

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1091  
Second Edition Engrossed 5/13/93

Short Title: Statewide Sup. Ct. Mediation.

(Public)

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Sponsors: Representatives Baddour, Nesbitt, Hackney; and Gardner.

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Referred to: Judiciary III.

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April 19, 1993

1 A BILL TO BE ENTITLED  
2 AN ACT TO PHASE IN STATEWIDE MEDIATED SETTLEMENT  
3 CONFERENCES IN SUPERIOR COURT ACTIONS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 7A-38(c) reads as rewritten:

6 "(c) Selection of districts. This procedure may be implemented in a judicial  
7 district or any part of a judicial district if the Director of the Administrative Office of  
8 the Courts and the senior resident superior court judge of that district determine that use  
9 of this program may assist in achieving objectives stated in subsection (a) of this  
10 section. In addition to any districts in which the program is being implemented on a  
11 pilot basis on June 30, 1993, this program may be implemented in not more than four  
12 additional districts in the 1993-94 fiscal year and four additional districts in the 1994-95  
13 fiscal year, if the Director of the Administrative Office of the Courts, and the senior  
14 resident superior court judge of each district determine that the objectives in subsection  
15 (a) would be furthered by this program. The evaluation required by subsection (m) of  
16 this section may include evaluation of the programs added in the additional districts  
17 authorized by this subsection for the 1993-94 fiscal year and the 1994-95 fiscal year.  
18 The Director of the Administrative Office of the Courts may terminate any pilot  
19 program after consultation with the senior resident superior court judge."

20 Sec. 2. G.S. 7A-38(i) reads as rewritten:

21 "(i) Standards for mediators. The Supreme Court ~~is authorized to~~ shall establish  
22 standards for the qualification and conduct of mediators and mediator training  
23 programs. These standards shall provide that nonattorneys shall be eligible for

1 certification as mediators under this section. An administrative fee may be set by the  
2 Administrative Office of the Courts to be charged to applicants for approval as  
3 mediators and mediator training programs. The fee for an attorney and the fee for a  
4 nonattorney shall be the same."

5           Sec. 3. The Supreme Court of North Carolina shall amend any rules  
6 previously adopted to implement G.S. 7A-38 to conform to this act.

7           Sec. 4. This act becomes effective October 1, 1993, and applies to newly  
8 authorized mediated settlement conferences established on or after that date.