



## SENATE BILL 75: Restore Ct. of Appeals Membership.

2019-2020 General Assembly

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<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	February 20, 2019
<b>Introduced by:</b>	Sens. Hise, Daniel, Bishop	<b>Prepared by:</b>	Jessica Sammons*
<b>Analysis of:</b>	First Edition		Staff Attorney

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**OVERVIEW:** *Senate Bill 75 would increase the number of judges on the North Carolina Court of Appeals from twelve to fifteen.*

**CURRENT LAW & BACKGROUND:** The North Carolina Court of Appeals is the state's intermediate appellate court. The Court of Appeals reviews the proceedings that occurred in the trial courts for errors of law or legal procedure. Judges of the Court of Appeals are elected statewide and serve eight-year terms. Judges of the Court of Appeals rotate and hear cases in panels of three.

Currently, 15 judges hear cases in panels of three; however, G. S. 7A-16 provides that three judgeships will be phased out. **S. L. 2017-7** reduced the Court of Appeals from 15 to 12 judges by abolishing the first three seats that became vacant on or after January 1, 2017, and before the expiration of the incumbent's term.

Fifteen judges had been allocated to the court from 2000-2017. **S. L. 2000-67** increased the Court of Appeals from 12 to 15 judges by creating three judgeships filled by appointment by the Governor on or after December 15, 2000. Those judges' successors were elected in the 2004 general election.

**BILL ANALYSIS:** Senate Bill 75 would increase the number of judges on the Court of Appeals to 15.

**EFFECTIVE DATE:** This act is effective when it becomes law.

*\*Jennifer Bedford, counsel to Senate Judiciary, substantially contributed to this summary.*

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*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*