

JUDICIAL PROOF

CHAPTER 407

HOUSE BILL NO. 1644
(Gerntholz, Ulmer)

MUNICIPAL COURT WITNESS COMPENSATION

AN ACT to amend and reenact section 31-01-16.2 of the North Dakota Century Code, relating to compensation of municipal court witnesses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 31-01-16.2 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

31-01-16.2. Compensation of municipal court witnesses. A witness in municipal court ~~shall be~~ is entitled to receive ~~the amount of five dollars~~ compensation for ~~each hour~~ time necessarily spent in municipal court. The governing body of the city shall establish the amount of compensation, but in no instance shall may compensation be more than seven twenty-five dollars and fifty cents, or less than five dollars, for any such appearance each day necessarily spent in municipal court.

Approved March 22, 1989
Filed March 23, 1989

CHAPTER 408

SENATE BILL NO. 2308
(Senator Ingstad)
(Representative Shaft)

MEDIATION EVIDENCE INADMISSIBILITY

AN ACT to create and enact a new section to chapter 31-04 of the North Dakota Century Code, relating to the inadmissibility of evidence obtained during mediation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 31-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Mediation - Inadmissibility of evidence - Exception. When persons agree to conduct and participate in a mediation for the purpose of compromising, settling, or resolving a dispute, evidence of anything said or of any admission made in the course of the mediation is inadmissible as evidence and disclosure may not be compelled in any subsequent civil proceeding except as provided in this section. This section does not limit the compulsion nor the admissibility of evidence if:

1. The evidence relates to a crime, civil fraud, or a violation under the Uniform Juvenile Court Act;
2. The evidence relates to a breach of duty by the mediator;
3. The validity of the mediated agreement is in issue; or
4. All persons who conducted or otherwise participated in the mediation consent to disclosure.

Approved April 11, 1989
Filed April 12, 1989