

## NOTICE OF VACANCY

Date: January 15, 2020

To: Residents of the Fourteenth Defender District

From: Dieter Mauch, President, Sixteenth Judicial District Bar  
and Bonnie Biggs, Executive Director

NOTICE is hereby given that effective January 31, 2020, Public Defender Lawrence Campbell shall retire. Accordingly, this notice serves to solicit nominees for the Office of Public Defender to fill the remainder of the term of office beginning July 1, 2018 and ending June 30, 2022.

Written nominations, accompanied by a biography, shall be submitted by mail or email to:

Dieter Mauch, President, Sixteenth Judicial District Bar  
Hedrick Murray Bryson Kennett & Mauch, PLLC Attorneys  
Mailing address: Post Office Box 52394, Durham, North Carolina 27717-2394  
Physical address: 3100 Tower Blvd, Suite 925, Durham, North Carolina 27707  
Email: [dmauch@hedrickmurray.com](mailto:dmauch@hedrickmurray.com)

Or, to:

Bonnie Biggs, Executive Director, Sixteenth Judicial District Bar  
PO Box 593, Durham NC 27702, or via email to [info@durhambar.org](mailto:info@durhambar.org)

The deadline for written nominations to be received is 5:00 p.m. on Wednesday, January 29, 2020.

Candidate names and credentials will be shared with Senior Resident Superior Court Judge Orlando F. Hudson on Wednesday, January 29, 2020 no later than 5:30 p.m.

If Judge Hudson states that balloting will take place, candidate materials will be e-mailed to the Bar on Thursday, January 30, 2020, and voting will take place on Thursday, February 13, 2020, between 11:45 a.m. and 1:00 p.m. at Rhythms Live Music Hall, 2020 Chapel Hill Rd Suite 33, Durham, NC 27707. Immediately after voting closes, Sixteenth Judicial District Bar board members will tally the votes and transmit the totals to Judge Hudson.

The regulations regarding the appointment of a Public Defender are set forth in their entirety in NC General Statute § 7A-498.7 (b), Public Defender Offices and within instructions provided to the Judicial District Bar by the NC Office of Indigent Defense Services. The process is included below in its entirety and customized in **bold** to reflect the above-referenced due date for nominations.

*Note that judicial districts were renumbered by the legislature effective January 1, 2019, however, public defender districts were not renumbered. Therefore, Durham County remains within the fourteenth defender district.*

REGULATIONS FOR NOMINATION OF CANDIDATES FOR  
THE OFFICE OF THE PUBLIC DEFENDER FOR  
THE FOURTEENTH DEFENDER DISTRICT

- I. These regulations shall apply to nominations of candidates for the Fourteenth Defender District Public Defender for a regular four-year term of office beginning on or after their effective date, and to all nominations to fill vacancies occurring on or after that date.
- II. Pursuant to G.S. 7A-498.7(b), the appointment of the Fourteenth Defender District Public Defender for a new term or to fill a vacancy must be made by the Senior Resident Superior Court Judge from a list of no fewer than two and no more than three candidates nominated by written ballot of the attorneys resident in the Defender District who are licensed to practice law in North Carolina.
- III. In the event of a vacancy prior to the expiration of any term, the Senior Resident Superior Court Judge for the 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 District Bar and shall specify a date by which nominations to fill the unexpired term are to be made.
- IV. Written notice that nominations are being accepted for the Fourteenth Defender District Public Defender shall be sent, via mail or e-mail, no earlier than 120 days, and no later than 45 days immediately preceding the date on which a new term begins to all attorneys who are both licensed to practice in North Carolina and members in good standing of the Judicial District Bar. A copy of these regulations shall be made available to all applicants and all other parties that request a copy from the Executive Director of the Judicial District Bar.
- V. Any person interested in becoming a candidate for nomination must submit his or her name in writing, along with a biography not to exceed 500 words, to the President of the Judicial District Bar, c/o the Executive Director of the Judicial District Bar. The deadline for written applications shall be no later than 5:00 p.m. on the 34<sup>th</sup> day immediately preceding the date on which a new term begins and the period for submitting applications shall be at least 14 days. **[For the January 2020 process, this date is 5:00 p.m. on Wednesday, January 29, 2020.]** Following the close of the applications, the President of the Judicial District Bar or his or her designee shall inform the Senior Resident Superior Court Judge of the number and identity of the applicants.
- VI. If there is only one applicant at the time of the deadline, or for other good cause, the Senior Resident Superior Court Judge or his or her designee may extend the deadline for submitting applications by up to two weeks. If there are two or three applicants at the time of the deadline, those applicants shall become the District Bar nominees. The Senior Resident Superior Court judge may appoint the Public Defender pursuant to the procedures and deadline described in paragraph X., below, or may require a meeting of the Judicial District Bar in accordance with paragraph VIII., below. The Senior Resident Superior Court Judge shall, within three days of being informed of the list of applicants, inform the President of the District Bar which course of action he or she intends to pursue.
- VII. If there are more than three applicants or if the Senior Resident Superior Court Judge chooses to require a meeting of the Judicial District Bar in accordance with paragraph VI, above, there shall be a meeting of the Judicial District Bar to vote on the final nominees no later than 18 days immediately preceding the date on which a new term begins, at a time and place to be designated by the President of the District Bar. **[For the January 2020 process, if**

**necessary, this meeting will be held from 11:45 a.m. to 1:00 p.m. on Thursday, February 13, 2020 at Rhythms Live Music Hall, 2020 Chapel Hill Rd Suite 33, Durham, NC 27707.]** No later than two weeks prior to the meeting, the District Bar shall publicize on its website the names and biographies of the applicants. This information shall also be provided by mail, e-mail, or broadcast fax to the members of the Judicial District Bar, along with written notice of the meeting and instructions on voting for the applicants at the meeting. **[For the January 2020 process, that email shall be sent on Thursday, January 30, 2020.]**

- VIII. Voting shall be limited to those attorneys licensed to practice in North Carolina who are residents of the Defender District and in attendance at the meeting. Voting shall be by secret written ballot and each voting member shall be entitled to vote for up to three candidates. Ballots marked for more than three candidates shall not be counted. The two or three candidates (depending on the course of action pursued by the Senior Resident Superior Court Judge pursuant to paragraph VI, above) who receive the highest number of votes cast shall be the nominees. The ballots shall be counted under the direction of the President of the District Bar, or his or her designee, after the meeting. The results of the vote shall be public.
- IX. The President of the District Bar shall certify the two or three candidates (depending on the course of action pursued by the Senior Resident Superior Court Judge pursuant to paragraph VI, above) who receive the most votes, along with their vote totals, to the Senior Resident Superior Court Judge within three business days after the meeting, and furnish a copy to the Office of Indigent Defense Services. The Bar will be notified by e-mail and website notice of the three nominees. **[For the January 2020 process, these notifications will take place on Thursday, February 13, 2020.]**
- X. The Senior Resident Superior Court Judge shall appoint the Public Defender from among the District Bar nominees on the list certified pursuant to paragraph VI or IX. 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, but no later than the 20<sup>th</sup> day of June immediately preceding the date on which a new term begins, for a term to begin on the 1<sup>st</sup> day of July.

This notice is given in accordance with the regulations for nominations of candidates for the Office of Public Defender, for Defender District Fourteen, as promulgated by the Executive Director of the Office of Indigent Defense Services on January 15, 2020, pursuant to General Statute Section 7A-498.7(b).

Date of Notice: Wednesday, January 15, 2020