

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO.

Introduced by

Senator Hogue

1 A BILL for an Act to create and enact a new section to chapter 32-03 of the North Dakota
2 Century Code, relating to mediation in certain civil actions.

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

4 **SECTION 1.** A new section to chapter 32-03 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Mandatory mediation in civil actions.** Except for proceedings commenced in small
7 claims court, for all civil actions in which the only relief sought is monetary damages, the court
8 shall require that, during the period of one hundred twenty days to one hundred eighty days
9 after the case is commenced, the parties to the action shall participate in mediation to resolve
10 the issues in controversy. If the parties are unable to reach a resolution of all issues through
11 mediation during the initial period, the court shall order the parties to participate in a second
12 mediation during the period of no fewer than thirty days nor more than ninety days before the
13 scheduled trial date. The court shall require all parties with the authority to settle the case to
14 participate in the mediation. The court may sanction any party that fails to participate in the
15 mediation.