

20273

STATE OF NORTH CAROLINA

THE GENERAL COURT OF JUSTICE

FILED

JUDICIAL DISTRICT 19B

DISTRICT COURT DIVISION

RANDOLPH COUNTY

2020 APR 23 A 9:01

FAMILY COURT

RANDOLPH CO., C.S.C

BY *X* _____

ADMINISTRATIVE ORDER ADOPTING TEMPOARY LOCAL DOMESTIC RULE

WHEREAS, the Governor of the State of North Carolina and the Chief Justice of the North Carolina Supreme Court have issued Orders for the courts to take appropriate measures to protect health and safety and minimize exposure to COVID-19, and

WHEREAS, the undersigned Chief District Court Judge issued an Administrative Order on April 16 2020 that temporarily modified the Local Family Court Domestic Rules, and

WHEREAS, the Office of the Chief Justice of the North Carolina Supreme Court subsequently clarified that under the Order issued by the Chief Justice on April 2, 2020, remote hearings on the issue of Temporary Custody do not require the consent of all parties, and

WHEREAS, it is necessary and appropriate that reasonable measures be taken to address certain critical matters pending in Domestic Court, the attached Rule 4 of the Local Family Court Domestic Rules is hereby temporarily adopted and shall apply to all temporary hearings regarding the issues of postseparation support or child support where a request for scheduling is submitted between 4/17/20 and 7/31/20. The attached Rule 4 shall apply to all temporary hearings regarding the issue of custody where a request for scheduling is submitted between 4/24/20 and 7/31/20. Any remote temporary hearing regarding custody can be converted into an in-person hearing in the courtroom if (1) both parties consent and (2) the Emergency Orders entered by the Chief Justice of the NC Supreme Court, on March 13, 2020 and April, 2, 2020, are lifted or changed so that in-person hearings are permissible.

Any temporary hearing for postseparation support or child support that is already docketed pursuant to a Notice of Hearing that was issued prior to 4/17/20 shall proceed in the courtroom as previously calendared and subject to previously adopted time limits. Such temporary hearing that is already docketed can be converted to an earlier affidavit hearing upon written request of either party. The request must be submitted to the Family Court Office, copied to all other parties, at least 30 days prior to the previously scheduled court date although less notice may be acceptable if all sides and the assigned judge consent.

Any temporary hearing for child custody that is already docketed pursuant to a Notice of Hearing that was issued prior to 4/24/20 shall proceed in the courtroom as previously calendared and subject to previously adopted time limits. Such temporary hearing that is already docketed can be converted to an earlier remote hearing upon written request of either party. The request must be

submitted to the Family Court Office, copied to all other parties, at least 15 days prior to the previously scheduled court date although less notice may be acceptable if all sides and the assigned judge consent.

The attached Rule 4 supersedes all previous versions of Rule 4 of the Local Family Court Domestic Rules in the District Court Division of Judicial District 19B. This Temporary Rule 4 is subject to modification or extension by subsequent Administrative Order. All other Local Domestic Rules remain in place as previously adopted.

It is so ordered this the 23 day of April, 2020.



LEE W. GAVIN
CHIEF DISTRICT COURT JUDGE
JUDICIAL DISTRICT 19B