

Article 9.

District Attorneys and Prosecutorial Districts.

§ 7A-60. District attorneys and prosecutorial districts.

(a) The State shall be divided into prosecutorial districts, as shown in subsection (a1) of this section. There shall be a district attorney for each prosecutorial district, as provided in subsections (b) and (c) of this section who shall be a resident of the prosecutorial district for which elected. A vacancy in the office of district attorney shall be filled as provided in Article IV, Sec. 19 of the Constitution.

(a1) **(Effective until January 1, 2027)** The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full-time assistant district attorneys set forth in the following table:

Prosecutorial District	Counties	No. of Full-Time Asst. District Attorneys
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	12
2	Beaufort, Hyde, Martin, Tyrrell, Washington	8
3	Pitt	15
4	Carteret, Craven, Pamlico	14
5	Duplin, Jones, Onslow, Sampson	20
6	New Hanover, Pender	20
7	Bertie, Halifax, Hertford, Northampton	11
8	Edgecombe, Nash, Wilson	22
9	Greene, Lenoir, Wayne	16
10	Wake	44
11	Franklin, Granville, Person, Vance, Warren	18
12	Harnett, Lee	12
13	Johnston	13
14	Cumberland	25
15	Bladen, Brunswick, Columbus	16
16	Durham	18
17	Alamance	12
18	Chatham, Orange	10
20	Robeson	13
21	Anson, Richmond, Scotland	11
22	Caswell, Rockingham	9
23	Stokes, Surry	9
24	Guilford	40
25	Cabarrus	11
26	Mecklenburg	61
27	Rowan	9
28	Montgomery, Stanly	6
29	Hoke, Moore	10
30	Union	11

31	Forsyth	27
32	Alexander, Iredell	15
33	Davidson, Davie	13
34	Alleghany, Ashe, Wilkes, Yadkin	9
35	Avery, Madison, Mitchell, Watauga, Yancey	8
36	Burke, Caldwell, Catawba	21
37	Randolph	10
38	Gaston	19
39	Cleveland, Lincoln	13
40	Buncombe	14
41	McDowell, Rutherford	8
42	Henderson, Polk, Transylvania	10
43	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain.	15

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(a2) Repealed by Session Laws 2017-57, s. 18B.9(f), effective June 28, 2017.

(a3) In a manner not inconsistent with applicable State law, the North Carolina Conference of District Attorneys shall have the authority to assign to specific counties assistant district attorney positions created by the General Assembly for the purpose of serving as special assistant United States attorneys. The Conference will retain assignment authority of assistant district attorney positions referenced in this subsection for so long as the positions are funded for that purpose.

The number of assistant district attorney positions subject to the requirements of this subsection shall be six.

(b) Except as provided in subsection (c) of this section, each district attorney for a prosecutorial district as defined in subsection (a1) of this section, other than District 19B, who is in office on December 31, 1988, shall continue in office for that prosecutorial district, for a term expiring December 31, 1990. In the general election of 1990, and every four years thereafter, a district attorney shall be elected for a four-year term for each prosecutorial district other than Districts 16A and 19B, and shall take office on the January 1 following such election. The district attorney for Prosecutorial District 19B, who is elected in the general election of 1988 for a four-year term beginning January 1, 1989, shall serve that term for Prosecutorial District 19B. In the general election of 1992, and every four years thereafter, a district attorney shall be elected for a four-year term for Prosecutorial Districts 16A and 19B and shall take office on the January 1 following such election.

(c) The office and term of the district attorney for Prosecutorial District 12 formerly consisting of Cumberland and Hoke Counties are allocated to Prosecutorial District 12 as defined

by subsection (a1) of this section. The office and the term of the district attorney for former Prosecutorial District 16 consisting of Robeson and Scotland Counties are allocated to Prosecutorial District 16B as defined by subsection (a1) of this section. The initial district attorney for Prosecutorial District 16A as defined in subsection (a1) of this section shall be elected in the general election of November 1988, from nominations made in accordance with G.S. 163-114 as if a vacancy had occurred in nomination, and shall serve an initial term expiring December 31, 1992. In all other respects, subsection (b) of this section shall apply to the district attorneys for Prosecutorial Districts 12, 16A, and 16B to the same extent as all other district attorneys. (1967, c. 1049, s. 1; 1975, c. 956, s. 4; 1977, c. 1130, s. 3; 1977, 2nd Sess., c. 1238, s. 2; 1981, c. 964, ss. 2, 3; 1987, c. 509, ss. 4, 5; c. 738, s. 127(a); 1987 (Reg. Sess., 1988), c. 1056, s. 1; c. 1086, s. 111; 1989, c. 770, ss. 1, 56; c. 795, s. 24(a), (e); 1991, c. 742, s. 13; 1991 (Reg. Sess., 1992), c. 900, s. 120(a), (b); 1993, c. 321, ss. 200.4(l), 200.7(a), (b); 1995, c. 507, s. 21.7; 1995 (Reg. Sess., 1996), c. 589, s. 3(a); 1996, 2nd Ex. Sess., c. 18, s. 22(a); 1997-443, s. 18.11(a); 1998-212, s. 16.20(a); 1999-237, s. 17.8(a); 2004-124, s. 14.6(h); 2005-276, s. 14.2(l); 2006-66, ss. 14.3(a), 14.19(a); 2007-323, ss. 14.14(a), (b), 14.25(j); 2008-107, s. 14.6; 2009-451, s. 15.17E(a); 2012-194, s. 1(b); 2013-360, s. 18B.22(k); 2014-100, s. 18B.7(a); 2017-6, s. 3; 2017-57, s. 18B.9(e), (f), (h), (i); 2017-197, s. 5.6(a)-(c); 2018-5, s. 18B.6; 2018-114, s. 24(a), (b); 2018-121, ss. 3(a)-(d), 7; 2018-145, s. 8(a); 2018-146, ss. 3.1(a), (b), 6.1; 2019-229, s. 1(a)-(c); 2021-91, s. 13(a), (b); 2021-180, s. 16.8(a); 2022-74, s. 16.6; 2023-134, ss. 16.4(a)-(c), 16.26(d), (e), (g); 2024-1, s. 5.2(a).)