

NORTH CAROLINA
9th Judicial District
11th Prosecutorial District

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
Criminal Section

FRANKLIN, GRANVILLE, PERSON
VANCE AND WARREN COUNTIES

**ADMINISTRATIVE ORDER MODIFYING DISTRICT CRIMINAL COURTS'
EXPANSION ORDERS TO ALLOW ORDERS FOR ARREST AND FAILURES TO
APPEAR (9TH JUDICIAL DISTRICT/11TH PROSECUTORIAL DISTRICT)**

The undersigned Chief District Court Judge of the 9th Judicial District hereby Orders as follows:

1. As set out herein, District Court Judges in the 9th Judicial District are allowed to enter Orders for Arrest, Failures to Appear and/or take other appropriate measures upon Defendants failing to appear for Criminal District Court.

2. The procedure to determine which Defendants have not appeared and how the same may be addressed shall be as follows:

A. Courthouse Security: On days of regular criminal district court, Courthouse security shall note by listed name each and every Defendant that appears for Court on a copy of the day's docket. Security shall keep track of Defendant appearances for Court until 15 minutes prior to the end of the trial period (last period of the day's session) **or** by 2:30 p.m., **whichever time occurs later**. Once the later time has occurred, and as soon as practical, Security shall provide to the Clerk the calendar with the names of appearing Defendants denominated.

B. Clerks: Upon receipt of the calendar from Courthouse Security, Clerks shall inform the Court of the Defendants not noted, and thus, not appearing during that day's session.

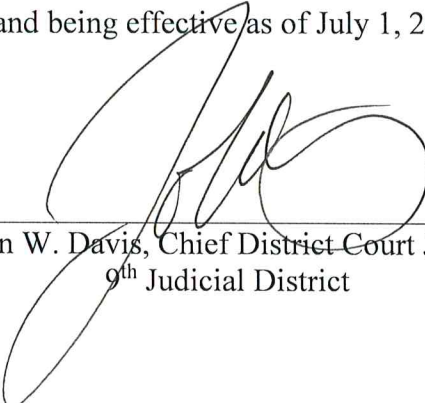
C. Judges: The trial Judge shall determine what the appropriate response shall be to each Defendant who has not appeared (i.e.-orders for arrest, orders of forfeiture, failures to appear, sending notice, etc.). A trial Judge also has the discretion to stay issuance by the Clerk's Office of any process allowed hereby for a time period not to exceed 14 days to provide non-appearing Defendants the opportunity to show good cause as to why such process should not issue and/or should be set aside.

3. Nothing herein prevents a Judge from entering Orders for Arrest, Failures to Appear or other appropriate process as allowed under existing provisions of the Criminal District Court Expansion Orders. The provisions set out herein are in addition to any such provisions and are not intended to supplant, modify or replace such.

4. Special Sessions: As is currently the case, during special sessions of Criminal District Court such as Impaired Driving Sessions for which the District Attorney's Office has directed the setting of the court calendars, Judges retain the authority to issue Orders for Arrest, Failures to Appear and take other appropriate actions in their discretion upon a Defendant's non-appearance for court without regard to the terms of this Order.

5. The provisions of this Administrative Modification Order **shall be effective as of July 1, 2020** and shall supercede and replace any conflicting provisions of the existing Administrative Orders for expanding Criminal District Courts in the 9th Judicial Districts. Any conflicting provisions of existing Orders are rescinded as of the effective date of this Modifying Order.

This Order being signed on the 23rd day of June, and being effective as of July 1, 2020.



John W. Davis, Chief District Court Judge
9th Judicial District