

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1136

Short Title: Apportioning of Court System Personnel. (Public)

Sponsors: Senator Clodfelter.

Referred to: Judiciary I (Civil).

March 22, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE APPORTIONING OF COURT SYSTEM
3 PERSONNEL THROUGH A WORKLOAD FORMULA.

4 The General Assembly of North Carolina enacts:

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

6 "(a1) The counties of the State are organized into prosecutorial districts, and each
7 district has the counties and the number of full-time assistant district attorneys as
8 prescribed in a workload formula set forth and adopted by the Conference of District
9 Attorneys and recommended to the Administrative Officer of the Courts and minimally
10 set forth in the following table:

11			No. of Full-Time
12	Prosecutorial		Asst. District
13	District	Counties	Attorneys
14	1	Camden, Chowan, Currituck,	11
15		Dare, Gates, Pasquotank,	
16		Perquimans	
17	2	Beaufort, Hyde, Martin,	7
18		Tyrrell, Washington	
19	3A	Pitt	11
20	3B	Carteret, Craven, Pamlico	11
21	4	Duplin, Jones, Onslow,	16
22		Sampson	
23	5	New Hanover, Pender	16
24	6A	Halifax	5
25	6B	Bertie, Hertford,	5
26		Northampton	
27	7	Edgecombe, Nash, Wilson	18
28	8	Greene, Lenoir, Wayne	13
29	9	Franklin, Granville,	12

1		Vance, Warren	
2	9A	Person, Caswell	5
3	10	Wake	38
4	11	Harnett, Johnston, Lee	16
5	12	Cumberland	21
6	13	Bladen, Brunswick, Columbus	12
7	14	Durham	15
8	15A	Alamance	10
9	15B	Orange, Chatham	9
10	16A	Scotland, Hoke	6
11	16B	Robeson	13
12	17A	Rockingham	6
13	17B	Stokes, Surry	7
14	18	Guilford	30
15	19A	Cabarrus	8
16	19B	Montgomery, Randolph	8
17	19C	Rowan	7
18	19D	Moore	4
19	20A	Anson, Richmond,	10
20		Stanly	
21	20B	Union	8
22	21	Forsyth	20
23	22	Alexander, Davidson, Davie,	20
24		Iredell	
25	23	Alleghany, Ashe, Wilkes,	7
26		Yadkin	
27	24	Avery, Madison, Mitchell,	6
28		Watauga, Yancey	
29	25	Burke, Caldwell, Catawba	18
30	26	Mecklenburg	49
31	27A	Gaston	14
32	27B	Cleveland,	10
33		Lincoln	
34	28	Buncombe	13
35	29A	McDowell, Rutherford	6
36	29B	Henderson, Polk, Transylvania	7
37	30	Cherokee, Clay, Graham,	11
38		Haywood, Jackson, Macon,	
39		Swain."	

SECTION 2. G.S. 7A-102(a) reads as rewritten:

"(a) The numbers and salaries of assistant clerks, deputy clerks, and other employees in the office of each clerk of superior court shall be determined by a workload formula adopted by the Conference of Clerks of Superior Court and recommended to the Administrative Officer of the Courts and after consultation with the

1 clerk concerned. The allocation of deputy and assistant clerks on January 1, 2007, shall
 2 not be reduced without prior consultation with the clerk concerned. All personnel in the
 3 clerk's office are employees of the State. The clerk appoints the assistants, deputies, and
 4 other employees in the clerk's office to serve at his or her pleasure. Assistant and deputy
 5 clerks shall take the oath of office prescribed for clerks of superior court, conformed to
 6 the office of assistant or deputy clerk, as the case may be. Except as provided by
 7 subsection (c2) of this section, the job classifications and related salaries of each
 8 employee within the office of each superior court clerk shall be subject to the approval
 9 of the Administrative Officer of the Courts after consultation with each clerk concerned
 10 and shall be subject to the availability of funds appropriated for that purpose by the
 11 General Assembly."

12 **SECTION 3.** G.S. 7A-132 reads as rewritten:

13 **"§ 7A-132. Judges, district attorneys, full-time assistant district attorneys and**
 14 **magistrates for district court districts.**

15 Each district court district shall have one or more judges and one district attorney.
 16 Each county within each district shall have at least one magistrate.

17 For each district ~~the General Assembly shall prescribe~~ the numbers of district
 18 ~~judges, and the numbers of full time assistant district attorneys. For each county within~~
 19 ~~each district the General Assembly shall prescribe a minimum number of magistrates.~~
 20 judges shall be determined by a workload formula adopted by the Board of Governors
 21 of the Association of District Court Judges and recommended to the Administrative
 22 Officer of the Courts."

23 **SECTION 4.** G.S. 7A-133(a) reads as rewritten:

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

District	Judges	County
1	5	Camden Chowan Currituck Dare Gates Pasquotank Perquimans
2	4	Martin Beaufort Tyrrell Hyde Washington
3A	5	Pitt
3B	6	Craven Pamlico Carteret
4	8	Sampson

1			Duplin
2			Jones
3			Onslow
4	5	8	New Hanover
5			Pender
6	6A	3	Halifax
7	6B	3	Northampton
8			Bertie
9			Hertford
10	7	7	Nash
11			Edgecombe
12			Wilson
13	8	6	Wayne
14			Greene
15			Lenoir
16	9	4	Granville
17			(part of Vance
18			see subsection (b))
19			Franklin
20	9A	2	Person
21			Caswell
22	9B	2	Warren
23			(part of Vance
24			see subsection (b))
25	10	16	Wake
26	11	9	Harnett
27			Johnston
28			Lee
29	12	9	Cumberland
30	13	6	Bladen
31			Brunswick
32			Columbus
33	14	7	Durham
34	15A	4	Alamance
35	15B	5	Orange
36			Chatham
37	16A	3	Scotland
38			Hoke
39	16B	5	Robeson
40	17A	3	Rockingham
41	17B	4	Stokes
42			Surry
43	18	13	Guilford
44	19A	4	Cabarrus

1	19B	7	Montgomery
2			Moore
3			Randolph
4	19C	5	Rowan
5	20A	4	Stanly
6			Anson
7			Richmond
8	20B	1	(part of Union
9			see subsection (b))
10	20C	2	(part of Union
11			see subsection (b))
12	21	9	Forsyth
13	22	9	Alexander
14			Davidson
15			Davie
16			Iredell
17	23	4	Alleghany
18			Ashe
19			Wilkes
20			Yadkin
21	24	4	Avery
22			Madison
23			Mitchell
24			Watauga
25			Yancey
26	25	9	Burke
27			Caldwell
28			Catawba
29	26	18	Mecklenburg
30	27A	7	Gaston
31	27B	5	Cleveland
32			Lincoln
33	28	7	Buncombe
34	29A	3	McDowell
35			Rutherford
36	29B	4	Henderson
37			Polk
38			Transylvania
39	30	6	Cherokee
40			Clay
41			Graham
42			Haywood
43			Jackson
44			Macon

Swain."

SECTION 5. G.S. 7A-133(c) reads as rewritten:

"(c) Each county shall have the numbers of magistrates determined by a workload formula adopted by the North Carolina Magistrates' Association and recommended to the Administrative Officer of the Courts and additional seats of district court, as set forth in the following table:

County	Magistrates Min.	Additional Seats of Court
Camden	3	
Chowan	3	
Currituck	4	
Dare	6	
Gates	2	
Pasquotank	5	
Perquimans	3	
Martin	4	
Beaufort	5.05	
Tyrrell	3	
Hyde	3.5	
Washington	4	
Pitt	10.5	Farmville Ayden Havelock
Craven	10	
Pamlico	3	
Carteret	9	
Sampson	7	
Duplin	8	
Jones	2	
Onslow	11	
New Hanover	11	
Pender	4.8	
Halifax	12	Roanoke Rapids, Scotland Neck
Northampton	5.25	
Bertie	5	
Hertford	6	
Nash	9	Rocky Mount
Edgecombe	7	Rocky Mount
Wilson	7	
Wayne	9	Mount Olive
Greene	4	
Lenoir	7	La Grange

1	Granville	7	
2	Vance	6	
3	Warren	3.5	
4	Franklin	7	
5	Person	4	
6	Caswell	4	
7	Wake	18.5	Apex,
8			Wendell, Fuquay-
9			Varina,
10			Wake Forest
11	Harnett	10	Dunn
12	Johnston	11	Benson,
13			Clayton,
14			Selma
15	Lee	5.5	
16	Cumberland	19	
17	Bladen	5	
18	Brunswick	9	
19	Columbus	9.5	Tabor City
20	Durham	13	
21	Alamance	12	Burlington
22	Orange	9	Chapel Hill
23	Chatham	6	Siler City
24	Scotland	5	
25	Hoke	5	
26	Robeson	15	Fairmont,
27			Maxton,
28			Pembroke,
29			Red Springs,
30			Rowland,
31			St. Pauls
32	Rockingham	9	Reidsville,
33			Eden,
34			Madison
35	Stokes	5	
36	Surry	9	Mt. Airy
37	Guilford	24.4	High Point
38	Cabarrus	9	Kannapolis
39	Montgomery	5	
40	Randolph	10	Liberty
41	Rowan	9	
42	Stanly	6	
43	Union	7	
44	Anson	5	

1	Richmond	6	Hamlet
2	Moore	6.5	Southern
3			Pines
4	Forsyth	15	Kernersville
5	Alexander	4	
6	Davidson	10	Thomasville
7	Davie	4	
8	Iredell	9	Mooresville
9	Alleghany	2	
10	Ashe	4	
11	Wilkes	6	
12	Yadkin	4	
13	Avery	4	
14	Madison	4	
15	Mitchell	4	
16	Watauga	5	
17	Yancey	3	
18	Burke	6.75	
19	Caldwell	7	
20	Catawba	10	Hickory
21	Mecklenburg	26.50	
22	Gaston	17	
23	Cleveland	8	
24	Lincoln	6	
25	Buncombe	15	
26	Henderson	6.5	
27	McDowell	4.5	
28	Polk	4	
29	Rutherford	7	
30	Transylvania	4	
31	Cherokee	4	
32	Clay	2	
33	Graham	2	
34	Haywood	6.75	Canton
35	Jackson	5	
36	Macon	3.5	
37	Swain	3.75"	

SECTION 6. This act becomes effective July 1, 2007.