



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-39.9.

Chief Justice and Chief Judge may recall and terminate recall of justices and judges; procedure when Chief Justice or Chief Judge incapacitated.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 698, s. 16(d), (e) — second act in the lineage	21 September 2026, 03:01 UTC	1a0352a837538dad29f3bd5b - 235280ff64bb0b8e56f64206 - 7599ee0e6fdf83a5

- § 7A-39.9(a)

Decisions of the Chief Justice and the Chief Judge regarding recall of emergency justices and emergency judges, when not in conflict with the provisions of this Article, are final.
- § 7A-39.9(b)

The Chief Justice or Chief Judge, may, at any time, in his discretion, cancel any order of recall issued by him or fix the termination date thereof.
- § 7A-39.9(c)

Whenever the Chief Justice is the justice in whose behalf an emergency justice is recalled to temporary service, the powers vested in him as Chief Justice by this article shall be exercised by the associate justice senior in point of time served on the Supreme Court. Whenever the Chief Judge is the judge in whose behalf an emergency judge or justice is recalled to temporary service the powers vested in him as Chief Judge by this article shall be exercised by the associate judge senior in point of time served on the Court of Appeals. If two or more judges have served the same length of time on the Court of Appeals, the eldest shall be deemed the senior judge.

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.

1967		1976		1985
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1967	c. 108, s. 1	ENACTED	
02	1985	c. 698, s. 16(d), (e)	AMENDED	

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 7A-39.9 (1985).

PINPOINT
N.C. Gen. Stat. § 7A-39.9(a) (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

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1967, c. 108, s. 1; 1985, c. 698, s. 16(d), (e).)

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