

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 810

Short Title: Caswell/Person Ct. Dist. 9A.

(Public)

Sponsors: Senator Daniel.

Referred to: Rules Suspended; Referred to Appropriations.

April 8, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO TRANSFER CASWELL AND PERSON COUNTIES TO NEWLY
3 CREATED JUDICIAL AND PROSECUTORIAL DISTRICTS 9A AND TO
4 APPROPRIATE FUNDS.

5 The General Assembly of North Carolina enacts:

6 Section 1. (a) Effective July 1, 1993, G.S. 7A-41(a) reads as rewritten:

7 "(a) The counties of the State are organized into judicial divisions and superior
8 court districts, and each superior court district has the counties, and the number of
9 regular resident superior court judges set forth in the following table, and for districts of
10 less than a whole county, as set out in subsection (b) of this section:

Table with 4 columns: Judicial Division, Superior Court District, Counties, No. of Resident Judges. Rows include First, 1, 2, 3A, 3B.

1		Pamlico	
2	4A	Duplin, Jones,	1
3		Sampson	
4	4B	Onslow	1
5	5	New Hanover,	3
6		Pender	
7	6A	Halifax	1
8	6B	Bertie, Hertford,	1
9		Northampton	
10	7A	Nash	1
11	7B	(part of Wilson,	1
12		part of Edgecombe,	
13		see subsection (b))	
14	7C	(part of Wilson,	1
15		part of Edgecombe,	
16		see subsection (b))	
17	8A	Lenoir and Greene	1
18	8B	Wayne	1
19	Second 9	Franklin, Granville,	2
20		<del>Person,</del>	
21		Vance, Warren	
22	9A	<u>Person, Caswell</u>	<u>1</u>
23	10A	(part of Wake,	1
24		see subsection (b))	
25	10B	(part of Wake,	2
26		see subsection (b))	
27	10C	(part of Wake,	1
28		see subsection (b))	
29	10D	(part of Wake,	1
30		see subsection (b))	
31	11	Harnett, Johnston,	2
32		Lee	
33	12A	(part of Cumberland,	1
34		see subsection (b))	
35	12B	(part of Cumberland,	1
36		see subsection (b))	
37	12C	(part of Cumberland,	2
38		see subsection (b))	
39	13	Bladen, Brunswick,	2
40		Columbus	
41	14A	(part of Durham,	1
42		see subsection (b))	
43	14B	(part of Durham,	3
44		see subsection (b))	

1		15A	Alamance	1
2		15B	Orange, Chatham	1
3		16A	Scotland, Hoke	1
4		16B	Robeson	2
5	Third	17A	<del>Caswell</del> , Rockingham	2
6		17B	Stokes, Surry	1
7		18A	(part of Guilford,	1
8			see subsection (b))	
9		18B	(part of Guilford,	1
10			see subsection (b))	
11		18C	(part of Guilford,	1
12			see subsection (b))	
13		18D	(part of Guilford,	1
14			see subsection (b))	
15		18E	(part of Guilford,	1
16			see subsection (b))	
17		19A	Cabarrus	1
18		19B	Montgomery,	1
19			Randolph	
20		19C	Rowan	1
21		20A	Anson, Moore,	2
22			Richmond	
23		20B	Stanly, Union	1
24		21A	(part of Forsyth,	1
25			see subsection (b))	
26		21B	(part of Forsyth,	1
27			see subsection (b))	
28		21C	(part of Forsyth,	1
29			see subsection (b))	
30		21D	(part of Forsyth,	1
31			see subsection (b))	
32		22	Alexander, Davidson,	2
33			Davie, Iredell	
34		23	Alleghany, Ashe,	1
35			Wilkes, Yadkin	
36	Fourth	24	Avery, Madison,	1
37			Mitchell,	
38			Watauga, Yancey	
39		25A	Burke, Caldwell	2
40		25B	Catawba	1
41		26A	(part of Mecklenburg,	2
42			see subsection (b))	
43		26B	(part of Mecklenburg,	2
44			see subsection (b))	

1	26C	(part of Mecklenburg,	2
2		see subsection (b))	
3	27A	Gaston	2
4	27B	Cleveland, Lincoln	1
5	28	Buncombe	2
6	29	Henderson,	2
7		McDowell, Polk,	
8		Rutherford,	
9		Transylvania	
10	30A	Cherokee, Clay,	1
11		Graham, Macon,	
12		Swain	
13	30B	Haywood, Jackson	1."

(b) The Governor shall appoint the superior court judge for the position created by subsection (a) of this section, whose term shall expire December 31, 1994. This appointed judge's successor shall be chosen in the 1994 general election.

(c) One superior court reporter position shall be transferred from current District 17A to newly created District 9A.

Sec. 2. (a) Effective July 1, 1993, 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:

Additional

District	Judges	County	Magistrates Min.-Max.	Seats of Court
1	3	Camden	1 2	
		Chowan	2 3	
		Currituck	1 2	
		Dare	3 8	
		Gates	2 3	
		Pasquotank	3 4	
		Perquimans	2 3	
2	3	Martin	5 8	
		Beaufort	4 8	
		Tyrrell	1 3	
		Hyde	2 4	
		Washington	3 4	
3A	3	Pitt	10 12	
		Farmville		
				Ayden
3B	4	Craven	7 10	
		Havelock		
		Pamlico	2 3	

1					Carteret	5	8	
2	4	6	Sampson	6	8			
3					Duplin	9	11	
4					Jones	2	3	
5					Onslow	8	14	
6	5	6	New Hanover	6	11			
7					Pender	4	6	
8	6A	2	Halifax	9	14	Roanoke		
9								Rapids,
10								Scotland Neck
11	6B	2	Northampton	5	6			
12					Bertie	4	5	
13					Hertford	5	6	
14	7	6	Nash	7	10	Rocky Mount		
15					Edgecombe	4	6	Rocky Mount
16					Wilson	4	6	
17	8	5	Wayne	5	11	Mount Olive		
18					Greene	2	4	
19					Lenoir	4	10	La Grange
20	9	<del>54</del>	<del>Person</del>	3	4			
21					Granville	3	7	
22					Vance	3	5	
23					Warren	3	4	
24					Franklin	3	6	
25	<u>9A</u>	<u>2</u>	<u>Person</u>	<u>3</u>	<u>4</u>			
26					<u>Caswell</u>	<u>2</u>	<u>5</u>	
27	10	11	Wake	12	20	Apex,		
28								Wendell,
29								Fuquay-
30								Varina,
31								Wake Forest
32	11	6	Harnett	7	11	Dunn		
33					Johnston	10	12	Benson,
34								Clayton
35								and Selma
36					Lee	4	6	
37	12	6	Cumberland	10	17			
38	13	4	Bladen	4	6			
39					Brunswick	4	7	
40					Columbus	6	8	Tabor City
41	14	5	Durham	8	12			
42	15A	3	Alamance	7	10	Burlington		
43	15B	3	Orange	4	11	Chapel Hill		
44					Chatham	3	8	Siler City

1	16A	2	Scotland	3	5			
2					Hoke	4	5	
3	16B	5	Robeson	8	16	Fairmont,		
4								Maxton,
5								Pembroke,
6								Red Springs,
7								Rowland,
8								St. Pauls
9	17A	<del>32</del>	<del>Caswell</del>	2	5			
10					Rockingham	4	9	Reidsville,
11								Eden,
12								Madison
13	17B	3	Stokes2	5				
14					Surry	5	8	Mt. Airy
15	18	10	Guilford	20	26	High Point		
16	19A	2	Cabarrus	5	9	Kannapolis		
17	19B	3	Montgomery	2	4			
18					Randolph	5	8	Liberty
19	19C	2	Rowan	5	10			
20	20	6	Stanly	5	6			
21					Union	4	6	
22					Anson	4	5	
23					Richmond	5	6	Hamlet
24					Moore	5	8	Southern
25								Pines
26	21	7	Forsyth	3	15	Kernersville		
27	22	6	Alexander	2	3			
28					Davidson	7	10	Thomasville
29					Davie	2	3	
30					Iredell	4	8	Mooresville
31	23	3	Alleghany	1	2			
32					Ashe	3	4	
33					Wilkes	4	6	
34					Yadkin	3	5	
35	24	3	Avery	3	4			
36					Madison	4	5	
37					Mitchell	3	4	
38					Watauga	4	6	
39					Yancey	2	4	
40	25	7	Burke	4	7			
41					Caldwell	4	7	
42					Catawba	6	9	Hickory
43	26	13	Mecklenburg	15	26			
44	27A	5	Gaston	11	20			

1	27B	4	Cleveland	5	8		
2					Lincoln	4	6
3	28	5	Buncombe	6	15		
4	29	4	Henderson	4	6		
5					McDowell	3	4
6					Polk	3	4
7					Rutherford	6	8
8					Transylvania	2	4
9	30	3	Cherokee	3	4		
10					Clay	1	2
11					Graham	2	3
12					Haywood	5	7
13					Jackson	3	4
14					Macon	3	4
15					Swain	2	3."
							Canton

16 (b) The two district court judgeships created by subsection (a) of this section  
 17 shall be filled by the district court judge from current District 9 who resides in Person  
 18 County and by the district court judge from current District 17A who resides in Caswell  
 19 County. The term of the judge residing in Caswell County expires December 31, 1994.  
 20 This judge's successor shall be elected in the 1994 general election. The term of the  
 21 judge residing in Person County expires December 31, 1996. This judge's successor  
 22 shall be elected in the 1996 general election.

23 (c) Secretarial services for the chief district court judge in newly created  
 24 District 9A shall be provided by the secretary of the superior court judge in newly  
 25 created Superior Court District 9A, created by Section 1 of this act.

26 (d) The magistrates' positions created by subsection (a) of this section for  
 27 Person County in newly created District 9A shall be filled by the magistrates currently  
 28 serving Person County in District 9. The magistrates' positions created by subsection  
 29 (a) of this section for Caswell County in newly created District 9A shall be filled by the  
 30 magistrates currently serving Caswell County in District 17A.

31 (e) Juvenile intake, probation, and aftercare services for newly created  
 32 District 9A shall be provided by the chief court counselor's office in District 17A. One  
 33 such position serving the chief court counselor's office in current District 9 shall be  
 34 transferred to District 17A to facilitate the provision of juvenile intake, probation, and  
 35 aftercare services to newly created District 9A.

36 (f) Notwithstanding G.S. 7A-198, district court reporting services for newly  
 37 created District 9A shall be provided by electronic recording equipment, freelance court  
 38 reporters, or reports assigned from outside the District. The chief district court judge  
 39 shall not appoint a court reporter to serve the District.

40 Sec. 3. (a) Effective July 1, 1993, G.S. 7A-60(a1) reads as rewritten:

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

44 No. of Full-Time

Prosecutorial			Asst. District
District	Counties	Attorneys	
1	1	Camden, Chowan, Currituck,	6
2		Dare, Gates, Pasquotank,	
3		Perquimans	
4	2	Beaufort, Hyde, Martin,4	
5		Tyrrell, Washington	
6	3A	Pitt	6
7	3B	Carteret, Craven, Pamlico	6
8	4	Duplin, Jones, Onslow, 10	
9		Sampson	
10	5	New Hanover, Pender	9
11	6A	Halifax	3
12	6B	Bertie, Hertford, 3	
13		Northampton	
14	7	Edgecombe, Nash, Wilson	10
15	8	Greene, Lenoir, Wayne	8
16	9	Franklin, Granville, <del>8-7</del>	
17		<del>Person</del> , -Vance, Warren	
18	<u>9A</u>	<u>Person, Caswell</u>	<u>2</u>
19	10	Wake	18
20	11	Harnett, Johnston, Lee	8
21	12	Cumberland	12
22	13	Bladen, Brunswick, Columbus	6
23	14	Durham	9
24	15A	Alamance	6
25	15B	Orange, Chatham	4
26	16A	Scotland, Hoke	3
27	16B	Robeson	7
28	17A	<del>Caswell</del> , <del>5-4</del>	
29		Rockingham	
30	17B	Stokes, Surry	4
31	18	Guilford	16
32	19A	Cabarrus, Rowan	8
33	19B	Montgomery, Randolph	4
34	20	Anson, Moore, Richmond,	10
35		Stanly, Union	
36	21	Forsyth	12
37	22	Alexander, Davidson, Davie,	10
38		Iredell	
39	23	Alleghany, Ashe, Wilkes,	4
40		Yadkin	
41	24	Avery, Madison, Mitchell,	3
42		Watauga, Yancey	

1	25	Burke, Caldwell, Catawba	10
2	26	Mecklenburg	22
3	27A	Gaston	8
4	27B	Cleveland,	5
5		Lincoln	
6	28	Buncombe	7
7	29	Henderson, McDowell, Polk,	8
8		Rutherford, Transylvania	
9	30	Cherokee, Clay, Graham,	6
10		Haywood, Jackson, Macon,	
11		Swain."	

12 (b) The district attorney position created by subsection (a) of this section shall  
 13 be filled by appointment by the Governor. This district attorney's term expires on  
 14 December 31, 1994. The successor shall be elected in the 1994 general election.

15 (c) The two assistant district attorney positions for newly created District 9A  
 16 shall be filled by an assistant district attorney currently serving Person County in  
 17 District 9 and by an assistant district attorney currently serving Caswell County in  
 18 District 17A.

19 Sec. 4. There is appropriated from the General Fund to the Administrative  
 20 Office of the Courts the sum of three hundred one thousand four hundred five dollars  
 21 (\$301,405) for the 1993-94 fiscal year and the sum of two hundred eighty-one thousand  
 22 eight hundred fifty-six dollars (\$281,856) for the 1994-95 fiscal year to implement this  
 23 act.

24 Sec. 5. This act becomes effective July 1, 1993.