

27 NCAC 01A .1013 SELECTION OF NOMINEES FOR DISTRICT COURT JUDGE

Unless otherwise required by law, the following procedures shall be used to determine the nominees to be recommended to the Governor pursuant to G.S. 7A-142 for vacant district court judgeships in the judicial district.

(a) Meeting for Nominations: The nominees shall be selected by secret, written ballot of those members present at a meeting of the district bar called for this purpose. Fifteen (15) days notice of the meeting shall be given, by mail, to the last known address of each district bar member. Alternatively, if a bylaw permitting elections by mail is adopted by the district bar, the procedures set forth in the bylaw and in Rule .0804 of Subchapter 01A of the Rules of the North Carolina State Bar (27 NCAC 01A .0804), shall be followed.

(b) Candidates: Persons who want to be considered for the vacancy shall notify the President in writing five (5) days prior to the meeting at which the election will be conducted or, if the election is by mail, five days prior to the mailing of the ballots.

(c) Voting: Each district bar member eligible to vote pursuant to G.S. 7A-142 may vote for up to five (5) candidates. Cumulative voting is prohibited. Proxy voting is prohibited.

(d) **Submission to Governor:** The five candidates receiving the highest number of votes shall be the nominees to fill the vacancy on the district court and their names, and vote totals, shall be transmitted to the governor. In the event of a tie for fifth place, the names of those candidates involved in the tie shall be transmitted to the governor together with the names of the four candidates receiving the highest number of votes.

*History Note: Authority G.S. 7A-142; 84-18.1; 84-23;
Adopted Eff. February 27, 2003;
Amended Eff. March 6, 2014.*