



**BETTER COURTS.
BETTER SOCIETY.**

JUSTICE INITIATIVES

EDUCATE | ADVOCATE | SUPPORT | ADVANCE

ADVOCACY FACT SHEET

Justice Initiatives, Inc. (JI) is a non-profit justice system organization formed in 2004 by a group of civic leaders, lawyers, business owners and concerned citizens in North Carolina who understand the rule of law is the bedrock of our civilized society, that a healthy court system is critical to safeguarding this foundation and that the effective and efficient administration of justice is essential to a strong, prosperous and vibrant community. JI educates the community on the importance of a healthy court system and funds innovative programs that help build public trust and confidence in our courts.

JI is dedicated to:

- a. The rule of law and effective administration of justice;
- b. Ensuring the judicial branch has the governmental funding it needs to deliver justice;
- c. Defending against actions that undermine the independence and integrity of our courts; and
- d. Fostering smarter and innovative court programs that better serve the public.

Legislative Issues and Action JI Seeks

- **HB280: Juvenile Justice Reinvestment Act** – *We support this bill, and would like an amendment to have discretionary authority on one component.*
 - North Carolina is one of two states that prosecutes 16 and 17 year-olds as adults without exception. This bill proposes to raise that age.
 - Some benefits experienced by other states who have adopted such a measure include millions of tax-payer dollars in cost savings, more parental engagement in the rehabilitative process, and broad public, bi-partisan support for the idea.
 - The bill includes a provision requiring Class A-E Felonies to be automatically transferred to Superior Court. We oppose this provision in that the transfer should instead be at the judge's discretion.
 - For more details, see:
 - The Children's Alliance Fact Sheet - <http://www.thechildrensalliance.org/news/issue-awareness/320-raise-the-age.html>
 - The UNC School of Government's Fact Sheet - <https://tinyurl.com/hg444cm>

- **HB236: NCAOC Omnibus Bill** – *We seek the inclusion of an additional section dealing with self-represented litigants (SRLs).*

The North Carolina Commission on the Administration of Law and Justice Report recommends the following to provide for the just, timely, and economical scheduling and disposition of cases:

- Forms and instructions should be improved and made available online, especially for use in small claims matters, simple divorces and landlord-tenant cases;
- Self-help kiosks or centers;
- Online court assistance;
- Online dispute resolution mechanisms; and
- Use of technology-enhanced tools and case management orders to notify SRLs early in the process of the availability of legal services and how to obtain them.



Proposed New Section: JI supports including new language in the NCAOC Omnibus Bill or other appropriate legislation that would direct the Administrative Office of the Courts to identify three judicial districts (at least one with an existing Self-Serve Center and one rural multi-county) to:

(1) study the impact self-represented litigants (SRLSs) have on the trial court, including but not limited to the impact on court management, the administration of justice, and the public, using a variety of indicators developed by the AOC, including for example, delay, public confidence, burden on court staff and the like;

(2) develop recommendations that improve access to justice for these citizens and address what policies, procedures, technology and other resources are required for local court officials to efficiently, effectively, and ethically deliver services to this population; and

(3) evaluate the performance of any existing self-help centers and/or other assistance for SRLs available in the respective districts. A study committee shall be established in each of the designated judicial districts comprised of representatives from The Equal Access to Justice Commission, Local Bar, Legal Aid, Legal Services, Local Bench, TCA's Office, Clerk's Office, Local County Manager's Office, and one or more NC Law Schools.

- **SB306: An act to subdivide Mecklenburg County district courts to mirror the superior court districts – *We oppose this bill.***
 - This bill proposes that the 26th Judicial District (Mecklenburg County) be divided into 3 judicial districts (Judicial Districts 26A, 26B, and 26C) with 7 district court judges each
 - The proposed redistricting follows:
<http://charmeck.org/mecklenburg/county/BOE/candidate/Documents/2014%20NC%20Superior%20Court%20Districts.pdf>
 - The proposed legislation is inconsistent with the recommendations set forth in the North Carolina Commission on the Administration of Law and Justice report:
 - “In order to enhance and preserve the highest degree of judicial integrity, fairness, and impartiality, the General Assembly should develop a selection process that ensures the highest caliber of judges and justices and minimizes the potential impact of campaigning and fundraising on judicial independence and public accountability.”
- If passed, SB306 would ignore the work **House Bill 124** proposes. HB124 is in line with the Courts' Commission Report and would study the current organization of the superior court, district court, and prosecutorial districts and present its final report, including any recommended changes to the current districts, to the Regular Session of the 2019 General Assembly. In undertaking this study, HB124 instructs the Courts' Commission to consider the cost of redistricting, the time needed to implement any recommended changes, and the desirability of achieving one or more of the following results: coterminous administrative districts (having the same counties in each of the superior court, district court, and prosecutorial districts); electoral parity (equal power of each vote); uniformity of election processes; and uniformity in procedures for filling vacancies of judicial officials. Thus, redistricting Mecklenburg County as proposed in SB306 is premature and contrary to the recommendations of the Courts' Commission Report.

