

Overview of the NC Court System: Structure of the Courts¹

North Carolina's courts, like those of most states and the federal government, consist of two main levels:

- **Trial courts** handle disputes and enforce the law. In NC, these consist of District Courts and Superior Courts. **District Courts** handle misdemeanors, smaller civil suits, and other disputes, such as divorces. **Superior Courts** handle felonies and larger civil suits, including electoral disputes. There are 256 district court judges and 109 superior court judges, as well as 100 clerks of the court and almost 700 magistrates (full-time equivalent; see the diagram on the following page).
- **Appellate courts** consider appeals that arise out of cases before the trial courts. NC's appellate courts consist of the 12-judge **Court of Appeals** (15-judge until this year) and the 7-judge **NC Supreme Court**.

The NC court system, officially called the **General Court of Justice**, is a unified system, meaning there are no longer county- or municipal-run courts. The NC Administrative Office of the Courts manages the state's court system, overseeing matters such as finance and judicial rotation, but is not involved in resolving cases.

North Carolina's unified court system was established by a constitutional amendment, adopted by citizen referendum in 1962. This reform replaced a complex and overlapping system of local, county, and state courts that differed from county to county. The report of the Bell Commission, issued in 1955, led to an 8-year effort culminating in legislative action to adopt the amendment.

More recently, several special courts and court programs have been created within the Superior and District Court Divisions to respond to special needs for non-traditional dispute resolution and to improve court outcomes, such as Misdemeanor Diversion programs, Drug Treatment Courts, Truancy Courts, and Veterans Courts. The trial court judges preside over these courts, assisted by the

What is the Court's job?

Magna Carta: *To no one will we sell, to no one deny or delay right or justice.*

English Crown 1660s: *courts should 'do equal justice to all men to the best of their skill and judgment, without corruption, favor or affection.'*

NC Constitution: *Right and justice shall be administered without favor, denial and delay.*

¹This is a draft League document prepared for ongoing League work on judicial reform. Author: Dr. Jennifer Bremer, State Coordinator for Fair Elections. Not for quotation. Comments welcome.

magistrates and social service professionals from state agencies.

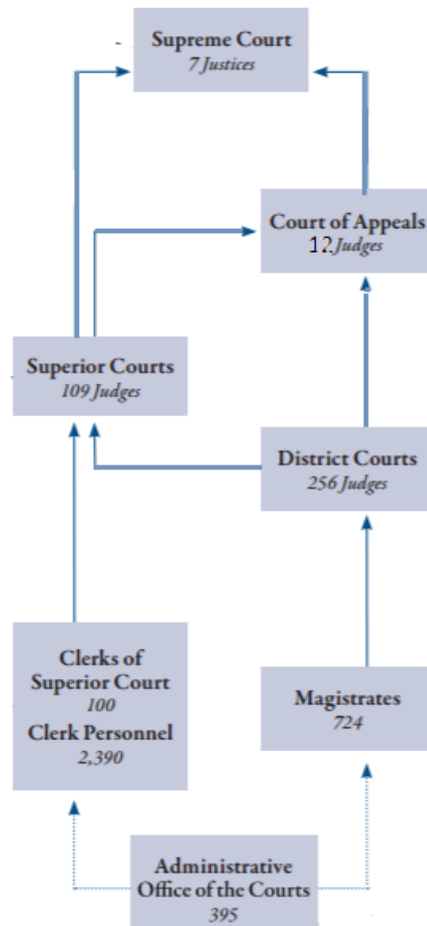
In addition to the judiciary, NC's 44 District Attorneys function as officers of the court. They report to the NC Attorney General, are supported by Assistant District Attorneys, and represent the state in civil and criminal matters.

The current unified system is made up of approximately 40 Superior Court, District Court, and District Attorney districts, organized into eight divisions. Originally, each set of districts was coterminous with the others, so that the set of courts and DAs in each district all covered the same territory. Over the intervening 60 years, however, a patchwork of changes were made for various reasons (including politics!), splitting some districts and moving the boundaries of others, eroding this symmetry. This situation is one of the main justifications given for the judicial redistricting plan adopted by the House this year.

As of June 2016, the NC Court System administered by the AOC had more than 6,000 full-time equivalent positions supported by all funding sources (not including public defenders) and a state-appropriated budget of \$485 million in 2015-16, 2.23% of the total State General Fund Budget.

As services have expanded and the legislature has limited state funds for court operations, counties have had to provide additional funding for some programs. For example, Orange County has budgeted \$70,000 for court operations and an additional \$480,000 for its Criminal Justice Resource program in 2017-18; Chatham County budgeted \$584,000 for court-related expenses in FY18; Durham's budget for court operations in 2016-17 was \$476,000 (see the handout on the Durham court budget).

Counties with more limited financial resources find it difficult to meet these demands. Some smaller counties have partnered with better-resourced counties to be able to offer a wider range of services. The partnership between Chatham and Orange County is an example of such an arrangement, but not all resource-constrained counties are situated so as to be able to take advantage of such partnerships.



<http://www.nccourts.org/Citizens/Publications/nc-court-system.pdf>