

April 2, 2009

**H 1037. PERMIT ACCESS TO CAPITAL DEFENDANTS.** Filed 4/2/09. *TO PERMIT CAPITAL APPELLATE AND POSTCONVICTION COUNSEL REASONABLE ACCESS TO THEIR CLIENTS FOLLOWING DECISIONS BY THE COURTS WITH RESPECT TO THEIR CLIENTS' SENTENCES.*

Enacts new GS 7A-451(e1) to require that, when (1) the NC State Supreme Court files an opinion affirming or reversing the judgment of the trial court in a case in which a defendant was sentenced to death or files an opinion or decision with regard to such defendant's postconviction petition for relief from a death sentence or (2) any federal court files or issues an opinion or decision in such a circumstance, the Department of Correction permit defendant's counsel to visit the defendant at the institution where the defendant is confined on the day the opinion or decision is filed or issued. Specifies visitation parameters. Provides that this section is not to be construed to abridge adequate and reasonable opportunity for attorneys to consult with clients sentenced to death or mandate that an attorney visit during an emergency at the institution where the defendant is confined.

**Intro. by Glazier.**

GS 7A

June 15, 2009

**SL 2009-91 (H 1037). PERMIT ACCESS TO CAPITAL DEFENDANTS. AN ACT TO PERMIT CAPITAL APPELLATE AND POSTCONVICTION COUNSEL REASONABLE ACCESS TO THEIR CLIENTS FOLLOWING DECISIONS BY THE COURTS WITH RESPECT TO THEIR CLIENTS' SENTENCES.** Summarized in *Daily Bulletin* 4/2/09. Enacted June 11, 2009. Effective June 11, 2009.