

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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HOUSE DRH10191-LL-150 (2/11)

Short Title: Durham Judicial Personnel Funds. (Public)

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

Referred to:

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

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

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

1 **SECTION 2.** The Governor shall appoint the additional district court judges
 2 for District 14 authorized by this act, and those judges' successors shall be elected in the
 3 2006 general election for four-year terms commencing on the first Monday in December
 4 2006.

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

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

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

1	19C	Rowan	5
2	20	Anson, Richmond,	15
3		Stanly, Union	
4	21	Forsyth	17
5	22	Alexander, Davidson, Davie,	16
6		Iredell	
7	23	Alleghany, Ashe, Wilkes,	5
8		Yadkin	
9	24	Avery, Madison, Mitchell,	4
10		Watauga, Yancey	
11	25	Burke, Caldwell, Catawba	15
12	26	Mecklenburg	36
13	27A	Gaston	12
14	27B	Cleveland,	9
15		Lincoln	
16	28	Buncombe	11
17	29	Henderson, McDowell, Polk,	11
18		Rutherford, Transylvania	
19	30	Cherokee, Clay, Graham,	9
20		Haywood, Jackson, Macon,	
21		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 Min. – Max.	Additional Seats of Court
28	Camden	1 3	
29	Chowan	2 3	
30	Currituck	1 4	
31	Dare	3 8	
32	Gates	2 3	
33	Pasquotank	3 5	
34	Perquimans	2 4	
35	Martin	4 8	
36	Beaufort	4 8	
37	Tyrrell	1 3	
38	Hyde	2 4	
39	Washington	3 4	
40	Pitt	10 12	Farmville
41			Ayden
42	Craven	7 10	Havelock
43	Pamlico	2 4	
44	Carteret	5 8	

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

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

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

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

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

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

29 **SECTION 8.** There is appropriated from the General Fund to the Judicial
 30 Department the sum of thirty-three thousand fifty-three dollars (\$33,053) for the
 31 2005-2006 fiscal year and the sum of thirty-eight thousand one hundred dollars
 32 (\$38,100) for the 2006-2007 fiscal year to establish a new magistrate for Durham
 33 County.

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

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