



NORTH CAROLINA COURTS

Annual Report

July 1, 2011 – June 30, 2012

Table of Contents

July 1, 2011 – June 30, 2012

4	Message from the Chief Justice and the NCAOC Director
6	Organizational Structure and Routes of Appeal
7	Personnel and Budget Quick Facts
8	State Judicial Council
9	District Courts
10	Superior Courts
11	Court of Appeals
12	Supreme Court
13	Court Programs, Conferences, and Commissions
15	Budget
17	The Recession at a Glance
18	Significant NCAOC Service Area Highlights

Statement: This is a second publishing of this Annual Report and makes corrections to “The Recession at a Glance” on page 17.

This Annual Report is published online at www.nccourts.org/Citizens/JData. 30 copies of this public document were printed at a cost of \$50.19 total, or about \$1.673 per copy. This annual report was printed inhouse by the North Carolina Administrative Office of the Courts' Print Shop.

Mission of the North Carolina Judicial Branch

To protect and preserve the rights and liberties of all the people, as guaranteed by the Constitutions and laws of the United States and North Carolina, by providing a fair, independent and accessible forum for the just, timely and economical resolution of their legal affairs.

Message from the Chief Justice and the NCAOC Director

Dear Friend of the Court,

We are pleased to provide this fiscal year 2011–12 Annual Report of the North Carolina Judicial Branch. We truly are proud of our North Carolina court system, and we thank you for this opportunity to share our successes, even during this time of economic hardship.

This report describes the North Carolina Judicial Branch and all of its component offices. It also presents noteworthy accomplishments of the court system during the fiscal year.

For detailed and other information visit our website, nccourts.org; see our new section, “Judicial Branch Data and Information.” This section of the website provides annual statistical and operational reports, activities of the North Carolina business courts, fact sheets, and other court-related data.

Your interest in the North Carolina Judicial Branch is greatly appreciated.

Sincerely,



Sarah Parker

Sarah Parker, Chief Justice
Supreme Court of North Carolina



J. Smith

John W. Smith, Director
North Carolina Administrative Office
of the Courts

Featuring the History of Architecture in Courthouses

The justice system, as one of the three branches of government, is one of the main foundations of democracy. North Carolina's earliest courthouses, none of which survived, were simple, small frame, or log structures. Ancillary buildings, such as a jail, clerk's office, and sheriff's office were built around them. As our nation developed, however, leaders gave careful consideration to the structures that would house important institutions—how they were to be designed and built, what symbols were to be used, and what building materials were to be used.

Over time, fashion and design trends have changed, but ideals have remained. To reflect those ideals, certain symbols and motifs have appeared and reappeared in the architecture of our government buildings, especially courthouses. The photographs in this North Carolina Courts Annual Report 2011-12 reflect the history and evolution of the architecture of North Carolina's county courthouses.

The front cover features a detail of the columns of the historic Davidson County Courthouse in Lexington. Common in ancient Greece and Rome, columns are a feature of many North Carolina courthouses and symbolize the foundations of our democratic ideals of justice.

Much of the information about the architectural history of courthouses in this report was obtained from *100 Courthouses: A Report on North Carolina Judicial Facilities*, published in 1978 by the North Carolina State University School of Design for the North Carolina Administrative Office of the Courts.



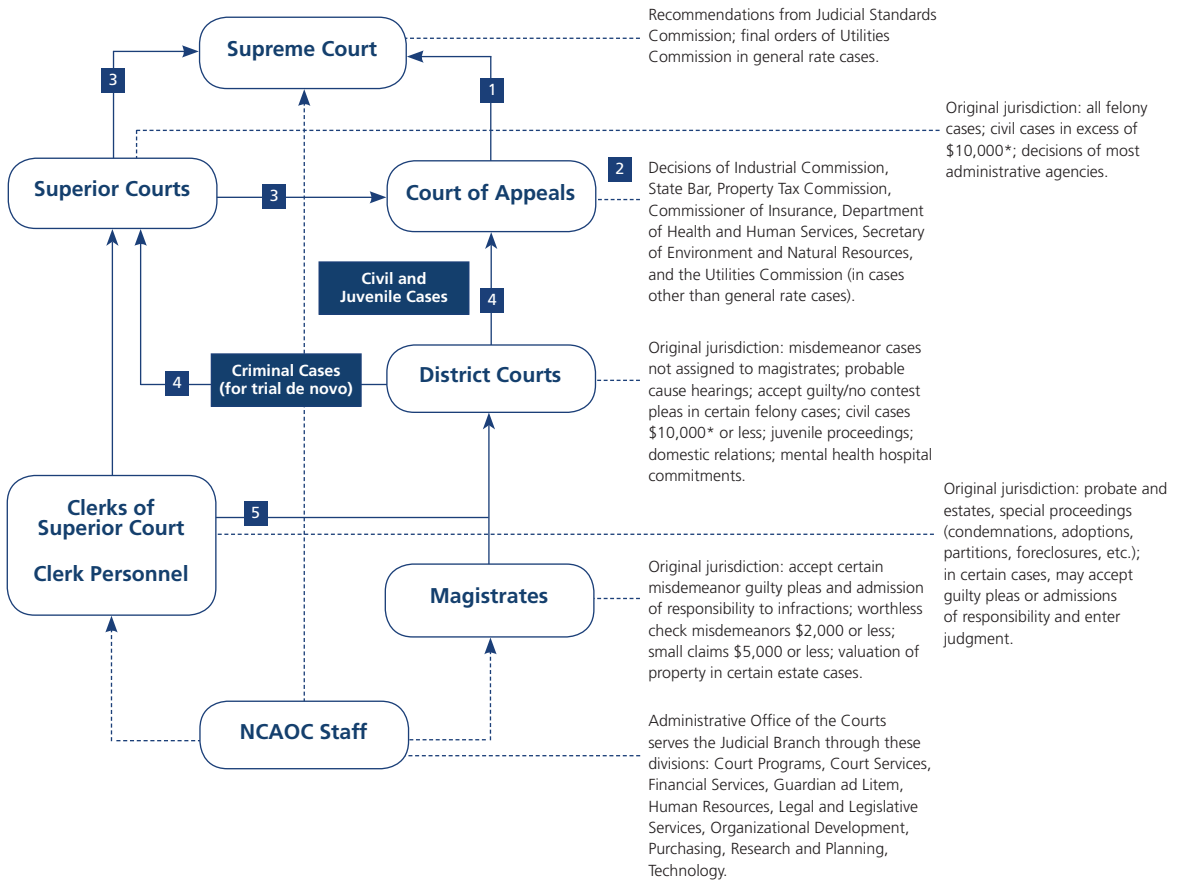
photo by NCAOC Director John W. Smith

Built in 1767, the **Chowan County Courthouse** in Edenton is the oldest existing courthouse in North Carolina and reflects the **Georgian** style of architecture, common in England and the colonies before the American Revolution. Named for the four British monarchs named George, the style typically employed symmetry, with a paneled door centered in the front, topped by an elaborate crown and supported with decorative pilasters.

There was often a chimney at both ends of the building, although the Chowan County Courthouse does not have chimneys. The courthouse is made of brick, with classical design elements, a three-part symmetrical facade with a three-stage cupola. It sits on an expansive town green, surrounded by many of Edenton's earliest homes.

Court Organizational Structure and Routes of Appeal

As of June 30, 2012



1 Appeals from the Court of Appeals to the Supreme Court are by right in cases involving constitutional questions, and cases in which there has been dissent in the Court of Appeals. In its discretion, the Supreme Court may review Court of Appeals decisions in cases of significant public interest or cases involving legal principles of major significance, and in cases in which the decision of the Court of Appeals appears to be in conflict with a decision of the Supreme Court.

2 Appeals from these agencies go directly to the Court of Appeals.

3 As a matter of right, appeals go directly to the Supreme Court in first degree capital murder cases in which the defendant has been sentenced to death, in Utilities Commission general rate cases, and in redistricting cases. In all other cases appeal as of right is

to the Court of Appeals. In its discretion, the Supreme Court may hear appeals directly from the trial courts in cases of significant public interest, in cases involving legal principles of major significance, where delay would cause substantial harm, or when the Court of Appeals docket is unusually full.

4 Criminal cases proceed to the superior court for trial de novo. Civil and juvenile cases proceed to the Court of Appeals.

5 Most appeals from judicial proceedings before the clerk are to the superior court. A few matters, such as adoptions, are appealed to the district court.

*The district and superior courts have concurrent original jurisdiction in civil actions (G.S. 7A-240). However, the district court division is the proper division for the trial of civil actions in which the amount in controversy is \$10,000 or less; and the superior court division is the proper division for the trial of civil actions in which the amount in controversy exceeds \$10,000 (G.S. 7A-243).

Personnel and Budget Quick Facts

Personnel (all funding sources)

Position	Total
JUSTICES AND JUDGES	
Supreme Court Justices	7
Court of Appeals judges	15
Superior Court judges	112
District Court judges	270
AUTHORIZED PERSONNEL	
District attorneys	44
Assistant district attorneys	642
Clerks of superior court	100
Clerk personnel	2,546.25
Guardian ad Litem personnel	146.50
Magistrates	698.10
Administrative Office of the Courts	388.15
Court support staff	1,073.725
Trial court administrators	10
Other*	37
TOTAL	6,089.725

*Judicial Standards Commission, Conference of District Attorneys, Dispute Resolution Commission, Conference of Clerks of Superior Court, Innocence Inquiry Commission, Chief Justice's Commission on Professionalism, and Sentencing and Policy Advisory Commission positions.



Budget

Certified Appropriations	
Total certified appropriations, 2011–12	\$438,920,048
Percent decrease from 2010–11	-2.53%
Total certified appropriations as a percent of total state General Fund appropriations	2.23%



NCAOC file photo

While Georgian architecture symbolized the four English monarchs under which the colonies were governed, leaders sought a new style after the Revolution. In the Age of Enlightenment and Reason, Thomas Jefferson and other founders of our new democracy looked to classical models of ancient Greece and Rome for expression in art and architecture. The classical elements that had been included in Georgian became more prominent with the **Federal** style and, later, the **Greek Revival** style. The **Perquimans County Courthouse** of 1825, above, resembled the Georgian style of Chowan, but was based on classical Roman motifs. The typical Greek Revival courthouse included a cubical main block, one story over a raised basement, classical elements and a portico to resemble an ancient Greek temple. In Lexington, the old **Davidson County Courthouse** of 1858, left, stands as an example of one of these “temples of justice.”

photo by Ava Barlow

State Judicial Council

The State Judicial Council is an advisory and oversight body for the Judicial Branch, chaired by the chief justice of the Supreme Court of North Carolina and consisting of representatives from every component of the court system, the bar, and non-attorney public members. Its general duties (refer to the North Carolina General Statutes) encompass studying and monitoring the operations of the court system and identifying areas for improvement.

The Judicial Council's specific areas of responsibility include:

- Advising the chief justice on priorities for funding.
- Confering with the chief justice on the budget prepared by the North Carolina Administrative Office of the Courts (NCAOC).
- Recommending to the General Assembly the salaries of justices and judges and changes in expense allowances, benefits and other compensation for other judicial officials.
- Recommending the creation of judgeships.
- Recommending to the chief justice performance standards for all courts and all judicial officials.
- Implementing guidelines for the assignment and management of cases, including monitoring the effectiveness of alternative dispute resolution programs.
- Recommending changes to the boundaries of judicial districts or divisions.
- Monitoring the administration of justice and assessing the effectiveness of the Judicial Branch in serving the public and advising the chief justice and the General Assembly on changes needed to assist the General Court of Justice to better fulfill its mission.

Members of the State Judicial Council

Judicial Branch Officials

Honorable Sarah Parker
Chief justice
Supreme Court of North Carolina
Judicial Council chair

Honorable John C. Martin
Chief judge
North Carolina Court of Appeals

Honorable Robert Hobgood
Senior resident superior court judge

Honorable Beth Keever
Chief district court judge

Honorable Brad Greenway
District attorney

Honorable Archie Smith
Clerk of superior court

Ms. LeAnn Melton
Public defender

Mr. Lionel Gilbert
Magistrate

Other Members

Mr. Don Cowan
Dr. Richard Dean
Mr. Dumont Clarke
Mr. Jack Olsen
Mr. Lonnie Player
Mr. Tom Maher
Mr. Fred H. Moody

District Courts

District courts hear cases involving civil, criminal, and juvenile matters, as well as appeals from the magistrate. Like superior court, district court sits in the county seat of each county. It may also sit in certain other cities and towns specifically authorized by the General Assembly.

Civil cases such as divorce, custody, child support, and cases involving less than \$10,000 are heard in district court, along with criminal cases involving misdemeanors and infractions. Civil cases are heard by a jury if a party requests one, but certain cases are always decided by a judge without a jury, such as child custody disputes. The district court also hears juvenile cases (age 16 and under) that involve delinquency issues, and it has the authority to hear juvenile undisciplined cases (ages 16 and 17). It also considers dependency, neglect and abuse cases involving children younger than 18.

Magistrates

Magistrates are appointed by the senior resident superior court judge from nominations provided by the clerk of superior court.

Magistrates accept guilty pleas for minor misdemeanors and infractions, such as for hunting or fishing violations or for traffic violations, and may accept waivers of trial for certain worthless check cases if authorized by the chief district court judge. In civil cases, the magistrate is authorized to try small claims cases (\$5,000 or less), landlord eviction cases, and suits for recovery of personal property and motor vehicle mechanics' liens.

Caseload inventory

Case type	Filed	Disposed / Paid
Civil	193,971	198,437
Civil magistrate (small claims)	225,966	227,925
Criminal—non-traffic	610,439	676,491
Criminal—traffic	987,848	1,090,226
Infractions	654,644	686,838
Civil license revocation	43,552	35,506

Manner of disposition

Case type	Jury trial	Judge trial	Magistrate trial	Voluntary dismissal	Final order/ judgement w/o trial	Clerk	Other*
Civil cases	168	66,071	91	30,166	46,081	27,815	28,099
Civil magistrate (small claims)	—	519	158,320	47,079	142	58	21,807

Case type	Trial	Plea	Dismissal with leave	Dismissal without leave	Dismissal after deferred prosecution	Other**
Criminal—non traffic	22,168	192,909	19,243	297,339	18,469	126,363
Criminal—traffic	11,243	156,255	100,687	552,517	964	268,560

Case type	Waiver	Non-waiver
Infractions	335,914	350,924

*"Other" includes dismissal on order of the court and discontinued.

**"Other" includes felony heard and bound over, probable cause not found, probable cause waived, worthless check waiver, and felony superseding indictment.

Superior Courts

All felony criminal cases, civil cases involving more than \$10,000, and misdemeanor and infraction appeals from district court are tried in superior court. A jury of 12 must decide the case for any criminal defendant who pleads not guilty. In civil cases, a judge generally will decide the case without a jury, unless a party to the case requests one.

Superior court is divided into eight divisions and 50 districts across the state. Every six months, superior court judges rotate among the districts within their divisions. The rotation system helps minimize conflicts of interest that might result from having a permanent judge in one district.

The North Carolina Business Court is a specialized forum of the North Carolina State Courts’ trial division. Cases

involving complex and significant issues of corporate and commercial law in our state are assigned by the chief justice of the Supreme Court of North Carolina to a special superior court judge who oversees resolution of all matters in the case through trial.

Caseload inventory

Case type	Filed	Disposed
Civil cases*	24,345	25,939
Estates	65,612	68,149
Special proceedings	65,052	67,462
Criminal – non-traffic	125,138	141,452
Criminal – traffic	9,974	10,046

*Civil cases include cases heard by business court

Manner of disposition

Case type	Jury trial	Judge trial	Voluntary dismissal	Final order / Judgement w/o trial	Clerk	Other*
Civil cases	295	4,082	12,540	3,398	2,764	2,860
Estates	5	—	8	6	67,954	176
Special Proceedings**	2	157	22,535	118	41,159	3,491

*“Other” includes magistrate trial, dismissal on order of the court, and discontinued.

**The number of Special Proceedings cases filed and disposed reflects those cases that are non-confidential.

Case type	Trial	Plea	Dismissal with leave	Dismissal without leave	Dismissal after deferred prosecution	Other*
Criminal – non traffic	2,578	76,265	1,674	44,589	831	15,515
Criminal – traffic	321	2,358	267	3,537	7	3,556

*“Other” includes speedy trial dismissals.

The **Victorian Period** of the late 19th Century took courthouse architecture in a different direction from the stiff formality of the Greek-style temples of justice. Romanticism in art and literature brought forth the predominance of emotion, intuition and beauty that contributed to an eclectic mix of styles in architecture. The **Transylvania County Courthouse** in Brevard, built in 1873, is an early Victorian courthouse. With its arched windows and Italian-style central square tower, the design is symmetrical and somewhat conservative like the classical styles.



photo by Ava Barlow

Court of Appeals

The Court of Appeals is the state's intermediate appellate court. The court has 15 judges who serve eight-year terms and hear cases in panels of three. The Court of Appeals decides only questions of law in cases appealed from superior and district courts and from some administrative agencies of the executive branch. Appeals range from infractions to non-capital murder cases. If there has been a dissent in an opinion of the Court of Appeals, the parties to the case have the right to have the Supreme Court review the decision. If there is no dissent, then the Supreme Court may still review the case upon a party's petition.

These tables summarize filing and disposition activity in the Court of Appeals.

In addition to trend data for the past 10 years, these tables provide filings and dispositions for cases on appeal, petitions, and motions during fiscal year 2011–12. "Cases on appeal" include cases appealed from district courts, superior courts, and administrative agencies. They are counted as appeals only after a record is filed with the clerk's office and a docket number is assigned. The "petition" category includes petitions involving only the four "extraordinary" writs set out in Article V of the Rules of Appellate Procedure: certiorari, mandamus, prohibition, and supersedeas. "Motions" encompass any type of relief sought from the Court of Appeals, either in a case already filed with the Court of Appeals, or one on its way to the Court of Appeals but not yet filed.

Cases on appeal represent the largest portion of the Court of Appeals' workload, since most are disposed by written opinion. The other methods of disposition include the court's dismissal of the appeal and an appealing party's withdrawal of the appeal.

The designers of the historic **Cabarrus County Courthouse** spared no effort with its complexity of ornamentation and shadow-casting detail. Gothic, Romanesque, Italianate, and Egyptian styles came together in this Victorian style courthouse, built in 1876. The Cabarrus County Courthouse now houses an art gallery and community theater. The newer courthouse is adjacent to the old.

photo by Ava Barlow

Filings and dispositions

Cases filed	Number of cases
Cases on appeal	1,620
Petitions	974
Motions	3,888

Filings and dispositions of appeals and petitions

Fiscal Year	Filings	Dispositions
2011–12	2,594	2,775
2010–11	2,549	2,671
2009–10	2,493	2,126
2008–09	2,502	2,307
2007–08	2,424	2,567
2006–07	2,484	2,634
2005–06	2,707	2,973
2004–05	2,719	2,731
2003–04	2,674	2,562
2002–03	2,572	2,496



Supreme Court

The Supreme Court of North Carolina is the state's highest court, and the state has no further appeal from its decisions. The court comprises the chief justice and six associate justices, each of whom serves an eight-year

term. The Supreme Court makes no determination of fact; rather, it considers whether error occurred in trial or in judicial interpretation of the law. The chief justice also serves as the head of the Judicial Branch.

Caseload inventory

Cases filed	Begin Pending (7/1/11)	Filed	Disposed	End Pending (6/30/12)
PETITIONS FOR REVIEW*				
Civil domestic	1	7	5	3
Juvenile	2	6	10	1
Other civil	57	250	233	74
Criminal	75	357	355	77
Administrative agency decision	0	1	1	0
Total petitions for review	135	624	604	155
APPEALS**				
Civil domestic	0	3	1	2
Petitions for review granted that became civil domestic appeals	0	1	1	0
Juvenile	0	0	0	0
Petitions for review granted that became juvenile appeals	0	1	1	0
Other civil	9	37	18	28
Petitions for review granted that became other civil appeals	0	15	13	2
Criminal, defendant sentenced to death	4	2	4	2
Other criminal	15	41	28	28
Petitions for review granted that became other criminal appeals	0	20	18	2
Administrative agency decision	0	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0	0
Total appeals	28	120	84	64
OTHER PROCEEDINGS				
Rule 16(b) additional issues		7	7	
Motions		568	557	
Total other proceedings		575	564	

*Petitions for review are cases in which the court is asked to accept discretionary review of decisions of the Court of Appeals as well as other tribunals.

**The Appeals category comprises cases within the Court's appellate jurisdiction.

Court Programs, Conferences, and Commissions

Program	Description
Alternative dispute resolution services	Offers a less adversarial, more expeditious process for settling legal disputes
Child custody mediation services	Provides neutral, non-adversarial court-ordered mediation services in cases involving custody/visitation of minor children parenting agreements
Drug treatment court	Provides intensive judicial supervision to high-risk, high-need chemically addicted adult offenders, juvenile delinquents and parent respondents in child abuse, neglect, and dependency cases
Foreign language interpreting services	Helps facilitate equal access to justice for limited English proficient (LEP) speaking and/or deaf and hard of hearing people involved in court proceedings
Guardian ad Litem	Collaborative model involving attorney advocates, volunteers, and staff, who work together to protect and promote the best interests of abused and neglected children petitioned into the North Carolina court system
Juvenile Court Improvement Project	Coordinates the management of child abuse, neglect, and dependency cases to ensure timely, efficient, and effective resolution of cases
Unified family court	Coordinates the management of family law cases to ensure timely and efficient resolution of legal matters within established time standards



photo by Ava Barlow

Classicism in architecture never completely disappeared throughout the 19th century. Throughout the Victorian period, classical elements continued to appear in architectural design, and by the 1890s it had more fully returned with the **Neo-Classical Revival** period. American architects often studied at the Ecole des Beaux Arts in Paris, and returned with an academic understanding of classical proportion and detail. Buildings of the period were larger and richer in interior detail than the buildings of the Greek Revival or the Victorian period. A standard floor plan was common: a central hall or cross halls separated ground floor offices, and a large courtroom spanned the width of the building on the second floor. Stone was commonly used as a facing material. The 1918 **Guilford County Courthouse**, designed by Harry Barton of Greensboro, represents the Neo-Classical Revival style.

Conference	Description
Conference of Clerks of Superior Court	Serves as the primary point of contact between the 100 elected clerks of superior court, the General Assembly, the NCAOC, and other state, local and public entities to ensure the effective and efficient exchange of information
Conference of District Attorneys	Conducts training and research, monitors victims' rights and produces various publications to assist district attorney personnel and the public they serve
Commission	Description
Chief Justice's Commission on Professionalism	Enhances professionalism among North Carolina's lawyers while providing ongoing attention and assistance to ensure the practice of law remains a high calling, dedicated to the service of clients and the public good
Dispute Resolution Commission	Certifies and regulates private mediators who serve North Carolina's courts. Also recommends dispute resolution policy, provides support to court-based mediation programs and certifies mediation training programs
Innocence Inquiry Commission	Reviews, investigates and hears post-conviction innocence claims if new evidence of innocence comes to light by providing an independent and balanced truth-seeking forum
Judicial Standards Commission	Considers complaints against state district, superior and appellate court judges, and justices and, where appropriate, makes recommendations for discipline
Sentencing and Policy Advisory Commission	Makes recommendations to the General Assembly for the modification of sentencing laws and policies, and for the addition, deletion, or expansion of sentencing options as necessary to achieve policy goals
State Judicial Council	Advisory and oversight body for the Judicial Branch of government, chaired by the Chief Justice of the Supreme Court and consisting of representatives from every component of the court system, the bar, and public, non-attorney members to fulfill its duties as described in G.S. 7A-409.1



photos by NCAOC Director John W. Smith

The late 1920s and the era of the Great Depression brought about two competing, but sometimes overlapping, styles of courthouse design. On one hand was a trend toward abstraction and function, and on the other, a desire to continue with tradition. Art Deco dominated the **Early Modernist** period, as shown in the **Lenoir County Courthouse**, above left, designed by Kinston architects Wooten and Rowland (1939). Art Deco architecture relied on strong geometric, rectilinear shapes within the form of the structure, and lavish ornamentation. It combined craft motifs with the imagery and materials of the machine age. The designers of the **Jones County Courthouse** of 1938, above right, sought to continue with tradition in this **Colonial** style courthouse. Colonial courthouses resembled both the Georgian and Greek Revival styles, but by necessity, due to growing populations, were built on a larger scale.

Judicial Branch Budget

Detailed budget information is in the *Financial Statistical and Operational Report* on www.nccourts.org.

Background

Under the North Carolina Constitution, the Judicial Branch is established as an equal branch of state government with the legislative and executive branches. North Carolina's court system, called the General Court of Justice, is a unified statewide and state-operated system.

The majority of operating expenses of the Judicial Branch are paid by the state, including salaries and travel expenses of all court officials, juror and witness fees, and equipment and office supplies for the judicial system. By state statute, G.S. 7A-302, counties and municipalities are responsible for the physical facilities occupied by court personnel across the state.

The chief justice of the Supreme Court of North Carolina appoints the director of the North Carolina Administrative Office of the Courts (NCAOC). G.S. 7A-343 sets forth the duties of the director, which include identifying staffing needs and managing and authorizing expenditures for the judicial budget.

Appropriations for Fiscal Year 2011-12 Budget

The Judicial Branch began fiscal year (FY) 2011-12 with \$438.9 million in appropriations from the General Assembly; this appropriation represents 2.23 percent of the state's overall General Fund of \$19.6 billion. This appropriation is down from last fiscal year's appropriation of nearly \$450 million.

Reductions to the 2011-12 Budget

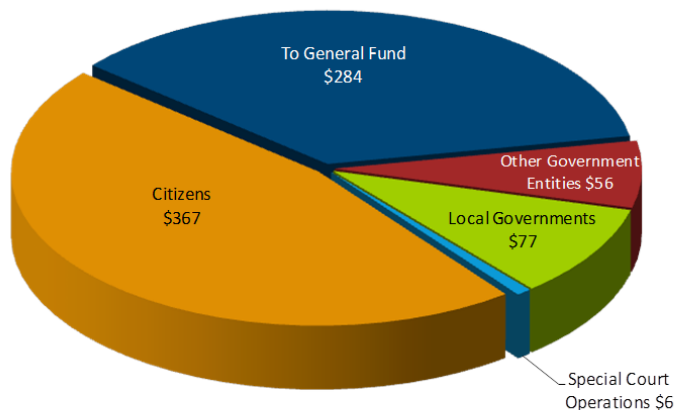
Total cuts to the Judicial Branch budget for FY 2011-12 were \$38.2 million, approximately 8 percent of the \$477,189,575 projected budget for the fiscal year. These reductions totaled more than \$25.4 million in personnel and \$12.8 million in operating funds.

How the Budget is Spent

Of the Judicial Branch's \$438 million adjusted budget as approved by the General Assembly, nearly 92 percent of it was used for employee salaries and benefits; this includes \$128.6 million used to pay salaries and benefits for elected judicial officials, magistrates, and appointed officials whose offices are constitutionally based.

FY 2011-12 Clerk of Superior Court Offices Disbursements

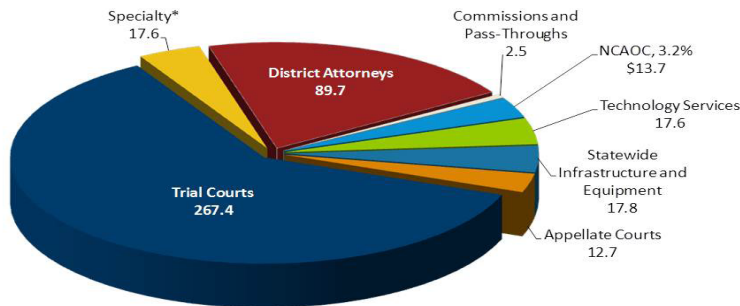
(Millions of dollars)



**\$790 Million
Total Disbursed**

**Appropriations by Budget Area
FY 2011-12 Certified Budget**
(Millions of dollars)

**\$438,920,048
Total**



*Specialty services, courts, and alternative dispute resolution

Note: The certified budget is the budget enacted by the General Assembly. The FY 2011–12 budget consists of 92 percent salaries and benefits. 29 percent of funds (\$128.6 million) supports constitutionally mandated positions.

The remaining 8 percent of the Judicial Branch 2011-12 budget supported operations. Nearly 86 percent of the budget was devoted to local court operations; central administration accounted for 3 percent; and technology services, equipment, and statewide infrastructure together accounted for 8 percent. Appellate courts, independent commissions, and pass-through appropriations accounted for the remaining 3 percent (Chart 1).

Monies Collected by the Courts Do Not Stay with the Courts

Monies disbursed—such as fines, fees, forfeitures, restitution, and civil judgments that are paid to the courts—come through clerk of superior court offices. Although the monies are collected and receipted by the courts, less than one percent of these monies stays with the court system. Monies are remitted to citizens, counties, the state treasurer, and other state agencies.

For FY 2011–12, \$790 million was disbursed by clerks of superior court—more than 43 percent went to the state treasurer, other state agencies, and law enforcement retirement. Of the General Court of Justice monies remitted to the state treasurer, funds equivalent to 56 percent were appropriated by the General Assembly to the Judicial Branch.

Counties and municipalities receive payments for fines, forfeitures (i.e., bond forfeitures), facilities fees, officer

fees, pretrial civil revocation fees, service of process fees, and jail fees. City crime labs receive fees paid by offenders for lab work conducted at their facilities. Fines and forfeitures, which are required by the State Constitution to go to local schools, make up the largest sum of money received by counties. Facilities fees, which are paid as part of court costs in both criminal and civil cases, are the next largest source of revenue. In 2011–12, the court system disbursed nearly \$77 million to counties and municipalities, of which \$42 million was fine and forfeiture revenue, and \$15 million was facility fee revenue.

Courts' Budget Cut \$38 Million for the Biennium

The finalized 2011-2013 biennium budget passed June 15 by the General Assembly cuts the state's courts by \$38 million the first year of the biennium and eliminates more than 300 staff positions. These reductions represent 8.02 percent of the Judicial Branch's budget. Details are available on the General Assembly website: House Bill 200 and money report.

In anticipation of further budget cuts, the North Carolina Administrative Office of the Courts this past March implemented a voluntary reduction in force. Of the 302.5 identified positions proposed to be terminated in the new state budget, 194.5 of them have already been accounted for due to this reduction.

The Recession at a Glance

To view the judiciary budget, see the General Assembly's money reports at www.ncleg.net.

The Great Recession brought about change for the North Carolina Judicial Branch as it worked with the executive and legislative branches to help meet the state's budget deficit. Reductions to the judiciary budget were inevitable.

In the effort to manage the reductions while keeping courthouses open throughout the recession, a number of changes and cost-savings measures were implemented, including the following during the fiscal year 2008–09 short session. NCAOC eliminated out-of-state travel reimbursement, curtailed in-state travel, reduced mileage reimbursement rates by 50 percent, and limited travel for training. NCAOC implemented vacancy management, limited the use of emergency judges, and the chief justice modified the superior court rotation schedule to assign judges to their home districts for one cycle (saving travel costs). Nearly two-thirds of the fourth quarter payroll obligation was met with nonrecurring federal American Reinvestment and Recovery Act stimulus funds rather than State appropriations (\$66.5 million). To assist in avoiding deeper cuts, NCAOC worked with the General Assembly to implement \$42 million in increased fees, which went to the state's General Fund and helped reduce potential cuts to the judiciary budget. To meet the reversions required by the North Carolina Office of State Budget and Management, selected vacancies were frozen. At one point, as many as 327 positions were held vacant.

Unfortunately, the 2009–11 biennium did not bring any improvement in funding. During the long session, NCAOC took \$30.7 million in recurring reductions the first year of the biennium and \$13.1 million in the second year. To meet these cuts, 47 long-term vacancies and the superior court judge's travel allowance were eliminated. While nearly all pay increases were frozen as the recession began, the General Assembly specifically suspended the pay plans that covered assistant and deputy clerks and magistrates, and they have remained suspended throughout this recession. The e-filing pilot projects were officially frozen, and expenditures were reduced for contractual services in technology. During this session, 49,775 positions were lost.

The 2010 short session brought an additional \$13.4 million in budget reductions. These additional reductions were achieved with the elimination of an additional 57.75 positions, a 5 percent reduction to the pass-through funds for the dispute settlement centers and the state bar, and reductions in various operating accounts, including technology services. NCAOC continued

to manage travel budgets and use existing workload formulas to balance vacancies in order to generate needed monies to meet our \$6.6 million reversion target required by the governor and the Office of State Budget and Management for fiscal year 2011. During the session, an additional 149 positions were lost.

During the long legislative session of the 2011-13 biennium, the Judicial Branch faced additional reductions of \$38.2 million in the first year and an additional \$3.8 million in the second year, for a combined total of \$42 million. The Judicial Branch offered a voluntary reduction-in-force program that produced 194.5 positions to meet the projected mandatory reductions and that were marked for elimination during the session. Other reductions included a continuation of the pay plan freeze for assistant and deputy clerks and for magistrates, a hiring freeze by the General Assembly for 35 long-term vacancies for the biennium, and the elimination of state funding for Drug Treatment Courts, Dispute Settlement Centers, and the Juvenile Court Coordinator Pilot Program. The General Assembly specified an additional 388.50 positions to be eliminated, which included 61 magistrate positions, 55 district attorney support staff, and those identified from the voluntary reduction in force. The Family Court Program was placed under Continuation Review as a possible reduction. In the short session, funding for Family Courts was restored, but the elimination of the 42 magistrate positions, which is to become effective January 1, 2013, was not adjusted. During this session, a total of 319.5 actual positions were lost in the first year of the biennium and 42 in the second year.

While an improvement in revenue projections for the State allowed for a much better 2012-13 short session, reductions were inevitable. The Judicial Branch faced additional reductions of \$5.2 million, which included reductions to various operating line items, the elimination of 14 vacancies and 16 position fund shifts. The restoration of the Family Court Program returned \$2.9 million, resulting in an overall budget reduction of \$2.3 million. During this session, an additional 30 positions were lost, bringing the total of all position losses due to the recession to 590,275 full-time employees.

The Judicial Branch continues to have constitutionally mandated services that are either unfunded or underfunded. These services include foreign language access; juror and witness fees; pay plan restoration for assistant and deputy clerks and magistrates; technology advancements; and adding employees based on needs as determined by workload formulas. Requests for additional funds for these services have been made of the General Assembly.

Significant NCAOC Service Area Highlights

July 1, 2011–June 30, 2012

The North Carolina Administrative Office of the Courts (NCAOC) is the administrative services provider that the North Carolina judicial community can rely on as a partner to help our unified court system operate more efficiently and effectively.

This section highlights the many ways that the NCAOC supports the court system and judicial officials and staff statewide.

COURT PROGRAMS AND MANAGEMENT SERVICES

Alternative dispute resolution

- 3,093 family financial cases
- 2,898 arbitration cases
- 9,864 mediated settlement cases

Child custody mediation

- 9,897 child custody cases mediated
- 5,898 drafted parenting agreements

Drug treatment courts

- 1,628 participants
- 64% participants in treatment more than six months
- 35% successful completions

Family courts

- 45,672 domestic cases
- 78% of pending domestic cases were less than one year old

Foreign language interpreting

- 10 NCAOC Spanish court interpreters
- 69 certified Spanish court interpreters
- 110 contract interpreters

COURT SERVICES

Computer applications supported

- Child support enforcement system (SES)
- Civil case management (CaseWise)
- Civil, estates and special proceedings index (VCAP)
- Criminal and infractions case index (ACIS, CCIS-CC)
- Criminal Case Management System (CCIS-DA, CCIS-CC)
- Discovery Automation System (DAS)
- eFiling
- Financial Management System
- Judgment abstracting
- Juvenile index and case management system (JWise)
- Leave tracking system (BEACON)
- Microsoft Windows applications
- North Carolina Warrant Repository System (NCAWARE)
- payNCticket
- TAO and Outlook email applications
- Worthless check program



photos by Ava Barlow

The **Modernist** movement that began with Art Deco grew, and by the 1950s, the traditional elements of past styles were replaced by low-profile geometric elements, smooth, unbroken surfaces, and minimal ornamentation. Courthouses no longer had their distinctive look as temples of justice of the past, but resembled commercial buildings of the era. Sometimes they were located away from the city center; as a result, the role of the courthouse as a public gathering place for political rallies, debates, campaign speeches and memorial observances was changed. The **Guilford County Governmental Center** of Greensboro, above left, is an exception. Designed by Eduardo Catalano and Associates and completed in 1974, the complex wraps around the Neo-Classical building from 1918 and includes paved walkways and plazas covering two levels of underground parking. It successfully resolved the problem of the limitations of space in an urban environment. The **Davidson County Courthouse** of 1959, above right, is located near Lexington's center, but does not have the expansive green lawn around it for public gatherings and events that older courthouses offered.

Technical needs supported

Digital recording of court sessions
 Scanning/microfilming of paper files
 Fingerprint tracking
 Evidence handling
 Disaster preparedness
 Interfacing with other state agencies such as:
 Division of Motor Vehicles (DMV)
 State Bureau of Investigation (SBI)
 Department of Social Services (DSS)
 State Archives
 Clerk of superior court procedural matters
 Improved workflow and file security

FINANCIAL SERVICES**Court funds management**

\$886 million resources and fees managed
 \$445 million appropriations
 \$36 million special funds and grants
 \$284 million pass through fees
 \$111 million other funds

Budget management

603 budget alignments

Accounting Functions

\$103.4 million fixed assets management
 84,663 payroll payments
 101,093 vendor payments
 15,667 employee travel forms processed
 3,005 IRS 1099–MISC forms processed
 2,611 IRS 1099–MISC forms processed for clerks of
 superior court offices
 222 electronic transfers
 2,492 deposits

GUARDIAN AD LITEM**Staff**

3 regional administrator positions
 137 field staff positions
 7 administrative, training, and legal staff positions

Attorneys

75 paid attorneys
 150 pro bono attorneys
 7 staff attorney advocate positions
 90 conflict attorneys

Volunteers

5,115 volunteers
 491,040 hours of service
 \$10.7 million saved due to volunteer efforts

Program statistics

53,348 child abuse and neglect hearings
 15,140 abused and neglected children received
 legal representation
 185 juvenile appellate cases resolved

HUMAN RESOURCES**Quick Facts**

22 HR positions, each serve an average of 315
 Judicial Branch positions
 Nearly 92% of the total Judicial Branch budget
 is allocated for salaries and benefits

**Judicial Branch FTE positions supported
(total 6,414)**

287 hiring authorities
 290 judges
 5,116.5 court staff
 30 commissions and conferences staff
 504.5 Indigent Defense Services
 386 NCAOC managers and staff

Number of personnel transactions (total 2,804)

256 salary adjustments
 632 new hires
 683 separations
 300 leaves of absence (family medical leave and other)
 198 reinstatements
 75 reclassifications
 77 promotions
 550 internal transfers
 33 miscellaneous

Number of position change transactions (total 2,309)

86 new positions (includes temps and grants)
 69 abolished positions
 1,163 budget amount
 104 source of funding
 143 reclassifications
 636 transfers
 47 supervisor
 61 miscellaneous

Number of benefit actions

317 personal adjustments
 34 new short-term disability cases
 111 retirements

Unemployment insurance claims (total \$603,227)

91 claims paid out
 \$6,629 average cost per claim

Workplace injuries (total \$819,554)

54 injuries or 0.8% of employee population

Number of EEO complaints

6 or 0.09% total of workforce

Employee Assistance Program referrals (total 74)

4 management referrals

70 self referrals

Retirement eligible

7% 1 year

12% 3 year

19% 5 year

Employee turnover (total 9.4%)

6.5% voluntary (includes retirements)

2.9% involuntary

608 total separations (excludes temporaries)

Employee recognition

104 retirement certificates

Highest pre-tax benefit participation rates

39% supplemental retirement plans

56% North Carolina Flex Dental

42% North Carolina Flex Vision

94% State Health Plan

Communications

HR Intranet site

Email news broadcast (bimonthly)

 Policies and procedures

 Forms

 Publications

HR Training Participation

27 unlawful workplace harassment

14 BEACON ESS/MSS

20 managing difficult employee situations

26 retirement planning

HR Intranet Site

766 web pages

13,989 unique visitors

33,988 visits

LEGAL AND LEGISLATIVE SERVICES

Inquiries

5,000+ phone calls and emails from court officials each month

ORGANIZATIONAL DEVELOPMENT

Estates documentation and training

Online training tools

Workflow and procedural checklists

Links to relevant statutes, rules of record keeping, forms, and policies

Estates Best Practices Handbook

Bookkeeping documentation and training

Online access to updated financial policies and procedures

Expanding number of financial resources, including:

 Quick reference guides

 Relevant forms

 Worksheets

 Sample letters

 Other jobs aids

Targeted financial training

Intro to Civil and Intro to Criminal

Developed by the Clerk Training Task Force using subcommittees of clerk staff and NCAOC subject matter experts

PURCHASING

Quick Facts

1,651 transactions processed monthly, including:

 Open market solicitations through various bid processes

 Purchase orders for goods and services

 Supply orders via the Online Store

 Printing requests submitted through the Online Store and in hardcopy format

504 deliveries for supplies and equipment are made statewide monthly

4,065 estimated number of boxes delivered per month (for a total weight exceeding 133,714 pounds)

14,513 pounds of material from Judicial Branch offices statewide shredded monthly by NCAOC

 Warehouse personnel

1,205,307 impressions generated monthly by NCAOC

 Print Shop for both stationery and other printing requests

RESEARCH AND PLANNING

Contracts

15 counties and municipalities

96.3 FTEs

\$6.4 million

Grants

65 federal and local entities

82.125 FTEs

\$12.6 million

TECHNOLOGY SERVICES (as of July 31, 2012)**Criminal**

1.5 million daily transactions
36.95 million criminal cases
5.2 million infraction cases

Civil

482,098 daily transactions
17.2 million total civil cases

eCITATION

3,433 citations created each day
15,004 enforcement officer users
374 law enforcement agencies

Email (January-July 2012)

40,766,839 inbound emails
11,030,193 outbound emails
29,737,405 inbound SPAM messages blocked
5,897 inbound email viruses prevented

NCAWARE

3.25 million processes (both served and unserved)
34,873 court and law enforcement users
737,083 processes available to be served
1,965 processes served each day

payNCticket

240,551 citations disposed
More than \$49 million collected

Service Desk

94,283 call tickets logged

Internet

230,953 hits on web calendars per day

Discovery Automation System (DAS)

80,259 case folders
342,498 documents stored
40,988,497 million estimated number of pages stored

What is the future of courthouse design? After decades of outward suburban expansion that often resulted in the neglect and abandonment of urban centers, people are returning to the cities. Renovation of historic buildings has become popular as we try to honor our past, while functioning in the 21st century. Population growth and dwindling natural resources has increased the importance of using building materials and resources wisely. New construction is being made from renewable or recycled materials, while considering energy and water efficiency.

Chatham County's reconstruction of the 1881 **Neo-Classical** courthouse, top right, along with the construction of the adjacent **Chatham County Justice Center**, bottom right, is a good example. The well-loved historic courthouse burned in 2010, causing extensive damage. Hobbs Architects of Pittsboro is working toward "putting back what was there," according to architect Taylor Hobbs, while modernizing the facility for the 21st century.

The Justice Center, which is located just south of the courthouse and the city center of Pittsboro, was designed by Corley Redfoot Architects of Chapel Hill to employ a geothermal mechanical system and natural lighting. This modern adaptation of classical design has 90,000 square feet to house the Clerk of Superior Court offices, the district attorney, the public defender, and the Department of Juvenile Justice and Community Corrections under one roof. District courtrooms are on the second floor, while superior courtrooms are on the third.



photo courtesy of Hobbs Architects



photo by Chatham County Clerk of Superior Court Sam Cooper



PREPARED BY



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