

# North Carolina Litigation Update

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## Remote Attendance at Mediation is New Default Setting in North Carolina

For the last 25 years, all parties, their attorneys and liability insurance professionals involved in a lawsuit in North Carolina's Superior Courts were required to physically attend a court-ordered mediation, unless all parties consented otherwise. With clients and claims professionals located throughout the country, the in-person requirement is expensive and time consuming, not to mention challenging to schedule - and many attorneys refused MGC's requests in the past for claims professionals to be excused from physically attending mediation.

Effective June 10, 2020, all mediations in North Carolina must be conducted remotely (via videoconference or telephone); parties, attorneys, mediators and claims professionals shall no longer physically attend a mediation. However, the mediation can be conducted in-person if everyone consents to do so, and all agree to abide by federal, state and local safety guidelines. Additionally, a party can file a motion in the hopes that a court will order an in-person mediation.

Since the pandemic shutdown began in March, MGC has conducted an abundance of remote mediations; we will continue to operate in this fashion, pursuant to health and safety regulations. It is our hope that this alteration is permanent to favor efficiently serving our clients and all involved in meditation.

For more information, please contact an [MGC attorney](#).

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