

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 244
Committee Substitute Favorable 3/27/07
Committee Substitute #2 Favorable 5/17/07

Short Title: Civil Jury Selection/Equal Challenges.

(Public)

Sponsors:

Referred to:

February 19, 2007

A BILL TO BE ENTITLED

AN ACT TO REQUIRE EQUITY BETWEEN THE PARTIES WITH RESPECT TO
JUROR CHALLENGES IN CIVIL CASES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 9-20 reads as rewritten:

"§ 9-20. Civil cases having several plaintiffs or several defendants; challenges apportioned; discretion of judge.

(a) When there are two or more defendants in a civil action, the presiding judge, if it appears that there are antagonistic interests between the defendants, may in ~~his~~ the judge's discretion apportion among the defendants the challenges now allowed by law, or ~~he~~ the judge may increase the number of challenges to not exceeding six for each defendant or class of defendants representing the same interest. ~~In either event, the same number of challenges shall be allowed each defendant or class of defendants representing the same interest. The decision of the judge as to the nature of the interests and number of challenges shall be final.~~

(b) When there are two or more plaintiffs in a civil action, the presiding judge, if it appears that there are antagonistic interests between the plaintiffs, may, in the judge's discretion, apportion among the plaintiffs the challenges now allowed by law, or the judge may increase the number of challenges to not exceeding six for each plaintiff or class of plaintiffs representing the same interest.

(c) Whenever a judge exercises the discretion authorized by subsection (a) or (b) of this section to increase the number of challenges for either the plaintiffs or the defendants, the judge may, in the judge's discretion, increase the number of challenges for the opposing side, not to exceed the total number given to the other side."

SECTION 2. This act becomes effective October 1, 2007, and applies to actions called for trial on or after that date.