

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1966

Short Title: District Attorney Funds.

(Public)

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Sponsors: Representatives McLaughlin; Grimmer, Balmer, Diggs, Easterling, Barnhill, Cunningham, and Foster.

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Referred to: Judiciary.

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May 11, 1989

A BILL TO BE ENTITLED

1  
2 AN ACT TO ALLOW THE ADMINISTRATIVE OFFICE OF THE COURTS TO  
3 APPOINT ADDITIONAL FULL-TIME ASSISTANT DISTRICT ATTORNEYS  
4 IN ADDITION TO THOSE AUTHORIZED BY THE GENERAL ASSEMBLY  
5 WHEN SUFFICIENT NON-STATE FUNDS ARE AVAILABLE TO PAY THE  
6 COMPENSATION AND EXPENSES OF SUCH ASSISTANT, TO ALLOW  
7 CERTAIN COUNTIES TO MAKE SUCH APPROPRIATIONS, AND TO MAKE  
8 APPROPRIATIONS FOR OPERATIONS OF THE DISTRICT ATTORNEY'S  
9 OFFICE OF THE TWENTY-SIXTH PROSECUTORIAL DISTRICT.

10 The General Assembly of North Carolina enacts:

11 Section 1. G.S. 7A-64 reads as rewritten:

12 "**§ 7A-64. Temporary assistance when dockets ~~over-crowded~~over-crowded; full-**  
13 **time assistants when non-State funds available.**

14 (a) When criminal cases accumulate on the dockets of the superior or district  
15 courts of a district beyond the capacity of the district attorney and his full-time  
16 assistants to keep the dockets reasonably current, the Administrative Officer of the  
17 Courts may, on request of the district attorney, supported by facts indicating the need  
18 for assistance:

19 (1) Temporarily assign an assistant district attorney from another district,  
20 after consultation with the district attorney thereof, to assist in the  
21 prosecution of cases in the requesting district; or

1 (2) Authorize the temporary appointment, by the requesting district  
 2 attorney, of a qualified attorney to assist the requesting district  
 3 attorney.

4 The length of service and compensation of such temporary appointee shall be fixed  
 5 by the Administrative Officer of the Courts in each case.

6 (b) Notwithstanding G.S. 7A-60, the Administrative Office of the Courts may, on  
 7 request of a district attorney, authorize the appointment of additional full-time district  
 8 attorneys to assist the requesting district attorney when adequate non-State funds are  
 9 available to pay the compensation and expenses of such additional assistant district  
 10 attorneys. The Administrative Officer of the Courts shall fix the compensation of each  
 11 such additional assistant district attorney. The appointment of such additional full-time  
 12 assistant district attorneys shall only be effective as long as adequate non-State funds  
 13 are available to pay compensation and expenses."

14 Sec. 2. Part 1 of Article 10 of Chapter 153A of the General Statutes is  
 15 amended by adding anew section to read:

16 **"§ 153A-213. Authority to provide funds for district attorney.**

17 In any county with a population in excess of 400,000 according to the most recent  
 18 decennial federal census, that county may appropriate funds for the staffing and  
 19 operation of the district attorney's office in that county."

20 Sec. 3. G.S. 7A-60(a1) reads as rewritten:

21 "(a1) The counties of the State are organized into prosecutorial districts, and each  
 22 district has the counties and the number of full-time assistant district attorneys set forth  
 23 in the following table:

			No. of Full-Time Asst. District
	Judicial		
	District	Counties	Attorneys
27	1	Camden, Chowan, Currituck,	5
28		Dare, Gates, Pasquotank,	
29		Perquimans	
30	2	Beaufort, Hyde, Martin,4	
31		Tyrrell, Washington	
32	3A	Pitt	5
33	3B	Carteret, Craven, Pamlico	4
34	4	Duplin, Jones, Onslow, 8	
35		Sampson	
36	5	New Hanover, Pender	7
37	6	Bertie, Halifax, Hertford,	4
38		Northampton	
39	7	Edgecombe, Nash, Wilson	7
40	8	Greene, Lenoir, Wayne	8
41	9	Franklin, Granville,	6
42		Person, Vance, Warren	
43	10	Wake	15
44	11	Harnett, Johnston, Lee	6

1	12	Cumberland	11
2	13	Bladen, Brunswick, Columbus	5
3	14	Durham	8
4	15A	Alamance	3
5	15B	Orange, Chatham	3
6	16A	Scotland, Hoke	none
7	16B	Robeson	7
8	17A	Caswell,	4
9		Rockingham	
10	17B	Stokes, Surry	3
11	18	Guilford	14
12	19A	Cabarrus, Rowan	6
13	19B	Montgomery, Randolph	4
14	20	Anson, Moore, Richmond,	8
15		Stanly, Union	
16	21	Forsyth	10
17	22	Alexander, Davidson, Davie,	7
18		Iredell	
19	23	Alleghany, Ashe, Wilkes,	3
20		Yadkin	
21	24	Avery, Madison, Mitchell,	3
22		Watauga, Yancey	
23	25	Burke, Caldwell, Catawba	8
24	26	Mecklenburg	<del>19</del> <u>26</u>
25	27A	Gaston	6
26	27B	Cleveland,	4
27		Lincoln	
28	28	Buncombe	5
29	29	Henderson, McDowell, Polk,	6
30		Rutherford, Transylvania	
31	30	Cherokee, Clay, Graham,	5
32		Haywood, Jackson, Macon,	
33		Swain."	

34 Sec. 4. There is appropriated from the General Fund to the Administrative  
 35 Office of the Court \$367,185 for the 1989-90 fiscal year and \$366,058 for the 1990-91  
 36 fiscal year, to implement Section 3 of this act.

37 Sec. 5. There is appropriated from the General Fund to the Administrative  
 38 Office of the Courts \$230,955 for the 1989-90 fiscal year and \$222,468 for the 1990-91  
 39 fiscal year to provide for the 26th Prosecutorial District:

- 40 (1) One legal assistant;
- 41 (2) One file clerk;
- 42 (3) One assistant supervisor;
- 43 (4) One calendar clerk;
- 44 (5) Three victim/witness assistants for misdemeanors;

- 1           (6) Two misdemeanor screening legal assistants;  
2           (7) Two DCI terminals; and  
3           (8) Specialized training for assistant district attorneys and support staff.  
4           Sec. 6. This act shall become effective July 1, 1989.