

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 683

Short Title: Judicial Elections.

(Public)

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Sponsors: Senator Ballance.

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Referred to: Judiciary II/Election Laws

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April 13, 1995

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR THE ELECTION OF SUPERIOR COURT JUDGES BY  
2 JUDICIAL DISTRICT, AND TO INCREASE THE NUMBER OF DISTRICT  
3 COURT DISTRICTS, SO AS TO INCREASE COMPLIANCE WITH SECTIONS 2  
4 AND 5 OF THE VOTING RIGHTS ACT OF 1965 AND TO ENABLE  
5 SETTLEMENT OF LITIGATION.  
6

7 The General Assembly of North Carolina enacts:

8 Section 1. The State of North Carolina has been engaged in extensive  
9 litigation concerning election of superior court judges, there is potential litigation  
10 concerning election of district court judges, and the State of North Carolina has been  
11 unable to receive preclearance under Section 5 of the Voting Rights Act of 1965 for  
12 legislation to add additional district court judges. This act is designed to eliminate and  
13 avoid these problems, and to settle existing litigation.

14 Sec. 2. Chapter 7A of the General Statutes is amended by adding a new  
15 section to read:

16 "**§ 7A-41.2. Nomination and election of regular superior court judges.**

17 Candidates for the office of regular superior court judge shall be both nominated and  
18 elected by the qualified voters of the superior court district for which the election is  
19 sought."

1           Sec. 3. G.S. 163-1 is amended in the table by deleting the word "State" in the  
2 column entitled "Jurisdiction" under the entry for "Judges of the superior courts", and  
3 substituting "Superior Court District".

4           Sec. 4. G.S. 163-140(a) reads as rewritten:

5           "(a) Kinds of General Election Ballots; Right to Combine. – For purposes of  
6 general elections, there shall be seven kinds of official ballots entitled:

- 7           (1) Ballot for presidential electors
- 8           (2) Ballot for United States Senator
- 9           (3) Ballot for member of the United States House of Representatives
- 10          (4) State ballot
- 11          (5) County ballot
- 12          (6) Repealed by Session Laws 1973, c. 793, s. 56.
- 13          (7) Ballot for constitutional amendments and other propositions submitted  
14 to the people.

15 Use of official ballots shall be limited to the purposes indicated by their titles. The  
16 printing on all ballots shall be plain and legible but, unless large type is specified by this  
17 section, type larger than 10-point shall not be used in printing ballots. All general election  
18 ballots shall be prepared in such a way as to leave sufficient blank space beneath each  
19 name printed thereon in which a voter may conveniently write the name of any person for  
20 whom he may desire to vote.

21           Unless prohibited by this section, the board of elections, State or county, charged by  
22 law with printing ballots may, in its discretion, combine any two or more official ballots.  
23 Whenever two or more ballots are combined, the voting instructions for the State ballot  
24 set out in subsection (b)(4) of this section shall be used, except that if the two ballots  
25 being combined do not contain a multi-seat race, then the second sentence of instruction  
26 b. shall not appear on the ballot.

27           Contests in the general election for seats in the State House of Representatives and  
28 State Senate shall be on ballots that are separate from ballots containing non-legislative  
29 contests, except where the voting system used makes separation of ballots impractical.  
30 State House and State Senate contests shall be on the same ballot, unless one is a single-  
31 seat contest and the other a multi-seat contest.

32           ~~If the State Board of Elections divides the State ballot into two or more ballots, all~~  
33 ~~candidates for superior court shall appear on the same ballot except that the State Board of~~  
34 ~~Elections appropriate board of elections may divide the election of superior court judges~~  
35 ~~into two ballots either because of length of the ballot or to provide a separate ballot for~~  
36 ~~multi-seat races but only superior court judges shall be on those ballots, and all~~  
37 ~~candidates for the Appellate Division shall appear on the same ballot."~~

38           Sec. 5. G.S. 163-140(b)(4) reads as rewritten:

- 39           "(4) State Ballot: Beneath the title and general instructions set out in this  
40 subsection, the ballot for single-seat contests for State officers, and for  
41 all State officers where mechanical voting machines are used ~~(including~~  
42 ~~judges of the superior court)~~ shall be divided into parallel columns  
43 separated by distinct black lines. The State Board of Elections shall

1 assign a separate column to each political party having candidates for  
2 State offices and one to unaffiliated candidates, if any. At the head of  
3 each party column the party's name shall be printed in large type, and at  
4 the head of the column for unaffiliated candidates shall be printed in  
5 large type the words 'Unaffiliated Candidates.' Below the party name in  
6 each column shall be printed a circle, one-half inch in diameter, around  
7 which shall be plainly printed the following instruction: 'For a straight  
8 ticket, mark within this circle.' With distinct black lines, the State Board  
9 of Elections shall divide the columns into horizontal sections and, in the  
10 customary order of office, assign a separate section to each office or  
11 group of offices to be filled. On a single line at the top of each section  
12 shall be printed a direction as to the number of candidates for whom a  
13 vote may be cast. If candidates are to be chosen for different terms to  
14 the same office, the term in each instance shall be printed as part of the  
15 title of the office.

16 The name or names of each political party's candidate or candidates  
17 for each office listed on the ballot shall be printed in the appropriate  
18 office section of the proper party column, and the names of unaffiliated  
19 candidates shall be printed in the appropriate office section of the  
20 column headed 'Unaffiliated Candidates.' At the left of each name shall  
21 be printed a voting square, and in each column all voting squares shall  
22 be arranged in a perpendicular line.

23 On the face of the ballot, above the party and unaffiliated column  
24 division, the following instructions shall be printed in heavy black type,  
25 and the words 'you must also' in instruction c. shall be underlined:

- 26 'a. To vote for all candidates of one party (a straight ticket), make a  
27 cross (X) mark in the circle of the party for whose candidates you  
28 wish to vote.
- 29 b. You may vote a split ticket by not marking a cross (X) mark in  
30 the party circle, but by making a cross (X) mark in the square  
31 opposite the name of each candidate for whom you wish to vote.
- 32 c. You may also vote a split ticket by marking a cross (X) mark in  
33 the party circle and then making a cross (X) mark in the square  
34 opposite the name of any candidate you choose of a different  
35 party. In any multi-seat race where a party circle is marked and  
36 you vote for candidates of another party, you must also make a  
37 cross (X) mark opposite the name of any candidate you choose of  
38 the party for which you marked the party circle to assure your  
39 vote will count.
- 40 d. If you tear or deface or wrongly mark this ballot, return it and get  
41 another.'

42 On the bottom of the ballot shall be printed an identified facsimile of  
43 the signature of the Chairman of the State Board of Elections. If the

1 State ballot contains no multi-seat race, then the second sentence of  
2 instruction b. shall not appear on the ballot."

3 Sec. 6. G.S. 163-140(b)(5) reads as rewritten:

4 "(5) County Ballot: Beneath the title and general instructions set out in this  
5 subsection, the ballot for single-seat contests for county officers  
6 (including district attorney for the prosecutorial district in which the  
7 county is situated, district judge for the district court district in which  
8 the county is situated, regular resident superior court judge for the  
9 superior court district in which the county or part thereof is situated, and  
10 members of the General Assembly in the senatorial and representative  
11 districts in which the county is situated), and for all county offices  
12 where mechanical voting machines are used, shall be divided into  
13 parallel columns separated by distinct black lines. The county board of  
14 elections shall assign a separate column to each political party having  
15 candidates for the offices on the ballot and one to unaffiliated  
16 candidates, if any. At the head of each party column the party's name  
17 shall be printed in large type and at the head of the column for  
18 unaffiliated candidates shall be printed in large type the words  
19 'Unaffiliated Candidates.' Below the party name in each column shall be  
20 printed a circle, one-half inch in diameter, around which shall be plainly  
21 printed the following instruction: 'For a straight ticket, mark within this  
22 circle.' With distinct black lines, the county board of elections shall  
23 divide the columns into horizontal sections and, in the customary order  
24 of office, assign a separate section to each office or group of offices to  
25 be filled. On a single line at the top of each section shall be printed the  
26 title of the office, and directly below the title shall be printed a direction  
27 as to the number of candidates for whom a vote may be cast. If  
28 candidates are to be chosen for different terms to the same office, the  
29 term in each instance shall be printed as part of the title of the office.

30 The name or names of each political party's candidate or candidates  
31 for each office listed on the ballot shall be printed in the appropriate  
32 office section of the proper party column, and the names of unaffiliated  
33 candidates shall be printed in the appropriate office section of the  
34 column headed 'Unaffiliated Candidates.' At the left of each name shall  
35 be printed a voting square, and in each column all voting squares shall  
36 be arranged in a perpendicular line.

37 On the face of the ballot, above the party and unaffiliated column  
38 division, the following instructions shall be printed in heavy black type,  
39 and the words 'you must also' in instruction c. shall be underlined:

40 'a. To vote for all candidates of one party (a straight ticket), make a  
41 cross (X) mark in the circle of the party for whose candidates you  
42 wish to vote.

- 1           b.     You may vote a split ticket by not marking a cross (X) mark in  
2           the party circle, but by making a cross (X) mark in the square  
3           opposite the name of each candidate for whom you wish to vote.  
4           c.     You may also vote a split ticket by marking a cross (X) mark in  
5           the party circle and then making a cross (X) mark in the square  
6           opposite the name of any candidate you choose of a different  
7           party. In any multi-seat race where a party circle is marked and  
8           you vote for candidates of another party, you must also make a  
9           cross (X) mark opposite the name of any candidate you choose of  
10          the party for which you marked the party circle to assure your  
11          vote will count.  
12          d.     If you tear or deface or wrongly mark this ballot, return it and get  
13          another.'

14                 On the bottom of the ballot shall be printed an identified facsimile of  
15                 the signature of the chairman of the county board of elections. If the  
16                 county ballot contains no multi-seat race, then the second sentence of  
17                 instruction b. shall not appear on the ballot."

18                 Sec. 7. G.S. 163-192 reads as rewritten:

19     **"§ 163-192. State Board of Elections to prepare abstracts and declare results of**  
20     **primaries and elections.**

21                 (a)     After Primary. – At the conclusion of its canvass of the primary election, the  
22     State Board of Elections shall prepare separate abstracts of the votes cast:

- 23                 (1)     For Governor and all State officers, justices of the Supreme Court,  
24                 judges of the Court of Appeals, ~~judges of the superior court,~~ and United  
25                 States Senators.  
26                 (2)     For members of the United States House of Representatives for the  
27                 several congressional districts in the State.  
28                 (3)     For district court judges for the several district court districts in the  
29                 State.  
30                 (3a)    For superior court judges for the several superior court districts in the  
31                 State.  
32                 (4)     For district attorney in the several prosecutorial districts in the State.  
33                 (5)     For State Senators in the several senatorial districts in the State  
34                 composed of more than one county.  
35                 (6)     For members of the State House of Representatives in the several  
36                 representative districts in the State composed of more than one county.

37                 Abstracts prepared by the State Board of Elections under this subsection shall state  
38     the total number of votes cast for each candidate of each political party for each of the  
39     various offices canvassed by the State Board of Elections. They shall also state the name  
40     or names of the person or persons whom the State Board of Elections shall ascertain and  
41     judicially determine by the count to be nominated for each office.

1 Abstracts prepared under this subsection shall be signed by the members of the State  
2 Board of Elections in their official capacity and shall have the great seal of the State  
3 affixed thereto.

4 (b) After General Election. – At the conclusion of its canvass of the general  
5 election, the State Board of Elections shall prepare abstracts of the votes cast:

6 (1) For President and Vice-President of the United States, when an election  
7 is held for those offices.

8 (2) For Governor and all State officers, justices of the Supreme Court,  
9 judges of the Court of Appeals, ~~judges of the superior court,~~ and United  
10 States Senators.

11 (3) For members of the United States House of Representatives for the  
12 several congressional districts in the State.

13 (4) For district court judges for the several district court districts as defined  
14 in G.S. 7A-133 in the State.

15 (4a) For superior court judges for the several superior court districts in the  
16 State.

17 (5) For district attorney in the several prosecutorial districts in the State.

18 (6) For State Senators in the several senatorial districts in the State  
19 composed of more than one county.

20 (7) For members of the State House of Representatives in the several  
21 representative districts in the State composed of more than one county.

22 (8) For and against any constitutional amendments or propositions  
23 submitted to the people.

24 Abstracts prepared by the State Board of Elections under this subsection shall state  
25 the names of all persons voted for, the office for which each received votes, and the  
26 number of legal ballots cast for each candidate for each office canvassed by the State  
27 Board of Elections. They shall also state the name or names of the person or persons  
28 whom the State Board of Elections shall ascertain and judicially determine by the count  
29 to be elected to each office.

30 Abstracts prepared under this subsection shall be signed by the members of the State  
31 Board of Elections in their official capacity and shall have the great seal of the State  
32 affixed thereto.

33 (c) Disposition of Abstracts of Returns. – The State Board of Elections shall file  
34 with the Secretary of State the original abstracts of returns prepared by it under the  
35 provisions of subsections (a) and (b) of this section, and also the duplicate county  
36 abstracts transmitted to the State Board of Elections under the provisions of G.S. 163-  
37 177. Upon the request of the Legislative Services Office, the Secretary of State shall  
38 submit a copy of the original abstracts to that Office."

39 Sec. 8. Article 18 of Chapter 7A of the General Statutes is amended by adding  
40 a new section to read:

41 **"§ 7A-200. District and set of districts defined; senior chief district court judges and**  
42 **their authority.**

43 (a) In this section:

- 1           (1) 'District' means any district court district established by G.S. 7A-133
- 2           which consists exclusively of one or more entire counties;
- 3           (2) 'Set of districts' means any set of two or more district court districts
- 4           established under G.S. 7A-133, none of which consists exclusively of
- 5           one or more entire counties, but both or all of which include territory
- 6           from the same county or counties and together comprise all of the
- 7           territory of that county or those counties; and
- 8           (3) 'Chief district court judge' means in the case of a set of districts, the
- 9           senior chief district court judge for those districts, designated by the
- 10           chief justice from among the chief district court judges for the districts
- 11           in the set of districts.

12           (b) Whenever by law a duty is imposed upon the chief district court judge, it  
 13 means for a set of districts the senior chief district court judge designated under  
 14 subsection (a)(3) of this section."

15           Sec. 9. Article 14 of Chapter 7A of the General Statutes is amended by adding  
 16 a new section to read:

17 **"§ 7A-149. Jurisdiction; sessions.**

18           (a) Notwithstanding any other provision of law, district court judge of a district  
 19 court district which is in a set of districts as defined by G.S. 7A-200 has jurisdiction in  
 20 the entire county or counties in which the district is located to the same extent as if the  
 21 district encompassed the entire county, and has jurisdiction in the entire set of districts to  
 22 the same extent as if the district encompassed the entire set of districts.

23           (b) All sessions of district court shall be for an entire county, whether that county  
 24 comprises or is located in a district or in a set of districts as defined in G.S. 7A-200, and  
 25 at each session all matters and proceedings arising anywhere in the county may be heard.

26           (c) All clerks of court for a county have jurisdiction over the entire county,  
 27 notwithstanding that the county may be part of a set of districts."

28           Sec. 10. G.S. 7A-133 reads as rewritten:

29 **"§ 7A-133. Numbers of judges by districts; numbers of magistrates and additional**  
 30 **seats of court, by counties.**

31           (a) Each district court district shall have the numbers of judges and each county  
 32 within the district shall have the numbers of magistrates and additional seats of court, as  
 33 set forth in the following table:

Additional			Magistrates		Seats of
District	Judges	County	<del>Min.</del>	<del>Max.</del>	Court
1	3	Camden	1	2	
		Chowan	2	3	
		Currituck	1	2	
		Dare	3	8	
		Gates	2	3	
		Pasquotank	3	4	

1				Perquimans	2	3	
2	2	3	Martin	5	8		
3				Beaufort	4	8	
4				Tyrrell	1	3	
5				Hyde	2	4	
6				Washington	3	4	
7	3A	3	Pitt	10	12	Farmville	
8							Ayden
9	3B	4	Craven	7	10	Havelock	
10				Pamlico	2	3	
11				Carteret	5	8	
12	4	6	Sampson	6	8		
13				Duplin	9	11	
14				Jones	2	3	
15				Onslow	8	14	
16	5	6	New Hanover	6	11		
17				Pender	4	6	
18	6A	2	Halifax	9	14	Roanoke	
19							Rapids,
20							Scotland Neck
21	6B	3	Northampton	5	6		
22				Bertie	4	5	
23				Hertford	5	6	
24	<u>7A</u>	<u>6</u>	Nash	7	10	Rocky Mount	
25	<u>7B</u>	<u>2</u>				(part of	Rocky Mount
26						Edgecombe	
27						see subsection (b))	
28						(part of Wilson	
29						see subsection (b))	
30	<u>7C</u>	<u>2</u>	part of Wilson		4	6	
31						see subsection (b))	
32						part of Edgecombe	
33						see subsection (b))	
34	8	5	Wayne	5	11	Mount Olive	
35				Greene	2	4	
36				Lenoir	4	10	La Grange
37	9	4	Granville	3	7		
38						(part of Vance	
39						see subsection (b))	
40				Warren	3	4	
41				Franklin	3	6	
42	9A	2	Person	3	4		
43				Caswell	2	5	



1	<u>9B</u>	<u>1</u>	<u>Warren</u>					
2				(part of Vance				
3				<u>see subsection (b))</u>				
4	<u>10 A</u>	<u>122</u>	(part of Wake	<u>12</u>	<u>20</u>	Apex,		
5				<u>see subsection (b))</u>				Wendell,
6								Fuquay-
7								Varina,
8								Wake Forest
9	<u>10B</u>	<u>4</u>	(part of Wake					
10				<u>see subsection (b))</u>				
11	<u>10C</u>	<u>3</u>	(part of Wake					
12				<u>see subsection (b))</u>				
13	<u>10D</u>	<u>3</u>	(part of Wake					
14				<u>see subsection (b))</u>				
15	11	6	Harnett	7	11	Dunn		
16				Johnston			10	12
17								Benson,
18								Clayton
19				Lee			4	6
20	<u>12 A</u>	<u>72</u>	(part of	<u>10</u>	<u>17</u>			
21				Cumberland <u>see</u>				
22				<u>subsection (b))</u>				
23	<u>12B</u>	<u>2</u>	(part of Cumberland					
24				<u>see subsection (b))</u>				
25	<u>12C</u>	<u>3</u>	(part of Cumberland					
26				<u>see subsection (b))</u>				
27	13	4	Bladen	4	6			
28				Brunswick			4	7
29				Columbus			6	8
30	<u>14 A</u>	<u>52</u>	(part of Durham				8	12
31				<u>see subsection (b))</u>				
32	<u>14B</u>	<u>3</u>	(part of Durham					
33				<u>see subsection (b))</u>				
34	15A	3	Alamance	7	10	Burlington		
35	15B	3	Orange	4	11	Chapel Hill		
36				Chatham			3	8
37	16A	2	Scotland	3	5			Siler City
38				Hoke			4	5
39	16B	5	Robeson	8	16	Fairmont,		
40								Maxton,
41								Pembroke,
42								Red Springs,
43								Rowland,

1									St. Pauls
2	17A	2		Rockingham		4	9		Reidsville;
3									Eden;
4									Madison
5	17B	3	Stokes	2	5				
6				Surry		5	8		Mt. Airy
7	18 A	4	2	(part of Guilford	20	26		High Point	
8				see subsection (b))					
9	18B	9		(part of Guilford					
10				see subsection (b)					
11	19A	3	Cabarrus	5	9			Kannapolis	
12	19B	3	Montgomery	2	4				
13				Randolph		5	8		Liberty
14	19C	3	Rowan	5	10				
15	20	6	Stanly	5	6				
16				Union		4	6		
17				Anson		4	5		
18				Richmond		5	6		Hamlet
19				Moore		5	8		Southern
20									Pines
21	21 A	7	2	(part of Forsyth	3	15		Kernersville	
22				see subsection (b)					
23	21B	2		(part of Forsyth					
24				see subsection (b)					
25	21C	2		(part of Forsyth					
26				see subsection (b)					
27	21D	1		(part of Forsyth					
28				see subsection (b)					
29	22	7	Alexander	2	3				
30				Davidson		7	10		Thomasville
31				Davie		2	3		
32				Iredell		4	9		Mooreville
33	23	3	Alleghany	1	2				
34				Ashe		3	4		
35				Wilkes		4	6		
36				Yadkin		3	5		
37	24	3	Avery	3	4				
38				Madison		4	5		
39				Mitchell		3	4		
40				Watauga		4	6		
41				Yancey		2	4		
42	25	7	Burke	4	7				
43				Caldwell		4	7		

1				Catawba		6	10	Hickory
2	26 A	144	(part of	15 26				
3				Mecklenburg				
4				see subsection (b)				
5	26B	5	(part of Mecklenburg					
6				see subsection (b)				
7	26C	5	(part of Mecklenburg					
8				see subsection (b)				
9	27A	5	Gaston	11 20				
10	27B	4	Cleveland	5 8				
11				Lincoln		4	6	
12	28	5	Buncombe	6 15				
13	29	4	Henderson	4 6				
14				McDowell		3	5	
15				Polk		3	4	
16				Rutherford		6	8	
17				Transylvania		2	4	
18	30	4	Cherokee	3 4				
19				Clay		1	2	
20				Graham		2	3	
21				Haywood		5	7	Canton
22				Jackson		3	4	
23				Macon		3	4	
24				Swain		2	3	

25 (b) For district court districts of less than a whole county, or with part or all of one  
 26 county with part of another, the composition of the district is as follows:

- 27 (1) District Court District 7B is the same as Superior Court District 7B.
- 28 (2) District Court District 7C is the same as Superior Court District 7C.
- 29 (3) District Court District 7B is the same as Superior Court District 7B.
- 30 (4) District Court District 9 consists of Franklin and Granville Counties and  
 31 the remainder of Vance County not in District Court District 9B.
- 32 (5) District Court District 9B consists of Warren County and Middleburg,  
 33 Townsville and Williamsboro Precincts of Vance County.
- 34 (6) District Court District 10A is the same as Superior Court District 10A.
- 35 (7) District Court District 10B is the same as Superior Court District 10B.
- 36 (8) District Court District 10C is the same as Superior Court District 10C.
- 37 (9) District Court District 10D is the same as Superior Court District 10D.
- 38 (10) District Court District 12A is the same as Superior Court District 12A.
- 39 (11) District Court District 12B is the same as Superior Court District 12B.
- 40 (12) District Court District 12C is the same as Superior Court District 12C.
- 41 (13) District Court District 14A is the same as Superior Court District 14A.
- 42 (14) District Court District 14B is the same as Superior Court District 14B.
- 43 (15) District Court District 18A is the same as Superior Court District 18A.

- 1           (16) District Court District 18B is remainder of Guilford County not in
- 2           District Court District 18A.
- 3           (17) District Court District 21A is the same as Superior Court District 21B.
- 4           (18) District Court District 21B is the same as Superior Court District 21B.
- 5           (19) District Court District 21C is the same as Superior Court District 21C.
- 6           (20) District Court District 21D is the same as Superior Court District 21D.
- 7           (21) District Court District 26A is the same as Superior Court District 26A.
- 8           (22) District Court District 26B is the same as Superior Court District 26B.
- 9           (23) District Court District 26C is the same as Superior Court District 26C.

10           Precinct boundaries as used in this section for Vance County are those shown on maps  
 11 on file with the Legislative Services Office on May 1, 1991, and for other counties are  
 12 those reported by the United States Bureau of the Census under Public Law 94-171 for  
 13 the 1990 Census in the IVTD Version of the TIGER files.

14           (c) Each county shall have the numbers of magistrates and additional seats of  
 15 district court, as set forth in the following table:

County	Min.-Max.	Magistrates Court	Additional Seats of
Camden	1 2		
Chowan	2 3		
Currituck	1 2		
Dare	3 8		
Gates	2 3		
Pasquotank	3 4		
Perquimans	2 3		
Martin		5	8
Beaufort	4 8		
Tyrrell	1 3		
Hyde	2 4		
Washington	3 4		
Pitt		10	12
Craven		7	10
Pamlico	2 3		
Carteret	5 8		
Sampson	6 8		
Duplin	9 11		
Jones	2 3		
Onslow	8 14		
New Hanover		6	11
Pender	4 6		
Halifax	9 14	Roanoke	

1					Rapids,
2					Scotland Neck
3	Northampton	5	6		
4	Bertie 4	5			
5	Hertford	5	6		
6	Nash		7	10	Rocky Mount
7	Edgecombe	4	6	Rocky Mount	
8	Wilson	4	6		
9	Wayne		5	11	Mount Olive
10	Greene	2	4		
11	Lenoir 4	10	La Grange		
12	Granville		3	7	
13	Vance 3	5			
14	Warren	3	4		
15	Franklin	3	6		
16	Person		3	4	
17	Caswell	2	5		
18	Wake		12	20	Apex,
19					Wendell,
20					Fuquay-
21					Varina,
22					Wake Forest
23	Harnett		7	11	Dunn
24	Johnston 10	12	Benson,		
25					Clayton
26					and Selma
27	Lee	4	6		
28	Cumberland		10	17	
29	Bladen		4	6	
30	Brunswick	4	7		
31	Columbus 6	8	Tabor City		
32	Durham		8	12	
33	Alamance		7	10	Burlington
34	Orange		4	11	Chapel Hill
35	Chatham	3	8	Siler City	
36	Scotland		3	5	
37	Hoke 4	5			
38	Robeson		8	16	Fairmont,
39					Maxton,
40					Pembroke,
41					Red Springs,
42					Rowland,
43					St. Pauls

1	Rockingham	4	9	Reidsville,	
2					Eden,
3					Madison
4	Stokes	2	5		
5	Surry	5	8	Mt. Airy	
6	Guilford		20	26	High Point
7	Cabarrus		5	9	Kannapolis
8	Montgomery		2	4	
9	Randolph	5	8	Liberty	
10	Rowan	5	10		
11	Stanly	5	6		
12	Union	4	6		
13	Anson	4	5		
14	Richmond		5	6	Hamlet
15	Moore	5	8	Southern	
16					Pines
17	Forsyth	3	15	Kernersville	
18	Alexander		2	3	
19	Davidson	7	10	Thomasville	
20	Davie	2	3		
21	Iredell	4	9	Mooresville	
22	Alleghany		1	2	
23	Ashe	3	4		
24	Wilkes	4	6		
25	Yadkin	3	5		
26	Avery	3	4		
27	Madison	4	5		
28	Mitchell	3	4		
29	Watauga	4	6		
30	Yancey	2	4		
31	Burke	4	7		
32	Caldwell	4	7		
33	Catawba	6	10	Hickory	
34	Mecklenburg		15	26	
35	Gaston			11	20
36	Cleveland	5	8		
37	Lincoln	4	6		
38	Buncombe	6	15		
39	Henderson		4	6	
40	McDowell	3	5		
41	Polk	3	4		
42	Rutherford	6	8		
43	Transylvania	2	4		

1	Cherokee	3	4	
2	Clay	1	2	
3	Graham	2	3	
4	Haywood	5	7	Canton
5	Jackson	3	4	
6	Macon	3	4	
7	Swain	2	3."	

8 Sec. 11. (a) The total number of judges shown for existing law for District Court  
 9 Districts 12 and 18 include those authorized by Section 200.6 of Chapter 321 of the 1993  
 10 Session Laws which have not yet been approved under Section 5 of the Voting Rights  
 11 Act of 1965.

12 (b) Section 10 of this act does not affect the right of any judge to finish the term of  
 13 office for which elected.

14 Sec. 12. (a) G.S. 7A-142 reads as rewritten:

15 **"§ 7A-142. Vacancies in office.**

16 A vacancy in the office of district judge shall be filled for the unexpired term by  
 17 appointment of the ~~Governor from~~ Governor. The Governor may appoint any resident of  
 18 the district court district who is duly authorized to practice law in the district after  
 19 considering nominations submitted by the bar of the judicial district as defined in G.S.  
 20 ~~84-19-84-19~~ and any nominations submitted by other interested persons or organizations.  
 21 If the district court district is comprised of counties in more than one judicial district, the  
 22 nominees shall be submitted jointly by the bars of those judicial districts, but only those  
 23 members who reside in the district court district shall participate in the selection of the  
 24 nominees. ~~If the district court judge was elected as the nominee of a political party, then the~~  
 25 The district bar shall submit to the Governor the names of not fewer than three persons  
 26 who are residents of the district court district who are duly authorized to practice law in  
 27 the district and who are members of the same political party as the vacating judge; district;  
 28 provided that if there are not three persons who are available, the bar shall submit the  
 29 names of two persons who meet the qualifications of this sentence. Within 60 days after the  
 30 district bar submits nominations for a vacancy, the Governor shall appoint to fill the vacancy. If  
 31 the Governor fails to appoint a district bar nominee within 60 days, then the district bar nominee  
 32 who received the highest number of votes from the district bar shall fill the vacancy. If the  
 33 district bar fails to submit nominations within 30 days from the date the vacancy occurs,  
 34 the Governor may appoint to fill the vacancy without waiting for nominations."

35 (b) This section is effective upon ratification and applies to all district court  
 36 vacancies occurring on or after that date.

37 Sec. 13. The provisions of this act are severable. If any provision of this act is  
 38 held invalid by a court of competent jurisdiction, the invalidity does not affect other  
 39 provisions of the act that can be given effect without the invalid provision.

40 Sec. 14. This act is effective upon ratification.