

# Civil Law and Procedure

See full summary documents for additional detail

## **H284 - Civil Contempt/Jury Duty (SL 2015-210)**

S.L. 2015-210 clarifies that imposition of a fine is not an allowable sanction for civil contempt and permits excused jury duty for students attending postsecondary schools out-of-state.

The provision pertaining to civil contempt became effective October 1, 2015, and applies to civil contempt orders entered on or after that date. The provisions pertaining to jury duty became effective on August 11, 2015, and apply to requests for excusal from jury service made on or after that date.

## **H352 - Standard of Proof/Public Safety Dispatchers (SL 2015-71)**

S.L. 2015-71 requires a plaintiff's case to be proved by clear and convincing evidence in any civil action arising out of an act or omission by 911 or public safety telecommunicators or dispatchers pertaining to their job duties at a public safety answering point (PSAP) or at a public safety agency receiving 911 calls from a primary PSAP for dispatch.

This act became effective June 11, 2015, and applies to actions arising on or after that date.

## **H371 - Terror Claims/Damages/Liability for Support, Secs. 1, 1.5, and 2 (SL 2015-215)**

Secs. 1, 1.5, and 2 of S.L. 2015-215 permit any person whose property or person is injured by a terrorist to bring a civil action and, if successful, to recover three times his or her actual damages or \$50,000, whichever is greater, together with court costs and attorney's fees.

These sections became effective October 1, 2015, and apply to acts committed on or after that date.

[For summaries of other provisions of this act, please see the CRIMINAL LAW AND PROCEDURE and the STATE GOVERNMENT subject areas.]

## **H376 - Civil Procedure/Modernize Expert Discovery (SL 2015-153)**

S.L. 2015-153 amends the rules of civil procedure to modernize discovery of expert witnesses and to clarify expert witness costs in civil actions.

This act became effective October 1, 2015. The changes to expert discovery procedure apply to actions commenced on or after that date, and the changes to expert witness costs apply to motions or applications for costs filed on or after that date.

## **H651 - Appraisal Board Recordkeeping and Background Checks (SL 2015-200)**

S.L. 2015-200 establishes a statute of limitations for civil actions against a real estate appraiser and requires appraisal management companies that require real estate appraisers to submit criminal background checks as a condition of employment to accept criminal background checks performed within the preceding 12 months.

This act became effective October 1, 2015, and applies to contracts entered into, renewed, or amended on or after that date. Nothing in the act is to be construed as being applicable to or affecting any pending litigation.

## **H765 - Regulatory Reform Act of 2015, Secs. 3.3 and 3.4: Good Samaritan Expansion (SL 2015-286)**

Secs. 3.3 and 3.4 of S.L. 2015-286 expand the Good Samaritan exception to allow entering of certain types of property in order to provide emergency assistance.

These sections became effective December 1, 2015, and apply to offenses committed on or after that date and causes of action arising on or after that date.