

MEMORANDUM

To: 2nd Judicial District

From: Regina R. Parker, Chief District Court Judge

Date: March 16, 2020

Re: REVISED Court Operations during COVID-19 Emergency Health Crisis

FILED

2020 MAR 16 P 2:05

BEAUFORT CO., C.S.C.

BY _____

Second Judicial District

On March 13, 2020, Chief Justice Beasley entered an order pursuant to N.C.G.S. 7A-39(b), declaring that catastrophic conditions exist in all North Carolina counties due to COVID-19. Although our Superior and District Courts will remain open for business, the Chief Justice's order contained emergency directives to reduce the spread of infection by eliminating the presence of populous crowds within the courts. Effective March 16, 2020, all court officials will schedule or reschedule all Superior and District Court proceedings for a date no sooner than 30 days after March 16, 2020 (April 16, 2020) unless the proceeding is necessary to preserve the right to due process or for the purpose of obtaining emergency relief. Based on the directives of Chief Justice Beasley, the following guidelines will be implemented:

Criminal District Court

Effective Monday, March 16, 2020, Criminal District Court will be limited to the following cases: first appearances, first settings (to determine indigency and appointment of counsel), probation hearings, domestic violence bond settings, NOTICED bond hearings and NOTICED probable cause hearings for defendants **IN CUSTODY ONLY**. Defense attorneys must provide notice to the District Attorney's office for matters involving probable cause hearings and bond motions. ALL cases with defendants not in custody **EXCEPT FIRST APPEARANCES** will be continued for at least thirty days. **First appearances for out of custody defendants will be held during the regularly scheduled sessions of Criminal District Court.** **The special three (3) day DUI session in Beaufort County set for April 6 through April 8 is cancelled and will be rescheduled for a date TBD.

Civil Court Sessions

All civil sessions are cancelled effective March 16, 2020 through April 16, 2020. All civil cases are to be set after April 16, 2020. Any emergency relief such as domestic violence protective orders pursuant to N.C.G.S. 50B, emergency relief pursuant to N.C.G.S. 50C, temporary restraining orders, and temporary emergency custody matters (return hearings will be scheduled after April 16, 2020), will be heard during the first available session of Criminal District Court. DVPO's with no Ex Parte Order, Motions to Show Cause, Motions to Modify or Set Aside, and Return of Weapons may be continued beyond 30 days.

Custody Mediation/Orientation

Custody Mediation/Orientation will ONLY be conducted through Webx/Zoom. The District Mediator will schedule participants (phone numbers, residential addresses and email addresses MUST be provided).

Juvenile Court

Juvenile delinquency and undisciplined court sessions are cancelled except for secured custody hearings. Again, all secured custody matters will be heard at the first available criminal court session. Cancelled juvenile matters will be rescheduled to a juvenile court session after April 16, 2020.

Abuse, Neglect and Dependency (A/N/D) Court

A/N/D Court will be held on its regularly scheduled court day, but the only matters to be heard during the court sessions will be non-secured custody hearings and any other matters that require the immediate attention of the Court. Continued A/N/D matters will be rescheduled to an A/N/D session after April 16, 2020.

Child Support Enforcement Court, (IV-D)

All IV-D Court sessions are cancelled, and all cases will be rescheduled for a date after April 16, 2020. If there are defendants in custody, we will hear those matters.

Child Support Clerks: Please notify the presiding judge if you have any in custody defendants on your calendars.

Recovery Court

Recovery Court is cancelled and will resume on the first available session after April 16, 2020. All Recovery Court Core Team Meetings will be rescheduled for a date TBD.

Magistrates

Magistrates will continue normal operations including 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 marriages. All Small Claims court proceedings are suspended, and pending matters will be continued to a court session after April 16, 2020.

I want to thank everyone for their cooperation and flexibility. Please stay vigilant and safe during these uncertain times.



Regina Parker
Chief District Court Judge
District 2
