

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1680

Short Title: Magistrates' Salary Increase.

(Public)

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Sponsors: Representatives Warner; Baddour, Buchanan, Hall, Hardaway, Hensley, H. Hunter, Hurley, Redwine, Smith, and Wainwright.

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Referred to: Appropriations.

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June 1, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE MAGISTRATES' PAY SCHEDULE ACCORDING TO  
3 COUNTY POPULATION.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 7A-171.1(a) reads as rewritten:

6 "(a) The Administrative Officer of the Courts, after consultation with the chief  
7 district judge and pursuant to the following provisions, shall set an annual salary for each  
8 magistrate.

9 (1) A full-time magistrate shall be paid the annual salary indicated in the  
10 table set out in this subdivision. A full-time magistrate is a magistrate  
11 who is assigned to work an average of not less than 40 hours a week  
12 during the term of office. The Administrative Officer of the Courts shall  
13 designate whether a magistrate is full-time. Initial appointment shall be  
14 at the entry rate. A magistrate's salary shall increase to the next step  
15 every two years on the anniversary of the date the magistrate was  
16 originally appointed for increases to Steps 1 through 3, and every four  
17 years on the anniversary of the date the magistrate was originally  
18 appointed for increases to Steps 4 through 6.  
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TABLE OF SALARIES OF FULL-TIME MAGISTRATES

Step Level	Population	Annual Salary	<100,000	100,000-	150,000-	250,000+
					<u>149,000</u>	<u>249,000</u>
Entry Rate		\$24,471		<u>27,407</u>	<u>30,344</u>	<u>33,280</u>
Step 1	26,927	<u>30,158</u>	<u>33,389</u>	<u>36,620</u>		
Step 2	29,600	<u>33,152</u>	<u>36,704</u>	<u>40,256</u>		
Step 3	32,516	<u>36,417</u>	<u>40,320</u>	<u>44,221</u>		
Step 4	35,711	<u>39,996</u>	<u>44,281</u>	<u>48,566</u>		
Step 5	39,922	<u>44,712</u>	<u>49,503</u>	<u>54,293</u>		
Step 6	43,083	<u>48,252</u>	<u>53,422</u>	<u>58,592</u>		

- (2) A part-time magistrate is a magistrate who is assigned to work an average of less than 40 hours of work a week during the term, except that no magistrate shall be assigned an average of less than 10 hours of work a week during the term. A part-time magistrate is included, in accordance with G.S. 7A-170, under the provisions of G.S. 135-1(10) and G.S. 135-40.2(a). The Administrative Officer of the Courts designates whether a magistrate is a part-time magistrate. A part-time magistrate shall receive an annual salary based on the following formula: The average number of hours a week that a part-time magistrate is assigned work during the term shall be multiplied by the annual salary payable to a full-time magistrate who has the same number of years of service prior to the beginning of that term as does the part-time magistrate and the product of that multiplication shall be divided by the number 40. The quotient shall be the annual salary payable to that part-time magistrate.
- (3) Notwithstanding any other provision of this subsection, an individual who, when initially appointed as a full-time magistrate, is licensed to practice law in North Carolina, shall receive the annual salary provided in the Table in subdivision (1) of this subsection for Step 4. This magistrate's salary shall increase to the next step every four years on the anniversary of the date the magistrate was originally appointed. An individual who, when initially appointed as a part-time magistrate, is licensed to practice law in North Carolina, shall be paid an annual salary based on that for Step 4 and determined according to the formula in subdivision (2) of this subsection. This magistrate's salary shall increase to the next step every four years on the anniversary of the date the magistrate was originally appointed. The salary of a full-time magistrate who acquires a license to practice law in North Carolina while holding the office of magistrate and who at the time of acquiring the license is receiving a salary at a level lower than Step 4 shall be adjusted to Step 4 and, thereafter, shall advance in accordance with the Table's schedule.

1                   The salary of a part-time magistrate who acquires a license to practice  
2                   law in North Carolina while holding the office of magistrate and who at  
3                   the time of acquiring the license is receiving an annual salary as  
4                   determined by subdivision (2) of this subsection based on a salary level  
5                   lower than Step 4 shall be adjusted to a salary based on Step 4 in the  
6                   Table and, thereafter, shall advance in accordance with the provision in  
7                   subdivision (2) of this subsection."

8                   Section 2. This act becomes effective July 1, 1998.