

**STATE OF NORTH CAROLINA**

File No.

\_\_\_\_\_ County

In The General Court Of Justice  
Before The Clerk

Name Of Plaintiff(s)/Petitioner(s)

**VERSUS (IN THE MATTER OF:)**

Name Of Defendant(s)/Respondent/Decedent

**MOTION AND ORDER  
FOR SHOW CAUSE HEARING**

G.S. 7A-38.3B  
Rules Implementing Mediation In Matters Before The Clerk Of Superior  
Court.

**MOTION**

The undersigned mediator moves the Court to order the persons or entities named below to appear before the Court to show cause why he/she/they should not be held in contempt for failure to pay mediator's fees as ordered by the Clerk in an Order dated \_\_\_\_\_ for Clerk Program Mediation.

The undersigned mediator is  **Clerk-appointed.**  **party selected.**

1. a. Amount due for mediation services (CMP Rules 7.A and 7.B)... \$ \_\_\_\_\_  
 Total time spent in mediation \_\_\_\_\_ hours, \_\_\_\_\_ minutes @ \$ \_\_\_\_\_ per hour.
- b. Amount due for administrative fee (CMP Rule 7.B)..... \$ \_\_\_\_\_
- c. Amount due for postponement fee (CMP Rule 7.F)..... \$ \_\_\_\_\_
- d. Amount due for out-of-pocket expenses or other agreed upon fees (please specify below):  
 \_\_\_\_\_ \$ \_\_\_\_\_
- TOTAL** amount due Mediator..... \$ \_\_\_\_\_

2. The persons or entities named below have failed to timely pay the above fees:

NAME OF PERSON/ENTITY OWING FEES	ADDRESS OF PERSON/ENTITY	TOTAL AMOUNT OWED

**SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME**

Name and Address of Mediator

Date	Signature Of Person Authorized To Administer Oaths		
<input type="checkbox"/> Notary	Date My Commission Expires	Telephone	
<b>SEAL</b>	County Where Notarized	Signature Of Mediator	Date

**ORDER ALLOWING SHOW CAUSE HEARING**

The above motion for a Show Cause Hearing  is denied  is allowed. The Clerk finds probably cause to believe that the mediator's fees have not been paid. The parties named above are Ordered to appear in person at the date, time, and place shown below to show cause why they should not be held in civil contempt for their failure to pay mediator's fees as ordered by the Clerk. If the Clerk finds a party in civil contempt, he or she may be committed to jail for as long as such civil contempt continues. A party may be entitled to have counsel represent him or her at the hearing. You may hire your own counsel. If you are found to be indigent, the Clerk will appoint counsel for you, unless you waive the right to counsel.

Date of Hearing	Time of Hearing <input type="checkbox"/> AM <input type="checkbox"/> PM	Date	Name Of Judge (Type or Print)
Location of Hearing		Signature	

Original-File  
(Over)

**RETURN OF SERVICE**

I certify that this Motion and Order was received and served as follows:

<i>Date Served</i>	<i>Name Of Contemnor</i>
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- By personally delivering to the contemnor named above a copy of this Motion and Order.
- By leaving a copy of this Motion and Order at the dwelling house or usual place of abode of the contemnor named above with a person of suitable age and discretion residing therein.

<i>Name Of Person With Whom Copy Left</i>
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<i>Address Where Copy Delivered Or Left</i>
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<i>Date Accepted</i>	<i>Signature Of Person Who Served Motion And Order</i>
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Other manner of service (*specify*):

Contemnor WAS NOT served for the following reason:

<i>Date Received</i>	<i>Date Of Return</i>	<i>Signature Of Deputy Sheriff Making Return</i>
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<i>Service Fee</i> \$	<input type="checkbox"/> <i>Paid</i> <input type="checkbox"/> <i>Due</i>	<i>County</i>
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<i>Name Of Sheriff</i>
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