

# How to File Your *Modification of Custody or Visitation*



## Make sure you have all your court forms.

- ✓ It is very important that you read the instructions on this sheet.
- ✓ Take all your court forms with you to court.

## Follow these steps.

1<sup>st</sup>

**Review your forms.** Read each form carefully to make sure they are complete and correct. If you need to make a correction, log in to I-CAN! to change your answer and reprint your forms.

2<sup>nd</sup>

**Print the form called Affidavit as to Status of Minor Child.** Go to [www.nccourts.org](http://www.nccourts.org) and click on the word "Forms" at the top center of the page and then type in the form number "CV-609".

3<sup>rd</sup>

**Sign your forms in front of a Notary Public.** The forms MUST be signed in the presence of a Notary Public. Once you have your forms notarized, make 2 copies. Arrange your forms into three complete sets.

### Notary Publics:

- You can find them in the Sheriff's office at the court, banks, law firms, insurance companies or the Yellow Pages
- They often charge a small fee and require you to show a picture ID

4<sup>th</sup>

**File your forms.** Take all three sets of your forms to the Civil Filings Department (See below). There is no filing fee for *Modification of Custody or Visitation*.

5<sup>th</sup>

**Set a date for the status conference and/or hearing.** Go to the Family Court Office (Room 3520) to get a hearing or mediation date. Then take your forms back to the Civil Filings Department (Room 3725).

6<sup>th</sup>

**Serve the other party.** Complete service at least **13 days** before the status conference and/or hearing. (See page 2 *How to Serve your Modification of Custody or Visitation*).

7<sup>th</sup>

**Attend the hearing and/or mediation date.** Bring all of your court forms to the status conference and/or hearing. Arrive on time and dress appropriately (as if you were going to a job interview).

## Where do you file your forms?

Civil Filings Department – Clerk of the Court – Room 3725 (3<sup>rd</sup> floor)  
832 E. Fourth Street, Charlotte, NC 28202

# How to Serve Your *Modification of Custody or Visitation*



## What is service?

- Service is when someone – **not you** – gives copies of your court forms to the other party.
- You can serve either by using the Sheriff or by Mail.

## How do you serve?

### By Mail.

You may mail a copy of your forms to the other party (or his/her attorney) using United States First Class Mail. Mail the forms at least 13 days before the hearing. After you have mailed the forms you will need to fill out and file the form *Certificate of Service* with the Civil Filings Department (832 E. Fourth St., Room 3725).

## Please note

**If the forms are not correctly served on the other party, the court will not hear your case.**