

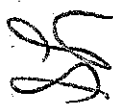
STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

13th JUDICIAL DISTRICT

DISTRICT COURT DIVISION

2022 R 207



ADMINISTRATIVE ORDER

RE: CONTINUANCE POLICY FOR ALL CASES FILED IN THE SMALL CLAIMS
DIVISION OF DISTRICT COURT

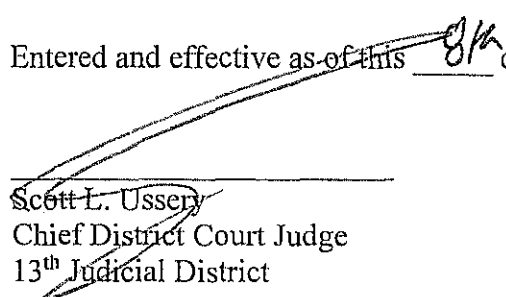
It is the policy of this Court to provide justice for citizens without unnecessary delay and without undue waste of the time and other resources of the Court, the litigants, and other case participants. For all case types and dockets, and in all courtrooms, the Court looks with strong disfavor on motions 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. Summary Ejectment actions shall be heard on the first setting and shall only be continued for good cause shown. 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. Magistrates shall document on AOC-G-108 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 small claims matter that remains pending for 60 days or more **SHALL** be reported to the Chief District Court Judge immediately by the Chief Magistrate and/or the small claims clerk.
10. 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 had. To promote the consistent application of this continuance policy, these reports shall be reviewed and discussed with the Chief Magistrate in each county in the district and the small claims 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 8th day of August, 2022.



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

