

Judge Raymond Forbess, Jr., is one of two Judges who handle all cases under the jurisdiction of the County Court, including Civil, Small Claims, Civil Traffic (serious bodily injury and fatality), Tobacco (minors in possession of nicotine), Violations of County Ordinances, Truancy, Criminal Traffic and Misdemeanor Criminal cases. Judge Forbess handles first appearance the week he is on the criminal bench. Judge Forbess also handles one-half of the Juvenile Delinquency cases.

THE COURT DOES NOT AUTOMATICALLY RECEIVE MOTIONS FILED ON THE CLERK'S DOCKET. ANY MOTION TO BE CONSIDERED BY THE COURT MUST BE EMAILED TO THE JUDICIAL ASSISTANT.

SCHEDULING:

Attorneys requesting a hearing must do so by email. Submit a request to the Judicial Assistant at Shellyh@clayclerk.com and include the case style, case number, type of hearing, and how much time is requested.

ZOOM HEARINGS:

With the exception of trials, civil hearings will be conducted by Zoom unless the facts and circumstances surrounding the case dictate otherwise.

Trials will be conducted in person unless special circumstances exist. You must file a Motion and Proposed Order for the Judge's consideration at the time the hearing is set.

The Zoom I.D. for Civil hearings is **470 263 6503**

WRITS, ORDERS & FINAL JUDGMENTS:

Unless otherwise ordered, all agreed/unopposed proposed orders shall be submitted through the e-portal. Please visit the Fourth Circuit website for additional instructions and a sample form order: <https://www.jud4.org/Proposed-Orders-EFiling.aspx>.

The motion must appear on the Clerk's docket prior to submitting a proposed order.

Consent or agreed motions shall state such in the motion.

The Court's signature page shall contain substantive language, not just a signature page, and allow sufficient space for an electronic signature.

SERVICE OF ORDERS:

Pro Se Parties/Mailing Orders: If a party has not filed a Notice of Designation of Email Address, the Court cannot e-serve the party as the sole means of service. The order's certificate should reflect "Counsel to mail copies to:" and Counsel shall mail copies of the conformed order to the parties.

Where permitted by Rule, Counsel shall be responsible for mailing conformed copies of any order that requires service by mail in which stamped envelopes have not been provided by counsel to the Court. Certificate of service should reflect such as noted above.

MEDIATION:

Cases in which a complaint for Eviction alleges damages (count II) will be required to attend mediation prior to setting a trial. If a Defendant fails to appear for mediation, a default may be entered against him/her. If a Plaintiff fails to appear, the case may be dismissed.

Parties to all county civil cases who wish to participate in mediation but are unable to agree on a mediator should motion the Court to appoint a mediator.

CRIMINAL

All Criminal hearings will be conducted in person, except for First Appearance, unless requested by counsel via written motion.

FIRST APPEARANCE:

First Appearance is conducted via zoom at 8:00 a.m. every morning Judge Forbess is on the criminal bench. First Appearance is handled via zoom under meeting number: 879 458 6568

APPEARANCE OF RETAINED COUNSEL:

Upon filing a notice of appearance/waiver of appearance/plea of Not Guilty, counsel is not required to appear at Arraignment. The case will automatically be passed to the private attorney pretrial date two weeks after the Arraignment. Private Attorney Pretrials are held on Tuesdays at 1:30 p.m. when Judge Forbess is on the criminal bench.

CONTINUANCES IN ALL CASES:

Motions for Continuance must be made in writing and submitted at least 48 hours in advance.

PRO SE LITIGANTS:

At this time, the Court is still accepting paper documents from Pro Se litigants. All filings must be typed or in legible handwriting.

SMALL CLAIMS COURT:

Whether represented by counsel or *pro se*, Small Claims litigants will be required to attend mediation prior to setting a trial. If mediation is unsuccessful, the parties will attend a pretrial conference and if necessary, the case will be set for trial.

Debt collector cases will receive a case management order when the case is filed. If the parties wish to engage in mediation, it must be completed prior to the pretrial conference date. If the mediation date is after the scheduled pretrial conference, Plaintiff must file a motion to continue at least five (5) days prior to the pretrial conference or mediation will be forfeited and the case will not be continued. Defendants should plan to attend the scheduled pretrial conference unless they receive an order continuing the case for mediation.

TRAFFIC COURT:

Serious Bodily Injury hearings are conducted via Zoom. Zoom ID# 470 263 6503

TOBACCO COURT:

Minors in possession of nicotine hearings are conducted via Zoom. Zoom ID# 470 263 6503

VIOLATIONS OF COUNTY ORDINANCES:

Violations of County Ordinances hearings are conducted via Zoom. Zoom ID# 470 263 6503

JUVENILE DELINQUENCY:

Juvenile Court is conducted on Wednesdays when Judge Forbess is on the criminal bench. Hearings are in person unless otherwise notified.

Please note that Judges are barred by Judicial Ethics from speaking with individuals about specific cases outside of a formal hearing. Judges are prohibited from dispensing legal advice. Likewise, the Judicial Assistant cannot dispense legal advice.