

Appendix B

Motions

Motion for Continuance and Order Allowing Continuance

Waiver of Appearance and Order Allowing Waiver of Appearance
(Adults and Involuntary Minors)

Motion to Waive Appearance and Order Allowing Waiver of Appearance
(Voluntary Minor)

Motion to Waive Right to Testify and Order Allowing Waiver of Right to Testify
(Voluntary Minor)

Notice of Objection to Venue and Order Transferring Venue
(Involuntary Adults and Minors)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

IN THE MATTER OF _____)
)
)
)
 Respondent)

MOTION FOR CONTINUANCE

Now comes the undersigned (Special Counsel)(attorney) for the above-named Respondent whose involuntary commitment hearing or voluntary admission hearing is calendared for this date _____, and requests that the Court continue the case (for the reasons stated) (for the following reasons: _____), until the date _____, pursuant to G.S. 122C-268(a)(2) or G. S. 122C-232(a)(2) or G.S. 122C-224(a).

This the ____ day of _____, 2006.

Jane Doe
(Special Counsel) (Attorney at Law)
(Hospital)(Business address)
Raleigh, NC 27---

ORDER ALLOWING CONTINUANCE

Based upon the reasons stated, the Court finds good cause for continuance of this matter; it is therefore ORDERED that this matter be continued until the ____ day of _____, 2006.

This the ____ day of _____, 2006.

Judge Presiding

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

IN THE MATTER OF)
)
)
)

Respondent)

WAIVER OF APPEARANCE
(Adults and Involuntary Minors)

Now comes the undersigned (Special Counsel)(attorney) for the above-named Respondent whose involuntary commitment hearing or voluntary admission hearing is scheduled for the ____ day of _____, 2006, and requests that the presence of the Respondent at this hearing be waived as provided by G.S. 122C-268(e).

This the ____ day of _____, 2006.

Jane Doe
(Special Counsel)(Attorney at Law)
(Hospital)(Business address)
Raleigh, NC 27---

ORDER ALLOWING WAIVER OF APPEARANCE

Based upon the written request of the counsel for Respondent in the above-captioned matter, the Court consents to the waiver of the personal appearance of Respondent at the hearing of this matter.

IT IS ORDERED that the hearing on involuntary commitment or voluntary admission of the above-named Respondent shall proceed without the personal presence of the Respondent and the Respondent's right to be present at the proceeding is hereby waived.

This the ____ day of _____, 2006.

Judge Presiding

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

IN THE MATTER OF)
)
)
)
_____)
Minor)

MOTION TO WAIVE
APPEARANCE
(Voluntary Minor)

Now comes the undersigned (Special Counsel)(attorney) for the above-named minor whose hearing on voluntary admission is scheduled for the ____ day of _____, 2006, and moves that the presence of the minor at this hearing be waived as provided by G.S. 122C-224.2(b).

This the ____ day of _____, 2006.

Jane Doe
(Special Counsel)(Attorney at Law)
(Hospital)(Business address)
Raleigh, NC 27---

ORDER ALLOWING WAIVER OF APPEARANCE

Based upon motion of counsel for the minor in the above-captioned matter, the Court consents to the waiver of the personal appearance of the minor at the hearing of this matter.

IT IS ORDERED that the hearing on voluntary admission of the above-named minor shall proceed without the personal presence of the minor and minor's right to be present at the proceeding is hereby waived.

This the ____ day of _____, 2006.

Judge Presiding

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

IN THE MATTER OF)
)
)
)
_____)
Minor)

MOTION TO WAIVE
RIGHT TO TESTIFY
(Voluntary Minor)

Now comes the undersigned (Special Counsel)(attorney) for the above-named minor whose hearing on voluntary admission is scheduled for the ____ day of _____, 2006, and moves that the right of the minor to testify at this hearing be waived as provided by G.S. 122C-224.2(b).

This the ____ day of _____, 2006.

Jane Doe
(Special Counsel)(Attorney at Law)
(Hospital)(Business address)
Raleigh, NC 27---

ORDER ALLOWING WAIVER OF RIGHT TO TESTIFY

Based upon motion of counsel for the minor in the above-captioned matter, the Court consents to the waiver of the right of the minor to testify at the hearing of this matter.

IT IS ORDERED that the hearing on voluntary admission of the above-named minor shall proceed without the testimony of the minor and minor's right to testify at the proceeding is hereby waived.

This the ____ day of _____, 2006.

Judge Presiding

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

IN THE MATTER OF)
)
)
_____)
Respondent)

NOTICE OF OBJECTION
TO VENUE
(Involuntary Adults and Minors)

Now comes the undersigned (Special Counsel)(attorney) for the above-named Respondent and gives notice of objection to venue in the District Court, _____ Judicial District, _____ County, North Carolina and requests pursuant to G.S. 122C-269 (a) that the hearing in this matter be held in the county where the petition was initiated.

This the ____ day of _____, 2006.

Jane Doe
(Special Counsel) (Attorney at Law)
(Hospital)(Business address)
Raleigh, NC 27---

ORDER TRANSFERRING VENUE

The attorney for the Respondent in the above-captioned matter having objected to venue in _____, it is ORDERED that venue is transferred to _____ County.

This the ____ day of _____, 2006.

Judge Presiding

