

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

13th JUDICIAL DISTRICT

DISTRICT COURT DIVISION

2022 R 126

ADMINISTRATIVE ORDER

RE: CONTINUANCE POLICY FOR ALL GENERAL CIVIL (NON DOMESTIC) AND JURY CASES FILED IN DISTRICT COURT

It is the policy of this Court to provide justice for citizens without unnecessary delay and without undue waste of the time and other resources of the Court, the litigants, and other case participants. For all case types and dockets, and in all courtrooms, the Court looks with strong disfavor on motions or requests to continue court events. In order to protect the credibility of scheduled trial dates, continuances are especially disfavored.

Now therefore, IT IS HEREBY ORDERED that:

1. A continuance motion may be made in writing or orally. Whenever possible, continuance motions or requests shall be made using the appropriate forms issued by the North Carolina Administrative Office of the Courts, which include:
 - a. AOC-CV-222 for motions to continue civil district cases.
2. Any attorney or party requesting a continuance shall state the reasons for the request.
3. Continuances on agreement of counsel or the parties shall not be automatically granted.
4. The Court shall grant a continuance only for good cause shown unless otherwise provided by law.
5. Continuances of cases more than 30 days old or that have been previously continued are specifically disfavored and shall be granted only in extraordinary circumstances.
6. Whenever possible, the Court shall hold the rescheduled court event not later than 30 days after the date from which it was continued.

7. The presiding judge shall utilize AOC-G-108 and document all information about the source of each continuance motion or request in a case and the reason for any continuance granted.
8. To the extent that this order conflicts with any statutory provision applicable to a particular continuance motion or request, the statutory provision will control.
9. Any general civil matter that remains pending for 90 days or more **SHALL** be reported to the Chief District Court Judge immediately by the TCC/Court coordinator, the presiding district court judge and/or the general civil clerk.
10. Any small claims appeal that request a jury trial, **SHALL** be placed on the next available jury session following the date of appeal from small claims court to district court.
11. The clerk's office **SHALL** notify the TCC/Court coordinator of any pleading where a JURY is requested. The case is to remain on a general civil docket until a jury session is calendared. Once a jury session is scheduled, **ALL** jury request cases that are 120 days or older shall be placed on the jury session and shall be heard during the scheduled jury session. A pre-trial conference **SHALL** be held at least 30 days prior to the start of the jury session as scheduled by the judge assigned to preside over the jury session. Once a final trial schedule is issued by the presiding district court judge, cases can only be continued for extraordinary cause.
12. At least quarterly, the Chief District Court Judge shall generate and review a report of pending cases and any data the Administrative Office of the Courts can make available regarding the number of court dates each case has had. To promote the consistent application of this continuance policy, these reports shall be reviewed and discussed with the TCC/Court coordinator and the general civil clerk to seek resolution of any organizational or systemic problems that cause unnecessary delay in the timely resolution of all cases.

Entered and effective as of this 1 day of August, 2022.

Scott L. Ussery
Chief District Court Judge
13th Judicial District

FILED
2022 AUG - 1 P 3:35
BRUNSWICK CO. CLERK
BY [Signature]