

## **RULE 16-LOCAL RULES**

### **A. Request for Mediated Settlement Conference**

After 90 days have expired from the 1<sup>st</sup> pleading in an action wherein Equitable Distribution was requested, any party may file a motion requesting the Chief District Court Judge to order a mediated settlement conference and to send out Court Exhibits so both parties can list the property to be divided. The motion shall state whether the parties have agreed on a mediator and if so, the name and address of said mediator as well as the agreed upon compensation. If there is no agreement filed with the Chief District Court Judge within 30 days of the receipt of the motion, the Chief District Court Judge shall by written order select a certified mediator and send a copy of the order to all attorneys of record and to any unrepresented parties. The order shall state a deadline for the completion of the mediated settlement conference, which deadline shall not be more than 150 days after said order is issued. All responses to the motion requesting a mediated settlement conference shall be reviewed by the Chief District Court Judge within 30 days of the filing of said motion.

B. Rule 10B (2) gives to the Chief District Court Judge the discretion on whether to use Judicial Settlement Conferences. Judicial Settlement Conferences as described in Rule 12 of the Supreme Court Rules will not be utilized in 29 A Judicial District.

C. It is the intent of the undersigned Chief District Court Judge that the Supreme Court Rules be followed as closely as possible and in connection with these supplemental rules which should be interpreted to be consistent with the Supreme Court Rules. The Chief District Court Judge reserves the right to supplement, delete, add to or modify these local rules at any time to carry out the intent of the Supreme Court Rules.

D. All communication with the court concerning Settlement Procedures in the 29A Judicial District should be addressed to :

Elizabeth Fensterer  
Judicial Assistant  
Chief District Court Judge's Office  
21 S. Main St.  
Marion, NC 28752  
828-652-5434

Therefore, It is Ordered that the Local Rules for the District Court Settlement Procedures in the 29A Judicial District be, and hereby are, adopted, published and declared to be effective.

This is the \_\_\_\_ day of \_\_\_\_\_, 2007.

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Chief District Court Judge

STATE OF NORTH CAROLINA  
RUTHERFORD & MCDOWELL

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION

**ADMINISTRATIVE ORDER**

Local rules for District Court Settlement Procedures in Equitable Distribution