

STATE OF NORTH CAROLINA
JUDICIAL DISTRICT 3A
PITT COUNTY

FILED

2020 MAY 21 P 12:43

THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FAMILY COURT

ADMINISTRATIVE ORDER ADOPTING TEMPORARY LOCAL DOMESTIC RULES

WHEREAS, the Governor of the State of North Carolina and the Chief Justice of the North Carolina Supreme Court have issued Orders for the courts to take appropriate measures to protect health and safety and minimize exposure to COVID-19, and

WHEREAS, the Office of the Chief Justice of the North Carolina Supreme Court subsequently clarified that under the Order issued by the Chief Justice on April 2, 2020, remote hearings on the issue of Temporary Custody do not require the consent of all parties, and

WHEREAS, it is necessary and appropriate that reasonable measures be taken to address certain critical matters pending in Domestic Court, this order is hereby temporarily adopted and shall apply to all matters as described herein. Hearings on temporary custody and motions to modify custody shall be allowed two (2) hours each and temporary child support, post separation support, motions to show cause and motions to modify child support shall be allowed one (1) hour each. Written closing arguments can be submitted to the court, exclusive of the allotted time.

WHEREAS, returns on domestic violence protective orders and no contact orders are required to be heard as set forth in Chapter 50b and 50c of the North Carolina General Statutes. Those matters will continue to be scheduled by the clerks office. Persons attending court shall comply with such protocols as are set the Courthouse. This includes limiting the numbers of people in attendance in the courtrooms, as determined by the COVID-19 Courthouse Coordinator. In the event the case is not permitted due to limitations as set forth herein, it may have to be rescheduled. Time limitations may have to be imposed as determined by the presiding judge.

WHEREAS, all hearings pertaining to domestic violence protective orders, no contact orders, temporary custody, temporary child support, post separation support, motions in the cause, custody modifications, and motions to modify child support shall be held with only the attorneys and their clients or the pro se party being present in the Courtroom.

Prior to the hearing, all parties will be required to go through the courthouse checkpoint. Masks may be required for attorneys and their clients. All attorneys and parties are subject to having their temperature taken as they come into the assigned courtroom. Hearing dates and times are subject to change based upon the status of COVID-19 and courthouse entry limitations as determined by the COVID-19 Courthouse Coordinator.

Represented parties should consult with their attorneys prior to coming to court to determine if their hearing will take place as scheduled. Parties should arrive 30 minutes

before their scheduled hearing at the courthouse checkpoint and advise security personnel of the type of case and the courtroom they are in as noticed. All parties must keep Family Court aware of any changes to their current contact information so they can be made aware of any changes in the court scheduling.

Any witnesses that may be called shall testify by Webex and it shall be the responsibility of the attorneys or pro se party to make the arrangements for Webex to be available to their witness or spectator and coordinate a time with the witness on when their testimony will take place. The responsible party shall contact the Family Court Administrator at Lauren.M.McCarthy@nccourts.gov to confirm an available Webex appointment. The guidelines for other persons wanting to observe the hearing are set out in order "Administrative Order Regarding Spectator Access to Domestic Court Remote Hearings" dated May 21, 2020.

In the event that one of the attorneys or pro se party requests that the entire hearing be conducted by Webex and the other attorney or pro se party does not agree, the hearing will be conducted in the Courtroom subject to potential limitations as stated above. .


Any temporary hearing for post separation support or temporary child support that is already docketed pursuant to a Notice of Hearing that was issued prior to 3/17/2020 shall proceed in the courtroom as previously calendared and subject to previously adopted time limits. All other requests must be submitted to the Family Court Office, copied to all other parties, at least 14 days prior to the previously scheduled court date although less notice may be acceptable if all sides and assigned judge consents. All other hearings not included in this order will be set for a later date.

Any temporary hearing for child custody or modification that is already docketed pursuant to a Notice of Hearing that was issued prior to 3/17/2020 shall proceed in the courtroom as previously scheduled and subject to previously adopted time limits. Such temporary hearing that is already docketed can be converted to an earlier remote hearing upon written request of either party and court approval. This request must be copied to all other parties, at least 14 days prior to the previously scheduled court date although less notice may be acceptable if all sides and the assigned judge consents.

Efforts will be made to schedule cases to the previously assigned judge.

Pitt County Family Court Rules are temporarily modified as set out herein. This Temporary Order is subject to modification or extension by subsequent Administrative Order. Any other Local Rules not in conflict with this order shall remain in full force and effect.

It is so ordered this the 21 day of May 2020.



G. GALEN BRADDY
CHIEF DISTRICT COURT JUDGE
JUDICIAL DISTRICT 3A