

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 18
Judiciary II Committee Substitute Adopted 3/7/11

Short Title: Clarify Definition/Jud. District/State Bar.

(Public)

Sponsors:

Referred to:

February 2, 2011

1 A BILL TO BE ENTITLED
2 AN ACT CLARIFYING THE DEFINITION OF JUDICIAL DISTRICTS UNDER THE
3 LAWS REGULATING THE NORTH CAROLINA STATE BAR.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 84-19 reads as rewritten:

6 "**§ 84-19. Judicial districts definition.**

7 For purposes of this Article, the term "judicial district" refers to prosecutorial districts
8 established by the General Assembly and ~~the~~ includes the High Point Superior Court District as
9 described under G.S. 7A-41(b)(13). The term "district bar" means the bar of a judicial district
10 as defined by this section."

11 **SECTION 2.** G.S. 7A-142 reads as rewritten:

12 "**§ 7A-142. Vacancies in office.**

13 A vacancy in the office of district judge shall be filled for the unexpired term by
14 appointment of the Governor from nominations submitted by the bar of the judicial district as
15 defined in G.S. 84-19, except that in judicial District 9, when vacancies occur in District Court
16 District 9 or 9B, only those members who reside in the district court district shall participate in
17 the selection of the nominees. When vacancies occur in District Court District 18, all members
18 who reside in the district court district shall participate in the selection of the nominees. If the
19 district court district is comprised of counties in more than one judicial district, the nominees
20 shall be submitted jointly by the bars of those judicial districts, but only those members who
21 reside in the district court district shall participate in the selection of the nominees. If the
22 district court judge was elected as the nominee of a political party, then the district bar shall
23 submit to the Governor the names of three persons who are residents of the district court district
24 who are duly authorized to practice law in the district and who are members of the same
25 political party as the vacating judge; provided that if there are not three persons who are
26 available, the bar shall submit the names of two persons who meet the qualifications of this
27 sentence. If the district court judge was not elected as the nominee of a political party, then the
28 district bar shall submit to the Governor the names of three persons who are residents of the
29 district court district and who are duly authorized to practice law in the district; provided that if
30 there are not three persons who are available, the bar shall submit the names of two persons
31 who meet the qualifications of this sentence. Within 60 days after the district bar submits
32 nominations for a vacancy, the Governor shall appoint to fill the vacancy. If the Governor fails
33 to appoint a district bar nominee within 60 days, then the district bar nominee who received the
34 highest number of votes from the district bar shall fill the vacancy. If the district bar fails to
35 submit nominations within 30 days from the date the vacancy occurs, the Governor may
36 appoint to fill the vacancy without waiting for nominations."

37 **SECTION 3.** This act is effective when it becomes law.



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