

April 5, 1999

H 924. COMMUNITY MEDIATION CENTERS. TO AUTHORIZE COMMUNITY MEDIATION CENTERS. Establishes state policy to encourage the use of community mediation centers.

Authorizes referral of disputes to such centers from courts and other public entities. Exempts drafting of memoranda of understanding and resolution agreements by mediators at community mediation centers from the definition of "practice of law." Excludes statements made and conduct occurring during mediations at community mediation centers from discovery and admissibility in legal proceedings. Prevents mediators and staff at community mediation centers from being compelled to testify or produce evidence relating to mediations, except as to communications in furtherance of a crime or fraud.

Intro. by Nesbitt and Neely.

Ref. to Judiciary I

GS 7A,84,8

April 19, 1999

H 924. COMMUNITY MEDIATION CENTERS. Intro. 4/5/99. House committee substitute makes the following changes to 1st edition. Amends GS 90-330 to exclude from the "practice of counseling" the settlement of conflicts by mediators at community mediation centers. Provides that community mediation center mediator may testify as to whether or not the mediation resulted in an agreement. Changes effective date from when it becomes law to Oct. 1, 1999.

June 15, 1999

H 924. MEDIATION SETTLEMENT IN WRITING. Intro. 4/5/99. Senate committee substitute makes the following changes to 2nd edition. Provides that district attorney as well as chief district court judge must encourage mediation for criminal district court actions. Requires that community center mediation settlements are not binding unless reduced to writing and signed by the parties. With regard to admission of evidence regarding mediation, authorizes admission of evidence in a proceeding to enforce the settlement and provides that, in a felony trial, judge may compel disclosure of certain evidence if necessary to the proper administration of justice.

Amends GS 7A-38.1 and 7A-38.4 to provide that mediated settlements in superior and district court cases are not enforceable unless reduced to writing and signed by the parties and to authorize mediators to attest to signing of agreement in proceeding for sanctions or to enforce settlement.

Changes effective date from Oct. 1, 1999 to when bill becomes law.