

NORTH DAKOTA LEGISLATIVE COUNCIL

Minutes of the

FAMILY LAW SUBCOMMITTEE OF THE JUDICIARY COMMITTEE

Friday, November 19, 1999
Crowne Room, Holiday Inn
Fargo, North Dakota

Ms. Sandra Tabor, Acting Chairman, called the meeting to order at 1:40 p.m.

Members present: Senators Joel C. Heitkamp, Judy Lee, Carolyn Nelson; Representatives Lois Delmore, Phillip Mueller

Members absent: Senators Wayne Stenehjem, Stanley W. Lyson, Darlene Watne; Representatives Duane DeKrey, Kathy Hawken, Amy N. Kliniske

Others present: Sandra Tabor, State Bar Association, Bismarck

Mary Maring, Supreme Court, Bismarck

Joanne Ottmar, Jamestown

Larry Spain, University of North Dakota, School of Law, Grand Forks

Maureen Holman, Fargo

Sherry Moore, Bismarck

Judge Ralph Erickson, Fargo

Judge Bruce Bohlman, Grand Forks

Ms. Tabor said the subcommittee would be divided into four working groups to discuss family law issues. Each group, she said, would contain task force members and legislators. She said she and the Legislative Council staff would be available to provide resource material to the working group members. She said the groups should review the assigned subject area and "brainstorm" the issues related to the subject area. She said each working group should set up future meeting dates. She said the working groups should develop recommendations and bill draft ideas that will be presented to the full committee later in the interim. She said the four working groups were:

1. **Mediation** - Justice Mary Maring, Representative Amy N. Kliniske, Joanne Ottmar, and Larry Spain.
2. **Property Division and Spousal Support** - Maureen Holman, Senator Judy Lee, Judge

Benny Graff, Judge Lee Christofferson, Sherry Moore, Representative Kathy Hawken, and Senator Carolyn Nelson.

3. **Statutory Review** - Senator Wayne Stenehjem, Judge Ralph Erickson, Senator Joel C. Heitkamp, and Representative Lois Delmore.

4. **Guardian Ad Litem** - Representative Duane DeKrey, Senator Darlene Watne, Senator Stanley W. Lyson, Judge Bruce Bohlman, and Representative Phillip Mueller.

Each of the working groups met to discuss the assigned topics.

The statutory review group discussed the need to review North Dakota Century Code Chapters 14-03, 14-04, 14-05, 14-06, and portions of 14-09 in an attempt to eliminate unnecessary or outdated statutes. In addition, the group discussed the possibility of recommending that several chapters be combined. The mediation group discussed the issues that should be reviewed and determined the resources the group would need to complete the review. The property division and spousal support group requested copies of several law review articles and a sampling of spousal support statutes from area states. The guardian ad litem group discussed the court rule changes regarding guardians ad litem and other areas of concern.

Each of the working groups planned to meet again in mid-January.

Ms. Tabor adjourned the meeting at 3:30 p.m.

Vonette J. Richter
Committee Counsel