

JULY 1, 2014 – JUNE 30, 2015



# ANNUAL REPORT

*of the*

NORTH CAROLINA  
JUDICIAL BRANCH



*justice for all*



# *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



# TABLE OF CONTENTS

6	A Special Message from the Chief Justice of North Carolina and the Director of the North Carolina Administrative Office of the Courts
7	Judicial Branch Leadership
8	Highlights from the State of the Judiciary Address by Chief Justice Mark Martin
10	Budget and Personnel Quick Facts
11	Judicial Branch Budget
12	Personnel: Loss of Judicial Branch Institutional Knowledge
13	Court Organizational Structure and Routes of Appeal
14	Supreme Court of North Carolina
16	Court of Appeals
17	Superior Courts
18	District Courts
19	Court Programs, Conferences, and Commissions
20	Significant NCAOC Service Area Highlights

## Courthouse Renovations in Fiscal Year 2014–15



### COLUMBUS COUNTY COURTHOUSE

The Columbus County Courthouse entrance opened June 2015. The Columbus County Historic Courthouse renovations are set to begin late 2015. The courthouse is located at 100 Courthouse Circle in Whiteville.



### HERTFORD COUNTY COURTHOUSE

The Hertford County Courthouse and a number of county general administrative offices relocated to the new County Courthouse and Government Center on May 18, 2015. The new courthouse is located just off of US Route 158 at 119 Justice Drive in Winton.

### About the Cover

This year's annual report cover features excerpts from North Carolina Chief Justice Mark Martin's State of the Judiciary address delivered before the N.C. General Assembly on Wednesday, March 4, 2015, at the Legislative Building in Raleigh. Chief Justice Martin gave the address in response to an invitation by a joint resolution of the General Assembly. Themed "Justice for All," it was the first State of the Judiciary address since 2001.

*This annual report is published online at [www.NCcourts.org/Citizens/JData](http://www.NCcourts.org/Citizens/JData). 20 copies of this public document were printed at a cost of \$25.80 total, or about \$1.29 per copy. This annual report was printed in-house by the North Carolina Administrative Office of the Courts' Printing Services.*

# *A Special Message*

## FROM THE CHIEF JUSTICE OF NORTH CAROLINA AND THE DIRECTOR OF THE NORTH CAROLINA ADMINISTRATIVE OFFICE OF THE COURTS

Dear Friend of the Court,

We are pleased to provide this fiscal year 2014–15 Annual Report of the North Carolina Judicial Branch. We truly are proud of the North Carolina court system, and we thank you for this opportunity to share our successes.

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 details and other information, visit our website, [www.NCcourts.org](http://www.NCcourts.org), and see the 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.

We greatly appreciate your interest in the North Carolina Judicial Branch.

Sincerely,



*Mark Martin*

Mark Martin, Chief Justice  
Supreme Court of North Carolina



*Marion Warren*

Judge Marion Warren, Director  
North Carolina Administrative  
Office of the Courts

---

### Special Note

Chief Justice Sarah Parker retired on August 31, 2014.

Mark Martin was appointed to the office of Chief Justice on September 1, 2014, and then elected to a full eight-year term, effective January 1, 2015.

NCAOC Director Judge John W. Smith retired on May 1, 2015.

Chief Justice Martin appointed Judge Marion Warren to serve as the interim director of the North Carolina Administrative Office of the Courts (NCAOC) effective May 1, 2015. Judge Warren was appointed as NCAOC director, effective November 3, 2015.

# Judicial Branch Leadership

## RETIREMENTS BRING NEW LEADERSHIP FOR JUDICIAL BRANCH



**Chief Justice  
Mark Martin**



**COA Chief Judge  
Linda McGee**



**NCAOC Director  
Judge Marion Warren**

### North Carolina Chief Justice Mark Martin

Mark Martin was formally invested as Chief Justice of the Supreme Court of North Carolina at a swearing-in ceremony on January 5, 2015, at the Law and Justice Building in Raleigh. In addition to holding the highest judicial office in North Carolina, he leads the state's Judicial Branch of government.

He is the twenty-eighth Chief Justice of the Supreme Court of North Carolina and has served in this position since being appointed on September 1, 2014, to fill the vacancy created when former Chief Justice Sarah Parker retired. He was elected Chief Justice in November for an eight-year term effective January 1, 2015.

"I plan to hit the ground running to work with judicial system stakeholders, the public, and the leadership of the two other branches of government," Chief Justice Martin said. "My work is fully dedicated to strengthening and advancing the rule of law in North Carolina and to protecting and preserving the rights and liberties of all the people, as guaranteed by the constitutions and laws of the United States and North Carolina."

As part of his investiture remarks, Chief Justice Martin spoke about his ongoing work to support his administration of justice plan and about the upcoming legislative session. The linchpin for his work is to raise the Judicial Branch's visibility as a separate and co-equal branch of government. He also talked about the dire need to fund the state's courts, after facing \$80.6 million in budget cuts during the recession.

Chief Justice Martin has served the Supreme Court since being elected in 1998. He has authored more than 400 appellate decisions during his 20-year tenure on the Supreme Court and Court of Appeals. He is the only sitting judge in North Carolina who has served on the Supreme Court, Court of Appeals, and Superior Court. He has served as adjunct legal faculty at Duke University, North Carolina Central University, and the University of North Carolina. He serves on the Board of

Directors for the Conference of Chief Justices and recently concluded a term as the Judicial Division Chair for the American Bar Association.

### Court of Appeals Chief Judge Linda McGee

Judge Linda McGee was appointed Chief Judge of the North Carolina Court of Appeals effective September 1, 2014, upon the retirement of Chief Judge John C. Martin. She is the second woman to serve as chief judge in the history of the Court of Appeals.

Judge McGee was appointed to the Court of Appeals in 1995, then was elected to an eight-year term in 1996 and re-elected for eight-year terms in 2004 and 2012. Before becoming an appeals court judge, Judge McGee was a partner in the Boone, N.C. law firm of di Santi, Watson and McGee for 17 years.

She is an officer and active member of a number of judicial-related committees, task force groups, boards, and foundations.

### Administrative Office of the Courts Director Judge Marion Warren

Chief Justice Mark Martin appointed Judge Marion Warren as interim director of the North Carolina Administrative Office of the Courts (NCAOC) effective May 1, 2015, upon the retirement of then Director John W. Smith. Judge Warren was appointed as NCAOC director, effective November 3, 2015.

Judge Warren served as a district court judge in Judicial District 13 (Bladen, Brunswick, and Columbus counties) since 2000. He previously served Judicial District 13 as an assistant district attorney from 1993 to 2000. Judge Warren earned his juris doctor (J.D.) degree from Campbell University School of Law in 1991, after also receiving his undergraduate degree from Campbell University.

He is an officer and active member of a number of civic and government groups and organizations in the state.

---

★ ★ ★

# STATE OF THE JUDICIARY ADDRESS

---

★ ★ ★

*justice for all*

## CHIEF JUSTICE MARK MARTIN DELIVERS STATE OF THE JUDICIARY ADDRESS TO GENERAL ASSEMBLY

Chief Justice Mark Martin delivered the State of the Judiciary address before the North Carolina General Assembly on Wednesday, March 4, 2015, at the Legislative Building in Raleigh. Chief Justice Martin gave the address in response to an invitation by a joint resolution of the General Assembly. Themed “Justice for All,” it was the first State of the Judiciary address since 2001.

“It is my distinct privilege to renew the tradition of reporting to you on the state of the Judicial Branch of government,” Chief Justice Martin said. “I look forward to partnering with this General Assembly to ensure that our justice system has the resources to ensure justice for all.”

Chief Justice Martin’s remarks focused on collaborative efforts of the justice system’s various stakeholders statewide to ensure the fair and impartial administration of justice in our state’s courts. The Judicial Branch has undertaken efforts to re-engineer operations, cut costs, and use technology to capture efficiencies. The Judicial Branch’s operations budget is under tremendous stress, and

vacant positions have been held open to cover shortfalls for basic functions. Underfunded areas include payments to jurors, court reporters, and expert witnesses. Chief Justice Martin requested that funds be appropriated to the Judicial Branch to sustain operations.

“If we are to right the ship, the Judicial Branch will need sufficient investment from this General Assembly to ensure that we adequately fund the basic operations of the court system,” Chief Justice Martin said. “If we cannot pay for these basic services, we cannot conduct timely trials. We all know that justice delayed is justice denied.”

Chief Justice Martin also asked for appropriated funds to provide modest pay increases for Judicial Branch personnel and to move forward with technology innovation in the area of e-filing. The funding-related problems facing the justice system have been decades in the making. Appropriations to the Judicial Branch for the past 25 years have not exceeded 3% of the overall state budget. During the recession, the Judicial Branch sustained \$80.6 million in budget cuts.

---

★ ★ ★

### STATE OF THE JUDICIARY ADDRESS

---

★ ★ ★

CHIEF JUSTICE  
MARK MARTIN  
WILL DELIVER THE  
STATE OF THE JUDICIARY  
ADDRESS BEFORE THE  
N.C. GENERAL ASSEMBLY.

*justice for all*

WEDNESDAY  
MARCH 4, 2015  
4:00 P.M.

LEGISLATIVE BUILDING  
RALEIGH, NORTH CAROLINA



Invited by a joint resolution of the N.C. General Assembly, Chief Justice Mark Martin will deliver the first State of the Judiciary address since 2001. Chief Justice Martin is the 28th Chief Justice of the Supreme Court of North Carolina. He was elected to an eight-year term starting January 1, and has served the Supreme Court since being elected in 1998. Chief Justice Martin is dedicated to strengthening and advancing the rule of law. He has authored more than 400 appellate decisions during his 20-year tenure on the Supreme Court and Court of Appeals. He is the only sitting judge in North Carolina who has served on the Supreme Court, Court of Appeals, and Superior Court.



CHIEF JUSTICE  
MARK MARTIN

*justice for all*



Judicial officials and staff attend in support of this significant occasion.

NORTH CAROLINA  
COMMISSION ON THE  
ADMINISTRATION  
OF LAW & JUSTICE

## CHIEF JUSTICE MARK MARTIN ANNOUNCES NEW COMMISSION ON THE ADMINISTRATION OF LAW AND JUSTICE



In May 2015, Chief Justice Mark Martin announced a new commission and named its co-chairs. The commission will undertake a multidisciplinary study of North Carolina's Judicial Branch. This announcement followed Chief Justice Martin's State of the Judiciary address to the General Assembly in March, announcing that a comprehensive evaluation was needed to strengthen the courts.

The commission comprises five committees:

- Civil Justice
- Criminal Investigation and Adjudication
- Legal Professionalism
- Public Trust and Confidence
- Technology

Chief Justice Martin has also invited participation from the General Assembly. The commission will finalize its findings and recommendations in a series of reports that will be available for the start of the 2017 legislative long session. The reports will provide a road map for the General Assembly to ensure that the Judicial Branch is adequately funded to meet citizens' needs and the expectations of a modern court system, thus ensuring the integrity of our justice system and justice for all.

*Read more at [www.NCCALJ.org](http://www.NCCALJ.org).*

# BUDGET AND PERSONNEL QUICK FACTS

## Workload Formulas

The North Carolina Administrative Office of the Courts (NCAOC) partners with the National Center for State Courts to develop methodology that is used 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 additional resources from the General Assembly, if needed. Whenever the fiscal situation does not permit the filling of all vacancies, this information is the basis of the vacancy management system. In addition, the workload information is used to reassign vacant resources to needier offices throughout the state.

## Expansion Needs

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	643
*Clerks of superior court	100
Clerk personnel	2,529.85
Guardian ad Litem personnel	148.375
Magistrates	674.60
Administrative Office of the Courts	369.10
Court support staff	1,032.75
Trial court administrators	9.625
**Other	50.50
<b>TOTAL</b>	<b>6,005.80</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, 2014–15	\$463,893,072
*Percent increase from 2013–14	1.52%
Total certified appropriations as a percent of total state General Fund appropriations	2.20%

\*Includes legislative increases due to inflation.

The North Carolina General Assembly meets in the Legislative Building located at 16 West Jones Street in Raleigh. Outside the doors leading into the building is the state seal of North Carolina, containing its motto: *Esse Quam Videri* — “To Be Rather Than to Seem.”



# JUDICIAL BRANCH BUDGET

Detailed budget information is in the Budget Management and Financial Services Statistical and Operational Report in the Data and Information section on [www.NCcourts.org](http://www.NCcourts.org).

## Background

The North Carolina Constitution establishes the Judicial Branch as an equal branch of government, along 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 state pays the majority of operating expenses of the Judicial Branch, 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 2014–15 Budget

The Judicial Branch began FY 2014–15 with \$463.8 million in appropriations from the General Assembly; this appropriation represents 2.20 percent of the state’s overall General Fund of \$21 billion.

## How the Budget Is Spent

Of the Judicial Branch’s \$463.8 million adjusted budget as approved by the General Assembly, 93 percent of it was used for employee salaries and benefits; this includes \$141 million (30 percent) used to pay salaries and benefits for elected judicial officials, magistrates, and appointed officials whose offices are constitutionally based.

The remaining 7 percent of the Judicial Branch FY 2014–15 budget supported operations. More than 87 percent of this operations budget was devoted to local court operations; central administration accounted for 3 percent; and technology services, equipment, and statewide infrastructure together accounted for 6.5 percent. Appellate courts, independent commissions, and passthrough appropriations accounted for the remaining 3 percent (Chart 1).

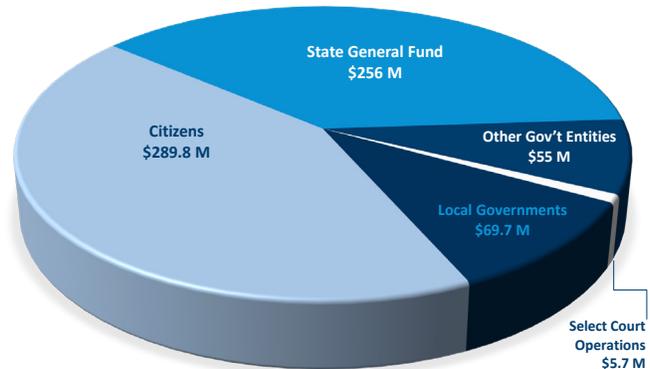
## Monies Collected by the Courts Do Not Stay with the Courts

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 received by the courts, less than 1 percent of these monies stays with the court system. Monies are remitted to citizens, counties, the state treasurer, and other state agencies.

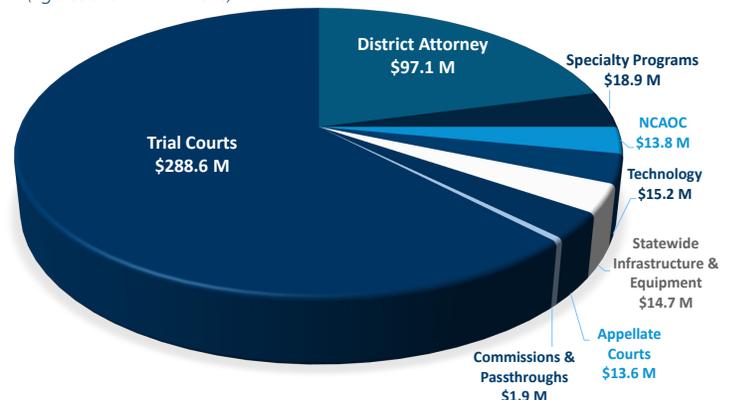
For FY 2014–15, \$676.2 million was disbursed by clerks of superior court – nearly 46 percent went to the state treasurer, other state agencies, and law enforcement retirement (Chart 2). Of the General Court of Justice monies remitted to the state treasurer, funds equivalent to 54 percent were appropriated 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 2014–15, the court system disbursed \$69.7 million to counties and municipalities, of which \$36.7 million was fine and forfeiture revenue and nearly \$14 million was facility fee revenue. Nearly \$290 million was distributed to citizens.

**Chart 1**  
FY 2014–15 Clerk of Superior Court Disbursements  
Total disbursed: \$676.2 million (figures shown in millions)



**Chart 2**  
FY 2014–15 State General Fund Appropriations  
Statewide Certified Budget Total: \$21 billion  
Judicial Branch Certified Budget: \$463.8 million (2.20 percent of State General Fund)  
(figures shown in millions)



# Personnel

## LOSS OF JUDICIAL BRANCH INSTITUTIONAL KNOWLEDGE

### THE JUDICIAL BRANCH PERSONNEL BUDGET HAS BEEN REDUCED SIGNIFICANTLY.

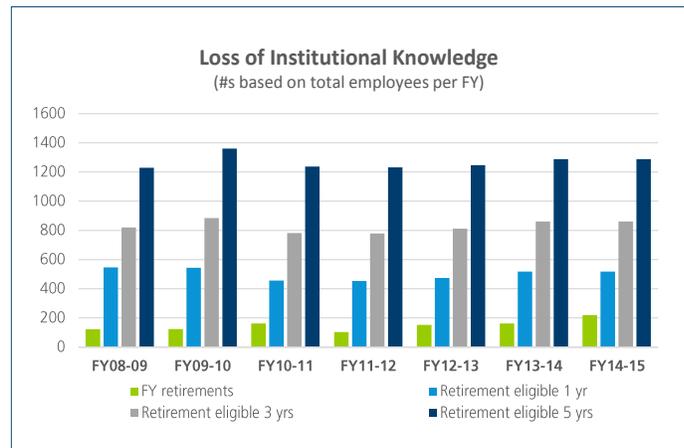
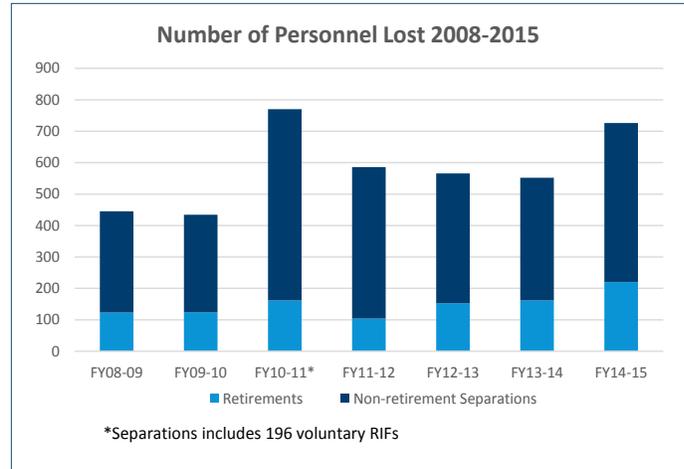
In 2012, North Carolina ranked 45th out of the 50 states in terms of per capita spending on the Judicial Branch, only four places higher than 2007 based on source data provided by the National Center for State Courts.

- In the past five years, the Judicial Branch had nearly 10% of its positions eliminated due to budget cuts.
- The Judicial Branch has 6,000+ positions statewide. During the past seven years, 4,079 employees have separated from the Judicial Branch. Separation has been in the form of retirement, a voluntary reduction in force, and other attrition.
- More than 850 employees, or 13.3%, will be eligible to retire between July 2015 and June 2018 (based on a three-year estimate in June 2015).

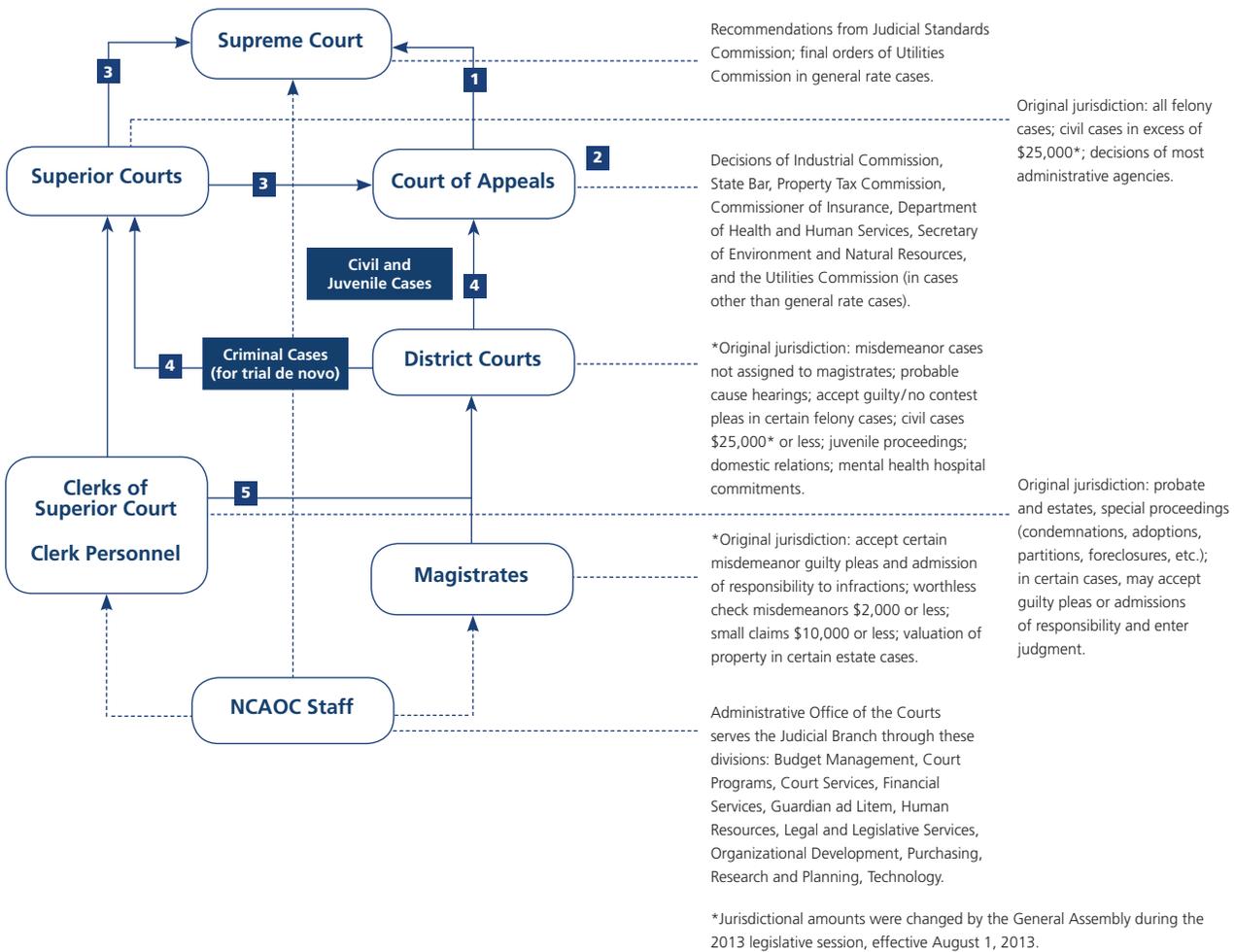
#### Grand Total for All Seven Years: 4,079 Employee Separations

Altogether, this erosion leaves the Judicial Branch in a very unsustainable position; thus, critical funding is needed to sustain the remaining specialized workforce.

Workload formulas, developed in consultation with the National Center for State Courts, support the need for an additional 536 court personnel. To meet workload needs, the courts requested \$40.6M in recurring state appropriated funds for fiscal year 2015–16 to provide additional courthouse personnel in the following areas: trial courts (67 FTE), clerks of superior court offices (183 FTE), district attorney offices (154 FTE), magistrates (78 FTE), Guardian ad Litem (54 FTE).



# COURT ORGANIZATIONAL STRUCTURE AND ROUTES OF APPEAL



**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, in redistricting cases, cases designated for business court, and in which a lower court holds that a statute is facially unconstitutional or in violation of federal law. 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). The small claims court is the proper division for the trial of civil actions in which the amount in controversy is \$10,000 or less, and the district court division for matters of \$25,000 or less (G.S. 7A-243); the superior court division is the proper division for matters exceeding \$25,000 in controversy. 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.

# SUPREME COURT OF NORTH CAROLINA

The Supreme Court of North Carolina is the state's highest court, and parties have no further appeal from its decisions on matters of state law. The court comprises of the Chief Justice and six associate justices, each of whom serves an eight-year term. The Supreme Court has no jury, and it makes no determinations of fact; rather, it considers whether error occurred at trial or in judicial interpretation of the law. The Chief Justice also serves as the head of the Judicial Branch.

Read more in the 2014–15 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).

## FALL TERM 2014



Seated (from left to right):  
*Justice Robert H. Edmunds Jr.*  
*Chief Justice Mark Martin*  
*Justice Paul M. Newby*

Standing (from left to right):  
*Justice Cheri Beasley*  
*Justice Robin E. Hudson*  
*Justice Barbara Jackson*  
*Justice Robert N. Hunter*

*Note: Justice Hunter was appointed effective September 2014 serving until December 2014.*

## SPRING TERM 2015



Seated (from left to right):  
*Justice Robert H. Edmunds Jr.*  
*Chief Justice Mark Martin*  
*Justice Paul M. Newby*

Standing (from left to right):  
*Justice Cheri Beasley*  
*Justice Robin E. Hudson*  
*Justice Barbara Jackson*  
*Justice Sam Ervin IV*

*Note: Justice Sam Ervin IV was elected effective January 2015. The large portrait over the bench is that of Chief Justice Thomas Ruffin, who was born in 1787 and became a member of the Supreme Court in 1829. Ruffin became Chief Justice in 1833 and served in that position until 1852.*

# SUPREME COURT OF NORTH CAROLINA

## Caseload Inventory

Cases filed	Begin pending (7/1/14)	Filed	Disposed	End pending (6/30/15)
<b>PETITIONS FOR REVIEW*</b>				
Civil domestic	7	16	13	10
Juvenile	5	17	18	4
Other civil	62	174	187	49
Criminal (including death sentences)	76	371	364	83
Administrative agency decision	0	1	1	0
<b>Total petitions for review</b>	<b>150</b>	<b>579</b>	<b>583</b>	<b>146</b>
<b>APPEALS**</b>				
<b>Civil domestic</b>	2	1	3	0
Petitions for review granted that became civil domestic appeals	1	1	2	0
<b>Juvenile</b>	0	1	0	1
Petitions for review granted that became juvenile appeals	1	0	1	0
<b>Other civil</b>	12	26	22	16
Petitions for review granted that became other civil appeals	5	14	19	0
<b>Criminal, defendant sentenced to death</b>	1	2	1	2
<b>Other criminal</b>	16	32	28	20
Petitions for review granted that became other criminal appeals	0	20	17	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>38</b>	<b>97</b>	<b>93</b>	<b>42</b>
<b>OTHER PROCEEDINGS</b>				
Rule 16(b) additional issues		3	4	
Motions		695	708	
<b>Total other proceedings</b>		<b>698</b>	<b>712</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 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.

Read more in the 2014–15 Statistical and Operational Report for the Appellate Courts, which is available on [www.NCcourts.org](http://www.NCcourts.org) in the Data and Information section.

### Filings and Dispositions

Cases filed	Number of cases
Cases on appeal	1,478
Petitions	899
Motions	3,527

*The Court of Appeals is North Carolina’s intermediate appellate court. Fifteen judges hear cases in panels of three. The building is located at 1 West Morgan Street in Raleigh.*

### Filings and Dispositions of Appeals and Petitions

Fiscal Year	Filings	Dispositions
2014–15	2,377	2,312
2013–14	2,389	2,435
2012–13	2,564	2,490
2011–12	2,549	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

*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 2014–15. “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 of 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.*



## SUPERIOR COURTS

All felony criminal cases, civil cases involving more than \$25,000, and misdemeanor and infraction appeals from district court are tried in superior court. However, due to an amendment, from August 1, 2013 through June 30, 2015, both the district court and the superior court have jurisdiction over the trial of civil actions in which the amount in controversy is between \$10,000 and \$25,000.

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 is constitutionally designed to 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' superior court 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 2014–15 Statistical and Operational Report for Trial Courts, which is available on [www.NCcourts.org](http://www.NCcourts.org) in the Data and Information section.

### Caseload Inventory

Case type	Filed	Disposed
Civil cases*	17,265	17,956
Estates	70,924	74,221
Special proceedings	45,670	48,638
Criminal–nontraffic	120,835	146,290
Criminal–traffic	8,131	9,114

\*"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	181	2,969	9,186	2,486	1,379	1,750
Estates	—	9	20	7	73,976	209
Special Proceedings**	3	160	14,074	92	32,900	1,409

\*"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	2,644	77,188	1,419	49,259	986	14,794
Criminal–traffic	295	2,188	181	3,313	1	3,136

\*"Other" includes speedy trial dismissals.

## DISTRICT COURTS

District courts hear cases involving civil, criminal, and juvenile matters, as well as appeals from the magistrate. Like superior courts, district courts sit in the county seat of each county. They 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 \$25,000 are heard in district court, along with criminal cases involving misdemeanors and infractions. However, due to an amendment, from August 1, 2013, through June 30, 2015, both the district court and the superior court have jurisdiction over the trial of civil actions in which the amount in controversy is between \$10,000 and \$25,000.

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 2014–15 Statistical and Operational Report for Trial Courts, which is available on [www.NCcourts.org](http://www.NCcourts.org) in the Data and Information section.

### Magistrates

Magistrates are appointed by the senior resident superior court judge from nominations provided by the clerk of superior court and are supervised by chief district court judges.

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 to do so. In civil cases, the magistrate is authorized to try small claims cases (\$10,000 or less), landlord eviction cases, and suits for recovery of personal property and motor vehicle mechanics' liens.

### Caseload Inventory

Case type	Filed	Disposed
Civil	183,938	183,630
Civil magistrate (small claims)	212,533	213,218
Criminal–nontraffic	518,879	590,078
Criminal–traffic	895,718	968,468
Infractions	596,127	633,563

### Manner of Disposition

Case type	Jury trial	Judge trial	Magistrate trial	Voluntary dismissal	Final order / judgment w/o trial	Clerk	Other*
Civil cases	125	59,405	84	27,921	42,612	26,454	27,029
Civil magistrate (small claims)	2	130	143,816	49,326	412	37	19,495

\*"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	18,192	162,821	13,199	264,360	16,034	115,471
Criminal–traffic	10,803	114,457	88,810	502,471	1,111	250,816

\*"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	305,023	328,540

# 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
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	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 that 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 and the bar, and from public, non-attorney members, to fulfill its duties as described in G.S. 7A-409.1

# SIGNIFICANT NCAOC SERVICE AREA HIGHLIGHTS

July 1, 2014–June 30, 2015

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. The NCAOC's approach is to apply its professional expertise consistently and uniformly in the best interests of the court system, which includes an employee base of about 6,000, of whom 548 are independently elected judicial officials. This section highlights the many ways that NCAOC supports the court system and judicial officials and staff statewide.

## COURT PROGRAMS AND MANAGEMENT SERVICES

### Alternative dispute resolution

2,715 family financial cases completed  
3,481 court-ordered arbitration cases completed  
6,418 mediated settlement cases completed

### Child custody mediation

19,227 people attended orientation  
10,124 child custody cases mediated  
11,100 mediation sessions held  
5,486 parenting agreements drafted

### Family courts

45,145 domestic cases filed  
82% of pending domestic cases were less than one year old

### Language Access Services

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

## 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-PD)  
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  
Outlook email application  
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 North Carolina 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

## BUDGET SERVICES

### Court funds management

\$881 million resources and fees managed  
\$468 million appropriations  
\$47 million special funds and grants  
\$256 million pass-through fees  
\$122 million other funds

### Budget management

450 budget alignments  
106 grants budgeted

## FINANCIAL SERVICES

### Accounting functions

\$118.8 million fixed assets management  
86,393 payroll payments completed  
90,755 vendor payments completed  
14,628 employee travel forms processed  
3,135 IRS 1099–MISC forms processed  
3,182 IRS 1099–MISC forms processed  
    for clerks of superior court offices  
331 electronic transfers  
2,422 deposits

## GUARDIAN AD LITEM

### Staff

3 regional administrator positions  
137 field staff positions working in 69 offices  
8 administrative, training, and legal staff positions (1 grant-funded)

### Attorneys

67 paid attorneys  
91 pro bono attorneys  
10 staff attorney advocate positions  
76 conflict attorneys

### Volunteers

4,866 volunteer advocates  
467,136 hours of service  
\$10.78 million saved due to volunteer efforts  
*Volunteers donate on average 8 hours of service monthly. Independent Sector valued volunteer time during 2014 at \$23.07 per hour.*

### Program statistics

62,274 child abuse and neglect hearings  
16,698 abused and neglected children received legal representation  
235 juvenile appellate cases filed

## HUMAN RESOURCES

### Quick facts

22 HR positions, serving an average of 298 Judicial Branch positions  
*Nearly 93% of the total Judicial Branch budget is allocated for salaries and benefits.*

### Judicial Branch FTE positions supported (total 6,548.55)

286 hiring authorities  
291 judges  
5,038.2 court staff  
43.5 commissions and conferences staff  
522.75 Indigent Defense Services  
367.1 NCAOC managers and staff

### Number of personnel transactions

8,692

### Number of position change transactions

4,123

### Number of benefit actions

435 personal adjustments  
19 new short-term disability cases  
220 retirements

### Unemployment insurance claims (total \$400,456)

75 claims paid out  
\$5,339 average cost per claim

### Workplace injuries (total \$598,693)

56 injuries or 0.08% of employee population

### Employee Assistance Program utilization

256 online service users  
48 program referrals  
5 management referrals

### CJRS retirement eligible

26% 1 year

### TSERS retirement eligible

8% 1 year  
13% 3 year  
20% 5 year

### Employee turnover (total 11.2%)

8.9% voluntary (includes retirements)  
2.3% involuntary  
726 total separations (excludes temporaries)

### Employee recognition

1,185 service awards  
220 retirement certificates

### Highest pre-tax benefit participation rates

42% supplemental retirement plans  
62% NCFlex Dental  
56% NCFlex Vision  
94% State Health Plan  
64% NCFlex AD&D Core

### Training provided

2,495 employees completed Unlawful Workplace Harassment  
564 employees completed (collectively) HR Rules and Tools (4 parts)

### Voluntary shared leave

37 recipients  
7,803 total hours received  
210.89 average hours received  
4–240 range of hours received

### 369 donors

8,408 total hours donated  
22.79 average hours donated  
4–400 range of hours donated

### Recruitment

457 job postings  
58,173 total applicants  
127 average applicants per posting  
1,748 web hits per posting  
39,171 applicant notices

## OFFICE OF GENERAL COUNSEL

### Legislative tracking during the 2013–14 legislative session

2,162 bills reviewed for applicability  
623 bills actively monitored, effect of summarized, forms  
and procedures drafted for, or amendments sought for

### Quality assurance (satisfaction scores)

97% education and training  
99% legal advice  
98% procedural advice  
96% legislative tracking

## ORGANIZATIONAL DEVELOPMENT

### Recent projects

Bond forfeiture  
Cash receipting  
CCIS-DA  
Disability access in the courts  
HR rules and tools for supervisors  
Overview of the North Carolina Court System  
Special proceedings confidential  
Understanding Magistrate Continuing Education

### Current / ongoing projects

CCIS-CC  
CCIS-PD Roll-out  
Electronic storage of bookkeeping reports  
Human Resources: First Aid Kit  
Interview skills for estate clerks  
Servicemembers' Civil Relief Act  
Sovereign citizens

### Resources developed

Financial exploitation  
CIPRS user guide  
VCAP user guide (How to search civil court records)

### LMS usage (July 1, 2014 – June 30, 2015)

Of the 12,056 training objects completed in the LearningCenter:  
3,252 employees receiving credit for completing  
instructor-led training sessions  
8,217 online learning objects completed by employees  
519 instructor-led training sessions were scheduled

## PURCHASING

### Quick facts

~1,592 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  
~480 deliveries for supplies and equipment made statewide monthly  
~3,500 estimated number of boxes delivered per month  
(for a total weight exceeding 125,000 pounds)  
~30,000 pounds of material from Judicial Branch offices statewide  
shredded monthly by NCAOC Warehouse personnel  
~1,258,157 impressions generated monthly by NCAOC Print Shop  
for stationery, training material, and other printing requests

## RESEARCH AND PLANNING

### Contracts

15 counties and municipalities  
84 FTEs  
~\$5.3 million

## Grants

65 federal and local entities  
70.375 FTEs  
~\$8.6 million

## TECHNOLOGY SERVICES

### Criminal

1.08 million transactions daily  
42.4 million criminal cases  
4.6 million infraction cases

### Civil

460,546 daily transactions  
19.7 million civil cases

### Discovery Automation System (DAS)

212,741 case folders  
1.1 million documents stored  
201 million estimated number of pages stored

### eCITATION

3,491 citations created daily  
20,066 law enforcement officer users  
431 law enforcement agencies implemented

### Email

31 million emails securely delivered  
106 million inbound spam messages blocked

### NCAWARE

11.1 million processes (both served and unserved)  
44,015 court and law enforcement users  
840,045 processes available to be served  
1,903 processes served daily

### payNcticket®

630,750 citations disposed  
\$140+ million collected  
\$88,824 average collected daily  
*Note: Monies collected are disbursed to state and local government agencies as directed by the North Carolina General Assembly.*

### Credit card payments in courthouses

200,577 payments processed  
\$34+ million collected

### Help Desk

70,972 call tickets processed  
38,277 passwords reset via self-service

### Security

35,880 system / application security requests processed

### Court calendars

194,831 hits daily on web calendars



PREPARED BY



NORTH CAROLINA  
ADMINISTRATIVE OFFICE  
*of the Courts*

901 CORPORATE CENTER DRIVE  
RALEIGH, NC 27607

919 890-1000

[WWW.NCCOURTS.ORG](http://WWW.NCCOURTS.ORG)



*justice for all*