



NEWS RELEASE

The 26th Judicial District of North Carolina

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FOR IMMEDIATE RELEASE

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26TH JUDICIAL DISTRICT COVID-19 MODIFIED COURT OPERATIONS FOR AUGUST 2020

As our nation, state, county, and city continue to deal with the effects of the COVID-19 pandemic, the Mecklenburg County Courts remain committed ensuring access to justice with the health and safety of the community and court personnel in mind.

In accordance with the July 16th, July 20th, July 24th, and July 29th, 2020 emergency directives from North Carolina Supreme Court Chief Justice Cheri Beasley, **the 26th Judicial District will continue modified court operations for the month of August 2020.**

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.

All persons who enter the Mecklenburg County Courthouse are required to wear a face covering while they are in common areas of the building and when interacting with others. The face covering requirement is not applicable to persons who cannot wear a face covering due to health or safety reasons, who are actively eating or drinking, who are communicating with someone who is hearing-impaired in a way that requires the mouth to be visible, who are temporarily removing their face covering to secure medical services or for identification purposes, or who are under eleven years of age.

Everyone is encouraged to use email and telephone to communicate with staff of the 26th Judicial District to minimize the number of persons entering the courthouse. Contact information for court offices may be found on the [Judicial Directory](#).

[A comprehensive listing of all court operations can be found in the August 5, 2020 Administrative Order \(20 R 1069\).](#)

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**

- Secure receptacles are available in designated areas to accept payments and civil filings. All persons on courthouse premises seeking to file legal documents are encouraged to submit their filings using the secure receptacles.
- Only payments made by certified check or money order may be deposited in the receptacles. No case payments will be accepted.
- Same day pick up of items deposited in the receptacle is not available.
- Legal professionals or those persons filing on behalf of another are required to submit filings by mail or deposit documents in the secure receptacles. Only in the case of filing an emergency pleading are legal professionals or those filing on behalf of another permitted to file at the customer service windows.
- Filings deposited in the receptacles must include a completed cover sheet. Blank forms can also be found at the receptacle tables.
- The secure receptacle is 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 and processed the same day. Copies will be mailed back the next business day. To ensure next business day mailing, please include a self-addressed, pre-paid envelope.
- A second secure receptacle is also 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 and processed the same day. Copies will be mailed back the next business day. To ensure next business day mailing, please include a self-addressed, pre-paid envelope.

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
- To access Civil files by appointment, email Mecklenburg.Civil@nccourts.org
- To access Estate files by appointment, email Mecklenburg.Estates@nccourts.org

Special Proceedings

- Foreclosure hearings are scheduled in designated courtrooms. To confirm courtroom assignment, dockets are posted in the Clerk of Court—Administration Suite 3600.
- Filers are encouraged to submit documents in the secure receptacle (*i.e.*, motor vehicle liens, name changes, guardian ad litem appointments).

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
- Customers are encouraged to mail or deposit 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 & Foreclosure Matters

- Non-emergency filings are accepted by mail, or may be deposited in the secure filing receptacles.
- Incompetency, Guardianship, and Foreclosure hearings are scheduled in accordance with safety protocols. To schedule a hearing, please email: Mecklenburg.CSC.FrontDesk@nccourts.org.
- To confirm courtroom assignment on the date of the hearing, dockets are posted in the Clerk of Court—Administration Suite 3600.

MAGISTRATE, CIVIL COMMITMENT & 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.
- All 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.
- Beginning August 3, 2020, Magistrates will rotate operation of five courtrooms presiding over Weddings, Money Owed, IJH and Summary Ejectments.
- **Weddings** will be conducted by Magistrates in the Mecklenburg County Courthouse in **courtroom 2330 Monday through Friday from 2:00PM until 4:00PM by appointment only**. To schedule an appointment for a wedding, please email: Mecklenburg.Magistrate.Weddings@nccourts.org . Individuals wishing to get married must bring a valid marriage license from a North Carolina Register of Deeds Office, two witnesses and the requisite \$50.00 marriage fee. Only the parties to the marriage and two witnesses may attend a scheduled marriage ceremony.

DISTRICT AND SUPERIOR COURT:

Criminal District Court—Courtrooms 1150 and 1130

- Misdemeanor First Appearances will not be held in the month of August, 2020 and Traffic matters will not be scheduled for in-person hearings in the month of August, 2020. The District Attorney's Office will utilize virtual platforms including ECAD and iPlea to the fullest extent possible to resolve traffic matters and other waivable offenses.
- 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.
 - The District Attorney will communicate with Defense Counsel about its intent to transfer or take other actions at least 48 hours prior to the scheduled Probable Cause Hearing.
 - Defense Counsel will make diligent efforts to communicate with each client about the State's intent and to execute the defendant's decision prior to the scheduled Probable Cause Hearing.
- 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.
 - Defense counsel will submit any executed Waivers of Probable Cause to the Clerk prior to the end of the session.

Domestic Violence (Civil) Court—Courtrooms 4110 and 4130

Filing Complaints and Motions

- Parties may file Complaints and Motions related to Chapter 50B and 50C with the Clerk of Superior Court's Office Monday through Friday between 9:00AM and 12:00PM.
- E-filing through Safe Alliance is temporarily suspended. Currently, there are no other approved remote filing options available.

Ex Parte Hearings

- Plaintiffs who file with the Clerk's Office between 9:00AM and 10:30AM and are seeking Ex Parte relief will be directed to immediately report to either Courtroom 4110 or 4130 for the Ex Parte hearing. Requests for Ex Parte relief filed with the Clerk's Office between 10:30AM and 12:00PM will be scheduled for the afternoon session in either Courtroom 4110 or 4130.

- Parties seeking Ex Parte relief after 12:00PM may file at the Public Window at the Criminal Magistrate's Office located at 801 East Fourth Street on the same day or may file with the Clerk's Office the next morning between 9:00AM and 12:00PM.

Return Hearings

- 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. The Clerk's Office will limit the number of cases scheduled in each session of court to a number consistent with the modified capacity of the courtrooms. Calendaring decisions are intended to comply with the directives of the Chief Justice to minimize the number of persons in the courtroom.
- Return hearings that require the presentation of substantial evidence will be rescheduled for remote hearing on the next available Wednesday afternoon.
- The Clerk in Courtroom 4110 will complete a general docket call of all matters scheduled for hearing during the session. The Clerk will assign cases to each of the two courtrooms operating for DVPO matters.
- 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 month of August 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.
- All bench trials which were continued on or after April 13, 2020 will be scheduled by the TCA for remote hearing beginning in the month of August, 2020 considering peremptorily set cases, number of prior continuance and age of cases.
- Judicial Settlement Conference will continue to be available for all continued or rescheduled cases which were to be heard between April 13, 2020 and June 1, 2020. Please contact the TCA to schedule a judicial settlement conference.
- All District Court Civil Motions will be scheduled by the TCA for remote hearing beginning in the month of August, 2020.
- Superior Court Civil Motions will be heard in **Courtroom 6310** Monday through Thursday. In-person hearings will occur during the morning sessions. Remote hearings will occur during the afternoon session. Scheduling for both in-person and remote hearings will be done through the TCA's Office.

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

- In-person trials and hearings will continue in the morning sessions only in all domestic courtrooms. Judges may direct and parties may request remote WebEx hearings for certain cases.
- The judicial review of summary judgment divorces has resumed. Divorce judgments can no longer be picked up at the courthouse. A self-addressed, stamped envelope must be provided with each submission.
- In-person divorce hearings are not currently being scheduled.
- Child Support Court (**courtroom 8110**) will begin remote hearing operations in August, 2020. Any continuances, dismissals, consent order or other matters resolved outside of a court session needing review or signatures of a District Court Judge shall be submitted in chambers to the Lead Child Support Judge. Child Support Contempt Hearings will be scheduled for in-person hearings during the morning sessions of August 17, 2020 and August 20, 2020.

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.
- A new notice of hearing will be sent to attorneys and unrepresented litigants for a remote hearing once a date and time is set.

- The schedule below is valid through the week of August 31, 2020:
 - Two judge handling AND/Delinquency hearings (2 courtrooms required; Pre COVID schedule). AM hearings will be time certain; PM hearings will be remote.
 - One judge handling special proceedings (one courtroom required for cases that will need multiple days to resolve, including, but not limited to, 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. 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

- Administrative Court (**Courtroom 5310**) will run Monday through Friday in both the AM and PM sessions. Cases will be set according to the existing Mecklenburg County Superior Court Criminal Administrative Calendar and will continue to be grouped under the current Quad system. Cases will be scheduled in four (4) quads: 9:30am, 11:00AM, 2:00PM, and 3:30PM. Parties must appear promptly at their scheduled time and will be allowed in the courtroom only during their scheduled Quad.
- 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.

Felony Probation Violation Court

- Full terms of Probation Court will be set in **Courtroom 5350** during the weeks of August 10th and August 31st, 2020. On August 10th and August 31st at 9:30AM, Probation Probable Cause hearings will be scheduled in Courtroom 5350.
- On August 3rd, August 17th, and August 24th, 2020, Probation Probable Cause hearings will be scheduled at 1:30PM in **Courtroom 1150**.

JURY DUTY:

- All jurors summoned for the months of August and September have been excused and should not report.

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