

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE DRS85015-LL-15 (12/20)

Short Title: Local Governments Fund Court Resources. (Public)

Sponsors: Senator Vaughan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE AUTHORITY OF LOCAL GOVERNMENTS TO ENTER
INTO CONTRACTS WITH THE STATE FOR THE PROVISION OF
ADMINISTRATIVE ASSISTANCE AND ASSISTANCE WITH COURT PROGRAMS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-44.1 reads as rewritten:

"~~§ 7A-44.1. Secretarial and clerical help.~~ **Administrative and court program assistance.**

(a) Each senior resident superior court judge may appoint a judicial secretary to serve at his pleasure and under his direction the secretarial and clerical needs of the superior court judges of the district or set of districts as defined by G.S. 7A-41.1(a) for which he is the senior resident superior court judge. The appointment may be full- or part-time and the compensation and allowances of such secretary shall be fixed by the senior regular resident superior court judge, within limits determined by the Administrative Office of the Courts, and paid by the State.

(b) Each senior resident superior court judge or chief district court judge may apply to the Director of the Administrative Office of the Courts to enter into contracts with local governments for the provision by the State of ~~services of judicial secretaries~~ administrative assistance and assistance with court programs pursuant to G.S. 153A-212.1 or G.S. 160A-289.1.

(c) The Director of the Administrative Office of the Courts may provide assistance requested pursuant to subsection (b) of this section only upon a showing by the senior resident superior court ~~judge,~~ judge or chief district court judge, supported by facts, that the overwhelming public interest warrants the use of additional resources ~~for the speedy disposition of cases involving drug offenses, domestic violence, or other offenses involving a threat to public safety.~~ to improve the overall administration of justice.

(d) The terms of any contract entered into with local governments pursuant to subsection (b) of this section shall be fixed by the Director of the Administrative Office of the Courts in each case. Nothing in this section shall be construed to obligate the General Assembly to make any appropriation to implement the provisions of this section or to obligate the Administrative Office of the Courts to provide the administrative costs of establishing or maintaining the positions or services provided for under this section. Further, nothing in this section shall be construed to obligate the Administrative Office of the Courts to maintain positions or services initially provided for under this section."

SECTION 2. G.S. 153A-212.1 reads as rewritten:



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1 "**§ 153A-212.1. Resources to protect the ~~public.~~ public or to improve the overall**
2 **administration of justice.**

3 Subject to the requirements of G.S. 7A-41, ~~7A-44.1~~, 7A-64, 7A-102, 7A-133, and
4 7A-498.7, a county may appropriate funds under contract with the State for the provision of
5 services for the speedy disposition of cases involving drug offenses, domestic violence, or other
6 offenses involving threats to public safety. Subject to the requirements of G.S. 7A-44.1, a
7 county may appropriate funds under contract with the State for the provision of administrative
8 assistance and assistance with court programs to improve the overall administration of justice.
9 Nothing in this section shall be construed to obligate the General Assembly to make any
10 appropriation to implement the provisions of this section. Further, nothing in this section shall
11 be construed to obligate the Administrative Office of the Courts or the Office of Indigent
12 Defense Services to maintain positions or services initially provided for under this section."

13 **SECTION 3.** G.S. 160A-289.1 reads as rewritten:

14 "**§ 160A-289.1. Resources to protect the ~~public.~~ public or to improve the overall**
15 **administration of justice.**

16 Subject to the requirements of G.S. 7A-41, ~~7A-44.1~~, 7A-64, 7A-102, 7A-133, and
17 7A-498.7, a city may appropriate funds under contract with the State for the provision of
18 services for the speedy disposition of cases involving drug offenses, domestic violence, or other
19 offenses involving threats to public safety. Subject to the requirements of G.S. 7A-44.1, a city
20 may appropriate funds under contract with the State for the provision of administrative
21 assistance and assistance with court programs to improve the overall administration of justice.
22 Nothing in this section shall be construed to obligate the General Assembly to make any
23 appropriation to implement the provisions of this section. Further, nothing in this section shall
24 be construed to obligate the Administrative Office of the Courts or the Office of Indigent
25 Defense Services to maintain positions or services initially provided for under this section."

26 **SECTION 4.** This act becomes effective July 1, 2011.