

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE DRS85281-LL-42 (02/09)

Short Title: Restore Method of Determining Sr. Res. Judge. (Public)

Sponsors: Senator Meredith (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO RESTORE THE METHOD FOR DETERMINING THE SENIOR RESIDENT
3 SUPERIOR COURT JUDGE FOR A DISTRICT SO THAT THE SENIOR RESIDENT
4 JUDGE IS THE JUDGE WHO HAS THE MOST CONTINUOUS SERVICE AS A
5 SUPERIOR COURT JUDGE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 7A-41.1(b) reads as rewritten:

8 "(b) There shall be one and only one senior resident superior court judge for each district
9 or set of districts as defined in subsection (a) of this section, who shall be:

- 10 (1) Where there is only one regular resident superior court judge for the district,
11 that judge; and
12 (2) Where there are two or more regular resident superior court judges for the
13 district or set of districts, ~~the Chief Justice of the Supreme Court shall~~
14 ~~designate one of the judges as senior resident superior court judge to serve in~~
15 ~~that capacity at the pleasure of the Chief Justice. In exercising the authority~~
16 ~~to appoint senior resident superior court judges pursuant to this subdivision,~~
17 ~~the Chief Justice shall consider the seniority, experience, and management~~
18 ~~competence of the regular resident superior court judges. In addition, the~~
19 ~~Chief Justice shall consult with the regular resident superior court judges, the~~
20 ~~chief district court judges, the members of the district bar, the clerks of~~
21 ~~court, district attorneys, and public defenders within the district. the judge~~
22 who, from among all the regular resident superior court judges of the district
23 or set of districts, has the most continuous service as a regular resident
24 superior court judge; provided if two or more judges are of equal seniority,
25 the oldest of those judges shall be the senior regular resident superior court
26 judge."

27 **SECTION 2.** This act is effective when it becomes law, but any senior resident
28 superior court judge seated on that date who would not qualify to be senior resident under
29 G.S. 7A-41.1(b), as amended by this act, shall continue to serve as senior resident superior
30 court judge until that judge vacates the seat.

