become enforceable as a Court Order, by means of the Order Approving Parenting Agreement. Family Court Staff shall file the Order Approving Parenting Agreement with the Clerk of Superior Court and serve copies to the parties and/or counsel. The CMO shall also advise the FCO in writing that an Order Approving Parenting Agreement has been entered. If the parties resolve the custody issue in a private mediation, the mediated settlement agreement shall be submitted to FCO for entry as a Court Order or counsel shall submit a formal Consent Order in accord with the Rules governing private mediation practices. The private mediator shall establish deadlines for the finalization of the agreement or Consent Order and its submission to FCO for entry by the Court. In the event of a settlement of the custody issue in private mediation, the private mediator shall advise FCO in writing of the settlement. If an agreement resulting from mediation is incorporated into an Order Approving Parenting Agreement, or some similar name, it shall nonetheless be deemed to be a Custody Order or child custody determination for the statutory purposes set forth in N.C. Gen. Stat. § 50-13.1(h).

If the parties reach a partial resolution of the contested issues as to custody and/or motions for contempt relating to custody, as soon as practicable, the CMO or private mediator shall prepare, circulate, and/or establish deadlines and responsibilities for the execution of the partial agreement. Any unresolved issues remaining for determination by the Court shall be identified and reported

to FCO for purposes of scheduling or confirming the prior scheduling of necessary hearings consistent with these Rules.

If some or all of the issues as to custody are not resolved by mediation, or if either party fails to execute the documents incident to the mediated settlement within fourteen (14) days of receiving the documents, counsel or the CMO or the private mediator shall report the failure to FCO as an impasse, and the matter shall be scheduled for hearing as set forth in these Rules.

7. 7. Inadmissibility of Mediation Communications. Mediation shall be held in private and shall be confidential. Except as provided herein, all verbal or written communications made within or during the mediation process shall be privileged and shall be inadmissible in court. Neither the mediator nor any party or other person involved in mediation under these rules shall be called to testify as to communications made during or in furtherance of such mediation sessions. However, there shall be no privilege or confidentiality as to communications or conduct made in furtherance of or constituting a crime or fraud.

7. 8. Ex Parte and Emergency Filings. See Rules 2.4 and 2.5 above which govern ex parte matters.

7. 9. Temporary Custody Hearings. The time limits for disposition of temporary child custody claims are set forth in Rule 1.7 above. Upon the request of either party, the FCO will schedule a temporary custody hearing. The moving party/counsel shall serve upon the opposing party or counsel the pleading or Motion with the temporary child custody claim, and the Notice of Hearing (Form #2. See attached Appendix of Forms) as scheduled for the hearing date.

Unless otherwise ordered by the Court for good cause shown and pursuant to these Rules, temporary custody hearings shall be limited to three (3) hours, including direct examinations, cross-examinations, admission of documents, opening statements and closing arguments. The Court shall have discretion to address time issues concerning the hearing. Each party shall be allocated one-half (½) of the total hearing time, and the courtroom Clerk shall keep the time allotted to the respective parties.

Any Order entered in a temporary custody hearing shall be without prejudice to either party at the full hearing on the merits at a later date, unless otherwise agreed by the parties or ordered by the Court.

7. 10. Permanent Custody Hearing. The time limits for disposition of permanent child custody claims are set forth in Rule 1.7 above. All permanent custody trials, whether an initial or a modification trial, will be calendared for no more than twenty-four (24) hours over four (4) days of Court time unless otherwise ordered by the Court pursuant to these Rules. Unless otherwise permitted by the Court, each party shall be allocated one-half (½) of the total hearing time, including direct examinations, cross-examinations, rebuttals, admission of evidence, opening statements, and closing arguments. The Court shall have the discretion to address time issues. The courtroom Clerk shall keep the time allotted for the parties, as directed by the presiding Judge. Questions about the division of time shall be addressed to the presiding Judge.

Pursuant to the North Carolina Rules of Evidence, whether a permanent trial limited to four (4) days or less, or whether additional trial time is permitted upon motion of party pursuant to Rule 4 above, the Court shall exercise reasonable control over the mode and order of interrogating witnesses and presenting evidence so as to make the interrogation and presentation effective for the ascertainment of the truth, to avoid needless consumption of time and repetition of evidence, and to protect witnesses from harassment or undue embarrassment.

Rule 8: POSTSEPARATION SUPPORT AND ALIMONY

8.1. Postseparation Support. Upon written request by a party, the FCO shall schedule a hearing on postseparation support within the time established in Rule 1.7 above. The time limits for a disposition of postseparation support claims are set forth in Rule 1.7 above.

Not less than fourteen (14) days prior to the hearing date, the parties or their counsel shall exchange by electronic transmission, facsimile transmission, or hand-delivery, their respective Financial Affidavits (Form #4, See attached Appendix of Forms) concerning postseparation support. Each party or their counsel shall file with the Clerk a Certificate of Service showing the timely service and exchange of their Financial Affidavit with the opposing party or counsel. The served Financial Affidavit shall be accompanied by all available documents utilized to calculate the average expenses for each line item, with the documents segregated and identified by each line item showing how the calculation was made for purposes of the Affidavit. If credit card statements are used to calculate average expenses, then the charges utilized for each line item of listed expenses must be identified clearly in a form sufficient to show the exact charges corresponding to the relevant line-item expense on the Affidavit. Any line-item expense on the Affidavit which represents an estimate as opposed to an actual average expense made with supporting documentation must be identified as an estimate on the Affidavit.

Unless the Court orders otherwise, each party shall have a total of ninety (90) minutes to present their entire case, including opening statements, direct and cross examination, rebuttals, and closing arguments. Time for review of Affidavits or evidence by the Court shall not be assessed against either party's allocated time.

If at the postseparation support hearing both parties and the presiding Judge agree, the parties may proceed with a hearing for the establishment of an order for alimony.

8.2. Initial Mandatory Disclosures for Postseparation Support and Alimony. Each party to an action for postseparation support or alimony has the duty to produce and serve on the other party or counsel the following documents as designated in this Rule. Within thirty (30) days from filing of the claim by pleading or motion requesting postseparation support or alimony, the requesting party shall serve the opposing party or counsel with the mandatory disclosure documents and shall file with the Clerk a Notice and Certification of Initial Mandatory Disclosures (Form #7, See attached Appendix of Forms). Within fifteen (15) days from service by the moving party of the mandatory disclosure documents, the opposing party/counsel shall serve on the requesting party or counsel their mandatory disclosure documents and shall file with the Clerk the Notice and Certification of Mandatory Disclosures (Form #7, See attached Appendix of Forms).

Each party or counsel shall provide additional supplemental and updated mandatory disclosure documents no later than fourteen (14) days prior to any hearing concerning postseparation support or alimony. The mandatory disclosure documents shall include the following:

1. Income tax returns for the two (2) years immediately preceding the filing of the action, W-2 and K-1 forms, and all schedules, attachments, 1099 statements, and any other documents evidencing income;
2. Pay stubs/earning statements for the twelve (12) months immediately preceding the mandatory disclosure date;
3. All documents evidencing "income" for the twelve (12) months immediately preceding the mandatory disclosure date. This disclosure includes but is not limited to income from salaries, wages, commissions, bonuses, profit-sharing, in-kind payments of benefits (e.g., car allowance, per diems, etc.), recurring gifts, ownership or operation of a business, partnership, or corporation, VA disability, social security benefits, workers' compensation benefits, unemployment insurance benefits, disability pay and insurance benefits, and alimony or maintenance received from persons other than a party to the instant action;
4. Individual and Business Bank Statements (either online or standard monthly statements) for the twenty-four (24) months immediately preceding the mandatory disclosure date, including canceled checks, check registers, and general ledgers for all months after the filing of the action;
5. Credit card statements for the twenty-four (24) months immediately preceding the mandatory disclosure date for any credit card for which the party is an authorized user and for all months after the filing of the actions; and,
6. Business tax returns for the two (2) years prior to the filing of the action, including K-1 forms and all attachments and schedules, and all quarterly and yearend financial statements, including profit and loss statements and balance sheets.

8. 3. Alimony. The time limits for disposition of alimony claims are set forth in Rule 1.7 above.

8. 4. Appointment of Mediator/Family Financial Mediation of Alimony. Within forty-five (45) days after the filing of the initial claim for alimony, the parties and/or counsel for the parties shall confer and designate a certified family financial mediator to mediate the issue of alimony. This Designation of Mediator form (Form #13, See attached Appendix of Forms) shall be submitted to FCO for entry by the Court and shall be filed with the Clerk. If the parties and/or counsel cannot agree on a mediator they shall advise FCO, and the Court shall then enter an Order appointing the mediator. FCO shall serve a copy of the appointment on the parties or their counsel and shall file the original with the Clerk. No scheduling conference shall be required for the sole purpose of designating or appointing a mediator. Nothing herein shall prevent the earlier appointment of a family financial mediator by consent of the parties or their counsel. The

mediation shall be completed within two hundred ten (210) days of the service of the initial alimony claim.

8. 5. Informal Scheduling and Discovery Conference. Within sixty (60) days after the filing of a claim for alimony, the parties or their respective counsel shall meet together in a private informal conference for purposes of agreeing on the dates for exchanging documents, establishing a discovery schedule, scheduling any necessary hearings within the prescribed time limit, and/or any scheduling any mandatory pretrial or scheduling conferences with the Court. The party or counsel seeking alimony shall be responsible for establishing this conference with the other party or counsel. In the event the parties reach a scheduling and discovery agreement on all or some matters, they shall submit the same to FCO in the form of a Consent Order to be entered by the Court. In the event no agreement is reached, then the parties shall comply with the prescribed time limits for scheduling of mandatory pretrial scheduling and discovery conferences and entry of Pretrial Orders. The issues to be resolved at the conference shall include, but not be limited to, the dates to produce requested financial documents and information in addition to the Initial Mandatory Disclosures referenced above, dates for the exchange of Financial Affidavits and supporting documents, selection of a mediator and a mediation deadline, a Pretrial Order scheduling conference, and hearing/trial dates, consistent with the time frames set forth in Rule 1.7. In the event that the parties are unable to agree on a discovery and scheduling plan (Form #8, See attached Appendix of Forms) or the assigned Judge does not approve the plan, then the FCO shall schedule a meeting with counsel and/or unrepresented parties and the assigned Judge to address all scheduling and discovery matter and for the entry of an appropriate scheduling Order.

8. 6. Mandatory Pretrial Conference and Order. The parties and/or counsel shall confer and cooperate for the purpose of completing a final Pretrial Order for Alimony. No less than forty-five (45) days prior to the hearing on alimony, the party requesting alimony shall prepare and serve on the opposing party a proposed Pretrial Order. Within fifteen (15) days of receipt of the proposed Pretrial Order, the responding party shall prepare and serve all requested additions or objections to the proposed Pretrial Order. Counsel and/or the parties shall then schedule a final pretrial conference with the Court for entry of the Pretrial Order and to confirm the trial date.

8. 7. Motions for Modification of Alimony. The provisions of this Rule shall apply to all motions to modify alimony.

Rule 9: EQUITABLE DISTRIBUTION

9. 1. Equitable Distribution. The time limits for disposition of equitable distribution claims are set forth in Rule 1.7 above.

9. 2. Equitable Distribution Inventory Affidavits (EDIA). Within ninety (90) days after filing a claim for equitable distribution, the party who first asserts the claim shall prepare and serve upon the opposing party or counsel an EDIA (Form #6, See attached Appendix of Forms) listing all items claimed by the party to be marital property and marital debt, divisible property and divisible debt, separate property, the estimated date-of-separation and current fair market net value of each item of marital, divisible, and separate property, as well as the date-of separation and

current amount of marital, divisible, and separate debt. The party shall also serve on the opposing party or counsel any and all documents supporting a contention about classification, value, or debt shown in the EDIA. Within thirty (30) days after service of the initial EDIA, the Responding Party shall prepare and serve their EDIA upon the opposing party or counsel containing the same information and with supporting documentation (Form #6, See attached Appendix of Forms).

If capable of doing so, each party shall provide and serve their respective EDIAs to the opposing party in an electronic data form that permits copying and editing by a computer.

The EDIA prepared and served pursuant to this Rule shall be subject to amendment and shall not be binding at trial as to classification, value, or distribution. A Certificate of Service evidencing the service of the EDIA shall be filed with the Clerk of Court. The EDIA shall not be filed with the Clerk.

The time limits for service of EDIAs may be extended by agreement of the parties or by Order of the Court for good cause shown.

9.3. Appointment of Mediator/Family Financial Mediation for Equitable Distribution. Within forty-five (45) days after the filing of the initial claim for equitable distribution, the parties and/or attorneys for the parties shall confer and designate a family financial mediator. The Designation of Mediator shall be submitted to FCO (Form #13, See attached Appendix of Forms). If the parties/counsel cannot agree on a mediator they shall communicate this fact to FCO, and the Court shall appoint a certified mediator. No scheduling conference shall be required for the sole purpose of the designation of a mediator. Nothing herein shall prevent the earlier designation of a certified mediator by consent of the parties/counsel. Family financial mediation shall be completed within two hundred ten (210) days of the filing of the initial equitable distribution claim.

9.4. Interim Equitable Distribution. It is the responsibility of the party seeking an Interim Equitable Distribution hearing to obtain a date for the hearing from Family Court and to serve the opposing party or counsel with a Notice of Hearing for the Interim Distribution Hearing (Form #2, See attached Appendix of Forms). Requests for an interim equitable distribution require and shall include notice and designation in the request or motion of the specific property sought to be distributed pursuant to N.C. General Statute §50-20(i1). FCO will schedule an Interim Distribution Hearing before the assigned Judge as soon as possible, with a goal for the hearing to be conducted within thirty (30) days of the date of the request for a hearing.

9.5. Ex Parte and Emergency Filings. See Rule 2 above regarding ex parte submissions, including temporary restraining orders regarding equitable distribution.

9.6. Initial Pretrial Conference. Within one hundred twenty (120) days after the filing of the initial pleading or motion for equitable distribution, the assigned Judge shall conduct an Initial Pretrial Conference to address the issues set forth in the Scheduling and Discovery Order (Form #8, See attached Appendix of Forms) and N.C. General Statute §50-21(d). The party who first asserted a claim for equitable distribution shall be responsible, in consultation with the FCO, for the calendaring and noticing of the Initial Pretrial Conference immediately following the

service of the responding party's EDIA. If that party fails to make a timely application for the conference, then the other party shall do so. Attendance at the Initial Pretrial Conference is mandatory for all attorneys of record and pro se litigants unless excused by the Court. At the Initial Pretrial Conference, the Court shall determine the matters as set forth on Form #8 (See attached Appendix of Forms), as well as any other preliminary issues that may be raised by the parties or counsel. The Court shall schedule a proposed date for trial of the equitable distribution and any additional pretrial conferences as may be deemed necessary.

9.7. Final Pretrial Conference. Unless the Court orders otherwise, a Final Pretrial Conference with the assigned Judge shall be held not less than sixty (60) days before the scheduled trial of the equitable distribution claims, and no later than two hundred forty (240) days after the initial equitable distribution claim was filed. The Court may enter Orders for subsequent Pretrial Conferences as deemed necessary or appropriate so long as within the time limit for conclusion of the claim is within the time prescribed in Rule 1.7 or as ordered by the Court. Attendance at Final Pretrial Conferences is mandatory for all attorneys of record and all parties. The purpose of the Final Pretrial Conference shall be to discuss and narrow the issues for the trial or disposition of the equitable distribution case and to assess the status of the Pretrial Order. The final pretrial conference shall be conducted pursuant to the Rules of Civil Procedure and the General Rules of Practice. The court shall rule upon any matters reasonably necessary for a fair and timely disposition of the case.

9.8. Pretrial Order. The party who first asserted a claim for equitable distribution shall be responsible for preparing the proposed Pretrial Order (Form #10, See attached Appendix of Forms). Service of the proposed Pretrial Order on the opposing party shall be completed not less than twenty-one (21) days before the date set for the equitable distribution trial. The proposed Order shall be served in an editable electronic format for the use of the opposing party/counsel. Within ten (10) days after service of the proposed Pretrial Order, the responding party shall serve on the proposing party any comments, objections, amendments, additions, or other information as necessary or required for the completion of the Pretrial Order. The Final Pretrial Order (Form #10, See attached Appendix of Forms) shall be tendered to the Court not less than ten (10) days before the date set for the equitable distribution trial, or at such date as may otherwise be established by the express consent and agreement among counsel and the Court.

END OF RULES

APPENDIX OF FORMS

Pitt County Family Court Forms

FORM	DESCRIPTION
Form #1	Domestic Civil Action Cover Sheet (AOC-CV-750)
Form #2	Judicial Assignment and/or Notice of Hearing
Form #3	Child Support Affidavit
Form #4	Financial Affidavit
Form #5	Order to Attend Custody Mediation
Form #6	Equitable Distribution Inventory Affidavit
Form #7	Notice/Certification of Initial Mandatory Disclosure
Form #8	Scheduling and Discovery Order
Form #9	Request for Continuance
Form #10	Pretrial Order for Equitable Distribution
Form #11	Order Submission
Form #12	Objection to Request for Continuance
Form #13	Designation of Mediator
Form #14	Exhibits/Evidence Log

FCO FORM #1

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
District Court Division

Name And Address Of Plaintiff 1

Name And Address Of Plaintiff 2

**DOMESTIC
CIVIL ACTION COVER SHEET**

INITIAL FILING SUBSEQUENT FILING

Rule 5(b), Rules of Practice For Superior and District Courts

VERSUS

Jury Demanded In Pleading? No Yes

Name Of Defendant 1

Name And Address Of Attorney Or Party, If Not Represented (complete for initial appearance or change of address)

Summons Submitted Yes No

Telephone No.

Cellular Telephone No.

Name Of Defendant 2

NC Attorney Bar No. Attorney E-Mail Address

Initial Appearance in Case Change of Address

Summons Submitted Yes No

Name Of Firm

Counsel for

All Plaintiffs All Defendants Only (List party(ies) represented)

FAX No.

TYPE OF PLEADING

CLAIMS FOR RELIEF

(check all that apply)

(check all that apply)

- Amended Answer/Reply (AMND-Response)
- Amended Complaint (AMND)
- Answer/Reply (ANSW-Response)
- Complaint (COMP)
- Confession Of Judgment (CNFJ)
- Contempt (CNTP)
- Continue (CNTN)
- Compel (CMPL)
- Counterclaim vs. (CTCL) Assess Counterclaim Costs
- Extend Time For An Answer (MEOT-Response)
- Modification Of Alimony (MALI)
- Modification Of Custody (MCUS)
- Modification Of Support in non-IV-D cases (MSUP)
- Modification Of Visitation (MVIS)
- Rule 12 Motion In Lieu Of Answer (MDLA)
- Sanctions (SANC)
- Show Cause (SHOW)
- Transfer (TRFR)
- Vacate/Modify Judgment or Order (VCMD)
- Other (OTHR):

- Alimony (ALIM)
- Annulment (ANUL)
- Child Support (CSUP)
- Custody (CUST)
- Divorce (DIVR)
- Divorce From Bed And Board (DIVB)
- Domestic Violence (DOME)
- Equitable Distribution (EQUD)
- Medical Coverage (MEDC)
- Paternity (PATR)
- Possession Of Personal Property (POPP)
- Post Separation Support (PSSU)
- Reimbursement For Public Assistance (RPPA)
- Visitation (VIST)
- Other: (specify and list separately)

Date

Signature Of Attorney/Party

NOTE: All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must include a Domestic (AOC-CV-750), Motions (AOC-CV-752), or Court Action (AOC-CV-753) cover sheet.

FCO FORM #2

STATE OF NORTH CAROLINA COUNTY OF PITT	In the General Court of Justice District Court Division			
Plaintiff Name & Address:	File No.			
VERSUS	JUDICIAL ASSIGNMENT AND/OR NOTICE OF HEARING			
Defendant Name & Address:	(A copy of this form must be filed with the pleadings in domestic cases. Obtain dates for court events from the Family Court Office prior to filing.)			
1. The District Court Judge assigned to this action is: _____				
2. This case is set for the following purposes: _____				
Type of Hearing	Date & Time	Back Up Date &Time	Amount of Time for Hearing	Location
<input type="checkbox"/> Temporary Hearing <input type="checkbox"/> Child Support <input type="checkbox"/> Temporary Custody/Visitation <input type="checkbox"/> Post Separation Support <input type="checkbox"/> Interim Distribution				
<input type="checkbox"/> Permanent Hearing <input type="checkbox"/> Child Support <input type="checkbox"/> Custody/Visitation <input type="checkbox"/> Alimony <input type="checkbox"/> Equitable Distribution				
<input type="checkbox"/> Pre-Trial Conference <input type="checkbox"/> Status Conference				
<input type="checkbox"/> Motion				
<input type="checkbox"/> Custody Mediation Orientation is set for:				online
3. A filed copy of this document has been provided to the Family Court Office.				
Certificate of Service				
I hereby certify that a copy of this Judicial Assignment and/or Notice of Hearing has been served in the following manner:				
<input type="checkbox"/> By depositing a copy in the United States mail in a properly addressed, postpaid envelope to:				
<input type="checkbox"/> By hand delivery: <input type="checkbox"/> By facsimile:				
Date:	Printed Name:	Signature:		

FCO FORM #3

State of North Carolina		In the General Court of Justice District Court Division	
Pitt County		File No.:	
Plaintiff:	Versus	Child Support Financial Affidavit	
Defendant:			
The undersigned <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant, having been first duly sworn as to the truthfulness and completeness of this Affidavit, deposes and says that my average gross income is as follows.			
1.	My Monthly Gross Income from all sources is:		
	Detail of Monthly Gross Income:		
	Monthly Gross W-2 Wages:		
	Investment income, interest, dividends:		
	Bonus, commissions, distributions from partnerships/corporations		
	Overtime, social security, disability, car allowance, shift pay, vacation/holiday pay:		
	Alimony paid or received:		
	Child Support received for other children:		
2.	I have pre-existing child support payments of:		
3.	My responsibility for other children is:		
4.	Directions: Add lines 2 and 3		
5.	Directions: Enter the amount on line 1 here		
6.	Directions: Enter the amount on line 4 here		
7.	Monthly Adjusted Gross Income Directions: Subtract line 6 from line 5 and enter here		
8.	My Work-Related Child-Care Costs for the children at issue in this case are:		
9.	My Health Insurance Premium Costs for the Children at issue in this case are:		
10.	I have the following Extraordinary Child-Related expenses:		
	A.		
	B.		
	C.		
<i>Date:</i>		<i>Signature of Affiant:</i> <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant	
SWORN AND SUBSCRIBED BEFORE ME THIS DATE			(SEAL)
Notary Public (Please print and sign name):			
_____		_____	
<i>(Print)</i>		<i>(Sign)</i>	
My Commission Expires:			

FCO FORM #4

NORTH CAROLINA
COUNTY OF PITT

Form #4

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

_____, Plaintiff
v.
_____, Defendant

FINANCIAL AFFIDAVIT
OF
[] PLAINTIFF [] DEFENDANT

Employer: _____

Employer Address: _____

I am paid: weekly, every other week, twice monthly, monthly,
 other (explain) _____

Last Taxable Year Adjustable Gross Income:		
Current Monthly Gross Income before Deductions:		
Current Monthly Net Income after Mandatory Deductions:		
Current Monthly Net Income after all Deductions:		
Detail of Monthly Gross Income	Date of Separation	Current
Monthly Gross Wages:		
Investment income, interest, dividends:		
Bonus, commissions:		
Alimony received:		
Child Support received:		
Other (overtime, social security, disability, car allowance, shift pay, vacation/holiday pay):		
TOTAL MONTHLY GROSS INCOME:		
Mandatory Monthly Deductions	Date of Separation	Current
Federal income tax:		
State income tax:		
Social Security taxes:		
Medicare taxes:		
Retirement:		
Garnishment:		
Other: _____		
TOTAL MANDATORY DEDUCTIONS		
Voluntary Monthly Deductions	Date of Separation	Current
Health Insurance:		
Dental Insurance:		
Vision Insurance:		
Life Insurance:		
Disability Insurance:		
Medical Spending Account:		
Retirement:		
Other: _____		
TOTAL VOLUNTARY DEDUCTIONS:		

**Part 1
Regular Recurring Fixed Monthly Expenses**

Expense	Date of Separation Date: _____	Current Date: _____
Rent or Mortgage		
2 nd Mortgage Payment		
Homeowners Insurance		
Routine house & appliance repair/maintenance		
Electricity		
Cable, digital television, and internet service		
Cellular telephone		
House cleaning service		
Pest control services		
Automobile payment		
Auto insurance		
Gasoline (auto)		
Auto repair/maintenance, registration, taxes		
Food and household supplies (groceries)		
Pets (insurance, vet, food, kennel)		
Other: _____		
GRAND TOTALS FOR PART 1:		

Form #4
Part 2
Individual Monthly Expenses

Expense	Date of Separation			Current		
	Date: _____			Date: _____		
	Self	Children	Total	Self	Children	Total
Medical Insurance premium						
Dental/Vision Insurance premium						
Other insurance premium (Life, Disability, etc)						
Uninsured Medical expenses (co-pays, deductibles)						
Uninsured Dental & Orthodontic expense						
Uninsured Prescription and OTC drugs & medication						
Other uninsured medical expenses (e.g., optical)						
Gifts (holidays, birthdays)						
Church donations						
Other charitable contributions						
Entertainment and recreation						
Club dues and assessments						
Dues						
Annual vacation						
Eating out						
Clothing, accessories						
Laundry, dry cleaning						
Entertainment & Recreation						
Personal upkeep (barber, hair stylist)						
Newspapers, Magazines						
Retirement & Investment						
Savings						
Professional fees (CPA, etc.)						

**Part 3
Debts**

Creditor	Balance due on DOS	Monthly Payment	Current Balance due	Monthly Payment
GRAND TOTALS FOR PART 3:				

**Part 4
Summary**

Plaintiff's or Defendant's Contentions:

Current monthly net income after all deductions:	
Minus regular recurring fixed monthly expense (Part 1):	-
Minus individual monthly expenses (Part 2):	-
Minus debts (Part 3):	-
Equals Net Disposable Income:	=

Verification

I certify that aforementioned is true, complete, and accurate to the best of my ability.

Affiant

Form #4
Verification

I certify that aforementioned is true, complete, and accurate to the best of my ability.

Affiant

_____ County, North Carolina

I certify that _____ personally appeared before me this day and acknowledged to me that he or she voluntarily signed the foregoing document for the purpose stated therein and, in the capacity, indicated.

Date: _____

(Signature)

_____, Notary Public
(Notary's printed name)

My Commission Expires: _____

Form #4
CERTIFICATE OF SERVICE

I hereby certify that a copy of this Financial Affidavit has been served 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: _____

 Plaintiff

Defendant

 Attorney for Plaintiff

Attorney for Defendant

FCO FORM #5

STATE OF NORTH CAROLINA COUNTY OF PITT	In the General Court of Justice District Court Division
Plaintiff:	File No.
VERSUS	ORDER TO ATTEND ONLINE CUSTODY MEDIATION ORIENTATION AND MEDIATION SESSION (This form must be filed with the Clerk.)
Defendant:	

This matter involves issues relating to child custody or visitation. The parties are required to participate in the Court's mediation program for custody and visitation disputes.

It is ordered, pursuant to G. S. 50-13.1, that the child custody and visitation issues in this case be referred to mediation, and that further proceedings, including discovery, are stayed.

You are ordered to participate with online custody mediation orientation and a parenting education session on _____ at 1:00 p.m. This will take 1.5 hours. You must contact the Custody Mediator at Wanda.C.Phillips@nccourts.org to obtain the information needed to participate. Once both parties have completed orientation, the mediator will schedule the online mediation session and notify you by email.

Notice to Parties: If you fail to participate with all requirements, you may be held in contempt of court. No one other than the parties are allowed to be present during the mediation orientation and session. If someone is present with either party, the orientation or mediation will be immediately cancelled. The attached intake form must be completed and returned to the Custody Mediator by fax at 252-695-7178 or email at Wanda.C.Phillips@nccourts.org or by mail at PO Box 8147, Greenville, NC 27835, prior to the date above.

Date:	District Court Judge:
-------	-----------------------

Certificate Of Service

I hereby certify that a copy of this Order to Attend Online Custody Mediation Orientation and Mediation Session has been served in the following manner:

By depositing a copy in the United States mail in a properly addressed, postpaid envelope to:

Date:	Case Coordinator:
-------	-------------------

FCO FORM #6

NORTH CAROLINA
JUSTICE
PITT COUNTY

IN THE GENERAL COURT OF
DISTRICT COURT DIVISION
FILE NUMBER:

_____ , Plaintiff
-v-
_____ , Defendant

**EQUITABLE DISTRIBUTION
INVENTORY
FOR**

[] PLAINTIFF [] DEFENDANT

THE ABOVE-NAMED PARTY, being duly sworn and under oath, states as follows:

1. I am serving on the opposing party this Equitable Distribution Inventory Affidavit. This Affidavit contains my listing of the assets and debts of the parties on the date of separation and my contentions as to whether any asset or debt so listed is a marital asset or debt or a separate asset or debt.
2. I certify that I have exercised due diligence to provide a complete listing of all assets and debts that existed on the date of my separation from the opposing party. All of the information contained in this Affidavit is true to the best of my knowledge.

This the _____ day of _____ 20____.

Signature

Sworn to and subscribed before me
This ____ day of _____ 20____.

Notary Public
My Commission Expires: _____

SCHEDULE A - REAL ESTATE

(Includes land and all buildings and other things permanently attached to the land including residence, rental property, commercial, vacation, time shares, etc.)

Equitable Distribution Affidavit of Husband Wife
 DOM: _____ DOS: _____

ITEM DESCRIPTION	CLASS (S or M)	CLASS (H or W)	FMV at DOS VALUE	PROPOSED DISTRIBUTION

SCHEDULE B – TRANSPORTATION

(Includes automobiles, motorcycles, vans, boats, airplanes, jet skis, etc.)

Equitable Distribution Affidavit of Husband Wife

DOM: _____ DOS: _____

ITEM DESCRIPTION	CLASS (S or M)	CLASS (H or W)	FMV at DOS VALUE	PROPOSED DISTRIBUTION

SCHEDULE C – INSTITUTIONAL ACCOUNTS, STOCKS, BONDS & SECURITIES

(Includes checking accounts, savings accounts, certificates of deposit, brokerage accounts, stocks, etc.)

Equitable Distribution Affidavit of Husband Wife

DOM: _____ DOS: _____

ITEM DESCRIPTION	CLASS (S or M)	CLASS (H or W)	FMV at DOS VALUE	PROPOSED DISTRIBUTION

SCHEDULE D - RETIREMENT PLANS AND ACCOUNT'S

(Includes pension plans, IRA accounts, profit sharing plans, deferred compensation plans, Employ
Stock Options, etc.)

Equitable Distribution Affidavit of Husband Wife
DOM: _____ DOS: _____

ITEM DESCRIPTION	CLASS (S or M)	CLASS (H or W)	FMV at DOS VALUE	PROPOSED DISTRIBUTION

SCHEDULE E – OTHER PERSONAL PROPERTY

(Includes collections, such as artwork, firearms, coins, and household goods, etc.)

Equitable Distribution Affidavit of Husband Wife

DOM: _____ DOS: _____

ITEM DESCRIPTION	CLASS (S or M)	CLASS (H or W)	FMV at DOS VALUE	PROPOSED DISTRIBUTION

SCHEDULE F - BUSINESS INTERESTS

(All ownership interests in closely-held business entities, such as partnerships, limited liability companies, sole proprietorships, etc.)

Equitable Distribution Affidavit of Husband Wife
 DOM: _____ DOS: _____

ITEM DESCRIPTION	CLASS (S or M)	CLASS (H or W)	FMV at DOS VALUE	PROPOSED DISTRIBUTION

SCHEDULE G – LIFE INSURANCE

(Cash value, loan obligations, etc.)

Equitable Distribution Affidavit of Husband Wife

DOM: _____ DOS: _____

ITEM DESCRIPTION	CLASS (S or M)	CLASS (H or W)	FMV at DOS VALUE	PROPOSED DISTRIBUTION

SCHEDULE H - DEBTS

(Credit cards, promissory notes, mortgage loans, charge accounts, etc.)

Equitable Distribution Affidavit of Husband Wife

DOM: _____ DOS: _____

ITEM DESCRIPTION	CLASS (S or M)	CLASS (H or W)	FMV at DOS VALUE	PROPOSED DISTRIBUTION

NORTH CAROLINA
JUSTICE
PITT COUNTY

IN THE GENERAL COURT OF
DISTRICT COURT DIVISION
File Number: _____

_____ Plaintiff
-v-
_____ Defendant

Certificate of Service of
 Plaintiff's Defendant's
 Equitable Distribution Inventory Affidavit

This is to certify that I am, and was at all times herein after mentions, more than eighteen (18) years of age; that on _____ The date below, I served this Equitable Distribution Inventory Affidavit upon the interested party in this case by:

Depositing it in the exclusive care and custody of the United States Postal Service with sufficient first-class postage affixed thereto and addressed to the person(s) at the address shown below:

Hand delivery to opposing party or that party's counsel (by leaving it at the attorney's office with a partner or employee) at the address shown below:

Facsimile Transmission via Fax No. _____

This the _____ day of _____ 20____.

 Plaintiff Defendant Attorney

FCO FORM #8

STATE OF NORTH CAROLINA
COUNTY OF PITT

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
__CVD__

_____,)
Plaintiff)
v.)
_____,)
Defendant(s))

FAMILY COURT FORM NO: 8
SCHEDULING AND DISCOVERY
SCHEDULING ORDER

Pursuant to North Carolina General Statutes and in accordance with Pitt County Family Court Local Rules, a scheduling and discovery conference was held in the above matter on _____ before the undersigned District Court Judge assigned to the action. Attorney _____ appeared as counsel for Plaintiff, and attorney _____ appeared as counsel for Defendant(s). After reviewing the record and discussions with counsel, the Court makes the following findings and enters the initial Scheduling and Discovery Order.

1. The Parties' date of marriage is: _____.
2. The Plaintiff's contended date of separation is _____.
3. The Defendant's contended date of separation is _____.
4. If the parties' date of separation is in dispute, then the hearing date to determine the date of separation is set for: _____.
5. Plaintiff's Preliminary EDIA and supporting documents shall be served and filed on or before: _____.
6. Defendant's Preliminary EDIA and supporting documents shall be served and filed on or before: _____.
7. The parties:
 - a. Agree that the case does not involve exceptional or complex equitable distribution issues and subject matter; or

- b. Agree that this case involves exceptional or complex equitable distribution issues and subject matter. On or before _____, the parties shall submit a request to the Chief District Court Judge to request the entry of an Order designating this action as an exceptional and complex equitable distribution case. Upon designation by the Chief District Court Judge, the undersigned Judge will establish the requirements and scheduling for the disposition of the case.
- c. Are unable to agree on whether or not this case involves exceptional and complex equitable distribution issues and subject matter. The Plaintiff/Defendant has requested the Court to request the Chief District Court Judge to designate the case as an exceptional and complex equitable distribution case. The Court allows/denies the request.

IT IS, THEREFORE, ORDERED as follows:

1. All pretrial motions pertaining to the date of separation (if contested), interim distribution pursuant to N.C. Gen. Stat. § 50-20(i)(1), injunctive or other related relief, classification or valuation of marital and divisible property, and all other pretrial motions shall be filed on or before _____ and shall be heard on or before _____.
2. A pretrial conference shall be conducted pursuant to N.C. Gen. Stat. § 50-20(d) before _____.
3. All written discovery pursuant to Rules 33, 34, 35, and 36 of the North Carolina Rules of Civil Procedure including all responses to written discovery shall be concluded on or before _____.
4. Any motion for Court-appointed experts shall be filed by _____ and heard by _____.
5. All testifying expert witnesses (except court-appointed experts) shall be designated by _____.

6. All reports of testifying expert witnesses which may be used at trial shall be exchanged by _____.

7. All expert depositions shall be completed by _____.

8. All non-expert depositions shall be completed by _____.

9. Mediation shall be conducted and completed on or before _____. Counsel of record for Plaintiff and Defendant are encouraged to conduct mediation at the earliest possible time prior to the deadline.

10. Either party may request the assigned Judge to conduct a preliminary pretrial conference by submitting a written request to the Family Court office.

11. The trial for final determination of all equitable distribution issues will be scheduled on the following dates: _____.

12. Unless otherwise ordered by the Court, the Final Pretrial Conference shall be scheduled and held not less than 60 days before the scheduled trial date, and not later than 240 days after the filing date of the initial equitable distribution claim whether filed by the Plaintiff or the Defendant.

13. The Pretrial Order shall be prepared, completed, and filed in compliance with Rule 9 of the Pitt County Family Court local rules.

14. This Order may be amended by the Court for good cause shown or by agreement of counsel of record for Plaintiff and Defendant with Court approval.

This the ____ day of _____, 20__.

The Honorable _____
Assigned District Court Judge Presiding

FCO FORM #9

STATE OF NORTH CAROLINA COUNTY OF PITT	In the General Court of Justice District Court Division
Plaintiff:	File No.
VERSUS	REQUEST FOR CONTINUANCE A copy of this document must be provided to the Family Court Office.
Defendant:	
1.	The undersigned moves the Court for a continuance of the above case which is presently set on _____ (Date) for the following issues: _____. Temporary Orders addressing these issues <input type="checkbox"/> have <input type="checkbox"/> have not been entered.
2.	Reason for the Request for Continuance:
3.	<input type="checkbox"/> I have contacted the other party or counsel and he/she <input type="checkbox"/> joins in the Request for Continuance <input type="checkbox"/> consents to or does not object to the Request for Continuance <input type="checkbox"/> opposes the Request for Continuance <input type="checkbox"/> has not responded to the Request for Continuance. <input type="checkbox"/> I have not contacted the other party or counsel.
Date:	Moving Party:
Certificate Of Service	
I hereby certify that a copy of this Request for Continuance has been served in the following manner:	
<input type="checkbox"/> By depositing a copy in the United States mail in a properly addressed, postpaid envelope to:	
<input type="checkbox"/> By Hand Delivery	<input type="checkbox"/> By Fax
Date:	Moving Party:

FCO FORM #10

DOM: _____

DOS: _____

Form #10

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

DISTRICT COURT DIVISION

COUNTY OF PITT

FILE NO.: _____

Plaintiff

v.

PRE-TRIAL ORDER

Defendant

THIS MATTER came on to be heard and being heard upon a Pre-Trial Conference before the undersigned Presiding Judge, upon pleadings seeking a distribution of marital property.

It appears to the Court, and the Court finds, that the parties and their counsel have provided the factual information contained herein. The Court further finds that the parties, by executing this Order, have stipulated to certain facts relative to the issues to be tried herein.

The Court finds that each party, by signing this Pre-Trial Order, affirms that he and she have disclosed the existence of all property (separate, marital, dual, and divisible) to which he or she has a claim of ownership or interest as of the date of separation, and, in the case of divisible property, at present.

The parties further stipulate, and the Court finds, as follows:

1. This Court has jurisdiction over the parties and the subject matter of this action.

2. Plaintiff and defendant married each other on _____, _____.

3. Plaintiff and defendant separated from each other on _____, _____.

4. The plaintiff and defendant were subsequently divorced on _____, _____.

5. There are attached hereto and incorporated herein by reference the following schedules:

DOM: _____

DOS: _____

Form #10

Schedule A-I and A-II - Marital property, about which the parties agree on valuation and distribution. The Court shall distribute the marital property to the party, and at the values, as stipulated.

Schedule B - Marital property, about which the parties agree on valuation, but disagree on distribution. The Court shall distribute as it deems appropriate, at the agreed-to values.

Schedule C - Marital property, about which the parties agree on distribution, but disagree on value. The Court shall distribute as the parties have stipulated and shall determine the values.

Schedule D - Marital property, about which the parties disagree on valuation and distribution. The Court shall determine value and distribution.

Schedule E - Property about which there is a disagreement as to classification, with each party's contentions as to the value and distribution. The Court shall classify as it deems appropriate, and value (either as stipulated by the parties or found by the Court) and distribute (either as stipulated by the parties or found by the Court).

Schedule F - Separate property - This contains a list of the agreed-to separate property of each party, with contentions about values. The Court shall make any determination of contested values.

Schedule G - Marital Debt - Agreement of classification as unsecured marital debt, amount owed, and assignment of unsecured marital debt.

Schedule H - Unsecured debt about which there is a disagreement as to classification, or amount owed, or assignment. The Court shall determine the classification and amount owed and shall order the payment of each debt.

Schedule I - Contentions of the parties concerning distributional factors.

DOM: _____

DOS: _____

Form #10

Schedule J - List of all witnesses' plaintiff/(husband or wife) may call to testify in this action.

Schedule K - List of all witnesses' defendant/(husband or wife) may call to testify in this action.

Schedule L - List of all of plaintiff/(husband or wife) exhibits. Copies of plaintiff's exhibits shall be delivered to defendant's counsel two weeks prior to trial.

Schedule M - List of all defendant/(husband or wife) exhibits. Copies of defendant's exhibits shall be delivered to plaintiff's counsel two weeks prior to trial.

Every schedule and item contained on each schedule are subject to modification (if appropriate and proper evidence is presented) based upon the "divisible property" aspect of equitable distribution and related valuation matters.

This the _____ day of _____, 20____.

APPROVED:

JUDGE PRESIDING

CONSENTED TO:

Plaintiff

Attorney for Plaintiff

Defendant

Attorney for Defendant

DOM: _____
DOS: _____

Form #10

SCHEDULE G

**Agreed-to Unsecured Marital Debt, Amount Owed,
and Assignment of Unsecured Marital Debt**

DOM: _____

DOS: _____

Form #10
SCHEDULE H
Disagreement as to Classification
or Amount or Assignment of Unsecured Debt

Wife's Contentions

CREDITOR	AMOUNT OWED AT DOS	CLASSIFICATION	PAYMENTS POST-DOS	PRESENT BALANCE	ASSIGNED TO

Husband's Contentions

CREDITOR	AMOUNT OWED AT DOS	CLASSIFICATION	PAYMENTS POST-DOS	PRESENT BALANCE	ASSIGNED TO

DOM: _____

DOS: _____

Form #10
SCHEDULE I

**The Parties Make the Following Contentions
Concerning Distributional Factors**

Wife's Contentions

Husband's Contentions

DOM: _____

DOS: _____

Form #10
SCHEDULE J

Witnesses Plaintiff/(Wife) May Call

DOM: _____

DOS: _____

Form #10
SCHEDULE K

Witnesses Defendant/(Husband) May Call

DOM: _____
DOS: _____

Form #10
SCHEDULE L

List of Plaintiff/(Wife) Exhibits

The parties have stipulated that the exhibit marked with a check mark can be admitted without foundation or objection.

Check Mark	Exhibit Description

DOM: _____

DOS: _____

Form #10
SCHEDULE M

List of Defendant/(Husband) Exhibits

The parties have stipulated that the exhibit marked with a check mark can be admitted without foundation or objection.

Check Mark	Exhibit Description

FCO FORM #11

STATE OF NORTH CAROLINA COUNTY OF PITT		In the General Court of Justice District Court Division	
Plaintiff:		File No.	
VERSUS		ORDER SUBMISSION	
Defendant:		A copy of this document must be provided to the Family Court Office.	
1.	The attached order: <input type="checkbox"/> was announced in open court. <input type="checkbox"/> was announced to the attorneys of record. <input type="checkbox"/> is entered pursuant to a Memorandum of Judgment/Order. <input type="checkbox"/> is entered with the consent of both parties. Date order announced or Memorandum/consent order signed: _____ .		
2.	Check the box that applies: <input type="checkbox"/> The opposing party/counsel has reviewed the order and all corrections/revisions have been resolved. Both parties agree that this order is correct as to form and is ready for entry of order. <input type="checkbox"/> The draft was delivered to the opposing party/counsel on _____. The opposing party/counsel has not responded to the order as drafted and more than ten (10) days have passed since the delivery of the draft. <input type="checkbox"/> The opposing party/counsel has reviewed the order and does not believe that it is correct as to form.		
Date:		Attorney or Party:	
Certificate Of Service			
I hereby certify that a copy of this Order Submission has been served in the following manner:			
<input type="checkbox"/> By depositing a copy in the United States mail in a properly addressed, postpaid envelope to:			
<input type="checkbox"/> By Hand Delivery			
<input type="checkbox"/> By Fax			
Date:		Moving Party:	

FCO FORM #12

STATE OF NORTH CAROLINA COUNTY OF PITT	In the General Court of Justice District Court Division
Plaintiff:	File No.
VERSUS	OBJECTION TO REQUEST FOR CONTINUANCE A copy of this document must be provided to the Family Court Office.
Defendant:	
<p>A Request For Continuance in this matter was filed on _____. The undersigned hereby objects to the continuance based on the following:</p>	
Date:	Opposing Attorney or Party:
Certificate Of Service	
<p>I hereby certify that a copy of this Objection to Request for Continuance has been served in the following manner:</p> <p><input type="checkbox"/> By depositing a copy in the United States mail in a properly addressed, postpaid envelope to:</p> <p><input type="checkbox"/> By Hand Delivery <input type="checkbox"/> By Fax</p>	
Date:	Attorney or Party:

FCO FORM #13

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Court Division

Name Of Plaintiff
Name And Address Of Plaintiff's Attorney (or Pro Se Plaintiff)
Telephone No. Fax No. (if applicable)
Plaintiff's Attorney's Email Address (or Pro Se Plaintiff's Email Address)
VERSUS
Name Of Defendant
Name And Address Of Defendant's Attorney (or Pro Se Defendant)
Telephone No. Fax No. (if applicable)
Defendant's Attorney's Email Address (or Pro Se Defendant's Email Address)

DESIGNATION OF MEDIATOR
IN FAMILY FINANCIAL CASE

NOTICE: Check and complete only one of the three Sections below, sign on the reverse, file with the Court, and distribute copies as noted below.

G.S. 7A-38.4A; Rule 2 of the Rules for Settlement Procedures in District Court Family Financial Cases

Deadline For Completion Of Settlement Procedure
Tentative Trial Date

SECTION 1 - NOTICE OF DESIGNATION OF CERTIFIED MEDIATOR BY AGREEMENT

The parties have selected the mediator named below who has agreed to serve in this case and is certified pursuant to the Rules for Settlement Procedures in District Court Family Financial Cases.

Name And Address Of Certified Mediator Telephone No.
Fax No.
Mediator's Email Address

The parties and the mediator have agreed upon the mediator's rate of compensation as follows: (Specify all terms of the compensation agreement.)

NOTE: As an aid to mediator selection, the NC Dispute Resolution Commission maintains a list of certified family financial mediators at www.NCDRC.gov. Click on "Find a Mediator" from the left-hand menu then click on "Family Financial Settlement Mediators (District Court)." You may search for mediators by name or by judicial district. Once a mediator's name appears on your screen, click on it for a complete contact and availability listing.

SECTION 2 - MOTION FOR COURT APPOINTMENT OF MEDIATOR

After a full and frank discussion, the parties have been unable to agree upon the selection of a mediator. Pursuant to Rule 2(b) of the Rules for Settlement Procedures in District Court Family Financial Cases, the parties move the Court to appoint a certified mediator to conduct the mediated settlement conference.

SIGNATURE
Date Name Of Plaintiff's Attorney (or Pro Se Plaintiff) Signature Of Plaintiff's Attorney (or Pro Se Plaintiff)
Date Name Of Defendant's Attorney (or Pro Se Defendant) Signature Of Defendant's Attorney (or Pro Se Defendant)

Original-File Copy-Plaintiff Copy-Defendant Copy-Mediator Copy-Judge or Designee (Over)

ORDER OF APPOINTMENT

The parties having reported their failure to agree upon the designation of a mediator, or the parties having failed to notify the court of their designation or nomination of a mediator, the court appoints the following certified mediator to conduct the mediated settlement conference.

<i>Name And Address Of Certified Mediator</i>	<i>Telephone No.</i>
	<i>Fax No.</i>
<i>Mediator's Email Address</i>	

<i>Date</i>	<i>Name Of Judge (type or print)</i>	<i>Signature Of Judge</i>
-------------	--------------------------------------	---------------------------

TENTATIVE CALENDARING NOTICE

[This section is optional, to be used at the discretion of the judge; however, mediated settlement shall not delay other proceedings, including trial (Rule 3(e)).]

Parties are notified of the following tentative calendaring schedule adopted by the Court. Final calendar notices will be provided through a published calendar, should settlement not be reached.

Tentative Date For Hearing Of Motions

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a copy of the foregoing Designation of Mediator in the matter before the district court was served on the above-selected mediator and the parties at the addresses below by placing a copy of the same in the United States Mail, postage prepaid. *(Please provide names and addresses for the mediator and parties served in the spaces below. Attach additional sheets if necessary.)*

<i>Mediator</i>	<i>Party Or Attorney</i>
<i>Party Or Attorney</i>	<i>Party Or Attorney</i>
<i>Party Or Attorney</i>	<i>Party Or Attorney</i>
<i>Party Or Attorney</i>	<i>Party Or Attorney</i>

<i>Date</i>	<i>Name Of Party (type or print)</i>	<i>Signature Of Party Or Party's Attorney</i>
-------------	--------------------------------------	---

NOTE TO MEDIATOR: *The mediator shall be responsible for reserving a place and making arrangements for the conference and giving timely notice to all attorneys and unrepresented parties of the time and location of the conference. The mediated settlement conference shall be completed by the completion deadline set forth on Side One, and the mediator shall report the results of the conference to the court within ten (10) days after the conference is completed or within ten (10) days of being advised by a party that the case settled or was otherwise disposed of prior to the mediation.*

FCO FORM #14

STATE OF NORTH CAROLINA

File No. _____

_____ County

In The General Court Of Justice
 District Superior Court Division

Civil: Plaintiff: _____
 Criminal

Additional File Numbers _____

**STATE
 VERSUS**

Name Of Defendant _____

EXHIBITS/EVIDENCE LOG

PLAINTIFF (P) DEFENDANT (D)
 STATE (S) BOTH

Rule 14, General Rules of Practice for the Superior and District Courts

Name And Address _____

Name And Address _____

Plaintiff's Attorney Prosecutor Party

Defendant's Attorney Party

Exhibit No.	Description And Notes, If Applicable	Date Offered (1)	Date Admitted	Biological (2) (✓)	Collecting Agency (3)	Item Received Or Retained By (4)

NOTE: See reverse for additional description.

Date Stored in Vault After Trial Ends _____	Signature Of Clerk Storing Exhibits _____	Appeal Taken <input type="checkbox"/> Yes _____ (Date) <input type="checkbox"/> No
---	---	--

General Rules of Practice, Rule 14: Exhibits received by the Clerk shall be removed by the party offering them (except as otherwise directed by the Court) within thirty (30) days after final judgment if no appeal is taken; if the case is appealed, then, within sixty (60) days after certification of a final decision from the appellate division. If the party offering an exhibit fails to remove such article, the Clerk shall write the attorney of record, calling attention to provisions of this Rule. If the articles are not removed within thirty (30) days after mailing of such notice, they may be disposed of by the Clerk. (NOTE: To give notice the Clerk may use form AOC-G-151. The Clerk may wish to obtain an order of the Court to remove or dispose of exhibits/evidence in criminal cases.)

RECEIPT FOR REMOVAL

DISPOSITION

Date Of Final Judgment Or Certification _____		Date Notified In Writing To Remove Exhibits/Evidence _____		Date Disposed _____	Date Of Court Order, If Applicable _____
Date Released _____	Exhibit No.(s) Released _____	Date Released _____	Exhibit No.(s) Released _____	Exhibit No.(s) _____	
Signature Of Party Removing Exhibits/Evidence _____		Signature Of Party Removing Exhibits/Evidence _____		Signature Of Clerk Disposing Of Exhibits/Evidence _____	
Signature Of Clerk Releasing Exhibits/Evidence _____		Signature Of Clerk Releasing Exhibits/Evidence _____		Signature Of Witness _____	

Additional Documentation Of Disposition _____

- (1) If item not admitted or retained by counsel or party, Clerk may add any relevant information as a note.
- (2) If exhibit is found "reasonably likely to contain biological evidence," as provided in G. S. 15A-268(a3), indicate it here.
- (3) Indicate here the agency identified by the court as the "collecting agency" for biological evidence.
- (4) Clerk's initials go in this column, or name of counsel or party.

(NOTE: This form may be used in both civil and criminal cases.)

