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FILED

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

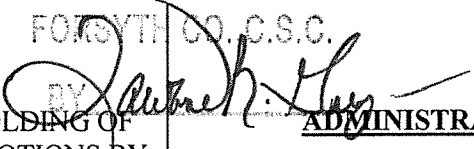
COUNTY OF FORSYTH

2020 APR 23 A 8:09

IN RE: CORONAVIRUS
(COVID-19)

FORSYTH CO. C.S.C.

THE SCHEDULING AND HOLDING OF
SUPERIOR COURT CIVIL MOTIONS BY
AUDIO-VIDEO CONFERENCE

BY 

ADMINISTRATIVE ORDER

In accordance with Chief Justice Beasley’s Orders pursuant to G.S. 7A-39(b)(2) declaring that catastrophic conditions exist in all North Carolina counties, and emergency directives entered as a part of those Orders, the Local Rules of Forsyth County are Amended, for the duration of the above-referenced Orders and emergency directives, as follows in regard to the hearing of Motions by Video Teleconference:

Motions may be heard via video teleconference only upon consent of all parties to all of the following **(1) A COURT REPORTER WILL NOT BE PRESENT TO RECORD THE HEARING; (2) THE MOTION(S) MAY BE HEARD BY VIDEO TELECONFERENCE WITHOUT IN PERSON APPEARANCES IN COURT, and (3) THE HEARING DATE IS SATISFACTORY TO ALL PARTIES.**

Certification to all three of the above is required for a Motion Hearing by Video Teleconference to be scheduled. Hearings will be scheduled Monday through Thursday 9:30 am until 12:15 pm beginning the week of May 4, 2020. No party may “opt” to appear in person. If the parties do not agree to all three of the above, a regular calendar request form should be submitted and any Motion(s) set for hearing on a date after June 1, 2020.

Parties must submit a Calendar Request for Video Teleconference Motion Hearing by email to Vicky Rogers (Vicky.D.Rogers@nccourts.org) and to Jason Adams (Jason.D.Adams@nccourts.org) indicating the parties’ consent to having the hearing conducted

via video conference and the dates and times for the proposed week they are available for the same. Parties who agree to a video conference will receive: 1) a Notice of Hearing email advising them of the date, time and procedure for the video teleconference hearing; and 2) a WebEx meeting invitation. Parties must submit a Calendar Request no later than 5:00 pm on the Monday of the week before the week of the requested hearing. The Notice of Hearing email with the date/time and the invitation to join the WebEx meeting will be the only notice of hearing to parties.

The audio-video conferencing platform will be Cisco Webex. A Webex account is not needed to participate. The application may be downloaded here: <https://help.webex.com/en-us/0tow9g/Download-the-Cisco-Webex-Meetings-Desktop-App>.

Instructions for joining a meeting can be found here: <https://help.webex.com/en-us/n62wi3c/Get-Started-with-Cisco-Webex-Meetings-for-Attendees> and here: <https://www.youtube.com/watch?v=ru85544RveA>.

Briefs and supporting materials should be exchanged as set out under the North Carolina Rules of Civil Procedure and as modified by any Order of the Chief Justice of North Carolina. Counsel and parties should submit all supporting materials to the Court, including affidavits, record citations, and briefs at least two days in advance of the hearing by email to Vicky Rogers (Vicky.D.Rogers@nccourts.org) *and* to Jason Adams (Jason.D.Adams@nccourts.org). Counsel and parties are reminded that any submissions should be reasonable as to length and volume in light of the remote nature of the hearing and the constraints on individual judges' ability to print materials. Proposed Orders should be submitted in MS Word format. If exhibits are tendered and received, the offering party shall submit a digital copy to the courtroom clerk at the conclusion of the hearing. Communications and

arguments contained within the body of emails will **NOT** be considered by the Court. The length of a hearing will be set by the Court with consideration given to the estimate contained in the Calendar Request. Hearings will begin and conclude promptly at the times set out in the Calendar.

The Court may decline to hear a motion by video teleconference based on a review of the case file, the nature of the motion, and the inherent limitations of a video teleconference hearing.

Notwithstanding the use of video conferencing, proper courtroom decorum as outlined in Rule 12 of the General Rules of Practice for the Superior and District Courts is required. However, business casual shall be the appropriate dress for counsel appearing via video teleconference.

In accordance with Section 18 of Article I of the Constitution of North Carolina these proceedings are open to the public. Any individual interested in viewing the proceedings may do so by contacting the Vicky Rogers (Vicky.D.Rogers@nccourts.org) for a link to the proceedings. No one other than the named litigants or the attorneys of record will be allowed to speak during the video conference.

This the 22nd day of April, 2020



L. Todd Burke
Senior Resident Judge
21st Judicial District