

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE BILL 1528

Short Title: Judicial Department Independence. (Public)

Sponsors: Senator Clodfelter.

Referred to: Appropriations/Base Budget.

March 28, 2007

A BILL TO BE ENTITLED

1 AN ACT TO REFLECT THE INDEPENDENCE OF THE JUDICIAL DEPARTMENT
2 IN STATE BUDGET OPERATIONS, TO AUTHORIZE THE JUDICIAL
3 DEPARTMENT TO CONDUCT POSITION MANAGEMENT TO ALLOW FOR
4 THE MOST EFFECTIVE AND EFFICIENT OVERALL OPERATION OF THE
5 COURTS, AND TO ENSURE THE FISCAL INTEGRITY AND
6 ACCOUNTABILITY OF THE JUDICIAL BRANCH OF GOVERNMENT.
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 143C-1-2(b) reads as rewritten:

10 "(b) Reversions. – Unless otherwise provided by law, at the end of the fiscal year
11 the unexpended, unencumbered balance of an appropriation reverts to the fund from
12 which the appropriation was made; except that (i) an appropriation to the General
13 Assembly shall not revert unless otherwise provided by the Legislative Services
14 Commission, (ii) an appropriation to the Judicial Department shall not revert unless
15 otherwise provided by the Director of the Administrative Office of the Courts or the
16 Director of Indigent Defense Services, as applicable (iii) an appropriation for a capital
17 improvement project shall revert as provided by G.S. 143C-8-11, and ~~(iii)~~ (iv) an
18 appropriation for the implementation of information technology (IT) projects shall not
19 revert until the project is implemented or abandoned."

20 **SECTION 2.** G.S. 143C-6-4 is amended by adding a new subsection to read:

21 "(e1) Overexpenditures in the Judicial Department Budget. – The Chief Justice
22 may approve expenditures for more than was authorized in the enacted budget for
23 objects or line items in the budget of the Judicial Department."

24 **SECTION 3.** Chapter 7A of the General Statutes is amended by adding a
25 new Article to read:

"Article 29B.

"Position Management.

26
27
28 **§ 7A-360. Position management.**

1 After consultation with, and upon the advice of, the State Judicial Council, the
2 Director may establish and abolish, and allocate and reallocate, all personnel positions
3 within the Judicial Department so as best to meet the personnel needs of all Judicial
4 Department hiring authorities and of the Administrative Office of the Courts and to
5 assure the most effective and efficient overall operation of the Judicial Department. This
6 authority is subject to the following limitations:

- 7 (1) The authority does not apply to the following positions:
8 a. Justices and judges of the General Court of Justice;
9 b. The Assistant Director of the Administrative Office of the
10 Courts provided for in G.S. 7A-340 and G.S. 7A-342;
11 c. Clerks of superior court provided for in G.S. 7A-100;
12 d. District attorneys provided for in G.S. 7A-60;
13 e. The Clerk of the Supreme Court, the Clerk of the Court of
14 Appeals, the Supreme Court Librarian, the Supreme Court
15 Marshall, the Appellate Reporters, and the Assistant Director of
16 the Administrative Office of the Courts;
17 f. The executive directors of the Judicial Standards Commission,
18 the Conference of District Attorneys, and the Sentencing and
19 Policy Advisory Commission; or
20 g. Positions provided for in Article 39B of this Chapter (Indigent
21 Defense) or otherwise funded from the Indigent Persons'
22 Attorneys' Fees Fund;
- 23 (2) Positions for assistant and deputy clerks of superior court, magistrates,
24 judicial support staff, assistant district attorneys, and prosecutorial
25 support staff shall be allocated among the counties of the State
26 according to the formula developed under G.S. 7A-343(2a);
- 27 (3) The magistrate positions for each county shall not be fewer than the
28 minimum number specified for the county in G.S. 7A-133(c); and
- 29 (4) The assistant district attorney positions for a prosecutorial district shall
30 not be fewer than the minimum number specified for the district in
31 G.S. 7A-60.

32 **"§ 7A-361. Report to the Joint Legislative Commission on Governmental**
33 **Operations.**

34 On or before October 1 of each calendar year, the Director shall submit to the Joint
35 Legislative Commission on Governmental Operations a detailed report of all
36 expenditures made and other actions taken under this Article for the fiscal year ending
37 June 30 of that year."

38 **SECTION 4.** G.S. 7A-343 reads as rewritten:

39 **"§ 7A-343. Duties of Director.**

40 The Director is the Administrative Officer of the Courts, and his duties include the
41 following:

- 42 (1) Collect and compile statistical data and other information on the
43 judicial and financial operation of the courts and on the operation of
44 other offices directly related to and serving the courts;

- 1 (2) Determine the state of the dockets and evaluate the practices and
2 procedures of the courts, and make recommendations concerning the
3 number of ~~judges, judges and~~ district attorneys, and magistrates
4 attorneys required for the efficient administration of justice;
- 5 (2a) After consultation with, and on the advice of, the State Judicial
6 Council, develop a workload-based methodology for the allocation of
7 assistant and deputy clerks of superior court and magistrates among
8 the counties of the State, for the allocation of assistant district
9 attorneys among the prosecutorial districts of the State, and for the
10 allocation of judicial support staff and prosecutorial support staff. In
11 developing this methodology, the Director may take into
12 consideration, among other things, prior personnel levels, growth in
13 caseload volume and composition, population, the effect of technology
14 on personnel needs, recommendations of appropriate State and
15 national organizations and agencies specializing in determining the
16 personnel needs of courts, and other relevant factors;
- 17 (2b) Establish and abolish, and allocate and reallocate, personnel positions
18 within the Judicial Department;
- 19 (3) Prescribe uniform administrative and business methods, systems,
20 forms and records to be used in the offices of the clerks of superior
21 court;
- 22 (4) Prepare and submit budget estimates of State appropriations necessary
23 for the maintenance and operation of the Judicial Department, and
24 authorize expenditures from funds appropriated for these purposes;
- 25 (4a) After consultation with, and on the advice of, the State Judicial
26 Council, authorize expenditures from funds appropriated for the
27 maintenance and operation of the Judicial Department, including
28 specifying the uses, within the Judicial Department budget, of funds
29 that remain available for expenditure at the end of each fiscal year
30 under G.S. 143C-1-2(b), or revert such funds under G.S. 143C-1-2(b).
- 31 (5) Investigate, make recommendations concerning, and assist in the
32 securing of adequate physical accommodations for the General Court
33 of Justice;
- 34 (6) Procure, distribute, exchange, transfer, ~~and assign~~ assign and reassign
35 such equipment, books, forms and supplies as are to be acquired with
36 State funds for the General Court of Justice;
- 37 (7) Make recommendations for the improvement of the operations of the
38 Judicial Department;
- 39 (8) Prepare and submit an annual report on the work of the Judicial
40 Department to the Chief Justice, and transmit a copy to each member
41 of the General Assembly;
- 42 (9) Assist the Chief Justice in performing his duties relating to the transfer
43 of district court judges for temporary or specialized duty;

- 1 (9a) Establish and operate systems and services that provide for electronic
2 filing in the court system and further provide electronic transaction
3 processing and access to court information systems pursuant to
4 G.S. 7A-343.2; and
- 5 (9b) Enter into contracts with one or more private vendors to provide for
6 the payment of fines, fees, and costs due to the court by credit, charge,
7 or debit cards; such contracts may provide for the assessment of a
8 convenience or transaction fee by the vendor to cover the costs of
9 providing this service;
- 10 (9c) Prescribe policies and procedures for the appointment and payment of
11 foreign language interpreters in those cases specified in
12 G.S. 7A-314(f). These policies and procedures shall be applied
13 uniformly throughout the General Court of Justice. After consultation
14 with the Joint Legislative Commission on Governmental Operations,
15 the Director may also convert contractual foreign language interpreter
16 positions to permanent State positions when the Director determines
17 that it is more cost-effective to do so; [and]
- 18 (10) Perform such additional duties and exercise such additional powers as
19 may be prescribed by statute or assigned by the Chief Justice."

20 **SECTION 5.** G.S. 7A-409.1(a) reads as rewritten:

21 **"§ 7A-409.1. Duties of the State Judicial Council.**

22 (a) The State Judicial Council shall:

- 23 (1) Study the judicial system and report periodically to the Chief Justice
24 on its findings;
- 25 (2) Advise the Chief Justice on priorities for funding;
- 26 (3) Review and advise the Chief Justice on the budget prepared by the
27 Director of the Administrative Office of the Courts for submission to
28 the General Assembly;
- 29 (4) Study and recommend to the General Assembly the salaries of justices
30 and judges;
- 31 (5) Recommend to the General Assembly changes in the expense
32 allowances, benefits, and other compensation for judicial officials;
33 bills to implement such recommendations shall have the same status
34 for introduction in the General Assembly as bills recommended by the
35 Courts Commission;
- 36 (6) Recommend the creation of ~~judgeships; and judgeships;~~
- 37 (6a) Consult with the Director on, and advise the Director in, the
38 performance of the Director's duties under G.S. 7A-343(2a) and
39 G.S. 7A-343(4a); and
- 40 (7) Advise or assist the Chief Justice, as requested, on any other matter
41 concerning the operation of the courts."

42 **SECTION 6.** G.S. 7A-7 reads as rewritten:

43 **"§ 7A-7. Law clerks; secretaries and stenographers.**

1 (a) Each justice and judge of the appellate division is entitled to the services of
 2 ~~not more than two~~ research assistants, who must be graduates of an accredited law
 3 school. ~~The salaries of research assistants shall be set by the Administrative Officer of~~
 4 ~~the Courts, subject to the approval of the Supreme Court.~~

5 (b) The Administrative Officer of the Courts shall determine the number and
 6 salaries of all ~~secretaries~~ secretaries, research assistants, and stenographers in the
 7 appellate ~~division~~ division, as provided in Article 29A of this Chapter, and subject to
 8 the approval of the Supreme Court."

9 **SECTION 7.** G.S. 7A-44.1(a) reads as rewritten:

10 "(a) ~~Each senior resident superior court judge may appoint a judicial secretary to~~
 11 ~~serve at his pleasure and under his direction the secretarial and clerical needs of the~~
 12 ~~superior court judges of the district or set of districts as defined by G.S. 7A-41.1(a) for~~
 13 ~~which he is the senior resident superior court judge. The appointment may be full or~~
 14 ~~part time and the compensation and allowances of such secretary shall be fixed by the~~
 15 ~~senior regular resident superior court judge, within limits determined by the~~
 16 ~~Administrative Office of the Courts, and paid by the State. Senior resident superior~~
 17 ~~court judges may employ judicial secretaries when positions for them are established by~~
 18 ~~the Director of the Administrative Office of the Courts as provided in Article 29B of~~
 19 ~~this Chapter. The Director shall determine the number and compensation of the judicial~~
 20 ~~secretaries for each district or set of districts as defined in G.S. 7A-41.1(a)."~~

21 **SECTION 8.** G.S. 7A-60(a1) reads as rewritten:

22 "(a1) The counties of the State are organized into prosecutorial districts, and each
 23 district has the counties and at least the number of full-time assistant district attorneys
 24 set forth in the following ~~table~~: table. The Director of the Administrative Office of the
 25 Courts may establish additional assistant district attorney positions for a prosecutorial
 26 district, as provided in Article 29B of this Chapter.

| 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 |

| | | | |
|----|-----|-------------------------------|----|
| 1 | 7 | Edgecombe, Nash, Wilson | 18 |
| 2 | 8 | Greene, Lenoir, Wayne | 13 |
| 3 | 9 | Franklin, Granville, | 12 |
| 4 | | Vance, Warren | |
| 5 | 9A | Person, Caswell | 5 |
| 6 | 10 | Wake | 38 |
| 7 | 11 | Harnett, Johnston, Lee | 16 |
| 8 | 12 | Cumberland | 21 |
| 9 | 13 | Bladen, Brunswick, Columbus | 12 |
| 10 | 14 | Durham | 15 |
| 11 | 15A | Alamance | 10 |
| 12 | 15B | Orange, Chatham | 9 |
| 13 | 16A | Scotland, Hoke | 6 |
| 14 | 16B | Robeson | 13 |
| 15 | 17A | Rockingham | 6 |
| 16 | 17B | Stokes, Surry | 7 |
| 17 | 18 | Guilford | 30 |
| 18 | 19A | Cabarrus | 8 |
| 19 | 19B | Montgomery, Randolph | 8 |
| 20 | 19C | Rowan | 7 |
| 21 | 19D | Moore | 4 |
| 22 | 20A | Anson, Richmond, | 10 |
| 23 | | Stanly | |
| 24 | 20B | Union | 8 |
| 25 | 21 | Forsyth | 20 |
| 26 | 22 | Alexander, Davidson, Davie, | 20 |
| 27 | | Iredell | |
| 28 | 23 | Alleghany, Ashe, Wilkes, | 7 |
| 29 | | Yadkin | |
| 30 | 24 | Avery, Madison, Mitchell, | 6 |
| 31 | | Watauga, Yancey | |
| 32 | 25 | Burke, Caldwell, Catawba | 18 |
| 33 | 26 | Mecklenburg | 49 |
| 34 | 27A | Gaston | 14 |
| 35 | 27B | Cleveland, | 10 |
| 36 | | Lincoln | |
| 37 | 28 | Buncombe | 13 |
| 38 | 29A | McDowell, Rutherford | 6 |
| 39 | 29B | Henderson, Polk, Transylvania | 7 |
| 40 | 30 | Cherokee, Clay, Graham, | 11 |
| 41 | | Haywood, Jackson, Macon, | |
| 42 | | Swain." | |

SECTION 9. G.S. 7A-68(a) reads as rewritten:

1 "(a) Each district attorney shall be entitled to at least one administrative assistant
2 to be appointed by the district attorney and to serve at his pleasure. The Director of the
3 Administrative Office of the Courts shall determine the number and salaries of the
4 administrative assistants for each district attorney, as provided in Article 29B of this
5 Chapter. ~~The~~ An administrative assistant need not be an attorney licensed to practice
6 law in the State of North Carolina."

7 **SECTION 10.** G.S. 7A-69 reads as rewritten:

8 "**§ 7A-69. Investigatorial assistants.**

9 ~~The district attorney in prosecutorial districts 1, 3B, 4, 5, 7, 8, 11, 12, 13, 14, 15A,~~
10 ~~15B, 16A, 18, 19B, 20A, 20B, 21, 22, 24, 25, 26, 27A, 27B, 28, 29A, 29B, and 30 is~~
11 ~~entitled to one investigatorial assistant, and the district attorney in prosecutorial district~~
12 ~~10 is entitled to two investigatorial assistants, to be appointed by the district attorney~~
13 ~~and to serve at his pleasure. District attorneys may employ investigative assistants,~~
14 ~~when positions for them are created by the Director of the Administrative Office of the~~
15 ~~Courts, as provided in Article 29B of this Chapter. The Director shall determine the~~
16 ~~number and salaries of the investigative assistants for each district attorney.~~

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

21 **SECTION 11.** G.S. 7A-95(e) reads as rewritten:

22 "~~(e) Appointment of a reporter or reporters for superior court proceedings in each~~
23 ~~district or set of districts as defined in G.S. 7A-41.1(a) shall be made by the senior~~
24 ~~regular resident superior court judge of that district or set of districts. The compensation~~
25 ~~and allowances of reporters in each such district or set of districts shall be fixed by the~~
26 ~~senior regular resident superior court judge, within limits determined by the~~
27 ~~Administrative Officer of the Courts, and paid by the State. Senior resident superior~~
28 ~~court judges may employ official court reporters when positions for them are~~
29 ~~established by the Director of the Administrative Office of the Courts, as provided in~~
30 ~~Article 29B of this Chapter. The Director shall determine the number and compensation~~
31 ~~of the official court reporters for each district or set of districts as defined in~~
32 ~~G.S. 7A-41.1(a). Each official court reporter shall be appointed by the senior resident~~
33 ~~superior court judge and shall serve at the judge's pleasure. An official court reporter~~
34 ~~shall record and transcribe superior court proceedings in the district or set of districts for~~
35 ~~which appointed, may be assigned by the Director to record and transcribe proceedings~~
36 ~~in other districts or sets of districts, and shall perform other official duties assigned by~~
37 ~~the senior resident superior court judge."~~

38 **SECTION 12.** G.S. 7A-102(a) reads as rewritten:

39 "(a) The numbers and salaries of assistant clerks, deputy clerks, and other
40 employees in the office of each clerk of superior court shall be determined by the
41 Administrative Officer of the Courts as provided in Article 29 of this Chapter, after
42 consultation with the clerk concerned. All personnel in the clerk's office are employees
43 of the State. The clerk appoints the assistants, deputies, and other employees in the
44 clerk's office to serve at his or her pleasure. Assistant and deputy clerks shall take the

oath of office prescribed for clerks of superior court, conformed to the office of assistant or deputy clerk, as the case may be. Except as provided by subsection (c2) of this section, the job classifications and related salaries of each employee within the office of each superior court clerk shall be subject to the approval of the Administrative Officer of the Courts after consultation with each clerk concerned and shall be subject to the availability of funds appropriated for that purpose by the General Assembly."

SECTION 13. G.S. 7A-133(c) reads as rewritten:

"(c) Each county shall have ~~the numbers of magistrates and~~ at least the number of magistrates, and the additional seats of district court, as set forth in the following table: table. The Director of the Administrative Office of the Courts may establish additional magistrate positions for a county, as provided in Article 29B of this Chapter.

| County | Magistrates Min. | Additional Seats of Court |
|-------------|---------------------|-------------------------------------|
| Camden | 3 | |
| Chowan | 3 | |
| Currituck | 4 | |
| Dare | 6 | |
| Gates | 2 | |
| Pasquotank | 5 | |
| Perquimans | 3 | |
| Martin | 4 | |
| Beaufort | 5.05 | |
| Tyrrell | 3 | |
| Hyde | 3.5 | |
| Washington | 4 | |
| Pitt | 10.5 | Farmville Ayden Havelock |
| Craven | 10 | |
| Pamlico | 3 | |
| Carteret | 9 | |
| Sampson | 7 | |
| Duplin | 8 | |
| Jones | 2 | |
| Onslow | 11 | |
| New Hanover | 11 | |
| Pender | 4.8 | |
| Halifax | 12 | Roanoke Rapids, Scotland Neck |
| Northampton | 5.25 | |
| Bertie | 5 | |
| Hertford | 6 | |

| | | | |
|----|------------|------|------------------|
| 1 | Nash | 9 | Rocky Mount |
| 2 | Edgecombe | 7 | Rocky Mount |
| 3 | Wilson | 7 | |
| 4 | Wayne | 9 | Mount Olive |
| 5 | Greene | 4 | |
| 6 | Lenoir | 7 | La Grange |
| 7 | Granville | 7 | |
| 8 | Vance | 6 | |
| 9 | Warren | 3.5 | |
| 10 | Franklin | 7 | |
| 11 | Person | 4 | |
| 12 | Caswell | 4 | |
| 13 | Wake | 18.5 | Apex, |
| 14 | | | Wendell, Fuquay- |
| 15 | | | Varina, |
| 16 | | | Wake Forest |
| 17 | Harnett | 10 | Dunn |
| 18 | Johnston | 11 | Benson, |
| 19 | | | Clayton, |
| 20 | | | Selma |
| 21 | Lee | 5.5 | |
| 22 | Cumberland | 19 | |
| 23 | Bladen | 5 | |
| 24 | Brunswick | 9 | |
| 25 | Columbus | 9.5 | Tabor City |
| 26 | Durham | 13 | |
| 27 | Alamance | 12 | Burlington |
| 28 | Orange | 9 | Chapel Hill |
| 29 | Chatham | 6 | Siler City |
| 30 | Scotland | 5 | |
| 31 | Hoke | 5 | |
| 32 | Robeson | 15 | Fairmont, |
| 33 | | | Maxton, |
| 34 | | | Pembroke, |
| 35 | | | Red Springs, |
| 36 | | | Rowland, |
| 37 | | | St. Pauls |
| 38 | Rockingham | 9 | Reidsville, |
| 39 | | | Eden, |
| 40 | | | Madison |
| 41 | Stokes | 5 | |
| 42 | Surry | 9 | Mt. Airy |
| 43 | Guilford | 24.4 | High Point |
| 44 | Cabarrus | 9 | Kannapolis |

| | | | |
|----|--------------|-------|--------------|
| 1 | Montgomery | 5 | |
| 2 | Randolph | 10 | Liberty |
| 3 | Rowan | 9 | |
| 4 | Stanly | 6 | |
| 5 | Union | 7 | |
| 6 | Anson | 5 | |
| 7 | Richmond | 6 | Hamlet |
| 8 | Moore | 6.5 | Southern |
| 9 | | | Pines |
| 10 | Forsyth | 15 | Kernersville |
| 11 | Alexander | 4 | |
| 12 | Davidson | 10 | Thomasville |
| 13 | Davie | 4 | |
| 14 | Iredell | 9 | Mooresville |
| 15 | Alleghany | 2 | |
| 16 | Ashe | 4 | |
| 17 | Wilkes | 6 | |
| 18 | Yadkin | 4 | |
| 19 | Avery | 4 | |
| 20 | Madison | 4 | |
| 21 | Mitchell | 4 | |
| 22 | Watauga | 5 | |
| 23 | Yancey | 3 | |
| 24 | Burke | 6.75 | |
| 25 | Caldwell | 7 | |
| 26 | Catawba | 10 | Hickory |
| 27 | Mecklenburg | 26.50 | |
| 28 | Gaston | 17 | |
| 29 | Cleveland | 8 | |
| 30 | Lincoln | 6 | |
| 31 | Buncombe | 15 | |
| 32 | Henderson | 6.5 | |
| 33 | McDowell | 4.5 | |
| 34 | Polk | 4 | |
| 35 | Rutherford | 7 | |
| 36 | Transylvania | 4 | |
| 37 | Cherokee | 4 | |
| 38 | Clay | 2 | |
| 39 | Graham | 2 | |
| 40 | Haywood | 6.75 | Canton |
| 41 | Jackson | 5 | |
| 42 | Macon | 3.5 | |
| 43 | Swain | 3.75" | |

SECTION 14. G.S. 7A-146 reads as rewritten:

1 **"§ 7A-146. Administrative authority and duties of chief district judge.**

2 (a) The chief district judge, subject to the general supervision of the Chief Justice
3 of the Supreme Court, has administrative supervision and authority over the operation
4 of the district courts and magistrates in his district. These powers and duties include, but
5 are not limited to, the following:

- 6 (1) Arranging schedules and assigning district judges for sessions of
7 district courts;
- 8 (2) Arranging or supervising the calendaring of noncriminal matters for
9 trial or hearing;
- 10 (3) Supervising the clerk of superior court in the discharge of the clerical
11 functions of the district court;
- 12 (4) Assigning matters to magistrates, and consistent with the salaries set
13 by the Administrative Officer of the Courts, prescribing times and
14 places at which magistrates shall be available for the performance of
15 their duties; however, the chief district judge may in writing delegate
16 his authority to prescribe times and places at which magistrates in a
17 particular county shall be available for the performance of their duties
18 to another district court judge or the clerk of the superior court, and the
19 person to whom such authority is delegated shall make monthly
20 reports to the chief district judge of the times and places actually
21 served by each magistrate; ~~and~~
- 22 (5) Making arrangements with proper authorities for the drawing of civil
23 court jury panels and determining which sessions of district court shall
24 be jury sessions;
- 25 (6) Arranging for the reporting of civil cases by court reporters or other
26 authorized means;
- 27 (7) Arranging sessions, to the extent practicable for the trial of specialized
28 cases, including traffic, domestic relations, and other types of cases,
29 and assigning district judges to preside over these sessions so as to
30 permit maximum practicable specialization by individual judges;
- 31 (8) Repealed by Session Laws 1991 (Regular Session, 1992), c. 900, s.
32 118(b), effective July 15, 1992.
- 33 (9) Assigning magistrates during an emergency to temporary duty outside
34 the county of their residence but within that district; and, upon the
35 request of a chief district judge of an adjoining district and upon the
36 approval of the Administrative Officer of the Courts, to temporary
37 duty in the district of the requesting chief district judge; and
- 38 (10) Designating another district judge of his district as acting chief district
39 judge, to act during the absence or disability of the chief district judge.

40 (b) Chief district court judges may employ judicial secretaries when positions for
41 them are established by the Director of the Administrative Office of the Courts, as
42 provided in Article 29B of this Chapter. The Director shall determine the number and
43 compensation of the judicial secretaries for each district or set of districts as defined in
44 G.S. 7A-133(b)."

1 **SECTION 15.** G.S. 7A-198(f) reads as rewritten:

2 "(f) ~~Appointment of a reporter or reporters for district court proceedings in each~~
3 ~~district court district shall be made by the chief district judge for that district. The~~
4 ~~compensation and allowances of reporters in each district shall be fixed by the chief~~
5 ~~district judge, within limits determined by the Administrative Officer of the Courts, and~~
6 ~~paid by the State. Chief district court judges may employ official court reporters when~~
7 ~~such positions are established by the Director of the Administrative Office of the~~
8 ~~Courts, as provided in Article 29B of this Chapter. The Director shall determine the~~
9 ~~number and compensation of the official court reporters for each district or set of~~
10 ~~districts as defined in G.S. 7A-41.1(a). Each official court reporter shall be appointed by~~
11 ~~the chief district court judge and shall serve at the judge's pleasure. An official court~~
12 ~~reporter shall record and transcribe district court proceedings in the district or set of~~
13 ~~districts for which appointed, may be assigned by the Director to record and transcribe~~
14 ~~proceedings in other districts or sets of districts, and shall perform other official duties~~
15 ~~assigned by the chief district court judge."~~

16 **SECTION 16.** G.S. 7A-347 reads as rewritten:

17 "**§ 7A-347. Assistants for administrative and victim and witness services.**

18 Assistant for administrative and victim and witness services positions are established
19 under the district attorneys' offices. Each prosecutorial district is allocated at least one
20 assistant for administrative and victim and witness services to be employed by the
21 district attorney. The Director of the Administrative Office of the Courts shall allocate
22 additional assistants to prosecutorial districts on the basis of need and within available
23 appropriations. determine the number of additional assistants for each prosecutorial
24 district and shall determine the salaries of all assistants, as provided in Article 29B of
25 this Chapter. Each district attorney may also use any volunteer or other personnel to
26 assist the assistant. The assistant is responsible for coordinating efforts of the
27 law-enforcement and judicial systems to assure that each victim and witness is provided
28 fair treatment under Article 45 of Chapter 15A, Fair Treatment for Victims and
29 Witnesses and shall also provide administrative and legal support to the district
30 attorney's office."

31 **SECTION 17.** G.S. 7A-355 reads as rewritten:

32 "**§ 7A-355. Trial court administrators.**

33 ~~The following districts or sets of districts as defined in G.S. 7A-41.1(a) shall have~~
34 ~~trial court administrators: Set of districts 10A, 10B, 10C, 10D; District 22 and District~~
35 ~~28, and such other districts or sets of districts as may be designated by the~~
36 ~~Administrative Office of the Courts. The office of trial court administrator is~~
37 ~~established. The superior court districts and sets of districts as defined in~~
38 ~~G.S. 7A-41.1(a) to be served by trial court administrators shall be determined by the~~
39 ~~Director of the Administrative Office of the Courts, as provided in Article 29B of this~~
40 ~~Chapter. A trial court administrator may employ supporting staff to assist in carrying~~
41 ~~out the trial court administrator's duties when such positions are established by the~~
42 ~~Director pursuant to Article 29A of this Chapter. The salaries of the trial court~~
43 ~~administrators and support staff shall be determined by the Director."~~

44 **SECTION 18.** G.S. 7A-377 is amended by adding a new subsection to read:

1 "(e) The Commission may employ supporting staff to assist it in carrying out its
2 duties when such positions are established by the Director of the Administrative Office
3 of the Courts, as provided in Article 29B of this Chapter. The salaries of the executive
4 secretary and other supporting staff shall be determined by the Director."

5 **SECTION 19.** G.S. 7A-414 reads as rewritten:

6 **"§ 7A-414. Executive ~~Secretary;~~ secretary; clerical support.**

7 The Conference may employ an executive ~~secretary and any necessary supporting~~
8 ~~staff to assist it in carrying out its duties. secretary.~~ The Conference may employ
9 supporting staff to assist it in carrying out its duties when such positions are established
10 by the Director of the Administrative Office of the Courts, as provided in Article 29B of
11 this Chapter. The salaries of the executive secretary and other supporting staff shall be
12 determined by the Director."

13 **SECTION 20.** This act becomes effective July 1, 2007.