

**How a Non-Parent (Grandparent, aunt, uncle, relative or caregiver) Can Obtain Pro Se Court-Ordered Custody of a Minor Child to enroll him/her in the Guilford County School System.**

These instructions are designed for Non-Parents who are seeking Pro Se court-ordered custody of a minor child through court administered Mediation, and apply only to **uncontested, by choice cases, where none of the parties involved are opposed to transferring, sharing, or relinquishing custody.** Non-parents may also hire an attorney to obtain custody and also to get information about N.C. GEN.STAT.115C-366.

**General Information:** To enroll a minor child in the Guilford County School System, you will start the process by doing the following:

1. Contact the Guilford County Schools student assignment office at 336.370.8303 to find out what legal documents are required to enroll a minor child.
2. The Guilford County Schools require you to have the one of the following types of court-ordered custody:
  - Joint legal custody
  - Sole legal custody
  - A temporary custody order
  - Legal guardianship
3. For families of students with exceptional circumstances, i.e. DSS placement, parents are incarcerated, disabled, or have a debilitating illness, a CAREGIVER AFFIDAVIT may be granted by the Guilford County Schools. The Caregiver Affidavit is valid for one school year and a court order is not required. (contact the GCS student assignment office for details)

The process for obtaining court-ordered custody and school enrollment will not be the same for IN-STATE students, as it is for OUT-OF-STATE students. The process and forms may vary from state-to-state and even from county-to-county. (You should check with the Clerk of Court, and the Mediation office, in the county where the child currently resides and also with the Clerk of Court and the Mediation office in Guilford County, to make sure that your uncontested case can be done through court administered Mediation)

**Instructions for Non-Parents Seeking Court -Ordered Custody for the Purpose of Enrolling a Student in the Guilford County School System. (K-12) (IN-STATE ONLY)**

1. If the non-parents know in advance (60-90 days) that they plan to enroll a minor child in school they need to start the custody process at least 60 days prior to the start of school in the county where the child currently resides. This will allow them time to have the required court-ordered custody in place when school starts in Guilford County.

2. If the non-parents do not have advance notice and the child arrives just prior to the start of school, or while school is in session, the non-parents can file a new custody complaint in Guilford County and present a copy of the court-stamped custody complaint to the Guilford County Schools assignment office. That office will then allow enrollment of the child in school on a temporary basis and give the non-parents 30 days to get the custody order completed. A further 30 day extension may be granted by GCS if documentation is provided to the Student Assignment Office to show that custody proceedings are still ongoing. If the custody order is not obtained, the student will be withdrawn at the end of the grace period.

**Instructions for Non-Parents to Enroll an OUT-OF-STATE STUDENT in the Guilford County School System. (K-12)**

The same court-ordered custody is required by the GCS system for students coming from out-of-state.

1. If the parties involved know well in advance (60-90 days) that the student is planning to come to Guilford County, they need to file a new custody complaint in the county of the state where the child currently resides. This would allow enough time to get the court-ordered custody in place prior to school starting. The procedure for Pro Se custody, the required forms, and Mediation may vary from state-to-state, so it is imperative that you check with the Clerk of Courts office, and the Mediation office, in the county that you reside in to find out exactly what you need to do to obtain court-ordered custody.
2. In most cases, the new custody complaint should be filed by the non-parent, making them the plaintiff in the proceeding.
3. The instructions and forms for filing a Pro Se new custody complaint in Guilford County are available on our website - [courtwatchnc.org](http://courtwatchnc.org) by clicking on Programs & Reports and looking under Pro Se Program.

Court Watch suggests that you use the information, instructions and forms provided by Court Watch, but makes no assurances that this will result in your obtaining court-ordered custody. Please call Court Watch if you have any procedural questions at 336.275.2346. If you need legal advice about this or other family matters, contact a family law attorney.

**Contacts**

Guilford County Schools – Student Assignment Office	.....	336.370.8303
Guilford County Clerk of Courts Office	.....	336.412.7400
Guilford County Mediation Office	.....	336.412.7815
Court Watch of North Carolina	.....	336.275.2346