

OVERVIEW OF JUDICIAL ADMINISTRATION

SEPTEMBER 12, 2017



PRESENTATION OVERVIEW

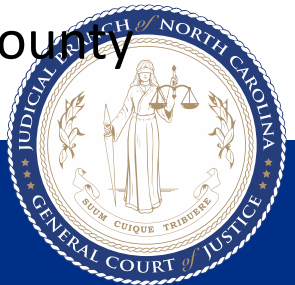
- Judicial Structure
- Superior Court Administration
- District Court Administration
- Role of North Carolina Administrative Office of the Courts (NCAOC)



JUDICIAL STRUCTURE

County Perspective

- Each county is assigned to a judicial district defined by statute
 - Superior Court District / Division
 - District Court District
 - Prosecutorial District
- Each district includes a senior resident superior court judge, chief district court judge, and district attorney
- Each county has an elected clerk of superior court
- Each county has a minimum of three magistrates
- The senior resident superior court judge, chief district court judge, district attorney, and clerk typically work together to ensure the efficient administration of justice in the county



SUPERIOR COURT



SUPERIOR COURT ADMINISTRATION

Authority of Senior Resident Superior Court Judges

- The **senior resident** has all authority and power in the district given by the constitution or statute to the resident judge that does not relate to a case, controversy or judicial proceeding and does not involve the exercise of judicial power.
- Senior resident superior court judges and regular resident superior court judges possess equal judicial jurisdiction, power, authority and status.



SUPERIOR COURT ADMINISTRATION

Assignment of Judges

- The Chief Justice of the Supreme Court, acting in accordance with rules of the Supreme Court, makes assignments of Judges of the Superior Court.
- The NCAOC Assistant Director is the administrative assistant to the Chief Justice, and his duties include the following:
 - Assist the Chief Justice in performing his duties relating to the assignment of superior court judges;
 - Assist the Supreme Court in preparing calendars of superior court trial sessions; and
 - Perform such additional functions as may be assigned by the Chief Justice or the Director of the Administrative Office.



SUPERIOR COURT ADMINISTRATION

Master Calendar

- Master Calendar of Superior Courts sets judicial assignment for six-month terms
 - Spring term (January – June) and fall term (July – December)
 - Weekly assignment by district for each week of the six months
- NCAOC Assistant Director creates Master Calendar and makes adjustments based on illness, recusal or other exigent needs
- Master Calendar is available on nccourts.org website



SUPERIOR COURT ADMINISTRATION

Rotation

- The principle of rotating Superior Court Judges among the various districts of a division is a salutary one and shall be observed.
- Each regular resident superior court judge may, upon each rotation, be assigned to hold the courts either of one of the districts or of one of the sets of districts, as defined in G.S. 7A-41.1(a), in that judge's judicial division.



SUPERIOR COURT ADMINISTRATION

Calendaring of Cases

- CIVIL CASES — The Senior Resident in each judicial district is responsible for the civil calendar, and is required to develop a case management plan for calendaring civil cases.
- CRIMINAL CASES – Criminal cases in superior court shall be calendared by the district attorney at administrative settings according to a criminal case docketing plan developed by the district attorney for each superior court district in consultation with the superior court judges residing in that district and after opportunity for comment by members of the local bar.



DISTRICT COURT



DISTRICT COURT ADMINISTRATION

Authority of Chief District Court Judges

- The chief district judge, subject to the general supervision of the Chief Justice of the Supreme Court, has administrative supervision and authority over the operation of the district courts and magistrates in his district.
- Specific powers and duties include, but are not limited to:
 - Arranging schedules and assigning district judges for sessions of district courts
 - Supervising the clerk of superior court in the discharge of the clerical functions of the district court
 - Assigning matters to magistrates
 - Arranging sessions for the trial of specialized cases, including traffic, domestic relations, and other types of cases



DISTRICT COURT ADMINISTRATION

Assignment of District Court Judges

- Subject to the general supervision of the Chief Justice of the Supreme Court, assignment of District Judges within each local court district shall be made by the Chief District Judge.



DISTRICT COURT ADMINISTRATION

Calendaring of Cases

- CIVIL – The chief district court judge has authority for arranging or supervising the calendaring of noncriminal matters for trial or hearing.
- CRIMINAL – The district attorney shall prepare the trial dockets, prosecute in a timely manner in the name of the State all criminal actions and infractions requiring prosecution in the superior and district courts of his prosecutorial district, advise the officers of justice in his district, and perform such duties related to appeals to the Appellate Division from his district as the Attorney General may require.



NCAOC



GENERAL ADMINISTRATION

Role of NCAOC

- NCAOC provides centralized administrative and operational services for all state courts.
- NCAOC's centralized operations for courts include, but are not limited to:
 - Budget
 - Human Resources
 - Purchasing
 - Technology
 - Training
 - Legal
- The Chief Justice appoints a Director who is the Administrative Officer of the Courts.
 - The Director's powers and duties are outlined in Article 29 of Chapter 7A.



QUESTIONS?





THANK YOU

Marion Warren, Director
Marion.R.Warren@nccourts.org