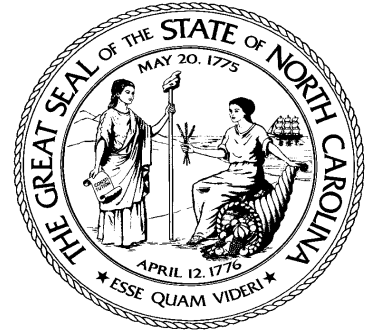
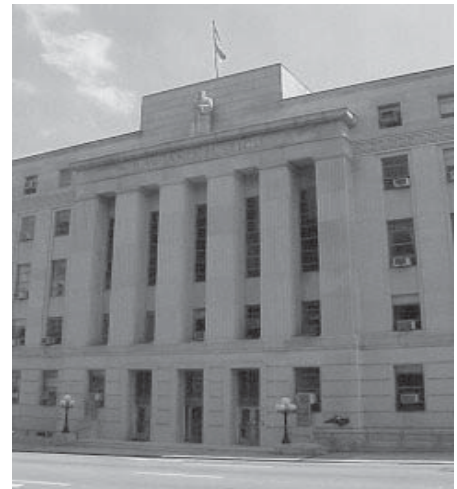


Fiscal Year 2002-03 Annual Report



NORTH CAROLINA COURTS: DEMANDS OF JUSTICE



THE NORTH CAROLINA JUDICIAL BRANCH

FISCAL YEAR 2002-03 ANNUAL REPORT: THE NORTH CAROLINA JUDICIAL BRANCH

“NORTH CAROLINA COURTS: DEMANDS OF JUSTICE”

This report highlights Judicial Branch activities and statistical and financial data for the fiscal year 2002-03. In addition, the Administrative Office of the Courts publishes a comprehensive annual Statistical and Operational Summary of the Judicial Branch of Government. This report can be obtained by contacting the Administrative Office of the Courts at 919-715-0228, or on our website, www.nccourts.org.

Table of Contents

MESSAGE FROM THE CHIEF JUSTICE AND AOC DIRECTOR	1
OVERVIEW OF THE NORTH CAROLINA JUDICIAL BRANCH	2
MAJOR HIGHLIGHTS AND ACCOMPLISHMENTS, FISCAL YEAR 2002-03	7
NORTH CAROLINA JUDICIAL BRANCH FACT SHEET	14
STATISTICAL WORKLOAD HIGHLIGHTS	15
FINANCIAL HIGHLIGHTS	18
CHALLENGES FOR THE FUTURE	20

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N.C. Administrative Office of the Courts
P.O. Box 2448
Raleigh, NC 27602-2448

MESSAGE FROM THE CHIEF JUSTICE AND AOC DIRECTOR

Dear friend of the court:

As the Chief Justice of the Supreme Court and the Director of the Administrative Office of the Courts, we are pleased to provide you a copy of the *Fiscal Year 2002-03 Annual Report: The North Carolina Judicial Branch*. This report describes the North Carolina Judicial Branch and its components, presents accomplishments during the fiscal year, and outlines future challenges for the court system.

During fiscal year 2002-03, a period of severe budget cuts, the Judicial Branch took a number of innovative steps and in many areas made significant strides in meeting the demands of justice throughout the State. Regarding technology, we have taken first steps towards developing programs to streamline the work of the criminal justice system and make it more efficient, and to improve statewide access to information. The court system continues to skillfully manage a caseload that has increased in both quantity and complexity. In addition, the court system maintains numerous programs designed to help citizens, their families, and their communities.

Every day the court system serves the people of this State to the fullest extent possible. Without the work of dedicated public servants, this level of service and these accomplishments would not be possible. Because of their efforts, the court system is resilient and remains responsive to the needs of North Carolinians and the administration of justice for all the people.

Your interest in the North Carolina Judicial Branch of Government is greatly appreciated.

Sincerely,

I. Beverly Lake, Jr., Chief Justice
N.C. Supreme Court

John M. Kennedy, Director
Administrative Office of the Courts



I. Beverly Lake, Jr.
Chief Justice
N.C. Supreme Court



John M. Kennedy
Director
Administrative
Office of the
Courts

OVERVIEW OF THE NORTH CAROLINA JUDICIAL BRANCH

Article IV of the N.C. Constitution establishes the North Carolina Judicial Branch as a separate and coordinate branch of State Government. North Carolina has a unified court system characterized by standard policies and procedures, state funding for all court officials and prosecutors, a uniform fee structure, and a separate statewide administrative arm. The Judicial Branch employs over 5,600 employees covering all 100 North Carolina counties.

Following is a very brief overview of the courts and other components of the North Carolina Judicial Branch. The North Carolina court system is a General Court of Justice consisting of an Appellate Division and two trial divisions, the Superior Court Division and the District Court Division.

APPELLATE DIVISION

SUPREME COURT: The seven-member Supreme Court is the State's highest court and decides questions of law in civil and criminal cases on appeal. The voters elect the chief justice and the six associate justices of the Supreme Court for eight-year terms, in non-partisan elections. The Court sits only en banc, that is, all members sitting on each case. The Supreme Court has the power to control and supervise the proceedings of other courts and has the authority to set court schedules and promulgate general rules of practice and procedure for the trial courts.



The only original case jurisdiction exercised by the Supreme Court is in the censure and removal of judges upon the non-binding recommendations of the Judicial Standards Commission. The Court's appellate jurisdiction includes cases on appeal by right from the Court of Appeals, cases on appeal by right from the Utilities Commission, criminal cases on appeal by right from the superior courts, and cases in which review has been granted in the Supreme Court's discretion. However, most appeals are heard only after review by the Court of Appeals.

The chief justice of the Supreme Court also has certain administrative responsibilities. These responsibilities include appointing the director and the assistant director of the Administrative Office of the Courts (AOC), designating a chief judge from among the judges of the Court of Appeals and a chief district court judge from among the district court judges in each of the state's district court districts, assigning superior court judges to the scheduled sessions of superior court in the 100 counties, transferring district court judges to other districts for temporary or specialized duty, and various appointment powers, including one or more members of the State Judicial Council, the Commission on Indigent Defense Services, and the chief administrative law judge of the Office of Administrative Hearings.

COURT OF APPEALS: The fifteen-judge Court of Appeals is North Carolina's intermediate appellate court and hears appeals from the state's trial courts, from the Industrial Commission, and from final orders and decisions of certain administrative agencies. Panels of three judges hear the cases, with the chief judge responsible for assigning members of the Court to the five panels. The voters elect the judges on the Court of Appeals for eight-year terms in non-partisan elections.

TRIAL DIVISIONS

SUPERIOR COURT DIVISION: The Superior Court Division has original jurisdiction in all felony cases and in those misdemeanor cases specified in G.S. 7A-271. Most misdemeanors are tried first in the district court, from which conviction may be appealed to the superior court for trial de novo by a jury. Although general civil jurisdiction is concurrent with the district court, the superior court is the "proper" court for the trial of civil cases where the amount in controversy exceeds \$10,000, and it has jurisdiction over appeals from most administrative agencies. Regardless of the amount in controversy, the original jurisdiction of the superior court does not include domestic relations or juvenile cases, which are heard in the district court, or probate and estate matters and certain special proceedings heard first by the clerk of superior court. Rulings of the clerk are within the appellate jurisdiction of the superior court.

For administrative purposes, the counties are grouped into forty-six superior court districts, each with a senior resident superior court judge who exercises administrative supervision authority. These districts are further grouped into eight judicial divisions and regular resident superior court judges rotate among the counties in their division, in accordance with Article IV, Section 9, of the N.C. Constitution. For elective purposes, there are sixty-five superior court districts. The state's ninety-three regular resident superior court judges are elected by the voters of the district for an eight-year term in non-partisan elections. In addition, there are thirteen special superior court judges, appointed by the Governor, who hold court as needed throughout the State.

DISTRICT COURT DIVISION: The jurisdiction of the district court is extensive. It includes preliminary "probable cause" hearings in felony cases, and virtually all misdemeanor and infraction cases. The district court also has jurisdiction to accept guilty pleas in certain felony cases, and the court's jurisdiction extends to all juvenile proceedings, mental health hospital commitments, and domestic relations cases. In addition, the district courts share concurrent jurisdiction with the superior courts in general civil cases, but are the "proper" courts for general civil cases where the amount in controversy is \$10,000 or less.

Trials in criminal and infraction cases in district court are by district court judges; no trial by jury is available for such cases. Appeals are to the superior court for a trial de novo before a jury. Civil cases in district court may be tried before a jury; appeals are to the Court of Appeals.

There are 235 district court judges in North Carolina. For administrative purposes, district courts are organized into thirty-nine districts, each with a chief district court judge who exercises administrative supervision authority. For elective purposes, the district courts are organized into forty districts. Voters of the district elect judges for a four-year term.

MAGISTRATES: The magistrate is a judicial officer of the District Court Division. In criminal cases, magistrates issue arrest and search warrants, conduct initial appearances, and determine conditions of pretrial release. For some relatively minor offenses they may accept guilty pleas, impose punishment and conduct trials. In civil cases, they preside over the trial of small claims (\$4,000 or less). One or more magistrates are appointed in each county. Candidates are nominated by the clerk of superior court, appointed by the senior resident superior court judge, and supervised by the chief district court judge. There are 716 authorized magistrates in North Carolina.

CLERKS OF SUPERIOR COURT: The clerk of superior court is a judicial officer of the Superior Court Division. The clerk exercises the judicial power of the State in the probate of wills, administration of estates, and the handling of special proceedings such as adoptions and foreclosures. Serving both superior and district courts, clerks are the official custodians of all the records of the courts in their counties and are responsible for receiving, investing and disbursing all funds paid into or through the court. There is a clerk of superior court for each of North Carolina's 100 counties, all elected to four-year terms.



The clerk of superior court appoints assistant and deputy clerks in such numbers as are authorized by the AOC.

OTHER MAJOR COURT COMPONENTS

STATE JUDICIAL COUNCIL: The eighteen-member State Judicial Council consists of court officials from every court function, private attorneys, and members of the public. Conceived as an advisory and oversight body to promote overall improvement in Judicial Branch operations, it may study and make recommendations to the chief justice about all aspects of our court system. Some of its specific statutory duties are to make recommendations concerning budget preparation and funding priorities, the benefits and compensation of judicial officials, creation of judgeships, development of court performance standards, case management, alternative dispute resolution, the boundaries of the judicial districts, and other matters. The present six committees of the State Judicial Council are Salaries and Benefits, Alternative Dispute Resolution, Public Trust, Court Performance Standards, Court Jurisdiction and Organization, and Judicial Branch Education.

DISTRICT ATTORNEYS: District attorneys represent the State in all criminal actions and infractions brought in superior and district court and juvenile cases in which an attorney represents the juvenile. The district attorney is also responsible for calendaring criminal cases for trial. The State is divided into thirty-nine prosecutorial districts and the voters of each district elect the district attorney to a four-year term. In addition, each district attorney may hire assistant district attorneys as provided by statute. There are 39 elected district attorneys and 438 assistant district attorneys authorized throughout North Carolina.

REPRESENTATION FOR INDIGENT PERSONS: The Indigent Defense Services Act of 2000 created the thirteen-member Commission on Indigent Defense Services. The Commission and its staff, the Office of Indigent Defense Services, are located within the Judicial Branch, but exercise their prescribed powers independently from the AOC. The Commission and Office are responsible for providing legal representation and related services in all cases where indigent persons are entitled to representation at state expense.

Currently, there are 12 public defenders and 143 assistant public defenders representing indigent persons in 14 counties. Public defenders are appointed by the senior resident superior court judge for four-year terms and may employ assistants as authorized by the Commission and funded by the General Assembly. In the remaining counties, representation of indigent persons is provided almost entirely by assignment of private counsel. Private counsel is assigned by the court, the Office of Indigent Defense Services, and in certain circumstances, the public defender.

In addition, the Office of the Appellate Defender handles criminal defense services for indigent persons who appeal convictions to the Supreme Court or the Court of Appeals. The Office of the Capital Defender represents indigent defendants charged with potentially capital offenses. The Office of Special Counsel represents indigent patients in commitment or recommitment hearings before a district court judge at each of the state's four mental health hospitals. The Commission appoints the appellate defender, the capital defender, and the attorneys who serve as special counsel.

TRIAL COURT ADMINISTRATORS: These administrators assist in managing the day-to-day administrative operations of the trial courts. Their responsibilities include civil case calendaring, jury utilization, and establishing and managing local court rules. There are currently twelve trial court administrators, serving fourteen of the state's forty-six superior court districts. Trial court administrators are jointly hired by the senior resident superior court judge and the chief district court judge, and they work for both the Superior Court and District Court Divisions.

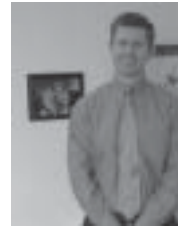
ADMINISTRATIVE OFFICE OF THE COURTS: The Administrative Office of the Courts (AOC) is the administrative and business arm of the Judicial Branch. The AOC provides statewide support services for the courts, including information technology, human resources, financial, legal,



research, and purchasing services. In addition, the AOC prepares and administers the court system's budget. The director of the AOC is appointed by the chief justice, but has independent statutory responsibility for the administration of the court system. The assistant director is also appointed by the chief justice, and serves as the administrative assistant to the chief justice.

JUDICIAL BRANCH COMMISSIONS: The Judicial Branch has six commissions.

Judicial Standards Commission: This seven-member Commission is the agency responsible for the investigation of complaints "concerning the qualifications of any justice or judge of the General Court of Justice." The Commission was created by the General Assembly in 1972 pursuant to a constitutional amendment approved by the voters.



Sentencing and Policy Advisory Commission: This thirty-member Commission is responsible for developing recommendations regarding the appropriate sentencing of felons and misdemeanants in North Carolina. The Commission also monitors sentencing practices in the State, publishes annual statistical data, and projects state prison and jail populations. The Commission was created by the General Assembly in 1990.

Dispute Resolution Commission: Established by the General Assembly in 1995, this fourteen-member Commission is charged with certifying and regulating the conduct of mediators serving the statewide superior court mediated settlement and the district court family financial settlement programs, certifying mediation trainers, and suggesting revisions to program rules and forms.

Chief Justice's Commission on Professionalism: This sixteen-member Commission's mandate is to encourage professionalism within the practice of law in North Carolina and to improve the public's perception of the court system. The North Carolina Supreme Court created the Commission in 1998. In 2002, Chief Justice I. Beverly Lake, Jr. presented the second annual Chief Justice's Professionalism Award to Senator Robert B. Morgan of Lillington.

Commission on Indigent Defense Services: The Commission was established by legislation in 2000, and is described in the "*Representation for Indigent Persons*" section of this report.

N.C. Actual Innocence Commission: In November 2002, Chief Justice I. Beverly Lake, Jr. established this commission to provide a forum for education and dialogue among prosecutors, defense attorneys, judges, law enforcement personnel, legal scholars, legislators, and victim advocates regarding the common causes of wrongful conviction of the innocent. The Commission has taken on the task of developing potential procedures to decrease the possibility of conviction of the innocent in North Carolina, thereby increasing conviction of the guilty. The first topics studied by the Commission were eyewitness identification procedures used by law enforcement in the State and process improvements that have been implemented around the country. The Commission also expects to address videotaping of interrogations and processes for post-appeal innocence claim review.

MAJOR HIGHLIGHTS AND ACCOMPLISHMENTS, FISCAL YEAR 2002-03

SERVING FAMILIES

The North Carolina Judicial Branch has placed increased emphasis on serving children, families, victims, and other citizens in need across the State. Following are some major highlights and accomplishments in this area.

Family Courts: Legislation in 1998 authorized the AOC to experiment with unified family courts. In 1999, Districts 14, 20, and 26 established the first family court pilot programs. In 2000, the family court program was expanded to Districts 5, 6A, and 12. In 2001, the family court program was further expanded to include Districts 8 and 25. Family courts coordinate all case management and service agency efforts for a single family in distress, to better serve that family and provide more consistent, efficient use of trial court time. One judge hears all matters affecting a family, either with the breakup of a marriage or the filing of a juvenile action. In an effort to improve outcomes for a family, non-trial means of resolving the case, such as mediation, are used to settle these disputes before resorting to an adversarial trial.

Custody and Visitation Mediation: As of June 30, 2003, 55 counties in 28 districts had a custody and visitation mediation program. The program provides parties who have unresolved issues about child custody or visitation with a non-adversarial alternative to litigation. It helps them to step back from their own conflict and focus on the best interests of their children. In most cases, parents are required to participate in this program before proceeding through the traditional court system. The mediators selected are highly skilled and must meet rigid training and experience requirements. Through this program, many parents are able to reach a lasting and mutual agreement regarding the structure and parameters of child custody without returning to the court system.

Family Financial Settlement Program: Approved for statewide expansion in October 2001, the family financial settlement program provides settlement opportunities for parties dealing with issues of equitable distribution, alimony, and child support. Utilization of the program is not mandatory, except in family court districts. The program's procedures permit couples and their attorneys to choose among various dispute resolution options, including mediated settlement, neutral evaluation, judicial settlement conference, and any other procedure authorized by local rule. Mediated settlement serves as the default procedure if the parties do not select one of the other procedures.

Guardian ad Litem Program: In 1983 the General Assembly established the Office of Guardian ad Litem (GAL) Services in the AOC, mandating the appointment of an attorney Guardian ad Litem for abused and neglected children. The program uses a team of trained attorneys and community volunteers to represent and promote the best

interests of children in court and to advocate for children to be in safe and permanent homes. Since 1994 the GAL program has had staff and volunteers in all 39 judicial districts. In fiscal year 2002-03, there were 3,824 GAL volunteers and 103 attorney advocates who represented 15,706 children in 26,112 court hearings.

In the past year, fifteen local programs benefited from the services of full-time AmeriCorps Vistas who worked to recruit and train GAL volunteers. A grant-funded project led to extensive pro bono services by attorneys who volunteered throughout the state giving trial and appellate representation and other services. Ongoing training programs were offered to GAL staff, attorneys and volunteers, and for the first time attorney training programs were conducted in partnership with the Office of Indigent Defense Services and the Institute of Government. In 2003, the GAL program initiated and implemented a database system to track hearings and placements to promote timely court reviews for children in abuse and neglect hearings. A new web site at www.nccourts.org/citizens/GAL/Default.asp provides information on how to become a GAL volunteer, samples of district newsletters, legal information for GAL attorney advocates, and training and program events.



Drug Treatment Courts (DTC): A drug treatment court uses a team of court and community professionals to help ensure that selected substance abuse offenders receive the intensive treatment they need to become healthy, law-abiding and productive family and community members. Adult DTC works with non-violent, repeat offenders who are facing jail or prison time. Family DTC works with parents and guardians who are in danger of losing custody of their children due to abuse or neglect charges. Juvenile DTC works with non-violent juvenile offenders whose drug and/or alcohol use is negatively impacting their lives at home, in school and in the community.

Currently, there are adult drug treatment courts in Districts 3B, 5, 9, 9A, 10, 14, 15B, 18, 19B, 21, 25, 26 and 28, juvenile drug treatment courts, in Districts 10, 14, 19C, 21, and 26, and family dependency drug treatment courts, in Districts 14 and 26.

RESOLVING DISPUTES

While several of the highlights mentioned in the previous section included various dispute resolution alternatives, there are still other methods available for resolving disputes. Following are some additional major highlights and accomplishments in the area of alternative dispute resolution.

Court-Ordered Arbitration: As of June 30, 2003, arbitration programs were operating in 33 superior court districts covering 72 counties. Although counted by superior court districts since the Program's inception, most of the cases arbitrated are district court

cases as opposed to superior court cases. In these counties, most civil cases involving claims totaling \$15,000 or less may be subject to court-ordered, non-binding arbitration. As a rule, arbitration hearings are limited to one hour, take place in the courthouse, and are conducted by a trained and approved attorney arbitrator who is either appointed by the court or selected by the parties. Historically, 70% of the cases are resolved at the hearing, with the arbitrator's award ultimately becoming the final judgment of the court.

Mediated Settlement Conferences: In 1995, the General Assembly mandated a statewide program of mediated settlement conferences for superior court civil cases. In some districts, the senior resident superior court judge refers all eligible cases to mediated settlement while in other districts, certain case types are exempted. Mediators facilitate settlement discussions between parties in an effort to help them arrive at mutually agreeable solutions to their disputes. The mediated settlement program allows parties and their attorneys to meet with a neutral mediator to discuss their dispute and seek a resolution.

Alternative Dispute Resolution (ADR) Committee: The ADR Committee, now a committee of the State Judicial Council, was created by order of the North Carolina Supreme Court in July 2000. Appointed by the chief justice to four-year terms, committee members provide representation for all court groups affected by non-trial intervention methods. The Committee's duties are to provide ongoing coordination and policy direction for all court-sponsored dispute resolution programs; provide a forum for consideration of future development of such programs; monitor the effectiveness of such programs; and serve as a clearinghouse for rules affecting these programs.

INCREASING UNDERSTANDING AND ACCESS TO THE COURTS

The North Carolina Judicial Branch made efforts to bridge the information gap between the public and the court system. In addition to a statewide survey of the public conducted in 2003 (see "Court Performance Standards" on page 10), following are some highlights in this area.

Public Trust: The Public Trust Committee of the State Judicial Council is composed of Council members, additional court officials, and members of the public. The goals set forth by the Committee involve changing the perceptions and realities of the court system by improving communication with and education of court users and personnel. Specifically, the Committee works to improve the public school curriculum as it relates to court and civics education, improve and make court educational materials more accessible to court users, and train court officials and staff to better serve court users.

Foreign Language Services Project: As North Carolina’s non-English speaking population grows, the foreign language services project assists in making the courts more accessible to everyone. The project has continued to meet the needs of the courts and non-English speakers around the state by helping court officials locate interpreters of all languages, and by translating and distributing bilingual criminal and civil forms, as well as bilingual brochures on the criminal and civil court process and advice for court attendance. In addition, the project has distributed a bilingual help sign for court officials to use outside their offices, as well as a new bilingual form detailing the consequences for failing to appear at one’s court date. The project has trained over 600 prospective court interpreters and now has 27 Spanish interpreters who have passed the State court interpreting certification exam. Classes on working with interpreters and hispanic culture are offered by the foreign language coordinator to all court officials at conferences around the state. The project continues to be grant-funded. The Judicial Branch still does not have adequate funds appropriated specifically to provide interpreters in court proceedings.

IMPROVING COURT OPERATIONS

During the year, the North Carolina Judicial Branch continued to search for ways to improve court operations and to make them more efficient and effective. Following are some accomplishments and highlights in this area.

Court Performance Standards: To achieve the most effective and efficient trial court operations, improve the administration of justice, and better serve the public who use our courts, in 2001, Chief Justice I. Beverly Lake, Jr., on the recommendation of the State Judicial Council, adopted a “*Trial Court Performance Standards and Measurement System*” for North Carolina’s courts. This nationally recognized standards system was designed by the National Center for State Courts to help trial courts develop and use specific standards to evaluate and improve performance. In 2002, with oversight of the Judicial Council, the AOC began conducting grant-funded pilot projects on district and state levels to learn how to implement and use the standards to improve court performance and public satisfaction for years to come. Funding for the project is provided by a federal grant from the Governor’s Crime Commission and a grant from the Z. Smith Reynolds Foundation.

With the support and guidance of AOC staff and the project’s grant-funded consultant, the project has progressed at the district and state levels. Each of up to five volunteer judicial district pilot sites identifies and implements performance standards to meet their local needs and priorities. For statewide pilot testing, standards are being implemented to access and improve court service to the public. The project, which has been implemented in all 100 counties, has measured the perceptions of court users about the courtesy, responsiveness and other aspects of court operations,



through court surveys and community volunteer court observers. The court survey is also on the Judicial Branch web site at www.nccourts.org. For the next step in the implementation of the Standards System, the project has begun to focus on three core case processing measures, such as for the timeliness of disposition, for use in all trial courts statewide.

Judicial Branch Education Committee: This seven-member Committee was appointed by the State Judicial Council in 2002 to plan and develop a comprehensive, centralized approach to Judicial Branch education throughout the State. Seizing on somewhat unique resources available in North Carolina, including the Institute of Government, the Committee's central recommendation is to establish a judicial college. The Committee's plan is to first inform court officials about the recommendations and then develop a funding plan to implement the recommendations.

Sentencing Services Program: The Sentencing Services program was initiated in 1983 in an effort to conserve prison resources by providing the court with sentencing plans that made the best use of community resources to manage appropriate offenders in the community. The 2002 Appropriations Act reduced the program's overall budget by nearly 40%, from an annual appropriation of approximately \$5.8 million to just over \$3.5 million, and transferred the program from the AOC to the Office of Indigent Defense Services, directing the Office to reconfigure the program as necessary to implement the budget cut. A mix of grant programs and state-operated programs continue to provide services in all 100 counties under the direction of the Office of Indigent Defense Services.

UTILIZING TECHNOLOGY

Substantial progress has been achieved on several important court technology projects, despite the continuing severe budgetary constraints in the State. The AOC was successful in obtaining over \$1.5 million in grant funds from the Governor's Crime Commission and other grant funding from the National Governor's Association. This additional funding supplemented our legislative appropriations in order to keep the Judicial Branch initiatives moving forward during this fiscal year.

Statewide Warrant Repository (NCAware): The main goal of this project is to have a fully automated repository of local warrant and arrest information to aid in the apprehension of known criminal and terrorist elements within the State. The primary source of information for the statewide warrant repository is the Magistrate System, which provides secure statewide access to all outstanding summonses and warrants created in the State. Enhancements will allow law enforcement to access the repository from remote PCs. Working with grant funds, the court system sustained its efforts and is progressing. Implementation of NCAware is expected at the end of 2005.

Integrated Criminal Justice Information System (CJIS): The AOC and Mecklenburg County are working together to pursue the development of an integrated criminal justice information system. This system will allow the exchange of information between courts and law enforcement agencies. CJIS will also include a new automated and integrated criminal court component from initiation to disposition for clerks, district attorneys, public defenders, and judges. This component is being developed for statewide use and will link to the statewide warrant repository (NCAware). The design phase of the project began in October 2002. This joint partnership with Mecklenburg County will allow the AOC to build an integrated criminal court information system for the State much earlier than anticipated.

ECitation Project: The eCitation project, a Criminal Justice Information Network (CJIN) initiative, automates the production of criminal and traffic citations so that an officer who writes a ticket can transmit the citation data electronically to the courts from the issuing officer's patrol car. It also eliminates the traditional paper citation and redundant data entry by clerks. Currently, Cumberland, Mecklenburg, and Wake counties are piloting eCitation and over 29,000 electronic citations have been transmitted from the officers' patrol cars to the AOC.

Security: With the growing possibility of threats to our national security and the increased number of users accessing our network and systems, AOC improved network security by utilizing firewall services, email and file transfer scanning, intrusion detection services, enterprise virus scanning, mobile data network user authentication, and other approaches. In addition, as a recommendation of the AOC Strategic Information Systems and Technology Plan (1999) and a component of the State's Homeland Security initiative, the Network Security Policy was developed to provide a security roadmap to protect important court data from possible threat or attack.

AOC Web Site: This past year a revised and comprehensive AOC web site, www.nccourts.org, was implemented. The web site is designed to place accurate and up-to-date court information at the user's fingertips. Highlights of the web site include criminal and civil court calendar queries by county, fillable court forms, local rules and forms by county, and bilingual information in Spanish, including court forms. In addition, the public has access to Supreme Court opinions, dockets, and petitions, trial and appellate court rules, court programs cross referenced by counties, FAQs on all aspects of court business, and the Judicial Directory.

Worthless Checks System: The Worthless Checks System captures information about bad (worthless) checks and the person presenting them. It allows the user to batch together one or more of these checks and send a letter notifying the bad check passer that criminal charges can be avoided if the check(s) and appropriate merchant, bank, and state fees are paid. Collections for the year 2002 were over \$1.7 million.

Judgment Abstracting: The existing civil case processing system (VCAP) currently cannot accommodate complex judgments. This restriction limits the clerk's ability to use the system for recording specific money judgments for criminal district, criminal superior, juvenile, and miscellaneous file types. The judgment abstracting module will add fifteen major new functions to VCAP to allow for the automation of complex judgments that must today be manually captured, calculated, and recorded in large judgment docket books. This project will enable statewide access to judgments in all 100 counties. This first pilot site implementation is scheduled to begin in December 2003.

NORTH CAROLINA JUDICIAL BRANCH FACT SHEET
Fiscal Year July 1, 2002 - June 30, 2003

Population and Area Served:	8,325,847	Population (approximate)	
	100	Counties	
Court Organization:	46	Superior Court Districts for Administrative Purposes	
	65	Superior Court Districts for Elective Purposes	
	39	District Court Districts for Administrative Purposes	
	40	District Court Districts for Elective Purposes	
	39	Prosecutorial Districts	
	12	Public Defender Districts	
Numbers of Justices and Judges:	7	Supreme Court Justices	
	15	Court of Appeals Judges	
	106	Superior Court Judges	
	235	District Court Judges	
Numbers of Other Authorized Positions:			
39	District Attorneys	12	Public Defenders
438	Assistant District Attorneys	143	Assistant Public Defenders
100	Clerks of Superior Court	155	IDS & Indigent Defense Support Staff
2,258	Clerk Personnel	131	Guardian ad Litem Personnel
716	Magistrates	271	Administrative Office of the Courts*
12	Trial Court Administrators	966	Court Support Staff**
		18	Other

Total Judicial Branch Personnel: 5,622

*Excludes Dispute Resolution Commission and Sentencing Commission positions

**Staff/Secretarial positions for all Court Divisions and District Attorneys except for the Judicial Standards Commission and DAs Conference

BUDGET

Total Judicial Branch Appropriations as a Percent of Total

State General Fund Appropriations:	2.70%
Total Judicial Branch Appropriations, 2002-03:	\$373,654,672
Percent Decrease from 2001-02:	-1.23%

CASES FILED AND DISPOSED, FISCAL YEAR 2002-03

Court	Filed	% Change	
		From 2001-02	From 2001-02
Supreme Court:			
Appeals	138	-4.2%	142
Petitions	677	2.3%	718
Court of Appeals:			
Appeals	1,747	7.8%	1,748
Petitions	825	7.4%	748
Superior Court*:	326,975	3.3%	305,392
District Court**:	2,717,292	-2.8%	2,648,135

*Includes Felonies, Misdemeanors, Civil, Estates, and Special Proceedings.

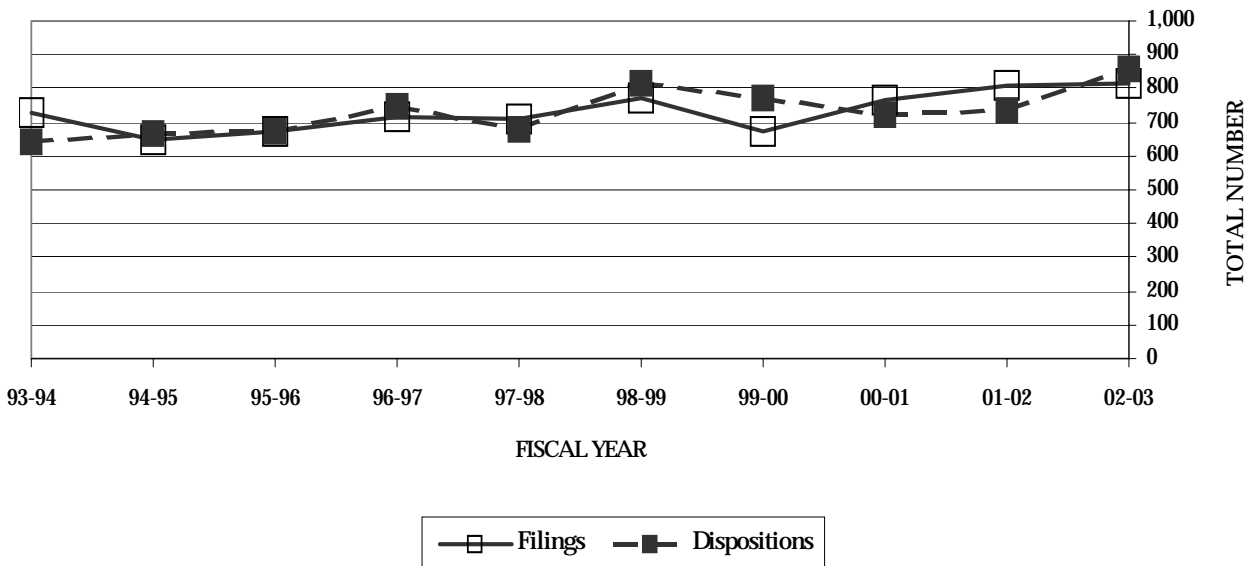
**Includes Criminal Non-Motor Vehicle, Criminal Motor Vehicle, Infractions, Small Claims, Domestic Relations, General Civil and Magistrate Appeals/Transfers, and Civil License Revocations (counted only at filing).

STATISTICAL WORKLOAD HIGHLIGHTS

As has been the trend over the past decade, the work demands on the North Carolina Judicial System continue to increase. As shown on the following tables, filings and dispositions increased last year for some courts. Some other caseload highlights from fiscal years 2001-02 to 2002-03 include:

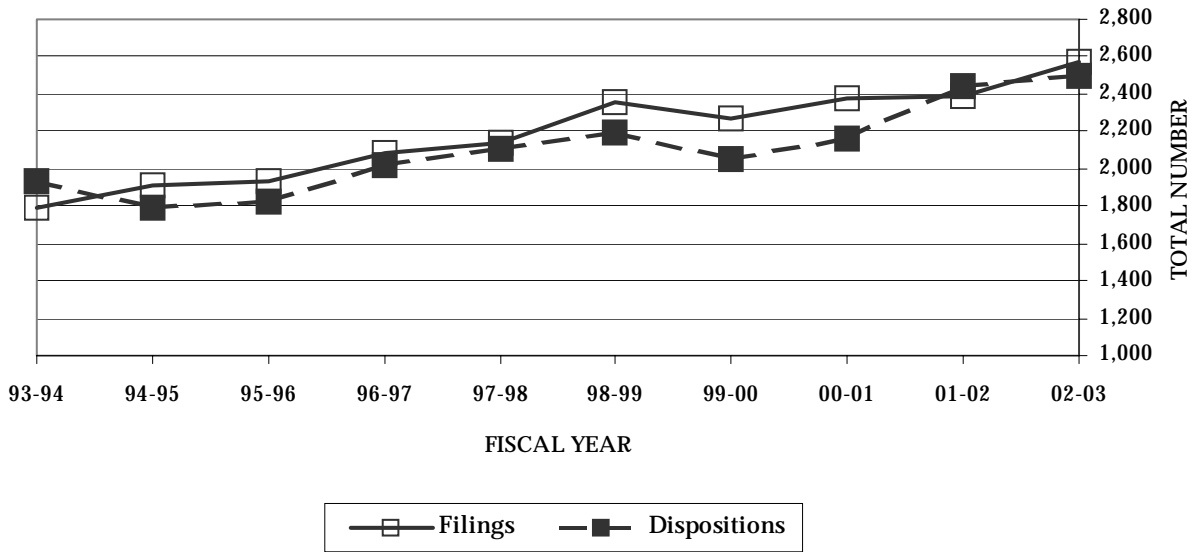
- There was a .1% increase in felony filings and a .3% increase in felony dispositions. The felony categories with the most significant increases in filings during that period were Manslaughter (11.3%) and Murder (10.1%).
- For district court case filings, infractions decreased by 5.9% and criminal motor vehicle cases decreased by 1.5%. In addition, domestic relations cases decreased by 3.3% and general civil cases (including magistrate appeals and transfers) increased by 4.1%.

SUPREME COURT
Appeals and Petitions Filed and Disposed



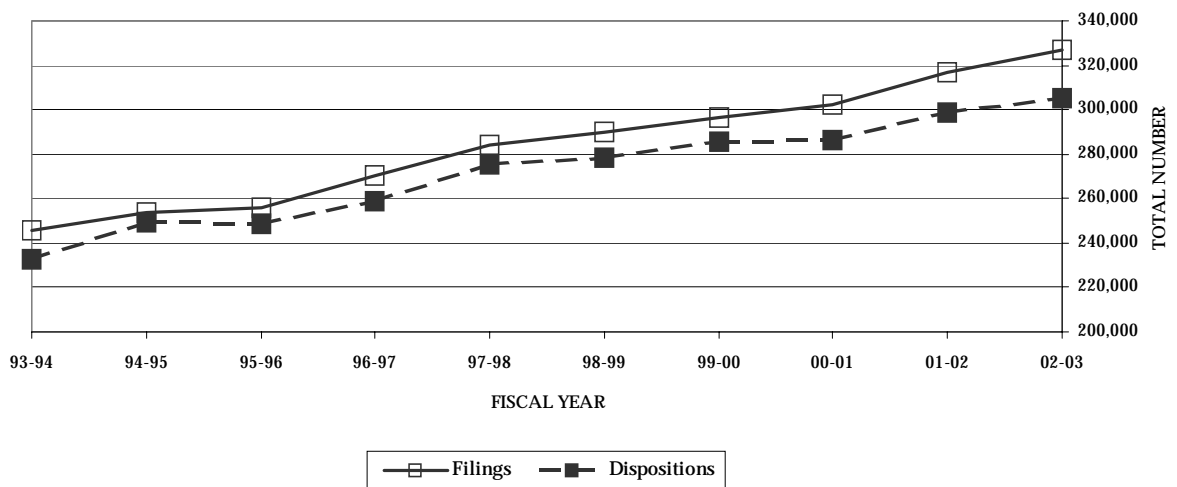
COURT OF APPEALS

Appeals and Petitions Filed and Disposed



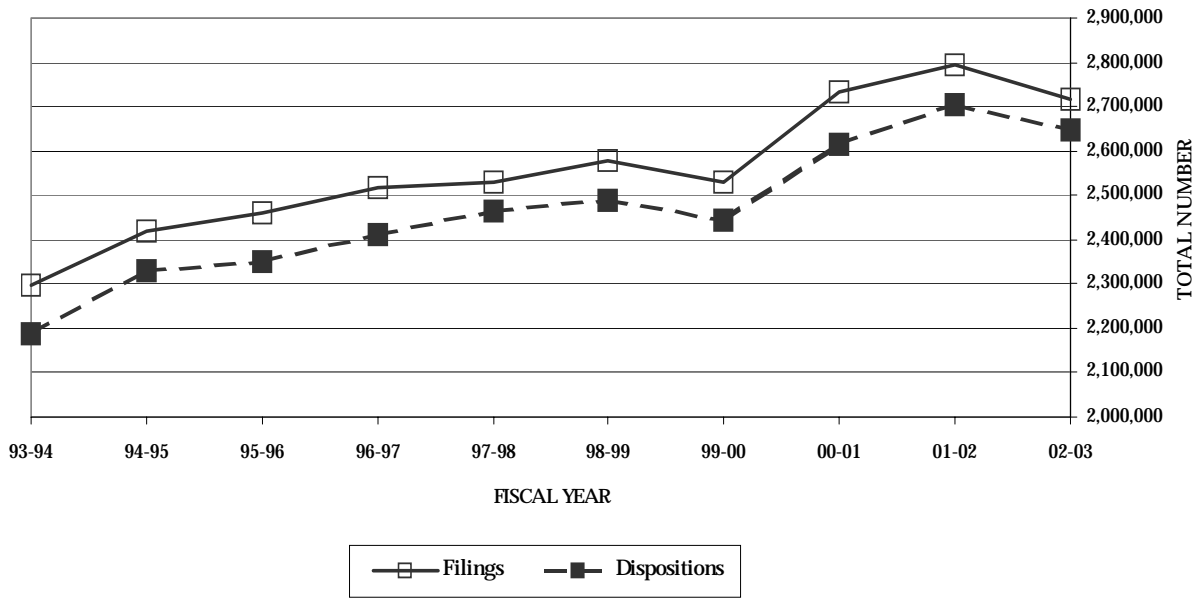
SUPERIOR COURT

Criminal, Civil, Estates, and Special Proceedings Filed and Disposed



DISTRICT COURT

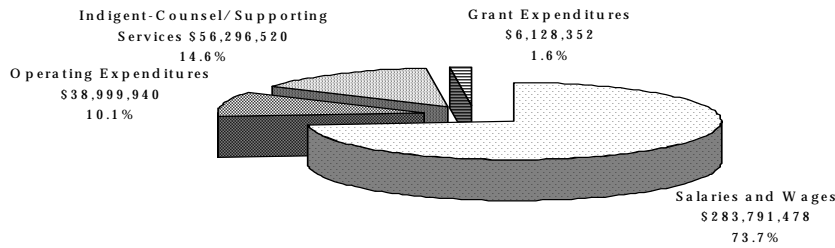
Criminal, Civil, Infractions, and Civil License Revocations Filed and Disposed



FINANCIAL HIGHLIGHTS

The North Carolina Judicial Branch receives less than 3% of the total state budget. The following chart shows major court budget expenditures for fiscal year 2002-03 and the accompanying tables show the expenditures in specific program areas.

FY 2002-03 Judicial Branch Actual Expenditures
(Grant expenditures also include some salaries and wages.)



FY 2002- 03 Judicial Branch Actual Expenditures

Court Component	Expenditures	Percent of total
Supreme Court	\$4,606,986	1.20%
Court of Appeals	\$5,970,719	1.55%
Superior Court	\$29,909,763	7.76%
District Court	\$65,079,731	16.89%
Clerk of Superior Court	\$98,855,560	25.66%
Representation of Indigents*	\$76,641,195	19.90%
Guardian ad Litem	\$7,042,659	1.83%
District Attorney	\$55,418,418	14.39%
AOC	\$24,925,038	6.47%
Court Information Technology Fund	\$2,561,502	0.67%
Judicial Standards Commission	\$127,625	0.03%
Dispute Resolution Programs	\$3,674,078	0.95%
Family Court	\$1,369,546	0.36%
Case Calendaring District Court	\$138,740	0.04%
Sentencing & Policy Advisory Commission	\$547,115	0.14%
Drug Treatment Court	\$867,111	0.23%
Mecklenburg Drug Court	\$208,912	0.05%
State Bar	\$590,000	0.15%
Equipment/Supply	\$553,240	0.14%
Grant-Supported Projects	\$6,128,352	1.59%
Grand Total	\$385,216,290	100.00%

*Includes \$3,754,223 for the Sentencing Services Program

Over \$400 Million Distributed to Citizens and Government:

Collected for Citizens--\$216,472,126 (for judgments, restitution, condemnation awards, child support, alimony, etc.)

Remitted to State Treasurer--\$134,481,207 (for various court fees, appellate division report sales, law enforcement officer and sheriff benefits, and pretrial civil revocation fees)

Distributed to Counties--\$99,457,652 (for facilities, officer, jail, and pretrial civil revocation fees, plus fines and forfeitures for public schools)

Distributed to Municipalities--\$3,245,041 (for facilities, officer, and jail fees)

CHALLENGES FOR THE FUTURE

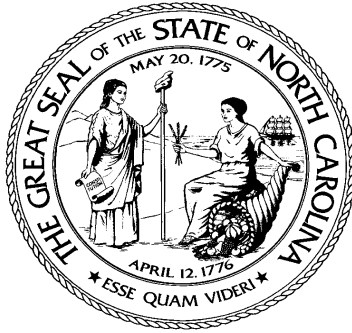
These are some of the major issues that the Judicial Branch must address in the immediate future.

Funding: The Judicial Branch continues to struggle due to inadequate funding. In recent years, the Judicial Branch has received less than three percent of the entire state budget. While total appropriations to all state agencies increased, the Judicial Branch share of the appropriation decreased in FY 2002-03 compared to FY 2001-02. However, despite the omnipresent budgetary constraints that impact all of state government, the Judicial Branch will continue to strive to improve court operations, quality of justice, and service to the public.

Technology: Funding issues have required the AOC to reprioritize planned new initiatives and move with measured speed on its modernization plans. While technology funding is critical to our court system, the AOC will do all it can to maintain the stability and functionality of its existing information systems and infrastructure and continue to deliver high quality services to its users statewide.

Court Jurisdiction and Organization: The State Judicial Council created the Court Jurisdiction and Organization Committee to study the appropriateness of cases to be heard by court officials at various levels of the court system and make recommendations to the Council. Appointed by the chief justice, committee members include court officials at every trial court level (superior court judges, district court judges, clerks, magistrates, and district attorneys), the chief judge of the Court of Appeals, and legislators. In September and November 2002, the Committee made a variety of recommendations to the Council for adjustments to jurisdiction and procedures in criminal, civil, domestic and small claims matters in an effort to streamline processes and make better and fuller use of judicial resources. Most of those recommendations have been endorsed by the Council and submitted to the General Assembly for consideration.

Judicial Branch Fiscal Integrity and Accountability: In recent years, efforts to improve the quality of justice administered by the court system have been greatly hampered by a severe state budget crisis. The realization that the already under-funded and overstretched court system cannot absorb any additional workload without additional court resources is undeniable. As a result, adequate funding and personnel resources needed to improve court operations, replace outdated equipment, and promote technological progress are not available to the Judicial Branch, a separate but equal branch of state government. The Judicial Branch is not free to manage and allocate funds appropriated by the General Assembly as it determines necessary to best meet the demands of the vast and increasingly complex caseload, and the needs of citizens. In 2003, the State Judicial Council considered and endorsed legislation to address these issues. The Judicial Branch Fiscal Integrity and Accountability Act was introduced in 2003 to ensure the future of the court system for years to come.



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