

## THE NORTH CAROLINA COURT SYSTEM

## TIME GUIDELINES FOR TRIAL COURT CASES

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(Based on guidelines adopted by the Supreme Court in 1996)

For definitions of a "case", "filed" and "disposed" [click here](#)**DISTRICT COURT TIME GUIDELINES****Criminal Non-Motor Vehicle**

75% disposed within 60 days of filing  
 90% disposed within 90 days of filing  
 98% disposed within 120 days of filing  
 100% disposed within 365 days of filing

**Criminal Motor Vehicle 1**

75% disposed within 60 days of filing  
 90% disposed within 120 days of filing  
 100% disposed within 180 days of filing

**Infractions 1**

75% disposed within 60 days of filing  
 90% disposed within 120 days of filing  
 100% disposed within 180 days of filing

**Felonies 2**

100% disposed within 90 days of filing

**General Civil**

90% disposed within 365 days of filing  
 98% disposed within 545 days of filing  
 100% disposed within 730 days of filing  
 (Exceptional cases beyond 24 months)

**Domestic**

75% disposed within 90 days of filing  
 90% disposed within 180 days of filing  
 100% disposed within 545 days of filing

**Small Claims**

75% disposed within 30 days of filing  
 100% disposed within 120 days of filing

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50% disposed within 120 days of filing  
 75% disposed within 180 days of filing  
 90% disposed within 365 days of filing  
 100% disposed within 545 days of filing

**Misdemeanor Appeals**

100% disposed within 180 days of  
 transfer to Superior Court

**Estates**

under development

**Misdemeanors**

50% disposed within 120 days of filing  
 75% disposed within 180 days of filing  
 90% disposed within 365 days of filing  
 100% disposed within 545 days of filing

**Civil Cases**

90% disposed within 365 days of filing  
 98% disposed within 545 days of filing  
 100% disposed within 730 days of filing  
 (Exceptional cases beyond 24 months)

**Special Proceedings**

under development

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1 For district court motor vehicle cases, the guidelines adopted by the Supreme Court in 1996 were 30 days less than each of the numbers above. This is because the guidelines begin measuring case age from the first court appearance rather than filing. The current automated system does not have the date of first court appearance. In general motor vehicle offenses are initially set for the officer's next court date, and the first court appearance will normally be within 30 days of the case filing. Therefore, since the CPMS measures age from filing, 30 days are added to the times established in the guidelines. The Supreme Court Order did not set guidelines for infractions. The CPMS uses the same times for infractions as it does for motor vehicle misdemeanors, although infractions will generally have shorter disposition times (largely because so many are waived/uncontested).

2 For district court felonies, Supreme Court Guidelines state that indictment should occur within 90 days of arrest. However, for these district court ages, the CPMS cannot use the time of indictment, because many felony cases are

disposed in district court, and become superior court cases, before indictment. This will happen, for example, if the defendant waives the right to have the district court determine that probable cause exists. Also, a felony could be disposed in district court by a finding of no probable cause, in which case again it is disposed in district court without an indictment. This measure, therefore, is for disposition (rather than indictment) to occur within 90 days of filing. For more explanation (definitions) click [here](#).

3 For superior court felonies, the 1996 Supreme Court guidelines measure the time from indictment to disposition. The CPMS measures from transfer from district to superior court, whether by indictment or otherwise. Many cases become superior court cases before indictment. This happens often when a defendant waives the right to have probable cause found by a district court judge; during fiscal 2003-04, this occurred in 22% of the felony cases, nearly 20,000 cases. Such cases are treated as disposed in district court; if indictment were the triggering event, these cases would not be counted by the CPMS at all in superior court, until indictment, which could be significantly later. Therefore, for the CPMS a superior court felony case is considered filed, and the age of the case begins, on the date the case is transferred from district court to superior court. In some cases this will be earlier than the time of indictment contemplated in the Supreme Court Guidelines.

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