

PREPARING TO FILE

1. What forms are required and where to get them

At a minimum you will need the following forms:

- Complaint
- Civil Summons
- Domestic Civil Action Cover Sheet (in many counties)

In addition, you may need

- Petition to Sue/Appeal/File Motions As An Indigent (If you are unable to afford the filing and service fees)
- Affidavit As To Status of Minor Child for *each* child involved in the court case (where the children have lived in many different places and with many different people over the past five years)

Legal Aid of North Carolina has prepared packets that include a blank Complaint form. You may also create a blank form by completing one of the online interviews offered by Legal Aid of North Carolina. There are two versions of the online interview: for a **parent** and for a **non-parent**.

The North Carolina **Administrative Office of the Courts** maintains an online set of fillable PDF forms, including the Civil Summons, Cover Sheet, Petition, and Affidavit. The Administrative Office of the Court forms collection does not include a Complaint form.

Some courts require additional forms that are not included in the packet or the online interview. The court clerk will give you any additional forms you need.

Some counties have their own packets of custody forms. Ask at the clerk's office. There may be a small fee.

2. Where to file

A custody case must be filed in the county where the children live or where one of the parents lives. In almost every situation, it is best to file in the county where the children live.

3. What information you will need

To complete the online program, or to complete the forms by hand, you will need the the parents' full names, the children's names, dates of birth, the name and address of the person with whom they live now, and the addresses and adult caretakers at each place where the children have lived during the past five years (or since birth for a child younger than 5).

In addition, unless the court clerk finds that you are unable to pay the court costs, you will need cash in the amount of the filing and service fees.