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GUILFORD COUNTY

CLERK OF SUPERIOR COURT

BY: C. Farrow

24th JUDICIAL DISTRICT

CRIMINAL CASE DOCKETING PLAN

(CASE MANAGEMENT PLAN)

DATED JANUARY 5, 2026

This Case Management Plan hereby amends and completely replaces all prior Case Management Plans in Guilford County, formerly the 18th Judicial District, in both Greensboro and High Point, effective as of January 5, 2026, as follows:

SECTION 1: GENERAL PROVISIONS

1.1 This document shall be known as the **24th JUDICIAL DISTRICT SUPERIOR COURT CRIMINAL CASE DOCKETING PLAN**.

1.2 This document shall be filed in the office of the Clerk of Superior Court and a copy shall also be posted in the office of the Guilford County District Attorney. Copies for distribution shall be maintained in both of these offices.

1.3 The provisions of this plan shall apply to all Superior Court cases indicted subsequent to the date this plan becomes effective, and shall otherwise apply to all other cases then pending in Superior Court.

1.4 These rules shall, at all times, be construed in such a manner as to avoid technical delay.

1.5 Whenever the words "Portal," "eFile", or "eCourts" are used herein, all are referring to the Odyssey/Enterprise Justice computer system now used for the North Carolina Court System.

1.6 Absent an agreement with the prosecutor, permission from the court or other justifiable good cause, attorneys must be present in the courtroom when their case is called for trial, hearing or other disposition. *See also* Local Rule 6.2 below.

1.7 These Local Rules are not complete in every detail and will not cover all situations. All attorneys and prosecutors alike must always follow and comply with the Rules of Professional Conduct and North Carolina law.

SECTION 2: DISCOVERY

2.1 Discovery shall be provided or otherwise made available as soon as practicable after indictment pursuant to N.C.G.S. §15A-903 and §15A-905, and reasonable efforts shall be made to have discovery materials available prior to Administrative Settings.

2.2 In the event it becomes necessary for the defendant's counsel to withdraw and new counsel to be appointed, it shall be the responsibility of the defendant's withdrawing counsel to deliver all non-digital discovery material, plea offers and any other relevant non-digital documents to new counsel, if known, **within 10 days** of the court's order appointing new counsel. Any orders of the court setting dates for discovery, reciprocal discovery, pretrial

motions, or trial shall remain in full force and effect, unless the Court enters an order modifying said dates.

SECTION 3: ADMINISTRATIVE SETTINGS

3.1 Every case, after indictment, shall appear on the next available court calendar for the Assistant District Attorney who has been assigned to prosecute the case. This setting should occur within three to six weeks after indictment, but in any event no later than 60 days after indictment.

3.2 All defendants must be present for this Administrative Setting unless otherwise agreed between the Assistant District Attorney prosecuting the case and the defendant's attorney of record and allowed by the court.

3.3 At this Administrative Setting:

(1) The court shall determine that status of the defendant's representation by counsel;

(2) After hearing from the parties, the court shall set deadlines for the delivery of discovery or for otherwise making discovery available to the defendant, arraignment if necessary, and filing of motions;

(3) If the State has made a determination regarding a plea arrangement, the State shall inform the defendant as to whether a plea arrangement will be offered and the terms of any proposed plea arrangement, and the court may conduct a plea conference if supported by the interest of justice;

(4) The court may hear pending pretrial motions, set such motions for hearing on a date certain, or defer ruling on motions until the trial of the case; and

(5) The court may schedule more than one Administrative Setting if requested by the parties or if it is found to be necessary to promote the fair administration of justice in a timely manner.

3.4 If the parties have not otherwise agreed upon a trial date, then upon the conclusion of the final Administrative Setting, the State shall announce a proposed trial date. The court shall set that date as the tentative trial date unless, after providing the parties an opportunity to be heard, the court determines that the interests of justice require the setting of a different date. In that event, the State shall set another tentative trial date during the final Administrative Setting. The trial shall occur no sooner than 30 days after the final Administrative Setting, except by agreement of the parties.

3.5 No case may be called for trial during a term of court where it appears for an Administrative Setting, unless by consent of the parties. However, nothing herein prevents cases from being disposed of by plea during an Administrative Setting.

3.6 Cases which are calendared for an Administrative Setting shall be so designated on the court calendar.

SECTION 4: TRIAL CALENDARS

4.1 No less than 10 working days before cases are calendared for trial, the District Attorney shall publish the trial calendar. In addition, a tentative trial order which lists cases in the order they will be called for trial shall be posted in the lobby of the District Attorney's Office. Once the calendar has been called in open court, the actual order of cases called for trial shall be governed by N.C.G.S. §7A-49.4(f).

4.2 Cases that are not reached for disposition during a term of court shall be continued to a subsequent trial calendar. The State shall set the new trial date for these cases unless, after providing the parties an opportunity to be heard prior to the close of the session, the court determines that the interests of justice require the setting of a different date.

SECTION 5: CONTINUANCES

5.1 All motions for continuance, except those made pursuant to Local Rule 4.2 above, must be in writing, eFiled with the Clerk of Court and served upon opposing counsel. Any motion which objects to a trial date or seeks a continuance of a matter on a "trial calendar," should be made first to the judge presiding over the proposed trial date. In the event that the presiding judge is not available, the motion should be made to any judge holding a criminal term of Superior Court. In the event that there are no criminal terms of Superior Court in session, the motion may be directed to any available Resident Superior Court Judge.

5.2 Every continuance motion should state:

- the age of the case;
- whether the defendant is in custody;
- whether the defendant has co-defendants and if so, their names;
- the number of times the case has previously been on the trial calendar; and
- a suggested date for the trial, if continued.

5.3 When compelling reasons for a continuance are presented which would affect the fundamental fairness of the trial process or when a continuance clearly is in the interest of justice, a continuance may be granted in the exercise of judicial discretion to further the best interest of the fair administration of justice.

(1) In addition to the factors set forth in N.C.G.S. §15A-952(g), the appropriate judicial official shall consider the following when deciding whether to grant or deny a motion for continuance:

- the age of the case;
- the pre-trial detention status of the defendant;
- the status of the trial calendar for the week;
- the number of previous continuances;
- the number of times the case has been designated for trial and not reached;
- the extent to which counsel had input into the scheduling of the trial date;
- the due diligence of counsel in promptly filing a motion for continuance as soon as practicable;

- whether the reason for the continuance is short in duration which could resolve before the scheduled trial date;
- the length of the continuance requested;
- the position of opposing counsel;
- whether the motion has been considered by another judge (Senior Resident or designee) on the same or substantially similar grounds;
- present or future inconvenience or unavailability of witnesses/parties; and
- any other matter that promotes the ends of justice.

(2) Reasons that shall **NOT** be considered a valid basis for granting a continuance motion include:

- first time scheduling of the case for trial;
- potential conflicting scheduling of other trials in other courts;
- whether counsel of record has received payment.

5.4 Once a case has been set for trial, no party or attorney will thereafter schedule any vacation, elective medical procedure, secured leave, or business trip which would be advanced as a basis to seek a continuance. *See also* Local Rule 6.2 below.

SECTION 6: MISCELLANEOUS

6.1 The provisions of this Plan may be amended from time to time by the District Attorney after consultation with the Senior Resident Superior Court Judge and after opportunity for comment by representative members of the local bar.

6.2 All attorneys are under a duty to act with reasonable diligence and promptness in representing a client. Each attorney's work load must be controlled so that each matter can be handled competently, and must refrain from taking additional cases if by doing so it would impair the attorney's ability to comply with schedules and practices of the court resulting in substantial interference or delay with the business of the court, which includes failing to be prepared to try a case after that case has been duly set for trial. *See* Rules of Professional Conduct, including Rules 1.1, 1.3 and the comments thereto; N.C.G.S. §5A-11(7).

Enacted the 5th day of January, 2026.



R. Stuart Albright
Senior Resident Superior Court Judge
Judicial District 24


Avery Crump
District Attorney
Prosecutorial District 24