



To: All Certified Mediators

From: The Dispute Resolution Commission

Date: January 15, 2021

Regarding: COVID-19 and In-Person Mediated Settlement Conferences.

Chief Justice Paul Newby signed an [Order](#) January 13, 2021, effective January 14, 2021, providing for the extension and modification of certain Emergency Directives. The Order did not extend Emergency Directive 1, therefore Emergency Directive 1 is no longer in effect. Chief Justice Newby's Order restored to local judicial officials substantial decision-making authority over when and how to conduct other in-person trials and proceedings. He asked that local officials and employees use caution and due regard for the COVID-19 situation. Therefore, mediation settlement conferences *may* be conducted in-person beginning on January 14, 2021. The information below is subject to change based on future orders from the Chief Justice and Governor Cooper.

Mediated Settlement Conferences Scheduled After 1/14/2021

Court-ordered mediations under Rule 4 of the MSC and FFS Dispute Resolution Commission's Program Rules must be conducted through the use of remote technology. However, in person mediations may be conducted if (i) the mediator, all parties, and any other persons required to attend agree to be physically present and agree to comply with all local, state, and federal safety guidelines OR (ii) the court orders in person mediation. North Carolina is facing uncertain and unprecedented times, the safety of the mediator and all parties to the mediation remains paramount. **Mediations shall, to the fullest extent possible, be conducted remotely via video or teleconference.**

The DRC recommends all parties follow the three W's: wear a cloth face covering, wait 6 feet apart and avoid close contact, and wash your hands often. Please stay informed of all local and state policies that are in place to ensure best practices are followed. For

additional information on COVID-19, please see the following websites that provide up-to-date announcements, safety precautions, county updates, FAQ's and more.

[North Carolina Judicial Branch's website on COVID-19](#)

[North Carolina COVID-19 Response](#)

[North Carolina Department of Health and Human Services' COVID-19 Response](#)

DRC staff continues to work hard to keep all mediators up to date on the latest events surrounding COVID-19. You can find the latest information on our website, www.NCDRC.gov, as well as [*Important Information for Mediators to Know*](#) for information regarding ADR within NC Courts. Additionally, there are several resources available to assist mediators if they choose to move forward with mediation by using remote technologies.

Please follow state and local news to determine your personal level of risk. Be smart, stay safe. Please do not hesitate to contact DRC staff at DRCMediators@nccourts.org, with any questions or concerns.