

JUSTICE COURT

CHAPTER 271

S. B. No. 346

(Senate Judiciary Committee)

CHANGE OF VENUE IN JUSTICE COURT

AN ACT

To amend and reenact section 33-03-11 of the North Dakota Century Code, relating to a change of venue in justice court.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. Amendment.) Section 33-03-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

33-03-11. Change of Venue in Civil and Criminal Actions in Justice Court.) A justice court, at any time before the trial of a civil or criminal action, on motion, may change the place of trial in the following cases:

1. When, by affidavit of either party, it appears to the satisfaction of the justice before whom the action is pending that such justice is a material witness for either party;
2. When either party makes and files an affidavit that he believes he cannot have a fair and impartial trial before such justice by reason of the interest, prejudice, or bias of the justice;
3. When from any cause the justice is disqualified from acting; or
4. When the justice is sick or unable to act.

Approved March 4, 1967.