

June 6, 2002

**S 1257. ELECTRONIC CRIMINAL PROCESS (=H 1583).** *TO ESTABLISH THE LEGAL EFFECT OF THE USE OF ELECTRONIC TECHNOLOGY IN CRIMINAL PROCESS AND PROCEDURE, AS RECOMMENDED BY THE NORTH CAROLINA COURTS COMMISSION.* Enacts sections of new Ch. 15A, Art.1, setting up procedures for issuing criminal process by electronic means, using electronic signatures in criminal process, and saving or filing process electronically. Does not include search warrants. Requires Administrative Office of the Courts to create and maintain, in cooperation with state and local law enforcement agencies, an automated electronic repository for criminal process (Electronic Repository), which is a secure system that provides for tracking criminal process in electronic form; accessing criminal process through remote electronic means by all authorized judicial officials and employees and law enforcement officers and agencies that have compatible electronic access capacity; and printing any criminal process in paper form by these authorized officials. Any process in the Electronic Repository is part of the official records of the clerk of superior court of the county for which it was issued; clerk still maintains the record as required by GS 15A-301(a). Bill specifies procedures to be followed in serving and returning process that has been electronically stored, and for law enforcement agencies that do not have compatible remote access to the Electronic Repository. Makes various conforming amendments in GS 15A-301, and adds new GS 15A-301(g) describing procedure for recalling process that has not been served. Effective Jan. 1, 2003, and applies to all acts done on and after that date.

**Intro. by Odom.**

Ref. to Judiciary II	GS 15A
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