

NORTH CAROLINA  
LENOIR COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
20-R- 54

IN RE: )  
APPOINTMENT OF COUNSEL )  
DURING COVID-19 PUBLIC ) ADMINISTRATIVE ORDER  
HEALTH EMERGENCY )

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The undersigned Senior Resident Superior Court Judge for Judicial District 8A enters this administrative order in response to the ongoing public health emergency related to COVID-19.

IT APPEARING TO THE COURT that on March 10, 2020, Governor Cooper declared a state of emergency in North Carolina in response to the emerging health threat posed by COVID-19 and that Chief Justice Beasley entered an order on March 13, 2020 declaring that catastrophic conditions resulting from the public health threat posed by COVID-19 exist in all counties in this state.

AND IT FURTHER APPEARING TO THE COURT that Governor Cooper signed Executive Order 121 on March 27, 2020 ordering individuals to stay at home beginning March 30 at 5:00 p.m. until April 29, 2020 unless engaged in essential business or essential governmental functions.

AND IT FURTHER APPEARING TO THE COURT that while legal services are an exception to Executive Order 121, that many law offices may operate at a reduced staff/schedule or that defendants' family members may be concerned to leave home to retain counsel on behalf of defendants, all of which make it more difficult for parties to obtain privately retained legal counsel, regardless of one's financial status.

AND IT FURTHER APPEARING TO THE COURT that some jails and prisons throughout the state are starting to report confirmed cases of COVID-19 within jails and/or prisons.

AND IT FURTHER APPEARING TO THE COURT that attorneys, due to familiarity with the court process and procedures, are often able to schedule hearings for emergency relief for their clients faster than pro se defendants.

NOW, THEREFORE, IT IS HEREBY ORDERED that any incarcerated/jailed defendant that is given a first appearance from the date of the entry of this order through (1) the length of Executive Order 121 or any extension thereof or (2) the period the Chief Justice has declared that catastrophic conditions exist, shall be declared indigent and entitled, upon request, to court appointed counsel.

This the 10<sup>th</sup> day of April, 2020.

  
IMELDA J. PATE  
Senior Resident Superior Court Judge  
Judicial District 8A