

STATE OF NORTH CAROLINA

FILED

IN THE GENERAL COURT OF JUSTICE

COUNTY OF ALAMANCE

2020 MAR 16 A 3:07

SUPERIOR AND DISTRICT COURT

ALAMANCE CO. C.S.C.  
ADMINISTRATIVE ORDER

The undersigned Senior Resident Superior Court Judge and Chief District Court Judge of Judicial District 15A enter this Administrative Order pursuant to Governor Roy Cooper declaring a statewide emergency and Chief Justice Cheri Beasley's Administrative Order in response to the Coronavirus COVID-19.

IT APPEARING TO THE COURT that on March 13, 2020, Governor Roy Cooper declared a state of emergency and recognized that the North Carolina Department of Health and Human Services recommends that people at high risk of severe illness from COVID-19 "avoid large groups of people as much as possible" and further recognized that the "people at high risk of severe illness" are "adults over 65 years, those with underlying health conditions including heart disease, lung disease, or diabetes, or with weakened immune systems";

AND IT FURTHER APPEARING TO THE COURT that the North Carolina Department of Health and Human Services recommends for "Mass Gathering Events" that the event organizers, in part: 1) urge everyone who is sick not to attend; 2) encourage those who are at high risk as described above not attend; 3) find ways to give people more physical space to limit close contact as much as possible; and 4) encourage attendees to wash hands frequently;

AND IT FURTHER APPEARING TO THE COURT that on March 14, 2020 Governor Roy Cooper issued an executive order prohibiting gatherings of more than 100 people and directing the closure of all K-12 public schools for a minimum of two weeks. Violations of the order are punishable as a Class 2 misdemeanor;

AND IT FURTHER APPEARING TO THE COURT that Chief Justice Cheri Beasley of the North Carolina Supreme Court has issued an Administrative Order that effective March 16, 2020 that most Superior and District Court activities in the State be suspended for the next thirty days;

AND IT FURTHER APPEARING TO THE COURT that on March 15, 2020 Chief Justice Cheri Beasley and NCAOC Director McKinley Wooten, Jr. clarified the above referenced Administrative Order by distributing a Coronavirus Update for our Courts addressing some frequently asked questions including but not limited to: In-person meetings must be postponed or cancelled to the fullest extent possible;

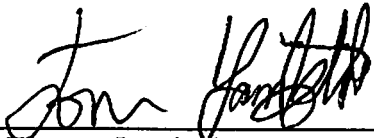
AND IT FURTHER APPEARING TO THE COURT that Article 1, Section 18 of the North Carolina Constitution provides "All courts shall be open; every person for an injury done

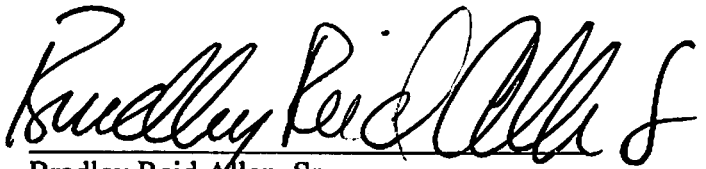
him in his lands, goods, person, or reputation shall have remedy by due course of law, and right and justice shall be administered without favor, denial or delay”;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Only courts that are necessary to due process of law, or are otherwise deemed necessary, will be held between March 16, 2020 and April 16, 2020 or until the Court modifies or terminates this Order;
2. The attached memorandum dated March 16, 2020 is hereby incorporated in this Order, setting out modifications and changes to the Superior and District Courts and supersedes the memorandum issued on March 13, 2020;
3. No person with the coronavirus or flu-like symptoms will be allowed to enter the courthouses of the District;
4. All persons seeking entrance to the courthouses of the District may be subject to limited medical screening and other procedures to ensure the safety of the courthouse prior to such entrance.

This the 16 day of March, 2020.

  
\_\_\_\_\_  
D. Thomas Lambeth, Jr.  
Senior Resident Superior Court Judge

  
\_\_\_\_\_  
Bradley Reid Allen, Sr.  
Chief District Court Judge



## MEMORANDUM

March 16, 2020

The emergency directive of the Chief Justice does not apply to proceedings in which a jury has already been empaneled and it does not prohibit a judge or other judicial officer from exercising in chambers or *ex parte* jurisdiction conferred by law upon that judge or judicial officer, as provided by law. Additionally, the emergency directive *does not extend filing and other deadlines*.

***Court offices in the Alamance County Courthouse will remain open for business.*** However, unless you are required to appear in-person to conduct your business, attorneys and the public are strongly encouraged to use email and telephone to communicate with staff of Judicial District 15-A. Contact information may be found on the [Judicial Directory](#).

[Online court services](#) are available for handling some court business, including citation services, paying traffic tickets, court payments, signing up for court date notifications and reminders, eFiling court documents for certain courts and case types, and more.

### CLERK OF SUPERIOR COURT

- Maintain normal office hours to accept filings, fines or fees, until further notice.
- All newly filed Superior/District Civil Calendar Requests must request a court hearing date after April 16, 2020.
- Guardianship Hearings will be conducted as needed, subject to health precautions, including video testimony, as determined by the Clerk of Court.
- Involuntary Commitments will be conducted as needed, subject to health precautions, including video testimony, as determined by the Clerk of Court.
- Estate administration matters will be conducted, although in-person meetings will subject to health precautions as determined by the Clerk of Court. Please schedule estate matters via [this link](#) when possible.
- Estate hearings will be postponed for thirty days unless consent by parties to conduct remotely.
- Special Proceeding hearings will be postponed for thirty days unless consent by parties to conduct remotely.
- Will provide new court dates when appropriate.





### **MAGISTRATE AND SMALL CLAIMS**

- The Alamance County Magistrate's Office will be open 24 hours per day, 7 days per week and normal operations will continue for Warrants for Arrest, Magistrate's Orders, Criminal Summons, Initial Appearances, Cash Bonds / Property Bonds, Involuntary Commitment Orders, Juvenile Petitions, and Secured and Non-Secured Custody Orders.
- Initial appearances and weddings will be conducted at the Alamance County Magistrate's Office.
- All new Small Claims court proceedings, including Summary Ejectments and Money Owed and pending matters will be postponed until after April 16, 2020.

### **DISTRICT COURT:**

- Maintain normal office hours, until further notice. Emails to Sandy Cobb [Cassandra.L.Cobb@nccourts.org](mailto:Cassandra.L.Cobb@nccourts.org); and Meredith Giannotti [Meredith.S.Giannotti@nccourts.org](mailto:Meredith.S.Giannotti@nccourts.org) are the preferred method of contact. Please email both Sandy and Meredith when sending correspondence and copy opposing counsel. The main number for the District Court Judges Office is 336-570-5212, voicemail will be checked. Judges will be available by appointment for matters authorized by statute and to review Ex Parte Motions/Orders.

### **Civil Domestic Violence Court**

- Domestic Violence Restraining Orders (50B) and Civil No Contact Orders (50C) Court will be heard daily for the purpose of hearing *ex parte motions and request for ex parte orders*.
- Ex Parte Orders will be calendared and heard on Mondays per our current schedule.
- DVPOs with no *Ex Parte* Order, Motions to Show Cause, Motions to Modify or Set Aside, and Motions for Return of Weapons may be continued beyond 30 days.

### **Civil District Court**

- District Court Judges will be available daily to hear emergency and time sensitive *ex parte* matters including, but not limited to: Motions for TRO, Ex Parte Custody Motions, Civil Commitments and Juvenile Medical Orders.
- Any Emergency Custody case or other emergency matters will be heard by the Judge assigned to said case and said Judge will schedule an appropriate hearing date and time.
- All other civil cases will be rescheduled beyond 30 days.
- All District Court Arbitrations will be scheduled or rescheduled after April 16, 2020.
- Custody Mediation/Orientation will be conducted remotely, contact Terry Horn at [Terry.H.Horn@nccourts.org](mailto:Terry.H.Horn@nccourts.org) or 336-570-5214 for further information.



### **Criminal District Court**

- Court will begin at 9:00 AM DAILY.
- The Court will hear:
  - Probation Hearings of Defendants in custody
  - Scheduled cases with in-custody defendants
  - Bond Motions
  - Probable Cause Hearing
- At 2:00 PM DAILY the Court will hear:
  - Felony First appearances
  - DV First Appearances/Bond Hearings
  
- **All cases that Defendants are not in custody, will be continued prior to their court date**
  
- The Court **will not** hear the following:
  - Motions to Strike Orders for Arrest
  - Motions to Set Aside or hear Bond Forfeitures
  - Motions to Strike Failure to Appear
  - Motions for Appropriate Relief
  - Motions to Return Vehicles
  - No other add on matters
- Traffic Administrative Court matters will generally be continued for 8 weeks. The District Attorney's Office will still conduct traffic court with attorneys **remotely**.
- Citizens without attorney representation are encouraged to use online payment formats:
  - To negotiate traffic cases online:  
<https://www3.nccourts.org/onlineservices/menu.sp>
  - To pay fines and court costs online:  
<https://www3.nccourts.org/onlinepayments/menu.sp>

The Clerk's Office and District Attorney's Office will collaborate to update court dates as soon as possible. Please use the [nccourts.gov](https://www3.nccourts.org) website to sign up for case updates at: <https://www3.nccourts.org/onlineservices/notifications/menu.sp>

### **Juvenile Abuse Neglect & Dependency Court**

- Hearings for Motions for Secured and Non-Secured Custody will be heard on Wednesdays as scheduled.
- Juvenile Abuse Neglect & Dependency Court will otherwise be closed, and all hearings not listed above will be rescheduled beyond 30 days





### **Juvenile Delinquency Court**

- The Court will hear cases where the juvenile is in secured custody; requires a Secured Custody Review, or a first appearance, on Tuesdays as scheduled.
- Juvenile Delinquency Court will otherwise be closed, and all hearings not listed above will be rescheduled beyond 30 days

### **Child Support Enforcement and Establishment Court**

- The Court will hear Enforcement cases where the Defendant is in custody on Fridays as scheduled.
- Child Support Court (IVD) will otherwise be closed and cases not listed above will be rescheduled beyond 30 days.

### **SUPERIOR COURT:**

- Maintain normal office hours, until further notice. Emails to Sharon Boger are the preferred method of contact, [Sharon.M.Boger@nccourts.org](mailto:Sharon.M.Boger@nccourts.org). The main number for Superior Court Judges Office is 336-570-5216, voicemails will be checked. Judges will be available by appointment for matters authorized by statute.

### **Criminal Superior Court**

- Court will begin at its regularly-scheduled times (10:00 a.m. Monday and 9:30 a.m. the rest of the week).
- We will continue to hear:
  - In-Custody Probation Hearings
  - Taking of pleas for Defendants in custody, where feasible as scheduled by the District Attorney after consultation with defense counsel.
  - First Appearances
  - Bond Motions
  - Other hearings at the discretion of the Senior Resident Superior Court Judge
- **Administrative Court Sessions will be continued as follows:**
  - Cases currently set for the week of March 16, 2020 will be continued to the week of April 27, 2020.
  - Cases currently set for the week of April 13, 2020 will be continued to the week of April 20, 2020.
- Vehicle forfeiture matters will be heard as scheduled.
- Grand Jury will be CANCELLED for March 30.







- Grand Jury will resume on its next scheduled date of April 27 and Tuesday April 28.
- Supplemental grand jury meetings are at the discretion of the Senior Resident Superior Court Judge.
- All other cases will be rescheduled by the District Attorney's office.

**Civil Superior Court —ALL MATTERS WILL BE CONTINUED EXCEPT EMERGENCY OR EX PARTE CASES AT THE DISCRETION OF THE SENIOR RESIDENT SUPERIOR COURT JUDGE.**