

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

Legislative Fiscal Note

BILL NUMBER: House Bill 807 (First Edition) SECOND REVISION

SHORT TITLE: Transfer Stanly County to District 20B.

SPONSOR(S): Representative Burr

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>
REVENUES					
EXPENDITURES	<i>*See Assumptions and Methodology*</i>				
POSITIONS (cumulative):					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	Judicial Department				
EFFECTIVE DATE:	October 1, 2011, except Section (c), which is effective January 1, 2013 Effective date is contingent upon preclearance by the US Department of Justice				

BILL SUMMARY:

Transfers Stanly County to Superior Court and Prosecutorial District 20B as title indicates. Changes the number of superior court judges allocated to the district under GS 7A-41(a), providing that the superior court judgeship transferred from District 20A to District 20B will be filled by the judge currently serving District 20A who resides in Stanly County until that judge's term expires on December 31, 2012.

Amends GS 7A-133(a) to remove Stanly County from District Court District 20A and place it in new District 20B4. Renames Districts 20B, 20C, and 20D as Districts 20B1, 20B2, and 20B3, respectively, and specifies in amended GS 7A-133(b) which parts of Union County make up District 20B1 and which parts of the county make up District 20B2. Provides that the district court judgeship transferred from District 20A to District 20B4 will be filled by the judge currently serving District 20A who resides in Stanly County until that judge's term expires December 31, 2014. Further amends GS 7A-133(a), effective January 1, 2013, to add a district court judgeship to District 20B4 to be filled in the 2012 general election. Effective December 31, 2012, abolishes the district court judgeship of District 20A held by a resident of Anson County.

Amends GS 7A-60(a1) to transfer five full-time assistant district attorney (ADA) positions from Prosecutorial District 20A to District 20B, to be filled by five ADAs currently serving Stanly County in Prosecutorial District 20A.

Section 3 of the act becomes effective January 1, 2013, or on the date that the act receives preclearance under section 5 of the Voting Rights Act of 1965, whichever is later, but applies to the 2012 election as provided. The remainder of the act becomes effective October 1, 2011, or on the date that the act receives preclearance under section 5 of the Voting Rights Act of 1965, whichever is later.

ASSUMPTIONS AND METHODOLOGY: This bill, as drafted, transfers existing judicial officials between two judicial districts and does not appropriate new positions. As such, the bill carries no expenditures. The distribution of District Court Judges in the bill will, however, change the workload per judge in the counties.

The Administrative Office of the Courts uses standardized workload measures to rate districts. Based on these measures, the current District 20A, Union County, is one of the least resourced districts in the State at 65% workload to judge ratio, and 20B, (Stanly, Richmond, and Anson) is in the middle, but still at 82% on workload to judge ratio; 100% is considered ideal. The bill will improve the resource level in 20A, but will lower the workload ratio in the two counties comprising the new 20B, potentially by one full judgeship in the first year. To remediate this workload inequity by adding a new District Court Judgeship would require \$121,062 recurring personnel cost, plus \$9,672 in first-year non-recurring costs.

The bill also reassigns Assistant District Attorney positions between the two districts. As written, the bill moves five ADA positions from 20A to 20B. According to AOC's workload analysis, moving four positions would produce a more equal distribution of workload across the two districts.

SOURCES OF DATA: Administrative Office of the Courts

TECHNICAL CONSIDERATIONS: None

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DATE: April 26, 2011



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