

March 25, 2003

TO: Clerks of Court  
Harnett, Johnston and Lee County Bar Members

FROM: Edward H. McCormick

**RE: CALENDARING CASES ON JURY AND NON-JURY TERMS**

The following matters can be calendared on Jury or Non-Jury Civil District terms effective immediately. Unless otherwise ordered by the presiding judge, cases will be heard in the following order:

<b>PRIORITY ORDER</b>	<b>JURY SESSIONS</b>	<b>NON-JURY SESSIONS</b>
1	UNCONTESTED DIVORCES	UNCONTESTED DIVORCES
2	SUMMARY EJECTMENT APPEALS	SUMMARY EJECTMENT APPEALS
3	SMALL CLAIM APPEALS	SMALL CLAIM APPEALS
4	MOTIONS (EXCEPT DOMESTIC)	MOTIONS (EXCEPT DOMESTIC)
5	JURY TRIALS	NON-JURY TRIALS
6	NON-JURY	DOMESTIC MOTIONS & TRIALS*

THE CLERK OF COURT IS DIRECTED TO ORGANIZE THE CALENDAR IN THE ABOVE STATED PRIORITY ORDER.

**\* DOMESTIC** cases **ARE NOT TO BE CALENDARED UNLESS** an order to calendar has been entered by the judge regularly **ASSIGNED** to preside over domestic court in that particular county **AND** he or she is the judge assigned to that civil district session.

As the Local Rules state, once cases reaches the age of six (6) months, the Clerk of Court is instructed to place the case on the next Civil District term and continue to calendar such cases on each subsequent session until the cases are disposed of or an order is entered by the judge

presiding over a term in which the case appears. The designated presiding judge or the Chief District Court Judge, are the only persons who may continue a case from a civil district term. Calendaring Cases on Jury and Non-Jury Terms.

Edward H. McCormick  
March 25, 2003

**ANY CONTINUANCES FROM A CIVIL DISTRICT TERM MUST BE IN THE FORM OF AN ORDER** and the order **MUST STATE** the reason for the continuance **and** which party is requesting the continuance.

The Clerk of Court should run a VCAP (*Civil Case Processing Program*) “pending issue” list ten (10) days before the mailing of the session calendar and mail the VCAP report **TO THIS OFFICE** immediately. This office will select the cases to be placed on each civil district term and return the marked calendar to the Clerk of Court.

The judges assigned to non-jury terms may place any case to which they are assigned (*for example, equitable distribution cases*) on their civil district calendar by entering an order (*may use “form” order*) and providing the order(s) to the Clerk of Court in the county where the session is to be held. Such additions to the court calendar must be provided to the Clerk at least ten (10) days before publication of the session calendar.

*EHM/ldw*  
*Copy to: District Court Judges*