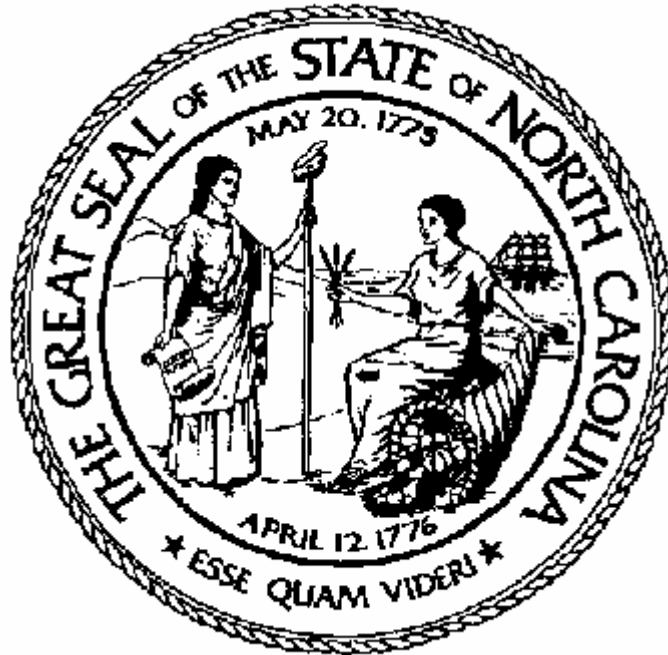


North Carolina Courts

FY 2005-06



*Statistical and Operational Summary
of the Judicial Branch of Government*

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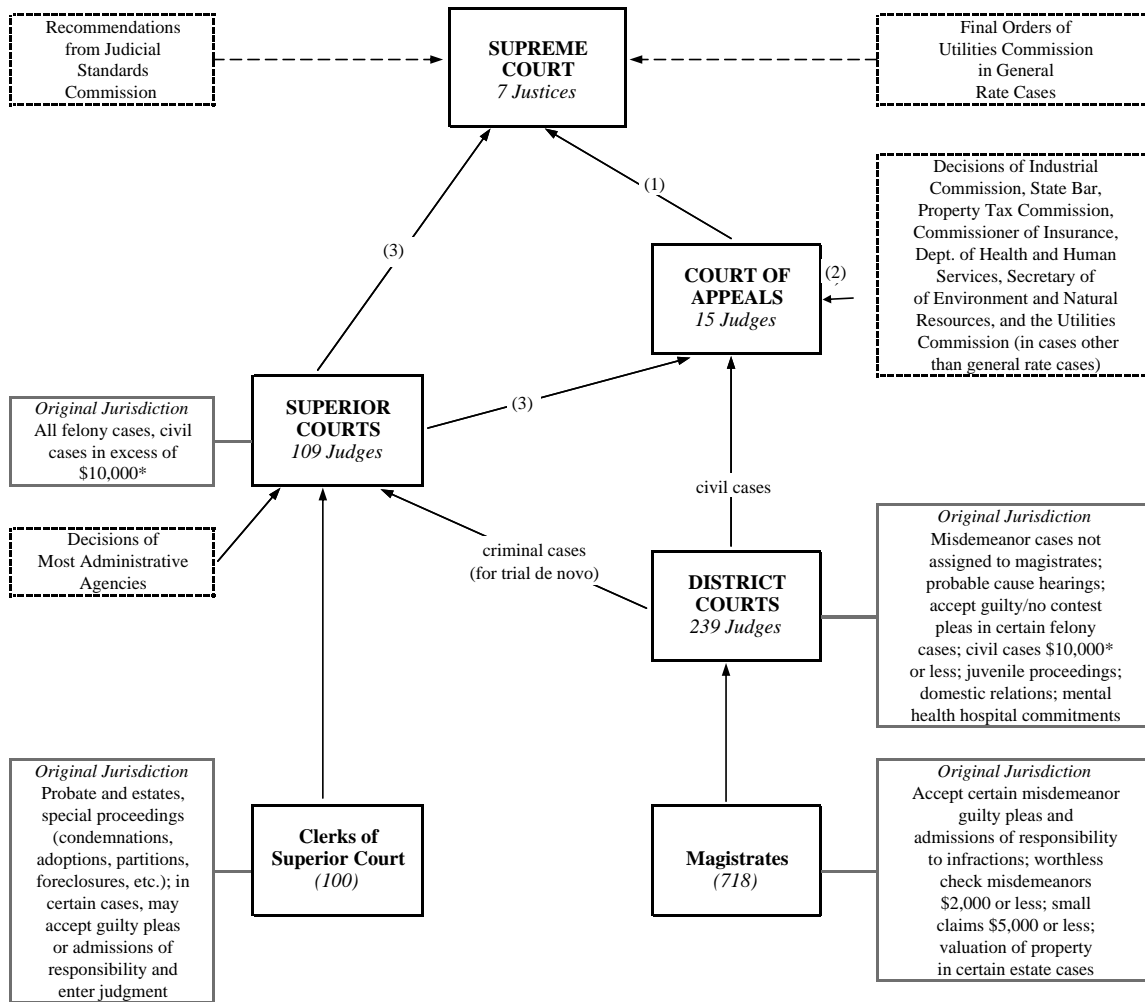
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PART I

THE PRESENT COURT SYSTEM

ORIGINAL JURISDICTION AND ROUTES OF APPEAL
(As of June 30, 2006)



- (1) Appeals from the Court of Appeals to the Supreme Court are by right in cases involving constitutional questions, and cases in which there has been dissent in the Court of Appeals. In its discretion, the Supreme Court may review Court of Appeals decisions in cases of significant public interest or cases involving legal principles of major significance.
- (2) Appeals from these agencies lie directly to the Court of Appeals.
- (3) As a matter of right, appeals go directly to the Supreme Court in first degree murder cases in which the defendant has been sentenced to death, and in Utilities Commission general rate cases. In all other cases appeal as of right is to the Court of Appeals. In its discretion, the Supreme Court may hear appeals directly from the trial courts in cases of significant public interest, in cases involving legal principles of major significance, where delay would cause substantial harm, or when the Court of Appeals docket is unusually full.

*The district and superior courts have concurrent original jurisdiction in civil actions (G.S. 7A-240). However, the district court division is the *proper* division for the trial of civil actions in which the amount in controversy is \$10,000 or less; and the superior court division is the *proper* division for the trial of civil actions in which the amount in controversy exceeds \$10,000 (G.S. 7A-243).

THE PRESENT COURT SYSTEM

This section describes the present court system in North Carolina by providing a general summary of the organization and functions of the offices composing the Judicial Branch. Fiscal, personnel, caseload, and program data are set forth in other sections of this report.

Court Structure

The North Carolina Constitution establishes the General Court of Justice, which “shall constitute a unified judicial system for purposes of jurisdiction, operation, and administration, and shall consist of an Appellate Division, a Superior Court Division, and a District Court Division.” (Article IV, Sec. 2.) The Constitution also states that the “General Assembly shall have no power to deprive the judicial department of any power or jurisdiction that rightfully pertains to it as a co-ordinate department of the government, nor shall it establish or authorize any courts other than as permitted by this Article.” (Article IV, Sec. 1.)

The Appellate Division consists of the Supreme Court and the Court of Appeals. The Superior Court Division is composed of the superior courts, which are the general jurisdiction trial courts for the state. The District Court Division comprises the district courts, which are the trial courts with original jurisdiction of the overwhelming majority of the cases handled by the state’s court system. The structure of the present court system is shown in the preceding “Original Jurisdiction and Routes of Appeal” chart.

The Supreme Court

At the apex of the North Carolina court system is the seven-member Supreme Court, which sits in Raleigh to consider and decide questions of law presented in civil and criminal cases on appeal. The voters of the state elect the chief justice and six associate justices to 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 general power to supervise and control the proceedings of the other courts of the General Court of Justice. The Supreme Court has the authority to prescribe the rules of practice and procedure for the trial court divisions. The Supreme Court also promulgates the yearly schedule of superior court sessions in the 100 counties, and appoints the clerk of the Supreme Court, the librarian of the Supreme Court Library, and the appellate division reporter.

The chief justice of the Supreme Court has certain other administrative responsibilities, which include appointing the director and the assistant director of the Administrative Office of the Courts, 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, appointing certain members of the Judicial Council, Judicial Standards Commission and the Courts Commission, and appointing the chief administrative law judge of the Office of Administrative Hearings.

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 involving substantial constitutional questions or dissent in the Court of Appeals), cases on appeal by right from the Utilities Commission (cases involving final orders or decisions in general rate matters), criminal cases on appeal by right from the superior courts (first degree murder cases in which the defendant has been sentenced to death), and cases in which review has been granted in the Supreme Court’s discretion.

In its discretion, the Court may review Court of Appeals decisions in cases of significant public interest or cases involving legal principles of major significance. The Court, in its discretion, may also review cases directly from the trial courts in cases of significant public interest, in cases involving legal principles of major significance, where delay would cause substantial harm, or when the Court of Appeals docket is unusually full. A petitioner can seek such discretionary review through a petition for discretionary review or a petition for writ of certiorari, or the Supreme Court can certify the case for review on its own initiative. Other requests for review by the court include petitions for writ of supersedeas, mandamus, or prohibition, and petitions for habeas corpus, as well as various motions, including motions for appropriate relief.

The Court of Appeals

The fifteen-judge Court of Appeals is North Carolina's intermediate appellate court. It hears a majority of the appeals originating from the state's trial courts. The Court regularly sits in Raleigh, although it may sit in other locations in the state as authorized by the Supreme Court. Sessions outside of Raleigh have not been regular or frequent. Judges of the Court of Appeals are elected by popular statewide vote for eight-year terms, in non-partisan elections. A chief judge for the Court is designated by the chief justice of the Supreme Court and serves in that capacity at the pleasure of the chief justice.

Panels of three judges hear cases, with the chief judge responsible for assigning members of the Court to the five panels. Insofar as practicable, each judge is to be assigned to sit a substantially equal number of times with each other judge. The chief judge presides over the panel of which he or she is a member and designates a presiding judge for the other panels.

One member of the Court of Appeals, designated by the chief justice of the Supreme Court, serves as the chair of the Judicial Standards Commission. In the event of a recommendation from the Commission to censure or remove from office a justice of the Supreme Court, a seven-member panel of Court of Appeals judges would have sole jurisdiction to consider and act upon the recommendation.

The bulk of the caseload of the Court of Appeals consists of cases appealed from the trial courts. The Court also hears appeals directly from the Industrial Commission, along with appeals from final orders or decisions of certain administrative agencies, as shown on the preceding jurisdiction chart. Appeals from the decisions of other administrative agencies lie first within the jurisdiction of the superior courts.

The Superior Courts

The superior courts are the state's general jurisdiction trial courts, with jurisdiction over the most serious crimes (felonies) and civil cases with substantial amounts in controversy.

The superior courts hold sessions in the county seats of North Carolina's 100 counties. For electoral purposes, the counties are grouped into 66 superior court districts, which are collapsed into 48 districts for administrative purposes. One or more superior court judges are elected by district for eight-year terms in each of the superior court electoral districts, in non-partisan elections. (Note: The 2006 General Assembly divided superior court district, District 13 into Districts 13A and 13B effective October 1, 2006, or

approval under the U.S. Voting Rights Act, if that approval is later.)

In FY 2005-06, there were 95.00 resident superior court judges. In addition, 14.00 special superior court judges have been authorized by the legislature and appointed by the Governor. Each administrative district has one senior resident superior court judge who has certain administrative responsibilities (such as providing for civil case calendaring procedures) for his or her home district. In districts with more than one resident judge, the judge senior in service on the superior court bench exercises these supervisory powers.

The superior court districts are grouped into eight divisions for the rotation of superior court judges, as shown on the following superior court district map. Within the division, resident superior court judges rotate among the districts and normally hold court for at least six months in each, then move on to their next assignment. The special superior court judges may be assigned to hold court in any county. Assignments of all superior court judges are made by the chief justice of the Supreme Court. Under the North Carolina Constitution, at least two sessions of superior court must be held annually in each county. The vast majority of counties have more than the constitutional minimum. Many larger counties have superior court sessions about every week in the year.

The superior court 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. 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, as indicated on the preceding jurisdiction chart. Regardless of the amount in controversy, the original civil jurisdiction of the superior court does not include domestic relations cases, which are heard in the district court, or probate and estates 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.

The District Courts

The district courts, the state's limited jurisdiction trial court level, dispose of the vast majority of the cases filed in the courts.

Under the North Carolina Constitution, the General Assembly is required to divide the state into a "convenient" number of local court districts and prescribe

where the district courts shall sit, but district court must sit in at least one place in each county. As shown on the following map, there were 41 district court districts for administrative purposes during FY 2005-06, with each district composed of one or more counties. There are 42 district court districts for electoral purposes, with District 9 being split into electoral Districts 9 and 9B. One or more district court judges are elected to four-year terms by the voters of each of the district court districts, in non-partisan elections. During FY 2005-06, there were 239.00 district court judges.

The chief justice of the Supreme Court appoints a chief district court judge from among the elected judges in each district court district. Subject to the chief justice's general supervision, each chief judge exercises administrative supervision and authority over the operation of the district courts and magistrates in the district. Each chief judge is responsible for scheduling sessions of district court and assigning judges, supervising the calendaring of non-criminal cases, assigning matters to magistrates, making arrangements for jury trials in civil cases, and supervising the discharge of clerical functions in the district courts. The chief district court judges meet in conference at least once a year upon the call of the chief justice of the Supreme Court. Among other matters, this annual conference adopts a uniform schedule of offenses that can be waived and fines for their violation, for use by magistrates and clerks of court.

The jurisdiction of the district court is extensive. It includes preliminary "probable cause" hearings in felony cases, and virtually all misdemeanor and infraction cases. (Infractions are non-criminal violations of law that are not punishable by imprisonment, a category of case created effective September 1, 1986, when the General Assembly decriminalized many minor traffic offenses.) 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.

Most 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 trial *de novo* before a jury. District court judges also hold felony probable cause hearings. Civil cases in district court may be tried before a jury; appeals are to the North Carolina Court of Appeals.

Magistrates

The North Carolina Constitution (Article IV, Sec. 10) provides that one or more magistrates "who shall be officers of the District Court" shall be appointed in each county. Magistrates are nominated by the clerk of superior court, appointed by the senior resident superior court judge, and supervised by the chief district court judge of their district. A total of 718.00 magistrates (20 part-time) were authorized as of June 30, 2006. Magistrate terms are specified in the N.C. Constitution (Article IV, Sec. 10). In 2004, the voters approved an amendment making the initial term two years and subsequent terms four years (previously, all terms were two years).

Magistrates have substantial authorities in certain misdemeanor and infraction cases, including the power to hear and enter judgments in certain worthless check cases and to accept written appearances, waivers of trial or hearing, and pleas of guilty or admissions of responsibility, and enter judgments in certain misdemeanor and infraction cases, in accordance with a uniform schedule adopted by the Conference of Chief District Court Judges. They also may conduct initial appearances, grant bail before trial in non-capital cases, and issue arrest and search warrants. Decisions of magistrates in criminal cases may be appealed to the district court judge.

In the civil area, if the amount in controversy is \$5,000 or less and the plaintiff in the case so requests, a civil case may be designated a "small claims" case and assigned to a magistrate for hearing. Magistrates' decisions may be appealed to the district court.

District Attorneys

The district attorney represents the state in all criminal actions brought in the superior and district courts in the district, as well as in juvenile cases in which the juvenile is represented by an attorney, and is responsible for ensuring that infraction cases are prosecuted efficiently. In addition to prosecutorial functions, the district attorney is responsible for calendaring criminal cases for trial.

During FY 2005-06, the state was divided into 39 prosecutorial districts, as shown on the following prosecutorial district map. The boundaries of the prosecutorial districts correspond to those of the 39 district court administrative districts. A district attorney is elected by the voters in each district for a four-year term. (Note: The 2005 General Assembly divided two prosecutorial districts, District 20 into 20A and 20B; and District 29 into 29A and 29B effective

January 1, 2007, or for District 20, approval under the U.S. Voting Rights Act, if that approval is later. The 2006 General Assembly also divided District 19 into 19B and 19D effective January 15, 2007.)

G.S. 7A-60 specifies the number of assistant district attorneys that each district attorney may employ on a full-time basis (totaling 475.00 as of June 30, 2006; 10.00 additional assistants were employed in time-limited or grant-funded positions). Each district attorney is authorized to employ an administrative assistant to aid in preparing cases for trial and to expedite the criminal court docket. The General Assembly has also authorized the district attorney in certain districts to employ an investigative assistant who aids in the investigation of cases prior to trial. All district attorneys employ at least one assistant for administrative and victim and witness services.

Clerks of Superior Court

A clerk of superior court is elected for a four-year term by the voters in each of North Carolina's 100 counties. Clerks of superior court are *ex officio* judges of probate. Their original jurisdiction includes the probate of wills and administration of decedents' estates. It also includes such "special proceedings" as adoptions, condemnations of private property under the public's right of eminent domain, proceedings to establish boundaries, foreclosures, and certain proceedings to administer the estates of minors and incompetent adults. The right of appeal from the clerks' judgments in such cases lies to the superior court.

In proceedings before them, the clerks have authority to issue subpoenas and other process, including orders to show cause, and otherwise exercise control of such proceedings, including through certain contempt powers. Clerks administer oaths, take acknowledgments and proofs of execution of instruments or writings, issue arrest warrants and search warrants, and may conduct initial appearances and fix conditions of release in non-capital cases.

Clerks of superior court are also empowered to issue subpoenas and other process necessary to execute the judgments entered in the superior and district courts of the county. For certain misdemeanor offenses and infractions, clerks are authorized to accept defendants' waivers of appearance and pleas of guilty or admissions of responsibility and to impose penalties or fines in accordance with a uniform schedule adopted by the Conference of Chief District Court Judges.

Clerks perform administrative duties for both the superior and district courts of the county. Among

these duties are the maintenance of court records and indexes, including the records of all case filings and dispositions, as well as the control and accounting of funds, and the furnishing of information to the Administrative Office of the Courts. For counties other than those in districts served by trial court administrators, the clerk is responsible for day-to-day civil calendar preparation. In many counties, the clerk's staff assists the district attorney in preparing criminal case calendars as well.

Judicial Support Personnel

Personnel are provided to support the judges who preside over district and superior court. Judicial assistants perform a variety of administrative and secretarial functions, including preparing documents and tracking the status of cases. Trial court coordinators perform a variety of administrative and case management functions, as well as assisting with legal research and the development of case management procedures.

In 1979, following favorable results in a grant-funded pilot project, the General Assembly established state-funded trial court administrator positions to help court officials manage their trial court procedures. Trial court administrators are responsible for carrying out the policies of the senior resident superior court judge and the chief district court judge. They also provide general management for the operations of the courts in their districts.

The general duties of trial court administrators, set forth in G.S. 7A-356, include assisting in managing civil dockets, improving jury utilization, establishing and managing local rules, supervising coordination of alternative dispute resolution procedures, and serving as technical resources to other court officials, such as the clerk of superior court, the district attorney, and the public defender. They may also serve as the court's liaison with other governmental and private organizations, the press, and the public.

These administrators assist in managing the day-to-day operations of the trial courts. During FY 2005-06, twelve trial court administrators served the following fifteen superior court districts: 3B, 4A & 4B, 5, 7A & 7B, 10, 12, 14, 21, 26, 27A, 28, 29A, and 29B. 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.

The Administrative Office of the Courts

As part of the unified judicial system, the North Carolina Constitution (Article IV, Section 15) provides for “an administrative office of the courts to carry out the provisions of this Article.” The General Assembly has established the Administrative Office of the Courts (AOC) as the business and administrative arm of the Judicial Branch.

The director of the AOC is appointed by and serves at the pleasure of the chief justice of the North Carolina Supreme Court. The director has the duty to carry out the many functions and responsibilities assigned by statute or the chief justice to the director or to the AOC.

The assistant director of the AOC is also appointed by the chief justice, and serves as the administrative assistant to the chief justice. The duties of the assistant director include assisting the chief justice with assignment of superior court judges, assisting the Supreme Court in preparing calendars of superior court sessions, and performing other duties as assigned by the chief justice or the director of the AOC.

The basic responsibility of the AOC is to maintain an efficient and effective court system by providing administrative support statewide for the courts and for court-related offices. Among the AOC’s specific duties are to establish fiscal policies for and prepare and administer the budget of the Judicial Branch; prescribe uniform administrative and business methods, forms, and records to be used by the clerks of superior court statewide; procure and distribute equipment, books, forms, and supplies for the court system; collect, compile, and publish statistical data and other information on the judicial and financial operations of the courts and related offices; determine the state of the dockets, evaluate the practices and procedures of the courts, and make recommendations for improvement of the operations of the court system; investigate, make recommendations concerning, and provide assistance to county authorities regarding the securing of adequate physical facilities for the courts; administer the payroll and other personnel-related needs of all Judicial Branch employees; administer various court-based programs; arrange for the printing and distribution of the published opinions of the Supreme Court and Court of Appeals; and perform numerous other duties and responsibilities, including production of the Annual Report.

As of June 30, 2006, the AOC consisted of several areas. The Human Resources Division administers the personnel-related needs of the Judicial Branch. The Legal Services Division includes legal staff. The Research and Planning Division provides statistical information, analysis, research, project evaluation, planning, grants coordination, and related support for

the court system. The Court Services and Court Programs Divisions provide training and forms, case management services, arbitration, custody and visitation mediation, drug treatment court, interpreter services as well as court support services. The Technology Services Division includes applications development and support, operations support, technology support services, and planning and decision support. The Financial Services Division manages fiscal operations, budget development, and field accounting and support. The Purchasing Services Division includes printing and purchasing services, and warehouse and mail services. AOC also includes the Office of the Director, the Office of the Assistant AOC Director, the Office of the Senior Deputy Director, Special Projects, and Guardian ad Litem.

The State Judicial Council

The eighteen-member State Judicial Council consists of court officials from every court function, private attorneys, and the public. Conceived as an oversight body to promote overall improvement in Judicial Branch operations, the Council may study and make recommendations to the chief justice about all aspects of our court system. The State Judicial Council studies the operations of the judicial system and may make recommendations including, but not limited to, budget preparation and funding priorities, judicial officials’ benefits and compensation, the organization of the court system, and the creation of judgeships. In addition, the Council studies and makes recommendations on the development of court performance standards and assesses the effectiveness of Judicial Branch service to the public. The Council also monitors the administration of justice and makes recommendations for case management and alternative dispute resolution.

Representation of Indigent Persons

The state provides legal counsel for indigent persons in a variety of actions and proceedings, as specified in G.S. 7A-450 *et seq.* These include, among others, any case in which imprisonment, a suspended sentence, or a fine of \$500 or more is likely to be adjudged; juvenile proceedings that may result in confinement, transfer to superior court for trial on a felony charge, or termination of parental rights; proceedings alleging mental illness or incapacity that may result in hospitalization or sterilization; extradition proceedings; certain probation or parole revocation hearings; and certain requests for post-conviction relief from a criminal judgment.

Juveniles alleged to be within the jurisdiction of the court for allegations of delinquency or for other matters have the right to be represented by counsel in all proceedings, and are conclusively presumed to be indigent and thus entitled to state-appointed counsel. In delinquency matters, juveniles are represented by public defenders, where present, or by private counsel. Where a juvenile petition alleges that a juvenile is abused, neglected, or dependent, an indigent parent has a right to appointed counsel (G.S. 7B-602).

Commission on Indigent Defense Services

This thirteen-member Commission was created by the Indigent Defense Services Act of 2000. 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 the director of the Office of Indigent Defense Services are responsible for establishing, supervising, and maintaining a system for providing legal representation and related services in all cases where indigent persons are entitled to representation at state expense.

Public Defenders

As of June 30, 2006, 21 counties were served by 14 public defender offices, in Defender Districts 1, 3A, 3B (Carteret County only), 10, 12, 14, 15B, 16A, 16B, 18, 21, 26, 27A, and 28. Public defenders are appointed by the senior resident superior court judge, and their terms are four years. By statute, public defenders are entitled to the numbers of assistants and investigators authorized by the Commission on Indigent Defense Services.

In public defender districts, most representation of indigents is handled by the public defender's office. However, in certain circumstances, such as a potential conflict of interest or when the proper administration of justice requires it, the court or the public defender may assign private counsel to represent an indigent person.

Private Counsel

In areas of the state that are not served by a public defender office, 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. Compensation of private counsel is fixed in accordance with rules adopted by the Commission on Indigent Defense Services. The Commission on Indigent Defense Services has promulgated rules relating to the qualifications and appointment of counsel in capital cases and non-

capital appeals.

Appellate Defender

Pursuant to rules adopted by the Commission on Indigent Defense Services, the appellate defender assigns counsel to represent indigent criminal defendants, juveniles, and parent-respondents who have a right to appeal adverse judgments entered in the Trial Division to the Supreme Court of North Carolina and to the North Carolina Court of Appeals. The appellate defender is appointed by the Commission. Assistant appellate defenders represent as many of these clients as possible, and generally are appointed in more complex cases. Clients not represented by the Office of the Appellate Defender are assigned to qualified private counsel. The Office provides consulting services to appointed appellate counsel and, in conjunction with the School of Government, conducts continuing legal education in appellate practice. During FY 2005-06, the Office of the Appellate Defender accepted 121 appellate cases and filed 121 briefs in the Appellate Division.

Capital Defender

Pursuant to rules adopted by the Commission on Indigent Defense Services, the capital defender assigns counsel to represent indigent defendants charged with potentially capital offenses, and reviews ex parte requests for expert funding in those cases. The capital defender is appointed by the Commission.

The capital defender supervises a number of regional assistant capital defenders based in Beaufort, Durham, Forsyth, and New Hanover counties. Assistant capital defenders are assigned to represent defendants charged with capital offenses whenever possible. Clients not represented by the Office of the Capital Defender are assigned to qualified private counsel or public defenders. The Office also provides consulting services and other support for private attorneys representing capital defendants.

Juvenile Defender

Based on a recommendation from the Commission on Indigent Defense Services, the General Assembly authorized the creation of a new statewide juvenile defender position in 2004. The Commission appointed the first juvenile defender in November 2004. The juvenile defender's primary responsibilities are to serve as a central resource and contact person for individual juvenile defenders and juvenile associations statewide; field questions from practitioners and perform case consultations as needed; develop ways to connect and support juvenile defense attorneys across the State; evaluate the existing systems and practices,

and the current quality of representation, in various areas of the State; identify training needs and work with the UNC School of Government and other groups to formulate a long-term training plan; and develop and maintain a clearinghouse of materials on North Carolina juvenile law and practice. The juvenile defender will also undertake a number of long-term responsibilities, such as developing uniform qualification standards, specialized performance guidelines, and caseload standards for juvenile defense attorneys.

Special Counsel

The state provides attorneys and supporting staff at each of the state's four mental health hospitals, for the representation of indigent patients in commitment or recommitment hearings before a district court judge. Each patient admitted to a mental health hospital pursuant to the civil commitment procedures of Chapter 122C of the General Statutes is entitled to a judicial hearing soon after the initial admission, as well as periodic hearings to review the patient's commitment status. The Commission on Indigent Defense Services appoints attorneys to serve as special counsel.

Sentencing Services

The Community Penalties Act of 1983 created the Community Penalties Program to reduce prison overcrowding by providing judges with community sentencing options to be used in lieu of, and at less cost than, imprisonment. Effective July 1, 1991, the General Assembly transferred the Community Penalties Program from the Department of Crime Control and Public Safety to the AOC. In 1999 and 2000, the General Assembly made revisions to the Program's purpose and changed its operational name to the Sentencing Services Program. The 2002 Appropriations Act reduced the Program's overall budget and transferred the Program to the Office of Indigent Defense Services (IDS). The General Assembly further reduced the Program's budget by an additional 30% in the 2005 Appropriations Act and directed IDS to close low-performing programs. A mix of grant programs and state-operated programs continues to serve most of the state, under the direction of IDS.

Interpreting Services

The AOC's Interpreter Services Program facilitates access to the courts for non-English-speaking (NES) persons with a particular emphasis on North Caro-

lina's sizeable Hispanic/Latino population. In past years, each judicial district fashioned its own response to these access issues based on its particular level of need. As the number of NES persons interacting with the court system grew significantly during the 1990s, persons from both within and outside the Judicial Branch called on the AOC to develop a uniform statewide response to these issues. The AOC developed and implemented approaches to enhance access to the courts for NES persons with grant funds from the N.C. State Bar, the Z. Smith Reynolds Foundation, and the Governor's Crime Commission. Activities and accomplishments include, but are not limited, to ethics and skills training, testing, certification of court interpreters, preparation of guidelines on interpreter use and performance, translation of court system forms and brochures, and appointment of a Foreign Language Advisory Committee.

In order to become a state-certified court interpreter, applicants must submit all forms and fees prescribed by the AOC, complete a two-day seminar on ethics and the role of a professional interpreter (including an introduction to courtroom interpretation and skills), take a written English and a Spanish screening test and any extra skills training required by the AOC prior to the exam, score a passage rate of 70% on all three sections of the oral Spanish court interpreter examination, obtain a positive criminal history background check and demonstrate good character and fitness, submit four letters of recommendation, and sign an agreement in writing to abide by the AOC guidelines for interpreters and translators, including the Code of Ethical Conduct for Court Interpreters. The average passage rate for the oral court interpreter examination in North Carolina since 2000 is 25%. While this passage rate may appear low, the overall passage rate nationwide for the exam since 1995 is 20.8% and rigorous standards are justified.

Court-Ordered Arbitration

In 1989, following successful experience in a pilot program, the General Assembly authorized court-ordered, non-binding arbitration statewide. As of June 30, 2006, arbitration programs were operating in 72 counties.

In these counties, civil cases involving claims for money damages of \$15,000 or less are subject to court-ordered, nonbinding arbitration in accordance with the Supreme Court's "Rules for Court-Ordered Arbitration in North Carolina," pursuant to G.S. 7A-37.1. The Rules specifically exclude from arbitration certain property disputes, family law matters, estates, special proceedings, collections on an account, and

class actions. Parties may, however, voluntarily submit many civil disputes to arbitration, with court approval.

By rule, the arbitration hearing is conducted within 60 days of the filing of the last responsive pleading. Parties may stipulate to an arbitrator; otherwise, the court appoints an arbitrator from its list of trained attorneys who have been approved to serve as arbitrators. An arbitrator is paid a fee by the court for each arbitration hearing.

As a rule, arbitration hearings take place in the courthouse and are limited to one hour. The hearings are conducted in a serious but relaxed atmosphere, with the rules of evidence serving only as a guide. Once the hearing is concluded, the arbitrator renders an award, which is filed with the court. A party dissatisfied with the award may proceed to a trial *de novo* by filing a written request with the court; otherwise, the court enters judgment on the award.

Family Court

Legislation in 1998 authorized the AOC to experiment with the concept of unified family courts. Implementation began in 1999 with Districts 14 (Durham County), 20 (Union, Stanly, Richmond and Anson Counties), and 26 (Mecklenburg County). In 2000, the program was expanded to Districts 5 (New Hanover and Pender Counties), 6A (Halifax County), and 12 (Cumberland County). In 2001, the program was further expanded to Districts 8 (Wayne, Lenoir and Green Counties) and 25 (Catawba, Caldwell and Burke Counties). In 2004 and 2005, legislative funding permitted expansion in District 28 (Buncombe County) and District 10 (Wake County) respectively. Also in 2005, District 20, one of the original Family Court pilot sites, was split by legislative action. Both districts, Districts 20A and 20B, continue to have Family Court programs. There are now a total of 11 fully operational Family Court districts. Another 11 districts have requested funding and are working on various stages of pre-implementation planning.

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. In addition to providing information about local community services, family courts may offer, or partner with community agencies to offer, a wide variety

of ancillary programs and services, such as truancy diversion court, permanency mediation, access and visitation, and parent education for divorcing families.

Pending case age data for FY 2005-06 suggests the overall effectiveness of Family Court programs. As of June 30, 2006, the median age of pending domestic relations cases (excluding child support cases) was 129 days in Family Court districts and 325 days in non-Family Court districts. In addition, during FY 2005-06, the percentage of cases pending over one year was 29.5% in Family Court districts and 47.3% in non-Family Court districts.

Child Custody and Visitation Mediation

In 1983, the North Carolina General Assembly established and funded a child custody and visitation mediation pilot program in Judicial District 26 (Mecklenburg County). That action allowed North Carolina to join a national trend toward providing alternatives to the traditional adversarial system of dispute resolution. Alternatives were considered particularly desirable in custody litigation, where traditional litigation tends to increase stress in children and their parents, slows a post-separation reorganization of the family, and often leads to re-litigation. As of July 1, 2006, statewide expansion of the program had been approved subject to available funding. Currently, custody mediation services are provided in 31 of 41 judicial districts.

When parents separate, tremendous changes occur within the family. Many issues such as custody, visitation, child support, alimony, and division of property must be resolved. At times, the parents who are in conflict over these matters seek to have the court resolve their disputes.

Mediation is an alternate method of resolving the dispute. As part of the mediation process, a professionally trained neutral third party assists parents in developing an agreement that provides for the care of their children during and after separation. The goal of the process is to provide the litigants a forum to discuss parenting issues that involve both parents in the continuing care of their children. The agreement focuses on the children's needs as well as on the rights and responsibilities of both parents. The mediator will provide a process by which parents may discuss how the children will be cared for by each parent in the future.

In most cases where there is a pending motion or action for child custody or visitation in counties in which a mediation program operates, the petitioners are required to participate in mediation before participating in a traditional hearing or trial. Under G.S. 50-

13.1 and G.S. 7A-494, this program provides a forum where parents can step back from their own conflict, focus on the best interests of their children, and structure the parameters for their newly defined family by developing mediated parenting agreements.

Drug Treatment Court

Drug Treatment Court (DTC) is an intensive, judicially supervised court sanction that targets high-risk, high-need offenders residing in the community. DTC uses a team of court and community professionals to help ensure that North Carolina's alcohol and/or drug addicted offenders receive the intensive treatment they need to become healthy, law-abiding and productive family and community members. Adult DTC is an intermediate punishment in the community that targets repeat offenders (usually H and I felons). Family DTC works with parents and guardians who are in danger of termination of parental rights due to the abuse or neglect of their children. Juvenile DTC works with community-based, high-risk, high-need juvenile offenders whose drug and/or alcohol use is negatively impacting their lives at home, in school, and in their community.

The program typically lasts a minimum of one year and includes intensive outpatient treatment, frequent and random drug/alcohol testing, intensive case management, and for adult and juvenile offenders, probation supervision. The DTC participant works with the DTC team of community professionals to develop a single, comprehensive, treatment case plan addressing the individual's specific needs in regards to substance abuse, mental health, occupational/vocational, educational, housing, parenting and other areas of concern. Participants appear on a bi-weekly basis before a specially trained judge who monitors the individual's progress on his/her treatment plan. The judge may order sanctions and/or rewards as appropriate to promote success. There are adult drug treatment courts in fifteen districts (Districts 3A, 3B, 5, 9A, 10, 12, 14, 15B, 18, 19B, 21, 24, 25, 26, and 28), juvenile drug courts in five districts (Districts 10, 14, 19C, 21, and 26), and family dependency/drug treatment courts in nine districts (Districts 6A, 8, 12, 14, 15B, 20B, 26, 27 and 28).

Court Improvement Program

The Court Improvement Program (CIP) was established by grant as part of a federal initiative to support family preservation, prevention of child abuse, and services to families at risk. The grant, initially authorized by the Omnibus Budget Reconciliation Act of

1993, is to assess and improve court processes related to foster care and adoption.

The AOC has received federal funding for the program since 1995. These funds are distributed to districts for training and information programs for juvenile court and management assistance in developing and implementing court improvements, including working with judges to bring together juvenile court staff and others to improve court procedures and implement best practices. Such juvenile court improvements include implementing pilot projects to test the effectiveness of using juvenile court case managers to process and handle child abuse and neglect cases, developing a juvenile court information collection and management system, reforming the Juvenile Code and policies and procedures for juvenile court proceedings, and supporting and co-sponsoring comprehensive skills-based training for judges and attorneys.

Guardian ad Litem Services

When a petition alleges juvenile abuse or neglect, the judge is required to appoint a guardian ad litem for the child, and when a petition alleges dependency, the judge may appoint a guardian ad litem. If the guardian ad litem is not an attorney, the judge also is to appoint an attorney to represent the juvenile's interests (G.S. 7B-601). Guardians ad litem and attorney advocates are provided through the Guardian ad Litem Services program (GAL).

The GAL office was established by the General Assembly in 1983 to administer guardian ad litem services. When a petition alleging abuse or neglect of a juvenile is filed in district court, the judge appoints a trained volunteer guardian ad litem and an attorney advocate to work together to represent the child's best interests. When a juvenile is alleged to be dependent, guardian ad litem services may be extended at the discretion of the trial judge. Upon appointment, a trained GAL volunteer investigates the child's situation and works with the attorney advocate to represent the child's needs, preferences or wishes and best interests in court and to make recommendations for case disposition and any necessary continuing supervision until court intervention is no longer required. In addition, the attorney protects the child's legal rights throughout district court trial and appellate proceedings.

The GAL administrator is responsible for planning and directing the program statewide. An assistant administrator manages the operation of the program and supervises special projects and initiatives. Three regional administrators direct the development and

implementation of services for a group of districts, provide assistance in training programs for volunteers, and resolve operational problems in the districts. At the local level, district administrators are responsible for recruiting, screening, training, and supervising GAL volunteers within their judicial districts. They also contact community groups, local agencies, the courts, and the media in order to develop volunteer participation, solicit support from key officials, provide public education about the program, and cultivate services for children. The district administrators offer an initial twenty to thirty hour training course for new volunteers; match children before the court with volunteers; implement continued training for experienced guardians; and provide supervision, consultation, and support to volunteers. They also ensure that attorney advocates receive information from the volunteers assigned to the cases and that the court receives timely oral or written reports each time a child's case is heard. The district administrators are assisted in these tasks by program supervisors and program assistants.

During FY 2005-06, 4,237 GAL volunteers and approximately 100 attorney advocates represented 17,705 abused and neglected children in 38,681 scheduled court hearings. GAL volunteers gave the state 813,502 hours of service in training and casework. GAL staff, volunteers and attorneys also participated in an increasing number of out-of-court sessions including Day One Hearings or family conferencing, mediation sessions, family court, foster care review hearings, system of care meetings, and the new drug treatment courts. Total expenditures for the GAL program in FY 2005-06 amounted to \$9,263,799 for program administration and attorney fees.

In addition to trial court representation, the GAL program provides legal representation for the child in the appeals of abuse and neglect proceedings, and in the past fiscal year over 80 pro bono attorneys and approximately 30 GAL attorney advocates participated in providing this legal advocacy. New expedited appeals procedures are now in place to reduce the costly time delay that children and families previously experienced in the appeals of abuse and neglect hearings, including termination of parental rights proceedings.

Business Court

In 1995, the North Carolina Supreme Court, by rule, designated a special superior court judge for complex business cases as a result of a recommendation by the North Carolina Commission on Business Laws and the Economy. Any superior or district court judge may recommend to the chief justice that a case

be assigned to the business court on motion of a party or *sua sponte*. A recommendation is then sent to the chief justice, who decides if the case will be assigned as a complex business case. The chief justice may also assign a case to a special superior court judge for complex business cases as a Rule 2.1 case without the case being designated as a complex business case.

Unlike the normal superior court procedure of having the judge assigned under the rotation system to hold court for a particular week hear the issues on the calendar, the assignment of a case to business court results in one judge handling all of the pretrial matters as well as the trial of the case. This specialization allows the judge to develop proficiency in both the substantive law and case management issues that arise in complex business cases. Currently, North Carolina has three business courts located in Greensboro, Charlotte, and Raleigh.

Judicial Branch Commissions

The Judicial Standards Commission

The Judicial Standards Commission was established by the General Assembly pursuant to a constitutional amendment approved by the voters at the general election in November 1972. The Commission investigates complaints "concerning the qualifications or conduct of any justice or judge of the General Court of Justice" [G.S. 7A-377(a)]. The Commission receives and investigates complaints of judicial misconduct or incapacity, institutes formal proceedings, conducts hearings, and recommends appropriate disciplinary action to the Supreme Court (or the Court of Appeals, if a complaint involves a Supreme Court Justice). Upon recommendation of the Commission, the Supreme Court may censure or remove any judge for willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance, conviction of a crime involving moral turpitude, or other conduct that brings the judicial office into disrepute. In addition, upon the Commission's recommendation, the Supreme Court may remove any judge for mental or physical incapacity interfering with the performance of duties, when the incapacity is, or is likely to become, permanent.

The Sentencing and Policy Advisory Commission

The North Carolina Sentencing and Policy Advisory Commission consists of 30 members drawn from all three branches of government, all areas of the criminal justice system, and the public. The Commission was created by the General Assembly in 1990 to "... make recommendations to the General Assembly for the modification of sentencing laws and policies, and for

the addition, deletion, or expansion of sentencing options as necessary to achieve policy goals” [G.S. 164-36].

Specifically, the Commission was directed to classify criminal offenses into felony and misdemeanor categories on the basis of their severity, recommend structures for use by a sentencing court in determining the most appropriate sentence to be imposed in a criminal case, develop a correctional population simulation model, recommend a comprehensive community corrections strategy and organizational structure for the state, and study and make additional policy recommendations. The Commission’s work led to the passage and implementation of the Structured Sentencing Act, which was enacted during 1993 and modified during the extra (“crime”) session of 1994. The Act applies to crimes committed on or after October 1, 1994. This sentencing system prescribes sentencing options for the court based on the severity of the offense and the prior record of the offender.

The Commission has the continuing duty to monitor and review the criminal justice and correctional systems and the juvenile justice system, and to make recommendations as necessary. In FY 2005-06, the Commission completed a two-year study of the classification of misdemeanor offenses and studied the violation of domestic violence protective orders as an aggravating factor in capital sentencing. The Commission submitted the recommendations from both studies to the General Assembly in May 2006. A subcommittee of the Commission continued its study of the handling of youthful offenders in the criminal justice system. That study will be completed by January 2007.

The Sentencing Commission completed its mandated biennial study of correctional program evaluation in April 2006, submitted a progress report to the General Assembly on the newly mandated biennial study of juvenile recidivism, with a final report due in May 2007, and assisted the Post-Release Supervision and Parole Commission in preparing its parole eligibility reports.

Each year, the Commission reviews proposed legislation introduced during the session, and reports on the consistency of the proposed bills with Structured Sentencing, and on their potential impact on criminal and juvenile justice resources, particularly prisons. The Commission also prepares projections for future adult prison and probation populations and juvenile youth development center and probation populations. In addition, the Commission continued its work on the grant-supported Phase II of the “Juvenile-to-Adult Comprehensive Criminal History Study,” tracking a sample of juveniles into the adult criminal system.

The N.C. Dispute Resolution Commission

The N.C. Dispute Resolution Commission (DRC) was established by G.S. 7A-38.2 in October of 1995 and is responsible for certifying and regulating the conduct of mediators and mediation training programs serving North Carolina’s mediated settlement conference programs, considering policies and rules for dispute resolution, acting as a clearinghouse for information on dispute resolution, and serving as a resource for court officials, attorneys, litigants, and mediators. These mediated programs include: mediated settlement conferences in superior court, family financial settlement in district court, and the new clerk mediation program. The DRC also publishes a quarterly newsletter and maintains an extensive web site at www.ncdrc.org where additional information about mediation programs and the Commission’s operations are available.

The fifteen-member DRC consists of five judges (at least two superior court judges and two district court judges), a clerk of superior court, two practicing attorneys not certified as mediators, two certified superior court mediators, two certified family financial mediators and three citizens knowledgeable about mediation. Members serve three-year terms.

Rules of the North Carolina Supreme Court mandate that all eligible superior court civil cases and all equitable distributions actions be referred to mediated settlement. Clerks may refer cases that they deem appropriate for mediation. Since mediation is intended to expedite the litigation process, it is important to schedule mediation as early as possible after taking into account the need for parties to have time to complete their discovery.

Mediators do not make decisions for parties or tell them how to resolve their dispute. Rather, mediators help parties reach their own agreements by fostering constructive dialogue, suggesting possible options for settlement, and encouraging parties to see the dispute from the perspective of their adversary. If mediation is successful, litigation can be concluded earlier than it would have otherwise and parties may be saved time, money, and stress. Parties with an expectation of a continuing relationship post-mediation, e.g., a divorcing couple with minor children, siblings litigating over a parent’s estate, or sellers and vendors still interested in trading, often find that they are able to create good will by working things out amicably in mediation and are sometimes able to salvage familial or business relationships that were at risk.

Mediators serve as “case managers”, scheduling disputes for mediation and reporting the outcome to

the court. Mediated settlement conferences may be held in a courthouse, but are usually conducted in the office of one of the attorneys or in the mediator's office. If a party is represented by counsel, their attorney will attend with them. When mediation is successful and the parties reach an agreement, program rules require that the agreement be reduced to writing and signed at the conference. Subsequently, a voluntary dismissal or consent judgment is filed to conclude the litigation. In the case of estate or guardianship matters referred to mediation by clerks, clerks must review and approve any agreements reached in mediation.

The court-based mediation programs that the DRC helps to support are "party-pay." That means that the parties, rather than taxpayers, pay mediators for their services. Since the parties are paying for the mediator, court rules allow them a say in selecting their mediator. In keeping with the party pay model, the DRC's operating expenses are paid through certification fees tendered by mediators and trainers.

There are over 1,000 certified superior court mediators in North Carolina and more than 200 family financial mediators. Those involved in disputes filed in superior court or before a clerk of superior court must choose a mediator who has training and has been certified by the DRC. Family financial litigants may select either a certified or non-certified mediator. The DRC is working now to certify mediators to serve the new clerk mediation program established in 2006.

JUDICIAL BRANCH PERSONNEL (as of June 30, 2006)*

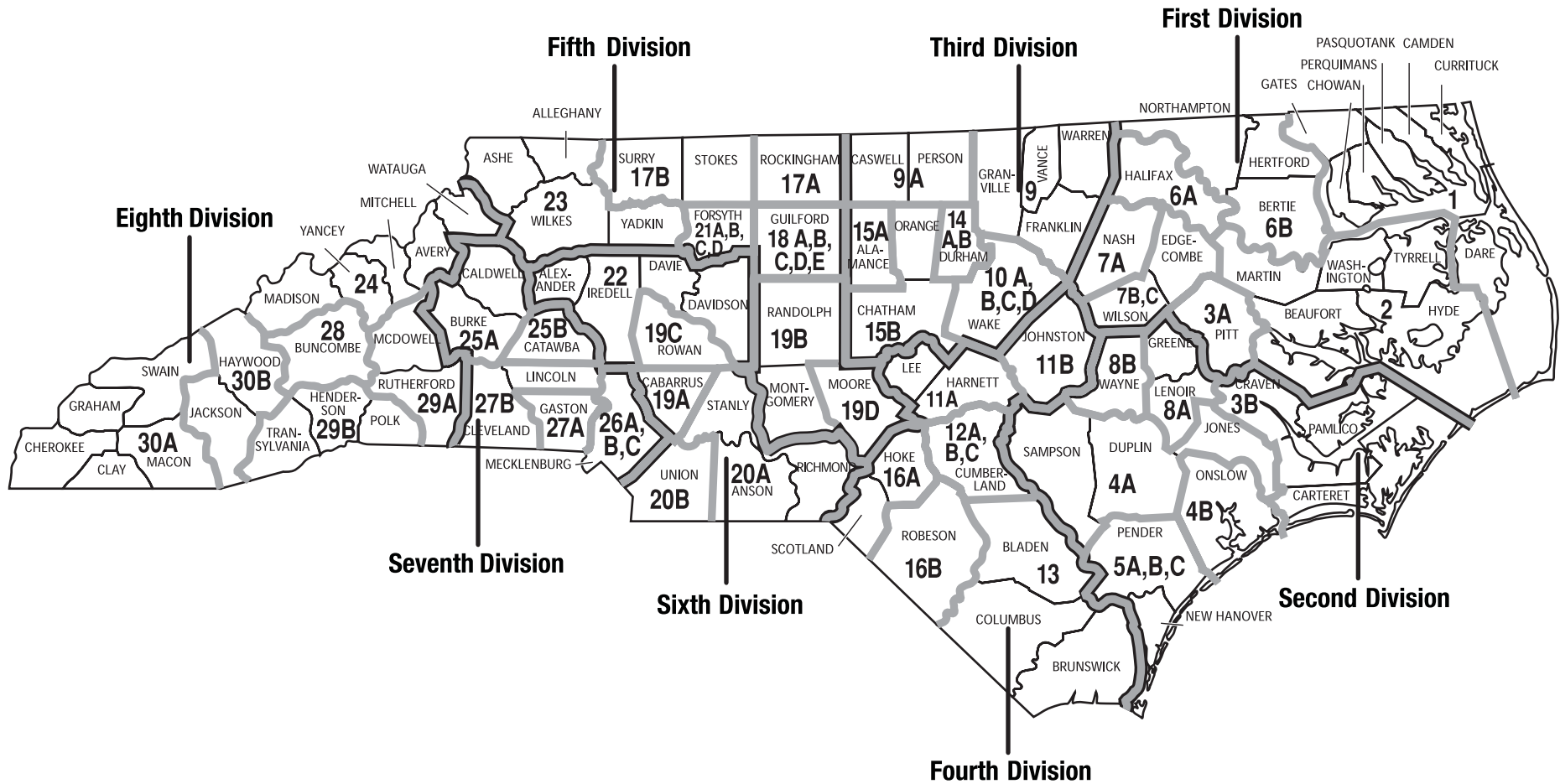
(includes FTEs for indigent representation)

FTEs Authorized	
	<u>SUPREME COURT</u>
7.00	Justices
39.75	Staff Personnel (Clerk's & Reporter's Offices, Law Clerks, Library)
8.00	Secretarial Personnel
	<u>COURT OF APPEALS</u>
15.00	Judges
51.00	Staff Personnel (Clerk's Office, Prehearing, Judicial Standards Commission, Law Clerks)
16.00	Secretarial Personnel
	<u>SUPERIOR COURT</u>
109.00	Judges
150.25	Staff Personnel
87.00	Secretarial Personnel
	<u>DISTRICT COURT</u>
239.00	Judges
718.00	Magistrates
80.45	Staff Personnel
89.75	Secretarial Personnel
	<u>DISTRICT ATTORNEYS</u>
39.00	District Attorneys
475.00	Assistant District Attorneys (453.00 were authorized under G.S. 7A-60(a1) and 10.00 were grant-funded)
48.00	Staff Personnel (Investigators, District Attorney's Conference)
466.00	Other Personnel (Victim-Witness/Legal Assistants, secretarial positions)
	<u>CLERKS OF SUPERIOR COURT</u>
100.00	Clerks of Superior Court
2,315.25	Staff Personnel
	<u>GUARDIAN AD LITEM</u>
2.00	Program Administrator and Assistant Administrator
38.75	Regional Administrators (3) and District Administrators (35.75)
85.50	Staff Personnel
	<u>ADMINISTRATIVE OFFICE OF THE COURTS</u>
1.00	Administrative Officer of the Courts
6.00	Assistant Director (1), Deputy Director (1), and Officers (4)
299.00	Staff Personnel
2.50	Dispute Resolution Commission
9.00	Sentencing and Policy Advisory Commission
5,497.20	SUBTOTAL
	<u>INDIGENT REPRESENTATION</u>
9.50	Indigent Defense Services
1.00	Appellate Defender
13.00	Assistant Appellate Defenders
3.00	Secretarial Personnel
1.00	Capital Defender
9.00	Assistant Capital Defenders
4.00	Capital Case Investigator
2.00	Secretarial Personnel
1.00	Juvenile Defender
1.00	Secretarial Personnel
14.00	Public Defenders
183.00	Assistant Public Defenders
38.00	Staff Personnel
72.75	Secretarial Personnel
7.00	Special Counsel at mental health hospitals
4.00	Assistants to Special Counsel
4.00	Secretarial Personnel
11.50	Sentencing Services
1.00	Set-off Debt Collection (Receipt-Funded)
379.75	SUBTOTAL INDIGENT REPRESENTATION
5,876.95	GRAND TOTAL

*Beginning with the FY 2004-05 printing of this report, Judicial Branch personnel are counted as full-time equivalents (FTEs) rather than position FTEs measure the percentage of time that an employee works.

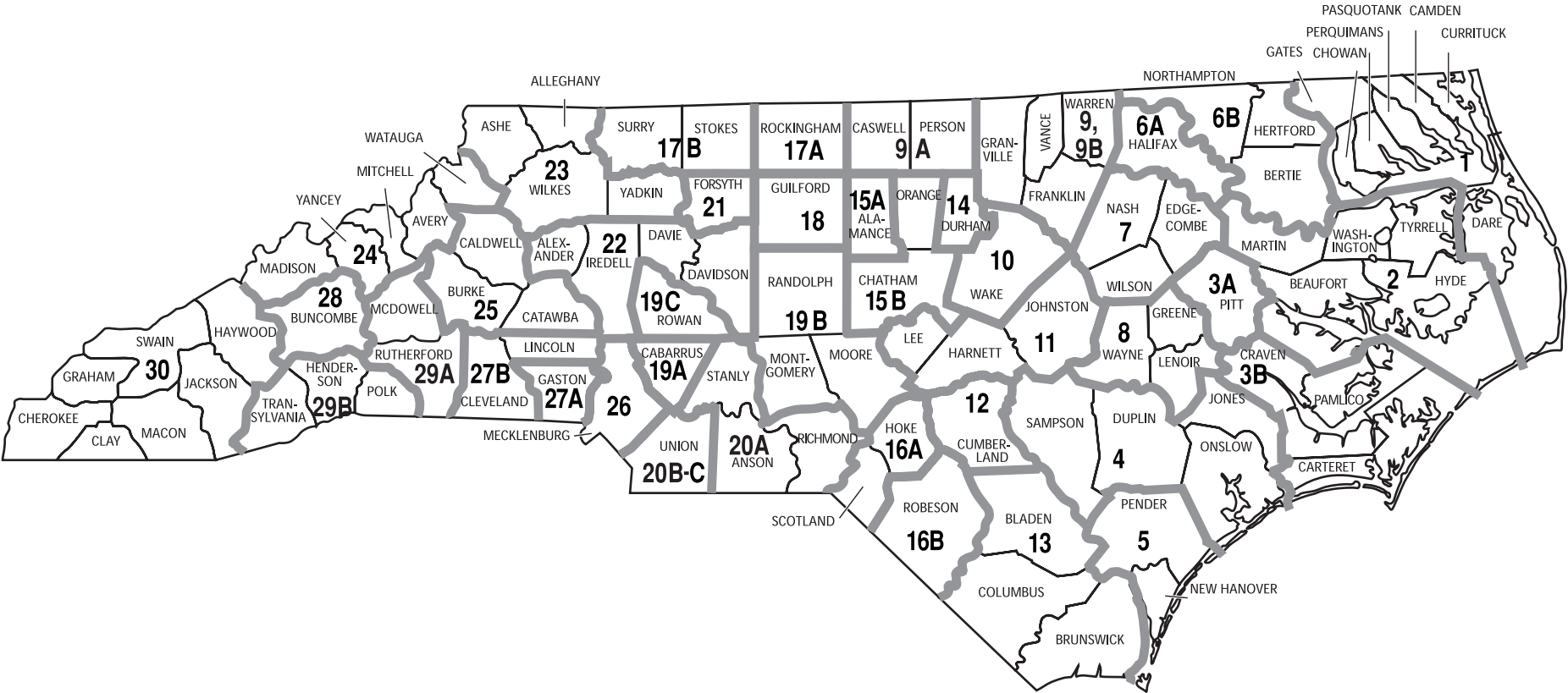
North Carolina Superior Court

Effective June 30, 2006



North Carolina District Court Districts

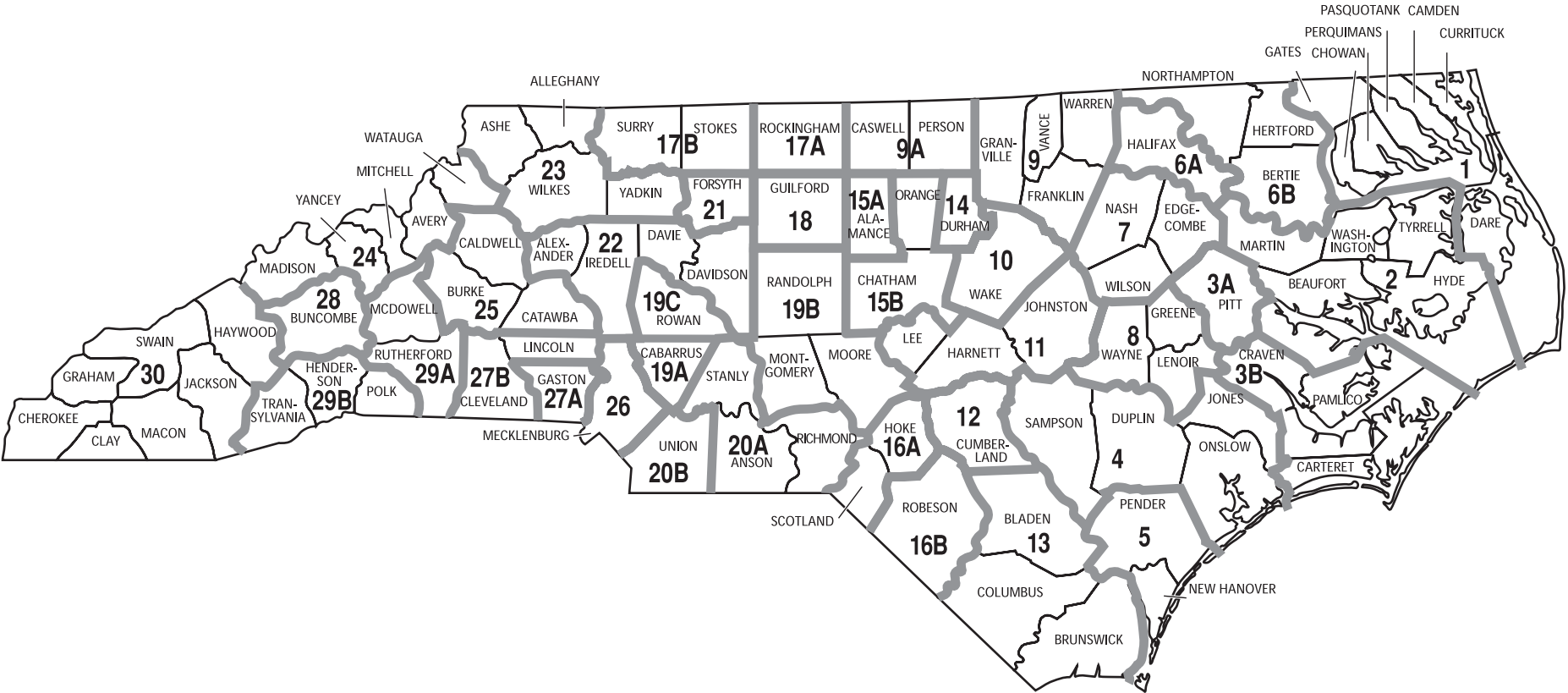
Effective June 30, 2006



Note: District 9 and 20B are divided into two district court districts for electoral purposes only. They are one district court district for administrative purposes and one prosecutorial district.

North Carolina Prosecutorial Districts

Effective June 30, 2006



PART II

COURT RESOURCES

JUDICIAL BRANCH APPROPRIATIONS AND EXPENDITURES

Under the State Constitution, Article IV, Sec. 21, the operating expenses of the Judicial Branch, “other than compensation to process servers and other locally paid non-judicial officers,” are required to be paid from State funds. It is customary legislative practice for the General Assembly to include appropriations for the operating expenses of all three branches of State government in a single budget bill, for a two-year period ending on June 30 of the odd-numbered years. The budget for the second year of the biennium is generally modified during the even-year legislative sessions.

Facilities for the appellate courts are provided by State funds, but, by statute, the county governments are required to use county funds to provide adequate facilities for the trial courts within each of the 100 counties.

The table below shows appropriations from the State’s General Fund for operating expenses of the Judicial Branch as well as all State agencies combined over the past five fiscal years. The second table shows expenditures for operating expenses of the Judicial Branch during the same period.

APPROPRIATIONS FROM GENERAL FUND FOR OPERATING EXPENSES*

Fiscal Year	Judicial Branch		All State Agencies		Judicial Branch % Share
	Appropriation	% Change over previous year	Appropriation	% Change over previous year	
2001-02	\$309,674,176	-1.92%	\$14,372,409,843	4.26%	2.15%
2002-03	\$303,761,745	-3.71%	\$14,323,937,462	-0.34%	2.12%
2003-04	\$309,192,569	1.79%	\$14,835,621,783	3.57%	2.08%
2004-05	\$333,885,323	7.99%	\$15,873,167,528	6.99%	2.10%
2005-06	\$353,046,078	5.74%	\$17,141,460,791	7.99%	2.06%
AVERAGE ANNUAL INCREASE, 2002-2006		1.98%		4.49%	

JUDICIAL BRANCH EXPENDITURES*

Fiscal Year	Expenditures	% Change over previous year
2001-02	\$317,307,302	-2.43%
2002-03	\$307,985,095	-3.03%
2003-04	\$320,896,469	4.02%
2004-05	\$344,569,130	6.87%
2005-06	\$364,343,480	5.43%

*Judicial Branch appropriations and expenditures on these tables do not include Indigent Defense Services or State Bar/Civil Justice Act funds. Indigent defense expenditures for the current year, however, are shown on pages 22 and 26 of this report.

JUDICIAL BRANCH EXPENDITURES
July 1, 2005 – June 30, 2006

Budget Classifications	Subtotals	Totals	Percent* of Grand Total
Supreme Court (includes \$606,396 for print shop)		\$ 5,812,084	1.24%
Court of Appeals		6,582,444	1.40%
Superior Courts		34,078,969	7.26%
District Courts		73,942,397	15.74%
Clerks of Superior Court		114,317,210	24.34%
Office -- District Attorney	\$61,158,190		
District Attorneys' Conference	264,851		
Criminal Case Management Program	419,642		
Worthless Check Program	1,065,780		
District Attorney Offices		62,908,463	13.39%
Administrative Office of the Courts		32,510,333	6.92%
Court Information Technology Fund		3,088,545	0.66%
Equipment/Supply Fund		4,528,689	0.96%
Custody and Visitation Mediation Program	1,695,007		
Mediated Settlement Conferences	142,439		
Dispute Settlement Centers	1,523,732		
Court-Ordered Arbitration Program	840,506		
Dispute Resolution Programs		4,201,684	0.90%
North Carolina Drug Treatment Court		1,368,267	0.29%
Family Court Program		1,995,272	0.43%
Grant-Supported Projects		8,847,022	1.88%
Judicial Standards Commission		128,545	0.03%
Sentencing and Policy Advisory Commission		769,757	0.16%
Guardian ad Litem Services Program		9,263,799	1.97%
	SUBTOTAL	364,343,480	77.57%
NC State Bar -- Civil Justice Act		501,500	0.11%
REPRESENTATION OF INDIGENTS			
Assigned Private Counsel (includes \$637,750 for guardians ad litem for juveniles)	68,111,142		
Private Counsel Contracts	713,213		
Legal Services to Inmates	1,883,865		
Public Defenders	20,024,858		
Support Services (expert witness fees, professional examinations, transcripts, investigators)	6,895,045		
Office of the Appellate Defender	1,246,128		
Special Counsel at Mental Health Hospitals	993,071		
Office of Indigent Defense Services	749,008		
Office of the Capital Defender	1,498,914		
Office of the Juvenile Defender	154,617		
Set-Off Debt Collection	79,930		
Subtotal Indigent Defense Services		102,349,791	
Sentencing Services Program		2,478,038	
SUBTOTAL REPRESENTATION OF INDIGENTS		104,827,829	22.32%
GRAND TOTAL		\$469,672,809	100%

JUDICIAL BRANCH RECEIPTS

The State Constitution (Article IX, Sec. 7) requires that all fines, penalties, and forfeitures collected by the courts in criminal cases be distributed to the respective counties in which the cases are tried, to be used for the support of the public schools.

G.S. 7A-304 *et seq.* establish a uniform schedule of civil and criminal court costs, comprising a variety of fees, and prescribe the distribution of these fees. Except for certain fees devoted to specific uses, all superior and district court costs collected by the Judicial Branch are paid into the State's General Fund, as are appellate court fees and proceeds from the sales of appellate division reports. When costs are assessed, a facilities fee, which must be used to provide and maintain courtrooms and related judicial facilities, is included and is paid over to the respective county or municipality whose facilities were used. An officer fee for arrest or service of process is included, where applicable, in the cost of each case filed in the trial courts, and is paid over to either the municipality whose officer performed these services or to the county in which the case was filed. A jail fee, assessed where applicable, is distributed to the county or municipality that provided the facility. Most jail facilities in the State are provided by the counties. The county also receives fees paid by convicted defendants when they are released to the supervision of an agency providing pretrial release services in the county. Half of the proceeds from the pretrial civil revocation fee, which driving-while-impaired offenders must pay to recover their drivers licenses, is distributed to the counties and the remaining half is credited to the General Fund to be used for a statewide chemical alcohol testing program. Criminal court costs include a fee for the Law Enforcement Officers' Benefit and Retirement Fund; these fees are remitted to the State Treasurer for deposit into this Fund.

When private counsel or a public defender is assigned to represent an indigent defendant in a criminal case, the Office of Indigent Defense Services or the judge sets the money value for the services rendered. If the defendant is convicted, a judgment lien may be entered against him/her for such amount. The department retains collections on these judgments to defray the costs of legal representation of indigents.

The first table below shows Judicial Branch receipts for the last ten years, and the second table gives the sources and distribution of such receipts for the current fiscal year. Note that municipalities as well as counties are shown as receiving judicial facilities fees, officer fees, and jail fees, as discussed above, and that proceeds of the pretrial civil revocation fee are split between the State Treasurer and the counties.

JUDICIAL BRANCH RECEIPTS: 1996-97 – 2005-06

Fiscal Year	Receipts	Fiscal Year	Receipts
1996-97	\$199,164,234	2001-02	\$244,345,855
1997-98	\$218,978,365	2002-03	\$253,529,253
1998-99	\$242,693,163	2003-04	\$284,465,419
1999-00	\$226,239,216	2004-05	\$278,606,016*
2000-01	\$238,381,276	2005-06	\$274,842,539

JUDICIAL BRANCH RECEIPTS: July 1, 2005 – June 30, 2006

Remitted to State Treasurer

Supreme Court Fees	\$ 8,731	0.003%
Court of Appeals Fees	27,055	0.010%
Sales of Appellate Division Reports	125,772	0.046%
Arbitration Appeal Filing Fees	82,504	0.030%
LEOB Fees	7,899,575	2.874%
Twenty-Day Failure Fees	7,872,794	2.864%
Pro Hac Vice Fee	41,155	0.015%
Pretrial Civil Revocation Fees	1,026,383	0.373%
General Court of Justice Fees	150,943,903	54.920%
Total to State Treasurer	168,027,872	61.136%

Distributed to Counties

Fines and Forfeitures	61,652,524	22.432%
Judicial Facilities Fees	19,598,505	7.131%
Officer Fees	7,081,834	2.577%
Jail Fees	2,342,779	0.852%
Pretrial Civil Revocation Fees	1,026,383	0.373%
Total to Counties	91,702,025	33.365%

Distributed to Municipalities

Judicial Facilities Fees	484,979	0.176%
Officer Fees	2,384,593	0.868%
Jail Fees	14	0.000%
Total to Municipalities	2,869,586	1.044%

Operating Receipts

Department of Crime Control & Public Safety Grants	2,232,769	0.812%
Other Grants	5,188,373	1.888%
Miscellaneous Operating Receipts	425,240	0.155%
Worthless Check Fees & Interest	1,252,652	0.456%
Court Information Technology Fees & Interest	2,603,050	0.947%
Appellate Court Printing and Computer Operations	540,972	0.197%
Total Operating Receipts	12,243,056	4.455%

GRAND TOTAL*	\$274,842,539	100%
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*Beginning with FY 2004-05, Judicial Branch receipts shown on this table do not include operating receipts for the collection of indigent representation judgments and indigent representation appointment. In addition, the AOC made changes in the generation of data for this report to provide better and more accurate information relating to disbursements in FY 2005-06.

**Amounts of Fees, Fines, and Forfeitures Collected by the Courts and
Distributed to Counties and Municipalities ***

July 1, 2005 – June 30, 2006

County	Distributed to Counties				Distributed to Municipalities			TOTAL
	Facility Fees	Officer Fees	Jail Fees	Fines and Forfeitures	Facility Fees	Officer Fees	Jail Fees	
Alamance	\$302,255	\$120,320	\$85,790	\$1,706,965	\$0	\$45,114	\$0	\$2,260,444
Alexander	37,982	10,761	10,955	93,228	0	1,643	0	\$154,568
Alleghany	17,090	7,219	7,715	62,106	0	990	0	\$95,121
Anson	55,311	35,003	6,392	298,336	0	1,305	0	\$396,346
Ashe	33,118	19,262	6,462	96,493	0	2,128	0	\$157,463
Avery	26,923	10,601	3,461	133,199	0	1,907	0	\$176,092
Beaufort	151,569	53,580	24,232	438,046	0	18,639	0	\$686,067
Bertie	82,043	37,720	7,374	193,156	0	1,782	0	\$322,076
Bladen	91,723	44,508	13,042	169,220	0	3,781	0	\$322,273
Brunswick	167,995	107,286	33,390	379,905	48	898	0	\$689,521
Buncombe	375,002	167,051	76,893	1,490,715	0	38,719	0	\$2,148,380
Burke	187,233	45,586	30,327	633,540	0	18,180	0	\$914,865
Cabarrus	438,826	156,572	77,239	1,796,094	0	81,650	0	\$2,550,381
Caldwell	147,729	34,919	25,829	403,491	0	16,663	0	\$628,631
Camden	30,935	14,427	2,679	101,448	0	0	0	\$149,489
Carteret	210,155	69,287	34,473	556,594	0	20,911	0	\$891,420
Caswell	52,729	24,628	3,475	122,014	0	914	0	\$203,761
Catawba	205,749	53,285	24,223	1,135,536	123,793	53,724	0	\$1,596,310
Chatham	78,421	44,004	7,085	260,983	41,018	6,690	0	\$438,201
Cherokee	61,500	30,948	9,096	236,985	0	2,038	0	\$340,567
Chowan	29,770	12,769	8,548	107,733	0	4,219	0	\$163,039
Clay	15,827	9,099	11,962	56,792	0	0	0	\$93,680
Cleveland	198,805	106,227	35,983	490,036	0	14,637	0	\$845,688
Columbus	121,562	67,575	23,098	204,387	2,071	4,550	0	\$423,242
Craven	225,572	45,122	44,713	486,236	6,906	33,884	0	\$842,434
Cumberland	430,158	45,299	23,016	741,940	0	30,622	0	\$1,271,034
Currituck	96,901	54,700	11,824	371,524	0	0	0	\$534,949
Dare	211,983	46,493	18,615	852,901	0	31,741	0	\$1,161,733
Davidson	270,066	136,898	50,287	634,058	0	18,255	0	\$1,109,564
Davie	68,304	31,950	10,841	196,696	0	2,938	0	\$310,729
Duplin	175,297	54,611	21,896	509,563	0	7,399	0	\$768,767
Durham	559,858	330,880	4,942	1,550,667	0	80,559	0	\$2,526,906
Edgecombe	134,399	120,465	31,832	510,051	51,429	21,110	0	\$869,286
Forsyth	853,386	75,508	43,238	2,683,339	31,034	135,570	0	\$3,822,075
Franklin	108,604	75,866	14,165	336,253	0	6,596	0	\$541,484
Gaston	458,666	223,315	61,421	834,100	0	41,848	0	\$1,619,350
Gates	30,949	17,165	6,741	97,220	0	0	0	\$152,075
Graham	13,474	4,632	3,669	42,355	0	0	0	\$64,130
Granville	111,938	28,493	15,729	375,301	0	7,707	0	\$539,168
Greene	42,844	20,237	8,086	708,155	0	0	0	\$779,323
Guilford	1,116,057	107,706	60,557	2,756,704	0	195,604	0	\$4,236,628
Halifax	147,921	76,963	16,024	444,490	0	10,481	0	\$695,879
Harnett	153,549	73,892	33,604	549,663	7,272	14,772	0	\$832,753
Haywood	133,996	50,319	145	487,193	6	9,119	0	\$680,778
Henderson	165,960	38,006	15,772	644,687	0	11,896	0	\$876,320
Hertford	58,846	25,794	12,851	214,619	0	6,521	0	\$318,631
Hoke	57,389	30,296	9,997	262,881	0	461	0	\$361,023
Hyde	14,049	6,944	719	48,756	0	0	0	\$70,468
Iredell	291,029	167,241	29,534	833,997	336	43,815	2	\$1,365,955
Jackson	69,105	32,866	8,035	250,339	0	5,484	0	\$365,829
Johnston	330,592	156,817	33,727	809,811	33,954	24,419	0	\$1,389,319
Jones	37,401	15,564	4,208	85,691	0	1,900	0	\$144,764
Lee	108,044	44,039	25,222	558,734	0	19,571	0	\$755,610
Lenoir	177,866	45,106	43,747	507,220	0	15,257	0	\$789,197
Lincoln	104,660	47,015	39,763	437,784	0	5,013	0	\$634,235

Macon	\$70,459	\$35,257	\$6,083	\$240,763	\$0	\$1,116	\$0	\$353,678
Madison	48,659	21,618	7,248	223,502	0	940	0	301,966
Martin	79,830	38,693	4,889	185,594	0	755	0	309,761
McDowell	110,398	42,302	12,172	329,773	0	8,550	0	503,195
Mecklenburg	1,984,714	1,034,338	8,613	3,513,321	0	307,195	0	6,848,181
Mitchell	24,282	10,354	5,349	79,250	0	1,440	0	120,675
Montgomery	64,797	41,532	18,530	311,033	0	3,803	0	439,695
Moore	202,601	57,415	31,072	701,532	545	27,196	0	1,020,362
Nash	147,960	176,483	37,541	538,000	85,344	18,482	5	1,003,814
New Hanover	412,066	44,445	59,394	1,406,897	0	66,347	0	1,989,149
Northampton	49,018	30,981	5,180	142,656	0	2,837	0	230,671
Onslow	338,576	163,873	58,264	924,173	0	50,863	0	1,535,749
Orange	185,916	62,380	1,269	638,628	22,798	27,152	0	938,143
Pamlico	17,821	7,390	6,873	52,028	0	20	0	84,132
Pasquotank	87,617	21,564	22,861	354,194	0	12,572	0	498,808
Pender	120,139	50,622	24,244	422,274	0	2,528	0	619,807
Perquimans	30,007	13,249	3,372	95,312	0	1,530	0	143,470
Person	80,186	52,699	3,954	227,207	0	8,106	0	372,152
Pitt	360,101	41,649	68,379	711,889	26,539	68,561	7	1,277,125
Polk	50,968	19,277	5,690	208,053	0	2,724	0	286,712
Randolph	310,110	122,008	75,430	1,943,850	0	19,099	0	2,470,497
Richmond	117,948	21,845	15,198	464,687	0	8,415	0	628,093
Robeson	206,071	74,997	17,918	1,120,118	40,606	17,013	0	1,476,722
Rockingham	191,393	50,415	43,638	519,664	132	16,076	0	821,318
Rowan	300,627	140,948	50,884	1,442,204	0	44,760	0	1,979,422
Rutherford	157,568	69,912	45,540	478,719	0	11,546	0	763,286
Sampson	195,102	84,982	31,904	588,364	0	6,925	0	907,277
Scotland	88,220	48,246	15,003	361,803	0	6,169	0	519,441
Stanly	165,800	25,257	18,342	607,596	0	22,616	0	839,610
Stokes	79,102	29,730	27,797	289,785	0	4,559	0	430,973
Surry	153,217	72,243	49,200	579,574	0	18,001	0	872,235
Swain	33,409	17,073	7,801	125,571	0	2,652	0	186,506
Transylvania	53,114	29,533	10,315	181,870	0	6,898	0	281,730
Tyrrell	44,001	19,166	3,391	148,254	0	0	0	214,812
Union	270,330	111,588	14,234	1,188,654	0	31,140	0	1,615,946
Vance	159,241	40,341	11,893	525,871	0	6,464	0	743,810
Wake	1,720,568	155,640	109,187	5,937,903	8,016	336,511	0	8,267,825
Warren	64,559	27,903	8,142	194,894	0	955	0	296,453
Washington	43,842	21,623	2,608	122,226	0	2,730	0	193,029
Watauga	183,968	47,805	19,008	398,757	0	20,598	0	670,136
Wayne	250,508	135,296	41,577	829,420	3,132	35,238	0	1,295,172
Wilkes	145,509	50,390	20,137	495,753	0	2,964	0	714,753
Wilson	210,464	158,379	16,381	487,819	0	22,995	0	896,038
Yadkin	85,562	37,506	21,382	244,455	0	3,169	0	392,074
Yancey	23,048	10,045	251	78,706	0	760	0	112,810
State Totals**	\$19,598,505	\$7,081,834	\$2,342,779	\$61,652,524	\$484,979	\$2,384,593	\$14	\$93,545,227

NOTE: Beginning with FY 2005-06, the AOC made changes in the generation of this report to provide better and more accurate information relating to disbursements.

*Facility and jail fees are distributed to the respective counties and municipalities that furnished the facilities. If the officer who made the arrest or served the process was employed by a municipality, the officer fee is distributed to the municipality; otherwise all officer fees are distributed to the respective counties. By provision of the State Constitution, fines and forfeitures collected by the courts within a county are distributed to that county for support of the public schools.

**State totals may not equal the sum of county data due to rounding.

COST AND CASE DATA ON REPRESENTATION OF INDIGENTS

July 1, 2005 – June 30, 2006

	Number of Cases*	Total Cost	Average Per Case
Assigned Private Counsel			
Capital offense cases	1,379	\$12,258,524	\$8,889
Adult cases (other than capital)	171,397	51,694,551	302
Juvenile cases	15,495	3,520,317	227
Guardian ad Litem	2,037	637,750	313
Totals	190,308	68,111,142	358
Private Counsel Contracts	5,016	713,213	142
Legal Services to Inmates		1,883,865	
Public Defender Offices			
District 1	1,406	735,810	523
District 3A	2,427	854,182	352
District 3B (Carteret County)	1,043	275,964	265
District 10	5,041	1,149,825	228
District 12	4,574	1,437,049	314
District 14	9,657	1,907,730	198
District 15B	3,026	967,795	320
District 16A	1,846	672,139	364
District 16B	3,159	1,053,967	334
District 18	8,308	2,464,766	297
District 21	6,231	1,498,414	240
District 26	19,557	4,397,914	225
District 27A	5,619	1,443,095	257
District 28	5,823	1,166,208	200
Totals	77,717	20,024,858	258
Office of the Appellate Defender		1,246,128	
Special Counsel at State Mental Health Hospitals		993,071	
Support Services			
Transcripts, records, and briefs		878,143	
Professional examinations		975	
Expert witness fees		2,511,808	
Investigator fees		3,504,119	
Total		6,895,045	
Set-Off Debt Collection		79,930	
Indigent Defense Services		749,008	
Office of the Capital Defender		1,498,914	
Office of the Juvenile Defender		154,617	
TOTAL INDIGENT DEFENSE SERVICES		\$102,349,791	
Sentencing Services Program		\$2,478,038	
GRAND TOTAL		\$104,827,829	

* The number of "cases" shown for private assigned counsel is the number of payments (fee apps) made by the Office of Indigent Defense Services for appointed attorneys. For public defender offices, the number of "cases" is the number of indigent persons whose cases were disposed of by public defenders during the 2005-06 year.

STATE MENTAL HEALTH HOSPITAL COMMITMENT HEARINGS

July 1, 2005 – June 30, 2006

During 2005-06, the average cost per commitment hearing for representation by special counsel at the state's five mental health hospitals was \$42.07 (total cost of \$993,071 for 23,607 hearings).

The criteria and procedures for commitment to or discharge from a mental health hospital differ depending on whether the person is a minor or an adult, the reason for the commitment, and who is requesting the commitment. The applicable statutes should be consulted for further details.

	Broughton	Cherry	Dorothea Dix*	John Umstead	Totals
Voluntary minors: Mentally ill or substance abusers (G.S.122C, Art.5, Part 3)					
Total Hearings	127	128	1,075	194	1,524
Commitment to hospital	83	7	292	165	547
Dismissal/discharge	44	121	783	29	977
Of total, number that were:					
Initial hearings	99	127	920	71	1,217
Contested hearings	0	0	2	29	31
Voluntary incompetent adults: Mentally ill or substance abusers (G.S.122C, Art.5, Part.4)					
Total Hearings	279	7	94	1	381
Commitment to hospital	240	7	80	0	327
Dismissal/discharge	39	0	14	1	54
Of total, number that were:					
Initial hearings	162	4	44	1	211
Contested hearings	7	0	14	0	21
Involuntary minors and adults: Mentally ill or mentally retarded with behavior disorder (G.S.122C, Art.5, Part.7)					
Total Hearings	3,784	3,847	5,928	6,193	19,752
Commitment to hospital	478	596	658	1,909	3,641
Commitment to outpatient clinic	599	896	699	948	3,142
Split commitment	1,111	1,162	595	1,318	4,186
Dismissal/discharge	1,596	1,193	3,976	2,018	8,783
Of total, number that were:					
Initial hearings	3,441	3,407	5,421	4,860	17,129
Contested hearings	222	179	148	677	1,226
Involuntary minors and adults: Substance abusers (G.S.122C, Art.5, Part.8)					
Total Hearings	174	647	295	834	1,950
Commitment to area authority	174	647	295	834	1,950
Dismissal/discharge	0	0	0	0	0
Of total, number that were:					
Initial hearings	173	643	293	833	1,942
Contested hearings	1	0	3	17	21
Total Hearings	4,364	4,629	7,392	7,222	23,607
Of total, number that were:					
Initial hearings	3,875	4,181	6,678	5,765	20,499
Contested hearings	230	179	167	723	1,299

*Dorothea Dix hospital hearing data has included the addition of Holly Hill cases since March 2003.

ASSIGNED AND CONTRACTED PRIVATE COUNSEL*

Fee Apps and Expenditures

July 1, 2005 – June 30, 2006

	Number of Fee Apps	Expenditures
<u>District 1</u>		
Camden	14	\$ 6,316
Chowan	142	102,563
Currituck	176	70,045
Dare	350	158,363
Gates	67	27,881
Pasquotank	277	135,458
Perquimans	54	31,372
District Totals	1,080	531,998
<u>District 2</u>		
Beaufort	1,399	351,341
Hyde	75	36,238
Martin	526	162,912
Tyrrell	188	66,969
Washington	327	113,092
District Totals	2,515	730,552
<u>District 3A</u>		
Pitt	3,140	1,378,253
<u>District 3B</u>		
Carteret	556	284,453
Craven	1,640	596,301
Pamlico	239	145,851
District Totals	2,435	1,026,605
<u>District 4A</u>		
Duplin	1,169	399,620
Jones	241	67,413
Sampson	1,506	702,725
District Totals	2,916	1,169,758
<u>District 4B</u>		
Onslow	3,362	1,202,599
<u>District 5</u>		
New Hanover	8,284	2,551,163
Pender	1,025	328,527
District Totals	9,309	2,879,690
<u>District 6A</u>		
Halifax	2,325	849,760
<u>District 6B</u>		
Bertie	431	263,206
Hertford	736	361,738
Northampton	630	354,719
District Totals	1,797	979,663
<u>District 7A</u>		
Nash	1,708	777,101

Assigned and Contracted Private Counsel, July 1, 2005 – June 30, 2006

	Number of Fee Apps	Expenditures
<u>District 7B-C</u>		
Edgecombe	1,344	534,315
Wilson	1,519	739,154
District Totals	2,863	1,273,469
<u>District 8A</u>		
Greene	379	129,409
Lenoir	1,841	636,077
District Totals	2,220	765,486
<u>District 8B</u>		
Wayne	2,927	1,070,519
<u>District 9</u>		
Franklin	1,052	343,787
Granville	1,277	531,760
Vance	1,577	722,043
Warren	372	119,949
District Totals	4,278	1,717,539
<u>District 9A</u>		
Caswell	743	256,389
Person	1,383	529,905
District Totals	2,126	786,294
<u>District 10</u>		
Wake	15,792	4,948,494
<u>District 11A</u>		
Harnett	3,147	1,218,437
Lee	1,520	453,256
District Totals	4,667	1,671,693
<u>District 11B</u>		
Johnston	3,555	1,378,061
<u>District 12</u>		
Cumberland	3,128	1,969,533
<u>District 13</u>		
Bladen	981	356,984
Brunswick	2,015	715,599
Columbus	1,301	559,609
District Totals	4,297	1,632,192
<u>District 14</u>		
Durham	2,937	1,633,512
<u>District 15A</u>		
Alamance	3,184	1,311,187

Assigned and Contracted Private Counsel, July 1, 2005 – June 30, 2006

	Number of Fee Apps	Expenditures
<u>District 15B</u>		
Chatham	397	136,831
Orange	837	353,033
District Totals	1,234	489,864
<u>District 16A</u>		
Hoke	378	247,858
Scotland	914	387,309
District Totals	1,292	635,167
<u>District 16B</u>		
Robeson	2,305	1,649,918
<u>District 17A</u>		
Rockingham	2,840	802,292
<u>District 17B</u>		
Stokes	1,185	407,529
Surry	2,282	683,052
District Totals	3,467	1,090,581
<u>District 18</u>		
Guilford	5,143	2,101,772
<u>District 19A</u>		
Cabarrus	4,591	1,526,387
<u>District 19B</u>		
Montgomery	701	253,117
Randolph	3,706	1,190,020
District Totals	4,407	1,443,137
<u>District 19C</u>		
Rowan	4,966	1,507,297
<u>District 19D</u>		
Moore	2,850	725,492
<u>District 20A</u>		
Anson	1,445	534,074
Richmond	3,748	1,096,539
District Totals	5,193	1,630,613
<u>District 20B</u>		
Stanly	1,457	672,311
Union	3,534	1,316,028
District Totals	4,991	1,988,339
<u>District 21</u>		
Forsyth	4,773	1,562,831

Assigned and Contracted Private Counsel, July 1, 2005 – June 30, 2006

	Number of Fee Apps	Expenditures
<u>District 22</u>		
Alexander	1,237	354,318
Davidson	4,999	1,368,325
Davie	884	342,265
Iredell	4,438	1,124,417
District Totals	11,558	3,189,325
<u>District 23</u>		
Alleghany	284	59,740
Ashe	587	141,287
Wilkes	2,088	381,702
Yadkin	801	165,882
District Totals	3,760	748,611
<u>District 24</u>		
Avery	350	144,462
Madison	244	88,731
Mitchell	326	102,609
Watauga	740	362,724
Yancey	404	180,399
District Totals	2,064	878,925
<u>District 25A</u>		
Burke	2,825	818,444
Caldwell	3,494	826,015
District Totals	6,319	1,644,459
<u>District 25B</u>		
Catawba	4,999	1,341,588
<u>District 26</u>		
Mecklenburg	11,217	4,231,100
<u>District 27A</u>		
Gaston	1,615	664,870
<u>District 27B</u>		
Cleveland	3,986	881,415
Lincoln	1,463	428,546
District Totals	5,449	1,309,961
<u>District 28</u>		
Buncombe	3,407	1,033,504
<u>District 29</u>		
Henderson	3,079	1,042,071
McDowell	1,664	596,807
Polk	575	185,985
Rutherford	3,029	919,846
Transylvania	715	308,133
District Totals	9,062	3,052,842

Assigned and Contracted Private Counsel, July 1, 2005 – June 30, 2006

	Number of Fee Apps	Expenditures
<u>District 30A</u>		
Cherokee	1,140	387,715
Clay	154	44,209
Graham	226	93,463
Macon	674	283,164
Swain	357	132,303
District Totals	2,551	940,854
<u>District 30B</u>		
Haywood	2,001	718,076
Jackson	709	232,592
District Totals	2,710	950,668
STATE TOTALS	195,324	68,824,355
(not including contracts)		

*Cases and expenditures shown here include adult capital and non-capital offense cases, juvenile cases, guardians ad litem for juveniles, and, beginning with this FY 2005-06 report, private counsel contracts. Private counsel contracts constitute payments to private attorneys under contractual arrangements with the Office of Indigent Defense Services, where each closed case is counted as a fee app.
 **District totals may not match the sum of county expenditures due to rounding.

PART III

CASELOAD DATA

- **Appellate Courts Data**
 - **Supreme Court**
 - **Court of Appeals**

- **Trial Courts Data**
 - **Superior Court**
 - **District Court**

- **Special Programs Data**
 - **Arbitration**
 - **Child Custody and Visitation
Mediation**
 - **Mediated Settlement Conferences**
 - **Family Financial Settlement
Procedures**
 - **Drug Treatment Court**
 - **Sentencing Services**

PART III, Section 1

Appellate Courts Data

- **Supreme Court**
- **Court of Appeals**

NORTH CAROLINA SUPREME COURT

The following Supreme Court tables give filing (docketing) and disposition data on petitions, appeals, and other proceedings. These tables are based on data reported by the Clerk's office, which is responsible for entering and compiling the Court's data.

The first two tables in the Supreme Court subsection give ten-year trend data for appeals docketed and disposed and petitions docketed and allowed. The table following presents the Court's caseload inventory for FY 2005-06, broken down by the types of cases the Court hears. The following two tables summarize case activity in those cases reaching decision stage, and the disposition of petitions for review. The next table shows the various methods of dispositions of appeals -- signed opinion, per curiam opinion (unsigned), and dismissal or withdrawal -- as well as the types of disposition (e.g., affirmed, reversed, and so on). The final table gives Supreme Court processing times for appeals disposed by signed or per curiam opinion. For more information on the Supreme Court, see the summary on page 3 of this report.

APPEALS DOCKETED AND DISPOSED DURING THE YEARS 1996-97 – 2005-06

	Appeals Docketed	Appeals Disposed
1996-97	169	188
1997-98	162	180
1998-99	164	196
1999-00	96	137
2000-01	130	89
2001-02	144	131
2002-03	138	142
2003-04	182	192
2004-05	234	239
2005-06	204	196

PETITIONS DOCKETED AND ALLOWED DURING THE YEARS 1996-97 – 2005-06

	Petitions Docketed	Petitions Allowed
1996-97	544	88
1997-98	547	78
1998-99	609	86
1999-00	577	39
2000-01	634	39
2001-02	662	37
2002-03	677	26
2003-04	678	30
2004-05	547	35
2005-06	672	25

NORTH CAROLINA SUPREME COURT
Caseload Inventory
July 1, 2005 – June 30, 2006

	Pending 7/1/05	Filed	Disposed	Pending 6/30/06
Petitions for Review*				
Civil domestic	1	1	2	0
Juvenile	2	23	22	3
Other civil	43	236	247	32
Criminal	60	408	414	54
Administrative agency decision	0	4	2	2
Total Petitions for Review	106	672	687	91
Appeals**				
Civil domestic	0	0	0	0
Petitions for review granted that became civil domestic appeals	0	0	0	0
Juvenile	0	11	8	3
Petitions for review granted that became juvenile appeals	2	3	4	1
Other civil	31	68	65	34
Petitions for review granted that became other civil appeals	10	14	15	9
Criminal, defendant sentenced to death	9	9	9	9
Other criminal	26	91	86	31
Petitions for review granted that became other criminal appeals	5	8	8	5
Administrative agency decision	0	0	0	0
Petitions for review granted that became appeals of administrative agency decision	1	0	1	0
Total Appeals	84	204	196	92
Other Proceedings				
Rule 16(b) additional issues re dissent		27	21	
Motions		753	755	
Total Other Proceedings		780	776	

*Petitions for review are cases in which the Court is asked to accept discretionary review of decisions of the Court of Appeals as well as other tribunals.

**The Appeals category comprises cases within the Court's appellate jurisdiction.

NORTH CAROLINA SUPREME COURT
July 1, 2005 – June 30, 2006

SUBMISSION OF CASES REACHING DECISION STAGE

Cases Argued	
Civil domestic	54
Juvenile	10
Other civil	0
Criminal (death sentence)	6
Other criminal	19
Administrative agency decision	0
Total cases argued	89
Submissions Without Argument	
By motion of the parties (Appellate Rule 30(d))	0
By order of the Court (Appellate Rule 30(f))	0
Total submissions without argument	0
Total Cases Reaching Decision Stage	89

DISPOSITION OF PETITIONS

Petitions for Review	Granted*	Denied	Dismissed/ Withdrawn	Total Disposed
Civil domestic	0	2	0	2
Juvenile	3	19	0	22
Other civil	14	209	24	247
Criminal	7	252	153	412
Administrative agency decision	0	2	0	2
Post Conviction	1	1	0	2
Total Petitions for Review	25	485	177	687

*"Granted" includes order allowing relief without accepting the case as a full appeal.

**DISPOSITION OF APPEALS IN THE SUPREME COURT
July 1, 2005 – June 30, 2006**

Disposition by Signed Opinion

Case Types	Affirmed*	Affirmed in Part; Remanded in Part	Affirmed in Part; Reversed in Part; Remanded	Reversed	New Sentencing Hearing	Reversed and Remanded	New Trial
Civil domestic	0	0	0	0	0	0	0
Juvenile	0	0	0	0	0	1	0
Other civil	1	1	2	5	0	5	0
Criminal (death sentence)	8	0	0	0	1	0	0
Other criminal	3	1	3	2	0	5	0
Administrative agency decision	0	0	0	0	0	1	0
Totals	12	2	5	7	1	12	0

Disposition by Per Curiam Opinion

Case Types	Affirmed*	Affirmed in Part; Remanded in Part	Affirmed in Part; Reversed in Part; Remanded	Reversed	Reversed and Remanded	Other	Discretionary Review Improvidently Allowed
Civil domestic	0	0	0	0	0	0	0
Juvenile	6	0	0	0	0	0	2
Other civil	21	0	0	7	5	1	4
Criminal (death sentence)	0	0	0	0	0	0	0
Other criminal	8	0	0	1	2	0	1
Administrative agency decision	0	0	0	0	0	0	0
Totals	35	0	0	8	7	1	7

*Includes No error

Disposition by Dismissal or Withdrawal

Case Types	Dismissed or Withdrawn	Dispensed or Remanded
Civil domestic	0	0
Juvenile	2	1
Other civil	25	3
Criminal (death sentence)	0	0
Other criminal	65	3
Administrative agency decision	0	0
Totals	92	7

**SUPREME COURT PROCESSING TIME
FOR APPEALS DISPOSED BY OPINION***

(Total time in days from docketing to opinion)

July 1, 2005 – June 30, 2006

	Number of Cases	(Days) Median	(Days) Mean
Civil Domestic	0		
Petitions for review granted that became civil domestic appeals	0		
Juvenile	6	152	162
Petitions for review granted that became juvenile appeals	3	340	313
Other civil	41	212	228
Petitions for review granted that became other civil appeals	11	441	430
Criminal, defendant sentenced to death	9	452	435
Other criminal	20	277	292
Petitions for review granted that became other criminal appeals	6	377	298
Administrative agency decision	0		
Petitions for review granted that became appeals of administrative agency decision	1	—	465
Total appeals disposed by opinion	97	255	264

* Only cases disposed by signed opinion or per curiam opinion are included.

NORTH CAROLINA COURT OF APPEALS

The three tables in the Court of Appeals subsection summarize filing and disposition activity in the Court of Appeals. These tables are based on data reported by the Clerk's office, which is responsible for entering and compiling the Court's data.

In addition to trend data for the past ten years, the following tables provide filings and dispositions for cases on appeal, petitions, and motions during FY 2005-06. "Cases on appeal" include cases appealed from district courts, superior courts, and administrative agencies. They are counted as appeals only after a record is filed with the Clerk's office and a docket number is assigned. The "petition" category includes petitions involving only the four "extraordinary" writs set out in Article V of the Rules of Appellate Procedure: certiorari, mandamus, prohibition, and supersedeas. "Motions" encompass any type of relief sought from the Court of Appeals, either in a case already filed with the Court of Appeals, or one on its way to the Court of Appeals, but not yet filed.

Cases on appeal represent the largest portion of the Court of Appeals' workload, since most are disposed by written opinion. The other methods of disposition, represented by the "Other Cases Disposed" category in the table at the bottom of the data page, include the court's dismissal of the appeal and the appealing party's withdrawal of the appeal.

FILINGS AND DISPOSITIONS OF APPEALS AND PETITIONS DURING THE YEARS 1996-97 – 2005-06*

Fiscal Year	Filings	Dispositions
1996-97	2,088	2,018
1997-98	2,135	2,108
1998-99	2,352	2,194
1999-00	2,268	2,057
2000-01	2,380	2,155
2001-02	2,388	2,441
2002-03	2,572	2,496
2003-04	2,674	2,562
2004-05	2,719	2,731
2005-06	2,707	2,973

*Filings and dispositions shown here include appealed cases and petitions, but not motions.

FILINGS AND DISPOSITIONS — July 1, 2005 – June 30, 2006

	Filings	Dispositions
Cases on appeal		
Civil cases appealed from district courts	358	
Civil cases appealed from superior courts	517	
Civil cases appealed from administrative agencies	154	
Criminal cases appealed from superior courts	686	
Totals	1,715	1,979
Petitions		
Allowed		121
Denied		873
Remanded		0
Totals	992	994
Motions		
Allowed		4,260
Denied		836
Remanded		0
Totals	4,978	5,096
Total Cases on Appeal, Petitions, and Motions	7,685	8,069

MANNER OF CASE DISPOSITIONS — July 1, 2005 – June 30, 2006

Cases Disposed by Written Opinion				Other Cases	Total Cases
Affirmed	Reversed	Affirmed in Part, Reversed in Part	Disposed	Disposed	Disposed
1,135	181	406	257		1,979

PART III, Section 2

Trial Courts Data

- **Superior Court**
- **District Court**

TRIAL COURTS CASE DATA

This section presents summary data on the activity of the superior and district courts. The tables that follow provide statewide totals. Data for each district and county are provided throughout the year to local court officials and are available upon request from the Administrative Office of the Courts (AOC) and on the AOC website (www.nccourts.org).

The caseload inventory tables provide a statistical picture of caseload during the fiscal year. Inventory tables show the number of cases pending at the beginning of the year (July 1), the number of new cases filed, the number of cases disposed during the year, and the number of cases left pending at the end of the year (June 30). However, for certain case types, including estates and special proceedings in superior court, and civil magistrate cases, criminal motor vehicle cases, and infractions cases in district court, no begin-pending or end-pending data are maintained. Further, only filings data are collected for district court civil license revocations.

The tables also show the median ages of the cases pending at the end of the year, as well as the ages of cases disposed during the year. (Age data are not maintained on the case types identified above.) The median age of a group of cases is, by definition, the age of a hypothetical case that is older than 50% of the total set of cases and younger than the other 50%.

The tables that follow also provide statewide data on juvenile cases. This includes data on matters alleged in juvenile petitions filed, as well as data relating to adjudicatory hearings held, during the year.

Except for estates, special proceedings, and juvenile matters, caseload statistics come from the automated criminal, infraction, and civil modules of the AOC's Court Information System (CIS).

The case statistics in this trial courts section have been summarized from the automated filing and disposition case data, as well as from manually reported case data. Pending case information is calculated from the filing and disposition data. The accuracy of the pending case figures is, of course, dependent upon timely and accurate data on filings and dispositions.

Periodic comparisons by clerk personnel of their actual pending case files against the AOC's computer-produced pending case lists, followed by indicated corrections, are necessary to maintain accurate data in the AOC computer file. Yet, staff resources in the clerks' offices are not sufficient to make such physical inventory checks as frequently and as completely as would be necessary to maintain absolute accuracy in the AOC's computer files. Thus, it is recognized that there is some margin of error in the figures published in the following tables.

Another accuracy-related problem inherent in the AOC's reporting system is the lack of absolute consistency in the published year-end and year-beginning pending figures. The number of cases pending at the end of a reporting year should ideally be identical to the number of published pending cases at the beginning of the next reporting year. However, experience has shown that inevitably some filings and dispositions that occurred in the preceding year are not reported until the subsequent year. The later-reported data are regarded as being more complete and are used in the current year's tables, thereby producing some differences between the prior year's end-pending figures and the current year's begin-pending figures.

CASELOAD INVENTORY AND MEDIAN AGES OF SUPERIOR COURT CASES
July 1, 2005 — June 30, 2006

	Begin Pending	Filed	Disposed	End Pending	Median Ages (in days)*	
					Disposed Cases	Pending Cases
Civil Cases	20,752	27,591	28,254	20,089	203.0	183.0
Contract	4,204	6,291	6,395	4,100	153.0	158.0
Collect on Accounts	1,222	3,684	3,675	1,231	120.0	93.0
Motor Vehicle Negligence	5,936	6,193	6,442	5,687	319.0	193.0
Other Negligence	3,174	2,701	2,904	2,971	358.0	252.0
Real Property	1,480	1,177	1,227	1,430	342.0	278.5
Administrative Appeal	191	326	283	234	174.0	150.0
Other	4,545	7,219	7,328	4,436	139.0	161.0
Estates	—	61,823	60,272	—	—	—
Special Proceedings	—	117,512	105,120	—	—	—
Criminal Cases	78,566	152,664	143,268	87,962	184.0	242.0
Felonies	59,029	109,815	102,193	66,651	201.0	252.0
Murder	1,024	726	618	1,132	437.0	393.5
Manslaughter	80	103	99	84	265.0	247.0
Rape and First Degree Sex Offense	1,572	1,749	1,674	1,647	313.0	309.0
Other Sex Offenses	1,951	2,526	2,327	2,150	256.0	294.0
Robbery	3,021	5,019	4,632	3,408	214.0	236.0
Assault	2,294	2,813	2,963	2,144	223.0	308.5
Burglary and Breaking or Entering	6,521	14,507	14,082	6,946	180.0	226.0
Larceny	4,185	8,501	8,061	4,625	185.0	226.0
Arson and Burnings	219	373	308	284	187.5	259.0
Forgery and Utterings	2,392	3,520	4,653	1,259	176.0	344.0
Fraudulent Activity	5,967	11,660	11,166	6,461	210.0	256.0
Controlled Substances	18,258	33,750	30,860	21,148	219.0	263.0
Other	11,545	24,568	20,750	15,363	176.0	227.0
Misdemeanors	19,537	42,849	41,075	21,311	140.0	211.0
Impaired Driving Appeals	2,233	4,992	5,018	2,207	104.0	109.0
Other Motor Vehicle Appeals	2,921	6,009	5,911	3,019	119.0	115.0
Non-Motor Vehicle Appeals	6,723	13,355	13,077	7,001	185.0	284.0
Cases Originating in Superior Court	7,660	18,493	17,069	9,084	127.0	214.0

*On this table, criminal cases in superior court are aged from their original filing date, which was the district court filing date the case originated in district court. (Data in annual reports and supplements prior to FY 1996-97 aged such cases from their filing date in superior court, and therefore excluded any time prior to transfer of such cases to superior court)

MANNER OF DISPOSITION OF SUPERIOR COURT CASES

July 1, 2005 — June 30, 2006

	<u>Jury Trial</u>	<u>Judge Trial</u>	<u>Voluntary Dismissal</u>	<u>Final Order/ Judgment Without Trial</u>	<u>Clerk</u>	<u>Other</u>
Civil Cases	439	3,252	14,431	3,365	2,967	3,800
Contract	46	710	3,452	585	768	834
Collect on Accounts	5	286	1,117	364	1,448	455
Motor Vehicle Negligence	235	379	4,881	294	14	639
Other Negligence	63	229	1,856	240	9	507
Real Property	26	362	280	413	8	138
Administrative Appeal	0	83	96	38	0	66
Other	64	1,203	2,749	1,431	720	1,161
	<u>Jury Trial</u>	<u>Guilty Plea</u>		<u>DA Dismissal</u>		
		<u>to Lesser Offense</u>	<u>to Charged Offense</u>	<u>With Leave</u>	<u>Without Leave*</u>	<u>Other**</u>
Criminal Cases	2,570	12,025	59,008	5,372	46,023	18,270
Felonies	1,861	11,557	49,117	3,498	33,407	2,753
Murder	109	269	115	6	104	15
Manslaughter	11	13	51	2	20	2
Rape and First Degree Sex Offense	124	205	494	23	795	33
Other Sex Offenses	164	104	1,123	32	865	39
Robbery	166	1,150	1,948	77	1,255	36
Assault	152	800	888	49	1,022	52
Burglary and Breaking or Entering	114	1,693	8,709	387	3,083	96
Larceny	48	1,010	3,762	317	2,853	71
Arson and Burnings	5	77	153	7	65	1
Forgery and Utterings	43	318	2,540	142	1,567	43
Fraudulent Activity	109	633	5,623	433	4,272	96
Controlled Substances	362	3,610	15,230	1,330	10,008	320
Other	454	1,675	8,481	693	7,498	1,949
Misdemeanors	709	468	9,891	1,874	12,616	15,517
Impaired Driving Appeals	213	88	600	313	243	3,561
Other Motor Vehicle Appeals	50	137	1,397	440	2,105	1,782
Non-Motor Vehicle Appeals	289	140	2,860	576	3,994	5,218
Cases Originating in Superior Court	157	103	5,034	545	6,274	4,956

*"DA Dismissal Without Leave" includes Dismissals after Deferred Prosecution.

**"Other" includes Speedy Trial Dismissals.

CASELOAD INVENTORY AND MEDIAN AGES OF DISTRICT COURT CASES

July 1, 2005 — June 30, 2006

	Begin Pending	Filed	Disposed	End Pending	Median Ages (in days)	
					Disposed Cases	Pending Cases
Civil Cases	—	474,920	477,487	—	—	—
Civil Magistrate (Small Claims)	—	274,032	276,614	—	—	—
Civil District	83,288	200,888	200,873	83,303	67.0	135.0
URESА/UIFSA	212	394	337	269	121.0	144.0
Child Support (IV-D)	17,422	39,439	40,537	16,324	85.0	126.0
Child Support (Non IV-D)	9,866	6,087	7,870	8,083	405.0	472.0
Other Domestic Relations	30,827	85,126	86,727	29,226	47.0	176.0
<i>Subtotal Domestic Relations</i>	<i>58,327</i>	<i>131,046</i>	<i>135,471</i>	<i>53,902</i>	<i>56.0</i>	<i>197.0</i>
General Civil	23,185	66,004	61,527	27,662	94.0	93.0
Magistrate Appeal/Transfer	1,776	3,838	3,875	1,739	94.0	108.0
<i>Subtotal General Civil and Magistrate Appeal/Transfer</i>	<i>24,961</i>	<i>69,842</i>	<i>65,402</i>	<i>29,401</i>	<i>94.0</i>	<i>93.0</i>
Criminal Cases	—	1,661,595	1,642,070	—	—	—
Non-Motor Vehicle	232,164	648,224	655,354	225,034	81.0	90.0
Motor Vehicle	—	1,013,371	986,716	—	—	—
Infractions	—	804,335	782,187	—	—	—
Civil License Revocations	—	53,273	—	—	—	—

MANNER OF DISPOSITION OF DISTRICT COURT CASES
July 1, 2005 — June 30, 2006

	Jury <u>Trial</u>	Judge <u>Trial</u>	Voluntary <u>Dismissal</u>	Final Order/ Judgment w/o Trial	Clerk	Other
Civil Cases	198	56,065	27,953	44,014	30,888	41,755
URES/UIFSA	0	74	23	78	3	159
Child Support (IV-D)	11	9,440	5,386	15,984	64	9,652
Child Support (Non IV-D)	3	2,108	733	1,789	50	3,187
Other Domestic Relations	48	38,649	7,054	18,421	4,164	18,391
<i>Subtotal Domestic Relations</i>	<i>62</i>	<i>50,271</i>	<i>13,196</i>	<i>36,272</i>	<i>4,281</i>	<i>31,389</i>
General Civil	104	4,458	13,957	6,861	26,356	9,791
Magistrate Appeal/Transfer	32	1,336	800	881	251	575
<i>Subtotal General Civil and Magistrate Appeal/Transfer</i>	<i>136</i>	<i>5,794</i>	<i>14,757</i>	<i>7,742</i>	<i>26,607</i>	<i>10,366</i>

Probable Cause Matters (Felonies)

	<u>Waiver</u>	Guilty Plea*	<u>Trial</u>	<u>DA Dismissal</u>		Other	<u>Probable Cause Matters (Felonies)</u>				Total
				With Leave	Without Leave**		Heard and Bound Over	Probable Cause Not Found	Probable Cause Waived	Super- ceding Indictment	
Criminal Cases											
Non-Motor Vehicle	21,615	187,892	25,930	36,687	244,273	37,863	1,822	2,667	20,543	77,874	102,906
48 Motor Vehicle	<u>Waiver:</u>	137,993			<u>Non-Waiver:</u>	848,723					
Infractions	<u>Waiver:</u>	388,797			<u>Non-Waiver:</u>	393,390					

*Guilty Plea includes Guilty Plea Before a Magistrate and Guilty Plea/No Contest.

**DA Dismissal Without Leave includes Dismissals after Deferred Prosecution.

MATTERS ALLEGED IN JUVENILE PETITIONS

	2003-04	2004-05	2005-06
Delinquent Offenses	24,537	25,652	25,232
Capital	3	13	8
Other Felony	6,972	7,203	7,181
Misdemeanor	17,562	18,436	18,043
Undisciplined Offenses	4,836	4,686	4,742
Truancy	794	701	747
Other*	4,042	3,985	3,995
Juvenile Conditions	12,947	13,970	14,022
Dependent	3,621	3,841	3,931
Neglected	5,853	6,510	6,770
Abused	1,199	1,343	1,149
Parental Rights Petition	2,274	2,276	2,172
Total Petitions	42,320	44,308	43,996
Children before Court for First Time	17,190	18,006	17,843

*Some examples of other undisciplined offenses include regular disobedience beyond parental control, regular presence in places where it is unlawful for juveniles to be, and running away from home.

ADJUDICATORY HEARINGS FOR JUVENILE MATTERS

	Retained			Dismissed			Total		
	2003-04	2004-05	2005-06	2003-04	2004-05	2005-06	2003-04	2004-05	2005-06
Delinquency Hearings	16,216	17,246	15,803	9,467	10,510	10,734	25,683	27,756	26,537
Undisciplined Hearings	2,510	2,446	2,304	1,059	1,082	1,127	3,569	3,528	3,431
Dependency Hearings	3,924	4,435	4,794	752	745	943	4,676	5,180	5,737
Neglect Hearings	6,094	6,443	7,444	1,193	1,287	1,422	7,287	7,730	8,866
Abuse Hearings	924	1,009	991	336	360	409	1,260	1,369	1,400

	2003-04	2004-05	2005-06
Parental Rights Terminated	1,679	1,806	1,781
Terminated	287	356	347
Total	1,966	2,162	2,128

	2003-04	2004-05	2005-06
Total Adjudicatory Hearings for Juvenile Matters	44,441	47,725	48,099

PART III, Section 3

Special Programs Data

- **Arbitration**
- **Child Custody and Visitation
Mediation**
- **Mediated Settlement Conferences**
- **Family Financial Settlement
Procedures**
- **Drug Treatment Court**
- **Sentencing Services**

SPECIAL PROGRAMS DATA

This section presents data on six special programs of the N.C. Judicial Branch. The cases reported in these tables do not represent cases *in addition* to those reported in the trial courts section, but rather special programs (mostly alternative dispute resolution programs) for how certain types of cases are disposed or handled. The cases are set out separately here to summarize the program activity of six programs -- arbitration, custody mediation, mediated settlement conferences, family financial settlement procedures, drug treatment court, and sentencing services-- all of which are discussed in more detail in the description of the present court system in Part I.

ARBITRATION ACTIVITY*
July 1, 2005 – June 30, 2006

	<u>Cases Noticed for Arbitration</u>			Cases Arbitrated	<u>Summary of De Novo Appeal Activity</u>			
	District Court	Superior Court	Total		Appeals Filed	Trials	Dismissal/ Other	Pending 6/30/2006
District 1**								
Camden	1	0	1	0	0	0	0	0
Chowan	0	0	0	0	0	0	0	0
Currituck	11	0	11	5	0	0	0	0
Dare	14	0	14	12	0	0	0	0
Gates	2	0	2	4	0	0	0	0
Pasquotank	9	0	9	2	0	0	0	0
Perquimans	0	0	0	0	0	0	0	0
District Totals	37	0	37	23	0	0	0	0
District 3A								
Pitt	33	0	33	18	5	3	1	1
District 3B								
Carteret	26	0	26	14	7	0	3	9
Craven	48	0	48	24	8	4	0	6
Pamlico	12	0	12	9	2	0	1	2
District Totals	86	0	86	47	17	4	4	17
District 5								
New Hanover	292	0	292	120	40	18	14	8
Pender	51	0	51	15	6	1	1	4
District Totals	343	0	343	135	46	19	15	12
District 6A								
Halifax	20	0	20	12	4	1	1	2
District 8A								
Greene	5	0	5	1	0	0	0	0
Lenoir	28	0	28	20	4	2	2	0
District Totals	33	0	33	21	4	2	2	0
District 8B								
Wayne	76	0	76	41	11	7	0	4
District 10								
Wake	465	0	465	298	70	10	36	24
District 12								
Cumberland	879	0	879	240	50	12	30	8
District 13								
Bladen	12	0	12	3	0	0	0	0
Columbus	35	0	35	19	6	1	3	2
Brunswick	57	0	57	34	4	2	2	0
District Totals	104	0	104	56	10	3	5	2
District 14								
Durham	258	3	261	207	35	7	12	16
District 15A								
Alamance	37	0	37	27	5	1	0	4
District 15B								
Orange	58	0	58	26	10	6	3	1
Chatham	17	0	17	6	0	0	0	0
District Totals	75	0	75	32	10	6	3	1

Arbitration Activity, July 1, 2005 – June 30, 2006

	<u>Cases Noticed for Arbitration</u>			<u>Cases Arbitrated</u>	<u>Summary of De Novo Appeal Activity</u>			
	<u>District Court</u>	<u>Superior Court</u>	<u>Total</u>		<u>Appeals Filed</u>	<u>Trials</u>	<u>Dismissal/Other</u>	<u>Pending 6/30/2006</u>
District 16A								
Hoke	5	0	5	6	1	0	0	1
Scotland	10	0	10	8	1	0	0	1
District Totals	15	0	15	14	2	0	0	2
District 16B								
Robeson	11	0	11	6	0	0	0	0
District 17A								
Rockingham	35	0	35	10	7	3	2	2
District 18								
Guilford	231	0	231	164	19	4	7	8
District 19B								
Montgomery	0	0	0	3	0	0	0	0
Randolph	3	0	3	0	1	0	0	1
District Totals	3	0	3	3	1	0	0	1
District 19C								
Rowan	63	0	63	52	14	3	3	8
District 19D								
Moore	1	0	1	0	0	0	0	0
District 20								
Anson	9	0	9	8	3	1	0	2
Richmond	16	0	16	12	6	1	2	3
Stanly	51	0	51	27	6	3	3	0
Union	70	0	70	52	11	5	0	7
District Totals	146	0	146	99	26	10	5	12
District 21								
Forsyth	1,164	3	1,167	772	43	10	22	11
District 22								
Davidson	37	0	37	30	2	1	0	1
Iredell	46	0	46	26	6	2	0	4
Davie	7	0	7	7	0	0	0	0
Alexander	5	0	5	1	0	0	0	0
District Totals	95	0	95	64	8	3	0	5
District 23								
Alleghany	10	0	10	3	1	0	0	1
Ashe	9	0	9	6	3	1	0	2
Wilkes	35	0	35	21	6	2	2	2
Yadkin	29	0	29	7	3	0	1	2
District Totals	83	0	83	37	13	3	3	7
District 24								
Watauga	21	0	21	13	4	0	1	3
Avery	5	0	5	3	2	1	0	1
Mitchell	4	0	4	2	0	0	0	0
Yancey	2	0	2	1	0	0	0	0
Madison	5	0	5	4	1	0	1	0
District Totals	37	0	37	23	7	1	2	4

Arbitration Activity, July 1, 2005 – June 30, 2006

	<u>Cases Noticed for Arbitration</u>			Cases Arbitrated	<u>Summary of De Novo Appeal Activity</u>			
	District Court	Superior Court	Total		Appeals Filed	Trials	Dismissal/ Other	Pending 6/30/2006
District 25A								
Burke	35	0	35	23	7	3	1	3
Caldwell	52	0	52	22	7	3	2	2
District Totals	87	0	87	45	14	6	3	5
District 25B								
Catawba	109	0	109	59	17	2	12	3
District 26***								
Mecklenburg	804	0	804	614	0	0	0	0
District 27A								
Gaston	96	3	99	92	35	7	25	3
District 27B								
Cleveland	51	0	51	28	7	1	3	3
Lincoln	50	0	50	32	8	3	3	2
District Totals	101	0	101	60	15	4	6	5
District 29A								
McDowell	3	1	4	2	3	1	0	2
Rutherford	13	1	14	6	13	5	2	6
District Totals	16	2	18	8	16	6	2	8
District 29B***								
Polk	9	0	9	4	0	0	0	0
Henderson	44	0	44	38	0	0	0	0
Transylvania	11	0	11	12	0	0	0	0
District Totals	64	0	64	54	0	0	0	0
District 30A								
Cherokee	9	0	9	8	4	0	3	1
Clay	5	0	5	3	1	1	0	0
Graham	2	0	2	2	1	1	0	0
Macon	14	0	14	10	3	2	1	0
Swain	6	0	6	0	0	0	0	0
District Totals	36	0	36	23	9	4	4	1
District 30B								
Haywood	13	0	13	4	2	1	0	1
Jackson	27	0	27	16	5	4	1	0
District Totals	40	0	40	20	7	5	1	1
TOTALS	5,683	11	5,694	3,376	520	146	206	177

*Of the 3,376 cases arbitrated, 520, or 15.4% of these cases were appealed.

**District 1 report for July 2005 - February 2006 did not contain trial de novo data.

***Reports for Districts 26 and 29B did not contain trial de novo data.

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY

July 1, 2005 – June 30, 2006

	Cases Pending 7/1/05	Cases Referred	Total Caseload	Parenting Agreement Drafted	Parenting Agreement Signed	Cases Mediated ***	Cases Not Mediated ****	Cases Disposed Through Mediation Office	Cases Pending 6/30/06
District 3A									
Pitt	45	161	206	88	33	138	15	153	53
District 4									
Duplin, Jones, Onslow, Sampson	39	348	387	158	133	257	86	343	44
District 5									
New Hanover, Pender	48	532	580	155	71	301	241	542	38
District 6A									
Halifax	10	76	86	36	30	61	18	79	7
District 6B									
Bertie, Hertford, Northampton	20	70	90	22	15	35	36	71	19
District 8									
Greene, Lenoir, Wayne	37	178	215	63	38	129	49	178	37
District 9									
Franklin, Granville, Vance, Warren	15	150	165	62	41	117	23	140	25
District 9A									
Caswell, Person	6	42	48	20	10	40	4	44	4
District 10									
Wake	118	912	1,030	282	234	506	385	891	139
District 11*									
Harnett, Johnston, Lee	40	540	580	121		233	298	531	49
District 12									
Cumberland	110	1,215	1,325	310	200	468	677	1,145	180

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY

July 1, 2005 – June 30, 2006

	Cases Pending 7/1/05	Cases Referred	Total Caseload	Parenting Agreement Drafted	Parenting Agreement Signed	Cases Mediated ***	Cases Not Mediated ****	Cases Disposed Through Mediation Office	Cases Pending 6/30/06
District 13 Bladen, Brunswick, Columbus	7	326	333	267	124	299	30	329	4
District 14 Durham	30	323	353	74	54	181	147	328	25
District 14 Alamance	34	219	253	121	96	186	21	207	46
District 15B** Chatham, Orange	7	156	163	109	96	137	0	137	26
District 16A Hoke, Scotland	0	28	28	12	6	24	4	28	0
District 17A Rockingham	24	134	158	42	34	121	21	142	16
District 17B Stokes, Surry	17	134	151	33	24	111	20	131	20
District 18 Guilford	199	579	778	345	189	475	137	612	166
District 19A Cabarrus	39	148	187	101	104	143	6	149	38
District 19B Montgomery, Moore, Randolph	12	337	349	218	183	282	40	322	27
District 19C Rowan	73	259	332	154	141	247	28	275	57

CHILD CUSTODY AND VISITATION MEDIATION ACTIVITY

July 1, 2005 – June 30, 2006

	Cases Pending 7/1/05	Cases Referred	Total Caseload	Parenting Agreement Drafted	Parenting Agreement Signed	Cases Mediated ***	Cases Not Mediated ****	Cases Disposed Through Mediation Office	Cases Pending 6/30/06
District 20									
Anson, Richmond, Stanly, Union	54	374	428	169	106	234	92	326	102
District 21									
Forsyth	26	303	329	119	85	215	69	284	45
District 23									
Alleghany, Ashe, Wilkes, Yadkin	25	161	186	90	67	125	35	160	26
District 25									
Burke, Caldwell, Catawba	63	770	833	276	204	481	282	763	70
District 26									
Mecklenburg	11	1,425	1,436	388	239	678	579	1,257	179
District 27A									
Gaston	44	224	268	86	51	167	38	205	63
District 27B									
Cleveland, Lincoln	14	144	158	41	31	93	20	113	45
District 28									
Buncombe	133	439	572	145	79	225	186	411	161
TOTALS	1,300	10,707	12,007	4,107	2,718	6,709	3,587	10,296	1,711

*District 11 agreements are generally signed in the attorneys' offices, not in the mediation office. Therefore, the mediation staff cannot capture accurate numbers on signed agreements.

**Begin pending numbers for District 15B have been adjusted.

*** Cases mediated includes one face to face session with both parties. Mediation outcomes include full permanent parenting agreements, temporary agreements, partial agreements or modified agreements. Mediation sessions may also result in no signed agreements, or determinations that mediation is inappropriate (documented domestic violence, serious substance abuse, etc.). These numbers do not include orientation sessions.

**** Cases not mediated includes a party's failure to appear, a voluntary dismissal, court exemption, inappropriate cases (domestic violence, serious substance abuse, etc.), or consent order signed in lieu of a parenting agreement. In most districts, parties living 50 miles or more from the district are exempt from mediation.

MEDIATED SETTLEMENT CONFERENCES CASES
July 1, 2005 – June 30, 2006

Districts	Begin Pending	Submitted to Mediation	Ordered Removed	Disposed without Session	Resolved through Conference	Not Resolved through Conference	End Pending
1	79	192	12	19	55	41	144
2*	127	45	4	40	16	32	80
3A	163	146	0	26	48	55	180
3B	465	168	3	31	49	67	483
4A*	200	58	0	11	13	15	219
4B	39	53	0	5	23	13	51
5	875	364	10	126	84	48	971
6A	13	37	2	7	10	15	16
6B***	30	80	7	31	19	14	39
7A	369	154	10	21	45	10	437
7B	141	207	16	72	78	64	118
7C	46	68	5	32	10	21	46
8A	21	88	4	49	12	18	26
8B	54	105	10	30	45	26	48
9	267	190	0	69	76	42	270
9A*****	0	0	0	0	0	0	0
10	565	1,065	36	444	315	262	573
11A	82	210	4	80	59	39	110
11B	368	439	18	295	82	84	328
12	134	424	55	172	115	88	128
13	332	251	0	147	69	51	316
14*	719	441	12	30	92	92	934
15A	74	166	13	25	61	57	84
15B****	151	138	4	58	50	30	147
16A*	39	33	2	18	12	13	27
16B	45	48	0	3	44	15	31
17A	32	76	8	17	26	14	43
17B	92	120	18	36	40	45	73
18	476	753	56	96	240	244	593
19A	103	160	2	52	51	48	110
19B*	58	123	9	41	46	33	52
19C	228	167	0	48	42	48	257
19D*****	184	0	0	0	0	0	184
20A*	84	86	2	35	37	33	63
20B*	116	114	12	31	51	57	79
21	485	417	0	51	174	111	566
22	949	335	4	70	169	86	955
23*	91	136	2	53	52	46	74
24*****	0	0	0	0	0	0	0
25A	60	152	6	46	51	39	70
25B	223	276	8	78	97	54	262
26*	550	1,786	8	631	556	461	680
27A*****	260	0	0	0	0	0	260
27B*	81	185	6	34	69	48	109
28*****	380	0	0	0	0	0	380
29A**	288	136	1	78	64	41	240
29B**	0	87	7	37	26	15	2
30A	97	114	4	59	17	12	119
30B	67	93	1	39	32	34	54
TOTALS	10,302	10,486	381	3,373	3,322	2,681	11,031

*Pending numbers have been adjusted for Districts 2, 4A, 14, 16A, 19B, 20A, 20B, 23, 26, and 27B.

**District 29 was split into 29A and 29B effective December 1, 2005. District 20 was split into 20A and 20B effective January 2006.

No data reported for District 20A and begin pending numbers have been adjusted.

***Districts 6B reported data for July 2005 through May 2006.

****District 15B reported data for July 2005 through February 2006.

*****No data reported for Districts 9A, 19D, 24, 27A, and 28.

FAMILY FINANCIAL SETTLEMENT PROCEDURES CASES
July 1, 2005 – June 30, 2006

Districts	Begin Pending	Ordered to Mediation	Voluntarily Submitted to Mediation	Submitted to other Settle. Proced.	Ordered Removed from Settle. Proced.	Disposed without Settle. Proced.	Resolved through Settle. Proced.	Partially Resolved through Settle. Proced.	Not Resolved through Settle. Proced.	End Pending
5*	101	169	0	0	0	16	17	2	28	207
6A	0	17	0	1	0	3	5	0	2	8
8	11	44	0	0	0	21	8	0	12	14
9	33	2	1	0	0	0	3	0	1	32
12*	577	270	0	139	91	151	13	1	33	697
14	34	42	0	38	0	18	23	10	39	24
17A	16	59	1	0	1	13	34	0	9	19
19A	85	136	4	0	1	106	12	0	5	101
20A**	35	16	19	0	0	11	24	1	5	29
20B**	44	59	0	0	2	12	27	2	10	50
23	31	41	6	0	10	23	21	0	2	22
24	46	62	17	0	0	25	49	10	6	35
25*	91	158	48	2	35	53	31	15	35	130
26	90	63	0	141	1	10	92	9	49	133
28***	63	43	10	0	3	11	14	2	6	80
30*	36	71	0	0	0	8	23	8	14	54
TOTALS	1,293	1,252	106	321	144	481	396	60	256	1,635

*Pending numbers have been adjusted for Districts 5, 12, 25, and 30.

**District 20 was split into 20A and 20B effective January 2006.

***District 28 data was reported for January, February, and March 2006.

DRUG TREATMENT COURT ACTIVITY
July 1, 2005 – June 30, 2006

District	Number Served ¹	Type of Drug Treatment Court (DTC)	Number of Exits ²	Of Exits, Percent Graduated	Of Exits, Percent Accessed More than Six Months of Treatment
District 3A					
Pitt	28	Post-sentence Adult DTC*	0	—	—
District 3B					
Carteret	20	Post-sentence Adult Superior DTC	10	40%	70%
Craven	28	Post-sentence Adult Superior DTC	15	40%	73%
District 5					
New Hanover	89	Post-sentence Adult DTC	46	43%	70%
District 6					
Halifax	4	Family DTC*	0	—	—
District 8					
Wayne	17	Family DTC*	0	—	—
District 9A					
Person/Caswell	56	Post-sentence Adult DTC	39	31%	54%
District 10					
Wake	37	Post-sentence Adult DTC	19	37%	79%
	11	Post-adjudication Youth DTC	2	0%	100%
District 12					
Cumberland	26	Pre-plea and Post-sentence Adult DTC	12	17%	58%
	8	Family DTC*	0	—	—
District 14					
Durham	39	Post-sentence Adult DTC	16	44%	75%
	31	Post-adjudication Youth DTC	12	25%	92%
	26	Family DTC	9	33%	89%
District 15B					
Orange	24	Post-sentence Adult DTC	17	41%	59%
	13	Family DTC	5	20%	20%
District 18					
Guilford	47	Pre-plea Adult DTC	29	48%	79%
District 19B					
Randolph	24	Post-sentence Adult DTC	11	45%	91%
District 19C					
Rowan	26	Post-adjudication Youth DTC	13	62%	85%
District 21					
Forsyth	48	Post-sentence Adult DTC	15	67%	87%
	28	Post-adjudication Youth DTC	9	78%	100%
District 24					
Avery/Watauga	14	Post-sentence Adult DTC*	2	—	—
District 25					
Catawba	42	Post-sentence Adult DTC	17	59%	88%

DRUG TREATMENT COURT ACTIVITY, July 1, 2005 – June 30, 2006

District	Number Served ¹	Type of Drug Treatment Court	Number of Exits ²	Of Exits, Percent Graduated	Of Exits, Percent Accessed More than Six Months of Treatment
District 26					
Mecklenburg	66	Pre-sentence (District A)	44	55%	73%
	64	Pre-sentence (District B)	35	31%	63%
	61	Post-sentence (DWIC)	23	65%	78%
	70	Post-sentence (DWID)	32	41%	72%
	76	Post-sentence Superior	51	25%	43%
	176	Family DTC Level I ³	—	—	—
	60	Family DTC Level II	36	31%	33%
	38	Post-adjudication Youth DTC	26	23%	69%
District 28					
Buncombe	68	Post-sentence Adult Superior DTC	31	55%	77%
	7	Family DTC*	0	—	—
		TOTAL NUMBER SERVED	TOTAL NUMBER OF EXITS		
		ADULT	464		
		YOUTH	62		
		FAMILY	50		
		TOTAL	576		

¹The "Number Served" represents the number of participants who were active in court, or receiving court-ordered treatment for at least one day during the fiscal year.

²The "Number of Exits" represents participants who successfully graduated or who terminated from the program as "unsuccessful" during the fiscal year.

³Graduation is not part of the Mecklenburg Family DTC Level I model.

*This court is one of six new courts implemented within the fiscal year.

SENTENCING SERVICES PROGRAMS

(as of June 30, 2006)

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05	2005-2006
1	Camden	Plans Opened	61	32 ³	60	10 ⁷	18	1 ⁸
	Chowan	Plans Prepared	51	19	44	4	13	0
	Currituck	Plans Presented to Court	51	17	44	5	13	0
	Dare							
	Gates							
	Pasquotank Perquimans							
2	Beaufort	Plans Opened	76	89	30	40	29	1 ⁸
	Hyde	Plans Prepared	36	50	44	38	19	5
	Martin	Plans Presented to Court	35	49	44	36	19	5
	Tyrrell							
	Washington							
3A	Pitt	Plans Opened	122	126 ⁴	34	48	30	2 ⁸
		Plans Prepared	48	70	26	33	35	0
		Plans Presented to Court	41	65	20	32	35	0
3B	Carteret	Plans Opened	112	127	106	123	51	38
	Craven	Plans Prepared	43	40	38	53	40	29
	Pamlico	Plans Presented to Court	43	39	37	52	39	28
4A & 4B	Duplin	Plans Opened	150	138	96	92	89	107
	Jones	Plans Prepared	64	90	75	50	48	72
	Onslow	Plans Presented to Court	54	78	71	50	50	72
	Sampson							
5	New Hanover	Plans Opened	152	141	79	107	95	64
	Pender	Plans Prepared	104	101	75	71	67	29
		Plans Presented to Court	102	98	74	70	67	29

SENTENCING SERVICES PROGRAMS, as of June 30, 2006

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
6A & 6B	Halifax	Plans Opened	61	62	31 ⁶	59	37	38
	Bertie	Plans Prepared	46	55	31	57	37	32
	Hertford Northampton	Plans Presented to Court	46	54	30	57	37	32
7A & 7B	Edgecombe	Plans Opened	77	62	73	47	79	80
	Nash	Plans Prepared	55	64	54	39	61	60
	Wilson	Plans Presented to Court	54	64	52	39	61	60
8A & 8B	Greene	Plans Opened	85	96 ⁴	81	47	56	50
	Lenoir	Plans Prepared	43	45	35	35	47	39
	Wayne	Plans Presented to Court	43	39	34	35	47	39
9	Franklin	Plans Opened	54	33	32	32	27	0 ⁸
	Granville	Plans Prepared	54	32	33	31	26	0
	Vance	Plans Presented to Court	54	31	33	27	25	0
	Warren							
9A	Caswell	Plans Opened	88	56	41	38	27	42
	Person	Plans Prepared	62	35	31	46	32	34
		Plans Presented to Court	62	34	31	46	32	34
10	Wake	Plans Opened	72	99	89	124	102	61
		Plans Prepared	52	78	52	84	94	68
		Plans Presented to Court	47	72	51	84	94	68
11A & 11B	Harnett	Plans Opened	114	128	66	98	85	81
	Johnston	Plans Prepared	124	110	97	107	94	86
	Lee	Plans Presented to Court	124	108	96	107	94	86
12	Cumberland	Plans Opened	127	124	54	74	65	52
		Plans Prepared	96	91	72	51	55	42
		Plans Presented to Court	90	88	69	51	55	42
13	Bladen	Plans Opened	49 ¹	98	79	96	113	115
	Brunswick	Plans Prepared	41	58	54	74	87	101
	Columbus	Plans Presented to Court	41	56	53	74	87	101

SENTENCING SERVICES PROGRAMS, as of June 30, 2006

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
14	Durham	Plans Opened	288	378	112	158	147	125
		Plans Prepared	109	136	105	100	108	95
		Plans Presented to Court	106	133	104	101	108	95
15A	Alamance	Plans Opened	122	106	68	80	59	34
		Plans Prepared	88	71	57	74	43	23
		Plans Presented to Court	80	62	57	73	43	22
15B	Chatham Orange	Plans Opened	62	66	57	69	69	58
		Plans Prepared	50	60	51	60	70	56
		Plans Presented to Court	47	55	49	58	69	54
16A	Hoke Scotland	Plans Opened	56	74	42	62	32	65
		Plans Prepared	31	49	34	20	38	54
		Plans Presented to Court	29	48	34	20	38	54
16B	Robeson	Plans Opened	38	43 ⁴	53 ⁵	26	8	- ⁹
		Plans Prepared	42	29	22	30	14	-
		Plans Presented to Court	28	27	24	29	10	-
17A	Rockingham	Plans Opened	68	113	79	51	49	51
		Plans Prepared	43	101	94	53	48	49
		Plans Presented to Court	43	87	87	49	45	47
17B	Stokes Surry	Plans Opened	35	27	28	42	40	17
		Plans Prepared	27	29	24	46	50	15
		Plans Presented to Court	27	28	24	42	46	15
18	Guilford	Plans Opened	197	168	117	131	112	89
		Plans Prepared	87	92	70	74	80	50
		Plans Presented to Court	77	86	67	74	80	50
19A	Cabarrus	Plans Opened	66	114	47	87	72	34
		Plans Prepared	40	88	46	72	63	26
		Plans Presented to Court	40	88	46	72	63	26

SENTENCING SERVICES PROGRAMS, as of June 30, 2006

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
19B & 19D	Montgomery Moore Randolph	Plans Opened	33	35 ²	24	18 ⁷	50	62
		Plans Prepared	15	29	23	5	32	35
		Plans Presented to Court	14	29	23	5	31	35
19C	Rowan	Plans Opened	73	73	26	36	46	2 ⁸
		Plans Prepared	53	51	39	28	31	3
		Plans Presented to Court	53	51	39	28	31	3
20A & 20B	Anson Richmond Stanly Union	Plans Opened	31	51 ⁴	38	62	34	0 ⁸
		Plans Prepared	22	41	41	40	30	0
		Plans Presented to Court	19	39	40	40	28	0
21	Forsyth	Plans Opened	80	49 ³	0 ⁵	23	45	0 ⁸
		Plans Prepared	56	33	0	18	48	0
		Plans Presented to Court	47	32	0	18	46	0
22	Alexander Davidson	Plans Opened	61	45	68	114	82	118
		Plans Prepared	40	23	31	47	47	64
		Plans Presented to Court	36	22	31	45	45	59
23	Alleghany Ashe Wilkes Yadkin	Plans Opened	40	26 ⁴	28	36	51	41
		Plans Prepared	34	23	33	25	49	40
		Plans Presented to Court	34	23	33	25	49	40
24	Avery Madison Mitchell Watauga Yancey	Plans Opened	29	52 ⁴	67	66	61	56
		Plans Prepared	24	26 ²	38	41	56	43
		Plans Presented to Court	21	19	38	40	56	43
25A & 25B	Burke Caldwell Catawba	Plans Opened	124	97 ⁴	71	78	68	95
		Plans Prepared	99	70	81	57	62	76
		Plans Presented to Court	88	65	64	56	62	76
26	Mecklenburg	Plans Opened	207 ²	165	74	91	197	160
		Plans Prepared	142	129	78	79	168	124
		Plans Presented to Court	136	124	77	79	168	124

SENTENCING SERVICES PROGRAMS, as of June 30, 2006

Districts	Counties Served	Program Activity	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06
27A & 27B	Gaston	Plans Opened	106	104 ⁴	61	133	99	59
	Cleveland	Plans Prepared	99	101	57	104	83	65
	Lincoln	Plans Presented to Court	97	98	56	104	89	65
28	Buncombe	Plans Opened	78	52	35	45	38	5 ⁸
		Plans Prepared	67	59	29	45	38	6
		Plans Presented to Court	67	59	29	45	37	6
29	Henderson	Plans Opened	57	78	45	61	38	22
	McDowell	Plans Prepared	45	63	38	46	52	25
	Polk	Plans Presented to Court	40	57	33	46	52	25
	Rutherford Transylvania							
30A & 30B	Cherokee	Plans Opened	38	52	30	15	19	2 ⁸
	Clay	Plans Prepared	37	32	18	19	18	0
	Graham	Plans Presented to Court	33	31	18	18	18	0
	Haywood Jackson Swain							
STATE TOTALS		Plans Opened	3,289	3,379	2,121	2,519	2,319	1,827
		Plans Prepared	2,169	2,273	1,770	1,856	1,983	1,446
		Plans Presented to Court	2,049	2,155	1,712	1,832	1,969	1,435

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¹ Startup funding was awarded during this fiscal year for the program to this district. Services began or were enhanced the following fiscal year.

² There was a change to service provider for this district during this fiscal year.

³ This program did not submit data for the months of May and June 2002.

⁴ This program did not submit data for the month of June 2002.

⁵ This program closed & reopened under a new service provider during the 2nd half of the fiscal year.

⁶ This program didn't submit data from October-December of 2002 due to office closed.

⁷ Programs were not staff for several months.

⁸ Programs closed on August 31, 2005 due to Legislative funding cut.

⁹ District 16B was combined with 16A on August, 2005 due to Legislative funding cuts.