INCLEMENT WEATHER POLICY
FOR THE
UNITED STATES BANKRUPTCY COURT
AND THE BANKRUPTCY ADMINISTRATOR'S OFFICE
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

Amended June 2012

In view of the overriding responsibility of the Federal Courts of public service, the Bankruptcy Court and Bankruptcy Administrator will make every effort to remain open during times of adverse weather conditions without compromising the safety of the public and staff. When weather conditions do arise which jeopardize the safety of the public and staff, this policy provides the procedures for the cancellation or delay of court or other proceedings. This policy shall apply to the United States Bankruptcy Court and the Bankruptcy Administrator for the Western District of North Carolina.

Asheville and Wilkesboro Divisions

The extreme weather fluctuations in the mountainous counties in the Asheville and Wilkesboro divisions make closing based on any one school district difficult. Therefore, the decision to close or delay the opening of court in the Asheville or Wilkesboro divisions will be made by the senior judicial officer on duty.

If the decision is to proceed as normal, no action needs to be taken.

If the decision is to delay or cancel court hearings, a notice shall be posted on the public phone messaging system and the Court's website at www.ncwb.uscourts.gov indicating the closure or delay.

Shelby Division

The decision to cancel or delay court hearings in Shelby is based on the closure or delayed opening of the Cleveland County Courthouse. Since the Bankruptcy Court does not occupy a permanent office in Shelby, accessibility to the building is solely determined by the county.

If the Shelby courthouse is open and the decision is to proceed as normal, no action needs to be taken.

If the decision is made to delay or cancel the court hearings, a notice shall be posted on the public phone messaging system and the Court's website indicating the closure or delay.

Charlotte Division

As there may be multiple courts in session with multiple hearings in the bankruptcy court on any day in Charlotte, the decision to delay or cancel court is made by the presiding judge of each scheduled hearing in consultation with the Clerk of Court.

If the decision is to proceed as normal, no action needs to be taken.

In accordance with the U.S. District Court's policy, including the default assumption that the courthouse will be open, the Charlotte courthouse will only be closed in the event there are no court hearings scheduled and the weather is adverse enough to justify a closing of the facility. If the decision is made to delay or cancel the court hearings, a notice shall be posted on the public phone messaging system and the Court's website indicating the closure or delay.

Bankruptcy Administrator

During inclement weather, the holding of first meetings of creditors scheduled pursuant to 11 U.S.C. § 341 will be determined by the Bankruptcy Administrator and a notice posted on the website: www.ncwba.uscourts.gov. If the facility is open and the trustee can attend, the meetings will be held as scheduled. In the event debtors or their attorneys are unable to attend due to inclement weather, continuances will generally be granted.

This policy is approved and implemented June 12, 2012.

J. Craig Whitley, Chief
United States Bankruptcy Judge

Steven T. Salata, Clerk
United States Bankruptcy Court

Linda Simpson
Bankruptcy Administrator