

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1265

Short Title: Courts Commission Membership.

(Public)

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Sponsors: Representatives R. Hunter, Culpepper, Hensley, McCrary, and Neely.

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Referred to: Rules, Calendar, and Operations of the House.

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May 21, 1996

A BILL TO BE ENTITLED

AN ACT TO MAKE CHANGES IN THE MEMBERSHIP OF THE NORTH CAROLINA COURTS COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-506 reads as rewritten:

**"§ 7A-506. Creation; members; terms; qualifications; vacancies.**

(a) The North Carolina Courts Commission is created. Effective July 1, 1993, it shall consist of 24-28 members, six-seven to be appointed by the Governor, six-seven to be appointed by the Speaker of the House of Representatives, six-seven to be appointed by the President Pro Tempore of the Senate, and six-seven to be appointed by the Chief Justice of the Supreme Court.

(b) Of the appointees of the Chief Justice of the Supreme Court, one shall be a Justice of the Supreme Court, one shall be a Judge of the Court of Appeals, two shall be judges of superior court, ~~and two shall be district court judges.~~ judges, and one shall be a public member who is not an attorney and who is not an officer or employee of the Judicial Department.

(c) Of the six-seven appointees of the Governor, one shall be a district attorney, one shall be a practicing attorney, one shall be a clerk of superior court, at least three shall be members of the General Assembly, ~~and at least one-two shall not be an attorney.~~

1 attorneys, and of the nonattorneys, one shall be a public member who is not an officer or  
2 employee of the Judicial Department.

3 (d) Of the ~~six~~ seven appointees of the Speaker of the House, at least three shall be  
4 practicing attorneys, at least three shall be members of the General Assembly, and at least  
5 ~~one~~ two shall not be an ~~attorney~~ attorneys, and of the nonattorneys, one shall be a public  
6 member who is not an officer or employee of the Judicial Department.

7 (e) Of the ~~six~~ seven appointees of the President Pro Tempore of the Senate, at least  
8 three shall be practicing attorneys, at least three shall be members of the General  
9 Assembly, and at least one shall be a ~~magistrate~~ magistrate, and one shall be a public  
10 member who is not an attorney and who is not an officer or employee of the Judicial  
11 Department.

12 (f) Of the initial appointments of each appointing authority, three shall be  
13 appointed for four-year terms to begin July 1, 1993, and three shall be appointed for two-  
14 year terms to begin July 1, 1993. The two public members appointed by the Governor  
15 and the Speaker of the House of Representatives shall be appointed for four-year terms to  
16 begin July 1, 1997. The two public members appointed by the Chief Justice and the  
17 President Pro Tempore of the Senate shall be appointed for two-year terms to begin July  
18 1, 1997. Successors shall be appointed for four-year terms.

19 (g) A vacancy in membership shall be filled for the remainder of the unexpired  
20 term by the appointing authority who made the original appointment. A member whose  
21 term expires may be reappointed."

22 Sec. 2. G.S. 7A-507 reads as rewritten:

23 "**§ 7A-507. Ex officio members.**

24 The following additional members shall serve ex officio: the Administrative Officer  
25 of the Courts; a representative of the North Carolina State Bar appointed by the Council  
26 thereof; and a representative of the North Carolina Bar Association appointed by the  
27 Board of Governors thereof. ~~Ex officio members have no vote.~~ The Administrative Officer  
28 of the Courts has no vote."

29 Sec. 3. This act is effective upon ratification.