

# STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice  
District Court Division

\_\_\_\_\_ County

Name Of Plaintiff	<b>ARBITRATION ASSESSMENT OF ARBITRATION FEE</b>
<b>VERSUS</b>	
Name Of Defendant	

G.S. 7A-37.1(c1)

The arbitration fee required under G.S. 7A-37.1(c1) is divided equally among all the parties named below and the pro rata share entered after the name of each party is assessed in favor of the State and against that party.

Name And Address Of Party <input type="checkbox"/> Indigent <input type="checkbox"/> Partially Indigent	Name And Address Of Party <input type="checkbox"/> Indigent <input type="checkbox"/> Partially Indigent
Pro Rata Share \$	Miscellaneous Judgment Docket No.
Name And Address Of Party <input type="checkbox"/> Indigent <input type="checkbox"/> Partially Indigent	Name And Address Of Party <input type="checkbox"/> Indigent <input type="checkbox"/> Partially Indigent
Pro Rata Share \$	Miscellaneous Judgment Docket No.
Name And Address Of Party <input type="checkbox"/> Indigent <input type="checkbox"/> Partially Indigent	Name And Address Of Party <input type="checkbox"/> Indigent <input type="checkbox"/> Partially Indigent
Pro Rata Share \$	Miscellaneous Judgment Docket No.
Name And Address Of Party <input type="checkbox"/> Indigent <input type="checkbox"/> Partially Indigent	Name And Address Of Party <input type="checkbox"/> Indigent <input type="checkbox"/> Partially Indigent
Pro Rata Share \$	Miscellaneous Judgment Docket No.
Date Of Notice	Signature Of Arbitrator
	Name Of Arbitrator (Type Or Print)

**NOTE TO ARBITRATION COORDINATOR:** Complete this form in its entirety and provide to arbitrator with case file. Enter the names and addresses of all parties. List each plaintiff and defendant separately. Provide enough copies for all parties and a court copy. To compute each party's share, divide the arbitrator's fee by the total number of parties. In this calculation, include all parties who have been granted leave under G.S. 1-110 to sue as an indigent or partially indigent, or leave under G.S. 7A-228(b1) to appeal as an indigent in a small claims case, then check "indigent" in the box for each party.

**NOTE TO ARBITRATION COORDINATOR/CLERK/COURT:** Any party petitioning for leave to sue as an indigent shall complete forms AOC-G-106 and AOC-CV-226. A partially indigent party is a party that, in the opinion of the clerk or court, after reviewing all available information, is financially able to pay a portion, but not all, of their pro rata share of the arbitration fee. If a party is found to be partially indigent, that shall be indicated by checking the appropriate box next to that party's name. In the event a party is found to be partially indigent, the clerk or court shall require the partially indigent person to pay the appropriate percentage of that party's pro rata share of the arbitrator's fee prior to the arbitration. The party's pro rata share shall be indicated in the appropriate block and the appropriate percentage reduction will be calculated by the cashier.

**NOTE TO ARBITRATOR:** Upon completion of arbitration hearing, date, sign, and print your name on this form. Provide a copy to each party. Place the original in the court file.

**NOTE TO PARTIES:** Present this form to the cashier in the Clerk's office, along with your payment. Failure to pay shall result in a judgment against the party.

**NOTE TO CASHIER:** Collect the amount in the column headed "Pro Rata Share" from each party. Enter all payments in Account No. 24311. DO NOT collect an arbitration fee from any party for whom "Indigent" has been checked. Collect only the appropriate percentage of the indicated amount if the party has been designated as partially indigent.

**NOTES TO CIVIL DIVISION:**

1. When the arbitrator files the Award in this case, docket a miscellaneous judgment for the amount in the box labelled "Pro Rata Share," IN FAVOR OF THE STATE and against each party that has not paid the amount assessed above. A separate judgment should be docketed against each such party. If there is no receipt in the file, check FMS before docketing.
2. Docket the judgment for the arbitration fee in VCAP when you are entering information about the arbitration award in VCAP. This will be done before final case disposition in the underlying CvD or CvS case, and before any judgment may be docketed on the award.
3. Use the Index Miscellaneous Judgments screen (VCMA) in VCAP to docket the miscellaneous judgment. For each judgment, the "plaintiff" is the "State of North Carolina," the "defendant" is the party against whom the fee was assessed. The issue code is "ARBF." The disposition code is entered automatically for miscellaneous judgments.
4. On this form, enter the "M" number for each judgment in the column above headed "Miscellaneous Judgment Docket No." Each party should have a separate "M" number.
5. Do not docket a judgment for an arbitration fee against any party for whom "indigent" is checked above.