

STEP 1

Filing out the documents

CHECKLIST

You must complete the following documents:

- ◆ **Domestic Civil Action Cover Sheet**
- ◆ **Civil Summons**
- ◆ **Complaint**

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

STEP 2

Filing the documents

Take these documents, 2 copies, **\$80.00** filing fee and the **\$15.00** fee (if you elect to have the Mecklenburg County Sheriff serve the documents) to the Civil Filing Department (720 E. Fourth St., Room 215). The clerk will file your documents. At that time, you will be assigned a case number. Please make a note of this case number as it should be placed in the upper right hand corner of all subsequent documents in the case.

STEP 3

Obtaining dates, further information, etc.

Once you have filed your documents with the Civil Filing Department, you should proceed to the Family Court Office (800 E. Fourth St., Room 211) to obtain a status conference date and an Order for Parent Education class. There is a fee for the Parent Education Class as well. At your status conference, a Family Court Case Manager will review the case to make sure that service of process has been completed successfully and will then schedule the next court event. **PLEASE MAKE SURE THAT YOUR CORRECT MAILING ADDRESS IS IN THE FILE, AS WELL AS THE CORRECT ADDRESS FOR THE DEFENDANT.** Please also note that if your case is referred to Mediation, your claim may be resolved there. If a signed parenting agreement is reached in mediation, you will not need to be given a hearing date. **It is also possible that you will have to return to the Civil Filing Department to file documents given to you at the Family Court office.**

PLEASE NOTE THAT IN MECKLENBURG COUNTY, IT IS MANDATORY THAT ALL PARTIES COMPLETE A PARENT EDUCATION COURSE AND PARTICIPATE IN CUSTODY/VISITATION MEDIATION UNLESS THE JUDGE FINDS GOOD CAUSE OTHERWISE. FAILURE TO ATTEND COULD RESULT IN CONTEMPT AND A MONETARY FINE.

STEP 4
Service of Process

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

You are now ready to serve the documents on the defendant. Please see the handout in this packet entitled “Service of Process” to complete proper service on the opposing party. In short, if you know where the defendant lives, you may elect to have the sheriff serve the documents, or you may serve them by certified or registered mail, return receipt requested (RRR). If you do not know where the defendant lives, please consult with an attorney on how to properly execute “service of process.”

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:
Mecklenburg County Bar Lawyer Referral Service: (704) 375-0120 or
www.meckbar.org
North Carolina Bar Lawyer Referral Service: (800) 662-7660