

JUDICIAL SELECTION

*Preliminary Conclusions from
2008 – 2014*

District Court Judicial Elections

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PREMISE AND METHODOLOGY

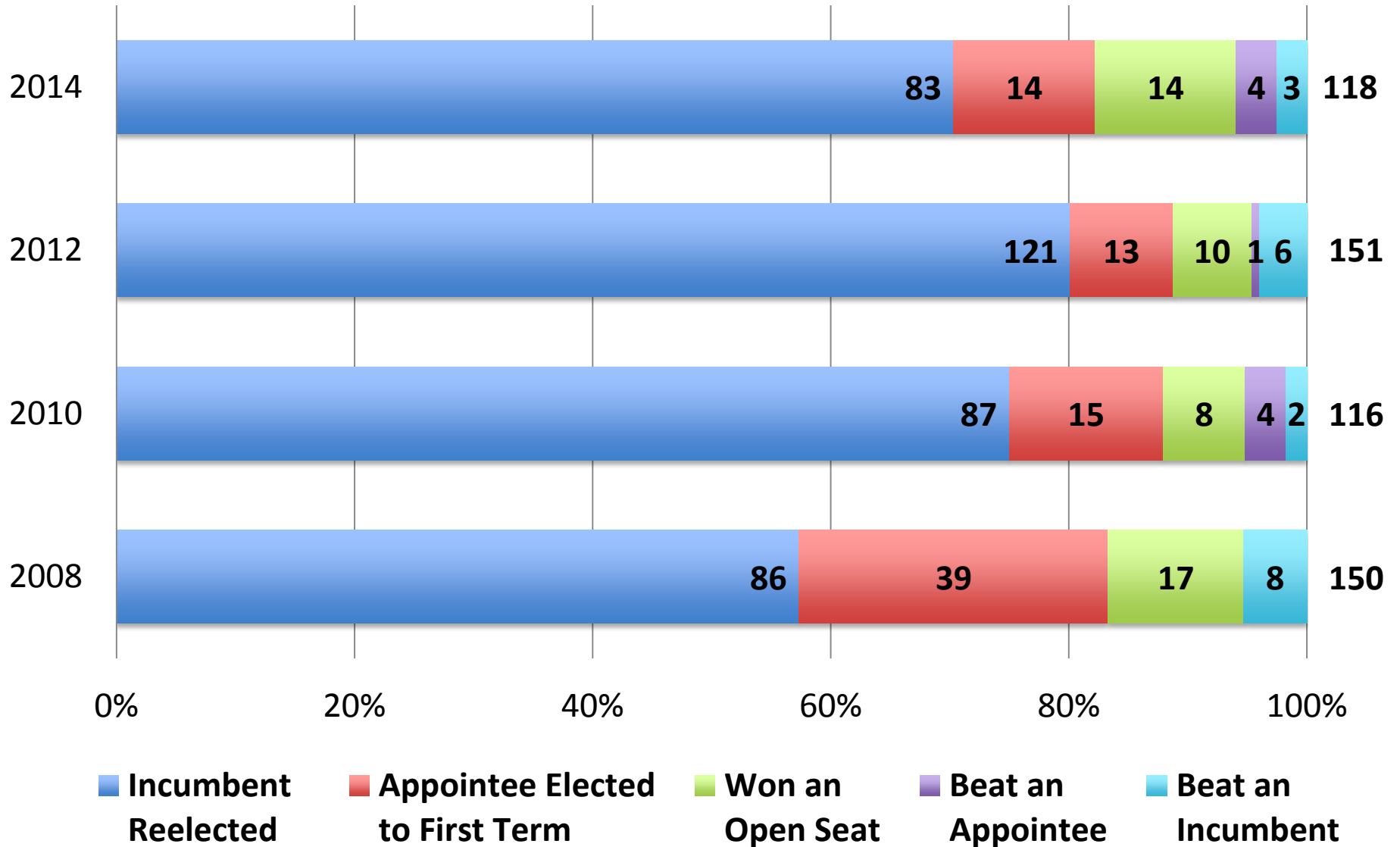
- “District Judges shall be elected for each district for a term of four years, in a manner prescribed by law.” N.C. Const. art. IV, § 10
 - “Each district judge shall be elected by the qualified voters of the district court district in which he or she is to serve at the time of the election...” N.C. Gen. Stat. Ann. § 7A-140
- “District Judges shall be appointed by the General Assembly for each district for a term of four years and retained by the qualified voters of their respective districts in a manner prescribed by law.” 2015 N.C. House Bill No. 720
- “The courts also are affected by North Carolina’s transformation to a true two-party state. District judgeships have always been contested in some locales, but when state offices were dominated by one party, we had, in effect, an appointed appellate and superior court bench, subject to retention election. Now, elections are contested up and down the ballot in all regions of the state. **Races for judges... have become – and will continue to be – more competitive.**” *Medlin Report*, Commission for the Future of Justice and the Courts in North Carolina (December 1996)

How These Data Were Compiled

- Resources:
 - NC State Board of Elections results
 - NC AOC Human Resources Department
 - Secondary sources: news media and Ballotpedia
- Categories:
 - Won an open seat
 - Incumbent reelected
 - Appointee elected to their first full term
 - Beat an incumbent
 - Beat an appointee

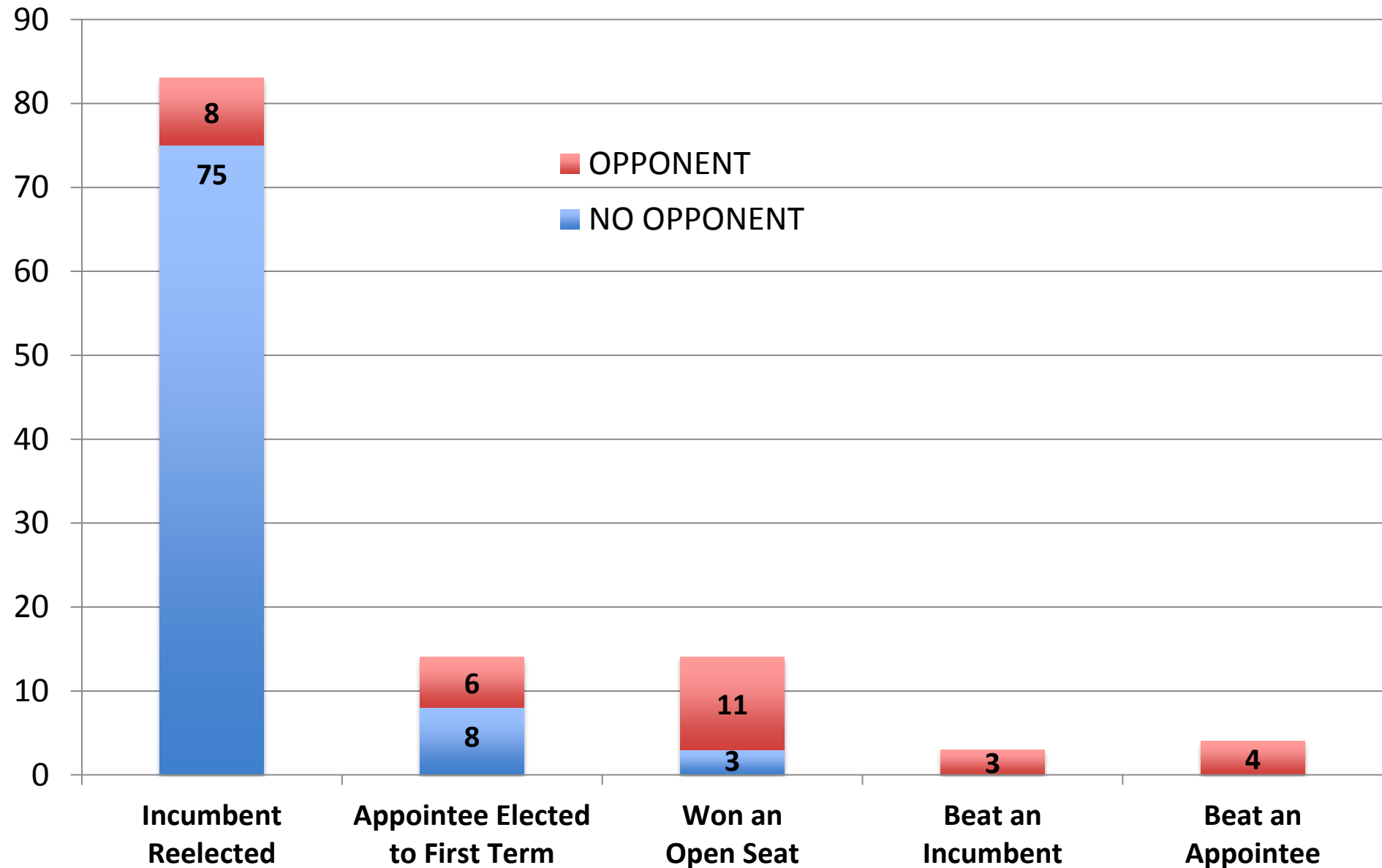
2008-2014

ELECTION OUTCOMES BY TYPE



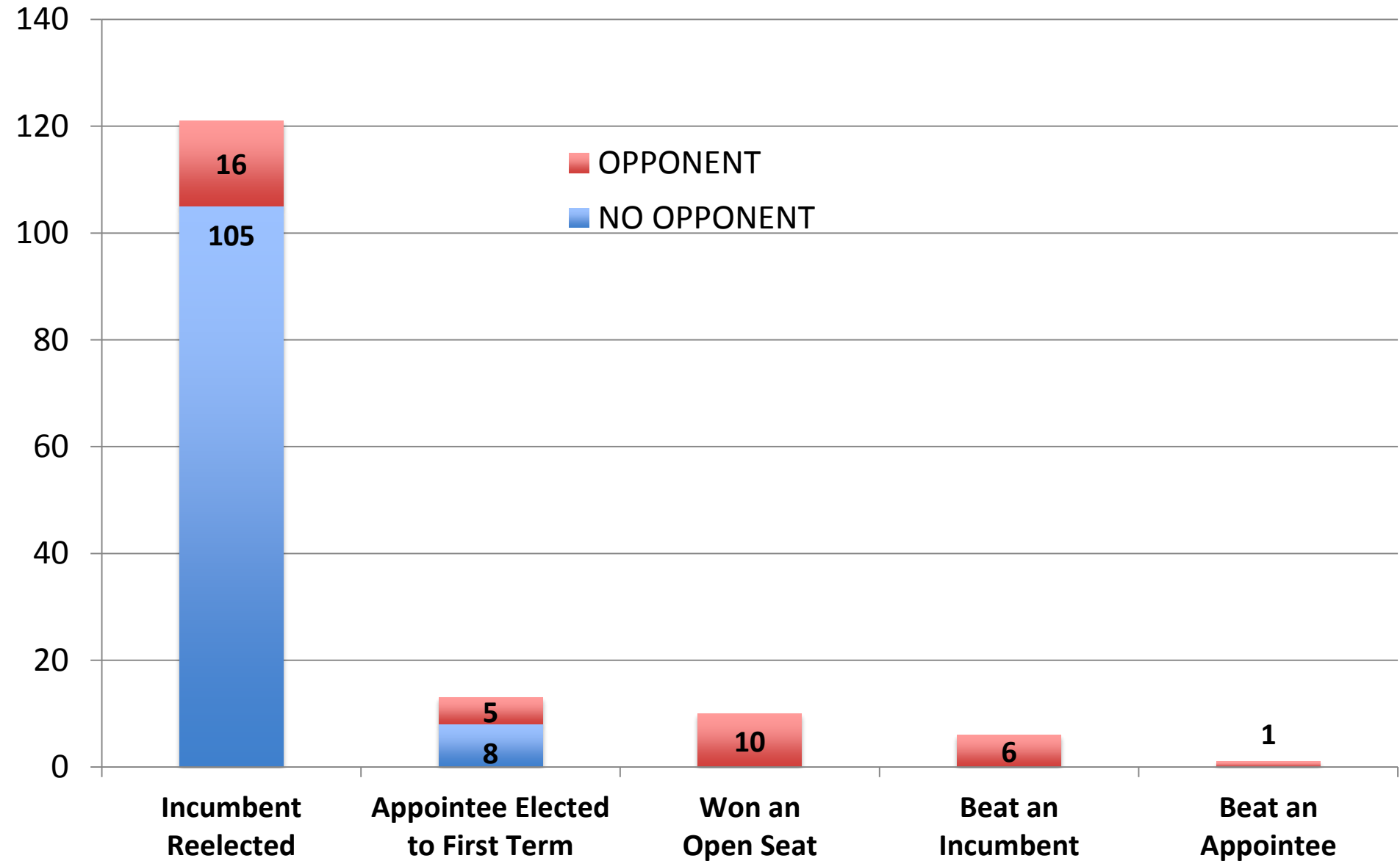
2014 RESULTS

RACES WITH OPPONENTS



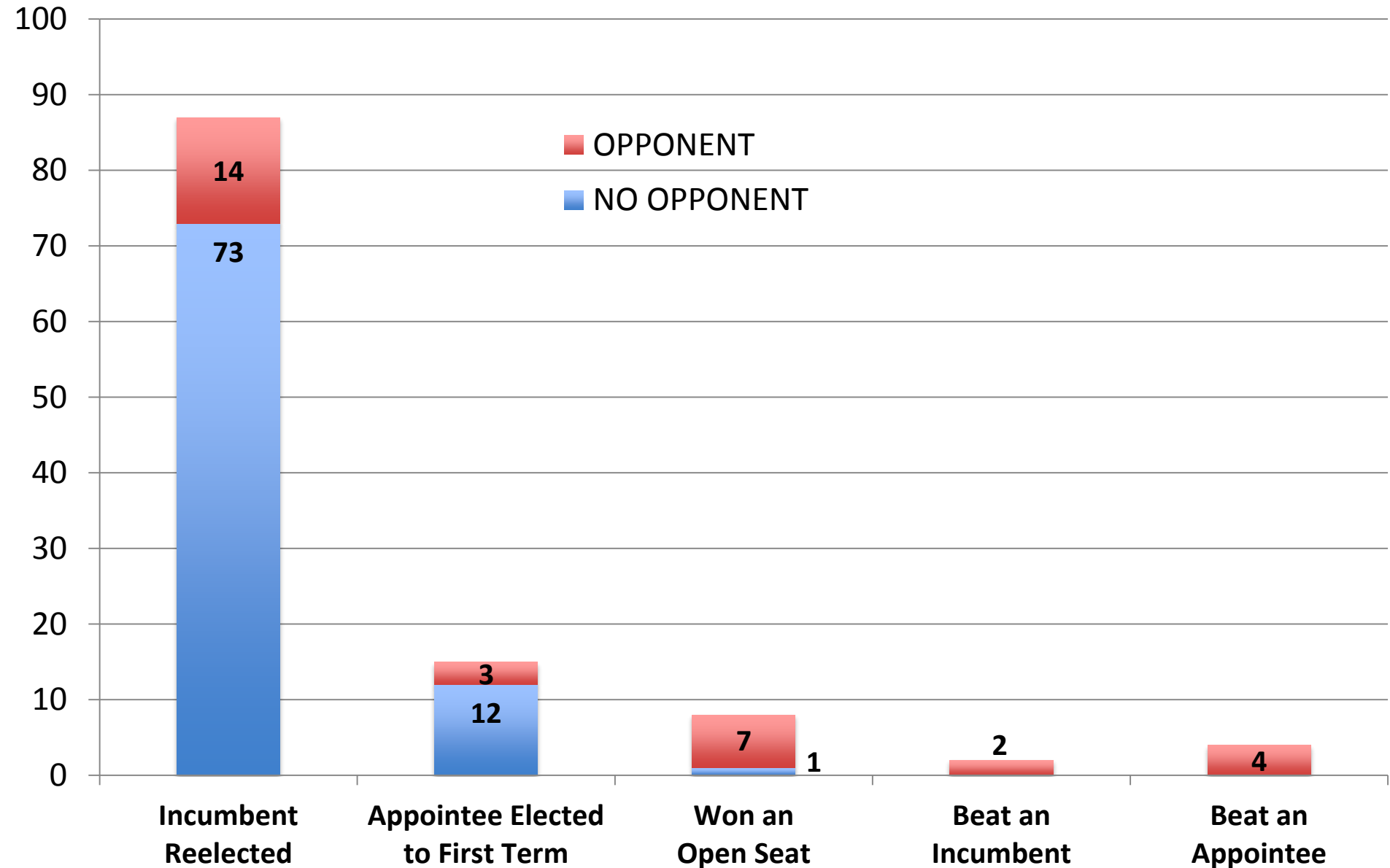
2012 RESULTS

RACES WITH OPPONENTS



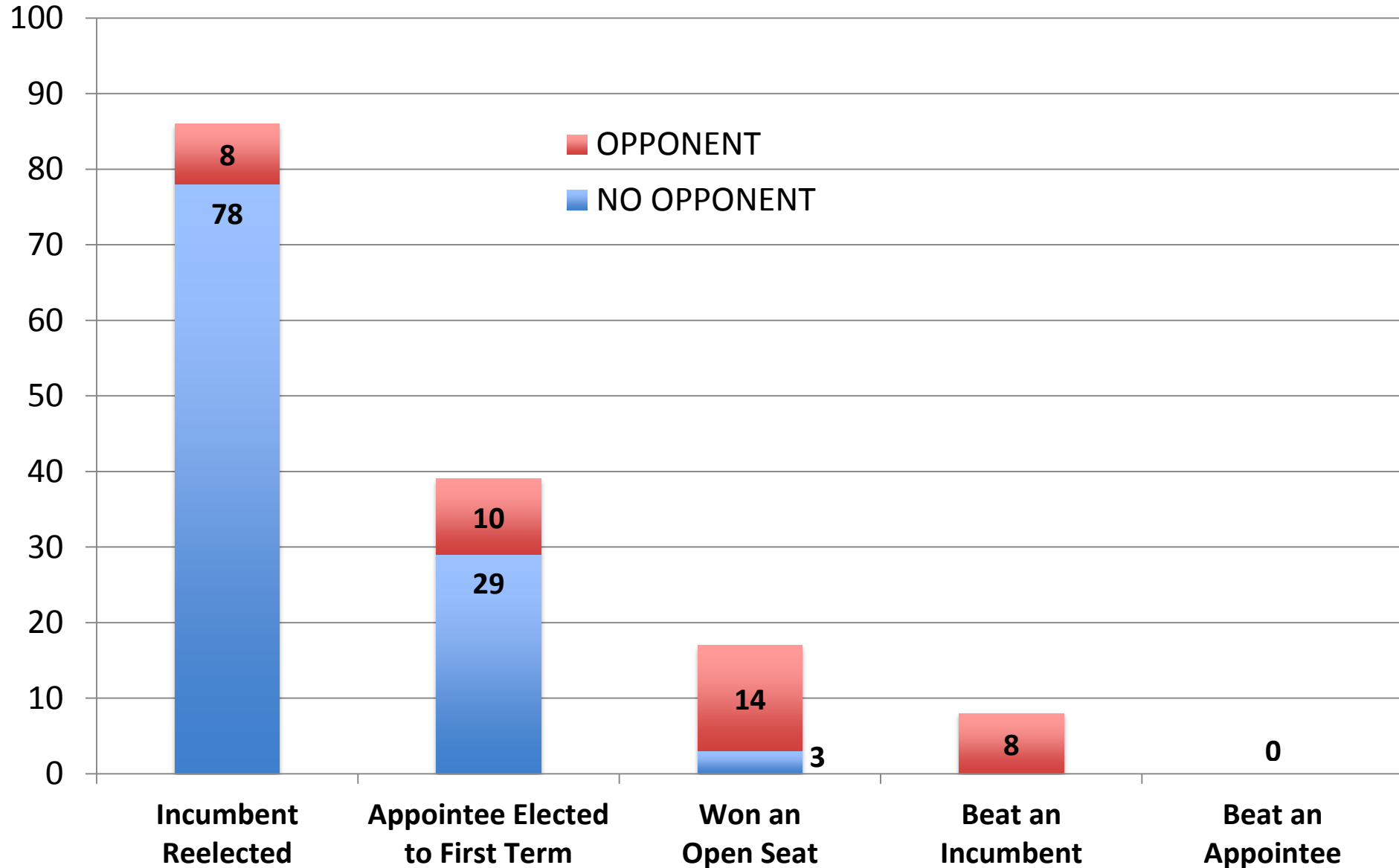
2010 RESULTS

RACES WITH OPPONENTS



2008 RESULTS

RACES WITH OPPONENTS



RESULTS WHERE A SITTING JUDGE WAS ON THE BALLOT

| | 2014 | 2012 | 2010 | 2008 | Total 2008-2014 |
|---|--------------|--------------|--------------|--------------|------------------------------------|
| # of "Sitting Judge" Elections | 104 | 141 | 108 | 133 | 486 |
| # w/ Opponents | 21 | 28 | 23 | 26 | 98 |
| # of "Contested" Sitting Judge Races* | 15 | 19 | 13 | 16 | 63 |
| % "Contested" of all Sitting Judge Elections | 14.4% | 13.5% | 12.0% | 12.0% | 13.0% |
| "Contested" Elections by Type | | | | | |
| # of "Contested" Races where the Incumbent was Reelected | 3 | 11 | 6 | 5 | 25 (out of 377) (6.63%) |
| # of "Contested" Races where an Appointee was Elected to Their First Term | 6 | 1 | 1 | 4 | 12 (out of 81) (14.81%) |
| # of "Contested" Races where an Incumbent was Beaten | 3 | 6 | 2 | 7 | 18 (out of 19) (94.73%) |
| # of "Contested" Races where an Appointee was Beaten | 3 | 1 | 4 | 0 | 8 (out of 9) (88.88%) |

*"Contested" races are races where the winning judge won by a margin of less than 60% of the total votes.

PRELIMINARY CONCLUSIONS

- In District Courts, data show a high percentage of uncontested races
 - Contrary to Medlin
 - Suggests de facto retention elections
- Even when faced with an opponent, very low likelihood of that opponent providing a meaningful challenge to a judge's seat
- 2016 ballots follow same trend:
 - 76.3% - Incumbents running unopposed
 - 13.8% - Incumbents running opposed
 - **78.95% - Total uncontested elections (including uncontested open seats)**
- Follow up research questions:
 - How did judges, especially incumbents, get on the bench in the first place?
 - How do elections look in Superior Court and the Court of Appeals?
- Other concerns:
 - Money and time spent campaigning
 - Influence of elections on a judges' decision making process in the courtroom