

20R205

STATE OF NORTH CAROLINA **FILED** IN THE GENERAL COURT OF JUSTICE
COUNTY OF FORSYTH SUPERIOR COURT DIVISION

IN RE: CORONAVIRUS
(COVID-19)

2020 MAR 15 P 4:42

FORSYTH CO., N.C.

ADMINISTRATIVE ORDER

In accordance with Chief Justice Beasley's Orders pursuant to G.S. 7A-39(b)(2) declaring that catastrophic conditions exist in all North Carolina counties, and emergency directives entered as a part of those Orders, the Local Rules of Forsyth County are Amended, for the duration of the above-referenced Orders and emergency directives, as follows in regard to the hearing of civil motions by Video Teleconference:

Civil motions may be heard via video teleconference (i.e. via WebEx). Hearings will be audio-recorded by the courtroom clerk. ***Consent of the parties to participate in the hearing via WebEx and to the courtroom clerk audio recording the hearing will be presumed.*** Parties who object, for good cause, to the hearing being conducted via WebEx or to the courtroom court audio-recording the hearing must submit a written objection via email to Vicky Rogers (Vicky.D.Rogers@nccourts.org) in the Superior Court Judges Office within three (3) days of receipt of the calendar request. If a hearing is held via WebEx, all parties and counsel must appear remotely (i.e., no hearings will be split between remote and in-person).

Parties must submit a Calendar Request for Video Teleconference Motion Hearing by email to Vicky Rogers (Vicky.D.Rogers@nccourts.org) and to Jason Adams Jason.D.Adams@nccourts.org) indicating the dates and times for the proposed week they are available for the same. Parties will receive: 1) a Notice of Hearing email advising them of the date, time and procedure for the video teleconference hearing; and 2) a WebEx meeting invitation. Parties must submit a Calendar Request no later than 5:00 pm on the Monday of the week before

the week of the requested hearing. The Notice of Hearing email with the date/time and the invitation to join the WebEx meeting will be the only notice of hearing to parties.

Briefs and supporting materials should be exchanged as set out under the North Carolina Rules of Civil Procedure and as modified by any Order of the Chief Justice of North Carolina. Counsel and parties should submit all supporting materials to the Court, including affidavits, record citations, and briefs at least two days in advance of the hearing by email to Vicky Rogers (Vicky.D.Rogers@nccourts.org) and to Jason Adams (Jason.D.Adams@nccourts.org). Counsel and parties are reminded that any submissions should be reasonable as to length and volume in light of the remote nature of the hearing and the constraints on individual judges' ability to print materials. Proposed Orders should be submitted in MS Word format. If exhibits are tendered and received, the offering party shall submit a digital copy to the courtroom clerk at the conclusion of the hearing. Communications and arguments contained within the body of emails will **NOT** be considered by the Court. The length of a hearing will be set by the Court with consideration given to the estimate contained in the Calendar Request. Hearings will begin and conclude promptly at the times set out in the Calendar.

The Court may decline to hear a motion by video teleconference based on a review of the case file, the nature of the motion, and the inherent limitations of a video teleconference 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 the named litigants or the attorneys of record will be allowed to speak during the video conference.

Notwithstanding the use of video conferencing, proper courtroom decorum as outlined in Rule 12 of the General Rules of Practice for the Superior and District Courts is required. However, business casual shall be the appropriate dress for counsel appearing via video teleconference.

This the 12th day of May, 2020

A handwritten signature in black ink, reading "L. Todd Burke". The signature is written in a cursive style with a horizontal line underneath the name.

L. Todd Burke
Senior Resident Judge
21st Judicial District