

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 381
SENATE BILL 387

AN ACT TO PROVIDE ATTORNEY FEES AND COSTS TO PRINCIPALS OR
TEACHERS SUED IN CORPORAL PUNISHMENT CASES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 6 of the General Statutes is hereby amended by adding a new section following G.S. 6-21.3 to be designated G.S. 6-21.4 to read as follows:

"§ 6-21.4. Allowance of counsel fees and costs in certain cases involving principals or teachers. — In any civil action brought against a public school principal or teacher as defined in G.S. 115-146 arising or resulting from the use of corporal punishment, upon a determination that the principal or teacher has prevailed and that the plaintiff's action was frivolous or without substantial merit, the presiding judge may, in his discretion, allow a reasonable attorney fee to the duly licensed attorney representing the principal or teacher. The attorney's fee shall be taxed as part of the court costs."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 13th day of May, 1981.