# NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE

 **DISTRICT COURT DIVISION**

**\_\_\_\_\_\_\_\_\_\_\_COUNTY FILE NUMBER:**

**IN THE MATTER OF:**

 **MOTION FOR PERSONAL SERVICE**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **NOW COMES** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, counsel of record for the Respondent Father/Mother, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and moves this honorable court to order that personal service be made on the Respondent Father/Mother pursuant to Rule 4 of the North Carolina Rules of Civil Procedure. In support of said motion, undersigned shows the following good cause:

1. That the undersigned attorney is the attorney of record, having been appointed by the Court in this matter on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;
2. That undersigned has had limited contact with the Respondent Father/ Mother since on or about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and no contact with him/her since \_\_\_\_\_\_\_\_\_\_\_\_\_;
3. That the Motion in the Cause to Terminate Parental Rights was served on the undersigned attorney on or about \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, by mail, and that no personal service has been made on the Respondent Father/Mother;
4. That the Department of Social Services has had more significant contact with the Respondent Father/Mother through visitation and has and/or could ascertain more easily than the undersigned, an address for said Respondent Father/Mother for the purposes of obtaining personal service;
5. That the undersigned attorney of record has filed and received an Extension of Time to file a Response, said extension granted for thirty days;
6. That N.C.G.S. Section § 7B-1102 allows the Court to order Rule 4 service;
7. That obtaining personal service of the Respondent Father/Mother is in the

best interests of the minor child, \_\_\_\_\_\_\_\_\_\_\_, protects the fundamental rights of the Respondent Father/Mother, is in the interests of the fair administration of justice, and does not unduly prejudice any party;

**WHEREFORE**, the undersigned attorney for the Respondent Father/Mother, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, prays the Court for the following relief:

1. That the Court order that the Petitioner obtain personal service of the Respondent Father/Mother, \_\_\_\_\_\_\_\_\_\_, pursuant to Rule 4 of the North Carolina Rules of Civil Procedure;
2. For any and all other relief that this Court deems just and proper.

This the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Attorney at Law

ATTACH CERTIFICATE OF SERVICE