



CHAPTER 5A

ARTICLE 1 - CRIMINAL CONTEMPT

N.C.G.S. § 5A-15.

Plenary proceedings for contempt.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	1987 (Reg. Sess., 1988), c. 1037, s. 44 — second act in the lineage	21 September 2026, 04:49 UTC	58ec122706ee4c522c17b4b4 - 8c56d502e3bd6837a4ee2498 - b17f856950b008a1

- § 5A-15(a)** When a judicial official chooses not to proceed summarily against a person charged with direct criminal contempt or when he may not proceed summarily, he may proceed by an order directing the person to appear before a judge at a reasonable time specified in the order and show cause why he should not be held in contempt of court. A copy of the order must be furnished to the person charged. If the criminal contempt is based upon acts before a judge which so involve him that his objectivity may reasonably be questioned, the order must be returned before a different judge.
- § 5A-15(b)** Proceedings under this section are before a district court judge unless a court superior to the district court issued the order, in which case the proceedings are before that court. Venue lies throughout the district court district as defined in G.S. 7A-133 or superior court district or set of districts as defined in G.S. 7A-41.1, as the case may be, where the order was issued.
- § 5A-15(c)** The person ordered to show cause may move to dismiss the order.
- § 5A-15(d)** The judge is the trier of facts at the show cause hearing.
- § 5A-15(e)** The person charged with contempt may not be compelled to be a witness against himself in the hearing.
- § 5A-15(f)** At the conclusion of the hearing, the judge must enter a finding of guilty or not guilty. If the person is found to be in contempt, the judge must make findings of fact and enter judgment. The facts must be established beyond a reasonable doubt.

§ 5A-15(g)

The judge presiding over the hearing may appoint a prosecutor or, in the event of an apparent conflict of interest, some other member of the bar to represent the court in hearings for criminal contempt.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 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.

				1977	1978
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT					
Nº	YEAR	ACT	CHARACTER		
01	1977	c. 711, s. 3	ENACTED		
02	1977	1987 (Reg. Sess., 1988), c. 1037, s. 44	AMENDED		

APPARATUS II
2 AUTHORITIES

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. 7A-133	(b)	"district court district as defined in"
G.S. 7A-41.1	(b)	"set of districts as defined in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 5A-15 (1977).

PINPOINT

N.C. Gen. Stat. § 5A-15(a) (1977).

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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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1977, c. 711, s. 3; 1987 (Reg. Sess., 1988), c. 1037, s. 44.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

