STATE OF NORTH CAROLINA
COUNTIES OF CHEROKEE/CLAY/
GRAHAM/MACON/SWAIN

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN RE: 2020 CRIMINAL/CIVIL
ADMINISTRATIVE COURT
SCHEDULE

ADMINISTRATIVE ORDER (2020)

Pursuant to Rule 2 of the General Rules of Practice for Superior and District Court, and in furtherance of the purpose of administering justice promptly and efficiently, the Senior Resident Superior Court Judge of District 30A, in consultation with the District Attorney ("D.A."), and upon comment by members of the local bar (Prosecutorial District 43), hereby enters the following order, and implements the following rules, for the counties of Judicial District 30A:

1. The following weeks are designated "Administrative Sessions" in District 30A for the year 2020 and shall be referred to herein as either a "three-county session" or a "two-county session":

    - January 27, 2020 (Macon and Swain)
    - February 24, 2020 (Cherokee, Clay, Graham)
    - April 13, 2020 (Macon and Swain)
    - May 4, 2020 (Cherokee, Clay, Graham)
    - July 6, 2020 (Macon and Swain)
    - August 3, 2020 (Cherokee, Clay, Graham)
    - September 21, 2020 (Macon and Swain)
    - October 12, 2020 (Cherokee, Clay, Graham)
    - November 30, 2020 (Macon and Swain)
    - December 14, 2020 (Cherokee, Clay, Graham)

2. Administrative sessions shall be used in criminal cases for the purposes as set forth in the Criminal Case Management Plan for the 43rd Prosecutorial District. The provisions of that Plan are hereby incorporated by reference.

SCHEDULING OF CRIMINAL CASES

3. The schedule for three-county sessions shall be as follows:

Monday and Tuesday	Cherokee criminal
Wednesday	Clay criminal
Thursday	Graham criminal
Friday	Carry-over day

4. The schedule for two-county sessions shall be as follows:

Monday and Tuesday	Macon criminal
Wednesday and Thursday	Swain criminal
Friday	Carry-over day

5. Fridays shall be "carry-over" days, during which the court will be available to finish criminal matters that were begun earlier in the week, or to dispose of other matters as the court may deem appropriate.

6. A criminal matter may be set on more than one administrative session if requested by the parties or if it is found to be necessary to promote the fair administration of justice in a timely manner.

7. **Civil Motions:** It is most preferable that civil motions be heard immediately after the conclusion of criminal matters, to avoid a return trip and associated expenses to the State and the presiding judge. Therefore, counsel on civil motions should appear for calendar call of the criminal matters, and be ready to proceed when the criminal matters are concluded. Counsel may, however, request a deviation from this protocol, which might be appropriate if the criminal matters will consume a substantial amount of time. If counsel does not request such deviation, and is/are not present to proceed at the conclusion of the criminal matters, the judge may adjourn court sine die. Counsel will follow the same procedures as set forth in 30A Local Civil Rules for calendaring motions during the Administrative Sessions. The Judicial Assistant will publish a civil motions back up calendar, if motions have been noticed for hearing. The Court is prohibited by Rule from hearing civil motions from out of county at a criminal priority session, unless there is an emergency.

   > A motion in a civil action in a county that is part of a multicounty judicial district may be heard in another county which is part of that same judicial district with the permission of the senior resident superior court judge of that district or of that judge's designee. Except for emergencies as determined by the senior resident superior court judge or that judge's designee, a motion in a civil action to be heard outside the county in which the case is filed shall be heard at a civil session of court.
   > N.C. Gen. Stat. § 1A-1, Rule 7

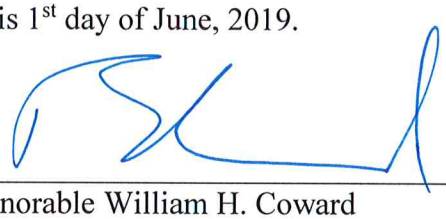
8. Whenever administrative court sessions conflict with previously-scheduled sessions of district court or other courts, counsel should proceed first to the court where the most efficient use of counsel's time and the resources of the court will be achieved, using Rule 3.1 of the General Rules of Practice for the Superior and District Courts as guidance. Counsel shall advise the court of the specifics of the conflict and the anticipated time of arrival. The

D.A. and defense counsel are encouraged to resolve conflicts in advance, such that the specific times set for cases can be used as scheduled.

9. These rules shall supplement the Rules of Practice for Superior and District Court, except as they may be in conflict the Rules of Practice, in which event the Rules of Practice shall control.

10. These rules shall become effective on January 1, 2020 and shall apply to all cases on file as of that date, without regard to date of offense.

This 1st day of June, 2019.



Honorable William H. Coward
Senior Resident Superior Court Judge, District 30A