

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1372

Introduced by

Representative DeKrey

1 A BILL for an Act to create and enact a new section to chapter 27-14 and a new section to
2 chapter 27-23 of the North Dakota Century Code, relating to the confidentiality of records of
3 disciplinary investigations of lawyers and judges.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 27-14 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Access to records of lawyer disciplinary proceedings.** When formal disciplinary
8 charges in a lawyer disciplinary proceeding are filed under this chapter, following a
9 determination that probable cause exists to substantiate allegations of an ethical violation, the
10 public is entitled access to all reports, records, and nondeliberative materials introduced at the
11 hearing, including the record of the final action taken.

12 **SECTION 2.** A new section to chapter 27-23 of the North Dakota Century Code is
13 created and enacted as follows:

14 **Access to records of judicial disciplinary proceedings.** When formal disciplinary
15 charges in a judicial disciplinary proceeding are filed under this chapter, following a
16 determination that probable cause exists to substantiate allegations of an ethical violation, the
17 public is entitled access to all reports, records, and nondeliberative materials introduced at the
18 hearing, including the record of the final action taken.