

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

S

2

SENATE BILL 898
House Committee Substitute Favorable 6/13/89

Short Title: Ass't Deputy Clerks' Jur.

(Public)

Sponsors:

Referred to:

April 17, 1989

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE ASSISTANT AND DEPUTY CLERKS OF COURT TO
ACT IN ANOTHER COUNTY UNDER CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-102(b) reads as rewritten:

"(b) An assistant clerk is authorized to perform all the duties and functions of the office of clerk of superior court, and any act of an assistant clerk is entitled to the same faith and credit as that of the clerk. A deputy clerk is authorized to certify the existence and correctness of any record in the clerk's office, to take the proofs and examinations of the witnesses touching the execution of a will as required by G.S. 31-17, and to perform any other ministerial act which the clerk may be authorized and empowered to do, in his own name and without reciting the name of his principal. The clerk is responsible for the acts of his assistants and deputies. With the consent of the clerk of superior court of each county and the consent of the presiding judge in any proceeding, an assistant or deputy clerk is authorized to perform all the duties and functions of the office of the clerk of superior court in another county in any proceeding in the district or superior court that has been transferred to that county from the county in which the assistant or deputy clerk is employed."

Sec. 2. This act is effective upon ratification.