

N.C.P.I.—Crim—259.34

KNOWINGLY SERVING IN A POSITION REQUIRED BY LAW TO BE FILLED BY  
A CLINICAL ADDICTION SPECIALIST. MISDEMEANOR.

CRIMINAL VOLUME

JUNE 2013

N.C. Gen. Stat. § 90-113.43(a)(5).

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259.34 KNOWINGLY SERVING IN A POSITION REQUIRED BY LAW TO BE  
FILLED BY A CLINICAL ADDICTION SPECIALIST. MISDEMEANOR.

The defendant has been charged with the crime of knowingly serving  
in a position required by law to be filled by a clinical addiction specialist.

For you to find the defendant guilty of this offense, the State must  
prove two things beyond a reasonable doubt:

First, that the defendant was not [registered] [certified] [licensed] as a  
clinical addiction specialist;

And Second, that the defendant knowingly served in a position  
required by [State law] [rule] [federal law] [regulation] to be filled by a  
[registrant] [certified substance abuse counselor] [certified substance abuse  
prevention consultant] [certified criminal justice addiction professional]  
[certified clinical supervisor] [licensed clinical addiction specialist] [certified  
substance abuse residential facility director] [substance abuse counselor  
intern] [licensed clinical addiction specialist associate] [clinical supervisor  
intern].<sup>1</sup>

If you find from the evidence beyond a reasonable doubt that on or  
about the alleged date the defendant was not [registered] [certified]  
[licensed] as a clinical addiction specialist and that the defendant knowingly  
served in a position required by [State law] [rule] [federal law] [regulation]  
to be filled by a [registrant] [certified substance abuse counselor] [certified  
substance abuse prevention consultant] [certified criminal justice addiction  
professional] [certified clinical supervisor] [licensed clinical addiction  
specialist] [certified substance abuse residential facility director] [substance

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<sup>1</sup> G.S. 90-113.31A defines many of the positions listed.

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abuse counselor intern] [licensed clinical addiction specialist associate]  
[clinical supervisor intern], it would be your duty to return a verdict of guilty.  
If you do not so find or have a reasonable doubt as to one or more of these  
things, then it would be your duty to return a verdict of not guilty.