

CATAWBA COUNTY  
NORTH CAROLINA

**AMENDED ORDER  
RULE 2, GENERAL RULES OF PRACTICE  
SUPPLEMENTAL TO  
THE RULES OF CIVIL PROCEDURE**

**IN RE: CALENDARING OF CIVIL CASES-SUPERIOR COURT- JUDICIAL DISTRICT 25-B**

Pursuant to the provisions of Rule 2, as amended, of the General Rules of Practice for the Superior Court the Court hereby amends its December 1, 1993 ORDER regarding calendaring of civil cases in the Superior Court Division as follows:

(1) The Judicial Assistant in Judicial District 25-B shall maintain a Ready Calendar of civil cases pending in Catawba County.

(2) During the first full week in January and the first full week following the Fourth of July, or at such time as the Chief Justice shall designate, the Senior Resident Judge will conduct a pre-trial conference as to each case pending on the Ready Calendar with the exception of medical negligence cases, and will, in cooperation with the Bar, assign the case to a specific session of the Court. Pre-trial Orders as required by Rule 7 of the General Rules of Practice, Supplemental to the Rules of Civil Procedure shall be entered prior to trial. Counsel shall consult parties and witnesses in advance of the conference as to potential conflicts. Failure to do so will not serve as a basis for continuance.

(3) In addition to the maintenance of the Ready Calendar, an attorney may file a certificate of readiness at any time requesting that a case be placed on the trial calendar.

(4) Pending motions shall be disposed of at the Pre-trial conference, or at such time as the same may be calendared by the Judicial Assistant. Counsel desiring a Motion hearing must first obtain a scheduling date from the Judicial Assistant before noticing a matter for hearing at a Session of Superior Court.

(5) Parties requesting Judicial Arbitration of pending litigation shall communicate with the Judicial Assistant regarding procedures to effect such Arbitration.

(6) Upon notification to appear for the setting of the Calendar, Pre-trial conference, motion hearing or trial, an attorney must, consistent with ethical requirements, appear or have a partner, associate or another attorney familiar with the case appear, unless excused in advance by the Court with prior notice to his opponent. Trial scheduling dates will not be accepted by telephone, facsimile, electronic mail or letter. Trial or hearing dates set by Consent of the parties are subject to approval by the Court.

(7) Request for a peremptory setting for cases involving extraordinary reasons must be made to the Senior Resident Judge by Motion.

(8) Upon the settlement of a case on the printed trial calendar, attorneys of record must notify the Judicial Assistant within twenty-four (24) hours of the settlement and advise who will prepare and present a judgment or dismissal, and when.

(9) Upon the calendaring of a case on the final trial calendar, such case will be not continued except for compelling reasons therefore addressed to the Senior Resident Judge prior to the commencement of the Session or to the Presiding Judge at the Session. Motions to continue must be in writing and served on opposing counsel.

(10) The Judicial Assistant shall manage and enforce the mediation rules and process.

(11) All inquiries concerning the civil calendar shall be addressed to the Judicial Assistant, Ms. Judy Sherrill, P.O. Box 1292, Newton, NC 28658-Phone (828) 466-6333.

Dated: February 1, 2002

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Timothy S. Kincaid  
Senior Resident Superior Court Judge  
Judicial District 25-B