

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

COUNTY OF FRANKLIN

FILE NO.: 21 R123

FILED

In Re:

2021 MAY 27 A 8:19

ADMINISTRATIVE ORDER REGARDING
PROCEDURES FOR JURY TRIALS
IN THE NINTH JUDICIAL DISTRICT
BY SNG

WHEREAS, the Chief Justice of the North Carolina Supreme Court has issued a number of emergency directives for the Judicial Branch in response to the public health threat posed by the outbreak of COVID-19; and

WHEREAS, pursuant to Emergency Directive 22, the undersigned Senior Resident Superior Court Judge, in consultation with other local officials, crafted a plan for resumption of jury trials in this county, which administrative order was dated September 24, 2020; and

WHEREAS, the administrative order regarding procedures for jury trial resumption remains in effect at this time; and

WHEREAS, on May 7, 2021, the Chief Justice of the North Carolina Supreme Court issued an Order that renewed certain emergency directives, and allowed certain prior emergency directives to lapse; and

WHEREAS, emergency directive 12, which had previously mandated occupancy limits, social distancing requirements and cleaning protocols for certain courthouse facilities, was not renewed, and by operation of law ceased to be effective on May 10, 2021; and

WHEREAS, on May 14, 2021, the Chief Justice of the North Carolina Supreme Court issued an Order that, "eliminate[d] Emergency Directive 21 that pertains to face coverings in court facilities and instead leaves that decision to the informed discretion of local court officials;" and

WHEREAS, the undersigned Senior Resident Superior Court Judge has consulted with local officials, including the COVID-19 Coordinators, prior to entry of this Order; and

WHEREAS, various jury pools have been summoned to appear for jury service in the various counties that comprise the Ninth Judicial District, and included with those jury summonses was a letter detailing the safety protocols that were in place in the courthouse to help ensure the safety of all participants in the jury trial process; and

WHEREAS, the undersigned Senior Resident Superior Court Judge is of the opinion that the terms specified herein are a reasonable balancing of the constitutional mandates that, "all courts shall be open" and that "justice shall be administered without favor, denial or delay" with the need to prioritize and protect the health and safety of judicial officials, employees and the public.


NOW, THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. CONTINUATION AND EXPIRATION OF SAFETY PRECAUTIONS. The courthouses in each county in the Ninth Judicial District shall continue to abide by the safety precautions that have been heretofore established in response to the public health threat posed by the COVID-19 pandemic. These safety precautions include, but are not necessarily limited to: (1) health screenings of all persons entering the courthouses, (2) the requirement that persons entering the courthouses wear appropriate face coverings; (3) appropriate social distancing, and (4) all terms contained in the Administrative Order Regarding Procedures for Resumption of Jury Trials in each county. Provided, however, that social distancing to be observed in the handling of District Court matters shall be as specified by orders and memoranda issued by the Chief District Court Judge, John Davis. In all Superior Court matters, as well as all other areas of the various courthouses in the Ninth Judicial District, social distancing of 6 feet shall continue to be observed.

All safety precautions that have heretofore been established in the Ninth Judicial District in response to the public health threat posed by the COVID-19 pandemic shall expire and terminate as of midnight on Friday, June 18, 2021. The safety precautions that shall expire at midnight on June 18, 2021 include, but are not necessarily limited to: (1) health screenings of all persons entering the courthouses, (2) the requirement that persons entering the courthouses wear appropriate face coverings; (3) appropriate social distancing, and (4) all terms contained in the Administrative Order Regarding Procedures for Resumption of Jury Trials in each county.

2. FACE COVERINGS. After midnight on Friday, June 18, 2021, face coverings will no longer be required, but persons entering the courthouse may, in their discretion, wear an appropriate face covering.
3. JURY SUMMONS. For all juries that are to be summoned for terms of court scheduled to begin after Friday, June 18, 2021, the Clerk of Court is not required to utilize the summons developed for use during the COVID-19 pandemic, but may utilize any appropriate summons, including summonses that were used prior to the COVID-19 pandemic.

This the 25th day of May, 2021.



John M. Dunlow
Senior Resident Superior Court Judge