AALL LISP Public Library Toolkit: North Carolina

I. State Constitution

The current North Carolina Constitution (of 1971) is available in print in volume 19 of the *General Statutes of North Carolina Annotated* (as published by LexisNexis and described in Part II below). The constitution may also be found in volume 48 of *West's North Carolina General Statutes Annotated*.

The North Carolina Constitution is available online at http://www.ncga.state.nc.us/legislation/constitution/ncconstitution.html from the North Carolina General Assembly.

II. State Statutes

A. State Session Laws

In North Carolina, the enrolled, ratified, and approved bills are assigned a session law number. These numbered bills are then published in sequential order in the *Session Laws of North Carolina* by the Legislative Services Commission. This publication contains all laws and joint resolutions from each regular and extra session of the General Assembly.

The session laws may be found online at the North Carolina General Assembly's web site beginning with the 1983-1984 session at http://www.ncga.state.nc.us/gascripts/EnactedLegislation/ELTOC.pl?sType=Law.

B. State Statutory Codes

1. Unannoted Codes (statutory text only)

   The North Carolina General Statutes may be found online at the General Assembly's Web page at http://www.ncga.state.nc.us/gascripts/statutes/Statutes.asp.

2. Annotated Statutory Codes (statutory text in addition to related research materials (e.g., cases, law review articles)

   a. LexisNexis publishes the official *General Statutes of North Carolina, Annotated* .
   b. West publishes an unofficial version of the statutes called *West's North Carolina General Statutes Annotated*.

III. State Bills

Full-text bill search from the North Carolina General Assembly (beginning with 1989 special session) – http://www.ncga.state.nc.us/gascripts/BillSearch/BillSearch.asp

Bill retrieval by bill number (from the North Carolina General Assembly) (beginning with the 1985-1986 session) – http://www.ncga.state.nc.us/gascripts/BillLookUp/BillLookUp.pl

The General Assembly Legislative Library has House and Senate from 1971. Older bills are available from the North Carolina State Library Archives Search Room.

IV. State Administrative Law

A. State Register

The *North Carolina Register* is a bimonthly publication of temporary, proposed, permanent and emergency rules. The *Register* also contains executive orders of the Governor.

The *Register* is available online from the North Carolina Office of Administrative Hearings at http://www.oah.state.nc.us/rules/register/. Access is available back to 2002 (Volume 16).

B. State Administrative Code

The North Carolina Administrative Code (NCAC)

The NCAC is available online from the North Carolina Office of Administrative Hearings at http://reports.oah.state.nc.us/ncac.asp.

The NCAC is available in print from ThomsonReuters (West).

C. State Administrative Decisions

Hearings from various state agencies may be found online from the North Carolina Office of Administrative hearings at http://www.ncoah.com/hearings/decisions/ .

Since 1998, administrative decisions have been published as separate volumes of the NCAC. They are also included in the monthly updates to the NCAC.

V. County/Municipal/City Codes

Municipal codes of many North Carolina cities and counties are available online from the Municipal Code Corporation at http://municode.com/.

VI. State Jury Instructions

N.C. Conference of Superior Judges. Committee on Pattern Jury Instructions. *North Carolina Pattern Jury Instructions for Civil Cases*. Cary, N.C.: N.C. Conference of Superior Court Judges and North Carolina Bar Association, June 1975- . 2 volumes.

N.C. Conference of Superior Judges. Committee on Pattern Jury Instructions. *North Carolina Pattern Jury Instructions for Criminal Cases*. Cary, N.C.: N.C. Conference of Superior Court Judges and North Carolina Bar Association, June 1970- . 3 volumes.

N.C. Conference of Superior Judges. Committee on Pattern Jury Instructions. *North Carolina Pattern Jury Instructions for Motor Vehicle Negligence*. Cary, N.C.: N.C. Conference of Superior Court Judges and North Carolina Bar Association, June 1973- . 1 volume.

Electronic access to these jury instructions is only available through the Casemaker Legal Research system. Casemaker is available to members of the North Carolina Bar.

VII. State Forms

A. Official Sate Forms

Judicial Forms from the North Carolina Court System Administrative Office of the Courts - http://www.nccourts.org/Forms/FormSearch.asp

B. North Carolina Form Books

1. *Douglas' Forms* is a loose-leaf set containing hundreds of basic forms intended to serve as models or drafting guides. It also contains the official forms published by the North Carolina Administrative office of the Courts. *Douglas' Forms* is also available on LexisNexis.
2. Sean A. B. Cole, *North Carolina Manual of Complaints, 3d ed.* [Raleigh, N.C.] : North Carolina Advocates for Justice ; -- Albany, NY : LexisNexis , 2009.
3. William L. Thorp, Thorp's North Carolina trial practice forms : a practical compilation of trial practice forms arranged in the order of the North Carolina rules of civil procedure, 6th ed. [St. Paul, Minn.] : Thomson/West, 2003. 2 volumes.

VIII. State Legal Encyclopedia

Strong's North Carolina index 4th : an encyclopedic treatment of North Carolina law / by the editorial staff of the publisher. -- [St. Paul, Minn.] : West Group, <1989- >.

Strong's is kept up to date by pocket parts, revised volumes, and cumulative update service.

Strong's is also available online through Westlaw (database identifier: NCINDEX).

IX. North Carolina Case Law

Published case law is from the appellate courts: the Court of Appeals or the Supreme Court. North Carolina does not have a trial-level case reporter.

A. North Carolina Supreme Court

1. Print

   a. North Carolina Reports – Official case reporter published by the state
   b. South Eastern Reporter – Unofficial case reporter that contains case law from North Carolina, South Carolina, Georgia, Virginia, and West Virginia.

2. Online – http://www.aoc.state.nc.us/www/public/html/opinions.htm
   Coverage begins in 1997.

B. North Carolina Court of Appeals

1. Print

   a. North Carolina Court of Appeals Reports – Official case reporter published by the state
   b. South Eastern Reporter – Unofficial case reporter that contains case law from North Carolina, South Carolina, Georgia, Virginia, and West Virginia

2. Online – http://www.aoc.state.nc.us/www/public/html/opinions.htm
   Coverage begins in 1996.

C. North Carolina Business Courts

Select decisions back to 1996 may be found online at http://www.ncbusinesscourt.net/New/opinions/.

D. Federal Case Law

Federal case law is published according to level of court. Federal district court cases are published in West's Federal Supplement (currently in its second series, F. Supp. 2d). Federal appellate cases are published in West's Federal Reporter (currently in its third series, F.3d).

X. State Digests

North Carolina case law can be researched in two different West digests.

A. *West's North Carolina Digest 2d* (includes North Carolina and federal (arising out of North Carolina federal courts) case law)

B. *West's South Eastern Digest 2d* (includes North Carolina and other states, but no federal case law).

XI. North Carolina Records and Briefs

Records and Briefs for the North Carolina Supreme Court and Court of Appeals may be found via the Electronic Filing Site and Document library at http://www.ncappellatecourts.org/nc_main_1.nsf. Coverage includes selected records on appeal, briefs, and motions from 1999 to current.

Print copies of Supreme Court and Court of Appeals records and briefs are available from some of the state's law school libraries (with varying degrees of coverage in print and/or microform), including the University of North Carolina at Chapel Hill, Wake Forest University, Duke University, North Carolina Central and Campbell University.

XII. North Carolina Court Websites

Court	About the Court
Supreme Court	The Supreme Court of North Carolina is the state's highest court, and there is no further appeal in the state from their decisions. This court has a chief justice and six associate justices who sit together as a panel in Raleigh. The Supreme Court has no jury, and it makes no determination of fact; rather, it considers error in legal procedures or in judicial interpretation of the law. Supreme Court Opinions (from 1997)
Court of Appeals	The Court of Appeals is North Carolina's only intermediate appellate court. Fifteen judges sit in rotating panels of three, deciding only questions of law on every case appealed from the Superior and District courts except death penalty cases. Appeals can range from a parking ticket case to murder case. In fiscal year 2003-2004, more than 1,750 cases were filed with the Court of Appeals. Cases in which there is a dissent in the Court of Appeals go to the Supreme Court as well as to those that the Supreme Court accepts for review through petition. Court of Appeals judges serve eight-year terms. Court of Appeals Opinions (from 1996)
Superior Court	All felony criminal cases, civil cases involving more than $10,000 and misdemeanor and infraction appeals from District Court are tried in Superior Court. A jury of 12 hears the criminal cases. In the civil cases, juries are often waived. North Carolina Superior Court Divisions (PDF – Requires Adobe

	Acrobat to view)
District Court	Trial Courts, or District Courts, can be divided into four categories, civil, criminal, juvenile and magistrate. Like the Superior Court, District Court sits in the county seat of each county. It may also sit in certain other cities and towns, specifically authorized by the General Assembly. Civil cases such as divorce, custody, child support and cases involving less than $10,000 are heard in District Court, along with criminal cases involving misdemeanors and infractions. The trial of a criminal case in District Court is always without a jury. The District Court also hears juvenile cases involving children under the age of 16 who are delinquent and children under the age of 18 who are undisciplined, dependent, neglected or abused. Magistrates accept guilty pleas for minor misdemeanors, accept guilty pleas for traffic violations and accept waivers of trial for worthless-check cases among other things. In civil cases, the magistrate is authorized to try small claims involving up to $5,000 including landlord eviction cases. North Carolina District Courts Map (PDF – Requires Adobe Acrobat to view)
Business Court	The North Carolina Business Court is a specialized forum of the North Carolina State Courts' trial division. Cases involving complex and significant issues of corporate and commercial law in our state are assigned by the Chief Justice of the North Carolina Supreme Court to a special superior court judge who oversees resolution of all matters in the case through trial. The North Carolina Business Court sits in Greensboro, Raleigh, and Charlotte. North Carolina Business Court Rules Opinions of the North Carolina Business Court
Family Court	Family Court was established in 1999 to create a "forum that resolves family related issues in a manner that respects the rights of each individual family member, promotes the best interest of the family and helps families structure their own solutions." Since that time, family courts have become essential to the way district courts resolve domestic and juvenile legal issues. In collaboration with the court community, family court judges and family court staff endeavor to efficiently process each case toward resolution by applying best practices in case management principles, such as assignment of one judge to one family for all issues before the court, continuous calendaring and limiting continuances. As a result, family courts are

	able to offer families more timely, consistent and thoughtful outcomes to their legal issues. Map of North Carolina Family Courts (PDF – Requires Adobe Acrobat to view)
Drug Treatment Court	The North Carolina Drug Treatment Courts (DTC) were established by statute in 1995 to enhance and monitor the delivery of treatment services to chemically dependent adult offenders while holding those offenders rigorously accountable for complying with their court-ordered treatment plans. In 2001, the General Assembly formally authorized expansion of the DTCs to include substance abusing juvenile offenders and chemically dependent parents of neglected or abused children. The overall goal of the DTC is to significantly break the cycle of addiction that gives rise to repeated law-breaking episodes. By enhancing the likelihood that the drug-driven offender will remain drug and crime free and socially responsible, the DTC seeks to reduce justice system, health system, and other societal costs associated with continuing drug use and criminal involvement. I n 2003, the General Assembly defined Drug Treatment Courts as an Intermediate Sanction under the Structured Sentencing law. Intermediate-level offenders sentenced to Drug Treatment Court are required, as a condition of probation, to comply with program rules, report as required, and to participate in court supervision, drug screening or testing, and drug or alcohol treatment programs.
Small Claims Court	Small claims court is part of the District Court Division. It handles civil cases where a plaintiff requests assignment to a magistrate and the amount in controversy is $5,000 or less. The principal relief sought in small claims court is money, the recovery of specific personal property, or summary ejectment (eviction). A magistrate presides over small claims court. There is no jury and usually no lawyers. A person who loses in small claims court may appeal for a trial by jury before a judge in District Court. Legal Aid of North Carolina publishes a Guide to Small Claims Court (also in Spanish)

XIII. Regional Chapter of the American Association of Law Libraries (AALL)

Find information about the Southeastern Chapter of the American Association of Law Libraries at http://www.aallnet.org/chapter/seaall/.

XIV. Law Libraries in North Carolina

A. Campbell University, Norman Adrian Wiggins School of Law

1. Circulation Desk: 919-865-5869
2. URL: www.law.campbell.edu/library/

B. Charlotte School of Law Library
1. Circulation Desk: 704-971-8574
2. URL: www.charlottelaw.org/lawlibrary/

C. Duke University Goodson Law Library
1. General Information: 919-613-7114
2. URL: www.law.duke.edu/lib/index

D. Elon University School of Law Library
1. General Information: 336-279-9200
2. URL: www.elon.edu/e-web/law/library/

E. North Carolina Central University School of Law Library
1. General Information: 919-530-6333
2. URL: http://law.nccu.edu/ilibrary/

F. North Carolina Legislative Library
1. Legislative Building: 919-733-7778
2. URL: www.ncleg.net/LegLibrary/index/html

G. North Carolina State Library
1. Reference Desk: 919-807-7450
2. URL: www.statelibrary.dcr.state.nc.us/

H. North Carolina Supreme Court Library
1. General Information: 919-831-5709
2. URL: www.aoc.state.nc.us/www/public/html/sc_library.htm

I. University of North Carolina-North Carolina Collection
1. General Information: 919-962-1172
2. URL: www.lib.unc.edu/ncc/

J. University of North Carolina School of Government, Joseph Palmer Knapp Library
1. General Information: 919-966-5381
2. URL: www.sog.unc.edu/library/

K. University of North Carolina School of Law, Katherine R. Everett Law Library
1. General Information: 919-962-1321
2. URL: http://library.law.unc.edu/

L. Wake Forest University Professional Center Library
1. Main Number/Circulation Desk: 336-758-5438
2. URL: http://pcl.wfu.edu/index.html

XV. Federal Depository Libraries in North Carolina

There are several selective depositories in North Carolina. Their contact information and websites are available through the Federal Depository Library Directory website at http://catalog.gpo.gov/fdlpdir/FDLPdir.jsp (click on North Carolina). The University of North Carolina at Chapel Hill is the regional depository for North Carolina (http://www.lib.unc.edu/reference/govinfo/index.html).

XVI. North Carolina Bar Associations

A. North Carolina State Bar - http://www.ncbar.gov/

1. The North Carolina State Bar is the state agency responsible for regulating the practice of law in North Carolina.
2. North Carolina Rules of Professional Conduct - http://www.ncbar.gov/rules/rpcsearch.asp

B. North Carolina Bar Association

1. The North Carolina Bar Association (NCBA) is a voluntary organization of lawyers, paralegals and law students dedicated to serving the public and the legal profession. The N.C. Bar Center in Cary serves as headquarters for the NCBA and the NCBA Foundation, Inc. ***Though similar, the NCBA and the mandatory North Carolina State Bar are not affiliated.***
2. Lawyer Referral Services - http://www.ncbar.org/publicpro-bono/lawyer-referral-service.aspx

C. County/Judicial District Bar Associations

1. Buncombe County Bar and 28th Judicial Bar - http://www.ashevillebuncombelaw.net/
2. Durham Bar Association and the 14th Judicial District Bar - http://www.durhambar.org/
3. Forsyth County Bar Association and 21st Judicial District Bar - http://forsythlawyers.org/
4. Greensboro Bar Association - http://www.greensborobar.org/
5. Mecklenburg County Bar, 26th Judicial District - http://www.meckbar.org/
6. Wake County Bar - http://www.wakecountybar.org/

XVII. North Carolina Research Guides

A. Books

1. Scott Childs and Nick Sexton, *North Carolina Legal Research Guide*, 2nd ed., Buffalo, N.Y. : William S. Hein & Co., Inc., 2009.

2. Scott Childs, *North Carolina Legal Research*, Durham, N.C. : Carolina Academic Press, 2010.

B. Research Guides by North Carolina Law Schools

1. Goodson Law Library, Duke University School of Law Research Guides - http://www.law.duke.edu/lib/research_guide

Of particular note is the "Legal Research for Non-Lawyers" guide available at http://www.law.duke.edu/lib/researchguides/nonlaw.

2. Katherine R. Everett Law Library, University of North Carolina Chapel Hill Research Guides - http://library.law.unc.edu/research/guides/default.aspx

3. Charlotte School of Law Research Guides - http://www.charlottelaw.org/lawlibrary/default.asp?PageID=170

4. Wake Forest University School of Law Legal Research Pathfinders - http://pcl.wfu.edu/PCL-Resources/Guides/alrpathfinders.html