

HOUSE BILL NO. 1147

Introduced by

Representatives Lefor, Devlin, Heinert, K. Koppelman, Roers Jones, M. Ruby

Senator Wardner

1 A BILL for an Act to create and enact a new section to chapter 40-18 of the North Dakota
2 Century Code, relating to the location of a proceeding before a municipal judge and the use of
3 reliable electronic means.

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

5 **SECTION 1.** A new section to chapter 40-18 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Change of venue - Reliable electronic means.**

- 8 1. A municipal judge may change the venue of a proceeding under this chapter upon
9 consideration of the following factors:
- 10 a. Convenience to the parties and witnesses;
 - 11 b. Judicial efficiency;
 - 12 c. Available facilities; and
 - 13 d. Administration of justice.
- 14 2. A municipal judge may not change the venue of a proceeding if any party to the
15 proceeding objects to the change.
- 16 3. A municipal judge may use contemporaneous audio or audiovisual transmission by
17 reliable electronic means in accordance with rule 52 of the North Dakota Supreme
18 Court Administrative Rules. A municipal judge who presides over a proceeding through
19 contemporaneous audio or audiovisual transmission by reliable electronic means is
20 equivalent to a municipal judge who is physically present at the proceeding.