



HOUSE BILL 8: Restore Partisan Statewide Judicial Elections

2015-2016 General Assembly

Committee:	House Elections	Date:	April 1, 2015
Introduced by:	Reps. Jones, Iler, R. Brown, Jordan	Prepared by:	R. Erika Churchill
Analysis of:	First Edition		Committee Counsel

SUMMARY: *House Bill 8 would provide that elections for statewide appellate court judges be conducted in a partisan manner.*

CURRENT LAW: Prior to 1996, elections of judges in North Carolina were conducted in a partisan manner. In 1996, the law governing the elections of superior court judges was amended to make those elections nonpartisan. In 2001, the law governing the elections of district court judges was amended to make those elections nonpartisan. In 2002, the law governing the elections of appellate court judges was amended to make those elections nonpartisan, beginning with the 2004 elections. As a result, currently, all elections of appellate court, superior court and district court judges in North Carolina are conducted in a nonpartisan manner.

Appellate Court justices are elected statewide, and serve eight year terms.

The Superior and District Court Divisions of the General Court of Justice consist of various district courts organized in territorial districts, with at least one district judge in each district. The General Assembly determines the number of judges for each district. Each judge must be a resident of the district to which he or she is elected. Superior Court judges serve eight-year terms; district court judges serve four-year terms.

The provisions for nonpartisan judicial races are set out in Article 25 of Chapter 163 of the General Statutes. Candidates run in nonpartisan primaries, held on the same day in May as the party primaries. The primaries reduce the field to twice the number to be elected, eliminating additional candidates. Then, the reduced field runs in the November general election. The system is patterned after the nonpartisan primary and elections used by some cities to elect their mayors and city councils.

BILL ANALYSIS: The bill would make races for the justice of the North Carolina Supreme Court and judges of the North Carolina Court of Appeals partisan. Races for superior and district court would remain non-partisan.

EFFECTIVE DATE: Effective for elections held on or after January 1, 2016.

