

UNDERSTANDING NUMERICAL AND ALPHABETICAL REFERENCES TO THE NORTH DAKOTA CENTURY CODE (N.D.C.C.)

The North Dakota Century Code – also abbreviated as N.D.C.C. – comprises the laws of North Dakota enacted by the North Dakota State Legislature. You may see or hear the North Dakota Century Code referred to as the North Dakota statutes, the Century Code, and the Code.

PART 1 – TITLE

The North Dakota Century Code is separated into Titles numbered 01 through 65.

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|--|---|--|
| 1 <u>General Provisions</u> | 20.1 <u>Game, Fish, Predators, and Boating</u> | 42 <u>Nuisances</u> |
| 2 <u>Aeronautics</u> | 21 <u>Governmental Finance</u> | 43 <u>Occupations and Professions</u> |
| 3 <u>Agency</u> | 22 <u>Guaranty, Indemnity, and Suretyship</u> | 44 <u>Offices and Officers</u> |
| 4 <u>Agriculture</u> | 23 <u>Health and Safety</u> | 45 <u>Partnerships</u> |
| 4.1 <u>Agriculture</u> | 24 <u>Highways, Bridges, and Ferries</u> | 46 <u>Printing Laws</u> |
| 5 <u>Alcoholic Beverages</u> | 25 <u>Mental and Physical Illness or Disability</u> | 47 <u>Property</u> |
| 6 <u>Banks and Banking</u> | 26 <u>Insurance</u> | 48 <u>Public Buildings</u> |
| 7 <u>Building and Loan Associations</u> | 26.1 <u>Insurance</u> | 49 <u>Public Utilities</u> |
| 8 <u>Carriage</u> | 27 <u>Judicial Branch of Government</u> | 50 <u>Public Welfare</u> |
| 9 <u>Contracts and Obligations</u> | 28 <u>Judicial Procedure, Civil</u> | 51 <u>Sales and Exchanges</u> |
| 10 <u>Corporations</u> | 29 <u>Judicial Procedure, Criminal</u> | 52 <u>Social Security</u> |
| 11 <u>Counties</u> | 30 <u>Judicial Procedure, Probate</u> | 53 <u>Sports and Amusements</u> |
| 12 <u>Corrections, Parole, and Probation</u> | 30.1 <u>Uniform Probate Code</u> | 54 <u>State Government</u> |
| 12.1 <u>Criminal Code</u> | 31 <u>Judicial Proof</u> | 55 <u>State Historical Society and State Parks</u> |
| 13 <u>Debtor and Creditor Relationship</u> | 32 <u>Judicial Remedies</u> | 56 <u>Succession and Wills</u> |
| 14 <u>Domestic Relations and Persons</u> | 33 <u>County Justice Court</u> | 57 <u>Taxation</u> |
| 15 <u>Education</u> | 34 <u>Labor and Employment</u> | 58 <u>Townships</u> |
| 15.1 <u>Elementary and Secondary Education</u> | 35 <u>Liens</u> | 59 <u>Trusts</u> |
| 16 <u>Elections</u> | 36 <u>Livestock</u> | 60 <u>Warehousing and Deposits</u> |
| 16.1 <u>Elections</u> | 37 <u>Military</u> | 61 <u>Waters</u> |
| 17 <u>Energy</u> | 38 <u>Mining and Gas and Oil Production</u> | 62 <u>Weapons</u> |
| 18 <u>Fires</u> | 39 <u>Motor Vehicles</u> | 62.1 <u>Weapons</u> |
| 19 <u>Foods, Drugs, Oils, and Compounds</u> | 40 <u>Municipal Government</u> | 63 <u>Weeds</u> |
| 20 <u>Game, Fish, and Predators</u> | 41 <u>Uniform Commercial Code</u> | 64 <u>Weights, Measures, and Grades</u> |
| | | 65 <u>Workforce Safety and Insurance</u> |

The first set of numbers is always the **Title** number, which refers to a specific title part of the North Dakota Century Code. For example: 27-20-34 is located in **Title 27**, Judicial Branch of Government.

27-20-34. Transfer to other courts.

PART 2 – CHAPTER

Each Title of the North Dakota Century Code is separated into Chapters numbered 01 up to (potentially) 99.

Title 27

Judicial Branch of Government

| Chapter | Chapter Name |
|----------------|--|
| <u>27-01</u> | General Provisions |
| <u>27-02</u> | Supreme Court |
| <u>27-02.1</u> | Court of Appeals |
| <u>27-03</u> | Clerk of Supreme Court |
| <u>27-04</u> | Other Officials of Supreme Court |
| <u>27-05</u> | District Courts |
| <u>27-05.1</u> | Family Courts [Repealed] |
| <u>27-05.2</u> | Clerk of District Court Funding and Fees |
| <u>27-06</u> | District Court Reporters and Bailiffs |
| <u>27-07</u> | County Courts [Repealed] |
| <u>27-07.1</u> | County Courts [Repealed] |
| <u>27-08</u> | County Courts of Increased Jurisdiction [Repealed] |
| <u>27-08.1</u> | Small Claims Court |
| <u>27-08.2</u> | County Judicial Coordinating Councils [Repealed] |
| <u>27-09</u> | Jurors [Repealed] |
| <u>27-09.1</u> | Uniform Jury Selection and Service Act |
| <u>27-10</u> | Contempts |
| <u>27-11</u> | Admission to Bar |
| <u>27-12</u> | State Bar Association of North Dakota |
| <u>27-13</u> | Conduct of Attorneys |
| <u>27-14</u> | Disbarment or Suspension of Attorneys |
| <u>27-15</u> | Judicial Conference |
| <u>27-16</u> | Juvenile Court [Repealed] |
| <u>27-17</u> | Retirement of Judges |
| <u>27-18</u> | County Justice [Repealed] |
| <u>27-19</u> | Indian Civil Jurisdiction |
| <u>27-20</u> | Uniform Juvenile Court Act |
| <u>27-21</u> | Division of Juvenile Services |
| <u>27-22</u> | Interstate Compact on Juveniles [Repealed] |
| <u>27-23</u> | Judicial Conduct Commission |
| <u>27-24</u> | Temporary Judges |
| <u>27-25</u> | Judicial Nominating Committee |
| <u>27-26</u> | Nominating County Court Judges [Repealed] |

The second set of numbers is always the **Chapter** number, which refers to a specific chapter part of the North Dakota Century Code. For example: 27-20-34 is located in **Chapter 20**, the Uniform Juvenile Court Act chapter of Title 27, Judicial Branch of Government .

27-20-34. Transfer to other courts.

You may see Chapter abbreviated as ch. For example, N.D.C.C. **ch.** 27-20.

PART 3 – SECTION

Each Chapter of the North Dakota Century Code is separated into Sections. Each Section contains the text of a law.

27-20-34. Transfer to other courts.

1. After a petition has been filed alleging delinquency based on conduct which is designated a crime or public offense under the laws, including local ordinances or resolutions of this state, the court before hearing the petition on its merits shall transfer the offense for prosecution to the appropriate court having jurisdiction of the offense if:
 - a. The child is over sixteen or more years of age and requests the transfer;
 - b. The child was fourteen years of age or more at the time of the alleged conduct and the court determines that there is probable cause to believe the child committed the alleged delinquent act and the delinquent act involves the offense of murder or attempted murder; gross sexual imposition or the attempted gross sexual imposition of a victim by force or by threat of imminent death, serious bodily injury, or kidnapping; or
 - c.
 - (1) The child was fourteen or more years of age at the time of the alleged conduct;
 - (2) A hearing on whether the transfer should be made is held in conformity with sections 27-20-24, 27-20-26, and 27-20-27;
 - (3) Notice in writing of the time, place, and purpose of the hearing is given to the child and the child's parents, guardian, or other custodian at least three days before the hearing; and
 - (4) The court finds that there are reasonable grounds to believe that:
 - (a) The child committed the delinquent act alleged;
 - (b) The child is not amenable to treatment or rehabilitation as a juvenile through available programs;
 - (c) The child is not treatable in an institution for individuals who are intellectually disabled or who are mentally ill;
 - (d) The interests of the community require that the child be placed under legal restraint or discipline; and
 - (e) If the child is fourteen or fifteen years old, the child committed a delinquent act involving the infliction or threat of serious bodily harm.

The third set of numbers is always the **Section** number, which refers to a specific section part of the North Dakota Century Code. For example: 27-20-34 is the **thirty-fourth Section** of Chapter 20, the Uniforms Juvenile Court Act chapter of Title 27, Judicial Branch of Government.

27-20-34. Transfer to other courts.

You will often see Section referred to by a symbol. The symbol for Section is §. For example, N.D.C.C. § 27-20-34.

PART 4 – PARTS OF A SECTION

When you see a reference to the North Dakota Century Code that contains the Title, Chapter and Section, for example N.D.C.C. § 27-20-34, this is a reference to the entire text of the law in the Section.

The text of a law in a particular Section may be separated into parts. If you need to refer a specific part of a Section, the following will help you identify the four different parts of a Section.

***Note that not every Section is separated into parts. Also, not every Section will have all four of the parts into which a Section may be separated.

Section Part 1 – Subsection

If a Section is separated into parts, the first part of a Section is called a Subsection. You will know that a Section is separated into Subsections if the Section is numbered.

***Note that not every Section is separated into Subsections.

To refer to a Subsection, the number of the Subsection follows the Section number in parentheses. For example, N.D.C.C. § 27-20-34(1). This refers to the text of the law in North Dakota Century Code Title 27, Chapter 20, Section 34, Subsection 1. (See example below.)

27-20-34. Transfer to other courts.

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 - a. The child is over sixteen or more years of age and requests the transfer;
 - b. The child was fourteen years of age or more at the time of the alleged conduct and the court determines that there is probable cause to believe the child committed the alleged delinquent act and the delinquent act involves the offense of murder or attempted murder; gross sexual imposition or the attempted gross sexual imposition of a victim by force or by threat of imminent death, serious bodily injury, or kidnapping; or
 - c.
 - (1) The child was fourteen or more years of age at the time of the alleged conduct;
 - (2) A hearing on whether the transfer should be made is held in conformity with sections 27-20-24, 27-20-26, and 27-20-27;
 - (3) Notice in writing of the time, place, and purpose of the hearing is given to the child and the child's parents, guardian, or other custodian at least three days before the hearing; and
 - (4) The court finds that there are reasonable grounds to believe that:
 - (a) The child committed the delinquent act alleged;
 - (b) The child is not amenable to treatment or rehabilitation as a juvenile through available programs;
 - (c) The child is not treatable in an institution for individuals who are intellectually disabled or who are mentally ill;
 - (d) The interests of the community require that the child be placed under legal restraint or discipline; and
 - (e) If the child is fourteen or fifteen years old, the child committed a delinquent act involving the infliction or threat of serious bodily harm

Section Part 2 – Subdivision

The second part of a Section is called a Subdivision.

If a Section is separated into Subsections, and a Subsection is separated into parts, those parts are called Subdivisions. You will know that a Subsection is separated into Subdivisions if the Subsection is lettered.

***Note that not every Subsection is separated into Subdivisions.

To refer to a Subdivision of a Subsection, the Subsection number is followed by a letter. For example, N.D.C.C. § 27-20-34(1)(b). This refers to the text of the law in North Dakota Century Code Title 27, Chapter 20, Section 34, Subsection 1, Subdivision b.

27-20-34. Transfer to other courts.

1. After a petition has been filed alleging delinquency based on conduct which is designated a crime or public offense under the laws, including local ordinances or resolutions of this state, the court before hearing the petition on its merits shall transfer the offense for prosecution to the appropriate court having jurisdiction of the offense if:
 - a. The child is over sixteen or more years of age and requests the transfer;
 - b. The child was fourteen years of age or more at the time of the alleged conduct and the court determines that there is probable cause to believe the child committed the alleged delinquent act and the delinquent act involves the offense of murder or attempted murder; gross sexual imposition or the attempted gross sexual imposition of a victim by force or by threat of imminent death, serious bodily injury, or kidnapping; or
 - c.
 - (1) The child was fourteen or more years of age at the time of the alleged conduct;
 - (2) A hearing on whether the transfer should be made is held in conformity with sections 27-20-24, 27-20-26, and 27-20-27;
 - (3) Notice in writing of the time, place, and purpose of the hearing is given to the child and the child's parents, guardian, or other custodian at least three days before the hearing; and
 - (4) The court finds that there are reasonable grounds to believe that:
 - (a) The child committed the delinquent act alleged;
 - (b) The child is not amenable to treatment or rehabilitation as a juvenile through available programs;
 - (c) The child is not treatable in an institution for individuals who are intellectually disabled or who are mentally ill;
 - (d) The interests of the community require that the child be placed under legal restraint or discipline; and
 - (e) If the child is fourteen or fifteen years old, the child committed a delinquent act involving the infliction or threat of serious bodily harm.

Section Part 3 – Paragraph

The third part of a Section is called a Paragraph.

If a Section is separated into Subsections, a Subsection is separated into Subdivisions, and a Subdivision is separated into parts, those parts are called Paragraphs. You will know that a Subdivision is separated into Paragraphs if the Subdivision is numbered. Each number will be in parentheses.

***Note that not every Subdivision is separated into Paragraphs.

To refer to a Paragraph of a Subdivision, the Subdivision letter is followed by a number in parentheses. For example, N.D.C.C. § 27-20-34(1)(c)(3). This refers to the text of the law in North Dakota Century Code Title 27, Chapter 20, Section 34, Subsection 1, Subdivision c, Paragraph 3. For example:

27-20-34. Transfer to other courts.

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 - a. The child is over sixteen or more years of age and requests the transfer;
 - b. The child was fourteen years of age or more at the time of the alleged conduct and the court determines that there is probable cause to believe the child committed the alleged delinquent act and the delinquent act involves the offense of murder or attempted murder; gross sexual imposition or the attempted gross sexual imposition of a victim by force or by threat of imminent death, serious bodily injury, or kidnapping; or
 - c.
 - (1) The child was fourteen or more years of age at the time of the alleged conduct;
 - (2) A hearing on whether the transfer should be made is held in conformity with sections 27-20-24, 27-20-26, and 27-20-27;
 - (3) Notice in writing of the time, place, and purpose of the hearing is given to the child and the child's parents, guardian, or other custodian at least three days before the hearing; and
 - (4) The court finds that there are reasonable grounds to believe that:
 - (a) The child committed the delinquent act alleged;
 - (b) The child is not amenable to treatment or rehabilitation as a juvenile through available programs;
 - (c) The child is not treatable in an institution for individuals who are intellectually disabled or who are mentally ill;
 - (d) The interests of the community require that the child be placed under legal restraint or discipline; and
 - (e) If the child is fourteen or fifteen years old, the child committed a delinquent act involving the infliction or threat of serious bodily harm.

Section Part 4 – Subparagraph

The fourth part of a Section is called a Subparagraph.

If a Section is separated into Subsections, a Subsection is separated into Subdivisions, a Subdivision is separated into Paragraphs, and a Paragraph separated into parts, those parts are called Subparagraphs. You will know that a Paragraph is separated into Subparagraphs if the Paragraph is lettered. Each letter will be in parentheses.

***Note that not every Paragraph is separated into Subparagraphs.

To refer to a Subparagraph of a Paragraph, the Paragraph number is followed by a letter in parentheses. For example, N.D.C.C. § 27-20-34(1)(c)(4)(b). This refers to the text of the law in North Dakota Century Code Title 27, Chapter 20, Section 34, Subsection 1, Subdivision c, Paragraph 4, and Subparagraph b. For example:

27-20-34 Transfer to other courts.

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 - a. The child is over sixteen or more years of age and requests the transfer;
 - b. The child was fourteen years of age or more at the time of the alleged conduct and the court determines that there is probable cause to believe the child committed the alleged delinquent act and the delinquent act involves the offense of murder or attempted murder; gross sexual imposition or the attempted gross sexual imposition of a victim by force or by threat of imminent death, serious bodily injury, or kidnapping; or
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 - (1) The child was fourteen or more years of age at the time of the alleged conduct;
 - (2) A hearing on whether the transfer should be made is held in conformity with sections 27-20-24, 27-20-26, and 27-20-27;
 - (3) Notice in writing of the time, place, and purpose of the hearing is given to the child and the child's parents, guardian, or other custodian at least three days before the hearing; and
 - (4)** The court finds that there are reasonable grounds to believe that:
 - (a) The child committed the delinquent act alleged;
 - (b) The child is not amenable to treatment or rehabilitation as a juvenile through available programs;**
 - (c) The child is not treatable in an institution for individuals who are intellectually disabled or who are mentally ill;
 - (d) The interests of the community require that the child be placed under legal restraint or discipline; and
 - (e) If the child is fourteen or fifteen years old, the child committed a delinquent act involving the infliction or threat of serious bodily harm.