

STATE OF NORTH CAROLINA
NINTH JUDICIAL DISTRICT

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

In Re: Conduct of Superior Court Sessions in the
Ninth Judicial District pursuant to the Chief
Justice's Emergency Directives

WHEREAS, on April 2, 2020, the Chief Justice of the North Carolina Supreme Court entered an Order with additional emergency directives under N.C.G.S. § 7A-39(b)(2) to reduce the spread of COVID-19 (Coronavirus) and to ensure the continuing operation of essential court functions; and

WHEREAS, the terms of the Chief Justice's April 2, 2020 are set to expire on May 1, 2020; and

WHEREAS, given the severity of the COVID-19 outbreak, the Chief Justice's April 2, 2020 Order specifically provides the Chief Justice fully expects to extend the directives for an additional 30-day period, and directed judicial system stakeholders to, "plan for these directives to last through the month of May, 2020;" and

WHEREAS, there are several sessions of Superior Court scheduled in the several counties of the Ninth Judicial District that are affected by the Chief Justice's April 2, 2020 Order.

NOW, THEREFORE, in conformity with the Chief Justice's April 2, 2020 Order, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. With respect to Civil Superior Court matters:
 - a. All Superior Court civil matters calendared for the April 27, 2020 term in Franklin County will be continued to the June 1, 2020 term.
 - b. All Superior Court civil matters calendared for the May 18, 2020 term in Granville County will be continued to the June 22, 2020 term.
 - c. All Superior Court civil matters calendared for the April 20, 2020 term in Vance County will be continued to the July 13, 2020 term.
 - d. All Superior Court civil matters calendared for the May 4, 2020 term in Warren County will be continued to the August 17, 2020 term.
 - e. All mediation deadlines will be extended, without motion, to a date 30 days prior to the trial date.

- f. In the event of a scheduling conflict with the newly scheduled court date, counsel should contact the Trial Court Coordinator to arrange for a different continuance date.
- g. There will be no Monday morning calendar call.
- h. No jurors are to report.
- i. Counsel for the parties in pending civil cases are encouraged to consult with one another to determine if it is feasible to conduct proceedings by remote audio and video transmissions in accordance with the Chief Justice's April 2, 2020 Order. If the parties are desirous of conducting a remote proceeding, counsel should contact the Trial Court Coordinator, Ella Wrenn, at Ella.Wrenn@nccourts.org to schedule the remote hearing.

2. With respect to Criminal Superior court matters:

- a. The following sessions of Superior Criminal Trial Court will open at 10:00 a.m. on the Monday of the session to conduct essential court functions:
 - i. April 6 (Granville Co.) No jurors and no grand jury.
 - ii. April 13 (Franklin Co.) No jurors and no grand jury.
 - iii. April 27 (Person Co.) No jurors and no grand jury.
 - iv. May 4 (Vance Co.) No jurors. Grand jury will be notified.
 - v. May 11 (Granville Co.) No jurors. Grand jury will be notified.
 - vi. May 18 (Franklin Co.) No jurors. Grand jury will be notified.
- b. The regularly scheduled district-wide CMS session for the weeks of April 6, April 13 and April 20 will open as scheduled in each county, for the conduct of essential court functions.
- c. For purposes of this Order, "essential court functions" are defined as
 - i. first appearances and appointment of counsel for defendants in custody of a local jail;
 - ii. written, appropriately noticed, bond motions by defendants in custody of a local jail;
 - iii. pleas by defendants in custody of a local jail; and

- iv. Any other proceeding the Senior Resident Superior Court Judge has determined can be conducted under conditions that protect the health and safety of all participants.
 - d. No new jury trials;
 - e. No jurors are to report;
 - f. No grand jurors are to report for any sessions scheduled for the month of April, 2020. Members of the grand jury will be notified with respect to sessions scheduled for the month of May, 2020.
3. Except as specifically modified by this Order, Superior Court matters will continue to operate as specified in the March 16, 2020 Memorandum to Ninth District Courthouse Personnel.

This the 3rd day of April, 2020.

John M. Dunlow
Senior Resident Superior Court Judge