

FD

Emergent Hearing

(Order to Show Cause)

Orders to Show Cause are generally used to avert or prevent irreparable harm to a child or to protect their health, safety, and welfare. Prevention of harm is the reason to seek emergent remedy with the court. The court, in its discretion, may issue an emergency order. Only a judge can determine if an emergency hearing is necessary. If you are denied an emergency hearing, you may use your application to proceed through the normal FD process and will be scheduled for a regular hearing.

Examples of issues that may be raised in an Order to Show Cause are: emergency custody, termination of visitation or temporary prevention of relocation of a child outside New Jersey boundaries. Non-payment of spousal support, if a family is facing immediate eviction, may be an issue for an Order to Show Cause. Non-payment of child support is NOT an issue for an Order to Show Cause.

If you wish to apply for an emergency hearing the following steps must be completed:

New Cases

1. If this is your first filing of an FD case (no previous FD docket# concerning the same people), complete the Initial Application/Cross Application and all forms required for a new case.
2. Check “other Relief” and write that you are requesting an emergency hearing.
3. Complete the “Emergent Application” form in its entirety. Use the “Additional Information” form to further explain why your case is an emergency. Sign and date both forms.
4. Bring all completed forms to the Family Courthouse, Non-Dissolution intake unit in the county where the child resides. Give your papers to court staff at the intake window. Further direction will be given to you. You CANNOT file for an emergent hearing through the mail.

Reopen Cases

5. If you already have a FD docket# involving the same people, complete the “Application/Cross Application to Modify a Court Order” form and all accompanying forms required to reopen your case.
6. On the “Application to Modify a Court Order”, check number 6 “The relief I am seeking is not listed above”. Check “I am seeking the following from the court”. Write that you are requesting an emergent hearing.
7. Complete the “Emergent Application” form in its entirety. Use the “Additional Information” form to further explain why your case is an emergency. Sign and date both forms.
8. Bring all completed forms to Family Courthouse, Non-Dissolution intake unit in the county that issued your previous order. Give your papers to court staff at the intake window. Further direction will be given to you. You CANNOT file for an emergent hearing through the mail.