

**26TH JUDICIAL DISTRICT
COURT CLOSING POLICY FOR
INCLEMENT WEATHER OR OTHER GOOD CAUSE**

During the course of the *regular school year*, the following schedule will apply: On the first day of snow/sleet/other inclement weather, the Courts (all Superior and District Courts, including 1130, 1150, and the Civil Magistrates) will follow the same routine as the school children of the Charlotte-Mecklenburg school system. When the first instance of inclement weather arises during the 8:00 am-5:00 pm workday, the Courts will make an independent decision as to an early suspension of operations. If an early suspension of operations is announced, that day will be considered the first day of inclement weather and any following day of inclement weather will be treated as the second day. On the second day and on all subsequent consecutive days of snow/sleet/inclement weather, the Trial Court Administrator will place an independent announcement on the local radio and television stations only if court has been canceled or delayed. If no independent announcement is made, all court sessions will operate as normally scheduled.

During *the summer recess or at other times when the schools are not in session*, the Courts (all Superior and District Courts including 1150, 1130, and the small claims courts) will follow the same policy as that of the second day of snow/sleet/inclement weather. The Trial Court Administrator will place an independent announcement on the local radio and television stations only if court sessions have been canceled or delayed. If no independent announcement is made, all court sessions will operate as normally scheduled.

To facilitate the prompt notification of all affected parties, the Trial Court Administrator will contact agency heads within the judicial system as soon as a decision has been made to cancel court sessions. Agency heads and their employees may also call **686-0100** or **686-0101** to directly obtain a report on the status of any possible court session cancellation. Once a decision is made to cancel or delay court sessions, the regular voice mail greeting for these two numbers will be changed so that all callers can be informed.

Although no court sessions of any kind will operate on the first day of any cancellation pursuant to this policy, a decision will be made whether to run certain critical court sessions (Courtroom 1150B - First Appearance, Courtroom 4130 - First Appearance, Courtroom 4110 - Domestic Violence Civil, Juvenile Detention and Non-Secure Custody Hearings, and Mental Commitment Hearings) when all other courts are canceled on the second day and thereafter. Judges, attorneys, and court personnel associated with these courts should call **686-0100** or **686-0101** to learn if and when these courts will be operating. The Warrant Issuing Magistrate's Court will remain open during the entire period of any closing. Requests for ex parte 50B orders and for mental health commitments will be considered by the Warrant Issuing Magistrates.

When a court session is canceled on a Monday, the first cases to be heard on the day normal operations resume will vary by the type of court. For all Superior Court trial calendars, the return day to work will be treated as if it were the Monday of the session. For all Superior Court administrative calendars, only the cases scheduled for the specific day that court resumes will be heard. Those cases which were scheduled for hearing during the days court was canceled will be reset for a new date and time. For District Court civil and domestic relations calendars, the return day to work will be treated as if it were the Monday of that week. (Note: The 1st and 2nd Mondays of a session are scheduled differently in domestic relations court.) Cases originally scheduled for Monday of that week will be heard before any others in the above categories. For District Court criminal (including 1130), domestic violence, juvenile calendars, and civil magistrate's courts, only the cases scheduled for the specific day that court resumes will be heard. Those cases which were scheduled for hearing during the days court was canceled will be

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reset for a new date and time. The Clerk should reschedule 50B 10-Day hearings not heard during the period of any closure and extend the ex parte orders until the new court date. Finally, when the Grand Jury cannot meet due to a Monday inclement weather cancellation (or Tuesday if Monday was a holiday), the session will be cancelled for the week.

Please note that any court cancellation or delay announcement pertains to COURT SESSIONS ONLY. Employees should report for work in accordance with the policies of their agency. Unless a state of emergency is declared, the courthouse will remain open during normal business hours or there will be an announced delayed opening or a notice with a phone number will be posted on the doors to handle legal deadline situations. The Sheriff's Department should take appropriate steps to ensure employees can gain access to their workstations.

Adopted this _____ day of March 2004.

Fritz Y. Mercer
Chief District Court Judge

Robert P. Johnston
Senior Resident Superior Court Judge