

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE DRS35257-LL-180 (3/12)

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

Sponsors: Senator Clodfelter.

Referred to:

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

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 as prescribed in a workload formula set forth and adopted by the Conference of District Attorneys and recommended to the Administrative Officer of the Courts and minimally 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

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

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

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

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

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

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

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

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

"(a) Each district court district shall have the minimum 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
3A	5	Washington
		Pitt
3B	6	Craven
		Pamlico

1			Carteret
2	4	8	Sampson
3			Duplin
4			Jones
5			Onslow
6	5	8	New Hanover
7			Pender
8	6A	3	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	16	Wake
28	11	9	Harnett
29			Johnston
30			Lee
31	12	9	Cumberland
32	13	6	Bladen
33			Brunswick
34			Columbus
35	14	7	Durham
36	15A	4	Alamance
37	15B	5	Orange
38			Chatham
39	16A	3	Scotland
40			Hoke
41	16B	5	Robeson
42	17A	3	Rockingham
43	17B	4	Stokes
44			Surry

1	18	13	Guilford
2	19A	4	Cabarrus
3	19B	7	Montgomery
4			Moore
5			Randolph
6	19C	5	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	24	4	Avery
24			Madison
25			Mitchell
26			Watauga
27			Yancey
28	25	9	Burke
29			Caldwell
30			Catawba
31	26	18	Mecklenburg
32	27A	7	Gaston
33	27B	5	Cleveland
34			Lincoln
35	28	7	Buncombe
36	29A	3	McDowell
37			Rutherford
38	29B	4	Henderson
39			Polk
40			Transylvania
41	30	6	Cherokee
42			Clay
43			Graham
44			Haywood

Jackson
 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
Craven	10	Havelock
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

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

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

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