

HELPFUL HINTS FOR THE OCCASIONAL VISITOR TO CIVIL SUPERIOR COURT

Greensboro Bar Association CLE Program
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Local practice for scheduling and trying civil cases differs greatly in the Superior Court districts across the state, as all districts vary widely in caseload, staffing levels, and court time. Also, practices have changed markedly across the state in recent years, as judicial staffs have assumed new responsibilities for running mediated settlement conference programs and as the Supreme Court has imposed new Time-To-Trial Guidelines.

Please be aware that local practice as to scheduling cases and motion in Guilford County Superior Court is likely to be different from practice and procedure in other counties. This memo summarizes some common problems and issues and is offered to assist lawyers who only visit Superior Court occasionally with understanding the way civil Superior Court in Guilford County operates.

First, the [nccourts.org](http://www.nccourts.org) website can be used to access a lot of helpful information. On that webpage, locate the North Carolina map and click on Information by County, Guilford. The “Calendars and Schedule” link and the “Local Rules” link provide everything you will need. You will have a much easier time if you review our Local Rules. They are available online at <http://www.nccourts.org/Courts/CRS/Policies/LocalRules/Documents/820.pdf>

Guilford County is the only county in the state with two fully functioning, independent courthouses. By statute, there is a High Point Division of Civil Court and a Greensboro Division of Civil Court. Faye Byrd works full-time in the High Point office and is the point person for High Point civil cases. Maggie Hurst, Sharon Allgood, and Roberta Curry work in Greensboro and can assist you with questions about Greensboro civil cases. As is the practice in many large counties, our Trial Court Administrator does not manage day-to-day operations of the civil calendar.

Hard copies of court calendars are not mailed. If you want email notice, sign up at www.nccourts.org. My office attempts to send courtesy email notices to attorneys who provide their email addresses, but you should not rely on receiving these notices. If you would like to provide your email address for such courtesy notices, email Ms. Curry for Greensboro cases and Ms. Byrd for High Point cases.

All civil cases are set for an Administrative Session with the Trial Court Coordinator approximately four months after filing. At the Admin Session, a trial date and a mediator are selected. If you agree on a mediator and a trial date with all other counsel and the date is within the allowed range, you do not need to appear – simply fill out the form (available online at <http://www.nccourts.org/Courts/CRS/Policies/LocalRules/Documents/1094.pdf>) and email/fax/mail/hand-deliver it to Ms. Hurst or Ms. Byrd; don’t send it to the Clerk. We encourage you to do this. If you fail to respond, we will select a trial date convenient for the Court. We expect most cases to be tried within ten months of filing. After the Admin session, an Order is issued which includes the trial date and various deadlines.

If you are involved in a case that doesn’t require a trial – a zoning appeal, or an appeal from the Clerk, or some similar matter – then the Admin session is when your case will be assigned a date for hearing. It will likely be placed on the next available Motions Calendar. If

there is a reason your case will not be tried but it still has to remain open – for example, a receivership – be prepared to discuss this with Ms. Hurst or Ms. Byrd, or write me a letter.

Continuances are highly disfavored in Guilford County. You should assume that your case will be tried the first time it is on the trial calendar. Failure to complete discovery is not a good reason for a continuance, so discovery should be initiated early and pursued diligently, if it is necessary. All motions to continue should be made using the AOC form.

In Greensboro, we have one or two civil terms every week. One calendar a month is devoted to civil motions. All remaining civil calendars are trial terms, though occasionally motions are added on to trial calendars. In High Point, we have civil court once a month and motions are heard on Monday morning during those terms.

Calendar requests may be mailed, hand-delivered, faxed, or emailed to Ms. Byrd or Ms. Hurst. If you send it to the Clerk's office, nothing will happen to it and your case will not be placed on the calendar. The form we require to request a hearing on a motion is available online at: <http://www.nccourts.org/Courts/CRS/Policies/LocalRules/Documents/980.pdf> . Dates and deadlines for all motions calendars are also available online at <http://www.nccourts.org/Courts/CRS/Policies/LocalRules/Documents/1173.pdf> . We do have a cap on the number of motions that can be heard during a term, so your case may not make the calendar even if it is received within the deadline. The best policy is to get the request in early.

Consent and emergency matters should be directed to Ms. Hurst in Greensboro and Ms. Byrd in High Point. Please do not approach individual judges about your case if it is not on their calendar for the week; Ms. Hurst and Ms. Byrd will get your matters to the right judge for prompt resolution. Our Local Rules allow for many matters to be decided without a hearing, and provide a specific way to approach getting emergency matters heard.

Entry to both courthouses requires passing through a metal detector. The lines in Greensboro are often long. Attorneys may acquire an ID card which allows you to bypass the security. This must be done in person at the Security Office in the Greensboro courthouse between 8:30 and noon, and there is a small fee.

My staff is available to assist you. They prefer to communicate by email and are generally faster in responding to email. We have new telephones in Greensboro and Ms. Hurst in particular has had problems with the voice mail system.

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