

**SUPPLEMENTAL LOCAL RULES OF PRACTICE  
IN THE 17<sup>th</sup> JUDICIAL DISTRICT  
FOR FAMILY FINANCIAL SETTLEMENT PROCEDURES**

*(The following rule numbers correspond to the numbers contained in the NC Supreme Court Rules Implementing Settlement Procedures in Family Financial Cases):*

**Rule 1B.1 DUTY OF COUNSEL AND PARTIES TO PREPARE FOR  
MEDIATION**

Within 30 days from the receipt of an answer to a complaint containing a claim for equitable distribution, or within 30 days from the filing of a counterclaim for equitable distribution, the moving party shall serve upon opposing counsel an equitable distribution worksheet using the form attached hereto and incorporated by reference. The responding party shall indicate on the worksheet provided what his or her contentions are, along with an additions thereto, and serve the same on the moving party within 20 days of receiving the equitable distribution worksheet. The parties shall continue to exchange the worksheet until such time as each party has listed their contentions as to the classification, value, possession and proposed distribution of all property to be divided. Each and every block on all the columns on the worksheet should be filled in. The failure of any one party to provide such a listing without good cause constitutes substantial evidence of a lack of good faith. Prior to the mediation it is expected that the parties will have in their possession a full and final listing of all property that the trial judge may be asked to distribute.

Some other form of equitable distribution worksheet or affidavit may be used only by stipulation of the parties or order of the court..

**Rule 1B.2 DUTIES OF TRIAL COURT COORDINATOR**

The Trial Court Coordinator (Brenda Page) shall be the contact person for the 17A Judicial District on matters contained in this order, and she shall have administrative authority to make decisions with regard to mediation procedure and scheduling

Immediately after 90 days from the filing of a case that has as one of its actions a claim for equitable distribution, the Trial Court Coordinator shall calendar the case for the Scheduling Conference described under these Rules..

**Rule 1B.3 CONCERNING PENDING CASES**

All pending cases in which there remains an unresolved claim for equitable distribution shall be governed by these Rules and calendared for a scheduling conference when feasible. However the parties are not required to modify worksheets or affidavits already prepared. Such worksheets or affidavits shall be presented for review by the court at the scheduling conference.

## Rule 1C.7 FAST TRACK TO MEDIATION

The parties may at any time enter a consent order referring the case to mediation and selecting a mediator as otherwise described in these rules.

## Rule 2A.1 APPOINTMENT OF NON-CERTIFIED MEDIATORS

The court will freely appoint qualified persons selected by consent as mediators, especially when the list of certified mediators is short, it is expected that all attorneys seeking to do mediation will begin the process of certification set out by the Supreme Court of North Carolina.

## Rule 2B.1 AGREEMENT TO APPOINT FROM LIST OF NON-CERTIFIED MEDIATORS

The court is only permitted to select certified mediators. However the parties may by written stipulation at the scheduling conference submit to the court a list of acceptable non-certified mediators and request the appointment be made from that alternative list of mediators upon which the parties can agree. The court shall appoint only qualified persons to mediate who have already consented to take the case at an agreed rate of pay.

## Rule 7B.1 IMMEDIATE PAYMENT OF \$125 ADMINISTRATIVE FEE

The parties shall pay the administrative fee of \$125 to the mediator immediately upon appointment by the court and in equal shares.

## Rule 10A.1 NO JUDICIAL SETTLEMENT CONFERENCES

Judicial Settlement Conferences are not authorized at this time, except upon the consent and order of both judges who would be involved in the disposition of the case.

January 25, 2002  
Hon. Richard W. Stone  
Hon. Frederick B. Wilkins  
District Court Judges  
Craig H. Farver, Esq.  
President  
17A Judicial District Bar