

HOUSE BILL NO. 1073

Introduced by

Judiciary Committee

(At the request of the Supreme Court)

1 A BILL for an Act to create and enact a new section to chapter 27-02 of the North Dakota
2 Century Code, relating to declaration of a judicial emergency.

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

4 **SECTION 1.** A new section to chapter 27-02 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Judicial emergency.**

- 7 1. If the supreme court of this state declares a judicial emergency due to an emergency
8 or natural disaster that substantially endangers or infringes upon the normal
9 functioning of the judicial system, the ability of persons to avail themselves of the
10 judicial system, or the ability of litigants or others to have access to the courts or to
11 meet schedules or time deadlines imposed by law or court order, notice of the
12 declaration must be provided as required by supreme court rule.
- 13 2. An order declaring a judicial emergency may suspend, toll, extend, or otherwise grant
14 relief from deadlines, time schedules, statutes of limitations, statutes of repose, or
15 filing requirements imposed by law, whether in civil or criminal cases, administrative
16 matters, or any other legal proceedings as determined by the supreme court. An order
17 declaring a judicial emergency may not suspend, toll, extend, or otherwise grant relief
18 from deadlines, time schedules, or filing requirements that are required by the United
19 States Constitution or the Constitution of North Dakota.