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| Short Title: | District Judge 8-Year Terms.                          (Public) |
| Sponsors: | Senator Snow. |
| Referred to: | |

1                                      A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROVIDE
3      EIGHT-YEAR TERMS FOR DISTRICT COURT JUDGES.
4 The General Assembly of North Carolina enacts:
5           **SECTION 1.** Section 10 of Article IV of the North Carolina Constitution
6 reads as rewritten:
7 "**Sec. 10. District Courts.**
8      The General Assembly shall, from time to time, divide the State into a convenient
9 number of local court districts and shall prescribe where the District Courts shall sit, but
10 a District Court must sit in at least one place in each county. District Judges shall be
11 elected for each district for a term of ~~four~~ eight years, in a manner prescribed by law.
12 When more than one District Judge is authorized and elected for a district, the Chief
13 Justice of the Supreme Court shall designate one of the judges as Chief District Judge.
14 Every District Judge shall reside in the district for which he is elected. For each county,
15 the senior regular resident Judge of the Superior Court serving the county shall appoint
16 for a term of two years, from nominations submitted by the Clerk of the Superior Court
17 of the county, one or more Magistrates who shall be officers of the District Court. The
18 number of District Judges and Magistrates shall, from time to time, be determined by
19 the General Assembly. Vacancies in the office of District Judge shall be filled for the
20 unexpired term in a manner prescribed by law. Vacancies in the office of Magistrate
21 shall be filled for the unexpired term in the manner provided for original appointment to
22 the office."
23           **SECTION 2.** The amendment set out in Section 1 of this act shall be
24 submitted to the qualified voters of the State at the statewide general election in
25 November of 2008, which election shall be conducted under the laws then governing
26 elections in the State. Ballots, voting systems, or both may be used in accordance with

1    Chapter 163 of the General Statutes.  The question to be used in the voting systems and
2    ballots shall be:
3                                    "[ ] FOR        [ ] AGAINST
4                    Constitutional amendment providing eight-year terms for District Court
5    Judges, the same as for all other judges of the General Court of Justice."
6            **SECTION 3.**  If a majority of votes cast on the question are in favor of the
7    amendment set out in Section 1 of this act, the State Board of Elections shall certify the
8    amendments to the Secretary of State.  Section 1 applies beginning with District Court
9    Judges elected in the 2010 general election. The Secretary of State shall enroll the
10   amendment so certified among the permanent records of that office.
11           **SECTION 4.**  G.S. 7A-140 reads as rewritten:
12   "**§ 7A-140.  Number; election; term; qualification; oath.**
13      There shall be at least one district judge for each district. Each district judge shall be
14   elected by the qualified voters of the district court district in which he or she is to serve
15   at the time of the election for members of the General Assembly. The number of judges
16   for each district shall be determined by the General Assembly. Each judge shall be a
17   resident of the district for which elected, and shall serve a term of ~~four~~ eight years,
18   beginning on the first day in January next after  election.
19      Each district judge shall devote his or her full time to the duties of the office. He or
20   she shall not practice law during the term, nor shall he or she during such term be the
21   partner or associate of any person engaged in the practice of law.
22      Before entering upon his or her duties, each district judge, in addition to other oaths
23   prescribed by law, shall take the oath of office prescribed for a judge of the General
24   Court of Justice."
25           **SECTION 5.**  G.S. 163-1 is amended in the table by rewriting the "TERM
26   OF OFFICE" entries for Judges of the District Courts to read:  "Eight years".
27           **SECTION 6.**   Sections 4 and 5 of this act shall take effect only upon
28   approval of the voters of the constitutional amendment set forth in Section 1 of this act.
29   If the constitutional amendment proposed in that section is approved by the voters,
30   Sections 4 and 5 of this act shall become effective at the same time as the constitutional
31   amendment.
32           **SECTION 7.**  This act is effective when it becomes law.