

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1974

Short Title: Divide Dist. Ct./Prosecutor Dist. 6.

(Public)

Sponsors: Representative Watkins.

Referred to: Judiciary.

May 11, 1989

A BILL TO BE ENTITLED

AN ACT TO DIVIDE DISTRICT COURT DISTRICT 6 AND PROSECUTORIAL DISTRICT 6 THE SAME WAY AS SUPERIOR COURT DISTRICT 6 HAS BEEN DIVIDED, ADD A NEW JUDGE IN DISTRICT COURT DISTRICT 6B, AND ADD A NEW DISTRICT ATTORNEY IN PROSECUTORIAL DISTRICT 6A.

The General Assembly of North Carolina enacts:

Section 1. Effective September 1, 1989, G.S. 7A-133 reads as rewritten:

"§ 7A-133. Numbers of judges by districts; numbers of magistrates and additional seats of court, by counties.

Each district court district shall have the numbers of judges and each county within the district shall have the numbers of magistrates and additional seats of court, as set forth in the following table:

District	Judges	County	Magistrates Min.-Max.	Additional Seats of Court
1	3	Camden	1 2	
		Chowan	2 3	
		Currituck	1 2	
		Dare	3 5	
		Gates	2 3	
		Pasquotank	3 4	
		Perquimans	2 3	
2	3	Martin5	8	

1			Beaufort	4	5	
2			Tyrrell	1	3	
3			Hyde	2	4	
4			Washington	3	4	
5	3	7	Craven	7	10	Havelock
6			Pitt	10	12	Farmville, Ayden
7						
8			Pamlico	2	3	
9			Carteret	5	8	
10	4	5	Sampson	6	8	
11			Duplin	9	11	
12			Jones	2	3	
13			Onslow	8	11	
14	5	5	New Hanover	6	10	
15			Pender	4	6	
16	6	3	Northampton	5	6	
17			Halifax	9	14	Roanoke Rapids, Scotland Neck
18						
19						
20	—		Bertie	4	5	
21			Hertford	5	6	
22	<u>6A</u>	<u>2</u>	Halifax	<u>9</u>	<u>14</u>	<u>Roanoke</u>
23						<u>Rapids,</u>
24						<u>Scotland Neck</u>
25	<u>6B</u>	<u>2</u>	Northampton	<u>5</u>	<u>6</u>	
26			Bertie	<u>4</u>	<u>5</u>	
27			Hertford	<u>5</u>	<u>6</u>	
28	7	5	Nash	7	10	Rocky Mount
29			Edgecombe	4	6	Rocky Mount
30			Wilson	4	6	
31	8	5	Wayne	5	8	Mount Olive
32			Greene	2	4	
33			Lenoir	4	7	La Grange
34	9	4	Person	3	4	
35			Granville	3	7	
36			Vance	3	5	
37			Warren	3	4	
38			Franklin	3	6	
39	10	10	Wake	12	17	Apex,
40						Wendell,
41						Fuquay-Varina,
42						Wake Forest
43	11	5	Harnett	7	11	Dunn
44			Johnston	10	12	Benson and

1								Selma
2			Lee	4	6			
3	12	5	Cumberland	10	17			
4	13	4	Bladen	4	6			
5			Brunswick	4	7			
6			Columbus	6	8			Tabor City
7	14	5	Durham	8	12			
8	15A	3	Alamance	7	9			Burlington
9	15B	3	Orange	4	8			Chapel Hill
10			Chatham	3	6			Siler City
11	16A	2	Scotland	3	5			
12			Hoke	4	5			
13	16B	5	Robeson	8	16			Fairmont,
14								Maxton,
15								Pembroke,
16								Red Springs,
17								Rowland,
18								St. Pauls
19	17A	3	Caswell	2	5			
20			Rockingham	4	9			Reidsville,
21								Eden,
22								Madison
23	17B	2	Stokes	2	5			
24			Surry	5	8			Mt. Airy
25	18	9	Guilford	20	26			High Point
26	19A	4	Cabarrus	5	9			Kannapolis
27			Rowan	5	10			
28	19B	3	Montgomery	2	4			
29			Randolph	5	8			Liberty
30	20	5	Stanly	5	6			
31			Union	4	6			
32			Anson	4	5			
33			Richmond	5	6			Hamlet
34			Moore	5	8			Southern
35								Pines
36	21	7	Forsyth	3	15			Kernersville
37	22	5	Alexander	2	3			
38			Davidson	7	10			Thomasville
39			Davie	2	3			
40			Iredell	4	8			Mooresville
41	23	3	Alleghany	1	2			
42			Ashe	3	4			
43			Wilkes	4	6			
44			Yadkin	3	5			

1	24	3	Avery	3	4		
2					Madison	4	5
3					Mitchell	3	4
4					Watauga	4	6
5					Yancey	2	4
6	25	6	Burke	4	7		
7					Caldwell	4	7
8					Catawba	6	9
9	26	12	Mecklenburg	15	26		
10	27A	5	Gaston	11	20		
11	27B	3	Cleveland	5	8		
12					Lincoln	4	6
13	28	4	Buncombe	6	15		
14	29	4	Henderson	4	6		
15					McDowell	3	4
16					Polk	3	4
17					Rutherford	6	8
18					Transylvania	2	4
19	30	3	Cherokee	3	4		
20					Clay	1	2
21					Graham	2	3
22					Haywood	5	7
23					Jackson	3	4
24					Macon	3	4
25					Swain	2	3."

Hickory

Canton

Sec. 2. Effective September 1, 1989, G.S. 7A-60 reads as rewritten:

"§ 7A-60. District attorneys and prosecutorial districts.

(a) The State shall be divided into prosecutorial districts, as shown in subsection (a1) of this section. There shall be a district attorney for each prosecutorial district, as provided ~~in subsections (b) and (c) of this section~~ by law, who ~~for~~ shall be a resident of the prosecutorial district for which elected. A vacancy in the office of district attorney shall be filled as provided in Article IV, Sec. 19 of the Constitution.

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

					No. of Full-Time
36					
37		Judicial	Asst. District		
38		District	Counties	Attorneys	
39	1	Camden,	Chowan,	Currituck,	5
40			Dare,	Gates,	Pasquotank,
41				Perquimans	
42	2	Beaufort,	Hyde,	Martin,	4
43				Tyrrell,	Washington
44	3A	Pitt			5

1	3B	Carteret, Craven, Pamlico	4
2	4	Duplin, Jones, Onslow, 8	
3		Sampson	
4	5	New Hanover, Pender	7
5	6	Bertie, Halifax, Hertford,	4
6		Northampton	
7	<u>6A</u>	<u>Halifax</u>	<u>2</u>
8	<u>6B</u>	<u>Bertie, Hertford, Northampton</u>	<u>2</u>
9	7	Edgecombe, Nash, Wilson	7
10	8	Greene, Lenoir, Wayne	8
11	9	Franklin, Granville,	6
12		Person, Vance, Warren	
13	10	Wake	15
14	11	Harnett, Johnston, Lee	6
15	12	Cumberland	11
16	13	Bladen, Brunswick, Columbus	5
17	14	Durham	8
18	15A	Alamance	3
19	15B	Orange, Chatham	3
20	16A	Scotland, Hoke	none
21	16B	Robeson	7
22	17A	Caswell,	4
23		Rockingham	
24	17B	Stokes, Surry	3
25	18	Guilford	14
26	19A	Cabarrus, Rowan	6
27	19B	Montgomery, Randolph	4
28	20	Anson, Moore, Richmond,	8
29		Stanly, Union	
30	21	Forsyth	10
31	22	Alexander, Davidson, Davie,	7
32		Iredell	
33	23	Alleghany, Ashe, Wilkes,	3
34		Yadkin	
35	24	Avery, Madison, Mitchell,	3
36		Watauga, Yancey	
37	25	Burke, Caldwell, Catawba	8
38	26	Mecklenburg	19
39	27A	Gaston	6
40	27B	Cleveland,	4
41		Lincoln	
42	28	Buncombe	5
43	29	Henderson, McDowell, Polk,	6
44		Rutherford, Transylvania	

1 30 Cherokee, Clay, Graham, 5
2 Haywood, Jackson, Macon,
3 Swain.

4 (b) Except as provided in subsection (c) of this section, each district attorney for
5 a prosecutorial district as defined in subsection (a1) of this section, other than District
6 19B, who is in office on December 31, 1988, shall continue in office for that
7 prosecutorial district, for a term expiring December 31, 1990. In the general election of
8 1990, and every four years thereafter, a district attorney shall be elected for a four-year
9 term for each prosecutorial district other than Districts 16A and 19B, and shall take
10 office on the January 1 following such election. The district attorney for Prosecutorial
11 District 19B, who is elected in the general election of 1988 for a four-year term
12 beginning January 1, 1989, shall serve that term for Prosecutorial District 19B. In the
13 general election of 1992, and every four years thereafter, a district attorney shall be
14 elected for a four-year term for Prosecutorial Districts 16A and 19B and shall take
15 office on the January 1 following such election.

16 (c) The office and term of the district attorney for Prosecutorial District 12
17 formerly consisting of Cumberland and Hoke Counties are allocated to Prosecutorial
18 District 12 as defined by subsection (a1) of this section. The office and the term of the
19 district attorney for former Prosecutorial District 16 consisting of Robeson and Scotland
20 Counties are allocated to Prosecutorial District 16B as defined by subsection (a1) of this
21 section. The initial district attorney for Prosecutorial District 16A as defined in
22 subsection (a1) of this section shall be elected in the general election of November
23 1988, from nominations made in accordance with G.S. 163-114 as if a vacancy had
24 occurred in nomination, and shall serve an initial term expiring December 31, 1992. In
25 all other respects, subsection (b) of this section shall apply to the district attorneys for
26 Prosecutorial Districts 12, 16A, and 16B to the same extent as all other district
27 attorneys."

28 Sec. 3. (a) Effective September 1, 1989, Nicholas Long and Harold P.
29 McCoy, or their successors, shall be district court judges for District Court District 6A.
30 Effective September 1, 1989, Robert E. Williford, or his successors, shall be district
31 court judge for District Court District 6B.

32 (b) The additional district court judge authorized for District Court District
33 6B by Section 1 of this act shall be appointed by the Governor for a term to expire on
34 the first Monday in December of 1989.

35 Sec. 4. The district attorney authorized for Prosecutorial District 6A by
36 Section 2 of this act shall be appointed by the Governor for a term to expire December
37 31, 1989.

38 Sec. 5. There is appropriated from the General Fund to the Administrative
39 Office of the Courts the sum of \$357,051 for the 1990-91 fiscal year and the sum of
40 \$389,414 for the 1990-91 fiscal year to implement the provisions of this act.

41 Sec. 6. Section 5 of this act shall become effective July 1, 1989. The
42 remaining sections shall become effective September 1, 1989.