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FILED

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

COUNTY OF RICHMOND

2020 APR 16 A 10:44

SUPERIOR COURT DIVISION

IN RE: MAY 11, 2020 TERM
OF CIVIL SUPERIOR COURT

RICHMOND CO., N.C.
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BY) *amm*

ADMINISTRATIVE ORDER

THIS MATTER IS BEFORE THE UNDERSIGNED SENIOR RESIDENT Superior Court Judge for Judicial District 16A in relation to the May 11, 2020 term of the General Court of Justice, Civil Superior Court Division; and the Court finding that:

Whereas COVID-19 is a respiratory disease that can result in serious illness or death by the SARS-COV-2 virus, which is a new strain of coronavirus that can be spread from person to person; and

Whereas, on March 13, 2020, the Chief Justice of the North Carolina Supreme Court entered two emergency directives postponing most cases in superior and district courts for 30 days and instructing local officials to take steps to limit the risk of exposure in courthouses;

Whereas, on March 15, 2020, the Chief Justice issued a memorandum providing guidance to local judges, clerks, and district attorneys as they attempt to implement earlier directives. That memo provided for the practice of social distancing and other preventative measures recommended by the North Carolina Department of Health and Human Services and the federal Center for Disease Control;

Whereas, on March 19, 2020, the Chief Justice issued an Emergency Order extending deadlines in the trial courts until April 17, 2020; and

Whereas, on March 27, 2020, Governor Roy Cooper issued Executive Order E0121, "Stay at Home Order and Strategic Directions for North Carolina in Response to Increasing COVID-19 cases." While the Governor's Executive Order directed all individuals to stay in their places of residence with certain exceptions, it also found North Carolina's courts to be a

critical governmental function and, therefore, exempt from the Executive Order's requirements. Even so, courts were directed, to the extent practicable, to maintain social distancing practices; and

Whereas, on April 2, 2020, the Chief Justice entered an Order with seven emergency directives, including but not limited to orders that (i) postponed court proceedings a second time to June 1, 2020, and (ii) directed attorneys and others without business before the court to avoid court facilities.

Based upon the foregoing, the Court ORDERS that:

(1) The jury cases on the tentative calendar for the May 11, 2020 term of the General Court of Justice Civil Court Division, are continued. No jury cases will be tried during that term;

(2) The motions on the tentative calendar for the May 11, 2020 term of the General Court of Justice, Civil Superior Court Division, shall be heard in the order in which they appear on that calendar. Each motion shall be allotted the amount of time shown on the tentative calendar.

(3) During the above-referenced motion hearings, all participants - attorneys, court personnel, law enforcement - shall observe all gubernatorial, executive branch, and judicial directives, rules, and orders relating to social distancing and crowd control. For instance, at no time shall more than ten (10) individuals - including court personnel - be in the courtroom; all individuals shall maintain a distance of ten (10) feet from one another, etc.

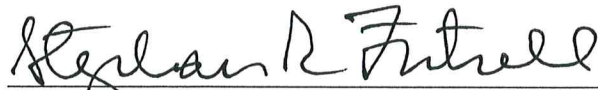
(4) No live testimony or new evidence shall be offered during any hearing. If the parties or their attorneys wish for the Court to review pleadings, discovery, affidavits, exhibits, or legal support for their positions, those materials shall be filed or served in accordance with the Rules of Civil Procedure, General Rules of Practice for Superior and District Courts, and the Civil Case Management Plan for Judicial District 16A (adopted August 23, 2019).

(5) Once a motion hearing has been completed, all parties, counsel, and support staff shall leave the courtroom before the parties, counsel, and support staff in the following matter may enter the courtroom.

(6) Continuances will be freely granted in order to accommodate health or safety concerns.

The undersigned retains jurisdiction in order to make further provisions as circumstances may require.

This 15th day of April, 2020.



Honorable Stephan R. Futrell
Senior Resident Superior Court Judge
Judicial District 16A