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STATE OF NORTH CAROLINA

THE GENERAL COURT OF JUSTICE

16A JUDICIAL DISTRICT

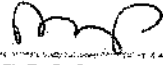
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DISTRICT COURT DIVISION

COUNTIES OF ANSON,

2022 JUL 29 P 2:27 FAMILY/CIVIL COURT

RICHMOND, AND SCOTLAND RICHMOND CO., C.S.C.

BY 

AMENDED ORDER ADOPTING LOCAL RULES FOR FAMILY/CIVIL COURT

WHEREAS, the counties of Anson, Richmond, and Scotland, are part of Family Court in Judicial District 16A; and

WHEREAS, effective January 1, 2020, Anson, Richmond, and Scotland counties are now part of Judicial District 16A pursuant to action of the General Assembly; and

WHEREAS, the undersigned, Chief District Court Judge, District 16A, have agreed, and the Office of Administrative Courts has consented, to allow the continuation of Family Court in Anson, Richmond, and Scotland.

WHEREAS, pursuant to May 1, 1986, Supreme Court Order that each district have a continuance policy and that there is a need to have a more uniform continuance policy in the Family and Civil District Courts of Judicial District 16A.

NOW, THEREFORE IT IS ORDERED AS FOLLOWS:

1. The attached Local Rules for Family Court are hereby adopted effective January 1, 2020 and shall apply to all cases filed on or after that date and, insofar as practical, to all pending cases. **The attached Local Rules are amended and expanded and hereby adopted effective July 29, 2022.**
2. These Rules establish Family Court for Anson, Richmond, and Scotland counties in District 16A.
3. These Rules apply counties of Anson, Richmond, and Scotland in Judicial District 16A.
4. Pursuant to the May 1, 1986, Supreme Court Order that each district have a continuance policy, the Court amends the Order Adopting Local Rules for Family Court to adopt the findings on attached Addendum 1A Administrative Order Regarding Continuance Policy. Additionally this order will expand the Local Rules to include all Civil District Court and to include the Continuance Policy to be effective for all domestic and non-domestic cases.

This the 29 day of July 2022.



Amanda L. Wilson
CHIEF DISTRICT COURT JUDGE
16A JUDICIAL DISTRICT

ADDENDUM 1A TO LOCAL RULES DISTRICT 16A

STATE OF NORTH CAROLINA


IN THE GENERAL COURT OF JUSTICE

2022 JUL 29 P 2:27

16A JUDICIAL DISTRICT

RICHMOND CO., C.S.C.

DISTRICT COURT DIVISION

BY **ADMINISTRATIVE ORDER REGARDING CONTINUANCE POLICY**

It is the policy of this Court to provide justice for citizens without unnecessary delay and without undue waste of the time and other resources of the Court, the litigants, and other case participants. For all case types and dockets, and in all courtrooms, the Court looks with strong disfavor on motions or requests to continue court events. In order to protect the credibility of scheduled trial dates, trial-date continuances are especially disfavored.

Now therefore, IT IS HEREBY ORDERED that:

1. Whenever possible, continuance motions or requests shall be made using the appropriate forms issued by the North Carolina Administrative Office of the Courts, which include:
 - a. AOC-CV-222 for motions to continue civil district cases (see attached); and
 - b. AOC-CR-337 for motions to continue in certain impaired driving cases.
2. Any attorney or party requesting a continuance shall state the reasons for the request.
3. Continuances on agreement of counsel or the parties shall not be automatically granted.
4. The Court shall grant a continuance only for good cause shown unless otherwise provided by law.¹
5. Continuances of cases more than 9 months old or that have been previously continued are specifically disfavored and shall be granted only in extraordinary circumstances.

¹ State law specifies the factors that judges must consider when ruling on pretrial continuance requests in criminal cases. G.S. 15A-952(g). In any district court trial for offenses involving the forfeiture of a motor vehicle pursuant to G.S. 20-28.2, the judge may not continue the case unless the judge finds a "compelling reason" for doing so. G.S. 20-28.3(m). State law entitles defendants in criminal cases to continuances in certain situations without any showing of good cause. *E.g.*, G.S. 15A-1023(b) (defendant must be granted continuance upon judge's rejection of plea arrangement); 15A-1024 (defendant is entitled to continuance upon withdrawal of plea following judge's determination to impose sentence other than as provided for in plea arrangement). There is at least one circumstance in which state law entitles the state to a continuance. G.S. 15A-1415(g) (court must grant state's request for 30-day continuance made in response to defendant's amendment to motion for appropriate relief).

6. Whenever possible, the Court shall hold the rescheduled court event not later than 60 days after the date from which it was continued.
7. Information about the source of each continuance motion or request in a case and the reason for any continuance granted by the Court shall be noted in the Court's file.
8. To the extent that this order conflicts with any statutory provision applicable to a particular continuance motion or request, the statutory provision will control.
9. At least quarterly, the Chief District Court Judge shall generate and review a report of pending cases and any data the Administrative Office of the Courts can make available regarding the number of court dates each case had. To promote the consistent application of this continuance policy, these reports should be reviewed and discussed with all other judges in the district, bar representatives and other court-related agencies to seek resolution of any organizational or systemic problems that cause unnecessary delay in the timely resolution of all cases.
10. This order shall be adopted as Local Rule Addendum 1A and published on the Administrative Office of the Court's Local Rules website.

Entered and effective as of this 29 day of July, 2022.



Amanda L. Wilson
Chief District Court Judge
16A Judicial District

STATE OF NORTH CAROLINA

File No.

_____ County

In The General Court Of Justice
District Court Division

Name Of Plaintiff(s)

VERSUS

Name Of Defendant(s)

**MOTION AND ORDER FOR CONTINUANCE
(CIVIL DISTRICT CASES)**

NOTE: This form is made available for use by parties, but its use is not mandatory and the form is not intended to replace local forms or procedures that may be in place for the requesting of continuances. If by Local Rule a different form or procedure is prescribed, then this form should not be used.

Previous Number Of Continuances

Date Case Filed

Calendared Trial Date

Opposing Counsel/Pro Se Parties

Copy(ies) Distributed To Opposing Counsel(s)/Party(ies) By

Date

U.S. Mail Facsimile Hand Delivery Atty Box

Provide Addresses Here:

Reason(s) For Continuance Request (attach additional sheet if necessary)

Requested Reschedule Date Or Carryover Date

Name And Address Of Movant

Has Client(s) Been Notified Of Continuance Request?
(not applicable if pro se)

Yes No

Telephone No.

Date Issued

Signature Of Movant

Opposing party

consents to this motion. does not consent to this motion.
 Other: _____

TO BE COMPLETED BY JUDICIAL SUPPORT STAFF

Objection(s) Received?
(attach written objections)

Yes No

Date

Case Age:

Less Than 12 Months 12 to 18 Months
 More Than 18 Months

Total No. Of Cases On Trial Calendar

Current Ranking Of This Case On Trial Calendar

Date Case Set On This Trial Calendar

Attorney input into trial setting?

Yes No

Ruling: Denied Granted

Date Rescheduled

Counsel Notified Of Ruling By

Date

Date

Name Of District Court Judge (type or print)

Signature Of District Court Judge

Original - Case File