

**§ 1-81.2. (Effective once contingency met – see note) Venue in complex business cases.**

(a) To facilitate the effective administration in the State's statewide electronic filing system of mandatory complex business cases and those cases assigned to a business court judge, and subject to subsection (e) of this section, venue shall lie exclusively in Wake County in any action designated by the Chief Justice of the Supreme Court of North Carolina as a mandatory complex business case pursuant to G.S. 7A-45.4 or otherwise assigned to a business court judge by the Chief Justice pursuant to the General Rules of Practice for the Superior and District Courts.

(b) When a Notice of Designation filed pursuant to G.S. 7A-45.4(c) is filed contemporaneously with the initiation of an action, the action shall be brought in Wake County. If the Chief Justice or the Chief Business Court Judge enters an order declining to designate an action filed pursuant to this subsection as a mandatory complex business case, that order shall direct the clerk of superior court to transfer the action to the county of origin identified in the Notice of Designation.

(c) When a Notice of Designation filed pursuant to G.S. 7A-45.4(c) is filed in an action instituted outside of Wake County, the clerk of superior court in the county of origin shall transfer the action to Wake County after the issuance of summons in accordance with G.S. 1A-1, Rule 4. If the Chief Justice or the Chief Business Court Judge subsequently enters an order declining to designate an action filed pursuant to this subsection as a mandatory complex business case or declines to otherwise assign the matter to a business court judge pursuant to the General Rules of Practice for the Superior and District Courts, the order shall direct the clerk of superior court to transfer the action to the county of origin identified in the Notice of Designation.

(d) No later than five days after an action is transferred to or from Wake County pursuant to subsection (b) or (c) of this section, the Wake County Clerk of Superior Court shall serve the party that filed the Notice of Designation with a notice of transfer. The notice shall be on a form promulgated by the Administrative Office of the Courts. No later than five days after being served with the notice of transfer, the party that filed the Notice of Designation shall serve a copy of the notice of transfer on all parties in the action not served by the Wake County Clerk of Superior Court.

(e) Notwithstanding the provisions of this Article or any other General Statute concerning venue, trials in mandatory complex business cases and cases assigned to a business court judge pursuant to the General Rules of Practice for Superior and District Courts shall be held in the county of origin identified in the Notice of Designation. The presiding business court judge may conduct trials outside the county of origin in any superior court or business court facility with the consent of the parties, or upon the motion of a party or the judge and an order finding that the convenience of witnesses and the ends of justice would be promoted by the change. The presiding business court judge may conduct trials remotely pursuant to G.S. 7A-49.6. The presiding business court judge may conduct pretrial proceedings outside the county of origin in any superior court or business court facility, or remotely pursuant to G.S. 7A-49.6, in the judge's discretion. (2024-33, s. 3(a).)