

HOUSE CONCURRENT RESOLUTION NO. 3006

Introduced by

Legislative Council

(Child Support Committee)

1 A concurrent resolution expressing legislative approval of the actions taken by the State Bar
2 Association of North Dakota Joint Task Force on Family Law to facilitate and promote mediation
3 as a method of addressing family law matters.

4 **WHEREAS**, the Joint Task Force on Family Law was established in January 1995 and
5 has a mission that includes reviewing dispute resolution alternatives to determine potential
6 application in the family law system, including divorce; and

7 **WHEREAS**, the traditional legal system is adversarial in nature and is usually
8 counterproductive in fostering communication, cooperation, and a working relationship between
9 parents, skills that may be integral to successful postdivorce childrearing; and

10 **WHEREAS**, mediation is based on communication and mutual agreement, which may
11 be productive in teaching problem-solving skills that may decrease postdivorce litigation; and

12 **WHEREAS**, the Joint Task Force on Family Law has invested a large amount of time
13 and expended a great amount of energy in drafting and promoting suggested local rules of
14 court that mandate mediation orientation in most divorce cases filed in district court; and

15 **WHEREAS**, mandatory mediation orientation should assist in improving the availability
16 of mediators in the rural communities and the western region of the state; and

17 **WHEREAS**, in response to the work of the Joint Task Force on Family Law, several
18 judicial districts have agreed to adopt local court rules that mandate mediation orientation in
19 most divorce cases;

20 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
21 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

22 That the Fifty-sixth Legislative Assembly approves of the actions taken by the State Bar
23 Association of North Dakota Joint Task Force on Family Law to facilitate and promote mediation
24 as a method of addressing family law matters; and

- 1 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this
- 2 resolution to the Chief Justice of the North Dakota Supreme Court, the Board of Governors of
- 3 the State Bar Association of North Dakota, and to each member of the Joint Task Force on
- 4 Family Law.