

HB0762/738775/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 762
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 15, after “DISPUTE;” insert “AND”; and strike beginning with “HAS” in line 16 down through “(3)” in line 18.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 5 through 17, inclusive, and substitute:

“(1) A PARTY TO A MEDIATION AND ANY PERSON PRESENT OR OTHERWISE PARTICIPATING IN THE MEDIATION AT THE REQUEST OF A PARTY MAY NOT DISCLOSE OR BE COMPELLED TO DISCLOSE MEDIATION COMMUNICATIONS IN ANY JUDICIAL, ADMINISTRATIVE, OR OTHER PROCEEDING; AND

“(2) THE PARTIES MAY ENTER INTO A WRITTEN AGREEMENT TO MAINTAIN THE CONFIDENTIALITY OF ALL MEDIATION COMMUNICATIONS AND MAY REQUIRE ANY PERSON PRESENT OR OTHERWISE PARTICIPATING IN THE MEDIATION AT THE REQUEST OF A PARTY TO MAINTAIN THE CONFIDENTIALITY OF ALL MEDIATION COMMUNICATIONS.”

On page 5, in line 5, strike “ANY” and substitute “A”; in the same line, after “THAT” insert “, BECAUSE OF FRAUD, DURESS, OR MISREPRESENTATION,”; in line 10, strike “AN” and substitute “A MANIFEST”; and in line 12, after “PROCEEDINGS” insert “IN GENERAL BY REDUCING THE CONFIDENCE OF PARTIES IN FUTURE CASES THAT THEIR COMMUNICATIONS WILL REMAIN CONFIDENTIAL”.