

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 1171
SENATE BILL 59

1 AN ACT TO PROVIDE FOR AN ADDITIONAL RESIDENT JUDGE IN THE FIFTH
2 JUDICIAL DISTRICT.

3
4 The General Assembly of North Carolina do enact:

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6 **Section 1.** There is hereby created the office of additional resident judge of the fifth
7 judicial district effective as of January 1, 1970. The Governor shall appoint this additional
8 resident judge for the fifth judicial district on or after September 1, 1969, to take office on
9 January 1, 1970. The successor of the Governor's appointee shall be chosen in the manner
10 prescribed by law for other Resident Superior Court Judges in the general election of 1970 to
11 serve for the unexpired portion of the term of eight years which began as of January 1, 1969,
12 and his successors shall be chosen thereafter in the manner and serve for the same term as
13 prescribed for other Resident Superior Court Judges.

14 **Sec. 2.** The present resident judge of the fifth judicial district shall be the senior
15 resident judge of the district.

16 **Sec. 3.** The additional resident judge of the fifth judicial district shall, in respect to
17 the exercise of judicial power, have equal jurisdiction, authority and status with the senior
18 resident judge of such district; but all duties placed by the Constitution or statutes on the
19 resident judge of a judicial district, including the appointment to and removal from office,
20 which are not related to a case, controversy, or judicial proceeding and which do not involve
21 the exercise of judicial power, shall be discharged by the resident judge of the judicial district
22 senior in point of continuous service on the Superior Court; and if two judges be of equal
23 seniority, then by the judge who is senior in point of age.

24 **Sec. 4.** All laws and clauses of laws in conflict with this Act are hereby repealed.

25 **Sec. 5.** This Act shall become effective upon its ratification.

26 In the General Assembly read three times and ratified, this the 1st day of July, 1969.