

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1914

Short Title: Improve Judicial Branch Salaries.

(Public)

Sponsors: Representatives Watkins; Blue, Cooper, Hackney, R. Hunter, Michaux, Nesbitt, S. Thompson, Wicker, Miller, and Bowman.

Referred to: Public Employees.

May 10, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPROVE JUDICIAL BRANCH SALARIES.
3 The General Assembly of North Carolina enacts:
4 ---JUDICIAL BRANCH OFFICIALS SALARY INCREASE

5 Section 1. The annual salaries, payable monthly, for specified judicial branch
6 officials for the 1989-90 and 1990-91 fiscal years are:

<u>Judicial Branch Officials</u>	<u>Annual Salary</u>
8 Chief Justice, Supreme Court	\$92,496
9 Associate Justice, Supreme Court	90,000
10 Chief Judge, Court of Appeals	87,504
11 Judge, Court of Appeals	84,996
12 Judge, Senior Regular Resident Superior Court	82,500
13 Judge, Superior Court	80,004
14 Chief Judge, District Court	72,504
15 Judge, District Court	70,000
16 District Attorney	75,000
17 Assistant District Attorney - an average of	42,727
18 Administrative Officer of the Courts	82,500
19 Assistant Administrative Officer of the Courts	72,504
20 Public Defender	75,000
21 Assistant Public Defender - an average of	42,727

22 If an acting senior resident superior court judge is appointed under the
23 provisions of G.S. 7A-41.1(e), he shall receive the salary for Judge, Senior Regular

1 Resident, Superior Court, until his temporary appointment is vacated, and the judge he
 2 replaces shall receive the salary indicated for Judge, Superior Court.

3 The district attorney or public defender of a judicial district, with the approval
 4 of the Administrative Office of the Courts, shall set the salaries of assistant district
 5 attorneys or assistant public defenders, respectively, in that district such that the average
 6 salaries of assistant district attorneys or assistant public defenders in that district do not
 7 exceed \$42,727 and the minimum salary of any assistant district attorney or assistant
 8 public defender is at least \$21,574.

9 **—CLERKS OF COURT/SALARY INCREASE**

10 Sec. 2. G.S. 7A-101(a) reads as rewritten:

11 "(a)The clerk of superior court is a full-time employee of the State and shall receive
 12 an annual salary, payable in equal monthly installments, based on the population of the
 13 county, as determined by the population projections of the Office of State Budget and
 14 Management for the year preceding the first year of each biennial budget, according to
 15 the following schedule:

16 Population	Annual Salary
17 Less than 30,000	\$ 36,288 <u>40,632</u>
18 30,000 to 99,999	41,748 <u>46,752</u>
19 100,000 to 199,999	47,184 <u>52,848</u>
20 200,000 and above	53,832 <u>60,288</u>

21
 22 When a county changes from one population group to another, the salary of the clerk
 23 shall be changed to the salary appropriate for the new population group on July 1 of the
 24 first year of each biennial budget, except that the salary of an incumbent clerk shall not
 25 be decreased by any change in population group during his continuance in office."

26 **—ASSISTANT AND DEPUTY CLERKS OF COURT/SALARY INCREASE**

27 Sec. 3. G.S. 7A-102(c) reads as rewritten:

28 "(c) Notwithstanding the provisions of subsection (a), the Administrative Officer
 29 of the Courts shall establish an incremental salary plan for assistant clerks and for
 30 deputy clerks based on a series of salary steps corresponding to the steps contained in
 31 the Salary Plan for State Employees adopted by the Office of State Personnel, subject to
 32 a minimum and a maximum annual salary as set forth below. On and after July 1, 1985,
 33 each assistant clerk and each deputy clerk shall be eligible for an annual step increase in
 34 his salary plan based on satisfactory job performance as determined by each clerk.
 35 Notwithstanding the foregoing, if an assistant or deputy clerk's years of service in the
 36 office of superior court clerk would warrant an annual salary greater than the salary first
 37 established under this section, that assistant or deputy clerk shall be eligible on and after
 38 July 1, 1984, for an annual step increase in his salary plan. Furthermore, on and after
 39 July 1, 1985, that assistant or deputy clerk shall be eligible for an increase of two steps
 40 in his salary plan, and shall remain eligible for a two-step increase each year as
 41 recommended by each clerk until that assistant or deputy clerk's annual salary
 42 corresponds to his number of years of service. A full-time assistant clerk or a full-time
 43 deputy clerk shall be paid an annual salary subject to the following minimum and
 44 maximum rates:

1 Assistant Clerks Annual Salary
 2 Minimum \$ ~~18,420~~ 19,525
 3 Maximum ~~30,912~~ 32,767

4
 5 Deputy Clerks Annual Salary
 6 Minimum \$ ~~14,436~~ 15,302
 7 Maximum ~~23,700~~ 25,122"

8 ---MAGISTRATES/SALARY INCREASE

9 Sec. 4. G.S. 7A-171.1(a)(1) reads as rewritten:

10 "(1) A full-time magistrate, so designated by the Administrative Officer of
 11 the Courts, shall be paid the annual salary indicated in the table below
 12 according to the number of years he has served as a magistrate. The
 13 salary steps shall take effect on the anniversary of the date the
 14 magistrate was originally appointed:

15 **TABLE OF SALARIES OF FULL-TIME MAGISTRATES**

16 Number of Prior Years of Service	Annual Salary
17 Less than 1	\$ 14,712 <u>17,628</u>
18 1 or more but less than 3	15,480 <u>18,348</u>
19 3 or more but less than 5	17,052 <u>19,944</u>
20 5 or more but less than 7	18,792 <u>21,732</u>
21 7 or more but less than 9	20,724 <u>23,472</u>
22 9 or more but less than 11	22,824 <u>25,836</u>
23 11 or more	25,116 <u>28,248</u>

24
 25 A 'Full-time magistrate' is a magistrate who is assigned to work an average of not
 26 less than 40 hours a week during his term of office.

27 Notwithstanding any other provision of this subdivision, a full-time magistrate, who
 28 was serving as a magistrate on December 31, 1978, and who was receiving an annual
 29 salary in excess of that which would ordinarily be allowed under the provisions of this
 30 subdivision, shall not have the salary, which he was receiving reduced during any
 31 subsequent term as a full-time magistrate. That magistrate's salary shall be fixed at the
 32 salary level from the table above which is nearest and higher than the latest annual
 33 salary he was receiving on December 31, 1978, and, thereafter, shall advance in
 34 accordance with the schedule in the table above."

35 Sec. 5. This act shall become effective July 1, 1989.