

**Remarks made by Caryn McNeill, President, NC Bar Association
before the NC House Judicial Redistricting Committee on Sept. 19, 2017**

(Starts at 1:28)

Thank you, Chairman Burr and members of the Committee. Good afternoon everyone. I'm Caryn McNeill. I'm a lawyer with Smith Anderson here in Raleigh where I help corporate clients with their employee benefits issues, and as Chairman Burr has indicated, I am the current President of the NC Bar Association. With me is Shelby Benton. She is my predecessor twice removed. Shelby served as President of the Bar Association in the 2015-2016 bar year. She has a family practice in Goldsboro, which has her in District Courts all the time.

We appreciate the opportunity to address you and I propose to divide our time as follows: I'll recap the Bar Association's current position on the bill, and also what we've learned from a survey of judges that we helped facilitate. And Shelby is going to flesh out those takeaways and then give you some concrete examples of some of the concerns that we got about how this bill may adversely affect the administration of justice in our state.

I'll say at the top that we have no objection to the question here, to the idea of revising judicial and prosecutorial districts. Fair and balanced districts promote the administration of justice and it's reasonable to reconsider them, as we said, from time to time to be sure our resources are allocated efficiently and effectively. The question of judicial districts though is an important one. And it's so important that we think that redistricting has to be based on a deliberate and open process that includes the input of an array of stakeholders: judges, and district attorneys, clerks of court, law enforcement officers, lawyers, and members of the public.

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We think only with the input of all of the members of those groups, can we be assured that the result will work as well as it can for the citizens of North Carolina and warrant their trust and confidence. And it's for that reason, and on that basis, that the Bar Association has opposed this bill.

What I want most to share with you today though is what we've learned since we took that position. In early July, we were approached by judges who asked if we would convene a meeting of stakeholders to discuss the bill. And we were happy to do that. Superior Court judges, District Court judges, AOC (Administration of the Courts) representatives, prosecutors and lawyers attended. At that meeting the judges and D.A.'s decided they wanted to set aside consideration of the potential political implications of the bill, and focus instead, on the bill's potential impact on the administration of justice. To do that, they designed a survey that they shared with Superior and District Court judges. And the survey asked four simple questions. Here they are:

1. Number one, at the Judicial Division level, how do you believe the proposed changes may impact the administration of justice in your division? What are the potentially positive impacts? What are the potentially negative impacts?
2. Number two, at the judicial and prosecutorial district level, how do you believe the proposed changes may impact the administration of justice in your district? What are the potentially positive impacts? What are the potentially negative ones

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3. Number three: Do you have any specific information, data, or stories that might help illustrate your responses to the questions above, or anything else you'd like to share?
4. And number four: Who in your division or district might want to know what you've shared above?

The survey went out in mid-July. Forty-three (43) judges responded; twenty-six (26) Superior Court Judges and seventeen (17) District Court Judges. Of the forty-three (43), ten (10) shared that the proposed maps would have positive consequences or no affect on them; while thirty-three (33) shared that the maps would have negative consequences.

The concerns expressed by the thirty-three (33) judges who foresaw negative consequences fall broadly into four categories. And Judge Crosswhite has touched on some of these already.

The first set of concerns had to do with increased travel expense and time. Judges commented that the bill would require many court officials to travel further, [...sound troubles... Thanks. Awesome help. That's great.] stay overnight in more remote districts, and they said that that would result in dramatic cost increases for the state.

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A number also volunteered that they thought that additional travel time and nights away from home might deter younger and female candidates from seeking judicial seats.

The second set of concerns had to do with increased workload. While workloads certainly vary in each district, judges commented that the bill seemed that it would shift additional work onto many of our already overworked court officials. They thought that the proposed maps, if adopted, would make our busiest judges even busier.

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The third set of concerns had to do with decreased availability in emergency situations. We've touched on that today. The judges commented that because of overnight stays elsewhere, that that could hinder their ability to handle after hours warrant applications. They also noted that critical personnel, like law enforcement officers, might have to travel further to find a judge, creating inefficiencies and increasing costs for those agencies whose budgets are already tight.

And the last set of concerns had to do with the potentially detrimental affect on public trust and confidence in our courts. Judges commented that redrawing maps without input from the public and other direct stakeholders could erode the public's confidence. **They said that the process employed was critically important and they urged deliberate consideration of the available data, as well as transparency.**

Since then, judges have been actively sharing these takeaways with their legislators – as well as personal insights about the impact of the maps in their districts. So at this point I'd like to turn this over to Shelby who's going to share some insights about the practical effects of the bill in her district.