

**Remarks made by Superior Court Judge Joe Crosswhite
(President of the NC Conference of Superior Court Judges)
before the NC House Judicial Redistricting Committee on Sept. 19, 2017
(Starts at 37:27)**

Rep. Burr, Chairman Burr, thank you very much. And thank you to the other members of this committee for inviting us to be here. My name is Joe Crosswhite. [He serves in District 22A.] I am the current president of the North Carolina Conference of Superior Court Judges. I do want to just point out from the outset that the Conference of Superior Court Judges, we're an educational conference, we're not structured, we're not a political organization, and it's in that light that I'm here. Again, I do want to thank this committee for the opportunity to be here.

When HB 717 was first announced 2 months ago, several members of our organization addressed this body and at that time urged the General Assembly – much in the same way that you just heard from the District Court judges – to take a measured and collaborative approach to any changes in our districts and our division. And that has not changed. That continues to remain to be...that continues as our policy to this day.

In the two months since, we've asked our members to get with their individual representatives where they live, and to address their individual concerns, and have those representatives bring the concerns to this body so they can be addressed at this level.

There are however forty-nine (49) judicial districts. There's one hundred twenty-five (125) District Court Judges. We have eight (8) divisions, and I know that this process is continuing to go on. I know as recently as this morning there were members of this committee talking with judges and other people about concerns in their particular area. We all fully understand that it is the job of the General Assembly to establish judicial districts and divisions, and I think we all respect that.

I think this committee has a special skill set that no judge could bring to this table. However, there is a lot of experience and a lot of wisdom in the field, where judges live, and they know what is best for each individual district. For example, I am from the Sixth Division, which is in the middle of the state, and I cannot begin, as the President of this Conference, to address the concerns that are either in the First Division down East, or the Eighth Division, which is out west. They all have their unique concerns that can only be addressed by their people that are on the ground.

There is no need to rush this process. I think we just heard a little bit ago that the last major revision that we had to our districts happened over sixty years ago. **So I'm urging this body just to take a measured approach, to do your research, to gather your facts, and to make a systematic, collaborative decision on what is going to be best for our court system.**

In a recent poll, the North Carolina Court System was ranked seventh in the country in its legal climate. Two of the reasons we rank so high are because of our stability and our predictability in the system that we offer.

I really went back and forth on whether or not I wanted to include this last portion of my remarks in here, but I decided I think to [do so]. Several years ago I had the privilege to see a court system that did not have stability, and did not have predictability. It was in Afghanistan, and I was there as part of the military. My job in Afghanistan was to help establish the courts in the southern part of the country.

I got invited to watch a murder trial in the Helmut province, and they had been through multiple systems, multiple changes in the last couple of years. The defendant as I indicated was charged with murder. He had one witness; that was his mother who came thinking she could testify, but because she was a female, she could not testify. The judge, without a jury, heard about five minutes of evidence. They convicted the defendant of murder, and the judge sentenced him to death. The defendant tried to appeal, but the judge – I think because of the other players there – was trying to present the appearance of stability, and he denied the defendant's appeal, and the defendant was executed four days after that.

We are privileged in this country, and I tell juries after every single jury trial - and I've been doing it for ten years now, that we are blessed to have the best form of government in our courts anywhere in this country. But we have that because we have stability and predictability. Our citizens know what to expect, and they know how to access justice. There is always room for improvement, and I know that's what this committee is attempting to do, and I don't think that we are in any position to try to block that. But we just want to be a part of the conversation. **We want to make sure this is a systematic and collaborative approach. We don't want anything to happen that's gonna cause this to be destabilized or to cause us to go back. I guess the bottom line of my message is: We don't need to rush to make any changes. We have the time. We have the luxury. We have the experts on the ground. We need to let this continue on, let everybody speak with their representatives, speak with the judges, gather the information, and then make what changes they think are appropriate in a systematic and collective manner.** My remarks have been short, but pending any questions from this body, this committee, I certainly will conclude my remarks.