

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 410
HOUSE BILL 235

AN ACT REGARDING JURISDICTION TO OVERRIDE CERTAIN PRIVILEGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 8-53 is amended in the second sentence by changing the semicolon after the word "kin" to a period and deleting the language following.

Sec. 2. G.S. 8-53 is further amended by adding a new sentence at the end to read:

"Any resident or presiding judge in the district, either at the trial or prior thereto, or the Industrial Commission pursuant to law may, subject to G.S. 8-53.6, compel disclosure if in his opinion disclosure is necessary to a proper administration of justice. If the case is in district court the judge shall be a district court judge, and if the case is in superior court the judge shall be a superior court judge."

Sec. 3. G.S. 8-53.3 is amended by changing the colon to a period and deleting the language following.

Sec. 4. G.S. 8-53.4 is amended by changing the semicolon after the word "conferred" to a period and deleting the language following.

Sec. 5. G.S. 8-53.4 is further amended by adding two new sentences at the end thereof to read:

"Any resident or presiding judge in the district in which the action is pending may compel disclosure, either at the trial or prior thereto, if in his opinion disclosure is necessary to a proper administration of justice. If the case is in district court the judge shall be the district court judge, and if the case is in superior court the judge shall be a superior court judge."

Sec. 6. G.S. 8-53.5 is amended by changing the colon to a period and deleting the language following.

Sec. 7. G.S. 8-53.3 and 8-53.5 are further amended by adding two new sentences at the end of each section respectively to read:

"Any resident or presiding judge in the district in which the action is pending may, subject to G.S. 8-53.6, compel disclosure, either at the trial or prior thereto, if in his opinion disclosure is necessary to a proper administration of justice. If the case is in district court the judge shall be a district court judge, and if the case is in superior court the judge shall be a superior court judge."

Sec. 8. Article 7 of Chapter 8 of the General Statutes is amended by adding a new section to read:

"§ 8-53.6. No disclosure in alimony and divorce actions. – In an action pursuant to G.S. 50-5, 50-6, 50-7, 50-16.2 and 50-16.3 if either or both of the parties have sought

and obtained marital counselling by a licensed physician, licensed psychologist, or certified marital family therapist, the person or persons rendering such counselling shall not be competent to testify in the action concerning information acquired while rendering such counselling."

Sec. 9. This act shall become effective October 1, 1983.

In the General Assembly read three times and ratified, this the 1st day of June, 1983.