

DISTRICT COURT RULES 19C JUDICIAL DISTRICT

Excerpted from:

<http://www.nccourts.org/Courts/CRS/Policies/LocalRules/Documents/894.pdf>

RULE 1: AUTHORITY - EFFECTIVE DATE

- 1.1 The Rules are published pursuant to authority vested in the Chief District Court Judge of the 19C Judicial District by Rule 2, General Rules of Practice for the Superior and District Courts supplemental to the Rules of Civil Procedure Adopted by the Supreme Court of North Carolina Pursuant to G.S. 7A-34, as Amended through October 31, 1999.

RULE 8: NON-JURY DOMESTIC RELATIONS CASES

- 8.1 An attorney of record or unrepresented party may file a request to have a case placed on the non-jury calendar by delivery of a calendar request to the District Court Calendar Clerk prior to the session and notifying opposing attorney of record or unrepresented party in accordance with appropriate statutory provisions.
- 8.2 All cases in which child custody/visitation is in question shall be referred to custody mediation unless exempted by statute. This provision applies to modifications and contempt as well as initial determinations.
 - a) A custody case shall not be set for trial until the custody mediator has, by written notice, notified all parties and the clerks that the mediation attempt was unsuccessful.
- 8.3 Only one failed custody mediation case may be set for trial per day in any civil district court. Once such a case has been calendared for trial, it may not be removed from the trial calendar or continued without the permission of the presiding judge.
- 8.4 In cases dealing with custody or visitation, an affidavit containing the information required by G. S. 50A-209 shall be attached to or incorporated in the initial pleading filed by each party.

RULE 9: MEMORANDA OF SETTLEMENTS (ALL CASES)

- 9.1 At any time the parties execute a Memorandum of Settlement, if all parties are represented by counsel the Memorandum may provide that it may be entered by the judge presiding out of the presence of the parties.

9.2 If any party is not represented by counsel, the parties shall remain in the courtroom to allow the presiding judge to address the unrepresented parties to determine whether they understand the terms of the Memorandum and whether they have executed the same voluntarily and knowingly.