

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE BILL 650\***  
**Committee Substitute Favorable 3/28/05**  
**Committee Substitute #2 Favorable 6/14/05**

Short Title: Business Court Cases/Fee.

(Public)

Sponsors:

Referred to:

March 16, 2005

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FOR THE ASSIGNMENT OF SPECIAL SUPERIOR  
3 COURT JUDGES TO HEAR COMPLEX BUSINESS CASES, TO AUTHORIZE A  
4 LARGER FEE FOR COMPLEX BUSINESS CASES, AND TO CHANGE THE  
5 DATE DISTRICT COURT JUDGES TAKE OFFICE.

6 The General Assembly of North Carolina enacts:

7  
8 **PART I. BUSINESS COURT JUDGES AND FEES.**

9           **SECTION 1.** Article 7 of Chapter 7A of the General Statutes is amended by  
10 adding a new section to read:

11 **"§ 7A-45.3. Superior court judges designated for complex business cases.**

12           The Chief Justice may exercise the authority under rules of practice prescribed  
13 pursuant to G.S. 7A-34 to designate one or more of the special superior court judges  
14 authorized by G.S. 7A-45.1 to hear and decide complex business cases as prescribed by  
15 the rules of practice."

16           **SECTION 2.** G.S. 7A-305(a) reads as rewritten:

17           "(a) In every civil action in the superior or district court, except for actions  
18 brought under Chapter 50B of the General Statutes, the following costs shall be  
19 assessed:

- 20           (1) For the use of the courtroom and related judicial facilities, the sum of  
21 twelve dollars (\$12.00) in cases heard before a magistrate, and the sum  
22 of sixteen dollars (\$16.00) in district and superior court, to be remitted  
23 to the county in which the judgment is rendered, except that in all  
24 cases in which the judgment is rendered in facilities provided by a  
25 municipality, the facilities fee shall be paid to the municipality. Funds  
26 derived from the facilities fees shall be used in the same manner, for  
27 the same purposes, and subject to the same restrictions, as facilities  
28 fees assessed in criminal actions.

(2) For support of the General Court of Justice, the sum of sixty-nine dollars (\$69.00) in the superior court, except that if a case is assigned to a special superior court judge as a complex business case under G.S. 7A-45.3, an additional two hundred dollars (\$200.00) shall be paid upon its assignment, and the sum of fifty-four dollars (\$54.00) in the district court except that if the case is assigned to a magistrate the sum shall be forty-three dollars (\$43.00). Sums collected under this subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of one dollar and five cents (\$1.05) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.4, and ninety-five cents (\$.95) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.19."

**PART II. DISTRICT COURT JUDGE TERM.**

**SECTION 3.** G.S. 7A-140 reads as rewritten:

**"§ 7A-140. Number; election; term; qualification; oath.**

There shall be at least one district judge for each district. Each district judge shall be elected by the qualified voters of the district court district in which he or she is to serve at the time of the election for members of the General Assembly. The number of judges for each district shall be determined by the General Assembly. Each judge shall be a resident of the district for which elected, and shall serve a term of four years, beginning on the first Monday in December day in January next following his or her election.

Each district judge shall devote his or her full time to the duties of his or her office. He or she shall not practice law during his or her term, nor shall he or she during such term be the partner or associate of any person engaged in the practice of law.

Before entering upon his or her duties, each district judge, in addition to other oaths prescribed by law, shall take the oath of office prescribed for a judge of the General Court of Justice."

**SECTION 4.** The table entries in G.S. 163-1 for the Justices and Judges read as rewritten:

"OFFICE	JURISDICTION	DATE OF ELECTION	TERM OF OFFICE
...			
Justices and Judges of the Appellate Division	State	At the regular election for members of the General Assembly immediately preceding the termination of each regular term	Eight years, from first day of January next after election
Judges of the superior courts	Superior Court District	At the regular election for members of the	Eight years, from first day of January next

