



HOUSE BILL 679: Expand Emergency Judge Assignments.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	April 29, 2019
Introduced by:	Reps. Zachary, Rogers, John	Prepared by:	Tawanda N. Foster
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 679 expands the circumstances under which an emergency judge may be assigned by the Chief Justice of the North Carolina Supreme Court.*

CURRENT LAW: Article 8 of Chapter 7A of the General Statutes provides the requirements related to retirement and retirement compensation of judges of the Superior Court, recall to emergency service of Judges of the District and Superior Court, and disability retirement for Judges of the Superior Court. Specifically, G.S. 7A-52 provides the circumstances under which retired district and superior court judges may become emergency judges and be recalled to active service.

BILL ANALYSIS: House Bill 679 expands the circumstances under which an emergency judge may be assigned to include the following:

- Medical leave of a sitting judge.
- A disaster declaration made pursuant to the North Carolina Emergency Management Act.
- Assignment by the Chief Justice of a Rule 2.1 exceptional case to an emergency judge.
- Court coverage need created by holdover sessions, cases in which a judge has a conflict, judicial administrative responsibilities, or judicial educational responsibilities.

EFFECTIVE DATE: This act is effective when it becomes law.

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