

SUBCHAPTER IV. DISTRICT COURT DIVISION OF THE GENERAL COURT OF JUSTICE.

Article 13.

Creation and Organization of the District Court Division.

§ 7A-130. Creation of district court division and district court districts; seats of court.

(a) The district court division of the General Court of Justice is hereby created. It consists of various district courts organized in territorial districts. The numbers and boundaries of the districts are as provided by G.S. 7A-133. The district court shall sit in the county seat of each county, and at such additional places in each county as the General Assembly may authorize, except that sessions of court are not required at an additional seat of court unless the chief district judge and the Administrative Officer of the Courts concur in a finding that the facilities are adequate.

(b) Notwithstanding subsection (a) of this section, when exigent circumstances exist within a judicial district, sessions of district court may be conducted at a location outside a county seat by order of the chief district court judge of a county, with the prior approval of the location and facilities by the Administrative Officer of the Courts and after consultation with the clerk of superior court and county officials of the county. An order entered under this subsection shall be filed in the office of the clerk of superior court in the county and posted at the courthouse within the county seat and notice shall be posted in other conspicuous locations. (1965, c. 310, s. 1; 1987, c. 509, s. 14; c. 738, s. 124; 2018-138, s. 2.12(b).)

§ 7A-131. Establishment of district courts.

District courts are established, within districts, in accordance with the following schedule:

- (1) On the first Monday in December, 1966, the first, the twelfth, the fourteenth, the sixteenth, the twenty-fifth, and the thirtieth districts;
- (2) On the first Monday in December, 1968, the second, the third, the fourth, the fifth, the sixth, the seventh, the eighth, the ninth, the tenth, the eleventh, the thirteenth, the fifteenth, the eighteenth, the twentieth, the twenty-first, the twenty-fourth, the twenty-sixth, the twenty-seventh, and the twenty-ninth districts;
- (3) On the first Monday in December, 1970, the seventeenth, the nineteenth, the twenty-second, the twenty-third, and the twenty-eighth districts. (1965, c. 310, s. 1.)

§ 7A-132. Judges, district attorneys, full-time assistant district attorneys and magistrates for district court districts.

Each district court district shall have one or more judges and one district attorney. Each county within each district shall have at least one magistrate.

For each district the General Assembly shall prescribe the numbers of district judges, and the numbers of full-time assistant district attorneys. For each county within each district the General Assembly shall prescribe a minimum number of magistrates. (1965, c. 310, s. 1; 1967, c. 1049, s. 5; 1973, c. 47, s. 2; 2006-187, s. 7(b).)

§ 7A-133. Numbers of judges by districts; numbers of magistrates and additional seats of court, by counties.

(a) Each district court district shall have the numbers of judges as set forth in the following table:

District	Judges	County
1	5	Camden Chowan Currituck Dare Gates Pasquotank Perquimans
2	4	Beaufort Hyde Martin Tyrrell Washington
3	6	Pitt
4	6	Carteret Craven Pamlico
5	10	Duplin Jones Onslow Sampson
6	9	New Hanover
7	4	Pender Bertie Halifax Hertford Northampton
8	7	Edgecombe Nash Wilson
9	6	Greene Lenoir Wayne
10A	3	(part of Wake see subsection (b))
10B	3	(part of Wake see subsection (b))
10C	3	(part of Wake see subsection (b))
10D	5	(part of Wake see subsection (b))
10E	3	(part of Wake see subsection (b))

10F	3	(part of Wake see subsection (b))
11A	5	Franklin Granville (part of Vance see subsection (b))
11B	2	Person Warren (part of Vance see subsection (b))
12	11	Harnett Johnston Lee
14	10	Cumberland
15	7	Bladen Brunswick Columbus
16	7	Durham
17	5	Alamance
18	5	Chatham Orange
20	6	Robeson
21	4	Anson Richmond Scotland
22	4	Caswell Rockingham
23	4	Stokes Surry
24	14	Guilford
25	6	Cabarrus
26	21	Mecklenburg
27	5	Rowan
28	3	Montgomery, Stanly
29	5	Hoke, Moore
30	5	Union
31	11	Forsyth
32	6	Alexander Iredell
33	6	Davidson Davie
34	5	Alleghany Ashe Wilkes
35	4	Yadkin Avery

		Madison
		Mitchell
		Watauga
		Yancey
36	10	Burke
		Caldwell
		Catawba
37	5	Randolph
38	7	Gaston
39	6	Cleveland
		Lincoln
40	7	Buncombe
41	4	McDowell
		Rutherford
42	5	Henderson
		Polk
		Transylvania
43	7	Cherokee
		Clay
		Graham
		Haywood
		Jackson
		Macon
		Swain.

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

- (1) District Court District 11A consists of Person, Franklin and Granville Counties and the remainder of Vance County not in District Court District 11B.
- (2) District Court District 11B consists of Warren County and VTD EH1, VTD MIDD, VTD NH1, VTD NH2, VTD TWNS, VTD WMSB of Vance County.
- (3) Repealed by Session Laws 2021-180, s. 16.7(b), effective January 1, 2025.
- (4) Repealed by Session Laws 2021-180, s. 16.7(b), effective January 1, 2025.
- (5) District 10A: Wake County: VTD 01-42, VTD 01-47, VTD 02-01, VTD 02-02, VTD 02-03, VTD 02-04, VTD 02-05, VTD 02-06, VTD 07-02, VTD 07-06, VTD 07-07, VTD 08-04, VTD 08-05, VTD 08-07, VTD 09-01, VTD 09-03, VTD 10-01, VTD 13-10, VTD 13-11, VTD 14-01, VTD 14-02, VTD 19-03, VTD 19-04, VTD 19-05, VTD 19-06, VTD 19-07, VTD 19-09, VTD 19-10, VTD 19-11, VTD 19-12.
- (6) District 10B: Wake County: VTD 09-02, VTD 10-02, VTD 10-03, VTD 10-04, VTD 13-01, VTD 13-07, VTD 13-08, VTD 13-09, VTD 16-08, VTD 17-02, VTD 17-03, VTD 17-04, VTD 17-06, VTD 17-07, VTD 17-08, VTD 17-09, VTD 17-11, VTD 19-16, VTD 19-17.
- (7) District 10C: Wake County: VTD 01-04, VTD 01-09, VTD 01-10, VTD 01-12, VTD 01-13, VTD 01-14, VTD 01-15, VTD 01-17, VTD 01-18, VTD 01-28, VTD 01-30, VTD 01-34, VTD 01-36, VTD 01-37, VTD 01-38, VTD 01-39,

- VTD 01-43, VTD 01-44, VTD 01-45, VTD 01-46, VTD 01-51, VTD 07-03, VTD 07-04, VTD 07-05, VTD 07-09, VTD 07-11, VTD 07-12, VTD 07-13, VTD 08-02, VTD 08-06, VTD 08-09, VTD 13-02, VTD 13-05, VTD 13-06, VTD 17-01, VTD 17-05, VTD 17-10.
- (8) District 10D: Wake County: VTD 01-01, VTD 01-02, VTD 01-03, VTD 01-05, VTD 01-06, VTD 01-07, VTD 01-11, VTD 01-16, VTD 01-29, VTD 01-33, VTD 01-49, VTD 04-01, VTD 04-02, VTD 04-03, VTD 04-04, VTD 04-05, VTD 04-06, VTD 04-07, VTD 04-08, VTD 04-09, VTD 04-10, VTD 04-11, VTD 04-12, VTD 04-14, VTD 04-15, VTD 04-16, VTD 04-17, VTD 04-18, VTD 04-20, VTD 04-21, VTD 05-05, VTD 06-05, VTD 06-07, VTD 07-01, VTD 07-10, VTD 08-03, VTD 08-08, VTD 08-10, VTD 08-11, VTD 11-01, VTD 11-02, VTD 12-01, VTD 12-02, VTD 12-04, VTD 12-05, VTD 12-06, VTD 12-07, VTD 12-09, VTD 15-01, VTD 15-02, VTD 15-03, VTD 15-04, VTD 16-01, VTD 16-05, VTD 16-09, VTD 18-02, VTD 18-03, VTD 18-05, VTD 20-03, VTD 20-05, VTD 20-09.
 - (9) District 10E: Wake County: VTD 01-19, VTD 01-20, VTD 01-21, VTD 01-22, VTD 01-23, VTD 01-25, VTD 01-26, VTD 01-27, VTD 01-31, VTD 01-32, VTD 01-35, VTD 01-40, VTD 01-41, VTD 01-48, VTD 01-50, VTD 16-02, VTD 16-03, VTD 16-04, VTD 16-06, VTD 16-07, VTD 18-01, VTD 18-04, VTD 18-06, VTD 18-07, VTD 18-08.
 - (10) District 10F: Wake County: VTD 03-00, VTD 04-13, VTD 04-19, VTD 05-01, VTD 05-03, VTD 05-04, VTD 05-06, VTD 06-01, VTD 06-04, VTD 06-06, VTD 12-08, VTD 20-01, VTD 20-02, VTD 20-04, VTD 20-06, VTD 20-08, VTD 20-10, VTD 20-11, VTD 20-12.
 - (11) through (18) Repealed by Session Laws 2020-84, s. 2(a), effective January 1, 2021.

The names and boundaries of voting tabulation districts specified for Wake County, and Vance County in this section are as shown on the 2010 Census Redistricting TIGER/Line Shapefiles. Precinct boundaries for other counties are those reported by the United States Bureau of the Census under Public Law 94-171 for the 1990 Census in the IVTD Version of the TIGER files.

(b1) The qualified voters of District Court District 12 shall elect all eight judges established for the District in subsection (a) of this section, but only persons who reside in Johnston County may be candidates for five of the judgeships, only persons who reside in Harnett County may be candidates for two of the judgeships, and only persons who reside in Lee County may be candidates for the remaining judgeship.

(b2) The qualified voters of District Court District 15 shall elect all seven judges established for the District in subsection (a) of this section, but only persons who reside in Bladen County may be candidates for one of those judgeships, only persons who reside in Columbus County may be candidates for two of those judgeships, and only persons who reside in Brunswick County may be candidates for four of those judgeships. These district court judgeships shall be numbered and assigned for residency purposes as follows:

- (1) Seat number one, established for residents of Brunswick County by this section, shall be the seat currently held by Judge Barefoot.
- (2) Seat number two, established for residents of Brunswick County by this section, shall be the seat currently held by Judge Fairley.

- (3) Seat number three, established for residents of Brunswick County by this section, shall be the seat currently held by Judge Warren.
- (4) Seat number four, established for residents of Columbus County by this section, shall be the seat currently held by Judge Jolly.
- (5) Seat number five, established for residents of Columbus County by this section, shall be the seat currently held by Judge Tyler.
- (6) Seat number six, established for residents of Bladen County by this section, shall be the seat currently held by Judge Ussery.
- (7) Seat number seven, established for residents of Brunswick County by this section, shall be the seat created on January 1, 2023.

(b3) The qualified voters of District Court District 32 shall elect all five judges established for the District in subsection (a) of this section, but only persons who reside in Alexander County may be candidates for two of the judgeships, and only persons who reside in Iredell County may be candidates for three of the judgeships.

(b4) The qualified voters of District Court District 33 shall elect all six judges established for the District in subsection (a) of this section, but only persons who reside in Davie County may be candidates for two of the judgeships, and only persons who reside in Davidson County may be candidates for four of the judgeships.

(b5) The qualified voters of District 21 shall elect all judges established for District 21 in subsection (a) of this section, but only persons who reside in Anson County may be candidates for one of the judgeships, only persons who reside in Scotland County may be candidates for one of the judgeships, and only persons who reside in Richmond County may be candidates for the remaining judgeships. In order to implement this section the following shall apply in order to transition from at large seats to residency requirements:

- (1) In 2020, and every four years thereafter, the district court judgeship requiring a resident of Anson County shall be elected, and a district court judgeship requiring a resident of Richmond County shall be elected.
- (2) In 2022, and every four years thereafter, the district court judgeship requiring a resident of Scotland County shall be elected, and a district court judgeship requiring a resident of Richmond County shall be elected.

(b6) The qualified voters of District 28 shall elect all judges established for District 28 in subsection (a) of this section, but only persons who reside in Montgomery County may be candidates for one of the judgeships, and only persons who reside in Stanly County may be candidates for the remaining judgeships.

(b7) Subject to the provisions of this subsection, the qualified voters of District 36 shall elect all judges established for District 36 in subsection (a) of this section, but only persons who reside in Catawba County may be candidates for five of the judgeships, and only persons who reside in Burke or Caldwell County may be candidates for the remaining judgeships. In order to implement this section the following shall apply in order to transition from at large seats to residency requirements:

- (1) Transition of seats; regular elections. – For any district court judgeship that is held by a resident of Burke or Caldwell Counties on July 1, 2018, at the next general election after July 1, 2018, that district court judgeship shall be filled only by a person who is a resident of Burke or Caldwell Counties. Until such time as three district court judgeships transition under subdivision (2) of this subsection, for any district court judgeship that is held by a resident of Catawba

County on July 1, 2018, that district court judgeship shall, at the next general election after July 1, 2018, be filled only by a person who is a resident of Burke, Caldwell, or Catawba County.

- (2) Transition of seats; vacancies. – Upon each of the first three district court judgeship vacancies occurring in District Court District 36 after July 1, 2018, due to death, resignation, removal, or retirement of a person who is a resident of Catawba County holding a judgeship on July 1, 2018, that vacancy shall be filled according to law for the remainder of the unfilled term. At the next general election held for that district court judgeship, only persons who reside in Burke or Caldwell County may be candidates for that district court judgeship. Any primary associated with that general election for that district court judgeship after the completion of the term shall also be held accordingly, in accordance with this subsection.
- (3) Notification to State Board. – Upon each of the first three district court judgeship vacancies occurring after July 1, 2018, in District Court District 36 due to the death, resignation, removal, or retirement of a person who is a resident of Catawba County holding a judgeship on July 1, 2018, the Director of the Administrative Office of the Courts shall provide written notice of the vacancy to the State Board of Elections and Ethics Enforcement. During the filing period for that district court judgeship at the next general election held for that district court judgeship, the State Board of Elections and Ethics Enforcement shall ensure that only persons who reside in Burke or Caldwell County may file as candidates for that district court judgeship in accordance [with] this subsection.
- (4) Final transition. – If a total of three district court judgeships have not transferred under subdivision (2) of this subsection to be eligible to be held by only persons who are residents of Burke or Caldwell Counties by January 1, 2030, a sufficient number of district court judgeships to total three district court judgeships shall be transferred to be held by only persons who are residents of Burke or Caldwell Counties on January 1, 2031, and the 2030 elections shall be held accordingly.

(b8) The qualified voters of District Court District 29 shall elect all judges established for District 29 in subsection (a) of this section, but only persons who reside in Hoke County may be candidates for one of the judgeships, and only persons who reside in Hoke or Moore County may be candidates for the remaining judgeships.

(c) Each county shall have the numbers of magistrates and additional seats of district court, as set forth in the following table:

County	Magistrates Min.	Additional Seats of Court
Alamance	12	Burlington
Alexander	4	
Alleghany	3	
Anson	4	
Ashe	4	
Avery	3	

Beaufort	4	
Bertie	3	
Bladen	4	
Brunswick	8	
Buncombe	15	
Burke	5.6	
Cabarrus	10	Kannapolis
Caldwell	6	
Camden	3	
Carteret	6	
Caswell	4	
Catawba	10	Hickory
Chatham	4	Siler City
Cherokee	4	
Chowan	3	
Clay	3	
Cleveland	8	
Columbus	5	Tabor City
Craven	8	Havelock
Cumberland	20	
Currituck	4	
Dare	5	
Davidson	9	Thomasville
Davie	4	
Duplin	5	
Durham	18	
Edgecombe	7	Rocky Mount
Forsyth	20	Kernersville
Franklin	4	
Gaston	17	
Gates	3	
Graham	3	
Granville	5	
Greene	3	
Guilford	32	High Point
Halifax	7	Roanoke Rapids, Scotland Neck
Harnett	7	Dunn
Haywood	5	Canton
Henderson	7	
Hertford	4	
Hoke	4	
Hyde	3.5	
Iredell	9	Mooresville
Jackson	4	
Johnston	10	Benson,

		Clayton, Selma
Jones	4	
Lee	5	
Lenoir	7	La Grange
Lincoln	6	
Macon	4	
Madison	3	
Martin	4	
McDowell	4	
Mecklenburg	38.5	
Mitchell	3	
Montgomery	4	
Moore	6	Southern Pines
Nash	9	Rocky Mount
New Hanover	14	
Northampton	3	
Onslow	11	
Orange	7	Chapel Hill
Pamlico	3	
Pasquotank	4	
Pender	5	
Perquimans	3	
Person	4	
Pitt	13	Ayden Farmville
Polk	3	
Randolph	9	Liberty Hamlet
Richmond	5	
Robeson	12	
Rockingham	7	Eden, Madison, Reidsville
Rowan	9	
Rutherford	6	
Sampson	5	
Scotland	5	
Stanly	6	
Stokes	4	
Surry	5	Mt. Airy
Swain	3	
Transylvania	4	
Tyrrell	3	
Union	9	
Vance	6	
Wake	32	Apex,

		Fuquay-Varina, Wake Forest, Wendell
Warren	3	
Washington	3	
Watauga	4	
Wayne	9	Mount Olive
Wilkes	6	
Wilson	7	
Yadkin	4	
Yancey	3	

(c1) Notwithstanding the minimum staffing numbers in subsection (c) of this section, the clerk of superior court in a county, with the written or emailed consent of the chief district court judge, may hire one deputy or assistant clerk in lieu of one of the magistrate positions allocated to that county. To provide accessibility for law enforcement and citizens, the clerk of superior court's office shall provide some of the services traditionally provided by the magistrates' office during some or all of the regular courthouse hours.

The Administrative Office of the Courts shall report by March 1 of each year to the chairs of the House of Representatives Appropriations Committee on Justice and Public Safety and the Senate Appropriations Committee on Justice and Public Safety regarding each of the following:

- (1) All deputy or assistant clerk positions previously filled pursuant to this subsection if the position remains filled pursuant to this subsection.
- (2) New deputy or assistant clerk positions filled pursuant to this subsection. (1965, c. 310, s. 1; 1967, c. 691, s. 8; 1969, c. 1190, s. 10; c. 1254; 1971, c. 377, s. 7; cc. 727, 840, 841, 842, 843, 865, 866, 898; 1973, cc. 132, 373, 483; c. 838, s. 1; c. 1376; 1975, c. 956, ss. 8, 10; 1977, cc. 121, 122; c. 678, s. 2; c. 947, s. 1; c. 1130, ss. 4, 5; 1977, 2nd Sess., c. 1238, s. 3; c. 1243, ss. 3, 6; 1979, c. 465; c. 838, ss. 117, 118; c. 1072, ss. 2, 3; 1979, 2nd Sess., c. 1221, s. 2; 1981, c. 964, s. 4; 1983, c. 881, s. 5; 1983 (Reg. Sess., 1984), c. 1109, s. 5; 1985, c. 698, ss. 7(a), 12; 1985 (Reg. Sess., 1986), c. 1014, s. 222; 1987, c. 738, ss. 126(a), 130(a); 1987 (Reg. Sess., 1988), c. 1056, s. 4; c. 1075; c. 1100, s. 17.2(a); 1989, c. 795, s. 23(a), (d), (h); 1991, c. 742, ss. 11, 12(a); 1993, c. 321, ss. 200.4(e), 200.6(a), (d); 1993 (Reg. Sess., 1994), c. 769, s. 24.9; 1995, c. 507, s. 21.1(c); 1995 (Reg. Sess., 1996), c. 589, s. 2(a); 1996, 2nd Ex. Sess., c. 18, ss. 22.4, 22.7(a); 1997-443, ss. 18.12(a), 18.13; 1998-212, ss. 16.11, 16.16(a); 1998-217, s. 67.3(a); 1999-237, ss. 17.4, 17.6(a); 2000-67, ss. 15.2, 15.3(a); 2001-400, s. 1; 2001-424, ss. 22.16, 22.17(a); 2003-284, s. 13.8; 2004-124, ss. 14.1(a), 14.6(e); 2005-276, s. 14.2(f), (f1); 2005-345, s. 27(a), (b); 2006-66, ss. 14.4(a), 14.5; 2006-96, s. 1; 2006-187, s. 7(a); 2006-221, s. 14(a); 2006-264, s. 93(a); 2007-323, ss. 14.13(a), (d), 14.25(e), (f); 2007-484, s. 25(a), 36; 2008-107, s. 14.13(a); 2009-341, s. 1; 2012-194, s. 1(c), (d); 2013-360, s. 18B.22(f); 2016-94, s. 19B.3(a); 2017-57, s. 18B.9(c); 2018-14, s. 2(a); 2018-121, s. 2(a); 2019-229, s. 2(a); 2020-84, s. 2(a); 2021-148, s. 1; 2021-180, s. 16.7(a)-(c); 2022-6, s. 8.1; 2022-74, s. 16.5; 2023-134, ss. 16.2, 16.5(a)-(d), 16.26(b), (c), (g); 2024-1, s. 5.1(a).)

§ 7A-134. Repealed by Session Laws 1973, c. 1339, s. 2.

§ 7A-135. Transfer of pending cases when present inferior courts replaced by district courts.

On the date that the district court is established in any county, cases pending in the inferior court or courts of that county shall be transferred to the appropriate division of the General Court of Justice, and all records of these courts shall be transferred to the office of clerk of superior court in that county pursuant to rule of Supreme Court. (1965, c. 310, s. 1.)

§ 7A-136. Reserved for future codification purposes.

§ 7A-137. Reserved for future codification purposes.

§ 7A-138. Reserved for future codification purposes.

§ 7A-139. Reserved for future codification purposes.