

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
TWENTY-EIGHTH JUDICIAL DISTRICT

FILED

2020 OCT 29 A 9:41

20R 411

ADMINISTRATIVE ORDER

October 21, 2020

Re: Jury Trial Resumption in the District Courts of Buncombe County

BUNCOMBE COUNTY C.S.C.
BY 

Consistent with 7A-146, the Chief District Court Judge has the authority to the administrative and operational direction of the District Courts.

While the Courts are allowed to resume jury trials under the Chief Justice's Order, on this matter she has expressly indicated that each jurisdiction would need to make the determination on specifically when jury trials could be resumed efficiently and safely. See Memorandum dated October 9, 2020 from NCAOC Director McKinley Wooten, Jr., "Please note that, despite the Chief Justice's decision not to further extend Emergency Directive 10, local judges retain discretion to suspend jury trials in their districts based on local needs and conditions."

Buncombe County under the guidance of our local health officials have redesigned the Historic 5th floor Courtroom to be compliant with safety protocols for holding jury trials. We have only the one courtroom, at this time, to hold jury trials in compliance with safety protocols. While the 5th floor Courtroom is a "Superior Court" Courtroom, Judge Thornburg has graciously agreed to allow the District Courts to use it when the Superior Courts are not using it for Superior Court matters.

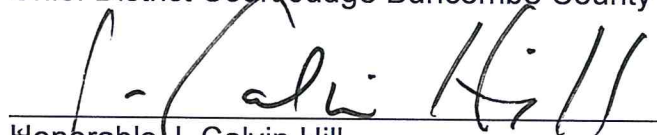
The Superior Courts have not been able to entertain jury trials since late March and have developed a backlog of jury trials that need to be processed. The Superior Courts have set November 9, 2020 as the date to start again with Superior Court jury trials.

The District Courts will not be starting to do jury trials at this time because of the limited amenities to do so safely. We will again review the progress with the backlog of Superior Court jury trials after January 15, 2021 to determine the availability of the 5th floor Courtroom for District Court jury trials.

The District Courts will resume jury trials as soon as practically possible.

This Order becomes effective immediately, this day of October 29th, 2020.

Chief District Court Judge Buncombe County


Honorable J. Calvin Hill