

STATE OF NORTH CAROLINA  
JUDICIAL DISTRICT 30B  
HAYWOOD AND JACKSON COUNTIES

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

FILED  
2020 MAY 28 P 12:51 20R140

IN RE:

RESUMPTION OF LIMITED COURT  
PROCEEDINGS IN SUPERIOR COURT  
FOR JUDICIAL DISTRICT 30B

)  
MAY 20 2020, C.S.C.  
) MB

) ADMINISTRATIVE ORDER  
) JUNE 1, 2020  
)

The undersigned Senior Resident Superior Court Judge for Judicial District 30B enters this administrative order in response to Governor Roy Cooper declaring a state of emergency to respond to coronavirus COVID-19.

IT APPEARING TO THE COURT that on March 10, 2020, Governor Cooper declared a state of emergency and recognized that the "NC DHHS recommends that people at high risk of severe illness from COVID-19 avoid large groups of people as much as possible." Furthermore, the Governor recognized that the "people at high risk of severe illness" are "adults over 65 years, those with underlying health conditions including heart disease, lung disease, or diabetes, or with weakened immune systems."

AND IT FURTHER APPEARING TO THE COURT that the NC DHHS recommends for "Mass Gathering Events" that the event organizers, in part: (1) Urge everyone who is sick not to attend, (2) Encourage those who are at high risk, as described above, not attend, (3) Find ways to give people more physical space to limit close contact as much as possible, and (4) Encouraged attendees to wash hands frequently.

AND IT FURTHER APPEARING TO THE COURT that Article 1, Section 18 of the North Carolina Constitution provides: "Court shall be open. All courts shall be open; every person for an injury done him in his lands, goods, person, or reputation shall have remedy by due course of law; and right and justice shall be administered without favor, denial, or delay."

AND IT FURTHER APPEARING TO THE COURT that on March 13, 2020 Chief Justice Cheri Beasley entered an order directing local court officials to schedule or reschedule all superior and district court proceedings for a date no sooner than April 16, 2020 under specific conditions delineated in the March 13, 2020 Order.

AND IT FURTHER APPEARING TO THE COURT that on April 2, 2020 Chief Justice Cheri Beasley of the North Carolina Supreme Court entered an Order stating that all superior and district court proceedings, including proceedings before the clerks of superior court, must be scheduled or rescheduled for a date no sooner than June 1, 2020.

AND IT FINALLY APPEARING TO THE COURT that on May 21, 2020 Chief Justice Cheri Beasley of the North Carolina Supreme Court entered an Order addressing the resumption of superior and district court proceedings commencing June 1, 2020. The link to the May 21, 2020 Order is:

<https://www.nccourts.gov/assets/news-uploads/21%20May%202020%20-%207A-39%28b%29%282%29%20Order%20%28FINAL%29%20%28signed%29.pdf?GVCPkIXZhmP2VMUaJNoSUIhOz5EU0FeD>

Please understand and recognize that the COVID-19 outbreak requires that we must change court procedures in the short-term. We no longer can continue conducting business as usual and as we have done in the Superior courts of Haywood and Jackson counties. With the Nationwide issues we confront we must be mindful of public health concerns while simultaneously taking the necessary steps to reopen our Judicial system. Accordingly, these rules and procedures will be implemented for both criminal and civil matters in the Superior Court effective June 1, 2020:

**A. General:**

- There will be no formal calendar call on Monday at the commencement of any criminal or civil court.
- All court personnel, District Attorney and staff, attorneys, paralegals, Probation officers, defendants, plaintiffs, officers, witnesses and all spectators shall wear a mask or cloth face covering while they are inside the common areas open to the public or inside the courtrooms (including holding cells, meeting rooms, and jury deliberation rooms) in both the Haywood and Jackson County Courthouses unless otherwise ordered by the Court. The Clerk, Chief Probation Officer(s), Sheriff, and the District Attorney shall decide what their respective employees shall wear in their individual secure offices.
- Seating in the courtroom will be spaced so that all spectators sit at least 6 feet apart. Spectators shall only sit where a seat is marked with an "X" in blue tape.
- Attorneys and other courtroom personnel shall not approach the witness stand, the clerk, the court reporter, or the bench without permission in order to ensure appropriate social distancing norms are observed. Areas will be taped on the floor to clearly demarcate distances to assist attorneys in maintaining safe distances.
- Exhibits shall be handled in such a manner as instructed by the presiding judge.
- Attorneys may not approach a witness unless they are wearing a mask.
- Exhibits may only be handed to a witness if the proponent of the exhibit is wearing gloves or if the witness is wearing gloves. Exhibits may be placed in a clear plastic bag or sleeve for viewing.

- New cases will not be called for hearing until the prior case is concluded, and all victims, participants, witnesses, spectators, lawyers, plaintiffs and/or defendants have left the courtroom.
- Masks shall be worn in all courtrooms unless instructed otherwise by the presiding judge.
- A sign will be placed at the entrance to the courtroom entrance stating that masks are permitted to be worn in the courtroom.
- Witnesses will be affirmed henceforth.
- To ensure public safety and to maintain proper social distancing guidelines, the use of certain conference/meeting rooms located inside the courthouses may be suspended in the Court's discretion.

## **B. Criminal**

### **a. General:**

In order to ensure the safety, health, and well-being of everyone, address cases in an organized manner, implement procedures to have cases heard as quickly as possible, and protect the Constitutional rights of everyone involved in these cases, we will require the cooperation of everyone and adherence to the following guidelines:

- There will be no calendar call on the first day of the court session.
- Cases will be scheduled prior to court on predetermined days and times by the prosecutor, subject to the Court setting matters peremptorily in its discretion.
- Prior to a defendant's court date, the State with consent of the defendant or his/her attorney may continue cases to a new date without the appearance of the defendant or his/her attorney in court if the parties are able to agree to a new court date beforehand.
- Attorneys must be prepared to handle their case at the day and time scheduled.
- Lawyers will no longer be able to enter holding cells at the courthouse. Alternative meeting arrangements for lawyers and in-custody defendants will be made to ensure that a safe distance may be maintained. Lawyers are directed to meet with their clients prior to court to discuss their case. Failure to meet with your client prior to the scheduled court date may necessitate that the Court continue the case and order a defendant and an attorney to meet between court dates to facilitate readiness at the next session of court.
- Plea offers and negotiations may not be discussed at the scheduled court time. All negotiations must be made prior to court.
- If you are not prepared to handle your case at the day and time scheduled your matter must be re-scheduled. It will not be possible to allow cases to back up which would result in larger numbers of people being present at the same time and at the same location.

- Please understand that if you are unable to handle your cases at the day and time scheduled the final disposition of these cases will be delayed.
  - Habitual lack of preparation and preparedness to handle cases at the predetermined dates and times may result in counsel being summarily replaced with substitute counsel in the discretion of the presiding judge or be referred to the 30B Appointment Committee for review to determine whether adequate and appropriate services are being provided to indigent defendants.

**b. Jury Trials:**

- Cases will be scheduled in order by the District Attorney and called sequentially. The District Attorney will schedule matters so that no more than 10 people will be summoned to appear at any given time.
- The Clerks will summon separate panels of 50 jurors each day for Monday, Tuesday and Wednesday during each session that the District Attorney requests jurors.
- The daily panels will be left on telephone stand-by as we have done in the past with prior jury pools.
- The Clerks will modify the jury summons letter to include language that if any juror feels uncomfortable or concerned about serving due to their health status, the current social-distancing requirements, or any other reason related to the COVID-19 pandemic, the prospective juror may call the Clerk and ask to be deferred to another date. The Clerks will, in their discretion, address each juror and their concerns as they deem best and shall keep the Court and the District Attorney's Office apprised of the numbers excused prior to the commencement of the term of court.
- To reduce crowds at the courthouse the Clerks will not provide a day for jury excuses with the District Court Judges. Instead, all jurors in the reduced three panels of 50 per panel will have their excuse requests heard by the Superior Court judge in court on the day they are told to appear.
- Seating for jurors who report shall be placed six (6) feet apart by the Clerk during jury orientation.
- Jury trials will be held in locations deemed appropriate by the presiding judge to ensure the ability to maintain appropriate social distancing norms, to protect the constitutional rights of the defendant to a public, just and fair trial, to keep the courts open to the public, and to preserve the rights of the parties to prosecute and defend the case at bar.

**c. Criminal Non-Jury and Probation Hearings:**

- Cases will be scheduled in order by the District Attorney and called sequentially. The District Attorney will schedule matters so that no more than 10 people will be summoned to appear at any given time.

**d. Grand Jury:**

Grand jury procedures are addressed in a separate Orders of the Court entered on May 11, 2020, in Haywood County and May 12, 2020, in Jackson County.

**e. Administrative Sessions:**

Administrative sessions are hereby modified or added as follows:

- **June 15, 2020** shall be a five-day administrative session in Haywood County.
- **June 22, 2020** shall be a five-day administrative session in Jackson County.
- **July 6, 2020** shall be converted from a trial session to a five-day administrative session in Haywood County.
- **July 13, 2020** shall be converted from a trial session to a five-day administrative session in Jackson County.
- **August 3, 2020** shall be a five-day administrative session in Haywood County.
- **September 14, 2020** shall be a five-day administrative session in Jackson County.
- **October 12, 2020** shall be converted from a Jackson Civil session to a five-day administrative session in Haywood County.
- **October 26, 2020** shall be a five-day administrative session in Haywood County.
- **December 7, 2020** shall be a five-day administrative session in Jackson County.
- **December 14, 2020** shall be a five-day administrative session in Haywood County.

**C. Specific Rules by County:**

**a. Haywood:**

- The Sheriff will only bring two (2) in-custody defendants to court at a time.
- Attorneys will not be allowed into holding cells.
- Attorneys and defendants will confer in courtroom 3B and there shall be a bailiff present. If strict confidentiality is needed, then attorneys shall endeavor to have such conversations outside the courthouse at their office

or, in the case of defendants being housed in the jail, then at the jail prior to arrival at the courthouse.

- With an appropriate waiver of appearance and consent by the defendant, the parties may handle pleas, probation violations, and/or bond motions involving in-custody defendants using the two-way video system between the video arraignment courtroom and the jail. Bonds may also be addressed in the courtroom without the appearance of an in-custody defendant with that defendant's consent, by and through counsel.
- 10 chairs will be placed in the hallway of the 3<sup>rd</sup> floor and spaced 10 feet apart for those waiting admittance into the courtroom.
- Calendaring of Administrative Sessions: Prior to the commencement of court, the District Attorney will assign court time pursuant to the following guidelines:
  - Cases for plea or plea/probation admission scenarios – a one-hour time slot will be scheduled for a case designated for plea or a combination of plea and probation violation admission.
  - Cases for probation admission only – a half-hour time slot will be scheduled for probation violation admissions.
  - Cases for advisement or substitution of counsel – a 20-minute time slot will be scheduled for counsel issues.
  - Motions – a 20-minute time slot will be scheduled for motions which address discovery issues, bond issues, sex offender registration motions, or motions to modify probation.
  - Cases which need a jury trial shall be set to a trial docket.
  - Cases which need a bench trial may be set on either an Administrative or Trial docket.
  - Cases which require a probation violation hearing (in lieu of admission) shall be scheduled for either a trial session or an administrative session. If such a hearing is scheduled for an administrative session, the District Attorney will attempt to allot sufficient time for the taking of evidence and a ruling by the Court.
  - The District Attorney may assign additional court time for a given matter if it is likely that the pre-determined amount of time recommended by the schedule above is inadequate.

**b. Jackson:**

- The Sheriff will only bring one (1) in-custody defendant to court at a time.
- Attorney and defendant will be allowed to consult in jury deliberation room.
- Jury trials will be held in Courtroom 1.

- **Calendaring of Administrative Sessions:** In Jackson County due to the co-location of county offices and limited space constraints available for court proceedings access to the courtroom shall be as follows:
  - The District Attorney has statutory authority to calendar matters for hearing pursuant to N.C. Gen. Stat. §7A-49.4.
  - The Court has statutory authority to control the hearing of cases pursuant to N.C. Gen. Stat. §7A-49.4(h)(see *State v. Monk*, 132 N.C. App. 248 (1999)), control access to the courtroom pursuant to N.C. Gen. Stat. §15A-1034 for the safety of all those present and in attendance, and through its inherent authority maintain decorum and ensure the health and safety of those summoned to court during a community health crisis by limiting the volume of people in the courthouse and avoid any mass gatherings of people.
  - The court shall provide six (6) time slots per day, not to exceed thirty (30) time slots per week, for the calendaring and disposition of criminal non-jury matters; provided, however, the District Attorney may schedule time slots for the initial advisements of defendants every 30 minutes instead of in one-hour increments.
  - The Solicitor shall prepare a “Administrative Calendar Schedule” which specifically states the name of the defendant, his attorney if applicable, the time, and the day his case is scheduled.
  - The Solicitor shall publish the “Administrative Calendar Schedule” for Jackson County and also post the same in a public location at or near the main entrance of the Jackson County courthouse.
  - Cases which need a jury trial shall be set to a trial docket.
  - Cases which need a bench trial may be set on either an Administrative or Trial docket.
- Due to courtroom space issues, the Jury Assembly Room shall be set up as a courtroom to be used as additional hearing space by the Magistrates, Clerks, District Court and Superior Court.

#### **D. Civil :**

##### **a. Jury Trials:**

- The same procedures for criminal jury trials proscribed above will be implemented in civil trials.
- There will be no formal calendar call at the commencement of civil court on Monday. All cases appearing on the civil jury trial calendar will be placed on stand-by and will be provided a definite day and time to report to court by the Judicial Assistant.

- No party appearing on the civil calendar is required to be present on Monday morning at the commencement of the civil term.

**b. Non-Jury Matters:**

- There will be no formal calendar call at the commencement of civil court on Monday. Instead, motions will be scheduled by the Judicial Assistant and called sequentially.
- The parties will be given a definite day and time when to report to court. They will wait in the hallway until summoned into the courtroom by the bailiff.
- New cases will not be called for hearing until the prior case is concluded and all parties, participants, witnesses, spectators, and lawyers have left the courtroom.
- In the alternative, parties are encouraged and may request that civil motions be heard remotely via CISCO WebEx. The Judicial Assistant will coordinate and arrange for these remote hearings. In addition, these remote hearings may be transcribed by the court reporter if the request is made prior to the commencement of the session.

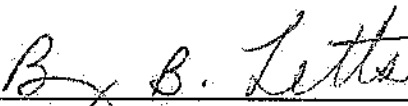
**E. Universal Information:**

- Anyone with an illness is strongly encouraged not to come to the courthouse. Likewise, adults over the age of 65 years, those with underlying health conditions including heart disease, lung disease, or diabetes, or with weakened immune systems should not come to the Courthouses.
- Everyone working or attending court at the courthouse should wash their hands frequently.
- Contact information is as follows:
  - a. Judge's Chambers:
    - i. Superior Court: 828-454-6512.
    - ii. District Court : 828-454-6511.
  - b. Clerk's Office:
    - i. Haywood County: 828-454-6503.
    - ii. Jackson County: 828-631-6400.
  - c. District Attorney's Office:
    - i. Haywood County: 828-454-6510.
    - ii. Jackson County: 828-631-6410.



- For updates on court closures and future court schedules please visit the NC Courts website at [www.nccourts.gov](http://www.nccourts.gov) or call the following numbers:
  - a. Haywood County: 828-454-6500.
  - b. Jackson County: 828-631-6400.
- Online court services are available for handling some business, including citation services, paying your ticket, court payments, signing up for court date notifications and reminders. The link to court services is: <https://www.nccourts.gov/services>
- Information about the North Carolina Judicial Branch state-wide response to COVID-19 and additional links to other resources such as the World Health Organization, CDC, and the North Carolina Department of Health and Human Services can be found at: <https://www.nccourts.gov/covid-19-coronavirus-updates>
- This administrative order shall remain in effect until further order of the Chief Justice of the North Carolina Supreme Court or the undersigned. To the extent that this order and the Court's 2020 Administrative Order entered on November 20, 2020 conflict, this order shall supersede and control.

This the 28<sup>th</sup> day of May, 2020.

  
\_\_\_\_\_  
Bradley B. Letts  
Senior Resident Superior Court Judge



STATE OF NORTH CAROLINA  
JUDICIAL DISTRICT 30B  
HAYWOOD AND JACKSON COUNTIES

FILED IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

2020 MAY 28 P 4: 10

20R 139

JACKSON COUNTY, NC

IN RE:

RESUMPTION OF LIMITED COURT  
PROCEEDINGS IN SUPERIOR COURT  
FOR JUDICIAL DISTRICT 30B

BY



**ADMINISTRATIVE ORDER**  
**JUNE 1, 2020**

The undersigned Senior Resident Superior Court Judge for Judicial District 30B enters this administrative order in response to Governor Roy Cooper declaring a state of emergency to respond to coronavirus COVID-19.

IT APPEARING TO THE COURT that on March 10, 2020, Governor Cooper declared a state of emergency and recognized that the "NC DHHS recommends that people at high risk of severe illness from COVID-19 avoid large groups of people as much as possible." Furthermore, the Governor recognized that the "people at high risk of severe illness" are "adults over 65 years, those with underlying health conditions including heart disease, lung disease, or diabetes, or with weakened immune systems."

AND IT FURTHER APPEARING TO THE COURT that the NC DHHS recommends for "Mass Gathering Events" that the event organizers, in part: (1) Urge everyone who is sick not to attend, (2) Encourage those who are at high risk, as described above, not attend, (3) Find ways to give people more physical space to limit close contact as much as possible, and (4) Encouraged attendees to wash hands frequently.

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AND IT FUTURE APPEARING TO THE COURT that on March 13, 2020 Chief Justice Cheri Beasley entered an order directing local court officials to schedule or reschedule all superior and district court proceedings for a date no sooner than April 16, 2020 under specific conditions delineated in the March 13, 2020 Order.

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- Seating in the courtroom will be spaced so that all spectators sit at least 6 feet apart. Spectators shall only sit where a seat is marked with an "X" in blue tape.
- Attorneys and other courtroom personnel shall not approach the witness stand, the clerk, the court reporter, or the bench without permission in order to ensure appropriate social distancing norms are observed. Areas will be taped on the floor to clearly demarcate distances to assist attorneys in maintaining safe distances.
- Exhibits shall be handled in such a manner as instructed by the presiding judge.
- Attorneys may not approach a witness unless they are wearing a mask.
- Exhibits may only be handed to a witness if the proponent of the exhibit is wearing gloves or if the witness is wearing gloves. Exhibits may be placed in a clear plastic bag or sleeve for viewing.



- New cases will not be called for hearing until the prior case is concluded, and all victims, participants, witnesses, spectators, lawyers, plaintiffs and/or defendants have left the courtroom.
- Masks shall be worn in all courtrooms unless instructed otherwise by the presiding judge.
- A sign will be placed at the entrance to the courtroom entrance stating that masks are permitted to be worn in the courtroom.
- Witnesses will be affirmed henceforth.
- To ensure public safety and to maintain proper social distancing guidelines, the use of certain conference/meeting rooms located inside the courthouses may be suspended in the Court's discretion.

## **B. Criminal**

### **a. General:**

In order to ensure the safety, health, and well-being of everyone, address cases in an organized manner, implement procedures to have cases heard as quickly as possible, and protect the Constitutional rights of everyone involved in these cases, we will require the cooperation of everyone and adherence to the following guidelines:

- There will be no calendar call on the first day of the court session.
- Cases will be scheduled prior to court on predetermined days and times by the prosecutor, subject to the Court setting matters peremptorily in its discretion.
- Prior to a defendant's court date, the State with consent of the defendant or his/her attorney may continue cases to a new date without the appearance of the defendant or his/her attorney in court if the parties are able to agree to a new court date beforehand.
- Attorneys must be prepared to handle their case at the day and time scheduled.
- Lawyers will no longer be able to enter holding cells at the courthouse. Alternative meeting arrangements for lawyers and in-custody defendants will be made to ensure that a safe distance may be maintained. Lawyers are directed to meet with their clients prior to court to discuss their case. Failure to meet with your client prior to the scheduled court date may necessitate that the Court continue the case and order a defendant and an attorney to meet between court dates to facilitate readiness at the next session of court.
- Plea offers and negotiations may not be discussed at the scheduled court time. All negotiations must be made prior to court.
- If you are not prepared to handle your case at the day and time scheduled your matter must be re-scheduled. It will not be possible to allow cases to back up which would result in larger numbers of people being present at the same time and at the same location.





- Please understand that if you are unable to handle your cases at the day and time scheduled the final disposition of these cases will be delayed.
  - Habitual lack of preparation and preparedness to handle cases at the predetermined dates and times may result in counsel being summarily replaced with substitute counsel in the discretion of the presiding judge or be referred to the 30B Appointment Committee for review to determine whether adequate and appropriate services are being provided to indigent defendants.
  
- b. **Jury Trials:**
  - Cases will be scheduled in order by the District Attorney and called sequentially. The District Attorney will schedule matters so that no more than 10 people will be summoned to appear at any given time.
  - The Clerks will summon separate panels of 50 jurors each day for Monday, Tuesday and Wednesday during each session that the District Attorney requests jurors.
  - The daily panels will be left on telephone stand-by as we have done in the past with prior jury pools.
  - The Clerks will modify the jury summons letter to include language that if any juror feels uncomfortable or concerned about serving due to their health status, the current social-distancing requirements, or any other reason related to the COVID-19 pandemic, the prospective juror may call the Clerk and ask to be deferred to another date. The Clerks will, in their discretion, address each juror and their concerns as they deem best and shall keep the Court and the District Attorney's Office apprised of the numbers excused prior to the commencement of the term of court.
  - To reduce crowds at the courthouse the Clerks will not provide a day for jury excuses with the District Court Judges. Instead, all jurors in the reduced three panels of 50 per panel will have their excuse requests heard by the Superior Court judge in court on the day they are told to appear.
  - Seating for jurors who report shall be placed six (6) feet apart by the Clerk during jury orientation.
  - Jury trials will be held in locations deemed appropriate by the presiding judge to ensure the ability to maintain appropriate social distancing norms, to protect the constitutional rights of the defendant to a public, just and fair trial, to keep the courts open to the public, and to preserve the rights of the parties to prosecute and defend the case at bar.



**c. Criminal Non-Jury and Probation Hearings:**

- Cases will be scheduled in order by the District Attorney and called sequentially. The District Attorney will schedule matters so that no more than 10 people will be summoned to appear at any given time.

**d. Grand Jury:**

Grand jury procedures are addressed in a separate Orders of the Court entered on May 11, 2020, in Haywood County and May 12, 2020, in Jackson County.

**e. Administrative Sessions:**

Administrative sessions are hereby modified or added as follows:

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**C. Specific Rules by County:**

**a. Haywood:**

- The Sheriff will only bring two (2) in-custody defendants to court at a time.
- Attorneys will **not** be allowed into holding cells.
- Attorneys and defendants will confer in courtroom 3B and there shall be a bailiff present. If strict confidentiality is needed, then attorneys shall endeavor to have such conversations outside the courthouse at their office



or, in the case of defendants being housed in the jail, then at the jail prior to arrival at the courthouse.

- With an appropriate waiver of appearance and consent by the defendant, the parties may handle pleas, probation violations, and/or bond motions involving in-custody defendants using the two-way video system between the video arraignment courtroom and the jail. Bonds may also be addressed in the courtroom without the appearance of an in-custody defendant with that defendant's consent, by and through counsel.
- 10 chairs will be placed in the hallway of the 3<sup>rd</sup> floor and spaced 10 feet apart for those waiting admittance into the courtroom.
- Calendaring of Administrative Sessions: Prior to the commencement of court, the District Attorney will assign court time pursuant to the following guidelines:
  - Cases for plea or plea/probation admission scenarios – a one-hour time slot will be scheduled for a case designated for plea or a combination of plea and probation violation admission.
  - Cases for probation admission only – a half-hour time slot will be scheduled for probation violation admissions.
  - Cases for advisement or substitution of counsel – a 20-minute time slot will be scheduled for counsel issues.
  - Motions – a 20-minute time slot will be scheduled for motions which address discovery issues, bond issues, sex offender registration motions, or motions to modify probation.
  - Cases which need a jury trial shall be set to a trial docket.
  - Cases which need a bench trial may be set on either an Administrative or Trial docket.
  - Cases which require a probation violation hearing (in lieu of admission) shall be scheduled for either a trial session or an administrative session. If such a hearing is scheduled for an administrative session, the District Attorney will attempt to allot sufficient time for the taking of evidence and a ruling by the Court.
  - The District Attorney may assign additional court time for a given matter if it is likely that the pre-determined amount of time recommended by the schedule above is inadequate.

**b. Jackson:**

- The Sheriff will only bring one (1) in-custody defendant to court at a time.
- Attorney and defendant will be allowed to consult in jury deliberation room.
- Jury trials will be held in Courtroom 1.



- Calendaring of Administrative Sessions: In Jackson County due to the co-location of county offices and limited space constraints available for court proceedings access to the courtroom shall be as follows:
  - The District Attorney has statutory authority to calendar matters for hearing pursuant to N.C. Gen. Stat. §7A-49.4.
  - The Court has statutory authority to control the hearing of cases pursuant to N.C. Gen. Stat. §7A-49.4(h)(see *State v. Monk*, 132 N.C. App. 248 (1999)), control access to the courtroom pursuant to N.C. Gen. Stat. §15A-1034 for the safety of all those present and in attendance, and through its inherent authority maintain decorum and ensure the health and safety of those summoned to court during a community health crisis by limiting the volume of people in the courthouse and avoid any mass gatherings of people.
  - The court shall provide six (6) time slots per day, not to exceed thirty (30) time slots per week, for the calendaring and disposition of criminal non-jury matters; provided, however, the District Attorney may schedule time slots for the initial advisements of defendants every 30 minutes instead of in one-hour increments.
  - The Solicitor shall prepare a “Administrative Calendar Schedule” which specifically states the name of the defendant, his attorney if applicable, the time, and the day his case is scheduled.
  - The Solicitor shall publish the “Administrative Calendar Schedule” for Jackson County and also post the same in a public location at or near the main entrance of the Jackson County courthouse.
  - Cases which need a jury trial shall be set to a trial docket.
  - Cases which need a bench trial may be set on either an Administrative or Trial docket.
- Due to courtroom space issues, the Jury Assembly Room shall be set up as a courtroom to be used as additional hearing space by the Magistrates, Clerks, District Court and Superior Court.

#### **D. Civil :**

##### **a. Jury Trials:**

- The same procedures for criminal jury trials proscribed above will be implemented in civil trials.
- There will be no formal calendar call at the commencement of civil court on Monday. All cases appearing on the civil jury trial calendar will be placed on stand-by and will be provided a definite day and time to report to court by the Judicial Assistant.





- No party appearing on the civil calendar is required to be present on Monday morning at the commencement of the civil term.

**b. Non-Jury Matters:**

- There will be no formal calendar call at the commencement of civil court on Monday. Instead, motions will be scheduled by the Judicial Assistant and called sequentially.
- The parties will be given a definite day and time when to report to court. They will wait in the hallway until summoned into the courtroom by the bailiff.
- New cases will not be called for hearing until the prior case is concluded and all parties, participants, witnesses, spectators, and lawyers have left the courtroom.
- In the alternative, parties are encouraged and may request that civil motions be heard remotely via CISCO WebEx. The Judicial Assistant will coordinate and arrange for these remote hearings. In addition, these remote hearings may be transcribed by the court reporter if the request is made prior to the commencement of the session.

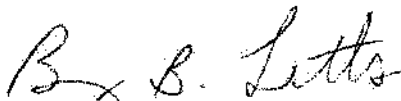
**E. Universal Information:**

- Anyone with an illness is strongly encouraged not to come to the courthouse. Likewise, adults over the age of 65 years, those with underlying health conditions including heart disease, lung disease, or diabetes, or with weakened immune systems should not come to the Courthouses.
- Everyone working or attending court at the courthouse should wash their hands frequently.
- Contact information is as follows:
  - a. Judge's Chambers:
    - i. Superior Court: 828-454-6512.
    - ii. District Court : 828-454-6511.
  - b. Clerk's Office:
    - i. Haywood County: 828-454-6503.
    - ii. Jackson County: 828-631-6400.
  - c. District Attorney's Office:
    - i. Haywood County: 828-454-6510.
    - ii. Jackson County: 828-631-6410.



- For updates on court closures and future court schedules please visit the NC Courts website at [www.nccourts.gov](http://www.nccourts.gov) or call the following numbers:
  - a. Haywood County: 828-454-6500.
  - b. Jackson County: 828-631-6400.
- Online court services are available for handling some business, including citation services, paying your ticket, court payments, signing up for court date notifications and reminders. The link to court services is: <https://www.nccourts.gov/services>
- Information about the North Carolina Judicial Branch state-wide response to COVID-19 and additional links to other resources such as the World Health Organization, CDC, and the North Carolina Department of Health and Human Services can be found at: <https://www.nccourts.gov/covid-19-coronavirus-updates>
- This administrative order shall remain in effect until further order of the Chief Justice of the North Carolina Supreme Court or the undersigned. To the extent that this order and the Court's 2020 Administrative Order entered on November 20, 2020 conflict, this order shall supersede and control.

This the 28<sup>th</sup> day of May, 2020.



Bradley B. Letts  
Senior Resident Superior Court Judge

