



*State of North Carolina*  
**General Court of Justice**  
**District Court Division**  
*Fifth Judicial District*  
*New Hanover County Judicial Building*  
*316 Princess Street Suite 328*  
*Wilmington, N.C. 28401-4099*

**J.H. CORPENING, II**  
**Chief District Court Judge**

**DISTRICT COURT JUDGES**

Rebecca W. Blackmore  
James H. Faison, III  
Sandra R. Criner  
R. Russell Davis  
Melinda H. Crouch  
Jeffrey E. Noecker  
Chad Hogston  
Robin W. Robinson

Dear Parent,

Because a custody action has been filed concerning your child, you are required to attend a one-hour orientation session, to inform you about certain options which may be available to you, together with a one-hour educational class called "Parenting Apart". These sessions are court-ordered, which means that unless you obtain an order excusing you from attending, you must attend, and they are provided to you at no cost. You may not bring your children to these sessions, but you may bring one other adult friend if it will make you feel more comfortable.

The goal of these sessions is to make sure each parent of any child whose custody is in dispute is aware of the stresses and anxiety which may be placed on the children who are at the center of these disputes; to make sure that you know of other options and services which may be available in our community; and finally to give you some idea of the nature of litigation, the effect a lawsuit may have on the parties and the children, and to create reasonable expectations as to what a lawsuit can and can not do. These sessions are conducted by trained professionals who are sensitive to the needs of both parents and children. This initial session will not last more than two hours.

Following this session, the Custody Mediator will make an appointment for you at a mutually convenient time to discuss the specifics of your case and explore whether or not mediation of the dispute is possible or appropriate. You will be given an opportunity to fully confer with any attorney of your choice before any other action is taken. Nothing said in the course of these mediation sessions can be used in the court proceeding.

Custody mediation, which will be discussed at the orientation session, has been very successful throughout the nation and North Carolina. We hope that this opportunity will provide you with more information so that you can make better and more informed decisions to satisfactorily resolve the issue of custody in the best interests of your children.

Very truly yours,

/s/ J.H.CORPENING, II

J.H. CORPENING, II  
Chief District Court Judge

# NOTICE

BECAUSE A CHILD CUSTODY ACTION HAS BEEN FILED INVOLVING YOUR CHILD, YOU MUST ATTEND A CUSTODY MEDIATION ORIENTATION PROGRAM AND PARENT EDUCATION CLASS. YOU CAN READ ABOUT THESE PROGRAMS ON THE “DEAR PARENT” LETTER WHICH SHOULD BE ATTACHED TO THIS NOTICE.

IF YOU FAIL TO ATTEND THE MEDIATION ORIENTATION SESSION/PARENT EDUCATION CLASS **OR** A SCHEDULED MEDIATION SESSION YOU MAY BE HELD IN CONTEMPT OF COURT. FOR FURTHER INFORMATION CALL THE CUSTODY MEDIATOR, LORI WAINRIGHT, AT 910-772-7114.

*Local Rules of Court require delivering a copy of this notice to the opposing party with any pleading or motion where any party seeks custody or visitation or a modification of custody or visitation. A failure of any party to comply with the local rules concerning Custody Mediation may result in additional sanctions by the court.*

To be served with “Dear Parent” Letter from Chief District Court Judge

6. CUSTODY AND VISITATION CASE MANAGEMENT PLAN
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*Comment: Custody and Visitation actions: The time standards adopted by the Administrative Office of the Courts for custody cases require that a temporary order be entered in 90 % of the cases within 30 days of filing and in 100% of the cases within 45 days of filing. Contested trials and final orders should be completed in 90% of the cases within 150 days and in 100% of the cases within 180 days. To comply with these goals established with the approval of the North Carolina Bar Association, the following case management plan is adopted.*

- 6.1.1. **Mandatory Mediation and Parent Education:** All parties to any action seeking child custody or visitation or a modification of the same shall be required to attend the Custody Mediation Orientation Program and Parent Education Orientation Program established in this district. The parties shall be required to attend the Parent Education Program only once. The parties shall be required to participate in Custody Mediation each time a custody or visitation action is filed or any motion for a modification of the same is filed.
- 6.2. **Good Faith Required:** Counsel and all parties are required to cooperate with the Family Court Administrator and with the Custody Mediator so that attempts at mediation will occur expeditiously as soon as possible after the filing of an action or motion. Parties must attempt to mediate in good faith.
- 6.3. **Scheduling of Sessions:** The Family Court Administrator shall schedule the Mediation and Parent Education Orientation session at the time of the review for the appointment of a judge to the case or at the time of the filing of the action or motion. The Custody Mediator shall provide the Family Court Administrator with tentative scheduling dates and the schedule shall be publicly available. The Custody Mediator is authorized to use discretion to schedule and reschedule orientation sessions and mediation sessions at times convenient to the parties and to the courts.
- 6.4. **Notice and Information:** At the time of filing a custody pleading or motion, the party seeking custody or visitation shall attach to the pleading or motion and serve upon the opposing party the Notice of Referral to Custody Mediation form together with notice of the Parent Education requirement as required by these rules. All counsel as officers of the court shall assist the Family Court Administrator and the Custody Mediator in providing the parties with appropriate information about custody mediation. The forms which must be provided appear in the appendix as the "Custody Mediation and Parent Education Packet."
- 6.5. **Confirmation of Appointments:** The parties shall contact the Child Custody Mediator to confirm and arrange dates for custody mediation and parent education, and the parties shall attend and participate in that program in good faith.
- 6.6. **Motions for Exemption:** The Custody Mediator shall be authorized to review motions for exemption from Custody Mediation and may allow the exemptions for good cause. In determining good cause, the custody mediator shall comply with the rules and procedures adopted by the Administrative Office of the Courts. Where an exemption is requested solely because of travel distance, the motion shall be denied provided the Child Custody Mediator makes reasonable efforts to accommodate the party required to travel. The mediator shall comply with the State Protocol for custody cases involving Domestic Violence issues.
- 6.7. **Mediation Report:** The Custody Mediator shall notify the Family Court Administrator of the outcome of mediation. The Family Court Administrator may schedule the matter for trial before the assigned judge upon being notified that mediation was not successful.
- 6.8. **Failure to Participate in Mediation:** The Family Court Administrator is authorized to initiate contempt proceedings against any party not participating in good faith in the Custody Mediation Program by seeking an Order to Show Cause from the assigned judge unless the party has been excused by the court from such participation.

- 6.9. **Emergency Hearings:** Emergency Hearings and *Ex Parte* relief may be applied for and heard as provided by the rule specifically addressing those applications and hearings. An ex-parte order or emergency order shall not delay or exempt any custody case from mediation unless the order specifically addresses that issue; and the court may expedite the mediation process where time is of the essence.
- 6.10. **State Rules for Mediation:** The Custody Mediator shall be guided by the policies adopted by the Administrative Office of the Courts and by such other rules and policies as may be adopted from time to time by the Chief District Court Judge after consulting with the Domestic Bar Committee as has been customary.
- 6.11. **Calendaring of Custody and Visitation Cases for Trial:** Unless a court order excuses the parties from participating in custody mediation, no custody case can be calendared for trial until the Custody Mediator notifies the Family Court Administrator that the mediation process has been completed. All calendar requests and notices for trial involving custody or visitation shall include a certification from counsel, the party, or notation by the Custody Mediator that the mediation process has been completed.
- 6.12. **Duty to Confer on Calendaring:** If an attorney has entered an appearance, any party filing a notice of hearing or calendar request for a trial or hearing on custody or visitation shall confer with any attorney appearing for the other side and shall inform the Family Court Administrator on the calendar request as to whether opposing counsel consents or objects to the trial date.
- 6.13. **Calendar Request Forms:** The Calendar Request Form, which appears in the appendix, shall include appropriate language so that the foregoing requirements for calendaring can be easily noted.