

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 50
HOUSE BILL 79

AN ACT TO AMEND G.S.7A-375 TO PROVIDE FOR ALTERNATE AND HOLDOVER MEMBERS ON THE JUDICIAL STANDARDS COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-375 is amended by adding the following new subsections at the end thereof:

"(c) If a member of the Commission who is a judge becomes disabled, or becomes a respondent before the Commission, the Chief Justice shall appoint an alternate member to serve during the period of disability or disqualification. The alternate member shall be from the same division of the General Court of Justice as the judge whose place he takes. If a member of the Commission who is not a judge becomes disabled, the Governor, if he appointed the disabled member, shall appoint, or the State Bar Council, if it elected the disabled member, shall elect, an alternate member to serve during the period of disability. In a particular case, if a member disqualifies himself, or is successfully challenged for cause, his seat for that case shall be filled by an alternate member selected as provided in this subparagraph.

(d) A member may serve after expiration of his term only to participate until the conclusion of a formal proceeding begun before expiration of his term. Such participation shall not prevent his successor from taking office, but the successor may not participate in the proceeding for which his predecessor's term was extended. This subsection shall apply also to any judicial member whose membership on the Commission is automatically terminated by retirement or resignation from judicial office, or expiration of the term of judicial office."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 5th day of March, 1973.