



**Potential Impact of Senate Bill 10 (Third Edition Engrossed 2/6/13)**

*Quick Facts*

**Superior Court Judges by the Numbers**

North Carolina has a total of 112 superior court judges, which includes 97 resident superior court judges and 15 special superior court judges.

Pursuant to Rule 2.2 of the General Rules of Practice, the Chief Justice has designated three judges as special superior court judges for complex business cases; those three judges hear and decide complex business cases as provided in Rule 2.1 of the General Rules. In addition, the 12 non-business court judges currently are carrying 43 cases designated exceptional under Rule 2.1.

**Role of Special Superior Court Judges**

Resident and special superior court judges have the same power and authority. However, special superior court judges are appointed by the Governor, and are not required to hold residence in any particular district or division. Resident superior court judges rotate throughout the division in which they are elected and hold residence, while special superior court judges can be assigned anywhere throughout the state.

**Potential Impact of Senate Bill 10**

Special superior court judges are fully utilized and contribute significantly to the administration of justice statewide, and the loss of 12 judges would have a significant impact on the judicial system. Those 12 judges account for approximately 9.8 percent of the superior court on-bench time, as reported by the courtroom clerks from January to June 2012.

As indicated in the chart below, there were 203,935 superior court dispositions in FY 2011-12, excluding those cases disposed by the Clerk of Superior Court. Assuming that nearly 9.8 percent of those dispositions were handled by the 12 special superior court judges targeted for elimination, approximately 19,986 cases would need to be absorbed among the remaining judges. Consequently, if the 12 special superior court judges are eliminated pursuant to the bill, the backlog of cases can be expected to grow significantly.

	FY 2011-12 Dispositions Superior Court Judges (100 % of statewide total)	FY 2011-12 Dispositions 12 Special Superior Court Judges Share (9.8% of statewide total)
Civil Superior	25,939	2,542
Criminal Superior	151,498	14,847
Estates, not disposed by clerk	195	19
Special Proceedings, not disposed by clerk	26,303	2,578
<b>TOTAL</b> (excludes dispositions by clerk)	<b>203,935</b>	<b>19,986</b>

In addition, data shows that North Carolina has a case clearance rate near 100 percent; that is, the disposition rate roughly equals the annual filing rate. The loss of 12 superior court judges can be expected to adversely affect the case clearance rate.