



ADMINISTRATIVE OFFICE OF THE COURTS

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Coronavirus (COVID-19) Announcement

Dear Court Officials, Judicial Branch Employees, and Members of the State Bar:

I am writing to inform you that, at 11:00 this morning, Chief Justice Cheri Beasley held a press conference at the Supreme Court to [announce new Judicial Branch measures](#) to minimize the spread of COVID-19 among members of the public who have business before our state courts. You can watch the press conference by video on the [Judicial Branch's Facebook page](#).

Effective Monday, Chief Justice Beasley has entered an order pursuant to G.S. 7A-39(b)(2) declaring that catastrophic conditions exist in all North Carolina counties. Although our superior and district courts will remain open for business, the Chief Justice's order contains two emergency directives to reduce the spread of infection, which are described below.

Emergency Directive #1

The Chief Justice's order directs local court officials to schedule or reschedule all superior and district court proceedings for a date no sooner than 30 days after March 16th (April 16, 2020), unless the proceeding:

1. Will be conducted remotely through WebEx or other means;
2. Is necessary to preserve the right to due process of law (e.g., a first appearance or other bond hearing, appointment of counsel for an indigent defendant, probation hearing, or probable cause hearing);
3. 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, or civil commitment order); 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.

This emergency directive does not apply to any proceeding in which a jury or grand jury has already been empaneled, and it does not prohibit judicial officials

from exercising in-chambers or ex parte jurisdiction. We encourage the use of remote technology (such as WebEx) for ongoing hearings whenever possible. (See NCAOC's Temporary Audio Video policy, which will be released separately later today.)

Emergency Directive #2

The Chief Justice's order directs the clerks of superior court in all counties to instruct any person who has likely been exposed to COVID-19 not to 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. The order contains a specific definition of a person who "has likely been exposed to COVID-19."

NCAOC's Position on Judicial Branch Employees Working Remotely

At this time, NCAOC encourages all Judicial Branch hiring authorities in the state to consider allowing appropriate employees to work remotely, if possible. The decision by hiring authorities to allow an employee to work remotely will depend on several factors, including the employee's job responsibilities and whether tasks can be completed temporarily from a remote location. We are aware that not every job can be done remotely, but we encourage flexibility where possible to prioritize the health and safety of our employees, their families, and the community. If alternative work arrangements are not possible, employees should continue to come to work as usual, unless they are showing signs of illness, know they have been exposed, or the situation changes. Employees who are allowed to work remotely may be expected to return to regular, in-office work at any time.

Both of the Chief Justice's emergency directives and NCAOC's approach to remote work are intended to implement social distancing practices, which health officials have advised will help curb the spread of COVID-19, and to be consistent with the Governor's directive to limit large gatherings of more than 100 people. They are designed to protect the public and the Judicial Branch's most valuable assets — our employees — while also ensuring that the courts continue to uphold the constitutional and statutory rights of criminal defendants and civil litigants with matters before the court.

The Chief Justice and I understand that this order may cause some confusion among the public, and we encourage our state courts to liberally grant accommodations to parties, witnesses, attorneys, and others with business before the courts, particularly if they are at high risk of severe illness from COVID-19.

While NCAOC has limited staff and resources, we will make every effort to assist court officials who have questions and specific local needs. We encourage all court officials to remain in close contact with your local government officials and local health departments throughout this pandemic. We also encourage counties to assign adequate custodial staff to keep court facilities sanitized.

NCAOC is working to establish a hotline with a recorded message for the public and will provide more details later.

We will continue to share information as we address the public health issue at hand. Thank you for your patience and cooperation as we all work through these challenging times together.

MORE INFORMATION

- [Read the Supreme Court Order](#)
- [Chief Justice Beasley Announces Judicial Branch Response to COVID-19 \(Coronavirus\)](#)
- Watch the announcement on the [Judicial Branch Facebook page](#)

Best regards,



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