

March 27, 2007

S 1528. JUDICIAL DEPARTMENT INDEPENDENCE. Filed 3/27/07. *TO REFLECT THE INDEPENDENCE OF THE JUDICIAL DEPARTMENT IN STATE BUDGET OPERATIONS, TO AUTHORIZE THE JUDICIAL DEPARTMENT TO CONDUCT POSITION MANAGEMENT TO ALLOW FOR THE MOST EFFECTIVE AND EFFICIENT OVERALL OPERATION OF THE COURTS, AND TO ENSURE THE FISCAL INTEGRITY OF THE JUDICIAL BRANCH OF GOVERNMENT.*

Amends GS 143C-1-2(b) to provide that an appropriation to the Judicial Department will not revert unless otherwise provided by the Director of the Administrative Office of the Courts (AOC) or the Director of Indigent Defense Services. Amends GS 143C-6-4 to allow the Chief Justice to approve expenditures for more than authorized by the state budget for objects or line items authorized in the budget.

Adds new Article 29B to GS Chapter 7A to give the director of the AOC the authority to establish and abolish and allocate and reallocate certain personnel positions within the Judicial Department. The director is to act after consultation with the State Judicial Council. The positions covered include assistant and deputy clerks of court, magistrates, judicial support staff, assistant district attorneys, prosecutorial support staffs, court reporters, staff for the Judicial Standards Commission, the Conference of District Attorneys and the Sentencing and Policy Advisory Commission, and trial court administrators, as well as secretaries, research assistants, and stenographers in the appellate court division. Officials such as judges, district attorneys, clerks of superior court, the Executive Directors of the Judicial Standards Commission, the Conference of District Attorneys, and the Sentencing and Policy Advisory Commission are specifically excluded. The authority of the director includes the authority to determine the number of positions needed in each office or judicial district. Conforming changes are made to various statutes within GS Chapter 7A. Requires the director to submit annual reports to the Joint Legislative Commission on Governmental Operations detailing all expenditures and all actions taken pursuant to the new management authority. Effective July 1, 2007.

Intro. by Clodfelter.

GS 7A, 143C