

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 427

Short Title: A.G.'s M.H. Role Clarified.

(Public)

Sponsors: Representatives J.W. Crawford; and Bowman.

Referred to: Judiciary II.

April 1, 1991

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE ROLE OF THE ATTORNEY GENERAL'S OFFICE IN COMMITMENT HEARINGS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 122C-270(f) reads as rewritten:

"(f) The Attorney General may employ four attorneys, one to be assigned by him full-time to each of the State facilities for the mentally ill, to represent the State's interest at commitment hearings, rehearings and supplemental hearings held under this Article at the State facilities for respondents admitted to those facilities pursuant to Part 3, 4, 7, or 8 of this Article and to provide liaison and consultation services concerning these matters. These attorneys are subject to Chapter 126 of the General Statutes and shall also perform additional duties as may be assigned by the Attorney General. The attorney employed by the Attorney General in accordance with G.S. 114-4.2B shall represent the State's interest at commitment hearings, rehearings and supplemental hearings held ~~at for respondents admitted to the University of North Carolina Hospitals at Chapel Hill under this Article.~~ pursuant to Part 3, 4, 7, or 8 of this Article."

Sec. 2. G.S. 122C-268(b) reads as rewritten:

"(b) The attorney, who is a member of the staff of the Attorney General assigned to one of the State's facilities for the mentally ill or the psychiatric service of the University of North Carolina Hospitals at Chapel Hill, shall represent the State's interest at commitment hearings, rehearings, and supplemental hearings held for respondents admitted pursuant to this Part at the facility to which he is assigned ~~under this Part.~~ assigned."

1        In addition, the Attorney General may, in his discretion, designate an attorney who is  
2 a member of his staff to represent the State's interest at any commitment hearing,  
3 rehearing, or supplemental hearing held in a place other than at one of the State's  
4 facilities for the mentally ill or the psychiatric service of the University of North  
5 Carolina Hospitals at Chapel Hill."

6            Sec. 3. This act is effective upon ratification.