

**TO:** Judicial District Six-B Civil Attorneys

**FROM:** Alfred W. Kwasikpui, Chief District Court Judge

**DATE:** October 18, 1996

**SUBJECT:** Changes in Calendaring of Civil Cases for District Court

In an effort to make more efficient use of civil district court time, I have changed the manner in which civil cases are calendared for hearing. These changes are outlined below.

**One-day civil non-jury term**

The one-day civil non-jury term will be used for the hearing of matters of short duration and to move lengthy trial matters into a trial posture. During the one-day session, I am calendaring pre-trial and pre-hearing motions, small claim appeals, uncontested divorces, and entries of consent judgments. There will also be an "Awaiting Orders" section, whereby the presiding judge will determine the status of outstanding orders. Lastly, there will be a "Tracking" section which will list the matters that my Judicial Assistant and I are attempting to schedule for hearing on a chamber day or during a jury term. The parties, attorneys, and witnesses need not appear in court for cases that are in the "Tracking" section. If the parties have reached a consent agreement for approval by the Court concerning a case in the "Tracking" section, the attorneys and parties should appear so that the judge may enter the consent order.

**Jury term and Chamber Days**

Judicial Assistant Sheila Vaughan will be contacting attorneys and/or parties on my behalf to schedule lengthy matters for hearing at a particular time on a date certain during the jury term or on a chamber day. I will also schedule one to two alternate matters in the event that the primary case settles out. We will respond to written calendar requests in the same manner.

### **Means of Calendaring**

In order to manage the above calendaring plan, all calendaring of civil district matters will be done through my office. Please use the enclosed calendaring form when you are requesting a hearing date. Uncontested divorces will no longer be calendared on criminal days by the clerk, but will be calendared by this office. Domestic violence hearings will continue to be calendared by the clerk at 2:00 p.m. on regularly scheduled court days.

### **Emergency Hearings**

If your client is in need of an emergency ex parte temporary hearing, please call Judicial Assistant Sheila Vaughan at 534-1785. Ms. Vaughan will immediately determine from the quarterly schedule which judge may be available, and she shall contact that judge to determine the time and the location at which the judge will consider your emergency request. Ms. Vaughan will then telephone you to give you that information before you leave your office. If Ms. Vaughan is not available, then you should contact me at the courthouse where I am holding court. If for some reason I am also not available, the third alternative would be for you to contact one of the other judges.

### **Goals**

As stated above, one of the goals of this new calendaring plan is to make more efficient use of civil district court time. I also want to provide more certainty for parties and witnesses who need to take time from work and other obligations in order to appear in court. There are also advantages to the members of the bar, in that attorneys will know when their cases are scheduled for hearing. Ms. Vaughan will be able to resolve with the attorneys whether or not the attorneys have any superior court or other scheduling conflicts prior to her assigning a hearing date and time. The plan should also save time for law office support staff and money for clients by reducing the number of times that subpoenas have to be generated and served.

### **Acknowledgments**

I am grateful for the input and cooperation given by Judge Newbern, Judge Lewis, Judicial Assistant Sheila Vaughan, Hertford County Assistant Clerk Laura Fleetwood, Northampton County Assistant Clerk Shelby Ricks, and Bertie County Deputy Clerk Dorothy Mizelle in making these changes. As we implement and use this plan, I welcome further suggestions and comments concerning improvement of these procedures.

Six-B Attorneys  
Page 3  
October 18, 1996

AWK:sv

Enclosure

cc: The Honorable Thomas R. J. Newbern  
The Honorable W. Rob Lewis, II  
The Honorable John C. P. Tyler, Jr.  
The Honorable Shirley G. Johnson  
The Honorable David C. Bridgers, Jr.  
Mrs. Laura Fleetwood, Assistant Clerk  
Mrs. Shelby Ricks, Assistant Clerk  
Mrs. Dorothy Mizelle, Deputy Clerk