



CHAPTER 7A

ARTICLE 6 - RETIREMENT OF JUSTICES AND JUDGES OF THE APPELLATE DIVISION; RETIREMENT COMPENSATION;
RECALL TO EMERGENCY SERVICE; DISABILITY RETIREMENT

N.C.G.S. § 7A-39.13.

Recall of active and emergency justices and judges who have reached mandatory retirement age.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 698, s. 16(f) — second act in the lineage	21 September 2026, 05:52 UTC	af4084b6da71e79285c58ef4 - c4e8824fbb08682bca79eff2 - 15c56c6d70d3ba71

Justices and judges retired because they have reached the mandatory retirement age, and emergency justices and judges whose commissions have expired because they have reached the mandatory retirement age, may be temporarily recalled to active service under the following circumstances:

The justice or judge must consent to the recall.

The Chief Justice may recall retired justices to serve on the Supreme Court or on the Court of Appeals, and the Chief Judge may recall retired judges of the Court of Appeals to serve on that court.

The period of recall shall not exceed six months, but it may be renewed for an additional six months if the emergency for which the recall was ordered continues.

Prior to recall, the Chief Justice or the Chief Judge, as the case may be, shall satisfy himself that the justice or judge being recalled is capable of efficiently and promptly performing the duties of the office to which recalled.

Recall is authorized only to replace an active justice or judge who is temporarily incapacitated.

Jurisdiction and authority of a recalled justice or judge is as specified in G.S. 7A-39.7.

The Supreme Court and the Court of Appeals, as the case may be, shall prescribe rules respecting the filing of opinions prepared by a retired justice or judge after his period of temporary service has expired, and respecting any other matter deemed necessary and consistent with this section.

Compensation of recalled retired justices and judges is the same as for recalled emergency justices and judges under G.S. 7A-39.3(b).

Recall shall be evidenced by a commission signed by the Chief Justice or Chief Judge, as the case may be.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1981		1983		1985
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT		CHARACTER
01	1981	c. 455, s. 2		ENACTED
02	1985	c. 698, s. 16(f)		AMENDED

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 7A-39.7	(null)(6)	"or judge is as specified in"
G.S. 7A-39.3(b)	(null)(8)	"recalled emergency justices and judges under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 7A-39.13 (1985).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1981, c. 455, s. 2; 1985, c. 698, s. 16(f).)

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

