



PRESS RELEASE

March 15, 2020

FOR IMMEDIATE RELEASE

CONTACT: William Bland, Senior Resident Superior Court Judge
Elizabeth Heath, Chief District Court Judge
Justin Minshew, Wayne County Clerk of Court

WAYNE COUNTY COURT SYSTEM MEASURES TO PREVENT THE SPREAD OF COVID-19

Wayne County, NC - On Friday, March 13, 2020, N.C. Chief Justice Cheri Beasley announced that she will enter an order declaring that catastrophic conditions exist in all North Carolina counties. The order which will be effective on Monday, March 16, 2020, contains two emergency directives to reduce the spread of COVID-19. While the order directs that superior and district court proceedings should be continued for at least 30 days, it contains several exceptions for which the court system will continue to hold hearings.

After analyzing the Chief Justice's directives and considering the courts' constitutional duties under Article 1, Section 18, of the North Carolina Constitution that "All courts shall be open; every person...shall have remedy by due course of law; and right and justice shall be administered without favor, denial, or delay" local judicial officials have made the following decisions regarding local court proceedings:

CIVIL COURT:

Civil District and Superior Court: All matters seeking monetary relief will be continued until after April 16. Civil Superior Court matters scheduled for March 30 will be rescheduled for April 27. Attorneys may agree to the next date or the case may be removed to be re-noticed by a party after the expiration of the emergency measures ordered by the Chief Justice. Matters noticed for temporary restraining orders and other emergency matters will be heard in the appropriate court.

Small Claims Court will only conduct hearings for Summary Ejection/Evictions, all other matters will be continued until after April 16.

CRIMINAL AND TRAFFIC COURT:

Criminal District Court sessions will continue to hear cases which affect due process. Cases which will continue as usual include: first appearances, requested probable cause hearings, preliminary hearings on probation violations, and bond motions. Matters previously calendared for a special session of court will be heard. All other cases will be continued to a date after April 16, notice by mail will be sent to Defendants' last known address.



Criminal Superior Court will operate to hear matters affecting due process, including first appearances, bond hearings, probation hearings, and other matters by appointment. Defendants with matters scheduled before the court should remain on telephone standby with their attorney and be available to appear in court upon direction.

Mt. Olive Criminal District Court scheduled March 27 will be cancelled, first appearances for individuals charged with criminal offenses will be held on March 27 at 9:00 a.m. at the Wayne County Courthouse in Goldsboro, all other matters will be continued until after April 16.

Probationers should remain in contact with your probation officer who will advise you as to whether your appearance in court is necessary.

Traffic/Administrative Courts scheduled for March 20 and April 3 will be continued until after April 16.

DOMESTIC AND FAMILY LAW MATTERS:

Child Support Court cases will be rescheduled until after April 16 and you will receive notice by mail of the new court date.

Domestic Violence Protective Orders and Civil No Contact Orders: Parties seeking emergency relief under Chapters 50B and 50C are asked to come to the Clerk's Office by 9 a.m. to have their request for ex parte relief heard by a judge. If you are the plaintiff or defendant in one of these matters, you should come to court as required. You are encouraged to not allow persons other than necessary witnesses to accompany you to court.

Juvenile Delinquency Court will conduct secure custody hearings, first appearances, and probable cause hearings. All other hearings will be continued until after April 16.

Juvenile Abuse/Neglect/Dependency Court will conduct non-secure custody hearings as scheduled. All other matters will be addressed pursuant to the timing requirements of the relevant statutes. Family Court Case Coordinators will communicate with attorneys to reschedule any non-essential matters. Individuals who are not represented by an attorney should contact the Family Court Office at (919) 722-6255 or their assigned social workers to determine whether they should appear in court.

Parties should contact their attorneys regarding all other domestic and family law matters including hearings for **divorce, child custody, alimony, etc.** Family Court Case Coordinators will communicate with attorneys to reschedule any non-essential matters. Individuals who are not represented by an attorney should contact the Family Court Office at (919) 722-6254.

HEARINGS BEFORE THE CLERK:

Individuals with hearings scheduled before the Clerk, such as Foreclosures, Incompetency, Guardianship, Partitions, etc. should contact the Clerk of Superior Court Estate and Special Proceedings Division at (919) 722-6100 Ext. 4 regarding the status of the hearing.

JURY MATTERS:

District and Superior Court Jury Trials will be rescheduled until after April 16, jurors summoned for District or Superior Court trial weeks will not need to report for any sessions from the week of March 16th through the week of April 13th.

Grand Jury members are still expected to report as scheduled on April 6, 2020, at 10:00 a.m.; any changes will be reported to the Grand Jury foreperson and communicated by the foreperson to the grand jury members.

General Tips for Lawyers: Please plan to be present when court opens for the day. We will be operating on a limited schedule and will not hold matters open for attorneys. If you plan to request a probable cause hearing, please give the Office of the District Attorney ample notice.

General Tips for the Public: If you are a party who is represented by an attorney, please contact your attorney for scheduling information. If you are not represented by an attorney, please contact the Clerk's Office. If you are a victim or a witness for the state, contact the Office of the District Attorney. Individuals may also visit www.nccourts.gov for continuance dates.

General Tips for Everyone: If you have traveled out of the country in the past 14 days or have been exposed to someone who has traveled out of the country in the past 14 days; or if you have tested positive for COVID-19 or have been exposed to someone who has tested positive for the virus; or if you have flu-like symptoms please do not come to the courthouse. Communicate your concern to the appropriate individuals listed above.

The court system remains open to process important documentation and information and to provide essential and required legal services, especially to those in the jail and to victims of violent crime.

Clerk of Court Justin Minshew, Chief District Court Judge Elizabeth Heath, and Senior Resident Superior Court Judge Will Bland each express their appreciation to all those affected by this situation and particularly thank court personnel and law enforcement for their help in coordinating a safe and practical response.

** Please note that this press release includes amendments to the March 14, 2020 release to provide clarity regarding matters calendared for Mt. Olive District Court, traffic matters, and to update contact information for Juvenile Abuse Neglect and Dependency matters.*