

March 13, 2007

**S 728. MEDIATION IN DISTRICT CRIMINAL COURTS.** Filed 3/13/07. *TO ENCOURAGE MEDIATION IN DISTRICT CRIMINAL COURTS AND TO ESTABLISH A PROGRAM WITHIN THE DISPUTE RESOLUTION COMMISSION FOR THE CERTIFICATION OF MEDIATORS WORKING IN THE DISTRICT CRIMINAL COURTS.*

Enacts new GS 7A-38.3D, establishing a mediator certification program in district criminal courts to be designated by the Dispute Resolution Commission and the Administrative Office of the Courts. Requires community mediation centers located in designated districts to assist the court in administering the mediation program. Provides for rules of procedure, the mediator's authority, mediator qualifications, and oversight and evaluation. Provides that mediators have judicial immunity, but may be disciplined in accordance with procedures adopted by the NC Supreme Court. The mediator's memos and other products are confidential and evidence of any statement made during a mediation is inadmissible. Prohibits a mediator or neutral party present at the mediation from being compelled to testify concerning the mediation except in specifically listed circumstances. Requires agreements reached in mediation to be in writing and signed by the parties. In instances where there has been an agreement and the case will be dismissed, requires the defendant to pay the dismissal fee and allows the judge to waive the fee. Makes conforming changes to GS 7A-38. Amends GS 7A-38.2 to add a certified district criminal court mediator to the Dispute Resolution Commission. Directs the Supreme Court to establish requirements for the certification of mediators no later than January 1, 2008.

**Intro. by Hartsell.**

GS 7A

July 24, 2007

**S 728. MEDIATION IN DISTRICT CRIMINAL COURTS.** Filed 3/13/07. House committee substitute makes the following changes to 1st edition. Makes technical changes only in proposed GS 7A-38.3D(f), (j), and (m).

August 27, 2007

**SL 2007-387 (S 728). MEDIATION IN DISTRICT CRIMINAL COURTS. AN ACT TO ENCOURAGE MEDIATION IN DISTRICT CRIMINAL COURTS AND TO ESTABLISH A PROGRAM WITHIN THE DISPUTE RESOLUTION COMMISSION FOR THE CERTIFICATION OF MEDIATORS WORKING IN THE DISTRICT CRIMINAL COURTS.** Summarized in *Daily Bulletin* 3/13/07 and 7/24/07. Enacted August 19, 2007. Effective August 19, 2007, and applies to mediations conducted on and after the date the supreme court adopts rules and requirements for the certification or qualification under Section 4 of this act.