

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**SENATE BILL 781**

Short Title: Assistance to District Attorneys/Funds. (Public)

Sponsors: Senators Snow; Rand, Soles, and Thomas.

Referred to: Appropriations/Base Budget.

March 22, 2005

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ESTABLISH SEVENTY-FIVE NEW ASSISTANT DISTRICT ATTORNEY POSITIONS THROUGHOUT THE STATE, TO ESTABLISH THIRTY-NINE NEW VICTIM WITNESS ASSISTANT POSITIONS, TO BEGIN FUNDING OF AN AUTOMATED DISCOVERY SYSTEM, AND TO PROVIDE ADDITIONAL STEPS IN LONGEVITY PAY FOR DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 7A-60(a1) reads as rewritten:

"(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:

Prosecutorial District	Counties	No. of Full-Time Asst. District Attorneys
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	<del>10</del> <u>11</u>
2	Beaufort, Hyde, Martin, Tyrrell, Washington	<del>6</del> <u>7</u>
3A	Pitt	<del>9</del> <u>10</u>
3B	Carteret, Craven, Pamlico	<del>10</del> <u>11</u>
4	Duplin, Jones, Onslow, Sampson	<del>14</del> <u>15</u>
5	New Hanover, Pender	<del>14</del> <u>15</u>
6A	Halifax	<del>4</del> <u>5</u>
6B	Bertie, Hertford, Northampton	<del>4</del> <u>5</u>
7	Edgecombe, Nash, Wilson	<del>16</del> <u>17</u>

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

40           **SECTION 2.** There is appropriated from the General Fund to the Judicial  
41 Department the sum of six million one hundred sixty-eight thousand nine hundred  
42 seventy-five dollars (\$6,168,975) for the 2005-2006 fiscal year and the sum of five  
43 million eight hundred nineteen thousand four hundred dollars (\$5,819,400) for the

1 2006-2007 fiscal year to establish the 75 new assistant district attorney positions  
2 authorized by Section 1 of this act.

3 **SECTION 3.** There is appropriated from the General Fund to the Judicial  
4 Department the sum of one million eight hundred forty thousand dollars (\$1,840,000)  
5 for the 2005-2006 fiscal year and the sum of one million seven hundred thousand  
6 dollars (\$1,700,000) for the 2006-2007 fiscal year to establish 39 new victim witness  
7 assistant positions.

8 **SECTION 4.** There is appropriated from the General Fund to the Judicial  
9 Department the sum of one million dollars (\$1,000,000) for the 2005-2006 fiscal year to  
10 begin funding of an automated discovery system for the General Court of Justice.

11 **SECTION 5.** G.S. 7A-65 reads as rewritten:

12 **"§ 7A-65. Compensation and allowances of district attorneys and assistant district**  
13 **attorneys.**

14 (a) The annual salary of:

15 (1) District attorneys shall be the midpoint amount between the salary of a  
16 senior resident superior court judge and the salary of a chief district  
17 court judge, as provided by law,

18 (2) Full-time assistant district attorneys shall be as provided in the Current  
19 Operations Appropriations Act.

20 When traveling on official business, each district attorney and assistant district  
21 attorney is entitled to reimbursement for his subsistence and travel expenses to the same  
22 extent as State employees generally.

23 (b) Repealed by Session Laws 1985, c. 689, s. 2.

24 (c) In lieu of merit and other increment raises paid to regular State employees, a  
25 district attorney shall receive as longevity pay an amount equal to four and eight-tenths  
26 percent (4.8%) of the annual salary set forth in the Current Operations Appropriations  
27 Act payable monthly after five years of service, and nine and six-tenths percent (9.6%)  
28 after 10 years of service, fourteen and four-tenths percent (14.4%) after 15 years of  
29 service, ~~and~~ and nineteen and two-tenths percent (19.2%) after 20 years of ~~service.~~ service,  
30 twenty-four percent (24%) after 25 years of service, and twenty-eight and eight-tenths  
31 percent (28.8%) after 30 years of service. Service shall mean service in the elective  
32 position of a district attorney and shall not include service as a deputy or acting district  
33 attorney. Service shall also mean service as a justice or judge of the General Court of  
34 Justice, clerk of superior court, assistant district attorney, public defender, appellate  
35 defender, or assistant public or appellate defender.

36 (d) In lieu of merit and other increment raises paid to regular State employees, an  
37 assistant district attorney shall receive as longevity pay an amount equal to four and  
38 eight-tenths percent (4.8%) of the annual salary set forth in the Current Operations  
39 Appropriations Act payable monthly after five years of service, nine and six-tenths  
40 percent (9.6%) after 10 years of service, fourteen and four-tenths percent (14.4%) after  
41 15 years of service, and nineteen and two-tenths percent (19.2%) after 20 years of  
42 ~~service.~~ service, twenty-four percent (24%) after 25 years of service, and twenty-eight  
43 and eight-tenths percent (28.8%) after 30 years of service. "Service" means service as an  
44 assistant district attorney, district attorney, public defender, appellate defender, assistant

1 public or appellate defender, justice or judge of the General Court of Justice, or clerk of  
2 superior court."

3           **SECTION 6.** There is appropriated the sum of two hundred twenty-one  
4 thousand eight hundred three dollars (\$221,803) for the 2005-2006 fiscal year and the  
5 sum of two hundred twenty-one thousand eight hundred three dollars (\$221,803) for the  
6 2006-2007 fiscal year to fund the additional longevity steps for district attorneys and  
7 assistant district attorneys established in Section 5 of this act.

8           **SECTION 7.** This act becomes effective July 1, 2005.