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Short Title: Moore County to District. 19B.

(Public)

Sponsors:

Referred to:

February 21, 1995

A BILL TO BE ENTITLED
AN ACT TO TRANSFER MOORE COUNTY TO JUDICIAL AND
PROSECUTORIAL DISTRICTS 19B.

The General Assembly of North Carolina enacts:

Section 1. (a) G.S. 7A-41(a) reads as rewritten:

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

Judicial Division	Superior Court District	Counties	No. of Resident Judges
First	1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	2

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

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

1		Watauga, Yancey	
2	25A	Burke, Caldwell	2
3	25B	Catawba	2
4	26A	(part of Mecklenburg,	2
5		see subsection (b))	
6	26B	(part of Mecklenburg,	2
7		see subsection (b))	
8	26C	(part of Mecklenburg,	2
9		see subsection (b))	
10	27A	Gaston	2
11	27B	Cleveland, Lincoln	2
12	28	Buncombe	2
13	29	Henderson,	2
14		McDowell, Polk,	
15		Rutherford,	
16		Transylvania	
17	30A	Cherokee, Clay,	1
18		Graham, Macon,	
19		Swain	
20	30B	Haywood, Jackson	1"

21 (b) The superior court judgeship held on June 12, 1996, in Superior Court District
 22 20A by a resident of Moore County (James M. Webb) is allocated to Superior Court
 23 District 19B. The term of that judge expires December 31, 2000. The judge's successor
 24 shall be elected in the 2000 general election.

25 (b1) The superior court judgeship held on June 12, 1996, in Superior Court
 26 District 20A by a resident of Anson County (Donald R. Huffman) is allocated to Superior
 27 Court District 20A. The term of that judge expires December 31, 2000. The judge's
 28 successor shall be elected in the 2000 general election.

29 (c) G.S. 7A-41(d)(39) reads as rewritten:

30 "(39) In the nineteenth-B superior court district, Russell G. Walker, Jr., serves
 31 a term expiring December 31, 1990. No election shall be held in 1998
 32 for the full term of the seat now occupied by Russell G. Walker, Jr., and
 33 the holder of that seat shall serve until a successor is elected in 2000 and
 34 qualifies. The succeeding term shall begin January 1, 2001."

35 Sec. 2. (a) G.S. 7A-133(a) reads as rewritten:

36 "(a) Each district court district shall have the numbers of judges as set forth in the
 37 following table:

38			
39			
40	District	Judges	County
41			
42	1	4	Camden
43			Chowan

1			Currituck
2			Dare
3			Gates
4			Pasquotank
5			Perquimans
6	2	3	Martin
7			Beaufort
8			Tyrrell
9			Hyde
10			Washington
11	3A	4	Pitt
12	3B	4	Craven
13			Pamlico
14			Carteret
15	4	6	Sampson
16			Duplin
17			Jones
18			Onslow
19	5	6	New Hanover
20			Pender
21	6A	2	Halifax
22	6B	3	Northampton
23			Bertie
24			Hertford
25	7	6	Nash
26			Edgecombe
27			Wilson
28	8	6	Wayne
29			Greene
30			Lenoir
31	9	4	Granville
32			(part of Vance
33			see subsection (b))
34			Franklin
35	9A	2	Person
36			Caswell
37	9B	1	Warren
38			(part of Vance
39			see subsection (b))
40	10	12	Wake
41	11	6	Harnett
42			Johnston
43			Lee

1	12	7	Cumberland	
2	13	4	Bladen	
3				Brunswick
4				Columbus
5	14	5		Durham
6	15A	3	Alamance	
7	15B	3	Orange	
8				Chatham
9	16A	2	Scotland	
10				Hoke
11	16B	5	Robeson	
12	17A	2	Rockingham	
13	17B	3	Stokes	
14				Surry
15	18	11	Guilford	
16	19A	3	Cabarrus	
17	19B	<u>35</u>	Montgomery	
18				<u>Moore</u>
19				Randolph
20	19C	3	Rowan	
21	20	<u>75</u>	Stanly	
22				Union
23				Anson
24				Richmond
25				Moore
26	21	7	Forsyth	
27	22	7	Alexander	
28				Davidson
29				Davie
30				Iredell
31	23	3	Alleghany	
32				Ashe
33				Wilkes
34				Yadkin
35	24	3	Avery	
36				Madison
37				Mitchell
38				Watauga
39				Yancey
40	25	7	Burke	
41				Caldwell
42				Catawba
43	26	14	Mecklenburg	

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

17 (b) Each district court judgeship held on June 12, 1996, in District Court District
 18 20 by a resident of Moore County (Michael Earle Beale and Jayrene Russell Maness) is
 19 allocated to District Court District 19B. The term of each of these judges expires
 20 December 7, 1998. A successor to each judge shall be elected in the 1998 general
 21 election.

22 (c) Each district court judgeship held on June 12, 1996, in District Court District
 23 20 by a resident of Anson, Richmond, Stanly, or Union County (Ronald W. Burris, Tanya
 24 Wallace, Christopher W. Bragg, Susan C. Taylor, and Joseph J. Williams) is allocated to
 25 District Court District 20. The terms of Judges Burris, Wallace, Bragg, and Williams
 26 expire December 2, 1996. A successor to each judge shall be elected in the 1996 general
 27 election. The term of Judge Taylor expires December 7, 1998. A successor shall be
 28 elected in the 1998 general election.

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

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

33				No. of Full-Time
34	Prosecutorial			Asst. District
35	District	Counties	Attorneys	
36	1	Camden, Chowan, Currituck,	8	
37		Dare, Gates, Pasquotank,		
38		Perquimans		
39	2	Beaufort, Hyde, Martin, 4		
40		Tyrrell, Washington		
41	3A	Pitt	7	
42	3B	Carteret, Craven, Pamlico	6	
43	4	Duplin, Jones, Onslow,	10	

1		Sampson	
2	5	New Hanover, Pender	9
3	6A	Halifax	3
4	6B	Bertie, Hertford, 3	
5		Northampton	
6	7	Edgecombe, Nash, Wilson	10
7	8	Greene, Lenoir, Wayne	8
8	9	Franklin, Granville, 8	
9		Vance, Warren	
10	9A	Person, Caswell	2
11	10	Wake	20
12	11	Harnett, Johnston, Lee	10
13	12	Cumberland	12
14	13	Bladen, Brunswick, Columbus	6
15	14	Durham	9
16	15A	Alamance	6
17	15B	Orange, Chatham	5
18	16A	Scotland, Hoke	3
19	16B	Robeson	7
20	17A	Rockingham	4
21	17B	Stokes, Surry	4
22	18	Guilford	18
23	19A	Cabarrus	4
24	19B	Montgomery, Moore , Randolph	5 <u>9</u>
25	19C	Rowan	4
26	20	Anson, Moore , Richmond,	12
27		Stanly, Union	
28	21	Forsyth	12
29	22	Alexander, Davidson, Davie,	11
30		Iredell	
31	23	Alleghany, Ashe, Wilkes,	4
32		Yadkin	
33	24	Avery, Madison, Mitchell,	3
34		Watauga, Yancey	
35	25	Burke, Caldwell, Catawba	11
36	26	Mecklenburg	24
37	27A	Gaston	8
38	27B	Cleveland,	5
39		Lincoln	
40	28	Buncombe	8
41	29	Henderson, McDowell, Polk,	8
42		Rutherford, Transylvania	
43	30	Cherokee, Clay, Graham,	6

1 Haywood, Jackson, Macon,
2 Swain."

3 (b) This section adds four additional assistant district attorneys in prosecutorial
4 District 19B which shall be filled by the district attorney of that district. The General
5 Assembly shall evaluate prior to July 1, 1998, whether the authorized number of assistant
6 district attorneys for District 20 should remain based on case load at 11 or some lower
7 number not less than 9.

8 Sec. 4. Notwithstanding G.S. 7A-44.1, if any judge who on June 12, 1996, was
9 a senior resident superior court judge ceases to be the senior resident superior court judge
10 for a superior court district as a result of the transfer of a county from one superior court
11 district to another, that judge may nevertheless appoint a judicial secretary to serve that
12 judge's clerical and secretarial needs during that judge's continuation in office, at that
13 judge's pleasure and under that judge's direction.

14 Sec. 5. (a) Sections 1, 3, and 4 of this act become effective January 4, 1997, or
15 the date upon which those sections are approved under section 5 of the Voting Rights Act
16 of 1965, whichever is later. Section 2 of this act becomes effective January 1, 1997, or
17 the date upon which those sections are approved under section 5 of the Voting Rights Act
18 of 1965, whichever is later. This section is effective upon ratification.

19 (b) The Superior Court election in Superior Court District 20A in the November
20 1996 general election for the seat of the superior court judge now residing in Anson
21 County is not affected by this act and is conducted as previously provided by law.

22 (c) Effective on the occurrence of the first vacant assistant district attorney
23 position in Prosecutorial District 20 after January 1, 1997, the number of assistant district
24 attorneys in that district in G.S. 7A-60(a1) is amended by deleting "12" and substituting
25 "11".

26 (d) Effective on the occurrence of the first vacant assistant district attorney
27 position in Prosecutorial District 19B after January 1, 1997, the number of assistant
28 district attorneys in that district in G.S. 7A-60(a1) is amended by deleting "9" and
29 substituting "8". The Administrative Office of the Courts shall notify the Revisor of
30 Statutes as those vacancies occur.