

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 198

Short Title: Local Governments Fund Court Resources. (Public)

Sponsors: Senators Vaughan; and Clodfelter.

Referred to: Rules and Operations of the Senate.

March 7, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE AUTHORITY OF LOCAL GOVERNMENTS TO ENTER
3 INTO CONTRACTS WITH THE STATE FOR THE PROVISION OF
4 ADMINISTRATIVE ASSISTANCE AND ASSISTANCE WITH COURT PROGRAMS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 7A-44.1 reads as rewritten:

7 "~~§ 7A-44.1. Secretarial and clerical help.~~ Administrative and court program assistance.

8 (a) Each senior resident superior court judge may appoint a judicial secretary to serve at
9 his pleasure and under his direction the secretarial and clerical needs of the superior court
10 judges of the district or set of districts as defined by G.S. 7A-41.1(a) for which he is the senior
11 resident superior court judge. The appointment may be full- or part-time and the compensation
12 and allowances of such secretary shall be fixed by the senior regular resident superior court
13 judge, within limits determined by the Administrative Office of the Courts, and paid by the
14 State.

15 (b) Each senior resident superior court judge or chief district court judge may apply to
16 the Director of the Administrative Office of the Courts to enter into contracts with local
17 governments for the provision by the State of ~~services of judicial secretaries~~ administrative
18 assistance and assistance with court programs pursuant to G.S. 153A-212.1 or
19 G.S. 160A-289.1.

20 (c) The Director of the Administrative Office of the Courts may provide assistance
21 requested pursuant to subsection (b) of this section only upon a showing by the senior resident
22 superior court ~~judge,~~ judge or chief district court judge, supported by facts, that the
23 overwhelming public interest warrants the use of additional resources ~~for the speedy disposition~~
24 ~~of cases involving drug offenses, domestic violence, or other offenses involving a threat to~~
25 ~~public safety.~~ to improve the overall administration of justice.

26 (d) The terms of any contract entered into with local governments pursuant to
27 subsection (b) of this section shall be fixed by the Director of the Administrative Office of the
28 Courts in each case. Nothing in this section shall be construed to obligate the General
29 Assembly to make any appropriation to implement the provisions of this section or to obligate
30 the Administrative Office of the Courts to provide the administrative costs of establishing or
31 maintaining the positions or services provided for under this section. Further, nothing in this
32 section shall be construed to obligate the Administrative Office of the Courts to maintain
33 positions or services initially provided for under this section."

34 SECTION 2. G.S. 153A-212.1 reads as rewritten:

35 "~~§ 153A-212.1. Resources to protect the public.~~ public or to improve the overall
36 administration of justice.



1 Subject to the requirements of G.S. 7A-41, ~~7A-44.1~~, 7A-64, 7A-102, 7A-133, and
2 7A-498.7, a county may appropriate funds under contract with the State for the provision of
3 services for the speedy disposition of cases involving drug offenses, domestic violence, or other
4 offenses involving threats to public safety. Subject to the requirements of G.S. 7A-44.1, a
5 county may appropriate funds under contract with the State for the provision of administrative
6 assistance and assistance with court programs to improve the overall administration of justice.
7 Nothing in this section shall be construed to obligate the General Assembly to make any
8 appropriation to implement the provisions of this section. Further, nothing in this section shall
9 be construed to obligate the Administrative Office of the Courts or the Office of Indigent
10 Defense Services to maintain positions or services initially provided for under this section."

11 **SECTION 3.** G.S. 160A-289.1 reads as rewritten:

12 "**§ 160A-289.1. Resources to protect the ~~public.~~ public or to improve the overall**
13 **administration of justice.**

14 Subject to the requirements of G.S. 7A-41, ~~7A-44.1~~, 7A-64, 7A-102, 7A-133, and
15 7A-498.7, a city may appropriate funds under contract with the State for the provision of
16 services for the speedy disposition of cases involving drug offenses, domestic violence, or other
17 offenses involving threats to public safety. Subject to the requirements of G.S. 7A-44.1, a city
18 may appropriate funds under contract with the State for the provision of administrative
19 assistance and assistance with court programs to improve the overall administration of justice.
20 Nothing in this section shall be construed to obligate the General Assembly to make any
21 appropriation to implement the provisions of this section. Further, nothing in this section shall
22 be construed to obligate the Administrative Office of the Courts or the Office of Indigent
23 Defense Services to maintain positions or services initially provided for under this section."

24 **SECTION 4.** This act becomes effective July 1, 2011.