



ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

TO: Trial Court Officials and Staff

FROM: Office of General Counsel

DATE: July 25, 2025

SUBJECT: Temporary Authority to Promulgate Local Rules for Wet Signatures in Limited Scenarios in [S.L. 2025-70](#); Senate Bill 429¹

To support the implementation of eCourts, the Supreme Court of North Carolina enacted Rule 5(b)(8) of the General Rules of Practice of the Superior and District Courts, which requires court officials, such as judges, magistrates, and clerks of superior court, to “sign and file [] orders, judgments, decrees, and other documents electronically in Odyssey.”² This rule promotes consistency and uniformity in business practices across the state to the benefit not only of court officials, but also to the public. This rule also promotes the security and integrity of the official court record, by tying a judicial official’s signature on a specific, electronic version of an order to that official’s electronic credentials, eliminating security vulnerabilities of old paper processes whereby bad actors could modify judicial orders between the time that an order was signed and when it was submitted to the clerk for filing.

Section 24 of Senate Bill 429, which is chaptered as S.L. 2025-70, creates temporary and limited authority for the chief district court judge and senior resident superior court judge to deviate from the rules promulgated by the Supreme Court by *jointly* establishing local rules for their respective districts that allow for the court’s manual signature of:

- (i) orders executed outside of court, *excluding* criminal judgments and
- (ii) fee application orders from private assigned counsel submitted on form AOC-CR-225.

This temporary limited authority to create local rules authorizing the court’s manual signature is effective immediately and expires on July 8, 2027.

Manual signature is defined as the act of “physically signing a paper document with a pen, pencil, or other writing utensil.” This legislation expressly excludes criminal judgments, except the AOC-CR-225’s judgment against the indigent to reimburse the State. If local rules are established pursuant to this authority to permit manual signatures, the party obtaining the court’s signature bears the sole

¹ This memo will be available on the NCAOC’s Juno website for Judicial Branch users at <https://juno.nccourts.org/legal-memos>, under the “Administrative Memos” and “Miscellaneous” categories.

² The General Rules of Practice may be accessed on the Judicial Branch public website here: <https://www.nccourts.gov/courts/supreme-court/court-rules/general-rules-of-practice-for-the-superior-and-district-courts>.

responsibility for filing the order executed outside of court or the AOC-CR-225 with the clerk through eFile and Serve.

Given the security risks identified above, judges enacting rules pursuant to this authority should implement provisions within their rules to mitigate the additional security risks assumed by these rules. For example, rules should provide instruction for how clerks should handle an order presented for filing that includes handwritten annotations, strikethroughs, or other alterations that may have been made after the judicial official signed the order. Additionally, because the authority to enact these local rules is uncodified and thus, will exist only within the session law, local rules should expressly reference the sunseting of these rules on July 8, 2027, to avoid confusion for the public.

Counsel for the NCAOC cannot provide legal advice to individuals or entities outside the Judicial Branch. Thank you.