

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1036
Committee Substitute Favorable 4/30/97

Short Title: Restrict Indigent Counsel.

(Public)

Sponsors:

Referred to:

April 21, 1997

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO
2 STUDY THE ISSUE OF RESTRICTING ENTITLEMENT TO COUNSEL OF
3 INDIGENT PERSONS TO THOSE INSTANCES IN WHICH THE FEDERAL
4 COURTS HAVE INTERPRETED THE UNITED STATES CONSTITUTION TO
5 REQUIRE THE APPOINTMENT OF COUNSEL.
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7 The General Assembly of North Carolina enacts:

8 Section 1. The Legislative Research Commission is authorized to study the
9 scope of entitlement to services of counsel by indigent persons as currently set forth in
10 G.S. 7A-451, and to consider whether such entitlement should be restricted to actions and
11 proceedings in which the federal courts have interpreted the Constitution of the United
12 States to require the appointment of counsel.

13 Section 2. The Commission may make an interim report, including any
14 legislative proposals, to the 1997 General Assembly, Regular Session 1998, and a final
15 report, including any legislative proposals, to the 1999 General Assembly.

16 Section 3. This act is effective when it becomes law.