



## News Roundup

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This week, the State Auditor released an audit of the Administrative Office of the Courts. It's available [here](#). One finding was that the AOC "does not make detailed . . . DWI case data readily available to the public . . . although AOC [was] asked to do so by . . . the legislature in 2006. Consequently, there is a lack of transparency and accountability for DWI case decisions." For example, the report notes that the AOC does not regularly release data showing the types of dispositions of DWI cases broken down by county, judge, prosecutor, and defense attorney, even though [G.S. 7A-346.3](#), enacted in 2006, appears to require the AOC to provide that information. (The audit also notes that [S.L. 2006-253](#) makes G.S. 7A-346.3 effective "after the next rewrite of the superior court clerks system by the Administrative Office of the Courts," an event which apparently has not yet taken place.) The AOC response, contained in the audit, agrees that the "complete data listed in the statute is not yet fully reported," states that the AOC is working towards making more data available, and notes that it has had its technology funding significantly reduced in recent years, slowing the overhaul of the courts' computer systems.

The audit also contains other interesting DWI-related material, like a listing of counties with the highest dismissal rate (Mecklenburg's rate apparently is the highest, at 47%), and a discussion of whether better internal controls could help detect fraudulent dismissals like those in Johnston County in 2006. WRAL has a short story about the audit [here](#).

In other news:

1. **District Attorney Frank Parrish dies.** Frank Parrish, the elected district attorney in the first district – in the far northeastern corner of the state – passed away unexpectedly after church this Sunday. The *Outer Banks Voice* has a short story [here](#). The governor has appointed long-time assistant district attorney Nancy Lamb the interim district attorney.
2. **Federal courts prepare for government shutdown.** The Blog of Legal Times reports [here](#) that the federal courts "have enough reserve funds to run as normal for two business weeks before shutting down all but essential work" in the event of a federal government budget impasse. United States Attorneys' Offices face possible unpaid furloughs, though the article notes that the exact effect of a shutdown may vary by district.
3. **Is *Breaking Bad* bad for society?** Texas Prosecutor Blake Ewing argues [here](#) in *Time* that "while *Breaking Bad* may not glorify meth in the sense of making it attractive to the average viewer, it does *normalize* the idea of meth for a broad segment of society that might otherwise have no knowledge of that dark and dangerous world." Both the piece and some of the comments are worth a look.
4. **Cheaper phone calls for prison inmates.** Historically, a few companies have provided telephone services to inmates at very high rates. [This](#) story on ArsTechnica reports on recent FCC actions aimed at reforming the industry. The FCC has (1) capped rates at 21 cents per minute and (2) rejected an attempt to prevent inmates from using a service called ConsCallHome, which "give[s] families a local [i.e., cheaper] phone number to pass along to their incarcerated family member. The prisoner calls the new local . . . number (rather than their family's actual [long-distance] number), and CCH then forwards the call [using VoIP telephony] to the family's real number."
5. **Practice pointer: don't feign illness to avoid oral argument.** Finally, the *ABA Journal* [reports](#) that a disciplinary complaint has been filed against an Illinois lawyer alleging that he told the clerk of an appellate court that he was too ill to attend oral arguments, but that in fact he "was well enough to go to court" and "did

not go to court because he felt unprepared.” Personally, I think the old standby, “the dog ate my oral argument notes,” could have been worth a try.