

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE DRH11201-LL-154 (04/18)

Short Title: Courts Commission Study.

(Public)

Sponsors: Representative Haire.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE NORTH CAROLINA COURTS COMMISSION TO STUDY
3 THE ORGANIZATION OF THE GENERAL COURT OF JUSTICE.

4 Whereas, an amendment to the North Carolina Constitution was approved by the
5 voters in November 1965 authorizing the creation of an intermediate appellate court to relieve
6 pressure on the Supreme Court by sharing the appellate caseload, and the 1967 General
7 Assembly enacted legislation creating the Court of Appeals; and

8 Whereas, the constitutional changes and legislation of the 1960s created the State's
9 current multilevel General Court of Justice consisting of two trial divisions, the District Court
10 Division and the Superior Court Division, and an Appellate Division consisting of two levels,
11 the Court of Appeals and the Supreme Court; and

12 Whereas, the basic operating structure of the General Court of Justice has remained
13 largely unchanged since the creation of the General Court of Justice in the 1960s; and

14 Whereas, during that time the population of North Carolina has increased
15 dramatically, as have the numbers of cases filed in the State's courts, the number of felonies
16 charged each year, and the amounts spent by the State on the defense of indigent criminals; and

17 Whereas, while efforts such as the enactment of structured sentencing, the creation
18 of specialty courts, and the increased use of mediation and other forms of alternative dispute
19 resolution have allowed the General Court of Justice to absorb this increased workload to some
20 extent, the pressures of a growing caseload continue to test the resources of the courts in North
21 Carolina; Now, therefore,

22 The General Assembly of North Carolina enacts:

23 **SECTION 1.** The North Carolina Courts Commission shall study the current state
24 of the General Court of Justice, focusing on the sentencing laws, workloads, case backlogs, and
25 other issues relevant to the effective and efficient administration of justice and determine
26 whether the current organization and operation of the State court system is in need of revision
27 or adjustment in order to better serve the interests of justice. In conducting its study, the
28 Courts Commission shall consult with the North Carolina Sentencing and Policy Advisory
29 Commission, the National Center for State Courts, and any other agencies or entities the
30 Commission deems appropriate to the conduct of its study. The Commission shall report its
31 findings and recommendations to the 2013 General Assembly.

32 **SECTION 2.** There is appropriated from the General Fund to the Judicial
33 Department the sum of fifteen thousand dollars (\$15,000) to fund the study provided for in this
34 act.

35 **SECTION 3.** This act becomes effective July 1, 2011.

