§ 163-9. Filling vacancies in State and district judicial offices.

(a) The Governor shall appoint persons to fill vacancies occurring in the offices of Justice of the Supreme Court and judge of the Court of Appeals for causes other than expiration of term from a list of three qualified persons recommended by the political party executive committee of the political party with which the vacating judge was affiliated when elected. If a political party fails to make recommendations under this subsection within 30 days of the occurrence of the vacancy, or if a vacating judge was not affiliated with a political party at the time of the judge's election, the Governor shall appoint a qualified person to fill the vacancy. For purposes of this subsection, a qualified person is a person who is a resident of the State who is duly authorized to practice law in this State. An appointee to the office of Justice of the Supreme Court or judge of the Court of Appeals shall hold office until January 1 next following the election for members of the General Assembly that is held more than 60 days after the vacancy occurs, at which time an election shall be held for an eight-year term and until a successor is elected and qualified.

(b) The Governor shall appoint qualified persons to fill vacancies occurring in the office of judge of the superior court. Except for judges specified in subsection (b1) of this section, an appointee to the office of judge of superior court shall hold office until the next election for members of the General Assembly that is held more than 60 days after the vacancy occurs, at which time an election shall be held to fill the unexpired term of the office.

(b1) Appointees under this section for judges of the superior court from any district with only one resident judge or in which no county is subject to section 5 of the Voting Rights Act of 1965, shall hold the office until the next election of members of the General Assembly that is held more than 60 days after the vacancy occurs, at which time an election shall be held to fill an eight-year term.

(c) When the unexpired term of the office in which the vacancy has occurred expires on the first day of January succeeding the next election for members of the General Assembly, the Governor shall appoint to fill that vacancy for the unexpired term of the office in accordance with the requirements of this section.

(d) Vacancies in the office of district judge which occur before the expiration of a term shall be filled in accordance with G.S. 7A-142. (1901, c. 89, ss. 4, 73; Rev. s. 4299; C.S., s. 5920; 1967, c. 775, s. 1; 1969, c. 44, s. 81; 1979, c. 494; 1981, c. 763, s. 3; 1985 (Reg. Sess., 1986), c. 920, s. 6; 1995, c. 98, s. 1; 1996, 2nd Ex. Sess., c. 9, s. 21; 2017-6, s. 3; 2018-146, s. 3.1(a), (b); 2022-72, s. 5.2(a); 2022-73, s. 7(b); 2023-46, s. 20(a); 2024-57, s. 3C.1(a).)