

STATE OF NORTH CAROLINA

HALIFAX COUNTY

FILED

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

FILE NUMBER: 21 R 153

2021 OCT 28 A 9:11

ADMINISTRATIVE ORDER
REGARDING MEDICAL MALPRACTICE ACTIONS

BY Cdw

IT APPEARING to the Court that on June 18, 2021, the Governor of North Carolina signed into law Session Law 2021-47 (SB255) (hereinafter, the "Act"). Section 1(b) of the Act establishes a new procedure for the assignment of medical malpractice cases brought in the Superior Court Division.

Section 1(b) of the Act amends N.C.G.S. § 7A-47.3 to add new subsection (e) as follows:
(e) The senior resident superior court judge, in consultation with the parties to the case, shall designate a specific resident judge or a specific judge assigned to hold court in the district to preside over all proceedings in a case subject to G.S. 90-21.11(2).

The requirement of N.C.G.S. § 7A-47.3(e) became effective October 1, 2021, for all medical malpractice cases filed on or after October 1, 2021, and for all medical malpractice actions pending on October 1, 2021.

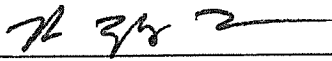
Therefore, it is hereby **ORDERED** that effective October 1, 2021, pursuant to the provisions of N.C.G.S. § 7a-47.3(e), the Senior Resident Superior Court Judge will designate a specific judge to hold court in Judicial District 6A to preside over all proceedings in a case subject to N.C.G.S. § 90-21.11(2), according to the following procedures:

1. For all medical malpractice cases filed on or after October 1, 2021, or pending on October 1, 2021, the parties must file a Medical Malpractice Case Notification and Consultation Form with the Halifax County Clerk of Superior Court upon the filing of a responsive pleading or motion requiring a determination by a superior court judge, whichever occurs first.
2. A copy of the Medical Malpractice Case Notification and Consultation Form shall be submitted either by email or regular mail to the Court Manager on the date the form is filed for review by the Senior Resident Superior Court Judge. If the parties are unable to agree on the content of the Medical Malpractice Case Notification and Consultation Form, each party must submit a separate form.
3. In the interest of efficient case management, any attorney or unrepresented party who fails to file and submit the Medical Malpractice Case Notification and Consultation Form in accordance with these procedures, absent good cause, will be

considered by the Court to have waived any objections to the proposed and requested dates and judges.

4. In requesting a superior court judge to preside over all proceedings in the case, the parties must contact the judge and obtain the judge's agreement to be assigned to hear all proceedings in the case.
5. In the assigning a specific superior court judge to hear all proceedings in the case, the Senior Resident Superior Court Judge will consider, but is not bound by, the judge requested by the parties.
6. The Court Manager shall notify the parties of the judicial assignment.

This the 27th day of October, 2021.



Norlan W. Graves
Senior Resident Superior Court Judge
Judicial District 6A

STATE OF NORTH CAROLINA

File No. _____

HALIFAX COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

Name of Plaintiff(s)

VERSUS

Name of Defendant(s)

**MEDICAL MALPRACTICE CASE
NOTIFICATION AND CONSULTATION**

NOTE: Parties in all Halifax County Superior Court medical malpractice actions subject to N.C.G.S. § 90-21.11(2) are required to complete and file this form upon the filing of a responsive pleading or motion requiring determination by a superior court judge, whichever occurs first. After filing with the Halifax County Clerk of Superior Court, the parties shall deliver a copy of this form by email or regular mail to the Court Manager. Failure to comply with 6A Judicial District Administrative Order Regarding Medical Malpractice Actions, absent good cause, will be considered a waiver of any objections to the proposed and requested trial dates and judges. Submission of this form to the Court constitutes consultation with the Senior Resident Superior Court Judge.

In accordance with the requirements of N.C.G.S. § 7A-47.3(e) and the 6A Judicial District Administrative Order Regarding Medical Malpractice Actions, the parties submit this completed form for review by the Senior Resident Superior Court Judge.

(1) Select one:

- The agreed-upon information herein is jointly submitted by the parties to this action.
- The information herein is submitted by the Plaintiff(s) only; a copy has been delivered to Defendant(s).
- The information herein is submitted by the Defendant(s) only; a copy has been delivered to Plaintiff(s).

(2) Date Case Filed: _____.

(3) Anticipated length of trial: _____.

(4) Proposed trial dates: _____.

(5) Date Discovery Scheduling Order Signed: _____ Trial Date: _____.

(6) Available dates in the next 60 days for medical practice discovery conference (If not previously signed):

(7) Select one

- All parties voluntarily agree to waive venue for pretrial motions
- The Plaintiff(s) voluntarily agree to waive venue for hearing pretrials motions.
- The Defendant(s) voluntarily agree to wave venue for hearing pretrials motions.

(8) Requested superior court judge for assignment to preside over all proceedings in this case and his/her judicial district:

Judge _____ (District # _____)

Confirmation required: has been consulted / is agreeable to assignment.

Judge _____ (District # _____)

Confirmation required: has been consulted / is agreeable to assignment.

NOTE: In assigning a superior court judge, the senior resident superior court judge may consider, but is not bound by, the judges requested by the parties.

Submit by:

- Self-Represented Plaintiff Plaintiff's Attorney Self-Represent Defendant Defendant's Attorney

Signature:

Signature:

Name:

Name:

Mailing Address

Mailing Address

Phone Number:

Phone Number:

Email Address:

Email Address

Attach additional sheets as necessary to include names and contact information of all attorneys and self-represented litigants
6A Medical Malpractice Case Notification and consultation Form 10/2021