**STANDING REGULATIONS FOR**

**NOMINATION OF CANDIDATES FOR THE OFFICE OF PUBLIC DEFENDER**

**FOR THE 18TH DEFENDER DISTRICT**

1. These regulations shall apply to all nominations for a regular four-year term of office for Public Defender beginning on or after their effective date, and to all nominations to fill vacancies occurring on or after that date.
2. In the event of a vacancy prior to the expiration of any term, the Senior Resident Superior Court Judge for the 18th Superior Court District, or the Director of the Office of Indigent Defense Services, shall promptly give written notice of that vacancy to the President of the 24th Judicial District Bar and the President of the 24H Judicial District Bar, and shall specify a date by which nominations to fill the unexpired term are to be made.
3. Written notice that nominations are being accepted for the 18th Defender District Public Defender shall be sent no later than the 20th day of January immediately preceding the start of a new term to all attorneys who are licensed to practice in North Carolina and are resident members in good standing of the 24th Judicial District Bar or the 24H Judicial District Bar. In the event of a vacancy, written notice that nominations are being accepted shall be sent as soon as practicable after notice of the vacancy is received by the President of the 24th Judicial District Bar and the President of the 24H Judicial District Bar. The above notice shall include a copy of these regulations and shall allow at least five (5) days but no more than ten (10) days for the submission of written nominations.
4. Any person interested in becoming a candidate for nomination must submit his or her name to the President of the 24th Judicial District Bar or President of the 24H Judicial District Bar in writing no later than 5:00 p.m. on the deadline established in paragraph 3.
5. A meeting to vote on the final nominees shall be held at least ten (10) days after the deadline established in paragraph 3 but no later than the 28th day of February immediately preceding the start of a new regular term. Written notice of the joint meeting of the 24th and 24H Judicial District Bars shall be sent to the same licensed attorneys as required in paragraph 3 at least ten (10) days prior to the designated meeting date.. The notice shall state that an attorney is authorized to vote if he or she is licensed to practice in North Carolina and is a resident member in good standing in either district and that an attorney is not authorized to vote if he or she is merely practicing but not residing in either district. The notice shall also state that nominations for the Office of Public Defender will not be made at the meeting unless only one written nomination had been submitted by the deadline established in paragraph 3.
6. The President of the 24th Judicial District Bar or the President of the 24H Judicial District Bar, or their designee, shall preside at the aforesaid meeting. If only one candidate is nominated pursuant to paragraph 4, additional candidates may be named from the floor from any attorney authorized to vote.
7. Voting shall be limited to those licensed attorneys resident in either the 24th or 24H Judicial District who are in attendance at the meeting. An attorney is not authorized to vote if he or she is merely practicing but not residing in either district.
8. Before nominations begin, the 24th and 24H Judicial District Bars shall decide by majority vote whether two or three persons shall be recommended. Such vote may be made by voice vote, unless a written vote is requested by a licensed attorney resident in either district and present at the meeting.
9. Voting shall be by written ballot. Each voting member shall be entitled to vote for one candidate. Ballots marked for more than one candidate will not be counted. The two or three candidates (as previously determined by paragraph 8 above) receiving the highest number of votes cast shall be the nominees.
10. The votes shall be counted under the direction of the presiding officer, and the results announced at the meeting. The list of the District Bar nominees and their respective vote counts shall be certified to the Senior Resident Superior Court Judge by the presiding officer within two (2) days of the meeting date, and a copy shall be furnished to the Office of Indigent Defense Services.
11. The Senior Resident Superior Court Judge shall appoint the Public Defender from among the District Bar nominees on the list certified pursuant to paragraph 10 and one name submitted by the Director of the Administrative Office of the Courts (“AOC”) after consultation with the Director of the Office of Indigent Defense Services as soon as practicable after receiving the list of nominees and the AOC Director’s submitted name for a term to begin on April 1st.

Issued this \_\_\_ day of \_\_\_\_\_\_\_\_\_ 2018, pursuant to G.S. 7A-498.7(b).

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Thomas K. Maher, Director

Office of Indigent Defense Services