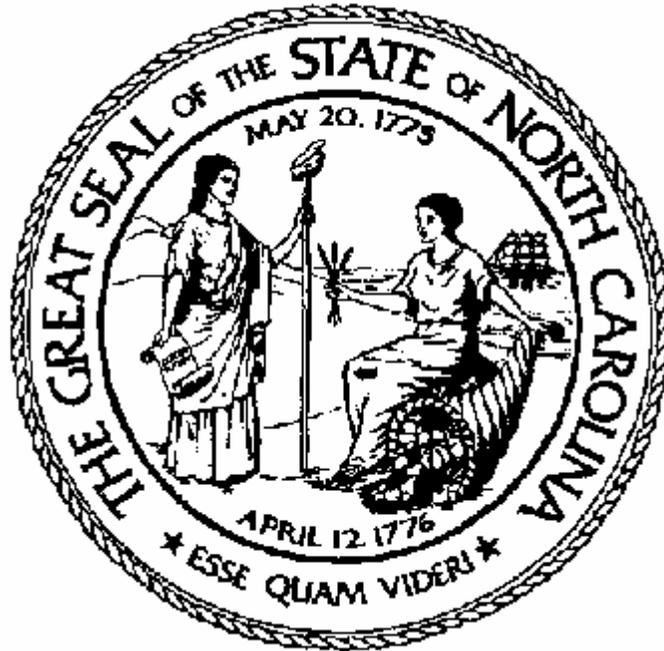


North Carolina Courts

FY 2004-05



*Statistical and Operational Summary
of the Judicial Branch of Government*

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PART I

THE PRESENT COURT SYSTEM

NORTH CAROLINA JUDICIAL BRANCH FACT SHEET
Fiscal Year July 1, 2004 – June 30, 2005

Population and Area Served:	8,541,263	Population (approximate)	
	100	Counties	
Court Organization:	47	Superior Court Districts for Administrative Purposes	
	65	Superior Court Districts for Elective Purposes	
	39	District Court Districts for Administrative Purposes	
	40	District Court Districts for Elective Purposes	
	39	Prosecutorial Districts	
	13	Public Defender Districts	
Numbers of Justices and Judges:*	7.00	Supreme Court Justices	
	15.00	Court of Appeals Judges	
	109.00	Superior Court Judges	
	239.00	District Court Judges	
Numbers of Other Authorized Personnel:			
39.00	District Attorneys	12.00	Trial Court Administrators
463.00	Assistant District Attorneys	120.50	Guardian ad Litem Personnel
100.00	Clerks of Superior Court	288.00	Administrative Office of the Courts
2,306.75	Clerk Personnel	981.475	Court Support Staff
718.00	Magistrates	20.50	Other**

Total Judicial Branch Personnel: 5,419.225***

*Beginning with the FY 2004-05 printing of this report, Judicial Branch personnel are counted as full-time equivalents (FTEs) rather than positions. FTEs measure the percentage of time that an employee works.

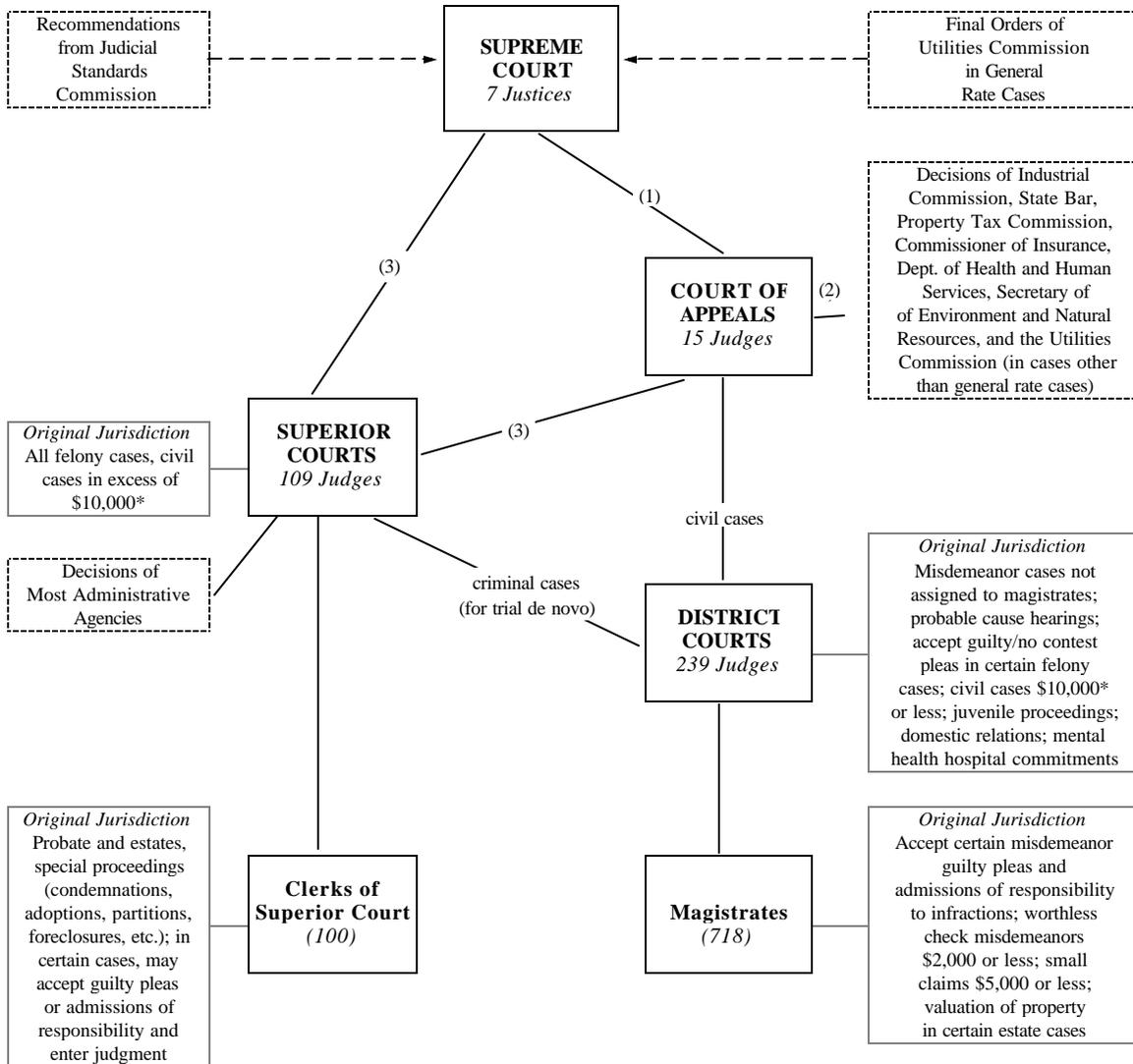
**Judicial Standards Commission, District Attorney's Conference, Dispute Resolution Commission and Sentencing Commission

***The total personnel figures include grant-funded FTEs, but not Indigent Defense Services or public defender FTEs.

BUDGET	
Total Judicial Branch Authorized Appropriations, 2004-05:	\$333,885,323
Percent Increase from 2003-04:	7.99%
Total Judicial Branch Authorized Appropriations (not including indigent defense) as a Percent of Total State General Fund Appropriations:	2.10%

CASES FILED AND DISPOSED, FISCAL YEAR 2004-05				
Court	Filed	% Change From 2003-04	Disposed	% Change From 2003-04
Supreme Court:				
Appeals	234	28.6%	239	24.5%
Petitions	547	-19.3%	574	-13.6%
Court of Appeals:				
Appeals	1,707	-2.9%	1,719	1.0%
Petitions	1,012	10.5%	1,012	17.7%
Superior Court*:	343,065	2.6%	327,667	1.8%
District Court**:	2,840,367	1.3%	2,770,951	3.1%
*Includes Felonies, Misdemeanors, Civil, Estates, and Special Proceedings.				
**Includes Criminal Non-Motor Vehicle, Criminal Motor Vehicle, Infractions, Small Claims, Domestic Relations, General Civil and Magistrate Appeals/Transfers, and Civil License Revocations (counted only at filing).				

ORIGINAL JURISDICTION AND ROUTES OF APPEAL
(As of June 30, 2005)



- (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.
- (2) Appeals from these agencies lie directly to the Court of Appeals.
- (3) As a matter of right, appeals go directly to the Supreme Court in first degree murder cases in which the defendant has been sentenced to death, and in Utilities Commission general rate 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.

*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).

THE PRESENT COURT SYSTEM

This section describes the present court system in North Carolina by providing a general summary of the organization and functions of the offices composing the Judicial Branch. Fiscal, personnel, caseload, and program data are set forth in other sections of this report.

Court Structure

The North Carolina Constitution establishes the General Court of Justice, which “shall constitute a unified judicial system for purposes of jurisdiction, operation, and administration, and shall consist of an Appellate Division, a Superior Court Division, and a District Court Division.” (Article IV, Sec. 2.) The Constitution also states that the “General Assembly shall have no power to deprive the judicial department of any power or jurisdiction that rightfully pertains to it as a co-ordinate department of the government, nor shall it establish or authorize any courts other than as permitted by this Article.” (Article IV, Sec. 1.)

The Appellate Division consists of the Supreme Court and the Court of Appeals. The Superior Court Division is composed of the superior courts, which are the general jurisdiction trial courts for the state. The District Court Division comprises the district courts, which are the trial courts with original jurisdiction of the overwhelming majority of the cases handled by the state’s court system. The structure of the present court system is shown in the preceding “Original Jurisdiction and Routes of Appeal” chart.

The Supreme Court

At the apex of the North Carolina court system is the seven-member Supreme Court, which sits in Raleigh to consider and decide questions of law presented in civil and criminal cases on appeal. The voters of the state elect the chief justice and six associate justices to eight-year terms, in non-partisan elections. The Court sits only *en banc*, that is, all members sitting on each case.

The Supreme Court has general power to supervise and control the proceedings of the other courts of the General Court of Justice. The Supreme Court has the authority to prescribe the rules of practice and procedure for the trial court divisions. The Supreme Court also promulgates the yearly schedule of superior court sessions in the 100 counties, and appoints the clerk of the Supreme Court, the librarian of the Supreme Court Library, and the appellate division reporter.

The chief justice of the Supreme Court has certain other administrative responsibilities, which include appointing the director and the assistant director of the Administrative Office of the Courts, designating a chief judge from among the judges of the Court of Appeals and a chief district court judge from among the district court judges in each of the state’s district court districts, assigning superior court judges to the scheduled sessions of superior court in the 100 counties, transferring district court judges to other districts for temporary or specialized duty, appointing certain members of the Judicial Council, Judicial Standards Commission and the Courts Commission, and appointing the chief administrative law judge of the Office of Administrative Hearings.

The only original case jurisdiction exercised by the Supreme Court is in the censure and removal of judges upon the non-binding recommendations of the Judicial Standards Commission. The Court’s appellate jurisdiction includes cases on appeal by right from the Court of Appeals (cases involving substantial constitutional questions or dissent in the Court of Appeals), cases on appeal by right from the Utilities Commission (cases involving final orders or decisions in general rate matters), criminal cases on appeal by right from the superior courts (first degree murder cases in which the defendant has been sentenced to death), and cases in which review has been granted in the Supreme Court’s discretion.

In its discretion, the Court may review Court of Appeals decisions in cases of significant public interest or cases involving legal principles of major significance. The Court, in its discretion, may also review cases 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. A petitioner can seek such discretionary review through a petition for discretionary review or a petition for writ of certiorari, or the Supreme Court can certify the case for review on its own initiative. Other requests for review by the court include petitions for writ of supersedeas, mandamus, or prohibition, and petitions for habeas corpus, as well as various motions, including motions for appropriate relief.

The Court of Appeals

The fifteen-judge Court of Appeals is North Carolina’s intermediate appellate court. It hears a majority

of the appeals originating from the state's trial courts. The Court regularly sits in Raleigh, although it may sit in other locations in the state as authorized by the Supreme Court. Sessions outside of Raleigh have not been regular or frequent. Judges of the Court of Appeals are elected by popular statewide vote for eight-year terms, in non-partisan elections. A chief judge for the Court is designated by the chief justice of the Supreme Court and serves in that capacity at the pleasure of the chief justice.

Panels of three judges hear cases, with the chief judge responsible for assigning members of the Court to the five panels. Insofar as practicable, each judge is to be assigned to sit a substantially equal number of times with each other judge. The chief judge presides over the panel of which he or she is a member and designates a presiding judge for the other panels.

One member of the Court of Appeals, designated by the chief justice of the Supreme Court, serves as the chair of the Judicial Standards Commission. In the event of a recommendation from the Commission to censure or remove from office a justice of the Supreme Court, a seven-member panel of Court of Appeals judges would have sole jurisdiction to consider and act upon the recommendation.

The bulk of the caseload of the Court of Appeals consists of cases appealed from the trial courts. The Court also hears appeals directly from the Industrial Commission, along with appeals from final orders or decisions of certain administrative agencies, as shown on the preceding jurisdiction chart. Appeals from the decisions of other administrative agencies lie first within the jurisdiction of the superior courts.

The Superior Courts

The superior courts are the state's general jurisdiction trial courts, with jurisdiction over the most serious crimes (felonies) and civil cases with substantial amounts in controversy.

The superior courts hold sessions in the county seats of North Carolina's 100 counties. For electoral purposes, the counties are grouped into 65 superior court districts, which are collapsed into 47 districts for administrative purposes. One or more superior court judges are elected by district for eight-year terms in each of the superior court electoral districts, in non-partisan elections. (Note: The 2005 General Assembly divided two superior court districts, Districts 20 into Districts 20A and 20B; and District 29 into 29A and 29B effective December 1, 2005, or for District 20, approval under the U.S. Voting Rights Act, if that approval is later.)

In FY 2004-05, there were 95.00 resident superior court judges. In addition, 14.00 special superior court judges have been authorized by the legislature and appointed by the Governor. Each administrative district has one senior resident superior court judge who has certain administrative responsibilities (such as providing for civil case calendaring procedures) for his or her home district. In districts with more than one resident judge, the judge senior in service on the superior court bench exercises these supervisory powers.

The superior court districts are grouped into eight divisions for the rotation of superior court judges, as shown on the following superior court district map. Within the division, resident superior court judges rotate among the districts and normally hold court for at least six months in each, then move on to their next assignment. The special superior court judges may be assigned to hold court in any county. Assignments of all superior court judges are made by the chief justice of the Supreme Court. Under the North Carolina Constitution, at least two sessions of superior court must be held annually in each county. The vast majority of counties have more than the constitutional minimum. Many larger counties have superior court sessions about every week in the year.

The superior court has original jurisdiction in all felony cases and in those misdemeanor cases specified in G.S. 7A-271. Most misdemeanors are tried first in the district court, from which conviction may be appealed to the superior court for trial *de novo* by a jury. The superior court is the "proper" court for the trial of civil cases where the amount in controversy exceeds \$10,000, and it has jurisdiction over appeals from most administrative agencies, as indicated on the preceding jurisdiction chart. Regardless of the amount in controversy, the original civil jurisdiction of the superior court does not include domestic relations cases, which are heard in the district court, or probate and estates matters and certain special proceedings heard first by the clerk of superior court. Rulings of the clerk are within the appellate jurisdiction of the superior court.

The District Courts

The district courts, the state's limited jurisdiction trial court level, dispose of the vast majority of the cases filed in the courts.

Under the North Carolina Constitution, the General Assembly is required to divide the state into a "convenient" number of local court districts and prescribe where the district courts shall sit, but district court must sit in at least one place in each county. As

shown on the following map, there were 39 district court districts for administrative purposes during FY 2004-05, with each district composed of one or more counties. There are 40 district court districts for electoral purposes, with District 9 being split into electoral Districts 9 and 9B. One or more district court judges are elected to four-year terms by the voters of each of the district court districts, in non-partisan elections. During FY 2004-05, there were 239.00 district court judges. (Note: The 2005 General Assembly divided district court District 20 into 20A and 20B; the new District Court 20B into 20B and 20C for electoral purposes; and District 29 into 29A and 29B effective December 1, 2005, or for District 20, approval under the U.S. Voting Rights Act, if that approval is later.)

The chief justice of the Supreme Court appoints a chief district court judge from among the elected judges in each district court district. Subject to the chief justice's general supervision, each chief judge exercises administrative supervision and authority over the operation of the district courts and magistrates in the district. Each chief judge is responsible for scheduling sessions of district court and assigning judges, supervising the calendaring of non-criminal cases, assigning matters to magistrates, making arrangements for jury trials in civil cases, and supervising the discharge of clerical functions in the district courts. The chief district court judges meet in conference at least once a year upon the call of the chief justice of the Supreme Court. Among other matters, this annual conference adopts a uniform schedule of offenses that can be waived and fines for their violation, for use by magistrates and clerks of court.

The jurisdiction of the district court is extensive. It includes preliminary "probable cause" hearings in felony cases, and virtually all misdemeanor and infraction cases. (Infractions are non-criminal violations of law that are not punishable by imprisonment, a category of case created effective September 1, 1986, when the General Assembly decriminalized many minor traffic offenses.) The district court also has jurisdiction to accept guilty pleas in certain felony cases, and the court's jurisdiction extends to all juvenile proceedings, mental health hospital commitments, and domestic relations cases. In addition, the district courts share concurrent jurisdiction with the superior courts in general civil cases, but are the "proper" courts for general civil cases where the amount in controversy is \$10,000 or less.

Most trials in criminal and infraction cases in district court are by district court judges; no trial by jury is available for such cases. Appeals are to the superior court for trial *de novo* before a jury. District court

judges also hold felony probable cause hearings. Civil cases in district court may be tried before a jury; appeals are to the North Carolina Court of Appeals.

Magistrates

The North Carolina Constitution (Article IV, Sec. 10) provides that one or more magistrates "who shall be officers of the District Court" shall be appointed in each county. Magistrates are nominated by the clerk of superior court, appointed by the senior resident superior court judge, and supervised by the chief district court judge of their district. A total of 718.00 magistrates (20 part-time) were authorized as of June 30, 2005. Magistrate terms are specified in the N.C. Constitution (Article IV, Sec. 10). In 2004, the voters approved an amendment making the initial term two years and subsequent terms four years (previously, all terms were two years).

Magistrates have substantial authorities in certain misdemeanor and infraction cases, including the power to hear and enter judgments in certain worthless check cases and to accept written appearances, waivers of trial or hearing, and pleas of guilty or admissions of responsibility, and enter judgments in certain misdemeanor and infraction cases, in accordance with a uniform schedule adopted by the Conference of Chief District Court Judges. They also may conduct initial appearances, grant bail before trial in non-capital cases, and issue arrest and search warrants. Decisions of magistrates in criminal cases may be appealed to the district court judge.

In the civil area, if the amount in controversy is \$5,000 or less and the plaintiff in the case so requests, a civil case may be designated a "small claims" case and assigned to a magistrate for hearing. Magistrates' decisions may be appealed to the district court.

The District Attorneys

The district attorney represents the state in all criminal actions brought in the superior and district courts in the district, as well as in juvenile cases in which the juvenile is represented by an attorney, and is responsible for ensuring that infraction cases are prosecuted efficiently. In addition to prosecutorial functions, the district attorney is responsible for calendaring criminal cases for trial.

During FY 2004-05, the state was divided into 39 prosecutorial districts, as shown on the following prosecutorial district map. The boundaries of the prosecutorial districts correspond to those of the 39 district court administrative districts. A district attorney is elected by the voters in each district for a four-

year term. (Note: The 2005 General Assembly divided two prosecutorial districts, District 20 into 20A and 20B; and District 29 into 29A and 29B effective January 1, 2007, or for District 20, approval under the U.S. Voting Rights Act, if that approval is later.)

G.S. 7A-60 specifies the number of assistant district attorneys that each district attorney may employ on a full-time basis (totaling 453.00 as of June 30, 2005; 10.00 additional assistants were employed in time-limited or grant-funded positions). Each district attorney is authorized to employ an administrative assistant to aid in preparing cases for trial and to expedite the criminal court docket. The General Assembly has also authorized the district attorney in certain districts to employ an investigative assistant who aids in the investigation of cases prior to trial. All district attorneys employ at least one assistant for administrative and victim and witness services.

The Clerks of Superior Court

A clerk of superior court is elected for a four-year term by the voters in each of North Carolina's 100 counties. Clerks of superior court are *ex officio* judges of probate. Their original jurisdiction includes the probate of wills and administration of decedents' estates. It also includes such "special proceedings" as adoptions, condemnations of private property under the public's right of eminent domain, proceedings to establish boundaries, foreclosures, and certain proceedings to administer the estates of minors and incompetent adults. The right of appeal from the clerks' judgments in such cases lies to the superior court.

In proceedings before them, the clerks have authority to issue subpoenas and other process, including orders to show cause, and otherwise exercise control of such proceedings, including through certain contempt powers. Clerks administer oaths, take acknowledgments and proofs of execution of instruments or writings, issue arrest warrants and search warrants, and may conduct initial appearances and fix conditions of release in non-capital cases.

Clerks of superior court are also empowered to issue subpoenas and other process necessary to execute the judgments entered in the superior and district courts of the county. For certain misdemeanor offenses and infractions, clerks are authorized to accept defendants' waivers of appearance and pleas of guilty or admissions of responsibility and to impose penalties or fines in accordance with a uniform schedule adopted by the Conference of Chief District Court Judges.

Clerks perform administrative duties for both the superior and district courts of the county. Among these duties are the maintenance of court records and indexes, including the records of all case filings and dispositions, as well as the control and accounting of funds, and the furnishing of information to the Administrative Office of the Courts. For counties other than those in districts served by trial court administrators, the clerk is responsible for day-to-day civil calendar preparation. In many counties, the clerk's staff assists the district attorney in preparing criminal case calendars as well.

Judicial Support Personnel

Personnel are provided to support the judges who preside over district and superior court. Judicial assistants perform a variety of administrative and secretarial functions, including preparing documents and tracking the status of cases. Trial court coordinators perform a variety of administrative and case management functions, as well as assisting with legal research and the development of case management procedures.

In 1979, following favorable results in a grant-funded pilot project, the General Assembly established state-funded trial court administrator positions to help court officials manage their trial court procedures. Trial court administrators are responsible for carrying out the policies of the senior resident superior court judge and the chief district court judge. They also provide general management for the operations of the courts in their districts.

The general duties of trial court administrators, set forth in G.S. 7A-356, include assisting in managing civil dockets, improving jury utilization, establishing and managing local rules, supervising coordination of alternative dispute resolution procedures, and serving as technical resources to other court officials, such as the clerk of superior court, the district attorney, and the public defender. They may also serve as the court's liaison with other governmental and private organizations, the press, and the public.

These administrators assist in managing the day-to-day operations of the trial courts. During FY 2004-05, twelve trial court administrators served the following fourteen superior court districts: 3B, 4A & 4B, 5, 7A & 7B, 10, 12, 14, 21, 26, 27A, 28, and 29. Trial court administrators are jointly hired by the senior resident superior court judge and the chief district court judge, and they work for both the superior court and district court divisions.

The Administrative Office of the Courts

As part of the unified judicial system, the North Carolina Constitution (Article IV, Section 15) provides for “an administrative office of the courts to carry out the provisions of this Article.” The General Assembly has established the Administrative Office of the Courts (AOC) as the business and administrative arm of the Judicial Branch.

The director of the AOC is appointed by and serves at the pleasure of the chief justice of the North Carolina Supreme Court. The director has the duty to carry out the many functions and responsibilities assigned by statute or the chief justice to the director or to the AOC.

The assistant director of the AOC is also appointed by the chief justice, and serves as the administrative assistant to the chief justice. The duties of the assistant director include assisting the chief justice with assignment of superior court judges, assisting the Supreme Court in preparing calendars of superior court sessions, and performing other duties as assigned by the chief justice or the director of the AOC.

The basic responsibility of the AOC is to maintain an efficient and effective court system by providing administrative support statewide for the courts and for court-related offices. Among the AOC’s specific duties are to establish fiscal policies for and prepare and administer the budget of the Judicial Branch; prescribe uniform administrative and business methods, forms, and records to be used by the clerks of superior court statewide; procure and distribute equipment, books, forms, and supplies for the court system; collect, compile, and publish statistical data and other information on the judicial and financial operations of the courts and related offices; determine the state of the dockets, evaluate the practices and procedures of the courts, and make recommendations for improvement of the operations of the court system; investigate, make recommendations concerning, and provide assistance to county authorities regarding the securing of adequate physical facilities for the courts; administer the payroll and other personnel-related needs of all Judicial Branch employees; administer various court-based programs; arrange for the printing and distribution of the published opinions of the Supreme Court and Court of Appeals; and perform numerous other duties and responsibilities, including production of the Annual Report.

As of June 30, 2005, the AOC consisted of several areas. The Human Resources Division administers the personnel-related needs of the Judicial Branch. The Legal Services Division includes legal staff. The Research and Planning Division provides statistical

information, analysis, research, project evaluation, planning and related support for the court system. The Court Services and Court Programs Divisions provide training and forms, case management services, arbitration, custody and visitation mediation, drug treatment court, interpreter services as well as court support services. The Technology Services Division includes applications development and support, operations support, technology support services, and planning and decision support. The Financial Services Division manages fiscal operations, budget development, and field accounting and support. The Purchasing Services Division includes printing and purchasing services, and warehouse and mail services. AOC also includes the Office of the Director, the Office of the Assistant AOC Director, the Office of the Senior Deputy Director, Special Projects and Grants, and Guardian ad Litem.

The State Judicial Council

The eighteen-member State Judicial Council consists of court officials from every court function, private attorneys, and the public. Conceived as an oversight body to promote overall improvement in Judicial Branch operations, the Council may study and make recommendations to the chief justice about all aspects of our court system. The State Judicial Council studies the operations of the judicial system and may make recommendations including, but not limited to, budget preparation and funding priorities, judicial officials’ benefits and compensation, the organization of the court system, and the creation of judgeships. In addition, the Council studies and makes recommendations on the development of court performance standards and assesses the effectiveness of Judicial Branch service to the public. The Council also monitors the administration of justice and makes recommendations for case management and alternative dispute resolution.

Representation of Indigent Persons

The state provides legal counsel for indigent persons in a variety of actions and proceedings, as specified in G.S. 7A-450 *et seq.* These include, among others, any case in which imprisonment, a suspended sentence, or a fine of \$500 or more is likely to be adjudged; juvenile proceedings that may result in confinement, transfer to superior court for trial on a felony charge, or termination of parental rights; proceedings alleging mental illness or incapacity that may result in hospitalization or sterilization; extradition proceedings; certain probation or parole

revocation hearings; and certain requests for post-conviction relief from a criminal judgment.

Juveniles alleged to be within the jurisdiction of the court for allegations of delinquency or for other matters have the right to be represented by counsel in all proceedings, and are conclusively presumed to be indigent and thus entitled to state-appointed counsel. In delinquency matters, juveniles are represented by public defenders, where present, or by private counsel. Where a juvenile petition alleges that a juvenile is abused, neglected, or dependent, an indigent parent has a right to appointed counsel (G.S. 7B-602).

Commission on Indigent Defense Services

This thirteen-member Commission was created by the Indigent Defense Services Act of 2000. The Commission and its staff, the Office of Indigent Defense Services, are located within the Judicial Branch but exercise their prescribed powers independently from the AOC. The Commission and the director of the Office of Indigent Defense Services are responsible for establishing, supervising, and maintaining a system for providing legal representation and related services in all cases where indigent persons are entitled to representation at state expense.

Public Defenders

In FY 2004-05, 21 counties were served by 13 public defender offices, in Defender Districts 1, 3A, 3B (Carteret County only), 12, 14, 15B, 16A, 16B, 18, 21, 26, 27A, and 28. (Effective July 1, 2005, the General Assembly established an additional public defender district, District 10, Wake County, the district with the highest case volume that previously did not have a public defender.) Public defenders are appointed by the senior resident superior court judge, and their terms are four years. By statute, public defenders are entitled to the numbers of assistants and investigators authorized by the Commission on Indigent Defense Services.

In public defender districts, most representation of indigents is handled by the public defender's office. However, in certain circumstances, such as a potential conflict of interest or when the proper administration of justice requires it, the court or the public defender may assign private counsel to represent an indigent person.

Private Counsel

In areas of the state that are not served by a public defender office, representation of indigent persons is provided almost entirely by assignment of private counsel. Private counsel is assigned by the court, the Office of Indigent Defense Services, and in certain

circumstances, the public defender. Compensation of private counsel is fixed in accordance with rules adopted by the Commission on Indigent Defense Services. The Commission on Indigent Defense Services has promulgated rules relating to the qualifications and appointment of counsel in capital cases and non-capital appeals.

Appellate Defender

Pursuant to rules adopted by the Commission on Indigent Defense Services, the appellate defender assigns counsel to represent indigent criminal defendants, juveniles, and parent-respondents who have a right to appeal adverse judgments entered in the Trial Division to the Supreme Court of North Carolina and to the North Carolina Court of Appeals. The appellate defender is appointed by the Commission. Assistant appellate defenders represent as many of these clients as possible, and generally are appointed in potentially complex cases. Clients not represented by the Office of the Appellate Defender are assigned to qualified private counsel. The Office provides consulting services to appointed appellate counsel and, in conjunction with the School of Government, conducts continuing legal education in appellate practice. During FY 2004-05, the Office of the Appellate Defender accepted appointment to represent clients in 142 appeals or petitions for writ of certiorari, and filed 143 briefs in the Appellate Division.

Capital Defender

Pursuant to rules adopted by the Commission on Indigent Defense Services, the capital defender assigns counsel to represent indigent defendants charged with potentially capital offenses, and reviews ex parte requests for expert funding in those cases. The capital defender is appointed by the Commission.

The capital defender supervises a number of regional assistant capital defenders based in Beaufort, Durham, Forsyth, and New Hanover counties. Assistant capital defenders are assigned to represent defendants charged with capital offenses whenever possible. Clients not represented by the Office of the Capital Defender are assigned to qualified private counsel or public defenders. The Office also provides consulting services and other support for private attorneys representing capital defendants.

Juvenile Defender

Based on a recommendation from the Commission on Indigent Defense Services, the General Assembly authorized the creation of a new statewide juvenile defender position in 2004. The Commission ap-

pointed the first juvenile defender in November 2004. The juvenile defender's primary responsibilities are to serve as a central resource and contact person for individual juvenile defenders and juvenile associations statewide; field questions from practitioners and perform case consultations as needed; develop ways to connect and support juvenile defense attorneys across the State; evaluate the existing systems and practices, and the current quality of representation, in various areas of the State; identify training needs and work with the UNC School of Government and other groups to formulate a long-term training plan; and develop and maintain a clearinghouse of materials on North Carolina juvenile law and practice. The juvenile defender will also undertake a number of long-term responsibilities, such as developing uniform qualification standards, specialized performance guidelines, and caseload standards for juvenile defense attorneys.

Special Counsel

The state provides attorneys and supporting staff at each of the state's four mental health hospitals, for the representation of indigent patients in commitment or recommitment hearings before a district court judge. Each patient admitted to a mental health hospital pursuant to the civil commitment procedures of Chapter 122C of the General Statutes is entitled to a judicial hearing soon after the initial admission, as well as periodic hearings to review the patient's commitment status. The Commission on Indigent Defense Services appoints attorneys to serve as special counsel.

Sentencing Services

The Community Penalties Act of 1983 created the Community Penalties Program to reduce prison overcrowding by providing judges with community sentencing options to be used in lieu of and at less cost than imprisonment. Effective July 1, 1991, the General Assembly transferred the Community Penalties Program from the Department of Crime Control and Public Safety to the AOC. In 1999 and 2000, the General Assembly made revisions in the Program's purpose and changed its operational name to the Sentencing Services Program. The 2002 Appropriations Act reduced the program's overall budget and transferred the Program to the Office of Indigent Defense Services. A mix of grant-funded and state-operated programs continue to operate in all 100 counties under the direction of the Office of Indigent Defense Services.

Interpreting Services

The AOC's Interpreter Services Program facilitates access to the courts for non-English-speaking (NES) persons, with a particular emphasis on North Carolina's sizeable Hispanic/Latino population. In past years, each judicial district fashioned its own response to these access issues based on its particular level of need. As the number of NES persons interacting with the court system grew significantly during the 1990s, however, persons from both within and outside the Judicial Branch called on the AOC to develop a uniform, statewide response to these issues. With grant funds from the North Carolina State Bar, the Z. Smith Reynolds Foundation and Governor's Crime Commission, the AOC developed and implemented approaches to enhance access to the courts for NES persons. Activities and accomplishments include, but are not limited, to training and testing of court interpreters, preparation of guidelines on interpreter use and performance, translation of court system forms and brochures, and appointment of a Foreign Language Advisory Committee.

In order to become a North Carolina state certified court interpreter, applicants must submit all forms and fees prescribed by AOC, complete a two-day seminar on ethics and the role of a professional interpreter with an introduction to courtroom interpretation and skills, take a written English and a Spanish screening test and any extra skills training required by AOC prior to the exam, score a passage rate of 70% on all three sections of the oral Spanish court interpreter examination, obtain a positive criminal history background check and demonstrate good character and fitness, submit four letters of recommendation, and sign an agreement in writing to abide by the AOC guidelines for interpreters and translators, including the Code of Ethical Conduct for Court Interpreters. The average passage rate for the court interpreter examination in North Carolina since 2000 is 22%. This passage rate may appear low, but the overall passage rate nationwide for the exam since 1995 is 20.8%, and rigorous standards are justified.

Court-Ordered Arbitration

In 1989, following successful experience in a pilot program, the General Assembly authorized court-ordered, non-binding arbitration statewide. As of June 30, 2005, arbitration programs were operating in 72 counties.

In these counties, all civil cases involving claims for money damages of \$15,000 or less are subject to court-ordered, nonbinding arbitration in accordance

with the Supreme Court's "Rules for Court-Ordered Arbitration in North Carolina," pursuant to G.S. 7A-37.1. The Rules specifically exclude from arbitration certain property disputes, family law matters, estates, special proceedings, collections on an account, and class actions. Parties may, however, voluntarily submit many civil disputes to arbitration, with court approval.

By rule, the arbitration hearing is conducted within 60 days of the filing of the last responsive pleading. Parties may stipulate to an arbitrator; otherwise, the court appoints an arbitrator from its list of trained attorneys who have been approved to serve as arbitrators. An arbitrator is paid a fee by the court for each arbitration hearing.

As a rule, arbitration hearings are limited to one hour, and take place in the courthouse. The hearings are conducted in a serious but relaxed atmosphere, with the rules of evidence serving only as a guide. Once the hearing is concluded, the arbitrator renders an award, which is filed with the court. A party dissatisfied with the award may proceed to a trial *de novo* by filing a written request with the court; otherwise, the court enters judgment on the award.

Family Court

Legislation in 1998 authorized the AOC to experiment with the concept of unified family courts. Implementation began in 1999 with Districts 14 (Durham County), 20 (Union, Stanly, Richmond and Anson Counties), and 26 (Mecklenburg County). In 2000, the program was expanded to Districts 5 (New Hanover and Pender Counties), 6A (Halifax County), and 12 (Cumberland County). In 2001, the program was further expanded to Districts 8 (Wayne, Lenoir and Green Counties) and 25 (Catawba, Caldwell and Burke Counties). The ninth family court program, District 28 (Buncombe County), was funded to begin implementation in January 2004. The most recent expansion is for District 10 (Wake County) with implementation funding received in the late summer of 2004.

Family courts coordinate all case management and service agency efforts for a single family in distress to better serve that family and provide more consistent, efficient use of trial court time. One judge hears all matters affecting a family, either with the breakup of a marriage or the filing of a juvenile action. In an effort to improve outcomes for a family, non-trial means of resolving the case, such as mediation, are used to settle these disputes before resorting to an adversarial trial. In addition to providing information about local community services, family courts may offer, or part-

ner with community agencies to offer, a wide variety of ancillary programs and services, such as truancy diversion court, permanency mediation, access and visitation, and parent education for divorcing families.

Pending case age data for FY 2004-05 suggests the overall effectiveness of family courts. As of June 30, 2005, the median age of pending domestic relations cases (excluding child support cases) was 112 days in family court districts and 428 days in non-family court districts. In addition, during FY 2004-05, the percentage of cases pending over one year was 23.2% in family court districts and 53.4% in non-family court districts.

Child Custody and Visitation Mediation

In 1983, the North Carolina General Assembly established and funded a child custody and visitation mediation pilot program in Judicial District 26 (Mecklenburg County). That action allowed North Carolina to join a national trend toward providing alternatives to the traditional adversarial system of dispute resolution. Alternatives were considered particularly desirable in custody litigation, where traditional litigation tends to increase stress in children and their parents, slows a post-separation reorganization of the family, and often leads to re-litigation. Statewide expansion of the program is planned subject to available funding. As of June 2005, custody mediation services are provided in 30 of 39 judicial districts.

When parents separate, tremendous changes occur within the family. Many issues such as custody, visitation, child support, alimony, and division of property must be resolved. At times, the parents who are in conflict over these matters seek to have the court resolve their disputes.

Mediation is an alternate method of resolving the dispute. As part of the mediation process, a professionally trained neutral third party assists parents in developing an agreement that provides for the care of their children during and after separation. The goal of the process is to provide the litigants a forum to discuss parenting issues that involve both parents in the continuing care of their children. The agreement focuses on the children's needs as well as on the rights and responsibilities of both parents. The mediator will provide a process by which parents may discuss how the children will be cared for by each parent in the future.

In counties in which a mediation program operates, in most cases where there is a pending motion or action for child custody or visitation, the petitioners are required to participate in mediation before participating in a traditional hearing or trial. Under G.S. 50-

13.1 and G.S. 7A-494, this program provides a forum where parents can step back from their own conflict, focus on the best interests of their children, and structure the parameters for their newly defined family by developing mediated parenting agreements.

Drug Treatment Court

Drug Treatment Court (DTC) uses a team of court and community professionals to help ensure that North Carolina's alcohol and/or drug addicted offenders receive the intensive treatment they need to become healthy, law-abiding and productive family and community members. Adult DTC works with non-violent, repeat offenders who are facing jail or prison time. Family DTC works with parents and guardians who are in danger of termination of parental rights due to abuse or neglect charges. Juvenile DTC works with non-violent, juvenile offenders whose drug and/or alcohol use is negatively impacting their lives at home, in school, and in their community.

The program typically lasts a minimum of one year. Participants appear before a specially trained judge on a bi-weekly basis. The judge closely monitors the participant's progress and may order sanctions and/or rewards as appropriate to promote success. There are adult drug courts in fourteen districts (Districts 3B, 5, 9A, 10, 12, 14, 15B, 18, 19B, 21, 24, 25, 26, and 28), juvenile drug courts in five districts (Districts 10, 14, 19C, 21, and 26), and family dependency drug treatment courts in seven districts (Districts 6A, 8, 12, 14, 15B, 26 and 28).

Court Improvement Program

The Court Improvement Program (CIP) was established by grant as part of a federal initiative to support family preservation, prevention of child abuse, and services to families at risk. The grant, initially authorized by the Omnibus Budget Reconciliation Act of 1993, is to assess and improve court processes related to foster care and adoption.

The AOC has received federal funding for the program since 1995. These funds are distributed to districts for training and information programs for juvenile court and management assistance in developing and implementing court improvements, including working with judges to bring together juvenile court staff and others to improve court procedures and implement best practices. Such juvenile court improvements include implementing pilot projects to test the effectiveness of using juvenile court case managers to process and handle child abuse and neglect cases, developing a juvenile court information

collection and management system, reforming the Juvenile Code and policies and procedures for juvenile court proceedings, and supporting and co-sponsoring comprehensive skills-based training for judges and attorneys.

Guardian ad Litem Services

When a petition alleges juvenile abuse or neglect, the judge is required to appoint a guardian ad litem for the child, and when a petition alleges dependency, the judge may appoint a guardian ad litem. If the guardian ad litem is not an attorney, the judge also is to appoint an attorney to represent the juvenile's interests (G.S. 7B-601). Guardians ad litem and attorney advocates are provided through the Guardian ad Litem Services Program of the AOC (GAL).

The GAL office was established by the General Assembly in 1983 to administer guardian ad litem services throughout the state. When a petition alleging abuse or neglect of a juvenile is filed in district court, the judge appoints a trained volunteer guardian ad litem and an attorney advocate to work together to represent the child's best interests. When a juvenile is alleged to be dependent, guardian ad litem services may be extended at the discretion of the trial judge. Upon appointment, a trained GAL volunteer investigates the child's situation and works with the attorney advocate to represent the child's needs, preferences or wishes and best interests in court and to make recommendations for case disposition and any necessary continuing supervision until court intervention is no longer required. In addition, the attorney protects the child's legal rights throughout district court trial and appellate proceedings.

The GAL administrator is responsible for planning and directing the program statewide. An assistant administrator manages the operation of the program and supervises special projects and initiatives. Three regional administrators direct the development and implementation of services for a group of districts, provide assistance in training programs for volunteers, and resolve operational problems in the districts. At the local level, district administrators are responsible for recruiting, screening, training, and supervising GAL volunteers within their judicial districts. They also contact community groups, local agencies, the courts, and the media in order to develop volunteer participation, solicit support from key officials, provide public education about the program, and cultivate services for children. The district administrators offer an initial twenty to thirty hour training course for new volunteers; match children before the court with volunteers; implement continued training for experienced

guardians; and provide supervision, consultation, and support to volunteers. They also ensure that attorney advocates receive information from the volunteers assigned to the cases and that the court receives timely oral or written reports each time a child's case is heard. The district administrators are assisted in these tasks by program supervisors and program assistants.

During FY 2004-05, a record number of 4,033 GAL volunteers and 101 attorney advocates represented 16,528 abused and neglected children in a record number of 37,322 scheduled court hearings. GAL volunteers gave the state 774,336 hours in training and casework. GAL staff, volunteers and attorneys also participated in an increasing number of out-of-court sessions including Day One Hearings, mediation sessions, family court, foster care review hearings, system of care meetings, and the new drug treatment courts. Total expenditures for the GAL Program in FY 2004-05 amounted to \$8,411,932 for program administration and attorney fees.

There has also been a dramatic increase in appeals of abuse and neglect proceedings. The GAL Program is collaborating with the court system and other agencies to expedite appeals and to reduce the costly time delay for families and children.

Judicial Branch Commissions

The Judicial Standards Commission

The Judicial Standards Commission was established by the General Assembly pursuant to a constitutional amendment approved by the voters at the general election in November 1972. The Commission investigates complaints "concerning the qualifications or conduct of any justice or judge of the General Court of Justice" [G.S. 7A-377(a)].

The seven-member Commission consists of three judges appointed by the chief justice (one each from the Court of Appeals, the Superior Court Division, and the District Court Division), two attorneys elected by the State Bar Council, and two private citizens appointed by the Governor. The Commission receives and investigates complaints of judicial misconduct or incapacity, institutes formal proceedings, conducts hearings, and recommends appropriate disciplinary action to the Supreme Court (or the Court of Appeals, if a complaint involves a Supreme Court Justice). Upon recommendation of the Commission, the Supreme Court may censure or remove any judge for willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance, conviction of a crime involving moral turpitude, or other conduct that brings the judicial office into disrepute. In addition, upon the Commission's recommendation,

the Supreme Court may remove any judge for mental or physical incapacity interfering with the performance of duties, when the incapacity is, or is likely to become, permanent.

The Commission prepares an annual report that provides further information on the organization, purpose, and rules of the Commission, as well as its activities during the calendar year.

The Sentencing and Policy Advisory Commission

The North Carolina Sentencing and Policy Advisory Commission consist of 30 members drawn from all three branches of government, all areas of the criminal justice system, and the public. The Commission was created by the General Assembly in 1990 to "... make 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" [G.S. 164-36].

Specifically, the Commission was directed to classify criminal offenses into felony and misdemeanor categories on the basis of their severity, recommend structures for use by a sentencing court in determining the most appropriate sentence to be imposed in a criminal case, develop a correctional population simulation model, recommend a comprehensive community corrections strategy and organizational structure for the state, and study and make additional policy recommendations. The Commission's work led to the passage and implementation of the Structured Sentencing Act, which was enacted during 1993 and modified during the extra ("crime") session of 1994. The Act applies to crimes committed on or after October 1, 1994. This sentencing system prescribes sentencing options for the court based on the severity of the offense and the prior record of the offender.

The Commission has the continuing duty to monitor and review the criminal justice and correctional systems and the juvenile justice system, and to make recommendations as necessary. In FY 2004-05, the Commission studied the U.S. Supreme Court's *Blakely* ruling (which required jury consideration of some facts used in sentencing that previously judges had decided); legislation recommended by the Commission was passed into law in June 2005. In addition, the General Assembly directed the Sentencing Commission to study juvenile recidivism and report its findings in biennial reports starting with May 2007, and assist the Post-Release Supervision and Parole Commission in preparing its parole eligibility reports. The Commission will also study the violation of domestic violence protective orders as an

aggravating factor in capital sentencing, and report its recommendations by May 2006.

Each year, the Commission reviews proposed legislation introduced during the session, and reports on the consistency of the proposed bills with Structured Sentencing, and on their potential impact on criminal and juvenile justice resources, particularly prisons. A subcommittee of the Commission also continued its work on the classification of misdemeanors, to be reported to the General Assembly in 2006.

The Commission prepares projections for future adult prison and probation populations and juvenile youth development center and probation populations, and assists the General Assembly in preparing fiscal notes for proposed legislation. Finally, the Commission received a grant from the Governor's Crime Commission to conduct Phase II of its "Juvenile-to-Adult Comprehensive Criminal History Study," tracking a sample of juveniles into the adult criminal system.

The N.C. Dispute Resolution Commission

The N.C. Dispute Resolution Commission (DRC) was established by G.S. 7A-38.2 in October of 1995 and is charged principally with certifying and regulating the conduct of mediators and mediation training programs serving the statewide Mediated Settlement Conference Program.

The fourteen-member DRC consists of five judges (at least two superior court judges and two district court judges), two practicing attorneys not certified as mediators, two certified superior court mediators, two family financial mediators and three citizens knowledgeable about mediation. Appointments are for a three-year term.

In some districts, the senior resident superior court judge refers all eligible cases to mediated settlement, while in other districts, certain case types are exempted. The Supreme Court's "Rules Implementing Mediated Settlement Conferences in Superior Court for Civil Actions" provide for cases to be ordered to mediation as soon as practicable after the time for the filing of answers has expired.

Mediators facilitate settlement discussions between litigating parties in an effort to help them arrive at mutually agreeable solutions to their disputes. They do not make decisions for the parties, but encourage constructive dialogue, suggest options for settlement, and encourage parties to see the dispute from their adversary's perspective. In an effort to foster confidence in the process, the system allows parties to select their mediator; if the parties do not do so, the court appoints the mediator. As of June 2005, over

1,100 mediators were certified in North Carolina to conduct mediated settlement conferences.

Mediated settlement conferences may be held in a courthouse, but are usually conducted in the office of one of the attorneys or in the mediator's office. Conferences are generally scheduled for a date well in advance of trial, but after a sufficient discovery period. When mediation is successful and the parties reach an agreement, the agreement is reduced to writing at the session and signed by the parties and their counsel. Subsequently, a voluntary dismissal or consent judgment is filed to conclude the litigation.

Under G.S. 7A-38.4, the DRC is charged with certifying and regulating the conduct of mediators for equitable distribution, alimony, child support, and post separation support actions. The Family Financial Settlement Program provides for parties to select their mediator. When parties are referred to mediation, they may choose a mediator certified by the DRC or they may nominate a non-certified mediator to conduct their mediation. Currently, the DRC has certified over 215 family financial mediators. If the parties cannot agree on who shall conduct their conference or take no action to select a mediator, a district court judge or his or her designee will appoint a certified mediator to conduct the conference. The mediator is the case manager for purposes of mediation and is responsible for scheduling the mediation conference within the deadline established by the court, finding a location for the conference, and notifying the parties. Conferences are normally held in the courthouse, the office of the mediator or the offices of one of the attorneys.

Mediated settlement conference programs are "user pay" programs. As such, the parties pay for the mediators' services. G.S. 7A-38.2(d) provides for the DRC to levy a fee of up to \$200.00 for certification and annual renewal of superior court certifications. G.S. 7A-38.4A(1) provides for an identical fee to be levied in connection with family financial certifications and renewal of such certifications. Expenditures of the DRC and its office are paid out of revenues collected for certification fees.

The Courts Commission

The 28-member Courts Commission consists of court officials, attorneys, legislators, and the public. It exists to study the structure, organization, jurisdiction, procedures, and personnel within the North Carolina court system and to recommend to the General Assembly any changes that will facilitate the administration of justice.

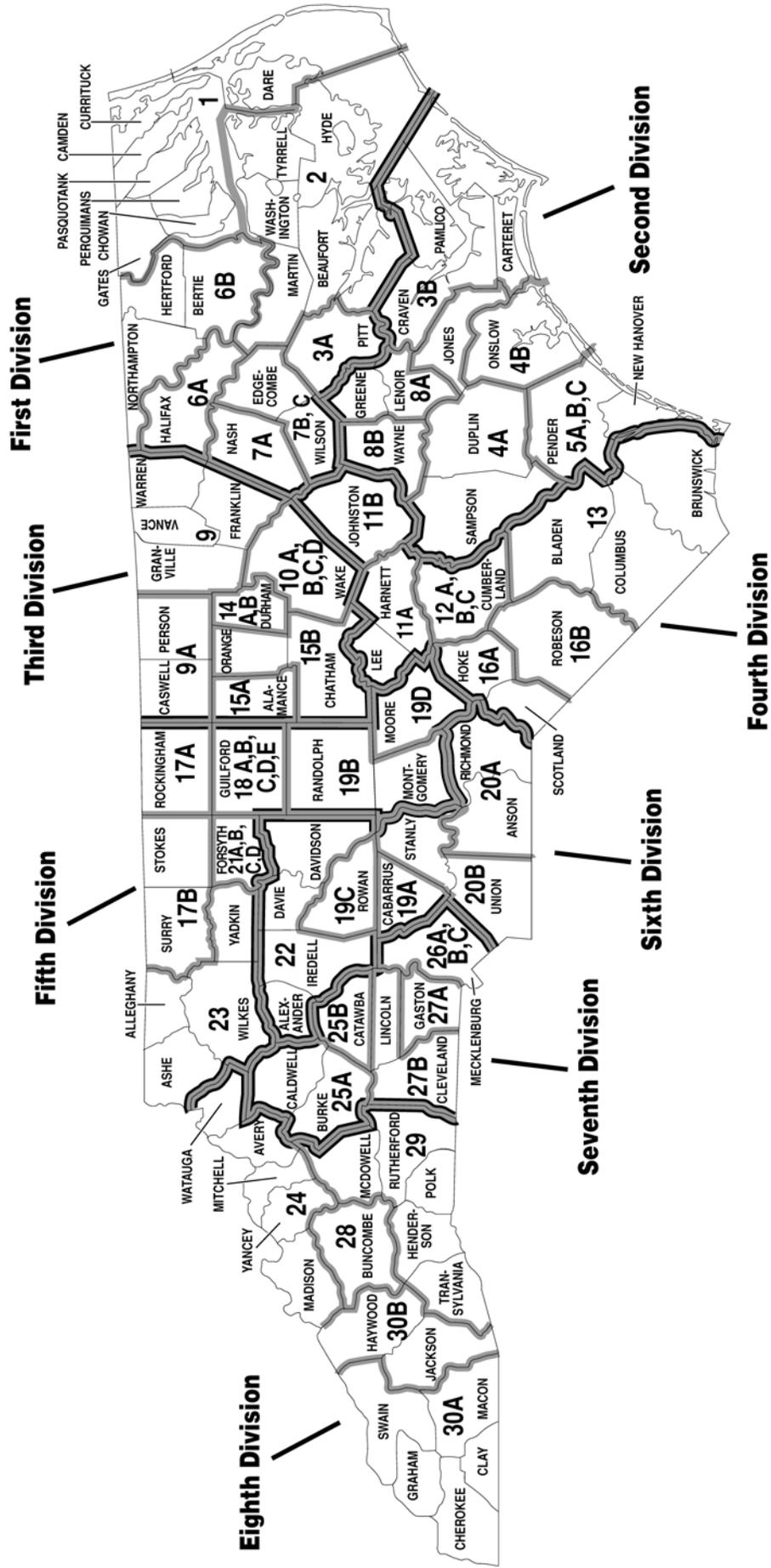
JUDICIAL BRANCH PERSONNEL (as of June 30, 2005)*

(includes FTEs for indigent representation)

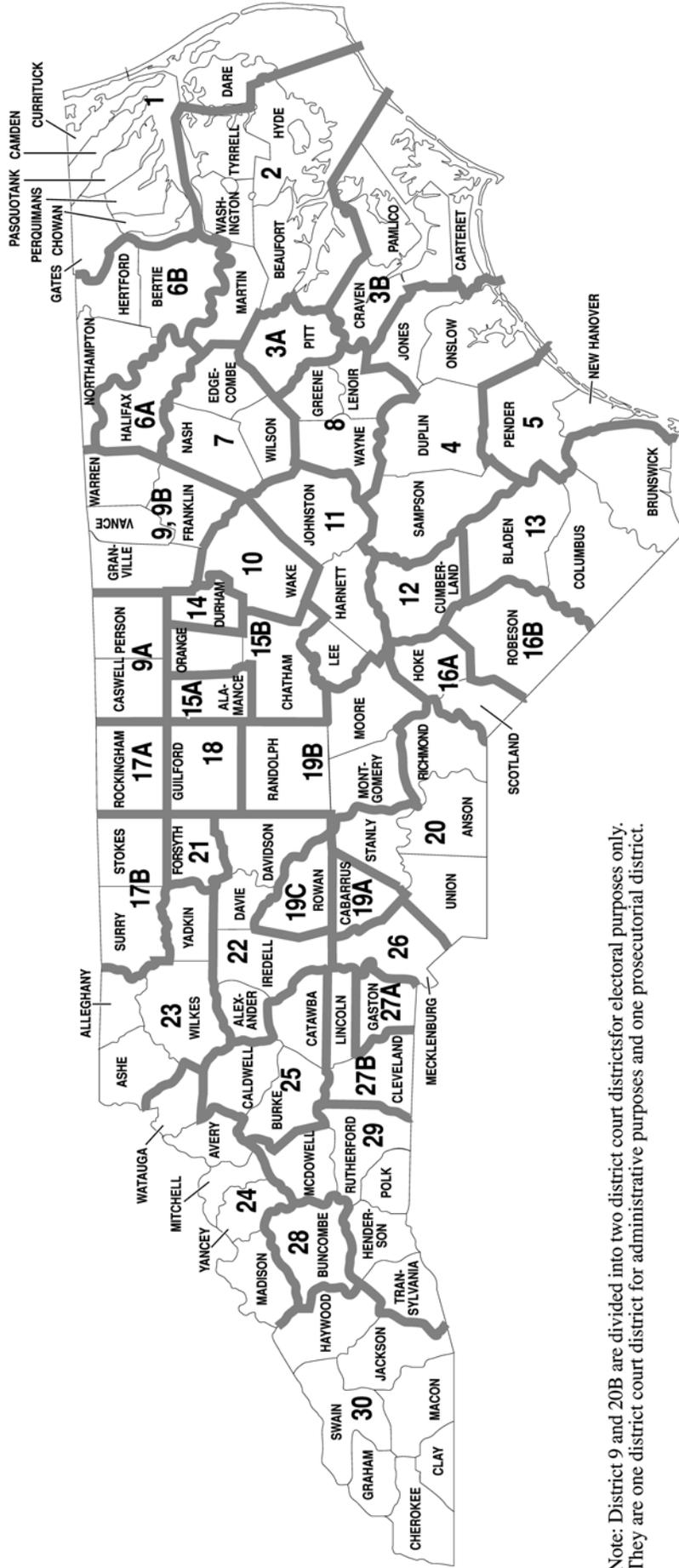
FTEs Authorized	
	<u>SUPREME COURT</u>
7.00	Justices
40.75	Staff Personnel (Clerk's & Reporter's Offices, Law Clerks, Library)
7.00	Secretarial Personnel
	<u>COURT OF APPEALS</u>
15.00	Judges
51.00	Staff Personnel (Clerk's Office, Prehearing, Judicial Standards Commission, Law Clerks)
16.00	Secretarial Personnel
	<u>SUPERIOR COURT</u>
109.00	Judges
145.25	Staff Personnel
82.50	Secretarial Personnel
	<u>DISTRICT COURT</u>
239.00	Judges
718.00	Magistrates
69.475	Staff Personnel
86.50	Secretarial Personnel
	<u>DISTRICT ATTORNEYS</u>
39.00	District Attorneys
463.00	Assistant District Attorneys (453.00 were authorized under G.S. 7A-60(a1) and 10.00 were grant-funded)
45.00	Staff Personnel (Investigators, District Attorney's Conference)
459.00	Other Personnel (Victim-Witness/Legal Assistants, secretarial positions)
	<u>CLERKS OF SUPERIOR COURT</u>
100.00	Clerks of Superior Court
2,306.75	Staff Personnel
	<u>GUARDIAN AD LITEM</u>
2.00	Program Administrator and Assistant Administrator
38.25	Regional Administrators (3) and District Administrators (36)
80.25	Staff Personnel
	<u>ADMINISTRATIVE OFFICE OF THE COURTS</u>
1.00	Administrative Officer of the Courts
6.00	Assistant Director (1), Deputy Director (1), and Officers (4)
281.00	Staff Personnel
2.50	Dispute Resolution Commission
9.00	Sentencing and Policy Advisory Commission
5,419.225	SUBTOTAL
	<u>INDIGENT REPRESENTATION</u>
7.50	Indigent Defense Services
1.00	Appellate Defender
11.00	Assistant Appellate Defenders
3.00	Secretarial Personnel
1.00	Capital Defender
9.00	Assistant Capital Defenders
4.00	Capital Case Investigator
2.00	Secretarial Personnel
1.00	Juvenile Defender
1.00	Secretarial Personnel
13.00	Public Defenders
155.00	Assistant Public Defenders
33.00	Staff Personnel
59.75	Secretarial Personnel
7.00	Special Counsel at mental health hospitals
4.00	Assistants to Special Counsel
4.00	Secretarial Personnel
17.50	Sentencing Services
1.00	Set-off Debt Collection (Receipt-Funded)
334.75	SUBTOTAL INDIGENT REPRESENTATION
5,753.975	GRAND TOTAL

*Beginning with the FY 2004-05 printing of this report, Judicial Branch personnel are counted as full-time equivalents (FTEs) rather than position FTEs measure the percentage of time that an employee works.

North Carolina Superior Court Districts and Divisions as of June 30, 2005

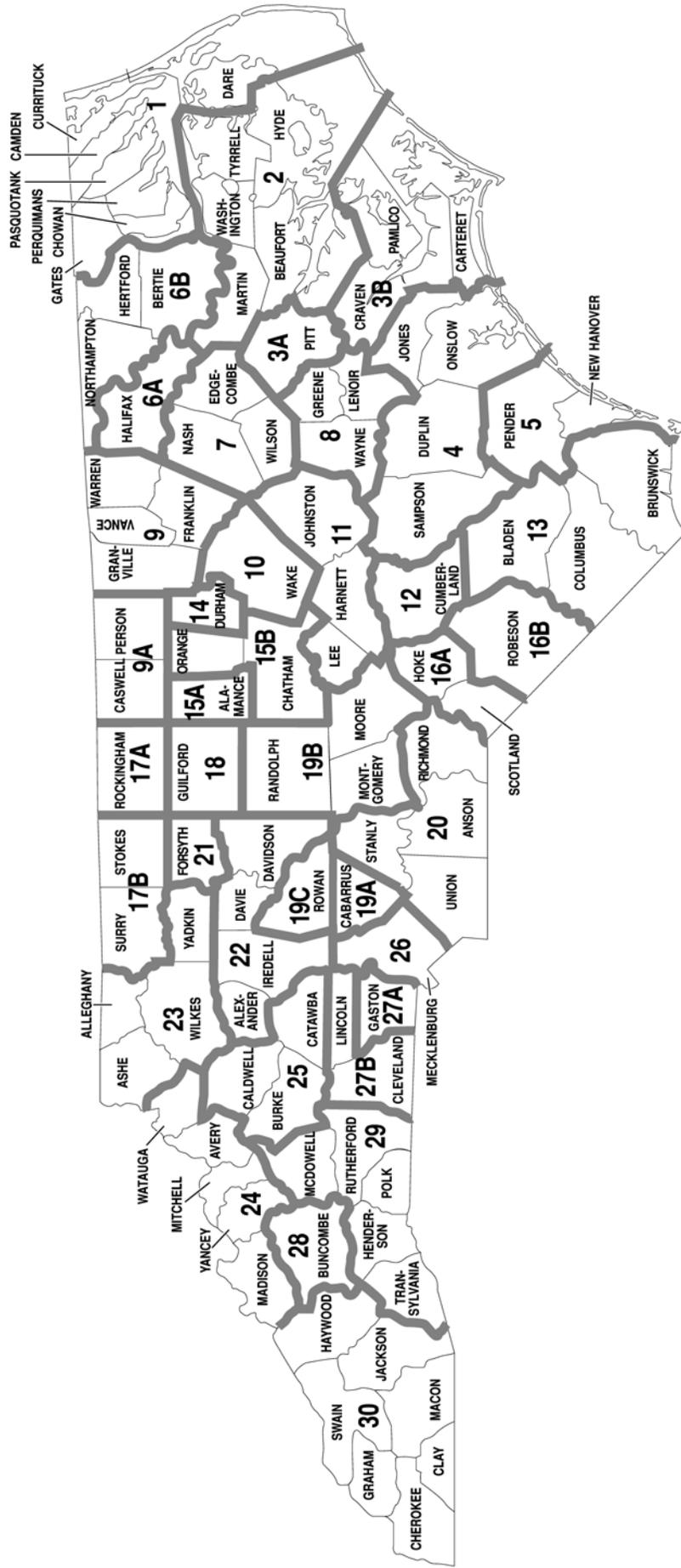


North Carolina District Court Districts as of June 30, 2005



Note: District 9 and 20B are divided into two district court districts for electoral purposes only. They are one district court district for administrative purposes and one prosecutorial district.

North Carolina Prosecutorial Districts as of June 30, 2005



PART II

COURT RESOURCES

JUDICIAL BRANCH APPROPRIATIONS AND EXPENDITURES

Under the State Constitution, Article IV, Sec. 21, the operating expenses of the Judicial Branch, “other than compensation to process servers and other locally paid non-judicial officers,” are required to be paid from State funds. It is customary legislative practice for the General Assembly to include appropriations for the operating expenses of all three branches of State government in a single budget bill, for a two-year period ending on June 30 of the odd-numbered years. The budget for the second year of the biennium is generally modified during the even-year legislative sessions.

Facilities for the appellate courts are provided by State funds, but, by statute, the county governments are required to use county funds to provide adequate facilities for the trial courts within each of the 100 counties.

The table below shows appropriations from the State’s General Fund for operating expenses of the Judicial Branch as well as all State agencies combined over the past ten fiscal years. The second table shows expenditures for operating expenses of the Judicial Branch during the same period.

APPROPRIATIONS FROM GENERAL FUND FOR OPERATING EXPENSES*

Fiscal Year	Judicial Branch		All State Agencies		Judicial Branch % Share
	Appropriation	% Change over previous year	Appropriation	% Change over previous year	
2000-01**	\$321,735,656	9.10%	\$13,785,142,760	2.56%	2.33%
2001-02	\$315,469,867	-1.95%	\$14,372,409,843	4.26%	2.19%
2002-03	\$303,761,745	-3.71%	\$14,323,937,462	-0.34%	2.12%
2003-04	\$309,192,569	1.79%	\$14,835,621,783	3.57%	2.08%
2004-05	\$333,885,323	7.99%	\$15,873,167,528	6.99%	2.10%

AVERAGE ANNUAL INCREASE, 2001-2005	2.64%	3.41%
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JUDICIAL BRANCH EXPENDITURES*

Fiscal Year	Expenditures	% Change over previous year
2000-01**	\$325,003,212	6.51%
2001-02	\$317,307,302	-2.43%
2002-03	\$307,985,095	-3.03%
2003-04	\$320,896,469	4.02%
2004-05	\$344,569,130	6.87%

*Judicial Branch appropriations and expenditures on these tables do not include Indigent Defense Services or State Bar/Civil Justice Act funds beginning with this year’s printing of the Statistical and Operational Summary. Indigent defense expenditures for the current year, however, are given on pages 21 and 25 of this report.

**Judicial Branch appropriations and expenditures include the Guardian ad Litem Program (GAL) to facilitate an accurate comparison across fiscal years since GAL was funded from the indigent defense budget during FY 2000-01. Since FY 2001-02, the Program has been funded from the Judicial Branch budget.

JUDICIAL BRANCH EXPENDITURES
July 1, 2004 – June 30, 2005

Budget Classifications	Subtotals	Totals	Percent* of Grand Total
Supreme Court (includes \$553,299 for print shop)		\$ 4,736,570	1.08%
Court of Appeals		6,202,927	1.42%
Superior Courts		31,988,270	7.32%
District Courts		70,424,192	16.12%
Clerks of Superior Court		107,423,278	24.58%
Office -- District Attorney	\$59,168,112		
District Attorneys' Conference	263,040		
Criminal Case Management Program	393,710		
Worthless Check Program	817,319		
District Attorney Offices		60,642,181	13.88%
Administrative Office of the Courts		32,727,934	7.49%
Court Information Technology Fund		1,384,858	0.32%
Equipment/Supply Fund		3,071,540	0.70%
Custody and Visitation Mediation Program	1,570,322		
Mediated Settlement Conferences	164,117		
Dispute Settlement Centers	1,483,067		
Court-Ordered Arbitration Program	804,606		
Dispute Resolution Programs		4,022,112	0.92%
North Carolina Drug Treatment Court		1,205,398	0.28%
Family Court Program		1,653,298	0.38%
Grant-Supported Projects		9,870,105	2.26%
Judicial Standards Commission		120,365	0.03%
Sentencing and Policy Advisory Commission		684,170	0.16%
Guardian ad Litem Services Program		8,411,932	1.93%
	SUBTOTAL	344,569,130	78.86%
NC State Bar -- Civil Justice Act		590,000	0.14%
REPRESENTATION OF INDIGENTS			
Assigned Private Counsel (includes \$554,855 for guardians ad litem for juveniles)	60,022,748		
Private Counsel Contracts	669,912		
Public Defenders	17,225,616		
Support Services (expert witness fees, professional examinations, transcripts, investigators)	5,735,608		
Office of the Appellate Defender	1,109,151		
Special Counsel at Mental Health Hospitals	871,096		
Office of Indigent Defense Services	663,219		
Office of the Capital Defender	1,796,881		
Office of the Juvenile Defender	79,774		
Set-Off Debt Collection	72,913		
Subtotal Indigent Defense Services		88,246,918	
Sentencing Services Program		3,553,131	
SUBTOTAL REPRESENTATION OF INDIGENTS		91,800,049	21.01%
GRAND TOTAL		\$436,959,179	100%

JUDICIAL BRANCH RECEIPTS

The State Constitution (Article IX, Sec. 7) requires that all fines, penalties, and forfeitures collected by the courts in criminal cases be distributed to the respective counties in which the cases are tried, to be used for the support of the public schools.

G.S. 7A-304 *et seq.* establish a uniform schedule of civil and criminal court costs, comprising a variety of fees, and prescribe the distribution of these fees. Except for certain fees devoted to specific uses, all superior and district court costs collected by the Judicial Branch are paid into the State's General Fund, as are appellate court fees and proceeds from the sales of appellate division reports. When costs are assessed, a facilities fee, which must be used to provide and maintain courtrooms and related judicial facilities, is included and is paid over to the respective county or municipality whose facilities were used. An officer fee for arrest or service of process is included, where applicable, in the cost of each case filed in the trial courts, and is paid over to either the municipality whose officer performed these services or to the county in which the case was filed. A jail fee, assessed where applicable, is distributed to the county or municipality that provided the facility. Most jail facilities in the State are provided by the counties. The county also receives fees paid by convicted defendants when they are released to the supervision of an agency providing pretrial release services in the county. Half of the proceeds from the pretrial civil revocation fee, which driving-while-impaired offenders must pay to recover their drivers licenses, is distributed to the counties and the remaining half is credited to the General Fund to be used for a statewide chemical alcohol testing program. Criminal court costs include a fee for the Law Enforcement Officers' Benefit and Retirement Fund; these fees are remitted to the State Treasurer for deposit into this Fund.

When private counsel or a public defender is assigned to represent an indigent defendant in a criminal case, the Office of Indigent Defense Services or the judge sets the money value for the services rendered. If the defendant is convicted, a judgment lien may be entered against him/her for such amount. The department retains collections on these judgments to defray the costs of legal representation of indigents.

The first table below shows Judicial Branch receipts for the last ten years, and the second table gives the sources and distribution of such receipts for the current fiscal year. Note that municipalities as well as counties are shown as receiving judicial facilities fees, officer fees, and jail fees, as discussed above, and that proceeds of the pretrial civil revocation fee are split between the State Treasurer and the counties.

JUDICIAL BRANCH RECEIPTS: 1995-96 – 2004-05

Fiscal Year	Receipts	Fiscal Year	Receipts
1995-96	\$177,100,905	2000-01	\$238,381,276
1996-97	\$199,164,234	2001-02	\$244,345,855
1997-98	\$218,978,365	2002-03	\$253,529,253
1998-99	\$242,693,163	2003-04	\$284,465,419
1999-00	\$226,239,216	2004-05	\$278,606,016*

JUDICIAL BRANCH RECEIPTS: July 1, 2004 – June 30, 2005

Remitted to State Treasurer

Supreme Court Fees	\$ 9,789	0.004%
Court of Appeals Fees	22,098	0.008%
Sales of Appellate Division Reports	110,662	0.040%
Arbitration Appeal Filing Fees	85,328	0.031%
LEOB Fees	7,295,271	2.618%
Twenty-Day Failure Fees	7,687,323	2.759%
Pro Hac Vice Fee	17,625	0.006%
Pretrial Civil Revocation Fees	937,398	0.336%
General Court of Justice Fees	133,698,808	47.988%
Total to State Treasurer	149,864,302	53.791%

Distributed to Counties

Fines and Forfeitures	78,397,130	28.139%
Judicial Facilities Fees	20,593,593	7.392%
Officer Fees	7,008,785	2.516%
Jail Fees	4,456,812	1.600%
Pretrial Civil Revocation Fees	1,025,376	0.368%
Total to Counties	111,481,697	40.014%

Distributed to Municipalities

Judicial Facilities Fees	594,652	0.213%
Officer Fees	2,716,551	0.975%
Jail Fees	8,964	0.003%
Total to Municipalities	3,320,167	1.192%

Operating Receipts

Department of Crime Control & Public Safety Grants	5,538,890	1.988%
Other Grants	3,784,094	1.358%
Miscellaneous Operating Receipts	597,415	0.214%
Worthless Check Fees & Interest	1,047,628	0.376%
Court Information Technology Fees & Interest	2,420,528	0.869%
Appellate Court Printing and Computer Operations	551,294	0.198%
Total Operating Receipts	13,939,850	5.003%

GRAND TOTAL*	\$278,606,016	100%
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*Unlike in previous years, Judicial Branch receipts shown on this table do not include operating receipts for the collection of indigent representation judgments (which totaled \$7,324,929 in FY 2004-05) and indigent representation appointment fees (\$356,231).

**Amounts of Fees, Fines, and Forfeitures Collected by the Courts and
Distributed to Counties and Municipalities ***

July 1, 2004 – June 30, 2005

County	Distributed to Counties				Distributed to Municipalities			TOTAL
	Facility Fees	Officer Fees	Jail Fees	Fines and Forfeitures	Facility Fees	Officer Fees	Jail Fees	
Alamance	\$372,392	\$129,458	\$157,090	\$1,791,466	\$0	\$61,375	\$0	\$2,511,781
Alexander	58,261	17,228	16,628	198,328	0	4,726	252	295,423
Alleghany	19,785	13,785	31,492	100,109	30	955	0	166,156
Anson	61,434	25,724	13,467	364,383	0	1,704	0	466,712
Ashe	38,088	23,702	11,151	158,138	36	2,165	0	233,280
Avery	34,151	11,725	9,487	156,115	0	3,423	0	214,901
Beaufort	160,672	56,353	50,737	509,157	0	25,433	0	802,352
Bertie	55,111	25,393	21,588	199,657	0	2,730	0	304,479
Bladen	107,093	49,976	36,684	275,631	0	3,436	0	472,820
Brunswick	155,577	100,004	53,598	621,446	0	2,565	83	933,273
Buncombe	418,550	169,660	130,982	1,659,679	0	47,508	315	2,426,694
Burke	212,665	52,363	55,678	772,021	85	20,511	0	1,113,323
Cabarrus	508,643	172,718	162,588	2,364,855	0	100,644	0	3,309,448
Caldwell	158,114	36,738	57,142	604,892	0	23,090	0	879,976
Camden	33,697	16,696	13,155	141,422	0	0	0	204,970
Carteret	204,675	68,886	63,097	832,087	0	21,937	450	1,191,132
Caswell	47,965	24,642	9,567	141,637	0	570	0	224,381
Catawba	231,772	59,434	59,698	1,396,971	129,578	62,064	23	1,939,540
Chatham	98,989	60,701	10,988	456,022	77,186	14,111	0	717,997
Cherokee	61,102	33,419	18,519	277,007	0	1,244	0	391,291
Chowan	33,396	14,576	15,625	139,459	0	6,247	0	209,303
Clay	15,196	10,509	13,265	51,336	0	0	0	90,306
Cleveland	203,277	100,823	78,887	658,226	32	14,548	0	1,055,793
Columbus	132,093	71,462	45,032	258,188	2,492	5,544	5	514,816
Craven	227,108	38,889	72,365	619,624	8,729	42,201	18	1,008,934
Cumberland	461,895	57,195	50,021	1,040,782	10	38,586	59	1,648,548
Currituck	96,244	55,071	26,660	428,476	0	0	0	606,451
Dare	231,375	48,294	29,711	1,120,402	972	31,646	1,022	1,463,422
Davidson	303,454	136,385	88,352	1,045,241	0	23,412	0	1,596,844
Davie	71,868	31,070	17,390	238,647	0	4,360	0	363,335
Duplin	153,941	47,062	58,216	615,048	0	7,674	5	881,946
Durham	569,992	291,564	8,687	2,278,389	0	93,262	10	3,241,904
Edgecombe	127,488	108,130	45,294	587,021	60,834	25,681	10	954,458
Forsyth	846,535	88,430	76,993	2,672,602	15,919	143,651	405	3,844,535
Franklin	130,830	81,325	27,899	502,006	0	6,681	0	748,741
Gaston	481,786	222,682	112,165	1,396,619	60	49,618	0	2,262,930
Gates	31,402	16,160	11,405	111,596	0	15	0	170,578
Graham	12,044	4,632	5,592	45,640	0	0	0	67,908
Granville	135,773	37,085	34,275	616,587	0	9,923	0	833,643
Greene	61,415	27,146	22,841	259,032	0	0	0	370,434
Guilford	1,146,905	104,283	119,737	2,836,824	50	208,954	0	4,416,753
Halifax	153,571	79,380	33,337	602,509	0	18,779	45	887,621
Harnett	187,850	79,221	76,697	832,239	10,899	19,058	0	1,205,964
Haywood	131,458	57,455	632	490,498	240	4,343	0	684,626
Henderson	191,789	45,634	33,279	923,123	0	14,602	5	1,208,432
Hertford	64,806	28,413	32,322	206,290	0	6,879	244	338,954
Hoke	77,441	38,366	22,146	415,832	0	1,694	0	555,479
Hyde	17,493	7,175	2,950	87,038	0	15	0	114,671
Iredell	314,383	94,811	59,065	1,243,520	6,275	61,616	0	1,779,670
Jackson	73,729	30,448	14,705	425,298	0	5,887	0	550,067
Johnston	343,729	145,988	57,945	1,286,285	39,129	35,511	0	1,908,587
Jones	57,117	21,045	5,884	133,095	0	4,085	0	221,226
Lee	126,174	45,242	50,747	671,231	0	24,632	5	918,031
Lenoir	200,928	54,268	62,324	802,886	0	23,818	5	1,144,229
Lincoln	118,357	49,612	59,506	552,861	0	5,906	10	786,252

**Amounts of Fees, Fines, and Forfeitures Collected by the Courts and
Distributed to Counties and Municipalities ***

July 1, 2004 – June 30, 2005

County	Distributed to Counties				Distributed to Municipalities			TOTAL
	Facility Fees	Officer Fees	Jail Fees	Fines and Forfeitures	Facility Fees	Officer Fees	Jail Fees	
Macon	\$57,456	\$28,547	\$8,263	\$239,189	\$0	\$1,357	\$0	\$334,812
Madison	54,117	21,653	10,063	298,088	0	1,322	0	385,243
Martin	75,855	33,418	11,085	210,757	0	2,616	0	333,731
McDowell	125,564	50,333	26,141	417,506	0	7,574	0	627,118
Mecklenburg	1,891,159	908,108	12,433	4,227,589	20	280,931	0	7,320,240
Mitchell	32,762	13,992	11,298	116,709	0	1,647	0	176,408
Montgomery	64,624	37,879	31,452	395,647	0	4,688	0	534,290
Moore	189,736	51,655	67,760	1,066,959	540	33,338	0	1,409,988
Nash	158,661	169,208	63,466	3,418,077	104,446	32,157	10	3,946,025
New Hanover	480,612	58,473	113,265	2,007,053	20	81,576	0	2,740,999
Northampton	54,567	34,266	14,738	184,230	0	4,481	0	292,282
Onslow	376,522	171,855	123,589	1,042,002	99	50,392	600	1,765,059
Orange	199,254	65,430	3,453	795,705	25,231	26,299	0	1,115,372
Pamlico	16,849	6,070	14,098	51,000	0	20	0	88,037
Pasquotank	97,610	29,153	55,865	567,628	12	17,653	5	767,926
Pender	130,094	55,848	47,275	616,025	0	2,988	0	852,230
Perquimans	36,956	16,170	15,669	132,219	0	2,121	0	203,135
Person	103,910	57,104	9,640	408,047	0	10,952	0	589,653
Pitt	361,518	51,233	130,908	1,207,252	35,700	67,575	15	1,854,201
Polk	57,915	19,722	8,016	251,888	0	3,928	0	341,469
Randolph	283,096	108,977	136,862	1,924,531	12	27,933	0	2,481,411
Richmond	127,516	24,027	34,491	792,192	5	9,241	197	987,669
Robeson	315,994	114,887	31,848	1,930,937	64,302	40,993	5	2,498,966
Rockingham	210,502	55,949	78,336	711,004	181	18,012	131	1,074,115
Rowan	328,544	142,960	102,698	1,779,617	0	55,592	0	2,409,411
Rutherford	160,846	69,932	87,147	599,757	0	12,524	5	930,211
Sampson	195,897	75,231	59,527	610,088	0	9,375	70	950,188
Scotland	105,442	51,725	31,914	525,138	0	8,751	0	722,970
Stanly	154,163	26,015	45,042	728,196	0	20,717	0	974,133
Stokes	88,914	34,568	36,050	354,092	0	5,598	43	519,265
Surry	156,920	73,746	89,153	695,851	0	18,285	0	1,033,955
Swain	37,012	15,556	12,630	179,611	0	3,009	0	247,818
Transylvania	68,497	21,546	15,019	276,696	0	9,340	33	391,131
Tyrrell	53,401	22,999	8,774	183,948	0	0	0	269,122
Union	270,584	107,174	23,841	1,524,738	10	41,257	0	1,967,604
Vance	175,707	44,324	32,307	752,079	0	10,981	0	1,015,398
Wake	1,693,766	129,897	136,522	4,137,356	7,492	348,724	4,425	6,458,182
Warren	64,908	30,566	11,653	218,440	0	1,195	25	326,787
Washington	50,253	24,771	9,221	175,660	0	3,405	0	263,310
Watauga	150,436	51,074	45,248	494,508	0	23,289	0	764,555
Wayne	274,932	138,046	86,429	1,248,341	4,026	35,329	0	1,787,103
Wilkes	149,057	51,704	37,858	568,047	0	4,507	33	811,206
Wilson	227,823	146,121	21,997	637,900	0	30,939	90	1,064,870
Yadkin	84,642	37,242	48,372	324,877	0	3,803	306	499,242
Yancey	27,427	11,197	119	154,487	0	1,119	0	194,349
State Totals**	\$20,593,593	\$7,008,785	\$4,456,812	\$78,397,130	\$594,652	\$2,716,551	\$8,964	\$113,776,488

*Facility and jail fees are distributed to the respective counties and municipalities that furnished the facilities. If the officer who made the arrest or served the process was employed by a municipality, the officer fee is distributed to the municipality; otherwise all officer fees are distributed to the respective counties. By provision of the State Constitution, fines and forfeitures collected by the courts within a county are distributed to that county for support of the public schools.

**State totals may not equal the sum of county data due to rounding.

COST AND CASE DATA ON REPRESENTATION OF INDIGENTS

July 1, 2004 – June 30, 2005

	Number of Cases*	Total Cost	Average Per Case
Assigned Private Counsel			
Capital offense cases	1,297	\$10,993,138	\$8,476
Adult cases (other than capital)	149,389	45,218,643	303
Juvenile cases	14,110	3,256,112	231
Guardian ad Litem for juveniles	1,755	554,855	316
Totals	166,551	60,022,748	360
Private Counsel Contracts		669,912	
Public Defender Offices			
District 1	655	414,603	633
District 3A	2,222	805,884	363
District 3B (Carteret County)	698	244,560	350
District 12	5,214	1,481,256	284
District 14	7,871	1,728,491	220
District 15B	3,153	853,422	271
District 16A	2,077	644,820	310
District 16B	3,599	1,060,990	295
District 18	7,692	2,220,433	289
District 21	6,330	1,385,964	219
District 26	18,245	4,064,640	223
District 27A	7,720	1,296,796	168
District 28	5,049	1,023,757	203
Totals	70,525	17,225,616	244
Office of the Appellate Defender		1,109,151	
Special Counsel at State Mental Health Hospitals		871,096	
Support Services			
Transcripts, records, and briefs		771,862	
Professional examinations		129	
Expert witness fees		2,098,940	
Investigator fees		2,864,677	
Total		5,735,608	
Set-Off Debt Collection		72,913	
Indigent Defense Services		663,219	
Office of the Capital Defender		1,796,881	
Office of the Juvenile Defender		79,774	
TOTAL INDIGENT DEFENSE SERVICES		\$88,246,918	
Sentencing Services Program		\$3,553,131	
GRAND TOTAL		\$91,800,049	

* The number of "cases" shown for private assigned counsel is the number of payments (checks) made by the Administrative Office of the Courts for appointed attorneys. For public defender offices, the number of "cases" is the number of indigent persons whose cases were disposed of by public defenders during the 2004-05 year.

STATE MENTAL HEALTH HOSPITAL COMMITMENT HEARINGS
July 1, 2004 – June 30, 2005

During 2004-05, the average cost per commitment hearing for representation by special counsel at the state's five mental health hospitals was \$36.84 (total cost of \$871,096 for 23,643 hearings).

The criteria and procedures for commitment to or discharge from a mental health hospital differ depending on whether the person is a minor or an adult, the reason for the commitment, and who is requesting the commitment. The applicable statutes should be consulted for further details.

	Broughton	Cherry	Dorothea Dix*	John Umstead	Totals
Voluntary minors: Mentally ill or substance abusers (G.S.122C, Art.5, Part 3)					
Total Hearings	199	160	1,164	261	1,784
Commitment to hospital	129	1	287	221	638
Dismissal/discharge	70	159	877	40	1,146
Of total, number that were:					
Initial hearings	145	160	1,031	84	1,420
Contested hearings	1	0	7	24	32
Voluntary incompetent adults: Mentally ill or substance abusers (G.S.122C, Art.5, Part.4)					
Total Hearings	233	7	122	5	367
Commitment to hospital	200	6	104	5	315
Dismissal/discharge	33	1	18	0	52
Of total, number that were:					
Initial hearings	136	2	72	5	215
Contested hearings	11	0	12	0	23
Involuntary minors and adults: Mentally ill or mentally retarded with behavior disorder (G.S.122C, Art.5, Part.7)					
Total Hearings	3,625	4,309	5,681	5,679	19,294
Commitment to hospital	576	789	575	1,676	3,616
Commitment to outpatient clinic	569	999	644	757	2,969
Split commitment	1,021	1,109	552	1,267	3,949
Dismissal/discharge	1,459	1,412	3,910	1,979	8,760
Of total, number that were:					
Initial hearings	3,305	3,755	5,246	4,547	16,853
Contested hearings	187	214	116	810	1,327
Involuntary minors and adults: Substance abusers (G.S.122C, Art.5, Part.8)					
Total Hearings	166	718	272	1,042	2,198
Commitment to area authority	166	718	272	1,040	2,196
Dismissal/discharge	0	0	0	2	2
Of total, number that were:					
Initial hearings	165	718	269	1,036	2,188
Contested hearings	1	4	0	41	46
Total Hearings	4,223	5,194	7,239	6,987	23,643
Of total, number that were:					
Initial hearings	3,751	4,635	6,618	5,672	20,676
Contested hearings	200	218	135	875	1,428

*Dorothea Dix hospital hearing data has included the addition of Holly Hill cases since March 2003.

ASSIGNED PRIVATE COUNSEL*

Cases and Expenditures

July 1, 2004 – June 30, 2005

	Number of Cases	Expenditures
<u>District 1</u>		
Camden	69	\$ 30,757
Chowan	212	112,517
Currituck	240	91,729
Dare	461	166,000
Gates	79	60,992
Pasquotank	617	235,329
Perquimans	132	55,210
District Totals	1,810	752,534
<u>District 2</u>		
Beaufort	1,310	379,542
Hyde	81	35,132
Martin	449	139,201
Tyrrell	130	36,894
Washington	238	58,731
District Totals	2,208	649,500
<u>District 3A</u>		
Pitt	2,409	1,224,452
<u>District 3B</u>		
Carteret	451	194,939
Craven	1,345	548,344
Pamlico	218	93,460
District Totals	2,014	836,743
<u>District 4A</u>		
Duplin	952	348,968
Jones	203	48,057
Sampson	1,425	594,598
District Totals	2,580	991,623
<u>District 4B</u>		
Onslow	2,994	921,243
<u>District 5</u>		
New Hanover	7,682	2,189,282
Pender	936	299,704
District Totals	8,618	2,488,986
<u>District 6A</u>		
Halifax	2,213	878,452
<u>District 6B</u>		
Bertie	388	167,649
Hertford	704	268,106
Northampton	413	332,427
District Totals	1,505	768,182
<u>District 7A</u>		
Nash	1,621	773,318

Assigned Private Counsel, July 1, 2004 – June 30, 2005

	Number of Cases	Expenditures
<u>District 7B-C</u>		
Edgecombe	1,285	552,993
Wilson	1,192	618,787
District Totals	2,477	1,171,780
<u>District 8A</u>		
Greene	425	199,351
Lenoir	1,778	413,061
District Totals	2,203	612,412
<u>District 8B</u>		
Wayne	2,926	930,860
<u>District 9</u>		
Franklin	942	339,582
Granville	868	330,472
Vance	1,074	422,774
Warren	246	84,298
District Totals	3,130	1,177,126
<u>District 9A</u>		
Caswell	615	283,976
Person	1,469	505,319
District Totals	2,084	789,295
<u>District 10</u>		
Wake	16,924	4,934,721
<u>District 11A</u>		
Harnett	2,352	708,714
Lee	1,296	363,462
District Totals	3,648	1,072,177
<u>District 11B</u>		
Johnston	2,862	881,369
<u>District 12</u>		
Cumberland	2,306	2,031,555
<u>District 13</u>		
Bladen	857	346,659
Brunswick	1,995	595,098
Columbus	1,278	528,522
District Totals	4,130	1,470,278
<u>District 14</u>		
Durham	2,008	1,285,753
<u>District 15A</u>		
Alamance	2,993	1,004,221

Assigned Private Counsel, July 1, 2004 – June 30, 2005

	Number of Cases	Expenditures
<i><u>District 15B</u></i>		
Chatham	395	158,802
Orange	1,276	432,456
District Totals	1,671	591,258
<i><u>District 16A</u></i>		
Hoke	238	185,105
Scotland	509	326,313
District Totals	747	511,418
<i><u>District 16B</u></i>		
Robeson	2,061	1,482,153
<i><u>District 17A</u></i>		
Rockingham	2,627	692,973
<i><u>District 17B</u></i>		
Stokes	925	372,966
Surry	1,408	473,627
District Totals	2,333	846,593
<i><u>District 18</u></i>		
Guilford	3,623	1,642,432
<i><u>District 19A</u></i>		
Cabarrus	4,379	1,406,426
<i><u>District 19B</u></i>		
Montgomery	639	181,580
Randolph	2,504	846,190
District Totals	3,143	1,027,770
<i><u>District 19C</u></i>		
Rowan	4,162	1,417,515
<i><u>District 19D</u></i>		
Moore	2,438	573,747
District Totals	2,438	573,747
<i><u>District 20A</u></i>		
Anson	1,326	498,635
Richmond	3,292	1,171,685
District Totals	4,618	1,670,319
<i><u>District 20B</u></i>		
Stanly	1,425	457,354
Union	3,055	1,126,473
District Totals	4,480	1,583,826
<i><u>District 21</u></i>		
Forsyth	2,177	1,345,241

Assigned Private Counsel, July 1, 2004 – June 30, 2005

	Number of Cases	Expenditures
<i><u>District 22</u></i>		
Alexander	917	206,971
Davidson	4,726	1,255,781
Davie	747	240,225
Iredell	2,966	831,512
District Totals	9,356	2,534,489
<i><u>District 23</u></i>		
Alleghany	175	91,681
Ashe	507	158,334
Wilkes	1,996	399,860
Yadkin	657	135,023
District Totals	3,335	784,897
<i><u>District 24</u></i>		
Avery	381	140,950
Madison	314	109,275
Mitchell	281	97,692
Watauga	552	370,144
Yancey	293	127,003
District Totals	1,821	845,064
<i><u>District 25A</u></i>		
Burke	2,261	643,711
Caldwell	3,376	801,149
District Totals	5,637	1,444,860
<i><u>District 25B</u></i>		
Catawba	4,306	1,355,606
<i><u>District 26</u></i>		
Mecklenburg	8,574	4,015,461
<i><u>District 27A</u></i>		
Gaston	1,203	522,130
<i><u>District 27B</u></i>		
Cleveland	3,303	856,547
Lincoln	1,187	334,003
District Totals	4,490	1,190,549
<i><u>District 28</u></i>		
Buncombe	1,941	909,125
<i><u>District 29</u></i>		
Henderson	2,799	864,165
McDowell	1,265	470,830
Polk	554	161,582
Rutherford	2,337	764,199
Transylvania	649	238,578
District Totals	7,604	2,499,353

Assigned Private Counsel, July 1, 2004 – June 30, 2005

	Number of Cases	Expenditures
<u>District 30A</u>		
Cherokee	757	262,483
Clay	81	28,707
Graham	255	117,496
Macon	478	192,677
Swain	388	130,328
District Totals	1,959	731,691
 <u>District 30B</u>		
Haywood	1,391	494,668
Jackson	812	256,604
District Totals	2,203	751,273
 STATE TOTALS	 166,551	 60,022,748
(not including contracts)		

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, and guardians ad litem for juveniles. Also, district totals may not match the sum of county expenditures due to rounding.

PART III

CASELOAD DATA

- **Appellate Courts Data**
 - **Supreme Court**
 - **Court of Appeals**

- **Trial Courts Data**
 - **Superior Court**
 - **District Court**

- **Special Programs Data**
 - **Arbitration**
 - **Child Custody and Visitation
Mediation**
 - **Mediated Settlement Conferences**
 - **Family Financial Settlement
Procedures**
 - **Drug Treatment Court**
 - **Sentencing Services**

PART III, Section 1

Appellate Courts Data

- **Supreme Court**
- **Court of Appeals**

NORTH CAROLINA SUPREME COURT

The following Supreme Court tables give filing (docketing) and disposition data on petitions, appeals, and other proceedings. These tables are based on data reported by the Clerk's office, which is responsible for entering and compiling the Court's data.

The first two tables in the Supreme Court subsection give ten-year trend data for appeals docketed and disposed and petitions docketed and allowed. The table following presents the Court's caseload inventory for FY 2004-05, broken down by the types of cases the Court hears. The following two tables summarize case activity in those cases reaching decision stage, and the disposition of petitions for review. The next table shows the various methods of dispositions of appeals -- signed opinion, per curiam opinion (unsigned), and dismissal or withdrawal -- as well as the types of disposition (e.g., affirmed, reversed, and so on). The final table gives Supreme Court processing times for appeals disposed by signed or per curiam opinion. For more information on the Supreme Court, see the summary on page 3 of this report.

APPEALS DOCKETED AND DISPOSED DURING THE YEARS 1995-96 – 2004-05

	Appeals Docketed	Appeals Disposed
1995-96	172	231
1996-97	169	188
1997-98	162	180
1998-99	164	196
1999-00	96	137
2000-01	130	89
2001-02	144	131
2002-03	138	142
2003-04	182	192
2004-05	234	239

PETITIONS DOCKETED AND ALLOWED DURING THE YEARS 1995-96 – 2004-05

	Petitions Docketed	Petitions Allowed
1995-96	502	72
1996-97	544	88
1997-98	547	78
1998-99	609	86
1999-00	577	39
2000-01	634	39
2001-02	662	37
2002-03	677	26
2003-04	678	30
2004-05	547	35

NORTH CAROLINA SUPREME COURT
Caseload Inventory
July 1, 2004 – June 30, 2005

	Pending 7/1/04	Filed	Disposed	Pending 6/30/05
Petitions for Review*				
Civil domestic	0	3	2	1
Juvenile	5	23	26	2
Other civil	65	196	219	42
Criminal	59	324	321	62
Administrative agency decision	5	1	6	0
Total Petitions for Review	134	547	574	107
Appeals**				
Civil domestic	1	0	1	0
Petitions for review granted that became civil domestic appeals	0	0	0	0
Juvenile	2	1	3	0
Petitions for review granted that became juvenile appeals	0	3	1	2
Other civil	26	75	71	30
Petitions for review granted that became other civil appeals	14	19	23	10
Criminal, defendant sentenced to death	11	9	10	10
Criminal, defendant sentenced to life imprisonment	3	0	3	0
Other criminal	25	114	114	25
Petitions for review granted that became other criminal appeals	5	12	12	5
Administrative agency decision	1	0	1	0
Petitions for review granted that became appeals of administrative agency decision	0	1	0	1
Total Appeals	88	234	239	83
Other Proceedings				
Rule 16(b) additional issues re dissent		12	12	
Motions		696	713	
Total Other Proceedings		708	725	

*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.

NORTH CAROLINA SUPREME COURT
July 1, 2004 – June 30, 2005

SUBMISSION OF CASES REACHING DECISION STAGE

Cases Argued

Civil domestic	1
Juvenile	3
Other civil	46
Criminal (death sentence)	5
Criminal (life sentence)	0
Other criminal	30
Administrative agency decision	1
Total cases argued	86

Submissions Without Argument

By motion of the parties (Appellate Rule 30(d))	0
By order of the Court (Appellate Rule 30(f))	1
Total submissions without argument	1

Total Cases Reaching Decision Stage **87**

DISPOSITION OF PETITIONS

Petitions for Review	Granted*	Denied	Dismissed/ Withdrawn	Total Disposed
Civil domestic	0	2	0	2
Juvenile	3	22	1	26
Other civil	19	187	13	219
Criminal	12	262	47	321
Administrative agency decision	1	4	1	6
Total Petitions for Review	35	477	62	574

*"Granted" includes order allowing relief without accepting the case as a full appeal.

DISPOSITION OF APPEALS IN THE SUPREME COURT

July 1, 2004 – June 30, 2005

Disposition by Signed Opinion

Case Types	Affirmed*	Affirmed in Part; Remanded in Part	Affirmed in Part; Reversed in Part; Remanded	Reversed	New Sentencing Hearing	Reversed and Remanded	New Trial
Civil domestic	0	0	0	0	0	0	0
Juvenile	0	0	0	0	0	0	0
Other civil	3	2	0	1	0	7	0
Criminal (death sentence)	5	0	0	1	2	0	1
Criminal (life sentence)	0	0	0	0	0	0	0
Other criminal	2	1	0	1	0	2	0
Administrative agency decision	0	0	0	0	0	0	0
Totals	10	3	0	3	2	9	1

*Includes No error

Disposition by Per Curiam Opinion

Case Types	Affirmed	Affirmed in Part; Remanded in Part	Affirmed in Part; Reversed in Part; Remanded	Reversed	Reversed and Remanded	Other	Discretionary Review Improvidently Allowed
Civil domestic	1	0	0	0	0	0	0
Juvenile	2	0	0	0	0	0	0
Other civil	16	0	0	9	1	6	5
Criminal (death sentence)	0	0	0	0	0	0	0
Criminal (life sentence)	0	0	0	0	0	0	0
Other criminal	8	0	0	0	2	0	2
Administrative agency decision	0	0	0	0	0	0	0
Totals	27	0	0	9	3	6	7

Disposition by Dismissal or Withdrawal

Case Types	Dismissed or Withdrawn
Civil domestic	0
Juvenile	2
Other civil	43
Criminal (death sentence)	1
Criminal (life sentence)	3
Other criminal	106
Administrative agency decision	1
Totals	156

**SUPREME COURT PROCESSING TIME
FOR APPEALS DISPOSED BY OPINION***

(Total time in days from docketing to opinion)

July 1, 2004 – June 30, 2005

	Number of Cases	(Days) Median	(Days) Mean
Civil Domestic	1	—	332
Petitions for review granted that became civil domestic appeals	0		
Juvenile	2	—	371
Petitions for review granted that became juvenile appeals	0		
Other civil	37	244	274
Petitions for review granted that became other civil appeals	14	336	365
Criminal, defendant sentenced to death	9	651	599
Criminal, defendant sentenced to life imprisonment	0		
Other criminal	10	310	308
Petitions for review granted that became other criminal appeals	10	299	318
Administrative agency decision	0		
Petitions for review granted that became appeals of administrative agency decision	0		
Total appeals disposed by opinion	83	303	337

* Only cases disposed by signed opinion or per curiam opinion are included.

NORTH CAROLINA COURT OF APPEALS

The three tables in the Court of Appeals subsection summarize filing and disposition activity in the Court of Appeals. These tables are based on data reported by the Clerk's office, which is responsible for entering and compiling the Court's data.

In addition to trend data for the past ten years, the following tables provide filings and dispositions for cases on appeal, petitions, and motions during FY 2004-05. "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, represented by the "Other Cases Disposed" category in the table at the bottom of the data page, include the court's dismissal of the appeal and the appealing party's withdrawal of the appeal.

FILINGS AND DISPOSITIONS OF APPEALS AND PETITIONS DURING THE YEARS 1995-96 – 2004-05*

Fiscal Year	Filings	Dispositions
1995-96	1,932	1,826
1996-97	2,088	2,018
1997-98	2,135	2,108
1998-99	2,352	2,194
1999-00	2,268	2,057
2000-01	2,380	2,155
2001-02	2,388	2,441
2002-03	2,572	2,496
2003-04	2,674	2,562
2004-05	2,719	2,731

*Filings and dispositions shown here include appealed cases and petitions, but not motions.

FILINGS AND DISPOSITIONS — July 1, 2004 – June 30, 2005

	Filings	Dispositions
Cases on appeal		
Civil cases appealed from district courts	324	
Civil cases appealed from superior courts	531	
Civil cases appealed from administrative agencies	157	
Criminal cases appealed from superior courts	695	
Totals	1,707	1,719
Petitions		
Allowed		92
Denied		920
Remanded		0
Totals	1,012	1,012
Motions		
Allowed		4,430
Denied		605
Remanded		3
Totals	5,038	5,038
Total Cases on Appeal, Petitions, and Motions	7,757	7,769

MANNER OF CASE DISPOSITIONS — July 1, 2004 – June 30, 2005

Cases Disposed by Written Opinion			Other Cases Disposed	Total Cases Disposed
Affirmed	Reversed	Affirmed in Part, Reversed in Part		
1,021	177	288	233	1,719

PART III, Section 2

Trial Courts Data

- **Superior Court**
- **District Court**

TRIAL COURTS CASE DATA

This section presents summary data on the activity of the superior and district courts. The tables that follow provide statewide totals. Data for each district and county are provided throughout the year to local court officials and are available upon request from the Administrative Office of the Courts (AOC) and on the AOC website (www.nccourts.org).

The caseload inventory tables provide a statistical picture of caseload during the fiscal year. Inventory tables show the number of cases pending at the beginning of the year (July 1), the number of new cases filed, the number of cases disposed during the year, and the number of cases left pending at the end of the year (June 30). However, for certain case types, including estates and special proceedings in superior court, and civil magistrate cases, criminal motor vehicle cases, and infractions cases in district court, no begin-pending or end-pending data are maintained. Further, only filings data are collected for district court civil license revocations.

The tables also show the median ages of the cases pending at the end of the year, as well as the ages of cases disposed during the year. (Age data are not maintained on the case types identified above.) The median age of a group of cases is, by definition, the age of a hypothetical case that is older than 50% of the total set of cases and younger than the other 50%.

The tables that follow also provide statewide data on juvenile cases. This includes data on matters alleged in juvenile petitions filed, as well as data relating to adjudicatory hearings held, during the year.

Except for estates, special proceedings, and juvenile matters, caseload statistics come from the automated criminal, infraction, and civil modules of the AOC's Court Information System (CIS).

The case statistics in this trial courts section have been summarized from the automated filing and disposition case data, as well as from manually reported case data. Pending case information is calculated from the filing and disposition data. The accuracy of the pending case figures is, of course, dependent upon timely and accurate data on filings and dispositions.

Periodic comparisons by clerk personnel of their actual pending case files against the AOC's computer-produced pending case lists, followed by indicated corrections, are necessary to maintain accurate data in the AOC computer file. Yet, staff resources in the clerks' offices are not sufficient to make such physical inventory checks as frequently and as completely as would be necessary to maintain absolute accuracy in the AOC's computer files. Thus, it is recognized that there is some margin of error in the figures published in the following tables.

Another accuracy-related problem inherent in the AOC's reporting system is the lack of absolute consistency in the published year-end and year-beginning pending figures. The number of cases pending at the end of a reporting year should ideally be identical to the number of published pending cases at the beginning of the next reporting year. However, experience has shown that inevitably some filings and dispositions that occurred in the preceding year are not reported until the subsequent year. The later-reported data are regarded as being more complete and are used in the current year's tables, thereby producing some differences between the prior year's end-pending figures and the current year's begin-pending figures.

CASELOAD INVENTORY AND MEDIAN AGES OF SUPERIOR COURT CASES
July 1, 2004 — June 30, 2005

	Begin Pending	Filed	Disposed	End Pending	Median Ages (in days)*	
					Disposed Cases	Pending Cases
Civil Cases	21,339	27,554	27,955	20,938	208.0	192.0
Contract	4,305	6,725	6,787	4,243	147.0	167.0
Collect on Accounts	1,133	2,808	2,714	1,227	115.0	84.0
Motor Vehicle Negligence	6,105	6,481	6,631	5,955	318.0	198.0
Other Negligence	3,465	2,755	3,012	3,208	355.5	269.0
Real Property	1,525	1,321	1,359	1,487	332.0	255.0
Administrative Appeal	241	317	364	194	162.0	144.5
Other	4,565	7,147	7,088	4,624	144.0	171.0
Estates	—	61,235	59,137	—	—	—
Special Proceedings	—	109,942	101,620	—	—	—
Criminal Cases	74,045	144,334	138,955	79,424	180.0	221.0
Felonies	56,059	101,509	97,980	59,588	199.0	234.0
Murder	949	719	641	1,027	443.0	372.0
Manslaughter	75	99	93	81	234.0	267.0
Rape and First Degree Sex Offense	1,842	1,632	1,891	1,583	280.0	275.0
Other Sex Offenses	2,059	2,359	2,451	1,967	235.0	289.0
Robbery	3,303	4,432	4,703	3,032	211.0	229.0
Assault	2,196	3,232	3,120	2,308	224.0	238.0
Burglary and Breaking or Entering	6,957	14,248	14,632	6,573	171.0	207.0
Larceny	4,027	8,407	8,216	4,218	182.0	218.0
Arson and Burnings	165	381	328	218	198.0	201.0
Forgery and Utterings	2,559	6,946	7,089	2,416	160.0	247.0
Fraudulent Activity	5,980	10,579	10,508	6,051	195.0	262.0
Controlled Substances	16,908	30,460	28,938	18,430	224.0	244.0
Other	9,039	18,015	15,370	11,684	185.0	198.0
Misdemeanors	17,986	42,825	40,975	19,836	131.0	184.0
Impaired Driving Appeals	2,017	5,033	4,794	2,256	106.0	105.0
Other Motor Vehicle Appeals	2,843	6,349	6,236	2,956	116.0	113.0
Non-Motor Vehicle Appeals	6,492	13,980	13,630	6,842	168.0	258.0
Cases Originating in Superior Court	6,634	17,463	16,315	7,782	117.0	176.0

*On this table, criminal cases in superior court are aged from their original filing date, which was the district court filing date the case originated in district court. (Data in annual reports and supplements prior to FY 1996-97 aged such cases from their filing date in superior court, and therefore excluded any time prior to transfer of such cases to superior court)

MANNER OF DISPOSITION OF SUPERIOR COURT CASES

July 1, 2004 — June 30, 2005

	<u>Jury Trial</u>	<u>Judge Trial</u>	<u>Voluntary Dismissal</u>	<u>Final Order/ Judgment Without Trial</u>	<u>Clerk</u>	<u>Other</u>
Civil Cases	434	3,253	14,236	3,295	2,759	3,978
Contract	52	731	3,466	639	900	999
Collect on Accounts	2	224	728	242	1,072	446
Motor Vehicle Negligence	227	373	5,044	313	30	644
Other Negligence	75	286	1,922	187	15	527
Real Property	32	357	298	500	11	161
Administrative Appeal	1	126	96	46	0	95
Other	45	1,156	2,682	1,368	731	1,106
	<u>Jury Trial</u>	<u>Guilty Plea to Lesser Offense</u>	<u>to Charged Offense</u>	<u>DA Dismissal With Leave</u>	<u>Without Leave*</u>	<u>Other**</u>
Criminal Cases	2,603	12,077	57,189	6,139	43,232	17,715
Felonies	1,820	11,588	47,279	4,393	31,136	1,764
Murder	120	284	90	6	130	11
Manslaughter	3	15	48	0	21	6
Rape and First Degree Sex Offense	142	199	520	26	947	57
Other Sex Offenses	187	128	1,129	59	911	37
Robbery	189	1,131	1,896	91	1,335	61
Assault	175	858	916	64	1,050	57
Burglary and Breaking or Entering	97	1,766	9,171	496	2,926	176
Larceny	53	1,076	4,022	385	2,528	152
Arson and Burnings	16	68	143	15	86	0
Forgery and Utterings	13	379	4,183	411	2,074	29
Fraudulent Activity	81	671	5,417	727	3,497	115
Controlled Substances	321	3,508	13,720	1,519	9,600	270
Other	423	1,505	6,024	594	6,031	793
Misdemeanors	783	489	9,910	1,746	12,096	15,951
Impaired Driving Appeals	215	59	687	265	214	3,354
Other Motor Vehicle Appeals	60	157	1,431	453	2,198	1,937
Non-Motor Vehicle Appeals	371	183	3,107	489	3,920	5,560
Cases Originating in Superior Court	137	90	4,685	539	5,764	5,100

*"DA Dismissal Without Leave" includes Dismissals after Deferred Prosecution.

**"Other" includes Speedy Trial Dismissals.

CASELOAD INVENTORY AND MEDIAN AGES OF DISTRICT COURT CASES

July 1, 2004 — June 30, 2005

	Begin Pending	Filed	Disposed	End Pending	Median Ages (in days)	
					Disposed Cases	Pending Cases
Civil Cases	—	463,484	459,865	—	—	—
Civil Magistrate (Small Claims)	—	274,449	274,545	—	—	—
Civil District	82,391	189,035	185,320	86,106	63.0	190.0
URESА/UIFSA	211	369	350	230	96.0	468.5
Child Support (IV-D)	16,396	40,811	38,526	18,681	74.0	168.0
Child Support (Non IV-D)	9,573	6,427	5,825	10,175	149.0	611.0
Other Domestic Relations	29,282	81,602	79,194	31,690	48.0	220.0
<i>Subtotal Domestic Relations</i>	<i>55,462</i>	<i>129,209</i>	<i>123,895</i>	<i>60,776</i>	<i>54.0</i>	<i>266.0</i>
General Civil	25,118	55,948	57,540	23,526	91.0	111.0
Magistrate Appeal/Transfer	1,811	3,878	3,885	1,804	100.0	104.0
<i>Subtotal General Civil and Magistrate Appeal/Transfer</i>	<i>26,929</i>	<i>59,826</i>	<i>61,425</i>	<i>25,330</i>	<i>91.0</i>	<i>111.0</i>
Criminal Cases	—	1,569,842	1,557,999	—	—	—
Non-Motor Vehicle	225,534	646,842	647,179	225,197	77.0	83.0
Motor Vehicle	—	923,000	910,820	—	—	—
Infractions	—	754,351	753,087	—	—	—
Civil License Revocations	—	52,690	—	—	—	—

MANNER OF DISPOSITION OF DISTRICT COURT CASES
July 1, 2004 — June 30, 2005

	Jury <u>Trial</u>	Judge <u>Trial</u>	Voluntary <u>Dismissal</u>	Final Order/ Judgment w/o Trial	Clerk	Other
Civil Cases	161	55,428	24,337	44,775	27,529	33,090
URES/UIFS	0	80	9	125	3	133
Child Support (IV-D)	7	9,524	3,086	16,493	31	9,385
Child Support (Non IV-D)	2	2,145	739	1,791	19	1,129
Other Domestic Relations	45	38,411	6,052	19,046	1,820	13,820
<i>Subtotal Domestic Relations</i>	<i>54</i>	<i>50,160</i>	<i>9,886</i>	<i>37,455</i>	<i>1,873</i>	<i>24,467</i>
General Civil	87	4,037	13,637	6,384	25,356	8,039
Magistrate Appeal/Transfer	20	1,231	814	936	300	584
<i>Subtotal General Civil and Magistrate Appeal/Transfer</i>	<i>107</i>	<i>5,268</i>	<i>14,451</i>	<i>7,320</i>	<i>25,656</i>	<i>8,623</i>

Probable Cause Matters (Felonies)

	<u>Waiver</u>	Guilty Plea	<u>Trial</u>	<u>DA Dismissal</u>		Other	<u>Probable Cause Matters (Felonies)</u>				Total
				With Leave	Without Leave*		Heard and Bound Over	Probable Cause Not Found	Probable Cause Waived	Super- ceding Indictment	
Criminal Cases											
Non-Motor Vehicle	25,265	193,336	27,824	41,103	229,268	37,039	1,691	2,626	19,048	71,884	95,249
47 Motor Vehicle	<u>Waiver:</u>	123,238			<u>Non-Waiver:</u>	787,582					
Infractions	<u>Waiver:</u>	376,151			<u>Non-Waiver:</u>	376,936					

*DA Dismissal Without Leave includes Dismissals after Deferred Prosecution.

MATTERS ALLEGED IN JUVENILE PETITIONS

	2002-03	2003-04	2004-05
Delinquent Offenses	23,873	24,537	25,652
Capital	11	3	13
Other Felony	6,971	6,972	7,203
Misdemeanor	16,891	17,562	18,436
Undisciplined Offenses	4,589	4,836	4,686
Truancy	633	794	701
Other*	3,956	4,042	3,985
Juvenile Conditions	12,315	12,947	13,970
Dependent	3,341	3,621	3,841
Neglected	5,723	5,853	6,510
Abused	1,065	1,199	1,343
Parental Rights Petition	2,186	2,274	2,276
Total Petitions	40,777	42,320	44,308
Children before Court for First Time	16,700	17,190	18,006

*Some examples of other undisciplined offenses include regular disobedience beyond parental control, regular presence in places where it is unlawful for juveniles to be, and running away from home.

ADJUDICATORY HEARINGS FOR JUVENILE MATTERS

	Retained			Dismissed			Total		
	2002-03	2003-04	2004-05	2002-03	2003-04	2004-05	2002-03	2003-04	2004-05
Delinquency Hearings	15,616	16,216	17,246	8,965	9,467	10,510	24,581	25,683	27,756
Undisciplined Hearings	2,350	2,510	2,446	1,062	1,059	1,082	3,412	3,569	3,528
Dependency Hearings	3,614	3,924	4,435	675	752	745	4,289	4,676	5,180
Neglect Hearings	5,737	6,094	6,443	1,157	1,193	1,287	6,894	7,287	7,730
Abuse Hearings	785	924	1,009	341	336	360	1,126	1,260	1,369

	2002-03	2003-04	2004-05
Parental Rights Terminated	1,613	1,679	1,806
Terminated	254	287	356
Total	1,867	1,966	2,162

	2002-03	2003-04	2004-05
Total Adjudicatory Hearings for Juvenile Matters	42,169	44,441	47,725

PART III, Section 3

Special Programs Data

- **Arbitration**
- **Child Custody and Visitation
Mediation**
- **Mediated Settlement Conferences**
- **Family Financial Settlement
Procedures**
- **Drug Treatment Court**
- **Sentencing Services**

SPECIAL PROGRAMS DATA

This section presents data on six special programs of the N.C. Judicial Branch. The cases reported in these tables do not represent cases *in addition* to those reported in the trial courts section, but rather special programs (mostly alternative dispute resolution programs) for how certain types of cases are disposed or handled. The cases are set out separately here to summarize the program activity of six programs -- arbitration, custody mediation, mediated settlement conferences, family financial settlement procedures, drug treatment court, and sentencing services-- all of which are discussed in more detail in the description of the present court system in Part I.

ARBITRATION ACTIVITY
July 1, 2004 – June 30, 2005

	<u>Cases Noticed for Arbitration</u>			<u>Summary of De Novo Appeal Activity</u>				
	District Court	Superior Court	Total	Cases Arbitrated	Appeals Filed	Trials	Dismissal/ Other	Pending 6/30/2005
District 1								
Camden	1	0	1	0	0	0	0	0
Chowan	2	0	2	0	0	0	0	0
Currituck	7	0	7	0	1	0	0	1
Dare	40	0	40	0	2	1	0	1
Gates	7	0	7	0	0	0	0	0
Pasquotank	22	0	22	0	2	1	1	0
Perquimans	4	0	4	0	0	0	0	0
District Totals	83	0	83	0	5	2	1	2
District 3A								
Pitt	36	0	36	34	4	1	0	3
District 3B								
Carteret	34	0	34	13	14	2	7	5
Craven	51	0	51	16	13	5	3	5
Pamlico	10	0	10	4	3	1	1	1
District Totals	95	0	95	33	30	8	11	11
District 5								
New Hanover	306	5	311	169	21	5	3	13
Pender	72	5	77	15	1	1	0	0
District Totals	378	10	388	184	22	6	3	13
District 6A								
Halifax	38	0	38	32	9	5	2	2
District 8A								
Greene	4	0	4	3	1	1	0	0
Lenoir	33	0	33	21	6	1	1	4
District Totals	37	0	37	24	7	2	1	4
District 8B								
Wayne	85	1	86	54	10	3	1	6
District 10								
Wake	540	0	540	341	97	21	57	19
District 12								
Cumberland	748	0	748	232	40	9	27	4
District 13								
Bladen	24	0	24	18	5	0	2	3
Columbus	44	0	44	25	4	2	1	1
Brunswick	54	0	54	34	10	3	4	3
District Totals	122	0	122	77	19	5	7	7
District 14								
Durham	285	13	298	226	59	2	19	38
District 15A								
Alamance	39	0	39	36	8	3	1	4
District 15B								
Orange	36	0	36	30	5	4	0	1
Chatham	14	0	14	13	1	1	0	0
District Totals	50	0	50	43	6	5	0	1

Arbitration Activity, July 1, 2004 – June 30, 2005

	Cases Noticed for Arbitration			Cases Arbitrated	Summary of De Novo Appeal Activity			
	District Court	Superior Court	Total		Appeals Filed	Trials	Dismissal/Other	Pending 6/30/2005
District 16A								
Hoke	9	0	9	10	1	1	0	0
Scotland	7	0	7	3	0	0	0	0
District Totals	16	0	16	13	1	1	0	0
District 16B								
Robeson	37	1	38	8	1	0	1	0
District 17A								
Rockingham	26	0	26	20	2	1	1	0
District 18								
Guilford	447	0	447	311	59	24	8	27
District 19B								
Montgomery	17	0	17	0	0	0	0	0
Randolph	26	0	26	20	3	2	0	1
District Totals	43	0	43	20	3	2	0	1
District 19C								
Rowan	127	0	127	92	26	2	8	16
District 19D								
Moore	16	0	16	15	1	0	1	0
District 20								
Anson	11	0	11	2	1	0	0	1
Richmond	19	0	19	8	3	1	0	2
Stanly	51	0	51	38	5	3	2	0
Union	83	0	83	54	21	0	0	21
District Totals	164	0	164	102	30	4	2	24
District 21								
Forsyth	327	0	327	160	41	7	17	17
District 22								
Davidson	41	0	41	27	10	1	3	6
Iredell	80	0	80	45	13	1	3	9
Davie	9	0	9	5	1	0	0	1
Alexander	7	0	7	9	1	1	0	0
District Totals	137	0	137	86	25	3	6	16
District 23								
Alleghany	6	0	6	3	1	0	0	1
Ashe	11	0	11	5	2	1	0	1
Wilkes	52	0	52	23	4	1	2	1
Yadkin	38	0	38	13	5	1	0	4
District Totals	107	0	107	44	12	3	2	7
District 24								
Watauga	44	0	44	20	4	2	1	1
Avery	14	0	14	11	2	0	2	0
Mitchell	4	0	4	3	0	0	0	0
Yancey	9	0	9	6	1	1	0	0
Madison	10	0	10	3	0	0	0	0
District Totals	81	0	81	43	7	3	3	1

Arbitration Activity, July 1, 2004 – June 30, 2005

	<u>Cases Noticed for Arbitration</u>			<u>Cases Arbitrated</u>	<u>Summary of De Novo Appeal Activity</u>			
	<u>District Court</u>	<u>Superior Court</u>	<u>Total</u>		<u>Appeals Filed</u>	<u>Trials</u>	<u>Dismissal/ Other</u>	<u>Pending 6/30/2005</u>
District 25A								
Burke	71	0	71	34	9	5	2	2
Caldwell	59	0	59	25	5	2	1	2
District Totals	130	0	130	59	14	7	3	4
District 25B								
Catawba	174	0	174	87	24	5	13	6
District 26								
Mecklenburg	797	0	797	682	231	75	137	19
District 27A								
Gaston	131	7	138	120	36	13	18	5
District 27B								
Cleveland	65	0	65	47	26	4	9	13
Lincoln	15	0	15	9	1	0	0	1
District Totals	80	0	80	56	27	4	9	14
District 29								
McDowell	9	0	9	6	1	0	0	1
Rutherford	28	0	28	14	4	1	0	3
Polk	6	0	6	6	3	1	0	2
Henderson	59	0	59	42	8	2	4	2
Transylvania	19	0	19	6	1	0	0	1
District Totals	121	0	121	74	17	4	4	9
District 30A								
Cherokee	11	0	11	9	2	2	0	0
Clay	2	0	2	0	0	0	0	0
Graham	4	0	4	4	0	0	0	0
Macon	14	0	14	20	2	2	0	0
Swain	9	0	9	8	2	2	0	0
District Totals	40	0	40	41	6	6	0	0
District 30B								
Haywood	14	0	14	13	2	1	1	0
Jackson	16	0	16	15	2	2	0	0
District Totals	30	0	30	28	4	3	1	0
TOTALS	5,567	32	5,599	3,377	883	239	364	280

*Of the 3,377 cases arbitrated, 883, or 26.1% of these cases were appealed.

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY

July 1, 2004 – June 30, 2005

	Cases Pending 7/1/04	Cases Referred	Total Caseload	Parenting Agreement Drafted	Parenting Agreement Signed	Cases Mediated ***	Cases Not Mediated ****	Total Cases Disposed Through Mediation Office
District 3A Pitt	42	136	178	77	24	123	10	13
District 4 Duplin, Jones, Onslow, Sampson	39	263	302	129	97	206	59	26
District 5 New Hanover, Pender	38	528	566	160	77	279	239	51
District 6A Halifax	10	87	97	46	35	70	17	8
District 6B Bertie, Hertford, Northampton	18	75	93	28	17	42	31	7
District 8 Greene, Lenoir, Wayne	29	209	238	83	57	165	36	20
District 9 Franklin, Granville, Vance, Warren	1	128	129	50	31	98	15	11
District 9A Caswell, Person	1	67	68	28	15	51	11	6
District 10 Wake	96	824	920	226	200	446	356	80
District 11* Harnett, Johnston, Lee	50	520	570	101		228	302	53
District 12 Cumberland	157	1,154	1,311	303	194	486	715	1,20

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY

July 1, 2004 – June 30, 2005

	Cases Pending 7/1/04	Cases Referred	Total Caseload	Parenting Agreement Drafted	Parenting Agreement Signed	Cases Mediated ***	Cases Not Mediated ****	Total Cases Disposed Through Mediation Office
District 13 Bladen, Brunswick, Columbus	11	255	266	212	97	228	33	261
District 14 Durham	18	293	311	75	62	165	116	281
District 15A Alamance	36	224	260	129	88	194	32	226
District 15B Chatham, Orange	10	142	152	95	77	133	9	142
District 16A Hoke, Scotland	0	56	56	31	0	46	10	56
District 17A Rockingham	11	128	139	34	24	99	16	115
District 17B Stokes, Surry	11	168	179	65	55	143	19	162
District 18 Guilford County	195	612	807	269	171	426	182	608
District 19A Cabarrus	28	147	175	85	83	128	8	136
District 19B Montgomery, Moore, Randolph	9	316	325	206	161	290	32	322
District 19C Rowan	63	281	344	167	144	247	24	273

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY

July 1, 2004 – June 30, 2005

	Cases Pending 7/1/04	Cases Referred	Total Caseload	Parenting Agreement Drafted	Parenting Agreement Signed	Cases Mediated ***	Cases Not Mediated ****	Total Cases Disposed Through Mediation Office
District 20 Anson, Richmond, Stanly, Union	54	358	412	165	113	252	109	361
District 21 Forsyth	33	339	372	172	114	277	69	346
District 23 ** Alleghany, Ashe, Wilkes, Yadkin	0	65	65	24	15	35	5	40
District 25 Burke, Caldwell, Catawba	72	691	763	234	147	472	228	700
District 26 Mecklenburg	120	1,006	1,126	321	223	603	512	1,115
District 27A Gaston	40	189	229	88	46	159	26	185
District 27B Cleveland, Lincoln	44	121	165	47	28	130	21	151
District 28 Buncombe	116	342	458	153	75	229	96	325
TOTALS	1,352	9,724	11,076	3,803	2,470	6,450	3,338	9,788

*District 11 agreements are generally signed in the attorneys' offices, not in the mediation office. Therefore, the mediation staff cannot capture accurate numbers on signed agreements.

** District 23 startup was in March 2005 covering Wilkes County only.

*** Cases mediated includes one face to face session with both parties. Mediation outcomes include full permanent parenting agreements, temporary agreements, partial agreements or modified agreements. Mediation sessions may also result in no signed agreements, or determinations that mediation is inappropriate (documented domestic violence, serious substance abuse, etc.). These numbers do not include orientation sessions.

**** Cases not mediated includes a party's failure to appear, a voluntary dismissal, court exemption, inappropriate cases (domestic violence, serious substance abuse, etc.), or consent order signed in lieu of a parenting agreement. In most districts, parties living 50 miles or more from the district are exempt from mediation.

MEDIATED SETTLEMENT CONFERENCES CASES
July 1, 2004 – June 30, 2005

Districts	Begin Pending	Submitted to Mediation	Ordered Removed	Disposed without Session	Resolved through Conference	Not Resolved through Conference	End Pending
1	82	103	31	16	36	23	79
2	238	42	9	65	28	48	130
3A*	180	139	1	74	42	39	163
3B	370	220	3	22	53	47	465
4A	159	88	0	14	18	16	199
4B*	24	50	0	1	13	21	39
5	729	418	8	103	85	76	875
6A	17	26	0	6	7	17	13
6B	54	63	13	31	18	25	30
7A	160	274	19	17	16	13	369
7B**	174	224	9	101	96	51	141
7C**	38	92	10	33	25	16	46
8A	44	83	2	52	22	30	21
8B	59	115	8	29	49	34	54
9*	238	231	4	56	85	57	267
9A***							
10	620	1,078	38	482	336	277	565
11A	131	220	6	99	105	59	82
11B	304	529	20	304	68	73	368
12	122	462	76	161	131	82	134
13	339	336	0	197	84	62	332
14	774	478	2	300	102	98	750
15A	62	127	6	22	53	34	74
15B	150	221	9	95	56	60	151
16A*	41	41	2	21	16	12	31
16B	33	73	1	5	38	17	45
17A	39	81	2	19	41	26	32
17B	90	112	9	24	44	33	92
18	422	769	46	139	286	244	476
19A	98	161	2	65	51	38	103
19B	67	152	9	47	58	38	67
19C	202	154	2	32	45	49	228
19D*	143	210	5	112	27	25	184
20A	86	84	4	44	38	26	58
20B*	59	338	16	54	95	83	149
21*	373	416	0	18	154	132	485
22	893	447	9	127	161	94	949
23	93	161	2	47	44	48	113
24*	22	174	5	26	133	32	0
25A	82	164	7	61	66	52	60
25B	183	255	9	71	81	54	223
26*	527	1,714	11	614	554	509	553
27A	156	273	1	19	46	103	260
27B	81	142	3	34	74	35	77
28	411	395	12	213	147	54	380
29*	292	300	10	121	92	72	297
30A	74	82	2	24	23	10	97
30B	72	125	9	61	31	29	67
TOTALS	9,607	12,442	452	4,278	3,873	3,073	10,373

*Pending numbers from June 2004 adjusted: Districts 3A, 4B, 9, 16A, 19D, 20B, 21, 24, 26, and 29.

**Districts 7B/7C reporting separately as per the districts' requests.

***No data reported for District 9A.

FAMILY FINANCIAL SETTLEMENT PROCEDURES CASES
July 1, 2004 – June 30, 2005

Districts	Begin Pending	Ordered to Mediation	Voluntarily Submitted to Mediation	Submitted to other Settle. Proced.	Ordered Removed from Settle. Proced.	Disposed without Settle. Proced.	Resolved through Settle. Proced.	Partially Resolved through Settle. Proced.	Not Resolved through Settle. Proced.	End Pending
5	71	256	0	0	14	95	61	0	45	112
6A	2	17	0	1	0	4	8	3	5	0
8	16	44	1	0	0	7	22	3	18	11
9	18	23	8	0	0	3	13	0	1	32
12*	290	313	0	151	152	42	11	4	22	523
14	35	43	0	26	0	9	20	3	38	34
16A	45	39	0	0	14	2	10	0	8	50
17A	12	65	1	0	0	15	36	3	8	16
19A	43	126	3	0	1	74	9	2	1	85
20	31	107	46	1	2	46	37	2	19	79
23	57	29	2	0	0	11	31	0	15	31
24	27	51	3	0	0	5	26	1	3	46
25	107	132	46	5	26	89	35	7	43	90
26	53	88	0	143	11	20	105	10	48	90
28*	63	40	2	0	0	2	25	3	13	62
30	36	67	0	0	2	31	20	2	16	32
TOTALS	906	1,440	112	327	222	455	469	43	303	1,293

*June 30, 2004 pending number adjusted

DRUG TREATMENT COURT ACTIVITY
July 1, 2004 – June 30, 2005

District	Number Served*	Type of Drug Treatment Court	Percent Graduated*	Retention Rate*
District 3B				
Carteret	18	Post-sentence Adult Superior DTC	18%	59%
Craven	21	Post-sentence Adult Superior DTC	30%	73%
District 5				
New Hanover	87	Post-sentence Adult DTC	33%	66%
District 6				
Halifax	**	Family DTC	**	**
District 8				
Wayne	**	Family DTC	**	**
District 9A				
Person/Caswell	59	Pre-plea and Post-sentence Adult DTC	32%	68%
District 10				
Wake	60	Post-sentence Adult DTC	38%	61%
	11	Post-adjudication Youth DTC	26%	48%
District 12				
Cumberland	**	Pre-plea and Post-sentence Adult DTC	**	**
	**	Family DTC	**	**
District 14				
Durham	44	Post-sentence Adult DTC	29%	71%
	34	Post-adjudication Youth DTC	27%	59%
	29	Family DTC	29%	64%
District 15B				
Orange	27	Post-sentence Adult DTC	18%	69%
	**	Family DTC	**	**
District 18				
Guilford	54	Pre-plea Adult DTC	27%	59%
District 19B				
Randolph	17	Post-sentence Adult DTC	40%	78%
District 19C				
Rowan	23	Post-adjudication Youth DTC	33%	89%
District 21				
Forsyth	43	Post-plea Adult DTC	22%	50%
	29	Post-adjudication Youth DTC	54%	79%

DRUG TREATMENT COURT ACTIVITY, July 1, 2004 – June 30, 2005

District	Number Served*	Type of Drug Treatment Court	Percent Graduated*	Retention Rate*
District 25				
Catawba	40	Post-sentence Adult DTC/DWI Treatment Court	60%	85%
District 26				
Mecklenburg	393	3-Pre-plea and Post-sentence Adult DTCs and 2-Post-sentence Adult DWI	41%	67%
	258	Family DTC	29%	54%
	57	Pre-adjudication Youth DTC	15%	48%
District 28				
Buncombe	58	Post-sentence Adult Superior DTC	32%	72%
TOTAL NUMBER SERVED***				
	ADULT	921		
	YOUTH	154		
	FAMILY	287		

*The "Number Served" includes active participants, graduations, and terminations. The "Percent Graduated" equals the number of graduations divided by the sum of graduations and terminations. The "Retention Rate" represents the sum of active participants and graduations divided by the total number served.

**Programs became operational between January 2005 and May 2005.

***Total Number Served Adult includes Buncombe, Carteret/Craven, Catawba, Durham, Guilford, New Hanover, Person/Caswell, Randolph, and Wake counties. Total Number Served Youth includes Durham, Forsyth, Mecklenburg, Rowan, and Wake counties. Total Number Served Family includes Durham and Mecklenburg counties.

SENTENCING SERVICES PROGRAMS

(as of June 30, 2005)

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05
1	Camden Chowan Currituck Dare Gates Pasquotank Perquimans	Plans Opened	61	32 #	60	10 ^^	18
		Plans Prepared	51	19	44	4	13
		Plans Presented to Court	51	17	44	5	13
2	Beaufort Hyde Martin Tyrrell Washington	Plans Opened	76	89	30	40	29
		Plans Prepared	36	50	44	38	19
		Plans Presented to Court	35	49	44	36	19
3A	Pitt	Plans Opened	122	126 ##	34	48	30
		Plans Prepared	48	70	26	33	35
		Plans Presented to Court	41	65	20	32	35
3B	Carteret Craven Pamlico	Plans Opened	112	127	106	123	51
		Plans Prepared	43	40	38	53	40
		Plans Presented to Court	43	39	37	52	39
4A & 4B	Duplin Jones Onslow Sampson	Plans Opened	150	138	96	92	89
		Plans Prepared	64	90	75	50	48
		Plans Presented to Court	54	78	71	50	50
5	New Hanover Pender	Plans Opened	152	141	79	107	95
		Plans Prepared	104	101	75	71	67
		Plans Presented to Court	102	98	74	70	67

SENTENCING SERVICES PROGRAMS, as of June 30, 2005

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05
6A & 6B	Halifax	Plans Opened	61	62	31 ^{###}	59	37
	Bertie	Plans Prepared	46	55	31	57	37
	Hertford Northampton	Plans Presented to Court	46	54	30	57	37
7A & 7B	Edgecombe	Plans Opened	77	62	73	47	79
	Nash	Plans Prepared	55	64	54	39	61
	Wilson	Plans Presented to Court	54	64	52	39	61
8A & 8B	Greene	Plans Opened	85	96 ^{##}	81	47	56
	Lenoir	Plans Prepared	43	45	35	35	47
	Wayne	Plans Presented to Court	43	39	34	35	47
9	Franklin	Plans Opened	54	33	32	32	27
	Granville	Plans Prepared	54	32	33	31	26
	Vance Warren	Plans Presented to Court	54	31	33	27	25
9A	Caswell	Plans Opened	88	56	41	38	27
	Person	Plans Prepared	62	35	31	46	32
		Plans Presented to Court	62	34	31	46	32
10	Wake	Plans Opened	72	99	89	124	102
		Plans Prepared	52	78	52	84	94
		Plans Presented to Court	47	72	51	84	94
11A & 11B	Harnett	Plans Opened	114	128	66	98	85
	Johnston	Plans Prepared	124	110	97	107	94
	Lee	Plans Presented to Court	124	108	96	107	94
12	Cumberland	Plans Opened	127	124	54	74	65
		Plans Prepared	96	91	72	51	55
		Plans Presented to Court	90	88	69	51	55
13	Bladen	Plans Opened	49	**	98	96	113
	Brunswick	Plans Prepared	41	58	54	74	87

SENTENCING SERVICES PROGRAMS, as of June 30, 2005

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05
	Columbus	Plans Presented to Court	41	56	53	74	87
14	Durham	Plans Opened	288	378	112	158	147
		Plans Prepared	109	136	105	100	108
		Plans Presented to Court	106	133	104	101	108
15A	Alamance	Plans Opened	122	106	68	80	59
		Plans Prepared	88	71	57	74	43
		Plans Presented to Court	80	62	57	73	43
15B	Chatham	Plans Opened	62	66	57	69	69
	Orange	Plans Prepared	50	60	51	60	70
		Plans Presented to Court	47	55	49	58	69
16A	Hoke	Plans Opened	56	74	42	62	32
	Scotland	Plans Prepared	31	49	34	20	38
		Plans Presented to Court	29	48	34	20	38
16B	Robeson	Plans Opened	38	43	53	26	8
		Plans Prepared	42	29	22	30	14
		Plans Presented to Court	28	27	24	29	10
17A	Rockingham	Plans Opened	68	113	79	51	49
		Plans Prepared	43	101	94	53	48
		Plans Presented to Court	43	87	87	49	45
17B	Stokes	Plans Opened	35	27	28	42	40
	Surry	Plans Prepared	27	29	24	46	50
		Plans Presented to Court	27	28	24	42	46
18	Guilford	Plans Opened	197	168	117	131	112
		Plans Prepared	87	92	70	74	80
		Plans Presented to Court	77	86	67	74	80
19A	Cabarrus	Plans Opened	66	114	47	87	72

SENTENCING SERVICES PROGRAMS, as of June 30, 2005

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05
		Plans Prepared	40	88	46	72	63
		Plans Presented to Court	40	88	46	72	63
19B & 19D	Montgomery	Plans Opened	33	35 **	24	18 ^^	50
	Moore	Plans Prepared	15	29	23	5	32
	Randolph	Plans Presented to Court	14	29	23	5	31
19C	Rowan	Plans Opened	73	73	26	36	46
		Plans Prepared	53	51	39	28	31
		Plans Presented to Court	53	51	39	28	31
20A & 20B	Anson	Plans Opened	31	51 ##	38	62	34
	Richmond	Plans Prepared	22	41	41	40	30
	Stanly	Plans Presented to Court	19	39	40	40	28
	Union						
21	Forsyth	Plans Opened	80	49 #	0 ***	23	45
		Plans Prepared	56	33	0	18	48
		Plans Presented to Court	47	32	0	18	46
22	Alexander	Plans Opened	61	45	68	114	82
	Davidson	Plans Prepared	40	23	31	47	47
	Davie	Plans Presented to Court	36	22	31	45	45
	Iredell						
23	Alleghany	Plans Opened	40	26 ##	28	36	51
	Ashe	Plans Prepared	34	23	33	25	49
	Wilkes	Plans Presented to Court	34	23	33	25	49
	Yadkin						
24	Avery	Plans Opened	29	52 ##	67	66	61
	Madison	Plans Prepared	24	26 **	38	41	56
	Mitchell	Plans Presented to Court	21	19	38	40	56
	Watauga Yancey						
25A & 25B	Burke	Plans Opened	124	97 ##	71	78	68
	Caldwell	Plans Prepared	99	70	81	57	62

SENTENCING SERVICES PROGRAMS, as of June 30, 2005

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05
	Catawba	Plans Presented to Court	88	65	64	56	62
26	Mecklenburg	Plans Opened	207 **	165	74	91	197
		Plans Prepared	142	129	78	79	168
		Plans Presented to Court	136	124	77	79	168
27A & 27B	Gaston	Plans Opened	106	104 ##	61	133	99
	Cleveland	Plans Prepared	99	101	57	104	83
	Lincoln	Plans Presented to Court	97	98	56	104	89
28	Buncombe	Plans Opened	78	52	35	45	38
		Plans Prepared	67	59	29	45	38
		Plans Presented to Court	67	59	29	45	37
29	Henderson	Plans Opened	57	78	45	61	38
	McDowell	Plans Prepared	45	63	38	46	52
	Polk	Plans Presented to Court	40	57	33	46	52
	Rutherford						
	Transylvania						
30A & 30B	Cherokee	Plans Opened	38	52	30	15	19
	Clay	Plans Prepared	37	32	18	19	18
	Graham	Plans Presented to Court	33	31	18	18	18
	Haywood						
	Jackson						
	Macon						
	Swain						
STATE TOTALS		Plans Opened	3,289	3,379	2,121	2,519	2,319
		Plans Prepared	2,169	2,273	1,770	1,856	1,983
		Plans Presented to Court	2,049	2,155	1,712	1,832	1,969

*Startup funding was awarded during this fiscal year for the program to this district. Services began or were enhanced the following fiscal year.

**There was a change to service provider for this district during this fiscal year.

##This program did not submit data for the months of May and June 2002.

###This program did not submit data for the month of June 2002.

SENTENCING SERVICES PROGRAMS, as of June 30, 2005

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05
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***This program closed & reopened under a new service provider during the 2nd half of the fiscal year.

###This program did not submit data from October-December of 2002 due to the office closing.

^^Programs were not staffed for several months.