

STATE OF NORTH CAROLINA
13TH JUDICIAL DISTRICT

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

FILED
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COLUMBUS CO. C.S.C.
ADMINISTRATIVE ORDER

IT IS HEREBY ORDERED, pursuant to the "Order of the Chief Justice of the Supreme Court of North Carolina, entered on the 13th day of March, 2020" that beginning March 23, 2020, **ALL** District Court will operate on the following temporary schedule with limited exceptions:

See admin order dated March 13, 2020 that specifically cancelled court for the week of March 16-20, 2020 with limited exceptions.

The general rule is that **ALL** cases shall be continued beyond thirty (30) days. However, there are limited exceptions that have been outlined in the Order from the Chief Justice and guidance from the North Carolina Administrative Office of the Courts. Said exceptions are as follows:

CRIMINAL COURTS:

1. First appearances, via remote video (for jail defendants only) will be heard on specific days established in future administrative orders. These first appearances may include, but are not limited to, felonies, misdemeanors, emergency criminal matters, domestic first appearances etc. First appearances for non-incarcerated defendants shall be continued by the magistrate or clerk beyond 30 days and set on an H&I court date.
2. Bond hearings (for jail defendants only) will be heard on any criminal date established in future administrative orders.
3. Probation hearings (for jail defendants only) will be heard on regular scheduled probation day.
4. Probable cause hearings (for jail defendants only) will be heard on there regular scheduled criminal day or as quickly thereafter as possible.
5. H&I Felony pleas (for jail defendants only) on regular scheduled H&I day.
6. And any other non-jury criminal matter that can be resolved with the consent of the State and the defendant (for jail defendants only). These matters can be set on any day that a judge is scheduled to be in session handling any criminal court (probation, H&I, first appearances, etc.) as established by future administrative order.
7. Any bond modification that has been consented to by the State and defendant can be presented to any judge out of session. All other bond modifications **SHALL** be filed with the clerk's office and scheduled for hearing upon notice to the state.

8. Recalls – defendants may present a properly executed and completed recall to the appropriate district court judge for review.
9. If a criminal court date is cancelled, then any incarcerated defendant that was scheduled for court on said date, **shall** have his/her matter brought before the very next session of criminal court.
10. Criminal defense attorneys are required to stay apprised of all schedule changes to ensure that incarcerated **AND** non-incarcerated defendants cases are being monitored, handled and/or continued in a timely manner and any questions or concerns should be directed to the chief district court judge.
11. All cases that do not fall in one of the above exceptions **SHALL** be continued to a court date beyond 30 days. The clerk's office **shall** be responsible for setting the matters on new court dates.

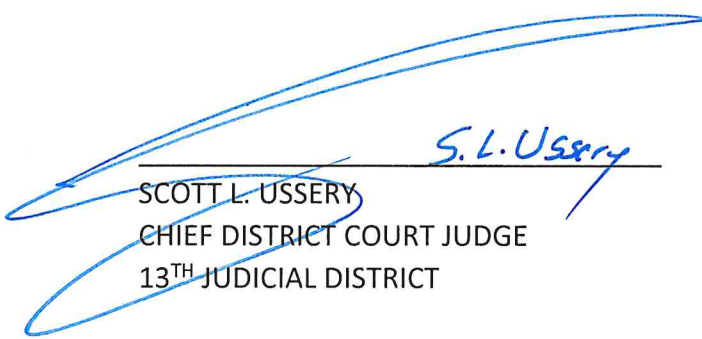
CIVIL COURTS:

1. Child Support will operate on regular schedule for **jail defendants only**. All other matters (non-incarcerated parties) are to be scheduled beyond 30 days. DSS and the clerk **shall** ensure that cases are continued and that notice is sent to **ALL** parties and their counsel, if applicable.
2. **ALL** small claims actions are to be continued beyond 30 days. The clerk's office **SHALL** coordinate with the chief magistrate and schedule additional small claims dates after April 16, 2020. The clerk's office and chief magistrates **shall** attempt to eliminate any potential backlog of small claims cases once we resume normal operations. Magistrate schedules **shall** be modified to accommodate these additional sessions of court.
3. Domestic sessions (CVN) are hereby suspended/cancelled. Each civil court clerk **shall** contact the assigned civil judge to determine what future court date to utilize when continuing matters.
4. All civil general matters are to be continued beyond 30 days.
5. PRTF matters will be heard at the Leland facility as normal. Only the following matters will be heard: any petition that would be considered emergency and/or would be considered an initial 10 day or 15 day hearing/review after being taken into custody. All other matters will be continued beyond 30 days.
6. Ex-Parte request (non-50B) **shall** be presented to the Chief District Court Judge for review and scheduling for return hearing.
7. Emergency custody request **shall** be presented to the Chief District Court Judge for review and scheduling.
8. JU-D – **ALL** juvenile cases are to be continued beyond 30 days except for matters dealing with juveniles in secured custody. Matters involving secured custody

- reviews, first appearances, and cases with juveniles in secured custody shall be coordinated with Judge F. Gore and/or Judge Fairley.
9. JU-S – ALL abuse, neglect and dependency cases are to be continued beyond 30 days except for Non-Secure custody hearings and any matter that is considered an emergency by the assigned district court judge. The clerk’s office shall coordinate with Judge Fairley and Judge F. Gore on ALL non-secure hearing motions and any other emergency matter that may arise.
 10. DVPO under 50B or restraining orders under 50C – E-filing in Brunswick county will continue as normal utilizing the assigned judge. Bladen and Columbus clerk’s office shall make contact with a resident judge to determine a time that a request for an ex-parte DVPO can be heard. If a resident judge is not available within a reasonable time, the complainant is to be directed to return on the next scheduled court date. All non ex-parte motions being filed under 50B or 50C, such as, return of weapons, show cause, etc. shall be continued beyond 30 days. Any ex-parte request that is denied shall be set on a 50B court beyond 30 days. Ten (10) day return hearings under 50B or 50C (WHEN EX PARTE RELIEF IS GRANTED) shall operate as normal beginning the week of March 23, 2020. Any consent by counsel to continue a DVPO or 50C shall be set beyond 30 days. Crowd control and social distancing measures will be implemented on a county by county and court by court basis.
 11. Arbitrations shall be rescheduled beyond 30 days.
 12. Mandatory custody mediations shall be rescheduled beyond 30 days.
 13. Attorneys are required to stay apprised of all schedule changes to ensure you’re your cases are continued and handled in a timely manner and any questions or concerns should be directed to the Chief District Court Judge.

This order is temporary and will become null and void per an administrative order signed the chief district court judge or by order signed by the Chief Justice of the North Carolina Supreme Court. All reference to “continuing cases beyond 30 days” shall be the time period from March 16, 2020 through April 16, 2020. Additional courts may be created with little or no notice. Social distancing measures and crowd control measures will vary from county to county and court to court. The chief district court judge or the presiding district court judge has the authority to prioritize cases pending on any given court date and SHALL be consulted on any issues regarding crowd control and social distancing issues.

This the 18th day of March, 2020.



SCOTT L. USSERY
CHIEF DISTRICT COURT JUDGE
13TH JUDICIAL DISTRICT