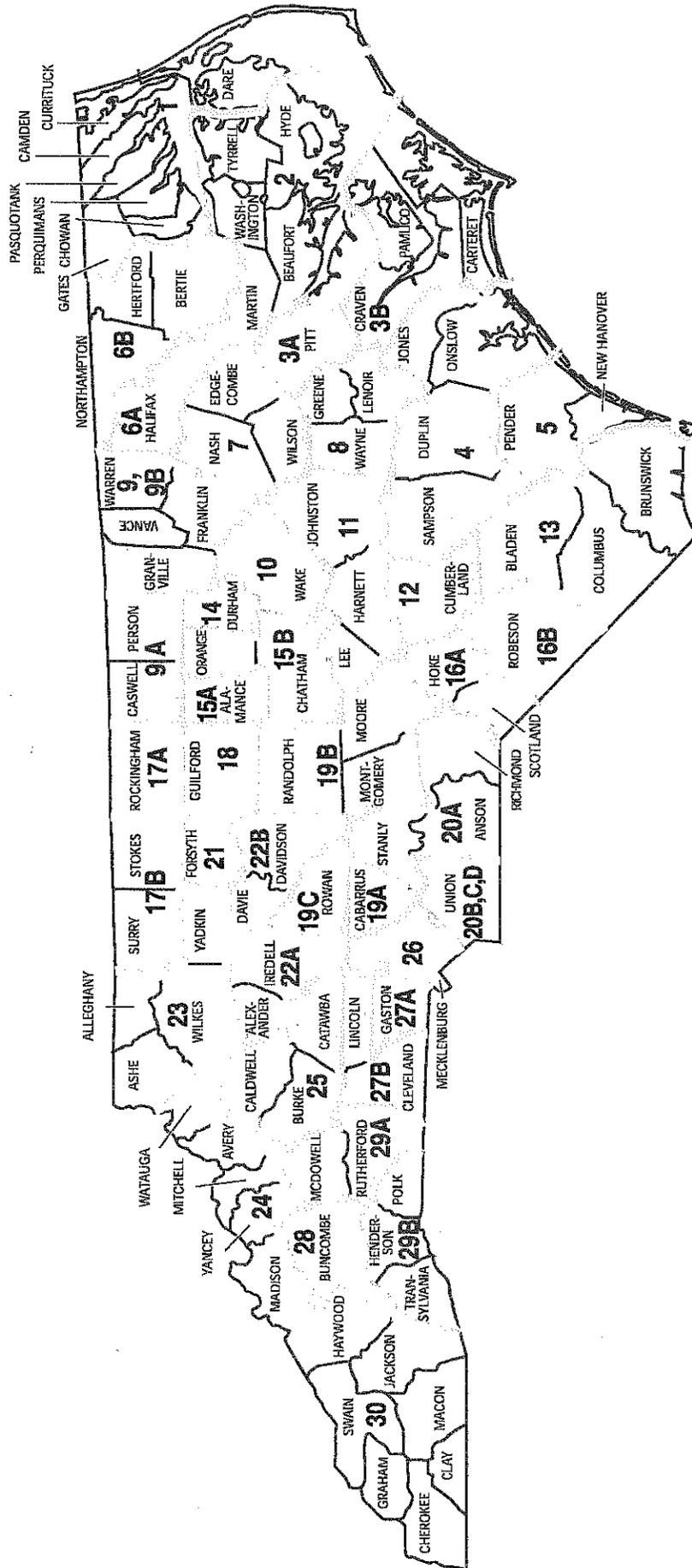


North Carolina District Court Districts

Effective January 15, 2009

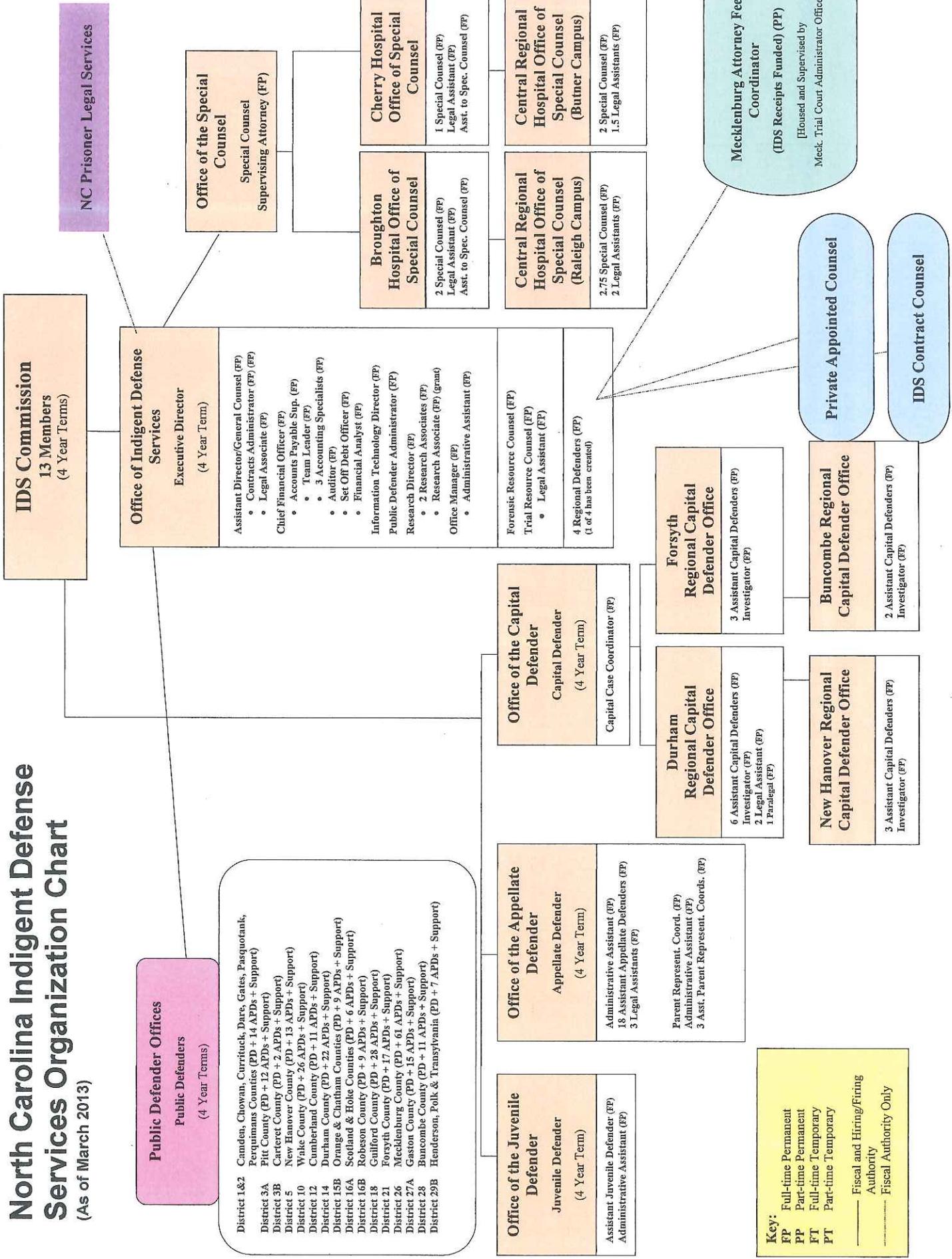


Note: Districts 9 and 9B, and districts 20B, 20C, and 20D are districts for electoral purposes only. They are combined for administrative purposes.

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North Carolina Indigent Defense Services Organization Chart

(As of March 2013)



Public Defender Offices
Public Defenders
(4 Year Terms)

- District 1&2 Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans Counties (PD + 14 APDs + Support)
- District 3A Pitt County (PD + 12 APDs + Support)
- District 3B Carteret County (PD + 2 APDs + Support)
- District 5 New Hanover County (PD + 13 APDs + Support)
- District 10 Wake County (PD + 26 APDs + Support)
- District 12 Cumberland County (PD + 11 APDs + Support)
- District 14 Durham County (PD + 22 APDs + Support)
- District 15B Orange & Chatham Counties (PD + 9 APDs + Support)
- District 16A Scotland & Hoke Counties (PD + 6 APDs + Support)
- District 16B Robeson County (PD + 9 APDs + Support)
- District 18 Guilford County (PD + 28 APDs + Support)
- District 21 Forsyth County (PD + 17 APDs + Support)
- District 26 Mecklenburg County (PD + 61 APDs + Support)
- District 27A Gaston County (PD + 15 APDs + Support)
- District 28 Buncombe County (PD + 11 APDs + Support)
- District 29B Henderson, Polk & Transylvania (PD + 7 APDs + Support)

Key:
 FP Full-time Permanent
 PP Part-time Permanent
 FT Full-time Temporary
 PT Part-time Temporary
 — Fiscal and Hiring/Firing Authority
 - - - Fiscal Authority Only

JUVENILE DEFENSE SERVICES IN NORTH CAROLINA

DISTRICT	COUNTIES	JUVENILE DEFENSE SERVICES
1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	Assistant Public Defenders, Privately assigned counsel
2	Beaufort, Hyde, Martin, Tyrell, Washington	Privately assigned counsel
3A	Pitt	Assistant Public Defenders, Privately assigned counsel
3B	Carteret, Craven, Pamlico	Assistant Public Defenders (Carteret), Privately assigned counsel
4	Duplin, Jones, Onslow, Sampson	Privately assigned counsel
5	New Hanover, Pender	Assistant Public Defenders (New Hanover), Privately assigned counsel
6A	Halifax	Privately assigned counsel
6B	Bertie, Hertford, Northampton	Privately assigned counsel
7	Edgecombe, Nash, Wilson	Privately assigned counsel
8	Greene, Lenoir, Wayne	Privately assigned counsel
9A	Caswell, Person	Privately assigned counsel
9B	Franklin, Granville, Vance, Warren	Privately assigned counsel
10	Wake	Assistant Public Defenders, Privately assigned counsel
11	Harnett, Johnston, Lee	Contract attorneys (4) (Harnett, Johnston), Privately assigned counsel
12	Cumberland	Privately assigned counsel
13	Bladen, Brunswick, Columbus	Privately assigned counsel
14	Durham	Assistant Public Defenders, UNC Law Clinic, NCCU Law Clinic, Privately assigned counsel
15A	Alamance	Privately assigned counsel
15B	Chatham, Orange	Assistant Public Defenders, UNC Law Clinic (Orange), Privately assigned counsel
16A	Hoke, Scotland	Assistant Public Defenders, Privately assigned counsel
16B	Robeson	Assistant Public Defenders, Privately assigned counsel
17A	Rockingham	Privately assigned counsel
17B	Stokes, Surry	Privately assigned counsel

Primary source of representation is listed first.

Shaded rows indicates a public defender district. Unless otherwise noted, in the public defender districts which handle delinquency cases, the public defender handles all delinquency cases except in cases of conflict.

JUVENILE DEFENSE SERVICES IN NORTH CAROLINA

DISTRICT	COUNTIES	JUVENILE DEFENSE SERVICES
18	Guilford	Greensboro: Assistant Public Defenders, Privately assigned counsel High Point: Contract attorneys (2), Privately assigned counsel
19A	Cabarrus	Privately assigned counsel
19B	Montgomery, Moore, Randolph	Privately assigned counsel
19C	Rowan	Contract attorneys (2), Privately assigned counsel
20	Anson, Richmond, Stanley	Contract attorneys (1) (Stanly County), Privately assigned counsel
20B	Union	Privately assigned counsel
21	Forsyth	Contract attorneys (2), Assistant Public Defenders, Privately assigned counsel
22	Alexander, Davidson, Davie, Iredell	Contract attorneys (3) (Alexander, Davie, Iredell Counties) Privately assigned counsel
23	Alleghany, Ashe, Wilkes, Yadkin	Contract attorney (Yadkin), Privately assigned counsel
24	Avery, Madison, Mitchell, Watauga, Yancey	Contract attorneys (6), Privately assigned counsel
25	Burke, Caldwell, Catawba	Privately assigned counsel
26	Mecklenburg	Center for Children's Defense (Contract attorneys (5)), Privately assigned counsel
27A	Gaston	Assistant Public Defenders, Privately assigned counsel
27B	Cleveland, Lincoln	Privately assigned counsel
28	Buncombe	Assistant Public Defenders, Privately assigned counsel
29A	McDowell, Rutherford	Privately assigned counsel
29B	Henderson, Polk, Transylvania	Privately assigned counsel
30	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain	Privately assigned counsel

Primary source of representation is listed first.

Shaded rows indicates a public defender district. Unless otherwise noted, in the public defender districts which handle delinquency cases, the public defender handles all delinquency cases except in cases of conflict.

**Office of the
Juvenile Defender**

**A Look Back and A
Vision for the Future**

**A Review of OJD's Impact on
Juvenile Defense in North Carolina**

April 2013

OVERVIEW

Nearly a decade ago, the American Bar Association, Southern Juvenile Defender Center, and National Juvenile Defender Center (NJDC) released an assessment identifying deficiencies in North Carolina's quality of juvenile delinquency representation.

To address the deficiencies noted, the North Carolina Office of Indigent Defense Services (IDS) formed a Juvenile Committee that advocated the creation of the Office of the Juvenile Defender (OJD) and made recommendations to enhance delinquency representation. Since its inception in 2005, OJD has worked with local and national stakeholders to improve the quality of juvenile defense.

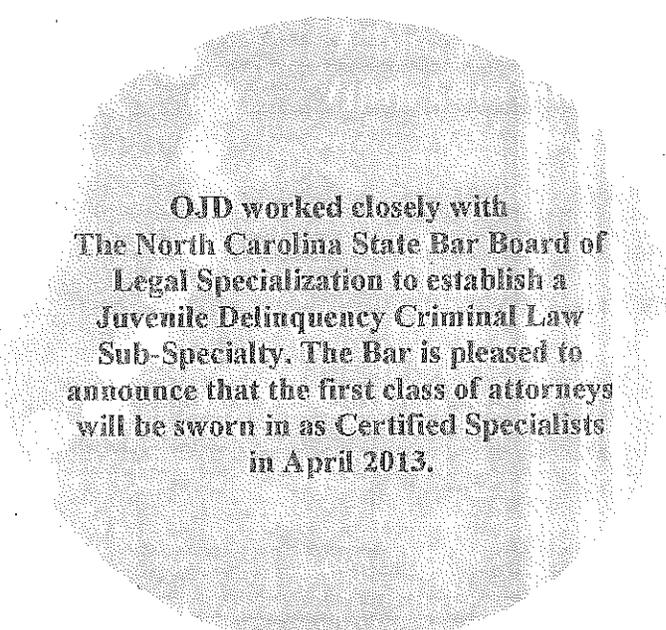
In 2012, OJD engaged in a strategic planning effort to assess the progress and impact of the office, to evaluate juvenile defense representation, and to prepare a plan for the future. First, the office's progress in implementing the Juvenile Committee's recommendations was assessed. Next, information was gathered from various "user groups," including juvenile defense counsel, judges, prosecutors, and juvenile justice officials. Surveys, focus groups, and individual interviews were used to evaluate the current state of juvenile defense representation and the effectiveness of OJD.

What follows here is a summary of OJD's efforts and a direction for a path forward.

Mission

OJD's mission can be described in four parts:

- (1) to provide services and support to juvenile defense attorneys,
- (2) to evaluate the current system of representation and make recommendations as needed,
- (3) to elevate the stature of juvenile delinquency representation, and
- (4) to work with juvenile justice advocates to promote positive change in the juvenile justice system.



**OJD worked closely with
The North Carolina State Bar Board of
Legal Specialization to establish a
Juvenile Delinquency Criminal Law
Sub-Specialty. The Bar is pleased to
announce that the first class of attorneys
will be sworn in as Certified Specialists
in April 2013.**

MILESTONES

OJD has accomplished many of the recommendations of the IDS Juvenile Committee, such as:

Serving as a Central Resource and Juvenile Defense Consultant

To better serve as a resource, OJD identified juvenile defenders by surveying 800 known juvenile defense counsel and creating a roster for regular updates. OJD also assisted with creating a listserv to ensure that pertinent information is provided to juvenile defenders in a timely manner and to provide a means for juvenile defenders to communicate with one another. Over the years, OJD has built liaisons with several juvenile justice groups and collaborated to achieve common goals and juvenile justice reform. OJD has consulted with appellate attorneys in hundreds of cases, some of which yielded favorable results for juveniles. Of particular interest is the U.S. Supreme Court case

J.D.B. v. North Carolina,
363 N.C. 664, 686 S.E.2d 135
(2011)

Evaluation of the System of Juvenile Defense

To date, OJD has visited more than 80 counties to observe court, speak with court officials, and make recommendations to IDS to improve the quality of representation. In 16 jurisdictions, OJD identified the strongest juvenile defenders and assisted IDS with entering into contracts in hopes of establishing a network of experienced and dedicated juvenile defenders.

Creation of Training Programs and Materials for Juvenile Defense Counsel

Utilizing surveys and interviews, OJD, in collaboration with the University of North Carolina School of Government (SOG), established a training plan involving an annual one-day conference on general and specific topics, a biennial three-day new juvenile defender training, and other regional and local trainings as requested. SOG, with assistance from OJD, developed a practice manual for juvenile defense counsel that includes an overview of statutory law, practice suggestions, and model forms and motions.

Development and Implementation of Juvenile Defense Policies and Guidelines

With the assistance of its advisory board and other juvenile justice stakeholders, OJD created a *Role of Counsel* statement, which was designed to help focus juvenile defense counsel and to set the foundation for training, and developed the *Performance Guidelines for Appointed Counsel in Juvenile Delinquency Proceedings at the Trial Level* and other initiatives. Thereafter, OJD developed model qualification standards for practice in juvenile delinquency court.

In 2009 OJD released the *Youth Development Center Commitment Project Report*.

The report addressed errors affecting juveniles in commitment facilities and provided an impetus for training, form revision, more legal challenges, and the creation of two projects providing juveniles with representation post disposition.

KEY FINDINGS

Through surveys, interviews, and focus groups with juvenile defense counsel, prosecutors, judges, and the Division of Juvenile Justice (DJJ) officials and staff, OJD received feedback on the quality of juvenile delinquency representation.

Juvenile Delinquency Representation

Regarding origination of the cases, over 75% of juvenile defense counsel responding to the survey believed that at least a quarter of their juvenile delinquency cases originated in the school system. More than 70% of the juvenile defenders who responded to the survey also expressed that at least one-half of their delinquency cases ended in admissions. However, over 50% of the defenders reported that, of the admissions made by their juvenile clients, between 50% and 100% of those cases resulted in an admission to a lesser-included offense. There was not a clear trend among juvenile defenders responding to the survey regarding what percentage of their cases ended in adjudicatory hearings. However, a majority of those surveyed agreed that over half of their cases proceeded immediately from adjudication to disposition.

Challenges and Improvements to Enhance Juvenile Delinquency Representation

In general, of those responding to the survey, there was a consensus that there was an opportunity for improvement in juvenile delinquency representation in their counties. Those surveyed indicated that the most significant factors that hindered their ability to provide full representation to juvenile clients were difficulty in meeting with clients, “boilerplate” recommendations from the court, and complex family situations. Consequently, juvenile defenders reported that the changes that would most improve the quality of defense services were earlier access to court information (e.g., disposition and Department of Social Services’ reports), improved relations with school systems (resulting in reduced school-based offenses coming to court), and collaboration or cross training with other juvenile justice stakeholders (e.g., judges, prosecutors, and court counselors.)

Training and Resources Utilized by Juvenile Defense Counsel

Sixty-eight percent of those surveyed reported that they had attended juvenile defender trainings in the past. Of those who had attended trainings, more than 75% attended the annual juvenile defender conferences and 36% participated in new juvenile defender training programs. In regard to future trainings, surveyed juvenile defense counsel reported an interest in sessions discussing school searches and seizures, motions and writs, school system interaction, and appeals and transfer hearings.

OJD has developed a series of guides for attorneys *Representing Special Populations of Youth*. The guides provide insight regarding special considerations when representing special populations, including communication techniques, trial strategies, and suggestions for appropriate dispositional alternatives.

RECOMMENDATIONS OF THE JUVENILE DEFENDER ADVISORY COMMITTEE

After analyzing the results of the evaluation, OJD established a Juvenile Defender Advisory Committee (JDAC) of practicing attorneys and other defense counsel experts to determine: (1) if any of the IDS Juvenile Committee's original recommendations should be revisited; (2) which practice performance issues OJD should focus on and how they should be prioritized; and (3) which juvenile justice reform matters OJD should focus on and how they should be prioritized.

Training

In partnership with superior court practitioners, OJD should continue providing training on filing motions in juvenile delinquency court in an effort to improve representation. The collaboration with superior court practitioners and exposure to felony cases could provide more insight for juvenile defense counsel as they file and work on appeals.

Additionally, OJD should emphasize that juvenile delinquency practice is a specialized practice and implement more focused training for juvenile defense counsel, such as new felony defender training and advanced juvenile defender training for seasoned juvenile defense counsel.

Policy

To further the goals of serving as a central resource and contact for existing statewide and juvenile defense committees and associations, the JDAC noted that OJD should continue to collaborate with committees and associations to address specifically: (1) raising the age of juvenile jurisdiction; and (2) working to prevent the enactment of the Adam Walsh Act/Sex Offender Registration Notification Act.

Outreach

The JDAC recognized that, under the future system of contractual services, it may be difficult for new attorneys to become juvenile defenders. OJD should develop means by which new attorneys can be better prepared to enter this practice area by collaborating with local law schools to encourage substantive and practical education and should explore the possibility of establishing mentorships with current contractors. Finally, OJD should also explore potential fellowship opportunities, such as the Equal Justice Public Defender Corps (now known as Gideon's Promise).

OJD worked with the Youth
Accountability Task Force to develop
an implementation plan for raising the
age of juvenile jurisdiction.
The final report of the Youth
Accountability Task Force was
released in 2011.

FUTURE GOALS and OBJECTIVES

Based on the results of the evaluation and the feedback of the JDAC, OJD hopes to further its mission by pursuing the following initiatives:

Work with IDS to develop an appropriate infrastructure that effectively supports delinquency representation

Representation will be primarily provided by one of three methods: contracts through requests for proposals; individually negotiated contracts; and Public Defender Offices

Key duties will include identifying potential contractors, providing effective support and oversight for all attorneys, and creating a system for recruitment (see below)

OJD will also work with the Public Defender Administrator to improve the support of delinquency assistant public defenders

Continue efforts to provide introductory, intermediate, and advanced training

OJD will work with SOG and the National Juvenile Defender Center on opportunities and resources

Resources will focus on the “front end” and “back end” of representation, namely:

timely meeting with clients, establishing communication and rapport, and early investigation
dispositional planning and advocacy, post-disposition representation, and appeals

Enhance outreach efforts to further elevate the stature of juvenile delinquency representation by providing a juvenile defense viewpoint to various stakeholders: “constituents, clients, community”

Provide more information to attorneys through technology

Work more closely with the IDS Juvenile Committee and the IDS Commission

Develop a model for soliciting feedback from clients and/or parents and guardians

Share updates and information with other juvenile justice actors, build alliances, and cross-train

Continue to monitor issues that impact delinquency representation, and collaborate and advocate for solutions

Age of juvenile jurisdiction

Disproportionate minority contact

School to prison pipeline

Sex Offender Registration and Notification Act

Establish a means for recruiting attorneys interested in practicing delinquency law

Create a “classroom to courtroom pipeline” through encouragement and mentorship at the high school level

working with law schools to provide substantive education, practical training, and post-graduate opportunities

exploring funding for fellowships/scholarships

working with juvenile defenders to provide mentorships/apprenticeships

To read the full report, please visit
<http://www.ncids.org/JuvenileDefender/History/StrategicPlanReport.pdf>

Article 20.

Basic Rights.

§ 7B-2000. Juvenile's right to counsel; presumption of indigence.

(a) A juvenile alleged to be within the jurisdiction of the court has the right to be represented by counsel in all proceedings. Counsel for the juvenile shall be appointed in accordance with rules adopted by the Office of Indigent Defense Services, unless counsel is retained for the juvenile, in any proceeding in which the juvenile is alleged to be (i) delinquent or (ii) in contempt of court when alleged or adjudicated to be undisciplined.

(b) All juveniles shall be conclusively presumed to be indigent, and it shall not be necessary for the court to receive from any juvenile an affidavit of indigency. (1979, c. 815, s. 1; 1998-202, s. 6; 2000-144, s. 22.)

