

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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HOUSE DRH70161-LL-23A (1/16)

Short Title: Divide District 22. (Public)

Sponsors: Representatives R. Warren and Ray (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DIVIDE SUPERIOR COURT, DISTRICT COURT, AND
PROSECUTORIAL DISTRICTS 22 INTO DISTRICTS 22A AND 22B.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Effective January 1, 2009, G.S. 7A-41(a) reads as rewritten:

"(a) The counties of the State are organized into judicial divisions and superior court districts, and each superior court district has the counties, and the number of regular resident superior court judges set forth in the following table, and for districts of less than a whole county, as set out in subsection (b) of this section:

Judicial Division	Superior Court District	Counties	No. of Resident Judges
First	1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	2
First	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1
First	3A	Pitt	2
Second	3B	Carteret, Craven, Pamlico	3
Second	4A	Duplin, Jones, Sampson	1
Second	4B	Onslow	1

1	Second	5A	(part of New Hanover, part of Pender	1
2			see subsection (b))	
3		5B	(part of New Hanover, part of Pender	1
4			see subsection (b))	
5		5C	(part of New Hanover, see subsection (b))	1
6				
7	First	6A	Halifax	1
8	First	6B	Bertie, Hertford, Northampton	1
9	First	7A	Nash	1
10	First	7B	(part of Wilson, part of Edgecombe, see subsection (b))	1
11				
12	First	7C	(part of Wilson, part of Edgecombe, see subsection (b))	1
13				
14	Second	8A	Lenoir and Greene	1
15	Second	8B	Wayne	1
16	Third	9	Franklin, Granville, Vance, Warren	2
17				
18	Third	9A	Person, Caswell	1
19	Third	10A	(part of Wake, see subsection (b))	2
20				
21	Third	10B	(part of Wake, see subsection (b))	2
22				
23	Third	10C	(part of Wake, see subsection (b))	1
24				
25	Third	10D	(part of Wake, see subsection (b))	1
26				
27	Fourth	11A	Harnett, Lee	1
28				
29	Fourth	11B	Johnston	1
30	Fourth	12A	(part of Cumberland, see subsection (b))	1
31				
32	Fourth	12B	(part of Cumberland, see subsection (b))	1
33				
34	Fourth	12C	(part of Cumberland, see subsection (b))	2
35				
36	Fourth	13	Bladen, Brunswick, Columbus	2
37				
38	Third	14A	(part of Durham, see subsection (b))	1
39				
40				
41				
42				
43				
44				

1	Third	14B	(part of Durham, see subsection (b))	3
2				
3	Third	15A	Alamance	2
4	Third	15B	Orange, Chatham	2
5	Fourth	16A	Scotland, Hoke	1
6	Fourth	16B	Robeson	2
7	Fifth	17A	Rockingham	2
8	Fifth	17B	Stokes, Surry	2
9	Fifth	18A	(part of Guilford, see subsection (b))	1
10				
11	Fifth	18B	(part of Guilford, see subsection (b))	1
12				
13	Fifth	18C	(part of Guilford, see subsection (b))	1
14				
15	Fifth	18D	(part of Guilford, see subsection (b))	1
16				
17	Fifth	18E	(part of Guilford, see subsection (b))	1
18				
19	Sixth	19A	Cabarrus	1
20	Fifth	19B	Montgomery, Randolph	1
21	Sixth	19C	Rowan	1
22	Fifth	19D	Moore	1
23	Sixth	20A	Anson, Richmond, Stanley	2
24				
25	Sixth	20B	Union	1
26	Fifth	21A	(part of Forsyth, see subsection (b))	1
27				
28	Fifth	21B	(part of Forsyth, see subsection (b))	1
29				
30	Fifth	21C	(part of Forsyth, see subsection (b))	1
31				
32	Fifth	21D	(part of Forsyth see subsection (b))	1
33				
34	Sixth	22 <u>22A</u>	Alexander, Davidson, Davie, Iredell	3 <u>2</u>
35				
36	<u>Sixth</u>	<u>22B</u>	<u>Davidson, Davie</u>	<u>2</u>
37	Fifth	23	Alleghany, Ashe	1
38			Wilkes, Yadkin	
39	Eighth	24	Avery, Madison, Mitchell, Watauga, Yancey	2
40				
41				
42	Seventh	25A	Burke, Caldwell	2
43	Seventh	25B	Catawba	2
44	Seventh	26A	(part of Mecklenburg,	2

1			see subsection (b))	
2	Seventh	26B	(part of Mecklenburg,	3
3			see subsection (b))	
4	Seventh	26C	(part of Mecklenburg,	2
5			see subsection (b))	
6	Seventh	27A	Gaston	2
7	Seventh	27B	Cleveland, Lincoln	2
8	Eighth	28	Buncombe	2
9	Eighth	29A	McDowell	1
10			Rutherford	
11	Eighth	29B	Henderson, Polk,	1
12			Transylvania	
13	Eighth	30A	Cherokee, Clay,	1
14			Graham, Macon, Swain	
15	Eighth	30B	Haywood, Jackson	1."

16 **SECTION 1.(b)** The two superior court judgeships established for District
 17 22A by subsection (a) of this section shall be filled by the two judges currently serving
 18 District 22 who reside in Alexander and Iredell Counties. The term of one of those
 19 judges expires December 31, 2008, and a successor shall be elected in the 2008 election.
 20 The term of the other judges expires December 31, 2010, and a successor shall be
 21 elected in the 2010 election.

22 **SECTION 1.(c)** One of the superior court judgeships established for District
 23 22B by subsection (a) of this section shall be filled by the judge currently serving
 24 District 22 who resides in Davidson County. That judge's term expires December 31,
 25 2014, and a successor shall be elected in the 2014 election.

26 **SECTION 1.(d)** The additional judgeship established for District 22B by
 27 subsection (a) of this section shall be filled by election in the 2008 election for an
 28 eight-year term expiring December 31, 2016. That judge's successor shall be elected in
 29 the 2016 election.

30 **SECTION 2.(a)** Effective January 1, 2009, G.S. 7A-133(a) reads as
 31 rewritten:

32 "(a) Each district court district shall have the numbers of judges as set forth in the
 33 following table:

34			
35	District	Judges	County
36	1	5	Camden
37			Chowan
38			Currituck
39			Dare
40			Gates
41			Pasquotank
42			Perquimans
43	2	4	Martin
44			Beaufort

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

1	16A	3	Scotland
2			Hoke
3	16B	5	Robeson
4	17A	2	Rockingham
5	17B	4	Stokes
6			Surry
7	18	12	Guilford
8	19A	4	Cabarrus
9	19B	6	Montgomery
10			Moore
11			Randolph
12	19C	4	Rowan
13	20A	4	Stanly
14			Anson
15			Richmond
16	20B	1	(part of Union
17			see subsection (b))
18	20C	2	(part of Union
19			see subsection (b))
20	21	9	Forsyth
21	22 <u>22A</u>	9 <u>5</u>	Alexander
22			Davidson
23			Davie
24			Iredell
25	<u>22B</u>	<u>6</u>	<u>Davidson</u>
26			<u>Davie</u>
27	23	4	Alleghany
28			Ashe
29			Wilkes
30			Yadkin
31	24	4	Avery
32			Madison
33			Mitchell
34			Watauga
35			Yancey
36	25	8	Burke
37			Caldwell
38			Catawba
39	26	17	Mecklenburg
40	27A	6	Gaston
41	27B	4	Cleveland
42			Lincoln
43	28	6	Buncombe
44	29A	3	McDowell

1			Rutherford
2	29B	4	Henderson
3			Polk
4			Transylvania
5	30	5	Cherokee
6			Clay
7			Graham
8			Haywood
9			Jackson
10			Macon
11			Swain."

12 SECTION 2.(b) G.S. 7A-133 is amended by adding two new subsections to
13 read:

14 "(b2) The qualified voters of District Court District 22A shall elect all five judges
15 established for the District in subsection (a) of this section, but only persons who reside
16 in Alexander County may be candidates for two of the judgeships, and only persons
17 who reside in Iredell County may be candidates for three of the judgeships.

18 (b3) The qualified voters of District Court District 22B shall elect all six judges
19 established for the District in subsection (a) of this section, but only persons who reside
20 in Davie County may be candidates for two of the judgeships, and only persons who
21 reside in Davidson County may be candidates for four of the judgeships."

22 SECTION 2.(c) Three of the five judgeships established for District 22A by
23 subsection (a) of this section shall be filled by the judges currently serving District 22
24 who reside in Alexander and Iredell Counties. The term of one of the judges residing in
25 Iredell County expires December 31, 2010, and a successor shall be elected in the 2010
26 election as provided in G.S. 7A-133(b2). The terms of the other two judges expire
27 December 31, 2008, and successors shall be elected in the 2008 election as provided in
28 G.S. 7A-133(b2).

29 SECTION 2.(d) Two of the judgeships established for District 22A by
30 subsection (a) of this section shall be filled by election in the 2008 election for four-year
31 terms expiring December 31, 2012. Those judges' successors shall be elected in the
32 2012 election.

33 SECTION 2.(e) The six judgeships established for District 22B by
34 subsection (a) of this section shall be filled by the judges currently serving District 22
35 who reside in Davie and Davidson Counties. The terms of each of those judges expire
36 December 31, 2010, and successors shall be elected in the 2010 election as provided in
37 G.S. 7A-133(b3).

38 SECTION 3.(a) Effective January 1, 2009, G.S. 7A-60(a1) reads as
39 rewritten:

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

43		No. of Full-Time
44	Prosecutorial	Asst. District

	District	Counties	Attorneys
1	1	Camden, Chowan, Currituck,	11
2		Dare, Gates, Pasquotank,	
3		Perquimans	
4	2	Beaufort, Hyde, Martin,	7
5		Tyrrell, Washington	
6	3A	Pitt	11
7	3B	Carteret, Craven, Pamlico	11
8	4	Duplin, Jones, Onslow,	16
9		Sampson	
10	5	New Hanover, Pender	16
11	6A	Halifax	5
12	6B	Bertie, Hertford,	5
13		Northampton	
14	7	Edgecombe, Nash, Wilson	18
15	8	Greene, Lenoir, Wayne	13
16	9	Franklin, Granville,	12
17		Vance, Warren	
18	9A	Person, Caswell	5
19	10	Wake	38
20	11	Harnett, Johnston, Lee	16
21	12	Cumberland	21
22	13	Bladen, Brunswick, Columbus	12
23	14	Durham	15
24	15A	Alamance	10
25	15B	Orange, Chatham	9
26	16A	Scotland, Hoke	6
27	16B	Robeson	13
28	17A	Rockingham	6
29	17B	Stokes, Surry	7
30	18	Guilford	30
31	19A	Cabarrus	8
32	19B	Montgomery, Randolph	8
33	19C	Rowan	7
34	19D	Moore	4
35	20A	Anson, Richmond,	10
36		Stanly	
37	20B	Union	8
38	21	Forsyth	20
39	22 <u>22A</u>	Alexander, Davidson, Davie,	20 <u>10</u>
40		Iredell	
41	<u>22B</u>	<u>Davidson, Davie</u>	<u>10</u>
42	23	Alleghany, Ashe, Wilkes,	7
43		Yadkin	
44			

1	24	Avery, Madison, Mitchell,	6
2		Watauga, Yancey	
3	25	Burke, Caldwell, Catawba	18
4	26	Mecklenburg	49
5	27A	Gaston	14
6	27B	Cleveland,	10
7		Lincoln	
8	28	Buncombe	13
9	29A	McDowell, Rutherford	6
10	29B	Henderson, Polk, Transylvania	7
11	30	Cherokee, Clay, Graham,	11
12		Haywood, Jackson, Macon,	
13		Swain."	

14 **SECTION 3.(b)** The district attorney position established for District 22A
 15 by subsection (a) of this section shall be filled by election in the 2008 election for a
 16 four-year term expiring December 31, 2012. That district attorney's successor shall be
 17 elected in the 2012 election.

18 **SECTION 3.(c)** The district attorney position established for District 22B by
 19 subsection (a) of this section shall be filled by the district attorney currently serving
 20 District 22 who resides in Davidson County. That district attorney's term expires
 21 December 31, 2010, and a successor shall be elected in the 2010 election.

22 **SECTION 3.(d)** The 10 assistant district attorney positions established for
 23 District 22A by subsection (a) of this section shall be filled by 10 assistant district
 24 attorneys currently serving Alexander and Iredell Counties in District 22. The 10
 25 assistant district attorney positions established for District 22B by subsection (a) of this
 26 section shall be filled by 10 assistant district attorneys currently serving Alexander and
 27 Iredell Counties in District 22.

28 **SECTION 3.(e)** G.S. 7A-69 reads as rewritten:

29 **"§ 7A-69. Investigatorial assistants.**

30 The district attorney in prosecutorial districts 1, 3B, 4, 5, 7, 8, 11, 12, 13, 14, 15A,
 31 15B, 16A, 18, 19B, 20A, 20B, 21, ~~22~~, 22A, 22B, 24, 25, 26, 27A, 27B, 28, 29A, 29B,
 32 and 30 is entitled to one investigatorial assistant, and the district attorney in
 33 prosecutorial district 10 is entitled to two investigatorial assistants, to be appointed by
 34 the district attorney and to serve at his pleasure.

35 It shall be the duty of the investigatorial assistant to investigate cases preparatory to
 36 trial and to perform such other Duties as may be assigned by the district attorney. The
 37 investigatorial assistant is entitled to reimbursement for his subsistence and travel
 38 expenses to the same extent as State employees generally."

39 **SECTION 4.** There is appropriated from the General Fund to the Judicial
 40 Department the sum of seven hundred twenty-six thousand five hundred twenty-nine
 41 dollars (\$726,529) for the 2008-2009 fiscal year to implement the provisions of this act.

42 **SECTION 5.** This act becomes effective January 1, 2009, but applies to the
 43 2008 election as provided in the terms of the act.