



# NEWS RELEASE

The 26<sup>th</sup> Judicial District of North Carolina

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**FOR IMMEDIATE RELEASE**

**June 3, 2020**

**26<sup>TH</sup> JUDICIAL DISTRICT COVID-19 MODIFIED COURT OPERATIONS FOR JUNE 2020**

In the continued interest of the health and safety of the community and court personnel, we remain committed to balancing access to justice with the ongoing public health crisis that COVID-19 presents.

In accordance with the May 14<sup>th</sup>, May 21<sup>st</sup>, and May 30<sup>th</sup>, 2020 emergency directives from North Carolina Supreme Court Chief Justice Cheri Beasley, **the 26<sup>th</sup> Judicial District has modified its court operations for the month of June 2020.** Additionally, the Senior Resident Superior Court Judge and Chief District Court Judge have entered an Administrative Order regarding court rules necessary to protect public health and slow the spread of COVID-19 in the Mecklenburg County Courthouse. A copy of this June 1, 2020 Administrative Order can be accessed [here](#).

Court offices in the Mecklenburg County Courthouse remain open for business. However, by order of the Chief Justice, only people with business at the courthouse will be allowed to enter. Everyone is encouraged to use email and telephone to communicate with staff of the 26<sup>th</sup> Judicial District to minimize the number of persons entering the courthouse. Contact information for court offices may be found on the [Judicial Directory](#).

The following are highlights from the June 1, 2020 Administrative Order pertaining to modified court operations for the month of June 2020. The June 1, 2020 Administrative Order can be accessed in its entirety [here](#).

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**CLERK OF SUPERIOR COURT:**

**Operational Hours, Mail & Filing**

- Open to the public at the Mecklenburg County Courthouse, 832 East Fourth Street, Charlotte, North Carolina 28202, on Monday through Friday, between the hours of 9:00AM and 12:00PM.
- To further minimize foot traffic in the courthouse, attorneys and litigants are encouraged to submit filings by mail to the greatest extent possible. Filings are to be mailed to:

**Clerk of Superior Court  
Mecklenburg County Courthouse  
P.O. Box 37971  
Charlotte, NC 28237-7971**

- Receptacles will be available in designated areas to accept filings. All persons seeking to file legal documents are encouraged to submit their filings using the secure receptacles. If you are a legal professional or filing on behalf of another, you are required to deposit your documents in the receptacle.
- A secure receptacle will be located at the reception-desk inside the McDowell and Fourth Street entrance on the first floor. Filing will be available at this receptacle from 8:00AM to 5:00PM. Items placed in the receptacle by

4:00PM will be file-stamped, processed, and a copy mailed back. To ensure same-day mailing, please include a self-addressed, pre-paid envelope.

- As a courtesy, a secure receptacle will also be located on the third floor for a limited time. Filing will be available at this receptacle from 9:00AM to 12:00PM. Items placed in the receptacle by 12:00PM will be file-stamped, processed, and a copy mailed back. To ensure same-day mailing, please include a self-addressed, pre-paid envelope.
- For filings by mail and deposited in the receptacles, please include a certified check or money order. No cash payments accepted.

### Access to Public Records

- Access to public records is available from 9:00AM to 12:00PM, Monday through Friday, by appointment only.
- To access Criminal files by appointment, email [Mecklenburg.Criminal@nccourts.org](mailto:Mecklenburg.Criminal@nccourts.org)
- To access Civil files by appointment, email [Mecklenburg.Civil@nccourts.org](mailto:Mecklenburg.Civil@nccourts.org)
- To access Estate files by appointment, email [Mecklenburg.Estates@nccourts.org](mailto:Mecklenburg.Estates@nccourts.org)

### Special Proceedings

- Foreclosure hearings will not be scheduled during the month of June.
- Filers are encouraged to submit documents in the secure receptacle (*i.e.*, motor vehicle liens, name changes, guardian ad litem appointments).
- An upset bid period that is pending on or after Monday, March 16, 2020 to Monday, June 1, 2020, will continue to be timely filed until the close of business on Monday, June 1, 2020. Please note that close of business is 12:00PM. If an upset bid is delivered by United States Postal Service and received by the Clerk within five (5) business days of the expiration of the upset bid period, the filing will be deemed timely.

### Estates

- In order to limit face-to-face interactions between the public and staff, customer assistance will be provided using technology to the greatest extent possible. Telephone conferencing, email transmissions, and WebEx tutorials are methods being employed to deliver customer service.
- Clerk staff will monitor and respond to telephone calls and emails. The Estates phone line is 704-686-0460. Estates questions may be emailed to: [Mecklenburg.Estates@nccourts.org](mailto:Mecklenburg.Estates@nccourts.org)
- Filers are encouraged to submit documents in the secure receptacle (*i.e.*, application for administration by clerk, family history affidavit, application and assignment of the year's allowance).

### Incompetency & Guardianship Matters

- Incompetency and Guardianship matters are scheduled in Courtrooms 2370, 2350 and 2330.
- A Judicial Hearing Officer will be on-site during operational hours to address emergency matters.
- Non-emergency filings will be accepted by United States Postal Service or may be submitted in the secure receptacle. To schedule a hearing, please email: [Mecklenburg.CSC.FrontDesk@nccourts.org](mailto:Mecklenburg.CSC.FrontDesk@nccourts.org)

### MAGISTRATE AND SMALL CLAIMS

- The Criminal Magistrate's Office located at 801 East Fourth Street will be open 24 hours per day, 7 days per week and normal operations will continue for Warrants for Arrest, Magistrate's Orders, Criminal Summons, Initial Appearances, Cash Bonds / Property Bonds, Involuntary Commitment Orders, Juvenile Petitions, and Secured and Non-Secured Custody Orders.
- **Courtroom 2310** will operate for the purpose of Civil Commitment hearings. Civil Commitment hearings will be conducted remotely. All participants in a remote hearing shall be able to be seen and heard by all other participants. Respondents must have the ability to communicate confidentially with Special Counsel during the proceeding.
- From June 8, 2020 through July 2, 2020, **weddings** will be conducted by Magistrates in the Mecklenburg County Courthouse **in Courtroom 5350 on Mondays, Wednesdays and Fridays from 9:00AM until 12:00PM by**

**appointment only.** To schedule an appointment for a wedding, please email:

[Mecklenburg.Magistrate.Weddings@nccourts.org](mailto:Mecklenburg.Magistrate.Weddings@nccourts.org) . Only the parties to the marriage and two witnesses may attend a scheduled marriage ceremony.

- Summary ejectment matters in Small Claims Court will not be scheduled in the month of June 2020. A plan for the scheduling of summary ejectment matters will be publicized before June 30, 2020. The scheduling of money owed matters in Small Claims Court will begin the week of June 8, 2020.

## **DISTRICT AND SUPERIOR COURT:**

### **Criminal District Court—Courtrooms 1150 and 1130**

- Misdemeanor First Appearances will not be held in the month of June, 2020 and traffic matters will not be scheduled for in-person hearings in the month of June, 2020.
- Felony First Appearance hearings will be conducted by video during the morning session of court.
- Domestic Violence First Appearance hearings will be conducted by video during the morning session of court.
- Felony Probable Cause Hearings will be scheduled consistent with state law within 15 days in the morning sessions.
- Defendants who appear for Probable Cause Hearings will be seated in Courtroom 1130 at six-foot intervals. Defense attorneys will use the administrative courtrooms in 1130 to conduct confidential discussions with clients. Defendants who need to see a judge will be seated in courtroom 1150 at the end of the morning session.

### **Domestic Violence (Civil) Court—Courtrooms 4110 and 4130**

- Return hearings will be scheduled for morning sessions according to statute. If the calendar within 10 days of filing has too many cases docketed to allow for social distancing, then the Court may determine that good cause exists to set the case for hearing in 11 to 15 days out. Calendaring decisions are intended to comply with the directives of the Chief Justice to minimize the number of persons in the courtroom.
- Hearings will be held in **courtroom 4110**. Plaintiffs will be seated at six-foot intervals in courtroom 4110. Defendants will be seated at six-foot intervals in **courtroom 4130**.
- Defendants will be called into courtroom 4110 when their case is called for hearing and will return to courtroom 4130 to receive the order and instructions from the Mecklenburg County Sheriff's Office.
- Witnesses and persons present for emotional support may be asked to wait outside the courtroom or in another designated location.

### **General Civil Court\***

*(\*excludes Family Court, Child Support and Domestic Violence cases)*

- There will be no jury trials during the months of June or July 2020 in District or Superior Court. All jury trials previously scheduled during these months have been or will be continued by the Trial Court Administrator (TCA), considering peremptorily set cases, number of prior continuances, and age of cases.
- There will be no civil bench trials in the month of June 2020. All bench trials which were continued on or after April 13, 2020 will be continued by the TCA considering peremptorily set cases, number of prior continuances, and age of cases.
- Superior Court Civil Motions will be heard in **courtroom 6310** Monday through Thursday. Motions in Superior Court civil cases will transition from remote hearings to in-person hearings beginning Monday, June 1, 2020, except for the week of June 22, 2020. No civil motions will be heard that week.

### **Domestic Court—Courtrooms 6170, 6350, 8100, 8130, 8150, 8170, and 8300**

- Beginning June 1, 2020, in-person trials and hearings will resume in the morning sessions only in all domestic courtrooms. Judges may direct and parties may request remote WebEx hearings for certain cases.
- For a complete listing of Domestic Court directives, please refer to the [June 1, 2020 Administrative Order](#)
- Child Support Court (**courtroom 8110**) will resume operations after June 30, 2020. Prior to July 1, 2020, any continuances, dismissals, consent order or other matters needing review or signatures of a District Court Judge shall be submitted in chambers to the Lead Child Support Judge.

### **Juvenile Court—Courtrooms 8330, 8350, 8370, and 8390**

- All cases will be scheduled for a time certain after consideration of the issues to be tried, the nature of evidence and number of witnesses necessary to the material issues.
- Two judges will handle abuse, neglect, dependency and delinquency hearings. AM hearings will be time certain; PM hearings will be remote.
- One judge will handle special proceedings (*e.g.*, contested adjudications and probable cause hearings that need testimony).
- Detention hearings will be held on Monday and Thursday (remotely).
- Non-secure custody hearings will be held on Wednesday and Friday of each week and will be heard by the assigned judge except when assigned to cover detention hearings.
- Delinquency cases will be scheduled on Mondays and Thursdays. In-person hearings will be calendared on a case-by-case basis during morning sessions.
- The Assistant District Attorney supervising the Juvenile Prosecution Unit will work with the Council for Children’s Rights and defense bar to prioritize cases for hearings in the months of June, July and August 2020. Priority cases will include probable cause hearings, return indictment hearings, post-supervision release planning review hearings, and adjudication and/or disposition for juveniles in detention.

### **Felony Administrative Court**

- Superior Criminal Administrative Court will be held daily in both **courtroom 5310 and courtroom 5150** through the month of June. These courts will run during the **AM session only** and begin at 9:30AM.
- Matters such as scheduling conferences and follow-up scheduling conferences will take place electronically via email between the parties and the Trial Court Administrator. Pre-Trial Readiness Conferences will not be calendared in Administrative Court, though out-of-court evidence viewings will be arranged by the assigned prosecutor upon timely request of the defense. Cases currently scheduled for Pre-Trial Readiness Conference will be moved to trial calendars.
- Friday court sessions will be used for expedited arraignments and bond hearings.

### **Felony Probation Violation Court**

- Felony Probation Violation Court will not be held in the month of June. Probable Cause Hearings for new felony probation violations will continue to be held in courtroom 1150 on Monday afternoons.

### **JURY DUTY:**

- All jurors summoned for Monday, June 1 or Monday, June 8, 2020, should check their reporting status at [eresponse.mecknc.gov](https://eresponse.mecknc.gov) or call the automated juror information line at 877-649-7133 after 5:30PM on the evening before their scheduled report date to determine if their appearance is still required. The grand jury will be selected on June 1 and June 8. If chosen to serve on the grand jury, jurors will be required to appear every other Monday through December 2020.
- Jurors summoned for all other dates in June have been excused and should not report.

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