

**SENATE CONCURRENT RESOLUTION NO. 4013**

Introduced by

Senators Hogue, Klein

Representatives Berg, DeKrey, Kretschmar

1 A concurrent resolution for the amendment of section 13 of article I of the Constitution of North  
2 Dakota, relating to an exception of the right to trial by jury.

3 **STATEMENT OF INTENT**

4 This measure authorizes the legislative assembly to preclude a trial by jury in those civil  
5 proceedings in which the amount in controversy does not exceed the amount set by the  
6 legislative assembly for cases that are within the jurisdiction of the small claims court.

7 **BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF**  
8 **REPRESENTATIVES CONCURRING THEREIN:**

9 That the following proposed amendment to section 13 of article I of the Constitution of  
10 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at  
11 the general election to be held in 2010, in accordance with section 16 of article IV of the  
12 Constitution of North Dakota.

13 **SECTION 1. AMENDMENT.** Section 13 of article I of the Constitution of North Dakota  
14 is amended and reenacted as follows:

15 **Section 13.** ~~The~~ Except as otherwise provided in this section, the right of trial by jury  
16 shall be secured to all, and remain inviolate. A person accused of a crime for which ~~he~~ that  
17 person may be confined for a period of more than one year has the right of trial by a jury of  
18 twelve. The legislative assembly may preclude a trial by jury in civil proceedings in which the  
19 amount in controversy does not exceed the amount established by the legislative assembly for  
20 cases that are within the jurisdiction of the small claims court. The legislative assembly may  
21 determine the size of the jury for all other cases, provided that the jury consists of at least six  
22 members. All verdicts must be unanimous.