GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

HOUSE BILL 620
RATIFIED BILL

AN ACT TO MODIFY PROVISIONS AFFECTING THE COURTS OF NORTH CAROLINA AND THE ADMINISTRATIVE OFFICE OF THE COURTS.

The General Assembly of North Carolina enacts:

INCLUDE HIGH POINT UNIVERSITY SCHOOL OF LAW IN RECIPIENT LIST OF STATE APPELLATE DIVISION REPORTS

SECTION 1. G.S. 7A-343.1(a) reads as rewritten:

"(a) The Administrative Officer of the Courts shall, upon request and at the State's expense, distribute such number of copies of the appellate division reports to federal, State departments and agencies, and to educational institutions of instruction, as follows:

…

University of North Carolina School of Law	5
North Carolina Central University School of Law	5
Duke University School of Law	5
Wake Forest University School of Law	5
Elon University School of Law	5
Campbell University School of Law	5
High Point University School of Law	5

…."

MODIFY PROVISIONS AFFECTING JUDICIALLY MANAGED ACCOUNTABILITY AND RECOVERY COURTS

SECTION 2.(a) G.S. 7A-801 reads as rewritten:

"**§ 7A-801. Monitoring and annual report.**

The Administrative Office of the Courts shall monitor all local judicially managed accountability and recovery courts, prepare an annual report on the implementation, operation, and effectiveness of the State judicially managed accountability and recovery court program, and submit the report to the chairs of the House and Senate Appropriations Committees on Justice and Public Safety by March 1 of each year. Each judicially managed accountability and recovery court and any court authorized to remain a ~~drug treatment~~ local judicially managed accountability and recovery court under G.S. 7A-802, shall submit evaluation reports to the Administrative Office of the Courts as requested."

SECTION 2.(b) G.S. 7A-792 reads as rewritten:

"**§ 7A-792. Goals.**

The goals of the local judicially managed accountability and recovery courts ~~funded under this Article~~ include the following:

…."

SECTION 2.(c) G.S. 7A-793 reads as rewritten:

"**§ 7A-793. Establishment of North Carolina Judicially Managed Accountability and Recovery Court Program.**

The North Carolina Judicially Managed Accountability and Recovery Court Program is established in the Administrative Office of the Courts to facilitate the creation, administration, and funding of local judicially managed accountability and recovery courts. The Director of the Administrative Office of the Courts shall provide any necessary staff for planning, organizing, and administering the program. Local judicially managed accountability and recovery court programs ~~funded pursuant to this Article~~ shall be operated consistently with the guidelines adopted pursuant to G.S. 7A-795. Local judicially managed accountability and recovery courts established ~~and funded pursuant to this Article~~ may consist of local judicially managed accountability and recovery court programs approved by the Administrative Office of the Courts. With the consent of either the chief district court judge or the senior resident superior court judge, a local judicially managed accountability and recovery court may be established."

SECTION 2.(d) This section becomes effective August 1, 2025.

PROHIBIT USE OF MODIFIED ADMINISTRATIVE OFFICE OF THE COURTS FORMS WITHOUT PROPER NOTICE TO CLIENTS

SECTION 3.(a) G.S. 7A-232 reads as rewritten:

"**§ 7A-232. Forms.**

The following forms are sufficient for the purposes indicated under this article. Substantial conformity is sufficient. Forms promulgated by the Administrative Office of the Courts shall not be modified in a way that maintains an appearance that the form was promulgated by the Administrative Office of the Courts. Any attorney or party who modifies a form promulgated by the Administrative Office of the Courts must clearly notate that the form has been modified from the version promulgated by the Administrative Office of the Courts and specify what changes were made to the form.

…."

SECTION 3.(b) This section is effective when it becomes law and applies to modified forms used on or after that date.

REPEAL REQUIREMENTS OF PUBLIC NOTICE OF NAME CHANGE AT COURTHOUSE BEFORE FILING THE NAME CHANGE

SECTION 4.(a) G.S. 101-2 reads as rewritten:

"**§ 101-2. Procedure for changing name; petition; notice.**

(a) A person who wishes, for good cause shown, to change his or her name must file an application before the clerk of the superior court of the county in which the person ~~resides, after giving 10 days' notice of the application by publication in the area designated by the clerk of superior court for posting notices in the county.~~resides.

~~(b) The publication in subsection (a) of this section is not required if the applicant:~~

~~(1) Is a participant in the address confidentiality program under Chapter 15C of the General Statutes; or~~

~~(2) Provides evidence that the applicant is a victim of domestic violence, sexual offense, or stalking. This evidence may include any of the following:~~

~~a. Law enforcement, court, or other federal or state agency records or files.~~

~~b. Documentation from a program receiving funds from the Domestic Violence Center Fund, if the applicant is alleged to be a victim of domestic violence.~~

(c) The application and the court's entire record of the proceedings relating to the applicant's name change is not a matter of public record where the ~~applicant has complied with subsection (b)(1) or (b)(2) of this section.~~applicant meets either of the following criteria:

(1) Is a participant in the address confidentiality program under Chapter 15C of the General Statutes.

(2) Provides evidence that the applicant is a victim of domestic violence, sexual offense, or stalking. This evidence may include any of the following:

a. Law enforcement, court, or other federal or state agency records or files.

b. Documentation from a program receiving funds from the Domestic Violence Center Fund, if the applicant is alleged to be a victim of domestic violence.

Records qualifying under this subsection shall be maintained separately from other records, shall be withheld from public inspection, and may be examined only by order of the court or with the written consent of the applicant.

…."

SECTION 4.(b) This section becomes effective December 1, 2025, and applies to all applications for a name change pursuant to Chapter 101 of the General Statutes filed on or after that date.

MODIFY PROVISIONS RELATED TO GUARDIANSHIP FOR INCOMPETENT PERSONS

SECTION 5.(a) G.S. 35A-1230 reads as rewritten:

"**§ 35A-1230. Bond required before receiving property.**

Except as otherwise provided by G.S. 35A-1212.1 and G.S. 35A-1225(a), no general guardian or guardian of the estate shall be permitted to receive the ward's property until he has given sufficient surety, approved by the clerk, to account for and apply the same under the direction of the court, provided that if the guardian is a nonresident of this State and the value of the property received exceeds one thousand dollars ($1,000) the surety shall be a bond under G.S. 35A-1231(a) executed by a duly authorized surety company, or secured by cash in an amount equal to the amount of the bond or by a mortgage executed under Chapter 109 of the General Statutes on real estate located in the county, the value of which, excluding all prior liens and encumbrances, shall be at least one and one-fourth times the amount of the bond; and further provided that the nonresident shall appoint a resident agent to accept service of process in all actions and proceedings with respect to the guardianship. The clerk shall not require a guardian of the person who is a resident of North Carolina to post a bond; the clerk may require a nonresident guardian of the person to post a bond or other security for the faithful performance of the guardian's duties. As provided in G.S. 53-159 and G.S. 53-366(a)(10), no bond is required of a bank or trust company licensed to do business in this State that has powers or privileges granted in the charter to serve as guardian."

SECTION 5.(b) G.S. 35A-1231(a) reads as rewritten:

"(a) Before issuing letters of appointment to a general guardian or guardian of the estate the clerk shall require the guardian to give a bond payable to the State. The clerk shall determine the value of all the ward's personal property and the rents and profits of the ward's real estate by examining, under oath, the applicant for guardianship or any other person or persons. The penalty in the bond shall be set as follows:

…

The bond must be secured with two or more sufficient sureties, jointly and severally bound, and must be acknowledged before the clerk or a notary public and approved by the clerk. The bond must be conditioned on the guardian's faithfully executing the trust reposed in him as such and obeying all lawful orders of the clerk or judge relating to the guardianship of the estate committed to him. The bond must be recorded in the office of the clerk appointing the guardian, except, if the guardianship is transferred to a different county, it must be recorded in the office of the clerk in the county where the guardianship is docketed."

SECTION 5.(c) G.S. 35A-1261 reads as rewritten:

"**§ 35A-1261. Inventory ~~or account~~ within three months.**

Every guardian, within three months after his appointment, shall file with the clerk an ~~inventory or account,~~ inventory, upon oath, of the estate of his ward; but the clerk may extend such time not exceeding six months, for good cause shown."

SECTION 5.(d) G.S. 35A-1295(a) reads as rewritten:

"(a) Every guardianship shall be terminated and all powers and duties of the guardian provided in Article 9 of this Chapter shall cease when the ~~ward:~~ward does any of the following:

(1) Ceases to be a minor as defined in ~~G.S. 35A-1202(12),~~G.S. 35A-1202(12).

(2) Is adjudicated to be restored to competency pursuant to the provisions of ~~G.S. 35A-1130, or~~G.S. 35A-1130.

(3) Dies.

(4) Is no longer under the jurisdiction of North Carolina because the court has issued a final order confirming transfer pursuant to the provisions of G.S. 35B-30(g)."

SECTION 5.(e) This section becomes effective December 1, 2025.

MODIFY PROVISIONS RELATED TO THE ESTATE OF A DECEDENT

SECTION 6.(a) G.S. 29-30 reads as rewritten:

"**§ 29-30. Election of surviving spouse to take life interest in lieu of intestate share provided.**

(a) Except as provided in this subsection, in lieu of the intestate share provided in G.S. 29-14 or G.S. 29-21, or of the elective share provided in G.S. 30-3.1, the surviving spouse of an intestate or the surviving spouse who has petitioned for an elective share is entitled to take as the surviving spouse's intestate share or elective share a life estate in one third in value of all the real estate of which the deceased spouse was seised and possessed of an estate of inheritance at any time during ~~coverture.~~ marriage. The surviving spouse is not entitled to take a life estate in any of the following circumstances:

…

(d) In case of election to take a life estate in lieu of an intestate share or elective share, as provided in either G.S. 29-14, 29-21, or 30-3.1, the clerk of superior court, with whom the petition has been filed, shall summon and appoint a ~~jury~~ commission of three disinterested persons who being first duly sworn shall promptly allot and set apart to the surviving spouse the life estate provided for in subsection (a) of this section and make a final report of this action to the clerk.

(e) The final report shall be filed by the ~~jury~~ commission not more than 60 days after the summoning and appointment thereof, shall be signed by all ~~jurors,~~ persons on the commission and shall describe by metes and bounds the real estate in which the surviving spouse shall have been allotted and set aside a life estate. It shall be filed as a record of court and a certified copy thereof shall be filed and recorded in the office of the register of deeds of each county in which any part of the real property of the deceased spouse, affected by the allotment, is located.

…."

SECTION 6.(b) G.S. 28A-2A-15 reads as rewritten:

"**§ 28A-2A-15. Certified copy of will proved in another state or country.**

When a will, made by a ~~citizen~~ resident of this State, is proved and allowed in some other state or country, and the original will cannot be removed from its place of legal deposit in such other state or country, for probate in this State, the clerk of the superior court of the county where the testator had his last usual residence or has any property, upon a duly certified copy or exemplification of such will being exhibited to him for probate, shall take every order and proceeding for proving, allowing and recording such copy as by law might be taken upon the production of the original."

SECTION 6.(c) G.S. 28A-2A-17(a) reads as rewritten:

"(a) Subject to the provisions of subsection (b) of this section, if the will of a ~~citizen~~ resident or subject of another state or country is probated in accordance with the laws of that

jurisdiction and a duly certified copy of the will and the probate proceedings are produced before a clerk of superior court of any county wherein the testator had property, the copy of the will shall be probated as if it were the original. If the jurisdiction is within the United States, the copy of the will and the probate proceedings shall be certified by the clerk of the court wherein the will was probated. If the jurisdiction is outside the United States, the copy of the will and probate proceedings shall be certified by any ambassador, minister, consul or commercial agent of the United States under his official seal."

SECTION 6.(d) G.S. 28A-5-1(b) reads as rewritten:

"(b) Implied Renunciation by Executor. – If any person named or designated as executor fails to qualify or to renounce within 30 days after the will had been admitted to probate, (i) the clerk of superior court may issue a notice to that person to qualify or move for an extension of time to qualify within ~~15~~ 20 days, or (ii) any other person named or designated as executor in the will or any interested person may file a petition in accordance with Article 2 of this Chapter for an order finding that person named or designated as executor to be deemed to have renounced. If that person does not file a response to the notice or petition within ~~15~~ 20 days from the date of service of the notice or petition, the clerk of superior court shall enter an order adjudging that the person has renounced. If the person files a response within ~~15~~ 20 days from the date of service of the notice or petition requesting an extension of time within which to qualify or renounce, upon hearing, the clerk of superior court may grant to that person a reasonable extension of time within which to qualify or renounce for cause shown. If that person qualifies within ~~15~~ 20 days of the date of service of the notice or petition, the clerk of superior court shall dismiss that notice or petition, without prejudice, summarily and without hearing."

SECTION 6.(e) G.S. 28A-5-2(b) reads as rewritten:

"(b) Implied Renunciation. –

(1) If any person entitled to apply for letters of administration fails to apply therefor within 30 days from the date of death of the intestate, (i) the clerk of superior court may issue a notice to the person to qualify or move for an extension of time to qualify within ~~15~~ 20 days, or (ii) any interested person may file a petition in accordance with Article 2 of this Chapter for an order finding that person to be deemed to have renounced. If the person does not file a response to the notice or petition within ~~15~~ 20 days from the date of service of the notice or petition, the clerk of superior court shall enter an order adjudging that the person has renounced. If the person files a response within ~~15~~ 20 days from the date of service of the notice or petition requesting an extension of time within which to qualify or renounce, upon hearing, the clerk of superior court may grant to that person a reasonable extension of time within which to qualify or renounce for cause shown. If the person qualifies within ~~15~~ 20 days of the date of service of the notice or petition, the clerk of superior court shall dismiss the notice or petition, without prejudice, summarily and without hearing and the clerk of superior court shall issue letters to some other person as provided in G.S. 28A-4-1. No notice shall be required to be given to any interested person, but the clerk may give notice as the clerk in the clerk's discretion may determine.

(2) If no person entitled to administer applies for letters of administration within 90 days after the date of death of an intestate, then the clerk of superior court may, in the clerk's discretion, enter an order declaring all prior rights to apply for letters of administration to be renounced, and issue letters to some suitable person as provided in G.S. 28A-4-1."

SECTION 6.(f) G.S. 28A-21-3 reads as rewritten:

"**§ 28A-21-3. What accounts must contain.**

Accounts filed with the clerk of superior court pursuant to ~~G.S. 28A-21-1,~~ G.S. 28A-21-1 and G.S. 28A-2-2, signed and under oath, shall ~~contain:~~contain all of the following:

(1) The period which the account covers and whether it is an annual accounting or a final ~~accounting;~~accounting.

(2) The amount and value of the property of the estate according to the inventory and appraisal or according to the next previous accounting, the amount of income and additional property received during the period being accounted for, and all gains from the sale of any property or ~~otherwise;~~otherwise.

(3) All payments, charges, losses, and ~~distributions;~~distributions.

(4) The property on hand constituting the balance of the account, if ~~any; and~~any.

(5) Such other facts and information determined by the clerk to be necessary to an understanding of the account."

SECTION 6.(g) G.S. 28A-28-2(a) reads as rewritten:

"(a) The petition shall be signed by the surviving spouse and verified to be accurate and complete to the best of the spouse's knowledge and belief and shall state ~~as follows:~~all of the following:

(1) The name and address of the spouse and the fact that the spouse is the surviving spouse of the ~~decedent;~~decedent.

(2) The name and domicile of the decedent at the time of ~~death;~~death.

(3) The date and place of death of the ~~decedent;~~decedent.

(4) The date and place of marriage of the spouse and the ~~decedent;~~decedent.

(5) A description sufficient to identify each tract of real property owned in whole or in part by the decedent at the time of ~~death;~~death.

(6) A description of the nature of the decedent's personal property and the location of such property, as far as these facts are known or can with reasonable diligence be ~~ascertained;~~ascertained.

(7) The probable value of the decedent's personal property, so far as the value is known or can with reasonable diligence be ~~ascertained;~~ascertained.

(8) That no application or petition for appointment of a personal representative is pending or has been granted in this ~~State;~~State.

(9) That the spouse is the sole devisee or sole heir, or both, of the decedent, and that there is no other devisee or heir; that the decedent's will, if any, does not prohibit summary administration; and that any property passing to the spouse under the will is not in ~~trust;~~trust.

(10) The name and address of any executor or coexecutor named by the will and that, if the decedent died testate, a copy of the petition has been personally delivered or sent by first-class mail by the spouse to the last-known address of any executor or coexecutor named by the will, if different from the ~~spouse;~~spouse.

(11) That, to the extent of the value of the property received by the spouse under the will of the decedent or by intestate succession, the spouse assumes all liabilities of the decedent that were not discharged by reason of death and assumes liability for all taxes and valid claims against the decedent or the estate, as provided in ~~G.S. 28A-28-6; and~~G.S. 28A-28-6.

(12) If the decedent died testate, that the decedent's will has been admitted to probate in the court of the proper county; that a duly certified copy of the will ~~has been~~ will be recorded in each county in which is located any real property owned by the decedent at the time of death; and that a certified copy of the decedent's will is attached to the petition."

SECTION 6.(h) G.S. 20-77(b) reads as rewritten:

"(b) In the event of transfer as upon inheritance or devise, the Division shall, upon a receipt of a certified copy of a probated will, letters of administration and/or a certificate from the clerk of the superior court showing that the motor vehicle registered in the name of the decedent owner has been assigned to the owner's surviving spouse as part of the spousal year's allowance, transfer both title and license as otherwise provided for transfers. If a decedent dies intestate and no administrator has qualified or the clerk of superior court has not issued a certificate of assignment as part of the spousal year's allowance, or if a decedent dies testate with a small estate and leaving a purported will, which, in the opinion of the clerk of superior court, does not justify the expense of probate and administration and probate and administration is not demanded by any interested party entitled by law to demand same, and provided that the purported will is filed in the public records of the office of the clerk of the superior court, the Division may upon affidavit executed by all heirs effect such transfer. The affidavit shall state the name of the decedent, date of death, that the decedent died intestate or ~~testate~~ leaving a purported will and no administration is pending or expected, that all debts have been paid or that the proceeds from the transfer will be used for that purpose, the names, ages and relationship of all heirs and devisees (if there be a purported will), and the name and address of the transferee of the title. A surviving ~~spouse~~ parent of a minor or incompetent may execute the affidavit and transfer the interest of the decedent's minor or incompetent children where such minor or incompetent does not have a guardian. A transfer under this subsection shall not affect the validity nor be in prejudice of any creditor's lien."

SECTION 6.(i) G.S. 31-11 reads as rewritten:

"**§ 31-11. Depositories in offices of clerks of superior court where living persons may file wills.**

(a) The clerk of the superior court in each county of North Carolina ~~shall be~~ is required to keep a receptacle or depository in which any ~~person~~ testator who desires to do so may ~~file~~ deposit that ~~person's~~ testator's original paper will for ~~safekeeping; and the~~ safekeeping. The clerk is only authorized to receive the will from the testator, or an agent or an attorney for the testator. Once a testator has died, the clerk is not authorized to receive the will for the clerk's receptacle or depository from any agent or attorney for the testator.

(b) The clerk shall, upon written request of the testator, or the duly authorized agent or attorney for the testator, permit said will or testament to be withdrawn from said depository or receptacle at any time prior to the death of the ~~testator: Provided, that~~ testator.

(c) While in the clerk's receptacle or depository, the contents of said will shall not be made public or open to the inspection of anyone other than the testator or the testator's duly authorized agent or attorney until ~~such time as the said will shall be offered for probate.~~the testator has died. Once the clerk has received proof of the testator's death, the clerk is authorized to allow the will to be made open to the inspection of any person interested in the testator's estate. The will shall remain in the clerk's receptacle or depository until the will is offered for probate.

(d) The clerk is required to retain the original paper will until withdrawn, filed in the deceased testator's estate file, or once 60 years have passed since the will was originally deposited with the clerk. If after 60 years the will has not been withdrawn or filed in the deceased testator's estate file, the clerk is authorized to comply with records retention rules for deposited wills set by the Director of the Administrative Office of the Courts."

SECTION 6.(j) This section becomes effective December 1, 2025.

CLARIFY THE JURISDICTION OF SUPERIOR COURT JUDGES ASSIGNED TO A SPECIFIC CASE

SECTION 7. Article 7 of Chapter 7A of the General Statutes is amended by adding a new section to read:

"**§ 7A-47.4. Jurisdiction over assigned cases.**

When the Chief Justice assigns a resident judge, special judge, or emergency judge to preside over a specific case, the assigned judge has the same power and authority over the assigned case as that of a regular judge over matters arising in the regular judge's district or set of districts as defined in G.S. 7A-41.1(a)."

TECHNICAL CORRECTION TO REMOVE STATUTORY CROSS REFERENCE

SECTION 8. G.S. 28C-10 reads as rewritten:

"**§ 28C-10. Claims against absentee.**

Immediately upon the appointment of a permanent receiver under this Chapter, the permanent receiver shall publish a notice addressed to all persons having claims against the absentee informing them of the action taken and requiring them to file their claims under oath with the permanent receiver. If any claimant fails to file his sworn claim within six months from the date of the first publication of such notice, the receiver may plead this fact in bar of his claim. Such notice shall be published in the same manner as that now prescribed by statute ~~(G.S. 28-47)~~ for claims against the estate of a decedent. Any party in interest may contest the validity of any claim before the judge, on due notice given to the permanent receiver and the person whose claim is contested."

MODIFY PROVISIONS RELATED TO DOMESTIC VIOLENCE PROTECTIVE ORDERS

SECTION 9.(a) G.S. 50B-2 reads as rewritten:

"**§ 50B-2. Institution of civil action; motion for emergency relief; temporary orders; temporary custody.**

(a) Any person residing in this State may seek relief under this Chapter by filing a civil action or by filing a motion in any existing action filed under Chapter 50 of the General Statutes alleging acts of domestic violence against himself or herself or a minor child who resides with or is in the custody of such person. Any aggrieved party entitled to relief under this Chapter may file a civil action and proceed pro se, without the assistance of legal counsel. The district court division of the General Court of Justice shall have original jurisdiction over actions instituted under this Chapter. Any action for a domestic violence protective order requires that a summons be issued and served. The summons issued pursuant to this Chapter shall require the defendant to answer within 10 days of the date of service. Attachments to the summons shall include the complaint, notice of hearing, any temporary or ex parte order that has been issued, and other papers ~~through the appropriate law enforcement agency where the defendant is to be served.~~ filed. In compliance with the federal Violence Against Women Act, no court costs or attorneys' fees shall be assessed for the filing, issuance, registration, or service of a protective order or petition for a protective order or witness subpoena, except as provided in G.S. 1A-1, Rule 11.

(b) Emergency Relief. – A party may move the court for emergency relief if he or she believes there is a danger of serious and immediate injury to himself or herself or a minor child. A hearing on a motion for emergency relief, where no ex parte order is entered, shall be held after five days' notice of the hearing to the other party or after five days from the date of service of process on the other party, whichever occurs first, provided, however, that no hearing shall be required if the service of process is not completed on the other party. If the party is proceeding pro se and does not request an ex parte hearing, the clerk shall set a date for hearing and issue a notice of hearing within the time periods provided in this subsection, and shall effect service of the summons, complaint, notice, and other papers through the appropriate law enforcement agency where the defendant is to be ~~served.~~served, if that agency is in North Carolina.

(c) Ex Parte Orders. –

…

(7) Upon the issuance of an ex parte order under this subsection, if the party is proceeding pro se, the Clerk shall set a date for hearing and issue a notice of

hearing within the time periods provided in this subsection, and shall effect service of the summons, complaint, notice, order and other papers through the appropriate law enforcement agency where the defendant is to be ~~served.~~served, if that agency is in North Carolina.

…."

SECTION 9.(b) G.S. 50B-4(a) reads as rewritten:

"(a) A party may file a motion for contempt for violation of any order entered pursuant to this Chapter. This party may file and proceed with that motion pro se, using forms provided by the clerk of superior court or a magistrate authorized under G.S. 50B-2(c1). Upon the filing pro se of a motion for contempt under this subsection, the clerk, or the authorized magistrate, if the facts show clearly that there is danger of acts of domestic violence against the aggrieved party or a minor child and the motion is made at a time when the clerk is not available, shall schedule and issue notice of a show cause hearing with the district court division of the General Court of Justice at the earliest possible date pursuant to G.S. 5A-23. The Clerk, or the magistrate in the case of notice issued by the magistrate pursuant to this subsection, shall effect service of the motion, notice, and other papers through the appropriate law enforcement agency where the defendant is to be ~~served.~~served, if that agency is in North Carolina."

SECTION 9.(c) This section is effective when it becomes law and applies to service of process occurring on or after that date.

MODIFY PROVISIONS RELATED TO JUVENILE CUSTODY

SECTION 10.(a) G.S. 7B-1903 reads as rewritten:

"**§ 7B-1903. Criteria for secure or nonsecure custody.**

(a) When a request is made for nonsecure custody, the court shall first consider release of the juvenile to the juvenile's parent, guardian, custodian, or other responsible adult. An order for nonsecure custody shall be made only when there is a reasonable factual basis to believe the matters alleged in the ~~petition~~ petition, indictment, or information are true, and ~~that:~~that either of the following circumstances exists:

(1) The juvenile is a runaway and consents to nonsecure ~~custody; or~~custody.

(2) The juvenile meets one or more of the criteria for secure custody, but the court finds it in the best interests of the juvenile that the juvenile be placed in a nonsecure placement.

(b) When a request is made for secure custody, the court may order secure custody only where the court finds there is a reasonable factual basis to believe that the juvenile committed the offense as alleged in the petition, indictment, or information, and that one of the following circumstances exists:

…

(3) The juvenile has willfully failed to appear on a pending delinquency or criminal charge or on charges of violation of probation or post-release supervision, providing the juvenile was properly notified.

(4) A delinquency or criminal charge is pending against the juvenile, and there is reasonable cause to believe the juvenile will not appear in court.

…."

SECTION 10.(b) G.S. 7B-1904 reads as rewritten:

"**§ 7B-1904. Order for secure or nonsecure custody.**

(a) The custody order shall be in writing and shall direct a law enforcement officer or juvenile court counselor to assume custody of the juvenile and to make due return on the order.

(b) An initial order for secure custody may be issued following the filing of the petition and before the juvenile has been served with the petition pursuant to G.S. 7B-1806. The official executing the order shall give a copy of the order to the juvenile and the juvenile's parent, guardian, or custodian. If the juvenile has not been served with the petition upon being detained,

the juvenile shall be served with the petition no more than 72 hours after the juvenile has been detained. If the order is for nonsecure custody, the official executing the order shall also give a copy of the petition and order to the person or agency with whom the juvenile is being placed. If the order is for secure custody, copies of the petition and custody order shall accompany the juvenile to the detention facility or holdover facility of the jail. A message of the Department of Public Safety stating that a juvenile petition and secure custody order relating to a specified juvenile are on file in a particular county shall be authority to detain the juvenile in secure custody until a copy of the juvenile petition and secure custody order can be forwarded to the juvenile detention facility. The copies of the juvenile petition and secure custody order shall be transmitted to the detention facility no later than 72 hours after the initial detention of the juvenile.

(c) An initial order for secure custody may be issued when the superior court has ordered the removal of a case to juvenile court pursuant to G.S. 15A-960. The official executing the order shall give a copy of the order to the juvenile and the juvenile's parent, guardian, or custodian. If the order is for nonsecure custody, the official executing the order shall also give a copy of the order to remove the case from superior court and nonsecure custody order to the person or agency with whom the juvenile is being placed. If the order is for secure custody, copies of the order to remove the case from superior court and the custody order shall accompany the juvenile to the detention facility or holdover facility of the jail. A message of the Department of Public Safety stating that an order to remove the case from superior court and secure custody order relating to a specified juvenile are on file in a particular county shall be authority to detain the juvenile in secure custody until copies of both orders can be forwarded to the juvenile detention facility. The copies of the order to remove the case from superior court and the secure custody order shall be transmitted to the detention facility no later than 72 hours after the initial detention of the juvenile."

SECTION 10.(c) G.S. 15A-960 is amended by adding a new subsection to read:

"(c) If the superior court removes the case to juvenile court for adjudication and the juvenile has been granted pretrial release as provided in G.S. 15A-533 and G.S. 15A-534, the obligor shall be released from the juvenile's bond upon the superior court's review of whether the juvenile shall be placed in secure custody as provided in G.S. 7B-1903."

SECTION 10.(d) G.S. 15A-534(h) reads as rewritten:

"(h) A bail bond posted pursuant to this section is effective and binding upon the obligor throughout all stages of the proceeding in the trial division of the General Court of Justice until the entry of judgment in the district court from which no appeal is taken or the entry of judgment in the superior court. The obligation of an obligor, however, is terminated at an earlier time ~~if:~~upon the occurrence of any of the following:

(1) A judge authorized to do so releases the obligor from ~~his bond; or~~the bond.

(2) The principal is surrendered by a surety in accordance with ~~G.S. 15A-540; or~~G.S. 15A-540.

(3) The proceeding is terminated by voluntary dismissal by the State before forfeiture is ordered under ~~G.S. 15A-544.3; or~~G.S. 15A-544.3.

(4) Prayer for judgment has been continued indefinitely in the district ~~court; or~~court.

(5) The court has placed the defendant on probation pursuant to a deferred prosecution or conditional discharge.

(6) The court's review of a juvenile's secure or nonsecure custody status pursuant to remand under G.S. 7B-2603 or the removal under G.S. 15A-960 for disposition as a juvenile case."

SECTION 10.(e) This section becomes effective December 1, 2025, and applies to proceedings occurring on or after that date.

DIRECT CLERK TO SEND INPATIENT COMMITMENT ORDER TO CERTAIN PERSONS

SECTION 11.(a) G.S. 122C-271 reads as rewritten:

"**§ 122C-271. Disposition.**

(a) If a commitment examiner has recommended outpatient commitment and the respondent has been released pending the district court hearing, the court may make one of the following dispositions:

(1) If the court finds by clear, cogent, and convincing evidence that the respondent has a mental illness; that the respondent is capable of surviving safely in the community with available supervision from family, friends, or others; that based on respondent's treatment history, the respondent is in need of treatment in order to prevent further disability or deterioration that would predictably result in dangerousness as defined in G.S. 122C-3(11); and that the respondent's current mental status or the nature of the respondent's illness limits or negates the respondent's ability to make an informed decision to seek voluntarily or comply with recommended treatment, it may order outpatient commitment for a period not in excess of 90 days.

(2) If the court does not find that the respondent meets the criteria of commitment set out in subdivision (1) of this subsection, the respondent shall be discharged and the proposed outpatient physician center shall be so notified.

(3) Before ordering any outpatient commitment under this subsection, the court shall make findings of fact as to the availability of outpatient treatment from an outpatient treatment physician or center that has agreed to accept the respondent as a client of outpatient treatment services. The court shall show on the order the outpatient treatment physician or center that is to be responsible for the management and supervision of the respondent's outpatient commitment. If the designated outpatient treatment physician or center will be monitoring and supervising the respondent's outpatient commitment pursuant to a contract for services with an LME/MCO, the court shall show on the order the identity of the LME/MCO. The clerk of court shall send a copy of the outpatient commitment order to the designated outpatient treatment physician or center and to the respondent client or the legally responsible person. The clerk of court shall also send a copy of the order to that LME/MCO. Copies of outpatient commitment orders sent by the clerk of court to an outpatient treatment center or physician under this section, including orders sent to an LME/MCO, shall be sent by the most reliable and expeditious means, ~~but in no event less than 48 hours after the hearing.~~within 48 hours of the hearing.

(b) If the respondent has been held in a 24-hour facility pending the district court hearing pursuant to G.S. 122C-268, the court may make one of the following dispositions:

(1) If the court finds by clear, cogent, and convincing evidence that the respondent has a mental illness; that the respondent is capable of surviving safely in the community with available supervision from family, friends, or others; that based on respondent's psychiatric history, the respondent is in need of treatment in order to prevent further disability or deterioration that would predictably result in dangerousness as defined by G.S. 122C-3(11); and that the respondent's current mental status or the nature of the respondent's illness limits or negates the respondent's ability to make an informed decision voluntarily to seek or comply with recommended treatment, it may order outpatient commitment for a period not in excess of 90 days. If the commitment proceedings were initiated as the result of the respondent's being

charged with a violent crime, including a crime involving an assault with a deadly weapon, and the respondent was found incapable of proceeding, the commitment order shall so show.

(2) If the court finds by clear, cogent, and convincing evidence that the respondent has a mental illness and is dangerous to self, as defined in G.S. 122C-3(11)a., or others, as defined in G.S. 122C-3(11)b., it may order inpatient commitment at a 24-hour facility described in G.S. 122C-252 for a period not in excess of 90 days. However, no respondent found to have both an intellectual disability and a mental illness may be committed to a State, area, or private facility for individuals with intellectual disabilities. An individual who has a mental illness and is dangerous to self, as defined in G.S. 122C-3(11)a., or others, as defined in G.S. 122C-3(11)b., may also be committed to a combination of inpatient and outpatient commitment at both a 24-hour facility and an outpatient treatment physician or center for a period not in excess of 90 days. If the commitment proceedings were initiated as the result of the respondent's being charged with a violent crime, including a crime involving an assault with a deadly weapon, and the respondent was found incapable of proceeding, the commitment order shall so show. If the court orders inpatient commitment for a respondent who is under an outpatient commitment order, the outpatient commitment is terminated; and the clerk of the superior court of the county where the district court hearing is held shall send a notice of the inpatient commitment to the clerk of superior court where the outpatient commitment was being supervised. The clerk of court shall send a copy of the inpatient commitment order to the designated inpatient treatment physician or center and to the respondent client or the legally responsible person. The clerk of court shall also send a copy of the order to that LME/MCO. Copies of inpatient commitment orders sent by the clerk of court to an inpatient treatment center or physician under this section, including orders sent to an LME/MCO, shall be sent by the most reliable and expeditious means, within 48 hours of the hearing.

(3) If the court does not find that the respondent meets either of the commitment criteria set out in subdivisions (1) and (2) of this subsection, the respondent shall be discharged, and the facility in which the respondent was last a client shall be so notified.

(4) Before ordering any outpatient commitment, the court shall make findings of fact as to the availability of outpatient treatment from an outpatient treatment physician or center that has agreed to accept the respondent as a client of outpatient treatment services. The court shall also show on the order the outpatient treatment physician or center who is to be responsible for the management and supervision of the respondent's outpatient commitment. When an outpatient commitment order is issued for a respondent held in a 24-hour facility, the court may order the respondent held at the facility for no more than 72 hours in order for the facility to notify the designated outpatient treatment physician or center of the treatment needs of the respondent. The clerk of court in the county where the facility is located shall send a copy of the outpatient commitment order to the designated outpatient treatment physician or center and to the respondent or the legally responsible person. If the designated outpatient treatment physician or center shall be monitoring and supervising the respondent's outpatient commitment pursuant to a contract for services with an LME/MCO, the clerk of court shall show on the order the identity of the LME/MCO. The clerk of court shall send a copy of the order

to the LME/MCO. Copies of outpatient commitment orders sent by the clerk of court to an outpatient treatment center or physician pursuant to this subdivision, including orders sent to an LME/MCO, shall be sent by the most reliable and expeditious means, ~~but in no event less than 48 hours after~~ within 48 hours of the hearing. If the outpatient commitment will be supervised in a county other than the county where the commitment originated, the court shall order venue for further court proceedings to be transferred to the county where the outpatient commitment will be supervised. Upon an order changing venue, the clerk of superior court in the county where the commitment originated shall transfer the file to the clerk of superior court in the county where the outpatient commitment is to be supervised.

…."

SECTION 11.(b) G.S. 122C-287 reads as rewritten:

"**§ 122C-287. Disposition.**

The court may make one of the following dispositions:

(1) If the court finds by clear, cogent, and convincing evidence that the respondent is a substance abuser and is dangerous to self or others, it shall order for a period not in excess of 180 days commitment to and treatment by an area facility or physician who is responsible for the management and supervision of the respondent's commitment and treatment. The clerk of court shall send a copy of the commitment order to the designated area facility or physician responsible for the management and supervision of the respondent's commitment and treatment by the most reliable and expeditious means. Before ordering commitment to and treatment by an area facility or a physician who is not a physician at an inpatient facility, the court shall follow the procedures specified in G.S. 122C-271(a)(3) and G.S. 122C-271(b)(4), as applicable.

…."

SECTION 11.(c) This section is effective when it becomes law and applies to orders issued on or after that date.

INCLUDE REFERENCE TO RETIREMENT IN PROVISIONS REGARDING JUDICIAL SETTLEMENTS

SECTION 12.(a) G.S. 1-283 reads as rewritten:

"**§ 1-283. Trial judge empowered to settle record on appeal; effect of leaving office or of disability.**

Except as provided in this section, only the judge of superior court or of district court from whose order or judgment an appeal has been taken is empowered to settle the record on appeal when judicial settlement is required. A judge retains power to settle a record on appeal notwithstanding he has resigned or retired or his term of office has expired without reappointment or reelection since entry of the judgment or order. Proceedings for judicial settlement when the judge empowered by this section to settle the record on appeal is unavailable for the purpose by reason of death, mental or physical incapacity, retirement, or absence from the State shall be as provided by the rules of appellate procedure."

SECTION 12.(b) This section is effective when it becomes law and applies to actions taken on or after that date.

PRESCRIBE RULES GOVERNING TRAINING AND EDUCATIONAL MATERIAL PROVIDED TO JURORS

SECTION 12.2.(a) Chapter 9 of the General Statutes is amended by adding a new Article to read:

"Article 6.

"Education and Training of Jurors.

"**§ 9-33. Training and educational material provided to jurors.**

The Administrative Office of the Courts shall prescribe rules governing any training or educational material provided at any time to any jurors, including jurors under this Chapter and grand jurors under Chapter 15A of the General Statutes, to try any cause. The court shall not provide jurors with any training or educational material that is not otherwise allowed under rules prescribed by the Administrative Office of the Courts."

SECTION 12.2.(b) The Administrative Office of the Courts shall adopt rules consistent with the provisions of this section. The Administrative Office of the Courts may use the procedure set forth in G.S. 150B-21.1 to adopt any rules as required under this section.

SECTION 12.2.(c) This section becomes effective December 1, 2025, and applies to training or educational material provided on or after that date.

MODIFY LAW REGARDING REPORTING OF TRIALS

SECTION 12.3. G.S. 7A-95(c) reads as rewritten:

"(c) If an electronic or other mechanical device is ~~utilized,~~ utilized by the clerk pursuant to subsection (a) of this section, it shall be the duty of the clerk of the superior court or some person designated by the clerk to operate the device while a trial is in progress, and the clerk shall thereafter preserve the record thus produced, which may be transcribed, as required, by any person designated by the Administrative Office of the Courts. If stenotype, shorthand, ~~or~~ stenomask or digital recording equipment is used, the original tapes, notes, discs or other records are the property of the State, and ~~the clerk shall keep them in his custody.~~shall be kept in the custody of the clerk. Except for the original stenomask audio files and audio files of digital recording technicians, audio recordings created by court reporters are not public records as defined by G.S. 132-1 and shall be disclosed to the parties and public only to the extent allowed by an order of a court of competent jurisdiction for good cause shown after notice to all parties."

MODIFY LAW GOVERNING LITIGATION COSTS UNDER G.S. 42-46

SECTION 12.4.(a) G.S. 42-46(i) reads as rewritten:

"(i) Out-of-Pocket Expenses and Litigation Costs. – In addition to the late fees referenced in subsections (a) and (b) of this section and the administrative fees of a landlord referenced in subsections (e) through (g) of this section, a landlord also is permitted to charge and recover from a tenant the following actual out-of-pocket expenses:

…

(3) ~~If the landlord is the prevailing party, reasonable~~ Reasonable attorneys' fees actually paid or owed, pursuant to a written lease, not to exceed fifteen percent (15%) of the amount owed by the tenant, or fifteen percent (15%) of the monthly rent stated in the lease if the eviction is based on a default other than the nonpayment of rent. ~~In cases where a tenant appeals a summary ejectment to district court, a landlord is entitled to an award of all actual reasonable attorneys' fees paid or owed if a court determines that the tenant knew, or should have known, the appeal was frivolous, unreasonable, without foundation, or in bad faith or solely for the purpose of delay~~

(4) In cases where a tenant appeals a summary ejectment to district court, if the landlord is the prevailing party, a landlord is entitled to an award of all actual reasonable attorneys' fees paid or owed if a court determines that the tenant knew, or should have known, the appeal was frivolous, unreasonable, without foundation, or in bad faith or solely for the purpose of delay."

SECTION 12.4.(b) This section is effective retroactively to September 9, 2024.

MODIFY MANDATORY RETIREMENT FOR SUPERIOR COURT JUDGES AND DISTRICT COURT JUDGES

SECTION 12.5.(a) G.S. 7A-40.1 reads as rewritten:

"**§ 7A-40.1. Age limit for service as superior court judge; exception.**

No superior court judge may continue in office beyond the last day of the ~~month~~ calendar year in which the superior court judge attains 72 years of age, but superior court judges so retired may be recalled for periods of temporary service as provided in this Subchapter."

SECTION 12.5.(b) G.S. 7A-140.1 reads as rewritten:

"**§ 7A-140.1. Age limit for service as district judge; exception.**

No district judge may continue in office beyond the last day of the ~~month~~ calendar year in which the district judge attains 72 years of age, but district judges so retired may be recalled for periods of temporary service as provided in Subchapter III of this Chapter."

SECTION 12.5.(c) This section is effective when it becomes law and applies to judicial retirements on or after that date.

MODIFY PROVISIONS REGARDING THE SUSPENSION, REMOVAL, OR REINSTATEMENT OF CLERKS

SECTION 13.(a) G.S. 7A-105 reads as rewritten:

"**§ 7A-105. Suspension, removal, and reinstatement of clerk.**

(a) A clerk of superior court may be suspended or removed from office for ~~willful~~ misconduct or mental or physical ~~incapacity and reinstated, under the same procedures as are applicable to a superior court district attorney, except that the procedure shall be initiated by the filing of a sworn affidavit with the chief district judge of the district in which the clerk resides, and the hearing shall be conducted by the senior regular resident superior court judge serving the county of the clerk's residence. If suspension is ordered, the judge shall appoint some qualified person to act as clerk during the period of the suspension.~~incapacity.

(b) A proceeding to suspend or remove a clerk of superior court shall be commenced in the superior court division and county in which the clerk resides by filing in paper with the chief district court judge (i) a sworn affidavit charging one or more grounds for removal of the clerk of superior court and (ii) a certificate of service showing service on the respondent clerk in accordance with Rule 5(b1) of the Rules of Civil Procedure. Service of the sworn affidavit must be made in a manner provided under Rule 5(b) of the Rules of Civil Procedure. The sworn affidavits are subject to the requirements of Rule 11 of the Rules of Civil Procedure, including imposition of sanctions as appropriate by the court. The clerk shall collect superior court costs set forth in G.S. 7A-305, unless the proceeding is filed by an elected or appointed official of the North Carolina Judicial Branch, in which case costs shall be waived. No summons shall be issued. If the required court costs are not paid within 30 days of the proceeding being commenced, the chief district court judge shall forward the matter to the senior resident superior court judge who shall dismiss the proceeding without prejudice.

(c) Upon commencement of the proceeding and confirmation of the payment of the costs required under subsection (b) of this section, the chief district court judge shall immediately provide notice of the filing to the senior regular resident superior court judge for the district or set of districts as defined in G.S. 7A-41.1(a) in which the respondent clerk's county of residence is located. Within 10 days of receiving notice, the senior regular resident superior court judge shall review the sworn affidavit and determine, without a hearing, whether the charges, if true, constitute grounds for removal and whether there is probable cause for believing that the charges are true. If the judge finds either that the charges, if true, do not constitute grounds for removal or that no probable cause exists for believing that the charges are true, the judge shall dismiss the proceeding. Otherwise, the judge shall enter a written order, findings of fact, and conclusions of law detailing which charges would constitute grounds for removal and the probable cause for believing that those charges are true. If the judge finds facts based on the sworn affidavit that

immediate and irreparable injury, loss, or damage will result to the public or the administration of justice if the clerk remains in office until a final determination of the charges on the merits, the judge also may enter an order suspending the clerk of superior court from performing the duties of the office until a final determination of the charges on the merits. The salary of the clerk of superior court continues during any such suspension. The court shall serve any order of dismissal, order establishing probable cause, or order of suspension on the parties under Rule 5 of the Rules of Civil Procedure as soon as practicable after entry of the order.

(d) If the proceeding is not dismissed, the senior regular resident superior court judge shall set a hearing upon the charges found to be supported by probable cause under subsection (c) of this section for not less than 30 days nor more than 60 days after service of the order establishing probable cause on the clerk, unless continued for good cause shown. In the hearing, the court shall hear evidence and make findings of fact and conclusions of law resolving the charges based on clear and convincing evidence. The hearing shall be recorded and open to the public. If the court concludes that grounds for removal exist, the superior court judge shall enter a written order, findings of fact, and conclusions of law permanently removing the clerk of superior court from office and terminating the clerk's salary. If the court finds that no grounds for removal exist, any pending suspension of the clerk shall end immediately and the court shall enter an order of dismissal.

The North Carolina Rules of Evidence shall apply to proceedings commenced under this section. The following North Carolina Rules of Civil Procedure shall apply to proceedings commenced under this section to the extent the Rules do not conflict with this section: Rule 5, Rule 11, Rule 45, Rule 46, Rule 52. The parties may issue process under Rule 45 to compel the attendance of witnesses at the hearing and to compel the production of evidence both prior to and at the hearing. Parties must exchange all evidence that they intend to offer at the hearing on the merits at least five days prior to the hearing along with a list of all witnesses that they intend to call.

(e) The clerk of superior court may appeal from an order of removal to the Court of Appeals on the basis of error of law by the presiding judge. Pending decision of the case on appeal, the clerk of superior court shall not perform any of the duties of the office. If, upon final determination, the clerk of superior court is ordered reinstated either by the appellate division or by the superior court upon remand, the clerk's salary shall be restored from the date of the original order of removal.

(f) If the clerk is prohibited from performing the duties of the office under this section prior to final resolution due either to an order of suspension or to an appeal of an order of removal, the judge shall appoint some qualified person to act as clerk until final resolution.

(g) The sworn affidavit and other filings related to the proceeding are confidential unless the senior regular resident superior court judge enters a written order establishing probable cause as described in subsection (c) of this section. The parties to the proceeding may obtain copies of the sworn affidavit and other filings related to the proceeding at any time.

(h) If criminal charges are filed against the clerk that relate to factual allegations in a pending sworn affidavit for removal and a judge entered a probable cause order pursuant to subsection (c) of this section, the presiding judge may stay the removal proceeding until the criminal case is resolved. A stay may be granted at any time in the proceeding following the probable cause determination."

SECTION 13.(b) This section is effective when it becomes law and applies to proceedings based upon clerk conduct occurring on or after that date.

MODIFY PROVISIONS REGARDING NORTH CAROLINA BUSINESS COURTS AND BUSINESS COURT JUDGES

SECTION 14.(a) G.S. 7A-45.3 reads as rewritten:

"**§ 7A-45.3. Superior court judges designated for complex business cases.**

The Chief Justice may exercise the authority under rules of practice prescribed pursuant to G.S. 7A-34 to designate ~~one or more~~ up to six of the special superior court judges authorized by G.S. 7A-45.1 to hear and decide complex business cases as prescribed by the rules of ~~practice.~~ practice if the Chief Justice determines that the judge to be designated has the requisite expertise and experience to serve as a Business Court Judge. Any judge so designated shall be known as a Business Court Judge and shall preside in the Business Court. If there is more than one ~~business court judge, including any judge serving as a senior business court judge pursuant to G.S. 7A-52(a1) or upon recall pursuant to G.S. 7A-57,~~ Business Court Judge, the Chief Justice may designate one of them as the Chief Business Court Judge. If there is no designation by the Chief Justice, the ~~judge~~ Business Court Judge with the longest term of service on the court shall serve as Chief Business Court Judge until the Chief Justice makes an appointment to the position. The presiding Business Court Judge shall issue a written opinion in connection with any order granting or denying a motion under G.S. 1A-1, Rule 12, 56, 59, or 60, or any order finally disposing of a complex business case, other than an order effecting a settlement agreement or jury verdict."

SECTION 14.(b) G.S. 7A-45.4 reads as rewritten:

"**§ 7A-45.4. Designation of complex business cases.**

(a) Any party may designate as a mandatory complex business case an action that involves a material issue related to any of the following:

…

(5) Disputes involving the ~~ownership, use, licensing, lease, installation,~~ rights to or performance of intellectual property, including computer software, software applications, information technology and systems, data and data security, pharmaceuticals, biotechnology products, and bioscience technologies.

…

(b) The following actions shall be designated as mandatory complex business cases:

…

(5) An appeal of a decision of the North Carolina Oil and Gas Commission concerning trade secret or confidential information as provided in G.S. 113-391.1.

(6) The Chief Justice may also designate any case or group of cases as "complex business" consistent with Rules 2.1 and 2.2 of the General Rules of Practice for the Superior and District Courts.

…

(d) The Notice of Designation shall be filed:

…

(3) By (i) any defendant or any other party within 30 days of receipt of service of the pleading seeking relief from the defendant or ~~party.~~party or (ii) any defendant contemporaneously with the filing of a counterclaim, cross-claim, or third-party claim giving rise to designation under subsection (a) or (b) of this section.

…."

SECTION 14.(c) G.S. 113-391.1(e) reads as rewritten:

"(e) Appeal From Commission Decisions Concerning Confidentiality. – Within 10 days of any decision made pursuant to subsection (b) of this section, the Commission shall provide notice to any person who submits information asserted to be confidential (i) that the information is not entitled to confidential treatment and (ii) of any decision to release such information to any person who has requested the information. Notwithstanding the provisions of G.S. 132-9, or procedures for appeal provided under Article 4 of Chapter 150B of the General Statutes, any person who requests information and any person who submits information who is dissatisfied

with a decision of the Commission to withhold or release information made pursuant to subsection (b) of this section shall have 30 days after receipt of notification from the Commission to appeal by filing an action in superior court and in accordance with the procedures for a mandatory complex business case set forth in G.S. 7A-45.4. ~~Notwithstanding any other provision of~~ As provided in G.S. 7A-45.4, the appeal shall be heard de novo by a judge designated as a Business Court Judge under G.S. 7A-45.3. The information may not be released by the Commission until the earlier of (i) the 30-day period for filing of an appeal has expired without filing of an appeal or (ii) a final judicial determination has been made in an action brought to appeal a decision of the Commission. In addition, the following shall apply to actions brought pursuant to this section:

…."

SECTION 14.(d) This section becomes effective December 1, 2025, and applies to judges designated and proceedings held on or after that date.

GRANT THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS THE AUTHORITY TO CREATE AN OFFICIAL FLAG, SEAL, AND OTHER EMBLEMS OF THE JUDICIAL BRANCH

SECTION 15. G.S. 7A-343 reads as rewritten:

"**§ 7A-343. Duties of Director.**

The Director is the Administrative Officer of the Courts, and the Director's duties include all of the following:

…

(6c) Adopt an official flag, seal, and other emblems appropriate in connection with the management and operation of the judicial branch, copyright the same in the name of the State, and lease, license, or otherwise permit the use of reproductions or replicas of such flag, seal, and other emblems upon such terms and conditions as the Director deems advisable.

…."

CLARIFY THE AUTHORITY OF THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS TO SET THE NUMBER OF MAGISTRATES WITHIN A COUNTY ABOVE THE MINIMUM REQUIRED FOR THAT COUNTY

SECTION 16. G.S. 7A-171(a) reads as rewritten:

"(a) The General Assembly shall establish a minimum quota of magistrates appointed in each county. In no county shall the minimum quota be less than one. ~~The number of magistrates appointed in a county, above the minimum quota set by the General Assembly, is determined by the Administrative Office of the Courts after consultation with the chief district court judge for the district in which the county is located.~~"

MODIFY CERTAIN REQUIREMENTS FOR THE DISBURSEMENT OF EXPENSES TO PERSONNEL OF THE JUDICIAL DEPARTMENT

SECTION 17. G.S. 7A-301 reads as rewritten:

"**§ 7A-301. Disbursement of expenses.**

The salaries and expenses of all personnel in the Judicial Department and other operating expenses shall be paid out of the State treasury upon warrants duly drawn thereon, except that the Administrative Office of the Courts and the Department of ~~Administration, with the approval of the State Auditor,~~ Administration may establish alternative procedures for the prompt payment of juror fees, witness fees, and other small expense ~~items.~~items, including the provision of debit cards to payees."

MODIFY MEDIATION STATUTES

SECTION 18.(a) G.S. 7A-38.1(*l*) reads as rewritten:

"(*l*) Inadmissibility of negotiations. – Evidence of statements made and conduct occurring in a mediated settlement conference or other settlement proceeding conducted under this section, whether attributable to a party, the mediator, other neutral, or a neutral observer present at the settlement proceeding, shall not be subject to discovery and shall be inadmissible in any proceeding in the action or other civil actions on the same claim, except:

(1) In proceedings for sanctions under this section;

(2) In proceedings to enforce or rescind a settlement of the action;

(3) In disciplinary hearings before the State Bar or the Dispute Resolution Commission; or

(4) In proceedings ~~to enforce laws concerning juvenile or elder abuse.~~for abuse, neglect, or dependency of a juvenile under Chapter 7B of the General Statutes, or in proceedings for abuse, neglect, or exploitation of an adult under Article 6 or 6A of Chapter 108A of the General Statutes.

As used in this section, the term "neutral observer" includes persons seeking mediator certification, persons studying dispute resolution processes, and persons acting as interpreters.

No settlement agreement to resolve any or all issues reached at the proceeding conducted under this subsection or during its recesses shall be enforceable unless it has been reduced to writing and signed by the parties against whom enforcement is sought or signed by their designees. No evidence otherwise discoverable shall be inadmissible merely because it is presented or discussed in a mediated settlement conference or other settlement proceeding.

No mediator, other neutral, or neutral observer present at a settlement proceeding shall be compelled to testify or produce evidence concerning statements made and conduct occurring in anticipation of, during, or as a follow-up to a mediated settlement conference or other settlement proceeding pursuant to this section in any civil proceeding for any purpose, including proceedings to enforce or rescind a settlement of the action, except to attest to the signing of any agreements, and except proceedings for sanctions under this section, disciplinary hearings before the State Bar or the Dispute Resolution Commission, and proceedings ~~to enforce laws concerning juvenile or elder abuse.~~for abuse, neglect, or dependency of a juvenile under Chapter 7B of the General Statutes, or proceedings for abuse, neglect, or exploitation of an adult under Article 6 or 6A of Chapter 108A of the General Statutes.

Nothing in this subsection shall be construed as permitting an individual to obtain immunity from prosecution for criminal conduct or as excusing an individual from reporting requirements of the General Statutes, including Article 3 of Chapter 7B of the General Statutes, Article 39 of Chapter 14 of the General Statutes, G.S. 108A-102, or G.S. 110-105.4."

SECTION 18.(b) G.S. 7A-38.4A(j) reads as rewritten:

"(j) Evidence of statements made and conduct occurring in a mediated settlement conference or other settlement proceeding conducted under this section, whether attributable to a party, the mediator, other neutral, or a neutral observer present at the settlement proceeding, shall not be subject to discovery and shall be inadmissible in any proceeding in the action or other civil actions on the same claim, except:

(1) In proceedings for sanctions under this section;

(2) In proceedings to enforce or rescind a settlement of the action;

(3) In disciplinary proceedings before the State Bar or the Dispute Resolution Commission; or

(4) In proceedings ~~to enforce laws concerning juvenile or elder abuse.~~for abuse, neglect, or dependency of a juvenile under Chapter 7B of the General Statutes, or proceedings for abuse, neglect, or exploitation of an adult under Article 6 or 6A of Chapter 108A of the General Statutes.

As used in this subsection, the term "neutral observer" includes persons seeking mediator certification, persons studying dispute resolution processes, and persons acting as interpreters.

No settlement agreement to resolve any or all issues reached at the proceeding conducted under this section or during its recesses shall be enforceable unless it has been reduced to writing and signed by the parties against whom enforcement is sought and in all other respects complies with the requirements of Chapter 50 of the General Statutes. No evidence otherwise discoverable shall be inadmissible merely because it is presented or discussed in a settlement proceeding.

No mediator, other neutral, or neutral observer present at a settlement proceeding under this section, shall be compelled to testify or produce evidence concerning statements made and conduct occurring in anticipation of, during, or as a follow-up to a mediated settlement conference or other settlement proceeding pursuant to this section in any civil proceeding for any purpose, including proceedings to enforce or rescind a settlement of the action, except to attest to the signing of any agreements, and except proceedings for sanctions under this section, disciplinary hearings before the State Bar or the Dispute Resolution Commission, and proceedings ~~to enforce laws concerning juvenile or elder abuse.~~for abuse, neglect, or dependency of a juvenile under Chapter 7B of the General Statutes, or proceedings for abuse, neglect, or exploitation of an adult under Article 6 or 6A of Chapter 108A of the General Statutes.

Nothing in this subsection shall be construed as permitting an individual to obtain immunity from prosecution for criminal conduct or as excusing an individual from reporting requirements of the General Statutes, including Article 3 of Chapter 7B of the General Statutes, Article 39 of Chapter 14 of the General Statutes, G.S. 108A-102, or G.S. 110-105.4."

SECTION 18.(c) G.S. 7A-38.3B reads as rewritten:

"**§ 7A-38.3B. Mediation in matters within the jurisdiction of the clerk of superior court.**

…

(g) Inadmissibility of Negotiations. – Evidence of statements made or conduct occurring during a mediation conducted pursuant to this section, whether attributable to any participant, mediator, expert, or neutral observer, shall not be subject to discovery and shall be inadmissible in any proceeding in the matter or other civil actions on the same claim, except in:

(1) Proceedings for sanctions pursuant to this section;
(2) Proceedings to enforce or rescind a written and signed settlement agreement;
(3) Incompetency, guardianship, or estate proceedings in which a mediated agreement is presented to the clerk;
(4) Disciplinary hearings before the State Bar or the Dispute Resolution Commission; or
(5) Proceedings for abuse, neglect, or dependency of a ~~juvenile,~~ juvenile under Chapter 7B of the General Statutes, or proceedings for abuse, neglect, or exploitation of an ~~adult, for which there is a duty to report under G.S. 7B-301 and Article 6 of Chapter 108A~~ adult under Article 6 or 6A of Chapter 108A of the General ~~Statutes, respectively.~~Statutes.

No evidence otherwise discoverable shall be inadmissible merely because it is presented or discussed in mediation.

As used in this section, the term "neutral observer" includes persons seeking mediator certification, persons studying dispute resolution processes, and persons acting as interpreters.

(h) Testimony. – No mediator or neutral observer shall be compelled to testify or produce evidence concerning statements made and conduct occurring in anticipation of, during, or as a follow-up to the mediation in any civil proceeding for any purpose, including proceedings to enforce or rescind a settlement of the matter except to attest to the signing of any agreements reached in mediation, and except in:

(1) Proceedings for sanctions pursuant to this section;
(2) Disciplinary hearings before the State Bar or the Dispute Resolution Commission; or
(3) Proceedings for abuse, neglect, or dependency of a ~~juvenile,~~ juvenile under Chapter 7B of the General Statutes, or proceedings for abuse, neglect, or

exploitation of an ~~adult, for which there is a duty to report under G.S. 7B-301 and Article 6 of Chapter 108A of the General Statutes, respectively.~~adult under Article 6 or 6A of Chapter 108A of the General Statutes.

Nothing in this subsection shall be construed as permitting an individual to obtain immunity from prosecution for criminal conduct or as excusing an individual from reporting requirements of the General Statutes, including Article 3 of Chapter 7B of the General Statutes, Article 39 of Chapter 14 of the General Statutes, G.S. 108A-102, or G.S. 110-105.4.

…."

SECTION 18.(d) G.S. 7A-38.3D(k) reads as rewritten:

"(k) Testimony. – No mediator or neutral observer present at the mediation shall be compelled to testify or produce evidence concerning statements made and conduct occurring in or related to a mediation conducted under this section in any proceeding in the same action for any purpose, except in:

(1) Proceedings for abuse, neglect, or dependency of a ~~juvenile,~~ juvenile under Chapter 7B of the General Statutes, or proceedings for abuse, neglect, or exploitation of an ~~adult, for which there is a duty to report under G.S. 7B-301 and Article 6 of Chapter 108A~~ adult under Article 6 or 6A of Chapter 108A of the General ~~Statutes, respectively.~~Statutes.

(2) Disciplinary hearings before the State Bar or the Dispute Resolution Commission.

(3) Proceedings in which the mediator acts as a witness pursuant to subsection (j) of this section.

(4) Trials of a felony, during which a presiding judge may compel the disclosure of any evidence arising out of the mediation, excluding a statement made by the defendant in the action under mediation, if it is to be introduced in the trial or disposition of the felony and the judge determines that the introduction of the evidence is necessary to the proper administration of justice and the evidence cannot be obtained from any other source.

Nothing in this subsection or subsection (j) of this section shall be construed as permitting an individual to obtain immunity for criminal conduct or as excusing an individual from reporting requirements of the General Statutes, including Article 3 of Chapter 7B of the General Statutes, Article 39 of Chapter 14 of the General Statutes, G.S. 108A-102, or G.S. 110-105.4."

CONFORMING CHANGES AND SPECIAL PLATE ISSUED

SECTION 19.(a) G.S. 1A-1, Rule 63, reads as rewritten:

"**Rule 63. Disability of a judge.**

If by reason of death, sickness or other disability, resignation, retirement, expiration of term, removal from office, or other reason, a judge before whom an action has been tried or a hearing has been held is unable to perform the duties to be performed by the court under these rules after a verdict is returned or a trial or hearing is otherwise concluded, then those duties, including entry of judgment, may be performed:

(1) In actions in the superior court by the ~~judge senior in point of continuous service on the superior court regularly holding the courts of the district.~~ senior resident superior court judge for the district. If this judge is under a disability, then the resident judge of the district senior in point of service on the superior court may perform those duties. If a resident judge, while holding court in the judge's own district suffers disability and there is no other resident judge of the district, such duties may be performed by a judge of the superior court designated by the Chief Justice of the Supreme Court.

(2) In actions in the district court, by the chief judge of the district, or if the chief judge is disabled, by any judge of the district court designated by the Director of the Administrative Office of the Courts.

If the substituted judge is satisfied that he or she cannot perform those duties because the judge did not preside at the trial or hearing or for any other reason, the judge may, in the judge's discretion, grant a new trial or hearing."

SECTION 19.(b) G.S. 20-79.6(b) reads as rewritten:

"(b) Superior Court. – A special plate issued to a senior resident superior court judge shall bear the letter "J" followed by a number indicative of the judicial district or set of districts the judge ~~serves. The number issued to the senior resident superior court judge shall be the numerical designation of the judge's judicial district,~~ serves, as defined in G.S. 7A-41.1(a)(1). ~~If a district has more than one regular resident superior court judge, a special plate for a resident superior court judge of that district shall bear the number issued to the senior resident superior court judge~~ Special plates issued to senior resident superior court judges serving districts 7A, 7B, 8A, 9A, 9B, 15A, 15B, 43A, and 43B shall also include the letter associated with the district's number, as defined in G.S. 7A-41.1(a)(1). The special plate for the senior resident superior court judge for the set of districts comprised of districts 8B and 8C shall be designated as 8BC.

A special plate issued to a regular resident superior court judge shall bear the letter "J" followed by the same alphanumeric designation as the special plate issued to the senior resident superior court judge in the district or set of districts in which the judge serves followed by a hyphen and a letter of the alphabet beginning with the letter "A" to indicate the judge's seniority.

~~For any grouping of districts having the same numerical designation, other than districts where there are two or more resident superior court judges, the number issued to the senior resident superior court judge shall be the number the districts in the set have in common. A special plate issued to the other regular resident superior court judges of the set of districts shall bear the number issued to the senior resident superior court judge followed by a hyphen and a letter of the alphabet beginning with the letter "A" to indicate the judge's seniority among all of the regular resident superior court judges of the set of districts. The letter assigned to a resident superior court judge will not necessarily correspond with the letter designation of the district the judge serves.~~

Where there are two or more regular resident superior court judges ~~for the district or set of districts, the registration plate with the letter "A" shall be issued to the judge who, from among all the regular resident superior court judges of the district or set of districts, has the most continuous service as a regular resident superior court judge; provided if two or more judges are~~ of equal service, the oldest of those judges shall receive the next letter registration plate. ~~Thereafter, registration plates shall be issued based on seniority within the district or set of districts.~~

A special judge, emergency judge, or retired judge of the superior court shall be issued a special plate bearing the letter "J" followed by a number designated by the Administrative Office of the Courts with the approval of the Chief Justice of the Supreme Court of North Carolina. The plate for a retired judge shall have the letter "X" after the designated number to indicate the judge's retired status."

GRANT NORTH CAROLINA STATE BAR AUTHORITY TO DISCIPLINE OUT-OF-STATE ATTORNEYS PRACTICING IN NORTH CAROLINA

SECTION 20. G.S. 84-28 reads as rewritten:

"**§ 84-28. Discipline and disbarment.**

(a) Any attorney admitted to practice law in this ~~State~~ State, any attorney admitted for limited practice under G.S. 84-4.1, or any attorney not admitted to practice law in this State who engages in or offers to engage in the practice of law within this State is subject to the disciplinary

jurisdiction of the Council under such rules and procedures as the Council shall adopt as provided in G.S. 84-23.

…

(b) The following acts or omissions by ~~a member of the North Carolina State Bar or any attorney admitted for limited practice under G.S. 84-4.1,~~ any attorney subject to the disciplinary jurisdiction of the Council as provided in subsection (a) of this section, individually or in concert with any other person or persons, shall constitute misconduct and shall be grounds for discipline whether the act or omission occurred in the course of an attorney-client relationship or otherwise:

(1) Conviction of, or a tender and acceptance of a plea of guilty or no contest to, a criminal offense showing professional unfitness;

(2) The violation of the Rules of Professional Conduct adopted and promulgated by the Council in effect at the time of the act;

(3) Knowing misrepresentation of any facts or circumstances surrounding any complaint, allegation or charge of misconduct; failure to answer any formal inquiry or complaint issued by or in the name of the North Carolina State Bar in any disciplinary matter; or contempt of the Council or any committee of the North Carolina State Bar.

…

(d) Any attorney ~~admitted to practice law in this State,~~ subject to the disciplinary jurisdiction of the Council as provided in subsection (a) of this section who is convicted of or has tendered and has had accepted, a plea of guilty or no contest to, a criminal offense showing professional unfitness, may be disciplined based upon the conviction, without awaiting the outcome of any appeals of the conviction. An order of discipline based solely upon a conviction of a criminal offense showing professional unfitness shall be vacated immediately upon receipt by the Secretary of the North Carolina State Bar of a certified copy of a judgment or order reversing the conviction. The fact that the attorney's criminal conviction has been overturned on appeal shall not prevent the North Carolina State Bar from conducting a disciplinary proceeding against the attorney based upon the same underlying facts or events that were the subject of the criminal proceeding.

…

(e) Any attorney ~~admitted to practice law in this State~~ subject to the disciplinary jurisdiction of the Council as provided in subsection (a) of this section who is disciplined in another jurisdiction shall be subject to the same discipline in this State: Provided, that the discipline imposed in the other jurisdiction does not exceed that provided for in subsection (c) ~~above~~ of this section and that the attorney was not deprived of due process in the other jurisdiction.

(f) Upon application by the North Carolina State Bar, misconduct by an attorney ~~admitted to practice in this State~~ subject to the disciplinary jurisdiction of the Council as provided in subsection (a) of this section may be restrained or enjoined where the necessity for prompt action exists regardless of whether a disciplinary proceeding in the matter of the conduct is pending. The application shall be filed in the Superior Court of Wake County and shall be governed by the procedure set forth in G.S. 1A-1, Rule 65."

SUBMISSION OF PHYSICAL DOCUMENTS TO CLERK

SECTION 21. G.S. 7A-49.5 reads as rewritten:

"**§ 7A-49.5. Statewide electronic filing in courts.**

(a) The General Assembly finds that the electronic filing of pleadings and other documents required to be filed with the courts may be a more economical, efficient, and satisfactory procedure to handle the volumes of paperwork routinely filed with, handled by, and disseminated by the courts of this State, and therefore authorizes the use of electronic filing in the courts of this State.

(b) The Supreme Court may adopt rules governing this process and associated costs and may supervise its implementation and operation through the Administrative Office of the Courts. The rules adopted under this section shall address the waiver of electronic fees for indigents.

(b1) The Supreme Court shall promulgate rules authorizing electronic filing and electronic signatures in the General Court of Justice. The rules shall require registration to participate in electronic filing and provide security procedures that include a mandatory submission of a form of identification to electronically file pro se.

(b2) A physical document that has been verified, notarized, acknowledged, sworn to, certified, exemplified, contains a seal, or made under oath may be converted to an electronic format for filing with the General Court of Justice. The electronic version of the document that is filed with and maintained within the electronic filing and case management systems shall constitute the official version of the court record. Notwithstanding the provisions of this subsection, original wills and codicils must also be physically submitted to the clerk and held by the clerk of superior court pursuant to G.S. 28A-2A-13.

(c) The Administrative Office of the Courts may contract with a vendor to provide electronic filing in the courts.

(d) Any funds received by the Administrative Office of the Courts from the vendor selected pursuant to subsection (c) of this section, other than applicable statutory court costs, as a result of electronic filing, shall be deposited in the Court Information Technology Fund in accordance with G.S. 7A-343.2.

(e) The Supreme Court may require that in all cases in which the seal of any court or judicial office is required by law to be affixed to any paper issuing from a court or office, the word "seal" shall be construed to include an impression of the official seal, made upon the paper alone, an impression made by means of a wafer or of wax affixed thereto, or an electronic image adopted as the official seal affixed thereto."

SEVERABILITY CLAUSE AND EFFECTIVE DATE

SECTION 22.(a) If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any portion other than the portion declared to be unconstitutional or invalid.

SECTION 22.(b) Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of June, 2025.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Donna McDowell White
Presiding Officer of the House of Representatives

_____

Josh Stein
Governor

Approved _____.m. this _____ day of _____, 2025