

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE BILL 1302

Short Title: Divide District 24.

(Public)

Sponsors: Senator Queen.

Referred to: Appropriations/Base Budget.

March 26, 2007

A BILL TO BE ENTITLED
AN ACT TO DIVIDE SUPERIOR COURT, DISTRICT COURT, AND
PROSECUTORIAL DISTRICTS 24 INTO DISTRICTS 24A AND 24B.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Effective January 1, 2008, 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
First	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1
First	3A	Pitt	2
Second	3B	Carteret, Craven, Pamlico	3
Second	4A	Duplin, Jones, Sampson	1
Second	4B	Onslow	1
Second	5A	(part of New Hanover, part of Pender	1

1			see subsection (b))	
2		5B	(part of New Hanover,	1
3			part of Pender	
4			see subsection (b))	
5		5C	(part of New Hanover,	1
6			see subsection (b))	
7	First	6A	Halifax	1
8	First	6B	Bertie, Hertford,	1
9			Northampton	
10	First	7A	Nash	1
11	First	7B	(part of Wilson,	1
12			part of Edgecombe,	
13			see subsection (b))	
14	First	7C	(part of Wilson,	1
15			part of Edgecombe,	
16			see subsection (b))	
17	Second	8A	Lenoir and Greene	1
18	Second	8B	Wayne	1
19	Third	9	Franklin, Granville,	2
20			Vance, Warren	
21	Third	9A	Person, Caswell	1
22	Third	10A	(part of Wake,	2
23			see subsection (b))	
24	Third	10B	(part of Wake,	2
25			see subsection (b))	
26	Third	10C	(part of Wake,	1
27			see subsection (b))	
28	Third	10D	(part of Wake,	1
29			see subsection (b))	
30	Fourth	11A	Harnett,	1
31			Lee	
32	Fourth	11B	Johnston	1
33	Fourth	12A	(part of Cumberland,	1
34			see subsection (b))	
35	Fourth	12B	(part of Cumberland,	1
36			see subsection (b))	
37	Fourth	12C	(part of Cumberland,	2
38			see subsection (b))	
39	Fourth	13	Bladen, Brunswick,	2
40			Columbus	
41	Third	14A	(part of Durham,	1
42			see subsection (b))	
43	Third	14B	(part of Durham,	3
44			see subsection (b))	

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

1			see subsection (b))	
2	Seventh	26C	(part of Mecklenburg,	2
3			see subsection (b))	
4	Seventh	27A	Gaston	2
5	Seventh	27B	Cleveland, Lincoln	2
6	Eighth	28	Buncombe	2
7	Eighth	29A	McDowell	1
8			Rutherford	
9	Eighth	29B	Henderson, Polk,	1
10			Transylvania	
11	Eighth	30A	Cherokee, Clay,	1
12			Graham, Macon, Swain	
13	Eighth	30B	Haywood, Jackson	1."

14 **SECTION 1.(b)** The superior court judgeship established for District 24A
 15 by subsection (a) of this section shall be filled by the judge currently serving District 24
 16 who resides in Madison County. The term of that judge expires December 31, 2010, and
 17 a successor shall be elected in the 2010 election for an eight-year term expiring
 18 December 31, 2018.

19 **SECTION 1.(c)** The superior court judgeship established for District 24B by
 20 subsection (a) of this section shall be filled by the judge currently serving District 24
 21 who resides in Watauga County. That judge's term expires December 31, 2010, and a
 22 successor shall be elected in the 2010 election for an eight-year term expiring December
 23 31, 2018.

24 **SECTION 2.(a)** Effective January 1, 2008, G.S. 7A-133(a) reads as
 25 rewritten:

26 "(a) Each district court district shall have the numbers of judges as set forth in the
 27 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	5	Craven
		Pamlico

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

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

Clay
 Graham
 Haywood
 Jackson
 Macon
 Swain."

SECTION 2.(b) The two judgeships established for District 24A by subsection (a) of this section shall be filled by appointment by the Governor. Those judges' successors shall be elected in the 2008 election for four-year terms expiring December 31, 2012.

SECTION 2.(c) The four district court judgeships established for District 24B by subsection (a) of this section shall be filled by the judges currently serving District 22 who reside in Avery, Mitchell, and Watauga Counties. The terms of three of those judges expire December 31, 2008, and successors shall be elected in the 2008 election for four-year terms expiring December 31, 2012. The term of one of those judges expires December 31, 2010, and a successor shall be elected in the 2010 election for a four-year term expiring December 31, 2014.

SECTION 3.(a) Effective January 1, 2008, 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	11
2	Beaufort, Hyde, Martin, Tyrrell, Washington	7
3A	Pitt	11
3B	Carteret, Craven, Pamlico	11
4	Duplin, Jones, Onslow, Sampson	16
5	New Hanover, Pender	16
6A	Halifax	5
6B	Bertie, Hertford, Northampton	5
7	Edgecombe, Nash, Wilson	18
8	Greene, Lenoir, Wayne	13
9	Franklin, Granville, Vance, Warren	12
9A	Person, Caswell	5
10	Wake	38

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

38 **SECTION 3.(b)** The district attorney position established for District 24A
39 by subsection (a) of this section shall be filled by appointment by the Governor. That
40 district attorney's successor shall be elected in the 2008 election for a four-year term
41 expiring December 31, 2012.

42 **SECTION 3.(c)** The district attorney position established for District 24B by
43 subsection (a) of this section shall be filled by the district attorney currently serving

1 District 22 who resides in Watauga County. That district attorney's term expires
2 December 31, 2010, and a successor shall be elected in the 2010 election.

3 **SECTION 3.(d)** The two assistant district attorney positions established for
4 District 24A by subsection (a) of this section shall be filled by two assistant district
5 attorneys currently serving Madison and Yancey Counties in District 24. The four
6 assistant district attorney positions established for District 24B by subsection (a) of this
7 section shall be filled by four assistant district attorneys currently serving Avery,
8 Mitchell, and Watauga Counties in District 24.

9 **SECTION 3.(e)** G.S. 7A-69 reads as rewritten:

10 "**§ 7A-69. Investigatorial assistants.**

11 The district attorney in prosecutorial districts 1, 3B, 4, 5, 7, 8, 11, 12, 13, 14, 15A,
12 15B, 16A, 18, 19B, 20A, 20B, 21, 22, ~~24~~, 24A, 24B, 25, 26, 27A, 27B, 28, 29A, 29B,
13 and 30 is entitled to one investigatorial assistant, and the district attorney in
14 prosecutorial district 10 is entitled to two investigatorial assistants, to be appointed by
15 the district attorney and to serve at his pleasure.

16 It shall be the duty of the investigatorial assistant to investigate cases preparatory to
17 trial and to perform such other Duties as may be assigned by the district attorney. The
18 investigatorial assistant is entitled to reimbursement for his subsistence and travel
19 expenses to the same extent as State employees generally."

20 **SECTION 4.** There is appropriated from the General Fund to the Judicial
21 Department the sum of four hundred sixty-three thousand seven hundred nineteen
22 dollars (\$463,719) for the 2007-2008 fiscal year and the sum of seven hundred
23 seventy-five thousand two hundred fourteen dollars (\$775,214) for the 2008-2009 fiscal
24 year to implement the provisions of this act.

25 **SECTION 5.** This act becomes effective January 1, 2008.