

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

H

1

HOUSE BILL 268

Short Title: Divide District 22.

(Public)

Sponsors: Representatives Brawley; Holmes, Mitchell, and Brown.

Referred to: Judiciary I.

February 18, 1997

A BILL TO BE ENTITLED

AN ACT TO DIVIDE JUDICIAL AND PROSECUTORIAL DISTRICTS 22.

The General Assembly of North Carolina enacts:

Section 1. (a) 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
	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1

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

1		see subsection (b))	
2	14B	(part of Durham,	3
3		see subsection (b))	
4	15A	Alamance	2
5	15B	Orange, Chatham	1
6	16A	Scotland, Hoke	1
7	16B	Robeson	2
8	Third 17A	Rockingham	2
9	17B	Stokes, Surry	2
10	18A	(part of Guilford,	1
11		see subsection (b))	
12	18B	(part of Guilford,	1
13		see subsection (b))	
14	18C	(part of Guilford,	1
15		see subsection (b))	
16	18D	(part of Guilford,	1
17		see subsection (b))	
18	18E	(part of Guilford,	1
19		see subsection (b))	
20	19A	Cabarrus	1
21	19B	Montgomery, Moore,	2
22		Randolph	
23	19C	Rowan	1
24	20A	Anson,	1
25		Richmond	
26	20B	Stanly, Union	2
27	21A	(part of Forsyth,	1
28		see subsection (b))	
29	21B	(part of Forsyth,	1
30		see subsection (b))	
31	21C	(part of Forsyth,	1
32		see subsection (b))	
33	21D	(part of Forsyth,	1
34		see subsection (b))	
35	<del>2222A</del>	<del>Alexander, Davidson,</del>	<del>2-1</del>
36		<del>Davie, Iredell</del>	
37	<u>22B</u>	<u>Davidson, Davie</u>	<u>1</u>
38	23	Alleghany, Ashe,	1
39		Wilkes, Yadkin	
40	Fourth 24	Avery, Madison,	1
41		Mitchell,	
42		Watauga, Yancey	
43	25A	Burke, Caldwell	2

1	25B	Catawba	2
2	26A	(part of Mecklenburg,	2
3		see subsection (b))	
4	26B	(part of Mecklenburg,	2
5		see subsection (b))	
6	26C	(part of Mecklenburg,	2
7		see subsection (b))	
8	27A	Gaston	2
9	27B	Cleveland, Lincoln	2
10	28	Buncombe	2
11	29	Henderson,	2
12		McDowell, Polk,	
13		Rutherford,	
14		Transylvania	
15	30A	Cherokee, Clay,	1
16		Graham, Macon,	
17		Swain	
18	30B	Haywood, Jackson	1."

19 (b) The superior court judgeship created for District 22A by subsection (a) of this  
 20 section shall be filled by the superior court judge from current District 22 who resides in  
 21 Iredell County. The term of the judge expires in 2002, and a successor shall be elected in  
 22 the 2002 general election.

23 (c) The superior court judgeship created for District 22B by subsection (a) of this  
 24 section shall be filled by the superior court judge from current District 22 who resides in  
 25 Davidson County. The term of the judge expires in 2002, and a successor shall be elected  
 26 in the 2002 general election.

27 Section 2. (a) G.S. 7A-133(a) reads as rewritten:

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

30			
31			
32	District	Judges	County
33			
34	1	4	Camden
35			Chowan
36			Currituck
37			Dare
38			Gates
39			Pasquotank
40			Perquimans
41	2	3	Martin
42			Beaufort
43			Tyrrell

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

1	16A	3	Scotland	
2				Hoke
3	16B	5	Robeson	
4	17A	2	Rockingham	
5	17B	3	Stokes	
6				Surry
7	18	10	Guilford	
8	19A	3	Cabarrus	
9	19B	5	Montgomery	
10				Moore
11				Randolph
12	19C	3	Rowan	
13	20	6	Stanly	
14				Union
15				Anson
16				Richmond
17				Moore
18	21	7	Forsyth	
19	<del>2222A</del> 73		Alexander	
20				Davidson
21				Davie
22				Iredell
23	<u>22B</u>	4	<u>Davidson</u>	
24				<u>Davie</u>
25	23	4	Alleghany	
26				Ashe
27				Wilkes
28				Yadkin
29	24	3	Avery	
30				Madison
31				Mitchell
32				Watauga
33				Yancey
34	25	7	Burke	
35				Caldwell
36				Catawba
37	26	14	Mecklenburg	
38	27A	5	Gaston	
39	27B	4	Cleveland	
40				Lincoln
41	28	5	Buncombe	
42	29	5	Henderson	
43				McDowell

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

11 (b) The district court judgeships established for District 22A by subsection  
 12 (a) of this section shall be filled by the district court judges from current District 22 who  
 13 reside in Alexander and Iredell Counties. The terms of those judges expire the first  
 14 Monday in December of 1998, and successors shall be elected in the 1998 general  
 15 election.

16 (c) The district court judgeships established for District 22B by subsection  
 17 (a) of this section shall be filled by the district court judges from current District 22 who  
 18 reside in Davidson and Davie Counties. The terms of those judges expire the first  
 19 Monday in December of 1998, and successors shall be elected in the 1998 general  
 20 election.

21 Section 3. (a) 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 the number of full-time assistant district attorneys set forth in  
 24 the following table:

Prosecutorial District	Counties	No. of Full-Time Asst. District Attorneys
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	9
2	Beaufort, Hyde, Martin, Tyrrell, Washington	5
3A	Pitt	8
3B	Carteret, Craven, Pamlico	8
4	Duplin, Jones, Onslow, Sampson	12
5	New Hanover, Pender	11
6A	Halifax	4
6B	Bertie, Hertford, Northampton	4
7	Edgecombe, Nash, Wilson	12
8	Greene, Lenoir, Wayne	10
9	Franklin, Granville,	9

1		Vance, Warren	
2	9A	Person, Caswell	3
3	10	Wake	23
4	11	Harnett, Johnston, Lee	11
5	12	Cumberland	14
6	13	Bladen, Brunswick, Columbus	8
7	14	Durham	10
8	15A	Alamance	7
9	15B	Orange, Chatham	6
10	16A	Scotland, Hoke	4
11	16B	Robeson	8
12	17A	Rockingham	5
13	17B	Stokes, Surry	5
14	18	Guilford	22
15	19A	Cabarrus	5
16	19B	Montgomery, Moore, Randolph	9
17	19C	Rowan	5
18	20	Anson, Richmond,	12
19		Stanly, Union	
20	21	Forsyth	13
21	<del>2222A</del>	<del>Alexander, Davidson, Davie,</del>	<del>13-6</del>
22		Iredell	
23	<u>22B</u>	<u>Davidson, Davie</u>	<u>7</u>
24	23	Alleghany, Ashe, Wilkes,	5
25		Yadkin	
26	24	Avery, Madison, Mitchell,	4
27		Watauga, Yancey	
28	25	Burke, Caldwell, Catawba	12
29	26	Mecklenburg	29
30	27A	Gaston	10
31	27B	Cleveland,	6
32		Lincoln	
33	28	Buncombe	9
34	29	Henderson, McDowell, Polk,	10
35		Rutherford, Transylvania	
36	30	Cherokee, Clay, Graham,	7
37		Haywood, Jackson, Macon,	
38		Swain."	

39 (b) The district attorney position established for District 22B by subsection (a) of  
40 this section shall be filled by the district attorney who resides in Davidson County. The  
41 district attorney position established for District 22A by subsection (a) of this section  
42 shall be filled by appointment by the Governor. That district attorney's term expires on  
43 December 31, 1998. A successor shall be elected in the 1998 general election.



1       (c)     The 13 assistant district attorney positions currently serving District 22 shall be  
2 allotted between Districts 22A and 22B as follows: six assistant district attorney positions  
3 to District 22A and seven assistant district attorney positions to District 22B.

4             Section 4. There is appropriated from the General Fund to the Judicial  
5 Department the sum of two hundred forty-five thousand six hundred seventy-four dollars  
6 (\$245,674) for the 1997-98 fiscal year and the sum of three hundred twenty-three  
7 thousand four hundred thirty-seven dollars (\$323,437) for the 1998-99 fiscal year to  
8 implement the provisions of this act.

9             Section 5. This act becomes effective January 1, 1998.