

2020 DEC 14 P 12:17
ADMINISTRATIVE ORDER

Based on current conditions with the pandemic and Chief Justice Beasley issuing an emergency directive on court operations, this administrative order will be effect on Monday, December 14, 2020, and continue for a period of 30 days.

Durham County District Court will proceed as follows:

1. General:
 - a. Attorneys, parties, and witnesses are reminded to wear masks, to maintain physical distancing, and to wash hands regularly.
 - b. No one should come to court with symptoms consistent with COVID-19, a pending test for COVID-19, or having been told to isolate or quarantine by a medical professional or the health department, due to positive test, exposure, or symptoms.
 - c. Orders and correspondence may be submitted by mail, email, or by placing them in the District Court boxes on the 9th Floor.
 - d. Circumstances requiring the physical presence of attorneys or parties, not otherwise provided for below, must be presented to the judge presiding or the chief district court judge.
 - e. Depending on the court, virtual platforms in use are WebEx and Zoom.
2. Criminal court:
 - a. First Appearances (Jail Cases) will occur as normal in Courtroom 4C at 10:30 a.m.
 - b. Bond hearings and Jail pleas may be added on with the consent of the prosecutor and the defense attorney/defendant, and with the PERMISSION of the presiding judge.
 - c. Probable Cause hearings will be heard immediately after first appearances in Courtroom 4C.
 - d. All other district court criminal cases, including domestic violence criminal cases, will be rescheduled.
 - e. Traffic Court is closed, but attorneys and parties are encouraged to negotiate virtually with the District Attorney's office.
3. Civil domestic violence protective orders and 50C restraining orders:
 - a. Request for ex parte 50B and 50C orders will be heard as usual. The return hearings will be calendared within ten days.
 - b. Currently scheduled civil DV matters will remain as scheduled. Any attorneys with 50B or 50C cases that can continue those cases by consent to a date after thirty days are strongly encouraged to approach the assigned judge or the Chief District Court Judge for a new date.
 - c. Court space is limited. Parties and necessary witnesses should be the only persons attending court.
4. Family Court:
 - a. All other family court cases will be rescheduled, except those which can proceed entirely virtually, with the consent of the parties and the permission of the presiding judge.

- b. Motions for emergency ex parte custody must be scheduled with the Family Court Case Coordinator, and they will proceed virtually if at all possible.
5. Child support (IV-D Monday) cases will be rescheduled. Obligor should continue to make compliance payments as scheduled.
6. Juvenile Child Abuse, Neglect & Dependency (DSS)
 - a. All hearings in DSS court will be heard by Webex. Only the judge and the clerk will be present in the courtroom.
 - b. Nonsecure custody hearings and permanency planning hearings will be heard as scheduled, as required by law, as well as pre-adjudications.
 - c. Termination of Parental Rights cases and Adjudication cases will be rescheduled.
7. Juvenile Delinquency.
 - a. Secure custody hearings and first appearance will be heard virtually, by Webex on Mondays.
 - b. Adjudications will be rescheduled.
 - c. All other hearings will be rescheduled, unless the law allows them to be conducted virtually, all parties consent, and the presiding judge grants permission.
8. Involuntary Commitment hearings will be heard on Fridays at 10:00am in Courtroom 5D.
9. Small claims court will be rescheduled.
10. General civil court will be rescheduled.
11. Arbitrations will be rescheduled.
12. Child custody mediation orientation and child custody mediation will occur by Zoom only.
13. Drug Treatment Court will continue as scheduled by Zoom.
14. Other proceedings authorized to be conducted ex parte or in chambers can proceed, subject to safety precautions arranged with the judge hearing the matter.

This the 14th day of December, 2020.



Pat Evans

Chief District Court Judge