



2018 ANNUAL
REPORT

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.”



ANNUAL REPORT CALENDAR YEAR 2018

CHIEF'S MESSAGE

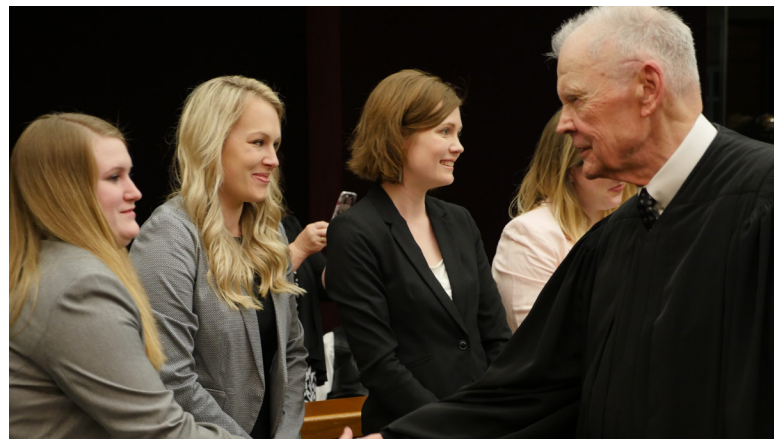
Dedicated employees key to effective courts

This past year I celebrated 40 years on the North Dakota Supreme Court. Much has changed in our court system during that time, but one consistent has been our commitment to serve the people of the State of North Dakota to the best of our ability. Meeting the needs of our citizens takes resources and our greatest resource is our employees.

Salaries and benefits for our people constitute about 75 percent of the Judicial Branch budget. Budget cuts over the past two years have had a severe impact on our staff. After the 2017 Legislative Session, 55.5 positions were eliminated. No part of the court system was spared with cuts coming from the supreme court, the district courts, and court administration. Those cuts have come with a price as there was not a corresponding reduction in cases or people in need of judicial services. Our people have been asked to do more, without any increase in compensation. I am proud of the job they have done, but also realize that we cannot continue to operate in this manner.

We have always run a lean operation, but now many of our programs are literally managed by a single employee. Examples of this include our Legal Self-Help Center, Family Mediation Program, and Guardianship Monitoring. In other areas we are operating as much as 40 percent below staffing standards. Across the state we are short judicial officers, court clerks, juvenile officers, and law clerks.

Despite the shortages, the court system and its employees have not stopped striving to improve its ability to serve the people. We began several projects in 2018 that will improve our delivery of services and in some cases save state dollars as well. Some of those initiatives include transforming our formal law library into an electronic service center, relocating our IT department back to the Capitol, reinstating our Court Improvement Program to help children in the foster care system, and rewriting laws related to guardianship of minors. Our staff and judges have served on the Governor's Committee on Justice Reinvestment and collaborated with other agencies on the Dual Status Youth Project which address children involved in both the child welfare and court systems. Our Domestic Violence Court in Grand Forks has continued to



grow and the Court recently adopted an administrative rule to establish an interdisciplinary committee whose focus will be on evaluating the need for specialized dockets. In addition, we have staff and judges serving on committees and boards for the American Bar Association, the National Center for State Courts, the National Judicial Opioid Task Force, the Conference of State Court Administrators, the Uniform Law Commission, the National Consortium on Racial and Ethnic Fairness in the Courts, and the National Association of State Judicial Educators. Finally, we have spent much of the last year revising the court's website to better meet the needs of our court users and plan to launch it in early 2019 along with a new court logo.

Throughout this report, you will see the faces behind the data and learn more about the programs and projects driving the work within the judicial branch. The report will provide the statistical overview of the caseload and budget of our courts and a 2018 Year in Review. I acknowledge and thank our employees for the work they do to carry out our mission of providing the people "equal access to fair and timely resolution of disputes" and to ensure them that their efforts to provide quality service under less than ideal circumstances have not gone unnoticed.

I offer you the 2018 Annual Report for the North Dakota Courts.

Chief Justice Gerald VandeWalle

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2018 YEAR IN REVIEW

**JAN
4**

Notification emails from the court’s Attorney Subscription Management System were upgraded to include a link that allows quick access to a webpage listing all recent events in an attorney’s cases.

**JAN
29**

Judge Bruce Haskell announced he will not seek re-election in the South Central Judicial District. He was first elected district judge in 1994.

**FEB
21**



Retired Supreme Court Justice Mary Muehlen Maring was named one of the recipients of the University of North Dakota’s 2018 Sioux Award for distinguished alumni.

**FEB
23**

Seventy-five first-year constitutional law students from the University of North Dakota School of Law met with Northeast Central Judicial District Judges Don Hager and Jay Knudson to discuss constitutional issues that are currently arising in district court.



2018 YEAR IN REVIEW

**MARCH
9**

Judge Ralph Erickson, former North Dakota District Court judge, was sworn into the U.S. 8th Circuit Court of Appeals.

**MARCH
23**

Sixth graders from South Middle School in Grand Forks visited the Grand Forks County Courthouse to learn more about the various jobs within the court system and to ask questions as they prepare to conduct a mock trial.



**MARCH
23**

Lee Ann Barnhardt, North Dakota court system director of education, was appointed to the National Judicial Opioid Task Force. The Conference of Chief Justices and Conference of State Court Administrators established the task force to make recommendations that address the opioid epidemic.

**APRIL
25**

North Dakota Supreme Court Justices Jon Jensen and Lisa Fair McEvers spoke to students at Trinity and Dickinson High Schools about their experiences in the judicial system and the jury selection process.

2018 YEAR IN REVIEW

**APRIL
26**

Chief Justice Gerald VandeWalle took part in a Law Day panel hosted by the Big Muddy Bar Association. Members of the panel represented a branch of North Dakota’s government. The theme for Law Day was “Separation of Powers:



**MAY
16**

North Dakota’s East Central Judicial District celebrated the 15th anniversary of its drug court. Drug court is a court–managed, drug intervention treatment program that’s an alternative to jail or prison time. Participants go through court sessions, support meetings, mandatory treatment, and probation appointments.

**MAY
22**

The North Dakota Court System’s Northeast Judicial District Juvenile Court in Devils Lake contracted with The Village Family Service Center to develop a Youth Cultural Liaison Program in the Lake Region. The program focuses on reducing the over-representation of minority youth in the juvenile justice system.

**JUNE
8**

Participants in the North Dakota Indian Youth Leadership Academy sponsored by United Tribes Technical College in Bismarck attended oral arguments with the Supreme Court. After the arguments the Court’s justices met with the students, answering their questions about the case and explaining how the state’s judicial system works.



2018 YEAR IN REVIEW

**JUNE
14**

Retired Justice Dale Sandstrom was presented the Gerald W. VandeWalle Medal. The new State Bar Association of North Dakota award recognizes service in the administration of justice. Justice Jerod Tufte nominated Justice Sandstrom for the honor based on his work developing the North Dakota Supreme Court website.

**JUNE
15**

Clerk and administrative staff cut the ribbon on improvements to the Grand Forks County Clerk of District Court office. The renovations were funded in part by a \$60,821.97 Court Facilities Improvement Grant.



**JULY
17**

Chief Justice Gerald VandeWalle and law professor James Grijalva were selected to serve as co-chairs of the search committee to fill the permanent deanship at the University of North Dakota School of Law.

**JULY
25**

State Court Administrator Sally Holewa was presented with the Institute for Court Management Fellow Star Award at the National Association for Court Management conference. The Star Award is conferred annually on an ICM Fellow who demonstrates excellence in the advancement of court administration through leadership and education.



2018 YEAR IN REVIEW

**AUGUST
15**

The state's first Domestic Violence Court began operating in Grand Forks. Northeast Central Judicial District Judge Jason McCarthy presented an overview of the concept and an orientation to the operation of the court, after which the court's first session commenced.

**AUGUST
15**

Chief Justice Gerald VandeWalle celebrated 40 years of service on the North Dakota Supreme Court. He has served longer than any other North Dakota Supreme Court justice.



**AUGUST
23**

The North Central Judicial District Adult Drug Court celebrated 10 years of empowering participants to break the cycle of substance use and crime in their lives. Participants are securing housing and stable jobs, paying taxes and contributing to their community in a positive way.

2018 YEAR IN REVIEW

**SEPTEMBER
12**

North Dakota Court Administrator Sally Holewa was named president of the Conference of State Court Administrators and vice-chair of the National Center for State Court's Board of Directors.

**SEPTEMBER
13**

A North Dakota legislative committee voted to reinstate the tribal and judicial addresses that are traditionally held at the beginning of the legislative session, two years after lawmakers ditched the speeches amid the Dakota Access Pipeline protests.

**SEPTEMBER
20**

The Supreme Court adopted a Supreme Court Administrative Rule establishing an interdisciplinary committee to serve as a collaborative mechanism to acquire and analyze relevant information related to the need for and feasibility of establishing specialized dockets.

**OCTOBER
18**

History, government, and social studies teachers from across the state gathered in Bismarck to participate in the seventh North Dakota Justices Teaching Institute: "The Constitution and Judicial Decision-Making." The institute was taught by the five Supreme Court justices.



**OCTOBER
23**

The Supreme Court traveled to Devils Lake High School. The justices toured the school and talked with students. They then heard arguments in the case of *State v. Bornsen*.

2018 YEAR IN REVIEW

**NOVEMBER
16**

Supreme Court Justice Daniel Crothers made two presentations to the Georgetown Law Advanced eDiscovery Institute in Washington D.C. He spoke to an audience of more than 250 United States and international lawyers and judges on Internet investigations and discovery, and was on a panel of state and federal judges discussing 'Hot Topics in eDiscovery.

**NOVEMBER
30**

In its budget request submitted to the state Office of Management and Budget the judiciary asked for a 2.9 percent increase from 2017-19 in general fund revenue, or more than \$2.9 million.

**DECEMBER
7**

The Supreme Court amended the rules on judicial branch education to require continuing education credits in diversity, access, and inclusion for judges and juvenile court officers. The rule change goes into effect during the next full education reporting period.

**DECEMBER
8**

The 5th annual Santa Run was held at the North Dakota Heritage Center. The event is designed to raise awareness of addiction issues in the community and to raise money for entities assisting individuals in recovery. It is organized by District Court Judge David Reich.



**DECEMBER
14**

As part of its 2019-21 budget request, the judicial branch asked for \$960,000 in one-time costs for remodeling the library space to expand offices for the state Supreme Court's central legal staff and relocate the court's information technology staff from a rental space in downtown Bismarck.

2018 SNAPSHOTS

2,842

Average of Cases filed Per District Court Judicial Position



26

Graduates of Juvenile Drug Court



274

Supreme Court Authored Opinions

LEGAL SELF-HELP CENTER 2018



1,332

 phone calls answered

contacts with litigants

1,778



436

Appellate Cases Filed

Total Trial Court Case Filings

151,182



670

Mediation Program Cases Accepted



32

Guardianship Cases Referred for Review



123

Number of new lawyers admitted to the ND Bar



2

District Court Judges Appointed to the Bench

355.5

Total authorized Judicial Branch FTEs

22

Judicial Complaints Opened

149

Total attorney complaints filed

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



10-YEAR TERMS



DISTRICT COURT
EIGHT JUDICIAL DISTRICTS/
51 JUDGES

6-YEAR TERMS



MUNICIPAL COURT
73 JUDGES

4-YEAR TERMS

THE NORTH DAKOTA SUPREME COURT OVERVIEW



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 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 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.

THE NORTH DAKOTA SUPREME COURT JUSTICES

The five Justices of the North Dakota Supreme Court meet nearly every week to hear oral argument and discuss cases and administrative matters. In addition, each Justice spends significant time reading briefs and writing opinions. The Justices are assisted by a judicial secretary, law clerk, and five attorneys in the Central Legal Department.



Chief Justice Gerald Vandewalle

Born

Noonan, ND

Education

University of North Dakota School of Business, BS, 1955;

University of North Dakota School of Law, 1958

Prior Experience

Special Assistant Attorney General,

First Assistant Attorney General

Appointed

1978 by Governor Arthur Link; elected Chief Justice 1993;

re-elected chief five consecutive terms

THE NORTH DAKOTA SUPREME COURT JUSTICES



Justice Daniel J. Crothers

Born
Fargo, ND

Education
University of North Dakota, 1979; University of North Dakota
School of Law, 1982

Prior Experience
Law clerk New Mexico Court of Appeals;
Assistant State’s Attorney in Walsh County; private practice

Appointed
2005 by Governor John Hoeven



Justice Lisa Fair McEvers

Born
Grafton, ND

Education
University of North Dakota, BBA in Information Management,
1993;
University of North Dakota School of Law, 1997

Prior Experience
Law clerk for North Dakota Supreme Court; private practice; Cass
County Assistant State’s Attorney; North Dakota Commissioner of
Labor; District Court Judge

Appointed
2014 by Governor Jack Dalrymple

THE NORTH DAKOTA SUPREME COURT JUSTICES



Justice Jerod E. Tufte

Born
Minot, ND

Education

Case Western Reserve University, BS in Computer Engineering, 1997;
Arizona State University College of Law, 2002

Prior Experience

Law clerk United States Court of Appeals; private practice; Kidder County and Sheridan County State’s Attorney; governor’s legal counsel; JAG officer Army National Guard; District Court Judge

Elected
2016, 10-year term



Justice Jon J. Jensen

Born
Grand Forks, ND

Education

Minnesota State University in Mankato, BS in Accounting, 1987;
University of North Dakota School of Law, 1990

Prior Experience

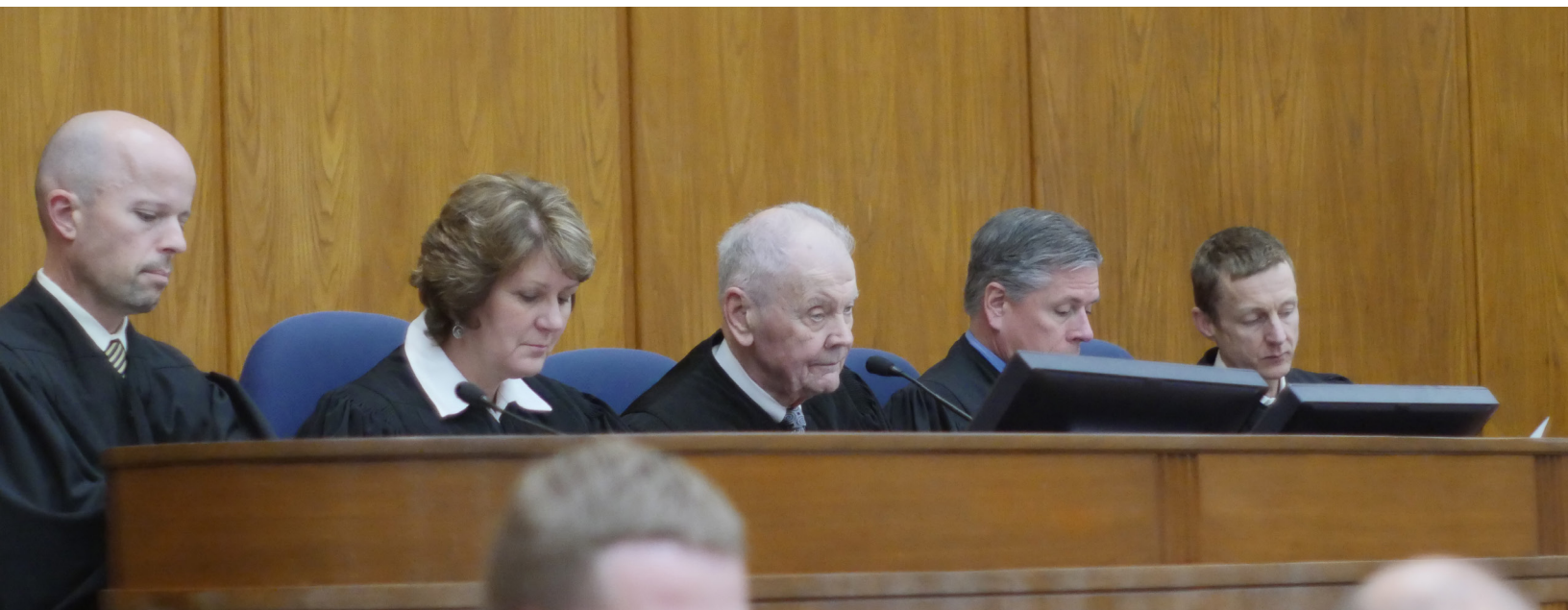
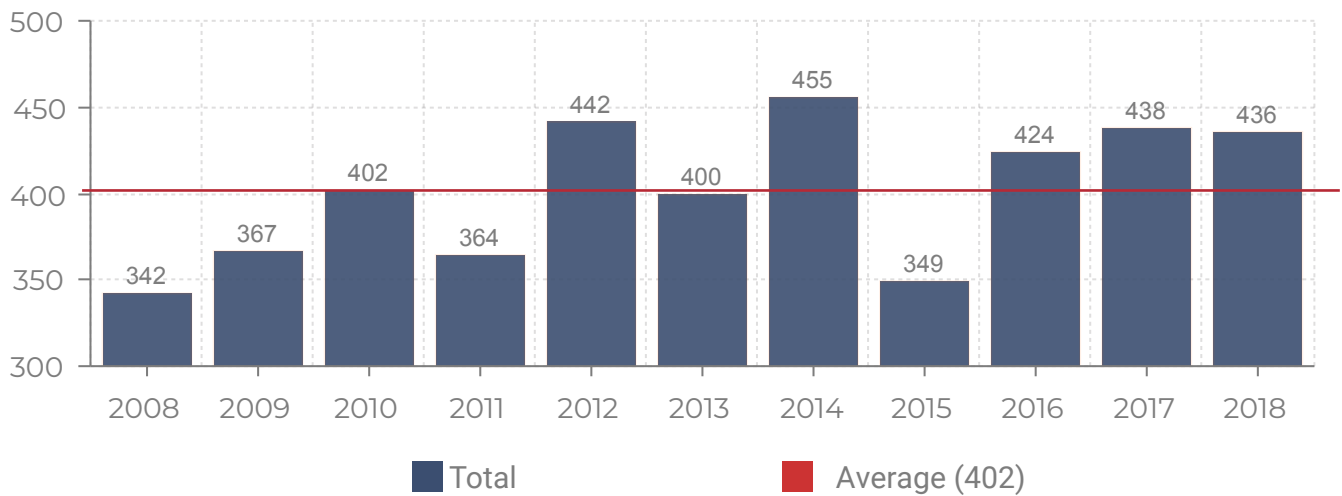
Law clerk North Dakota Supreme Court, private practice, District Court Judge

Appointed
2017 by Governor Doug Burgum

NORTH DAKOTA SUPREME COURT

2018 CASELOAD HIGHLIGHTS

The 2018 new case filings were consistent with 2017. The number of cases on appeal and average since 2008 are reflected below, with 436 cases in 2018.



NORTH DAKOTA SUPREME COURT

Civil Filings – Civil filings decreased 4.0% in 2018.

The overall number of family-related matters has decreased from 2016 to 2018 to 13.2% of the overall caseload. Those matters accounted for 27.1% of the civil caseload.

Juvenile appeals, including delinquent or unruly, deprivation, and termination of parental rights cases, increased 48.6% from 2017 to 2018.

Appeals in post-conviction relief matters, which are by statute civil, and the civil commitment of sexually dangerous individuals accounted for 14.3% of the civil caseload in 2018.

Criminal Filings – Criminal appeals increased 11.5% in 2018 as compared to 2017.

Appeals involving drug, theft, sexual, and driving under the influence offenses accounted for 54% of the criminal caseload in 2018, consistent with 2017.

Appeals involving assault, homicide, and felonies decreased 20.8 % from 2017.

The Court considered 14 new appeals related to the Dakota Access Pipeline.

The number of criminal DUI matters remained steady in 2017 and 2018 at an increase of approximately 40% from 2016.

Administrative Filings

The Court considered whether to fill, abolish or transfer three district judge vacancies. There were also twelve 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

Oral arguments were scheduled in 278 cases, with approximately 25.9% 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 2018, the Justices authored 274 majority opinions, with another 77 separate concurrences and/or dissents written.

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

In 21.6% of the cases filed in 2018, at least one party was self-represented.

The Supreme Court continued the Taking the Court to Schools program with visits to Devils Lake and Hillsboro High Schools and the University of North Dakota School of Law.

Amendments to the Rules of Appellate Procedure become effective March 1, 2019. Among other amendments, the \$25 e-filing surcharge is eliminated. E-filing and e-service are required for all documents, except by self-represented and inmate parties. Documents must be filed in PDF converted from the original word processing document and must be text searchable. Brief limits are now a page limit rather than a word limit. If oral argument is requested, a filer must include a short statement explaining why oral argument would be helpful to the court and the cover of a brief must state "ORAL ARGUMENT REQUESTED."



NORTH DAKOTA SUPREME COURT

CASELOAD SYNOPSIS OF THE SUPREME COURT
FOR THE 2018 AND 2017 CALENDAR YEARS

	2018	2017	Percent Difference
New Filings	439	433	1.39
Civil	300	288	4.17
Criminal	139	155	-10.32
Dispositions	461	452	1.99
Civil	317	310	2.26
Criminal	144	142	1.41
Transferred to Court of Appeals	0	0	0
Civil	0	0	0
Criminal	0	0	0

NORTH DAKOTA SUPREME COURT CASE DISPOSITIONS – 2018

	Civil	Criminal
BY OPINION:		
Affirmed; Affirmed & Modified	88	38
Affirmed in Part & Reversed in Part or Remanded in Part	26	9
Affirmed by Summary Disposition	61	21
Remanded	1	0
Reversed	8	3
Reversed & Remanded; Reversed & Modified	20	12
Reversed by Summary Disposition	2	1
Dismissed	8	3
Order/Judgment Vacated, Remanded	2	2
Certified Question Answered	0	0
Original Jurisdiction – Granted	3	0
Original Jurisdiction – Denied	1	0
Original Jurisdiction – Granted in Part, Denied in Part	1	0
Discipline Imposed	37	N/A
Dispositions by Opinion	258	89
BY ORDER:		
Dismissed	45	51
Original Jurisdiction--Denied	7	3
Original Jurisdiction—Granted	4	0
Original Jurisdiction – Granted in Part, Denied in Part	0	1
NOA Voided - No Filing Fee	3	0
Dispositions by Order	59	55
Total Dispositions for 2018	317	144

THE 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 and five judicial referees.

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.



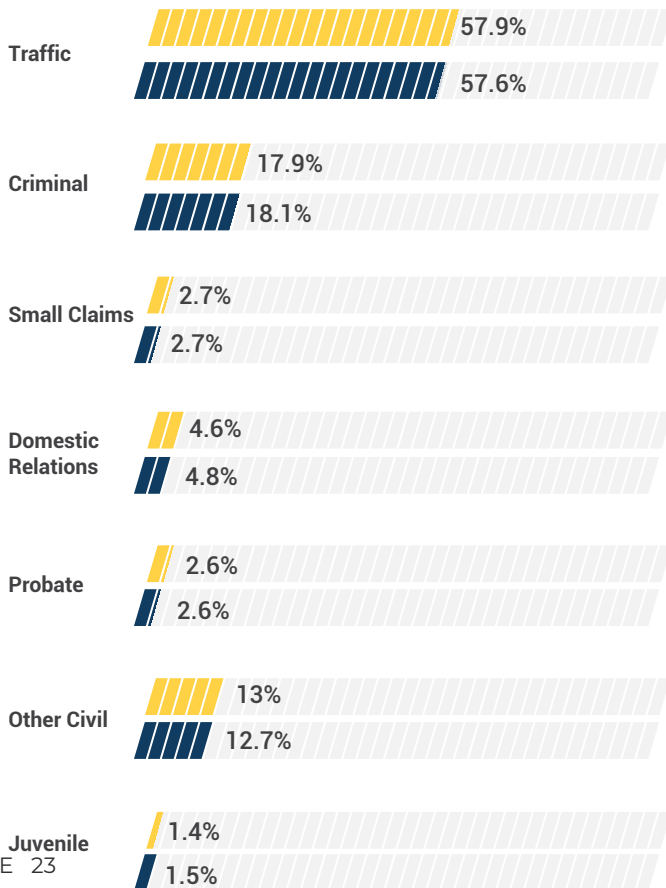
NORTH DAKOTA DISTRICT COURTS

TOTAL DISTRICT COURT CASELOAD FOR THE 2018 AND 2017 CALENDAR YEARS

CASE FILINGS/ DISPOSITIONS	2018			2017			2018/2017	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	32,077	7,525	39,962	32,319	8,945	43,071	-0.75%	-7.22%
Small Claims	4,245	89	4,435	4,398	100	4,403	-3.48%	0.73%
Criminal	28,494	15,356	47,824	29,104	13,441	46,677	-2.10%	2.46%
Traffic	92,105	316	94,829	92,469	353	94,129	-0.39%	0.74%
Juvenile	2,261	2,049	3,680	2,375	1,935	3,663	-4.80%	0.46%
Total	159,182	25,335	190,730	160,665	24,774	191,943	-0.92%	-0.63%

TYPES OF CASES FILED IN DISTRICT COURT 2018 AND 2017

2018 2017



JURY TRIALS FOR JUDICIAL DISTRICT FOR 2018

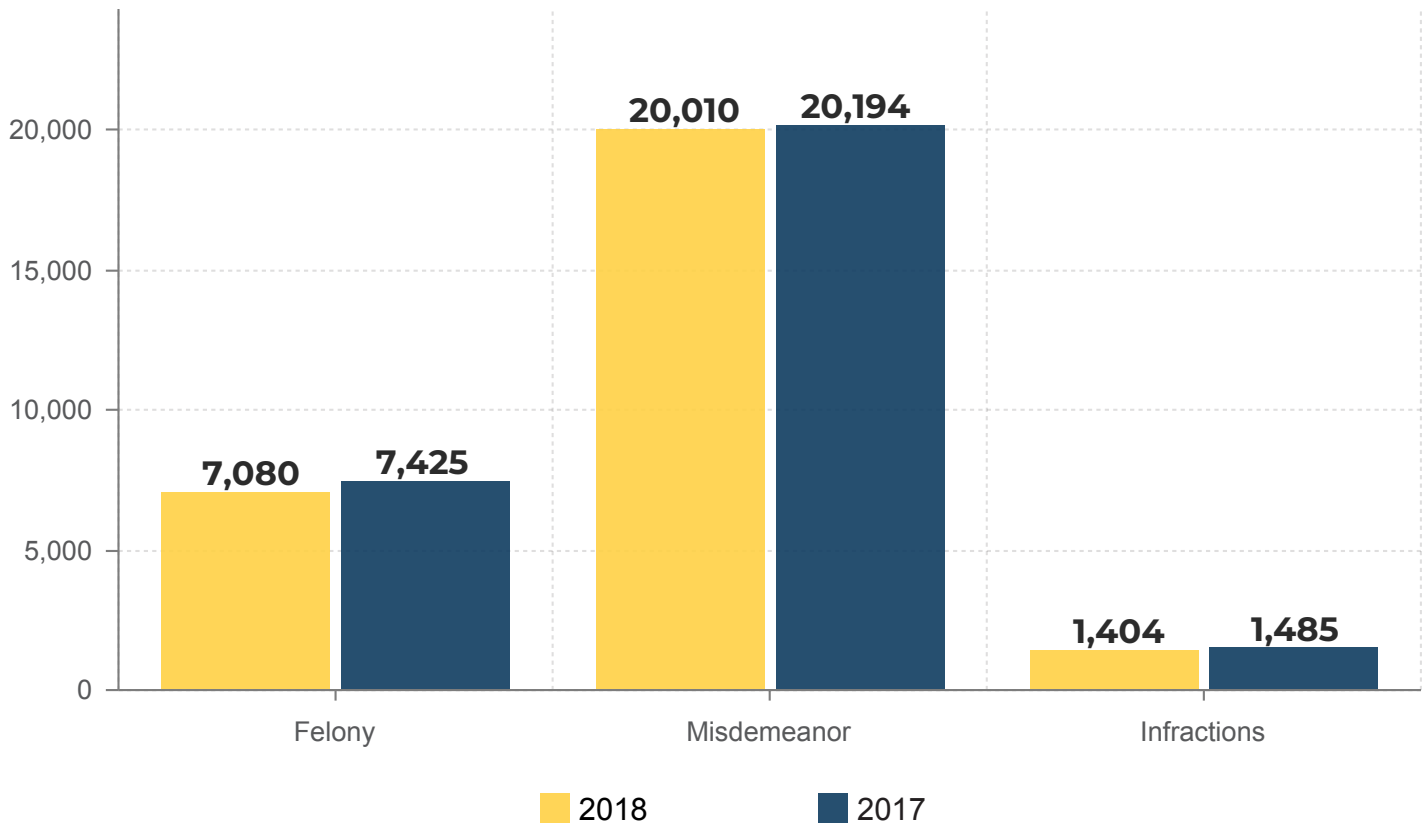
District	2018	2017
Northeast	15	13
Northeast Central	23	30
East Central	43	28
Southeast	43	31
South Central	56	76
Southwest	15	21
Northwest	34	63
North Central	39	37
Total	268	299

*Based on jury trials paid.

NORTH DAKOTA DISTRICT COURTS

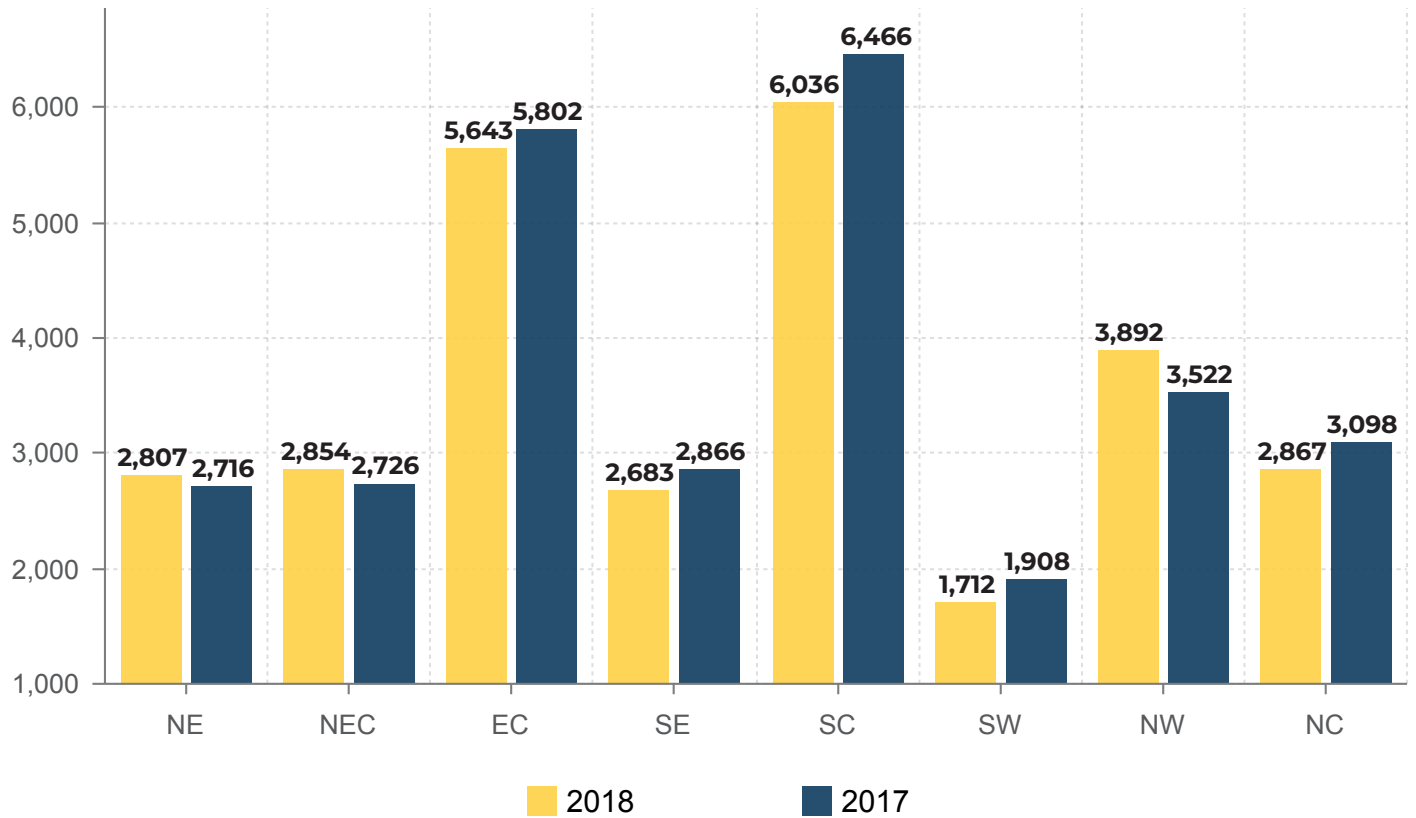
CRIMINAL CASELOAD

Total criminal filings decreased by 2.1% from 2017 to 2018 with 28,494 cases filed compared to 29,104. Felony filings decreased by 4.6%; misdemeanors decreased by 0.9%; and infractions decreased by 5.5%. Misdemeanors made up 70% of total criminal filings; felonies 25%; and infractions 5%.



ND CRIMINAL CASELOAD BY DISTRICT COURT

FOR THE 2018 AND 2017 CALENDAR YEARS



NORTH DAKOTA DISTRICT COURTS

CIVIL CASELOAD

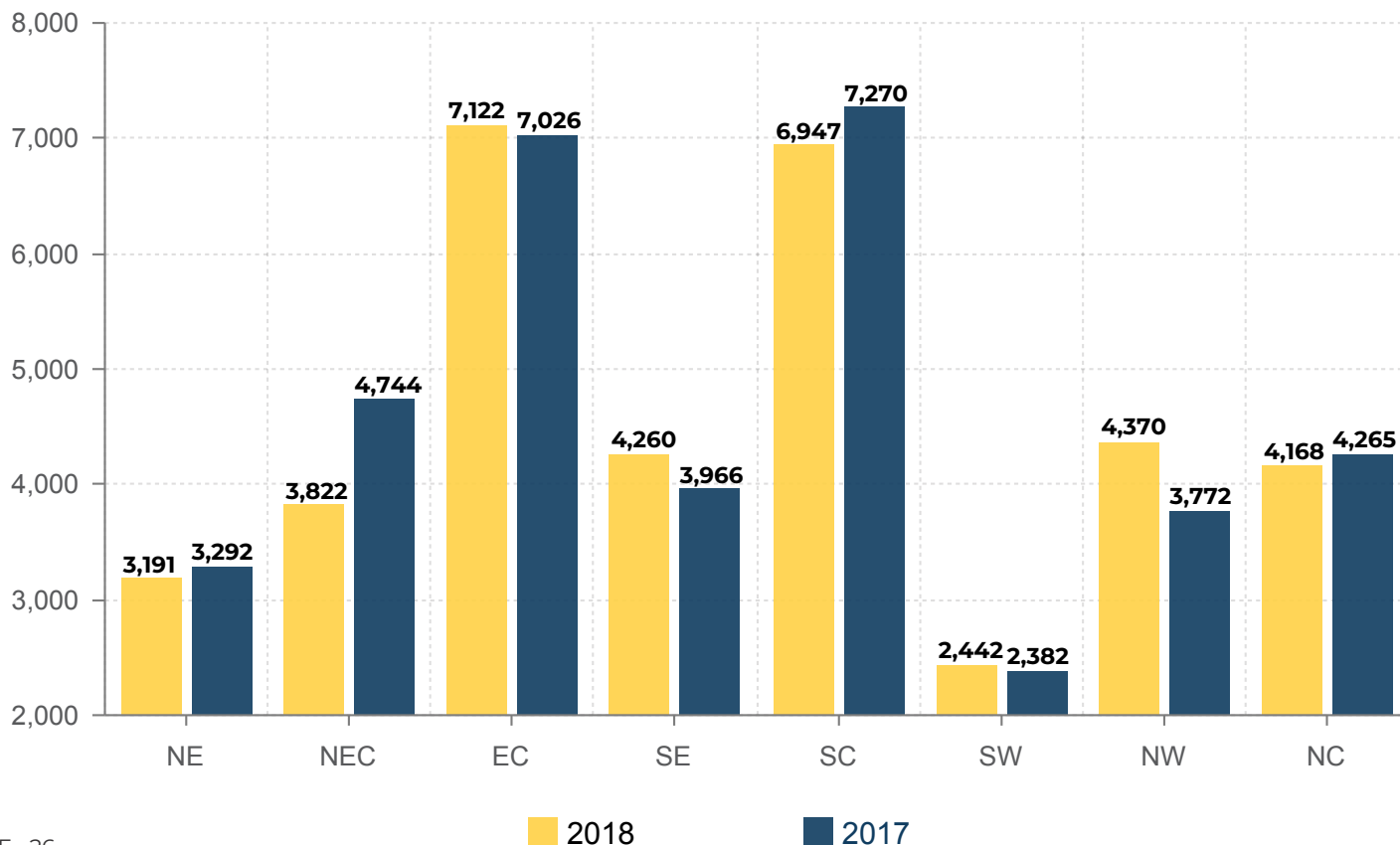
Civil filings decreased by 1.1% in 2018 compared to 2017 with total case filings of 36,322. There were 4,245 small claims cases in 2018, which is a decrease of 153 or 3.5%. Domestic relations cases decreased by 449 or 5.8%, Probate/guardianship cases decreased by 16 or 0.4%, and other civil cases increased by 223 or 1.1% In 2018.

Contract/collection (65%), forcible detainer (12%) and civil commitment (8.0%) cases account for the majority of the 20,758 other civil case types. Contract/collection decreased by 141 cases or 1.0%, forcible detainer increased by 387 cases or 18.4% and civil commitment decreased by 18 cases or 1.1% as compared to 2017.

There were 7,298 domestic relations case filings in 2018, consisting of the following: divorce (33%); support proceedings (22%); protection/retraining orders (31%); paternity (4%); adoption (5%); parenting responsibility (5%) and termination of parental rights (less than 1%).

Total divorce filings in 2018 were 2,422 compared to 2,341 in 2017. Support proceedings decreased by 25% with 1,593 cases filed, and protections/restraining order filings increased by 3.0% with 2,252 cases filed.

ND CIVIL CASELOAD FOR DISTRICT COURTS FOR THE 2018 AND 2017 CALENDAR YEARS

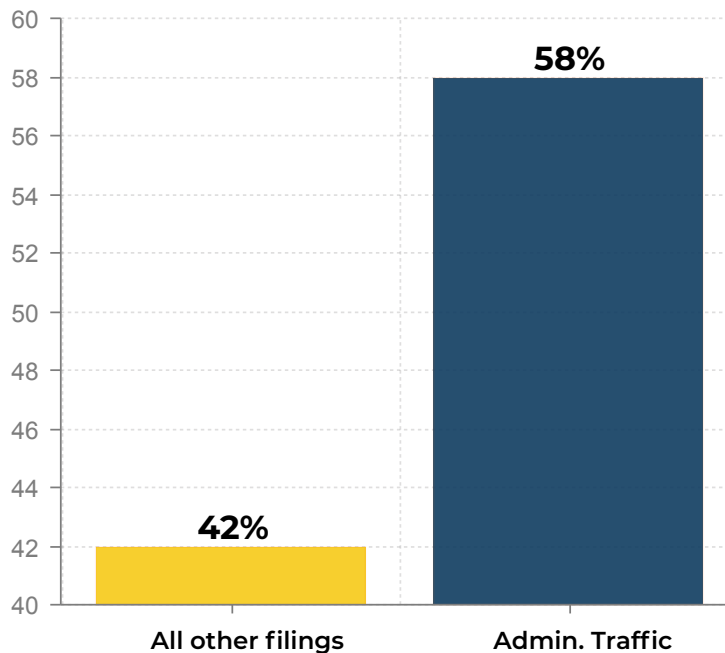


NORTH DAKOTA DISTRICT COURTS

2017 ADMINISTRATIVE TRAFFIC CASES

Administrative traffic filings decreased by 364 (0.4%) from 2017. 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 ADMINISTRATIVE TRAFFIC - 2018



Case Filings	2018	2017
Admin. Traffic	92,105	92,469
Case Re-opens		
Admin. Traffic	316	353
Case Dispositions		
Admin. Traffic	94,829	94,129

NORTH DAKOTA DISTRICT COURTS

DISTRICT COURT JUDGES SERVING IN 2018 & CHAMBERED CITIES









Norm Anderson- Fargo (Retired January 2018)
 Sonna M. Anderson – Bismarck (Retired June 2018)
 Susan L. Bailey – Fargo
 Anthony Swain Benson – Bottineau
 Mark Blumer – Valley City
 Cherie L. Clark - Jamestown
 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
 James D. Gion - Dickinson
 Dann Greenwood - Dickinson
 John Grinsteiner - Mandan
 Richard L. Hagar – Minot
 Donald Hager – Grand Forks
 Gail Hagerty - Bismarck
 Bruce B. Haskell - Bismarck (Retired January 2019)
 William Herauf - Dickinson
 Douglas R. Herman – Fargo (Retired January 2019)
 James Hill - Mandan
 James D. Hovey – New Rockford
 Michael Hurly - Rugby
 John C. Irby – Fargo
 Jay Knudson – Grand Forks
 Paul Jacobson - Williston
 Benjamin J. Johnson - Williston
 Gary H. Lee – Minot

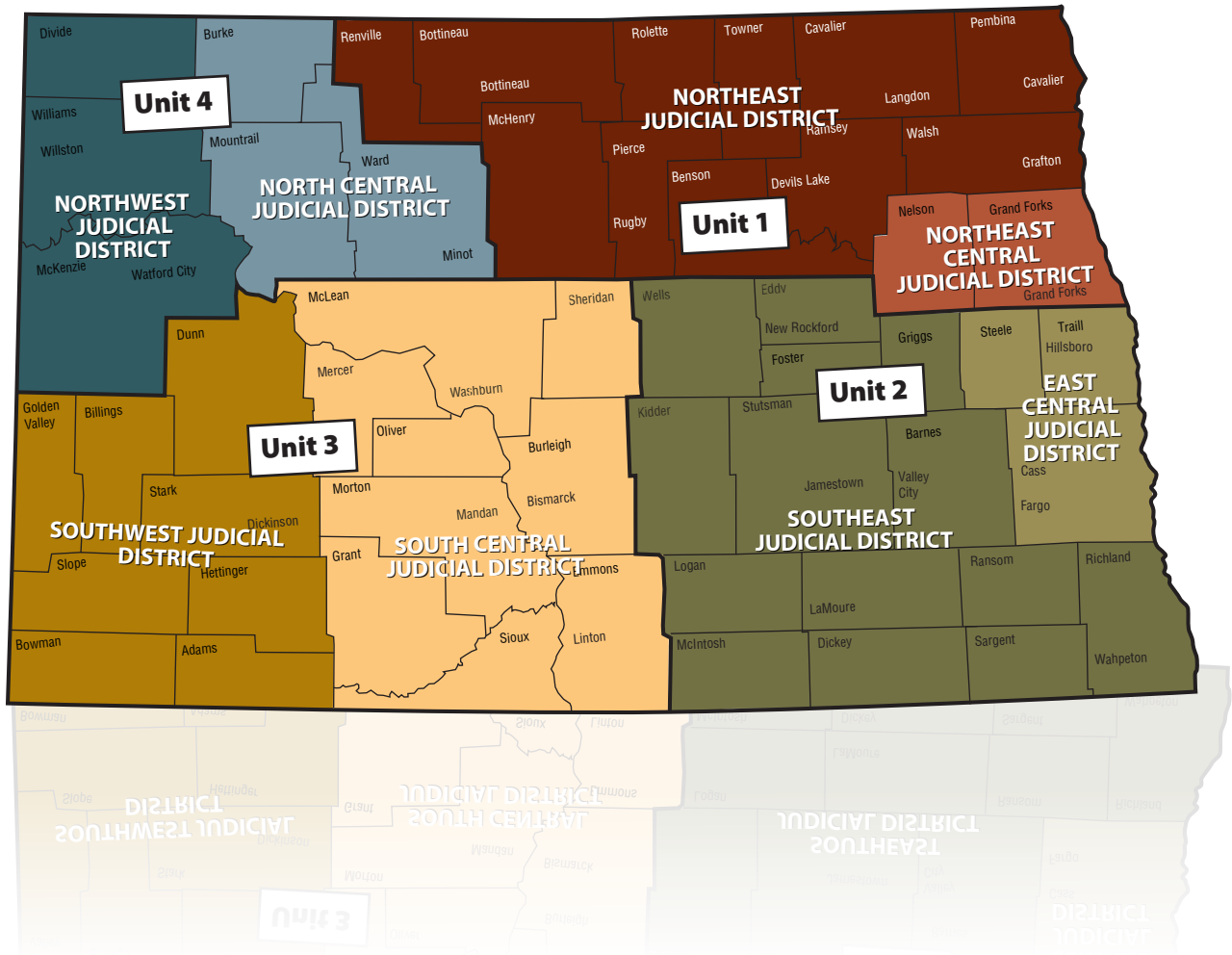
Troy LeFevre - Jamestown
 Stacy Louser - Minot
 Steven L. Marquart - Fargo
 Douglas L. Mattson – Minot
 Jason McCarthy – Grand Forks
 Steven M. McCullough – Fargo
 Daniel D. Narum - Ellendale
 Lonnie Olson – Devils Lake
 Thomas R. Olson - Fargo
 Frank Racek - Fargo
 David E. Reich - Bismarck
 Bruce A. Romanick – Washburn
 Lolita Romanick – Grand Forks
 Joshua Rustad - Williston
 Robin Schmidt – Watford City
 Jay Schmitz – Valley City
 Thomas J. Schneider – Mandan
 Kirsten Sjue – Williston
 Stephannie N. Stiel – Fargo
 John A. Thelen – Grand Forks
 Wade L. Webb – Hillsboro
 Barbara L. Whelan - Grafton

Judicial Referees Serving in 2018

Wayne Goter – Bismarck (Retired July 2018)
 Scott Griffeth – Fargo
 Pam Nesvig – Bismarck
 Lindsey Nieuwsma - 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 2018 & 2017

CASE FILINGS/ DISPOSITIONS	2018			2017			2018/2017	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	2,815	826	3,949	2,864	1,131	4,395	-1.71%	-10.15%
Small Claims	376	7	394	428	5	421	-12.15%	-6.41%
Criminal	2,807	1,444	4,651	2,716	1,161	4,843	3.35%	-3.96%
Traffic	9,891	24	10,080	8,840	24	9,036	11.89%	11.55%
Juvenile	193	149	305	213	177	356	-9.39%	-14.33%
Total	16,082	2,450	19,379	15,061	2,498	19,051	6.78%	1.72%

NORTHEAST CENTRAL DISTRICT COURT CASELOAD
FOR CALENDAR YEARS 2018 & 2017

CASE FILINGS/ DISPOSITIONS	2018			2017			2018/2017	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	3,185	675	4,109	4,003	779	4,917	-20.43%	-16.43%
Small Claims	637	7	696	741	8	727	-14.04%	-4.26%
Criminal	2,854	1,959	5,044	2,726	1,468	4,447	4.70%	13.42%
Traffic	7,898	18	8,100	7,586	40	7,721	4.11%	4.91%
Juvenile	310	452	579	381	395	632	-18.64%	-8.39%
Total	14,884	3,111	18,528	15,437	2,690	18,444	-3.58%	0.46%



EAST CENTRAL DISTRICT COURT CASELOAD
FOR CALENDAR YEARS 2018 & 2017

CASE FILINGS/ DISPOSITIONS	2018			2017			2018/2017	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	5,920	1,181	7,155	5,962	1,724	8,020	-0.70%	-10.79%
Small Claims	1,202	41	1,239	1,064	37	1,058	12.97%	17.11%
Criminal	5,643	1,586	8,189	5,802	1,464	7,683	-2.74%	6.59%
Traffic	12,464	43	12,858	13,484	72	13,723	-7.56%	-6.30%
Juvenile	558	321	881	671	267	914	-16.84%	-3.61%
Total	25,787	3,172	30,322	26,983	3,564	31,398	-4.43%	-3.43%

SOUTHEAST DISTRICT COURT CASELOAD
FOR CALENDAR YEARS 2018 & 2017

CASE FILINGS/ DISPOSITIONS	2018			2017			2018/2017	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	3,645	1,103	4,526	3,421	1,269	5,495	6.55%	-17.63%
Small Claims	615	12	617	545	13	573	12.84%	7.68%
Criminal	2,683	1,298	4,381	2,866	1,462	4,620	-6.39%	-5.17%
Traffic	12,518	52	12,759	12,390	60	12,516	1.03%	1.94%
Juvenile	205	145	315	189	123	268	8.47%	17.54%
Total	19,666	2,610	22,598	19,411	2,927	23,472	1.31%	-3.72%



SOUTH CENTRAL DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2018 & 2017

CASE FILINGS/ DISPOSITIONS	2018			2017			2018/2017	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	6,280	1,544	7,988	6,547	1,566	8,232	-4.08%	-2.96%
Small Claims	667	4	697	723	14	715	-7.75%	-2.52%
Criminal	6,036	3,224	10,178	6,466	2,983	10,334	-6.65%	-1.51%
Traffic	16,428	39	16,953	15,376	44	15,469	6.84%	9.59%
Juvenile	445	415	696	413	439	681	7.75%	2.20%
Total	29,856	5,226	36,512	29,525	5,046	35,431	1.12%	3.05%

SOUTHWEST DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2018 & 2017

CASE FILINGS/ DISPOSITIONS	2018			2017			2018/2017	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	2,266	474	2,686	2,173	676	2,818	4.28%	-4.68%
Small Claims	176	2	175	209	3	219	-15.79%	-20.09%
Criminal	1,712	1,337	3,246	1,908	1,086	3,239	-10.27%	0.22%
Traffic	7,880	29	8,128	8,952	35	9,200	-11.97%	-11.65%
Juvenile	133	82	202	130	106	213	2.31%	-5.16%
Total	12,167	1,924	14,437	13,372	1,906	15,689	-9.01%	-7.98%



NORTHWEST DISTRICT COURT CASELOAD

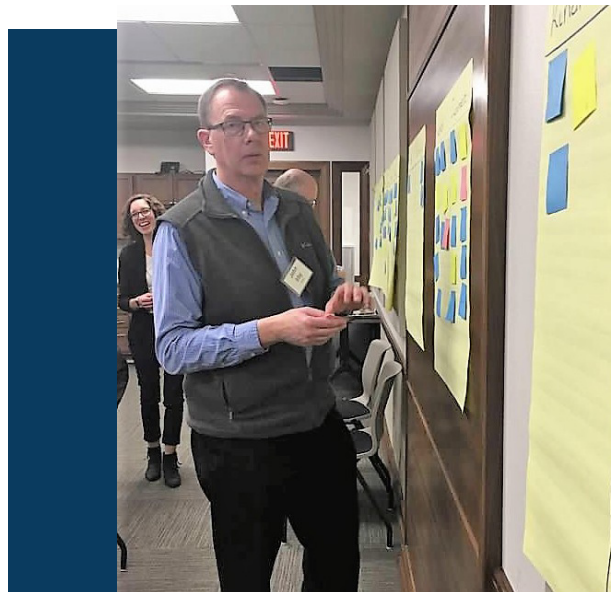
FOR CALENDAR YEARS 2018 & 2017

CASE FILINGS/ DISPOSITIONS	2018			2017			2018/2017	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	4,138	867	4,982	3,507	797	4,451	17.99%	11.93%
Small Claims	232	12	255	265	8	263	-12.45%	-3.04%
Criminal	3,892	1,630	5,877	3,522	1,468	5,538	10.51%	6.12%
Traffic	13,607	77	13,956	12,586	57	13,042	8.11%	7.01%
Juvenile	197	227	342	186	200	287	5.91%	19.16%
Total	22,066	2,813	25,412	20,066	2,530	23,581	9.97%	7.76%

NORTH CENTRAL DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2018 & 2017

CASE FILINGS/ DISPOSITIONS	2018			2017			2018/2017	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	3,828	855	4,567	3,842	1,003	4,743	-0.36%	-3.71%
Small Claims	340	4	362	423	12	427	-19.62%	-15.22%
Criminal	2,867	2,878	6,258	3,098	2,349	5,973	-7.46%	4.77%
Traffic	11,419	34	11,995	13,255	21	13,422	-13.85%	-10.63%
Juvenile	220	258	360	192	228	312	14.58%	15.38%
Total	18,674	4,029	23,542	20,810	3,613	24,877	-10.26%	-5.37%



NORTH DAKOTA DISTRICT COURTS

2018 PRESIDING JUDGES

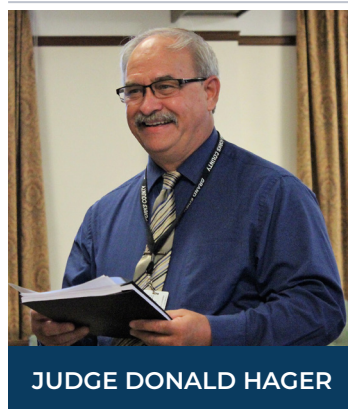
Each of the judicial districts has a presiding judge. Each presiding judge is elected by the judges within their district. The presiding judge is the chief administrative officer of all courts in the district and is responsible for all court services within the geographical area of the judicial district.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

Northeast Judicial District



**JUDGE LAURIE
FONTAINE**

Northeast Central Judicial District



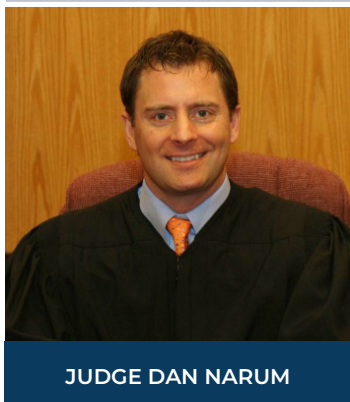
JUDGE DONALD HAGER

East Central Judicial District



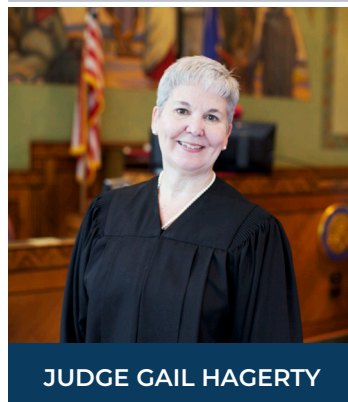
JUDGE FRANK RACEK

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

North Central Judicial District



JUDGE GARY LEE

NORTH DAKOTA JUVENILE COURTS

MISSION STATEMENT

The Juvenile Court protects the best interests of children and addresses the unique characteristics and needs of children that come before the court as deprived, unruly and delinquent matters.

Following the principles of Balanced and Restorative Justice, the mission of 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. The courts empower victims, encourage community participation, and support parental responsibility.



NORTH DAKOTA JUVENILE COURT

Juvenile Court referrals are received from law enforcement, schools, social services agencies, and parents. Juvenile Court Officers screen referrals, determine how they should be processed, make detention or emergency shelter care decisions on some of them, prepare court recommendations on those that proceed to formal courts, and process 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 on the court’s website, www.ndcourts.gov.

2018 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 decreased in the past year from 10,620 to 10,089. 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.

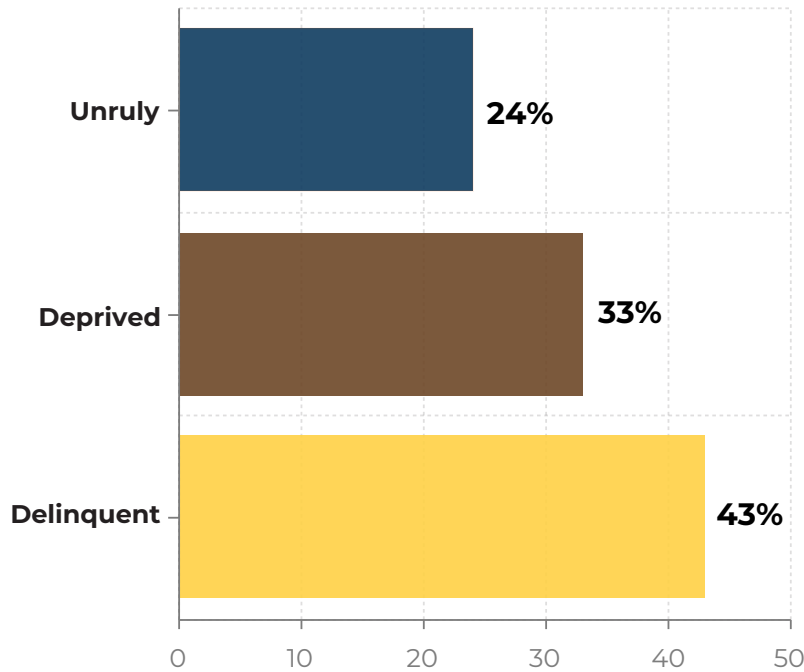
Note the increase in deprivation referrals from 2014 through 2018. Overall (within the last five years) the trend of an increase in deprivation filings has been significant.

Total Referrals By Year

	Unruly	Delinquent	Deprivation
2014	2572	4433	2269
2015	2492	4586	2714
2016	2467	4461	2839
2017	2603	4744	3273
2018	2408	4332	3349

NORTH DAKOTA JUVENILE COURTS

In 2018, unruly offenses (offenses which only a child can commit) made up 24% of juvenile court referrals, deprivation referrals made up 33%, and delinquent referrals were 43%.



The chart below reflects the total number of charges referred to juvenile court, grouped by case type, over the past five years.

Total Referrals by Case Type

	2014	2015	2016	2017	2018
Against Person Offenses	684	750	834	907	1047
Property Offenses	1380	1441	1327	1449	1010
Public Order	942	1029	980	1051	992
Unruly	2572	2492	2467	2603	2408
Deprivation	2269	2714	2839	3273	3349
Traffic	315	355	261	239	243
Drug Related Offenses	1112	1011	1059	1098	1040

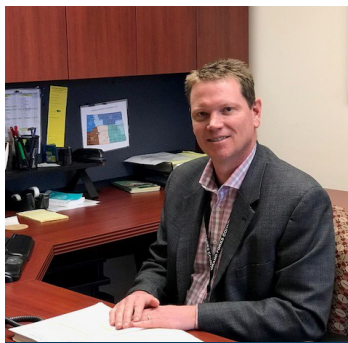
NORTH DAKOTA JUVENILE COURTS

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

Unit 1

Director of Juvenile Court



SHAWN PETERSON

Unit 2

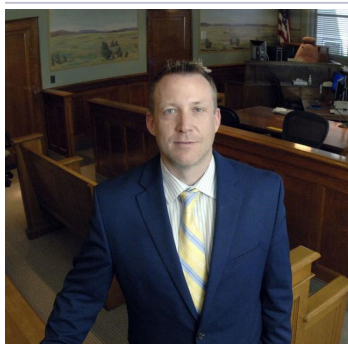
Director of Juvenile Court



KAREN KRINGLIE

Unit 3

Director of Juvenile Court



CORY PEDERSEN

Unit 4

Director of Juvenile Court



SCOTT HOPWOOD



Marilyn Moe
Program Manager

NORTH DAKOTA JUDICIAL PROGRAMS AND SERVICES

JUVENILE DRUG COURT

JUVENILE DRUG COURT PROGRAM 2018 HIGHLIGHTS

The North Dakota Court System remains committed to continuing the Juvenile Drug Court Program. It has proven to be cost-effective and provides our youth and families with positive outcomes. The Juvenile Drug Court Program has been operating in the state since May 2000 with six courts operational at this time.



STATISTICS BY INDIVIDUAL COURTS FOR 2018

COURT	Current	Graduations	Terminations	Suspended	Transfers	Totals
Grand Forks	8	6	5	2	0	21
Fargo	13	7	7	0	0	27
Bismarck	6	4	8	0	0	18
Minot	3	3	2	0	0	8
Devils Lake	4	1	2	2	0	9
Stutsman/Barnes	2	5	3	1	0	11
Totals	36	26	27	5	0	94

RACE AND GENDER FOR INDIVIDUAL COURTS

COURT	Caucasian	Native American	Hispanic	African American	Other Race	Male	Female
Grand Forks	14	3	3	1	0	14	6
Fargo	17	1	1	4	4	16	11
Bismarck	14	3	0	1	0	11	7
Minot	7	1	0	0	0	3	5
Devils Lake	2	7	0	0	0	5	4
Stutsman/Barnes	10	1	0	0	0	7	4
Totals	64	16	4	6	4	56	37

OVERALL STATISTICS FROM START DATE

STARTED	Court	Graduations	Terminations	Deceased	Total
May - 2000	Grand Forks	89	102	0	191
May - 2000	Fargo	95	142	1	238
Oct - 2003	Bismarck	73	83	0	156
Jan - 2007	Minot	27	39	0	66
Jan - 2009	Devils Lake	14	31	0	47
Jan - 2013	Stutsman/Barnes	14	20	0	34
Totals		312	417	1	732



Cathy Ferderer
Program Administrator

NORTH DAKOTA JUDICIAL PROGRAMS AND SERVICES

FAMILY MEDIATION

Family Mediation Program assists with parent right disputes

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 2018, the Family Mediation Program accepted 670 cases. Of those, 509 cases were completed as of January 31, 2019. Data for those completed cases indicates 49% reached full agreement, while an addition 25% reached partial agreements for a positive impact on 74% of cases.

There are currently 30 mediators on the Family Mediation Roster.

Total cases referred to the mediation program		1072
Cases rejected or dropped out		402
Custody issues settled prior to mediation	89	
Existence of domestic violence restraining order in case record or domestic violence issues identified	82	
One party resides outside of North Dakota	84	
Default divorce	49	
One party incarcerated	9	
Mediation attempted prior to filing divorce action	2	
One or both parties did not comply with order	55	
Parties reconciled	4	
Dismissed	18	
Miscellaneous	10	
Cases accepted into the Family Mediation Program		670
Cases mediation completed as of February 1, 2018		509
Cases pending as of January 31, 2019		161

NORTH DAKOTA FAMILY MEDIATION

On March 1, 2018, the Family Mediation Program celebrated its 10-year anniversary. The program has expanded from a two-district pilot to a statewide program of the court with contracted mediators in each judicial district. A 2013 final evaluation of the program found it 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-judgement 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 their own mutual agreements. The parties reduce the expense 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, by avoiding lengthy court proceedings.





Catie Palsgraaf
Citizen Access Coordinator

NORTH DAKOTA JUDICIAL PROGRAMS AND SERVICES

LEGAL SELF HELP

Family Mediation Program assists with parent right disputes

The North Dakota Legal Self Help Center is a neutral resource to assist self-represented litigants with access to the North Dakota State 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. From 2014 to 2016, the Center was staffed solely by the Citizen Access Coordinator, an attorney licensed to practice in North Dakota. Throughout 2016, the Citizen Access Paralegal staffed the Center with the Citizen Access Coordinator. In 2017, due to budget cuts, the Citizen Access Paralegal position was eliminated. Since February 2017, the Center has been staffed solely by the Citizen Access Coordinator. As of August 2018, following the retirement of the Law Librarian, the Citizen Access Coordinator is also the acting North Dakota Supreme Court Law Librarian.

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, 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.

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

In 2018, new forms were created by the Citizen Access Coordinator and added to the website, including:

- Motion to modify primary residential responsibility with a written agreement forms and instructions;
- Motion to modify primary residential responsibility without a written agreement forms and instructions for both parents;
- Motion for an order to serve by publication in juvenile court action forms and instructions;
- Service by publication in a district court civil action forms and instructions;
- An informational guide to legal separation;
- A research guide to adoption;
- A research guide to emancipation;
- A research guide to evidence.

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

In 2018, the Citizen Access Coordinator became the Chair of the Forms Subcommittee for the Judicial Branch Guardianship Standards Workgroup. The Citizen Access Coordinator was heavily involved in creating new forms for the Center website related to adult guardianships and related to conservatorships of both adults and minors.

In 2018, the Citizen Access Coordinator provided the Judicial Branch IT Department with new content, updated existing content, and updated formatting to revamp the North Dakota Legal Self Help Center website. The revamped website will go live sometime in 2019.

New content that will be available on the revamped website in 2019 includes:

- A new webpage with legal research basics, including a legal research guide and checklist, and legal research resources;
- A new webpage with an overview of formal probate actions, including legal research starting points;
- A new webpage with an overview of bankruptcy, including the website for the United States Bankruptcy Court for the District of North Dakota;
- Three general-use forms for Juvenile Court actions;
- A checklist for starting a Juvenile Court action.

Based on the topics of requests received, new forms, informational guides and website content are in various stages of development. Other resources anticipated for 2019 include a variety of minor guardianship forms, and a variety of forms and informational guides related to family law matters.

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

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, the State Bar Association of North Dakota, individual attorneys, and other agencies and outlets are also common.

Most requested topics in 2018:

- 1) Family law – Contested matters
- 2) Family law - Modifications to existing orders
- 3) Probate
- 4) Small Claims
- 5) Guardianships of Minors
- 6) Creditor/Debtor



ND LEGAL SELF HELP CENTER CONTACT DATA

Contact data for the Center is April 1, 2015 through December 31, 2018.

	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.

	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. The Citizen Access Paralegal position was added to the Judicial Branch budget during the 2015 Legislative session.

	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. The Citizen Access Paralegal position was eliminated due to budget cuts.

	Q1 2018*	Q2 2018	Q3 2018	Q4 2018	Total 2018
Phone Calls	346	369	334	283	1332
Emails	115	121	100	72	408
Letters	0	4	3	6	13
In-Person	6	9	7	3	25
Total	467	503	444	364	1778

*Throughout 2018, the Center was staffed solely by the Citizen Access Coordinator.



Rose Nichols
Program Manager

NORTH DAKOTA JUDICIAL PROGRAMS AND SERVICES

NORTH DAKOTA STATE COURT GUARDIANSHIP MONITORING PROGRAM

The Supreme Court adopted Administrative Order 24, effective January 1, 2018 that authorized the monitoring program state-wide after a pilot program was initiated in 2016. An additional improvement for the protection of vulnerable adults was the adoption of Administrative Rule 59 which sets minimum training qualifications for guardians of adults. A particular enhancement is the requirement that professional guardians must maintain certification through the Center for Guardianship Certification.

The State Court also obtained an online training video for guardians. The National Center for State Courts created the module with information relevant to North Dakota statute. They also host the site free of charge and all guardians are required to review this training. Anyone considering becoming a guardian may view this module at: <http://ndtraining.org/>.

Since the adoption of Administrative Order 24, 32 adult guardianship cases were referred by the district courts to the monitoring program. Primary reasons for referrals include the following: a guardian not performing his or her duties, a guardian requesting to be discharged, and problems with annual reports from the guardian to the court. An additional 16 cases were randomly selected by the monitor for reviews during this period. The average time to complete a review is six weeks.

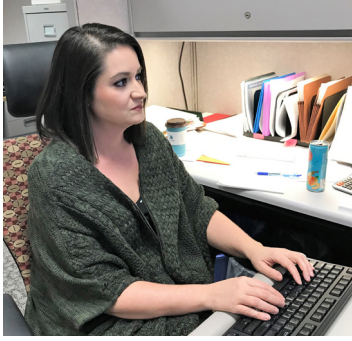
Results of some cases:

- Three guardianship cases were terminated because the ward no longer benefited from the guardianship.
- Five cases had indications of possible abuse or exploitation and were reported to Vulnerable Adult Protective Services.
- Several cases that had a need for a successor guardian were continued for a limited time with the current guardian, while the wards are placed on a waiting list at one of the professional guardianship companies. Guardianship entities are at capacity and unable to take

new cases. As the state's aging population continues to grow, the shortage of available placements will increase proportionally. Appropriated funding for professional guardianship services must be significantly increased for the protection of our vulnerable adults.

Monitor review reports always include recommendations for improvements for the guardian.

- Two cases involving questionable financial practices resulted in action from the court:
 1. One case was terminated because the guardian had not been providing any services to the ward for years. The court ordered the guardian to reimburse the ward for the fees charged during the time in which no services were rendered.
 2. One case had many cash withdrawals and not all cash was accounted for; the court ordered the guardians to stop withdrawing cash.
- Examples of common recommendations to guardians include the following: use accurate beginning and ending dates for the reporting period, with no gaps or overlapping dates; ending balances should reconcile with checking account balances; fully complete the annual reports including comments about the ward's wellbeing and abilities.
- Recommendations for prudent financial management are frequent. Checking and savings accounts need to be upgraded to fiduciary accounts. Large amounts of cash require investment in low-risk interest-earning accounts. Preplanning for end-of-life expenses is necessary.
- Many reviews include referrals of resources to the guardian including the following: links to the State Court's Legal Self Help Center with guidance on annual reporting; requirements of the new Administrative Rule 59; information on becoming a Social Security Representative Payee; and contact information for relevant state agencies.



Heather Traynor
Coordinator

NORTH DAKOTA JUDICIAL PROGRAMS AND SERVICES

COURT IMPROVEMENT PROJECT

Court Improvement Project Grant Funds Reinstated for 2019

In October of 2018 the North Dakota Supreme Court applied for and received Court Improvement Program Grants. The grants were awarded by the U.S. Department of Health and Human Services. Court Improvement Program Grants provide resources to state courts which allow them to enhance and assess the response of judicial processes to the needs of children in foster care. Due to state budget constraints the ND Supreme Court did not apply for the federal Court Improvement Program Grants for Fiscal year 2017 – 2018.

Previously, the Court Improvement Program Grants were directed by the Court Improvement Project (CIP) Committee. The Committee was established 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.

The future: Reinventing North Dakota's CIP to improve outcomes for children in court.

The reinstatement of Court Improvement Program Grants allows for a new and innovative approach to improve

outcomes for both children and families. A multi-disciplinary taskforce will be formed to carry out the work of the grants. Quarterly review of data will enable the taskforce to design targeted interventions. The data reviews will also provide ongoing evaluations of the Indian Child Welfare Act (ICWA) compliance along with analyses of timeliness to permanency in deprivation and termination of parental rights cases.

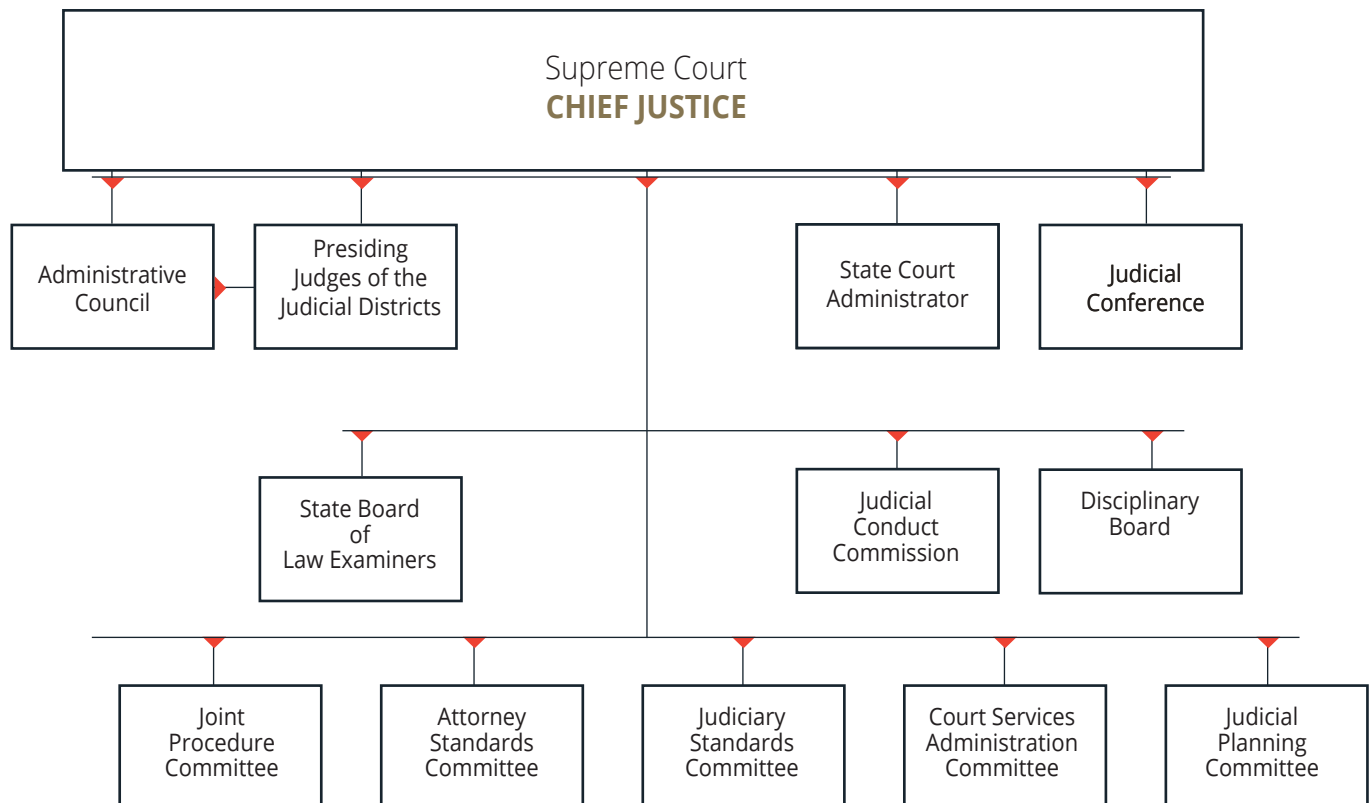
Over the past year, a committed group of leadership, staff, and stakeholders representing a wide variety of child- and family-serving systems have worked together to address the issue of dual status youth – those youth who touch both the child welfare and juvenile justice systems in North Dakota. This collaborative effort explored how to prevent youth in the child welfare system from formally entering the juvenile justice system; more effectively serve youth that touch both systems; and use research and best practice to inform changes in both systems in order to better serve youth and families.

The Court Improvement Program will support North Dakota's Dual Status Youth (DSY) Initiative by funding a part-time position to help coordinate the program along with contracting with an independent evaluator to conduct an evaluation of the DSY Initiative. The evaluation will assist in monitoring outcomes to ensure successful implementation of the Initiative.

NORTH DAKOTA 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.

ADMINISTRATIVE ORGANIZATION OF THE NORTH DAKOTA JUDICIAL SYSTEM





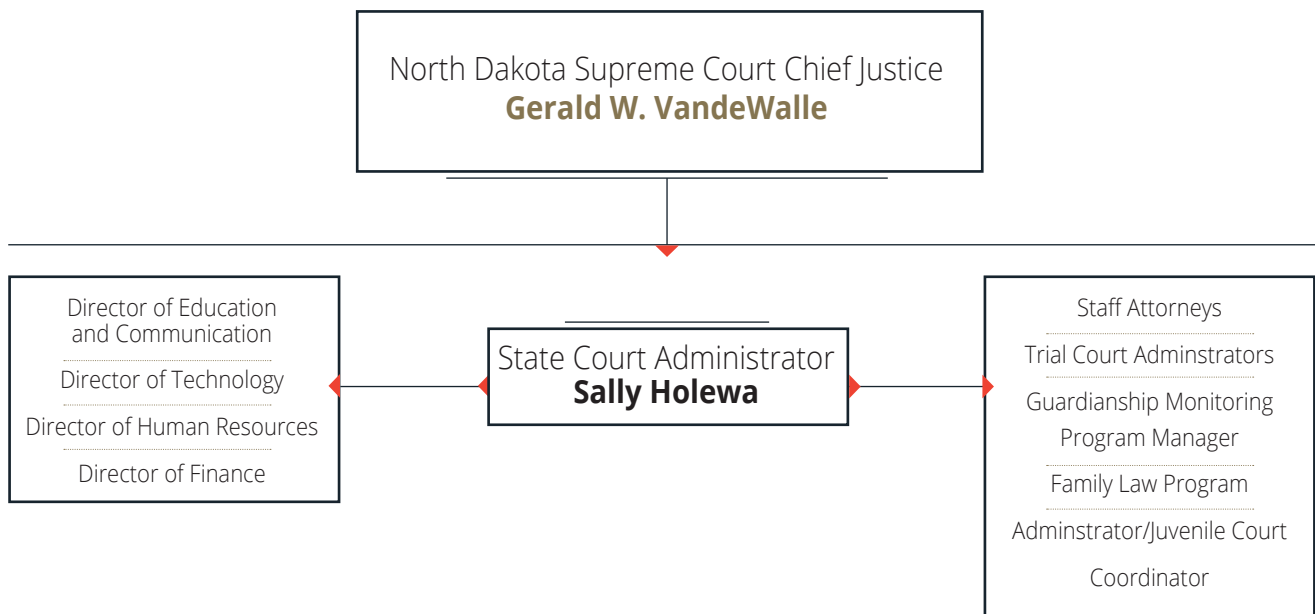
Sally Holewa
State Court Administrator

NORTH DAKOTA 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.

NORTH DAKOTA ADMINISTRATIVE OFFICE OF THE COURT



NORTH DAKOTA ADMINISTRATION OF THE COURT SYSTEM

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.

Administrative Unit 1
Trial Court Administrator



SCOTT JOHNSON

Administrative Unit 2
Trial Court Administrator



ROD OLSON

Administrative Unit 3
Trial Court Administrator



DONNA WUNDERLICH

Administrative Unit 4
Trial Court Administrator



CAROLYN PROBST

NORTH DAKOTA 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	Full-time	Recorder	as Recorder/Clerk		No
Cavalier	Full-time	Separate		X	No
Dickey	Full-time	Separate		X	No
Divide	Full-time	Recorder	as Recorder		No
Dunn	Full-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

ELIGIBLE FOR
**TRANSFER
TO STATE**



BOTTINEAU
DUNN
MCLEAN
MERCER
MOUNTRAIL
PEMBINA
TRAILL

STATE
EMPLOYED
**CLERK OF
COURT
OFFICES**



BARNES
BURLEIGH
CASS
GRAND FORKS
MCKENZIE
MORTON
RAMSEY

RICHLAND
ROLETTE
STARK
STUTSMAN
WALSH
WARD
WILLIAMS

TOTALS

County-Contract	39
State-Employed	14
Total Clerks	53
County Office Totals	
Combined Offices	25
Separate Offices	14
Total	39
Appointed	
Appointed	26
Elected	13
Total	39

JUDICIAL PORTION OF THE STATE'S BUDGET 2017-19 BIENNIUM

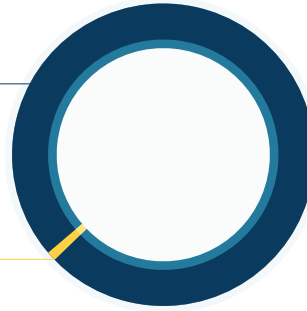
JULY 1, 2017 - JUNE 30, 2019

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

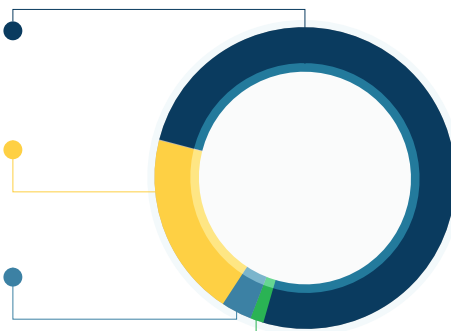
Salaries and Benefits
\$78,511,740 (74.4%)

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

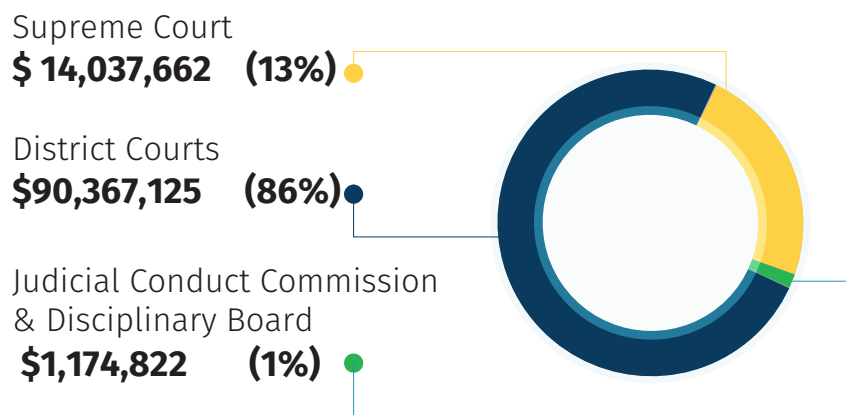
General Fund	\$ 14,037,662
Special Funds	-
TOTAL	\$ 14,037,662 (13%)

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

A system of committees, commissions, boards, and councils has been established within North Dakota Courts 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.



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.

Advisory Commission on Electronic Media in the Courtroom

The Advisory Commission on Electronic Media 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.

Caseflow Management Committee

Established 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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

NORTH DAKOTA JUDICIAL SYSTEM

STATE BOARD OF LAW EXAMINERS

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 2018, 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.

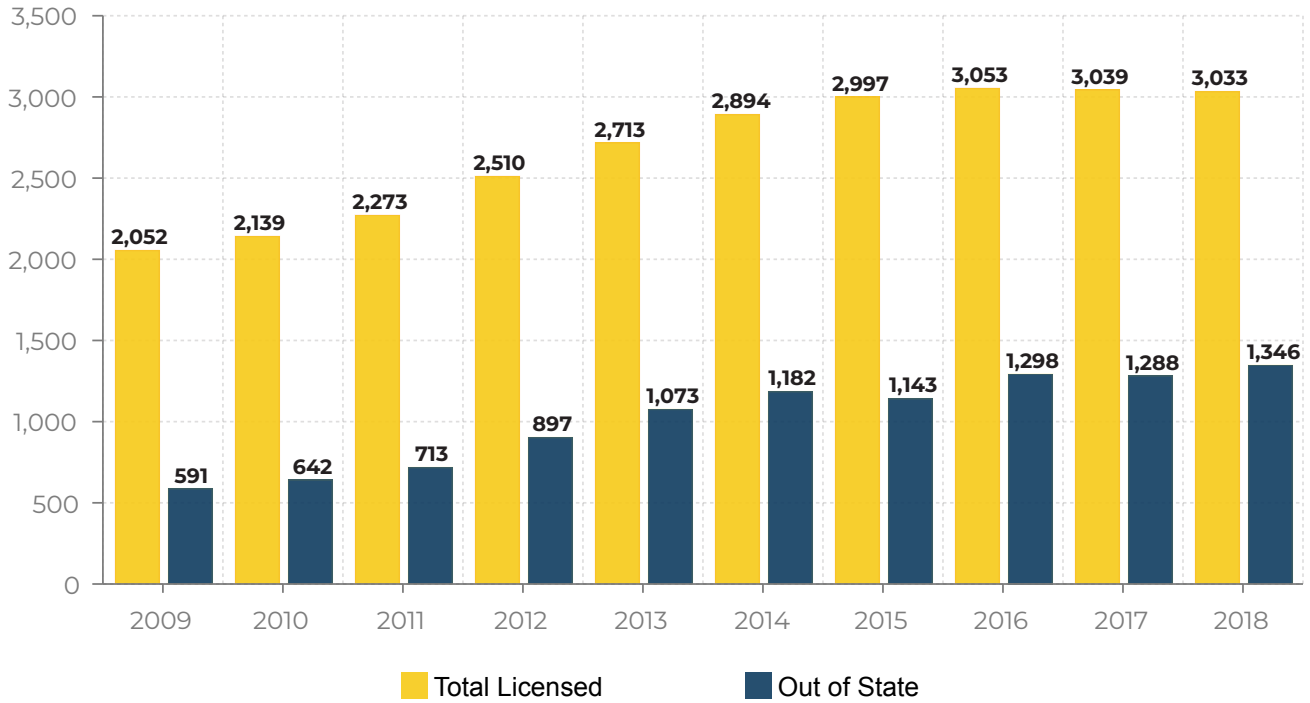
Information from 2018:

- 3033 licenses were issued, which is slightly less than last year. The ten-year average for licenses issued is 2,672.
- 376 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.
- 123 new attorneys were admitted to the Bar, a 7% decrease from 2017, and a 45% decrease from 2015.

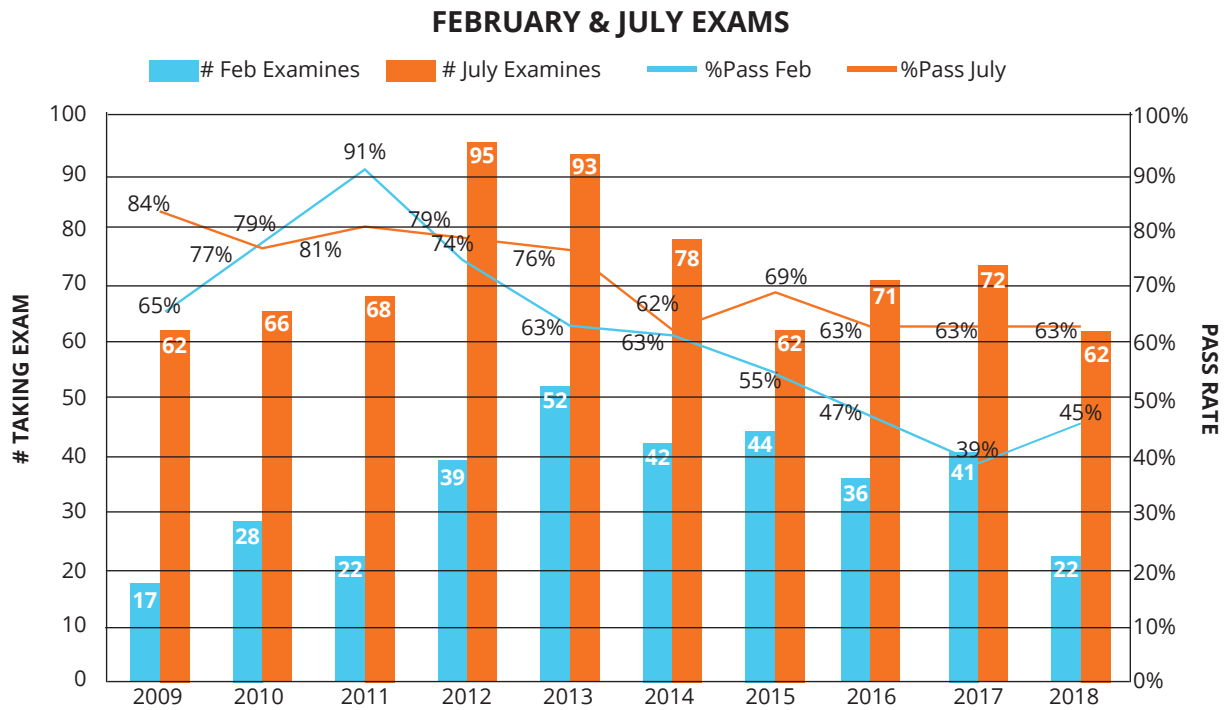
- 94 motions for admission based on practice or test score were filed, a 12% increase.
 - 41 motions for admission based on practice were filed.
 - 53 motions for admission on test score were filed, with 83% based on the transfer of a Uniform Bar Examination score received in another jurisdiction.
- 17 temporary licenses were approved, while applicants licensed in another jurisdiction awaited the review and approval of their North Dakota applications.
- The first certification requested under North Dakota's military spouse rule was also approved in 2018. This rule has been in effect since October 1, 2016.

The 2018 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.

TOTAL LICENSED | TOTAL OUT OF STATE



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 2018 is below.

WORKLOAD SUMMARY OF ATTORNEY DISCIPLINE SYSTEM

GENERAL NATURE OF COMPLAINTS:

CLIENT FUNDS & PROPERTY	0
CONFLICT OF INTEREST	13
CRIMINAL CONVICTIONS	1
DISABILITY/INCAPACITY TO PRACTICE LAW	0
EXCESSIVE FEES	4
FAILURE TO COMMUNICATE/COOPERATE WITH CLIENT	32
IMPROPER CONDUCT	85
INCOMPETENT REPRESENTATION	2
MISAPPROPRIATION/FRAUD	1
NEGLECT/DELAY	4
PETITION FOR REINSTATEMENT	0
UNAUTHORIZED PRACTICE OF LAW	5
SOLICITATION	1
RECIPROCAL DISCIPLINE	1

TOTAL NEW COMPLAINTS OPENED IN 2018 149

FORMAL PROCEEDINGS PENDING FROM PRIOR YEARS	6
OTHER COMPLAINT FILES PENDING FROM PRIOR YEARS	45
APPEALS FILED WITH DISCIPLINARY BOARD IN 2017	8
APPEALS ALLOWED BY SUPREME COURT IN 2017	1

TOTAL FILES AVAILABLE FOR CONSIDERATION IN 2018 209

DISCIPLINARY BOARD

WORKLOAD SUMMARY OF ATTORNEY DISCIPLINE SYSTEM

INQUIRY COMMITTEES' ACTIONS

Dismissal	48
Summary Dismissal	58
Admonition	12
Referral to Lawyer Assistance Program	1
Consent Probation	2
Dismissal Without Prejudice	0
No Action - Referred to Another State	0

DISCIPLINARY BOARD ACTIONS

Approve Inquiry Committee Dismissal	7
Approve Inquiry Committee Admonition	3
Approve Inquiry Committee Consent Probation	0
Disapprove Inquiry Committee Disposition	3
Diversion by Hearing Panel of the Board	1
Dismissal by Hearing Panel of the Board	2
Reprimand by Hearing Panel of the Board	0
Consent Probation by Hearing Panel of the Board	0

SUPREME COURT ACTIONS*

Reprimand	7
Suspension	3
Disbarment	0
Interim Suspension	3
Reinstatement+	1
Court Vacated Interim Suspension	2
Transfer to Disability Inactive Status (No DB File)	0
Supreme Court Dismisses/Disapproves Petition for Discipline	0

FORMAL PROCEEDINGS PENDING 12/31/18 6

OTHER COMPLAINT FILES PENDING 12/31/18 67

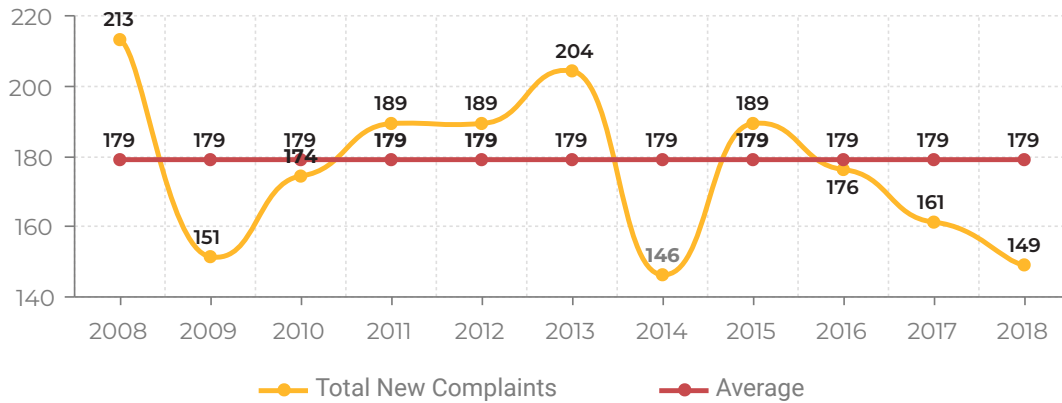
* Attorney was ordered to pay restitution in 65 files which were not included in the Supreme Court actions, because the attorney's disbarments in those files were counted in 2017.

+ The Court reconsidered and amended conditions of a previously readmitted attorney.

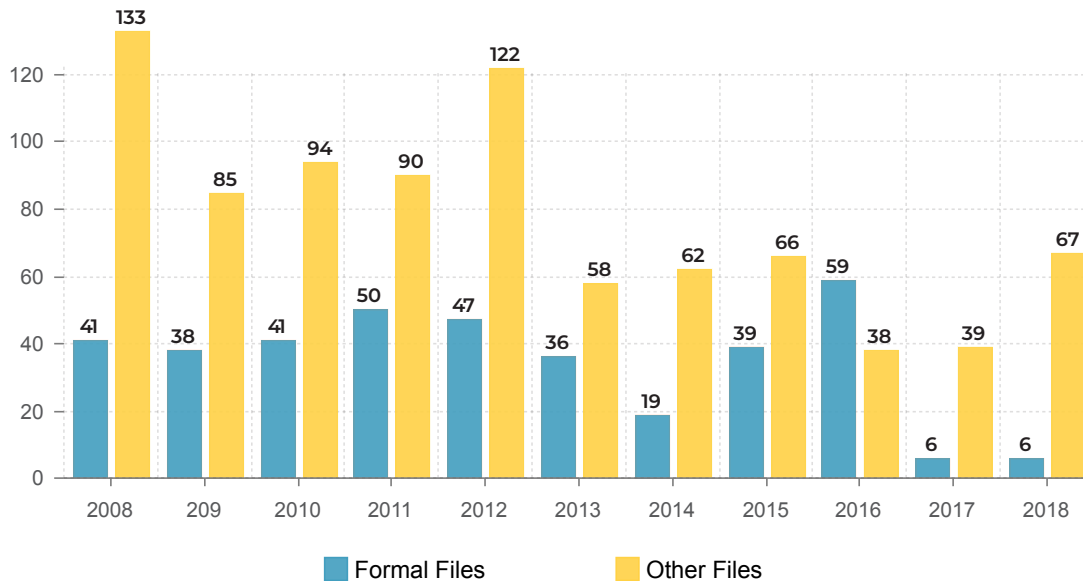
DISCIPLINARY BOARD

A total of 149 new complaints were filed in 2018, which is a 7.4% decrease from 2017 and a 15.3% decrease from 2016. A comparison of new complaints filed in the years 2008-2018 is below.

Six formal complaints were pending at the end of 2017 and 2018. Other complaints pending increased 71.8% from 39 at the end of 2017 to 67 at the end of 2018.



FILES PENDING AT END OF YEAR



The clearance rate for informal and formal discipline cases decreased from 83.9 % in 2017 to 68.4% in 2018, having considered 209 cases in 2018 and disposed of 143 cases.

Amendments to the disciplinary rules became effective March 1, 2017. The amendments included procedural changes to summary dismissal and dismissal of informal complaints. It is believed these changes have contributed to decreasing the time to

disposition for informal matters from 110 days to 79 days.

The 2018 statistics show the effect of multiple complaints against one attorney. The Supreme Court considered 71 files. Sixty-five files involved one attorney who was previously disbarred and was ordered to pay restitution in 2018 to specific clients. The 65 files were not counted in the Workload Summary.

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.

Of the new complaints filed in 2018:

- 18 were against 13 District Court Judges
- 2 were against 2 Municipal Judges
- 2 were against 2 Judicial Referees

New Complaints Opened in 2018	22
General Nature of Complaints:	
Bias, discrimination/partiality	2
Improper Decision/Ruling	13
Improper Conduct on Bench	2
Administrative Irregularity	1
Failed to Perform Duties	2
Conflict of Interest	2
Complaint Files Carried Over from 2017	4
Total Files Pending Consideration in 2018	26
Disposition of Complaints:	
Summary Dismissal	24
Total 2017 Dispositions	24
Complaint Files Pending as of 12/31/2018	2