

Sixty-first
Legislative Assembly
of North Dakota

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.