

March 22, 2007

S 1436. APPT. OF MAGISTRATES/EMERGENCY MAGISTRATES. Filed 3/21/07. *TO AMEND THE CONSTITUTION REGARDING APPOINTMENT OF MAGISTRATES AND AUTHORIZE THE USE OF EMERGENCY MAGISTRATES, AS RECOMMENDED BY THE STATE JUDICIAL COUNCIL.*

Requires a proposed constitutional amendment to be submitted to voters in November 2007 to allow the General Assembly to provide by statute for the appointment and supervision of magistrates. If the amendment is successful, the bill amends GS 7A-171 to provide that magistrates will be appointed by the Chief District Court Judge of the district within which the magistrate's county is located. Provides that the Chief District Court Judge may reappoint any magistrate with at least six years of tenure as a magistrate or select a new magistrate from a list of two or more persons nominated by the Clerk of Superior Court for the county in which the magistrate will preside. Also amends GS 7A-171.3 to allow the Administrative Office of the Courts to appoint former magistrates with at least five years of experience to act as emergency magistrates throughout the state. Effective January 1, 2008, if the constitutional amendment is adopted by the voters.

Intro. by Snow.

GS 7A, CONST