

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**HOUSE BILL 1398  
RATIFIED BILL**

**AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT  
SUPERIOR COURT JUDGE FOR A DISTRICT.**

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 7A-41.1(b) reads as rewritten:

"(b) There shall be one and only one senior resident superior court judge for each district or set of districts as defined in subsection (a) of this section, who shall be:

- (1) Where there is only one regular resident superior court judge for the district, that judge; and
- (2) Where there are two or more regular resident superior court judges for the district or set of districts, ~~the judge who, from among all the regular resident superior court judges of the district or set of districts, has the most continuous service as a regular resident superior court judge; provided if two or more judges are of equal seniority, the oldest of those judges shall be the senior regular resident superior court judge.~~ the Chief Justice of the Supreme Court shall designate one of the judges as senior resident superior court judge to serve in that capacity at the pleasure of the Chief Justice. In exercising the authority to appoint senior resident superior court judges pursuant to this subdivision, the Chief Judge shall consider the seniority, experience, and management competence of the regular resident superior court judges. In addition, the Chief Justice shall consult with the regular resident superior court judges, the chief district court judges, the members of the district bar, the clerks of court, district attorneys, and public defenders within the district."



**SECTION 2.** This act becomes effective October 1, 2010, but each senior resident superior court judge seated on that date in a multi-judge district shall continue to serve as senior resident superior court judge until that judge vacates the seat.

In the General Assembly read three times and ratified this the 10<sup>th</sup> day of July, 2010.

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Walter H. Dalton  
President of the Senate

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Joe Hackney  
Speaker of the House of Representatives

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Beverly E. Perdue  
Governor

Approved \_\_\_\_\_m. this \_\_\_\_\_ day of \_\_\_\_\_, 2010