



# 2007–2008

## NORTH CAROLINA COURTS Statistical and Operational Summary

July 1, 2007 – June 30, 2008



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## **Part I**

# **The Present Court System**

## 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 Department. 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 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 66 superior court districts, which are collapsed into 49 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.

In SFY 2007-08, there were 95.00 resident superior court judges. In addition, 16.00 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 41 district court districts for administrative purposes during SFY 2007-08, with each district composed of one or more counties. There are 42 district court districts for electoral purposes, with District 9 being split into electoral Districts 9 and 9B, and Districts 20B and 20C being split for electoral purposes and combined for administrative purposes. 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. As of June 30, 2008, there were 262.00 district court judges.

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 737.35 magistrates were authorized as of June 30, 2008. 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.

### **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 SFY 2007-08, the state was divided into 42 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.

G.S. 7A-60 specifies the number of assistant district attorneys that each district attorney may employ (totaling 601.00 as of June 30, 2008). 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 Conference of District Attorneys was established as a state agency in 1983 under General Statute 7A-411. The Conference is governed by the elected district attorneys and assisted by a staff located in Raleigh. Primary responsibilities of the staff include, but are not limited to training, research, victims' rights, and publications.

### **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 (AOC). 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. As of June 30, 2008, there were 100.00 Clerks and 2,516.00 Deputy and Assistant Clerks.

The Conference of Clerks of Superior Court (CCSC) was created by the General Assembly in 2006 in Article 63 of Chapter 7A of the N.C. General Statutes. Pursuant to its enabling legislation, the CCSC seeks to improve the administrative operations of the offices of the clerks of superior court while increasing public accessibility to the courts. The CCSC serves as a resource

for the clerks, the AOC and other stakeholders in key areas of court administration. The CCSC acts as the primary point of contact between the 100 elected clerks of superior court, the General Assembly, the AOC, and other state, local and public entities to ensure the effective and efficient exchange of information.

### **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 SFY 2007-08, thirteen trial court administrators served the following fifteen superior court districts: 3B, 4A & 4B, 5, 7A & 7B, 10, 12, 14, 18, 21, 26, 27A, 28, 29A, and 29B. 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 Department.

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 Department; 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 Department 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, 2008, the AOC consisted of several areas and had 473.50 staff personnel. The Human Resources Division administers the personnel-related needs of the Judicial Department. The Legal Services Division includes legal staff. The Research and Planning Division provides statistical information, analysis, research, project evaluation, planning, grants coordination, 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 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 Department 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 Department 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).

The thirteen-member Commission on Indigent Defense Services was created by the Indigent Defense Services Act of 2000. The Commission and its staff, the Office of Indigent Defense Services (IDS), are located within the Judicial Department 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.

For more information visit the IDS website at <http://www.aoc.state.nc.us/www/ids/>.

### **Interpreting Services**

The purpose of Interpreting Services is to facilitate access to justice in North Carolina courts for non-English speaking persons, with a particular emphasis on the state's sizeable Hispanic/Latino population. The program strives to meet the needs of the court and non-English speakers statewide by providing an easily accessible online Spanish Foreign Language Registry of AOC-registered court interpreters for Spanish language interpreting needs, maintaining a registry of foreign language interpreters for languages other than Spanish and providing a link to the regional lists of certified interpreters maintained by the Division of Services for the Deaf and the Hard of Hearing in the N.C. Department of Health and Human Services.

The program is involved in the development of policy and guidelines for interpreters, advising the courts on the proper use of interpreters, training court officials on cultural and interpreting issues, and translating court forms. During the SFY 2007-08, the program trained more than 170 prospective court interpreters on the code of ethics and professionalism required of the court interpreter and provided skills-building workshops. Fifty-seven court certified Spanish interpreters work throughout the state.

North Carolina is one of 40 member states of the National Consortium for State Court Interpreter Certification. Interpreting Services administers the CSCIC's oral examination as the N.C. Court Interpreter Certification Examination in Spanish (NCCICE) in all languages for which CSCIC offers an examination.

### **Court-Ordered Arbitration**

In 1989, following successful experience in a pilot program, the General Assembly authorized court-ordered, non-binding arbitration statewide. In SFY 2007-08, cases were arbitrated in 64 counties.

In these counties, 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 take place in the courthouse and are limited to one hour. 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**

Directed by Session Law 1998-202 §25, the AOC established pilot family court programs in 1999 in three judicial districts to bring consistency, efficiency and fairness to the resolution of family matters and to positively impact caseloads in the district court division.

The concept at the heart of a family court is the consolidation of a single family's legal issues before their assigned judge or team of judges. In a family court one judge or one team of judges is assigned to one family, and through active case management by family court staff, statutory time standards for key events in the life of the case are monitored. The median pending age of cases is an indicator of how quickly domestic lawsuits move through the court system from the filing of the initial legal claim(s) in a complaint and answer to the disposition of these initial legal claim(s). For SFY 2007-08, the median age of pending domestic relation cases (excluding child support) was 102 days in family court districts as compared to 308 days in non-family court districts.

### **Child Custody and Visitation Mediation**

Pursuant to NC General Statutes § 7A-494 and § 7B-202, the AOC is required to provide statewide, uniform child custody mediation services to assist parents to resolve custody and/or visitation disputes" and to provide permanency mediation services in "cases in which a juvenile is alleged or has been adjudicated to be abused, neglected, or dependent, or in which a petition or motion to terminate a parent's rights has been filed." These two mandates authorize the operation of both the Child Custody and Visitation Mediation Program and the Permanency Mediation Program.

The Child Custody Mediation Program, first established in 1983, is comprised of 41 district mediation program across the state. The Custody Mediation Program provides a professional and neutral third party to help the parties develop a consensual parenting agreement, which when signed by a judge, becomes an order of the court. During SFY 2007-08, custody mediators conducted 8,417 mediation sessions and drafted 5,206 parenting agreements, resolving custody issues in 62% of the cases sent to mediation.

The Permanency Mediation program, initially authorized and funded in 2006, was operational in three districts during SFY 2007-2008. A trained contract mediator is selected by district officials to conduct the mediation, addressing crucial issues of adjudication, permanency and provision of services in cases alleging abuse or neglect of children.

### **Drug Treatment Court**

Drug Treatment Court (DTC) is an intensive, judicially supervised court sanction that targets high-risk, high-need offenders residing in the commu-

nity. In SFY 2007-2008, three new drug treatment courts became operational: Chatham County Family DTC, Robeson County DTC (16B) and Rutherford/McDowell Counties Adult DTC. 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 is an intermediate punishment in the community that targets repeat offenders. Family DTC works with parents and guardians who are in danger of termination of parental rights due to the abuse or neglect of their children. Juvenile DTC works with community-based, high-risk, high-need 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 and includes intensive outpatient treatment, frequent and random drug/alcohol testing, intensive case management, and for adult and juvenile offenders, probation supervision. The DTC participant works with the DTC team of community professionals to develop a single, comprehensive, treatment case plan addressing the individual's specific needs in regards to substance abuse, mental health, occupational/vocational, educational, housing, parenting and other areas of concern. Participants appear on a bi-weekly basis before a specially trained judge who monitors the individual's progress on his/her treatment plan. The judge may order sanctions and/or rewards as appropriate to promote success. There are 42 adult, family and youth drug treatment courts in 22 districts.

### **Court Improvement Program**

The Administrative Office of the Courts began using federal funds in 1995 to improve the performance of North Carolina's juvenile courts in abuse and neglect cases to achieve safety, permanence and well being for children in a fair and timely manner. Funds are used for local court improvement projects, conducting assessments, coordinating training, improving technology and providing technical assistance.

In SFY 2007-2008 six District Courts (1, 15A, 17B, 19A, 21, 22,) received federal funds for staff to provide case management activities and training. These districts focus on implementing best practices in juvenile court including one judge-one family case assignment, child planning conferences, and shared decision-making. During this period, over 300 judges, juvenile court clerks, child welfare professionals, child advocates and attorneys for all parties in juvenile abuse/neglect/dependency proceedings participated in state, regional and district level trainings to improve their knowledge of juvenile law, best practices and court procedures.

### **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 (GAL).

The GAL office was established by the General Assembly in 1983 to administer guardian ad litem services. 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.

In SFY 2007-08, the team representation of GAL attorneys and volunteers provided legal advocacy for 17,189 children in 38,043 scheduled hearings. A record high number of 4,767 GAL volunteers gave the state 915,264 hours of service, valued at more than \$17.8 million. This highly cost effective and zealous representation helps to move children out of the court system in a timely manner and into a safe and permanent home.

GAL staff, volunteers and attorneys also participated in an increasing number of out-of-court sessions including Day One Hearings or family conferencing, mediation sessions, family court, foster care review hearings, system of care meetings, and drug treatment court sessions. Total expenditures for the GAL program in SFY 2007-08 amounted to \$13,148,474 for program administration and attorney fees.

In addition to trial court representation, the GAL program provides legal representation for the child in the appeals of abuse and neglect proceedings. New expedited appeals procedures are now in place to reduce the costly time delay that children and families previously experienced in the appeals of abuse and neglect hearings, including termination of parental rights proceedings.

### **Business Court**

In 1995, the North Carolina Supreme Court, by rule, designated a special superior court judge for complex business cases as a result of a recommendation by the North Carolina Commission on Business Laws and the Economy. Any superior or district court judge may recommend to the chief justice that a case be assigned to the business court on motion of a party or *sua sponte*. A recommendation is then sent to the chief justice, who decides if the case will be assigned as a complex business case. The chief justice may also assign a case to a special superior court judge for complex business cases as a Rule 2.1 case without the case being designated as a complex business case.

Unlike the normal superior court procedure of having the judge assigned under the rotation system to hold court for a particular week hear the issues on the calendar, the assignment of a case to business court results in one

judge handling all of the pretrial matters as well as the trial of the case. This specialization allows the judge to develop proficiency in both the substantive law and case management issues that arise in complex business cases. Currently, North Carolina has three business courts located in Greensboro, Charlotte, and Raleigh.

### **Judicial Department Commissions**

#### The Judicial Standards Commission

Formed in 1973, the North Carolina Judicial Standards Commission was established to consider complaints against state district, superior, and appellate court judges and justices and, where appropriate, to make recommendations for discipline.

The Commission is authorized to receive written complaints from citizens concerned with misconduct or disability of a judge and to investigate those complaints. After a complaint has been investigated and the judge has been given a due process hearing, the Commission may recommend to the Supreme Court of North Carolina that the judge be disciplined.

In addition, upon the Commission's recommendation, the Supreme Court may remove a judge for mental or physical incapacity interfering with the performance of duties when the incapacity is, or is likely to become permanent.

The thirteen-member Commission is composed of seven judges appointed by the Chief Justice: a Court of Appeals judge, two Superior Court judges and two District Court judges. The State Bar Council appoints four attorneys, and four citizen members who are not judges or lawyers are appointed, two by the Governor and two by the General Assembly, one upon recommendation of the President Pro Tempore of the Senate and one upon the recommendation of the Speaker of the House of Representatives. The Court of Appeals judge operates as chair of the Commission and serves at the pleasure of the Chief Justice. Other members serve a six-year term.

#### The Sentencing and Policy Advisory Commission

The N.C. Sentencing and Policy Advisory Commission consists 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.

Each year, the Sentencing 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. The Commission also prepares

projections for future adult prison and probation populations and juvenile youth development center and probation populations.

The Sentencing Commission has the continuing duty to monitor and review the criminal justice and the juvenile justice system, and to make recommendations as necessary. In SFY 2007-08, the Commission studied, as requested, the State's misdemeanor structures and proposed legislation related to expunction and to torture. The Commission also completed its mandated biennial adult program evaluation, began work on its biennial report of juvenile recidivism due in May 2009 and studied the policy applications of its recurring findings on recidivism and public safety.

#### N.C. Dispute Resolution Commission

The North Carolina Dispute Resolution Commission (DRC) was established by G.S. 7A-38.2 in October of 1995. The Commission is charged with certifying and regulating the conduct of mediators and mediation trainers who serve the court's mediated settlement conference programs. In addition to its certification and regulatory responsibilities, the Commission also: helps to set public policy relative to dispute resolution; drafts proposed legislation, rules, rule revisions and forms; serves as a clearing house for information; and otherwise acts as a resource for mediators, lawyers, court staff and the public. Among the programs the Commission helps to support are: the Mediated Settlement Conference Program (mediation of civil actions filed in superior court), the Family Financial Settlement Program (mediation of equitable distribution and other family disputes filed in district court), and the Clerk Mediation Program (mediation of matters referred by Clerks of Superior Court, including guardianship and estate matters).

In accordance with G.S. 7A-38.2, the fifteen-members of the DRC include: five judges (at least two superior court and two district court judges), one clerk of superior court, two practicing attorneys who are not mediators, two certified superior court mediators, two certified family financial mediators, and three citizens knowledgeable about dispute resolution. Members serve three-year terms. Though the bulk of appointments to the Commission are made by the Chief Justice of the North Carolina Supreme Court, appointments are also made by the Governor, the President *Pro Tem* of the Senate, the Speaker of the House and the State Bar President. Members serve three-year terms. The Commission's chair is appointed by the Chief Justice and serves a two-year term. Members of the Commission are assisted in their work by a number of ex-officio Commission members, including liaisons appointed by the Industrial Commission, Administrative Office of the Courts, and the North Carolina Bar Association's Dispute Resolution Section.

Mediators are neutral third parties who sit down with litigants and their attorneys in an effort to help them resolve their disputes. A mediator will expect the parties to treat one another civilly, will encourage parties to share information and to constructively talk about their dispute, will serve as agent of reality and work to get each side to see the dispute through the eyes of the other, and will encourage the parties to explore options for settlement and may even suggest possibilities. The mediator will not decide the matter for the parties. Rather, the mediator's role is to help the parties themselves reach a consensus on how to settle their dispute.

If mediation is successful, the agreement reached will be reduced to writing and signed and eventually the case will be dismissed. Agreements reached in mediation typically remain confidential and are not shared with the court, except that Clerks must by law review agreements reached in certain types of cases, including guardianship and estate matters. If an agreement cannot be reached during mediation, the mediator simply advises the court or clerk that there has been an impasse and the matter proceeds to trial. However, even

when there has been an impasse, parties and their lawyers sometimes continue the dialogue begun in mediation and are able to settle within days of their session. When there is an impasse, the mediator will not share information about what was discussed at mediation with the court or indicate why s/he thinks the case did not settle.

Mediated settlement conference programs are designed to operate at no cost to tax payers. Parties compensate the mediator for his or her services in scheduling the case for mediation and in conducting the procedure. However, fees will be waived in instances where the court or clerk has determined that a party is indigent or cannot pay the full fee. Because mediators serve as case managers -- scheduling cases for mediation, finding a location for the procedure, and reporting outcomes to the court, the time that court staff must devote to these programs is minimized, thereby conserving court time and resources. In keeping with this same "party-pay model", the Commission's expenses and those of its office are met through revenues generated by certification and certification renewal fees. So, again, tax dollars are conserved.

Currently, some 1,200 mediators are certified to conduct superior court mediations in North Carolina. There are 250 additional certified family financial mediators and 150 certified clerk program mediators. Over a hundred mediators hold dual or triple certifications. Mediators conducting superior court or clerk mediations must be certified. Family financial mediators need not be certified to work in the courts as long as they are serving as a result of having been selected by the parties. The Commission's certification is also recognized outside the courts and is used to help qualify mediators serving other entities including, the Industrial Commission and the federal trial courts.

The Commission operates an office in Raleigh that is staffed on a part-time basis. The office maintains the Commission's extensive web site at [www.ncdrc.org](http://www.ncdrc.org) and publishes its newsletter, *The Intermediary*.

#### N.C. Innocence Inquiry Commission

The N.C. Innocence Inquiry Commission (Commission) was established in 2006 by Article 92, Chapter 15A of the North Carolina General Statutes. The Commission is charged with evaluating post-conviction claims of actual innocence. The Commission and its staff carefully review evidence and investigate cases in a neutral manner. Only evidence that was not previously considered by a judge or jury may be reviewed by the Commission. In 2007, the Commission drafted and passed a set of rules and procedures, hired an experienced staff, created a website, and began evaluation of numerous innocence claims. After the initial phase of establishing its office and operations in early 2007, the Commission was able to dedicate the lion's share of its efforts to its primary mission -- case investigations.

In December 2007, the Commission conducted their first evidentiary hearing. That case was referred to a three-judge panel to be conducted in August of 2008. The Commission staff spent 733 hours investigating and presenting that case. By May 2008, the Commission had reviewed more than 288 innocence claims. The Commission keeps statistics on all cases that are received. Statistics reflect the types of innocence claims submitted, the types of convictions contested, and the reasons for rejection. The most current statistics are available on the Commission's website at: [www.innocencecommission-nc.gov](http://www.innocencecommission-nc.gov)

The Commission comprises eight members selected by the Chief Justice of the Supreme Court of North Carolina and the Chief Judge of the N.C. Court of Appeals. Members include a superior court judge, a prosecuting attorney, a defense attorney, a victim advocate, a member of the public, a sheriff and two discretionary members.

### Courts Commission

A 28-member Courts Commission studies the North Carolina court system and makes recommendations to the General Assembly on any changes that will improve the administration of justice. The commission consists of court officials, practicing attorneys, legislators and citizens.

In its early years, the Courts Commission researched, drafted and shepherded through the General Assembly all the major legislation that implemented unification of the Judicial Department of state government. This move, approved by voters in 1962, was a revision of Article IV of the N.C. Constitution. The Commission's recommendations led to legislation creating new districts, adding court personnel, creating a category of offenses called infractions, authorizing the use of emergency judges and other matters. The Commission continues to study the structure, organization, jurisdiction procedures and personnel of the state court system.

### Chief Justice's Commission on Professionalism

The Chief Justice's Commission on Professionalism (CJCP) was established on September 22, 1998, by order of the North Carolina State Supreme Court. The order established the Commission's membership and major responsibilities.

The North Carolina CJCP consists of a Chairman, who is the Chief Justice of the North Carolina Supreme Court or his designee; two judges serving on trial benches of the courts of the state or the United States; and one appellate court judge either from the state or United States. Other members include two law school faculty members from accredited North Carolina law schools, seven practicing lawyers, and three non-lawyer citizens who are active in public affairs. All members, with the exception of the Chairman, serve for a term of three years.

The major responsibilities of the Commission include its primary charge: to enhance professionalism among North Carolina's lawyers. In carrying out this charge, the CJCP is required to provide ongoing attention and assistance to ensure the practice of law remains a high calling, dedicated to the service of clients and the public good.

**JUDICIAL DEPARTMENT PERSONNEL (as of June 30, 2008)\***  
(includes FTEs for indigent representation)  
(includes all funding sources)

<b>Areas of the Judicial Department</b>	<b>FTEs Authorized</b>
<b>Supreme Court</b>	
Justices	7.00
Staff Personnel (Clerk's & Reporter's Offices, Law Clerks, Library)	39.75
Secretarial Personnel	7.00
<b>Court of Appeals</b>	
Judges	15.00
Staff Personnel (Clerk's Office, Prehearing, Law Clerks)	55.00
Secretarial Personnel	15.00
<b>Superior Court</b>	
Judges	111.00
Staff Personnel	146.00
Secretarial Personnel	98.25
<b>District Court</b>	
Judges	262.00
Magistrates	737.35
Staff Personnel	125.025
Secretarial Personnel	101.75
<b>District Attorneys</b>	
District Attorneys	42.00
Assistant District Attorneys (543.00 were authorized under G.S. 7A-60(a1) and 28.00 were grant-funded)	601.00
Staff Personnel (Investigators)	54.00
Other Personnel (Victim-Witness/Legal Assistants, secretarial positions)	534.00
<b>Clerks of Superior Court</b>	
Clerks of Superior Court	100.00
Staff Personnel	2,544.75
<b>Guardian ad Litem</b>	
Program Administrator and Assistant Administrator	2.00
Regional Administrators (3) and District Administrators (35.75)	45.50
Staff Personnel	118.75
<b>Administrative Office of the Courts</b>	
Administrative Officer of the Courts	1.00
Assistant Director (1), Deputy Director (1), and Officers (4)	6.00
Staff Personnel	473.50
<b>Commissions and Conferences</b>	
Clerk's of Superior Court Conference	2.00
District Attorney's Conference	9.00
Judicial Standards Commission	4.00
Innocence Inquiry Review Commission	3.00
Chief Justice's Commission on Professionalism	2.00
Dispute Resolution Commission	2.50
Sentencing and Policy Advisory Commission	9.00
<b>Subtotal</b>	<b>6,274.125</b>

**JUDICIAL DEPARTMENT PERSONNEL (as of June 30, 2008)\***  
(includes FTEs for indigent representation)  
(includes all funding sources)

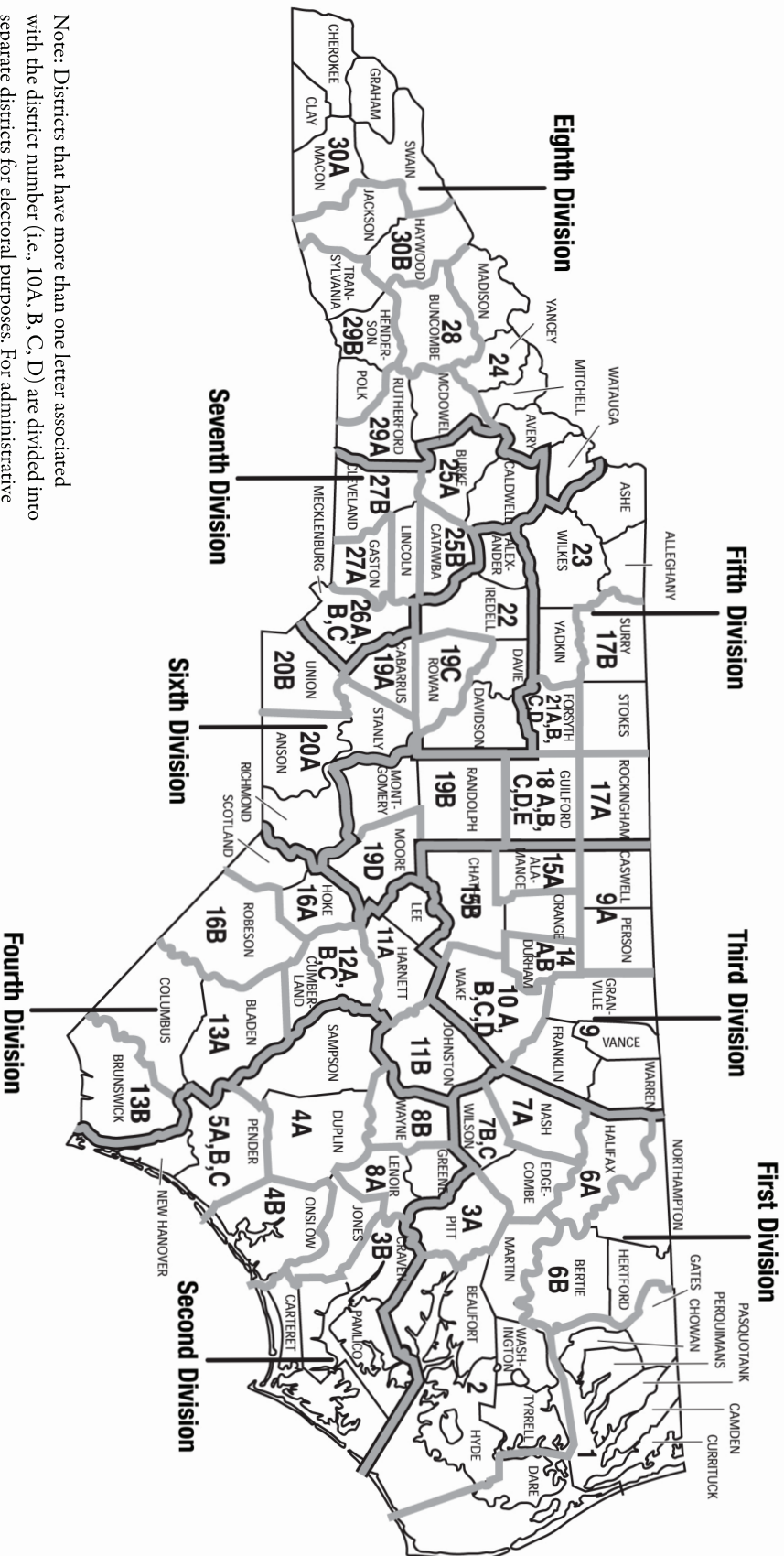
Areas of the Judicial Department	FTEs Authorized
<b>Indigent Representation</b>	
<b>Indigent Defense Services</b>	18.25
<b>Appellate Defender</b>	1.00
Assistant Appellate Defenders	15.00
Secretarial Personnel	5.00
<b>Capital Defender</b>	1.00
Assistant Capital Defenders	12.00
Capital Case Investigator	4.00
Secretarial Personnel	3.00
<b>Juvenile Defender</b>	1.00
Assistant Juvenile Defender	1.00
Secretarial Personnel	1.00
<b>Public Defenders</b>	16.00
Assistant Public Defenders	228.00
Staff Personnel	40.00
Secretarial Personnel	90.75
<b>Special Counsel at mental health hospitals</b>	10.00
Assistants to Special Counsel	3.00
Secretarial Personnel	5.00
<b>Sentencing Services</b>	11.50
<b>Set-off Debt Collection (Receipt-Funded)</b>	1.00
	<b>Subtotal</b>
	<b>449.25</b>
	<b>Grand Total</b>
	<b>6,723.375</b>

\*Beginning with the SFY 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.

\* The FTE count includes all funding sources (State appropriations, grant-funded, county/city funded via contract, and receipt supported positions)

# NORTH CAROLINA SUPERIOR COURT

## Effective June 30, 2008

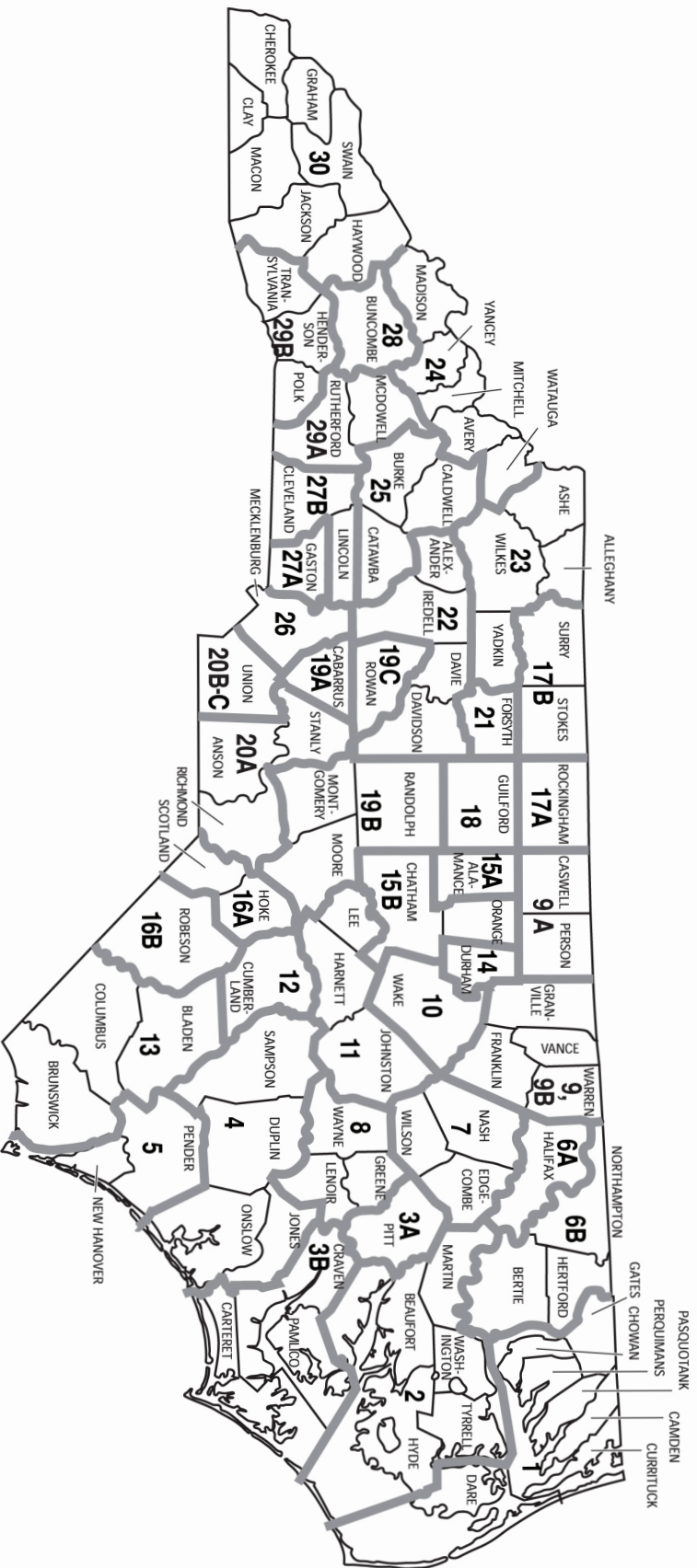


Note: Districts that have more than one letter associated with the district number (i.e., 10A, B, C, D) are divided into separate districts for electoral purposes. For administrative purposes, they are combined into a single district.

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# NORTH CAROLINA DISTRICT COURT

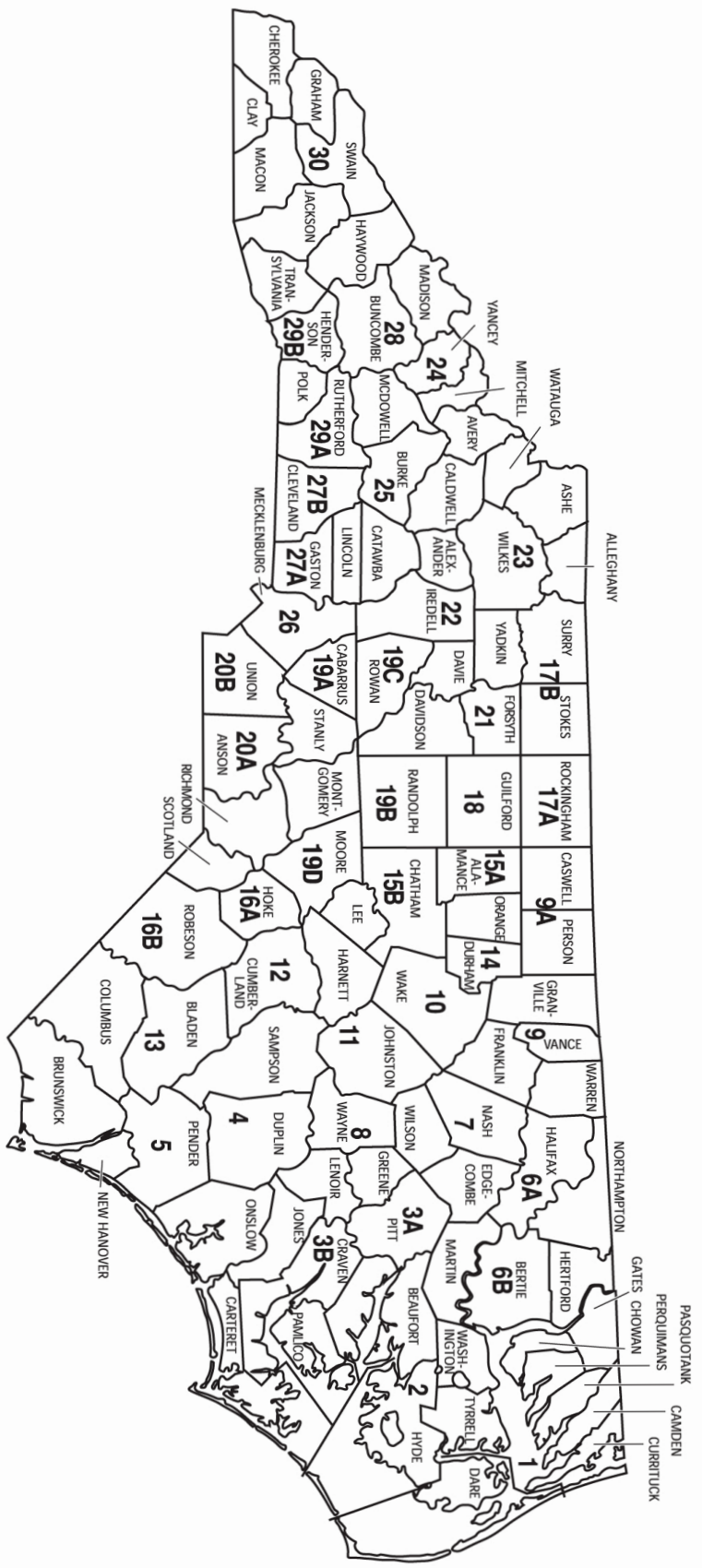
## Effective June 30, 2008



Note: Districts 9 and 9B, and districts 20B and 20C are districts for electoral purposes only. They are combined for administrative purposes.

# NORTH CAROLINA PROSECUTORIAL DISTRICTS

Effective June 30, 2008





## **Part II**

# **Court Resources**

## JUDICIAL DEPARTMENT APPROPRIATIONS AND EXPENDITURES

Under the State Constitution, Article IV, Sec. 21, the operating expenses of the Judicial Department, “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 Department as well as all State agencies combined over the past four 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\*

State Fiscal Year	All State Agencies		Judicial Department		
	Appropriation	% Change over previous year	Appropriation	% Change over previous year	% Share
2004-05	\$333,885,323	7.99%	\$15,873,167,528	6.99%	2.10%
2005-06	\$353,046,078	5.74%	\$17,141,460,791	7.99%	2.06%
2006-07	\$400,159,117	13.34%	\$18,865,960,284	10.06%	2.12%
2007-08	\$450,063,307	12.47%	\$21,355,967,434	13.20%	2.11%

### JUDICIAL DEPARTMENT EXPENDITURES\*

State Fiscal Year	Expenditures	% Change over previous year
2004-05	\$344,569,130	7.38%
2005-06	\$364,343,480	5.74%
2006-07	\$410,661,508	12.71%
2007-08	\$467,355,152	13.81%

\*Judicial Department appropriations and expenditures on these tables do not include Indigent Defense Services or State Bar/Civil Justice Act funds.

**JUDICIAL DEPARTMENT EXPENDITURES**  
**July 1, 2007 – June 30, 2008**

<b>Budget Classifications</b>	<b>Subtotals</b>	<b>Totals</b>	<b>Percent of Grand Total</b>
Supreme Court		\$ 5,426,281	1.16%
Court of Appeals		7,674,909	1.64%
Superior Courts		39,312,297	8.41%
District Courts		86,390,579	18.48%
Clerks of Superior Court		131,830,974	28.21%
Office -- District Attorney	\$77,706,602		
District Attorneys' Conference	509,725		
Worthless Check Program	1,601,669		
District Attorney Offices		79,817,997	17.08%
Administrative Office of the Courts		57,177,451	12.23%
Court Information Technology Fund		7,323,230	1.57%
Equipment/Supply Fund		18,667,544	3.99%
Custody and Visitation Mediation Program	2,537,458		
Court-Ordered Arbitration Program	40,677		
Permanency Mediation	79,154		
Dispute Resolution Programs	280,740		
North Carolina Drug Treatment Court	2,043,523		
Family Court Program	2,631,227		
Guardian ad Litem Services Program	13,148,474		
Court Efficiency Programs		20,761,253	4.44%
Dispute Settlement Centers		1,599,316	0.34%
NC State Bar		1,000,000	0.21%
Grant-Supported Projects		9,099,614	1.95%
Judicial Standards Commission		234,952	0.05%
N.C. Innocence Inquiry Commission		229,349	0.05%
Sentencing and Policy Advisory Commission		809,408	0.17%
<b>Total</b>		<b>\$467,355,152</b>	<b>100.00%</b>

**Amounts of Fees, Fines, and Forfeitures Collected by the Courts and  
Distributed to Counties and Municipalities  
July 1, 2007 - June 30, 2008**

County	Distributed to Counties				Distributed to Municipalities			Total
	Facility Fees	Officer Fees	Jail Fees	Fines and Forfeitures	Facility Fees	Officer Fees	Jail Fees	
Alamance	\$314,912	\$131,504	\$84,073	\$1,034,975	-	\$42,019	-	\$1,607,484
Alexander	45,710.80	13,000.76	8,350.70	125,725.70	-	2,253.74	-	195,041.70
Alleghany	19,250.22	8,607.93	8,465.00	50,206.61	-	911.01	-	87,440.77
Anson	71,765.66	42,636.50	9,712.49	299,386.92	-	2,560.00	-	426,061.57
Ashe	41,910.44	25,154.00	6,775.00	105,204.08	-	1,715.00	-	180,758.52
Avery	30,909.72	10,946.53	3,851.84	126,679.57	-	1,344.87	-	173,732.53
Beaufort	136,025.12	57,353.63	26,369.76	459,961.45	-	8,160.81	-	687,870.77
Bertie	55,959.87	29,725.02	8,991.04	144,229.79	-	888.11	-	239,793.83
Bladen	105,005.63	44,317.93	15,249.47	242,056.49	-	2,220.00	-	408,849.52
Brunswick	236,225.05	134,694.50	37,252.00	579,511.65	-	11,603.00	-	999,286.20
Buncombe	407,600.48	158,287.16	69,893.84	1,532,849.93	-	54,965.00	-	2,223,596.41
Burke	202,614.46	47,836.00	27,327.00	708,237.38	-	21,377.50	-	1,007,392.34
Cabarrus	504,287.07	170,965.04	74,986.82	1,902,206.39	-	98,721.71	-	2,751,167.03
Caldwell	164,872.34	39,236.62	30,501.24	499,078.82	-	17,211.62	-	750,900.64
Camden	38,563.97	17,431.13	3,406.79	129,637.93	-	0.00	-	189,039.82
Carteret	204,756.69	52,511.50	42,995.93	704,011.42	-	21,644.00	-	1,025,919.54
Caswell	49,598.76	22,779.01	4,004.09	119,051.43	-	640.00	-	196,073.29
Catawba	222,521.81	52,150.00	25,587.50	1,112,731.76	130,468.00	53,689.00	-	1,597,148.07
Chatham	95,516.59	45,368.00	4,623.00	338,307.39	52,713.00	9,647.00	5.00	546,179.98
Cherokee	55,760.10	30,023.78	13,328.40	205,092.43	-	1,207.18	-	305,411.89
Chowan	34,062.31	13,040.12	4,966.92	105,667.31	-	3,304.87	-	161,041.53
Clay	24,532.12	11,681.71	3,387.25	77,162.64	-	0.00	-	116,763.72
Cleveland	238,416.42	108,933.35	43,332.42	652,709.47	-	18,655.57	-	1,062,047.23
Columbus	150,814.86	72,978.69	25,478.04	289,845.72	2,912.08	5,419.31	-	547,448.70
Craven	228,525.19	42,676.22	45,909.98	694,534.98	6,210.34	31,563.90	-	1,049,420.61
Cumberland	629,969.96	62,884.35	23,478.05	1,082,306.19	-	73,651.73	-	1,872,290.28
Currituck	99,304.72	38,646.75	12,212.81	315,299.84	-	0.00	-	465,464.12
Dare	195,885.44	57,734.74	10,713.46	792,769.92	-	20,134.42	-	1,077,237.98
Davidson	298,011.41	142,501.57	60,868.48	1,004,261.28	-	16,581.77	-	1,522,224.51
Davie	62,287.58	24,591.16	13,197.01	213,217.31	-	2,957.31	-	316,250.37
Duplin	212,692.93	59,658.66	19,029.50	583,284.05	-	11,493.65	-	886,158.79
Durham	540,493.26	310,996.80	5,431.11	1,230,963.43	-	76,669.93	-	2,164,554.53
Edgecombe	127,823.46	124,286.50	22,078.00	496,461.21	56,234.00	21,278.98	-	848,162.15
Forsyth	976,635.25	53,255.50	34,369.55	2,505,692.68	24,310.00	190,915.00	-	3,785,177.98
Franklin	133,836.26	90,623.99	11,446.37	403,040.89	-	11,409.43	-	650,356.94
Gaston	448,678.98	214,996.64	46,408.71	1,146,590.98	-	36,331.50	-	1,893,006.81
Gates	25,061.67	12,931.77	4,414.56	72,392.31	-	0.00	-	114,800.31
Graham	19,697.91	7,430.44	3,078.77	68,199.49	-	0.00	-	98,406.61
Granville	118,880.66	27,561.00	14,148.39	347,174.21	-	8,921.00	-	516,685.26
Greene	33,401.19	14,554.56	8,995.52	109,971.95	-	0.00	-	166,923.22
Guilford	1,277,666.55	118,017.50	86,219.81	2,763,376.29	-	157,461.57	-	4,402,741.72
Halifax	129,807.26	68,895.23	14,108.10	423,022.85	-	9,925.75	-	645,759.19

**Amounts of Fees, Fines, and Forfeitures Collected by the Courts and  
Distributed to Counties and Municipalities  
July 1, 2007 - June 30, 2008**

County	Distributed to Counties				Distributed to Municipalities			Total
	Facility Fees	Officer Fees	Jail Fees	Fines and Forfeitures	Facility Fees	Officer Fees	Jail Fees	
Harnett	163,634.52	72,427.52	29,510.48	541,026.94	6,338.35	8,669.01	-	821,606.82
Haywood	171,708.82	63,862.28	582.77	485,550.02	1,520.00	7,632.07	-	730,855.96
Henderson	246,111.75	50,518.98	23,190.33	898,626.17	-	18,022.34	-	1,236,469.57
Hertford	64,626.29	29,431.10	11,874.51	188,177.27	-	5,958.07	-	300,067.24
Hoke	82,538.22	30,732.15	10,878.30	342,559.83	-	143.98	-	466,852.48
Hyde	18,518.94	8,588.36	1,282.01	80,757.50	-	0.00	-	109,146.81
Iredell	445,033.00	212,964.83	29,580.34	1,496,512.80	184.00	57,773.16	-	2,242,048.13
Jackson	83,514.72	37,587.17	9,590.24	276,039.33	-	5,276.39	-	412,007.85
Johnston	351,973.49	155,122.00	29,447.50	701,677.96	16,492.00	19,268.00	-	1,273,980.95
Jones	38,669.41	15,167.60	4,713.44	121,470.87	-	2,270.00	-	182,291.32
Lee	114,765.76	47,184.48	19,868.54	394,930.12	-	15,218.54	-	591,967.44
Lenior	205,563.06	46,671.00	29,752.88	593,792.42	-	19,349.00	-	895,128.36
Lincoln	178,040.24	65,080.73	28,658.96	538,161.63	-	10,856.04	-	820,797.60
Macon	76,121.43	37,277.58	8,053.84	363,694.11	-	547.94	-	485,694.90
Madison	56,451.13	18,417.20	8,315.23	211,073.20	-	1,459.41	-	295,716.17
Martin	73,333.73	35,188.03	4,937.94	178,369.95	-	1,688.78	-	293,518.43
McDowell	133,391.52	51,533.11	23,084.50	374,983.80	-	7,226.00	-	590,218.93
Mecklenburg	2,079,791.22	1,036,395.90	4,537.72	3,097,576.74	-	359,081.83	-	6,577,383.41
Mitchell	21,974.18	8,370.06	3,081.47	109,866.88	-	1,288.79	-	144,581.38
Montgomery	81,521.83	47,200.94	17,984.10	328,490.11	-	5,734.81	-	480,931.79
Moore	269,534.82	58,950.00	32,616.77	923,665.30	408.00	38,342.00	-	1,323,516.89
Nash	210,493.79	200,889.00	35,064.31	740,342.86	79,346.00	19,029.14	10.00	1,285,175.10
New Hanover	452,882.92	57,127.16	84,752.95	1,412,899.15	-	53,565.63	-	2,061,227.81
Northampton	43,345.44	25,205.09	5,838.92	128,582.38	-	1,660.77	-	204,632.60
Onslow	414,407.46	195,573.50	80,190.25	1,011,463.61	-	63,768.00	-	1,765,402.82
Orange	200,308.54	72,312.88	1,205.89	730,463.67	42,501.18	37,344.11	-	1,084,136.27
Pamlico	22,443.18	7,015.68	5,875.16	65,951.41	-	10.32	-	101,295.75
Pasquotank	90,611.40	18,623.43	20,651.90	295,181.16	-	14,530.00	-	439,597.89
Pender	112,937.10	42,541.63	25,905.73	375,299.43	-	4,517.54	-	561,201.43
Perquimans	37,700.42	14,720.06	2,728.38	107,286.15	-	2,856.51	-	165,291.52
Person	83,772.07	60,122.00	5,163.59	228,568.18	-	8,498.00	-	386,123.84
Pitt	351,507.02	40,049.05	70,473.00	517,823.47	28,703.29	61,552.58	-	1,070,108.41
Polk	54,638.27	20,108.96	4,863.28	203,549.00	-	1,215.94	-	284,375.45
Randolph	342,186.85	112,611.75	106,195.94	1,220,448.85	-	47,259.33	-	1,828,702.72
Richmond	143,859.86	27,899.09	16,367.01	533,988.59	-	10,982.54	-	733,097.09
Robeson	258,964.43	73,774.89	11,640.90	1,098,766.26	37,842.70	19,000.99	-	1,499,990.17
Rockingham	184,290.52	38,732.80	32,970.18	489,449.91	84.00	20,716.00	-	766,243.41
Rowan	317,824.74	143,787.85	48,840.67	1,561,865.22	-	47,353.44	-	2,119,671.92
Rutherford	158,381.07	63,131.38	48,162.27	419,549.92	-	12,150.82	-	701,375.46
Sampson	193,871.31	85,720.77	33,272.98	651,202.46	-	6,120.00	-	970,187.52
Scotland	103,592.14	47,534.84	15,156.83	412,266.12	-	10,379.92	-	588,929.85
Stanly	172,496.73	25,044.00	23,083.50	634,191.85	-	23,341.00	-	878,157.08

**Amounts of Fees, Fines, and Forfeitures Collected by the Courts and  
Distributed to Counties and Municipalities  
July 1, 2007 - June 30, 2008**

County	Distributed to Counties				Distributed to Municipalities			Total
	Facility Fees	Officer Fees	Jail Fees	Fines and Forfeitures	Facility Fees	Officer Fees	Jail Fees	
Stokes	84,605.06	30,389.89	20,286.12	304,366.07	-	4,763.86	-	444,411.00
Surry	199,958.29	79,098.80	44,736.00	771,509.24	-	23,151.96	-	1,118,454.29
Swain	42,016.97	18,560.00	7,073.30	172,968.21	-	2,205.21	-	242,823.69
Transylvania	64,955.20	36,177.00	9,968.10	223,542.06	-	6,697.00	-	341,339.36
Tyrrell	35,843.64	16,223.16	2,065.36	110,807.00	-	0.00	-	164,939.16
Union	276,110.49	99,124.50	18,250.78	915,642.84	-	33,248.00	-	1,342,376.61
Vance	162,802.01	36,987.76	11,965.00	478,719.61	-	11,323.00	-	701,797.38
Wake	2,302,967.48	161,357.70	178,290.90	3,783,294.92	10,769.52	360,913.05	30.00	6,797,623.57
Warren	63,170.51	26,797.16	5,280.61	241,161.66	-	1,745.00	-	338,154.94
Washington	40,543.93	20,434.45	2,672.38	117,999.00	-	2,312.75	-	183,962.51
Watauga	136,316.41	46,006.11	21,697.75	341,886.64	-	16,790.05	-	562,696.96
Wayne	270,586.65	130,184.00	30,442.37	846,703.02	4,365.50	33,688.00	-	1,315,969.54
Wilkes	168,427.01	55,225.82	21,193.94	455,409.26	-	5,377.40	-	705,633.43
Wilson	222,134.47	182,133.54	13,132.42	420,586.01	-	17,423.29	-	855,409.73
Yadkin	103,745.94	42,406.26	16,355.43	471,521.97	-	2,994.59	-	637,024.19
Yancey	23,017.96	9,519.25	128.89	83,561.14	-	649.40	-	116,876.64
<b>State Totals</b>	<b>\$22,114,788</b>	<b>\$7,305,228</b>	<b>\$2,432,503</b>	<b>\$60,622,909</b>	<b>\$501,402</b>	<b>\$2,624,396</b>	<b>\$45</b>	<b>\$95,601,271</b>

**RECEIPTS REMITTED AND DISBURSED**  
**July 1, 2007 – June 30, 2008**

Description	Amount	Percent of Total
<b>Remitted to State Treasurer</b>		
Supreme Court Fees	8,804	0.001%
Court of Appeals Fees	20,335	0.003%
Sales of Appellate Division Reports	99,904	0.020%
Arbitration Appeal Filing Fees	39,103	0.024%
LEOB Fees	8,592,021	1.385%
Pro Hac Vice Fee	113,635	1.372%
Pretrial Civil Revocation Fees	1,745,234	0.010%
General Court of Justice & Twenty- Day Failure Fees	198,118,693	0.165%
Probation/Parole Supervision Fees	16,894,009	26.609%
DWI Community Service Fees	8,593,365	2.782%
Escheats, Unclaimed Property Division	7,457,210	1.322%
<b>Total to State Treasurer</b>	<b>\$241,682,313</b>	<b>35.18%</b>
<b>Receipts Collected &amp; Disbursed to Others Entities</b>		
Certification Fees for Mediators	151,885	10.366%
Interpreter Fee Judgments	111,337	3.445%
Dept of Health & Human Services Pretrial Civil Revocation Fees	912,512	1.175%
SBI Lab Fees	915,617	0.401%
Department of Administration for Displaced Homemakers	1,974,287	0.165%
North Carolina State Bar Fees	4,614,058	0.165%
<b>Total to Other Entities</b>	<b>\$8,679,696</b>	<b>5.55%</b>
<b>Receipts Collected &amp; Disbursed for Special Operations</b>		
Grants and Contract Special Revenue	9,688,667	0.078%
Miscellaneous Operating Receipts	505,822	0.437%
Worthless Check Fees	1,330,378	0.000%
Court Information Technology Fees & Interest	3,843,708	0.000%
Appellate Court Printing and Computer Operations	469,275	0.000%
<b>Total Operating Receipts</b>	<b>\$15,837,850</b>	<b>0.51%</b>
<b>Distributed to Counties</b>		
Fines and Forfeitures	60,622,909	7.707%
Judicial Facilities Fees	22,114,788	0.164%
Officer Fees	7,305,228	3.837%
Jail Fees	2,432,503	0.165%
Pretrial Civil Revocation Fees	912,512	0.165%
<b>Total to Counties</b>	<b>\$93,387,940</b>	<b>15.55%</b>
<b>Distributed to Municipalities</b>		
Judicial Facilities Fees	501,402	0.025%
Officer Fees	2,624,396	0.098%
Jail Fees	45	1.396%
<b>Total to Municipalities</b>	<b>\$3,125,843</b>	<b>5.51%</b>
<b>Distributed to Citizens</b>		
Cash Bonds	44,574,981	3.381%
Rent Bonds	1,435,075	8.538%
Trusts	64,456,170	10.486%
Restitution for Victims; regular and other judgments	45,152,972	1.175%
Civil Judgments	44,208,485	0.493%
Condemnation Awards	53,689,874	2.918%
Child Support and Alimony	32,165,229	2.918%
Restitution for Worthless Check Victims	3,555,761	2.918%
Other Disbursement of Funds	42,305,541	2.918%
<b>Total Distributed to Citizens</b>	<b>\$331,544,088</b>	<b>26.99%</b>
<b>Total</b>	<b>\$694,257,729</b>	<b>100%</b>

**STATE MENTAL HEALTH HOSPITAL COMMITMENT HEARINGS  
July 1, 2007 – June 30, 2008**

During SFY 2007-08, the average cost per commitment hearing for representation by special counsel at the state's five mental health hospitals was \$81.50 (total cost of \$1,284,282 for 15,758 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
<b>Voluntary minors: Mentally ill or substance abusers (G.S.122C, Art.5, Part 3)</b>					
<b>Total Hearings</b>	<b>222</b>	<b>5</b>	<b>1,222</b>	<b>132</b>	<b>1,581</b>
Commitment to hospital	132	3	275	101	511
Dismissal/discharge	90	2	947	31	1,070
Of total, number that were:					
Initial hearings	179	5	1,093	40	1,317
Contested hearings	0	0	1	2	3
<b>Voluntary incompetent adults: Mentally ill or substance abusers (G.S.122C, Art.5, Part.4)</b>					
<b>Total Hearings</b>	<b>364</b>	<b>8</b>	<b>101</b>	<b>16</b>	<b>489</b>
Commitment to hospital	316	5	89	2	412
Dismissal/discharge	48	3	12	14	77
Of total, number that were:					
Initial hearings	187	3	38	15	243
Contested hearings	0	1	21	0	22
<b>Involuntary minors and adults: Mentally ill or mentally retarded with behavior disorder (G.S.122C, Art.5, Part.7)</b>					
<b>Total Hearings</b>	<b>2,964</b>	<b>3,175</b>	<b>5,771</b>	<b>4,839</b>	<b>16,749</b>
Commitment to hospital	487	701	570	1,205	2,963
Commitment to outpatient clinic	308	668	581	869	2,426
Split commitment	802	823	785	1,357	3,767
Dismissal/discharge	1,367	983	3,835	1,408	7,593
Of total, number that were:					
Initial hearings	2,538	2,502	5,181	3,739	13,960
Contested hearings	65	120	185	515	885
<b>Involuntary minors and adults: Substance abusers (G.S.122C, Art.5, Part.8)</b>					
<b>Total Hearings</b>	<b>191</b>	<b>237</b>	<b>265</b>	<b>175</b>	<b>868</b>
Commitment to area authority	48	237	263	653	1,201
Dismissal/discharge	143	0	2	58	203
Of total, number that were:					
Initial hearings	189	237	254	720	1,400
Contested hearings	3	4	3	31	41
<b>Total Hearings</b>	<b>3,741</b>	<b>3,425</b>	<b>7,359</b>	<b>5,698</b>	<b>20,223</b>
Of total, number that were:					
Initial hearings	3,093	2,747	6,566	4,514	16,920
Contested hearings	69	125	210	548	952

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



## **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
  - Mediated Settlement  
Conferences
  - Family Financial Settlement  
Procedures
  - Drug Treatment Court

## **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 subsubsection 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 SFY 2007-08, 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 withdraw -- 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 1 of this report.

### APPEALS DOCKETED AND DISPOSED DURING THE YEARS 1998-99 - 2007-08

State Fiscal Year	Appeals Docketed	Appeals Disposed
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
2005-06	204	196
2006-07	246	214
2007-08	204	204

### APPEALS DOCKETED AND DISPOSED DURING THE YEARS 1998-99 - 2007-08

State Fiscal Year	Petitions Docketed	Petitions Allowed
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
2005-06	672	25
2006-07	539	54
2007-08	569	590

**NORTH CAROLINA SUPREME COURT  
Caseload Inventory  
July 1, 2007 – June 30, 2008**

	Begin Pending 7/1/07	Filed	Disposed	End Pending 6/30/08
<b>Petitions for Review*</b>				
Civil domestic	0	0	0	0
Juvenile	6	22	16	12
Other civil	82	221	242	61
Criminal	91	325	331	85
Administrative agency decision	0	1	1	0
<b>Total Petitions for Review</b>	<b>179</b>	<b>569</b>	<b>590</b>	<b>158</b>
<b>Appeals**</b>				
Civil domestic	0	0	0	0
Petitions for review granted that became civil domestic appeals	0	0	0	0
Juvenile	8	6	12	2
Petitions for review granted that became juvenile appeals	0	0	0	0
Other civil	36	81	68	49
Petitions for review granted that became other civil appeals	9	17	15	11
Criminal, defendant sentenced to death	8	9	8	9
Other criminal	39	83	88	34
Petitions for review granted that became other criminal appeals	6	8	12	2
Administrative agency decision	1	0	1	0
Petitions for review granted that became appeals of administrative agency decision	0	0	0	0
<b>Total Appeals</b>	<b>107</b>	<b>204</b>	<b>204</b>	<b>107</b>
<b>Other Proceedings</b>				
Rule 16(b) additional issues re dissent		17	18	
Motions		610	644	
<b>Total Other Proceedings</b>		<b>627</b>	<b>662</b>	

**NORTH CAROLINA SUPREME COURT**

**SUBMISSION OF CASES REACHING DECISION STAGE  
July 1, 2007 – June 30, 2008**

	Number of Cases
<b>Cases Argued</b>	
Civil domestic	0
Juvenile	12
Other civil	47
Criminal (death sentence)	7
Other criminal	30
Administrative agency decision	0
<b>Total cases argued</b>	<b>96</b>
<b>Submissions Without Argument</b>	
By motion of the parties (Appellate Rule 30(d))	0
By order of the Court (Appellate Rule 30(f))	2
<b>Total submissions without argument</b>	<b>2</b>
<b>Total Cases Reaching Decision Stage</b>	<b>98</b>

**DISPOSITION OF PETITIONS  
July 1, 2007 – June 30, 2008**

Petitions for Review	Granted*	Denied	Dismissed/ Withdrawn	Total Disposed
Civil domestic	0	0	1	1
Juvenile	0	16	0	16
Other civil	17	191	34	242
Criminal	7	194	128	329
Administrative agency decision	0	1	0	1
Post Conviction	1	0	0	1
<b>Total Petitions for Review</b>	<b>25</b>	<b>402</b>	<b>163</b>	<b>590</b>

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

**DISPOSITION OF APPEALS IN THE SUPREME COURT**  
**July 1, 2007 – June 30, 2008**

Disposition by Signed Opinion

Case Types	Affirmed*	Affirmed in Part;		New Sentencing Hearing	Reversed and Remanded	New Trial	Other	Total Disposed
		Affirmed in Part; Reversed in Part	Reversed					
Civil domestic	0	0	0	0	0	0	0	1
Juvenile	0	0	0	0	0	0	0	1
Other civil	3	2	4	0	4	0	0	1
Criminal (death sentence)	0	0	0	0	0	1	4	1
Other criminal	6	3	1	0	1	0	0	1
Administrative agency decision	0	0	0	0	0	0	0	1
<b>Totals</b>	<b>9</b>	<b>8</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>4</b>

Disposition by Per Curiam Opinion

Case Types	Affirmed*	Affirmed in Part;		Reversed and Remanded	Other	Discretionary Review Improvidently Allowed	Total Disposed
		Affirmed in Part; Reversed in Part	Reversed				
Civil domestic	0	0	0	0	0	0	0
Juvenile	10	0	1	0	0	0	11
Other civil	13	0	2	9	2	4	31
Criminal (death sentence)	0	0	0	0	0	0	0
Other criminal	9	0	2	1	0	2	16
Administrative agency decision	0	0	0	0	1	0	1
<b>Totals</b>	<b>32</b>	<b>1</b>	<b>2</b>	<b>10</b>	<b>3</b>	<b>6</b>	<b>59</b>

\*Includes No error

Disposition Appeals Summary by Case Type

Dismissed or Withdrawn

Civil domestic	0
Juvenile	1
Other civil	36
Criminal (death sentence)	3
Other criminal	68
Administrative agency decision	0
<b>Totals</b>	<b>108</b>

**SUPREME COURT PROCESSING TIME  
FOR APPEALS DISPOSED BY OPINION\*  
July 1, 2007 – June 30, 2008**

(Total time in days from docketing to opinion)

	Number of Cases	(Days) Median	(Days) Mean
Civil Domestic	0		
Petitions for review granted that became civil domestic appeals	0		
Juvenile	11	184	208
Petitions for review granted that became juvenile appeals	0		
Other civil	35	248	303
Petitions for review granted that became other civil appeals	12	431	409
Criminal, defendant sentenced to death	5	400	402
Other criminal	24	265	309
Petitions for review granted that became other criminal appeals	8	393	451
Administrative agency decision	1	269	269
Petitions for review granted that became appeals of administrative agency decision	0		
<b>Total appeals disposed by opinion</b>	<b>96</b>	<b>269</b>	<b>336</b>

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

## **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](http://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, 2007 — June 30, 2008**

	Begin Pending (7/1/07)	Filed	Disposed	End Pending (6/30/08)	Median Ages (in days)*	
					Disposed Cases	Pending Cases
<b>Civil Cases</b>	<b>19,035</b>	<b>27,226</b>	<b>26,799</b>	<b>19,462</b>	<b>188.0</b>	<b>166.0</b>
Contract	3,949	6,718	6,151	4,516	157.0	131.5
Collect on Accounts	1,133	2,665	2,667	1,131	110.0	87.0
Motor Vehicle Negligence	5,294	5,947	6,121	5,120	289.0	178.0
Other Negligence	2,808	2,728	2,793	2,743	326.0	224.0
Real Property	1,295	1,310	1,150	1,455	301.0	234.0
Administrative Appeal	168	239	233	174	174.0	143.0
Other	10,980	7,619	7,684	4,323	121.0	158.0
<b>Estates</b>	—	<b>63,660</b>	<b>61,680</b>	—	—	—
<b>Special Proceedings</b>	—	<b>128,006</b>	<b>112,866</b>	—	—	—
<b>Criminal Cases</b>	<b>92,641</b>	<b>149,919</b>	<b>146,437</b>	<b>96,123</b>	<b>203.0</b>	<b>250.0</b>
<b>Felonies</b>	<b>70,943</b>	<b>110,083</b>	<b>106,647</b>	<b>74,379</b>	<b>220.0</b>	<b>257.0</b>
Murder	1,182	668	694	1,156	528.0	416.0
Manslaughter	78	73	81	70	272.0	329.0
Rape and First Degree Sex Offense	1,692	1,754	1,602	1,844	329.0	302.5
Other Sex Offenses	2,373	2,515	2,369	2,519	291.0	319.0
Robbery	3,486	5,595	4,899	4,182	230.0	229.0
Assault	2,060	2,764	2,591	2,233	263.0	279.0
Burglary and Breaking or Entering	7,798	15,890	14,801	8,887	193.0	209.0
Larceny	5,148	9,511	9,032	5,627	205.0	244.0
Arson and Burnings	263	365	357	271	215.0	284.0
Forgery and Utterings	915	1,470	1,506	879	204.0	265.0
Fraudulent Activity	7,480	9,469	9,986	6,963	226.0	315.0
Controlled Substances	21,820	32,612	33,002	21,430	232.0	265.0
Other	16,648	27,397	25,727	18,318	203.0	242.0
<b>Misdemeanors</b>	<b>21,698</b>	<b>39,836</b>	<b>39,790</b>	<b>21,744</b>	<b>158.0</b>	<b>220.0</b>
Impaired Driving Appeals	2,064	3,502	3,597	1,969	131.0	139.0
Other Motor Vehicle Appeals	3,086	5,405	5,298	3,193	140.0	133.0
Non-Motor Vehicle Appeals	6,769	11,666	11,789	6,646	193.0	308.0
Cases Originating in Superior Court	9,419	19,263	19,106	9,936	146.0	202.0

\*On this table, criminal cases in superior court are aged from their original filing date, which was the district court filing date if the case originated in district court. (Data in annual reports and supplements prior to SFY 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, 2007 — June 30, 2008**

	Jury Trial	Judge Trial	Voluntary Dismissal	Final Order/ Judgment Without Trial	Clerk	Other
<b>Civil Cases</b>	<b>303</b>	<b>3,341</b>	<b>13,419</b>	<b>3,357</b>	<b>2,842</b>	<b>3,537</b>
Contract	26	700	3,186	615	808	816
Collect on Accounts	2	259	660	339	1,082	325
Motor Vehicle Negligence	150	385	4,704	261	37	584
Other Negligence	59	265	1,745	184	18	522
Real Property	17	382	280	356	13	102
Administrative Appeal	1	91	58	35	0	48
Other	48	1,259	2,786	1,567	884	1,140

	Jury Trial	<u>Guilty Plea</u>		<u>DA Dismissal</u>		Other**
		to Lesser Offense	to Charged Offense	With Leave	Without Leave*	
<b>Criminal Cases</b>	<b>2,597</b>	<b>11,724</b>	<b>57,863</b>	<b>5,396</b>	<b>52,008</b>	<b>16,849</b>
<b>Felonies</b>	<b>1,913</b>	<b>11,262</b>	<b>48,427</b>	<b>3,901</b>	<b>37,774</b>	<b>3,370</b>
Murder	116	316	134	9	101	18
Manslaughter	3	12	50	0	14	2
Rape and First Degree Sex Offense	130	165	510	34	725	38
Other Sex Offenses	151	117	1,164	25	851	61
Robbery	160	1,060	1,915	83	1,634	47
Assault	127	744	685	59	938	38
Burglary and Breaking or Entering	116	1,468	8,734	421	3,944	118
Larceny	72	968	4,213	310	3,346	123
Arson and Burnings	10	44	176	11	115	1
Forgery and Utterings	11	154	768	74	492	7
Fraudulent Activity	57	564	4,813	492	3,955	105
Controlled Substances	385	3,676	15,118	1,415	12,003	405
Other	575	1,974	10,147	968	9,656	2,407
<b>Misdemeanors</b>	<b>684</b>	<b>462</b>	<b>9,436</b>	<b>1,495</b>	<b>14,234</b>	<b>13,479</b>
Impaired Driving Appeals	195	101	701	178	252	2,170
Other Motor Vehicle Appeals	57	140	1,207	339	2,076	1,479
Non-Motor Vehicle Appeals	285	131	2,414	440	3,900	4,619
Cases Originating in Superior Court	147	90	5,114	538	8,006	5,211

\*"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, 2007 — June 30, 2008**

	Begin Pending (7/1/07)	Filed	Disposed	End Pending (6/30/07)	Median Ages (in days)	
					Disposed Cases	Pending Cases
<b>Civil Cases</b>	—	<b>506,388</b>	<b>489,907</b>	—	—	—
<b>Civil Magistrate (Small Claims)</b>	—	<b>268,256</b>	<b>266,882</b>	—	—	—
<b>Civil District</b>	<b>83,972</b>	<b>238,132</b>	<b>223,025</b>	<b>99,079</b>	<b>65.0</b>	<b>117.0</b>
URESА/UIFSA	256	355	409	202	121.0	492.0
Child Support (IV-D)	15,779	39,280	37,372	17,687	70.0	173.0
Child Support (Non IV-D)	7,413	5,249	5,994	6,668	290.0	410.0
Other Domestic Relations	28,536	89,389	89,539	28,386	44.0	146.0
<i>Subtotal Domestic Relations</i>	<i>51,984</i>	<i>134,273</i>	<i>133,314</i>	<i>52,943</i>	<i>95.5</i>	<i>291.5</i>
General Civil	30,340	100,125	86,015	44,360	90.0	90.0
Magistrate Appeal/Transfer	1,738	3,734	3,696	1,776	91.0	124.0
<i>Subtotal General Civil and     Magistrate Appeal/Transfer</i>	<i>32,078</i>	<i>103,859</i>	<i>89,711</i>	<i>46,136</i>	<i>90.5</i>	<i>107.0</i>
<b>Criminal Cases</b>	—	<b>1,703,586</b>	<b>1,693,972</b>	—	—	—
Non-Motor Vehicle	237,702	643,207	648,886	232,023	87.0	87.0
Motor Vehicle	—	1,060,379	1,045,086	—	—	—
<b>Infractions</b>	—	<b>852,749</b>	<b>853,501</b>	—	—	—
<b>Civil License Revocations</b>	—	<b>51,323</b>	—	—	—	—

**MANNER OF DISPOSITION OF DISTRICT COURT CASES**

	Jury Trial	Judge Trial	Final Order/ Judgment			Clerk	Other
			Voluntary Dismissal	w/o Trial	Other		
<b>Civil Cases</b>	166	58,256	28,739	49,311	47,005	39,548	
URESAs/UHFSAs	0	67	23	141	7	171	
Child Support (IV-D)	16	9,290	3,381	16,277	61	8,347	
Child Support (Non IV-D)	3	2,100	577	2,080	25	1,209	
Other Domestic Relations	63	40,157	7,875	20,775	5,228	15,441	
<i>Subtotal Domestic Relations</i>	82	51,614	11,856	39,273	5,321	25,168	
General Civil	71	5,279	16,053	9,181	41,459	13,972	
Magistrate Appeal/Transfer	13	1,363	830	857	225	408	
<i>Subtotal General Civil and Magistrate Appeal/Transfer</i>	84	6,642	16,883	10,038	41,684	14,380	

	Waiver	Guilty Plea*	DA Dismissal		<i>Probable Cause Matters (Felonies)</i>			Total
			Trial	Without Leave**	Heard and Bound Over	Probable Cause Found	Probable Cause Waived	
<b>Criminal Cases</b>	14,477	168,582	22,257	266,598	37,397	1,986	18,386	79,194
Non-Motor Vehicle								648,886
Motor Vehicle	<u>Waiver:</u> 164,494			<u>Non-Waiver:</u> 880,592				
<b>Infractions</b>	<u>Waiver:</u> 411,013			<u>Non-Waiver:</u> 442,488				

\*Guilty Plea includes Guilty Plea Before a Magistrate and Guilty Plea/No Contest.

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

## MATTERS ALLEGED IN JUVENILE PETITIONS

	SFY 2003-04	2004-05	2005-06	2006-07	2007-08
<b>Delinquent Offenses</b>	<b>24,537</b>	<b>25,652</b>	<b>25,232</b>	<b>25,537</b>	<b>23,662</b>
Capital	3	13	8	12	12
Other Felony	6,972	7,203	7,181	7,298	7,301
Misdemeanor	17,562	18,436	18,043	18,227	16,349
<b>Undisciplined Offenses</b>	<b>4,836</b>	<b>4,686</b>	<b>4,742</b>	<b>4,509</b>	<b>4,783</b>
Truancy	794	701	747	715	765
Other*	4,042	3,985	3,995	3,794	4,018
<b>Juvenile Conditions</b>	<b>12,947</b>	<b>13,970</b>	<b>14,022</b>	<b>13,495</b>	<b>12,501</b>
Dependent	3,621	3,841	3,931	3,736	3,495
Neglected	5,853	6,510	6,770	6,452	5,905
Abused	1,199	1,343	1,149	1,030	984
Parental Rights Petition	2,274	2,276	2,172	2,277	2,117
<b>Total Petitions</b>	<b>42,320</b>	<b>44,308</b>	<b>43,996</b>	<b>43,541</b>	<b>40,946</b>
<b>Children before Court for First Time</b>	<b>17,190</b>	<b>18,006</b>	<b>17,843</b>	<b>17,525</b>	<b>15,790</b>

\*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							
	2003-04	2004-05	2005-06	2006-07	2007-08	2003-04	2004-05	2005-06	2006-07	2007-08	2003-04	2004-05	2005-06	2006-07	2007-08	2003-04	2004-05	2005-06	2006-07	2007-08	2003-04	2005-06	20	
<b>Delinquency Hearings</b>	16,216	17,246	15,803	16,134	14,854	9,467	10,510	10,734	11,544	11,169	25,683	27,756	26,537											
<b>Undisciplined Hearings</b>	2,510	2,446	2,304	2,262	2,533	1,059	1,082	1,127	969	977	3,569	3,528	3,431											
<b>Dependency Hearings</b>	3,924	4,435	4,794	4,183	4,046	752	745	943	920	698	4,676	5,180	5,737											
<b>Neglect Hearings</b>	6,094	6,443	7,444	6,659	6,294	1,103	1,287	1,422	1,488	1,304	7,287	7,730	8,866											
<b>Abuse Hearings</b>	924	1,009	991	965	916	336	360	409	330	367	1,260	1,369	1,400											
<b>Parental Rights Terminated</b>	1,679	1,806	1,781	2,012	1,821																			
<b>Parental Rights Not Terminated</b>	287	356	347	341	472																			
<b>Total</b>	1,966	2,162	2,128	2,353	2,293																			
<b>Total Adjudicatory Hearings for Juvenile Matters</b>	44,441	47,725	48,099	47,807	45,451																			

## **Part III, Section 3**

### **Special Programs Data**

- Arbitration
- Child Custody Mediation
- Mediated Settlement  
Conferences
- Family Financial Settlement  
Procedures
- Drug Treatment Court



## SPECIAL PROGRAMS DATA

This section presents data on five special programs of the Judicial Department. 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 five programs -- arbitration, custody mediation, mediated settlement conferences, family financial settlement procedures, and drug treatment court -- all of which are discussed in more detail in the description of the present court system in Part I of this report.

**ARBITRATION ACTIVITY**  
**July 1, 2007- June 30, 2008**

	Cases Noticed for Arbitration			Cases Arbitrated	Summary of De Novo Appeal Activity			
	District Court	Superior Court	Total		Appeals Filed	Trials	Dismissal/ Other	End Pending 6/30/2008
<b>District 1</b>								
Camden	0	0	0	0				
Chowan	0	0	0	0				
Currituck	8	0	8	0				
Dare	22	0	22	10				
Gates	8	0	8	6				
Pasquotank	1	0	1	10				
Perquimans	0	0	0	1				
District Totals	39	0	39	27				
<b>District 3A</b>								
Pitt	21	1	22	35	6	2	2	2
<b>District 3B</b>								
Carteret	32	0	32	25	4	1	4	-1
Craven	39	0	39	35	3	0	8	-5
Pamlico	2	0	2	1	0	0	0	0
District Totals	73	0	73	61	7	1	12	
<b>District 5</b>								
New Hanover	336	0	336	126				
Pender	71	0	71	16				
District Totals	407	0	407	142				
<b>District 6A</b>								
Halifax	8	0	8	9	1	0	0	1
<b>District 8A</b>								
Greene	5	0	5	5	1	0	0	1
Lenoir	15	0	15	19	3	0	1	2
District Totals	20	0	20	24	4	0	1	3
<b>District 8B</b>								
Wayne	45	0	45	32	4	3	1	0
<b>District 10</b>								
Wake	485	0	485	308	59	7	36	16
<b>District 12</b>								
Cumberland	1,530	0	1,530	321	49	16	16	17
<b>District 13</b>								
Bladen	48	0	48	10	1	0	0	1
Columbus	32	0	32	7	0	0	0	0
Brunswick	115	0	115	54	5	0	0	5
District Totals	195	0	195	71	6	0	0	6
<b>District 14</b>								
Durham	230	0	230	80				
<b>District 15A</b>								
Alamance	36	0	36	1	4	0	1	3
<b>District 15B</b>								
Orange	25	0	25	19	0	0	0	0
Chatham	14	0	14	14	1	1	0	0
District Totals	39	0	39	33	1	1	0	0
<b>District 16A</b>								
Hoke	8	0	8	10	1	0	0	1
Scotland	4	0	4	0	0	0	0	0
District Totals	12	0	12	10	1	0	0	1

**ARBITRATION ACTIVITY**  
**July 1, 2007- June 30, 2008**

	Cases Noticed for Arbitration			Cases Arbitrated	Summary of De Novo Appeal Activity			
	District Court	Superior Court	Total		Appeals Filed	Trials	Dismissal/ Other	End Pending 6/30/2008
<b>District 16B</b>								
Robeson	3	0	3	2	0	0	0	0
<b>District 17A</b>								
Rockingham	19	0	19	11	3	2	0	1
<b>District 18</b>								
Guilford	216	0	216	144	39	10	12	17
<b>District 19B</b>								
Montgomery	3	0	3	0	0	0	0	0
Randolph	17	0	17	9	2	0	0	2
Moore	3	0	3	0	0	0	0	0
District Totals	23	0	23	9	2	0	0	2
<b>District 19C</b>								
Rowan	53	0	53	44	21	13	2	6
<b>District 20A</b>								
Anson	8	0	8	5	1	0	0	1
Richmond	47	0	47	13	6	2	2	2
Stanly	68	0	68	49	7	3	0	4
District Totals	123	0	123	67	14	5	2	7
<b>District 20B</b>								
Union	88	0	88	60	10	3	4	3
<b>District 21</b>								
Forsyth	361	0	361	131	43	25	11	18
<b>District 22</b>								
Davidson	31	0	31	17	4	2	6	2
Iredell	33	0	33	18	5	3	8	2
Davie	9	0	9	8	4	2	4	2
Alexander	0	0	0	3	0	0	2	2
District Totals	73	0	73	46	13	7	20	8
<b>District 23</b>								
Alleghany	8	0	8	7	2	0	1	1
Ashe	13	0	13	10	3	1	1	1
Wilkes	31	0	31	14	5	1	1	3
Yadkin	22	0	22	9	0	0	0	0
District Totals	74	0	74	40	10	2	3	5
<b>District 24</b>								
Watauga	26	0	26	19	3	2	1	0
Avery	9	0	9	7	1	0	1	0
Mitchell	5	0	5	3	0	0	0	0
Yancey	0	0	0	1	5	0	3	2
Madison	4	0	4	3	0	0	0	0
District Totals	44	0	44	33	9	2	5	0
<b>District 25</b>								
Burke	49	0	49	23	3	0	1	2
Caldwell	63	0	63	33	4	2	2	0
Catawba	117	0	117	76	14	2	6	6
District Totals	229	0	229	132	21	4	9	8
<b>District 26</b>								
Mecklenburg	506	0	506	449	143	15	113	15
<b>District 27A</b>								
Gaston	83	0	83	47	18	6	5	7

**ARBITRATION ACTIVITY**  
**July 1, 2007- June 30, 2008**

	Cases Noticed for Arbitration			Cases Arbitrated	Summary of De Novo Appeal Activity			
	District Court	Superior Court	Total		Appeals Filed	Trials	Dismissal/ Other	End Pending 6/30/2008
<b>District 27B</b>								
Cleveland	40	0	40	21	7	3	0	4
Lincoln	32	0	32	17	1	1	0	0
District Totals	72	0	72	38	8	4	0	4
<b>District 29A</b>								
McDowell	4	0	4	4	0	0	0	0
Rutherford	0	0	0	0	0	0	0	0
District Totals	4	0	4	4	0	0	0	0
<b>District 29B</b>								
Polk	2	0	2	1	0	0	0	0
Henderson	24	0	24	21	7	2	1	4
Transylvania	10	0	10	6	0	0	0	0
District Totals	36	0	36	28	7	2	1	4
<b>District 30A</b>								
Cherokee	2	0	2	2	0	0	0	0
Clay	6	0	6	3	1	0	0	1
Graham	14	0	14	6	2	0	0	2
Macon	13	0	13	4	2	0	0	2
Swain	1	0	1	0	0	0	0	0
District Totals	36	0	36	15	5	0	0	5
<b>District 30B</b>								
Haywood	26	0	26	6	9	0	0	9
Jackson	11	0	11	3	3	0	0	3
District Totals	37	0	37	9	0	0	0	17
<b>Total</b>	<b>5,220</b>	<b>1</b>	<b>5,221</b>	<b>2,463</b>	<b>508</b>	<b>130</b>	<b>256</b>	<b>176</b>

**CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY  
July 1, 2007 – June 30, 2008**

	Begin Pending 7/1/07	Referred	Total	Parenting Agreement Drafted <sup>1</sup>	Parenting Agreement Signed	Mediated <sup>2</sup>	Not Mediated <sup>3</sup>	Total Disposed Through Mediation Office	End Pending 6/30/08
<b>District 3A</b>									
Pitt	43	207	250	101	34	150	62	212	38
<b>District 4</b>									
Duplin, Jones, Onslow, Sampson	36	285	321	116	34	202	32	234	87
<b>District 5</b>									
New Hanover, Pender	65	586	651	158	56	320	277	597	54
<b>District 6A</b>									
Halifax	8	100	108	36	30	60	35	95	13
<b>District 6B</b>									
Bertie, Hertford, Northampton	24	90	114	29	20	44	38	82	32
<b>District 7</b>									
Nash, Edgecomb, Wilson	0	215	215	135	67	172	23	195	20
<b>District 8</b>									
Greene, Lenoir, Wayne	0	210	210	113	64	171	26	197	13
<b>District 9</b>									
Franklin, Granville, Vance, Warren	1	60	61	19	12	46	8	54	7
<b>District 9A</b>									
Caswell, Person	3	142	145	60	43	125	20	145	0
<b>District 10</b>									
Wake	218	1,343	1,561	375	299	679	630	1,309	252
<b>District 11<sup>4</sup></b>									
Harnett, Johnston, Lee	66	603	669	105		197	401	598	71
<b>District 12</b>									
Cumberland	81	1,238	1,319	307	238	519	598	1,117	202
<b>District 13</b>									
Bladen, Brunswick, Columbus	7	425	432	353	115	395	28	423	9
<b>District 14</b>									
Durham	33	430	463	118	79	266	146	412	51
<b>District 15A</b>									
Alamance	38	172	210	86	63	126	25	151	59
<b>District 15B</b>									
Chatham, Orange	2	151	153	118	89	147	6	153	0
<b>District 16A</b>									
Hoke, Scotland	0	53	53	27	14	40	13	53	0
<b>District 16B</b>									
Robeson	0	140	140	55	40	94	42	136	4
<b>District 17A</b>									
Rockingham	14	98	112	46	30	87	16	103	9
<b>District 17B</b>									
Stokes, Surry	16	146	162	55	51	121	27	148	14
<b>District 18</b>									
Guilford	58	747	805	368	254	575	112	612	166
<b>District 19A</b>									
Cabarrus	42	202	244	122	106	175	12	187	57
<b>District 19B</b>									
Montgomery, Moore, Randolph	11	359	370	232	183	313	48	361	9
<b>District 19C</b>									
Rowan	64	273	337	148	113	231	39	270	67
<b>District 20</b>									
Anson, Richmond, Stanly, Union	104	315	419	184	109	282	102	384	35

**CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY  
July 1, 2007 – June 30, 2008**

	Begin Pending 7/1/07	Referred	Total	Parenting Agreement Drafted <sup>1</sup>	Parenting Agreement Signed	Mediated <sup>2</sup>	Not Mediated <sup>3</sup>	Total Disposed Through Mediation Office	End Pending 6/30/08
<b>District 21</b>									
Forsyth	51	409	460	179	114	324	98	422	38
<b>District 22</b>									
Davidson, Davie, Iredell, Alexander	33	292	325	178	59	240	57	297	28
<b>District 23</b>									
Wilkes, Yadkin, Ashe Alleghany	15	203	218	85	64	147	37	184	34
<b>District 25</b>									
Burke, Caldwell, Catawba	71	724	795	275	204	529	207	736	59
<b>District 26</b>									
Mecklenburg	341	1,708	2,049	427	247	738	611	1,349	700
<b>District 27A</b>									
Gaston	67	179	246	66	45	135	23	158	88
<b>District 27B</b>									
Cleveland, Lincoln	75	168	243	64	42	116	22	138	105
<b>District 28</b>									
Buncombe	227	635	862	218	161	335	236	571	291
<b>District 29A</b>									
McDowell, Rutherford	15	143	158	79	47	90	48	138	20
<b>District 29B</b>									
Polk, Henderson, Transylvania	4	226	230	86	22	143	87	230	0
<b>District 30</b>									
Haywood, Jackson, Swain, Macon, Clay, Graham, Cherokee	0	171	171	83	23	83	47	130	41
<b>TOTALS</b>	<b>899</b>	<b>4,858</b>	<b>5,757</b>	<b>1,740</b>	<b>1,028</b>	<b>2,880</b>	<b>1,473</b>	<b>4,353</b>	<b>1,404</b>

<sup>1</sup> Parenting Agreement drafted includes complete parenting agreements, temporary agreements, partial agreements, or modified agreements.

An unknown percentage of parenting agreements are drafted by the Mediators and are not signed, but are included in consent orders submitted to the court by private attorneys. An unknown percentage of agreements are drafted by the mediator and the parent decides not to continue the court proceedings

but uses the mutual agreement with the other parent to structure their custody and visitation arrangements.

<sup>2</sup> Cases mediated includes at least one face to face session with both parties.

Cases mediated result in 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.)

<sup>3</sup> 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.

<sup>4</sup> District 11 Agreements are generally signed in the attorney's offices, not in the mediation office.

Therefore, the mediation staff cannot capture accurate numbers of signed agreements.

**MEDIATED SETTLEMENT CONFERENCES CASES**  
**July 1, 2007 – June 30, 2008**

Districts	Begin Pending 7/1/07	Ordered to MSC	Voluntarily Submitted to Mediation	Total Number of Cases	Submitted to Mediation	Total	Ordered Removed	Disposed without Session	Resolved through Conference	Not Resolved through Conference	Total Cases Completing Process	End Pending 6/30/08
1	119	182	10	311	182	301	10	40	70	53	173	128
2	81	45	0	126	104	185	7	51	17	25	100	85
3A	238	146	0	384	245	483	2	63	41	44	150	333
3B	439	168	0	607	160	599	0	36	49	51	136	463
4A	233	56	2	291	107	340	1	47	27	14	89	251
4B	77	45	8	130	114	191	1	54	37	25	117	74
5	1,095	364	0	1,459	447	1,542	2	484	93	50	629	913
6A	14	34	3	51	48	62	1	10	17	11	39	23
6B	34	79	1	114	39	73	4	13	9	14	40	33
7A	73	117	37	227	103	176	19	13	18	12	62	114
7B	102	206	1	309	197	299	4	58	83	42	187	112
7C	48	67	1	116	51	99	1	18	13	17	49	50
8A	56	88	0	144	79	135	0	51	22	19	92	43
8B	70	105	0	175	140	210	0	56	49	0	105	105
9	268	185	5	458	177	445	0	62	62	34	158	287
9A	28	0	0	28	48	76	1	0	19	5	25	51
10	453	1,032	33	1,518	1006	1,459	28	442	287	229	986	473
11A	86	208	2	296	194	280	2	78	59	55	194	86
11B	327	439	0	766	419	746	4	246	86	54	390	356
12	70	424	0	494	374	444	48	147	86	81	362	82
13	356	247	4	607	154	510	1	58	49	16	124	386
14	439	441	0	880	357	796	0	71	93	79	243	553
15A	70	166	0	236	141	211	7	49	41	43	140	71
15B	207	134	4	345	173	380	14	45	46	44	149	231
16A	28	21	12	61	44	72	1	6	22	10	39	33
17A	41	76	0	117	68	109	0	15	26	15	56	53
17B	63	119	1	183	106	169	3	43	29	32	107	62
18	742	753	0	1,495	988	1,730	5	117	253	236	611	1,119
19A	75	160	0	235	178	253	3	61	38	55	157	96
19B	55	123	0	178	141	196	6	38	48	45	137	59
19C	225	162	5	392	136	361	1	47	43	40	131	230
19D	256	0	0	256	121	377	3	45	30	28	106	271
20A	73	86	0	159	129	202	2	35	26	36	99	103
20B	49	109	5	163	163	212	2	26	59	36	123	89
21	732	415	2	1,149	393	1,125	3	59	131	144	337	788
22	1,003	332	3	1,338	309	1,312	2	78	108	97	285	1,027
23	58	136	0	194	127	185	1	38	52	42	133	52
24	260	0	0	260	233	493	0	1	123	30	154	339
25A	53	142	10	205	146	199	10	55	42	37	144	55
25B	229	276	0	505	253	482	10	126	85	66	287	195
26	463	1,741	45	2,249	1304	1,767	27	557	401	394	1,379	388
27A	260	0	0	260	207	467	1	29	45	85	160	307
27B	117	181	4	302	37	154	0	6	11	8	25	129
28	256	0	0	256	214	470	7	42	83	56	188	282
29A	75	129	7	211	126	201	1	12	4	19	36	165
29B	135	86	1	222	169	304	5	80	39	44	168	136
30A	128	114	0	242	118	246	11	75	15	37	138	108
30B	56	87	6	149	143	199	4	40	32	36	112	87
<b>TOTALS</b>	<b>10,415</b>	<b>10,226</b>	<b>212</b>	<b>20,853</b>	<b>225</b>	<b>21,327</b>	<b>265</b>	<b>3,823</b>	<b>3,118</b>	<b>2,645</b>	<b>9,851</b>	<b>11,476</b>

Data not available for District 16B.

**FAMILY FINANCIAL SETTLEMENT PROCEDURES CASES**  
**July 1, 2007 – June 30, 2008**

Districts	Begin Pending 7/1/07	Ordered to Mediation Settlement Conference	Ordered to Judicial Settlement Conference	Submitted to other Settle. Proceed.	Total	Ordered Exempt from Settle. Proceed.	Settled or Disposed without Settle. Proceed.	Resolved through Settle. Procedure	Partially Resolved through Settle. Proceed.	Not Resolved through Settle. Proceed.	Completed Settlement Procedure	End Pending 6/30/08
1	18	12	9	0	39	1	6	7	0	0	14	25
3A	8	130	0	0	138	20	24	13	0	0	70	68
3B	0	248	0	0	248	1	99	5	4	1	110	138
4	27	149	0	0	176	3	25	34	3	14	79	97
5	0	254	0	0	254	0	21	25	0	6	52	202
6A	2	15	6	0	23	1	5	6	1	6	19	4
8	17	69	0	0	86	0	32	26	0	5	63	23
9	14	23	0	0	37	0	1	19	3	1	24	13
11	44	104	0	0	148	23	34	38	0	15	110	38
12	65	345	158	0	569	61	189	61	24	116	451	118
16A	45	28	0	0	73	10	23	3	1	1	38	35
17A	21	55	0	0	76	2	6	33	2	8	51	25
18	81	238	0	1	320	1	108	45	20	7	181	139
19A	129	182	0	0	311	7	145	30	7	27	216	95
19C	0	38	0	0	38	0	2	11	3	5	21	17
20A	35	56	0	0	91	0	31	31	1	12	75	16
20B	79	115	0	0	194	1	28	57	0	2	88	106
23	0	135	0	0	135	0	52	36	1	12	101	34
25	134	254	0	0	388	42	116	42	14	27	241	147
26	278	30	139	0	447	10	60	35	14	18	137	310
27A	0	42	0	0	42	2	4	5	2	1	14	28
27B	34	119	9	0	162	34	56	7	1	0	98	64
28	21	147	1	1	170	1	39	39	15	9	103	67
30	29	63	0	0	92	0	1	20	2	18	41	51
<b>TOTALS</b>	<b>1,081</b>	<b>2,552</b>	<b>322</b>	<b>2</b>	<b>4,257</b>	<b>220</b>	<b>1,161</b>	<b>628</b>	<b>118</b>	<b>311</b>	<b>2,397</b>	<b>1860</b>

Data not available for Districts 2, 6B, 7, 9A, 10, 13, 14, 15A, 15B, 16B, 17B, 19B, 21, 22, 24, 29A, or 29B.



**DRUG TREATMENT COURT ACTIVITY**  
**July 1, 2007 – June 30, 2008**

District	Number Served <sup>1</sup>	Type of Drug Treatment Court (DTC)	Number of Exits <sup>2</sup>	Of Exits, Percent Graduated	Of Exits, Percent Accessed More than Six Months of Treatment
<b>3A</b>					
Pitt	45	Post-Sentence Adult DTC	19	11%	63%
<b>3B</b>					
Carteret	21	Post-Sentence Adult Superior DTC	7	57%	86%
Craven	22	Post-Sentence Adult Superior DTC	11	27%	82%
<b>5</b>					
New Hanover	118	Post-Sentence Adult DTC	62	35%	81%
<b>6A</b>					
Halifax	11	Family DTC	8	25%	88%
<b>8</b>					
Lenoir	8	Family DTC	1	0%	0%
Wayne	22	Family DTC	7	86%	100%
<b>9A</b>					
Person/Caswell	76	Pre-plea and post-Sentence Adult DTC	49	35%	49%
<b>10</b>					
Wake	72	Post-Sentence Adult DTC	25	40%	68%
	31	Post Adjudication Youth DTC	7	43%	57%
<b>12</b>					
Cumberland	57	Pre-plea and post-Sentence Adult DTC	18	33%	67%
	29	Family DTC	15	40%	93%
<b>13B</b>					
Brunswick**		Post -Sentence Adult Superior DTC			
<b>14</b>					
Durham	50	Post-Sentence Adult DTC	24	29%	71%
	32	Post-Adjudication Youth DTC	11	82%	82%
	28	Family DTC	10	40%	80%
<b>15B</b>					
Orange	53	Post-Sentence Adult DTC	27	33%	56%
	38	Family DTC	21	24%	52%
Chatham**		Family DTC			
<b>16B</b>					
Robeson*	8	Family DTC	0	0%	0%
<b>18</b>					
Guilford	63	Pre-plea and post-Sentence Adult DTC	35	31%	60%
High Point*	4	Pre-plea and post-Sentence Adult DTC	1	0%	0%
<b>19B</b>					
Randolph	40	Post-Sentence Adult DTC	16	31%	94%
<b>19C</b>					
Rowan <sup>3</sup>	19	Post-Adjudication Youth DTC	13	69%	92%
<b>20B</b>					
Union	11	Family DTC	5	40%	40%
<b>21</b>					
Forsyth	57	Post-Sentence Adult DTC	29	34%	48%
	27	Post-Adjudication Youth DTC	10	10%	80%
<b>24</b>					
Avery/Watauga	51	Post-Sentence Adult DTC	26	58%	77%
<b>25</b>					
Burke <sup>4</sup>	29	Post-Sentence Adult DTC	16	12%	50%
Catawba	24	Post-Sentence Adult DTC	25	44%	60%

**DRUG TREATMENT COURT ACTIVITY**  
**July 1, 2007 – June 30, 2008**

District	Number Served <sup>1</sup>	Type of Drug Treatment Court (DTC)	Number of Exits <sup>2</sup>	Of Exits, Percent Graduated	Of Exits, Percent Accessed More than Six Months of Treatment
Mecklenburg	78	Post-Sentence (District A)	44	36%	52%
	82	Pre-Sentence (District B)	47	26%	38%
	74	Post-Sentence (DWIC)	38	58%	76%
	72	Post-Sentence (DWID)	35	80%	89%
	47	Post-Sentence Superior	22	32%	55%
	175	Family DTC Level 1	116	27%	44%
	71	Family DTC	52	40%	54%
	51	Post-Adjudication Youth DTC	28	43%	75%
<b>27A</b>					
Gaston <sup>5</sup>	20	Family DTC	8	50%	75%
<b>28</b>					
Buncombe	56	Post -Sentence Adult Superior DTC	29	41%	66%
	31	Family DTC	16	25%	81%
<b>29A</b>					
McDowell*	21	Post -Sentence Adult Superior DTC	4	0%	0%
Rutherford*	24	Post -Sentence Adult Superior DTC	2	0%	50%

	Total Number Served	Total Number of Exits
<b>Adult</b>	1,236	611
<b>Youth</b>	28	69
<b>Family</b>	144	259
<b>Total</b>	1,408	939

1 The "Number Served" represents the number of participants who were active in court, or receiving court-ordered treatment for at least one day during the fiscal year.

2 The "Number of Exits" represents participants who successfully graduated or who terminated from the program as "unsuccessful" during the fiscal year.

\* Court began in SFY 2007-08

### **Cost Statement**

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