



MAGISTRATE ANNUAL CONTINUING EDUCATION (CE) TRAINING

NCAOC Policy — Effective January 1, 2023

Purpose The purpose of this policy is to set forth administrative guidelines for the implementation of annual continuing education (CE) training for magistrates pursuant to G.S. 7A-177(b1).

Overview Within six months of taking the oath of office for the first time, a magistrate must complete “a course of basic training of at least 40 hours in the civil and criminal duties of a magistrate.” G.S. 7A-177(a).

As of January 1, 2023, except for the calendar year in which a magistrate completes the course of basic training referenced in G.S. 7A-177(a), every magistrate shall annually and satisfactorily complete a course of in-service training consisting of at least 12 hours in the civil and criminal duties of a magistrate. G.S. 7A-177(b1).

Authority The Administrative Office of the Courts is authorized to conduct the training required by G.S. 7A-177(b1) or contract with the School of Government at the University of North Carolina at Chapel Hill (UNC) or with any other qualified educational organization to conduct this training.

Applicability This policy applies to all magistrates authorized under G.S. Chapter 7A, Article 16.

Definitions **A course of in-service training:** A CE course, or courses, approved by the Director of the Administrative Office of the Courts, or his designee, that satisfies a magistrate’s obligation under G.S. 7A-177(b1).

Annually: The period of 365 days (or 366 days in leap years) starting on January 1 and ending on December 31.

Carryover Magistrates may not carry over any CE credit earned in one calendar year to the next calendar year.





Noncompletion

Any magistrate that does not annually and satisfactorily complete a course of CE training consisting of at least 12 hours in the civil and criminal duties of a magistrate, including completing courses containing the subjects listed in G.S. 7A-177(b1), will not be eligible for renomination. G.S. 7A-171.2(c). Magistrates should plan to complete any required CE training by December 1 during years when a magistrate is eligible for renomination. G.S. 7A-171(b).

Records

The Administrative Office of the Courts shall maintain magistrate CE course records in the magistrate's Learning Center transcript. CE courses taken through the Learning Center will be automatically reported and added to the magistrate's transcript.

CE courses taken through the UNC School of Government will be reported to The Administrative Office of the Courts. The UNC School of Government will send AOC the name of the magistrate, course(s) completed, and CE hours that the magistrate completes while taking courses at the UNC School of Government. AOC will add those courses and credits to the magistrate's Learning Center transcript.

Trainings

The Administrative Office of the Courts or the UNC School of Government will conduct all CE trainings necessary to satisfy the requirements of G.S. 7A-177(b1). The trainings completed pursuant to G.S. 7A-177(b1) may be conducted in-person or online.

Each year, the Administrative Office of the Courts will provide on-demand CE trainings sufficient to satisfy all G.S. 7A-177(b1) requirements. On-demand training will be available in the Learning Center. The course description will state whether the Director has approved the course for satisfying the G.S. 7A-177(b1) requirements.

In addition, the Administrative Office of the Courts, either directly or through the UNC School of Government, will offer live in-person or online CE trainings and will inform magistrates when live training satisfies the G.S. 7A-177(b1) requirements.

The requirement for CE training begins the year following the calendar year in which basic training is completed. Magistrates who completed basic training in 2022 or in prior years will be required to complete CE training in 2023 and each calendar year thereafter. Magistrates who complete basic training for the first time in 2023 will be required to complete CE training in 2024 and each calendar year thereafter.





Each magistrate subject to these rules shall complete 12 hours of Director-approved CE courses during each calendar year. Of the 12 hours, a minimum of thirty (30) minutes of training in the following subjects must be completed:

- (1) Setting conditions of pretrial release.
- (2) Impaired driving laws.
- (3) Issuing criminal processes.
- (4) Issuing search warrants.
- (5) Technology.
- (6) Orders of Protection.
- (7) Summary ejectment laws.

Once the 30 minutes of training has been completed in the above subjects, a magistrate may satisfy the remaining required CE credit hours by attending any Director-approved CE of choice. The Administrative Office of the Courts recognizes that the duties of magistrates may be greater in scope than these seven listed topics, and that training in other topics, including ethics and other civil and criminal matters, is appropriate for satisfying the twelve (12) hour annual CE training requirement.

For on-demand courses offered through the Learning Center, a certificate of completion in the Learning Center will indicate that a CE course is satisfactorily completed. Some Learning Center courses will require successful completion of a quiz/test to ensure competency in a subject prior to earning a certificate of completion. For live training offered by the Administrative Office of the Courts or the UNC School of Government, a CE course is considered satisfactorily completed when recorded in the Learning Center.

Magistrates may, and are encouraged to, track their own CE credit hours through the Learning Center.

