

STATE OF NORTH CAROLINA  
BRUNSWICK COUNTY

FILED

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
21 R 175

2021 DEC -2 P 2: 22

IN RE:  
SUPERIOR COURT  
MEDICAL MALPRACTICE ACTIONS

BRUNSWICK COUNTY, C.S.C. ) ADMINISTRATIVE ORDER  
) ) REGARDING MEDICAL MALPRACTICE ACTIONS  
BY: ) \_\_\_\_\_

IT APPEARING to the Court that on June 18, 2021 the Governor of North Carolina signed into law Session Law 2021-47 (SB 255) (hereinafter, the "Act"). Section 1.(b) of the Act establishes a new procedure for the assignment of medical malpractice cases brought in the Superior Court Division.

Section 1.(b) of the Act amends N.C.G.S. § 7A-47.3 to add a new subsection (e) as follows:

(e) The senior resident superior court judge, in consultation with the parties to the case, shall designate a specific resident judge or a specific judge assigned to hold court in the district to preside over all proceedings in a case subject to G.S. 90-21.11 (2).

The requirements of N.C.G.S. § 7A-47.3(e) become effective October 1, 2021 for all medical malpractice cases filed on or after October 1, 2021 and for all medical malpractice actions pending on October 1, 2021.

Therefore, it is hereby ORDERED that, effective October 1, 2021, pursuant to the provisions of N.C.G.S. § 7A-47.3(e), the Senior Resident Superior Court Judge will designate a specific judge to hold court in Judicial District 8A to preside over all proceedings in a case subject to N.C.G.S. § 90-21.11(2), according to the following procedure:

- I. For all medical malpractice cases filed on or after October 1, 2021, or pending on October 1, 2021, the parties must file a Medical Malpractice Case Notification and Consultation Form (local "MedMal Form") with the Brunswick County Clerk of Superior Court upon the filing of a responsive pleading or motion requiring a determination by a superior court judge, whichever occurs first.
- II. A copy of the MedMal Form shall be submitted either by email or regular mail to the Judicial Assistant on the date the form is filed, for review by the Senior Resident Superior Court Judge. If the parties are unable to agree on the content of the MedMal Form, each party may submit a separate MedMal Form.
- III. In the interest of efficient case management, any attorney or unrepresented party who fails to file and submit the MedMal Form in accordance with these procedures, absent good cause, will be considered by the Court to have waived any objections to the proposed and requested dates and judges.
- IV. In requesting a superior court judge to preside over all proceedings in the case, the parties must contact the judge and obtain his or her agreement to be assigned to hear all proceedings in the case.

- V. In assigning a specific superior court judge to hear all proceedings in the case, the Senior Resident Superior Court Judge will consider, but is not bound by, the judge(s) requested by the parties.
- VI. The Judicial Assistant shall notify the parties of the judicial assignment.

This the 2 day of December, 2021.



JASON C. DISBROW  
Senior Resident Superior Court Judge  
Judicial District 13B