



**PROCEDURES FOR  
REMOTE HEARINGS IN  
THE 26TH JUDICIAL  
DISTRICT**

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## **District Court Arbitration Hearings:**

All matters shall be heard via a Webex hearing. Beginning with the October sessions, all calendars will be published approximately 30 days in advance of the session date. The arbitration notice will consist of the date, time and assigned arbitrator's name, as well as the meeting link for the arbitration hearing for the parties/attorneys. The meeting link for all arbitrations is

<https://nccourts.webex.com/meet/mecklenburg.arbitration> Each party and their attorney must sign into the arbitration hearing at their designated time for the hearing.

Notice of hearing will be accompanied by Pre-Arbitration Submission form. This form serves as an outline of discovery and will be shared between the parties at least ten (10) days prior to hearing.

Parties must submit the Pre-Arbitration form and any accompanying documents to [ADR@nccourts.org](mailto:ADR@nccourts.org) by 4:30 PM the day prior to their hearing. ADR Coordinator will compile information and provide it to the Arbitrator the day of the hearing.

Each notice shall contain language advising all parties, or their attorneys, that failure to attend the Webex hearing will not be cause for a continuance and the hearing will move forward as scheduled. The notice shall also include language informing of the process to follow if a reason exists that makes it impossible to participate in a hearing by Webex. The motion for Exemption from Remote Proceeding shall follow the same rules and submission deadlines as a motion for continuance. Upon receipt of such motion, the ADR Coordinator will hold the motion for two days and will rule on the motion upon expiration of the two-day holding period. When an exemption from remote proceeding is granted, the matter will be reset by the ADR Coordinator to a date and time certain for a live session to be held. The ADR Coordinator will file all paperwork with Clerk's office by Friday following the hearing. The parties will have thirty (30) days from the date of filing to file a Trial De Novo and pay arbitration fees.

Submissions to the Caseflow Management office must be done via email or US Postal Service and should not be physically delivered if it may be emailed or mailed to staff. Only send one copy to the ADR Coordinator by email or, if email is not an available option, mail a hard copy by US Postal Service. Hard copies should only be mailed when marked as being necessary. Submission through email will ensure a timely response and decreased processing times. Mailed or delivered items will experience a longer processing and response time.

- **Motions to Continue District Court Arbitration Hearing (CVD)** – should be file stamped and emailed to Katie Dolan (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded – Form CCF-5A
- **Orders accompanying the Motion to Continue District Court Arbitration Hearing (CVD)** – should NOT be file stamped and should be emailed with the Motion to Katie Dolan (hard copy is not necessary) – Form CCF-5B
- **Objections to the Motion to Continue Arbitration Hearing (CVD)** – should be emailed to Katie Dolan, filed or unfiled, within 2 business days of service of the motion (hard copy is not necessary) – Form CCF-6

- **Motions for Exemption from Remote Proceeding in District Court Arbitration (CVD)** – should be file stamped and emailed to Katie Dolan (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-85A
- **Orders accompanying the Motion Exemption from Remote Proceeding in District Court Arbitration (CVD)** – should NOT be file stamped and should be emailed with the Motion to Katie Dolan. (hard copy is not necessary) – Form CCF-85B
- **Objections to the Motion for Exemption from Remote Proceeding in District Court Arbitration (CVD)** – should be emailed to Katie Dolan, filed or unfiled, within 2 business days of service of the motion. (hard copy is not necessary) – Form CCF-86
- **Appeal of TCA’s Ruling on Exemption from Remote Proceeding in District Court Arbitration (CVD)** – should be file stamped and emailed to Katie Dolan (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-85C
- **Secured Leave** – should be emailed to Annmarie Spiegel (hard copy is not necessary) – Form CCF-27 (please do not send one to each staff member in Caseflow or to the TCA. If you have FC cases, please do send to them as well)
- **Voluntary Dismissal or Proof of Filing related to Arbitration Case in District Court (CVD)** – Should be filed stamped and emailed to Katie Dolan (hard copy is not necessary)

Please make certain to allow enough time for your documents to be filed, returned to you and subsequently submitted to our office in advance of the deadline assigned.

In situations that require a signed and filed copy be returned to you, the ADR Coordinator will advise you once the Signed and Filed copy is ready and how you may obtain a copy.

### **District Civil Motions Courtroom 6330:**

For the month of September, there will be motions and then the trial sessions will begin being phased into the schedule in October. Beginning with the October sessions, all calendars will be published approximately 30 days in advance of the session date. There will be two weeks of eviction trials, one week of collection trials, one week of motions and then the rotation will start over again. As the caseload volume changes, the rotation between trial weeks and motions may be adjusted accordingly to match the needs of the changing caseload volume.

The requesting party/attorney must use Justice Initiative’s Court Calendar online scheduling system <https://justiceinitiatives.org/courtcal/> or contact the Caseflow Coordinator to obtain a hearing date and time. Requests should be emailed, if possible, and must include the case caption, the total amount of time needed from beginning to end for the matter to be heard, the type of motion being requested and the name of the attorney/party requesting the hearing. The time requested for the hearing will be strictly followed and must be as accurate an estimate as possible of the total time needed by all parties/attorneys for the hearing to be completed. Because each case is set for a specific date and time, the allotment of time for each hearing must remain within the parameters set based on the reported time needed for the hearing. The presiding judge will hold all parties/attorneys to the timeframe provided for the hearing. The Caseflow Coordinator will schedule the hearing. The requesting party is responsible for sending a Notice of Hearing. Each party or their attorney must

complete Local Form CCF-00 (AudioVideo Conference Required Information Form or Stipulation for Decision on the Briefs) and return the form to the Caseflow Coordinator via email immediately upon receipt and confirmation of the hearing date and time and no later fifteen (15) days prior to the start of the session date. The Caseflow Coordinator will send a Notice of WebEx hearing at the time the calendar is published approximately thirty (30) days prior to the session beginning. The Notice sent by the Caseflow Coordinator specifies the Required Information form must be returned via email at least fifteen (15) days prior to the start of the session. The case number and case caption must be included in the subject line of the email. The email address is [Felicia.T.Forney@nccourts.org](mailto:Felicia.T.Forney@nccourts.org). If email is not an available option, they must call the Caseflow Coordinator at 704-686-0188 to provide the required information. On the Wednesday prior to the start of the session, the Caseflow Coordinator will schedule and send the Webex invitations to the parties/attorneys, the courtroom clerk and the presiding judge. It is the responsibility of the parties/attorneys to contact the Caseflow Coordinator by the close of business on the Thursday prior to the start of the session if the Webex invitation was not received.

The courtroom clerk will establish and utilize LiquidFiles for the exchange of discovery, exhibits, documents, briefs, etc. for the hearing. The courtroom clerk will swear in or affirm all persons providing testimony to the Court during the hearing. Attorneys or parties desiring to present evidence in real time shall either use the “share screen” option in Webex or ask the courtroom clerk to make a document from the liquid files available for viewing by the witness. All attorneys/parties shall be given the opportunity to cross examine witnesses, as they would in a live hearing. The hearing will be conducted in the manner as a live hearing as much as reasonably possible.

Unless exigent circumstances arise, which could not have been reasonably foreseen prior to the expiration of the deadline to submit motions for continuance, no case will be continued after the deadline has expired for submission of such motions. Local Rule 9, along with all other relevant rules, remain intact and must be adhered to by all parties and attorneys. Each notice shall contain language advising all parties, or their attorneys, that failure to provide the required contact information needed to conduct the Webex hearing or failure to attend the Webex hearing will not be cause for a continuance and the hearing will move forward as scheduled. The notice shall also include language informing of the process to follow if a reason exists that makes it impossible to participate in a hearing by Webex. The motion for Exemption from Remote Proceeding shall follow the same rules and submission deadlines as a motion for continuance. Upon receipt of such motion, the Caseflow Coordinator will hold the motion for two (2) days and will rule on the motion upon expiration of the two (2) day holding period. When an exemption from remote proceeding is granted, the matter will be reset by the Caseflow Coordinator to a date and time certain for a live session to be held.

Submissions to the Caseflow Management office must be done via email or US Postal Service and should not be physically delivered if it may be emailed or mailed to staff. Only send one copy to the Caseflow Coordinator by email or, if email is not an available option, mail a hard copy by US Postal Service. Hard copies should only be mailed when marked as being necessary. Submission through email will ensure a timely response and decrease processing times. Mailed or delivered items will experience a longer processing and response time.

- **Motions to Continue District Court Motion (CVD)** – should be file stamped and emailed to Felicia Forney (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-5A

- **Orders accompanying the Motion to Continue District Court Motion (CVD)** – should NOT be file stamped and should be emailed with the Motion to Felicia Forney (hard copy is not necessary) – Form CCF-5B
- **Objections to the Motion to Continue (CVD)** – should be emailed to Felicia Forney, filed or unfiled, within 2 business days of service of the motion (hard copy is not necessary) – Form CCF-6
- **Motions for Exemption from Remote Proceeding in District Court Trial or Courtroom Hearing (CVD)** – should be file stamped and emailed to Felicia Forney (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-85A
- **Orders accompanying the Motion Exemption from Remote Proceeding in District Court Trial or Hearing (CVD)** – should NOT be file stamped and should be emailed with the Motion to Felicia Forney (hard copy is not necessary) – Form CCF-85B
- **Objections to the Motion Exemption from Remote Proceeding (CVD)** – should be emailed to Felicia Forney, filed or unfiled, within two (2) business days of service of the motion (hard copy is not necessary) – Form CCF-86
- **Appeal of TCA’s Ruling on Exemption from Remote Proceeding in District Court Trial or Hearing (CVD)** – should be file stamped and emailed to Felicia Forney (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-85C
- **Notice of Hearing/Motion in District Court (CVD)** – can, but are not required to be, filed stamped and emailed to Felicia Forney (hard copy is not necessary)

Please make certain to allow enough time for your documents to be filed, returned to you and subsequently submitted to our office in advance of the deadline assigned.

In situations that require a signed and filed copy be returned to you, the Caseflow Coordinator will advise you once the Signed and Filed copy is ready and how you may obtain a copy.

### **50C Return Hearings (handled through the Clerk of Court, Not Caseflow Management):**

50C Return Hearings shall be heard via a Webex hearing beginning at 9:00 AM every Thursday of the District court week assigned to <https://nccourts.webex.com/meet/MeckCR6330.sh>. The Clerk’s office will schedule the hearings for the first available time based on the request of the filing party. Granted Ex Parte requests for No-Contact shall be scheduled for the next available Thursday not to exceed fifteen (15) days from issuance of the Ex Parte Order. Requests without Ex Parte relief or denied Ex Parte orders will be scheduled for hearing in approximately thirty (30) days on the first available Thursday.

Notice of Return Hearings will include a link to the Webex meeting. A docket call will be held at 9:00 AM 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. The courtroom clerk will swear in or affirm all persons providing testimony to the Court during the trial. Attorneys or parties desiring to present evidence in real time shall either use the “share screen” option in Webex or ask the courtroom clerk to make a document from the liquid files available for viewing by the witness. All attorneys/parties shall be given the opportunity to cross

examine witnesses, as they would in a live trial. The trial will be conducted in the same manner as a live trial as much as reasonably possible. The courtroom clerk and judge will serve as co-hosts of the Webex hearing. The courtroom clerk will be responsible for managing the hearing by recording the Webex hearing, muting any participants who are not speaking and do not have their microphones muted during the hearing, moving participants into the Lobby if necessary, and monitoring the access to the hearing from participants waiting in the Lobby. If there is a need to create break-out sessions during the hearing, the person in the host role will be responsible for creating the rooms and assigning the necessary participants to the appropriate break-out session.

Motions to continue shall be sent by email to [Kent.Matzinger@nccourts.org](mailto:Kent.Matzinger@nccourts.org). The subject line shall include case number and motion to continue. The email will be printed by the Clerk's office for Judge to review at the scheduled time for Return Hearing. Other motions related to No-Contact orders shall be filed at the Domestic Violence window located in the Clerk of Court - Civil Suite 3725 on the third floor of the courthouse.

### **Preliminary Injunctions (in General Civil District Court)**

Preliminary Injunction Hearings shall be heard via a Webex hearing beginning at 1:30 PM every Thursday of the District court week assigned to <https://nccourts.webex.com/meet/MeckCR6330.sh> The Clerk's office will schedule the hearing for the first available Thursday not to exceed fifteen (15) days of the issuance of a granted TRO order by a District Court Judge.

The Notice of Preliminary Injunction will include a link to the Webex meeting, a 1:30 PM docket call will be held to identify parties scheduled for the Thursday afternoon 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. The courtroom clerk will swear in or affirm all persons providing testimony to the Court during the trial. Attorneys or parties desiring to present evidence in real time shall either use the "share screen" option in Webex or ask the courtroom clerk to make a document from the liquid files available for viewing by the witness. All attorneys/parties shall be given the opportunity to cross examine witnesses, as they would in a live trial. The trial will be conducted in the same manner as a live trial as much as reasonably possible. The the courtroom clerk and judge will serve as co-hosts of the Webex hearing. The courtroom clerk will be responsible for managing the hearing by recording the Webex hearing, muting any participants who are not speaking and do not have their microphones muted during the hearing, moving participants into the Lobby if necessary, and monitoring the access to the hearing from participants waiting in the Lobby. If there is a need to create break-out sessions during the hearing, the person in the host role will be responsible for creating the rooms and assigning the necessary participants to the appropriate break-out session.

### **Live Divorces (handled through the Clerk of Court, Not Caseflow Management)**

Live Divorces shall be heard via a Webex hearing beginning at 1:30 PM every Thursday of the District court week assigned to <https://nccourts.webex.com/meet/MeckCR6330.sh> The Clerk's office will schedule the hearing for the first available Thursday based on the request of the filing party. Dates for Live Divorces will be located at the customer service windows in the Clerk of Court – Civil Suite 3725 on the third floor of the courthouse.

A Notice of Live Divorce will include a link to the Webex meeting, a 1:30 PM docket call will be held 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. The courtroom clerk will swear in or affirm all persons providing testimony to the Court during the trial. Attorneys or parties desiring to present evidence in real time shall either use the “share screen” option in Webex or ask the courtroom clerk to make a document from the liquid files available for viewing by the witness. All attorneys/parties shall be given the opportunity to cross examine witnesses, as they would in a live trial. The trial will be conducted in a manner as a live trial would be handled as much as is reasonably possible. The courtroom clerk and judge will serve as co-hosts of the Webex hearing. The courtroom clerk will be responsible for managing the hearing by recording the Webex hearing, muting any participants who are not speaking and do not have their microphones muted during the hearing, moving participants into the Lobby if necessary, and monitoring the access to the hearing from participants waiting in the Lobby. If there is a need to create break-out sessions during the hearing, the person in the Host role will be responsible for creating the rooms and assigning the necessary participants to the appropriate break-out session.

### **District General Civil Bench Trials Courtroom 6330:**

All matters, other than jury trials shall be heard via a Webex hearing. For the month of September, there will be motions and trial sessions will phase in during October. Beginning with the October sessions, all calendars will be published approximately thirty (30) days in advance of the session date and a calendar call will be held via Webex at 1:30 PM on the Friday prior to the start of each trial session. The calendar call will be held by Webex using the dedicated URL for this courtroom: <https://nccourts.webex.com/meet/MeckCR6330.sh> There will be two weeks of eviction trials, one week of collection trials, one week of motions and then the rotation will start over again. As the caseload volume changes, the rotation between trial weeks and motions may be adjusted accordingly to match the needs of the changing caseload volume. At the time the trial notices are issued, a Required Information Form will be included, which is also available online (CCF-00). The Required Information Form must be returned by email to the Caseflow Coordinator at least 15 days prior to the trial date. The case number and case caption must be included in the subject line of the email. The email address is [Felicia.T.Forney@nccourts.org](mailto:Felicia.T.Forney@nccourts.org) If the party does not have access to email, they must call the Caseflow Coordinator at 704-686-0188 prior to the expiration of the fifteen (15) day deadline to provide the required information.

The Notice of Trial will include a link to a Webex meeting using the dedicated courtroom URL, which will be the mandatory calendar call link. The calendar call shall be held on the Friday preceding the start of the session at 1:30 PM. During the calendar call, the Caseflow Coordinator will establish the trial order and shall set each case for a specific date and time, or if reported settled, will remove the case from the trial calendar session and place the case on the appropriate track. The parties/attorneys shall be notified of their specific trial calendar setting date and time during the calendar call. If there are remaining cases on the trial calendar in which a specific date and time are not assigned for trial, the case shall be placed in a stand-by status. Any case placed in stand-by status may be called to trial during the session if a trial space becomes available. If a stand-by case is being moved to a trial date and time, the parties/attorneys will be provided a minimum of 4-hour notice by the



courtroom clerk prior to the newly assigned trial time. Any party or attorney who does not have their email address on file will be identified during the calendar call and the email address will be obtained from the party or attorney by the Caseflow Coordinator. Immediately following the calendar call, the Caseflow Coordinator will schedule all Webex hearings and issue the email invitation to the parties and/or attorneys, the courtroom clerk and the assigned judge. It is the responsibility of the party/attorney to contact the Caseflow Coordinator between 4:00 PM and 5:00 PM on the Friday preceding the start of the session if the Webex invitation was not received.

The needed trial time reported at calendar call will be strictly followed for trial. Because each case is set for a specific date and time, the allotment of time for each trial must remain within the parameters set based on the reported time needed during the calendar call. The presiding judge will hold all parties/attorneys to the timeframe provided for the hearing. The courtroom clerk will establish and utilize LiquidFiles for the exchange of discovery, exhibits, documents, briefs, etc. for the trial. The courtroom clerk will swear in or affirm all persons providing testimony to the Court during the trial. Attorneys or parties desiring to present evidence in real time shall either use the "share screen" option in Webex or ask the courtroom clerk to make a document from the liquid files available for viewing by the witness. All attorney/parties shall be given the opportunity to cross examine witnesses, as they would in a live trial. The trial will be conducted in a manner as a live trial would be handled as much as is reasonably possible. The Webex hearings will be established by the Caseflow Coordinator making the courtroom clerk and the judge as co-host to the meeting. The hearings will be locked after 15 minutes. The courtroom clerk will be responsible for managing the hearing by recording the Webex hearing, muting any participants who are not speaking and do not have their microphones muted during the hearing, moving participants into the Lobby if necessary, and monitoring the access to the hearing from participants waiting in the Lobby. If there is a need to create break-out sessions during the hearing, the person in the Host role will be responsible for creating the rooms and assigning the necessary participants to the appropriate break-out session.

Unless exigent circumstances arise, which could not have been reasonably foreseen prior to the expiration of the deadline to submit motions for continuance, no case will be continued after the trial order is set. Local Rule 9, along with all other relevant rules, remain intact and must be adhered to by all parties and attorneys. Each notice shall contain language advising all parties, or their attorneys, that failure to provide the required contact information needed to conduct the Webex hearing or failure to attend the Webex hearing will not be cause for a continuance and the hearing will move forward as scheduled. The notice shall also include language informing of the process to follow if a reason exists that makes it impossible to participate in a hearing by Webex. The motion for Exemption from Remote Proceeding shall follow the same rules and submission deadlines as a motion for continuance. Upon receipt of such motion, the Caseflow Coordinator will hold the motion for two days and will rule on the motion upon expiration of the two-day holding period. When an exemption from remote proceeding is granted, the matter will be reset by the Caseflow Coordinator to a date and time certain for a live session to be held. Upon Completion of each trial session, and not later than the Wednesday following completion of the session, the courtroom clerk shall provide a copy of the calendar with the outcomes listed for each case to the Caseflow Coordinator.

Submissions to the Caseflow Management office must be done via email or US Postal Service and should not be physically delivered if it may be emailed or mailed to staff. Only send one copy to the Caseflow Coordinator by email or, if email is not an available option, mail a hard copy by US Postal Service. Hard copies should only be

mailed when marked as being necessary. Submission through email will ensure a timely response and decreased processing times. Mailed or delivered items will experience a longer processing and response time.

- **Motions to Continue District Court Trial or Courtroom Hearing (CVD)** – should be file stamped and emailed to Felicia Forney (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-5A
- **Orders accompanying the Motion to Continue District Court Trial or Hearing (CVD)** – should NOT be file stamped and should be emailed with the Motion to Felicia Forney. (hard copy is not necessary) – Form CCF-5B
- **Objections to the Motion to Continue (CVD)** – should be emailed to Felicia Forney, filed or unfiled, within 2 business days of service of the motion. (hard copy is not necessary) – Form CCF-6
- **Motions for Exemption from Remote Proceeding in District Court Trial or Courtroom Hearing (CVD)** – should be file stamped and emailed to Felicia Forney (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-85A
- **Orders accompanying the Motion Exemption from Remote Proceeding in District Court Trial or Hearing (CVD)** – should NOT be file stamped and should be emailed with the Motion to Felicia Forney. (hard copy is not necessary) – Form CCF-85B
- **Objections to the Motion Exemption from Remote Proceeding (CVD)** – should be emailed to Felicia Forney, filed or unfiled, within 2 business days of service of the motion. (hard copy is not necessary) – Form CCF-86
- **Appeal of TCA’s Ruling on Exemption from Remote Proceeding in District Court Trial or Hearing (CVD)** – should be file stamped and emailed to Felicia Forney (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-85C
- **Peremptory Setting Requests in District Court Trial (CVD)** – Should NOT be file stamped and should be sent by email to Felicia Forney (hard copy is not necessary) – Form CCF-3
- **Voluntary Dismissal or Proof of Filing related to Clean-up Matter for District Court (CVD)** – Should be filed stamped and emailed to Felicia Forney and Katie Dolan (hard copy is not necessary)
- **Secured Leave** – should be emailed to Annmarie Spiegel (hard copy is not necessary) – Form CCF-27 (please do not send one to each staff member in Caseflow or to the TCA. If you have FC cases, please do send to them as well)

Please make certain to allow enough time for your documents to be filed, returned to you and subsequently submitted to our office in advance of the deadline assigned.

In situations that require a signed and filed copy be returned to you, the Caseflow Coordinator will advise you once the Signed and Filed copy is ready and how you may obtain a copy.

**Motion Week Scheduling:**

<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
9:00 – Noon Motion Hearings	9:00 – Noon Motion Hearings	9:00 – Noon Motion Hearings	9:00 – Noon 50C Hearings	9:00 – Noon Clerk reconciles files from the week and prepares for the next week.
1:30 – 4:30 Motion Hearings	1:30 – 4:00 Motion Hearings	1:30 – 4:00 Motion Hearings	1:30 – 5:00 Preliminary Injunctions & Live Divorces	1:30 – 2:30 Trial Calendar Call <a href="https://nccourts.webex.com/meet/MeckCR6330.sh">https://nccourts.webex.com/meet/MeckCR6330.sh</a> 2:30 – 5:00 Clerk reconciles files from the week and prepares for next week.  TCA Caseflow Coordinator issues Webex invites for trials.

**Eviction Appeals and Bench Trial Weeks:**

<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
9:00 – Noon Trials set for specific time slots	9:00 – Noon Trials set for specific time slots	9:00 – Noon Trials set for specific time slots	9:00 – Noon 50C Hearings	9:00 – Noon Clerk reconciles files from the week and prepares for the next week.
1:30 – 4:00 Trials set for specific time slots	1:30 – 4:00 Trials set for specific time slots	1:30 – 4:00 Trials set for specific time slots	1:30 – 4:00 Preliminary Injunctions  Live Divorces	1:30 – 2:30 Trial Calendar Call <a href="https://nccourts.webex.com/meet/MeckCR6330.sh">https://nccourts.webex.com/meet/MeckCR6330.sh</a> 2:30 – 5:00 Clerk reconciles files from the week and prepares for next week.  TCA Caseflow Coordinator issues Webex invites for trials.

## **Superior Civil Motions Courtroom 6310:**

Beginning with the November sessions, all calendars will be phased into being published approximately thirty (30) days in advance of the session date and hearings will be done remotely using the Webex platform. Unless an exemption from the remote hearing process is granted, all motions will be held remotely. The Caseflow Coordinator will utilize a preplanned template containing specific scheduling options for a date and time certain. The morning session is designed to accommodate lengthier hearings and has four settings with each setting allowing for a hearing up to thirty (30) minutes and one setting which allows for a hearing length up to one-hour on Tuesdays through Thursdays. Due to a later start time, on Mondays the morning session has three 30-minute settings and one available option for a one (1) hour hearing. The afternoon sessions will allow for five (5) 15-minute hearings, which are spread out during the afternoon in twenty (20) minute increments. The afternoon session also provides one additional option for a one-hour hearing. If a remote hearing will exceed 1 hour in duration, efforts will be made to combine existing slots together to create the needed time for the hearing. If this is not an option and time is of the essence, the Friday morning sessions will be used to allow for the longer hearing. **The needed time requested for the hearing will be strictly followed for hearing and must be as accurate an estimate as possible of the total time needed by all parties/attorneys for the hearing to be completed. Because each case is set for a specific date and time, the allotment of time for each hearing must remain within the parameters set based on the reported time needed for the hearing. The presiding judge will hold all parties/attorneys to the timeframe provided for the hearing.**

The requesting party/attorney must use Justice Initiative's Court Calendar online scheduling system <https://justiceinitiatives.org/courtcal/> or contact the Caseflow Coordinator to obtain a hearing date and time. Requests should be emailed, if possible, and must include the case caption, the total amount of time needed from beginning to end for the matter to be heard, the type of motion being requested and the name of the attorney/party requesting the hearing. The Caseflow Coordinator will schedule the hearing. The requesting party is responsible for sending a Notice of Hearing. Each party or their attorney must complete Local Form CCF-00 (AudioVideo Conference Required Information Form or Stipulation for Decision on the Briefs) and return the form to the Caseflow Coordinator via email immediately upon receipt and confirmation of the hearing date and time and no later than 15 days prior to the start of the session date. The case number and case caption must be included in the subject line of the email. The email address is [Annmarie.Spiegel@nccourts.org](mailto:Annmarie.Spiegel@nccourts.org) If email is not an available option, they must call the Caseflow Coordinator at 704-686-0190 to provide the required information. On the Wednesday prior to the start of the session, the Caseflow Coordinator will schedule and issue the Webex invitations to the parties/attorneys, the courtroom clerk and the presiding judge. It is the responsibility of the parties/attorneys to contact the Caseflow Coordinator on the Thursday prior to the start of the session if the Webex invitation was not received.

All briefs must be emailed to [D26.Briefs@nccourts.org](mailto:D26.Briefs@nccourts.org) no later than two (2) 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. The courtroom clerk will establish and utilize LiquidFiles for the exchange of discovery, exhibits, documents, etc. for the hearing. Attorneys or parties desiring to present evidence in real time shall either use the "share screen" option in Webex or ask the courtroom clerk to make a document from the liquid files available for viewing. The hearing will be conducted in the same manner as a live hearing as much as reasonably possible.

Unless exigent circumstances arise, which could not have been reasonably foreseen prior to the expiration of the deadline to submit motions for continuance, which is 12:00 PM (noon) on the Wednesday preceding the start of the session, no case will be continued after the deadline has expired for submission of such motions. Local Rules remain intact and must be adhered to by all parties and attorneys. Each notice issued by the court shall contain language advising all parties, or their attorneys, that failure to provide the required contact information needed to conduct the Webex hearing or failure to attend the Webex hearing will not be cause for a continuance and the hearing will move forward as scheduled. The notice shall also include language informing of the process to follow if a reason exists that makes it impossible to participate in a hearing by Webex. The motion for Exemption from Remote Proceeding shall follow the same rules and submission deadlines as a motion for continuance. Upon receipt of such motion, the Caseflow Coordinator will hold the motion for two days and will rule on the motion upon expiration of the two-day holding period. When an exemption from remote proceeding is granted, the matter will be reset by the Caseflow Coordinator to a date and time certain for a live session to be held.

Submissions to the Caseflow Management office must be done via email or US Postal Service and should not be physically delivered if it may be emailed or mailed to staff. Only send one (1) copy to the Caseflow Coordinator by email or, if email is not an available option, mail a hard copy by US Postal Service. Hard copies should only be mailed when marked as being necessary. Submission through email will ensure a timely response and decreased processing times. Mailed or delivered items will experience a longer processing and response time.

- **Motions to Continue Superior Court Motion (CVS)** – must be file stamped and emailed to Annmarie Spiegel (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-5A
  
- **Orders accompanying the Motion to Continue Superior Court Motion (CVS)** – should NOT be file stamped and should be emailed with the Motion to Annmarie Spiegel (hard copy is not necessary) – Form CCF-5B
  
- **Objections to the Motion to Continue the Motion (CVS)** – should be emailed to Annmarie Spiegel, filed or unfiled, within 2 business days of service of the motion (hard copy is not necessary) – Form CCF-6
  
- **Motions for Exemption from Remote Proceeding in Superior Court Motion or Courtroom Hearing (CVS)** – should be file stamped and emailed to Annmarie Spiegel (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-85A
  
- **Orders accompanying the Motion Exemption from Remote Proceeding in Superior Court Motion or Hearing (CVS)** – should NOT be file stamped and should be emailed with the Motion to Annmarie Spiegel (hard copy is not necessary) – Form CCF-85B
  
- **Objections to the Motion Exemption from Remote Proceeding in Superior Court Motion Proceeding (CVS)** – should be emailed to Annmarie Spiegel, filed or unfiled, within 2 business days of service of the motion (hard copy is not necessary) – Form CCF-86
  
- **Appeal of TCA’s Ruling on Exemption from Remote Proceeding in Superior Court Motion Hearing (CVS)** – should be file stamped and emailed to Annmarie Spiegel (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-85C
  
- **Notice of Hearing/Motion in Superior Court (CVS)** – can, but are not required to be, filed stamped and emailed to Annmarie Spiegel (hard copy is not necessary)

- **Secured Leave** – should be emailed to Annmarie Spiegel (hard copy is not necessary) – Form CCF-27 (please do not send one to each staff member in Caseflow or to the TCA. If you have FC cases, please do send to them as well)
- **Voluntary Dismissal or Proof of Filing related to Superior Court Trial, Motion or Clean-up Matter (CVS)** – Should be filed stamped and emailed to Deborah Savage (for trials), Meredith Davis (for clean-up) and Annmarie Spiegel (for motions) (hard copy is not necessary)

Please make certain to allow enough time for your documents to be filed, returned to you and subsequently submitted to our office in advance of the deadline assigned.

In situations that require a signed and filed copy be returned to you, the Caseflow Coordinator will advise you once the Signed and Filed copy is ready and how you may obtain a copy

**Motion Week Scheduling:**

Monday	Tuesday	Wednesday	Thursday	Friday
10:00 – 12:30 Motion Hearings	9:30 – 12:30 Motion Hearings	9:30 – 12:30 Motion Hearings	9:30 – 12:30 Motion Hearings	8:00 – 12:30 Clerk reconciles files from the week and prepares for the next week.  9:30 – 12:30 Hearing exceeding 1 hour in length that are unable to be added to existing calendars.
2:00 – 4:40 Motion Hearings	2:00 – 4:40 Motion Hearings	2:00 – 4:40 Motion Hearings  2:00-5:00 TCA sends calendar invites	2:00 – 4:40 Motion Hearings	2:00 – 5:00 Clerk reconciles files from the week and prepares for next week.

**Superior Civil Bench Trials (Jury trials resume for civil matters on 11/30/20. Bench trials will then be included on the jury trial calendar and not separated out for remote hearings):**

The Caseflow Manager issued the Case Management Order approximately seven (7) to eight (8) months in advance of session date, assigning trial date. Approximately one and a half (1.5) to two (2) weeks prior to the publication of the calendar, the Caseflow Coordinator will reach out to the parties to determine which cases assigned to trial during the session will be bench trials and which will be jury trials. As stated in Rule 38(d), if any party wishes to withdraw their demand for a jury trial, they need the consent of the other parties that have

made an appearance in the case. Until the resumption of jury trials, all bench trials will be handled in person in courtroom 6130.

During the calendar call, the judge will establish the trial order for the week. The needed time requested for the trial during the calendar call will be strictly followed for hearing and must be as accurate an estimate as possible of the total time needed by all parties/attorneys for the trial to be completed.

Submissions to the Caseflow Management office must be done via email or US Postal Service and should not be physically delivered if it may be emailed or mailed to staff. Only send one copy to the Caseflow Manager by email or, if email is not an available option, mail a hard copy by US Postal Service. Hard copies should only be mailed when marked as being necessary. Submission through email will ensure a timely response and decreased processing times. Mailed or delivered items will experience a longer processing and response time.

- **Motions to Continue Superior Court Trial (CVS)** – must be file stamped and emailed to Deborah Savage (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-5A
- **Orders accompanying the Motion to Continue Superior Court Trial (CVS)** – should NOT be file stamped and should be emailed with the Motion to Deborah Savage (hard copy is not necessary) – Form CCF-5B
- **Objections to the Motion to Continue (CVS)** – should be emailed to Deborah Savage, filed or unfiled, within 2 business days of service of the motion (hard copy is not necessary) – Form CCF-6
- **Motions for Exemption from Remote Proceeding in Superior Court Trial (CVS)** – should be file stamped and emailed to Deborah Savage (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-85A
- **Orders accompanying the Motion Exemption from Remote Proceeding in Superior Court Trial (CVS)** – should NOT be file stamped and should be emailed with the Motion to Deborah Savage (hard copy is not necessary) – Form CCF-85B
- **Objections to the Motion Exemption from Remote Proceeding for Superior Trial (CVS)** – should be emailed to Deborah Savage, filed or unfiled, within 2 business days of service of the motion (hard copy is not necessary) – Form CCF-86
- **Appeal of TCA's Ruling on Exemption from Remote Proceeding in Superior Court Trial Hearing (CVS)** – should be file stamped and emailed to Deborah Savage (hard copy is not necessary) – unfiled motions **will not** be considered and will be discarded - Form CCF-85C
- **Proposed Consent Case Management Orders in Superior Court (CVS)** – (Must be signed by the attorneys) should NOT be file stamped and should be sent by email to Deborah Savage (hard copy is not necessary) – Form CCF-23A
- **Peremptory Setting Requests in Superior Court (CVS)** – Should NOT be file stamped and should be sent by email to Deborah Savage (hard copy is not necessary) – Form CCF-3
- **Secured Leave** – should be emailed to Annmarie Spiegel (hard copy is not necessary) – Form CCF-27 (please do not send one to each staff member in Caseflow or to the TCA; if you have FC cases, please do send them as well)

- **Medical Malpractice Discovery Scheduling Order (CVS)** – should NOT be file stamped and a hard copy should be mailed by US Postal Mail Service to Deborah Savage.
- **Voluntary Dismissal or Proof of Filing related to Clean-up Matter for Superior Court (CVS)** – should be filed stamped and emailed to Deborah Savage, Meredith Davis and Annmarie Spiegel (hard copy is not necessary)

Please make certain to allow enough time for your documents to be filed, returned to you and subsequently submitted to our office in advance of the deadline assigned.

In situations that require a signed and filed copy be returned to you, the Caseflow Manager will advise you once the Signed and Filed copy is ready and how you may obtain a copy.

**Superior Bench Trials:**

<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
10:00 – 10:30 Calendar Call	9:30 – 12:30 Bench Trials	9:30 – 12:30 Bench Trials	9:30 – 12:30 Bench Trials	8:00 – 12:30 Bench Trials
10:30 – 12:30 Bench Trials				
2:00 – 5:00 Bench Trials	2:00 – 4:40 Bench Trials	2:00 – 4:40 Bench Trials	2:00 – 4:40 Bench Trials	2:00 – 5:00 Bench Trials

**Child Support Process – Courtroom 8110:**

The Child Support Enforcement (CSE) agency schedules each case for a hearing on a specific date and time during a calendar session. Once the calendar is generated for the session, it is sent to the courtroom clerk approximately one week in advance of the session date. The courtroom clerk schedules the Webex hearings, using the email address provided by CSE, and issues invitations via email to the parties, the Child Support Enforcement Attorney, and the Child Support Enforcement Case Manager. The presiding judge over the session is issued the email invitation for the Webex hearing the morning of the scheduled hearing. CSE also issues a notice of hearing to required participants containing the date and time for the Webex hearing.

Webex hearings will be held Monday through Wednesday and Friday, six (6) hearings at each session. These cases are scheduled in thirty (30) minute intervals.

In-person hearings will be Thursday every week. The first and second Thursday of the month will be in-person contempt hearings. The third and fourth Thursday of the month will be in-person contempt for the morning session and in-person establishment/modification hearings for individuals with technology issues or exemptions per the rules established for exemptions for WebEx hearings. The limit for in-person contempt hearings will be fifteen (15) for the morning and afternoon session. The morning session will begin at 8:00 AM and the afternoon session will begin at 1:00 PM. The in-person hearings for contempt are limited to fifteen (15) hearings



per session and modification/establishment hearings are limited to 6 per session. Public defenders will be assigned for Thursday in-person contempt hearings. Notice of hearings will be issued by CSE.

## **Family Court Cases during COVID-19 Pandemic (until further notice)**

### **DOMESTIC:**

#### **General Information**

- To allow for expansion of court proceedings in a manner to protect overall public health, all a presumption will apply requiring all hearings to be held by Web Ex. Based on the needs to provide safe operations, in person hearings for family court matters will be limited to specific days of the week during each session of domestic court.
- It is highly recommended that any filings with the clerk be made by mail, with return self-addressed stamped envelope to eliminate unnecessary foot traffic in the courthouse.
- Maximum occupancy for 8<sup>th</sup> floor courtrooms is sixteen (16) people, and for courtroom 6350, twenty-four (24) people. This does not include the judge, clerk and deputy.

#### **1. Divorces:**

Any Summary Judgment Motions filed going forward will be assigned dates beginning June 22, 2020. The process will be resuming normal operations. Please provide a self-addressed stamped envelope with submitted divorce judgments going forward.

Live divorces, please refer to the District Civil Motions Courtroom 6330 procedures.

#### **2. Motions:**

**Motions day (AM) (Virtual):** Motions shall be calendared beginning at 9:00 AM. Motions to Withdraw as Counsel are to be submitted as Consent Orders through family court whenever possible. Local Form CCF-7 should accompany each submission of a proposed Order to Withdraw. Orders to Withdraw shall include the client's address, telephone number, *and email address*. The Motions set on the calendar shall be staggered for hearing between 9:00 a.m. and 12:00 p.m. If necessary, the clerk will provide parties with the Webex link. If there are any Motions requiring testimony, or any Motions that will take longer than the Web Ex time slots allow, or there are other extenuating circumstances that prevent the Motion from being heard via Webex at the Monday morning Motions setting, the Judge will set those to be heard, presumptively via Webex, during the term at a time certain.

**Motions day (PM) (Virtual): Temporary Child Support (TCS) and Post-Separation Support (PSS):** The Mecklenburg County Local Rules permit hearing TCS and PSS cases by Affidavit only. These matters will be decided on Affidavits with limited exceptions. All TCS and PSS cases will be set on the Motions docket on the first Monday of the term at 1:30 p.m. (A limit may be imposed on the number of cases set for each term.) After obtaining a date from Family Court, the moving party shall serve the opposing party with a Notice of "Calendared Date" (see attached form).

Parties shall file with the court and serve upon the other party the Affidavit of Financial Standing and

serve upon the other party the required attachments to the Affidavit ten (10) days prior to the scheduled calendar date. Parties shall be permitted to file testimonial affidavits that shall not exceed fifteen (15) pages in total, double spaced, single sided, with no smaller than 12-point font. Multiple affidavits may be submitted, but the entirety of all affidavits shall not exceed the 15 page limit. These may include comments on the other party's financial information. The signature/notary page shall not be included in the limitation of page numbers. The testimonial affidavits shall be filed and served upon the other party no later than the Thursday prior to the Monday when the case is calendared. Filed Testimonial Affidavits and the non-filed supporting documents required to be exchanged pursuant to the Local Rules shall be delivered to the Judge's clerk by noon on Friday prior to the calendared date, by requesting the file clerk leave a copy on the courtroom clerk's desk, or by submitting the documents to the clerk via Liquid Files. During the time the matters are calendared, the judges' courtroom shall not be open, and the judge shall use the afternoon to review each of the matters calendared. The judge shall notify the parties/counsel of the ruling based on the review of verified pleadings, motions, financial affidavits and required attachments, and testimonial affidavits.

If a matter is complex (such as one party being self-employed), a party may file and serve "Request for Hearing on Temporary Matter" at the time the Affidavit of Financial Standing is filed and served. Family court shall hold these request for three (3) days, and the opposing party shall have an opportunity to file and submit a Response to the Request for the Judge's consideration. If the judge grants a hearing, the judge's clerk shall notify the parties of the date and time of the hearing, which may be at a different setting than the original "calendared date" and may be done by Web Ex. A hearing may be granted on the court's own Motion if the judge determines additional evidence beyond the affidavits is needed.

**3. Contempts (In-Person) (1<sup>st</sup> Tuesday):**

Dockets shall be staggered to allow for the courtroom to not exceed the maximum recommended occupants to allow for proper social distancing. Cases known to be for Civil Contempt may be scheduled via Webex. Criminal Contempt cases must be heard in person unless a waiver of appearance is filed (see AOC form). Calendar start times shall be staggered with each judge starting at 8:30 AM, 9:00 AM, or 9:30 AM. The judge's preference for their contempt day start time shall be communicated to their case coordinator. Up to two (2) cases per hour may be scheduled on contempt day, allowing for skipping 12:00 PM or 12:30 PM so that the court may have a lunch break.

**4. Pretrial Conferences:**

Pretrial conferences are strongly encouraged to be handled by Consent Orders and submitted prior to the calendared date. Parties may submit Consent Orders through family court prior to the date the pretrial conference is scheduled. The case coordinator will assist by providing Status Conference dates for Initial Pretrial Orders and trial term dates for Status Conference Checklist Orders for the Consent Orders. To obtain the dates for status conferences and trial terms, please contact the case coordinator *via e-mail only*. Pretrial Consent Orders shall be submitted to Family Court by the Friday at noon prior to the calendared Pretrial Conference. Only those cases without Consent Orders submitted will have an actual pretrial or status conference on the first Wednesday morning of the judge's term. These shall be done by Webex conference.

The pretrials and status conferences done via Webex may be staggered with the first half of the docket attending the Web Ex conference from the top of the hour to the bottom of the hour and the second

half of the docket attending the Web Ex conference beginning at the bottom of the hour. For example, if there are twenty (20) cases on the docket, cases 1-10 will appear for pretrial via Webex beginning at 9:00 AM and cases 11-20 will appear via Webex beginning at 9:30 AM. Only pro se litigants not able to attend via Webex should be in the courtroom for these matters. Pro se litigants can contact the case coordinator for their assigned Judge for questions related to attending the Webex or appearing in the courtroom.

#### **5. Calendar Call:**

Published calendars will be posted approximately twenty-three (23) days prior to the scheduled calendar call. Calendar calls shall be done via Webex Conference by visiting the Virtual Courtroom URLs:

<https://nccourts.webex.com/meet/meckcr6350.sh>, <https://nccourts.webex.com/meet/meckcr8310.sh>,  
<https://nccourts.webex.com/meet/meckcr8300.sh>, <https://nccourts.webex.com/meet/meckcr8170.sh>,  
<https://nccourts.webex.com/meet/meckcr8150.sh>, <https://nccourts.webex.com/meet/meckcr8130.sh>,  
<https://nccourts.webex.com/meet/meckcr8100.sh>

The clerk shall be responsible for setting up the Webex Conference for calendar call. The courtroom Webex link shall be on the notice of calendar call produced by the case coordinator. Fewer cases will be set on each judge's docket to minimize the need for cases not being reached, continued, or set for standby. This will mean it is highly likely that your case will be set and not continued. If you have a case on a published calendar and intend to request a continuance to another term, you should file a Motion to Continue at least 10 days prior to the scheduled calendar call. All Motions to Continue will be held by family court for 3 days to allow the opposing side to respond, according to the Local Rules. Judges shall rule on written Motions to Continue in advance of calendar call, and the clerk or case coordinator will notify the parties of the Judge's ruling. Continuance requests at calendar call should be a rarity. Each judge shall have their calendar call at their normal designated day and time of their session. The calendar call shall be done via Web Ex and may be staggered with the first half of the docket attending the Web Ex conference from the top of the hour to the bottom of the hour and the second half of the docket attending the Web Ex conference beginning at the bottom of the hour. For example, Judge Culler's calendar call is on the first Friday of the term at 10:00 a.m., if there are 20 cases on the docket, cases 1-10 will appear for calendar call via Web Ex beginning at 10:00 a.m. and cases 11-20 will appear for calendar call via Web Ex beginning at 10:30 a.m. Only pro se litigants not able to attend via Web Ex should be in the courtroom for calendar call. Pro se litigants can contact the case coordinator for their assigned Judge for questions related to attending the WebEx or appearing in the courtroom.

#### **6. Pro Se Day (2<sup>nd</sup> Tuesday and Wednesday) (In-Person):**

Pro Se Day shall have fewer cases set than in the past to allow for staggered appearances and proper social distancing. Calendar start times shall be staggered with each judge starting at 8:30 a.m., 9:00 a.m., or 9:30 a.m. The first Pro se day shall take place on the 2<sup>nd</sup> Tuesday of the session. The judge's preference for their consistent Pro Se Day start time shall be communicated to their case coordinator. Two cases per hour shall be set and noticed for seven specific time slots during the day, allowing for skipping 12:00 p.m. or 12:30 p.m. so that the court may have a lunch break.

A second Pro Se Day shall be set for each judge on the second Wednesday morning of the term for a half day (three time slots) to allow for a sufficient number of cases to be heard and a gradual reduction of

backlog. This changes the normal number of Pro Se cases set per session of approximately 17 in one day to 20 in a day and a half. Any case on the pro se docket that has a contempt issue shall be set on the 2<sup>nd</sup> Tuesday morning Pro Se Docket.

**7. Temporary Parenting Arrangements:**

TPAs will be handled on the verified and responsive motions, in most cases without a hearing. Presentation of Motions and Responses shall be through Family Court in the manner currently in effect in the local rules. If necessary, and directly related to the urgency raised by the Motion or Response, parties are permitted include Testimonial Affidavits with the Motion or Responsive Motion. Testimonial Affidavits must be served with the Motion or Response, and shall not exceed fifteen (15) pages in total, double spaced, single sided, with no smaller than 12-point font. The notary page shall not be included in the limitation of page numbers. Multiple affidavits may be submitted, but the entirety of all affidavits shall not exceed the 15 page limit. Testimonial affidavits shall not include any statements not admissible under the rules of evidence. Exhibits may be attached to the affidavits only if they are directly related to the urgency raised in the TPA Motion or Response and would be admissible in evidence. The judge may exclude any Affidavits that do not comply with these requirements. The judge shall rule on the submitted documents and notify the parties of the ruling. If the judge determines additional testimony is needed, then the judge may set a hearing, which may be via Web Ex.

**8. Emergency Custody and TROs:**

Emergency hearings will be heard by the assigned family court judge on the date and time and in the manner (i.e. Web Ex or in person) as the judge sets in the order.

**9. Domestic Violence:**

Courtrooms 4110 and 4130 are now being utilized for civil Domestic Violence matters. The clerks divide the case load between the courtrooms after docket call. One year return hearings are scheduled in the morning session only in both courtrooms. Any hearing that requires one hour or more for the presentation of evidence should be rescheduled as a remote hearing. The CSC has set aside each Wednesday afternoon for remote hearings. Return hearings for cases involving a Chapter 50 action shall be heard by the assigned Family Court judge. The courtroom clerk will communicate with the appropriate Family Court clerk to schedule these matters.

For return hearings on 50C cases, please refer to the District Civil Motions Courtroom 6330 procedures.

Ex Parte requests will be heard in the morning and afternoon sessions. The CSC will direct plaintiffs who file before 10:30 a.m. to go immediately to either Courtroom 4110 or 4130 for the Ex Parte hearing during the morning session. Requests for Ex Parte relief filed with the CSC between 10:30 a.m. and 12:00 p.m. will be scheduled for the afternoon session in either Courtroom 4110 or 4130. Parties seeking ex parte relief after 12:00 p.m. may file at the magistrates office or with the CSC the following day.

**10. Trials:**

See "Calendar Call" and "People in Attendance for in Person Hearings".

**11. People in Attendance for In Person Hearings:**

To protect the health and wellbeing of everyone involved, only the party, their attorney and essential witnesses shall be present at in person hearings and trials. Paralegals and co-counsel from the same firm should be present only if the attorney deems them necessary to being able to represent their client. Support persons, such as parents, new spouses, and friends shall not come to court unless they will be called as an essential witness to the case.

**12. 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 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.

**FAMILY COURT SESSION CALENDAR**

	Virtual	In Person	In Person	Virtual	Virtual
	M	T	W	Th	F
Week 1	(AM) Motions (staggered throughout the morning) (PM) Temporary Child Support and PSS (by Affidavit or Judge may grant hearing)	Contempts (14 staggered throughout the day)	9:00 Pretrials (always VIRTUAL) 9:30 Clean Up (always VIRTUAL) followed by Trials (in person)	Staggered Calendar Calls and Trials	Staggered Calendar Calls and Trials
Week 2	Trials	Pro Se Day (14 staggered throughout the day) (Pro Se Trials, Motions, and Contempts)	Pro Se morning (6 staggered throughout the morning) (Pro Se Trials or Motions) (No contempts) (Attorney) Trials PM	Trials	Trials
Week 3	Trials	Trials	Trials	Trials/Virtual or In person if needed	Trials

**Temporary Procedures for Custody Mediation Department**

**Goals:** The custody mediation department goals during the re-opening process is to prioritize the safety of the public, the safety of our staff, provide customer service in unique ways, complete mediations with excellence

and efficiency and successfully complete all rescheduled Custody Mediation Orientations and Mediation Sessions and be completely up to date as soon as possible.

- 1. Custody Mediation Orientations.** All CMO's scheduled will be done remotely. Either CMO Live (virtual) conducted by the State or Mecklenburg County or self directed online. There will not be any face-to-face CMO's conducted. 45 cases will be scheduled.
- 2. All mediation sessions will be remote (ZOOM).** In the event a party insists they are unable do the session remotely, they will contact the Program Assistant to receive a date and time to come into the office to do the session via ZOOM in the conference room on a laptop. Program Assistant will only schedule one case for ZOOM in the office per time slot to ensure no overlapping.

**Online Custody Mediation Orientations/Sessions-** For those cases where one party has completed the orientation online, the mediation department is scheduling mediations sessions. The party who has not completed the orientation will do so right before the mediation session begins. This way we can move cases along more efficiently.

**ZOOM Mediation Sessions-** Notices drafted from the mediation department will notify parties that they can complete CMO's online as well as mediations can be completed via zoom. If one party wants to come in the mediation office for the mediation and the other party does not want to come into the office due to COVID-19 the mediation will still be conducted via zoom. Our departments' goal is to prioritize the safety of the parties and the staff but still move cases along in timely manner by giving Individuals as many reasonable options to complete mediation sessions as possible during the time of re-opening.

**Mediation Department Suite Door:** The mediation department will keep the door locked during normal business hours until further notice.

## JUVENILE COURT

The goal of this guide will be to outline the schedule for juvenile court as well as provide best practices for remote hearings in juvenile court.

### 2020 Schedule

	<b>D1</b>	<b>D2</b>	<b>D3</b>	<b>D4</b>	
<b>September 14</b>	AND/DEL	Special Proceedings	AND/DEL	Detention	DRC away 9/18 FFA away 10/5
<b>September 21</b>	Detention YRC PM	AND/DEL FIRST PM	Special Proceedings DWI PM	AND/DEL	
<b>September 28</b>	AND/DEL	Detention	AND/DEL	Special Proceedings	
<b>October 5</b>	SKELTON WEEK				FFA away 10/5
<b>October 12</b>	Special Proceedings YRC PM	AND/DEL FIRST PM	Detention DWI PM	AND/DEL	DRC away 10/12-13
<b>October 19</b>	AND/DEL	Special Proceedings	AND/DEL 10/22 PM must end by 3:30	Detention	
<b>October 26</b>	Detention YRC PM	AND/DEL FIRST PM Tuesday – In-person Wednesday – Remote	Special Proceedings DWI PM	AND/DEL Tuesday – Remote Wednesday – In-person	Coverage for D1
<b>November 2</b>	AND/DEL YRC PM Tuesday – In-person Wednesday – Remote	Detention FIRST PM	AND/DEL DWI PM AND/DEL Tuesday – Remote Wednesday – In-person	Special Proceedings	
<b>November 9</b>	Special Proceedings	AND/DEL Tuesday – Remote Wednesday – In-person	Detention	AND/DEL Tuesday – In-person Wednesday – Remote	
<b>November 16</b>	AND/DEL YRC PM Tuesday – Remote Wednesday – In-person	Special Proceedings FIRST PM	AND/DEL DWI PM Tuesday – In-person Wednesday – Remote	Detention	
<b>November 23</b>	Detention	AND/DEL Tuesday – In-person	Special Proceedings	AND/DEL Tuesday – Remote	FFA away 11/23-25

		<i>Wednesday – Remote</i>		<i>Wednesday – In-person</i>	
<b>November 30</b>	<i>AND/DEL YRC PM Tuesday – In-person Wednesday – Remote</i>	<i>Detention FIRST PM</i>	<i>AND/DEL DWI PM Tuesday – Remote Wednesday – In-person</i>	<i>Special Proceedings</i>	
<b>December 7</b>	<i>Special Proceedings</i>	<i>AND/DEL Tuesday – Remote Wednesday – In-person</i>	<i>Detention</i>	<i>AND/DEL Tuesday – In-person Wednesday – Remote</i>	<i>FFA away 12/11</i>
<b>December 14</b>	<i>AND/DEL YRC PM Tuesday – Remote Wednesday – In-person</i>	<i>Special Proceedings FIRST PM</i>	<i>AND/DEL DWI PM Tuesday – In-person Wednesday – Remote</i>	<i>Detention</i>	
<b>December 21</b>	<i>SKELTON WEEK</i>				
<b>December 28</b>	<i>SKELTON WEEK</i>				

### 2021 Schedule

	<b>D1</b>	<b>D2</b>	<b>D3</b>	<b>D4</b>	<b>Notes</b>
<b>January 4</b>	<i>Detention</i>	<i>AND/DEL Tuesday – In-person Wednesday – Remote</i>	<i>Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/Private motions</i>	<i>AND/DEL Tuesday – Remote Wednesday – In-person</i>	
<b>January 11</b>	<i>AND/DEL YRC – Tuesday PM Tuesday – Remote Wednesday – In-person</i>	<i>Detention FIRST – Thursday PM</i>	<i>AND/DEL DWI – Wednesday PM Tuesday – In-person Wednesday – Remote</i>	<i>Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/Private motions</i>	



	<b>D1</b>	<b>D2</b>	<b>D3</b>	<b>D4</b>	<b>Notes</b>
<b>January 18</b>	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/ Private motions	AND/DEL Tuesday – Remote Wednesday – In-person	Detention	AND/DEL Tuesday – In-person Wednesday – Remote	
<b>January 25</b>	AND/DEL YRC – Tuesday PM Tuesday – In-person Wednesday – Remote	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/ Private motions FIRST – Thursday PM	AND/DEL DWI – Wednesday PM Tuesday – Remote Wednesday – In-person	Detention	
<b>February 1</b>	Detention	AND/DEL Tuesday – In-person Wednesday – Remote	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In- person Friday AM: Private TPRs/Adoptions/ Private motions	AND/DEL Tuesday – Remote Wednesday – In- person	
<b>February 8</b>	AND/DEL YRC – Tuesday PM Tuesday – Remote Wednesday – In- person	Detention FIRST – Thursday PM	AND/DEL DWI – Wednesday PM Tuesday – In-person Wednesday – Remote	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/ Private motions	
<b>February 15</b>	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/ Private motions	AND/DEL Tuesday – Remote Wednesday – In-person	Detention	AND/DEL Tuesday – In-person Wednesday – Remote	
<b>February 22</b>	AND/DEL YRC – Tuesday PM Tuesday – In-person Wednesday – Remote	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/ Private motions FIRST – Thursday PM	AND/DEL DWI – Wednesday PM Tuesday – Remote Wednesday – In-person	Detention	YFS Winter Confere nce Februar y 25-26

	<b>D1</b>	<b>D2</b>	<b>D3</b>	<b>D4</b>	<b>Notes</b>
<b>Marc h 1</b>	Detention	AND/DEL Tuesday – In-person Wednesday – Remote	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/ Private motions	AND/DEL Tuesday – Remote Wednesday – In-person	
<b>Marc h 8</b>	AND/DEL YRC – Tuesday PM Tuesday – Remote Wednesday – In-person	Detention FIRST – Thursday PM	AND/DEL DWI – Wednesday PM Tuesday – In-person Wednesday – Remote	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/ Private motions	
<b>Marc h 15</b>	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/ Private motions	AND/DEL Tuesday – Remote Wednesday – In-person	Detention	AND/DEL Tuesday – In-person Wednesday – Remote	
<b>Marc h 22</b>	AND/DEL YRC – Tuesday PM Tuesday – In-person Wednesday – Remote	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/ Private motions FIRST – Thursday PM	AND/DEL DWI – Wednesday PM Tuesday – Remote Wednesday – In-person	Detention	
<b>Marc h 29</b>	Detention	AND/DEL Tuesday – In-person Wednesday – Remote	Special Proceedings Monday/Thursday: Remote Tuesday/Wednesday – In-person Friday AM: Private TPRs/Adoptions/ Private motions	AND/DEL Tuesday – Remote Wednesday – In-person	

## Outline of 2020/2021 Schedule

The section below will clearly outline the calendar for the remainder of 2020 and Quarter 1 of 2021.

### AND/DEL (previously called Pre-COVID)

**Abuse, Neglect, and Dependency (AND):** Tuesday and Wednesday: Alternate between In-person **AND** Remote based on geo-district. In-person means the entire day is **IN-PERSON**. Remote means the entire day is **REMOTE**. Friday AM can be utilized in-person or remote as needed with a preference for remote hearing.

**Non-Secures (AND):** Will be placed on Tuesday, Wednesday, and Friday at 8:30 AM. Non-secures might vary slightly district by district in terms of start time; however, that will be communicated by the Judge. All non-secure hearings (initial and subsequent; contested or otherwise) are heard remotely.

**DEL (Delinquency):** Monday and Thursday; two blocks each morning 9:00 AM - 10:30 AM and 10:30 AM -12:00 PM – PM sessions must be remote. Please schedule hearings remotely whenever possible.

### Special Proceeding

Judges will use their special proceeding week to handle matters that will take several days and cannot fit into a AND/DEL week. Scheduling during a special proceeding week should involve communication and agreement between the Judge and all stakeholders. **Special Proceeding contains the greatest change so please read ALL information below:**

**During the Special Proceeding week, Monday and Thursday will be fully remote. Tuesday, Wednesday will be in-person ALL DAY (9-5) and Friday will be in-person in the AM. If feasible, we would like to begin this schedule in the month of NOVEMBER; however, we are not asking or requiring any scheduled hearings to change. We only ask that if you plan to schedule during Special Proceeding from November on, you utilize this schedule. Again, I want to reiterate that in-person hearing should be reserved for cases in which constitutional confrontation rights are at issue or for cases in which the remote hearing platform cannot be accessed by a litigant or otherwise provide a meaningful opportunity to participate.**

**Termination of Parental Rights (TPRs):** Starting January 1, 2021 the Friday of Special Proceedings will be dedicated to Private TPRS/Adoptions/Private Motions. The judges will be on a rotational schedule and each Judge will serve as the Presiding Judge over Private TPRs during their special proceeding week. During the initial hearing (conference); if it is determined the hearing is contested it will be scheduled with the **assigned judge** at a time the judge is available. If not contested; the case will be scheduled during the next available time on a special proceeding Friday. Non-contested will not be heard in front of their assigned judge. All cases must be time certain and parties must identify the length of the hearing so that the clerk knows how many cases to schedule. If the party cannot identify the amount of time needed, the default will be 30 minutes. Parties also must identify if the hearing needs to be in-person or remote. All initial hearings (conferences) will be set remotely.

Mecklenburg County Youth and Family Services (YFS) TPRS should be scheduled during AND/DEL or Special Proceedings Week (with the exception of the Friday AM of the Special Proceedings Week).

## Detention

Each week one judge will be assigned to detention hearings. During this week Judges will NOT here non-secures (AND). The partner judges (D1 with D2 and D3 with D4) will cover detention hearings. Detention hearings will take place on Monday and Thursday at 9:30 AM. All detention hearings will be remote.

Let's consider the Week of January 4<sup>th</sup>, 2021.

	D1	D2	D3	D4
MONDAY	Detention; remote hearings at 9:30 AM-12 PM	DEL: AM in-person; PM remote	REMOTE ALL DAY	DEL: AM in-person as needed; PM remote
TUESDAY	NO COURT	AND: In-person All Day	IN-PERSON ALL DAY	AND: Remote All Day
WEDNESDAY	NO COURT	AND: Remote All Day	IN-PERSON ALL DAY	AND: In-person All Day
THURSDAY	Detention; remote hearings at 9:30 AM-12 PM	DEL: AM in-person as needed; PM remote	REMOTE ALL DAY	DEL: AM in-person as needed; PM remote
FRIDAY	NO COURT	Remote or in-person; default should be remote	Private TPRs/Adoptions/Private motions	Remote or in-person; default should be remote

## Delinquency

All delinquency matters are heard on Monday and Thursday. Any hearings that need to be conducted in-person, are held between 9:00 AM and 12:00 PM. There are six hearings that must always be conducted in-person, as they may result in a juvenile being detained.

1. Adjudications
2. Dispositions
3. Return Indictments
4. Transfer Hearings
5. Probable Cause
6. Motions for Review

Whenever possible, hearings should be conducted remotely. In addition, whenever possible, hearings should be combined in order to ensure the fewest number of visits to the courthouse.

For all delinquency matters, the Juvenile Clerk will:

1. Assign hearing dates to new petitions brought to the Clerk.

2. Add the hearing the database management system, JWisE.
3. Send notice to all relevant parties.
4. Add the hearing to the geo-district calendar.
5. Record the hearing via the appropriate software (Liberty, Webex).
6. Invite parents/caregivers to participate in remote hearings.

For all delinquency matters, the Juvenile Court Coordinator will:

1. Create any necessary dockets and send to the clerk.
2. Create the remote detention hearings and send to the appropriate stakeholders.

### **Detention Hearings**

All detention hearings are conducted by Webex hearings on Monday and Thursday between 9:30 AM and 12:00 PM. The only case in which a detention hearing is not conducted remotely is if the juvenile is being transported to the courthouse for a hearing (adjudication, disposition, return indictment, probable cause, motion for review, or transfer), and the detention hearing is held during that hearing. Whenever possible, the First Appearance should be conducted during the Detention Hearing. Importantly, in order for the First Appearance to occur during the detention hearing all parties must have access to the petition. One (1) judge is assigned to detention hearings each week.

### **First Appearances**

Whenever possible, First Appearances should be scheduled in conjunction with the adjudication to ensure the fewest number of visits to the courthouse by the juvenile, their family, attorneys, and other stakeholders. While we must adhere to timeline standards (within 10 days of the petition being filed for felonies) **AND** the juvenile must agree to this scheduling, the attempt to schedule in this matter should always be made. If the juvenile is detained AND the petition is available for all stakeholders to review, the First Appearance should be conducted during the Detention Hearing.

### **Return Indictments**

Return indictment hearings are conducted ***in-person*** on Monday and Thursday between 9:00 AM and 9:30 AM. There are two options for Return Indictment hearings:

1. The return indictment can be heard at 9:00 AM by the Judge assigned to detention hearings.
2. The return indictment can be heard in geo-district the youth is assigned ***IF*** the Judge will be conducting hearings via a AND/DEL week. The return indictment should be set for a time certain hearing of 9:00 AM.

The District Attorney will make arrangements for return indictment hearings and will contact all parties in advance to ensure clarity in the manner in which the return indictment will be conducted.

### **Adjudication and Disposition**

All adjudication and disposition hearings are conducted in-person on Monday and Thursday between 9:00 AM and 12:00 PM. Adjudication and disposition hearings are set in the geo-district that the case is assigned to. If more than 3 hours is needed for an adjudication or a disposition, than the hearing must be scheduled during a Special Proceeding week. Scheduling must include consultation with the Judge and all stakeholders.

Starting September 1, 2020, all new petitions will be scheduled in via block schedules to limit the number of individuals at the courthouse at any given time. The block will work as outlined below:

	9:00 AM to 10:30 AM	10:30 AM to 12 PM
Monday	4 hearings	4 hearings
Thursday	4 hearings	4 hearings

Given that we are moving to this time block, punctuality by all parties is key. In addition. It is very important to be mindful of how much time a case will need. For example, if a case needs an hour hearing, then it would not be appropriate to schedule four (4) juveniles. Clear communication with all stakeholders (ADA, CFCR/private counsel, Clerk, and DPS) around the needs of a hearing is essential. Lastly, all stakeholders and the youth need to be mindful of who attends the hearing. As indicated in the Administrative Order issued by the Chief District Judge, only individuals essential to the hearing should attend in-person hearings and come to the courthouse.

### **In Court Diversion**

Whenever possible, in court diversions should be managed outside of court. If there is a need for the youth to appear in court for an in-person hearing, the hearing should be set on Monday or Thursday between 9:00 AM and 12:00 PM.

### **Probable Cause (PC)/Transfer**

All PC/Transfer hearings are conducted in-person on Monday and Thursday between 9:00 AM and 12:00 PM. Probable Cause/Transfer hearings are set in the geo-district that the case is assigned to. If more than 3 hours is needed for a Probable Cause hearing, than the hearing must be scheduled during a Special Proceedings week. Scheduling must include consultation with the Judge and all stakeholders.

### **Motion for Review**

All motions for review (probation violations) are conducted in-person on Monday and Thursday between 9:00 AM and 12:00 PM. Motions for review are set in the geo-district that the case is assigned to. As with adjudications and dispositions, it is very important to be mindful of how much time a case will need. For example, if a case needs an hour hearing, then it would not be appropriate to schedule four (4) juveniles. Clear communication with all stakeholders (ADA, CFCR/private counsel, Clerk, and DPS) around the needs of a hearing is essential. If more than 3 hours is needed for a Motion for Review hearing, than the hearing must be scheduled during a Special Proceedings week. Scheduling must include consultation with the Judge and all stakeholders.

### **Youth Development Center (YDC) Reviews**

All YDC reviews are conducted by Webex on Monday and Thursday between 1:30 PM and 4:00 PM. The only case in which a YDC review is not conducted remotely is if the juvenile is being transported to the courthouse for a hearing, and the review is held during the hearing. YDC reviews are set in the geo-district that the case is assigned to.

### **Abuse, Neglect, Dependency**

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

Services cannot draw funds without having these hearings. Non-secure, Adjudication, and Permanency Planning Hearings were prioritized based on the requirements set forth. Without these hearings, YFS will not receive funds to support children and families in care.

### **Judicial Letter**

In addition, as we prepare to resume hearings in Mecklenburg, we will need a plan for the majority of our hearings to be remote as the courthouse will not be prepared to resume full operations. This plan needs to be sustainable, as we do not currently have capacity to return to business as usual. We will need to identify a new normal in Mecklenburg County.

Lastly, in the most recent Administrative Order, the Chief District Court Judge outlined that the default for ALL AND hearings is for the hearing to be held REMOTELY. In-person hearings will be reserved for cases in which constitutional confrontation rights are at issue or for cases in which the remote hearing platform cannot be accessed by a litigant or otherwise provide a meaningful opportunity to participate. Pursuant to Emergency Directive 3 in the Chief Justice's May 1 Order, consent of the parties is not required to conduct a proceeding that includes remote audio and video transmissions; however, a party may, for good cause, object to the use of remote audio and video transmissions. It is the expectation that all parties who agree to a remote hearing agree that all aspects of the hearings are remote; including any necessary testimony. By agreeing to a remote hearing, we are agreeing all parties who need to testify can do so remotely.

### **Exemption process for remote (Webex) hearings:**

All abuse, neglect, and dependency (A/N/D) matters are heard on Tuesday, Wednesday and Friday. Any hearings that need to be done in-person, must be done so on an assigned In-person day. Importantly, the default for ALL A/N/D hearings is for the hearing to be held REMOTELY. In-person hearings will be reserved for cases in which constitutional confrontation rights are at issue or for cases in which the remote hearing platform cannot be accessed by a litigant or otherwise provide a meaningful opportunity to participate.

If a reason exists that makes it impossible to participate in a hearing by Webex, a motion for exemption from remote hearing must be submitted to the appropriate office for consideration. The motion shall follow the same rules and submission deadlines set forth in the rules regarding a motion for continuance. Motions for Exemption from Remote Proceeding must be submitted on the appropriate forms and accompanied with the proposed Order form. Upon receipt of such motion, the court will follow the local rules regarding motions to continue and objections to continuance regarding any time period for holding the motion and for submission of an objection. Any objection to the motion must be submitted within the time period outlined in the rules for motions to continue and must be submitted on the attached form. All motions and objections must be served on the other parties or their attorneys prior to submission to the court.

## **Webex: A Guide to Best Practices in Juvenile Hearings**

[Webex](#)

[Webex Help](#)

The Judicial Branch utilizes Cisco Webex as the standard, secure technology platform for teleconferences, virtual meetings, virtual hearings pursuant to Emergency Directive 3 in the Chief Justice's April 2 Order, and other remote technology needs. Webex is a foundational component of the NCAOC technology strategy and is the only videoconferencing / meeting technology TSD supports securely over the network. Webex provides many

features that support effective and collaborative meetings with staff and outside partners, bringing participants together online, or in combination onsite and remotely.

### **Process**

As of June 1, 2020, the Juvenile Clerk will initiate the “meeting” with an e-mailed invitation from the geo-calendar that will go to:

1. The YFS attorney in the geo-district
2. The GAL attorney in the geo-district
3. The parent attorney
4. The Judge in the geo-district

Importantly, the Clerk who initiates the meeting must be the host for the meeting. If a stakeholder needs other individuals in the hearing (e.g. social worker, GAL volunteer, court counselor, parent), it is the expectation that the stakeholder will ensure their staff have the Webex invitation. The Webex should be shared with caution. Each unique hearing will be sent their own individual Webex invitation.

### **Parent Engagement**

Engagement of parent(s) in the hearing can be flexible; however, the parent must be able to engage in private, confidential conversations with his/her attorney. All parties can remote into the hearing via Webex. Parent attorneys and parents will be provided three options to participate in hearings:

1. Conduct the hearing remotely. The parent attorney and the client can each join via the Webex Application. It is required that parent attorneys download and utilize the Webex Application (not call-in methods). It is highly encouraged that parents also use the Webex Application. If your client has a computer, tablet, or smart phone, you can send them the link to join the meeting by forwarding the calendar invite. If your client has a cell phone and cannot download the Webex Application, you may provide the call-in number as well as the access code, and they can join via phone. You can also follow the directions below to add your client to the Webex. ***Importantly. ALL ATTORNEYS ARE REQUIRED TO JOIN THE CALL WITH CAMERA.***
2. If the parent and/or parent attorney needs/desires to be in court OR if contact has not been made prior to a hearing, you and your client will report to court. You will need to bring the technology needed to participate in the hearing. ***Please note, if you have not had contact with your client, it is expected that you meet them at the courthouse for the hearing. There are no staff at the courthouse available to “meet” your client and get them in contact with you. If you do not feel comfortable coming to the courthouse, you should see if another parent attorney feels comfortable filling in for you.***
3. When you login to the hearing, if you provide the Clerk with your client’s phone number OR email, they can engage your client. Please inform the parent that the phone call will be coming from a (408) number – San Jose Area code (the company that owns Webex is San Jose based).

You are highly encouraged to complete a test call prior to your hearing. We ask that you talk to your client prior to the hearing and remind them to minimize background noises and mute themselves when not speaking. There should be no television, music, or the like heard during the hearing. **As they would in court, the client needs to be in an environment in which they can focus on the hearing without distraction.**

### **Interpreters**

Cases that require interpreters should go through the normal process to request an interpreter for the hearing. The interpreter will be provided the Webex link. The interpreter will call the client directly and provide



simultaneous interpretation. Because of this method, interpreters must be requested in a 1:1 method. Each individual who needs interpretation must have their own interpreter.

### **Non-secure Custody (7 day) Hearings**

All non-secure custody hearings are conducted by Webex on Tuesday, Wednesday, or Friday at 8:30 AM with the exception of D2 hearings. D2 non-secure custody hearings will be held at 1:30 PM on Tuesday, Wednesday, or Friday. Non-secure custody hearings are set in the geo-district that the case is assigned to with the exception of detention weeks. During the Judge's assigned detention week, non-secures will be heard by the partner judge (D1 with D2/D3 with D4).

### **Permanency Mediation**

Permanency mediation sessions will be held Mondays and Thursdays, depending on availability. All permanency mediation sessions will be conducted via Webex. It is required all parties who participate in the mediation process utilize both audio and visual (camera) components. It is not enough to call-in (audio) for the mediation. Maximum time allowed per session is two hours. If additional time needed, the coordinator can schedule additional sessions as needed.

The only time individuals should appear at the courthouse for mediation is in the following scenario:

1. If the parent requires a Rule 17 GAL and two attorneys need to be with the parent during the mediation

### **Adjudications**

Whenever possible, adjudication hearings should be conducted by WebEx hearings on Tuesday, Wednesday, or Friday. Adjudication hearings are set in the geo-district that the case is assigned. There may be certain elements to a case that favor an in-person hearing; however, those elements should be discussed by all stakeholders and thoughtful consideration should be made when scheduling in-person hearings. In-person hearings will be time certain and held on In-person days (see calendar at the start of this document).

Elements that may initiate the use of in-person hearings:

1. Multiple (e.g. more than three) putative fathers;
2. The parent(s) have limited cognitive functioning or mental health concerns that diminish their capacity to meaningfully engage in a remote hearing;
3. A hearing requires lengthy testimony from many **local** experts/witnesses.

There are some elements that may initiate hearings into remote hearings. These elements include:

1. If one party is already remote (i.e. lives in another country, state, etc.) and will need to or has called in for prior hearings.
2. There is no parental involvement.
3. A hearing requires lengthy testimony from many experts/witnesses **that are not local** and will need to call-in.

### **Dispositions**

Whenever possible, disposition hearings should be conducted by WebEx on Tuesday, Wednesday, or Friday. When possible, they should also be conducted immediately following the adjudication. If there is not time to complete the disposition, it should be scheduled no later than thirty (30) days after the adjudication. Disposition hearings are set in the geo-district that the case is assigned. They may be certain elements to a case that favor

an in-person hearing; however, those elements should be discussed by all stakeholders and thoughtful consideration should be made when scheduling in-person hearings. In-person hearings will be time certain and held on In-person days (see calendar at the start of this document).

1. Family Service Agreement is stipulated prior to hearing.

### **Reviews**

All Review hearings should be conducted by Webex on Tuesday, Wednesday, or Friday. Review hearings are set in the geo-district that the case is assigned. In-person hearings will be time certain and held on In-person days (see calendar at the beginning of this section).

### **Permanency Planning**

Whenever possible, Permanency Planning hearings (PPH) should be conducted by Webex on Tuesday, Wednesday, or Friday. Permanency Planning hearings are set in the geo-district that the case is assigned. There may be certain elements to a case that favor an in-person hearing; however, those elements should be discussed by all stakeholders and thoughtful consideration should be made when scheduling in-person hearings. In-person hearings will be time certain and held on In-person days (see calendar at the start of this document). Elements that may initiate the use of in-person hearings:

1. Change of goal

### **Post TPR Review**

All Post TPR Review hearings should be conducted by Webex hearings on Tuesday, Wednesday, or Friday on a scheduled Remote day (see calendar at the start of this document).

### **JW -- Judicial Bypass**

The Clerk will contact the juvenile Judges to identify who is at the courthouse and available to hear the JW.

### **Future Expansion Planning Ideas:**

The current administrative order does not allow for TPRs through YFS or private TPRs. While the juvenile court has held pre-trial conferences for private TPRs. TPRS pose a unique challenge for this court, as these hearings are typically contested and lengthy and need to be completed in-person. In cases where the TPR is not contested, those hearings can proceed remotely. The plan below outlines for moving forward with contested TPRs.

### **Termination of Parental Rights (TPR)**

Starting January 1, 2021 the Friday of Special Proceedings will be dedicated to Private TPRS/Adoptions/Private Motions. The judges will be on a rotational schedule and each Judge will serve as the Presiding Judge over Private TPRs during their Special Proceedings week. During the initial hearing (conference); if it is determined the hearing is contested it will be scheduled with the assigned judge at a time the judge is available. If not contested; the case will be scheduled during the next available time on a Special Proceedings Friday. All cases must be time certain and parties must identify the length of the hearing so that the clerk knows how many cases to schedule. If the party cannot identify the amount of time needed, the default will be thirty (30)

minutes. Parties also must identify if the hearing needs to be in-person or remote. All initial hearings (conferences) will be set remotely.

**Private Termination of Parental Rights**

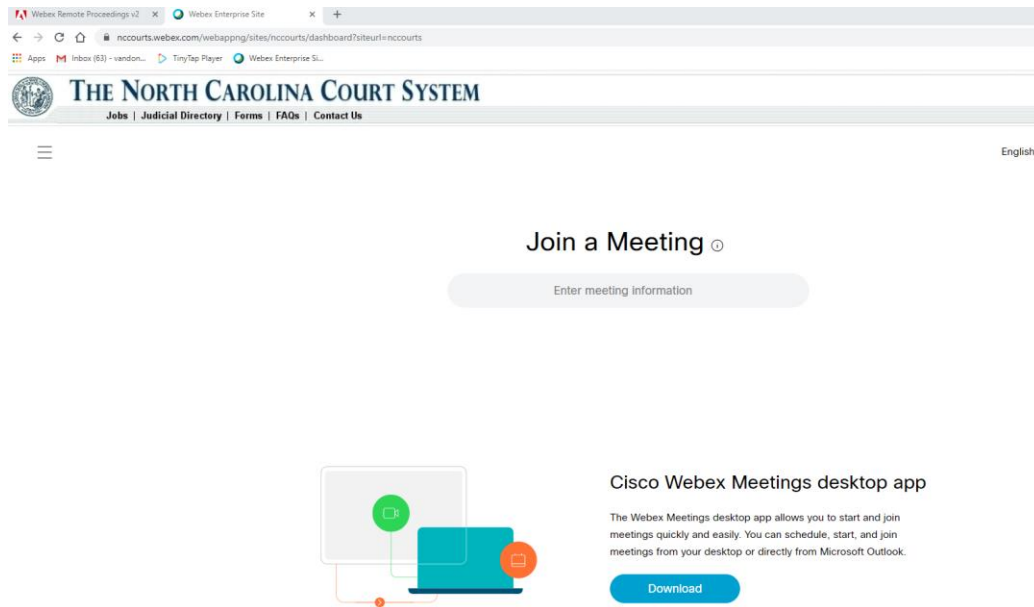
Mecklenburg County YFS TPRS should be scheduled during AND/DEL or Special Proceedings Week (with the exception of the Friday AM of the Special Proceedings Week).

## APPENDIX: Important Items to Help Ensure a Successful Webex Experience

- You do NOT need to register for an account to attend a Webex meeting. In addition, you do not need to pay for an account to access a meeting. If you are JOINING a meeting you only need to have the application AND the call-in information (provided by the court).
- It is helpful and suggested to Download the Webex application to your device. To download to your computer, you can go to:

<https://nccourts.webex.com/webappng/sites/nccourts/dashboard?siteurl=nccourts>

Select Download.



To download on your phone, go to your Application Store. Search for Cisco Webex Meetings. Download the application.

- Information on how to join a meeting from an email invitation or other platforms can be viewed here:
  - <https://help.webex.com/en-us/ozygebb/Join-a-Cisco-Webex-Meeting#Join-a-Webex-Meeting-from-an-Email-Invitation>

Open the meeting from your calendar. Click on the join meeting link. This will open the meeting in a separate window.

-- Do not delete or change any of the following text. --

## When it's time, join your Webex meeting here

Meeting number (access code): 796 460 993

Meeting password: pH5WdaMnV33

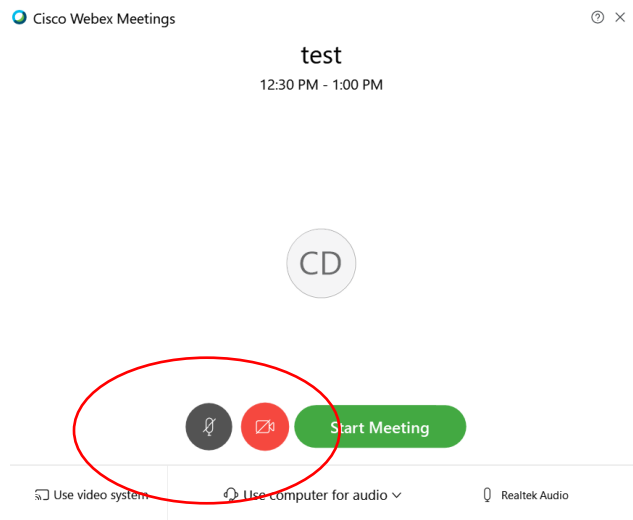
Join meeting

### Join by phone |

Tap to call in from a mobile device (attendees only)

[1-408-792-6300](tel:1-408-792-6300) Call-in toll number (US/Canada)

You can preview your video prior to the meeting by clicking on the camera icon. You can mute or unmute yourself by clicking on the microphone icon.



There are alternative audio options. You can use the alternative audio options if you need to connect through audio on your phone.

test

12:30 PM - 1:00 PM

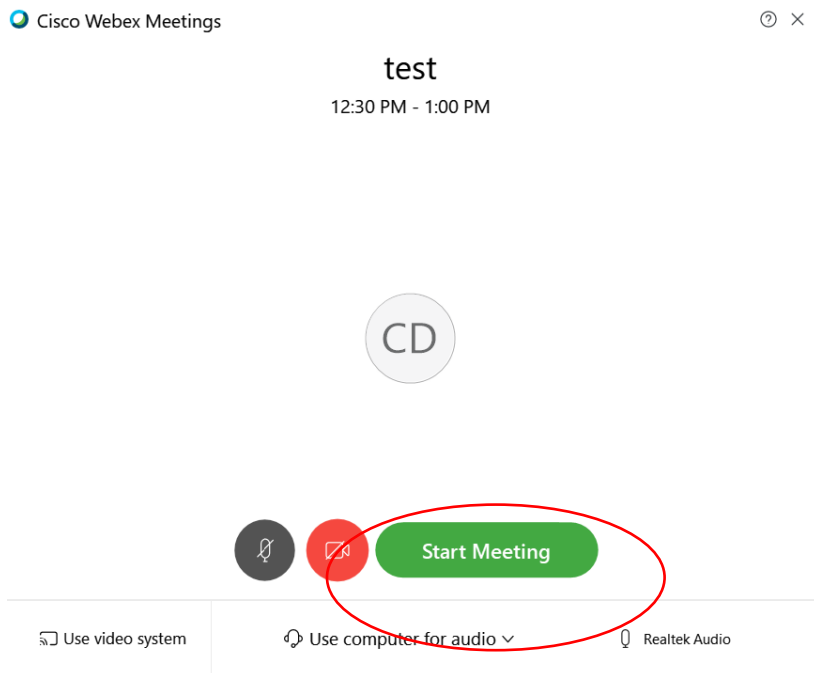


Use video system

Use computer for audio ▾

Realtek Audio

When you are ready to join the meeting, please select start meeting.



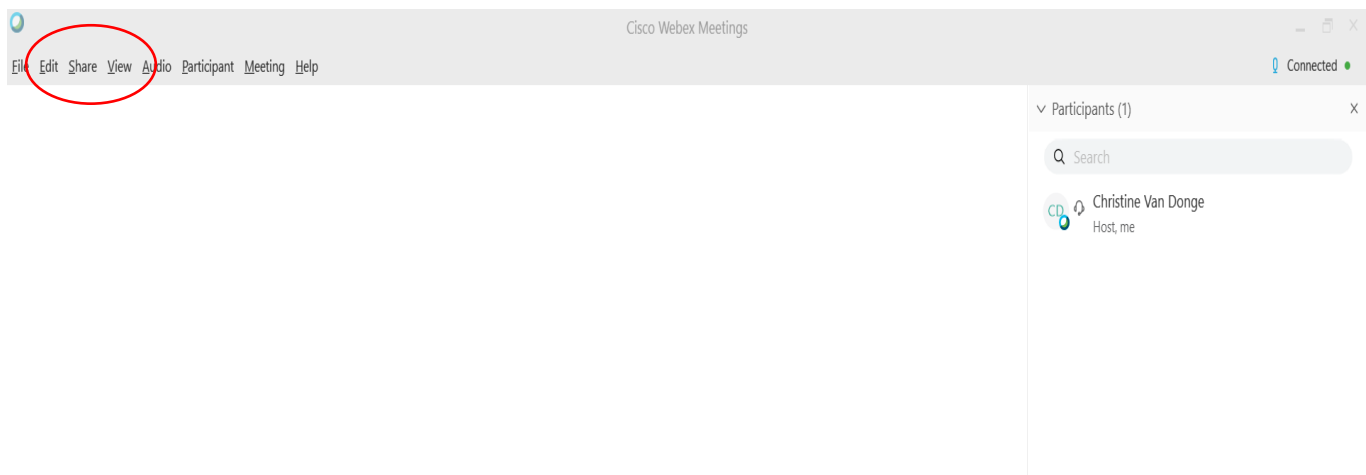
Please note the Clerk has the capacity to mute parties during the hearing if there is unnecessary background noise or feedback. The Clerk can also control who is allowed into the meeting and expel parties from the meeting. It is important that if you are a call-in user that you identify yourself. Lastly, during the hearing, prior to speaking, please identify yourself (name, agency, and position).

### Sharing Documents during the Hearing

All parties can share documents by sharing your screen or application. This can be utilized for documents from OneDrive or evidence that you want to share on the day of the hearing. Click the share content icon.



Alternatively, you can use the Share from the dropdown menu. Go to share and select Share Content. You can then select the application (document) you wish to share. The easiest way to share with parties is to share your screen. A note that everyone will be able to see the items on your screen.



As with all other hearings, the hearing will be recorded.

### Useful Tips for a Successful Meeting

- Check your audio / video connection prior to the meeting.
- Mute your phone or computer audio connection unless speaking directly to the group.
- Identify yourself by name if you want to comment, so all know who is speaking; remember to unmute first and mute when finished.
- Please try to speak one at a time, so all can clearly hear and understand your comments.
- Use the chat or message option, if allowable by the meeting organizer.

### Webex Shortcuts

Icon	Description
	Clicking this button will mute or unmute your audio.
	Clicking this button will turn off and on your camera.
	Clicking this button will allow you to choose what you would like to display, present or share during the WebEx.
	Clicking this button will allow you to record the meeting / presentation.
	Clicking this button will display the list of participants joining the WebEx.
	Clicking this button will enable the chat feature within WebEx. You can send a chat message to everyone or just certain participants.
	Clicking this button will provide you with more advanced options. One feature will allow you to switch the audio settings (computer, calling in via phone, or call me number).
	This button will end your meeting.

Platform for Reports, Exhibits, and Evidence  
OneDrive



OneDrive is an online storage platform that will be utilized to upload reports, exhibits, or evidence or other documents necessary for hearings. The OneDrive folders will be created and managed by Youth and Family Services; however, all key stakeholders will have capacity to upload documents and download documents from OneDrive. In addition, YFS will manage which parties have access to specific exhibits and limit access to stakeholders as outlined in the Local Rules. In addition, there will be a folder called Supporting Documents where this protocol and other FAQs will be uploaded.

Below are several guides to help you familiarize yourself with OneDrive.

Quick Start Guide:

<https://support.office.com/en-us/article/upload-and-save-files-and-folders-to-onedrive-for-business-a1397e56-61ec-4ed2-9dac-727bf8ac3357>

Video 1 – What is OneDrive?

[https://support.office.com/en-us/article/what-is-onedrive-work-or-school-10f5c3fd-b0f6-40e2-9059-04735ffe01b7?wt.mc\\_id=otc\\_onedrive](https://support.office.com/en-us/article/what-is-onedrive-work-or-school-10f5c3fd-b0f6-40e2-9059-04735ffe01b7?wt.mc_id=otc_onedrive)

Video 2 – Uploading Files and Folders

[https://support.office.com/en-us/article/upload-files-and-folders-in-onedrive-work-or-school-5bd927ad-d186-495c-93e8-7ca116fe7b83?wt.mc\\_id=otc\\_onedrive](https://support.office.com/en-us/article/upload-files-and-folders-in-onedrive-work-or-school-5bd927ad-d186-495c-93e8-7ca116fe7b83?wt.mc_id=otc_onedrive)

Video 3 – Sharing Files and Folders

[https://support.office.com/en-us/article/share-files-and-folders-with-microsoft-365-business-72f26d6c-bf9e-432c-8b96-e3c2437f5b65?wt.mc\\_id=otc\\_onedrive](https://support.office.com/en-us/article/share-files-and-folders-with-microsoft-365-business-72f26d6c-bf9e-432c-8b96-e3c2437f5b65?wt.mc_id=otc_onedrive)

The folders will be in the child's names. Each folder will have subfolders. The subfolders will be as follows:

- Legal documents (filed orders, petitions, exhibits admitted into evidence—read only permission);
- Discovery (read only permission)
- YFS exhibits (read only- YFS court summary, medical records, etc...)
- Uploads (edit permission- GAL Reports, Parent Attorney exhibits- the edit permission will allow them to upload documents)
- Miscellaneous (read only permission)

The folders will be set up starting with the petitions. Once we know the attorneys, we will need to add them to the permission list.

Step by Step Instructions

1. You will receive an email from YFS staff with your folder. The folder will look similar to the one pictured below. Press open.

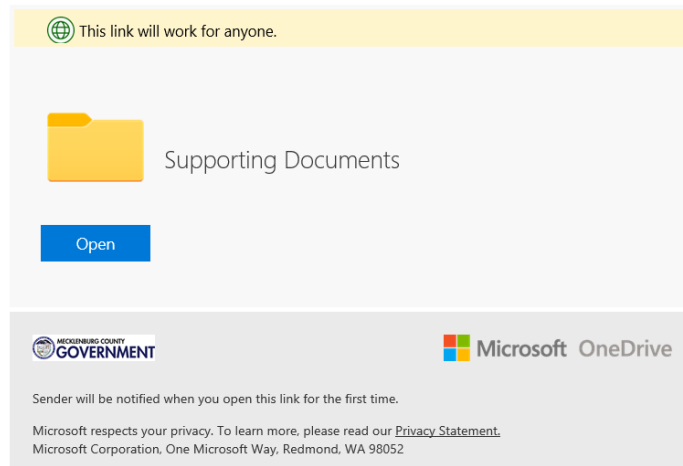
Boone, Shanelle <Shanelle.Crawford@mecklenburgcountync.gov>

Boone, Shanelle shared the folder "Supporting Documents" with you.

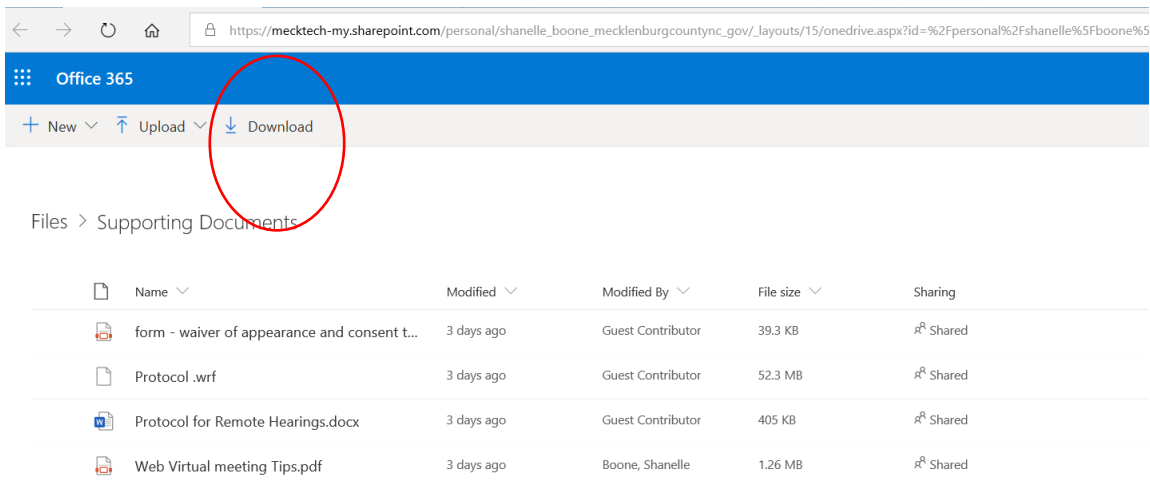
ristine M.

this message on 5/1/2020 12:15 PM.

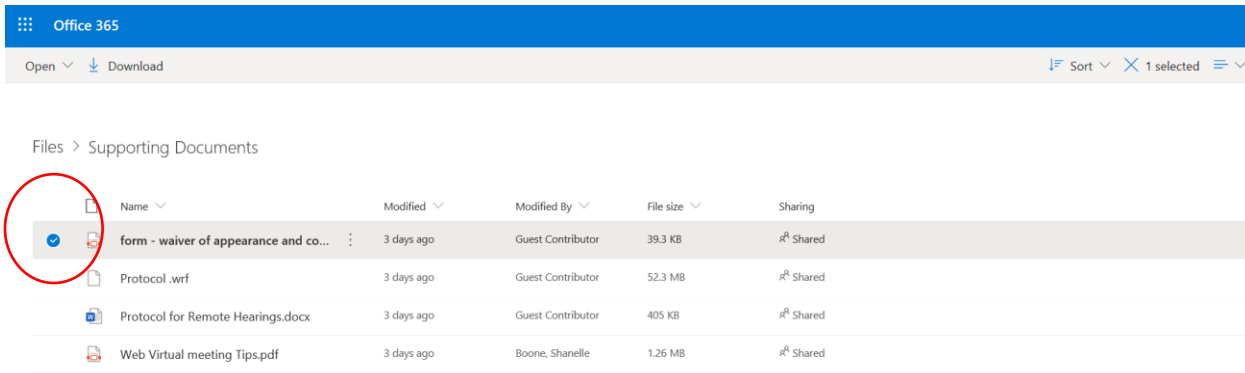
Boone, Shanelle shared the folder "Supporting Documents" with you.



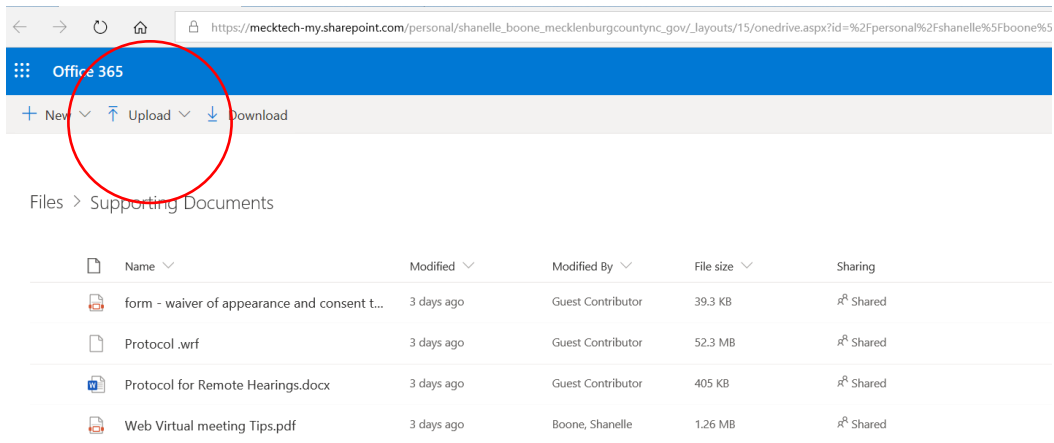
2. After pressing open – your Drive will load in internet explorer. You must have access to the internet to access your Drive. You will be able to see all documents that you have permission/access to in the drive. My Drive does not have subfolders; however, yours will.



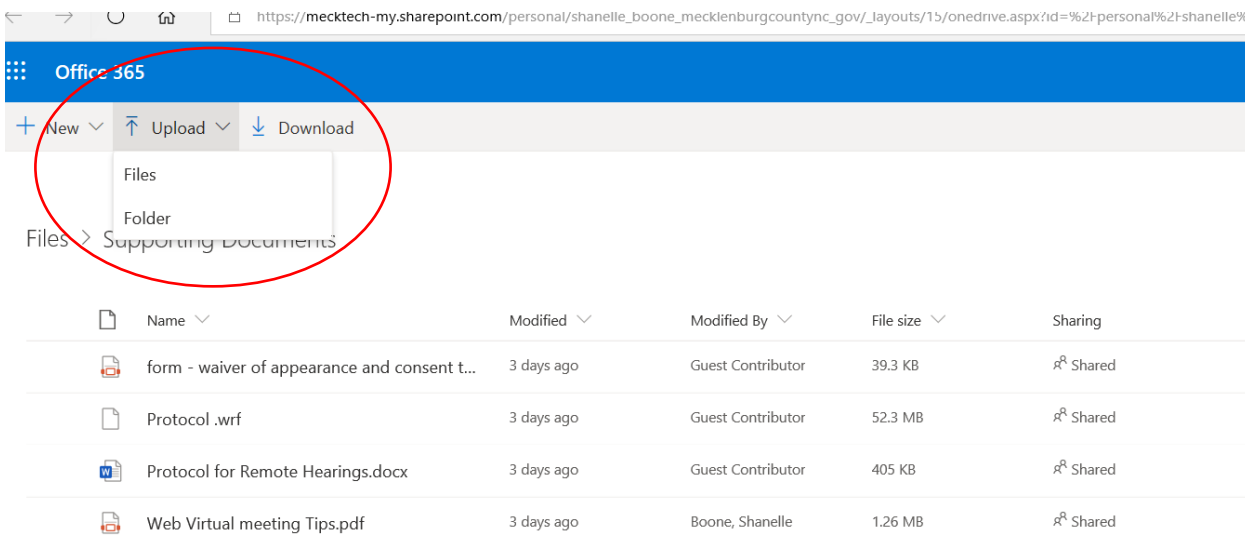
3. To download a file, select the file you want. A blue check will light up next to the file. Press download.



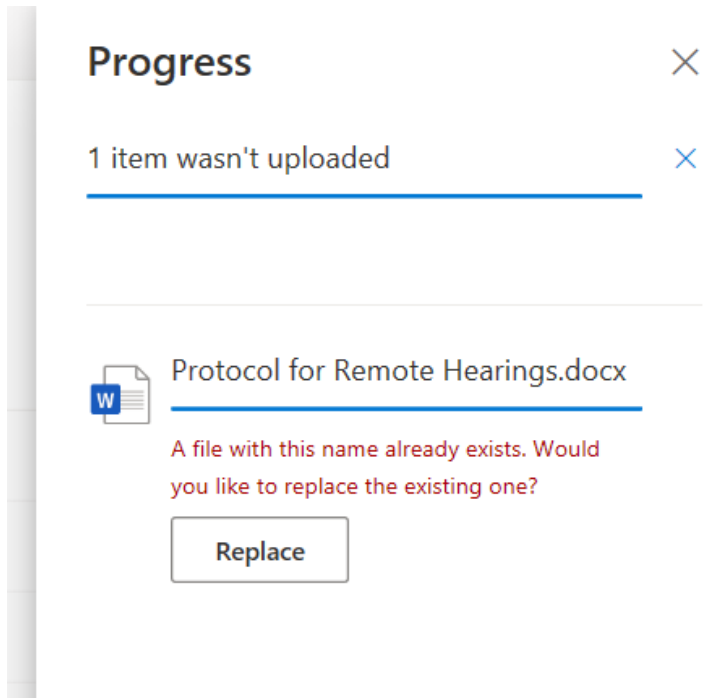
#### 4. To upload a file, select upload.



Select whether you want to upload a file (one item) or a folder (a folder containing many items). If you have many files to upload, it is easier to place them in a folder and upload the folder otherwise you will have to upload each file one-by-one. The file will automatically upload.



Please note – all files in the folder must have their own name – you cannot call two files the same name or you will replace the file in the folder.



The screenshot shows a 'Progress' window with a close button (X) in the top right corner. Below the title, it states '1 item wasn't uploaded' with another close button (X) to its right. A horizontal line separates this from the file details. The file name is 'Protocol for Remote Hearings.docx', accompanied by a Word document icon. Below the name, a red message asks: 'A file with this name already exists. Would you like to replace the existing one?'. A 'Replace' button is positioned at the bottom of the dialog.

### Process for Submitting Evidence

The responsible party brings document to the courthouse between 9 AM and 12 PM when the office of the juvenile clerk is open. Juvenile clerk will time stamp the document and keep one copy for the file. The responsible party will upload the time stamped document to OneDrive. Reports should be distributed to all parties at the same time (prior to court to allow for review prior to the remote hearing). Exhibits must be submitted to parent attorneys prior to court and be uploaded to display during hearing. The Juvenile Judges should not receive the exhibits prior to court.