

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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1

HOUSE BILL 1053

Short Title: Realign Wake Superior Court Districts. (Public)

Sponsors: Representative Stam.

Referred to: Judiciary I.

March 31, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO REALIGN SUPERIOR COURT DISTRICTS IN WAKE COUNTY.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 7A-41(a) reads as rewritten:
5 **"§ 7A-41. Superior court divisions and districts; judges.**

6 (a) The counties of the State are organized into judicial divisions and superior
7 court districts, and each superior court district has the counties, and the number of
8 regular resident superior court judges set forth in the following table, and for districts of
9 less than a whole county, as set out in subsection (b) of this section:

Judicial Division	Superior Court District	Counties	No. of Resident Judges
First	1	Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	2
First	2	Beaufort, Hyde, Martin, Tyrrell, Washington	1
First	3A	Pitt	2
Second	3B	Carteret, Craven, Pamlico	3
Second	4A	Duplin, Jones, Sampson	1 1
Second	4B	Onslow	1
Second	5A	(part of New Hanover, part of Pender see subsection (b))	1
	5B	(part of New Hanover, part of Pender see subsection (b))	1
	5C	(part of New Hanover,	1

1			see subsection (b))	
2	First	6A	Halifax	1
3	First	6B	Bertie, Hertford,	1
4			Northampton	
5	First	7A	Nash	1
6	First	7B	(part of Wilson,	1
7			part of Edgecombe,	
8			see subsection (b))	
9	First	7C	(part of Wilson,	1
10			part of Edgecombe, see	
11			subsection (b))	
12	Second	8A	Lenoir and Greene	1
13	Second	8B	Wayne	1
14	Third	9	Franklin, Granville,	2
15			Vance, Warren	
16	Third	9A	Person, Caswell	1
17	Third	10A	(part of Wake,	2 <u>1</u>
18			see subsection (b))	
19	Third	10B	(part of Wake,	2 <u>1</u>
20			see subsection (b))	
21	Third	10C	(part of Wake,	1
22			see subsection (b))	
23	Third	10D	(part of Wake,	1
24			see subsection (b))	
25	<u>Third</u>	<u>10E</u>	<u>(part of Wake,</u>	<u>1</u>
26			<u>see subsection (b))</u>	
27	<u>Third</u>	<u>10F</u>	<u>(part of Wake,</u>	<u>1</u>
28			<u>see subsection (b))</u>	
29	Fourth	11A	Harnett, Lee	1
30	Fourth	11B	Johnston	1
31	Fourth	12A	(part of Cumberland,	1
32			see subsection (b))	
33	Fourth	12B	(part of Cumberland,	1
34			see subsection (b))	
35	Fourth	12C	(part of Cumberland,	2
36			see subsection (b))	
37	Fourth	13	Bladen, Brunswick,	2
38			Columbus	
39	Third	14A	(part of Durham,	1
40			see subsection (b))	
41	Third	14B	(part of Durham,	3
42			see subsection (b))	
43	Third	15A	Alamance	2
44	Third	15B	Orange, Chatham	2

1	Fourth	16A	Scotland, Hoke	1
2	Fourth	16B	Robeson	2
3	Fifth	17A	Rockingham	2
4	Fifth	17B	Stokes, Surry	2
5	Fifth	18A	(part of Guilford,	1
6			see subsection (b))	
7	Fifth	18B	(part of Guilford,	1
8			see subsection (b))	
9	Fifth	18C	(part of Guilford,	1
10			see subsection (b))	
11	Fifth	18D	(part of Guilford,	1
12			see subsection (b))	
13	Fifth	18E	(part of Guilford,	1
14			see subsection (b))	
15	Sixth	19A	Cabarrus	1
16	Fifth	19B	Montgomery, Randolph	1
17	Sixth	19C	Rowan	1
18	Fifth	19D	Moore	1
19	Sixth	20A	Anson,	1
20			Richmond	
21	Sixth	20B	Stanly, Union	2
22	Fifth	21A	(part of Forsyth,	1
23			see subsection (b))	
24	Fifth	21B	(part of Forsyth,	1
25			see subsection (b))	
26	Fifth	21C	(part of Forsyth,	1
27			see subsection (b))	
28	Fifth	21D	(part of Forsyth,	1
29			see subsection (b))	
30	Sixth	22	Alexander, Davidson,	3
31			Davie, Iredell	
32	Fifth	23	Alleghany, Ashe,	1
33			Wilkes, Yadkin	
34	Eighth	24	Avery, Madison,	2
35			Mitchell, Watauga, Yancey	
36	Seventh	25A	Burke, Caldwell	2
37	Seventh	25B	Catawba	2
38	Seventh	26A	(part of Mecklenburg,	2
39			see subsection (b))	
40	Seventh	26B	(part of Mecklenburg,	3
41			see subsection (b))	
42	Seventh	26C	(part of Mecklenburg,	2
43			see subsection (b))	
44	Seventh	27A	Gaston	2

1	Seventh	27B	Cleveland, Lincoln	2
2	Eighth	28	Buncombe	2
3	Eighth	29	Henderson,	2
4			McDowell, Polk, Rutherford,	
5			Transylvania	
6	Eighth	30A	Cherokee, Clay,	1
7			Graham, Macon, Swain	
8	Eighth	30B	Haywood, Jackson	1."

SECTION 2. G.S. 7A-41(b) reads as rewritten:

"(b) For superior court districts of less than a whole county, or with part of one county with part of another, the composition of the district and the number of judges is as follows:

- (1) Superior Court District 7B consists of County Commissioner Districts 1, 2 and 3 of Wilson County, Blocks 127 and 128 of Census Tract 6 of Wilson County, and Townships 12 and 14 of Edgecombe County. It has one judge.
- (2) Superior Court District 7C consists of the remainder of Edgecombe and Wilson Counties not in Judicial District 7B. It has one judge.
- (3) Superior Court District 10A consists of Wake County ~~Precincts 01-12, 01-13, 01-14, 01-18, 01-19, 01-20, 01-22, 01-25, 01-26, 01-28, 01-34, 01-35, 01-40, 01-50, 17-03, and 17-07.~~ Precinct 01-01, Precinct 01-03, Precinct 01-05, Precinct 01-06, Precinct 01-07, Precinct 01-09, Precinct 01-10, Precinct 01-12, Precinct 01-13, Precinct 01-14, Precinct 01-15, Precinct 01-17, Precinct 01-18, Precinct 01-28, Precinct 01-34, Precinct 01-36, Precinct 01-37, Precinct 01-38, Precinct 01-43, Precinct 01-44, Precinct 01-46, Precinct 01-51, Precinct 13-01, Precinct 13-03, Precinct 13-07, Precinct 17-01, Precinct 17-03, Precinct 17-05, Precinct 17-10, Precinct 17-11, Precinct 19-04, Precinct 19-08. It has one judge.
- (4) Superior Court District 10B consists of Wake County ~~Precincts 01-01, 01-02, 01-03, 01-04, 01-05, 01-06, 01-07, 01-07A, 01-09, 01-10, 01-11, 01-16, 01-21, 01-23, 01-27, 01-29, 01-31, 01-32, 01-33, 01-36, 01-41, 01-48, 01-49, 03-00, 04-01, 04-02, 04-03, 04-04, 04-05, 04-06, 04-07, 04-08, 04-09, 04-10, 04-11, 04-12, 04-13, 04-14, 04-15, 04-16, 04-17, 04-18, 04-19, 04-20, 05-01, 05-02, 06-01, 06-02, 06-03, 07-01, 07-10, 11-01, 11-02, 12-01, 12-02, 12-03, 12-04, 12-05, 12-06, 18-01, 18-02, 18-03, 18-04, 18-05, 18-06, 18-07, 18-08, 20-01, 20-02, 20-03, 20-04, 20-05, 20-06, 20-07, 20-08, 20-09, and 20-10.~~ Precinct 01-02, Precinct 01-04, Precinct 01-11, Precinct 01-16, Precinct 01-23, Precinct 01-29, Precinct 01-31, Precinct 01-32, Precinct 01-33, Precinct 01-41, Precinct 01-48, Precinct 01-49, Precinct 04-01, Precinct 04-02, Precinct 04-03, Precinct 04-04, Precinct 04-06, Precinct 04-07, Precinct 04-10, Precinct 04-11, Precinct 04-12, Precinct 04-14, Precinct 04-15, Precinct 04-16. It has two judges.

- 1 Precinct 04-19, Precinct 04-20, Precinct 11-01, Precinct 20-03,
2 Precinct 20-09. It has one judge.
- 3 (5) Superior Court District 10C consists of Wake County Precincts 02-01,
4 02-02, 02-03, 02-04, 02-05, 02-06, 07-02, 07-12, 08-01, 08-02, 08-03,
5 08-04, 08-05, 08-06, 08-07, 08-08, 09-01, 09-02, 09-03, 10-01, 10-02,
6 10-03, 10-04, 14-01, 14-02, 15-01, 15-02, 15-03, 15-04, 16-01, 16-02,
7 16-03, 16-04, 16-05, 16-06, 16-07, 19-01, 19-02, 19-03, 19-04, 19-05,
8 19-06, 19-07, and 19-08. Precinct 01-42, Precinct 01-47, Precinct
9 02-01, Precinct 02-02, Precinct 02-03, Precinct 02-04, Precinct 02-05,
10 Precinct 02-06, Precinct 07-05, Precinct 07-06, Precinct 07-07,
11 Precinct 07-13, Precinct 08-01, Precinct 08-02, Precinct 08-03,
12 Precinct 08-04, Precinct 08-05, Precinct 08-06, Precinct 08-07,
13 Precinct 08-08, Precinct 08-09, Precinct 13-02, Precinct 13-04,
14 Precinct 13-05, Precinct 13-06, Precinct 14-01, Precinct 14-02,
15 Precinct 19-01, Precinct 19-02, Precinct 19-03, Precinct 19-05,
16 Precinct 19-06, Precinct 19-07. It has one judge.
- 17 (6) Superior Court District 10D consists of Wake County Precincts 01-15,
18 01-17, 01-30, 01-37, 01-38, 01-39, 01-42, 01-43, 01-44, 01-45, 01-46,
19 01-47, 01-51, 07-03, 07-04, 07-05, 07-06, 07-07, 07-07A, 07-09,
20 07-11, 13-01, 13-02, 13-03, 13-04, 13-05, 17-01, 17-02, 17-04, 17-05,
21 17-06, and 17-08. Precinct 01-30, Precinct 01-39, Precinct 01-45,
22 Precinct 03-00, Precinct 04-05, Precinct 04-08, Precinct 04-09,
23 Precinct 04-13, Precinct 04-17, Precinct 04-18, Precinct 04-21,
24 Precinct 05-01, Precinct 05-02, Precinct 05-03, Precinct 06-01,
25 Precinct 07-01, Precinct 07-02, Precinct 07-03, Precinct 07-04,
26 Precinct 07-09, Precinct 07-10, Precinct 07-11, Precinct 07-12,
27 Precinct 11-02, Precinct 20-02, Precinct 20-04, Precinct 20-06,
28 Precinct 20-07, Precinct 20-08, Precinct 20-10. It has one judge.
- 29 (6a) Superior Court District 10E consists of Wake County Precinct 01-19,
30 Precinct 01-20, Precinct 01-21, Precinct 01-22, Precinct 01-25,
31 Precinct 01-26, Precinct 01-27, Precinct 01-35, Precinct 01-40,
32 Precinct 01-50, Precinct 09-01, Precinct 09-02, Precinct 09-03,
33 Precinct 10-01, Precinct 10-02, Precinct 10-03, Precinct 10-04,
34 Precinct 16-01, Precinct 16-02, Precinct 16-06, Precinct 16-08,
35 Precinct 16-09, Precinct 17-02, Precinct 17-04, Precinct 17-06,
36 Precinct 17-07, Precinct 17-08, Precinct 17-09. It has one judge.
- 37 (6b) Superior Court District 10F consists of Wake County Precinct 06-02,
38 Precinct 06-03, Precinct 12-01, Precinct 12-02, Precinct 12-03,
39 Precinct 12-04, Precinct 12-05, Precinct 12-06, Precinct 12-07,
40 Precinct 15-01, Precinct 15-02, Precinct 15-03, Precinct 15-04,
41 Precinct 16-03, Precinct 16-04, Precinct 16-05, Precinct 16-07,
42 Precinct 18-01, Precinct 18-02, Precinct 18-03, Precinct 18-04,
43 Precinct 18-05, Precinct 18-06, Precinct 18-07, Precinct 18-08,
44 Precinct 20-01, Precinct 20-05. It has one judge.

- 1 (7) Superior Court District 12A consists of that part of Cross Creek
2 Precinct #18 north of Raeford Road, Montclair Precinct, that part of
3 Precinct 71-1 not in Judicial District 12B, Precinct 71-2, Morganton #2
4 Precinct, Cottonade Precinct, Cumberland Precincts 1 and 2, and
5 Brentwood Precinct. It has one judge.
- 6 (8) Superior Court District 12B consists of all of State House of
7 Representatives District 17, except for Westarea Precinct, and it also
8 includes that part of Cross Creek Precinct #15 east of Village Drive. It
9 has one judge.
- 10 (9) Superior Court District 12C consists of the remainder of Cumberland
11 County not in Superior Court Districts 12A or 12B. It has two judges.
- 12 (10) Superior Court District 14A consists of Durham Precincts 9, 11, 12,
13 13, 14, 15, 18, 34, 40, 41, and 42, and that part of Durham Precinct 39
14 east of North Carolina Highway #751. It has one judge.
- 15 (10a) Effective with the 2004 election, in addition to the boundaries
16 provided for in this section, Superior Court District 14A also includes
17 that portion of Durham Precinct 53 east of North Carolina Highway
18 #751.
- 19 (11) Superior Court District 14B consists of the remainder of Durham
20 County not in Superior Court District 14A. It has three judges.
- 21 (12) Superior Court District 18A consists of Fentress Precincts 1 and 2;
22 Greensboro Precincts 4, 5, 6, 46, 52, 67, 68, 69, 70, 71, 72, 73, 74, and
23 75; North Clay Precinct; Pleasant Garden Precincts 1 and 2; and South
24 Clay Precinct. It has one judge.
- 25 (13) Superior Court District 18B consists of High Point Precincts 1, 2, 3, 4,
26 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24,
27 25, 26, and 27; HP Precinct; Jamestown Precincts 1 and 5; North Deep
28 River Precinct; and South Deep River Precinct. It has one judge.
- 29 (14) Superior Court District 18C consists of Center Grove Precincts 1, 2,
30 and 3; Friendship Precincts 1, 2, 3, 4, and 5; Greensboro Precincts 17,
31 30, 31, 32, 33, 34, 36, 37, 38, 39, 40A, 40B, 41, 42, 43, 64, 65, and 66;
32 Jamestown Precincts 2, 3, and 4; Monroe Precinct 3; North Center
33 Grove Precinct; Oak Ridge Precincts 1 and 2; Summerfield Precincts
34 1, 2, 3, and 4; and Stokesdale Precinct. It has one judge.
- 35 (15) Superior Court District 18D consists of Greensboro Precincts 1, 11,
36 12, 13, 14, 15, 16, 19, 35, 44, 45, 47, 48, 49, 50, 51, 53, 54, 55, 56, 57,
37 58, 59, 60, 61, 62, and 63; and Sumner Precincts 1, 2, 3, and 4. It has
38 one judge.
- 39 (16) Superior Court District 18E consists of Gibsonville Precinct; Greene
40 Precinct; Greensboro Precincts 2, 3, 7, 8, 9, 10, 18, 20, 21, 22, 23, 24,
41 25, 26, 27, 28, and 29; Jefferson Precincts 1, 2, 3, and 4; Monroe
42 Precincts 1 and 2; North Madison Precinct; North Washington
43 Precinct; Rock Creek Precincts 1 and 2; South Madison Precinct; and
44 South Washington Precinct. It has one judge.

- 1 (17) Superior Court District 21A consists of Forsyth County Precincts 051,
2 052, 053, 054, 055, 071, 072, 073, 074, 075, 091, 092, 122, 123, 131,
3 132, 133, 701, 702, 703, 704, 705, 706, 707, 708, 709, 806, 807, and
4 808. It has one judge.
- 5 (18) Superior Court District 21B consists of Forsyth County Precincts 042,
6 043, 501, 502, 503, 504, 505, 506, 507, 601, 602, 603, 604, 605, 606,
7 607, 901, 902, 903, 904, 905, and 907. It has one judge.
- 8 (19) Superior Court District 21C consists of Forsyth County Precincts 011,
9 012, 013, 014, 015, 021, 031, 032, 033, 034, 061, 062, 063, 064, 065,
10 066, 067, 068, 101, 111, 112, 801, 802, 803, 804, 805, 809, 906, 908,
11 and 909. It has one judge.
- 12 (20) Superior Court District 21D consists of Forsyth County Precincts 081,
13 082, 083, 201, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306,
14 401, 402, 403, 404, and 405. It has one judge.
- 15 (21) Superior Court District 26A consists of Charlotte Precincts 11, 12, 13,
16 14, 15, 16, 22, 23, 24, 25, 26, 27, 31, 33, 39, 41, 42, 46, 52, 54, 55, 56,
17 58, 60, 77, 78, and 82, and Long Creek Precinct #2 of Mecklenburg
18 County. It has two judges.
- 19 (22) Superior Court District 26B consists of Charlotte Precincts 1, 2, 3, 4,
20 5, 6, 7, 8, 9, 10, 17, 18, 20, 21, 28, 29, 30, 32, 34, 35, 36, 37, 38, 43,
21 44, 45, 47, 51, 61, 62, 63, 65, 66, 67, 68, 69, 71, 74, 83, 84, and 86,
22 Crab Orchard Precincts 1 and 2, and Mallard Creek Precinct 1. It has
23 two judges.
- 24 (23) Superior Court District 26C consists of the remainder of Mecklenburg
25 County not in Superior Court Districts 26A or 26B. It has two judges.
- 26 (24), (25) Repealed by Session Laws 2003-284, s. 13.14.(b), effective July
27 1, 2003.
- 28 (26) Superior Court District 5A consists of the New Hanover County
29 precincts of Cape Fear #1, Cape Fear #2, Harnett #1, Harnett #4,
30 Harnett #6, Wilmington #1, Wilmington #2, Wilmington #3,
31 Wilmington #4, Wilmington #6, Wilmington #7, Wilmington #8,
32 Wilmington #9, Wilmington #10, Wilmington #15, Wilmington #19,
33 and the part of Harnett #7 that consists of the part of Block Group 6 of
34 1990 Census Tract 0116.02 containing Blocks 601B, 602B, 603, 611,
35 612, 613, 614, 615, 616, 617, 618, 619; and the Pender County
36 precincts of Canetuck, Caswell, Columbia, Grady, Upper Holly, and
37 Upper Union. It has one judge.
- 38 (27) Superior Court District 5B consists of the New Hanover County
39 precincts of Cape Fear #3, Harnett #2, Harnett #5, the part of Harnett
40 #7 that is not in Superior Court District 5A, Harnett #8, Wrightsville
41 Beach, Wilmington #11, Wilmington #12, Wilmington #13,
42 Wilmington #22, Wilmington #24, and the part of Harnett #3 that
43 consists of the part of Block Group 1 of 1990 Census Tract 0119.01
44 containing Blocks 102, 105, 106A, 106B, 107A, 107B, 107C, 107D,

1 and 108, the part of Block Group 1 of 1990 Census Tract 0119.02
 2 containing Blocks 103, 104, and 114, and the part of Block Group 1 of
 3 1990 Census Tract 0120.01 containing Blocks 101A, 101B, 101C,
 4 101D, 102A, 102B, 103, 104, 105A, 105B, 115A, and 115B; and the
 5 following precincts of Pender County: North Burgaw, South Burgaw,
 6 Middle Holly, Long Creek, Penderlea, Lower Union, Rocky Point,
 7 Lower Topsail, Upper Topsail, Scotts Hill, and Surf City. It has one
 8 judge.

9 (28) Superior Court District 5C consists of the part of New Hanover
 10 County that is not in Superior Court Districts 5A or 5B. It has one
 11 judge."

12 **SECTION 3.** G.S. 7A-41(c) reads as rewritten:

13 "(c) In subsection (b) above:

- 14 (1) The names and boundaries of townships are as they were legally
 15 defined and in effect as of January 1, 1980, and recognized in the 1980
 16 U.S. Census;
- 17 (2) For Guilford County, the precincts are as they were legally defined and
 18 recognized as voting districts of the same name in the 2000 U.S.
 19 Census, except Greensboro Precincts 40A and 40B are as they were
 20 modified by the Guilford County Board of Elections and are as shown
 21 on the Legislative Services Office's redistricting computer database on
 22 May 1, 2001;
- 23 (2a) For Wake County, the precincts are as they were adopted by the Wake
 24 County Board of Elections and in effect as of ~~January 1, 2001;~~January
 25 1, 2003;
- 26 (3) For Mecklenburg and Durham Counties, precinct boundaries are as
 27 shown on the current maps in use by the appropriate county board of
 28 elections as of January 31, 1984, in accordance with G.S. 163-128(b);
- 29 (4) For Wilson County, commissioner districts are those in use for election
 30 of members of the county board of commissioners as of January 1,
 31 1987;
- 32 (5) For Cumberland County, House District 17 is in accordance with the
 33 boundaries in effect on January 1, 1987. Precincts are in accordance
 34 with those as approved by the United States Department of Justice on
 35 February 28, 1986; and
- 36 (6) For Forsyth County, the precincts are as they were legally defined and
 37 recognized in the 2000 U.S. Census as of January 1, 2001; and
- 38 (7) The names and boundaries of precincts in Montgomery, Moore, and
 39 Randolph Counties are those in existence on March 15, 1999.
- 40 (8) The names and boundaries of precincts in New Hanover and Pender
 41 Counties are those in existence on December 1, 1999.

42 If any changes in precinct boundaries, wards, commissioner districts, or House of
 43 Representative districts have been made since the dates specified, or are made, those
 44 changes shall not change the boundaries of the superior court districts; provided that if

1 any of those boundaries have changed, a precinct is divided by a superior court judicial
2 district boundary, and the precinct was not so divided at the time of enactment of this
3 section in 1987, the boundaries of the superior court judicial district are changed to
4 place the entirety of the precinct in the superior court judicial district where the majority
5 of the residents of the precinct reside, according to the 1990 Federal Census if:

- 6 (1) Such change does not result in placing a superior court judge in
7 another superior court district;
- 8 (2) Such change does not make a district that has an effective racial
9 minority electorate not have an effective racial minority electorate; and
- 10 (3) The change is approved by the county board of elections where the
11 precinct is located, State Board of Elections and by the Secretary of
12 State upon finding that the change:
13 a. Will improve election administration; and
14 b. Complies with subdivisions (1) and (2) of this subsection."

15 **SECTION 4.** This act is effective when it becomes law.