



J. CALVIN HILL
CHIEF DISTRICT COURT JUDGE
JUDICIAL DISTRICT 28
BUNCOMBE COUNTY COURTHOUSE
ASHEVILLE, NC 28801-3583

DISTRICT COURT JUDGES
PATRICIA K. YOUNG
JULIE M. KEPPLER
ANDREA F. DRAY
WARD D. SCOTT
EDWIN D. CLONTZ
SUSAN M. DOTSON-SMITH

PRESS RELEASE

TO: ALL
FROM: Senior Resident Superior Court Judge Alan Thornburg and Chief District Court Judge Hill
DATE: March 13, 2020
RE: Response to COVID-19 (Corona Virus) by Buncombe County Courts in light of Chief Justice Beasley's Directive

The Chief Justice of The North Carolina Supreme Court, Cheri Beasley, held a press conference today at 11:00 am. She announced new Judicial Branch measures to minimize the spread of COVID-19 (Corona Virus) among members of the public who have business before the Courts.

The Courts of Buncombe County, both District and Superior, will remain open for business, but will operate consistent with the two Emergency Directives to reduce the spread of this virus. The Directives of the Chief Justice are as follows:

Emergency Directive 1

In order that all superior court and district court proceedings be scheduled or rescheduled for a date no sooner than 30 days from the issuance of this order, unless:

1. the proceeding will be conducted remotely;
2. the proceeding is necessary to preserve the right to due process of law (e.g., a first appearance or bond hearing, the appointment of counsel for an indigent defendant, a probation hearing, a probable cause hearing, etc.);
3. the proceeding is for the purpose of obtaining emergency relief (e.g., a domestic violence protection order, temporary restraining order, juvenile custody order, judicial consent to juvenile medical treatment order, civil commitment order, etc.); or
4. the senior resident superior court judge, chief business court judge, or chief district court judge determines that the proceeding can be conducted under conditions that protect the health and safety of all participants.

Pursuant to Emergency Directive 1. Paragraph 4:

1. Certain criminal superior court proceedings may be rescheduled to dates sooner than 30 days from the issuance of this order with appropriate notice;
2. Non-jury superior court civil proceedings will not be affected but parties should contact the Trial Court Administrator for scheduling updates; and
3. Domestic Violence cases will proceed the normal course unless you are otherwise notified.

This emergency directive does not apply to any proceeding in which a jury has already been empaneled.
This emergency directive does not apply to grand juries which have already been empaneled.

This emergency directive does not prohibit a judge or other judicial officer from exercising any in chambers or ex parte jurisdiction conferred by law upon that judge or judicial officer, as provided by law.

Additionally, I encourage the superior courts and district courts to liberally grant additional accommodations to parties, witnesses, attorneys, and others with business before the courts who are at a high risk of severe illness from COVID-19.

Emergency Directive 2

I further order that the clerks of superior court shall post a notice at the entrance to every court facility in their county directing that any person who has likely been exposed to COVID-19 should not enter the courthouse. A person who has likely been exposed to COVID-19 who has business before the courts shall contact the clerk of superior court's office by telephone or other remote means, inform court personnel of the nature of his or her business before the court, and receive further instruction. For purposes of this order, a person who has likely been exposed to COVID-19 is defined as any person who:

1. has traveled to China, South Korea, Japan, Italy, or Iran within the previous 14 days;
2. has been directed to quarantine, isolate, or self-monitor;
3. has been diagnosed with COVID-19; or
4. resides with or has been in close contact with any person in the abovementioned categories.

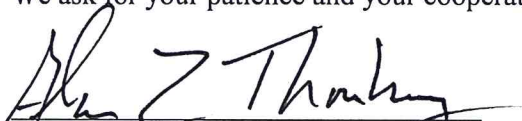
The directives contained in this order will take effect Monday, 16 March 2020.


This order may be extended in whole or in part for additional 30-day periods if necessary.


In light of the emergency involving COVID-19, we are directing any persons with cases pending in the Buncombe County Courts in March or April to (1) Contact your lawyer or Public Defender at (828-259-3423) and request that your case be continued. (2) Use The District Attorney's website at www.BuncombeDA.org to request a continuance of your case.

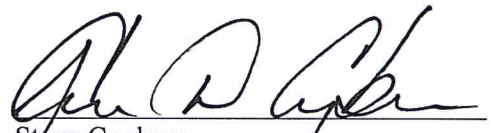
In an effort to divert as many cases as possible away from the Courts, your case may be given a new Court date without you making a request. We will make every effort to give proper notice in the event this happens, but you should not hesitate to contact your lawyer, Public Defender or The Clerk's Office to make inquiry.

We will make every effort to keep our Courts running as effectively as possible in light of this emergency. We ask for your patience and your cooperation.


The Honorable Alan Thornburg
Senior Resident Superior Court Judge
28th Judicial District


The Honorable J. Calvin Hill
Chief District Court Judge
28th Judicial District


Todd Williams
Buncombe County District Attorney
28th Judicial District


Steve Cogburn
Buncombe County Clerk of Court
28th Judicial District