

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE DRS85151-LL-137 (3/14)

Short Title: Assistance to District Attorneys/Funds. (Public)

Sponsors: Senator Snow.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS TO ESTABLISH SEVENTY-FIVE NEW ASSISTANT DISTRICT ATTORNEY POSITIONS THROUGHOUT THE STATE, TO ESTABLISH THIRTY-NINE NEW VICTIM WITNESS ASSISTANT POSITIONS, TO BEGIN FUNDING OF AN AUTOMATED DISCOVERY SYSTEM, AND TO PROVIDE ADDITIONAL STEPS IN LONGEVITY PAY FOR DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-60(a1) reads as rewritten:

"(a1) 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	10 <u>11</u>
2	Beaufort, Hyde, Martin, Tyrrell, Washington	6 <u>7</u>
3A	Pitt	9 <u>10</u>
3B	Carteret, Craven, Pamlico	10 <u>11</u>
4	Duplin, Jones, Onslow, Sampson	14 <u>15</u>
5	New Hanover, Pender	14 <u>15</u>
6A	Halifax	4 <u>5</u>
6B	Bertie, Hertford,	4 <u>5</u>

1		Northampton	
2	7	Edgecombe, Nash, Wilson	16 <u>17</u>
3	8	Greene, Lenoir, Wayne	11 <u>12</u>
4	9	Franklin, Granville,	11 <u>12</u>
5		Vance, Warren	
6	9A	Person, Caswell	-4 <u>5</u>
7	10	Wake	31 <u>36</u>
8	11	Harnett, Johnston, Lee	14 <u>18</u>
9	12	Cumberland	18 <u>21</u>
10	13	Bladen, Brunswick, Columbus	11 <u>12</u>
11	14	Durham	13 <u>15</u>
12	15A	Alamance	8 <u>9</u>
13	15B	Orange, Chatham	7 <u>8</u>
14	16A	Scotland, Hoke	5 <u>6</u>
15	16B	Robeson	10 <u>13</u>
16	17A	Rockingham	5 <u>6</u>
17	17B	Stokes, Surry	5 <u>6</u>
18	18	Guilford	27 <u>29</u>
19	19A	Cabarrus	6 <u>8</u>
20	19B	Montgomery, Moore, Randolph	11 <u>13</u>
21	19C	Rowan	5 <u>7</u>
22	20	Anson, Richmond,	15 <u>19</u>
23		Stanly, Union	
24	21	Forsyth	17 <u>18</u>
25	22	Alexander, Davidson, Davie,	16 <u>20</u>
26		Iredell	
27	23	Alleghany, Ashe, Wilkes,	5 <u>7</u>
28		Yadkin	
29	24	Avery, Madison, Mitchell,	4 <u>6</u>
30		Watauga, Yancey	
31	25	Burke, Caldwell, Catawba	15 <u>17</u>
32	26	Mecklenburg	36 <u>43</u>
33	27A	Gaston	12 <u>16</u>
34	27B	Cleveland,	9 <u>10</u>
35		Lincoln	
36	28	Buncombe	11 <u>13</u>
37	29	Henderson, McDowell, Polk,	11 <u>13</u>
38		Rutherford, Transylvania	
39	30	Cherokee, Clay, Graham,	9 <u>10</u>
40		Haywood, Jackson, Macon,	
41		Swain."	

42 **SECTION 2.** There is appropriated from the General Fund to the Judicial
 43 Department the sum of six million one hundred sixty-eight thousand nine hundred
 44 seventy-five dollars (\$6,168,975) for the 2005-2006 fiscal year and the sum of five

1 million eight hundred nineteen thousand four hundred dollars (\$5,819,400) for the
2 2006-2007 fiscal year to establish the 75 new assistant district attorney positions
3 authorized by Section 1 of this act.

4 **SECTION 3.** There is appropriated from the General Fund to the Judicial
5 Department the sum of one million eight hundred forty thousand dollars (\$1,840,000)
6 for the 2005-2006 fiscal year and the sum of one million seven hundred thousand
7 dollars (\$1,700,000) for the 2006-2007 fiscal year to establish 39 new victim witness
8 assistant positions.

9 **SECTION 4.** There is appropriated from the General Fund to the Judicial
10 Department the sum of one million dollars (\$1,000,000) for the 2005-2006 fiscal year to
11 begin funding of an automated discovery system for the General Court of Justice.

12 **SECTION 5.** G.S. 7A-65 reads as rewritten:

13 **"§ 7A-65. Compensation and allowances of district attorneys and assistant district**
14 **attorneys.**

15 (a) The annual salary of:

- 16 (1) District attorneys shall be the midpoint amount between the salary of a
17 senior resident superior court judge and the salary of a chief district
18 court judge, as provided by law,
19 (2) Full-time assistant district attorneys shall be as provided in the Current
20 Operations Appropriations Act.

21 When traveling on official business, each district attorney and assistant district
22 attorney is entitled to reimbursement for his subsistence and travel expenses to the same
23 extent as State employees generally.

24 (b) Repealed by Session Laws 1985, c. 689, s. 2.

25 (c) In lieu of merit and other increment raises paid to regular State employees, a
26 district attorney shall receive as longevity pay an amount equal to four and eight-tenths
27 percent (4.8%) of the annual salary set forth in the Current Operations Appropriations
28 Act payable monthly after five years of service, and nine and six-tenths percent (9.6%)
29 after 10 years of service, fourteen and four-tenths percent (14.4%) after 15 years of
30 service, ~~and~~ nineteen and two-tenths percent (19.2%) after 20 years of service, service,
31 twenty-four percent (24%) after 25 years of service, and twenty-eight and eight-tenths
32 percent (28.8%) after 30 years of service. Service shall mean service in the elective
33 position of a district attorney and shall not include service as a deputy or acting district
34 attorney. Service shall also mean service as a justice or judge of the General Court of
35 Justice, clerk of superior court, assistant district attorney, public defender, appellate
36 defender, or assistant public or appellate defender.

37 (d) In lieu of merit and other increment raises paid to regular State employees, an
38 assistant district attorney shall receive as longevity pay an amount equal to four and
39 eight-tenths percent (4.8%) of the annual salary set forth in the Current Operations
40 Appropriations Act payable monthly after five years of service, nine and six-tenths
41 percent (9.6%) after 10 years of service, fourteen and four-tenths percent (14.4%) after
42 15 years of service, and nineteen and two-tenths percent (19.2%) after 20 years of
43 ~~service.~~ service, twenty-four percent (24%) after 25 years of service, and twenty-eight
44 and eight-tenths percent (28.8%) after 30 years of service. "Service" means service as an

1 assistant district attorney, district attorney, public defender, appellate defender, assistant
2 public or appellate defender, justice or judge of the General Court of Justice, or clerk of
3 superior court."

4 **SECTION 6.** There is appropriated the sum of two hundred twenty-one
5 thousand eight hundred three dollars (\$221,803) for the 2005-2006 fiscal year and the
6 sum of two hundred twenty-one thousand eight hundred three dollars (\$221,803) for the
7 2006-2007 fiscal year to fund the additional longevity steps for district attorneys and
8 assistant district attorneys established in Section 5 of this act.

9 **SECTION 7.** This act becomes effective July 1, 2005.