

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

**H**

**D**

**HOUSE BILL 35  
PROPOSED COMMITTEE SUBSTITUTE H35-PCS30059-TVa-1**

Short Title: Add'l Superior and District Court Judges. (Public)

Sponsors:

Referred to:

February 7, 2019

A BILL TO BE ENTITLED  
AN ACT TO INCREASE THE NUMBER OF SUPERIOR COURT AND DISTRICT COURT  
JUDGES IN ONSLOW, JONES, DUPLIN, AND SAMPSON COUNTIES, TO INCREASE  
THE NUMBER OF DISTRICT COURT JUDGES IN BURKE, CALDWELL, AND  
CATAWBA COUNTIES, AND TO APPROPRIATE FUNDS.

Whereas, the most recent available data of the judicial branch workload formula developed by the Administrative Office of the Courts indicates that the superior court district containing Onslow, Jones, Duplin, and Sampson counties needs one additional superior court judgeship; and

Whereas, the same data indicates that the district court district containing the same counties needs two additional district court judgeships; Now, therefore,  
The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 7A-41(a) reads as rewritten:

"(a) The counties of the State are organized into judicial divisions and superior court districts, and each superior court district has the counties, and the number of regular resident superior court judges set forth in the following table, and for districts of less than a whole county, as set out in subsection (b) of this section:

| Judicial Division | Superior Court District | Counties   | No. of Resident Judges |
|-------------------|-------------------------|--|------------------------|
| First             | 1                       | Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans | 2                      |
| First             | 2                       | Beaufort, Hyde, Martin, Tyrrell, Washington                    | 1                      |
| First             | 3A                      | Pitt   | 2                      |
| Second            | 3B                      | Carteret, Craven, Pamlico                                      | 3                      |
| Second            | 4                       | Duplin, Jones, Onslow, Sampson                                 | <u>2</u> <del>3</del>  |
| Second            | 5A                      | (part of New Hanover, Pender                                   | 1                      |



\* H 3 5 - P C S 3 0 0 5 9 - T V A - 1 \*

|    |        |     |                       |   |
|----|--------|-----|-----------------------|---|
| 1  |        |     | see subsection (b))   | 5 |
| 2  |        | 5B  | (part of New Hanover, | 1 |
| 3  |        |     | see subsection (b))   |   |
| 4  |        | 5C  | (part of New Hanover, | 1 |
| 5  |        |     | see subsection (b))   |   |
| 6  | First  | 6A  | Halifax               | 1 |
| 7  | First  | 6B  | Bertie, Hertford,     | 1 |
| 8  |        |     | Northampton           |   |
| 9  | First  | 7A  | Nash                  | 1 |
| 10 | First  | 7B  | (part of Wilson,      | 1 |
| 11 |        |     | part of Edgecombe,    |   |
| 12 |        |     | see subsection (b))   |   |
| 13 | First  | 7C  | (part of Wilson,      | 1 |
| 14 |        |     | part of Edgecombe,    |   |
| 15 |        |     | see subsection (b))   |   |
| 16 | Second | 8A  | Lenoir and Greene     | 1 |
| 17 | Second | 8B  | Wayne                 | 1 |
| 18 | First  | 9   | Franklin, Granville,  | 2 |
| 19 |        |     | Person, Vance, Warren |   |
| 20 | Third  | 10A | (part of Wake,        | 1 |
| 21 |        |     | see subsection (b))   |   |
| 22 | Third  | 10B | (part of Wake,        | 1 |
| 23 |        |     | see subsection (b))   |   |
| 24 | Third  | 10C | (part of Wake,        | 1 |
| 25 |        |     | see subsection (b))   |   |
| 26 | Third  | 10D | (part of Wake,        | 1 |
| 27 |        |     | see subsection (b))   |   |
| 28 | Third  | 10E | (part of Wake,        | 1 |
| 29 |        |     | see subsection (b))   |   |
| 30 | Third  | 10F | (part of Wake,        | 1 |
| 31 |        |     | see subsection (b))   |   |
| 32 | Third  | 11A | Harnett,              | 1 |
| 33 |        |     | Lee                   |   |
| 34 | Third  | 11B | Johnston              | 1 |
| 35 | Third  | 12A | (part of Cumberland,  | 1 |
| 36 |        |     | see subsection (b))   |   |
| 37 | Third  | 12B | (part of Cumberland,  | 1 |
| 38 |        |     | see subsection (b))   |   |
| 39 | Third  | 12C | (part of Cumberland,  | 2 |
| 40 |        |     | see subsection (b))   |   |
| 41 | Second | 13A | Bladen, Columbus      | 1 |
| 42 | Second | 13B | Brunswick             | 1 |
| 43 | First  | 14A | (part of Durham,      | 1 |
| 44 |        |     | see subsection (b))   |   |
| 45 | First  | 14B | (part of Durham,      | 3 |
| 46 |        |     | see subsection (b))   |   |
| 47 | Third  | 15A | Alamance              | 2 |
| 48 | Fourth | 15B | Orange, Chatham       | 2 |
| 49 | Third  | 16A | Anson, Richmond,      | 2 |
| 50 |        |     | Scotland              |   |
| 51 | Second | 16B | Robeson               | 2 |

|    |        |     |                       |   |
|----|--------|-----|-----------------------|---|
| 1  | Fourth | 17A | Caswell, Rockingham   | 2 |
| 2  | Fourth | 17B | Stokes, Surry         | 1 |
| 3  | Fourth | 18A | (part of Guilford,    | 1 |
| 4  |        |     | see subsection (b))   |   |
| 5  | Fourth | 18B | (part of Guilford,    | 1 |
| 6  |        |     | see subsection (b))   |   |
| 7  | Fourth | 18C | (part of Guilford,    | 1 |
| 8  |        |     | see subsection (b))   |   |
| 9  | Fourth | 18D | (part of Guilford,    | 1 |
| 10 |        |     | see subsection (b))   |   |
| 11 | Fourth | 18E | (part of Guilford,    | 1 |
| 12 |        |     | see subsection (b))   |   |
| 13 | Fourth | 19A | Cabarrus              | 1 |
| 14 | Third  | 19B | Randolph              | 2 |
| 15 | Fourth | 19C | Rowan                 | 1 |
| 16 | Third  | 19D | Hoke, Moore           | 2 |
| 17 | Third  | 20A | Montgomery, Stanly    | 2 |
| 18 | Third  | 20B | Union                 | 2 |
| 19 | Fourth | 21A | (part of Forsyth,     | 1 |
| 20 |        |     | see subsection (b))   |   |
| 21 | Fourth | 21B | (part of Forsyth,     | 1 |
| 22 |        |     | see subsection (b))   |   |
| 23 | Fourth | 21C | (part of Forsyth,     | 1 |
| 24 |        |     | see subsection (b))   |   |
| 25 | Fourth | 21D | (part of Forsyth,     | 1 |
| 26 |        |     | see subsection (b))   |   |
| 27 | Fourth | 22A | Alexander, Iredell    | 2 |
| 28 | Fourth | 22B | Davidson, Davie       | 2 |
| 29 | Fourth | 23  | Alleghany, Ashe,      | 1 |
| 30 |        |     | Wilkes, Yadkin        |   |
| 31 | Fifth  | 24  | Avery, Madison,       | 2 |
| 32 |        |     | Mitchell,             |   |
| 33 |        |     | Watauga, Yancey       |   |
| 34 | Fifth  | 25A | Burke, Caldwell       | 2 |
| 35 | Fifth  | 25B | Catawba               | 2 |
| 36 | Fifth  | 26A | (part of Mecklenburg, | 1 |
| 37 |        |     | see subsection (b))   |   |
| 38 | Fifth  | 26B | (part of Mecklenburg, | 1 |
| 39 |        |     | see subsection (b))   |   |
| 40 | Fifth  | 26C | (part of Mecklenburg, | 1 |
| 41 |        |     | see subsection (b))   |   |
| 42 |        | 26D | (part of Mecklenburg, | 1 |
| 43 |        |     | see subsection (b))   |   |
| 44 |        | 26E | (part of Mecklenburg, | 1 |
| 45 |        |     | see subsection (b))   |   |
| 46 |        | 26F | (part of Mecklenburg, | 1 |
| 47 |        |     | see subsection (b))   |   |
| 48 |        | 26G | (part of Mecklenburg, | 1 |
| 49 |        |     | see subsection (b))   |   |
| 50 |        | 26H | (part of Mecklenburg, | 1 |
| 51 |        |     | see subsection (b))   |   |

|    |       |     |                    |     |
|----|-------|-----|--------------------|-----|
| 1  | Fifth | 27A | Gaston             | 2   |
| 2  | Fifth | 27B | Cleveland, Lincoln | 2   |
| 3  | Fifth | 28  | Buncombe           | 2   |
| 4  | Fifth | 29A | McDowell,          | 1   |
| 5  |       |     | Rutherford         |     |
| 6  | Fifth | 29B | Henderson, Polk,   | 1   |
| 7  |       |     | Transylvania       |     |
| 8  | Fifth | 30A | Cherokee, Clay,    | 1   |
| 9  |       |     | Graham, Macon,     |     |
| 10 |       |     | Swain              |     |
| 11 | Fifth | 30B | Haywood, Jackson   | 1." |

**SECTION 2.** G.S. 7A-133(a) reads as rewritten:

"(a) Each district court district shall have the numbers of judges as set forth in the following table:

| <u>District</u> | <u>Judges</u>          | <u>County</u>  |
|-----------------|------------------------|----------------|
| 1               | 5                      | Camden         |
|                 |                        | Chowan         |
|                 |                        | Currituck      |
|                 |                        | Dare           |
|                 |                        | Gates          |
|                 |                        | Pasquotank     |
|                 |                        | Perquimans     |
| 2               | 4                      | Martin         |
|                 |                        | Beaufort       |
|                 |                        | Tyrrell        |
|                 |                        | Hyde           |
|                 |                        | Washington     |
| 3A              | 5                      | Pitt           |
| 3B              | 6                      | Craven         |
|                 |                        | Pamlico        |
|                 |                        | Carteret       |
| 4               | <u>8</u> <sup>10</sup> | Sampson        |
|                 |                        | Duplin         |
|                 |                        | Jones          |
|                 |                        | Onslow         |
| 5               | 9                      | New Hanover    |
|                 |                        | Pender         |
| 6               | 4                      | Northampton    |
|                 |                        | Bertie         |
|                 |                        | Hertford       |
|                 |                        | Halifax        |
| 7               | 7                      | Nash           |
|                 |                        | Edgecombe      |
|                 |                        | Wilson         |
| 8               | 6                      | Wayne          |
|                 |                        | Greene         |
|                 |                        | Lenoir         |
| 9               | 5                      | Granville      |
|                 |                        | (part of Vance |
|                 |                        | see subsection |
|                 |                        | (b))           |

|    |     |    |                     |
|----|-----|----|---------------------|
| 1  |     |    | Franklin            |
| 2  |     |    | Person              |
| 3  | 9B  | 2  | Warren              |
| 4  |     |    | (part of Vance      |
| 5  |     |    | see subsection (b)) |
| 6  | 10A | 3  | (part of Wake       |
| 7  |     |    | see subsection (b)) |
| 8  | 10B | 3  | (part of Wake       |
| 9  |     |    | see subsection (b)) |
| 10 | 10C | 3  | (part of Wake       |
| 11 |     |    | see subsection (b)) |
| 12 | 10D | 6  | (part of Wake       |
| 13 |     |    | see subsection (b)) |
| 14 | 10E | 3  | (part of Wake       |
| 15 |     |    | see subsection (b)) |
| 16 | 10F | 3  | (part of Wake       |
| 17 |     |    | see subsection (b)) |
| 18 | 11  | 11 | Harnett             |
| 19 |     |    | Johnston            |
| 20 |     |    | Lee                 |
| 21 | 12  | 10 | Cumberland          |
| 22 | 13  | 6  | Bladen              |
| 23 |     |    | Brunswick           |
| 24 |     |    | Columbus            |
| 25 | 14  | 7  | Durham              |
| 26 | 15A | 4  | Alamance            |
| 27 | 15B | 5  | Orange              |
| 28 |     |    | Chatham             |
| 29 | 16A | 4  | Scotland            |
| 30 |     |    | Anson               |
| 31 |     |    | Richmond            |
| 32 | 16B | 5  | Robeson             |
| 33 | 17A | 4  | Caswell             |
| 34 |     |    | Rockingham          |
| 35 | 17B | 4  | Stokes              |
| 36 |     |    | Surry               |
| 37 | 18  | 14 | Guilford            |
| 38 | 19A | 5  | Cabarrus            |
| 39 | 19B | 5  | Randolph            |
| 40 | 19C | 5  | Rowan               |
| 41 | 19D | 4  | Hoke, Moore         |
| 42 | 20A | 3  | Montgomery, Stanly  |
| 43 | 20B | 1  | (part of Union      |
| 44 |     |    | see subsection      |
| 45 |     |    | (b))                |
| 46 | 20C | 2  | (part of Union      |
| 47 |     |    | see subsection      |
| 48 |     |    | (b))                |
| 49 | 20D | 1  | Union               |
| 50 | 21  | 11 | Forsyth             |
| 51 | 22A | 5  | Alexander           |

|    |     |            |                     |
|----|-----|------------|---------------------|
| 1  |     |            | Iredell             |
| 2  | 22B | 6          | Davidson            |
| 3  |     |            | Davie               |
| 4  | 23  | 4          | Alleghany           |
| 5  |     |            | Ashe                |
| 6  |     |            | Wilkes              |
| 7  |     |            | Yadkin              |
| 8  | 24  | 4          | Avery               |
| 9  |     |            | Madison             |
| 10 |     |            | Mitchell            |
| 11 |     |            | Watauga             |
| 12 |     |            | Yancey              |
| 13 | 25  | <u>910</u> | Burke               |
| 14 |     |            | Caldwell            |
| 15 |     |            | Catawba             |
| 16 | 26A | 3          | (part of            |
| 17 |     |            | Mecklenburg         |
| 18 |     |            | see subsection (b)) |
| 19 | 26B | 3          | (part of            |
| 20 |     |            | Mecklenburg         |
| 21 |     |            | see subsection (b)) |
| 22 | 26C | 2          | (part of            |
| 23 |     |            | Mecklenburg         |
| 24 |     |            | see subsection (b)) |
| 25 | 26D | 2          | (part of            |
| 26 |     |            | Mecklenburg         |
| 27 |     |            | see subsection (b)) |
| 28 | 26E | 3          | (part of            |
| 29 |     |            | Mecklenburg         |
| 30 |     |            | see subsection (b)) |
| 31 | 26F | 3          | (part of            |
| 32 |     |            | Mecklenburg         |
| 33 |     |            | see subsection (b)) |
| 34 | 26G | 2          | (part of            |
| 35 |     |            | Mecklenburg         |
| 36 |     |            | see subsection (b)) |
| 37 | 26H | 3          | (part of            |
| 38 |     |            | Mecklenburg         |
| 39 |     |            | see subsection (b)) |
| 40 | 27A | 7          | Gaston              |
| 41 | 27B | 6          | Cleveland           |
| 42 |     |            | Lincoln             |
| 43 | 28  | 7          | Buncombe            |
| 44 | 29A | 3          | McDowell            |
| 45 |     |            | Rutherford          |
| 46 | 29B | 4          | Henderson           |
| 47 |     |            | Polk                |
| 48 |     |            | Transylvania        |
| 49 | 30  | 6          | Cherokee            |
| 50 |     |            | Clay                |
| 51 |     |            | Graham              |

1 Haywood  
2 Jackson  
3 Macon  
4 Swain."

5 **SECTION 2.5.** Only persons who reside in Burke or Caldwell County may be  
6 candidates for the judgeship created in District 25 by Section 2 of this act.

7 **SECTION 3.** There is appropriated from the General Fund to the Administrative  
8 Office of the Courts the sum of four hundred forty-seven thousand seven hundred ninety-six  
9 dollars (\$447,796) for the 2020-2021 fiscal year.

10 **SECTION 4.** Sections 1 and 2 of this act become effective January 1, 2021, and  
11 elections conducted in 2020 shall be conducted in accordance with the judgeships created in those  
12 sections. Section 3 of this act becomes effective July 1, 2020. The remainder of this act is  
13 effective when it becomes law.