

To Counsel and Any Unrepresented Party Who Has Established a User Account in Pending Business Court Actions:

On 13 October 2020, the Supreme Court of North Carolina issued an Order amending Business Court Rule (“BCR”) 3, effective 13 October 2020. The amendment effects a substantive change to BCR 3.9 and is intended to conform BCR 3.9 with recent changes to Rules 3 and 5 of the North Carolina Rules of Civil Procedure. Of particular note, the amendment to BCR 3.9 eliminates the provision providing that electronic service through the Business Court’s electronic filing system or by email is treated the same as service by mail for purposes of Rule 6(e) of the North Carolina Rules of Civil Procedure.

Accordingly, all counsel and any unrepresented party who has established a user account in cases currently pending in the North Carolina Business Court shall take notice that, effective 13 October 2020, the “three additional days for mailing” provision of Rule 6(e) of the North Carolina Rules of Civil Procedure is no longer in effect for any case now pending in the Business Court or that shall be designated thereafter.

The amendment shall apply to all response deadlines that commence on or after 13 October 2020 but not to those that commenced prior to that date.

The amendment shall have no effect on any deadline set in a scheduling or case management order in a pending Business Court case.

Service by means other than electronic service is required if the party served is a pro se party who has not established a user account.

SO ORDERED, this the 14th day of October, 2020.

Louis A. Bledsoe, III
Chief Business Court Judge