



NORTH CAROLINA GENERAL ASSEMBLY  
CONFERENCE REPORT  
House Bill 1398

H1398-CRST-207 [v.2]

Page 1 of 1

[YES] Title Change

[YES] For Committee Substitute

To: The President of the Senate  
The Speaker of the House of Representatives

The conferees appointed to resolve the differences between the Senate and the House of Representatives on House Bill 1398, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT SUPERIOR COURT JUDGE FOR A DISTRICT; AND TO ALLOW A FEDERAL DISTRICT COURT JUDGE TO PERFORM MARRIAGE CEREMONIES, Senate Judiciary I Committee Substitute Adopted 7/6/10, submit the following report:

The House and Senate agree to the following amendment to the Senate Committee Substitute, Senate Judiciary I Committee Substitute adopted 7/6/10, and the House concurs in the Senate Committee Substitute as amended:

Delete the entire Senate Committee Substitute and substitute the attached Proposed Conference Committee Substitute H1398-PCCS50975-ST-2.

The conferees recommend that the Senate and the House of Representatives adopt this report.

Date Conferees approved report: July 9, 2010.

Conferees for the Senate

Conferees for the House of Representatives

John Snow, Chair

Melanie Wade Goodwin, Chair

Phil Berger

Paul Stam

Linda Garrou

Deborah K. Ross

Submitted  
ADOPTED 7-9-10  
ADOPTED

460 ) Message Received  
( 1 ) Ordered Enrolled



House  
rejects  
BY SPECIAL MESS  
sent

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2009

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HOUSE BILL 1398

Senate Judiciary I Committee Substitute Adopted 7/6/10

Proposed Conference Committee Substitute H1398-PCCS50975-ST-2

Short Title: Determining Senior Resident Sup Ct Judge.

(Public)

Sponsors:

Referred to:

April 13, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE THE METHOD FOR DETERMINING THE SENIOR RESIDENT  
3 SUPERIOR COURT JUDGE FOR A DISTRICT.  
4 The General Assembly of North Carolina enacts:  
5 SECTION 1. G.S. 7A-41.1(b) reads as rewritten:  
6 "(b) There shall be one and only one senior resident superior court judge for each district  
7 or set of districts as defined in subsection (a) of this section, who shall be:  
8 (1) Where there is only one regular resident superior court judge for the district,  
9 that judge; and  
10 (2) Where there are two or more regular resident superior court judges for the  
11 district or set of districts, ~~the judge who, from among all the regular resident~~  
12 ~~superior court judges of the district or set of districts, has the most~~  
13 ~~continuous service as a regular resident superior court judge; provided if two~~  
14 ~~or more judges are of equal seniority, the oldest of those judges shall be the~~  
15 ~~senior regular resident superior court judge.~~the Chief Justice of the Supreme  
16 Court shall designate one of the judges as senior resident superior court  
17 judge to serve in that capacity at the pleasure of the Chief Justice. In  
18 exercising the authority to appoint senior resident superior court judges  
19 pursuant to this subdivision, the Chief Judge shall consider the seniority,  
20 experience, and management competence of the regular resident superior  
21 court judges. In addition, the Chief Justice shall consult with the regular  
22 resident superior court judges, the chief district court judges, the members of  
23 the district bar, the clerks of court, district attorneys, and public defenders  
24 within the district."  
25 SECTION 2. This act becomes effective October 1, 2010, but each senior resident  
26 superior court judge seated on that date in a multi-judge district shall continue to serve as senior  
27 resident superior court judge until that judge vacates the seat.

