



SENATE BILL 757: Various Court Districts Changes.

2017-2018 General Assembly

Committee:		Date:	June 3, 2018
Introduced by:	Sens. Bishop, Tarte	Prepared by:	Erika Churchill and Jessica Sammons, Staff Attorneys
Analysis of:	Fourth Edition		

OVERVIEW: *Senate Bill 757, effective by phasing in beginning with the 2018 elections, would re-establish the following judicial districts:*

- *Superior Court districts, Mecklenburg County, fully effective January 1, 2023.*
- *District Court districts, Mecklenburg County, fully effective January 1, 2021.*
- *Superior Court districts, Pender and New Hanover Counties, fully effective January 1, 2019.*
- *District Court districts, Wake County, fully effective January 1, 2021.*

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: Please see attached maps for the proposed Superior Court and District Court districts for Mecklenburg, Pender/New Hanover, and Wake Counties.

For Superior Court, one new judgeship would be added to Mecklenburg County, effective January 1, 2021.

For District Court, two new judgeships would be added to Wake County, one effective January 1, 2019, and a second effective January 1, 2021.

The phase-in implementation would not impact the current elective term of any Superior Court judge or District Court judge.

EFFECTIVE DATE: Effective January 1, 2019, phased-in with elections held between 2018 and 2022.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578