

22 17 1+2

STATE OF NORTH CAROLINA
14TH JUDICIAL DISTRICT

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

2022 JUL 26 PM 2:54

CLERK OF COURT

ADMINISTRATIVE ORDER REGARDING CONTINUANCE POLICY

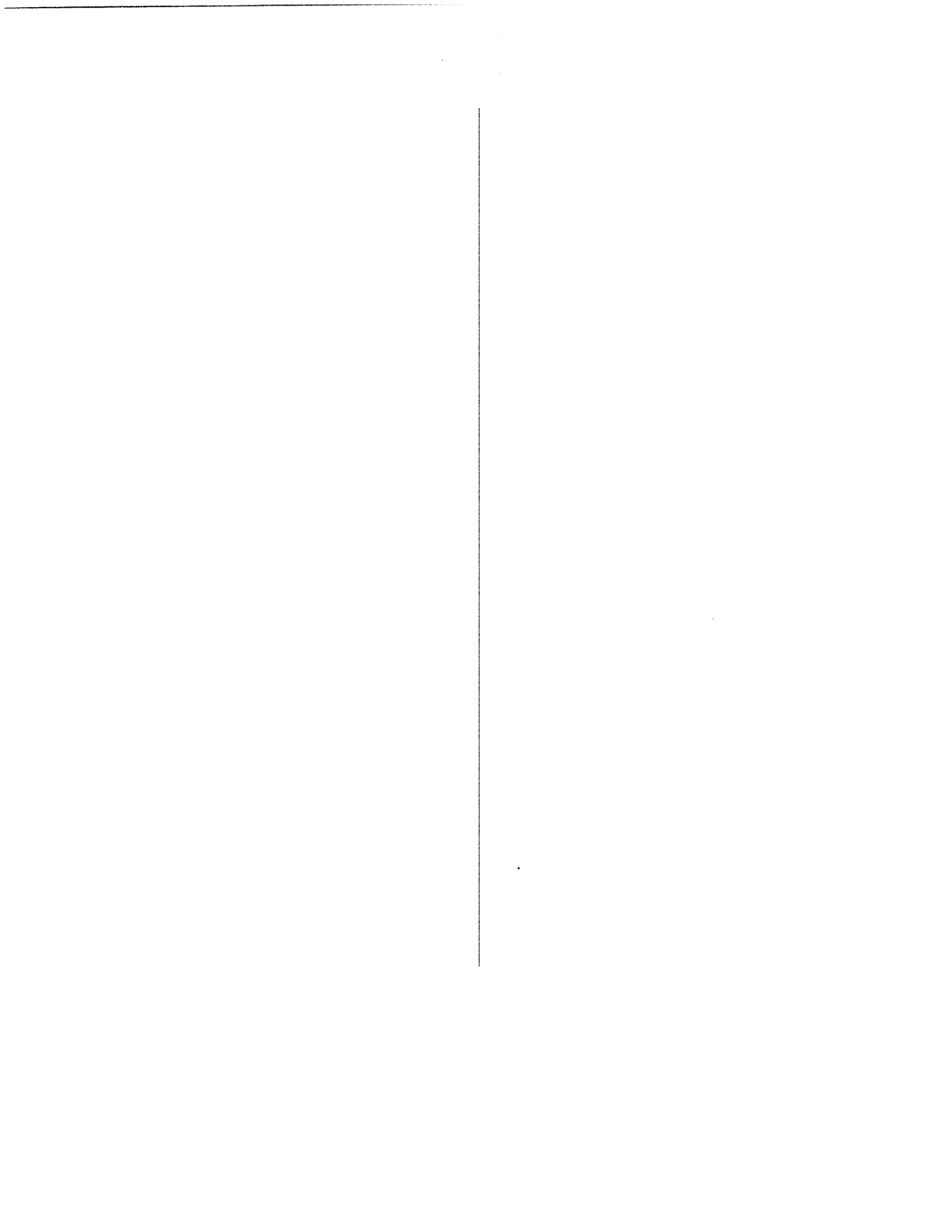
It is the policy of this Court to provide justice for citizens without unnecessary delay and without undue waste of the time and other resources of the court, the litigants, and other case participants. For all case types and dockets, and in all courtrooms, the Court looks with strong disfavor on motions or requests to continue court events. In order to protect the credibility of scheduled trial dates, trial date continuances are especially disfavored.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. 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; and
 - b. AOC-CR-337 for motions to continue in certain impaired driving 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.¹
5. Continuances of cases more than 120 days old or that have been previously continued are specifically disfavored and shall be granted only in extraordinary circumstances.

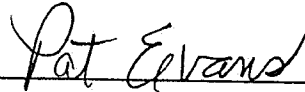
¹ State law specifies the factors that judges must consider when ruling on pretrial continuance requests in criminal cases. G.S. 15A-952 (g) . In any district court trial for offenses the forfeiture of a motor vehicle pursuant to G.S. 20-28.2, the judge may not continue the case unless the judge finds a "compelling reason" for doing so. G.S. 20-28.3(m). State law entitles defendants in criminal cases to continuances in certain situations without any showing of good cause. E.g., G.S. 15A-1023(b) (defendant must be granted continuance upon judge's rejection of plea arrangement); 15A-1024 (defendant is entitled to continuance upon withdrawal of plea following judge's determination to impose sentence other than as provided for in plea arrangement). There is at least one circumstance in which state law entitles the state to a continuance. G.S. 15A-1415(g) (court must grant state's request for a 30 day continuance made in response to defendant's amendment to motion for appropriate relief).

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. Information about the source of each continuance motion or request in a case and the reason for any continuance granted by the Court shall be noted in the Court's file.
8. To the extent that this order conflicts with any statutory provision applicable to a particular continuance motion or request, the statutory provision shall control.
9. 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 should be reviewed and discussed with all other judges in the district, bar representatives and other court-related agencies to see resolution of any organizational or systemic problems that cause unnecessary delay in the timely resolution of all cases.
10. This order shall be adopted as Local Rule #34 and published on the Administrative Office of the Court's Local Rules website.

Entered and effective as of this 25th day of July, 2022.



Pat Evans

Chief District Court Judge

14th Judicial District