

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 707

Short Title: Credit Report/Child Support.

(Public)

Sponsors: Representatives R. Thompson; Bowman, Easterling, Mitchell, and Russell.

Referred to: Judiciary II.

April 1, 1993

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE NOTIFICATION OF CREDITORS AND CREDIT REPORTING AGENCIES OF PERSONS OBLIGATED TO PAY CHILD SUPPORT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-109 reads as rewritten:

"§ 7A-109. Record-keeping procedures.

(a) Each clerk shall maintain such records, files, dockets and indexes as are prescribed by rules of the Director of the Administrative Office of the Courts. Except as prohibited by law, these records shall be open to the inspection of the public during regular office hours, and shall include civil actions, special proceedings, estates, criminal actions, juvenile actions, minutes of the court, judgments, liens, lis pendens, and all other records required by law to be maintained. The rules prescribed by the Director shall be designed to accomplish the following purposes:

- (1) To provide an accurate record of every determinative legal action, proceeding, or event which may affect the person or property of any individual, firm, corporation, or association;
- (2) To provide a record during the pendency of a case that allows for the efficient handling of the matter by the court from its initiation to conclusion and also affords information as to the progress of the case;
- (3) To provide security against the loss or destruction of original documents during their useful life and a permanent record for historical uses;

- 1 (4) To provide a system of indexing that will afford adequate access to all
2 records maintained by the clerk;
- 3 (5) To provide, to the extent possible, for the maintenance of records
4 affecting the same action or proceeding in one rather than several
5 units; ~~and~~
- 6 (6) To provide a reservoir of information useful to those interested in
7 measuring the effectiveness of the laws and the efficiency of the courts
8 in administering ~~them-~~them; and
- 9 (7) To provide for notification to creditors and credit reporting agencies of
10 persons obligated to pay any amount of child support into the office of
11 the clerk of superior court.
- 12 (b) The rules shall provide for indexing according to the minimum criteria set out
13 below:
- 14 (1) Civil actions – the names of all parties;
- 15 (2) Special proceedings – the names of all parties;
- 16 (3) Administration of estates – the name of the estate and in the case of
17 testacy the name of each devisee;
- 18 (4) Criminal actions – the names of all defendants;
- 19 (5) Juvenile actions – the names of all juveniles;
- 20 (6) Judgments, liens, **lis pendens**, etc. – the names of all parties against
21 whom a lien has been created by the docketing of a judgment, notice
22 of lien, transcript, certificate, or similar document and the names of all
23 parties in those cases in which a notice of **lis pendens** has been filed
24 with the clerk and abstracted on the judgment docket.
- 25 (c) The rules shall require that all documents received for docketing shall be
26 immediately indexed either on a permanent or temporary index. The rules may prescribe
27 any technological process deemed appropriate for the economical and efficient
28 indexing, storage and retrieval of information."
- 29 Sec. 2. This act becomes effective October 1, 1993.