

March 12, 2009

**S 601. SUPERIOR COURT CRIMINAL CASE CALENDARING.** Filed 3/12/09. *TO PROVIDE THAT CRIMINAL CASES IN SUPERIOR COURT SHALL BE CALENDARED BY THE COURT.*

Amends GS 7A-49.4(a) to provide that court officials, rather than the district attorney, be responsible for calendaring criminal cases in superior court. Directs the senior resident superior court judge to develop a docketing plan in consultation with judges, members of the local bar, and the district attorney. Requires that the plan randomly assign cases to judges on a substantially equal basis. Requires that, to the extent practicable, the judge originally assigned to the case hear all matters connected to the case through sentencing. Amends GS 7A-49.4(b) to formalize the authority of the court to establish a trial date when the parties have not already agreed to a date; also authorizes the parties to apply to the court for an alternative date. Amends GS 7A-49.4(f) to require that the court, rather than the district attorney, announce the order the calendared cases will be called for trial and requires that the court deviate from the called order or grant a continuance only with the consent of the State and the defendant for good cause shown. Makes technical and conforming changes to GS 7A-49.4(b), (e), (f) and (h).

Adds new GS 7A-49.4(f1) related to temporary assignment of judges. Requires the senior resident superior court judge in a district requiring one or more judges from another district to submit a written request to the Administrative Office of the Courts (AOC) explaining the reason for the request and the anticipated duration and location of the assignment. Directs the AOC to post the request on its public website.

Effective January 1, 2010.

**Intro. by Clodfelter.**

GS 7A