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FILED

STATE OF NORTH CAROLINA
JUDICIAL DISTRICT 19 C
ROWAN COUNTY

2020 MAY -5 A 10:35
ROWAN CO., C.S.C.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

IN RE: THE SCHEDULING AND
HOLDING OF CIVIL MOTIONS,
NORMALLY SCHEDULED FOR
HEARING IN SUPERIOR
COURTROOM
BY AUDIO-VIDEO CONFERENCE

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ADMINISTRATIVE ORDER

THIS ADMINISTRATIVE ORDER is being entered to ensure the fair and proper administration of justice and to mitigate the disruption to the orderly operation of the Courts in the 19 C Judicial District caused by COVID-19. The undersigned Senior Resident Superior Court Judge enters this Administrative Order pursuant to N.C.G.S. §7A-39 and the inherent authority of the court.

On April 2, 2020 Chief Justice Beasley entered an updated order pursuant to G.S. 7A-39(b)(2) declaring that catastrophic conditions exist in all North Carolina counties due to the Coronavirus Pandemic. The order directs local court officials to schedule or reschedule all superior and district court proceedings for a date no sooner than June 1, 2020 unless the proceeding can be conducted remotely. It authorizes proceedings to be conducted remotely by audio and video transmissions.

After consultation with the Clerk of Court, and the Trial Court Coordinator, it has been determined that conducting audio-video conferences for civil motions normally scheduled in Rowan County Civil Superior Court is a viable alternative to in-person hearings and should be attempted.

WHEREFORE, IT IS HEREBY ORDERED ADJUDGED AND DECREED, effective immediately and, unless repealed, replaced, or rescinded by another applicable order, all civil motions normally scheduled in Rowan County Superior Civil Court shall be conducted by audio-video conferencing.

IT IS FURTHER ORDERED THAT THE FOLLOWING PROCEDURE BE USED TO SCHEDULE AND CONDUCT THE AUDIO-VIDEO CONFERENCES:

The audio-video conferencing platform will be Cisco Webex. A Webex account is not needed to participate. The application may be downloaded here: <https://help.webex.com/en-us/0tow9g/Download-the-Cisco-Webex-Meetings-Desktop-App>

Instructions for joining a meeting can be found here: <https://help.webex.com/en-us/n62wi3c/Get-Started-with-Cisco-Webex-Meetings-for-Attendees> and here: <https://www.youtube.com/watch?v=ru85544RveA>.

Motions shall be heard by audio-video conference only upon consent of all parties. Prior to scheduling a hearing, the moving party shall consult with and have the agreement of the opposing party as to date and time, unless the opposing party has not entered an appearance in the case (i.e. default judgment motions). All parties must agree to appear by audio- video conference. No party may “opt” to appear in person.

Alternatively, the parties may stipulate that the Court can decide the motion on the briefs without a hearing.

The TCC’s Office in consultation with the Civil clerk will schedule the hearings, issue Webex invitations to participants by 5:00pm on the Thursday of the week before the scheduled video hearing, and provide the judge and clerk with weekly calendars. The civil clerk shall serve as web ex host.

The clerk will pull the files for judge’s inspection, keep the minutes, record the hearings, accept custody of any evidence admitted and file any orders issued.

Briefs shall be submitted digitally to Rebecca.p.williams@nccourts.org no later than two business days prior to the hearing on the motion. All counsel of record and *pro se* parties shall be served in compliance with Rule 5 of the NC Rules of Civil Procedure absent stipulation or agreement otherwise.

Hard copies of the briefs shall not be submitted.

Affidavits, deposition transcripts, exhibits and supporting authority, if used, shall be attached to the briefs.

If evidence is tendered and received the offering party shall send a digital copy to the clerk at the conclusion of the hearing.

In Accordance with Section 18 of Article I of the Constitution of North Carolina these proceedings are open to the public. Any individual interested in viewing the proceedings may do so by contacting the trial court coordinator for a link to the proceedings.


No one other than named litigants, attorneys of record, attorneys seeking *pro hoc vice* admission, or attorneys representing individuals moving to intervene or quash subpoenas will be allowed to

participate in the video conference. However, an invited participant may forward the invitation to others, including clients, associates, paralegals, administrative assistants, etc.

All hearing participants who did not receive a direct invitation from the court shall have their microphones muted unless directed otherwise by the presiding judge.

Those matters currently pending in court between now and until the Chief Justice allows in person hearings, that are not scheduled for a remote hearing will be continued and the parties must request a new hearing date as is currently being done.

Entered and effective, this the 4 day of May 2020.


The Honorable Anna Mills Wagoner
Senior Resident Superior Court Judge