

INSTRUCTIONS FOR DOMESTIC VIOLENCE FORMS

FORMS YOU NEED TO FILL OUT:

- I. Complaint And Motion For Domestic Violence Protective Order (AOC-CV-303)
 1. You will need three (3) copies of this form.
 2. Fill in:
 - (a) Name of county;
 - (b) Plaintiff's name - you are the plaintiff;
 - (c) Defendant's name and address - a defendant is a spouse, former spouse, person of the opposite sex with whom you live or have lived, your child or grandchild who is at least 16 years old, the mother or father of your child, a current or former household member, or a person that you are dating or have dated;
 - (d) Check the blocks and fill in the blanks that apply to you. If you are afraid of additional acts of domestic violence and you want the judge/magistrate to act immediately, check block #2 at the bottom of page 2, asking for an Ex Parte Order. A request for an Ex Parte Order will be heard soon and without giving notice to the defendant. If a magistrate hears your request for ex parte relief, the magistrate's order is only good for a short period of time and a second temporary Ex Parte Order must be issued by the judge. If the judge issues the temporary Ex Parte Order, another hearing will be held after the defendant is given notice. If no Ex Parte Order is entered, a hearing will still be held after the defendant is given notice;
 - (e) Date and sign the complaint on the back;
 - (f) In some counties you may be able to take it to the magistrate's office on weekends and evenings.
 3. If you or the defendant is under the age of eighteen (18) and not married, you must ask the clerk for the form to appoint a guardian ad litem (AOC-CV-318).
- II. Notice Of Hearing On Domestic Violence Protective Order (AOC-CV-305)
 1. You will need three (3) copies of this form.
 2. Fill in:
 - (a) Name of county;
 - (b) Plaintiff's name;
 - (c) Defendant's name and address.
 3. **DO NOT** fill out the remainder of this form.
- III. Ex Parte Domestic Violence Order Of Protection (AOC-CV-304)
 1. You will need only one (1) copy of this form.
 2. Fill in:
 - (a) Name of county;
 - (b) Plaintiff's name;
 - (c) Defendant's name and address.
 3. **DO NOT** fill out the remainder of this form.
- IV. Civil Summons Domestic Violence (AOC-CV-317)
 1. You will need three (3) copies of this form.
 2. Fill in:
 - (a) Name of county;
 - (b) Plaintiff's name and address. You may give an address where you want your mail to go, not necessarily where you are staying;
 - (c) Defendant's name and address (*under the block designated "Defendant"*);
 - (d) Defendant's name and address again in the block designated "Name and Address of Defendant."
 3. **DO NOT** fill out the remainder of this form.

(Over)

V. Identifying Information About Defendant Domestic Violence Action (AOC-CV-312)

1. You will need only one (1) copy of this form.
2. Fill in all the information that you know. Be as complete and accurate as you can.
3. Leave blank any portion for which you do not have the information.
4. You may either:
 - (a) turn in the completed form to the clerk or magistrate with the other papers, or
 - (b) keep the form, get the needed information, and turn in the completed form to the judge or magistrate at the hearing.

VI. Affidavit As To Status Of Minor Child (AOC-CV-609)

1. You **do not** need this form unless you are asking for temporary custody of the children.
2. You will need one (1) copy of this form for each minor child.
3. You must attach the completed form to the Complaint and give it to the clerk or magistrate with the other papers:
 - (a) turn in the completed form to the clerk or magistrate with the other papers, or
 - (b) keep the form, get the needed information, and turn in the completed form to the judge or magistrate at the hearing.

TAKE ALL FORMS TO THE CLERK/MAGISTRATE FOR FURTHER DIRECTIONS.

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
District Court Division

_____ County

Name Of Plaintiff (Person Filing Complaint)

VERSUS

Name And Address Of Defendant (Person Accused Of Abuse)

COMPLAINT FOR DOMESTIC VIOLENCE PROTECTIVE ORDER

G.S. 50B-1, -2, -3, -4

Spoken Language Court Interpreter Needed For Any Party, Victim, Or Witness? (If Yes, identify person(s) and language(s). Interpreters provided for all court proceedings at no cost.)

☐ No ☐ Yes: (explain)

(Check only boxes that apply and fill in blanks. Additional sheets may be attached.)

- ☐ 1. I live in _____ County, North Carolina.
- ☐ 2. I am seeking relief for acts by the defendant that occurred in North Carolina.
- ☐ 3. The defendant and I ☐ are spouses. ☐ are former spouses.
☐ are persons of the opposite sex who are not married but live together or have lived together.
☐ have a child in common.
☐ are parent and child or grandparent and grandchild.
☐ are current or former household members.
☐ are persons who are in or have been in a dating relationship.
- ☐ 4. There ☐ is ☐ is not another court proceeding between the defendant and me pending in this or any other state.
(List county, state, date, and what kind of proceeding, if applicable.)
- ☐ 5. The defendant has attempted to cause or has intentionally caused me bodily injury; or has placed me or a member of my family or household in fear of imminent bodily injury or in fear of continued harassment that rises to such a level as to inflict substantial emotional distress; or has committed a sexual offense against me in that: (Give specific dates and describe in detail what happened.)
- ☐ 6. The defendant has attempted to cause or has intentionally caused bodily injury to the child(ren) living with me or in my custody; has placed my child(ren) in fear of imminent serious bodily injury or in fear of continued harassment that rises to such a level as to inflict substantial emotional distress; or has committed a sexual offense against the child(ren) in that: (Give specific dates and describe in detail what happened.)
- ☐ 7. I believe there is danger of serious and immediate injury to me or my child(ren).
- ☐ 8. (Check this block if you ask for temporary child custody.) The defendant and I are the parents of the following child(ren) under the age of eighteen.

A COPY OF "AFFIDAVIT AS TO STATUS OF MINOR CHILD" (AOC-CV-609) MUST BE ATTACHED FOR EACH CHILD.

Name	Sex	Date Of Birth	Name	Sex	Date Of Birth

(Over)

- ☐ 9. *(Fill in the block if you are asking for temporary child custody)* The minor child(ren) listed in item 8 above is exposed to a substantial risk of physical or emotional injury or sexual abuse in that: *(Describe in detail what happened that created a risk of physical or emotional injury or sexual abuse.)*
- ☐ 10. The defendant has firearms and ammunition as described below, ☐ has a permit to purchase a firearm, ☐ and has a permit to carry a concealed weapon. *(Describe all firearms, ammunition, gun permits, and give identifying number(s) if known, and indicate where defendant keeps firearms and gun permits.)*
- ☐ 11. The defendant has used or threatened to use a deadly weapon against me or minor child(ren) in my custody or has a pattern of prior conduct involving the use or threatened use of violence with a firearm against any persons in that *(Give specific dates and describe in detail what happened.)*
- ☐ 12. The defendant has made threats to commit suicide in that *(Give specific dates and describe in detail what happened.)*

Because Of The Acts Of Domestic Violence By The Defendant, I Am Requesting That The Court Give Me The Following Relief:

(Check only boxes that apply.)

- ☐ 1. I want emergency relief.
- ☐ 2. Since there is a danger of acts of domestic violence against me or my child(ren), I want an Ex Parte Order before notice of a hearing is given to the defendant.
- ☐ 3. I want the Court to order the defendant not to assault, threaten, abuse, follow, harass or interfere with me and my child(ren).
- ☐ 3a. I want the defendant ordered not to cruelly treat or abuse an animal owned, possessed, kept, or held as a pet by either party or minor child residing in the household
- ☐ 4. I want possession of our residence at the address listed below, and I want the defendant to move from and not return to the residence.

Address Of Residence

- ☐ 5. I want the Court to order the eviction of the defendant from the residence listed above and I want assistance in returning to the residence.
- ☐ 6. I want possession of the personal property such as clothing and household goods in the residence listed above except for the defendant's personal clothing, toiletries, and tools of trade.
- ☐ 6a. I want the care, custody, and control of any animal owned, possessed, kept, or held as a pet by either party or minor child residing in the household granted to me.

VERSUS

File No.

Name Of Defendant

- ☐ 7. I want the defendant to be ordered not to come on or about:
- ☐ (a) my residence.
 - ☐ (b) any place where I am receiving temporary shelter.
 - ☐ (c) the place where I work.
 - ☐ (d) any school(s) the child(ren) attend.
 - ☐ (e) the place where the child(ren) receives day care.
 - ☐ (f) the place where I go to school.
 - ☐ (g) Other: *(name other places)*

The child(ren) currently attend: *(name school)*

- ☐ 8. I want the defendant to be ordered to have no contact with me.
- ☐ 9. I want possession and use of the following vehicle:

Describe Vehicle

- ☐ 10. I want temporary custody of our minor child(ren) listed in this Complaint. I understand that I must file a separate child custody action for permanent custody.
- ☐ 11. I want the defendant to be ordered to make payments for the support of our minor child(ren), as required by law, but I understand it is only temporary and that I must file a separate child support action for regular, permanent child support.
- ☐ 12. I want the Court to prohibit the defendant from possessing or purchasing a firearm.
- ☐ 13. I want the Court to order the defendant to surrender to the sheriff his/her firearms, ammunition, and gun permits to purchase a firearm and carry a concealed weapon.
- ☐ 14. I want the defendant to be ordered to attend an abuser treatment program
- ☐ 15. I want the defendant to be ordered to provide me and the child(ren) suitable alternative housing.
- ☐ 16. I want the defendant to be ordered to make payments for my support as required by law, but I understand it is only temporary and that I must file a separate action for regular permanent spousal support.
- ☐ 17. Other: *(specify)*

Date

Signature Of Plaintiff (Person Filing Complaint)

Case No.	EX PARTE DOMESTIC VIOLENCE ORDER OF PROTECTION G.S. 50B-2, -3, -3.1
Court General Court of Justice District Court Division	
County NORTH CAROLINA	

PETITIONER/PLAINTIFF FirstMiddleLast	PETITIONER/PLAINTIFF IDENTIFIERS Date Of Birth Of Petitioner
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And/or on behalf of minor family member(s): (list Name and DOB)	Other Protected Persons/DOB:

VERSUS

RESPONDENT/DEFENDANT FirstMiddleLast Relationship to Petitioner: ☐ spouse ☐ former spouse ☐ unmarried, of opposite sex, currently or formerly living together ☐ unmarried, have a child in common ☐ currently or formerly in dating relationship ☐ current or former household member ☐ parent ☐ grandparent ☐ child ☐ grandchild Respondent's/Defendant's Address CAUTION: ☐ Weapon Involved	RESPONDENT/DEFENDANT IDENTIFIERS <table><tr><td>Sex</td><td>Race</td><td>DOB</td><td>HT</td><td>WT</td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Eyes</td><td>Hair</td><td colspan="3">Social Security Number</td></tr><tr><td></td><td></td><td colspan="3"></td></tr><tr><td colspan="2">Drivers License No.</td><td>State</td><td colspan="2">Expiration Date</td></tr><tr><td colspan="2"></td><td></td><td colspan="2"></td></tr></table> Distinguishing Features	Sex	Race	DOB	HT	WT						Eyes	Hair	Social Security Number								Drivers License No.		State	Expiration Date						
Sex	Race	DOB	HT	WT																											
Eyes	Hair	Social Security Number																													
Drivers License No.		State	Expiration Date																												

THE COURT HEREBY FINDS THAT:

This matter was heard by the undersigned ☐ district court judge. ☐ magistrate. The court has jurisdiction over the subject matter. Additional findings of this Order are set forth on Pages 2 and 3.

THE COURT HEREBY ORDERS THAT:

☐ The above named Respondent/Defendant shall not commit any further acts of domestic violence or make any threats of domestic violence (G.S. 50B-1).

☐ The above named Respondent/Defendant shall have no contact with the Petitioner/Plaintiff. No contact includes any defendant-initiated contact, except through an attorney, direct or indirect, by means such as telephone, personal contact, email, pager, gift-giving or telefacsimile machine. **[05]**

Additional terms of this Order are as set forth on Pages 3 and 4.

The terms of this Order shall be effective until ,

WARNINGS TO THE RESPONDENT/DEFENDANT:

This Order shall be enforced, even without registration, by the courts of any state, the District of Columbia, and any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment (18 U.S.C. Section 2262).

This Order will be enforced anywhere in North Carolina.

Only the Court can change this Order. The plaintiff cannot give you permission to violate this Order.

See additional warnings on Page 4.

(Over)

AOC-CV-304, Page 1 of 5, Rev. 12/25
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ADDITIONAL FINDINGS

The Court also finds:

1. ☐ Plaintiff resides in North Carolina. ☐ Acts of domestic violence occurred in North Carolina.
2. As indicated by the check block under Respondent/Defendant's name on Page 1, the parties are or have been in a personal relationship.
- ☐ 3. That on *(date of most recent conduct)* _____, the defendant
 - ☐ a. ☐ attempted to cause ☐ intentionally caused bodily injury to ☐ the plaintiff ☐ the child(ren) living with or in the custody of the plaintiff
 - ☐ b. placed in fear of imminent serious bodily injury ☐ the plaintiff ☐ a member of the plaintiff's family
☐ a member of the plaintiff's household
 - ☐ c. placed in fear of continued harassment that rises to such a level as to inflict substantial emotional distress
☐ the plaintiff ☐ a member of plaintiff's family ☐ a member of plaintiff's household
 - ☐ d. committed an act defined in G.S. 14-

☐ 27.22 (2 nd deg. forcible rape)	☐ 27.21 (1 st deg. forcible rape)
☐ 27.24 (1 st deg. statutory rape)	☐ 27.23 (statutory rape of a child by an adult)
☐ 27.26 (1 st deg. forcible sexual offense)	☐ 27.25 (statutory rape of person who is 15 years of age or younger)
☐ 27.28 (statutory sexual offense with a child by an adult)	☐ 27.27 (2 nd deg. forcible sexual offense)
☐ 27.30 (statutory sexual offense with a person who is 15 years of age or younger)	☐ 27.29 (1 st deg. statutory sexual offense)
☐ 27.32 (sexual activity with a student)	☐ 27.31 (sexual activity by a substitute parent or custodian)
	☐ 27.33 (sexual battery)

 against the ☐ plaintiff ☐ child(ren) residing with or in the custody of the plaintiff
 by *(describe defendant's conduct)*
- ☐ 4. The defendant is in possession of, owns or has access to firearms, ammunition, and gun permits described below. *(Describe all firearms, ammunition, and gun permits, give identifying number(s) if known, and indicate where defendant keeps firearms.)*
- ☐ 5. The defendant
 - ☐ a. ☐ used ☐ threatened to use a deadly weapon against the
☐ plaintiff ☐ minor child(ren) residing with or in the custody of the plaintiff
 - ☐ b. has a pattern of prior conduct involving the ☐ use ☐ threatened use of violence with a firearm against persons
 - ☐ c. made threats to seriously injure or kill the ☐ plaintiff ☐ minor child(ren) residing with or in the custody of the plaintiff
 - ☐ d. made threats to commit suicide
 - ☐ e. inflicted serious injuries upon the ☐ plaintiff ☐ minor child(ren) residing with or in the custody of the plaintiff
 in that: *(state facts)*
- ☐ 6. The parties are the parents of the following child(ren) under the age of eighteen (18). The child(ren) are presently in the physical custody of the ☐ plaintiff ☐ defendant. The plaintiff has submitted an "Affidavit As To Status Of Minor Child."
NOTE TO JUDGE: A copy of AOC-CV-609 for each child must be attached to the order.

Name	Sex	Date Of Birth	Name	Sex	Date Of Birth
- ☐ 7. The minor child(ren) is exposed to a substantial risk of physical or emotional injury or sexual abuse in that:
- ☐ 8. It is in the best interest of and necessary for the safety of the minor child(ren) ☐ that defendant stay away from the minor child(ren) ☐ that the defendant return the minor child(ren) to plaintiff ☐ and that the defendant not remove the minor child(ren) from plaintiff in that:
- ☐ 9. *(Check block only if plaintiff is entitled to physical care of child(ren).)* It is in the best interest of the minor child(ren) that defendant have contact with the minor child(ren) in that:

(Over)

ADDITIONAL FINDINGS

- ☐ 10. The ☐ defendant ☐ plaintiff is presently in possession of the parties' residence at _____.
- ☐ 11. The ☐ defendant ☐ plaintiff is presently in possession of the parties' vehicle, which the plaintiff wants the possession and use of. *(describe vehicle)* _____.
- ☐ 12. Other: *(specify)* _____
- ☐ 13. *(for magistrate only)* This matter was heard at a time when the district court was not in session and a district court judge was not available and would not be available for a period of four or more hours.

CONCLUSIONS

Based on these facts, the Court makes the following conclusions of law:

- ☐ 1. The defendant has committed acts of domestic violence against the plaintiff.
- ☐ 2. The defendant has committed acts of domestic violence against the minor child(ren) residing with or in the custody of the plaintiff.
- ☐ 3. It clearly appears that there is a danger of acts of domestic violence against the ☐ plaintiff. ☐ minor child(ren). [G.S. 50B-2(c)]
- ☐ 4. The minor child(ren) is exposed to a substantial risk of ☐ physical injury. ☐ emotional injury. ☐ sexual abuse. [G.S. 50B-2(c)]
- ☐ 5. The Court has jurisdiction under the Uniform Child Custody Jurisdiction And Enforcement Act.
- ☐ 6. It is in the best interest of and necessary for the safety of the minor child(ren) that the defendant ☐ stay away from the minor child(ren). ☐ (and) return the minor child(ren) to the physical care of the plaintiff. ☐ (and) not remove the minor child(ren) from the physical care of the plaintiff.
- ☐ 7. The defendant's conduct requires that he/she surrender all firearms, ammunition and gun permits. [G.S. 50B-3.1]
- ☐ 8. The plaintiff has failed to prove grounds for ex parte relief.

ORDER

It is ORDERED that:

- ☐ 1. the defendant shall not assault, threaten, abuse, follow, harass (by telephone, visiting the home or workplace, or other means), or interfere with the plaintiff. A law enforcement officer shall arrest the defendant if the officer has probable cause to believe the defendant has violated this provision. **[01]**
- ☐ 2. the defendant shall not assault, threaten, abuse, follow, harass (by telephone, visiting the home or workplace, or other means), or interfere with the minor child(ren) residing with or in the custody of the plaintiff. A law enforcement officer shall arrest the defendant if the officer has probable cause to believe the defendant has violated this provision. **[01]**
- ☐ 3. the defendant shall not threaten a member of the plaintiff's family or household. **[02]**
- ☐ 3a. the defendant shall not cruelly treat or abuse an animal owned, possessed, kept, or held as a pet by either party or minor child residing in the household.
- ☐ 4. the plaintiff is granted possession of, and the defendant is excluded from, the parties' residence described above and all personal property located in the residence except for the defendant's personal clothing, toiletries, and tools of trade. **[03]**
- ☐ 5. any law enforcement agency with jurisdiction shall evict the defendant from the residence and shall assist the plaintiff in returning to the residence. **[08]**
- ☐ 6. the ☐ plaintiff **[08]** ☐ defendant **[08]** is entitled to get personal clothing, toiletries, and tools of trade from the parties' residence. A law enforcement officer shall assist the ☐ plaintiff ☐ defendant in returning to the residence to get these items.
- ☐ 6a. the plaintiff is granted the care, custody, and control of any animal owned, possessed, kept, or held as a pet by either party or minor child residing in the household.
- ☐ 7. the defendant shall stay away from the plaintiff's residence or any place where the plaintiff receives temporary shelter. A law enforcement officer shall arrest the defendant if the officer has probable cause to believe the defendant has violated this provision. **[04]**
- ☐ 8. the defendant shall stay away from the following places:
- ☐ (a) the place where the plaintiff works. **[04]**

☐ (c) the place where the child(ren) receive(s) day care. **[04]**

☐ (e) Other: *(name other places)* **[04]** _____

☐ (b) any school(s) the child(ren) attend. **[04]**

☐ (d) the plaintiff's school. **[04]**

The sheriff must deliver a copy of this Order to the principal or the principal's designee at the following school(s): *(name schools)* _____

(Over)

- ☐ 9. the plaintiff is granted possession and use of the vehicle described in item 11 of the Findings on Page 3. [08]
- ☐ 10. the plaintiff is awarded temporary custody of the minor child(ren) (Check any of a, b, or c that apply.)
- ☐ a. and the defendant is ordered to stay away from the minor child(ren).
- ☐ b. and the defendant is ordered to immediately return the minor child(ren) to the care of the plaintiff.
- ☐ c. and the defendant is ordered not to remove the minor child(ren) from the care of the plaintiff.
- ☐ 11. (If No. 10 is checked and you are allowing visitation to defendant) the defendant is allowed the following contact with the minor child(ren):
- ☐ 12. the defendant is prohibited from ☐ possessing or receiving [07] ☐ purchasing a firearm for the effective period of this Order. [07] ☐ and the defendant's concealed handgun permit is suspended for the effective period of this Order. [08]
- ☐ The defendant is a law enforcement officer/member of the armed services and ☐ may ☐ may not possess or use a firearm for official use.
- ☐ 13. the defendant surrender to the sheriff serving this Order the firearms, ammunition, and gun permits described in item 4 of the Findings on Page 2 of this Order and any other firearms and ammunition in the defendant's care, custody, possession, ownership or control. **NOTE TO DEFENDANT: You must surrender these items at the time the sheriff serves this Order on you. If the weapons cannot be surrendered at that time, you must surrender them to the sheriff within 24 hours at the time and place specified by the sheriff. Failure to surrender the weapons and permits as ordered or possessing, purchasing, or receiving a firearm, ammunition or permits to purchase or carry concealed firearms after being ordered not to possess firearms, ammunition or permits, is a crime. See "Notice To Parties: To The Defendant" on Page 4 of this Order for information regarding the penalty for these crimes and instructions on how to request return of surrendered weapons.**
- ☐ 14. the request for Ex Parte Order is denied.
- ☐ 15. Other: (specify) [08]

SIGNATURE OF JUDICIAL OFFICIAL

Date	Name Of Judicial Official (type or print)	☐ District Court Judge ☐ Designated Magistrate	Signature Of Judicial Official
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NOTE TO PLAINTIFF: If the judge signs this Order and gives it to you, take it to the Clerk's office immediately. If the magistrate signs this Order and gives it to you, follow the magistrate's directions.

NOTE TO CLERK: Give or mail a copy of this Order to the plaintiff and to the appropriate local law enforcement agency. Send copies to sheriff with Notice Of Hearing, Complaint and Summons for service on defendant. Send extra copies to the sheriff if required to deliver copy(ies) to the child(ren)'s school. If the plaintiff is proceeding pro se, send copies of the complaint, summons, notice of hearing, and any other required documents for service on the defendant to the appropriate law enforcement agency where the defendant is to be served, if that agency is in North Carolina.

NOTICE TO PARTIES

TO THE DEFENDANT:

- If this Order prohibits you from possessing, receiving or purchasing a firearm and you violate or attempt to violate that provision, you may be charged with a Class H felony pursuant to North Carolina G.S. 14-269.8 and may be imprisoned for up to 39 months.
- If you have been ordered to surrender your firearms, ammunition, and gun permits and you fail to surrender them as required by this Order, or if you failed to disclose to the Court all information requested about possession of these items, or provided false information to the Court about any of these items, you may be charged with a Class H felony and may be imprisoned for up to 39 months.
If you surrendered your firearms, ammunition, and permits, you may file a motion for the return of weapons with the clerk of court in the county in which this Order was entered when the protective order is no longer in effect, except if at the time this Order expires, criminal charges, in either state or federal court, are pending against you and are alleged to have been committed against the person who is protected by this Order, you may not file for return of the firearms until final disposition of the criminal charges. The form, "Motion For Return Of Weapons Surrendered Under Domestic Violence Protective Order" AOC-CV-319, is available from the clerk of court's office. The motion must be filed **not later than 90 days after the expiration of the order that required you to surrender the firearms** or if you have pending criminal charges alleged to have been committed against the person who is protected by the domestic violence protection order, the motion must be filed **not later than 90 days after final disposition of the criminal charges**. At the time you file the motion, the clerk will schedule a hearing before the district court for a judge to determine whether to return the surrendered weapons to you. You must pay the sheriff's storage fee before the sheriff returns your weapons. If you fail to file a motion for return of the weapons within 90 days after the expiration of this Order, or the final disposition of criminal charges pending at the time this Order expired, or if you fail to pay the storage fees **within 30 days after the Court enters an order to return your weapons**, the sheriff may seek an order from the Court to dispose of your weapons.
(for firearms, ammunition, and permits surrendered on or after December 1, 2025, and, on or after February 1, 2026, for all firearms, ammunition, and permits surrendered without regard to date surrendered) If you surrendered your firearms, ammunition, and permits, and if the court does not enter a protective order when the ex parte or emergency order expires or if the protective order is denied by the court following a hearing, you may retrieve any weapons surrendered to the sheriff without additional order of the court, unless the court or the sheriff finds that you are precluded from owning or possessing a firearm pursuant to State or federal law or unless you have pending criminal charges committed against the person that is the subject of the protective order or unless you have pending charges that would, in the event of a conviction, prohibit you from possessing a firearm. You must pay the sheriff's storage fee before the sheriff returns your weapons. The sheriff may seek an order from the Court to dispose of your weapons if (i) you fail to file a motion for return of the weapons **within 90 days after the expiration of the current order or the final disposition of criminal charges pending at the time the current order expired** or if you have not retrieved the firearms pursuant to G.S. 50B-3.1(e), (ii) the court has determined that you are precluded from regaining possession, or (iii) you fail to pay the storage fees **within 30 days after entry of an order granting the return or your request to the sheriff to retrieve your weapons**.

TO THE PLAINTIFF:

- You should keep a copy of this protective order on you at all times and should make copies to give to your friends and family. If you move to another county or state, you may wish to give a copy to the law enforcement agency where you move, but you are not required to do so.
- The court or judge is the only one that can make changes to this Order. If you wish to change any of the terms of this Order, you must come back into court to have the judge modify the order.
- If the defendant violates any provision of this Order, you may call a law enforcement officer or go to a magistrate to charge the defendant with the crime of violating a protective order. You also may go to the clerk of court's office in the county where the protective order was issued and ask to fill out form AOC-CV-307, Motion For Order To Show Cause Domestic Violence Protective Order, to have an order issued for the defendant to appear before a district court judge to be held in contempt for violating the order.

Name Of Defendant		File No.	
CERTIFICATION			
I certify this Order is a true copy.			
Date	Signature Of Clerk	☐ Deputy CSC ☐ Clerk Of Superior Court	☐ Assistant CSC
RETURN OF SERVICE			
NOTE: To be used when Magistrate issues ex parte protective order and order will be served on defendant separate from the complaint and civil summons. If complaint and summons are served with order, return on summons covers order.			
I certify that this Ex Parte Domestic Violence Order Of Protection was received and served as follows:			
Date Served	Time Served ☐ AM ☐ PM	Name Of Defendant	
☐ By delivering to the defendant named above a copy of the order. ☐ By leaving a copy of the order at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.			
Name And Address Of Person With Whom Copies Left			
☐ Other manner of service on the defendant (specify)			
☐ Defendant WAS NOT served for the following reason:			
Date Received		Signature Of Deputy Sheriff Making Return	
Date Of Return		Name Of Deputy Sheriff Making Return (type or print)	
		County Of Sheriff	

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
District Court Division

_____ County

Name Of Plaintiff

VERSUS

Name And Address Of Defendant

**NOTICE OF HEARING
ON DOMESTIC VIOLENCE
PROTECTIVE ORDER**

G.S. 50B-2

To The Defendant Named Above:

The attached Complaint has been filed alleging that you have committed acts of domestic violence against the plaintiff and/or the plaintiff's minor child(ren).

- ☐ 1. The attached Ex Parte Order has been issued against you. If you violate the Order, you are subject to being held in contempt or being charged with the crime of violating this Ex Parte Order. A hearing will be held before a district court judge at the date, time, and location indicated below. At that hearing it will be determined whether the Order will be continued.
- ☐ 2. A hearing will be held before a district court judge at the date, time, and location indicated below. At that hearing it will be determined whether emergency relief in protecting the plaintiff and the plaintiff's child(ren) should be granted.

Date Of Hearing

Time Of Hearing

☐ AM☐ PM

Date

Location Of Hearing

Signature

☐

Deputy CSC

☐

Assistant CSC

☐

Clerk Of Superior Court

NOTE TO CLERK: If the first block is checked, the hearing must be scheduled within ten (10) days of the issuance of the Ex Parte Order or seven (7) days from date of service on defendant, whichever occurs later. If the second block is checked, the defendant must be given five (5) days notice of the hearing. Give or mail a copy of the Notice to the plaintiff.

RETURN OF SERVICE

I certify that this Notice and a copy of the Complaint ☐ and the Ex Parte Order were received and served on the defendant as follows:

Date Served

Name Of Defendant

- ☐ 1. By delivering to the defendant named above a copy of this Notice of Hearing and a copy of the Complaint ☐ and the Ex Parte Order in this action.
- ☐ 2. By leaving a copy of this Notice of Hearing and a copy of the Complaint ☐ and the Ex Parte Order in this action at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name And Address Of Person With Whom Copies Left

☐ Defendant WAS NOT served for the following reason:

Date Received

Date Of Return

Name Of Sheriff

County Of Sheriff

Deputy Sheriff Making Return

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
District Court Division

_____ County

Name Of Plaintiff

Address

City, State, Zip

VERSUS

Name Of Defendant

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

CIVIL SUMMONS DOMESTIC VIOLENCE

☐ ALIAS AND PLURIES SUMMONS

G.S. 50B-2(a)

To The Defendant Named Below:

Name And Address Of Defendant

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within ten (10) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address; and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

Date Issued

Time

☐ AM ☐ PM

Signature

☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court ☐ Designated Magistrate

☐ ENDORSEMENT

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement

Time

☐ AM ☐ PM

Signature

☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court

(Over)

RETURN OF SERVICE

I certify that this Summons and a copy of the complaint ☐ and a copy of the ex parte order were received and served as follows:

DEFENDANT*Date Served**Time Served*☐ AM☐ PM*Name Of Defendant*

☐ By delivering to the defendant named above a copy of the summons and complaint.

☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing within.

Name And Address Of Person With Whom Copies Left

☐ Acceptance of service.
Summons and complaint ☐ and ex parte order received by:
☐ Defendant.
☐ Other: (type or print name)

*Date Accepted**Signature*

☐ Other manner of service (specify)

☐ Defendant WAS NOT served for the following reason:

Service Fee Paid

\$

*Signature Of Deputy Sheriff Making Return**Date Received**Name Of Sheriff (type or print)**Date Of Return**County Of Sheriff*

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
District Court Division

____ County

IDENTIFYING INFORMATION ABOUT DEFENDANT DOMESTIC VIOLENCE ACTION

G.S. 50B-3(d)

INSTRUCTIONS: *In order to assist law enforcement agencies in serving and enforcing this Order, if issued by the Court, the following information is requested. It is not required for the issuance of this Order, but may allow law enforcement agencies to locate and more quickly identify the persons involved in this case and to enforce the provisions of this Order more effectively. Answer these questions accurately and honestly.*

If you do not know the answer to any of the following questions, leave the question blank.

INFORMATION ABOUT DEFENDANT

Date Of Birth	Race: ☐ White ☐ Black ☐ Indian ☐ Asian/Pacific Islander ☐ Other	Sex: ☐ Male ☐ Female
Height	Weight	Hair Color
Identifying Marks (list any marks, scars, tattoos)		

Does the defendant have a driver's license or state-issued identification card from any state? ☐ Yes ☐ No

If yes, provide the state and number if possible: State: _____ Number: _____

Vehicle description and license plate number: _____

Social Security No. Of Defendant

Telephone No. Of Defendant

The defendant's current work information:

Employer's Business Name

Business Address

Business Telephone No.

Defendant's Work Hours (list work start time and work stop time)

Does the defendant have a permit to purchase a handgun or crossbow? ☐ Yes ☐ No

If yes, state which law enforcement agency issued the permit, if known: _____

Does the defendant have a permit to carry a concealed handgun? ☐ Yes ☐ No

If yes, state which law enforcement agency issued the permit, if known: _____

Is there any reason that a law enforcement officer should consider the defendant a potential threat (i.e., carries concealed weapons while drinking alcohol, has threatened an officer, etc.)? ☐ Yes ☐ No

If yes, specify the circumstances:

PLAINTIFF

Date Of Birth	Race: ☐ White ☐ Black ☐ Indian ☐ Asian/Pacific Islander ☐ Other	Sex: ☐ Male ☐ Female
Date	Name Of Plaintiff (type or print)	Signature Of Plaintiff

NOTE TO CLERK OR MAGISTRATE: *If an order is issued, a copy of this form should be attached to the appropriate order and forwarded to the sheriff of the issuing court county.*

Original-Court File Copy-Sheriff

STATE OF NORTH CAROLINA

Court File No.

In The General Court Of Justice
District Court Division

_____ County

Name And Address Of Plaintiff

AFFIDAVIT AS TO STATUS OF MINOR CHILD

VERSUS

G.S. 50A-209

Name And Address Of Defendant

Name Of Minor Child

Date Of Birth

Birthplace

I, the undersigned affiant, being first duly sworn, say that during the past five (5) years the above named minor child has lived as follows:

Period Of Residence		Address	Name Of Person Lived With	Present Address Of Person
From	To			
	Present			

I further say that: (Check those that apply)

☐ I have participated in litigation concerning the custody of the above named child.

Capacity As Participant

Name And Address Of Court

Date Of Child Custody Determination

Case No.

Details

☐ I have information about a custody proceeding. Examples of custody proceeding include divorce, proceeding related to domestic violence, a protective order, termination of parental rights or adoption that is pending in a court of this or another state and could affect this proceeding.

Name And Address Of Court

Details (include case number and describe nature of the proceeding)

☐ I know of a person as listed below, who has physical custody or claims to have custody or visitation rights with respect to the above named child.

Name And Address Of Person

☐ Physical Custody

☐ Claimed Custody

☐ Visitation Rights

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

Date

Signature Of Person Authorized To Administer Oaths

Signature Of Affiant

☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court ☐ Magistrate

Name Of Affiant (type or print)

☐ Notary

Date My Commission Expires

Relationship To Above Named Child

SEAL

County Where Notarized