

April 5, 2001

S 931. CAPITAL CASE/JUDGE OVERSEE DISCOVERY. *TO REQUIRE A JUDGE TO CONDUCT OVERSIGHT OF THE DISCOVERY PROCESS IN A CAPITAL CASE TO ENSURE COMPLIANCE WITH CONSTITUTIONAL AND STATUTORY LAW.* Adds GS 15A-911, providing that in capital cases, a superior court judge, upon motion of the state, shall conduct an in camera review of the state's material to assure compliance with constitutional and statutory obligations to provide such material to the defendant. At the review the state shall provide the judge with all state material, other than work product, not provided to defendant; if the judge finds any such material discoverable, the judge is to direct the state to provide that material to the defendant, and the remaining material is to be sealed for appellate review. Effective Dec. 1, 2001.

Intro. by Rand.

Ref. to Judiciary I	GS 15A
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April 23, 2001

S 931. CAPITAL CASE/JUDGE OVERSEE DISCOVERY. Intro. 4/5/01. Senate committee substitute makes the following changes to 1st edition. Makes clear that defendant can make motion for judicial oversight of discovery.