



HOUSE BILL 1037: Various Judicial Districts Changes.

2017-2018 General Assembly

Committee:		Date:	June 4, 2018
Introduced by:	Reps. Dixon, Cleveland, Shepard	Prepared by:	Erika Churchill
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 1037 would make various changes to the Superior Court districts, District Court districts and Prosecutorial districts.*

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. S.L. 2017 3 returns judicial elections to a partisan basis, effective with the 2018 elections. Superior Court judges serve eight year terms; district court judges serve four year terms.

Election of the Superior and District Court Divisions of the General Court of Justice are by district, consisting of various territorial districts, with at least one district judge in each district. The General Assembly determines the number of judges for each district. Each judge is a resident of the district to which he or she is elected. Article IV, Sec. 9 and 10, of the North Carolina Constitution grant the General Assembly authority to divide the State, from time to time, into a convenient number of judicial districts and divisions.

BILL ANALYSIS:

Organized by county, the bill would make the following adjustments:

Duplin, Jones, Sampson, Onslow. Currently, Duplin, Jones, and Sampson Counties comprise Superior Court District 4A, with one judge whose term expires in 2020. Onslow County comprises Superior Court District 4B, with one judge whose term expires in 2022. G.S. 7A 41. Currently, Duplin, Jones, Onslow and Sampson Counties comprise one District Court district, with eight judges. G.S. 7A 133. And, the same four counties comprise one Prosecutorial district, with 19 assistant district attorneys. G.S. 7A 60.

The bill would combine Duplin, Jones, Onslow and Sampson Counties into one Superior Court district, with two judges.

Hoke and Moore Counties; Anson, Richmond, and Scotland Counties.

- For Superior Court and District Court, restructure the existing districts to provide for the following groupings:

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- District 16A – Anson, Richmond, and Scotland. Assigned two Superior Court judges, and four District Court judges, effective when the bill becomes law.
- District 19D – Hoke and Moore. Assigned one Superior Court judges, effective when the bill becomes law and a second Superior Court Judge, effective January 1, 2019, and four District Court judges, effective when the bill becomes law.
- For Prosecutorial districts, restructure the existing districts to provide for the following groupings:
 - District 21 – Anson, Richmond, and Scotland. Assigned seven assistant district attorneys, effective January 1, 2021, with an election in 2020 to be held accordingly.
 - District 28 – Hoke and Moore. Assigned nine assistant district attorneys, effective January 1, 2021, with an election in 2020 to be held accordingly.

Montgomery, Randolph and Stanly.

- For Superior Court and District Court, restructure the existing districts to provide for the following groupings:
 - District 20A – Montgomery and Stanly. Assigned one Superior Court judges, effective when the bill becomes law and a second Superior Court Judge, effective January 1, 2019, and two District Court judges, effective when the bill becomes law, and a third District Court Judge, effective January 1, 2019.
 - District 19B – Randolph. Assigned one Superior Court judges, effective when the bill becomes law and a second Superior Court Judge, effective January 1, 2019, and five District Court judges, effective when the bill becomes law.
- For Prosecutorial districts, restructure the existing districts to provide for the following groupings:
 - District 29 – Montgomery and Stanly. Assigned six assistant district attorneys, effective when the bill becomes law.
 - District 26 – Randolph. Assigned ten assistant district attorneys, effective when the bill becomes law.

EFFECTIVE DATE: As noted above.