

NC House leader: Deal may not be ready in Jan.

By Gary D. Robertson

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RALEIGH — Chances may be fading for approving dramatic changes to how and from where judges are selected in North Carolina when the General Assembly reconvenes briefly in a few weeks, a key state legislator said Friday.

In October, House Republicans approved redrawn election districts for trial court judges and local prosecutors and sent them to the Senate for consideration, with the hope senators would pass them during a special session beginning Jan. 10.

Senate leaders have since created a panel to scrutinize the maps as well as alternatives to the head-to-head judicial elections the state has used for 150 years. Many lawyers, including Chief Justice Mark Martin, have said the election system should be replaced. Senate Republicans have suggested judicial redistricting could be passed in tandem with judicial selection overhaul

pushed by the House.

The panel has met three times, but its members, particularly the majority Republicans, don't yet sound unified on whether they want to make a change, let alone what change they'd prefer.

Rep. David Lewis, the House Rules Committee chairman, said he's disappointed by the pace of the Senate's deliberations and questioned whether agreements could be hammered out quickly enough.

"If we can't get agreement — and that was one of the main things that we were going to do in January — it may be very a short session," Lewis, a Harnett County Republican, told reporters after an elections oversight meeting.

Senate panel members this week received a proposal that amended the House judicial redistricting maps. Co-chairman Sen. Dan Bishop of Mecklenburg County emphasized that it was a draft and only fixed problems in the current judicial districts or in the House

proposal that redistricting experts said could be unconstitutional.

Any final maps would require almost unified Republican support because judicial redistricting is subject to Democratic Gov. Roy Cooper's veto. Democrats labeled the House's judicial maps as partisan and racial gerrymandering by the GOP.

The Senate panel, which will meet again Jan. 3, has listened to hours of presentations about other judicial selection methods, especially those that envision a commission vetting potential candidates for judicial vacancies and creating a final candidate list from which a governor makes an appointment. That appointee could be subject to legislative confirmation or an up-or-down retention election. Such changes would require state constitutional amendments approved by voters.

Jim Blaine, chief of staff to Senate leader Phil Berger, said Thursday that the information provided during the

committee shows there is no perfect way to select judges.

"Whether or not you do a selection method change, I think that may wait for another day, but you're going to have to see some changes in redistricting," Blaine told Spectrum News on cable TV.

Judicial proposals could be heard during the regularly scheduled 2018 session in May if agreements aren't reached for January.

The legislature in October approved a law that canceled judicial primaries next May. Republicans said at the time that eliminating the primary would give them more time to study judicial redistricting and selection changes. When asked whether a January delay could mean they would restore the judicial primary, Lewis replied: "I think everything's on the table."

The state Democratic Party and several county parties sued legislative leaders this week in federal court to bring back the primary.