



CHAPTER 15A

ARTICLE 51 - ARRAIGNMENT

N.C.G.S. § 15A-941.

Arraignment before judge only upon written request; entry of not guilty plea if not arraigned.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-47, s. 10(h) — fifth act in the lineage	21 September 2026, 05:13 UTC	39b5eed40685f461c7751bbe - f1862b420cb9e26e2405f3e9 - 8d8f379be9328cf5

§ 15A-941(a) Arraignment consists of bringing a defendant before a judge having jurisdiction to try the offense, advising him of the charges pending against him, and directing him to plead. The prosecutor must read the charges or fairly summarize them to the defendant. If the defendant fails to plead, the court must record that fact, and the defendant must be tried as if he had pleaded not guilty.

§ 15A-941(b) ,(c) Repealed by Session Laws 2021-47, s. 10(h), effective June 18, 2021, and applicable to proceedings occurring on or after that date.

§ 15A-941(d) A defendant will be arraigned in accordance with this section only if the defendant files a written request with the clerk of superior court for an arraignment not later than 21 days after service of the bill of indictment. If a bill of indictment is not required to be served pursuant to G.S. 15A-630, then the written request for arraignment must be filed not later than 21 days from the date of the return of the indictment as a true bill. Upon the return of the indictment as a true bill, the court must immediately cause notice of the 21-day time limit within which the defendant may request an arraignment to be mailed or otherwise given to the defendant and to the defendant's counsel of record, if any. If the defendant does not file a written request for arraignment, then the court shall enter a not guilty plea on behalf of the defendant.

§ 15A-941(e)

Nothing in this section shall prevent the district attorney from calendaring cases for administrative purposes.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
5 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1973			1997	2021
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT				
Nº	YEAR	ACT	CHARACTER	
01	1973	c. 1286, s. 1	ENACTED	
02	1975	c. 166, s. 27	AMENDED	
03	1993	c. 30, s. 3	AMENDED	
04	1993	1995 (Reg. Sess., 1996), c. 725, s. 7	AMENDED	
05	2021	S.L. 2021-47, s. 10(h)	AMENDED	

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 15A-630	(d)	"required to be served pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-941 (2021).

PINPOINT

N.C. Gen. Stat. § 15A-941(a) (2021).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1973, c. 1286, s. 1; 1975, c. 166, s. 27; 1993, c. 30, s. 3; 1995 (Reg. Sess., 1996), c. 725, s. 7; 2021-47, s. 10(h).)

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