

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 297

Short Title: Indigent/Capital Cases.

(Public)

Sponsors: Senators Blackmon and Gulley.

Referred to: Judiciary II/Election Laws

March 6, 1995

A BILL TO BE ENTITLED

AN ACT TO REDUCE THE COST OF PROVIDING INDIGENT REPRESENTATION
IN CRIMINAL CASES BY AUTHORIZING THE ADMINISTRATIVE OFFICER
OF THE COURTS TO CONTRACT WITH A PARTICULAR ATTORNEY OR
ATTORNEYS TO PROVIDE SPECIALIZED SERVICES ON A FULL-TIME
BASIS IN CAPITAL INDIGENT CASES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-344 reads as rewritten:

"§ 7A-344. Special duties of Director concerning representation of indigent persons.

In addition to the duties prescribed in G.S. 7A-343, the Director shall also:

- (1) Supervise and coordinate the operation of the laws and regulations concerning the assignment of legal counsel for indigent persons under Subchapter IX of this Chapter to the end that all indigent persons are adequately represented;
- (2) Advise and cooperate with the offices of the public defenders as needed to achieve maximum effectiveness in the discharge of the defender's responsibilities;
- (3) Collect data on the operation of the assigned counsel and the public defender systems, and make such recommendations to the General

- 1 Assembly for improvement in the operation of these systems as appear
2 to him to be appropriate; and
- 3 (4) Accept and utilize federal or private funds, as available, to improve
4 defense services for the indigent, including juveniles alleged to be
5 delinquent or undisciplined. To facilitate processing of juvenile cases
6 and capital indigent cases, and civil cases in which a party is entitled to
7 counsel, the administrative officer is further authorized, in any district
8 or set of districts as defined in G.S. 7A-41.1(a), with the approval of the
9 chief district court judge for cases in the district court division and the
10 approval of the senior resident superior court judge for cases in the
11 superior court division, to engage the services of a particular attorney or
12 attorneys to provide specialized representation on a full-time or part-
13 time basis."
- 14 Sec. 2. This act is effective upon ratification.