

HOUSE BILL NO. 1478

Introduced by

Representatives Boschee, Becker, Hanson, M. Johnson, K. Koppelman

Senators Bakke, Hogue

1 A BILL for an Act to amend and reenact section 27-20-24 of the North Dakota Century Code,
2 relating to juvenile hearings.

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

4 **SECTION 1. AMENDMENT.** Section 27-20-24 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **27-20-24. Conduct of hearings.**

- 7 1. Hearings under this chapter must be conducted by the court without a jury, in an
8 informal but orderly manner, and separately from other proceedings not included in
9 section 27-20-03.
- 10 2. If the hearing has not been held within the time limit, or any extension thereof, required
11 by subsection 1 of section 27-20-22, the petition must be dismissed.
- 12 3. The state's attorney upon request of the court shall present the evidence in support of
13 any allegations of the petition not admitted and otherwise conduct the proceedings on
14 behalf of the state.
- 15 4. Except for informal adjustments under section 27-20-10, the proceedings must be
16 recorded by stenographic notes or by electronic, mechanical, or other appropriate
17 means.
- 18 5. Hearings are open to the public if the purpose of the hearing is to declare a person in
19 contempt of court ~~or to consider a petition alleging an offense identified under~~
20 ~~subdivision b of subsection 1 of section 27-20-34 or subsection 2 of section 27-20-34.~~
21 The general public must be excluded from other hearings under this chapter. In
22 hearings from which the general public is excluded, only the parties, their counsel,
23 witnesses, victims, and any other persons the court finds have a proper interest in the
24 proceedings may be admitted by the court. The court may temporarily exclude the

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- 1 child or other person from the hearing if, after being warned by the court that disruptive
- 2 conduct will cause removal from the courtroom, the child or other person persists in
- 3 conduct that justifies removal from the courtroom.