

ANNUAL REPORT 2017

NORTH DAKOTA COURT SYSTEM





MISSION STATEMENT

To provide the people, through an independent judiciary, equal access to fair and timely resolution of disputes under law.

CHIEF'S MESSAGE

ANNUAL REPORT

CALENDAR YEAR 2017

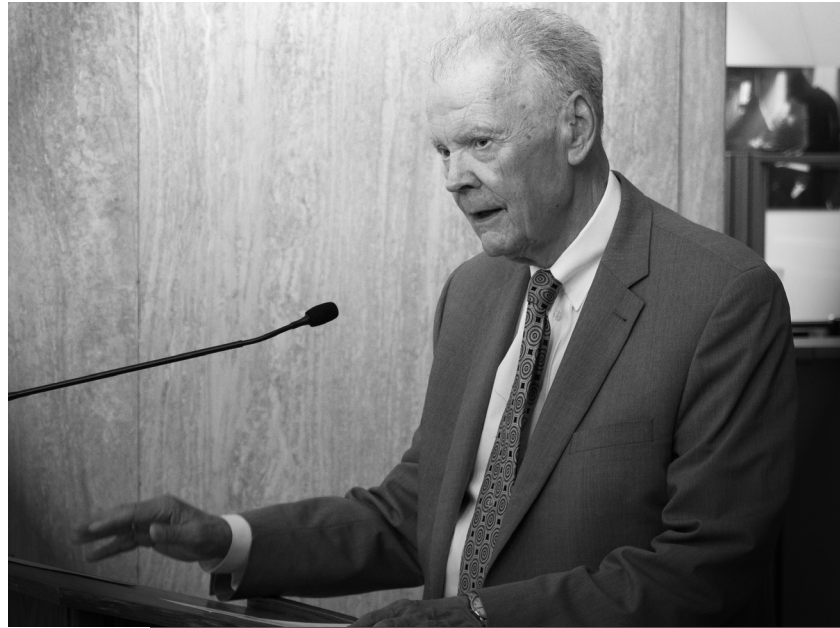
Court system impacted by budget reduction

Chief Justice Gerald W. VandeWalle

Calendar year 2017 began with the anticipated call to further reduce the state's budget due to a downturn in energy production and agriculture losses from a statewide drought. The court system made initial cuts in 2016 by reducing operating expenses, eliminating judicial referees, and in light of the financial position of the State, we began implementing a Reduction-in-Force plan that has left offices statewide partially staffed and eliminated some programs entirely. As a result of our actions, the budget was not further reduced by the legislature.

All citizens are affected in some way by court proceedings. The resulting decisions settle personal and business disputes and criminal charges. They provide certainty under the law. The positions we eliminated have created backlogs in the judicial process which may keep victims and witnesses in limbo and increase costs for the government and individuals. Delay may also result in dissipating assets in civil disputes and affect the stability of families. We understand that budget cuts are necessary and we strive to remain current and to avoid backlogs, delay, and their resulting effects. But we also recognize that, despite our best efforts, delivery of services and the quality of justice may well suffer.

With case filings continuing to grow, our data shows we are 10 judges short statewide, despite the addition of 9 new judgeships since 2009. We are also short employees in the clerk of court offices throughout the state and in our juvenile department. In fact, the juvenile court office in Bottineau was



closed and staffing was reduced to a single officer in Grafton, Jamestown, and Wahpeton.

We also cut three federal Court Improvement Grants which were used to support the court's work with children in the foster care system. Other positions including support staff, court reporters, and law clerks were eliminated, along with funding for equipment, capital assets, and out-of-state travel. These reductions have a significant impact on the timeliness of judicial decisions.

In addition to reductions in staff and operations, we were also faced with hundreds of additional cases in the South Central Judicial District stemming from the 2016 Dakota Access Pipeline protests. To cover the anticipated costs of these additional cases, the judicial branch requested its first ever deficiency appropriation. These cases continue to populate the court calendars in 2018 and have begun to come to the Supreme Court on appeal.

Despite the reduction in financial and human resources, the court system has continued to work on substantive issues that support our mission of "equal access to fair and timely



THE COURT SYSTEM HAS CONTINUED TO WORK ON SUBSTANTIVE ISSUES THAT SUPPORT OUR MISSION OF “EQUAL ACCESS TO FAIR AND TIMELY RESOLUTION OF DISPUTES.”

resolution of disputes.” Below are a few highlights from 2017:

- The Guardianship Workgroup continues to review guardianship and conservatorship statutes. An online education program for new guardians is in place. The group is working on standards for professional guardians and reviewing the juvenile court guardianship statutes.
- A review of time to disposition standards by the Caseload Management Committee resulted in new docket currency standards being adopted by the Court. An electronic dashboard was also developed to assist judges in tracking their individual caseloads.
- The Court approved the establishment of a Domestic Violence Court in Grand Forks. A planning committee is working toward implement in 2018. The overarching goals for a domestic violence court are to improve victim safety and batterer accountability. The concept envisioned for this court in Grand Forks County embodies these goals and follows the intent of the enabling legislation that was passed during the 2017 Legislative Session. The court will focus on misdemeanor and felony level criminal offenses involving adult defendants charged with assault against their intimate partner or family member.
- The Judicial Branch Education Commission completed a five-year strategic plan for planning and delivering education throughout the branch. The goals focus on innovative delivery models, concrete learning processes, replicating best practices, and leadership development.
- A complete review of Administrative Rules regarding the access to and retention and preservation of records was conducted by the Court Services Administration

Committee. The review looked at issues such as how to maintain electronic records and privacy-versus-access issues. Final recommendations are expected to be sent to the Supreme Court in 2018.

- The judicial branch is working with the executive and legislative branches of government to implement the recommendations of the Justice Reinvestment Initiative to reduce the prison population by establishing community based treatment and rehabilitation programs. A similar initiative was authorized by the 2017 legislature and is underway with regard to the juvenile justice system.

We struggle to do more with less resources and to remain current with the existing case load. Yet, projects and initiatives such as those briefly outlined above are necessary if our justice system is to keep pace and, hopefully, advance. Thus, without additional human and financial resources, I am concerned about the continued ability of the judicial branch to study and plan for the improvement of our judicial system and the necessity to meet the needs and expectations of our citizens for a fair and efficient system of justice.

The past year was also a year of transition within the judiciary as we installed two new justices on the state Supreme Court following the retirements of Justice Dale Sandstrom and Justice Carol Ronning Kapsner. We also had eight new judges take the bench either through election or appointment this past year.

Within the annual report, you will find a statistical overview of the caseload and budget of the North Dakota Court System, updates on judicial programs, and a new feature in this year's report, a 2017 Year in Review.

I offer you the 2017 Annual Report of the North Dakota Court System.

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YEAR IN REVIEW



JANUARY 4

Chief Justice Gerald W. VandeWalle presented a written State of the Judiciary Address to the 65th Legislative Assembly. The Address focused on the impact of proposed budget reductions on judicial services.

JANUARY 6

Justice Jerod Tuft was formally installed on the North Dakota Supreme Court bench in an investiture ceremony at the State Capitol in Bismarck. He won election to replace Justice Dale Sandstrom, who retired Dec. 31, 2016.

JANUARY 18

The North Dakota Supreme Court approved a provision allowing out-of-state attorneys to assist in Dakota Access Pipeline (DAPL)-related cases if they are sponsored by an attorney in the state. Over 800 state-level DAPL protest cases were filed. Surrogate judges were used to help with the caseload.



FEBRUARY 23

A legislative initiative to reform the state's criminal justice system cleared the North Dakota House. Supporters of the bill said it would provide long-term savings to taxpayers and reduce the number of incarcerated individuals in the state. Changes include decreasing the penalty for people convicted for a first-time offense for ingesting drugs or possession of paraphernalia from a Class A misdemeanor to a Class B misdemeanor.

FEBRUARY 27

North Central Judicial District Presiding Judge Gary Lee was the first judge to hold court in the new courtroom of the Mountrail County Courthouse in Stanley. The adjacent Mountrail County Justice Center formally opened Jan. 13.



MARCH 20

Retired Southeast Judicial District Judge Thomas Merrick was honored for his service to the students of the Jamestown School District. Judge Merrick was commended in particular for his work in initiating and maintaining the Stutsman/Barnes Juvenile Drug Court.

MARCH 23

Court officials urged lawmakers to approve an interim study of the state's juvenile court system. The House Judiciary Committee was largely on board with the concept, giving it a 14-1 "do-pass" recommendation.

MARCH 28

Benjamin Johnson was sworn in as a district court judge, the first judicial appointment by new Gov. Doug Burgum. The 34-year-old former public defender filled the vacancy left by longtime Williams County Judge David Nelson.

APRIL 4

Northeast Central District Judge Jason McCarthy led a discussion on the court system for 72 students from Jodi Dodson's Grand Forks South Middle School 6th grade class. He was assisted by court staff and other justice system partners including Assistant State's Attorney Nancy Yon, public defender David Ogren, court recorder Jodi Sherman, court reporter Tracy Jirout and court administrator Scott Johnson.



APRIL 21

A set of bills meant to reform the state corrections system passed the Legislature. The four bills target different aspects of the criminal justice system, including sentencing, supervision and behavioral health services.

APRIL 25

Justice Carol Kapsner announced her resignation effective July 31. She was appointed to the Supreme Court in October 1998 by Governor Edward T. Schafer after a long career in private practice.

MAY 5

Chief Deputy Clerk of the Supreme Court Petra H. Mandigo Hulm, Assistant Trial Court Administrator Kelly Hutton, and Clerk of Court Rebecca Absey became Fellows of the Institute for Court Management (ICM).



MAY 15

The second Adult Drug Court in the East Central Judicial District celebrated its 10th anniversary. A special ceremony was held to mark the occasion in the Cass County Commission Room at the Cass County Courthouse in Fargo.

MAY 22

Judges gathered at the University of North Dakota School of Law for the 2017 Judicial Institute. Topics covered were case flow management, scientific method, procedural fairness and mental health cases.



JUNE 1

Two North Dakota teams, one from Fargo and one from Bismarck, were admitted to the Center for Juvenile Justice Reform Fellows Network based on approval of their Capstone Project, which focused on better ways to serve at-risk minority youth. The Capstone project was developed pursuant to participation in Georgetown University's "Reducing Racial and Ethnic Disparities Certificate Program".

JUNE 7

Former North Dakota district court and juvenile drug court judge Ralph Erickson of Fargo was nominated by President Trump to the U.S. Court of Appeals for the Eighth Circuit. Erickson was serving as a federal district judge.

JUNE 13

The Judicial Nominating Committee named three finalists to fill the Supreme Court vacancy that was created by the resignation of Justice Carol Kapsner.

JULY 1

The 2017-2019 biennial budget went into effect resulting in a reduction in force for the judicial system of over 40 regular FTEs, temporary employees, interns, and contract positions. The juvenile court office was closed in Bottineau and juvenile staff reduced in Grafton, Jamestown, Wahpeton and Williston.

JULY 20

North Dakota Uniform Law Commissioners participated in the annual meeting of the Uniform Law Commission in San Diego in July. North Dakota commissioners participating included Judge Gail Hagerty and Justice Jerod E. Tufte.



AUGUST 16

Judge Donald Hager was elected presiding judge of the Northeast Central Judicial District. He replaces Justice Jon Jensen, who now serves on the Supreme Court.

AUGUST 24

The staff and judges of Unit 1 and the Northeast Central Judicial District conducted training focused on the use of available technology in the court system for attorneys, paralegals, and law students. Twenty-three individuals participated in the training at the Grand Forks County Courthouse.





SEPTEMBER 14

The Supreme Court visited Steele to meet with students at the Kidder County Schools and to hear a case.

SEPTEMBER 18

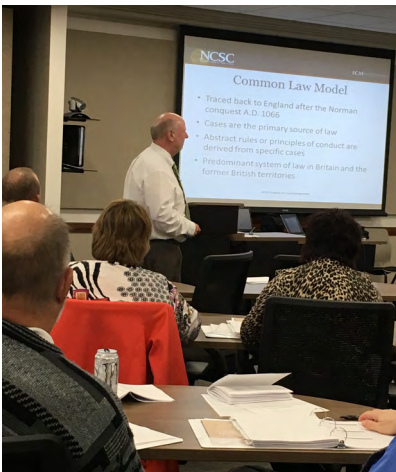
The Supreme Court adopted new Administrative Order 23 on review of conservatorships. This order implements N.D.C.C. § 30.1-29-08(3), which requires the Supreme Court to provide by rule or order for the regular review of conservatorships in existence on August 1, 2017.

SEPTEMBER 20

Justice Jon J. Jensen was formally installed on the Supreme Court bench in an investiture ceremony. He was appointed to replace retired Justice Carol Kapsner.

SEPTEMBER 27

The ND Supreme Court approved changes to Administrative Rule 12 regarding docket currency standards for district courts. Docket currency standards are the benchmarks for bringing cases to closure and deciding matters taken under advisement.



OCTOBER 2

District Trial Court Administrator Rod Olson taught a course on the Purposes and Responsibilities of Courts at the annual Municipal Judges Conference.

OCTOBER 5

As part of its Take the Court to Schools Program, the Supreme Court traveled to Maple Valley High School in Tower City to meet with students and hear arguments.

OCTOBER 11

The North Dakota Association of Drug Court professionals received a \$2,000 donation from the Hawthorne Neighborhood Association in Fargo. Funds will be used to provide for drug court program incentives, which motivate and support behavior change in youth struggling with addiction.



NOVEMBER 1

The Supreme Court visited the University of North Dakota School of Law to hear arguments, meet with students, and judge the Moot Court finals.

NOVEMBER 18

Judge Lolita Hartl-Romanick presided over adoption finalization hearings for eight children and their adoptive parents in Grand Forks. A program was held after the hearings followed by a balloon release in front of the courthouse. Judge Hartl-Romanick was assisted during the hearings by Clerk of Court Becky Absey and Civil Clerk Supervisor III, Norma O'Halloran.

NOVEMBER 30

The North Dakota Supreme Court heard the first appeal from the Dakota Access Pipeline (DAPL) cases. The appellant was Kevin Decker, who was convicted of misdemeanor disorderly conduct related to the 2016 protests.



DECEMBER 1

The Mandan Municipal Court got a new home. The clerk of court said they moved to the Morton County Courthouse because they have easier access to the courtroom and it's safer for their employees.

DECEMBER 6

Director of Education Lee Ann Barnhardt was sworn in as president of the National Association of State Judicial Educators. She will serve through August 2018.

DECEMBER 14

The North Dakota Supreme Court gave Gov. Doug Burgum's office a month to respond to a petition filed by state lawmakers challenging several of his vetoes. Legislative leaders said the legal battle is an effort to clarify the roles of the legislative and executive branches of state government.

NORTH DAKOTA COURTS



NORTH DAKOTA SUPREME COURT

ONE CHIEF JUSTICE & FOUR JUSTICES:
10-YEAR TERMS

The North Dakota Supreme Court is the highest court for the State of North Dakota. It has two major types of responsibilities: 1) adjudicative and 2) administrative. It is primarily an appellate court with jurisdiction to hear appeals from decisions of the district courts. The Court also has original jurisdiction authority and can issue such original and remedial writs as are necessary. In its administrative capacity, the Court is responsible for ensuring the efficient and effective operation of all non-federal courts in the state, maintaining high standards of judicial conduct, supervising the legal profession and promulgating procedural rules.

DISTRICT COURT

EIGHT JUDICIAL DISTRICTS/51 JUDGES:
SIX-YEAR TERMS

District Courts are the state trials courts of general jurisdiction. Among the types of cases they hear are civil, criminal, domestic relations, small claims, and probate. District Courts also serve as the Juvenile

Courts in the state with original jurisdiction over any minor who is alleged to be unruly, delinquent, or deprived. In some districts, judicial referees have been appointed to preside over juvenile, judgment enforcement, and domestic relations proceedings, other than contested divorces. District Courts are also the appellate courts of first instance for appeals from the decisions of many administrative agencies and for criminal convictions in Municipal Courts.

MUNICIPAL COURT

73 JUDGES:
FOUR-YEAR TERMS

Municipal Courts have jurisdiction over all violations of municipal ordinances, except certain violations involving juveniles. In cities with a population of 5,000 or more, the municipal judge is required to be a licensed attorney. Trials in municipal court are before the judge without a jury. State law permits an individual to serve more than one city as a municipal judge.

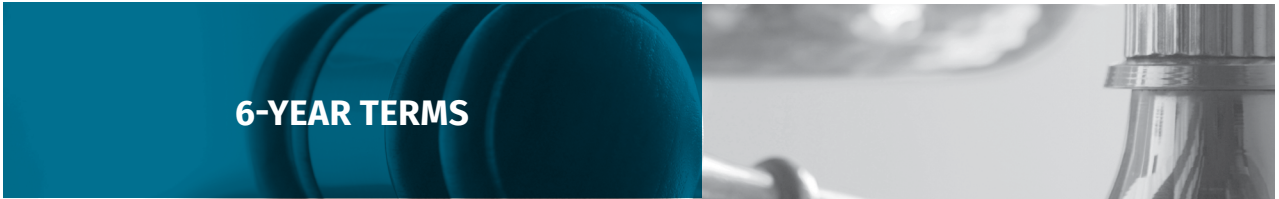
NORTH DAKOTA SUPREME COURT

ONE CHIEF JUSTICE & FOUR JUSTICES



DISTRICT COURT

EIGHT JUDICIAL DISTRICTS/51 JUDGES



MUNICIPAL COURT

73 JUDGES





FROM LEFT: JUSTICE DANIEL J. CROTHERS, JUSTICE JON J. JENSEN, CHIEF JUSTICE GERALD W. VANDEWALLE, JUSTICE JEROD E. TUFTE, AND JUSTICE LISA FAIR MCEVERS

THE NORTH DAKOTA SUPREME COURT OVERVIEW

The North Dakota Supreme Court has five justices. Each justice is elected for a ten-year term in a nonpartisan election. The terms of the justices are staggered so that only one judgeship is scheduled for election every two years. However, in the case of the resignation, retirement or death of a justice during the term of office, the Governor can appoint to fill the term for two years, when the person must then run for election.

Each justice must be a licensed attorney and a citizen of the United States and North Dakota.

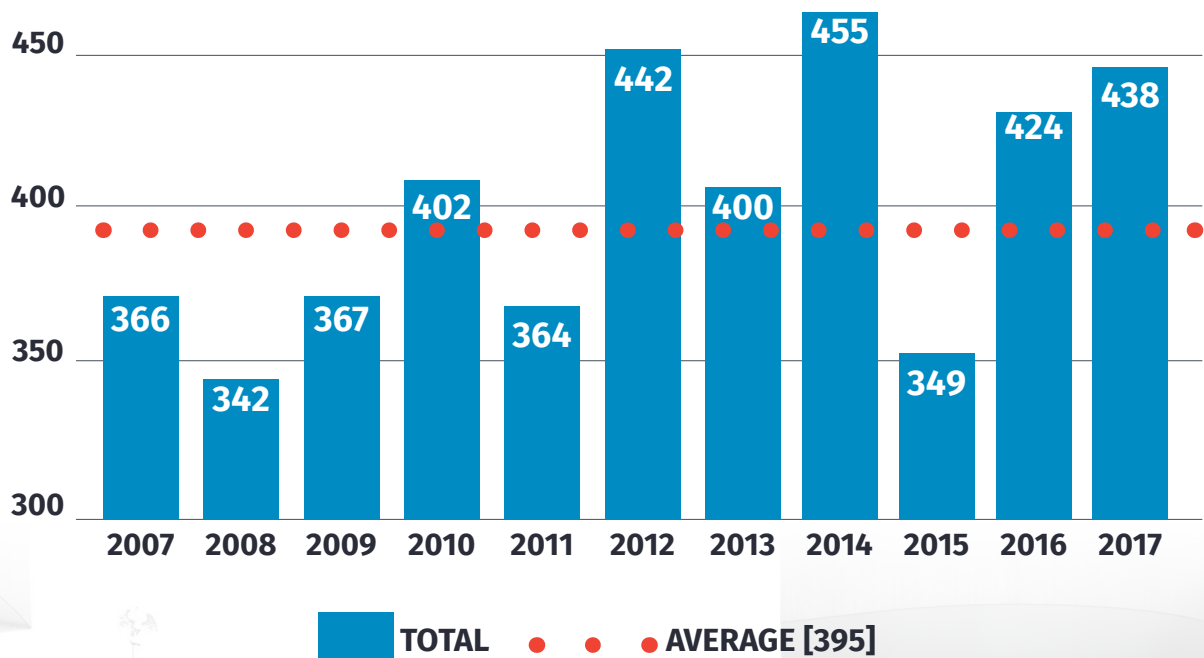
One member of the Supreme Court is selected as Chief Justice by the justices of the Supreme Court and the District Court Judges. The Chief Justice's term is for five years or until the justice's elected term on the court expires. The Chief Justice's duties include presiding over Supreme Court arguments and conferences, representing the judiciary at official state functions, and serving as the administrative head of the judicial system.

A detailed overview of the court system can be found at www.ndcourts.gov/court/brochure.htm.

NORTH DAKOTA SUPREME COURT

2017 Caseload Highlights

The 2017 new case filings increased 3% from 2016. The annual number of cases on appeal and average since 2007 are reflected below.





CIVIL FILINGS

Civil filings decreased 10% in 2017. Appeals in family related cases accounted for 26.3% of the civil caseload, and 12.6% of the overall caseload.

The number of administrative, family, probate, and property matters continue to reflect the increase in oil related matters.

Juvenile appeals, including delinquent or unruly, deprivation and termination of parental rights, increased from 3 in 2016 to 10 in 2017.

Appeals in post-conviction relief matters, which are by statute civil, and the civil commitment of sexually dangerous individuals decreased, accounting for 11.6% of the civil caseload in 2016.

CRIMINAL FILINGS

Appeals involving drug, theft, sexual, and driving under the influence offenses accounted for 54% in 2017 of the criminal caseload, down from 73% in 2016.

Appeals involving assault, homicide, and felonies increased 16% from 2016.

The Court considered four appeals related to the Dakota Access Pipeline.

The decision in Birchfield v. North Dakota, 136 S.Ct. 2160 (2016) continues to contribute to the Supreme Court's 2017 workload as a number of administrative and criminal matters related to that holding were filed. DUI appeals were up 40% in 2017.

ADMINISTRATIVE FILINGS

The Court considered whether to fill, abolish or transfer four district judge vacancies. There were also seventeen files opened for amendment of various procedural rules and policies. The Court continued regular weekly conferences to consider motions and other administrative matters impacting the Court's workload.

OTHER COURT INFORMATION

The Supreme Court continued the "Taking the Court to Schools" program with visits to Kidder County Schools in Steele, Maple Valley High School in Tower City and The UND School of Law.

The Honorable Carol Ronning Kapsner retired effective July 31, 2017, after serving 18 years on the Court.

Oral arguments were scheduled in 274 cases, with approximately 23% of those arguments being waived, in whole or part, by either the parties or the Court, and submitted on the briefs and the record.

In 2017, the Justices and one district judge authored 206 majority opinions, with another 30 separate concurrences and/or dissents written.

The most cases originated from the South Central Judicial District, followed by the East Central, Northwest, North Central, Southeast, Southwest, Northeast Central, and Northeast Judicial Districts.

In 17.3% of the cases filed in 2017, at least one party was self-represented.

CASELOAD SYNOPSIS OF THE SUPREME COURT
FOR THE 2017 AND 2016 CALENDAR YEARS

	2017	2016	PERCENT DIFFERENCE
NEW FILINGS	433	437	0.92
CIVIL	288	317	-10.07
CRIMINAL	155	120	22.58
DISPOSITIONS	452	370	18.14
CIVIL	310	256	17.42
CRIMINAL	142	114	19.72
TRANSFERRED TO COURT OF APPEALS	0	0	0
CIVIL	0	0	0
CRIMINAL	0	0	0

CASE DISPOSITIONS – 2017

	CIVIL	CRIMINAL
BY OPINION:		
Affirmed; Affirmed & Modified	107	43
Affirmed in Part & Reversed in Part or Remanded in Part	15	0
Affirmed by Summary Disposition	48	36
Remanded	3	0
Reversed	13	1
Reversed & Remanded; Reversed & Modified	23	9
Reversed by Summary Disposition	2	0
Dismissed	3	0
Order/Judgement Vacated, Remanded	0	0
Certified Question Answered	2	0
Original Jurisdiction – Granted	1	2
Discipline Imposed	64	N/A
Dispositions by Opinion	249	91
BY ORDER:		
Dismissed	41	42
Original Jurisdiction--Denied	10	9
Original Jurisdiction--Granted	5	0
NOA Voided - No Filing Fee	6	0
Dispositions by Order	62	51
Total Dispositions for 2017	310	142

NORTH DAKOTA DISTRICT COURTS



OVERVIEW

There are district court services in each of the state's 53 counties. North Dakota is a fully unified and consolidated court system and all district courts are under the administrative authority of the Chief Justice and funded by the state of North Dakota.

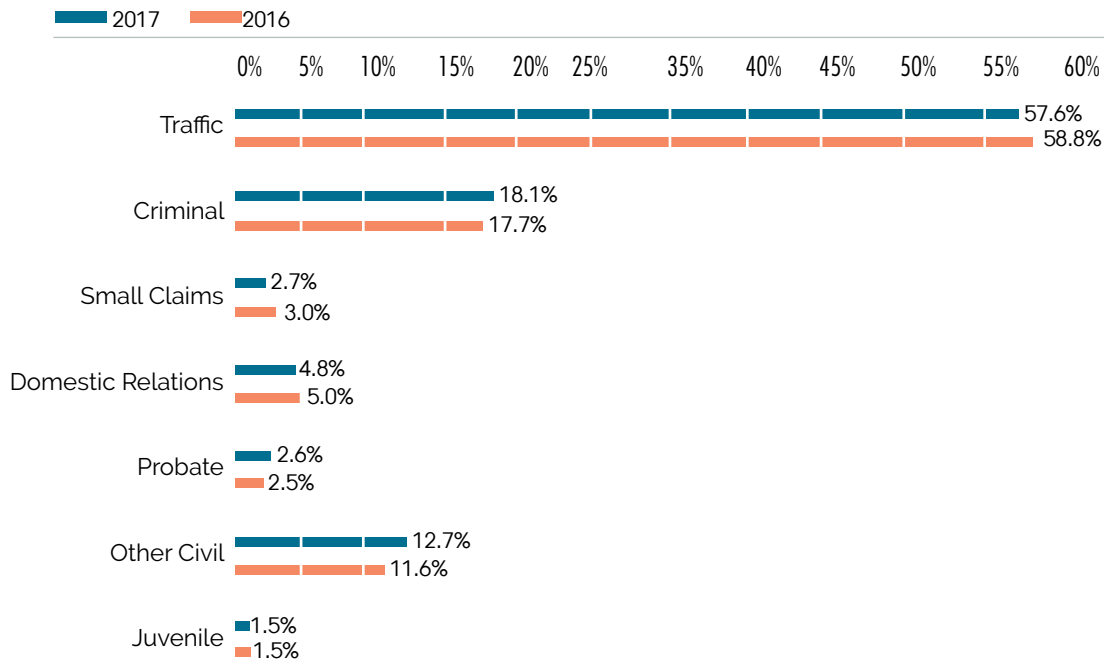
The district courts have original and general jurisdiction in all cases except as otherwise provided by law. They have the authority to issue original and remedial writs. They have exclusive jurisdiction in criminal cases and have general jurisdiction for civil cases. There are 51 district judges in the state.

Judges in the district courts also serve on statewide committees, boards, and commissions; participate in state and local bar association activities; and provide law-related public education to students and community members. Information about the district courts is located at www.ndcourts.gov/court/Districts/Districts.htm.

TOTAL DISTRICT COURT CASELOAD FOR CALENDAR YEARS 2017 & 2016

CASE FILINGS/ DISPOSITIONS	2017			2016			2017/2016	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	32,319	8,945	43,071	30,493	9,765	44,183	5.99%	-2.52%
Small Claims	4,398	100	4,403	4,781	102	4,953	-8.01%	-11.10%
Criminal	29,104	13,441	46,677	28,195	13,965	46,440	3.22%	0.51%
Traffic	92,469	353	94,129	93,911	361	98,006	-1.54%	-3.96%
Juvenile	2,375	1,935	3,663	2,317	1,838	3,573	2.50%	2.52%
Total	160,665	24,774	191,943	159,697	26,031	197,155	0.61%	-2.64%

TYPES OF CASES FILED IN DISTRICT COURT FOR CALENDAR YEARS 2017 & 2016



JURY TRIALS FOR JUDICIAL DISTRICT FOR CALENDAR YEARS 2017 & 2016

Based on jury trials paid

District	2017	2016
Northeast	13	9
Northeast Central	30	12
East Central	28	35
Southeast	31	29
South Central	76	59
Southwest	21	14
Northwest	63	77
North Central	37	46
Total	299	281

NORTH DAKOTA DISTRICT COURTS



2017 CIVIL CASELOAD

Civil filings increased by 4.1% in 2017 compared to 2016 with total case filings of 36,717. There were 4,398 small claims cases in 2017, which is a decrease of 383 or 8%. Domestic relations cases decreased by 295 or 3.7%, probate/guardianship cases increased by 187 or 4.9%, and other civil cases increased by 1,934 or 10.4% in 2017.

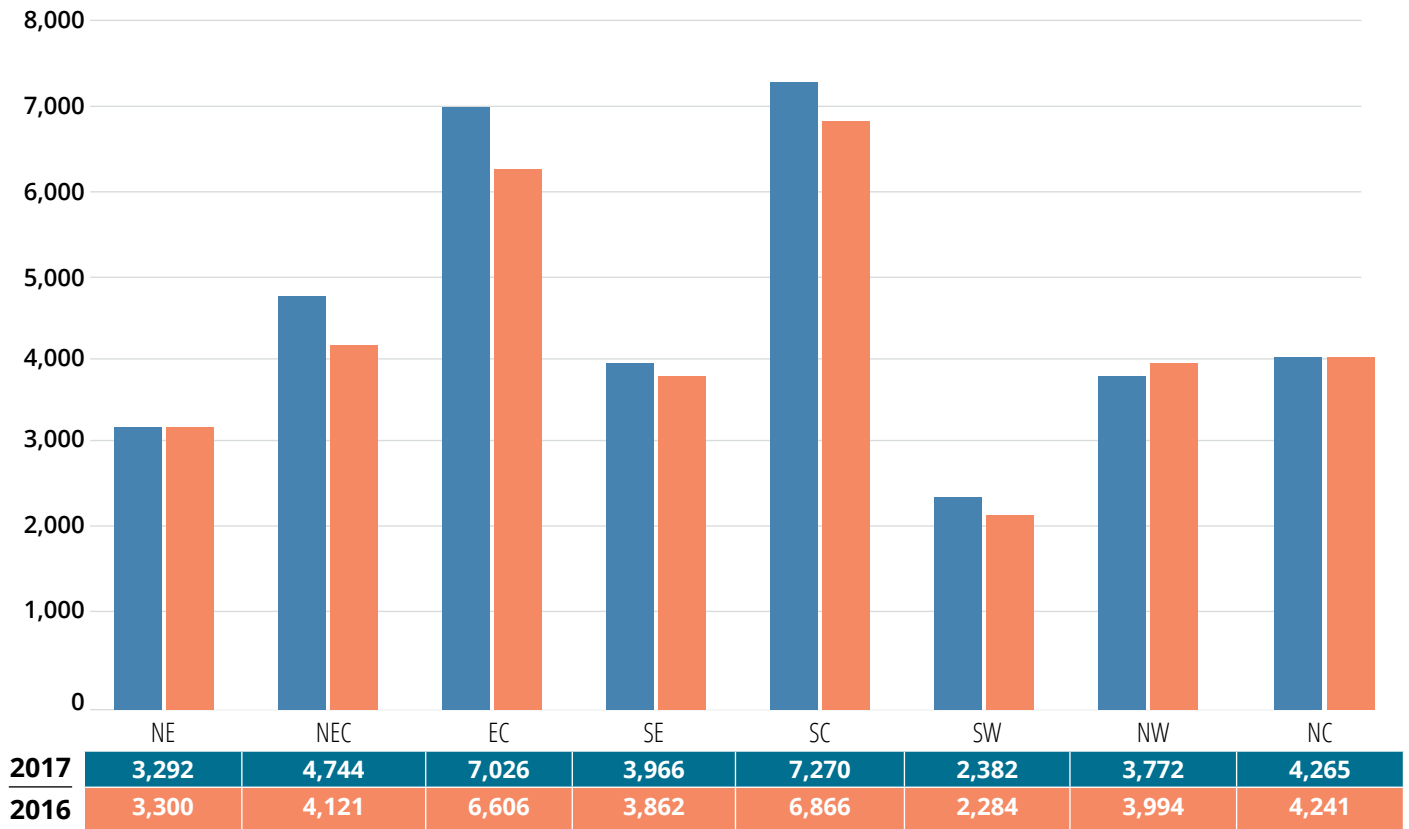
Contract/collection (67%) civil commitment (8%) and forcible detainer (10%) cases account for the majority of the 20,535 other civil case types. Contract/collection increased by 1,655 cases or 13.7%, forcible detainer increased by 215 cases or 11.4% and civil commitment increased by 152 cases or 10% as compared to 2016.

There were 7,774 domestic relations case filings in 2017, consisting of the following: support proceedings (27%); divorce (30%); protection/restraining orders (28%); paternity (4%); adoption (5%); parenting responsibility (5%) and termination of parental rights (less than 1%).

Total divorce filings in 2017 were 2,341 compared to 2,439 in 2016. Support proceedings decreased by 9.2% with 2,124 cases filed, and protection/restraining order filings decreased by 1.4% with 2,187 cases filed.



ND CIVIL CASELOAD FOR DISTRICT COURTS FOR 2017 AND 2016



NORTH DAKOTA DISTRICT COURTS

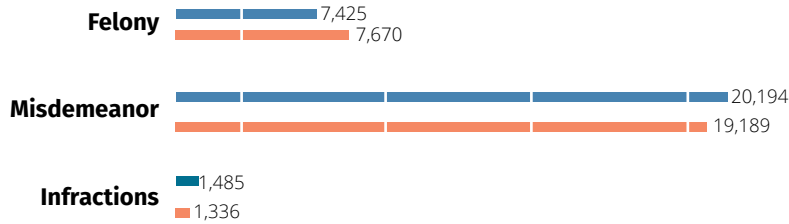


2017 CRIMINAL CASELOAD

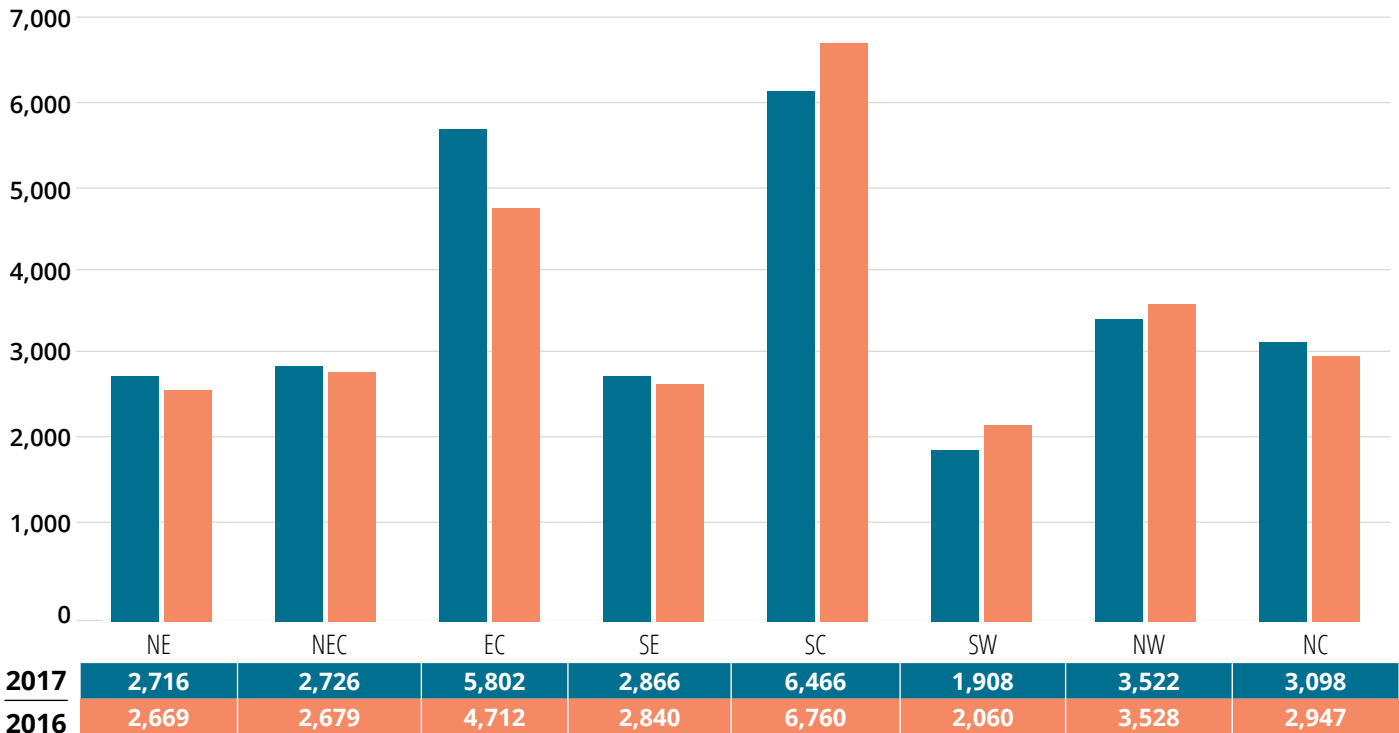
Total criminal filings increased by 3.2% from 2016 to 2017 with 29,104 cases filed compared to 28,195. Felony filings decreased by 3.2%; misdemeanors increased by 5.2%; and infractions increased by 11.2%. Misdemeanors made up 69% of total criminal filings; felonies 26%; and infractions 5%.

OVERALL ND CRIMINAL CASELOAD FOR DISTRICT COURTS FOR CALENDAR YEARS 2017 & 2016

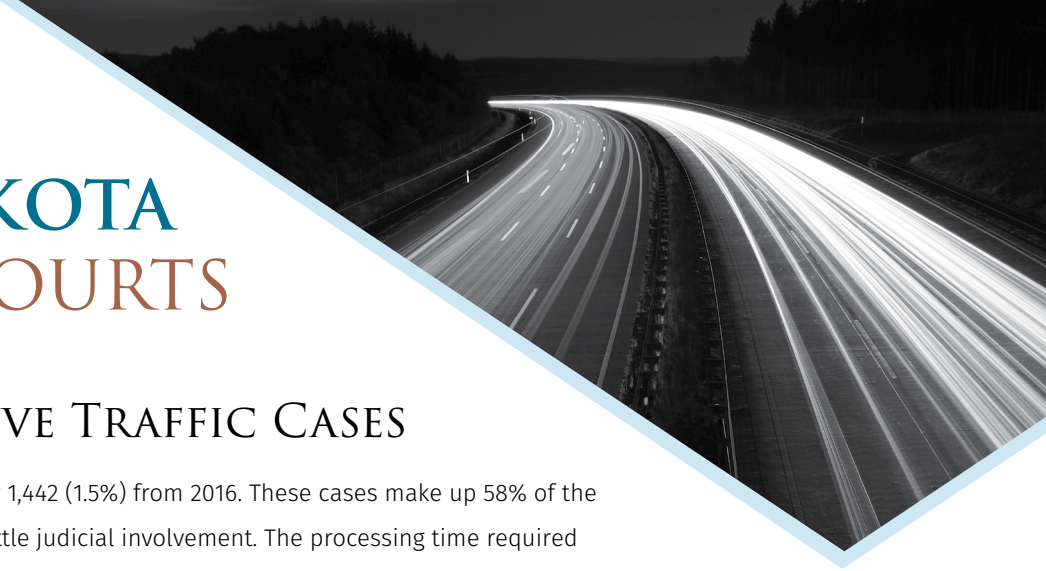
2017 2016



ND CRIMINAL CASELOAD FOR DISTRICT COURTS FOR 2017 AND 2016



NORTH DAKOTA DISTRICT COURTS



2017 ADMINISTRATIVE TRAFFIC CASES

Administrative traffic filings decreased by 1,442 (1.5%) from 2016. These cases make up 58% of the overall caseload; however, they require little judicial involvement. The processing time required impacts court clerk personnel almost exclusively.

TOTAL CASES FILED IN DISTRICT COURTS INCLUDING ADMIN TRAFFIC - 2017



Case Filings	2017	2016
Admin. Traffic	92,469	93,911
Case Re-opens	2017	2016
Admin. Traffic	353	361
Case Dispositions	2017	2016
Admin. Traffic	94,129	98,006

NORTH DAKOTA DISTRICT COURTS



DISTRICT COURT JUDGES SERVING IN 2017 & CHAMBERED CITIES

Norm Anderson- Fargo

Sonna M. Anderson - Bismarck

Susan L. Bailey – Fargo

Anthony Swain Benson – Bottineau

Todd Cresap - Minot

Brad Cruff - Wahpeton

Rhonda Ehlis – Dickinson

Daniel El-Dweek – Watford City

Cynthia Feland - Bismarck

Laurie A. Fontaine –
Cavalier/Langdon

Donovan Foughty – Devils Lake

M. Richard Geiger – Grafton (Retired
October 2017)

James D. Gion - Dickinson

Dann Greenwood - Dickinson

John E. Greenwood – Jamestown

John Grinsteiner - Mandan

Richard L. Hagar – Minot

Donald Hager – Grand Forks

Gail Hagerty - Bismarck

Bruce B. Haskell - Bismarck

William Herauf - Dickinson

Douglas R. Herman – Fargo

James Hill - Mandan

James D. Hovey – New Rockford

Michael Hurly - Rugby

John C. Irby – Fargo

Jay Knudson – Grand Forks

Paul Jacobson - Williston

Jon Jensen – Grand Forks

(Appointed to the ND Supreme Court
August 2017)

Benjamin J. Johnson - Williston

Gary H. Lee – Minot

Troy LeFevre - Jamestown

Stacy Louser - Minot

Steven L. Marquart - Fargo

Douglas L. Mattson – Minot

Jason McCarthy – Grand Forks

John C. McClintock, Jr.- Rugby
(Retired April 2017)

Daniel D. Narum - Ellendale

Lonnie Olson – Devils Lake

Thomas R. Olson - Fargo

Frank Racek - Fargo

David E. Reich - Bismarck

Bruce A. Romanick – Washburn

Lolita Hartl Romanick – Grand Forks

Joshua Rustad - Williston

Robin Schmidt – Watford City

Jay Schmitz – Valley City

Thomas J. Schneider – Mandan

Kirsten Sjue - Williston

Wade L. Webb –Hillsboro

Barbara L. Whelan - Grafton

Judicial Referees Serving in 2017

Wayne Goter - Bismarck

Scott Griffeth - Fargo

Pam Nesvig - Bismarck

Connie Portscheller - Minot

Susan Solheim - Fargo

NORTH DAKOTA DISTRICT COURTS

Northwest Judicial District
Number of Counties: 3

North Central Judicial District
Number of Counties: 3

Northeast Judicial District
Number of Counties: 11

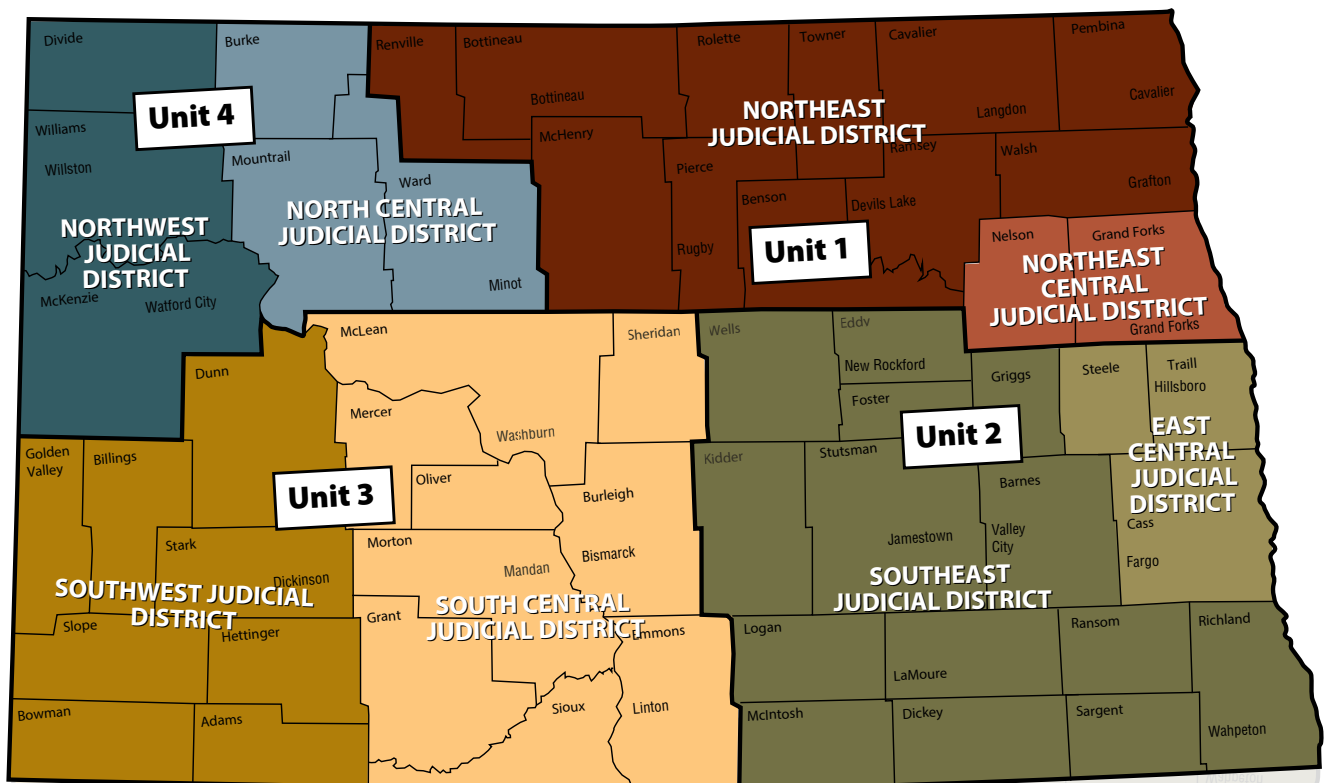
Northeast Central Judicial District
Number of Counties: 2

Southwest Judicial District
Number of Counties: 8

South Central Judicial District
Number of Counties: 9

Southeast Judicial District
Number of Counties: 14

East Central Judicial District
Number of Counties: 3





NORTHEAST DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2017 & 2016

CASE FILINGS/ DISPOSITIONS	2017			2016			2017/2016	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	2,864	1,131	4,395	2,763	1,522	4,884	3.66%	-10.01%
Small Claims	428	5	421	537	7	621	-20.30%	-32.21%
Criminal	2,716	1,161	4,843	2,669	1,255	4,842	1.76%	0.02%
Traffic	8,840	24	9,036	8,921	35	9,291	-0.91%	-2.74%
Juvenile	213	177	356	249	168	372	-14.46%	-4.30%
Total	15,061	2,498	19,051	15,139	2,987	20,010	-0.52%	-4.79%

NORTHEAST CENTRAL DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2017 & 2016

CASE FILINGS/ DISPOSITIONS	2017			2016			2017/2016	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	4,003	779	4,917	3,250	839	4,182	23.17%	17.58%
Small Claims	741	8	727	871	3	892	-14.93%	-18.50%
Criminal	2,726	1,468	4,447	2,679	1,783	4,879	1.75%	-8.85%
Traffic	7,586	40	7,721	7,037	18	7,323	7.80%	5.43%
Juvenile	381	395	632	345	376	597	10.43%	5.86%
Total	15,437	2,690	18,444	14,182	3,019	17,873	8.85%	3.19%



EAST CENTRAL DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2017 & 2016

CASE FILINGS/ DISPOSITIONS	2017			2016			2017/2016	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	5,962	1,724	8,020	5,583	1,994	8,837	6.79%	-9.25%
Small Claims	1,064	37	1,058	1,023	26	1,045	4.01%	1.24%
Criminal	5,802	1,464	7,683	4,712	1,341	6,643	23.13%	15.66%
Traffic	13,484	72	13,723	13,871	54	14,404	-2.79%	-4.73%
Juvenile	671	267	914	643	288	872	4.35%	4.82%
Total	26,983	3,564	31,398	25,832	3,703	31,801	4.46%	-1.27%

SOUTHEAST DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2017 & 2016

CASE FILINGS/ DISPOSITIONS	2017			2016			2017/2016	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	3,421	1,269	5,495	3,179	1,135	5,740	7.61%	-4.27%
Small Claims	545	13	573	683	19	698	-20.20%	-17.91%
Criminal	2,866	1,462	4,620	2,840	1,455	4,531	0.92%	1.96%
Traffic	12,390	60	12,516	13,665	75	14,186	-9.33%	-11.77%
Juvenile	189	123	268	204	123	301	-7.35%	-10.96%
Total	19,411	2,927	23,472	20,571	2,807	25,456	-5.64%	-7.79%



SOUTH CENTRAL DISTRICT COURT CASELOAD

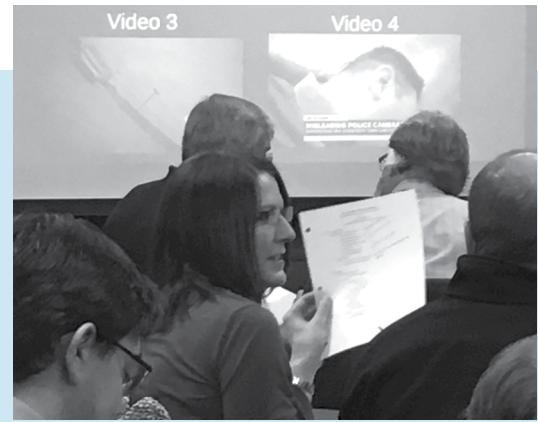
FOR CALENDAR YEARS 2017 & 2016

CASE FILINGS/ DISPOSITIONS	2017			2016			2017/2016	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	6,547	1,566	8,232	6,210	1,670	8,420	5.43%	-2.23%
Small Claims	723	14	715	656	16	680	10.21%	5.15%
Criminal	6,466	2,983	10,334	6,760	2,989	10,195	-4.35%	1.36%
Traffic	15,376	44	15,469	16,969	61	17,579	-9.39%	-12.00%
Juvenile	413	439	681	434	396	690	-4.84%	-1.30%
Total	29,525	5,046	35,431	31,029	5,132	37,564	-4.85%	-5.68%

SOUTHWEST DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2017 & 2016

CASE FILINGS/ DISPOSITIONS	2017			2016			2017/2016	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	2,173	676	2,818	2,071	585	2,820	4.93%	-0.07%
Small Claims	209	3	219	213	14	209	-1.88%	4.78%
Criminal	1,908	1,086	3,239	2,060	1,247	3,644	-7.38%	-11.11%
Traffic	8,952	35	9,200	9,008	43	9,659	-0.62%	-4.75%
Juvenile	130	106	213	92	87	163	41.30%	30.67%
Total	13,372	1,906	15,689	13,444	1,976	16,495	-0.54%	-4.89%



NORTHWEST DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2017 & 2016

CASE FILINGS/ DISPOSITIONS	2017			2016			2017/2016	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	3,507	797	4,451	3,675	930	4,567	-4.57%	-2.54%
Small Claims	265	8	263	319	9	324	-16.93%	-18.83%
Criminal	3,522	1,468	5,538	3,528	1,485	5,723	-0.17%	-3.23%
Traffic	12,586	57	13,042	12,708	49	13,349	-0.96%	-2.30%
Juvenile	186	200	287	157	171	268	18.47%	7.09%
Total	20,066	2,530	23,581	20,387	2,644	24,231	-1.57%	-2.68%

NORTH CENTRAL DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2017 & 2016

CASE FILINGS/ DISPOSITIONS	2017			2016			2017/2016	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	3,842	1,003	4,743	3,762	1,090	4,733	2.13%	0.21%
Small Claims	423	12	427	479	8	484	-11.69%	-11.78%
Criminal	3,098	2,349	5,973	2,947	2,410	5,983	5.12%	-0.17%
Traffic	13,255	21	13,422	11,732	26	12,215	12.98%	9.88%
Juvenile	192	228	312	193	229	310	-0.52%	0.65%
Total	20,810	3,613	24,877	19,113	3,763	23,725	8.88%	4.86%

NORTH DAKOTA DISTRICT COURTS



PRESIDING JUDGES

Each of the judicial districts has a presiding judge. Each presiding judge is elected by the judges within their district. The presiding judge is the chief administrative officer of all courts in the district and is responsible for all court services within the geographical area of the judicial district. The presiding judge provides leadership within his or her judicial district.

2017 PRESIDING JUDGES

Northeast Judicial District – Judge Laurie Fontaine

Northeast Central Judicial District – Judge Donald Hager

East Central Judicial District - Judge Frank Racek

Southeast Judicial District – Judge Dan Narum

South Central Judicial District - Judge Gail Hagerty

Southwest Judicial District - Judge William Herauf

Northwest Judicial District – Judge Robin A. Schmidt

Northwest Central Judicial District - Judge Gary Lee



NORTH DAKOTA JUVENILE COURTS

MISSION STATEMENT

To carry out the mission of Balanced and Restorative Justice, the North Dakota Juvenile Court is to promote public safety, hold juvenile offenders accountable, and increase the capacity of juveniles to contribute productively to their community. In carrying out this mission, the courts empower victims and encourage community participation and parental responsibility.

NORTH DAKOTA JUVENILE COURTS

Juvenile Court referrals are received from law enforcement, schools, social services agencies, and parents. Juvenile Court Officers screen referrals from law enforcement, schools, and agencies determining how they should be processed, making detention or emergency shelter care decisions on some of them, preparing court recommendations on those that proceed to the formal courts, and processing the majority of the delinquent and unruly cases via an informal adjustment conference or diversion.

Informal adjustment offers an opportunity to admit to the charge and accept conditions of probation with no formal charges or conviction being entered. A juvenile may deny the charge and that usually results in a referral of the charges to a prosecutor for determination as to whether to formally charge the juvenile with the alleged offense. Juvenile probation is one of the most widely used tools to ensure court requirements are met. Court goals often include repairing the harm to the victim, compliance with programming geared at reducing risk factors for the offender and increasing the overall competency of the offender to contribute to society.

Intake of all juvenile referrals is required by North Dakota law to be conducted by the Director of Juvenile Court or a designated court officer. Juvenile Court intake staff are knowledgeable about North Dakota criminal and juvenile law as well as the techniques of juvenile treatment and rehabilitation. They screen for probable cause and make decisions regarding the appropriate manner to handle the case by diversion, informal adjustment or the formal court process. Whether to detain a delinquent youth or take an unruly or deprived child into protective custody are also authorized powers of the juvenile court under the North Dakota Century Code.

There are four juvenile court directors who oversee offices in Grand Forks, Devils Lake, Grafton, Fargo, Jamestown, Valley City, Wahpeton, Bismarck, Dickinson, Minot and Williston.

The North Dakota Rules of Juvenile Procedures are located at <http://www.ndcourts.gov/rules/juvenile/frameset.htm>.

2017 REFERRALS TO JUVENILE COURT

Delinquent and Unruly Case Referrals: In North Dakota, the Juvenile Court has exclusive jurisdiction over youth ages seven to age eighteen who are alleged to have committed a delinquent or an unruly act. A delinquent act would be a crime if committed by an adult, while an unruly act is behavior such as truancy from school, runaway, ungovernable behavior, or minor consuming alcohol, all of which are based on age.

Deprived Case Referrals: The Juvenile Court also has exclusive jurisdiction over children until age eighteen who are alleged to be deprived of proper care or control by their parent, guardian, or other custodian. More commonly known as child abuse and neglect, these cases are referred to the courts by the county social service agencies after a child abuse and neglect investigation.

Total referrals to Juvenile Court have increased in the past year from 9,767 to 10,620. The chart below reflects the total number of charges referred to the Juvenile Courts, in the three legal categories of unruly, delinquent, and deprived cases over the past five years.

Note the increase in deprivation referrals from 2013 through 2017. Overall (within the past five years) the trend of an increase in deprivation filings has been significant.

TOTAL REFERRALS BY YEAR

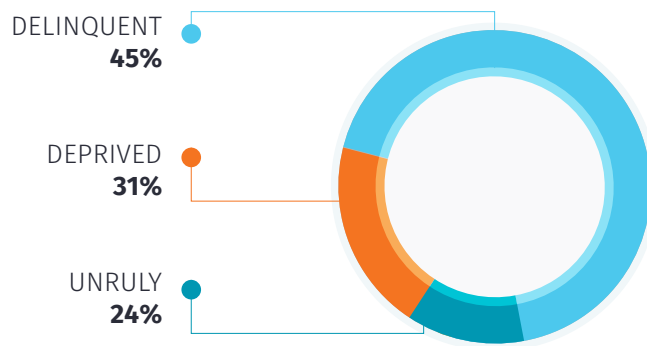
	Unruly	Delinquent	Deprivation
2017	2603	4744	3273
2016	2467	4461	2839
2015	2492	4586	2714
2014	2572	4433	2269
2013	2792	4817	2282

NORTH DAKOTA JUVENILE COURTS



The charts below reflect the total number of charges referred to juvenile court, grouped by case type, over the past five years. In 2017, unruly offenses (offenses which only a child can commit) made up 24% of juvenile court referrals, deprivation referrals made up 31%, and delinquent referrals were 45%.

2017 JUVENILE REFERRALS TOTAL 10,620



TOTAL REFERRALS BY CASE TYPE

	2017	2016	2015	2014	2013
Against Person Offenses	907	834	750	684	845
Property Offenses	1449	1327	1441	1380	1676
Public Order	1051	980	1029	942	960
Unruly	2603	2467	2492	2572	2792
Deprivation	3273	2839	2714	2269	2282
Traffic	239	261	355	315	365
Drug Related Offenses	1098	1059	1011	1112	971

For more detailed information on Juvenile Court services and outcomes, please see the Juvenile Court Annual Report at <http://www.ndcourts.gov/court/juvenile.htm>.

JUDICIAL PROGRAMS AND SERVICES

JUVENILE DRUG COURT

JUVENILE DRUG COURT PROGRAM 2017 HIGHLIGHTS

The Juvenile Drug Court Program is a 9 to 12 month program where participants and their parents or guardians have regular contact with the court. The North Dakota Court System remains committed to continuing the Juvenile Drug Court program because it is a cost-effective way to provide positive outcomes to our youth with addiction issues.

In October, the North Dakota Supreme Court and National Drug Court Institute hosted the Upper Midwest Drug Court Conference with attendees from North Dakota, South Dakota, and Minnesota. In September, Justice Jon Jensen succeeded Justice Lisa Fair McEvers as chair of the North Dakota Drug Court Advisory Committee.

Six North Dakota Juvenile Drug Courts continued operation in 2017

JUVENILE DRUG COURT 2017 STATISTICS

Statistics by Individual Courts for 2017						
Court	Current	Graduations	Terminations	Suspended	Transfers	Totals
Grand Forks	9	6	1	3	0	19
Fargo	11	6	9	0	0	26
Bismarck	3	4	2	0	0	9
Minot	3	2	5	0	0	10
Devils Lake	3	0	5	1	0	9
Stutsman/Barnes	6	2	4	1	1	14
Totals	35	20	26	5	90	87

RACE AND GENDER FOR INDIVIDUAL COURTS

Court	Caucasian	Native American	Hispanic	African American	Other Race	Male	Female
Grand Forks	10	2	5	1	1	12	7
Fargo	15	2	0	2	7	16	10
Bismarck	5	3	0	1	1	5	4
Minot	7	1	1	0	1	4	6
Devils Lake	4	4	0	0	1	6	3
Stutsman/Barnes	13	1	0	0	0	10	4
Totals	54	13	6	3	11	53	34

OVERALL STATISTICS FROM START DATE

Started	Court	Graduations	Terminations	Deceased	Total
May - 2000	Grand Forks	83	97	0	180
May - 2000	Fargo	88	135	1	224
Oct - 2003	Bismarck	69	75	0	144
Jan - 2007	Minot	24	37	0	61
Jan - 2009	Devils Lake	13	29	0	42
Jan - 2013	Stutsman/ Barnes	9	17	0	26
Totals		286	390	1	677

JUDICIAL PROGRAMS AND SERVICES

FAMILY MEDIATION

FAMILY MEDIATION PROGRAM REACHES 10-YEAR MILESTONE

The Family Mediation Program is a statewide program that provides a high quality, impartial, and efficient forum for resolving disputed parental rights and responsibilities, as well as grandparent visitation matters through mediation. In 2017, the Family Mediation Program accepted 617 cases into the program. Four hundred thirty-eight cases have been completed as of Feb. 1, 2018. Data for those completed cases indicates 52% reached full agreement, while an additional 24% reached partial agreements for a positive impact on 76% of cases.

There are currently 26 mediators on the Family Mediation Roster.

On March 1, 2018, the Family Mediation Program celebrated its 10-year anniversary. The program has grown from a two-district pilot to a statewide program of the court with contracted mediators in each judicial district. A 2013 evaluation found the program had significant positive impacts on family law cases. The report highlighted a significant drop in post-decree filings per case with districts reporting anywhere from a 49% to 86% decrease in post-judgment modifications. Case length was also shortened by an average of 28%. Data continues to show positive impacts. Settlement rates remain steady with a 10-year average of 50% of the cases in the program reaching full agreement and another 27% of cases reaching partial agreements for a total positive impact on 77% of all cases.

Through the Family Mediation Program, the parties are empowered and encouraged to present their concerns to each other face-to-face and come to a mutual agreement. The parties reduce the expenses and stress of court proceedings and reduce the emotional toll of conflict. The participants can benefit greatly by preserving the possibility of ongoing relationships in the future and by avoiding lengthy court proceedings.

More information on the Family Law Mediation Program can be found at:

<http://www.ndcourts.gov/court/rules/NDROC/rule8.1.htm>



FAMILY MEDIATION CASES
JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

Total cases referred to the mediation program		1017
Cases rejected or dropped out		400
Custody issues settled prior to mediation	89	
Existence of domestic violence restraining order in case record or domestic violence issues identified	74	
One party resides outside of North Dakota	87	
Default divorce	31	
One party incarcerated	17	
Mediation attempted prior to filing divorce action	2	
One or both parties did not comply with order	58	
Parties reconciled	6	
Dismissed	18	
Miscellaneous	18	
Cases accepted into the Family Mediation Program		617
Cases completed as of February 1, 2018		438
Cases pending as of February 1, 2018		179

JUDICIAL PROGRAMS AND SERVICES

LEGAL SELF HELP

LEGAL SELF HELP CENTER PROVIDES ASSISTANCE TO SELF-REPRESENTED LITIGANTS

The North Dakota Legal Self Help Center is a neutral resource to assist self-represented litigants with access to the North Dakota Court System. The purpose of the Center is to provide civil process information to the thousands of people in the state who are involved in a civil legal issue but not represented by a lawyer.

The Center, which began in 2014, operates as a division of the North Dakota Supreme Court Law Library. In 2016, the Center was staffed by the Citizen Access Coordinator, who is a licensed attorney, and a paralegal. In 2017, due to budget cuts, the paralegal position was eliminated. As of February 2017, the Center was staffed solely by the Citizen Access Coordinator.

The Center provides procedural information and education to self-represented litigants through personal contact with Center staff by phone, email and in-person. Procedural information and education is also provided on the Center website. The online forms, informational guides, research guides, and brochures are mainly developed by Center staff. Court System committees and Court Administration staff also contribute content for the Center website.

Center staff provides direct support to self-represented litigants by answering questions about civil court processes, civil court procedures, and legal terms. Staff provides contact information for other agencies that may be able to assist with a problem. Self-represented litigants are directed to state laws, rules, and regulations that may be relevant to a legal issue. Staff notifies every person who contacts the Center of the services the Center can provide, and that the Center cannot provide any legal advice or legal representation.

Forms, informational guides, and research guides are key resources provided by the Center. The Center provides a variety of online forms, informational guides, and research guides for many civil legal issues, such as family law, guardianship, conservatorship, small claims, name change,

informal probate, protection and restraining orders, and eviction.

In 2017, new resources were created and added to the website, including:

- Administrative agency appeal fee waiver request forms and instructions;
- Juvenile Court service forms and instructions;
- Motion to allow payment of room and board to guardian forms and instructions;
- Sexual Assault Restraining Order petition form and instructions;
- Transfer guardianship/conservatorship to another state forms and instructions;
- A statement of costs and disbursements form;
- Four general-use motion forms, including a motion, brief in support of motion, and an answer brief to motion;
- Three checklists for answering a summons and complaint, making a motion, and answering a motion;
- An informational guide to requesting a hearing for an administrative traffic violation;
- An informational guide to appealing an administrative traffic violation;
- An informational guide to petitioning to award title to a vehicle;
- A research guide to expungement of criminal records;
- A research guide to establishing guardianship of a minor;
- A research guide to modifying primary residential responsibility;
- A research guide to registering a foreign judgment;
- A research guide to relocating children out of state



Existing forms were updated and revised to reflect changes in law and process.

Based on the topics of requests received, new forms, informational guides and website content are in various stages of development. Other resources anticipated for 2018 include a variety of conservatorship forms, and a variety of informational guides related to family law matters, including interim motions.

The Citizen Access Coordinator piloted a Spring 2017 externship with the University of North Dakota School of Law to create additional online resources with the use of law student externs. Based on the outcome of the Spring 2017 pilot, the Citizen Access Coordinator supervised one law student extern for the Summer 2017 semester and one law student extern for the Fall 2017 semester. The 2017 externs

created the following resources for the Center:

- An informational guide for petitioning for District Court review of a Job Service North Dakota decision;
- An informational guide for appealing a Workforce Safety and Insurance Decision to District Court;
- An informational guide to eviction for tenants;
- An informational guide for restoring the right to possess firearms;
- A research guide for change of venue; and
- A research guide for emancipation of a minor.

No one should be denied access to justice because they cannot afford a lawyer, or choose to represent themselves.



ND LEGAL SELF HELP CENTER CONTACT DATA

Contact data for the Center is April 1, 2015 through December 31, 2017.

	Q1 2017	Q2 2017	Q3 2017	Q4 2017	Total 2017
Phone Calls	477	379	415	388	1659
Emails	99	98	94	94	385
Letters	3	4	2	3	12
In-Person	10	13	10	8	41
Total	589	494	521	493	2097

*As of February 2017, the Center was staffed solely by the Citizen Access Coordinator.

	Q1 2016*	Q2 2016	Q3 2016	Q4 2016	Total 2016
Phone Calls	510	502	593	496	2101
Emails	74	144	168	111	497
Letters	0	1	2	2	5
In-Person	8	7	12	11	38
Total	592	654	775	620	2641

*The Center was staffed by both the Citizen Access Coordinator and the Citizen Access Paralegal during 2016.

	Q1 2015*	Q2 2015	Q3 2015	Q4 2015	Total 2015
Phone Calls	No Data	281	434	550	1265
Emails	No Data	68	82	78	228
Letters	No Data	4	3	2	9
In-Person	No Data	23	13	11	47
Total	No Data	376	532	641	1549

*The Center was unstaffed during the first quarter of 2015.

North Dakota Clerks of District Court are the most frequent referral source for the Center. Referrals from Supreme Court Clerks of Court, Child Support offices, law enforcement, State Bar Association of North Dakota, individual attorneys, and other agencies and outlets are becoming more common.

When a resource is added to the website, individual requests for information about that topic decrease significantly.

MOST REQUESTED TOPICS:

- 1) Family law – Contested matters
- 2) Family law - Modifications to existing orders
- 3) Probate
- 4) Small Claims
- 5) Creditor/Debtor
- 6) Landlord/Tenant (eviction)

JUDICIAL PROGRAMS AND SERVICES

NORTH DAKOTA STATE COURT GUARDIANSHIP MONITORING PROGRAM

The Guardianship Monitoring Program began as a pilot program in the South Central and Southwest Judicial Districts in 2015. It will be a statewide program beginning in 2018. Under the program, cases can be referred by judges or randomly selected by the program manager for financial reviewing or home visits.

Eighty adult guardianship cases were randomly selected from the pilot districts to establish a basic assessment of common court proceedings, guardianship reporting, and risk factors present in the annual reports.

Originally reviewed in 2016, more than half of the first 80 cases (44) had no activity recorded in the case file. These cases are automatically assumed to be high risk due to lack of court oversight.

The following was noted in the remaining 36 cases:

- 5 of the 80 cases should have had a status of terminated due to ward's deaths.
- 16 guardians were not providing regular, thorough annual and/or inventory reports, although the court does not always order any reporting.
- 7 cases had consistent and thorough reporting and no red flags; often the ward has a small estate and lives in a care center.
- Several cases had questionable items and missing information such as: the Social Security Representative Payee fees appear to exceed the maximum allowed; annual reports lack sufficient information and a wellbeing

check would be appropriate; parents charging ward for room/board without court approval; financial reports that do not total correctly; no inventory reports; no income from investments.

In 2017 some of the original 80 random cases were reviewed and the following was found:

- 9 cases were selected for continuation hearings, and the guardians were reappointed.
- Court action on some of the 44 cases with no activity:
- 15 were terminated due to majority or death of ward.
- 2 guardianships were continued after a continuation hearing.
- 24 were terminated by the court with no explanation noted in the case file.

A second review was conducted in 2017 on a state-wide list of cases that had court activity during 2013. This review was expected to include fewer cases that had no annual reporting. Results included more than 118 cases due to some cases fitting more than one category:

- 45 cases had consistent, thorough reporting. This percentage is likely higher than the random selection since these were generally newer cases.
- 6 cases have had no annual reports filed.
- 12 cases have families charging room/board without court approval.
- 39 cases have annual reporting with missing information such as no reporting on the ward's finances, or the exclusion of the wellbeing reports.
- 32 cases present questionable accounting practices or expenditures that require explanation or other troublesome issues such as utilities expenses when the ward is living in a nursing home, high guardianship fees, or investments with no income.

Notable cases:

- Two cases were terminated due to returned notices that were mailed to the guardian. Vulnerable Adult Protective Services was notified that these two incapacitated people no longer had court supervision.
- One case involves an immigrant whose family was mostly absent from the guardianship process. It is unknown if language barriers prevented the family from participation.
- In one case, the guardian reported that the ward has been well for years, but guardianship is needed in case of a relapse.

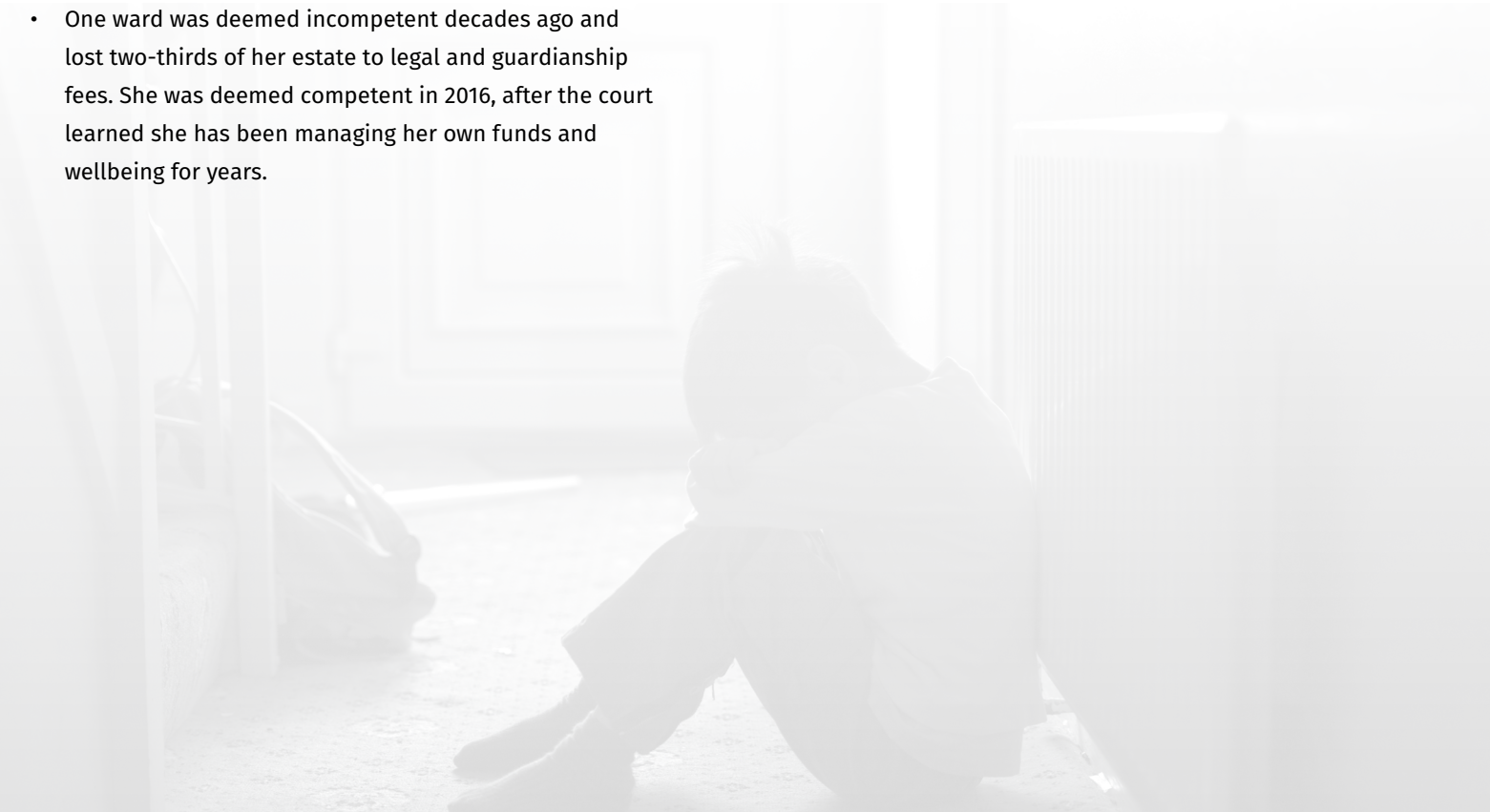
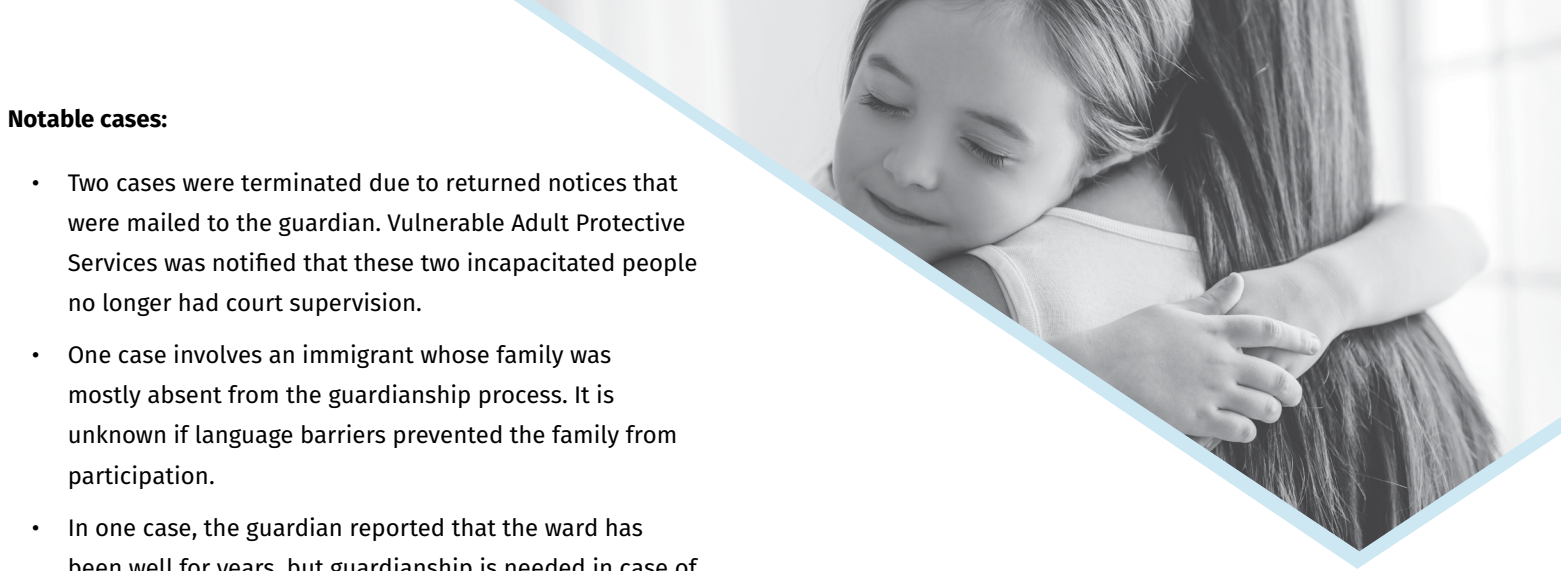
Judge Referrals

Seven cases were referred from the courts for monitoring during this period. Some results:

- Three cases were referred for wellbeing checks only. Primarily the judge was concerned that the guardians were not fulfilling their duties. One of these cases was declined because the ward had passed away and the guardian had no financial authority. One case was terminated because both the guardian and ward had moved out of state and we were unable to bring them to court or perform a review.
- One ward was deemed incompetent decades ago and lost two-thirds of her estate to legal and guardianship fees. She was deemed competent in 2016, after the court learned she has been managing her own funds and wellbeing for years.

Administrative Order 22 – Review of Guardianships update:

On August 1, 2015, state statute changed to require periodic reviews of all guardianship cases. In 2017, there were 2,802 active guardianship cases statewide. Supreme Court Administrative Order 22 requires that all guardianships established prior to August 1, 2015 be reviewed within 5 years. Between March 1, 2016, and March 31, 2017, 562 review hearings were held.



JUDICIAL PROGRAMS AND SERVICES

COURT IMPROVEMENT PROJECT

COURT IMPROVEMENT PROJECT GRANT FUNDS CUT FOR 2017-2018

Due to state budget constraints the Supreme Court did not apply for the federal Court Improvement Program Grants for Fiscal year 2017 – 2018. The work of the CIP has now been shifted to the Juvenile Policy Board. The Court will assess the feasibility of reapplying for the grants in the 2018-2019 budget cycle if they are available.

Court Improvement Program grants are awarded by the U.S. Department of Health and Human Services for the purpose of helping state courts assess the responsiveness of judicial processes to the needs of children in foster care. The grants require a 25% state match which became too cost prohibitive to sustain due to budget cuts.

The Court Improvement Project (CIP) Committee was developed in 2006 to provide recommendations to the Administrative Council on child-welfare related issues. The Committee met quarterly to identify and prioritize issues. Four subcommittees were developed to carry out the work of the Committee: Lay Guardian Ad Litem; Indian Child Welfare; Education and Training; and Data Collection and Analysis.

In 2014, in an effort to measure state court compliance with Indian Child Welfare Act (ICWA) requirements, the Court contracted with the University of North Dakota (UND) to conduct statewide audits of ICWA compliance. The audits focused on basic components of the Act including notification to tribes, the use of qualified expert witnesses, and court findings of active efforts. The final results of the audits were received in 2017 and shared with the Juvenile

Policy Board. The Juvenile Policy Board will utilize that report to move forward with efforts to improve compliance with ICWA. CIP funds were also utilized to partner with the Department of Children and Family Services and the Native American Training Institute to provide joint training on child welfare issues which included ICWA topics. The funds provided support for speakers and scholarships for court staff to attend the trainings.

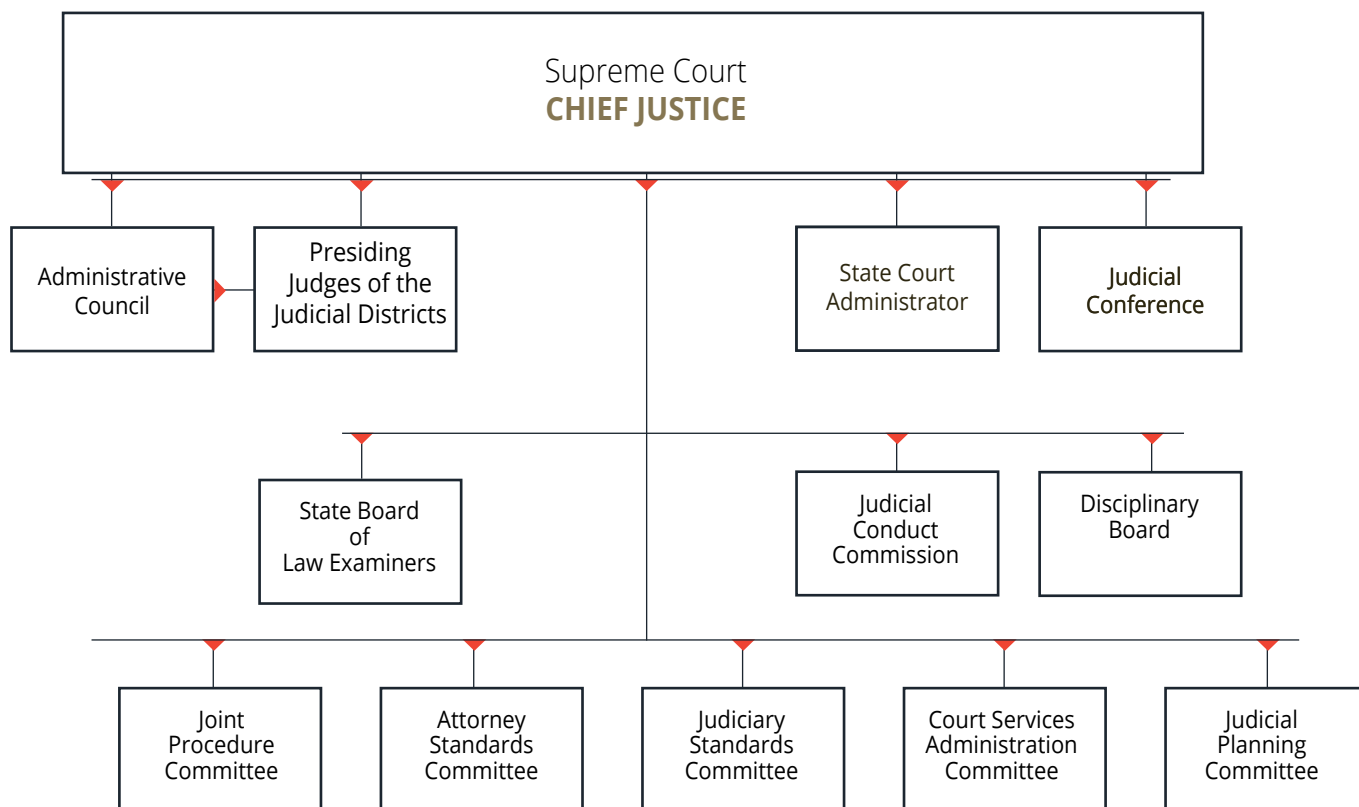
The CIP committee provided ongoing evaluation of the Lay Guardian Ad Litem (GAL) Program. The purpose of the evaluation was to assess and increase the effectiveness of the Lay GAL Program on timeliness, safety and permanency of children in deprivation and termination of parental rights cases. In 2017, the CIP committee developed strategies in collaboration with the Lay GAL program administrators to control program costs while ensuring quality and effectiveness. Those strategies have been implemented.

The CIP data grant was utilized to purchase Oracle Reports. The system was installed and reports were created in the fall of 2017. This allows court staff to pull information out of the case management system for the purposes of program evaluation. A recidivism report was created which allows court staff to better understand the effectiveness of juvenile programming.

Youth referred to juvenile court are now being screened earlier with the Youth Assessment and Screening Instrument (YASI). YASI assesses risk, needs and protective factors in youth populations. In 2017, CIP funds were used to purchase YASI training licenses for all of the juvenile court staff. This will ensure staff are properly using our YASI screening tool.

ADMINISTRATION OF THE COURT SYSTEM

Ultimate responsibility for the efficient and effective operation of the court system resides with the Supreme Court. The Constitution establishes the Chief Justice's administrative responsibility for the court system. To help it fulfill these administrative and supervisory responsibilities, the Supreme Court relies upon the state court administrator, Supreme Court clerk, directors, staff attorneys, presiding judges, and various advisory committees, commissions, and boards.



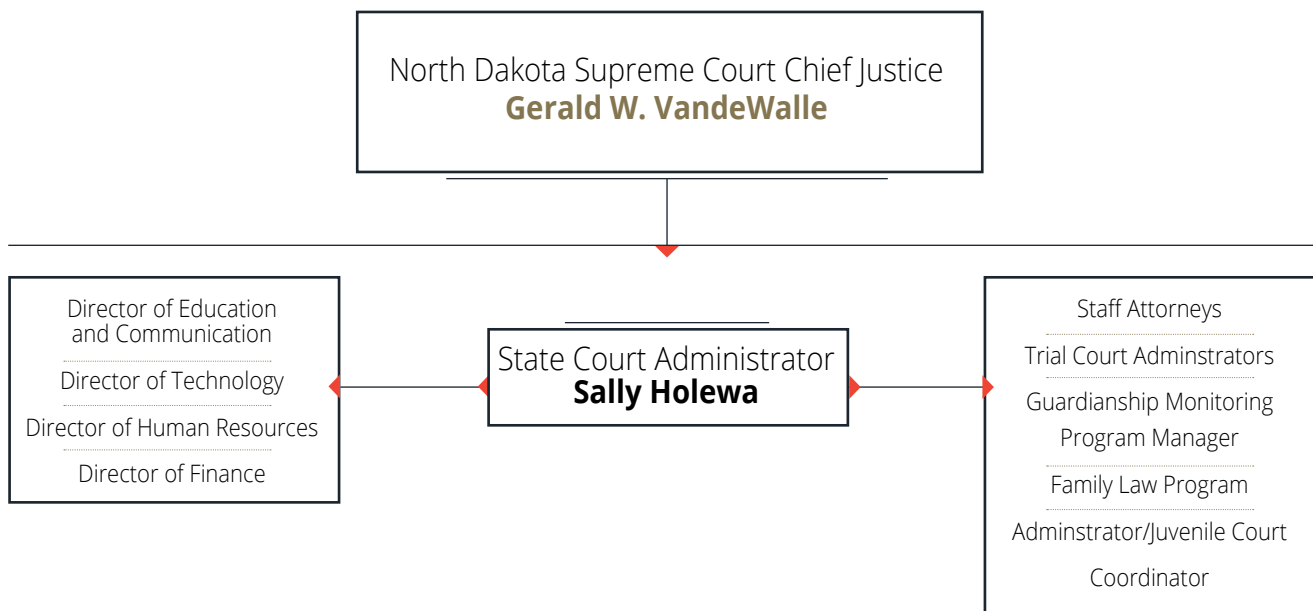
ADMINISTRATION OF THE COURT SYSTEM

OFFICE OF STATE COURT ADMINISTRATOR

Article VI, Section 3, of the North Dakota Constitution authorizes the chief justice of the Supreme Court to appoint a court administrator for the unified judicial system. Pursuant to this constitutional authority, the Supreme Court has outlined the powers, duties, qualifications, and term of the state court administrator in an administrative rule. The duties delegated to the state court administrator include assisting the Supreme Court in the preparation and administration of the judicial budget, providing for judicial education services, coordinating

technical assistance to all levels of courts, planning for statewide judicial needs, and administering a personnel system. Trial court administrators in each unit assist the state court administrator. Also assisting are directors and personnel who work in finance, general counsel, human resources, technology, and judicial education.

A directory for the State Court Administrator's Office can be found at www.ndcourts.gov/court/email/frAdmin.htm.



ADMINISTRATION OF THE COURT SYSTEM

TRIAL COURT ADMINISTRATION

Trial Court Administrators

Under the direction of the state court administrator, the trial court administrator plans, organizes, and directs court administrative activities for all courts within one of four state administrative units. This position is responsible for supervising a large staff engaged in providing service to high volume and complex caseloads including comprehensive district-wide programs, juvenile, and court administrative services. As the senior administrative position within the administrative unit, the position is responsible for providing leadership and guidance in all administrative areas with emphasis on the development and implementation of efficient and cohesive administrative processes.

Assistant Trial Court Administrators

Under general supervision of the trial court administrator, the assistant trial court administrator implements the policies and procedures of the state judiciary and assists the trial court administrator in coordinating and monitoring administrative activities of the courts.

Director of Juvenile Court Services

The director of juvenile court services works under the direction of the trial court administrator and is responsible for planning and directing all juvenile court services in the administrative unit. The director of juvenile court services also provides leadership in fostering the development of community-based programs and in developing statewide policy and practice for juvenile court.

2017 TRIAL COURT ADMINISTRATION

Administrative Unit 1

Trial Court Administrator – Scott Johnson
Assistant Trial Court Administrator – Kelly Hutton
Director of Juvenile Court – Shawn Peterson

Administrative Unit 2

Trial Court Administrator – Rod Olson
Assistant Trial Court Administrator – Chris Iverson
Director of Juvenile Court – Karen Kringlie

Administrative Unit 3

Trial Court Administrator – Donna Wunderlich
Director of Juvenile Court – Cory Pedersen

Administrative Unit 4

Trial Court Administrator – Carolyn Probst
Director of Juvenile Court – Scott Hopwood

ADMINISTRATION OF THE COURT SYSTEM

CLERKS OF COURT



The clerk of district court works under the direction of the trial court administrator and is responsible for planning, directing, organizing and supervising all personnel assigned to the office of the clerk. This position is responsible for maintaining all court records and developing office operational procedures associated with all district court cases involving criminal, civil, restricted, traffic, or other cases filed with district court.

North Dakota Century Code, Chapter 27-05.2, states that the North Dakota Supreme Court shall provide clerk of district court services in each county in the state. The Supreme Court may provide such services through clerks of district court, deputies, and assistants who are employees of the judicial system or through service agreements with the counties.

While the court has assumed the responsibility for the expenses of operating the clerk's offices statewide, only a portion of the clerks have transferred to state employment. A distinction is made based on number of staff in each office. In offices of five or more, the clerk and staff are required to become state employees

unless the county chooses to keep the clerk functions and forgo any state funds to support the office.

For offices ranging in staff size from one to four, the county retains the option to transfer the clerk and deputies to state employment. Finally, the smallest counties are ineligible to transfer the clerk position to state employment.

When a county transfers clerk responsibility to the state, the clerk position becomes a classified position within the court's employee classification and compensation system. In those counties that chose to retain clerks and staff as county employees, and those that are ineligible to transfer, the county can continue to choose whether the clerk must run for election or whether the office will be an appointed one. Under state law, counties can choose to combine positions and decide if a combined position will be an appointed or elected position.

**County-Employed Clerks of Court
Method of Attaining Office**

County Name	Full-Time / Part-Time	Role: Combined / Separate	Elected	Appointed as Clerk	Eligible to be transferred to State Employment
Adams	Part-time	Recorder	as Recorder		No
Benson	Part-time	Separate	as Clerk		No
Billings	Part-time	Recorder	as Recorder/Clerk		No
Bottineau	Full-time	Separate		X	Yes
Bowman	Part-time	Recorder	as Recorder/Clerk		No
Burke	Part-time	Recorder	as Recorder		No
Cavalier	Full-time	Separate		X	No
Dickey	Full-time	Separate		X	No
Divide	Full-time	Recorder	as Recorder		No
Dunn	Part-time	Recorder	as Recorder/Clerk		Yes
Eddy	Part-time	Recorder	as Recorder/Clerk		No
Emmons	Part-time	Recorder	as Recorder/Clerk		No
Foster	Full-time	Separate		X	No
Golden Valley	Part-time	Recorder	as Recorder/Clerk		No
Grant	Part-time	Recorder	as Recorder/Clerk		No
Griggs	Part-time	Recorder	as Recorder		No
Hettinger	Part-time	Recorder	as Recorder/Clerk		No
Kidder	Part-time	Recorder	as Recorder		No
Lamoure	Full-time	Separate		X	No
Logan	Part-time	Recorder	as Recorder		No
McHenry	Full-time	Separate	as Clerk		No
McIntosh	Part-time	Recorder	as Recorder/Clerk		No
McLean	Full-time	Separate		X	Yes
Mercer	Full-time	Separate		X	Yes
Mountrail	Full-time	Separate		X	Yes
Nelson	Part-time	Recorder	as Recorder/Clerk		No
Oliver	Part-time	Recorder	as Recorder		No
Pembina	Full-time	Recorder	as Recorder/Clerk		Yes
Pierce	Part-time	Separate	as Clerk		No
Ransom	Full-time	Separate		X	Yes
Renville	Part-time	Recorder	as Recorder		No
Sargent	Part-time	Recorder & Treasurer & Clerk	as Recorder/Clerk/ Treasurer		No
Sheridan	Part-time	Recorder	as Recorder		No
Sioux	Part-time	Recorder & Treasurer & Clerk	as Recorder/ Treasurer/Clerk		No
Slope	Part-time	Recorder	as Recorder/Clerk		No
Steele	Part-time	Recorder	as Recorder/Clerk	X	No
Towner	Part-time	Recorder	as Recorder		No
Traill	Full-time	Separate	as Clerk		No
Wells	Full-time	Separate		X	No

ADMINISTRATION OF THE COURT SYSTEM

CLERKS OF COURT

Eligible for Transfer to State

Bottineau	
Dunn	
McLean	
Mercer	
Mountrail	
Pembina	
Ransom	
Total	7

State Employed Clerk of Court Offices

Barnes	
Burleigh	
Cass	
Grand Forks	
McKenzie	
Morton	
Ramsey	
Richland	
Rolette	
Stark	
Stutsman	
Walsh	
Ward	
Williams	
Total	14

TOTALS

County-Contract	39
State-Employed	14
Total Clerks	53

County Office Totals	
Combined Offices	25
Separate Offices	14
Total	39

Appointed	26
Elected	13
Total	39

JUDICIAL PORTION OF THE STATE'S BUDGET

2017-19 BIENNIUM

JULY 1, 2017 - JUNE 30, 2019

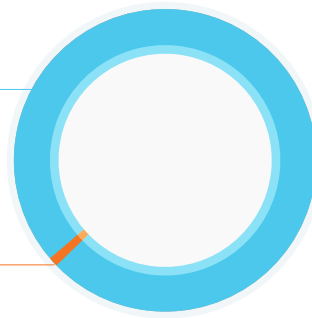
Total State General and Special Funds Appropriation
\$13,553,386,452

Executive and Legislative Branch General and Special Funds Appropriation

\$13,447,806,843 (99.2%)

Judicial Branch General and Special Funds Appropriation

\$105,579,609 (.8%)
\$9,418,191 less than 2015-2017 Biennium



STATE JUDICIAL BRANCH APPROPRIATION BY APPROPRIATED LINE ITEM

2017-19 BIENNIUM

Total Judicial Branch General and Special Funds Appropriation
\$105,579,609

Salaries and Benefits

\$78,511,740 (74.4%)

Operating Expenses

\$23,612,789 (22.4%)

Special Purposes

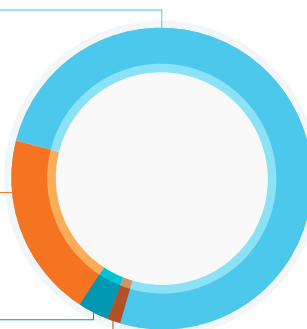
\$ 1,955,080 (1.9%)

DAPL Borrowing Authority

\$ 1,500,000 (1.4%)

Capital Assets

\$ 0.00 (0.0%)



SPECIAL PURPOSES:

GUARDIAN MONITORING	\$316,204
UND LAW SCHOOL EXTERN PLACEMENT GRANT	\$40,000
JUDGE'S RETIREMENT	\$424,054
JCC/DB	\$1,174,822
TOTAL	\$ 1,955,080

STATE JUDICIAL BRANCH APPROPRIATION BY TYPE OF ACTIVITY 2017-19 BIENNIUM

Supreme Court

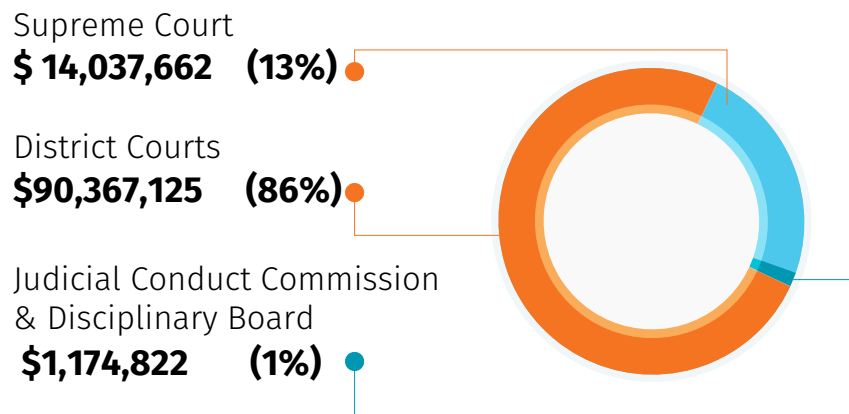
General Fund	\$ 14,037,662
Special Funds	-
TOTAL	\$ 14,037,662 (13%)

District Courts

General Fund	\$87,527,987
Special Funds	\$ 1,500,000
Federal Funds	\$ 1,339,138
TOTAL	\$90,367,125 (86%)

Judicial Conduct Commission & Disciplinary Board

General Fund	\$ 692,121
Special Funds	\$ 482,701
TOTAL	\$ 1,174,822 (1%)



NORTH DAKOTA JUDICIAL SYSTEM

COMMITTEES, COMMISSIONS & BOARDS



OVERVIEW

Within the North Dakota Court System, a system of committees, commissions, boards, and councils has been established to develop new ideas and evaluate proposals for improving public services and to recommend policy and best practices for the judicial system. Citizens, legislators, lawyers, district court judges, municipal court judges, court personnel and members of the Supreme Court serve on these committees.

Committee agendas and minutes are located at www.ndcourts.gov/committees/committees.htm.

NORTH DAKOTA JUDICIAL SYSTEM

COMMITTEES, COMMISSIONS & BOARDS

Administrative Council

The Administrative Council is established by Administrative Rule 22. Duties of the Council are to develop uniform administrative policies and procedures for the trial courts and juvenile courts and make recommendations for their implementation; to review the biennial budget proposals submitted by the trial court administrators for the respective administrative units; to review and approve for submission to the Supreme Court a proposed trial court component of the unified judicial system budget for each biennium; to monitor trial court budget expenditures; and to perform other duties as directed by the Chief Justice.

Judicial Planning Committee

The Judicial Planning Committee is established by Supreme Court rule. The Committee studies the judicial system and makes recommendations concerning long-range and strategic planning and future improvements for the system.

Joint Procedure Committee

The Joint Procedure Committee is the standing committee of the Supreme Court responsible for proposing adoption, amendment, or repeal of rules of civil procedure, criminal procedure, appellate procedure, evidence, and specialized court procedure. The Committee membership of 10 judges and 10 attorneys is appointed by the Supreme Court, except for one liaison member appointed by the State Bar Association.

Informal Complaint Panel

The Informal Complaint Panel is established by Supreme Court rule. It provides an informal forum to address complaints or concerns about judges or other employees of the state judicial system. It is confidential, non-confrontational and educational. It is intended to constructively influence conduct and resolve issues before they rise to a level of a formal grievance or disciplinary proceeding.

Joint Committee on Attorney Standards

The Joint Committee on Attorney Standards, established by Supreme Court rule, is comprised of members appointed by the Chief Justice and the Board of Governors of the State Bar Association. The Committee is responsible for the study and review of all rules and proposals concerning attorney supervision, including admission to the bar, attorney discipline, rules of professional conduct, and law student practice.

Judiciary Standards Committee

The Judiciary Standards Committee, established by Supreme Court rule, studies and reviews all rules relating to the supervision of the judiciary, including judicial discipline, judicial ethics, and the judicial nominating process.

Court Services Administration Committee

The Court Services Administration Committee, established by Supreme Court rule, is responsible for the study and review of all rules and orders relating to the administrative supervision of the judicial system.

Committee on Tribal and State Court Affairs

The Committee on Tribal and State Court Affairs, established following adoption of Administrative Rule 37 by the Supreme Court, is comprised of tribal and state court judges, tribal and state court support services representatives, and public members. It provides a vehicle for expanding awareness about the operation of tribal and state court systems; identifying and discussing issues regarding court practices, procedures, and administration which are of common concern to members of the different court systems; and for cultivating mutual respect for, and cooperation between, tribal and state courts.

Personnel Policy Board

The Personnel Policy Board is established by Supreme Court rule. The Board is comprised of a Supreme Court justice, district court judges, Supreme Court department heads, and employees of the supreme and district courts. The Board is tasked with the responsibility of reviewing and implementing the personnel system and developing a salary administration plan for the judiciary.

Court Technology Committee

The Court Technology Committee is established by Administrative Order and is responsible for the planning and implementation of information technology for the judicial system. The Committee's coordinated efforts are responsible for consistent and efficient management of information technology resources.

Jury Standards Committee

The Jury Standards Committee, established by Supreme Court rule, studies and oversees the operation of North Dakota's jury system. The Committee is responsible for reviewing the Uniform Jury Selection Act, studying and making recommendations concerning juror use and management, and reviewing the operation, management, and administration of the state's jury system.

NORTH DAKOTA JUDICIAL SYSTEM

COMMITTEES, COMMISSIONS & BOARDS

North Dakota Judicial Conference

The North Dakota Judicial Conference is established by statute for the purpose of soliciting, receiving, and evaluating suggestions relating to the improvement of the administration of justice; considering and making recommendations to the Supreme Court for changes in rules, procedures, or any matter pertaining to the judicial system; and establishing methods for reviewing proposed legislation, which may affect the operation of the judicial branch.

Committee on Legislation

The Committee on Legislation, a standing committee of the Judicial Conference, drafts, reviews, and tracks proposed legislation that may affect the North Dakota judicial system. During legislative sessions, the Committee provides weekly reports to the members of the conference on legislation that could affect judicial services.

Advisory Commission on Cameras in the Courtroom

The Advisory Commission on Cameras in the Courtroom is established by Supreme Court rule and governs electronic and photographic coverage of court proceedings. The Commission generally monitors the experience with cameras in the North Dakota Supreme Court, in district courts, and municipal courts.

Pattern Jury Instruction Commission

The Pattern Jury Instruction Commission, established by Supreme Court rule, is composed of six lawyer members appointed by the State Bar Association of North Dakota Board of Governors and six judge members appointed by the chair of the Judicial Conference after consultation with the Executive Committee. In addition to revising and developing instructions corresponding to current law, the Commission is engaged in an extensive review of all pre-1986 civil and criminal instructions. A primary goal is rewriting the instructions using plain English, that is, language that is understandable by jurors without a legal background.

Commission on Judicial Branch Education

The Judicial Branch Education Commission was established by Supreme Court rule in 1993. The responsibilities of the Commission are to establish policies that effect the implementation of the mandatory education provision of the rule; develop judicial education programs for judges and court personnel; develop and recommend to the North Dakota Supreme Court a biennial budget for judicial education activities; and provide resource materials for judges and court support personnel.

Juvenile Policy Board

The Juvenile Policy Board is established by Supreme Court rule to define the mission of juvenile court services consistent with N.D.C.C. 27-20-01 to provide the administrative mechanism and authority to ensure the implementation of the policies; and to ensure the full involvement of the judges and personnel of the North Dakota judicial system in the development of juvenile court policies and procedures.

Parenting Investigator Review Board

The Parenting Investigator Review Board is established by Supreme Court rule. It addresses complaints about parenting investigators. It has nine members: three judges and one lawyer appointed by the Chief Justice, two lawyers appointed by the State Bar Association, and three parenting investigators appointed by the Chief Justice and the president of the State Bar Association acting together.

Caseflow Management Committee

Establish by Policy 510, the Caseflow Management Committee is developed under the auspices of the Administrative Council to provide recommendations to the Council on case management activities governing all trial courts statewide. The purpose of the Committee is to establish and monitor caseflow management practices in each judicial district of the state.

NORTH DAKOTA JUDICIAL SYSTEM

JUDICIAL CONDUCT COMMISSION

The Judicial Conduct Commission was established in 1975 to receive, evaluate, and investigate complaints against any judge in the state and, when necessary, conduct hearings concerning the discipline, removal or retirement of any judge.

The Commission consists of four non-lawyers, two judges, and one lawyer. The non-lawyers are appointed by the Governor; the judges are appointed by the North Dakota Judges Association; and the lawyer member is appointed by the State Bar Association.

(http://www.ndcourts.gov/court/committees/Jud_Cond/Commission.asp)

Of the new complaints filed in 2017:

- 32 were against 23 District Court Judges
- 1 was against 1 Surrogate Judge
- 10 were against 5 Supreme Court Justices
- 4 were against 3 Judicial Referees

New Complaints Opened in 2017	47
General Nature of Complaints:	
Bias, discrimination/partiality	13
Improper Decision/Ruling	25
Failure to Disqualify	1
Abuse of Authority	1
Failed to Follow Procedure	2
Administrative Irregularity	2
No Specific Allegation	7
Complaint Files Carried Over from 2016	4
Total Files Pending Consideration in 2017	51
Disposition of Complaints:	
Summary Dismissal	42
Dismissal	4
Admonition	1
	47
Total 2017 Dispositions	
Complaint Files Pending as of 12/31/2017	4

NORTH DAKOTA JUDICIAL SYSTEM

STATE BOARD OF LAW EXAMINERS

The State Board of Law Examiners assists the Supreme Court of North Dakota in its constitutional responsibility to regulate the admission to the practice of law.

In 2017, Board members were Lawrence King of Zuger Kirmis and Smith in Bismarck; Jane Dynes of the Serkland Law Firm in Fargo; and Bradley Beehler of the Morley Law Firm in Grand Forks. King served as President of the Board. The Director of Admissions, Laurie Guenther, assists the Board in its statutory responsibilities.

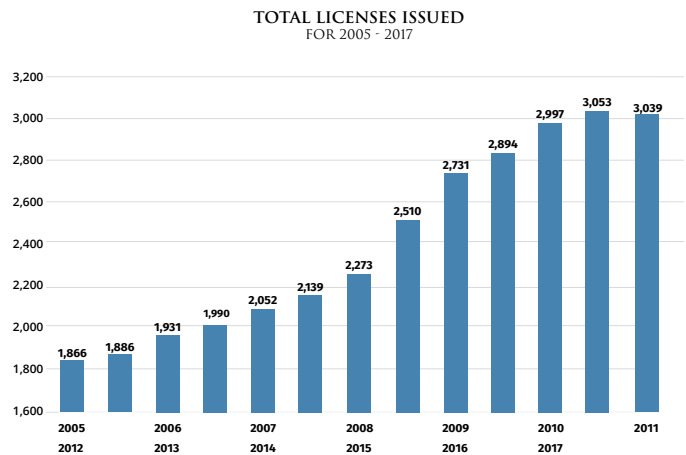
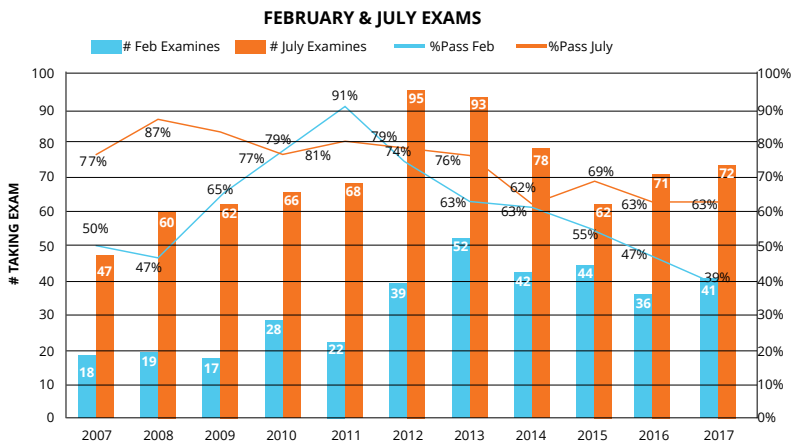
Information from 2017 is below.

- 3,039 licenses were issued, which is slightly less than last year. The eleven year average for licenses issued is 2,510.
- 359 nonresident attorneys appeared pro hac vice in North Dakota courts under Rule 3, Admission to Practice Rules, which is a record high. The fees received under this rule are distributed in the same manner as license fees: \$75 for the lawyer disciplinary system sent to the State Bar Association, with the remainder split 80% to the State Bar Association and 20% to the State Board of Law Examiners.

- 132 new attorneys were admitted to the Bar, an 18% decrease from 2016, and a 39% decrease from 2015. A probable cause for the decrease in admissions is the slow down in oil and gas activity and the state's budget.
- 84 motions for admission based on practice or test score were filed, another decrease.
 - 43 motions for admission based on practice were filed.
 - 41 motions for admission on test score were filed with 78% based on the transfer of a Uniform Bar Examination score received in another jurisdiction.
- 10 temporary licenses were approved, while applicants licensed in another jurisdiction awaited the review and approval of their North Dakota applications.

The 2017 Character and Fitness Committee members were Sherry Mills Moore, Bismarck attorney; Dr. Robert Olson, Fargo psychiatrist; Paul Richard, Fargo attorney; Daniel Ulmer, Bismarck; and Michael Williams, Fargo attorney.

The following shows the trends for the bar exam and licensing trends

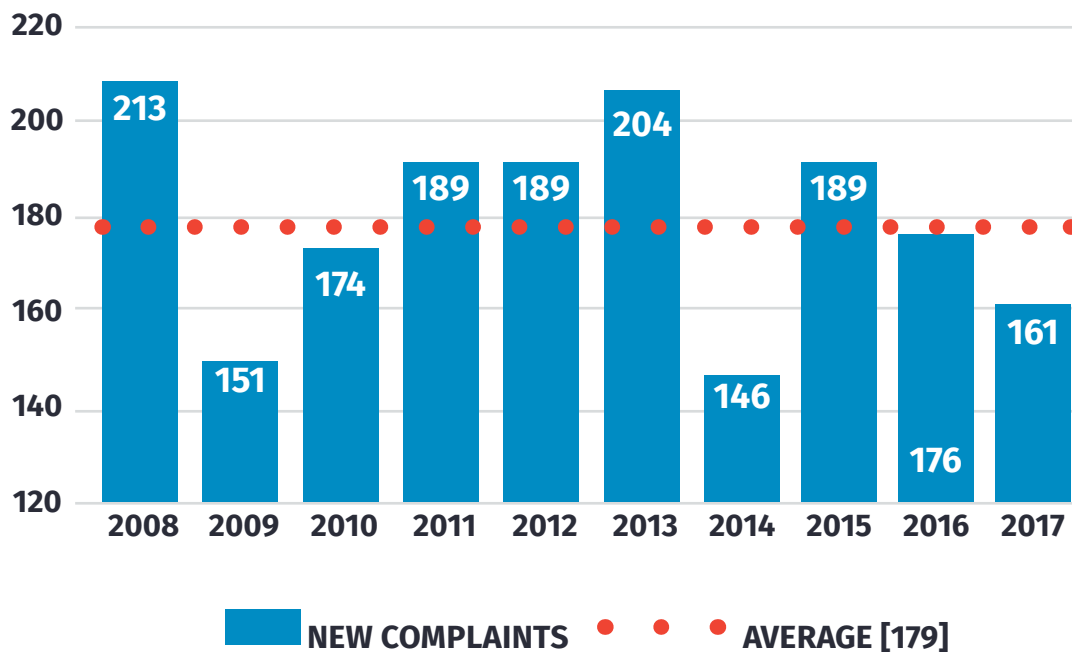


NORTH DAKOTA JUDICIAL SYSTEM DISCIPLINARY BOARD

The lawyer disciplinary process, with the Disciplinary Board at the center, provides a procedure for investigating, evaluating and acting upon complaints alleging unethical conduct by lawyers licensed in North Dakota. The Rules of Professional Conduct are the primary guide for lawyer conduct, and the North Dakota Rules for Lawyer Discipline provide the procedural framework for the handling and disposition of complaints.

A summary of the workload under consideration in the lawyer discipline system in 2017, and a comparison of new complaints filed since 2008, appear on this page.

161 new complaints were filed in 2017, which is an 8.5% decrease from 2016 and a 14.8% decrease from 2015. A comparison of new complaints filed in the years 2008-2017 is below.



Like the 2016 statistics, the 2017 statistics show the effects of multiple complaints against two attorneys. The Supreme Court considered 63 files, with 60 resulting in disbarment. However, only four attorneys were disbarred. Two files were considered twice by the Supreme Court due to remand. Six formal complaints were pending at the end of 2017. Other

complaints pending were consistent with 2016.

The clearance rate for informal and formal discipline cases was 83.9% having considered 268 cases in 2017 and disposed of 225 cases.

Amendments to the disciplinary rules became effective

March 1, 2017. The amendments include procedural changes to summary dismissal and dismissal of informal complaints. It is anticipated that these changes will decrease the time to disposition for those decisions.

Information about how a complaint is processed can be found at:

http://www.ndcourts.gov/court/committees/disc_brd/Information.htm

FILES PENDING AT END OF YEAR FOR 2008 - 2017

