

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 528

Short Title: Divide Dist. Ct./Pros. Dist. 30.

(Public)

Sponsors: Representative Carpenter.

Referred to: Judiciary II.

March 18, 1997

A BILL TO BE ENTITLED

AN ACT TO DIVIDE DISTRICT COURT DISTRICT 30 AND PROSECUTORIAL DISTRICT 30 INTO DISTRICTS 30A AND 30B.

The General Assembly of North Carolina enacts:

Section 1. (a) 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	4	Camden Chowan Currituck Dare Gates Pasquotank Perquimans
2	3	Martin Beaufort

1				Tyrrell
2				Hyde
3				Washington
4	3A	3	Pitt	
5	3B	4	Craven	
6				Pamlico
7				Carteret
8	4	6	Sampson	
9				Duplin
10				Jones
11				Onslow
12	5	6	New Hanover	
13				Pender
14	6A	2	Halifax	
15	6B	3	Northampton	
16				Bertie
17				Hertford
18	7	6	Nash	
19				Edgecombe
20				Wilson
21	8	5	Wayne	
22				Greene
23				Lenoir
24	9	4	Granville	
25				(part of Vance
26				see subsection (b))
27				Franklin
28	9A	2	Person	
29				Caswell
30	9B	1	Warren	
31				(part of Vance
32				see subsection (b))
33	10	12	Wake	
34	11	6	Harnett	
35				Johnston
36				Lee
37	12	8	Cumberland	
38	13	4	Bladen	
39				Brunswick
40				Columbus
41	14	5	Durham	
42	15A	3	Alamance	
43	15B	3	Orange	

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

1 Rutherford
 2 Transylvania
 3 ~~3030A 42~~ Cherokee
 4 Clay
 5 Graham
 6 Haywood
 7 Jackson
 8 Macon
 9 ~~Swain~~ Swain

10 30B 2 Haywood
 11 Jackson."

12 (b) The district court judgeships established for District 30A by subsection (a) of
 13 this section shall be filled by the district court judges from current District 30 who reside
 14 in Cherokee and Swain Counties. The term of the judge residing in Swain County
 15 expires the first Monday in December of 1998. That judge's successor shall be elected in
 16 the 1998 election. The term of the judge residing in Cherokee County expires the first
 17 Monday in December of 2000. That judge's successor shall be elected in the 2000
 18 election.

19 (c) The district court judgeships established for District 30BA by subsection (a) of
 20 this section shall be filled by the district court judges from current District 30 who reside
 21 in Haywood County. The term of one of the judges residing in Haywood County expires
 22 the first Monday in December of 1998. That judge's successor shall be elected in the
 23 1998 election. The term of the other judge residing in Haywood County expires the first
 24 Monday in December of 2000. That judge's successor shall be elected in the 2000
 25 election."

26 Section 2. (a) G.S. 7A-60(a1) reads as rewritten:

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

30			No. of Full-Time
31	Prosecutorial		Asst. District
32	District	Counties	Attorneys
33	1	Camden, Chowan, Currituck,	9
34		Dare, Gates, Pasquotank,	
35		Perquimans	
36	2	Beaufort, Hyde, Martin,	5
37		Tyrrell, Washington	
38	3A	Pitt	8
39	3B	Carteret, Craven, Pamlico	8
40	4	Duplin, Jones, Onslow,	12
41		Sampson	
42	5	New Hanover, Pender	11
43	6A	Halifax	4

1	6B	Bertie, Hertford,	4
2		Northampton	
3	7	Edgecombe, Nash, Wilson	12
4	8	Greene, Lenoir, Wayne	10
5	9	Franklin, Granville,	9
6		Vance, Warren	
7	9A	Person, Caswell	3
8	10	Wake	23
9	11	Harnett, Johnston, Lee	11
10	12	Cumberland	14
11	13	Bladen, Brunswick, Columbus	8
12	14	Durham	10
13	15A	Alamance	7
14	15B	Orange, Chatham	6
15	16A	Scotland, Hoke	4
16	16B	Robeson	8
17	17A	Rockingham	5
18	17B	Stokes, Surry	5
19	18	Guilford	22
20	19A	Cabarrus	5
21	19B	Montgomery, Moore, Randolph	9
22	19C	Rowan	5
23	20	Anson, Richmond,	12
24		Stanly, Union	
25	21	Forsyth	13
26	22	Alexander, Davidson, Davie,	13
27		Iredell	
28	23	Alleghany, Ashe, Wilkes,	5
29		Yadkin	
30	24	Avery, Madison, Mitchell,	4
31		Watauga, Yancey	
32	25	Burke, Caldwell, Catawba	12
33	26	Mecklenburg	29
34	27A	Gaston	10
35	27B	Cleveland,	6
36		Lincoln	
37	28	Buncombe	9
38	29	Henderson, McDowell, Polk,	10
39		Rutherford, Transylvania	
40	3030A	Cherokee, Clay, Graham,	74
41		Haywood, Jackson, Macon,	
42		Swain-Swain	
43	<u>30B</u>	<u>Haywood, Jackson</u>	<u>3.</u> "

1 (b) The district attorney position established for District 30B by subsection (a) of
2 this section shall be filled by the district attorney from current District 30B who resides in
3 Haywood County. The district attorney position established for District 30A by
4 subsection (a) of this section shall be filled by appointment by the Governor. That district
5 attorney's term expires on December 31, 1996. A successor shall be elected in the 2000
6 election.

7 (c) The four assistant district attorney positions established for District 30A by
8 subsection (a) of this section shall be filled by four assistant district attorneys currently
9 serving Cherokee, Clay, Graham, Macon, and Swain Counties in current District 30. The
10 three assistant district attorney positions established for District 30B by subsection (a) of
11 this section shall be filled by three assistant district attorneys currently serving Haywood
12 and Jackson Counties in current District 30.

13 Section 3. There is appropriated from the General Fund to the Judicial
14 Department the sum of two hundred thousand seven hundred seventy-seven dollars
15 (\$200,777) for the 1997-98 fiscal year and the sum of one hundred ninety-three thousand
16 one hundred fifty-four dollars (\$193,154) for the 1998-99 fiscal year to implement the
17 provisions of this act.

18 Section 4. Sections 1, 2, and 3 of this act become effective October 1, 1997, or
19 the date upon which those sections are approved under section 5 of the Voting Rights Act
20 of 1965, whichever is later. The remainder of this act becomes effective October 1, 1997.