

Judicial District 20B

MOTION AND ORDER TO SHOW CAUSE

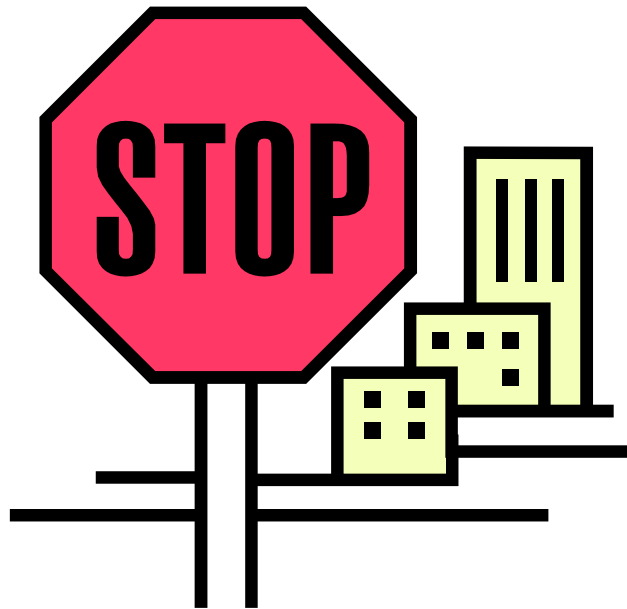
DUE TO THE CHANGING NATURE OF THE LAW, the forms and instructions contained in this packet may become outdated. You should review and research statutes and rules of procedure referenced in the instructions to ensure that the forms are accurate and current.

IN NO EVENT will the Clerk of Court or anyone contributing to the production of these forms, instructions or guidelines be liable for any indirect or consequential damages resulting from use of the forms or information provided to you.

IF THERE ARE ANY QUESTIONS in your mind concerning these forms, or your legal rights, it is strongly recommended that you consult with an attorney.

USE THESE FORMS AT YOUR OWN RISK. THESE FORMS MAY OR MAY NOT BE APPROPRIATE IN YOUR PARTICULAR CASE. ANY DESIRED OUTCOME FROM THE USE OF THESE FORMS CANNOT BE PREDICTED OR GUARANTEED. IT IS STRONGLY RECOMMENDED THAT YOU SEEK LEGAL ADVICE!

NO ONE AT THE JUDICIAL CENTER, CLERK OF COURT'S OFFICE OR JUDGE'S OFFICE, MAY GIVE LEGAL ADVICE OR TELL YOU HOW TO FILL OUT FORMS!



PLEASE CAREFULLY READ THE FORMS AND INSTRUCTIONS CONTAINED IN THIS PACKET.

IF YOU HAVE ANY QUESTIONS, PLEASE CONSULT WITH AN ATTORNEY.

THESE ARE EDUCATIONAL FORMS AND INSTRUCTIONS DESIGNED TO ASSIST YOU, BUT YOU ARE REPRESENTING YOURSELF. PLEASE REVIEW AND FOLLOW THE DIRECTIONS TO IMPROVE YOUR PERFORMANCE IN YOUR CASE. FAILURE TO READ AND FOLLOW THE INSTRUCTIONS MAY ADVERSELY IMPACT YOUR CLAIM.

Steps for filing a Motion and Order to Show Cause

STEP 1

Filling out the documents

CHECKLIST

You must complete the following documents:

◆ **Motion to Show Cause** (You are the movant, the other party is the respondent. The plaintiff and defendant stays the same through out the entire case. Look on the previous order to see who the plaintiff and defendant are)

◆ **Order to Show Cause with Sheriff's return**

Please note that the last page of the **MOTION** needs to be signed in the presence of a **Notary Public**.

STEP 2

Filing the documents

There is not a cost to file these papers. but there is a cost for service. Take these documents, and 2 copies, to the District Court Judges' office located on the 4th floor of the Union County Judicial Center. A judge will need to sign the Order to Show Cause, and the Case Manager will set a court date.

PLEASE MAKE SURE THAT YOUR CORRECT MAILING ADDRESS IS IN THE FILE, AS WELL AS THE CORRECT ADDRESS FOR THE DEFENDANT

STEP 4

Service of Process

North Carolina General Statues require that you give notice to the defendant about the filing of your motion. This is known as "Service of Process." The correct way to serve the respondent is determined by law. If the documents are not correctly served on the respondent, the court will not hear your case.

You are now ready to serve the documents on the respondent. You must take the paper to the Sheriff's Department in the county in which the respondent lives. Union County has a \$15.00 service fee.

STEP 5

Attendance

Be sure to attend all scheduled court events on time and dressed appropriately (as if you were going to a job interview). This is very important.

*Lawyer Referral Services:
North Carolina Bar Lawyer Referral Service: (800) 662-7660*

STATE OF NORTH CAROLINA
COUNTY OF UNION

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NUMBER ____ CVD _____

_____))
(Type or print Plaintiff's name))
Plaintiff,)
vs.)
_____))
(Type or print Defendant's name)

MOTION IN THE CAUSE
BY ____ PLAINTIFF ____ DEFENDANT
FOR
ORDER TO SHOW CAUSE
FOR VIOLATION OF ORDER
REGARDING
____ VISITATION ____ CUSTODY

Defendant,

NOW COMES the Movant, a party in the above-entitled action, and moves the Court for an order directing the above Respondent to appear and show cause why the Respondent should not be held in contempt for violation of an Order dated _____ (a copy attached hereto and incorporated herein by reference) wherein Movant was granted ____ visitation ____ custody with the minor child(ren) of the parties. In support of the Motion, Movant alleges and says that Respondent has violated the Order in the following specific ways:

1. _____

2. _____

3. _____

