

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA

IN RE:

Adverse Weather Conditions Policy

General Order

The attached Adverse Weather Conditions Policy is adopted by the court on January 20, 2006.

SO ORDERED,



J. Rich Leonard, Chief
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA**

ADVERSE WEATHER CONDITIONS POLICY



JANUARY 20, 2006

**U. S. Bankruptcy Court
Office of the Clerk
Eastern District of North Carolina**

ADVERSE WEATHER CONDITIONS POLICY

(effective January 20, 2006)

Purpose

The purpose of this memorandum is to establish a policy regarding actions to be taken when adverse weather conditions require the curtailing or halting of clerk of court operations, hearings or trials before the judges, and 341 meetings in various locations throughout the District. For hearings, trials and meetings scheduled in facilities of the United States District Court, please see that court's Adverse Weather Conditions policy, attached as an appendix, to determine if the building will be open for business. As a general rule, clerk of court operations will not cease except under extremely adverse weather conditions. If the court is open and any employee feels conditions are too unsafe to come to work, they must contact their supervisor and request annual leave for the period.

Procedure

a. **When adverse weather occurs overnight or prior to the start of the workday.**

Clerk's Office. Prior to 7 a.m., the clerk will contact the chief judge to determine his guidance on a late opening of the clerk's office or closing for the day.

Trials or Hearings. The respective judge before whom hearings or trials are set will determine the hearings or trials should be delayed for a later start or continued to another date.

341 Meetings. The respective trustee before whom 341 meetings are set shall notify the clerk prior to 7 a.m. regarding road conditions in that area and recommend whether the start of the meetings should be delayed to a later time in that day or continued to another date. The respective trustee should also notify the bankruptcy administrator of the decision.

b. **When adverse weather conditions occur during the workday.** The clerk of court will contact the chief judge to determine if and when operations should be halted prior to the end of the normal workday. All staff will be notified by email, telephone, or in person.

c. **Notification.**

(1) **When adverse weather occurs overnight or prior to the start of the**

workday, the clerk of court will notify the chief deputy clerk who will cause a notification to be posted on the bankruptcy court's website. The clerk of court will cause an email notification to be sent to the court staff and attorney Listserv. The chief deputy clerk will place an announcement on the inclement weather voice mailbox and notify the various media listed within this policy.

- (2) **When adverse weather conditions occur during the workday**, the clerk of court will notify all employees by email, telephone or in person. The clerk of court will send an email to the attorney Listserv. The chief deputy clerk will cause a notice to be posted on the court's website. The early closing will also be posted by the chief deputy clerk on the inclement weather voice mailbox.
- (3) **The following television and radio stations** will be notified of changes to the schedules of the clerk's office, hearings and trials before the judges and 341 meetings:

Television Stations:

WRAL-TV, Channel 5, Raleigh
WCTI-12, New Bern
WECT-TV, Wilmington
WNCT-TV, Channel 9, Greenville¹

Radio Stations:

WIKS-KISS 102, New Bern
WMGV - V103, New Bern
WXNR - 99X, New Bern
WSFL, New Bern

d. **Leave adjustment.**

- (1) **Employees on sick leave or scheduled annual leave.** It is recognized that employees may be on annual or sick leave when the court may grant administrative leave for inclement weather. No adjustment will be made for an employee's scheduled leave or sick leave if administrative leave is granted for an early closing or delayed opening of four hours or less. If the

¹On WNCT-TV, channel 9, The clerk's office will be shown under the Wilson county group as Bankruptcy Clerk-*Wilson*. 341 meetings will be shown under the appropriate "county" group as Bankruptcy Meetings - *name of city*. Hearings or trials before judges will be listed with the appropriate "county" group as Bankruptcy Court - *appropriate county*.

delayed opening or early closing is for more than four hours, employees who may be on previously scheduled annual leave or on sick leave may have their leave time restored.

- (2) **One office closing.** It is recognized that one office may be open while the other office may be forced to close due to inclement weather. No leave adjustment will be made for the non-closing office in those instances.

It is impossible to cover all scenarios. In any instance not covered by this policy, leave adjustment will be handled on a case by case basis.



**U. S. District Court
Office of the Clerk
Eastern District of North Carolina**

**ADVERSE WEATHER CONDITIONS
Policy No. 8
(effective December 2, 2005)**

Purpose: This memorandum outlines actions to be taken when adverse weather conditions in the District require the curtailing or halting of Clerk of Court operations in court facilities. As a general rule, Clerk of Court operations will not cease except under extremely adverse weather conditions.

Procedure:

a. Notifications. All notifications of late openings or early closings will be posted on the District website. Additionally, Raleigh-based employees should check the Inclement Weather Voice Mailbox (919 645-1780). Employees in other divisional offices should contact their respective Deputy-in-Charge if in doubt about the status of Clerk of Court operations in their respective offices.

b. When adverse weather occurs overnight or prior to the start of the workday. Prior to 7 a.m., the Administrative Manager (Raleigh) or Deputy Clerk-in-Charge (Greenville, New Bern, Wilmington) will contact the Clerk of Court or Chief Deputy Clerk of Court to determine his/her guidance on a late opening of the divisional office or closing for the day. If the Clerk of Court or Chief Deputy Clerk believes that the divisional office should open later or be closed for the day, he/she will contact the respective senior resident judge to obtain permission to open later or remain closed for the day.

The Administrative Manager/Deputy Clerk-in-Charge will cause a notification to be posted on the District Court's website. An announcement also will be placed on the Inclement Weather Voice Mailbox (Raleigh) and/or respective divisional office automated voice mail (Greenville, New Bern, Wilmington).

c. When adverse weather conditions occur during the workday. The Administrative Manager (Raleigh) or Deputy Clerk-in-Charge (Greenville, New Bern and Wilmington) will contact the senior resident judge in her/his respective court facility to determine if and when operations should be halted prior to the end of the normal workday. If divisional office operations are halted early, affected employees will be notified by email, telephone, or in person. When the early closing is in Greenville, New Bern or Wilmington, the Clerk of Court, Chief Deputy Clerk of Court, and/or Administrative Manager must also be notified to permit the posting of this information on the District Court website.

Notification to the public: The following local television stations will be notified by the Administrative Manager as to any changes in clerk divisional office hours:

Greenville	WNCT-TV
New Bern	WNCT-TV
Raleigh	WRAL-TV
Wilmington	WECT-TV

Approved: Fred L. Borch III, Clerk of Court, December 2, 2005