

STATE OF NORTH CAROLINA
SECOND JUDICIAL DISTRICT

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
22 R 65

FILED

2022 MAR 23 P 2:18

BEAUFORT COUNTY
MARTIN COUNTY
WASHINGTON COUNTY
TYRRELL COUNTY
HYDE COUNTY

BEAUFORT CO., C.S.C.

BY



ADMINISTRATIVE ORDER FOR
DISTRICT COURT GUIDELINES
EFFECTIVE March 23, 2022

NOW COMES the Chief District Court Judge for the Second Judicial District and enters this Administrative Order.

IT APPEARING TO THE COURT that The Chief Justice has lifted Emergency Directive 12 and Emergency Directive 21 and given the Senior Resident the discretion to set the guidelines for social distancing and face coverings. The Court finds that COVID-19 infections in the District have decreased.

NOW, THEREFORE, IT IS ORDERED that:

Temperature Screening, Spacing and Masks

1. Temperature screening upon entry of the Courthouse may cease.
2. Hand sanitizer shall be available at the entry and exit of the facility and, preferably, at all high touch areas of the facility including doorways, service counters, stairwells and elevators.
3. The social distancing guideline of at least 3 feet for occupancy of each courtroom or meeting space is lifted, although social distance spacing is encouraged.
4. The requirement of face mask to be worn in the courthouse is lifted.

I. Court Sessions and Procedures

A. Beaufort County

1. **Criminal Court**-There will be one session of court per day. There will be no more than 150 cases on the calendar. DV sessions will have no more than 75 cases on the calendar. FEL sessions will have no more than 100 cases on the calendar session. Priority will be given to oldest cases, in-custody defendants, bond motions, probable cause hearings and guilty pleas. All add-on matters, in-custody first appearances (felony and misdemeanor) and domestic violence bond matters will be heard at

11:30 am or at time to be set by the presiding judge. ONLY defendants, counsel and necessary court personnel will be allowed in the courtroom. Essential witnesses will be allowed in the courtroom, as needed.

Because of the reduced number of cases, continuances will be granted sparingly and, as always, are in the discretion of the presiding judge.

Attorneys will need to be ready to either try their case or enter a plea if the case is at least 12 months old from the date of the offense, all discovery has been provided, and the necessary witnesses have been subpoenaed for trial.

2. **Traffic Admin** -There will be two sessions of court per day. The first session will begin at 8:30 am and the second session at 10:30 am. There will be no more than 400 cases on the calendar. Cases can be added to the calendar if agreed to by the DA and the presiding judge. CAP cases will be set on the 10:30 am calendar (in addition to the 400 traffic cases). CAP cases will be set by the District Attorney's office, CAP coordinator and the Clerk of Superior Court ("CSC").
3. **DWI Session**- This will be a two-day session. The calendar for this session will be set by the DA's office.
4. **Probation**- Probation violation hearings may be conducted at any regularly scheduled session of criminal court. Probation cases will not have a separate calendar.
5. **Civil Court**
 - a. **General Three-Day Session**- Cases will be in-person. WebEx hearings may be requested for short matters (Summary Judgement, Contract, Withdraw as Counsel) and heard by WebEx at the discretion of the presiding judge. The Court will set calendar times for hearing during Calendar Call.
 - b. **Friday Civil Session**- All cases will be heard in-person. A WebEx can be requested, and matters heard virtually in the discretion of the presiding judge.
 - c. **Child Support/IV-D**- There will be three sessions of court per day. The first session will begin at 9:30 am, the second session at 10:30 am, and the third session at 11:30 am. Each session will be limited to 50 cases per session. Calendars will be set by the IV-D attorney.
 - d. **Juvenile CPS (A/N/D)** -Court will begin at 9:30 am and all hearings will be in-person. The cases will be calendared and assigned time slots by the DSS attorney.

- e. **Juvenile Delinquency** -There will be one session of court per day. The Juvenile Session will be held in-person. Secure Custody hearings will be conducted virtually. The District Attorney's office and Juvenile Services will schedule cases.

B. Martin County

1. **Criminal Court**-There will be one session of court per day. There will be no more than 150 cases on the calendar per session. DV sessions will have no more than 75 cases on the calendar per session. FEL sessions will have no more than 100 cases on the calendar session. Priority will be given to oldest cases, in-custody defendants, bond motions, probable cause hearings and guilty pleas. All add-on matters, in-custody first appearances (felony and misdemeanor) and domestic violence bond matters will be heard at 11:30 am or at a time to be set by the presiding judge. ONLY defendants, counsel and necessary court personnel will be allowed in the courtroom. Essential witnesses will be allowed in the courtroom, as needed.

Because of the reduced number of cases, continuances will be granted sparingly and, as always, are in the discretion of the presiding judge. Attorneys will need to be ready to either try their case or enter a plea if the case is at least 12 months old from the date of the offense, all discovery has been provided, and the necessary witnesses have been subpoenaed for trial.

2. **Traffic Admin.**-There will be two sessions of court per day. The first session will begin at 8:30 am and the second session at 10:30 am. There will be no more than 400 cases on the calendar per session. Cases can be added to the calendar if agreed to by the DA and the presiding Judge. CAP cases will be set on the 10:30 am calendar (in addition to the 400 traffic cases). CAP cases will be set by the District Attorney's office, CAP coordinator and the Clerk of Superior Court ("CSC").
3. **DWI Session**-This will be a two-day session. The calendar for this session will be set by the District Attorney's Office.
4. **Probation**- Probation violation hearings may be conducted at any regularly scheduled session of criminal court. Probation cases will not have a separate calendar.
5. **Civil Court**

- a. **General Two-Day Session**- Hearings will be held in-person. WebEx hearings may be requested for short matters (Summary Judgement, Contract, Withdraw as Counsel) and heard by WebEx at the discretion of the presiding judge. The Court will set calendar times for hearing during Calendar Call.
- b. **Child Support/IV-D**- There will be three sessions of court per day. The first session will begin at 9:30 am, the second session at 10:30 am, third session at 11:30 am. Each session will be limited to 50 cases per session. Calendars will be set by the IV-D attorney.
- c. **Juvenile CPS (A/N/D)**- Court will begin at 9:30 am. The cases will be calendared and assigned time slots by the DSS attorney.
- d. **Juvenile Delinquency** – Juvenile Delinquency Court will be held in-person. Secure Custody hearings will be conducted virtually. The District Attorney’s office and Juvenile Services will schedule cases.

C. Washington County

- 1. **Criminal Court**-There will be one session of court per day. There will be no more than 150 cases on the calendar per session. DV/Traffic mixed sessions will have no more than 75 cases on the calendar per session. Priority will be given to in-custody defendants, bond motions, probable cause hearings and guilty pleas. All add-on matters, in-custody first appearances (felony and misdemeanor) and domestic violence bond matters will be heard at 11:30 am or at a time to be set by the presiding judge. ONLY defendants, counsel and necessary court personnel will be allowed in the courtroom. Essential witnesses will be allowed in the courtroom, as needed.

Because of the reduced number of cases, continuances will be granted sparingly and, as always, are in the discretion of the presiding judge. Attorneys will need to be ready to either try their case or enter a plea if the case is at least 12 months old from the date of the offense, all discovery has been provided, and the necessary witnesses have been subpoenaed for trial.

- 2. **Traffic Admin.**-There will be two sessions of court per day. The first session will begin at 9:00 am and the second session at 11:00 am. There will be no more than 300 cases on the calendar per session. Cases can be added to the calendar if agreed to by the DA and the presiding judge. CAP cases will be set on the 11:00 am calendar (in addition to the 300 traffic cases). CAP cases will be set by the District Attorney’s office, CAP coordinator and the Clerk of Superior Court (“CSC”).

3. **Probation-** Probation violation hearings may be conducted at any regularly scheduled session of criminal court. Probation cases will not have a separate calendar.

4. **Civil Court**

a. **General Two-Day Session-** Cases will be in-person. WebEx hearings may be requested for short matters (Summary Judgement, Contract, Withdraw as Counsel) and heard by WebEx at the discretion of the presiding judge. The Court will set calendar times for hearing during Calendar Call.

b. **Child Support/IV-D-** There will be three sessions of court per day. The first session will begin at 9:30 am, the second session at 10:30 am, third session at 11:30 am. Each session will be limited to 50 cases per session. Calendars will be set by the IV-D attorney.

c. **Juvenile CPS (A/N/D)-** Court will begin at 9:30 am, and all hearings will be in-person. The cases will be calendared and assigned time slots by the DSS attorney.

d. **Juvenile Delinquency -**Juvenile matters will be scheduled on Thursday morning. Secure Custody hearings will be conducted virtually. The District Attorney's office and Juvenile Services will schedule cases.

D. **Tyrrell County**

1. **Criminal Court-** There will be one session of court per day. There will be no more than 150 cases on the calendar per session. DV/Traffic mixed sessions will have no more than 75 cases on the calendar per session. Priority will be given to oldest cases, in-custody defendants, bond motions, probable cause hearings and guilty pleas. All add-on matters, in-custody first appearances (felony and misdemeanor) and domestic violence bond matters will be heard at 11:30 am or at a time to be set by the presiding judge. ONLY defendants, counsel and necessary court personnel will be allowed in the courtroom. Essential witnesses will be allowed in the courtroom, as needed.

Because of the reduced number of cases, continuances will be granted sparingly and, as always, are in the discretion of the presiding judge. Attorneys will need to be ready to either try their case or enter a plea if the case is at least 12 months old from the date of the offense, all discovery has been provided, and the necessary witnesses have been subpoenaed for trial.

2. **Traffic Admin.-** There will be two sessions of court per day. The first session will begin at 9:00 am and the second session at 11:00 am. There will be no more than 300 cases on the calendar per session. CAP cases will be set on the 11:00 am calendar (in addition to the 300 traffic cases). CAP cases will be set by the District Attorney's office, CAP coordinator and the Clerk of Superior Court ("CSC").
3. **Probation-** Probation violation hearings may be conducted at any regularly scheduled session of criminal court. Probation cases will not have a separate calendar.
4. **IVD/CPS/Civil-** Court will be one court session, and all hearings will be held in-person.
5. **Juvenile Delinquency -** Juvenile matters will be scheduled on criminal sessions. Secure Custody hearings will be conducted virtually. The District Attorney's office and Juvenile Services will schedule cases.

E. Hyde County

1. **Criminal Court-**There will be one session of court each day. There will be no more than 150 cases on the calendar per session. DV/Traffic mixed sessions will have no more than 75 cases on the calendar per session. Priority will be given to oldest cases, in-custody defendants, bond motions, probable cause hearings and guilty pleas. All add-on matters, in-custody first appearances (felony and misdemeanor) and domestic violence bond matters will be heard at 11:30 am or at a time to be set by the presiding judge. ONLY defendants, counsel and necessary court personnel will be allowed in the courtroom. Essential witnesses will be allowed in the courtroom as needed.

Because of the reduced number of cases, continuances will be granted sparingly and, as always, are in the discretion of the presiding judge. Attorneys will need to be ready to either try their case or enter a plea if the case is at least 12 months old from the date of the offense, all discovery has been provided, and the necessary witnesses have been subpoenaed for trial.

2. **Probation-**Probation violation hearings may be conducted at any regularly scheduled session of criminal court. Probation cases will not have a separate calendar.
3. **IVD/CPS/Civil-** Court will be one court session and all hearings will be held in-person.

- 4. **Juvenile Delinquency** - Juvenile matters will be scheduled on criminal sessions. Secure Custody hearings will be conducted virtually. The District Attorney's office and Juvenile Services will schedule cases.
- F. **Recovery Court**- This court will continue to be held in-person. Referrals are still being accepted and should be sent to the District Court Judge's office.
- G. **Custody Mediation**-Custody Mediation/Orientation will be conducted either in-person or utilizing WebEx/Zoom in the mediator's discretion. The District Mediator will schedule participants (phone numbers, residential address and email addresses MUST be provided).
- H. **Magistrates**- Magistrates will continue normal operations including issuing the following: Warrants for Arrest, Magistrate's Orders, Criminal Summons, Initial Appearances, Cash Bonds/Property Bonds, and Involuntary Commitment Orders.

Magistrates will continue to conduct marriage ceremonies by appointment.

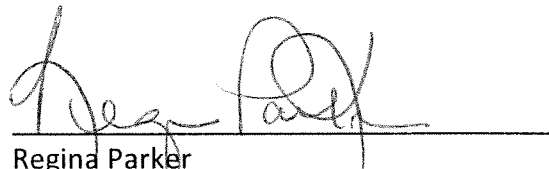
Small claims proceedings shall resume according to the normal schedule in each county. The oldest cases should be calendared first.

II. Other Considerations and Guidelines

- A. The time frames herein for beginning and ending periods within any session of Court are provided for guidance. The presiding judge has the discretion to modify said time frames, decrease the number of persons allowed in the courtroom for any session and take other safety measure the presiding judge deems appropriate for any session.
- B. Any person seeking entry into the courtroom who presents with a fever, or any symptoms associated with COVID-19 shall be required to immediately leave the courthouse premises and shall not return to the courthouse for at least 14 days.
- C. Vulnerable populations are encouraged to stay away from the courthouse. Vulnerable individuals are those over the age of 65 and individuals with serious underlying health conditions. The following procedures will apply if an individual believes he/she is a vulnerable individual by definition:
 - 1. Criminal matter- A defendant or an attorney for the defendant may contact the District Attorney's office and request a continuance or make a request for a remote hearing utilizing WebEx.

2. Civil (pro se litigant)- If a party to an action is unrepresented, the individual may contact the Clerk's office to request a continuance or make a request for a remote hearing utilizing WebEx.
 3. Civil (represented litigant)- If the party is represented, the attorney may contact the District Court Judge's office to request a continuance or request a remote hearing utilizing WebEx.
 4. Attorneys who fall into one of these categories shall contact the District Attorney's office for criminal matters and the District Court Judge's office for civil matters to arrange for either a continuance of their matters or to make a request for a remote hearing utilizing WebEx.
 5. For Civil matters or incidents that occur during Court, either the Chief District Court Judge or the presiding District Court Judge will determine whether to continue the matter or schedule it for a remote hearing.
- D. The safety of all persons involved in the court system is of utmost importance. The goal of this Order is to conduct effective and efficient court sessions that dispose of cases while observing the highest level of safety precautions.
- E. This order shall take effect March 23, 2022.

Signed this the 23rd day of March, 2022.



Regina Parker
Chief District Court Judge
Second Judicial District