

NORTH CAROLINA  
CHATHAM COUNTY

FILED

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION

20 R 79

2020 APR 30 A II ADMINISTRATIVE ORDER  
FOR SOCIAL SERVICES MATTERS

CHATHAM CO., C.S.C.

Pursuant to the Chief District Court Judge's authority and duty under North Carolina General Statute 7A-146, the following Administrative Order is issued:

On 13 March 2020, the Chief Justice of the Supreme Court of North Carolina issued a directive closing Superior and District Court with only a few exceptions in response to the National State of Emergency caused by the Covid-19 outbreak. On 15 March 2020, this directive was revised by memorandum to court officials advising postponement or cancellation of in-person meetings and the use of remote technologies. On 2 April 2020, the Chief Justice provided Emergency Directives regarding *inter alia* postponement of proceeding until June 1, 2020, the appropriate use of remote technology for hearings, electronic service, and affirmation. On 13 April 2020, the Chief Justice extended time and period of limitation until June 1, 2020. The general intent of these Orders is to limit public contact with the court system except to address emergency and safety situations; provide guidance regarding court proceedings; and to allow for extensions of legal filings.

In order to meet the safety needs of community members receiving social services and minimize disruptions to important timeframes, this Court hereby issues the following Administrative Order for the social services programs identified below to address hearings that should occur both in the period prior to that in which court sessions will resume and as indicated below where necessary upon resumption of hearings through the end of 2020 to ensure proper social distancing requirements and ensure safety of court officials and the public.

THEREFORE, for all social services cases, time frames, necessary persons in attendance, the need for recordation, ability to waive signature on stipulations or consents, need to file motions, the need for an in-person hearing at the courthouse, or other requirements for subsequent hearings may be altered on a case-by-case basis to protect the safety of the parties and the community, safeguarding due process to the extent possible. Resolution of matters temporarily or permanently by consent, stipulation, or agreement is favored during the pandemic in order to prioritize in-person hearings for contested matters that cannot be resolved among the parties. Due to the unavailability of broadband service in regions of Chatham County, hearings by videoconference are disfavored for hearings that require actual party participation unless the parties' access to adequate internet service can be confirmed.

FURTHER, all child welfare matters scheduled to be heard in Juvenile Court in May 2020 and beyond that are not contested and do not require an in-person hearing may be resolved by consent of the parties and/or stipulations of fact, with waiver of the parties appearance in court and/or signature, subsequent signature of the Court and entry out of session, including but not limited to, agreement to alternative visitation plans without motion. Uncontested child welfare hearings needing the Court's input, and those that may be resolved by counsel for the parties and the Court, are also hereby authorized to occur out of session as may be arranged by phone or other electronic means in accordance with the Chief Justice's directives by consent of the parties and the presiding judge. Cases that cannot be resolved by consent or stipulation or electronic means shall be continued or noticed for hearing when court


sessions resume. For any hearings held by phone or videoconference, court reports and exhibits from all parties shall be provided to the presiding judge in advance unless the rules of evidence apply to that hearing.

FURTHER, all adult protective services matters meeting the criteria for *ex parte* Orders shall proceed as outlined in N.C.G.S. § 108A-106. Subsequent hearings requiring in-person hearings in May 2020, will be continued if they cannot be resolved either by consent or through electronic means by counsel and the Court.

FURTHER, all child support matters, including establishment, modifications, and motions by any party, that are able to be scheduled to be heard in May 2020, are not contested, and do not require an in-person hearing, may be resolved by consent of the parties through a Consent Order or Voluntary Support Agreement with subsequent signature of the Court and entry out of session. After Court resumes, the same provisions shall continue to be permitted through the end of December 2020 and shall be favored to reduce the number of persons required to attend in-person hearings at the same time.

A copy of this Administrative Order shall be valid as if it were an original and shall be served upon each party; or if represented by counsel, served upon their counsel of record by electronic means.

This the 29 day of April 2020.

  
Joseph M. Buckner  
Chief District Court Judge