



CHAPTER 7A

ARTICLE 9 - DISTRICT ATTORNEYS AND PROSECUTORIAL DISTRICTS

N.C.G.S. § 7A-64.

Temporary assistance for district attorneys.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2023-34, s. 1 — ninth act in the lineage	21 September 2026, 03:32 UTC	9e0b936959b14566a7e56feb - 0781f3e667cbc08425a8e3bc - 89107a5447f00c5f

§ 7A-64(a) A district attorney may apply to the Director of the Administrative Office of the Courts to:

- (1) Temporarily assign an assistant district attorney from another district, after consultation with the district attorney thereof, to assist in the prosecution of cases in the requesting district;
- (2) Authorize the temporary appointment, by the requesting district attorney, of a qualified attorney to assist the requesting district attorney; or
- (3) Enter into contracts with local governments for the provision of services by the State pursuant to G.S. 153A-212.1 or G.S. 160A-289.1.

§ 7A-64(a1) Repealed by Session Laws 2012-7, s. 9, effective June 7, 2012.

§ 7A-64(b) The Director of the Administrative Office of the Courts may provide this assistance only upon a showing by the requesting district attorney supported by facts that at least one of the following circumstances apply:

- (1) Criminal cases have accumulated on the dockets of the superior or district courts of the district beyond the capacity of the district attorney and the district attorney's full-time assistants to keep the dockets reasonably current.
- (2) The overwhelming public interest warrants the use of additional resources for the speedy disposition of cases involving drug offenses, domestic violence, or other offenses involving a threat to public safety.

- (3) Repealed by Session Laws 2023-34, s. 1, effective June 9, 2023, and applicable to investigations and prosecutions occurring on or after that date.
- (4) A county within the jurisdiction of the requesting district attorney is subject to a disaster declaration by the Governor pursuant to G.S. 166A-19.3(3).

§ 7A-64(c)

The length of service and compensation of any temporary appointee or the terms of any contract entered into with local governments shall be fixed by Director of the Administrative Office of the Courts in each case. Nothing in this section shall be construed to obligate the General Assembly to make any appropriation to implement the provisions of this section or to obligate the Administrative Office of the Courts to provide the administrative costs of establishing or maintaining the positions or services provided for under this section. Further, nothing in this section shall be construed to obligate the Administrative Office of the Courts to maintain positions or services initially provided for under this section.

§ 7A-64(d)

Notwithstanding any other provision of this section to the contrary, when a district attorney excludes themselves from an investigation or prosecution due to a conflict of interest or for other good cause, the district attorney may apply to the Administrative Office of the Courts to have another district attorney, a resource prosecutor from the Conference of District Attorneys, or a qualified attorney assume responsibility as a special prosecutor for the investigation and prosecution of the matter.

After consulting with the Conference of District Attorneys and securing the consent of the district attorney or resource prosecutor, the Administrative Office of the Courts may assign a district attorney or resource prosecutor to an investigation or prosecution pursuant to this subsection.

In the event a qualified attorney is appointed to an investigation or prosecution pursuant to this subsection, payment for services must be approved by the Conference of District Attorneys and the Director of the Administrative Office of the Courts.

Upon appointment as a special prosecutor pursuant to this subsection, the special prosecutor shall have all the authority that the requesting district attorney would otherwise have had in that investigation or prosecution.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

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.

1967	1995		2023
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1967	c. 1049, s. 1	ENACTED
02	1973	c. 47, s. 2	AMENDED
03	1999	S.L. 1999-237, s. 17.17(a)	AMENDED
04	2000	S.L. 2000-67, s. 15.4(g)	AMENDED
05	2010	S.L. 2010-171, s. 2	AMENDED
06	2012	S.L. 2012-7, s. 9	AMENDED
07	2017	S.L. 2017-158, s. 14	AMENDED
08	2018	S.L. 2018-138, s. 2.12(a)	AMENDED
09	2023	S.L. 2023-34, s. 1	AMENDED

APPARATUS II
3 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. 153A-212.1	(a)(3)	<i>"services by the State pursuant to"</i>
G.S. 160A-289.1	(a)(3)	<i>"State pursuant to G.S. 153A-212.1 or"</i>
G.S. 166A-19.3(3)	(b)(4)	<i>"declaration by the Governor pursuant to"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 7A-64 (2023).

PINPOINT

N.C. Gen. Stat. § 7A-64(a) (2023).

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

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

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

(1967, c. 1049, s. 1; 1973, c. 47, s. 2; 1999-237, s. 17.17(a); 2000-67, s. 15.4(g); 2010-171, s. 2; 2012-7, s. 9; 2017-158, s. 14; 2018-138, s. 2.12(a); 2023-34, s. 1.)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

