

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Klemin

1 A BILL for an Act to provide for mandatory alternative dispute resolution for professional
2 malpractice cases.

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

4 **SECTION 1. Mandatory alternative dispute resolution for professional**
5 **malpractice cases.**

- 6 1. For purposes of this section, "professional malpractice claim" means a claim
7 brought against a professional or other defendant joined in a claim alleging that an
8 injury was suffered by the claimant as a result of professional misconduct.
9 2. Notwithstanding section 32-42-03, every professional malpractice claim filed with
10 the district court, except for good cause as determined by the court.
11 a. Provide an equitable means for the payment of fees and expenses of the
12 alternative dispute resolution processes; and
13 b. Provide that the damages awarded to a party as a result of the alternative
14 dispute resolution process.
15 c. Provide that the damages awarded as a result.
16 3. The alternative dispute resolution methods provided for under the rules may
17 include arbitration.