

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 560
Judiciary Committee Substitute Adopted 5/6/19

Short Title: Disciplining Judges-State Bar.

(Public)

Sponsors:

Referred to:

April 3, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT THE COMMISSION SHALL NOT INVESTIGATE A
3 COMPLAINT AGAINST A JUDGE BASED SUBSTANTIALLY UPON A LEGAL
4 RULING BY A JUDGE, UNLESS THAT LEGAL RULING HAS BEEN REVIEWED BY
5 AN APPELLATE COURT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 7A-377(a) reads as rewritten:

8 "(a) Any citizen of the State may file a written complaint with the Commission concerning
9 the qualifications or conduct of any justice or judge of the General Court of Justice, and thereupon
10 the Commission shall make such investigation as it deems necessary. The Commission may also
11 make an investigation on its own motion. The Commission shall not make an investigation,
12 whether initiated upon its own motion or by written complaint of a citizen of this State, when the
13 motion or complaint is based substantially upon a legal ruling by a district or superior court judge
14 and the legal ruling has not yet been reviewed and ruled upon by either the North Carolina Court
15 of Appeals or the North Carolina Supreme Court. The Commission may issue process to compel
16 the attendance of witnesses and the production of evidence, to administer oaths, and to punish
17 for contempt. No justice or judge shall be recommended for public reprimand, censure,
18 suspension, or removal unless he has been given a hearing affording due process of law."

19 **SECTION 2.** This act is effective when it becomes law and applies to complaints or
20 investigations pending on or after that date.



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