
A L L E G H E N Y C A S U A L T Y
I N T E R N A T I O N A L F I D E L I T Y
A S S O C I A T E D B O N D

April 13, 2020

Agent Name
Email Address

Re: Chief Justice Beasley, April 13th Order
North Carolina Administrative Office of the Courts

Dear Agent,

This letter is to provide additional clarification on Chief Justice Beasley's April 13th Judicial Order (the "Order") regarding the extension of time in bail bond forfeiture proceedings. A copy of the order is attached.

Order:

"Notwithstanding the extension of time provided above, in proceedings for forfeiture of bail bonds under Part 2 of Article 26 of Chapter 15A of the General Statutes for which disposition by entry of final judgment under N.C.G.S. §15A-544.6 or by grant of a motion to set aside under N.C.G.S. §15A-544.5(d)(4) is due to occur on or after 14 April 2020 and before or on 29 September 2020, any motion to set aside or any objection to a motion to set aside that is due to be filed within that period shall be deemed to be timely filed if it is filed before the close of business on 30 September 2020."

What this means to you:

Any motion to set aside or any objection to a motion to set aside that is due to be filed on or after April 14, 2020 and before or on September 29, 2020 will be entered as timely filed if the motion or objection is filed before the close of business on September 30, 2020.

Order:

"In order to implement this extension, any entry of final judgment under N.C.G.S. §15A-544.6 or any grant of a motion to set aside under §15A-544.5(d)(4) that is due to occur on or after 14 April 2020 and before or on 29 September 2020, is hereby stayed until after the close of business on 30 September 2020."

What this means to you:

The courts will not enter bail bond forfeiture judgments or grant motions to set aside during the period of April 14 to September 29.

Judgments or orders on motions will be entered after the close of business on September 30, 2020.

Question: So, I can wait till September 30th to file all my motions?

Answer: To the extent possible and practicable and were the statutorily recognized grounds for set aside exist, we recommend you timely file all motions to set, but in no case later than September 29.

Question: Do I still need to serve a copy of the motion on the district attorney for that county and on the attorney for the county board of education?

Answer: Yes. All other remaining statutory requirements and procedures still apply.

Question: How can I file my motion if all the courts are closed?

Answer: While courthouses and many courts remain open, the courts are directed, to the extent practicable, to maintain social distancing requirements and to curtail trips to local courts to help reduce community transmission of Covid-19 for the public and employees. Revised schedules for courthouses and information regarding alternate filing locations can be found at the following website: <https://www.nccourts.gov/closings>.

If you have any additional questions or need further clarification, please contact our team at (800) 935-2245 or agentsupportteam@aiaSurety.com.

Sincerely,

A handwritten signature in black ink that reads "James D. Portman". The signature is written in a cursive, flowing style.

James D. Portman, Esq.
Senior Vice President
General Counsel