

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE DRS35318-LL-199 (3/7)

Short Title: Divide District 24.

(Public)

Sponsors: Senator Queen.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DIVIDE SUPERIOR COURT, DISTRICT COURT, AND PROSECUTORIAL DISTRICTS 24 INTO DISTRICTS 24A AND 24B.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Effective January 1, 2008, 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				
4		5B	(part of New Hanover, part of Pender	1
5			see subsection (b))	
6				
7		5C	(part of New Hanover, see subsection (b))	1
8				
9	First	6A	Halifax	1
10	First	6B	Bertie, Hertford, Northampton	1
11				
12	First	7A	Nash	1
13	First	7B	(part of Wilson, part of Edgecombe, see subsection (b))	1
14				
15				
16	First	7C	(part of Wilson, part of Edgecombe, see subsection (b))	1
17				
18				
19	Second	8A	Lenoir and Greene	1
20	Second	8B	Wayne	1
21	Third	9	Franklin, Granville, Vance, Warren	2
22				
23	Third	9A	Person, Caswell	1
24	Third	10A	(part of Wake, see subsection (b))	2
25				
26	Third	10B	(part of Wake, see subsection (b))	2
27				
28	Third	10C	(part of Wake, see subsection (b))	1
29				
30	Third	10D	(part of Wake, see subsection (b))	1
31				
32	Fourth	11A	Harnett, Lee	1
33				
34	Fourth	11B	Johnston	1
35	Fourth	12A	(part of Cumberland, see subsection (b))	1
36				
37	Fourth	12B	(part of Cumberland, see subsection (b))	1
38				
39	Fourth	12C	(part of Cumberland, see subsection (b))	2
40				
41	Fourth	13	Bladen, Brunswick, Columbus	2
42				
43	Third	14A	(part of Durham, see subsection (b))	1
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	Alexander, Davidson, Davie, Iredell	3
35				
36	Fifth	23	Alleghany, Ashe Wilkes, Yadkin	1
37				
38	Eighth	24 <u>24A</u>	Avery, Madison, Mitchell, Watauga, Yancey	2 <u>1</u>
39				
40				
41	<u>Eighth</u>	<u>24B</u>	<u>Avery, Mitchell, Watauga</u>	<u>1</u>
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 superior court judgeship established for District 24A
 17 by subsection (a) of this section shall be filled by the judge currently serving District 24
 18 who resides in Madison County. The term of that judge expires December 31, 2010, and
 19 a successor shall be elected in the 2010 election for an eight-year term expiring
 20 December 31, 2018.

21 **SECTION 1.(c)** The superior court judgeship established for District 24B by
 22 subsection (a) of this section shall be filled by the judge currently serving District 24
 23 who resides in Watauga County. That judge's term expires December 31, 2010, and a
 24 successor shall be elected in the 2010 election for an eight-year term expiring December
 25 31, 2018.

26 **SECTION 2.(a)** Effective January 1, 2008, G.S. 7A-133(a) reads as
 27 rewritten:

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

District	Judges	County
1	5	Camden
		Chowan
		Currituck
		Dare
		Gates
		Pasquotank
		Perquimans
2	4	Martin
		Beaufort
		Tyrrell
		Hyde
		Washington
3A	5	Pitt

1	3B	5	Craven
2			Pamlico
3			Carteret
4	4	8	Sampson
5			Duplin
6			Jones
7			Onslow
8	5	8	New Hanover
9			Pender
10	6A	2	Halifax
11	6B	3	Northampton
12			Bertie
13			Hertford
14	7	7	Nash
15			Edgecombe
16			Wilson
17	8	6	Wayne
18			Greene
19			Lenoir
20	9	4	Granville
21			(part of Vance
22			see subsection (b))
23			Franklin
24	9A	2	Person
25			Caswell
26	9B	2	Warren
27			(part of Vance
28			see subsection (b))
29	10	15	Wake
30	11	8	Harnett
31			Johnston
32			Lee
33	12	9	Cumberland
34	13	6	Bladen
35			Brunswick
36			Columbus
37	14	6	Durham
38	15A	4	Alamance
39	15B	4	Orange
40			Chatham
41	16A	3	Scotland
42			Hoke
43	16B	5	Robeson
44	17A	2	Rockingham

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

1 Transylvania
 2 30 5 Cherokee
 3 Clay
 4 Graham
 5 Haywood
 6 Jackson
 7 Macon
 8 Swain."

9 **SECTION 2.(b)** The two judgeships established for District 24A by
 10 subsection (a) of this section shall be filled by appointment by the Governor. Those
 11 judges' successors shall be elected in the 2008 election for four-year terms expiring
 12 December 31, 2012.

13 **SECTION 2.(c)** The four district court judgeships established for District
 14 24B by subsection (a) of this section shall be filled by the judges currently serving
 15 District 22 who reside in Avery, Mitchell, and Watauga Counties. The terms of three of
 16 those judges expire December 31, 2008, and successors shall be elected in the 2008
 17 election for four-year terms expiring December 31, 2012. The term of one of those
 18 judges expires December 31, 2010, and a successor shall be elected in the 2010 election
 19 for a four-year term expiring December 31, 2014.

20 **SECTION 3.(a)** Effective January 1, 2008, G.S. 7A-60(a1) reads as
 21 rewritten:

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

Prosecutorial District	Counties	No. of Full-Time Asst. District Attorneys
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	11
2	Beaufort, Hyde, Martin, Tyrrell, Washington	7
3A	Pitt	11
3B	Carteret, Craven, Pamlico	11
4	Duplin, Jones, Onslow, Sampson	16
5	New Hanover, Pender	16
6A	Halifax	5
6B	Bertie, Hertford, Northampton	5
7	Edgecombe, Nash, Wilson	18
8	Greene, Lenoir, Wayne	13
9	Franklin, Granville, Vance, Warren	12

1	9A	Person, Caswell	5
2	10	Wake	38
3	11	Harnett, Johnston, Lee	16
4	12	Cumberland	21
5	13	Bladen, Brunswick, Columbus	12
6	14	Durham	15
7	15A	Alamance	10
8	15B	Orange, Chatham	9
9	16A	Scotland, Hoke	6
10	16B	Robeson	13
11	17A	Rockingham	6
12	17B	Stokes, Surry	7
13	18	Guilford	30
14	19A	Cabarrus	8
15	19B	Montgomery, Randolph	8
16	19C	Rowan	7
17	19D	Moore	4
18	20A	Anson, Richmond,	10
19		Stanly	
20	20B	Union	8
21	21	Forsyth	20
22	22	Alexander, Davidson, Davie,	20
23		Iredell	
24	23	Alleghany, Ashe, Wilkes,	7
25		Yadkin	
26	24 <u>24A</u>	Avery, Madison, Mitchell,	6 <u>2</u>
27		Watauga, Yancey	
28	<u>24B</u>	<u>Avery, Mitchell, Watauga</u>	<u>4</u>
29	25	Burke, Caldwell, Catawba	18
30	26	Mecklenburg	49
31	27A	Gaston	14
32	27B	Cleveland,	10
33		Lincoln	
34	28	Buncombe	13
35	29A	McDowell, Rutherford	6
36	29B	Henderson, Polk, Transylvania	7
37	30	Cherokee, Clay, Graham,	11
38		Haywood, Jackson, Macon,	
39		Swain."	

40 **SECTION 3.(b)** The district attorney position established for District 24A
41 by subsection (a) of this section shall be filled by appointment by the Governor. That
42 district attorney's successor shall be elected in the 2008 election for a four-year term
43 expiring December 31, 2012.

1 **SECTION 3.(c)** The district attorney position established for District 24B by
2 subsection (a) of this section shall be filled by the district attorney currently serving
3 District 22 who resides in Watauga County. That district attorney's term expires
4 December 31, 2010, and a successor shall be elected in the 2010 election.

5 **SECTION 3.(d)** The two assistant district attorney positions established for
6 District 24A by subsection (a) of this section shall be filled by two assistant district
7 attorneys currently serving Madison and Yancey Counties in District 24. The four
8 assistant district attorney positions established for District 24B by subsection (a) of this
9 section shall be filled by four assistant district attorneys currently serving Avery,
10 Mitchell, and Watauga Counties in District 24.

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

12 "**§ 7A-69. Investigatorial assistants.**

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

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

22 **SECTION 4.** There is appropriated from the General Fund to the Judicial
23 Department the sum of four hundred sixty-three thousand seven hundred nineteen
24 dollars (\$463,719) for the 2007-2008 fiscal year and the sum of seven hundred
25 seventy-five thousand two hundred fourteen dollars (\$775,214) for the 2008-2009 fiscal
26 year to implement the provisions of this act.

27 **SECTION 5.** This act becomes effective January 1, 2008.