

JUDICIAL BRANCH OF GOVERNMENT

CHAPTER 200

S. B. No. 81
(Committee on Judiciary)

SALARIES OF JUDGES OF SUPREME AND DISTRICT COURTS

AN ACT

To amend and reenact sections 27-0202 and 27-0503 of the 1949 Supplement of the North Dakota Revised Code of 1943 as amended by chapter 196 of the Session Laws of 1951, relating to the salaries of judges of the supreme court and district courts.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.) Section 27-0202 of the 1949 Supplement of the North Dakota Revised Code of 1943 as amended by chapter 196 of the session laws of 1951 is hereby amended and reenacted to read as follows:

27-0202. SALARIES OF JUDGES OF SUPREME COURT.) Each judge of the supreme court shall receive an annual salary of ten thousand dollars.

§ 2. AMENDMENT.) Section 27-0503 of the 1949 Supplement of the North Dakota Revised Code of 1943 as amended by chapter 196 of the session laws of 1951 is hereby amended and reenacted to read as follows:

27-0503. SALARIES AND EXPENSES OF DISTRICT JUDGES.) Each district judge of this state shall receive an annual salary of eight thousand dollars and his actual traveling expenses, which shall include subsistence while holding court inside his own district but outside the county in which he resides. Such salary and expenses shall be payable monthly in the manner provided by law.

Approved March 10, 1953.

CHAPTER 201

S. B. No. 223
(Senate Judiciary Committee)

PROMULGATION AND ADOPTION OF SUPREME COURT RULES
OF PROCEDURE

AN ACT

To amend and reenact sections 27-0211, 27-0213 and 27-0214 of the North Dakota Revised Codes of 1943 relating to the promulgation and adoption by the supreme court of rules of procedure in civil and criminal actions and proceedings in the courts of this state and to prescribe the duties of the clerk of the supreme court and of the clerks of the district court relating to such rules.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.) Section 27-0211 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

27-0211. NOTICE OF INTENTION TO PROMULGATE RULE: REQUIREMENT OF; METHOD OF GIVING; HEARING INTERESTED PARTIES.) No new rule shall be promulgated by the supreme court under the provisions of sections 27-0207 and 27-0208 until such court first shall have given notice of its intention to do so by filing such proposed rule in the office of the clerk of the supreme court and by causing a certified copy thereof to be filed in the office of the clerk of the district court of each county in the state and by mailing to each district judge, judge of the county court of increased jurisdiction and to each attorney who has been currently licensed to practice law in this state a copy of such proposed rule together with a notice stating that such proposed rule has been filed in the office of the clerk of the supreme court and that a certified copy thereof has been filed in the office of the clerk of the district court of each county in the state; and stating also the time when and the place where the supreme court will afford any person interested an opportunity to appear and be heard with reference to the adoption of the same. Such notice and copy of the proposed new rule shall be so mailed not less than thirty days before the date fixed for such hearing; after such hearing has been held the court shall make such order as it shall deem just and proper. It may order that the rule be adopted as proposed; it may order that the proposed rule shall not be adopted; it may make any amendments or changes in the rule which in its judgment is desirable to accomplish the purpose

sought to be furthered by the rule and adopt the rule as so changed without further notice.

§ 2. AMENDMENT.) That section 27-0213 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

27-0213. MEANS OF PUTTING INTO EFFECT RULES OR AMENDMENTS TO RULES ADOPTED BY SUPREME COURT.) No new rule or amendment promulgated under the provisions of sections 27-0207 and 27-0208 shall become effective until the supreme court shall have:

1. Made an order in writing adopting the same;
2. Caused the same to be signed by the chief justice and attested by the clerk of the supreme court under the seal of such court;
3. Filed the same in the office of the clerk of the supreme court and caused a certified copy thereof and of the order adopting the same to be filed in the office of the clerk of the district court of each county in the state. The clerk of the district court of each county shall enter each rule so filed at length in the records of his office.

The clerk of the supreme court shall file proof of the filing of a certified copy of such rule and of the order adopting the same in the office of the clerk of the district court of each county with the original record relating to such rule; and such clerk shall mail a copy of any rule adopted by the supreme court under the provisions of sections 27-0207 and 27-0208 and of the order adopting the same to each judge of the district court and to each judge of the county court of increased jurisdiction within eight days after such rule has been adopted.

All rules so adopted by the supreme court shall be published in the official reports of the cases decided by the supreme court of North Dakota. The court may make such additional publication of any rule as it may deem desirable.

§ 3. AMENDMENT.) That section 27-0214 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

27-0214. EFFECTIVE DATE OF RULES PROMULGATED BY SUPREME COURT.) A rule promulgated by the supreme court under the provisions of sections 27-0207 and 27-0208 shall become effective on the thirtieth day after the filing of the order in the office of the clerk of the supreme court unless the supreme court, in its order, shall fix a longer term before the effective date of such rule, in which case the date so fixed shall be the effective date.

Approved March 16, 1953.

CHAPTER 202

H. B. No. 626
(Beede, Fitch, McLellan)

SALARIES AND EXPENSES OF DISTRICT COURT REPORTERS

AN ACT

To amend and reenact section 27-0602 of the 1949 Supplement to the North Dakota Revised Code of 1943 as amended by chapter 197 of the 1951 Session Laws of the State of North Dakota, relating to salaries and expenses of district court reporters.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.) Section 27-0602 of the 1949 Supplement to the North Dakota Revised Code of 1943 as amended by chapter 197 of the 1951 session laws of the state of North Dakota is hereby amended and reenacted to read as follows:

27-0602. SALARY AND EXPENSE OF COURT REPORTERS.) Each court reporter shall receive a salary of five thousand dollars per annum, payable in equal monthly installments by the counties constituting the judicial district in which such reporter is employed. Such salary shall be apportioned according and in proportion to the number of suits entered and commenced in the district court of the respective counties of such district in the preceding year. The presiding judge of each judicial district, on the first day of January of each year, or as soon thereafter as may be, shall apportion the amount of such salary to be paid by each county in his district on the basis aforesaid, and the county auditors of the respective counties in such judicial district shall issue to the order of such court reporter a warrant for the amount shown to be due by such apportionment. As reimbursement for expenses incurred in the performance of official duties outside of the county where the district court chambers are situated, the court reporter shall receive for living expenses a sum not to exceed seven dollars per day for meals and lodging expenses, and actual transportation expenses. Such sums shall be paid monthly by the county wherein such court reporter is attending to such official duties, when approved by the board of county commissioners. Claims for actual transportation expense shall not exceed the amounts provided by section 54-0609 and shall be in itemized form showing the mileage traveled, the days when and how traveled, and the purpose thereof, and verified by affidavit. No claim for living expenses or actual transportation expenses shall be

approved for payment to a court reporter by the board of county commissioners unless such claim shall have been first approved by the district judge.

Approved March 20, 1953.

CHAPTER 203

S. B. No. 103
(Judiciary Committee)

ATTORNEYS ADMITTED TO BAR IN OTHER STATES
ADMITTED WITHOUT EXAMINATION

AN ACT

To amend and reenact section 27-1125 of the North Dakota Revised Code of 1943, relating to the admission to the bar of this state without examination of attorneys admitted to the bar in other states.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.) Section 27-1125 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

27-1125. ATTORNEYS ADMITTED IN OTHER STATES ADMITTED WITHOUT EXAMINATION.) At the discretion of the supreme court of this state, any person may be admitted to the bar of this state without examination upon satisfactory proof that he:

1. Is a resident of this state;
2. Is at least twenty-one years of age;
3. Is of good moral character;
4. Has been admitted to the bar of some other state, territory, or the District of Columbia; and
5. Has practiced law in such state, territory, or in the District of Columbia for not less than five years.

Approved March 6, 1953.