

STATE OF NORTH CAROLINA
NINTH JUDICIAL DISTRICT

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO.: _____

FILED

2021 JAN 14 A 9:37

In Re:

GRANVILLE CO. O.S.C.
BY: *[Signature]*

[Signature]
Deputy

ADMINISTRATIVE ORDER REGARDING
POSTPONEMENT OF JURY TRIALS
IN THE NINTH JUDICIAL DISTRICT

WHEREAS, the Chief Justice of the North Carolina Supreme Court has issued a number of emergency directives for the Judicial Branch in response to the public health threat posed by the outbreak of COVID-19; and

WHEREAS, on May 21, 2020, the Chief Justice of the North Carolina Supreme Court issued Emergency Directive 10 that provided, "No jury trials shall be convened in the district or superior courts of this State for the next thirty (30) days;" and

WHEREAS, on June 20, 2020, the Chief Justice of the North Carolina Supreme Court issued an Order postponing all jury trials in the superior courts and district courts of this State through July 20, 2020; and

WHEREAS, by order entered on July 15, 2020, the Chief Justice of the North Carolina Supreme Court also expressed the, "intention to extend Emergency Directive 10 [forbidding jury trials in the district and superior courts of the state] until at least the end of September;" and

WHEREAS, pursuant to Emergency Directive 22 contained in the July 15, 2020 Order, the Chief Justice of the North Carolina Supreme Court directed that "each senior resident superior court judge shall, in consultation with other local officials, craft a plan for the resumption of jury trials in his or her judicial district;" and

WHEREAS, the undersigned Senior Resident Superior Court Judge has, in consultation with other local officials, crafted the plan for resumption of jury trials in each county within the Ninth Judicial District, and said plans have been approved by the Chief Justice of the North Carolina Supreme Court and have been entered as administrative orders in each county in the Ninth Judicial District; and

WHEREAS, in response to record high numbers of COVID-19 cases reported and persons being hospitalized in the state of North Carolina, the Chief Justice of the North Carolina Supreme Court entered an Order dated December 14, 2020 that provided, "No jury trials shall be conducted in the superior or district court of any county for the next thirty (30) days, unless a jury has already been empaneled;" and

WHEREAS, the December 14, 2020 order expired on January 14, 2021; and

WHEREAS, the Chief Justice of the Supreme Court of North Carolina has entered an Order dated January 14, 2021 that, “restores to local judicial officials substantial decision-making authority over when and how to conduct jury trials and other in-person proceedings.” The intended Order also includes the Chief Justice’s admonition, “I ask that local judicial officials and employees conduct trials and other proceedings and perform other courthouse functions with caution and with due regard for the COVID-19 situation in their respective judicial districts;” and

WHEREAS, the most recent data from the North Carolina Department of Health and Human Services website notes that North Carolina is experiencing record high numbers of COVID-19 cases reported each day, of people being hospitalized with COVID-19 and people in the intensive care unit, as well as the percent of tests that are positive;” and

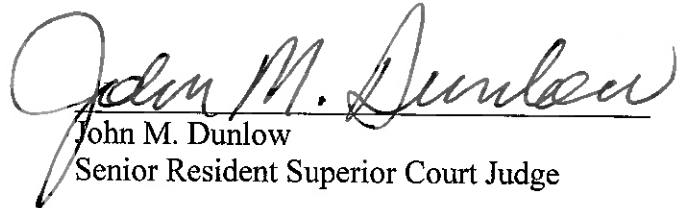
WHEREAS, the COVID-19 County Alert System currently indicates that four of the five counties in the Ninth Judicial District are currently in code “Red” meaning that county is experiencing critical community spread. The one remaining county in the Ninth Judicial District is currently in code “yellow” meaning that county is experiencing significant community spread; and

WHEREAS, the undersigned Senior Resident Superior Court Judge has consulted with stakeholders throughout the Ninth Judicial District prior to entering this Order, and is of the opinion that a postponement of jury trials in the Ninth Judicial District is necessary at the present time in order to ensure the safety and well-being of the court personnel and citizens who are called upon to serve.

NOW, THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. No jury trials (civil or criminal) shall be conducted in the Superior Courts of the Ninth Judicial District (Franklin, Granville, Person, Vance and Warren Counties) through and including February 26, 2021.
2. Grand Juries shall continue to meet and conduct their business in accordance with prior orders of the Court, and a limited number of jurors may, as necessary, be summoned for the sole purpose of re-constituting the grand jury in each county.
3. Except as specifically modified by this Order, all prior orders and guidance related to operation of the Superior Courts in the Ninth Judicial District remain in full force and effect.

This the 14 day of January, 2021.


John M. Dunlow
Senior Resident Superior Court Judge