



HOUSE BILL 193: Various Court Changes 2023.

2023-2024 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	April 18, 2023
Introduced by:	Rep. Stevens	Prepared by:	Alex Ramirez
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 193 would make a variety of changes requested by the Administrative Office of the Courts (AOC), including providing for the hiring of resource prosecutors, discontinuing AOC reports to the General Assembly about waivers of costs, and some purely technical changes.*

BILL ANALYSIS:

Section 1 would provide for parties against whom judgements are assessed to pay those judgments to the clerk of court with credit cards, as opposed to having to pay with cash or a check. This section would be effective October 1, 2023.

Sections 2 and 3 would each make a technical correction, fixing citations that currently reference the wrong section.

SECTION 4 would repeal the requirement that the AOC must report annually to the Joint Legislative Oversight Committee on Justice and Public Safety about the implementation of the notice of waiver of costs to affected governmental entities.

SECTION 5 would repeal the bond requirements for the clerks of the Supreme Court, of the Court of Appeals, of all superior courts, and for magistrates.

SECTION 6 would allow the Conference of District Attorneys to hire resource prosecutors, who would be able to practice across the state on an as-needed basis and have the same authority an assistant district attorney would have in the relevant case. It would also allow the Conference of District Attorneys to designate personnel to lobby for specific legislative action. This section would be effective July 1, 2023.

SECTION 7 concerns specialized training for judges that hear juvenile cases, clarifying that the specialized training shall include training on recognizing and mitigating childhood trauma.

SECTION 8 adds the clerk of superior court to the list of people to whom that the chief district court judge may delegate the evaluation of requests to be excused from jury duty. The section makes several conforming changes as well. This section would be effective October 1, 2023.

SECTION 9(a) clarifies that bonds taken or renewed by boards of commissioners must be filed with the clerk of superior court and endorsed and certified by the chairman of the board of commissioners. Similarly, it clarifies that the official bonds of sheriffs are to be registered with the register of deeds and filed with the clerk of superior court.

SECTION 9(b) would require the bonds of county commissioners to be filed with the register of deeds, in addition to the clerk of superior court.

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SECTION 10 would allow the chief district judge to delegate authority to a chief magistrate to do the following:

- Temporarily assign magistrates to out-of-county duty under exigent circumstances.
- Designate certain magistrates to accept waivers of counsel and appoint counsel in non-capital cases.
- Conduct preliminary investigations into written complaints against magistrates, but not make written findings or take any disciplinary action.

SECTION 11 would do all the following:

- Clarify that the exemption from the prohibition of the collection of Social Security Numbers (SSNs) by state agencies applies to all court records, as opposed to only documents filed in court records.
- Expand the information that a register of deeds or clerk of court may redact on their own initiative from publicly available copies of official records. Currently, there is a list of types of information that may be redacted this way, such as SSNs, credit card numbers, license numbers, etc. This would add that *any other type of information* that is confidential may be redacted.
- Clarify that the registers of deeds and clerks of court are not covered under a statute that directs businesses that suffered a breach of confidential information to disclose the breach to affected individuals. It would also clarify that they are not liable for claims or damages that might result from the release of confidential information.

SECTION 12 includes a severability clause indicating the intent of the General Assembly that a finding by a court that one or more sections of the bill should not invalidate the rest of the bill.

EFFECTIVE DATE: Except as otherwise provided, this act would be effective when it becomes law.