

WAKE COUNTY FAMILY COURT INSTRUCTIONS: MODIFICATION OF CHILD CUSTODY

STEP 1

THE DOCUMENTS YOU NEED TO COMPLETE FOR MODIFICATION

- Motion to Modify Child Custody or Visitation
- Affidavit as to Status of Minor Child (AOC-CV-609)
- Custody Mediation Cover Sheet (WAKE-DOM-06)
- Order to Attend (WAKE-DOM-07)
- Affidavit re: Servicemembers Civil Relief Act

STEP 2

COMPLETING & FILING YOUR DOCUMENTS

1. You may handwrite or type the information required in these forms, however TYPING is preferable.
2. Please note that both the Motion to Modify and Affidavit as to Status of Minor Child (AOC-CV-609) contain “Verification” sections which must be signed in the presence of a Notary Public. There are no notaries in the Family Court Office.
3. There may be a filing fee for this motion. To determine the amount of the fee, please refer to www.nccourts.org/Courts/Trial/Costs or contact the Clerk’s Office at (919) 792-4125.
4. Bring the **original plus 3 copies** (original – for the clerk, one copy – to be retained by you, other copies – for service) of all the documents you have now completed to the Clerk’s Office in Room 102 of the Wake County Courthouse for filing. Please note that the Family Court Office cannot make photocopies for you. **If you do not bring the appropriate number of copies at the time of filing, the clerk’s office will make your copies at a cost of \$2.00 for the first page, and \$0.25 for each additional.**
5. Take the *Custody Mediation Cover Sheet* (WAKE-DOM-06) and *Order to Attend* (WAKE-DOM-07) to the Family Court Office in Room 1112 to obtain a date for mandatory Custody Mediation Orientation. If you have previously attended Custody Mediation Orientation, please advise the Family Court staff.

STEP 3

SERVING THE OTHER PARTY

You are now ready to serve the other party. See Rule 5 of the North Carolina Rules of Civil Procedure regarding service and filing of pleadings and other papers. A copy of the North Carolina Rules of Civil Procedure is available on this website under *Domestic Rules & Forms*. If you are unclear as to how to serve the other party, you should speak to an attorney.

