

STATE OF NORTH CAROLINA  
JUDICIAL DISTRICT 26

FILED IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION

MECKLENBURG COUNTY

2020 OCT 21 P 3:01

IN RE:

EXPANDED COURT OPERATIONS  
DURING THE COVID-19  
PANDEMIC, EFFECTIVE  
OCTOBER, 2020

*AMENDED*  
ADMINISTRATIVE ORDER

State Courts across the country continue to adapt their operations in response to the impact of COVID-19. Mecklenburg County Courts share the priorities of the local Bar and the public in protecting our collective public health while carrying out our constitutional functions and ensuring access to justice. We acknowledge the impact that COVID-19 has had on court operations and remain committed to safely expanding our court’s operations to address the existing backlog of cases. Our ability to open more courtrooms to schedule in-person criminal sessions is contingent upon reducing in-person hearings in civil matters and expanding the use of technology to conduct civil hearings virtually.

Court officials have worked closely with the Mecklenburg County Public Health Department to obtain guidance regarding the conditions necessary to conduct in-person court hearings safely and increase public access to the courthouse. In accordance with public health guidance and directives issued by Chief Justice Beasley, we must continue to restrict entry to the courthouse to persons with business at the occupancy of the Mecklenburg County Courthouse. To minimize the spread of the virus, we will continue enhanced cleaning and sanitizing practices along with the use of plexiglass barriers at public windows and inside courtrooms. Six-foot interval markings at courthouse entrances, inside courtrooms, outside public windows, and throughout public corridors will remain in place to encourage social distancing. By order of the Chief Justice, we will continue to require persons to wear a face mask/covering on their mouth and nose in all common areas and when interacting with others inside the courthouse. It is because of our consistent adherence to public health guidelines that we continue the safe expansion of court operations.

After careful consideration, we will expand our in-person court operations for the months of October and November 2020 and there will be an expansion of remote proceedings in accordance with the plan set forth in this administrative order.

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Be assured that the health and welfare of court personnel, attorneys, and members of the public entering the Courthouse has been paramount in the decision to expand court operations. We will continue to confer with public health officials, to evaluate the level of disease transmission in the community, and to plan for the next phases of court expansion. Court officials have worked closely with community and government organizations and members of the bar to reduce docket size. The Lead Judges in each respective area have developed more detailed protocols intended to reduce the number of individuals in a courtroom and increase the use of technology to the greatest extent possible.

Your knowledge of and adherence to the content of this order is expected.

**SAFETY AND SECURITY PROTOCOLS FOR ALL IN-PERSON COURT  
PROCEEDINGS**

- All courtrooms have restricted capacity to ensure that all occupants are able to maintain six-foot social distancing.
- The gallery seating area inside each courtroom will have six-foot intervals marked on the benches with tape.
- Plexiglass shields will be installed in every courtroom on the bench, the clerk’s desk and counsel tables.
- Entry into a courtroom will be limited to the persons essential, or necessary, to a scheduled proceeding. The presiding judge will make reasonable accommodations to make hearings accessible to members of the press, or the public, upon request.
- All persons who enter the courthouse must wear a face covering consistent with Administrative Order 20R988, entered July 22, 2020, and Emergency Directive Number 21 entered by the Chief Justice of the North Carolina Supreme Court. All persons participating in an in-person hearing must wear a face covering for the duration of a proceeding.
- All court personnel and members of the public shall wear face coverings while in the Courthouse to include public areas and during inter-personal interactions.
- Each courtroom will maintain a supply of sanitizing wipes and hand sanitizer for use at each counsel table, the judge and the clerk.
- Mecklenburg County Asset and Facility Management will ensure thorough cleaning and sanitizing of courtrooms at the end of each scheduled morning and afternoon session of court.

**GENERAL CIVIL COURT\***

(\*excludes Family Court, Child Support and Domestic Violence cases)

**Jury Trials**

- There will be no jury trials during the month of October 2020 in District or Superior Court. All jury trials previously scheduled during these months have been or will be

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continued by the Trial Court Administrator (“TCA”), considering peremptorily set cases, number of prior continuance and age of cases.

- A comprehensive plan for the resumption of jury trials in the 26<sup>th</sup> Judicial District has been approved by the Mecklenburg County Health Director, the President of the Mecklenburg County Bar, the 26<sup>th</sup> Judicial District Key Court Officials and the Chief Justice of the North Carolina Supreme Court. Jury trials may resume in the month of November, 2020 at the discretion of the Senior Resident Superior Court Judge consistent with the plan.

#### District Court Bench Trials

- All bench trials will be presumptively scheduled for remote hearing consistent with the Administrative Order 20R1467, entered October 16, 2020 and the plan for remote hearings established pursuant to that order.

#### District Court Civil Motions (Courtroom 6330)

- All District Court Civil Motions will be scheduled by the TCA for remote hearing.

#### Superior Civil Court Motions (Courtroom 6310)

- All Superior Court Civil Motions will be scheduled by the TCA for remote hearing.

### **DOMESTIC COURT**

(Courtrooms 6350, 8100, 8130, 8150, 8170, 8300, 8310)

By Administrative Order 20R1467, entered October 16, 2020, by the Chief District Court Judge of the 26<sup>th</sup> Judicial District, a remote hearing presumption is in effect beginning October 19, 2020. All domestic hearings that do not implicate a party’s right to be present or confront witnesses will be presumptively scheduled for virtual sessions of court in accordance with the plan for remote hearings established pursuant to the Administrative Order Establishing a Presumption of Remote Hearings in Civil Cases.

#### Submission of Orders

- Attorneys may submit hard copies of orders through Family Court in the regular manner. If an envelope is submitted with the order, it will be returned by mail, otherwise it will be left for pick up in the Family Court box. Attorneys may alternatively email orders to the judge’s Case Coordinator. Emails to Case Coordinators with attached orders shall be copied to opposing counsel/pro se party. The subject line of emails to Case Coordinators with proposed orders shall include the case number and “proposed order”.
- Proposed Orders shall be submitted in Word format. Consent Orders shall be submitted in pdf format. The case number shall be followed with the assigned judge’s initials on all

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orders. If an Order is submitted via email, the entered order will be returned by the case coordinator via email to the submitting attorney and opposing counsel/pro se party.

### **DOMESTIC VIOLENCE (CIVIL) COURT**

(Courtroom 4110 and 4130)

#### **Filing Complaints and Motions**

- Parties may file Complaints and Motions related to Chapter 50B and 50C with the Clerk of Superior Court's Office on Monday through Friday between 9:00AM and 3:00PM.
- E-filing through Safe Alliance is temporarily suspended. Currently, there are no other approved remote filing options available.

#### **Ex Parte Hearings**

- Plaintiffs who file with the Clerk's Office between 9:00AM and 10:30AM and are seeking Ex Parte relief will be directed to immediately report to either Courtroom 4110 or 4130 for the Ex Parte hearing. Requests for Ex Parte relief filed with the Clerk's Office between 10:30AM and 2:00PM will be scheduled for the afternoon session in either Courtroom 4110 or 4130.
- Parties seeking Ex Parte relief after 3:00PM may file at the Public Window at the Criminal Magistrate's Office located at 801 East Fourth Street on the same day or may file with the Clerk's Office the next morning between 9:00AM and 3:00PM.

#### **Return Hearings**

- Return Hearings will be heard remotely via Webex beginning at 9:00AM every Thursday of the District Court week. The Clerk's Office will schedule the hearings for the first available time based on the request of the filing party.
- Notice of Return Hearings will include a link to the Webex meeting. A docket call will be held at 9:00Am to identify parties scheduled for the Thursday session. The presiding judge will hold all parties/attorneys to the time frame provided for the hearing. The courtroom clerk will establish and utilize LiquidFiles for the exchange of discovery, exhibits, documents, briefs, etc. for the trial.

#### **Courtroom Protocol**

- The clerk in Courtroom 4110 will complete a general docket call of all matters scheduled for hearing during the session. The Clerk's Office will assign cases to each of the two courtrooms operating for DVPO matters.
- Witnesses and persons present for emotional support may be asked to wait outside the courtroom or in another designated location.

### **CHILD SUPPORT COURT**

(Courtroom 8110)

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By Administrative Order 20R1467, entered October 16, 2020, by the Chief District Court Judge of the 26<sup>th</sup> Judicial District, a remote hearing presumption is in effect beginning October 19, 2020. All child support hearings in which a parties right to confrontation and to be present is not implicated will be presumptively scheduled for virtual sessions of court in accordance with the plan for remote hearings established pursuant to the Administrative Order Establishing a Presumption of Remote Hearings in Civil Cases.

- Any continuances, dismissals, consent order or other matters resolved outside of a court session needing review or signatures of a District Court Judge shall be submitted in chambers to the Lead Child Support Judge.
- Child Support Contempt Hearings will be scheduled for in-person hearings in the morning and afternoon session every first and third Tuesday of the month and in the morning session every second and fourth Tuesday of the month.
- Enforcement and modification hearings that cannot be held via Webex will be scheduled during the afternoon session every second and fourth Thursday of the month.

### **JUVENILE ABUSE, NEGLECT AND DEPENDENCY COURT**

(Courtrooms 8330, 8350, 8370, 8390)

#### **General Provisions**

- The Juvenile Case Coordinator is Christine VanDonge ([Christine.M.VanDonge@nccourts.org](mailto:Christine.M.VanDonge@nccourts.org))(704-686-0286).
- Any hearing that is required to be recorded as required by the Rules of Record Keeping shall be recorded by the Juvenile Clerk or a designee. Attorneys, parties or other persons are not permitted to record any proceeding.
- All physical distancing and other health precautions adopted by the Chief District Court Judge and recommended/required by the Chief Justice will be followed.
- Face coverings must be used in accordance with the 26<sup>th</sup> Judicial District Administrative Order 20R988, entered July 22, 2020, and in accordance with the North Carolina Supreme Court Justice's Emergency Directive Number 21.
- Hearings will be conducted remotely. In-person hearings will be held on a limited, case-by-case basis in accordance with the plan for remote hearings established pursuant to the Administrative Order Establishing a Presumption of Remote Hearings in Civil Cases (20R1467) entered on October 16, 2020 by the Chief District Court Judge of the 26<sup>th</sup> Judicial District.

#### **Prioritization of Cases**

- The Children's Bureau (federal) has not relaxed standards on meeting timeline standards in abuse, neglect, dependency cases, thus Youth and Family Services (YFS) is still required to have hearings.

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- Non-secure, Adjudication, and Initial Permanency Planning Hearings were prioritized based on the current backlog in cases and the requirements of the Administration for Children and Families.

#### Calendaring

- All cases will be scheduled for a time certain after consideration of the issues to be tried, the nature of evidence and number of witnesses necessary to the material issues.
- A new notice of hearing will be sent to attorneys and unrepresented litigants for a remote hearing once a hearing date and time is set.
- Non-Secure Custody Hearings will be held on Wednesday and Friday of each week and will be heard by the assigned judge except when assigned to cover detention hearings.

#### Remote Hearings

- The Juvenile Clerk will initiate the remote WebEx hearing with an e-mailed invitation from the geo-calendar that will go to attorneys as follows:
  - The YFS attorney in the geo-district
  - The GAL attorney in the geo-district
  - The parent attorney
  - The presiding judge
- Attorneys will be responsible for delivering information regarding the WebEx hearing to their clients
- The Juvenile Clerk will email an invitation to the WebEx hearing to any self-represented party if she has the email address.
- All participants must be able to be seen and heard by all other participants, with the exception of a respondent parent. If a respondent parent does not have a device available which has video capability, the Respondent parent shall have the option of telephoning into the WebEx hearing.
- During a remote hearing, all participants that are not testifying, questioning a witness, or addressing the court should have their microphones muted.
- All participants in the WebEx hearing should be in a room alone during the hearing (unless attorney and client are together in a room) and be free from interference by other people or other distractions.
- Attorneys and parties may communicate privately via text or email during the hearing if they are not in the same location. A party may not communicate with his/her attorney while testifying.

#### Private Termination of Parental Rights Cases

- Private actions for termination of parental rights will not be scheduled during the month of October, 2020 unless the allegations are not contested and the parties consent to a remote hearing.

### **JUVENILE DELINQUENCY COURT**

### Calendaring

- Delinquency cases will be scheduled on Mondays and Thursdays. In-person hearings will be calendared in a manner that preserves the rights of the juvenile and the parents of juveniles to be present and confront witnesses.
- The Assistant District Attorney assigned to each Geo-District will identify cases that can be disposed outside of court by dismissal and cases for which an appearance is not necessary through advance communication with defense attorneys. If the prosecutor and juvenile attorney agree that the juvenile's appearance is not necessary, the juvenile and parent will be excused from appearing in court. Examples include successful diversions and situations in which additional time is needed to prepare for disposition.
- The Assistant District Attorney supervising the Juvenile Prosecution Unit will work with The Council for Children's Rights and defense bar to prioritize cases. Priority cases will include Probable Cause Hearings, Return Indictment Hearings, Post-Supervision Release Planning Review Hearings, and Adjudication and/or Disposition for juveniles in detention.

### Remote Hearings

- Remote hearings should be limited to circumstances in which remote hearings (1) are authorized by the Juvenile Code (only delinquency hearings on the need for continued custody pursuant to G.S. 7B-1906(h)) or an Emergency Directive of the Chief Justice of the NC Supreme Court or (2) where the parties consent to a remote hearing and there are limited evidentiary issues that do not require substantial testimony.
- The practice of remote detention hearings will continue. A waiver is not necessary for a remote detention hearing because the Juvenile Code authorizes conducting detention hearings by audio and video transmission which allows the court and the juvenile to see and hear each other. WebEx will be used exclusively as the remote platform for these proceedings.
- Remote hearing protocols for adjudications or motion for review (MFR) hearings where the juvenile is entering an admission will be used.
- The use of remote hearing protocols for juveniles in custody whose length of detention would be unnecessarily extended will be considered. This may be appropriate when: 1) the juvenile will tender an admission and 2) the juvenile is likely to receive a Level 3 commitment or is likely to be released as part of the disposition and when 1) the juvenile is alleged to have committed an A-G felony at age 16 or 17 and; 2) the hearing is a return indictment hearing.
- The use of remote platforms for contested hearings at which significant rights are at stake is not advised.

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## Waiver of Personal Appearance for Juveniles and Parents, Guardians and Custodians

- Obtain a written waiver of in-person participation from the juvenile and the juvenile's parent, guardian, or custodian. It is especially important to engage in a colloquy with a juvenile, who is the respondent in a delinquency proceeding, regarding waiver of in-person participation and the right to confront and cross examine witnesses given the court's affirmative duty to protect the constitutional rights of juveniles under the Juvenile Code.
- When a juvenile is confined in a juvenile detention facility, the juvenile's attorney or a custodian of the detention facility (i.e., a person located at the facility with the juvenile) should assist the juvenile with completion of the waiver form. Upon completion of the remote proceeding, the juvenile's attorney or detention center staff should forward the juvenile's signed waiver to the clerk of superior court's office for execution by the presiding judge.
- Parents (or guardians or custodians) are also parties in delinquency and undisciplined proceedings. As such, parents (and guardians or custodians) should also complete a waiver of in-person participation. If the juvenile's parent has access to a computer and printer, the parent (or guardian or custodian) can access the parent waiver form online (if the form is adopted) and deliver it to the clerk of court's office following the remote hearing. For parents who do not have access to a computer and printer, the juvenile's attorney or the juvenile court counselor should assist the parent (or guardian or custodian) in obtaining a waiver form and should also assist the parent (or guardian or custodian) in forwarding the signed waiver to the clerk of superior court's office following the remote hearing for execution by the presiding judge. Districts should also consider allowing parents to call the clerk's office to request a copy of the waiver form by mail.
- As a last resort, if the court is unable to obtain a written waiver from the juvenile's parent, guardian, or custodian, the court can consider recording the parent's voluntary and knowing waiver of in-person appearance through the audio video transmission.

## CIVIL COMMITMENT COURT

- All civil commitment hearings will be conducted remotely.
- All participants in a remote hearing shall be able to be seen and heard by all other participants.
- Respondents must have the ability to communicate confidentially with Special Counsel during the proceeding.

## SMALL CLAIMS COURT



**November 23, 2020 – December 31, 2020**

- Magistrates will rotate operation of five courtrooms presiding over Weddings, Money Owed, IJH and Summary Ejectments
- Weddings will total 20 appointments per week and will be scheduled by the Clerk’s Office

<b>Courtroom 2310 and 2350</b>					
	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>9:00AM</b>	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment
<b>10:00AM</b>	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment
<b>11:00AM</b>	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment
<b>12:00PM</b>					
<b>1:00PM</b>	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed	
<b>2:00PM</b>	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed	
<b>3:00PM</b>	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed	
<b>4:00PM</b>					
<b>5:00PM</b>					
<b>Courtroom 2370</b>					
	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>9:00AM</b>	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed
<b>10:00AM</b>	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed
<b>11:00AM</b>	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed
<b>12:00PM</b>					
<b>1:00PM</b>	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment	
<b>2:00PM</b>	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment	
<b>3:00PM</b>	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment	
<b>4:00PM</b>					
<b>5:00PM</b>					
<b>Courtroom 2330</b>					
	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>9:00AM</b>	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed
<b>10:00AM</b>	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed
<b>11:00AM</b>	Money Owed	20 Summary Ejectment	Money Owed	20 Summary Ejectment	Money Owed
<b>12:00PM</b>					

<b>1:00PM</b>					
<b>2:00PM</b>	Weddings	Weddings	Weddings	Weddings	Weddings
<b>3:00PM</b>	Weddings	Weddings	Weddings	Weddings	Weddings
<b>4:00PM</b>					
<b>5:00PM</b>					
<b>Courtroom 5150</b>					
	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>9:00AM</b>	IJH	IJH	IJH	IJH	IJH
<b>10:00AM</b>	IJH	IJH	IJH	IJH	IJH
<b>11:00AM</b>	IJH	IJH	IJH	IJH	IJH
<b>12:00PM</b>	IJH	IJH	IJH	IJH	IJH
<b>1:00PM</b>	IJH	IJH	IJH	IJH	IJH
<b>2:00PM</b>	IJH	IJH	IJH	IJH	IJH
<b>3:00PM</b>	IJH	IJH	IJH	IJH	IJH
<b>4:00PM</b>					
<b>5:00PM</b>					

**WEDDINGS**

(Courtroom 2330)

- Pursuant to the directives of the Chief Justice, restrictions have been placed on the location, times and attendance for marriage ceremonies to promote social distancing and to reduce the potential exposure to the COVID-19 virus.
- Weddings will be conducted by Magistrates in the Mecklenburg County Courthouse in Courtroom 2330 on Monday through Friday from 2:00PM until 4:00PM by appointment only.
- Individuals wishing to get married must bring a valid marriage license from a North Carolina Register of Deeds Office, two witnesses and the requisite \$50.00 marriage fee.
- Only the parties to the marriage and two witnesses may attend a schedule marriage ceremony.

**DISTRICT CRIMINAL ADMINISTRATIVE**

(Courtroom 1150 and 1130)

- Misdemeanor First Appearances will not be held in the months of October or November, 2020 and Traffic matters will not be scheduled for in-person hearings in the months of October or November, 2020.
  - The District Attorney’s Office will utilize virtual platforms including ECAD and iPlea to the fullest extent possible to resolve traffic matters, other waivable offenses.

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- Remote Pleas and Motions hearings will be scheduled with the consent of the defendant and a waiver of in-person proceedings. Virtual criminal district court sessions will be held every Monday via WebEx.
  - Felony First Appearance hearings will be conducted by video during the morning session of court.
  - Domestic Violence First Appearance hearings will be conducted by video during the morning session of court.
  - Felony Probable Cause Hearings will be scheduled consistent with state law within 15 days in the morning sessions.
    - The District Attorney will communicate with Defense Counsel about its intent to transfer or take other actions at least 48 hours prior to the scheduled Probable Cause Hearing.
    - Defense Counsel will make diligent efforts to communicate with each client about the state's intent and to execute the defendant's decision prior to the scheduled Probable Cause Hearing.
  - Defendants who appear for the Probable Cause Hearing will be seated in Courtroom 1130 at six-foot intervals. Defense attorneys will use the administrative courtrooms in 1130 to conduct confidential discussions with clients.
    - Defendants who need to see a judge will be seated in courtroom 1150 at the end of the morning session.
    - Defense counsel will submit any executed Waivers of Probable Cause to the Clerk prior to the end of the session.

### **DISTRICT COURT CRIMINAL ARRAIGNMENTS AND TRIALS**

(Courtroom 4310)

The Mecklenburg County District Attorney has set as a district court priority, prosecution of misdemeanor domestic violence offenses. These are the only criminal arraignment and trial cases being scheduled for in-person hearings in the district court in the months of October and November, 2020.

- The Assistant District Attorney, Domestic Violence Unit Supervisor will publish a schedule of defendants to be called for trial in courtroom 4310.
- Six defendants will be scheduled in each of four blocks per day. The first block will run from 9:00AM-10:30AM. The second block will run from 10:30AM-12:00PM. The third block will run from 1:30PM-3:00PM. The fourth block will run from 3:00PM-5:00PM.

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## **MISDEMEANOR PROBATION VIOLATION HEARINGS**

(Courtroom 4170)

- Misdemeanor probation violation hearings will be prioritized by the Department of Public Safety and scheduled for in-person hearings on Tuesdays beginning in October, 2020.
- Six defendants will be scheduled in each of four blocks per day. The first block will run from 9:00AM-10:30AM. The second block will run from 10:30AM-12:00PM. The third block will run from 1:30PM-3:00PM. The fourth block will run from 3:00PM-5:00PM.

## **FELONY ADMINISTRATIVE COURT**

Administrative Court (5310) will run Monday through Friday in both the AM and PM sessions. Cases will be set according to the existing Mecklenburg County Superior Court Criminal Administrative Calendar and will continue to be grouped under the current Quad system. Cases will be scheduled in four (4) quads: 9:30AM, 11:00AM, 2:00PM, and 3:30PM. Parties must appear promptly at their scheduled time and will be allowed in the courtroom only during their scheduled Quad.

Matters such as scheduling conferences and follow-up scheduling conferences will take place electronically (via email) between the parties and the Trial Court Administrator. Pretrial Readiness Conferences will not be calendared in Administrative Court, though out-of-court viewings will be arranged by the assigned prosecutor upon the timely request of the defense. Cases currently scheduled for Pretrial Readiness Conferences will be moved to trial calendars.

## **FELONY PROBATION VIOLATION COURT**

Probation violations are heard every other week in courtroom 5350. On the Mondays of non-probation weeks, probation violation probable cause hearings are held in courtroom 1150 in the afternoon session.

## **CLERK OF SUPERIOR COURT**

### **Operational Hours**

- The Clerk of Superior Court Office, located at the Mecklenburg County Courthouse, 832 East Fourth Street, Charlotte, North Carolina 28202, is open to the public on Monday through Friday, between the hours of 9:00AM and 3:00PM.

### **Filing by Mail**

- Attorneys and litigants are encouraged to submit filings by mail to the greatest extent possible. Filings are to be mailed to:

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Clerk of Superior Court  
Mecklenburg County Courthouse  
P.O. Box 37971  
Charlotte, NC 28237-7971

### **Filing By Secure Receptacle Deposit**

- Secure receptacles are available in designated areas to accept payments and civil filings. All persons on courthouse premises seeking to file legal documents are encouraged to submit their filings using the secure receptacles.
- Only payments made by certified funds, money orders or law firm checks issued on North Carolina trust accounts may be deposited in the receptacles. No cash payments will be accepted.
- Same-day pick up of items deposited in the receptacle is not available.
- Filings deposited in the receptacles must include a completed Filing by Mail or Secure Receptacle Coversheet. Blank forms can be found at the receptacle tables. Blank forms can also be found on Mecklenburg County's Local Forms and Rule page on [www.nccourts.gov](http://www.nccourts.gov).
- The secure receptacle is located at the reception-desk inside the McDowell and Fourth Street entrance on the first floor of the courthouse. Filing is available at this receptacle from 8:00AM to 5:00PM. Items (with the exception of Estate and Special Proceedings filings) placed in the receptacle by 4:00PM will be file-stamped and processed the same day. Copies will be mailed back the next business day. To ensure next business day mailing, please include a self-addressed, pre-paid envelope.

### **Access to Public Records**

- Access to public records is available from 9:00AM to 3:00PM, Monday through Friday, by appointment only.
- To access Criminal files by appointment, email [Mecklenburg.Criminal@nccourts.org](mailto:Mecklenburg.Criminal@nccourts.org).
- To access Civil files by appointment, email [Mecklenburg.Civil@nccourts.org](mailto:Mecklenburg.Civil@nccourts.org).
- To access Estate files by appointment, email [Mecklenburg.Estates@nccourts.org](mailto:Mecklenburg.Estates@nccourts.org).
- Copy requests are also available. Due to the large volume of copy requests, there will be restrictions on the number of pages copied per request.

### **Special Proceedings**

- Foreclosure hearings will be conducted in compliance with the Administrative Order Establishing a Presumption of Remote Hearings in Civil Cases (20R1467) entered on October 16, 2020 by the Chief District Court Judge of the 26<sup>th</sup> Judicial District.
- Persons filing documents are encouraged to submit documents in the secure receptacle (i.e., motor vehicle liens, name changes, guardian ad litem appointments).
- Upset bids must be made in-person at the customer service window located in the Clerk of Court – Estates and Special Proceedings Suite 3720 on the third floor of the Mecklenburg County Courthouse. The customer service window is open from 9:00AM to 3:00PM, Monday through Friday. In-person bidding is necessary to ensure that upset

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bidders are placing bids that are both accurate and timely. Upset bids will not be accepted by mail.

### **Estates**

- Estate hearings will be conducted in compliance with the Administrative Order Establishing a Presumption of Remote Hearings in Civil Cases (20R1467) entered on October 16, 2020 by the Chief District Court Judge of the 26<sup>th</sup> Judicial District.
- As a first point of contact, we encourage everyone to utilize our email address: [Mecklenburg.Estates@nccourts.org](mailto:Mecklenburg.Estates@nccourts.org) and complete our Estates questionnaire found at the link here: <https://docs.google.com/forms/d/e/1FAIpQLSfr6kIDdaAL1WipM61Xqm5HvT0N6Bbxx7m-GyQ85zke9DMGpQ/viewform>.
- In order to limit face-to-face interactions between the public and staff, customer assistance is provided using technology to the greatest extent possible. Telephone conferencing, email transmissions, WebEx interviews and tutorials are methods being employed to deliver customer service.
- While the Clerk's office cannot provide legal advice or complete forms, we will now offer virtual appointments for the purpose of providing procedural information about the following:
  - Opening Estates
  - Filing Year's Allowances
  - Transferring Motor Vehicle Titles
  - Administration by Clerk
  - Filing Inventories and Accountings
  - Closing Estates
- Virtual appointments will be limited to providing informational assistance and will be scheduled in 30-minute intervals. To schedule a virtual appointment, contact the Estates office at the email referenced above or via phone at 704-686-0460.
- North Carolina's Guide and File System available at [www.nccourts.gov/services](http://www.nccourts.gov/services) also provides assistance with the preparation of opening documents for Small Estates (Affidavits for Collection), Year's Allowances, and Petitions for Summary Administration.
- Persons filing Estate documents are encouraged to mail or deposit documents in the first floor secure receptacle or deposit documents in the drop box located in the Clerk of Court – Estates and Special Proceedings Suite 3720 on the third floor of the Mecklenburg County Courthouse. The drop box is available from 9:00AM to 3:00PM, Monday through Friday. Estate documents placed in the secure receptacles or mailed in will not be processed on the same day as receipt or deposit. **Please note:** Emergency filings should be coordinated with Estates staff via phone or email to the extent possible.

### **Incompetency & Guardianship**

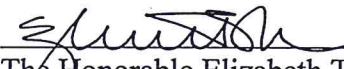
- Incompetency and Guardianship hearings will be conducted in compliance with the Administrative Order Establishing a Presumption of Remote Hearings in Civil Cases

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(20R1467) entered on October 16, 2020 by the Chief District Court Judge of the 26<sup>th</sup> Judicial District.

- To schedule a hearing, please email: [Mecklenburg.CSC.FrontDesk@nccourts.org](mailto:Mecklenburg.CSC.FrontDesk@nccourts.org).
- To confirm hearing information, dockets are posted outside the Clerk of Court – Administration Suite 3600 on the third floor of the Mecklenburg County Courthouse.
- Non-emergency filings are accepted by mail or may be deposited in the secure filing receptacles.

Entered and effective, this the 21<sup>st</sup> day of October, 2020.

  
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The Honorable Elizabeth T. Trosch  
Chief District Court Judge