



# *North Carolina Judicial Branch*

ANNUAL REPORT

JULY 1, 2012–JUNE 30, 2013





# *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.



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# *A Special Message*

FROM THE CHIEF JUSTICE  
AND THE NCAOC DIRECTOR

Dear Friend of the Court,

We are pleased to provide this fiscal year 2012–13 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. This report also presents noteworthy accomplishments of the court system during the fiscal year.

For detailed and other information visit our website, [nccourts.org](http://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*

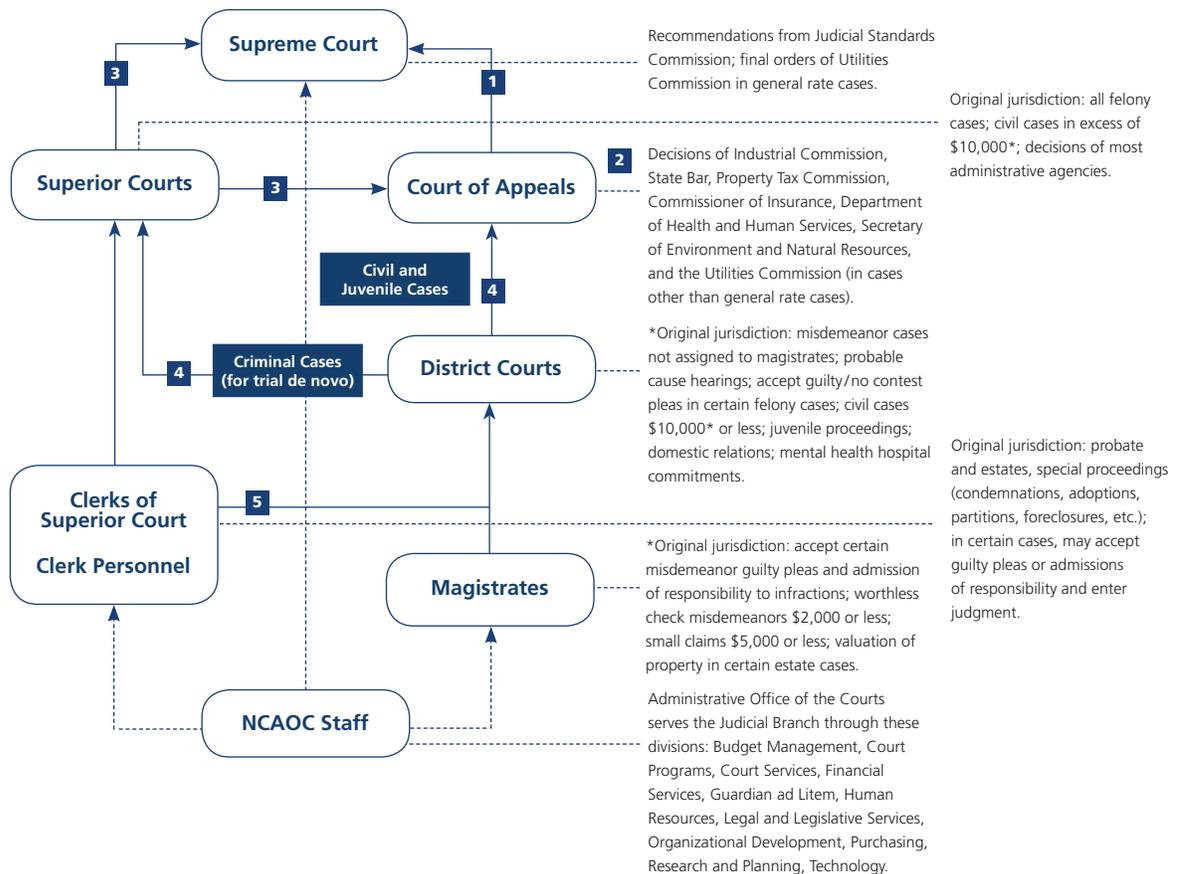
Sarah Parker, Chief Justice  
Supreme Court of North Carolina



*J. Smith*

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

# COURT ORGANIZATIONAL STRUCTURE AND ROUTES OF APPEAL



\*Jurisdictional amounts were changed by the General Assembly for the upcoming year.

**1** Appeals from the Court of Appeals to the Supreme Court are by right in certain 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). Currently, 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 for matters of \$10,000 or greater (G.S. 7A-243). Due to an amendment, from August 1, 2013, through June 30, 2015, either the district court or the superior court is the proper division for the trial of civil actions in which the amount in controversy is between \$10,000 and \$25,000.

# PERSONNEL AND BUDGET QUICK FACTS

## Workload Formulas

The North Carolina Administrative Office of the Courts (NCAOC) partners with the National Center for State Courts to determine staffing needs for district court judges, clerks of superior court staff, magistrates, assistant district attorneys, and victim witness legal assistants.

Using extensive time study information, a case weight based approach was employed to determine staffing shortfalls. Using the same approach, NCAOC has conducted workload studies for family court case coordinators and custody mediators.

The workload and staffing needs information is used to request, if needed, additional resources from the General

Assembly. Because the current fiscal situation does not permit the filling of all vacancies, this information is the basis of the vacancy management system. Through this system, when resources permit some vacancies to be filled, vacancies are authorized to be filled first in the offices where workload most significantly exceeds staffing resources.

## Expansion Needs

As we close out the 2011–13 biennium, 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.

## Personnel (all funding sources)

Position	Total
<b>JUSTICES AND JUDGES</b>	
*Supreme Court justices	7
*Court of Appeals judges	15
*Superior court judges	112
*District court judges	270
<b>AUTHORIZED PERSONNEL</b>	
*District attorneys	44
Assistant district attorneys	641
*Clerks of superior court	100
Clerk personnel	2,546.30
Guardian ad Litem personnel	145.125
Magistrates	654.10
Administrative Office of the Courts	388.90
Court support staff	1,065.625
Trial court administrators	10
**Other	45
<b>TOTAL</b>	<b>6,044.05</b>

\*Independently elected judicial officials; the Judicial Branch has 548.

\*\*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, 2012–13	\$432,806,800
Percent decrease from 2011–12	-1.39%
Total certified appropriations as a percent of total state General Fund appropriations	2.14%

## 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
- Conferring 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 as of June 30, 2013

#### 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 Mac Cameron  
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. Hugh Campbell, III  
Dr. Richard Dean  
Mr. Robert Harper  
Mr. John Wayne Kahl  
Mr. Tom Maher  
Mr. Fred H. Moody  
Mr. James Phillips  
Mr. Edwin Speas

## 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 abuse, neglect, and dependency cases involving children younger than 18.

Read more in the 2012–13 Statistical and Operational Report for Trial Courts, which is available on the Data and Information section of [www.nccourts.org](http://www.nccourts.org).

### 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
Civil	183,835	188,237
Civil magistrate (small claims)	218,908	219,970
Criminal–nontraffic	583,286	500,383
Criminal–traffic	905,229	997,446
Infractions	592,460	641,055
Civil license revocation	39,902	—

### Manner of disposition

Case type	Jury trial	Judge trial	Magistrate trial	Voluntary dismissal	Final order / judgment w/o trial	Clerk	Other*
Civil cases	163	62,704	97	28,698	43,352	26,308	26,915
Civil magistrate (small claims)	2	193	151,575	47,778	244	38	20,140

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

Case type	Trial	Plea	Dismissal with leave	Dismissal without leave	Dismissal after deferred prosecution	Other*
Criminal–nontraffic	20,649	182,455	16,471	284,454	18,696	120,865
Criminal–traffic	11,181	145,066	89,487	509,693	756	241,262

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

Case type	Waiver	Nonwaiver
Infractions	304,116	336,939

## 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.

Read more in the 2012–13 Statistical and Operational Report for Trial Courts, which is available on the Data and Information section of [www.nccourts.org](http://www.nccourts.org).

### Caseload inventory

Case type	Filed	Disposed
Civil cases*	21,485	24,002
Estates	68,444	69,088
Special proceedings	67,638	65,239
Criminal–nontraffic	121,910	146,621
Criminal–traffic	9,891	10,479

\*"Civil cases" include cases heard by business court.

### Manner of disposition

Case type	Jury trial	Judge trial	Voluntary dismissal	Final order/ Judgment w/o trial	Clerk	Other*
Civil cases	312	4,016	11,555	3,131	2,408	2,580
Estates	—	2	14	13	68,866	193
Special Proceedings**	4	185	21,388	134	40,680	2,848

\*"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–nontraffic	2,579	77,868	2,008	47,584	894	15,688
Criminal–traffic	304	2,447	292	3,777	2	3,657

\*"Other" includes speedy trial dismissals.

## 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 2012–13. “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.

Read more in the 2012–13 Statistical and Operational Report for the Appellate Courts, which is available on the Data and Information section of [www.nccourts.org](http://www.nccourts.org).

### Filings and dispositions

Cases filed	Number of cases
Cases on appeal	1,565
Petitions	999
Motions	3,759

### Filings and dispositions of appeals and petitions

Fiscal Year	Filings	Dispositions
<b>2012–13</b>	<b>2,564</b>	<b>2,490</b>
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

## 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.

Read more in the 2012–13 Statistical and Operational Report for the Appellate Courts, which is available on the Data and Information section of [www.nccourts.org](http://www.nccourts.org).

### Caseload inventory

Cases filed	Begin pending (7/1/12)	Filed	Disposed	End pending (6/30/13)
<b>PETITIONS FOR REVIEW*</b>				
Civil domestic	3	18	19	2
Juvenile	1	24	17	8
Other civil	74	247	252	69
Criminal (including death sentences)	92	341	346	88
Administrative agency decision	0	2	2	0
<b>Total petitions for review</b>	<b>170</b>	<b>632</b>	<b>636</b>	<b>166</b>
<b>APPEALS**</b>				
<b>Civil domestic</b>	2	3	3	2
Petitions for review granted that became civil domestic appeals	0	1	0	1
<b>Juvenile</b>	1	0	1	0
Petitions for review granted that became juvenile appeals	0	1	0	1
<b>Other civil</b>	23	37	38	22
Petitions for review granted that became other civil appeals	0	16	15	1
<b>Criminal, defendant sentenced to death</b>	2	3	4	1
<b>Other criminal</b>	24	56	63	17
Petitions for review granted that became other criminal appeals	0	22	19	3
<b>Administrative agency decision</b>	0	0	0	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0	0
<b>Total appeals</b>	<b>52</b>	<b>139</b>	<b>143</b>	<b>48</b>
<b>OTHER PROCEEDINGS</b>				
Rule 16(b) additional issues		10	10	
Motions		659	661	
<b>Total other proceedings</b>		<b>669</b>	<b>671</b>	

\*Petitions for review are cases in which the court is asked to accept discretionary review of decisions of the Court of Appeals and 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
Problem solving courts and other services	Local special courts and initiatives managed and operated by superior and district courts that attempt to address challenges before them
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	Team representation model consisting of attorney advocates, volunteers, and staff appointed to protect and promote the best interest of abused and neglected children under the jurisdiction of North Carolina juvenile courts
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
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	The Conference of District Attorneys serves the 44 Elected District Attorneys in their pursuit of justice and improvement of the administration of criminal law by providing training, materials, research, technical support and monitoring criminal legislation.
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

# JUDICIAL BRANCH BUDGET

Detailed budget information is in the *Financial Statistical and Operational Report* on [www.nccourts.org](http://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 2012–13 Budget

The Judicial Branch began fiscal year (FY) 2012–13 with \$432.8 million in appropriations from the General Assembly; this appropriation represents 2.14 percent of the state's overall General Fund of \$20.2 billion.

## Reductions to the 2012–13 Budget

Total cuts to the Judicial Branch budget for FY 2012–13 were \$44.3 million, approximately 9 percent of the \$459,330,244 projected budget for the fiscal year.

## How the Budget is Spent

Of the Judicial Branch's \$432.8 million adjusted budget as approved by the General Assembly, 92 percent of it was used for employee salaries and benefits; this includes \$136.8 million used to pay salaries and benefits for elected judicial officials, magistrates, and appointed officials whose offices are constitutionally based.

The remaining 8 percent of the Judicial Branch FY 2012–13 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 2, next page).

## Monies Collected by the Courts

### Do Not Stay with the Courts

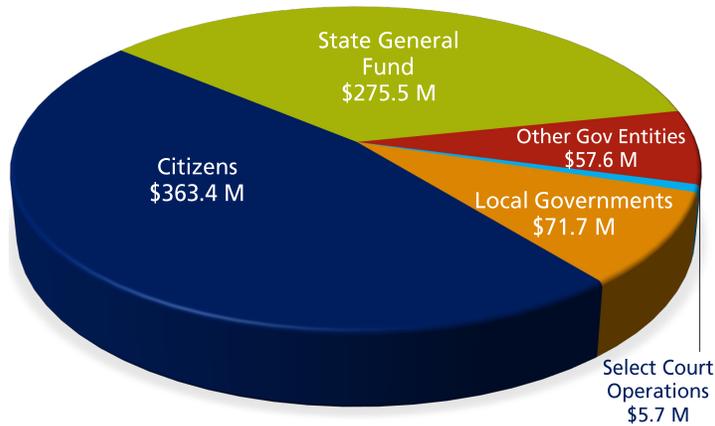
Monies disbursed—such as fines, fees, forfeitures, restitution, and civil judgments that are paid to the courts—come through clerk of superior court offices. Although the monies are collected and receipted by the courts, less than one percent of these monies stays with the court system. Monies are remitted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

For FY 2012–13, \$773.9 million was disbursed by clerks of superior court—more than 43 percent went to the state treasurer, other state agencies, and law enforcement retirement (Chart 1). Of the General Court of Justice monies remitted to the state treasurer, funds equivalent to 55 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 FY 2012–13, the court system disbursed nearly \$72 million to counties and municipalities, of which \$38.4 million was fine and forfeiture revenue, and \$14 million was facility fee revenue.

## FY 2013 Clerk of Superior Court Disbursements

Total disbursed: \$773.9 million



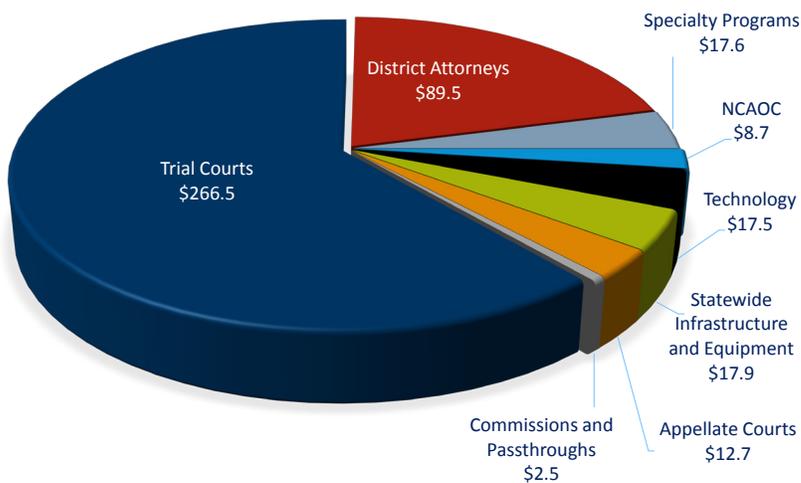
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## FY 2012–13 State General Fund Appropriations

Statewide Certified Budget Total: \$20.2 billion

Judicial Branch Certified Budget: \$432.8 million (2.14 percent of state general fund)

Figures shown in millions



Note: The certified budget is the budget enacted by the General Assembly. The FY 2012–13 budget is used for salaries and benefits. Within that, 29 percent of funds (\$136.8 million) supports constitutionally mandated positions.

# Legislative Budget Priorities

## FOR THE 2013–15 BIENNIUM

The past four years of the economic recession have brought trying and unprecedented times to the Judicial Branch. During this time, the courts sustained overall budget reductions of more than \$100 million, which resulted in severe cuts to technology and the loss of 590 full-time employees statewide, many of whom took with them decades of training and experience. During this same time period, the North Carolina Administrative Office of the Courts (NCAOC) sustained a 20.12 percent reduction in its operating budget. All parts of the Judicial Branch were affected by the recession. The Judicial Branch budget coming out of the recession was \$432 million—92 percent of which supported salaries; the remaining 8 percent supported operations. The Judicial Branch budget is 2.14 percent of the overall state budget. Read more about the recession's effects on the Judicial Branch in the 2011–12 Annual Report on [www.nccourts.org](http://www.nccourts.org).

Coming out of the recession, the NCAOC had four priorities for the Judicial Branch that they asked legislators to consider for the 2013–15 biennium. These priorities represent some of the greatest needs, as well as all parts of the state's unified court system. The themes for requests were funding to fulfill requirements of the North Carolina Constitution and General Statutes and to hire new employees needed as determined by workload formulas. At the conclusion of the long session, legislators provided funding for two of the Judicial Branch's priorities. The NCAOC took a \$4 million cut to cover some of the funded priorities. Needs not met continue to be legislative priorities for the Judicial Branch.

**FIRST** Restore funding for the pay plans for deputy clerks, assistant clerks, and magistrates. These pay plans are outlined in statute; however, they have not been funded since July 1, 2009. Consequently, all deputy clerks, assistant clerks, and magistrates who should have received a salary increase per their pay plans have not for four consecutive years. Funding would begin July 1, 2013, and go through the biennium. Retroactive funding would not be provided for the step increases that employees did not receive from July 1, 2009, through June 30, 2013.

**Actual Cost Requested:** \$6.1 million during FY 2014, \$9.7 million during FY 2015

**Outcome:** Not funded in long session; pursuing in short session

**SECOND** Provide adequate funding to meet shortfalls in constitutionally mandated obligations. Existing shortfalls between budgeted amounts and actual expenses, such as expert witness fees (Racial Justice Act and jury fees) would be funded.

**Actual Cost Requested:** \$2.1 million annually

**Outcome:** \$1 million annually

**THIRD** Restore magistrate positions in 28 counties.

Given the stressful demands of 24x7 coverage, funding would restore one magistrate in counties that were reduced to three magistrates by previous budget cuts.

**Actual Cost Requested:** \$1.6 million annually

**Outcome:** \$1 million to restore 22 positions

STATE APPROPRIATED FUNDS NEEDED  
FOR PRIORITIES 1, 2, AND 3 = \$9.8M for FY 2014

**EXPANSION NEED** Provide staff needed for workload per §7A-343 (4) and as directed by §143C-3-2. The NCAOC partnered with the National Center for State Courts to complete workload formulas for all major staff groups in the Judicial Branch. Based on workload need, an additional 792 courthouse personnel are needed.

**Outcome:** Not funded

TOTAL NEED FOR ALL REQUESTS TO MEET  
THE STATUTORY AND WORKLOAD DEMANDS  
\$78.3 million of state appropriated funds

# SIGNIFICANT NCAOC SERVICE AREA HIGHLIGHTS

July 1, 2012–June 30, 2013

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. Its approach is to apply its professional expertise consistently in the best interests of the court system, which includes an employee base of about 6,000, of which 548 are independently elected judicial officials. 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

2,749 family financial cases completed  
3,280 court-ordered arbitration cases completed  
7,412 mediated settlement cases completed

### Child custody mediation

18,830 people attended orientation  
11,307 mediation sessions held  
10,489 child custody cases mediated  
5,105 parenting agreements drafted

### Language Access Services

10 NCAOC Spanish court interpreters  
74 certified Spanish court interpreters  
1 certified French court interpreter  
1 certified Mandarin court interpreter  
1 certified Vietnamese court interpreter

### Family courts

44,914 domestic cases filed  
81% of pending domestic cases were less than one year old

## 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  
Judgment abstracting  
Juvenile index and case management system (JWise)  
Leave tracking system (BEACON)  
Microsoft Windows® applications

North Carolina Warrant Repository System (NCAWARE)  
payNCticket  
Worthless check program

### Technical needs supported

Digital recording of court sessions  
Scanning/microfilming of paper files  
Fingerprint tracking  
Evidence handling  
Disaster preparedness  
Interfacing with other state agencies:  
    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  
Jury management support

## FINANCIAL SERVICES

### Court funds management

\$900 million resources and fees managed  
\$459 million appropriations  
\$44 million special funds and grants  
\$283 million pass-through fees  
\$114 million other funds

### Budget management

519 budget alignments

### Accounting functions

\$117.4 million fixed assets management  
15,583 payroll payments  
100,398 vendor payments  
14,856 employee travel forms processed  
3,187 IRS 1099–MISC forms processed  
3,397 IRS 1099–MISC forms processed for clerks of superior court offices  
276 electronic transfers  
3,065 deposits

## GUARDIAN AD LITEM

### Staff

3 regional administrator positions  
137 field staff positions  
8 administrative, training, and legal staff positions  
(1 grant funded)

### Attorneys

66 paid attorneys  
127 pro bono attorneys

9 staff attorney advocate positions  
95 conflict attorneys

#### **Volunteers**

4,824 volunteers  
463,104 hours of service  
\$10.3 million saved due to volunteer efforts  
*Volunteers donate on average 8 hours of service monthly.*  
*Independent Sector valued volunteer time during 2012 at \$22.14 per hour.*

#### **Program statistics**

54,389 child abuse and neglect hearings  
15,251 abused and neglected children received legal representation  
177 juvenile appellate cases filed

### **HUMAN RESOURCES**

#### **Quick Facts**

22 HR positions, each serve an average of 299 Judicial Branch positions  
Just over 92% of the total Judicial Branch budget is allocated for salaries and benefits

#### **Judicial Branch FTE positions supported (total 6,584.55)**

287 hiring authorities  
290 judges  
5,062.15 court staff  
38 commissions and conferences staff  
520.5 Indigent Defense Services  
386.9 NCAOC managers and staff

#### **Number of personnel transactions**

3,647

#### **Number of position change transactions**

2,902

#### **Number of benefit actions**

419 personal adjustments  
37 new short-term disability cases  
153 retirements

#### **Unemployment insurance claims (total \$1,015,621)**

145 claims paid out  
\$7,004 average cost per claim

#### **Workplace injuries (total \$586,175)**

61 injuries or 0.9% of employee population

#### **Employee Assistance Program referrals (total 70)**

1 management referral  
69 self referrals

#### **Retirement eligible**

7.3% 1 year  
12.5% 3 year  
19.2% 5 year

#### **Employee turnover (total 9.0%)**

7.2% voluntary (includes retirements)  
1.8% involuntary  
587 total separations (excludes temporaries)

#### **Employee recognition**

1,204 service awards  
153 retirement certificates

#### **Highest pre-tax benefit participation rates**

40% supplemental retirement plans  
58% North Carolina Flex Dental  
45% North Carolina Flex Vision  
95% State Health Plan  
56% North Carolina Flex AD&D Core

#### **HR Communications**

Intranet site  
665 web pages  
11,686 unique visitors  
20,779 visits  
Email news  
34 email newsletters  
156 articles  
Policies and procedures  
83 policies  
532 pages

#### **HR Training Provided**

16 events with 470+ attendees  
Deer Oaks EAP—5 events with 80+ attendees

#### **Voluntary Shared Leave**

49 recipients  
9,467 total hours received  
193.12 average hours received  
4–663 range of hours received

383 donors  
9,363 total hours donated  
24.45 average hours donated  
4–200 range of hours donated

#### **Recruitment**

341 job postings  
63,689 total applicants  
186 average applicants per posting  
1,629 web hits per posting  
53,169 applicant notices

## LEGAL AND LEGISLATIVE SERVICES

### Inquiries

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

### Legislative Tracking

During the 2011–13 legislative sessions, legal staff reviewed 3,946 bills for applicability and actively monitored, appeared on, summarized the effect of, drafted forms and procedures for, or sought amendments for 1,108.

## ORGANIZATIONAL DEVELOPMENT

### Recent Projects

Implementation of curriculum development process  
Standardized course materials for foundational course offerings

Led development of the following courses:

- Criminal Monies Owed as Civil and/or Criminal Judgments
- Introduction to Juvenile
- Using CCIS-CC: Essential Skills
- Essential Skills for the New Estate Clerk Part 1: Probate and Qualification
- Essential Skills for New Hearing Clerks: Incompetency Proceedings

## PURCHASING

### Quick Facts

- ~1,648 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
- ~525 deliveries for supplies and equipment are made statewide monthly
- ~3,900 estimated number of boxes delivered per month (for a total weight exceeding 134,000 pounds)
- ~23,500 pounds of material from Judicial Branch offices statewide shredded monthly by NCAOC Warehouse personnel
- ~1,253,703 impressions generated monthly by NCAOC Print Shop for stationery and other printing requests

## RESEARCH AND PLANNING

### Contracts

15 counties and municipalities  
91.75 FTEs  
~\$5.9 million

## Grants

63 federal and local entities  
84.38 FTEs  
~\$11 million

## TECHNOLOGY SERVICES (as of July 31, 2013)

### Criminal

1.07 million daily transactions  
39.5 million criminal cases  
4.9 million infraction cases

### Civil

315,312 daily transactions  
18 million civil cases

### eCITATION

3,214 citations created each day  
17,064 law enforcement officer users  
401 law enforcement agency users

### Email (January–June 2013)

58,015,581 inbound emails  
14,747,564 outbound emails  
44,305,640 inbound SPAM messages blocked  
8,121 inbound email viruses prevented

### NCAWARE

9.55 million processes (both served and unserved)  
39,014 court and law enforcement users  
786,180 processes available to be served  
2,054 processes served each day

### payNcticket®

353,532 citations disposed  
More than \$76 million collected  
\$80,876 collected daily (average)  
*Note: Monies collected are disbursed to state and local government agencies as directed by the North Carolina General Assembly.*

### Service Desk

82,763 call tickets logged in 2012  
36,255 call tickets logged in 2013 as of June 30

### Internet

159,587 hits on web calendars per day

### Discovery Automation System (DAS)

113,873 case folders  
505,755 documents stored  
62.68 million estimated number of pages stored

# Featuring

## NEW COURTHOUSES THAT OPENED IN FISCAL YEAR 2012–13

### CHATHAM COUNTY COURTHOUSE AND JUSTICE CENTER



Photo by Ava Barlow

Chatham County's 1881 Neo-Classical courthouse was reopened in April after being destroyed by fire in March 2010. Hobbs Architects of Pittsboro focused on restoring the character and historic appearance of the courthouse, while including modernizations such as handicap access, internet service, and electrical wiring.



Photo by Ava Barlow

The Chatham County Justice Center offers environmentally sustainable features such as a geothermal heating and cooling system and natural lighting for courtrooms. Designed by Corley Redfoot Architects of Chapel Hill, the building is located south of the historic courthouse.

### DURHAM COUNTY COURTHOUSE



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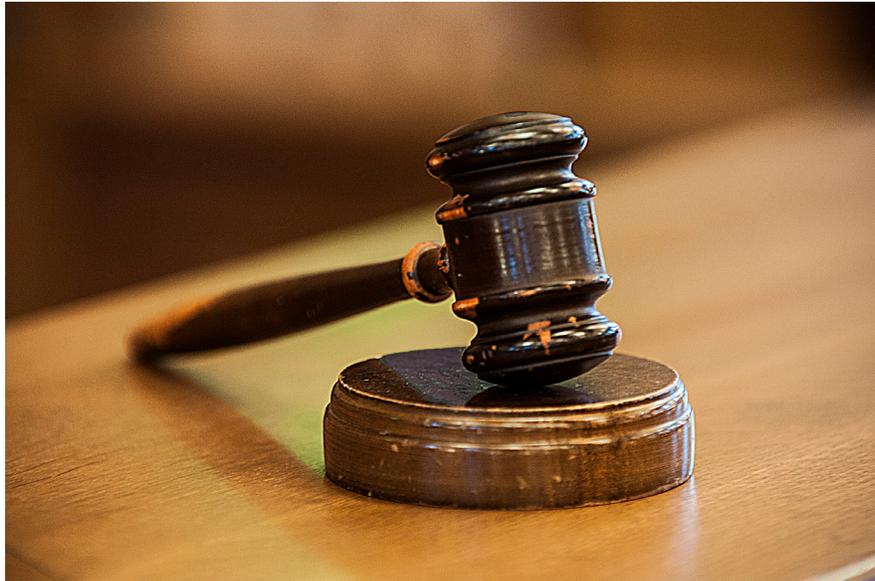
### WAKE COUNTY JUSTICE CENTER



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Designed by O'Brien/Atkins Associates of Research Triangle Park, the new Durham County Courthouse and the Wake County Justice Center have achieved Leadership in Energy and Environmental Design (LEED) Gold and Silver ratings, respectively. Some of the features include charging stations in the parking garage for electric vehicles, a rainwater collection system, and 30 percent less water usage than a traditionally designed building of comparable size. The outdoor surfaces absorb less heat from the sun, reducing the "heat island" effect of large buildings in cities.





PREPARED BY



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