

West's North Carolina General Statutes Annotated North Carolina Rules of Court North Carolina Rules of Appellate Procedure Article VI. General Provisions

App. R. 33.1

Rule 33.1. Secure-Leave Periods for Attorneys

Currentness

(a) Definition; Entitlement. A “secure-leave period” is one complete calendar week that is designated by an attorney during which the appellate courts will not hold oral argument in any case in which that attorney is an attorney of record. An attorney is entitled to enjoy a secure-leave period that has been designated according to this rule.

(b) Allowance.

(1) Within a calendar year, an attorney may enjoy three different secure-leave periods for any purpose.

(2) Within the twenty-four weeks after the birth or adoption of an attorney’s child, that attorney may enjoy twelve additional secure-leave periods for the purpose of caring for the child.

(c) How to Submit Designation. An attorney must submit his or her designation of a secure-leave period using the electronic filing site of the appellate courts at <https://www.ncappellatecourts.org>.

(d) When to Submit Designation. An attorney must submit his or her designation of a secure-leave period:

(1) at least ninety days before the secure-leave period begins; and

(2) before oral argument in any of the attorney’s cases is scheduled for a time that conflicts with the secure-leave period.

But because of the uncertainty of a child’s birth or adoption date, the Supreme Court and the Court of Appeals will make

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reasonable exception to these requirements so that an attorney may enjoy leave with the child.

Credits

[Adopted: 6 May 1999--effective 1 January 2000 for all actions and proceedings pending in the appellate division on and after that date. Recodified former Rule 33A as Rule 33.1 and Reenacted Rule 33.1 as amended: 2 July 2009--amended 33.1(d) & (e) --effective 1 October 2009 and applies to all cases appealed on or after that date. Amended: 1 March 2018; 4 September 2019--effective 11 September 2019.]

Rules App. Proc., App. R. 33.1, NC R RAP App. R. 33.1
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