



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-39.3.

Retired justices and judges may become
emergency justices and judges subject to
recall to active service; compensation for
emergency justices and judges on recall.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2023-134, s. 16.14(c) — twelfth act in the lineage	RETRIEVED 21 September 2026, 04:21 UTC	SOURCE FINGERPRINT 30d9a4f3078dbf280396b6f1 - 0ce218725933a539a7384fed - 5385f228ccd0d227
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§ 7A-39.3(a) Justices of the Supreme Court and judges of the Court of Appeals who have not reached the mandatory retirement age specified in G.S. 7A-5(b), but who have retired under the provisions of G.S. 7A-39.2, or under the Uniform Judicial Retirement Act after having completed 12 years of creditable service, may apply as provided in G.S. 7A-39.6 to become emergency justices or judges and upon being commissioned as an emergency justice or emergency judge shall be subject to temporary recall to active service in place of a justice or judge who is temporarily incapacitated as provided in G.S. 7A-39.5.

§ 7A-39.3(b) In addition to the compensation or retirement allowance he would otherwise be entitled to receive by law, each emergency justice or emergency judge recalled for temporary active service shall be paid by the State his actual expenses, plus three hundred dollars (\$300.00) for each day of active service rendered upon recall. No recalled retired or emergency justice or judge shall receive from the State total annual compensation for judicial services in excess of that received by an active justice or judge of the bench to which the justice or judge is being recalled.

APPARATUS I

12 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.



Nº	YEAR	ACT	CHARACTER
01	1967	c. 108, s. 1	ENACTED
02	1973	c. 640, s. 3	AMENDED
03	1977	c. 736, s. 1	AMENDED
04	1979	c. 884, s. 1	AMENDED
05	1981	c. 455, s. 3	AMENDED
06	1981	c. 859, s. 46	AMENDED
07	1981	1981 (Reg. Sess., 1982), c. 1253, s. 2	AMENDED
08	1983	c. 784	AMENDED
09	1985	c. 698, ss. 9(a), 16(b)	AMENDED
10	1985	1987 (Reg. Sess., 1988), c. 1086, s. 31(a)	AMENDED
11	2002	S.L. 2002-159, s. 25	AMENDED
12	2023	S.L. 2023-134, s. 16.14(c)	AMENDED

APPARATUS II

4 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-5(b)	(a)	"the mandatory retirement age specified in"
G.S. 7A-39.2	(a)	"have retired under the provisions of"
G.S. 7A-39.6	(a)	"service, may apply as provided in"
G.S. 7A-39.5	(a)	"is temporarily incapacitated as provided in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 7A-39.3 (2023).

PINPOINT

N.C. Gen. Stat. § 7A-39.3(a) (2023).

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

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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

(1967, c. 108, s. 1; 1973, c. 640, s. 3; 1977, c. 736, s. 1; 1979, c. 884, s. 1; 1981, c. 455, s. 3; c. 859, s. 46; 1981 (Reg. Sess., 1982), c. 1253, s. 2; 1983, c. 784; 1985, c. 698, ss. 9(a), 16(b); 1987 (Reg. Sess., 1988), c. 1086, s. 31(a); 2002-159, s. 25; 2023-134, s. 16.14(c).)

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