

STATE OF NORTH CAROLINA
COUNTIES OF CARTERET,
CRAVEN & PAMLICO


IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
3B JUDICIAL DISTRICT

ADMINISTRATIVE ORDER

Pursuant to North Carolina General Statutes § 7A-38.4A, any and all family law cases filed on or after March 1, 2007 pursuant to Chapter 50 of the North Carolina General Statutes, *shall be* mediated in accordance with the rules and procedures outlined in the attached *Rules for the 3B Judicial District Regarding Mediation of All Family Law Cases*. This Administrative Order and the attached rules thereto *shall not apply* to those actions praying only for absolute divorce, and which are brought pursuant to North Carolina General Statutes § 50-10.

IT IS THEREFORE ORDERED, that the attached *Rules for the 3B Judicial District Regarding Mediation of All Family Law Cases* are hereby adopted for the 3B Judicial District in accordance with the authority of the undersigned Chief District Court Judge. These adopted rules supersede any previous rules which may conflict with the procedures set forth therein.

So Ordered, this the 1st day of March, 2007.


THE HONORABLE JERRY F. WADDELL
CHIEF DISTRICT COURT JUDGE
3B JUDICIAL DISTRICT

RULES FOR THE 3B JUDICIAL DISTRICT
REGARDING MEDIATION OF ALL FAMILY LAW CASES

RULE 1. INITIATING SETTLEMENT PROCEDURES

A. PURPOSE AND SCOPE OF SETTLEMENT PROCEDURES.

Pursuant to G.S. 7A-38.4A, these Rules are promulgated to implement a system of settlement events which are designed to focus the parties' attention on settlement rather than on trial preparation and to provide a structured opportunity for settlement negotiations to take place. Nothing herein is intended to limit or prevent the parties from engaging in settlement procedures voluntarily at any time before or after those ordered by the Court pursuant to these Rules.

B. APPLICATION.

These rules shall apply to all actions brought pursuant to Chapter 50 of the North Carolina General Statutes in the 3B Judicial District except for those actions praying only for absolute divorce and brought pursuant to N.C.G.S. 50-10.

C. ORDERING SETTLEMENT PROCEDURES.

Nothing herein shall prevent the Court from addressing any issues as might be appropriate prior to a mediated settlement conference. Nothing herein prohibits either party from calendaring or scheduling hearings as might be necessary in order to address temporary issues prior to mediation. No case shall, however, be calendared for final hearing on any issue unless the parties have participated in a mediation process in conformity with these rules or otherwise consent.

RULE 2. SCHEDULING SETTLEMENT PROCEDURES.

A. FILING OF ACTION.

Upon the filing of any action pursuant to Chapter 50 of the North Carolina General Statutes, the moving party shall file AOC Form 811 designating the case for mediation. The parties shall use AOC Form 812 or other such form as may be developed to use in conjunction with these Rules in order to select a mediator. These forms shall be signed by a Deputy or Assistant Clerk of Superior Court as designated by the Senior Resident Superior Court Judge for the 3B Judicial District. The parties shall have 60 days to select a mediator. The mediated settlement conference shall be held within 150 days from the date of the filing of the action. The Court shall dispense with a requirement to attend a mediated settlement conference or other settlement procedure only for good cause shown.

