

CHAPTER 13-01.1-03 PREHEARING CONFERENCES

Section

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13-01.1-03-01. To adjust or settle proceedings.

In accordance with section 98-02-02-09 in order to provide an opportunity for a settlement of a proceeding, or any of the issues therein, there may be held at any time prior to or during hearings before the hearing officer such informal conferences of parties for the admission and consideration of facts, arguments, offers of settlement, or proposals of adjustments as time, the nature of the proceeding, and the public interest may permit. Unaccepted proposals of settlement, adjustment, procedure to be followed, or proposed stipulations not agreed to shall be privileged and not admissible in evidence against any party.

History: Effective January 1, 1980; amended effective November 1, 1994.

General Authority: NDCC 6-01-04, 28-32-02

Law Implemented: NDCC 6-01-01, 6-01-04, 28-32-08.3

13-01.1-03-02. To expedite hearings.

To expedite the orderly conduct and disposition of any hearing, at such prehearing conferences as may be held, there may be considered, in addition to any offer of settlement or proposals of adjustment, the possibility of the following:

1. The simplification of issues.
2. The necessity or desirability of amendments to the pleadings.
3. The exchange and acceptance of service of exhibits proposed to be offered in evidence.
4. The obtaining of admission as to, or stipulations of, facts not remaining in dispute, or the authenticity of documents which may properly shorten the hearing.
5. The limitation of the number of witnesses.
6. The limitation of the time allowed for the testimony of expert witnesses.
7. Any other matter as may aid in expediting the orderly conduct of the proceeding.

History: Effective January 1, 1980; amended effective November 1, 1994.

General Authority: NDCC 6-01-04, 28-32-02

Law Implemented: NDCC 6-01-01, 6-01-04, 28-32-08.3

13-01.1-03-03. Initiation of conferences.

The board or the commissioner, with or without motion, may direct that a prehearing conference be held upon such terms as the board may provide. Due notice of the time and place of such conference will be given to all parties to the proceeding.

History: Effective January 1, 1980; amended effective November 1, 1994.

General Authority: NDCC 6-01-04, 28-32-02

Law Implemented: NDCC 6-01-01, 6-01-04, 28-32-08.3

13-01.1-03-04. Conference results stipulated.

Upon conclusion of the prehearing conference, the parties shall, if applicable, provide a written stipulation which recites the matters agreed upon, and the original and ten copies thereof shall be filed with the board. Any stipulation received in evidence at a hearing is binding on the parties with respect to the matters therein stipulated.

History: Effective January 1, 1980; amended effective November 1, 1994.

General Authority: NDCC 6-01-04, 28-32-02

Law Implemented: NDCC 6-01-01, 6-01-04, 28-32-08.3