

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
_____ R _____

<p>IN RE:</p> <p>Procedures for Filing After-Hours Abuse/Neglect/Dependency (A/N/D) Petitions and Issuance of A/N/D Nonsecure Custody Orders</p>	<p>ADMINISTRATIVE ORDER</p> <p>FILED DATE: August 29, 2025 TIME: 9:11:25 AM MECKLENBURG COUNTY CLERK OF SUPERIOR COURT BY: T. Simmons</p>
--	--

This ADMINISTRATIVE ORDER has been entered to ensure the fair and proper administration of justice and to ensure timely filing of Abuse/Neglect/Dependency (A/N/D) petitions and immediate entry of Nonsecure Custody (NSEC) Orders upon the filing of After-Hours petitions pursuant to North Carolina General Statutes (NCGS) §7B-502, §7B-503, §7B-506 (a), and §7B-508. The undersigned Chief District Court Judge enters this Administrative Order pursuant to the inherent authority of the court and pursuant to its administrative supervision and authority over operation of the District Court pursuant to NCGS §7A-41.1, §7A-146, and §7B-502.

This order supersedes and replaces “Administrative Order: Authorization for Magistrates to sign Nonsecure Custody Orders”, entered October 26, 2016.

For the purposes of this order, “After-Hours” means *anytime the Clerk’s Office is closed*.

Upon receipt of an After-Hours A/N/D petition and accompanying pleadings, any Magistrate of the 26th Judicial District shall accept the petition for filing and deliver the petition (along with the accompanying pleadings and NSEC, if one was issued as a result of the filing) to the Clerk’s Office for processing as soon as the Clerk’s Office opens for business.

Effective immediately, upon the filing of an After-Hours A/N/D petition, any Magistrate of the 26th Judicial District shall seek approval/authorization from the designated “On-Call District Court Judge” (from a designated list provided separately to the Magistrate’s Office) pursuant to NCGS §7B-502 (b), §7B-503, and §7B-508. The designated and backup “On-Call District Court Judge” shall be listed on the weekly District Court Judicial Assignments published by the Trial Court Administrator’s Office via email and to Mecklenburg County’s Local Administrative Schedules page on NCcourts.gov.

The “On-Call District Court Judge” shall direct the Magistrate if the NSEC Order is approved/authorized and which specific findings to make. The Magistrate shall make said findings and complete the order pursuant to NCGS §7B-508.

If the Magistrate is unable to make contact with the designated or backup "On-Call District Court Judge", then the Magistrate shall have the delegated authority to issue NSEC Orders pursuant to NCGS §7B-502 and §7B-503, upon the filing of an After-Hours A/N/D petition.

Upon the processing of a NSEC Order from the Magistrate's Office, the Clerk's Office shall schedule the Hearing to Determine Need for Continued Custody pursuant to NCGS §7B-506 (a), according to whether the NSEC was issued upon approval/authorization of the "On-Call District Court Judge", or if it was issued by the Magistrate exercising delegated authority.

It is so ORDERED, ENTERED, and EFFECTIVE, this the 28th day of August, 20 25.



Roy H. Wiggins
Chief District Court Judge