

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE BILL 1066

Short Title: Durham Judicial Personnel Funds. (Public)

Sponsors: Representatives Wilkins, Luebke, Michaux, and Miller (Primary Sponsors).

Referred to: Appropriations Subcommittee on Justice and Public Safety.

March 31, 2005

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ESTABLISH TWO NEW DISTRICT COURT JUDGES AND SUPPORTING STAFF IN DISTRICT COURT DISTRICT 14, THREE NEW ASSISTANT DISTRICT ATTORNEYS IN PROSECUTORIAL DISTRICT 14, A NEW MAGISTRATE FOR DURHAM COUNTY, AND FUNDING FOR THE YOUTH TREATMENT COURT IN DURHAM COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-133(a) reads as rewritten:

"(a) Each district court district shall have the numbers of judges as set 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	5	Craven Pamlico
4	8	Carteret Sampson

1			Duplin
2			Jones
3			Onslow
4	5	8	New Hanover
5			Pender
6	6A	2	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	15	Wake
26	11	8	Harnett
27			Johnston
28			Lee
29	12	9	Cumberland
30	13	6	Bladen
31			Brunswick
32			Columbus
33	14	6 <u>8</u>	Durham
34	15A	4	Alamance
35	15B	4	Orange
36			Chatham
37	16A	3	Scotland
38			Hoke
39	16B	5	Robeson
40	17A	2	Rockingham
41	17B	4	Stokes
42			Surry
43	18	12	Guilford
44	19A	4	Cabarrus

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

43 **SECTION 2.** The Governor shall appoint the additional district court judges
 44 for District 14 authorized by this act, and those judges' successors shall be elected in the

1 2006 general election for four-year terms commencing on the first Monday in December
2 2006.

3 **SECTION 3.** G.S. 7A-60(a1) reads as rewritten:

4 "(a1) The counties of the State are organized into prosecutorial districts, and each
5 district has the counties and the number of full-time assistant district attorneys set forth
6 in the following table:

7			No. of Full-Time
8	Prosecutorial		Asst. District
9	District	Counties	Attorneys
10	1	Camden, Chowan, Currituck,	10
11		Dare, Gates, Pasquotank,	
12		Perquimans	
13	2	Beaufort, Hyde, Martin,	6
14		Tyrrell, Washington	
15	3A	Pitt	9
16	3B	Carteret, Craven, Pamlico	10
17	4	Duplin, Jones, Onslow,	14
18		Sampson	
19	5	New Hanover, Pender	14
20	6A	Halifax	4
21	6B	Bertie, Hertford,	4
22		Northampton	
23	7	Edgecombe, Nash, Wilson	16
24	8	Greene, Lenoir, Wayne	11
25	9	Franklin, Granville,	11
26		Vance, Warren	
27	9A	Person, Caswell	4
28	10	Wake	31
29	11	Harnett, Johnston, Lee	14
30	12	Cumberland	18
31	13	Bladen, Brunswick, Columbus	11
32	14	Durham	13 16
33	15A	Alamance	8
34	15B	Orange, Chatham	7
35	16A	Scotland, Hoke	5
36	16B	Robeson	10
37	17A	Rockingham	5
38	17B	Stokes, Surry	5
39	18	Guilford	27
40			
41	19A	Cabarrus	6
42	19B	Montgomery, Moore, Randolph	11
43	19C	Rowan	5
44	20	Anson, Richmond,	15

1		Stanly, Union	
2	21	Forsyth	17
3	22	Alexander, Davidson, Davie,	16
4		Iredell	
5	23	Alleghany, Ashe, Wilkes,	5
6		Yadkin	
7	24	Avery, Madison, Mitchell,	4
8		Watauga, Yancey	
9	25	Burke, Caldwell, Catawba	15
10	26	Mecklenburg	36
11	27A	Gaston	12
12	27B	Cleveland,	9
13		Lincoln	
14	28	Buncombe	11
15	29	Henderson, McDowell, Polk,	11
16		Rutherford, Transylvania	
17	30	Cherokee, Clay, Graham,	9
18		Haywood, Jackson, Macon,	
19		Swain."	

SECTION 4. G.S. 7A-133(c) reads as rewritten:

"(c) Each county shall have the numbers of magistrates and additional seats of district court, as set forth in the following table:

County	Magistrates		Additional
	Min.	Max.	Seats of
			Court
Camden	1	3	
Chowan	2	3	
Currituck	1	4	
Dare	3	8	
Gates	2	3	
Pasquotank	3	5	
Perquimans	2	4	
Martin	4	8	
Beaufort	4	8	
Tyrrell	1	3	
Hyde	2	4	
Washington	3	4	
Pitt	10	12	Farmville
			Ayden
Craven	7	10	Havelock
Pamlico	2	4	
Carteret	5	8	
Sampson	6	8	
Duplin	8	11	

1	Jones	2	3	
2	Onslow	8	14	
3	New Hanover	6	11	
4	Pender	4	6	
5	Halifax	9	14	Roanoke
6				Rapids,
7				Scotland Neck
8	Northampton	5	7	
9	Bertie	4	6	
10	Hertford	5	7	
11	Nash	7	10	Rocky Mount
12	Edgecombe	4	7	Rocky Mount
13	Wilson	4	7	
14	Wayne	5	12	Mount Olive
15	Greene	2	4	
16	Lenoir	4	10	La Grange
17	Granville	3	7	
18	Vance	3	6	
19	Warren	3	5	
20	Franklin	3	7	
21	Person	3	4	
22	Caswell	2	5	
23	Wake	12	21	Apex,
24				Wendell,
25				Fuquay-
26				Varina,
27				Wake Forest
28	Harnett	7	11	Dunn
29	Johnston	10	12	Benson,
30				Clayton,
31				Selma
32	Lee	4	6	
33	Cumberland	10	19	
34	Bladen	4	6	
35	Brunswick	4	9	
36	Columbus	6	10	Tabor City
37	Durham	8	13 14	
38	Alamance	7	11	Burlington
39	Orange	4	11	Chapel Hill
40	Chatham	3	9	Siler City
41	Scotland	3	5	
42	Hoke	4	5	
43	Robeson	8	16	Fairmont,
44				Maxton,

1				Pembroke,
2				Red Springs,
3				Rowland,
4				St. Pauls
5	Rockingham	4	9	Reidsville,
6				Eden,
7				Madison
8	Stokes	2	5	
9	Surry	5	9	Mt. Airy
10	Guilford	20	27	High Point
11	Cabarrus	5	9	Kannapolis
12	Montgomery	2	4	
13	Randolph	5	10	Liberty
14	Rowan	5	10	
15	Stanly	5	6	
16	Union	4	7	
17	Anson	4	6	
18	Richmond	5	6	Hamlet
19	Moore	5	8	Southern
20				Pines
21	Forsyth	3	15	Kernersville
22	Alexander	2	4	
23	Davidson	7	10	Thomasville
24	Davie	2	4	
25	Iredell	4	9	Mooresville
26	Alleghany	1	2	
27	Ashe	3	4	
28	Wilkes	4	6	
29	Yadkin	3	5	
30	Avery	3	5	
31	Madison	4	5	
32	Mitchell	3	4	
33	Watauga	4	6	
34	Yancey	2	4	
35	Burke	4	7	
36	Caldwell	4	7	
37	Catawba	6	10	Hickory
38	Mecklenburg	15	28	
39	Gaston	11	22	
40	Cleveland	5	8	
41	Lincoln	4	7	
42	Buncombe	6	15	
43	Henderson	4	7	
44	McDowell	3	6	

1	Polk	3	4	
2	Rutherford	6	8	
3	Transylvania	2	4	
4	Cherokee	3	4	
5	Clay	1	2	
6	Graham	2	3	
7	Haywood	5	7	Canton
8	Jackson	3	5	
9	Macon	3	5	
10	Swain	2	4"	

11 **SECTION 5.** There is appropriated from the General Fund to the Judicial
 12 Department the sum of two hundred thirteen thousand five hundred seventy-six dollars
 13 (\$213,576) for the 2005-2006 fiscal year and the sum of two hundred fifty-three
 14 thousand eight hundred ninety-two dollars (\$253,892) for the 2006-2007 fiscal year to
 15 establish the two new district court judges for District Court District 14 authorized by
 16 this act.

17 **SECTION 6.** There is appropriated from the General Fund to the Judicial
 18 Department the sum of one hundred eighty-nine thousand fifty-four dollars (\$189,054)
 19 for the 2005-2006 fiscal year and the sum of two hundred thirty-two thousand seven
 20 hundred seventy-six dollars (\$232,776) for the 2006-2007 fiscal year to establish the
 21 three new assistant district attorneys for District Court District 14 authorized by this act.

22 **SECTION 7.** There is appropriated from the General Fund to the Judicial
 23 Department the sum of one hundred sixty-seven thousand two hundred eighty-six
 24 dollars (\$167,286) for the 2005-2006 fiscal year and the sum of two hundred one
 25 thousand two hundred seventy-six dollars (\$201,276) for the 2006-2007 fiscal year to
 26 establish six deputy clerk positions for District Court District 14.

27 **SECTION 8.** There is appropriated from the General Fund to the Judicial
 28 Department the sum of thirty-three thousand fifty-three dollars (\$33,053) for the
 29 2005-2006 fiscal year and the sum of thirty-eight thousand one hundred dollars
 30 (\$38,100) for the 2006-2007 fiscal year to establish a new magistrate for Durham
 31 County.

32 **SECTION 9.** There is appropriated from the General Fund to the Judicial
 33 Department the sum of seventy thousand dollars (\$70,000) for the 2005-2006 fiscal year
 34 and the sum of seventy thousand dollars (\$70,000) for the 2006-2007 fiscal year to fund
 35 the Youth Treatment Court in Durham County, which has previously been funded
 36 through grants.

37 **SECTION 10.** Section 8 of this act becomes effective July 1, 2005. The
 38 remainder of this act becomes effective October 1, 2005.