

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS35168-LL-114 (2/26)

Short Title: Local Supplementation of Judicial Employees.

(Public)

Sponsors: Senator Clodfelter.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE SUPPLEMENTATION BY LOCAL GOVERNMENTS OF THE SALARIES OF NONELECTED JUDICIAL DEPARTMENT OFFICERS AND EMPLOYEES IN ORDER TO ATTRACT AND RETAIN THE BEST QUALIFIED OFFICERS AND EMPLOYEES FOR THE JUDICIAL BRANCH OF GOVERNMENT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 27 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"§ 7A-300.1. Local supplementation of salaries for certain officers and employees.

In order to attract and retain the best qualified officers and employees for positions in the Judicial Branch of government, the Administrative Office of the Courts may contract with the governing body of a unit of local government for the provision of local funds to supplement the salaries of Judicial Department employees, other than elected officials and magistrates, who serve the superior court district, district court district, or prosecutorial district containing that unit of local government. Any employee who receives salary supplementation under this section shall be notified before receiving it that the supplementation is subject to the availability of local funds and may be discontinued at any time."

SECTION 2. G.S. 7A-300 reads as rewritten:

"(a) The operating expenses of the Judicial Department shall be paid from State funds, out of appropriations for this purpose made by the General Assembly, or from funds provided by local governments pursuant to ~~G.S. 153A-212.1~~ and ~~G.S. 160A-289.1~~. G.S. 7A-300.1, 153A-212.1, or 160A-289.1. The Administrative Office of the Courts shall prepare budget estimates to cover these expenses, including therein the following items and such other items as are deemed necessary for the proper functioning of the Judicial Department:

- (1) Salaries, departmental expense, printing and other costs of the appellate division;
- (2) Salaries and expenses of superior court judges, district attorneys, assistant district attorneys, public defenders, and assistant public defenders, and fees and expenses of counsel assigned to represent indigents under the provisions of Subchapter IX of this Chapter;
- (3) Salaries, travel expenses, departmental expense, printing and other costs of the Administrative Office of the Courts;
- (4) Salaries and travel expenses of district judges, magistrates, and family court counselors;



- 1 (5) Salaries and travel expenses of clerks of superior court, their assistants,
2 deputies, and other employees, and the expenses of their offices, including
3 supplies and materials, postage, telephone and telegraph, bonds and
4 insurance, equipment, and other necessary items;
5 (6) Fees and travel expenses of jurors, and of witnesses required to be paid by
6 the State;
7 (7) Compensation and allowances of court reporters;
8 (8) Briefs for counsel and transcripts and other records for adequate appellate
9 review when an appeal is taken by an indigent person;
10 (9) Transcripts of preliminary hearings in indigency cases and, in cases in which
11 the defendant pays for a transcript of the preliminary hearing, a copy for the
12 district attorney;
13 (10) Transcript of the evidence and trial court charge furnished the district
14 attorney when a criminal action is appealed to the appellate division;
15 (11) All other expenses arising out of the operations of the Judicial Department
16 which by law are made the responsibility of the State; and
17 (12) Operating expenses of the Judicial Council and the Judicial Standards
18 Commission."

19 **SECTION 2.** This act becomes effective July 1, 2009.