

STATE OF NORTH CAROLINA
COUNTY OF CLEVELAND
COUNTY OF LINCOLN

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
DISTRICT COURT DIVISION
JUDICIAL DISTRICT 27B

Cleveland County Record No. 22-R-11
Lincoln County Record No. 22-R-4

IN RE: CORONAVIRUS (COVID-19))
)
Joint District and Superior Court)
Administrative Order Regarding)
Postponement of In-Person Court Proceedings)
_____)

ADMINISTRATIVE ORDER
CORONAVIRUS (COVID-19)

NOW COMES the undersigned Senior Resident Superior Court Judge and Chief District Court Judge for Judicial District 27B who HEREBY jointly enter this amended administrative order pursuant to their administrative supervision and authority over the operation of the Superior Courts and District Courts under NCGS 70-41.1 and NCGS 7A-146 as Senior Resident Superior Court Judge and Chief District Court Judge respectively for Judicial District 27B of North Carolina.

THIS ADMINISTRATIVE ORDER is being entered to ensure the fair and proper administration of justice and to mitigate the public health threat posed by the Coronavirus (COVID-19). Including a number of confirmed cases of personnel who work within various departments of the courthouse thereby creating shortages in the ability to conduct court proceedings.

IT APPEARING TO THE COURT that the Coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death by the Omicron variant which is a new strain of Coronavirus (COVID-19) that can be spread from person to person; and

IT FURTHER APPEARING TO THE COURT that the Omicron variant, which is now the predominant strain of the Coronavirus (COVID-19) in North Carolina and is significantly more contagious than the original virus; and

IT FURTHER APPEARING TO THE COURT that the numbers of positive Coronavirus (COVID-19) cases amongst court personnel and the public have increased recently in Cleveland and Lincoln Counties. As a result, the undersigned conclude that:

- (a) The evolving nature of the COVID-19 virus has again created a potential crisis to Cleveland and Lincoln Counties in the form of the Omicron variant; and

- (b) While the vaccine and booster appear to be highly effective for the prevention of serious illness and death in vaccinated persons, it appears that the Omicron variant can be transmitted even by vaccinated persons, thereby posing an even greater risk to unvaccinated persons upon contact or close exposure; and
- (c) That the best protections against the virus, including the Omicron variant, still appear to be vaccination, wearing of facial coverings, careful hygiene consisting of frequent hand washing and use of hand sanitizers, and limiting, to the extent possible, close and extended contact between persons; and
- (d) Taking into account the constitutional mandate that all courts shall be open and that justice shall be administered without favor, denial, or delay, while making every effort to fulfill this mandate in ways that prioritize and protect the health and safety of judicial officials, court employees and the public, the undersigned must exercise discretion and their best judgment in seeking to continue to operate the courts of this Judicial District while seeking to provide for the health and safety of all concerned and in doing so have concluded that the entry of this Order is necessary.

WHEREFORE, based upon the foregoing and in the totality of these circumstances, the undersigned have determined at this time that court operations within local judicial facilities of Judicial District 27B should be modified as follows:

1. COURT PROCEEDINGS

- a) Effective immediately and upon entry of this order, all scheduled court proceedings to be held in-person within the District and Superior Courts of Judicial District 27B are **HEREBY POSTPONED** through Friday, February 4th, 2022. Regular in-person court proceedings may resume on Monday, February 7th, 2022, unless this suspension is extended by further Order entered on or before February 4th, 2022.
- b) The undersigned strongly encourage that all District and Superior Courts of Judicial District 27B subject to the provisions of 1(a) in this order continue with the conduct of their matters virtually by the NCAOC approved platform of WebEx to the furthest extent possible, during this two-week period and thereafter.

2. PERSONS HAVING BUSINESS IN COURT FACILITIES / COVID-19 SYMPTOMS

- a) Effective immediately and upon the entry of this order, **NO PERSON SHALL ENTER** Cleveland County Courthouse and Lincoln County Courthouse facilities if:
 - i. They are sick or are experiencing any symptom of COVID-19 including:
 - Fever
 - Chills
 - Cough
 - Shortness of Breath or Difficulty Breathing

- Fatigue
- Muscle or Body Aches
- Headache
- Loss of Taste or Smell
- Sore Throat
- Congestion
- Runny Nose
- Nausea
- Vomiting
- Diarrhea

- ii. They are a direct contact to a confirmed positive COVID-19 test until they can receive results from a completed PCR COVID-19 test to confirm their level of exposure.
- iii. They are awaiting test results from a rapid and/or PCR COVID-19 test.
- iv. They are required to be in quarantine according to local health official and CDC guidelines.
- v. Listed precautions of 2(a) shall apply to all court personnel, elected officials, jurors, law enforcement, attorneys, county employees and any other person(s) having business with the District and Superior Courts of Judicial District 27B.

3) OFFICE OF THE CLERK OF SUPERIOR COURT

- a) Effective immediately and upon the entry of this order, the Clerk of Superior Court shall determine:
 - i. If there is need for limited or staggered scheduling amongst staffing within the clerk's office in each county within Judicial District 27B.
 - ii. The number of persons of the public allowed to enter their office departments at one time throughout the duration of this order.
 - iii. Determine the flow of traffic in and out of their offices for said persons in pursuant to 2(v).
 - iv. Determine what access and/or limitations should be instituted to better control the decided populations pursuant to 3(ii).

4) FACIAL COVERINGS

- a) Effective immediately and upon the entry of this order, facial coverings are now required of any person entering Cleveland County Courthouse and Lincoln County Courthouse facilities regardless of vaccination status. Persons having a health and/or medical excuse will be exempt from this requirement.
- b) Facial coverings will be required in all public areas, hallways, offices and courtrooms of said court facilities. Any person(s) entering court facilities who do not have a facial covering will be provided a mask prior to entry.
- c) This facial covering requirement includes all court personnel, law enforcement, jurors, attorneys and the public who enter court facilities to conduct court business.
- d) Court personnel will not be required to wear facial coverings while seated at required workstations who are not in close contact with other persons but will be expected to wear a facial covering when moving from that workstation to a common area or upon being in close contact with other persons.

This administrative order supersedes any previously implemented policies regarding the same. The requirements of this order shall be effective immediately upon the entry of this order and shall not expire until further order of the undersigned, but this Order may be amended as evolving conditions may require.

This administrative order is enforceable through the contempt powers of the District and Superior Courts and is HEREBY ENTERED.

This the 21st day of January, 2022.

eCOPY

Forrest D. Bridges
Senior Resident Superior Court Judge
Judicial District 27B

eCOPY

Jeannette R. Reeves
Chief District Court Judge
Judicial District 27B