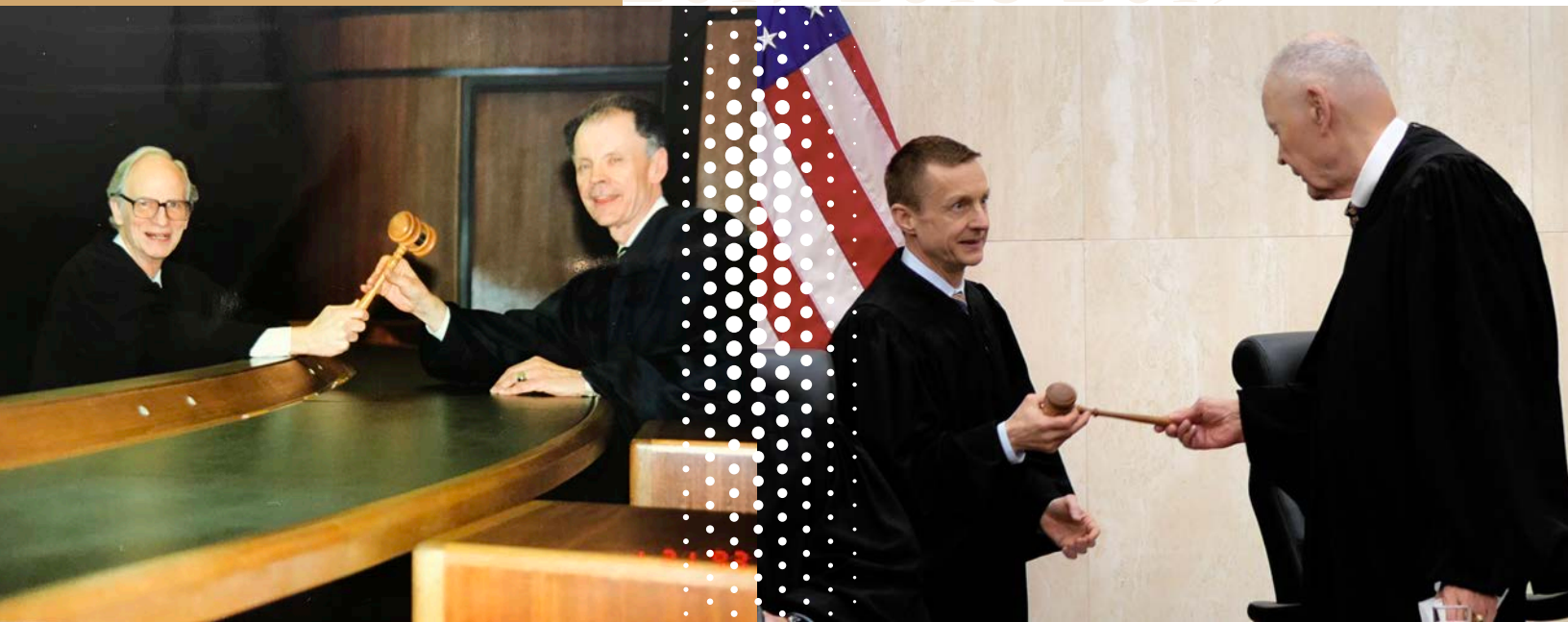


NORTH DAKOTA
COURT SYSTEM
ANNUAL REPORT
2019

1993 1994 1995 1996
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2013 2014 2015 2016
2017 2018 2019





MISSION

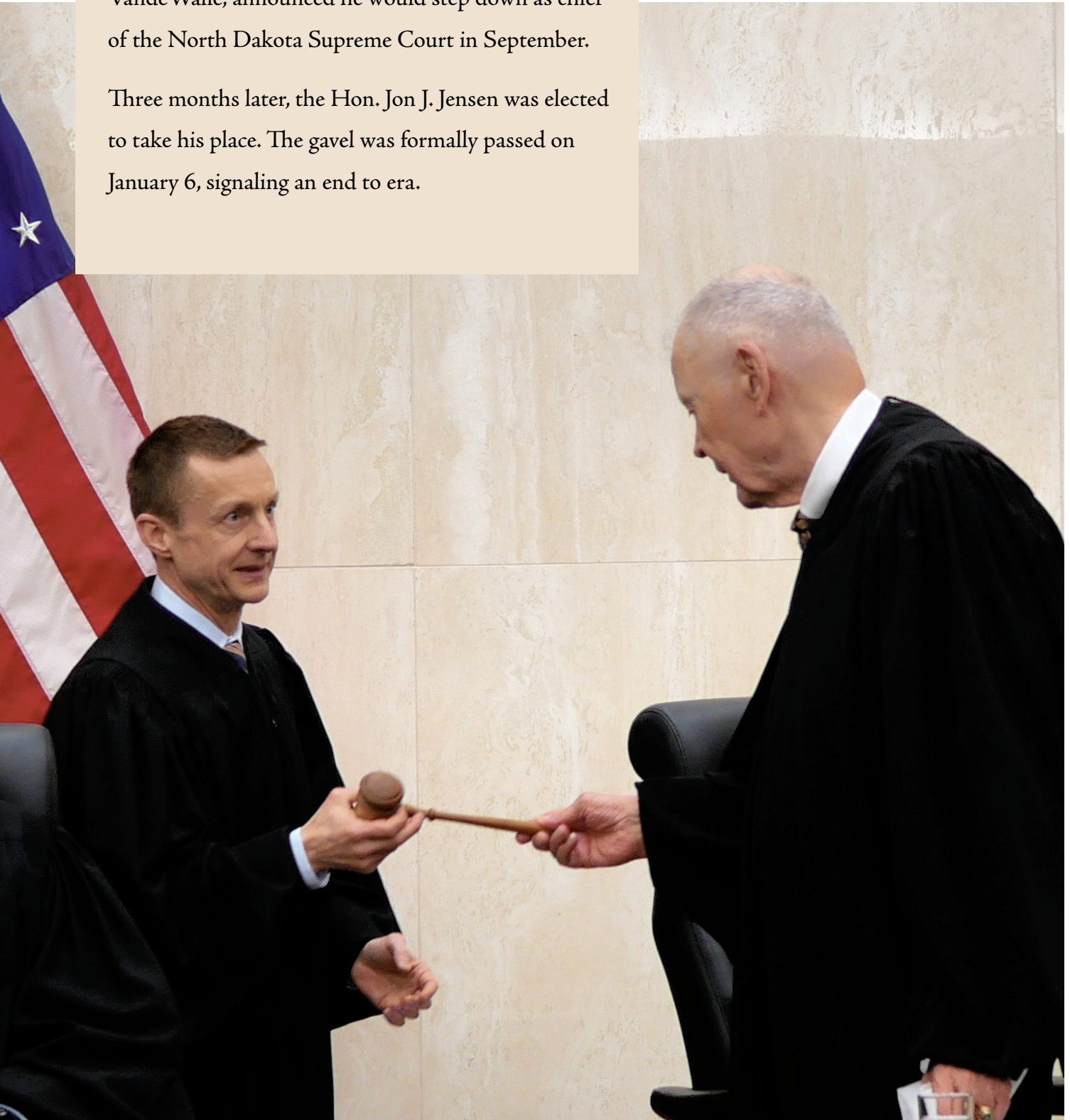
STATEMENT

TO PROVIDE THE PEOPLE, THROUGH
AN INDEPENDENT JUDICIARY,
EQUAL ACCESS TO FAIR AND TIMELY
RESOLUTION OF DISPUTES UNDER LAW.

VANDEWALLE LEAVES LEGACY; PASSES GAVEL TO JENSEN

The longest serving chief justice in the nation, Gerald Vandewalle, announced he would step down as chief of the North Dakota Supreme Court in September.

Three months later, the Hon. Jon J. Jensen was elected to take his place. The gavel was formally passed on January 6, signaling an end to era.





Gerald W. Vandewalle was appointed to the Supreme Court in 1978 and elected to his first term as Chief Justice in 1993. He accepted the gavel from Ralph Erickstad and proceeded to lead the judicial branch through decades of change that included the unification of the court system and the modernization of court processes through a uniform case management system. He was instrumental in redefining North Dakota's judicial districts and increasing the number of judges to accommodate growth in the state's economy and population. He also promoted the establishment of a mediation program for family law cases and a self-help center for unrepresented litigants and created a trial court administration system to place administrators within the judicial districts to oversee court procedures.

Vandewalle is well known throughout the state and the country and has a knack for remembering both people and

places. He served as chair of several national organizations including the Conference of Chief Justices and received many national accolades for his contributions to courts and the practice of law. In 2015 he was awarded North Dakota's highest honor, the Rough Rider Award. His picture hangs with other notable North Dakotans in the Theodore Roosevelt Rough Rider Hall of Fame in the State Capitol.

While no longer chief, Vandewalle, who is 86, has chosen to remain on the court, as he is not quite ready to retire. From his new seat at the end of the bench, Vandewalle will continue to hear cases, write opinions and do what he loves best; spend time with law. As for how long he will continue to serve, Vandewalle, who has 5 years left on his current term, makes no predictions. He said he will take things day-by-day.





CHIEF'S MESSAGE ANNUAL REPORT 2019

As I begin my tenure as Chief Justice of the North Dakota Court System, I look to our court's mission statement for guidance in leading the judicial branch into a new decade. Our mission, "to provide the people, through an independent judiciary, equal access to fair and timely resolution of disputes under law," is simple on its face, but requires a team of dedicated staff and judges to implement.

This team worked together during 2019 to improve service to the citizens of North Dakota, while not sacrificing access, justice, or accuracy. Due to prior budget cuts, we have operated at reduced staffing for the past several years. However, this shortage has not stopped the court system from seeking innovative ways to better manage cases and resolve disputes.

This past year, we focused on improving Juvenile Services, especially for youth involved in both the delinquency and deprivation systems, by continuing to work on the dual status youth project with the Department of Human Services. We also successfully introduced legislation that raised the age of criminal responsibility from age 7 to 10. In Devils Lake, we were part of an agreement that allows youth from Spirit Lake Nation to access state juvenile services.

The work of improving guardianships for vulnerable adults and youth continued under the leadership of Judge Cynthia Feland. Changes in the law were adopted and work is underway to develop new programs to educate guardians on their role. The Guardianship Workgroup has created a subcommittee to study issues with the current system of delivering adult guardianship services and expects to develop recommendations for the 2021 legislative session.

Recognizing the continuing need for problem-solving courts or specialized dockets, the court adopted Administrative Rule 60 which established an interdisciplinary committee to consider requests for new courts. Currently there are adult and juvenile drug courts and one domestic violence court. The committee, chaired by Justice Jerod Tufte, will evaluate the resources and legislation necessary to create new dockets and evaluate existing ones.

On the technology front, we continue to work on initial electronic filing in criminal cases and will be ready to pilot test in early 2020. A pilot program in Cass County to post juvenile summons/notices on the court's website has been successful. A dashboard that assists clerks of court in managing cases was rolled out and we are looking for ways to improve the functionality of the dashboards for clerks and judges.

Also in 2019, we launched Court Connections, a judicial outreach program to better connect courts with schools; began work on remodeling the existing Law Library space to make room for our technology department to relocate to the Capitol; and renewed our commitment to offer Court Management certification to our employees.

This report tells the story of the programs and projects driving the work within the judicial branch and provides a statistical overview of the caseload and budget of our courts. I acknowledge and thank our judges and employees for the work they do to carry out our mission. I offer you the 2019 Annual Report for the North Dakota Courts.

Chief Justice Jon Jensen





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19

YEAR IN REVIEW



JANUARY

- 3RD** Chief Justice Gerald VandeWalle gives what will be his last State of the Judiciary Address to the North Dakota Legislative Assembly.
- 21ST** Gov. Doug Burgum appointed Tristan J. Van de Streek district judge of the East Central Judicial District.
- 23RD** Justice Jon Jensen visits Woodrow Wilson High School in Fargo to speak about the North Dakota Judicial System.



FEBRUARY

- 20TH** The judicial budget passes the House without a requested new judgeship.
- 22ND** State Court Administrator Sally Holewa announces the roll out of the court system's new website, featuring a new court logo.

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YEAR IN REVIEW



MARCH

7TH Gov. Doug Burgum signs a bill raising the age of criminal responsibility from 7 to 10.

18TH Loop technology to benefit the hearing impaired is installed in a Grand Forks County courtroom.

27TH North Dakota Supreme Court travels to Edgeley to hear oral arguments and visit with students as part of its Taking the Court to Schools program.



APRIL

9TH North Dakota Senate passes court budget bill that includes a new judgeship for the South Central Judicial District

22ND Justice Daniel J. Crothers teaches sessions on fair and independent courts and judicial decision making to new judges on the Ukraine High Anti-Corruption Court in Kyiv, Ukraine.

30TH Legislatures approve the remodel of North Dakota Supreme Court Law Library in judicial branch budget.

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YEAR IN REVIEW



MAY

- 2ND The North Dakota Clerk of Courts Association holds its annual conference in Grand Forks.
- 3RD Northeast Judicial District Judge Michael Hurly and Supreme Court Justice Jon Jensen visit Rugby High School. They spoke with the junior and senior classes about the North Dakota Judicial System and the Bill of Rights.
- 20TH North Dakota judges attend the Judicial Institute at University of North Dakota School of Law.
- 22ND An e-filing portal is made available for attorneys to electronically file and serve documents for North Dakota Supreme Court cases.



JUNE

- 13TH Judges learn about service animals in the courtroom at the summer Judicial Conference in Fargo.
- 21ST Justice Jon Jensen and Justice Jerod Tufte spoke at the Hugh O'Brian Youth Leadership Seminar in Bismarck. Approximately 40 high school students and 30 volunteers from across North Dakota participated in the seminar.

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YEAR IN REVIEW



JULY

13TH Unit 1 Assistant Court Administrator Kelly Hutton was sworn in as a member of the National Association for Court Management's Board of Directors.

AUGUST

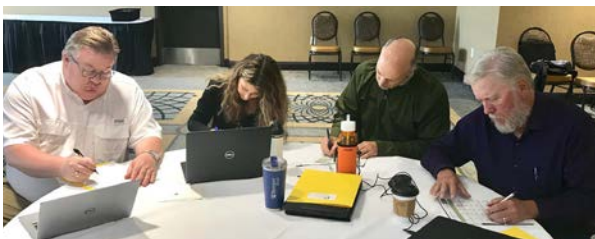


2ND Penny Miller advises the court that she will retire as Clerk of the Supreme Court at the end of the year. Miller served as Clerk of the Supreme Court for the State of North Dakota since July 1, 1992. The Court names Petra Mandigo Hulm as Miller's successor.

12TH Gov. Doug Burgum appoints judicial referee and magistrate Pamela Nesvig of Bismarck to a newly created judgeship in the South Central Judicial District, effective Sept. 1.

15TH Southeast Judicial District Court holds its first drug court session in Jamestown. This is the first rural drug court to serve people in Barnes and Stutsman counties.

15TH Judges attend the first faculty development course for the newly launched judicial outreach program Courtrooms2Classrooms.



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YEAR IN REVIEW



SEPTEMBER

- 23RD** Fifty-five new attorneys are sworn in to the North Dakota Bar during ceremonies at the State Capitol.
- 25TH** The Supreme Court adopts Administrative Rule 41 on access to court records. The new rule, which will allow for remote electronic access to public records, takes effect Jan. 1, 2020.



OCTOBER

- 2ND** Penny Miller, Clerk of the North Dakota Supreme Court, receives the Legacy Award from the Western Dakota Association of Legal Assistants. The Legacy Award is presented to those who have shown commitment to advancing the paralegal profession with dedication and distinction.
- 5TH** South Central District Court Judge David Reich receives the inaugural Game Changer Award for his running program to help keep individuals with substance use disorders from relapsing. The awards commends people who go above and beyond to do good works, promote change and show kindness.
- 11TH** Supreme Court Justice Lisa Fair McEvers is appointed to the newly established Children's Cabinet, which will study and coordinate care for children across the branches of government.

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YEAR IN REVIEW



NOVEMBER

6TH Justices Daniel Crothers, Lisa Fair McEvers and Jon Jensen filed paperwork to vie for the position of chief justice.

24TH Northeast Judicial District Presiding Judge Laurie Fontaine is recognized by colleagues and staff for her seven years of service as presiding judge. Judge Donovan Foughty will take over as Northeast Judicial District presiding judge Jan. 1, 2020.

25TH Ballots in the election for Chief Justice are opened. Because no candidate received a majority of the votes cast, there will be a second vote between Justice Jon Jensen and Justice Lisa Fair McEvers.



DECEMBER

4TH Court staff attend Court Management Program course on budgets and accounting taught by Court Administrators Donna Wunderlich and Chris Iverson.

12TH Justice Jon J. Jensen is chosen to replace Chief Justice Gerald VandeWalle commencing Jan. 1, 2020.

18TH Unit 2 court administrators Chris Iverson and Rod Olson present at the Court Technology Conference in New Orleans. Their topic is 'Leadership in Times of Change'. CTC is a national conference held every two years.



2019 SNAPSHOTS

2,866

Average of Cases filed
Per District Court Judge

306

Supreme Court
Authored Majority
Opinions

388

Appellate Cases Filed

149,078

Total District Court Case Filings

19

Graduates
of Juvenile
Drug Court

31

Guardianship Cases
Referred for Review

**LEGAL
SELF-HELP
CENTER 2019**

1,378

PHONE CALLS ANSWERED

191

Number of new lawyers
admitted to the ND Bar

1,837

CONTACTS WITH LITIGANTS

713

Mediation Program
Cases Accepted

156

Total attorney
complaints filed

27

Judicial Complaints
Opened

2

District Court Judges
Appointed To The Bench



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/
52 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.



2019 NORTH DAKOTA SUPREME COURT
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 branch.



NORTH DAKOTA SUPREME COURT 2019

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 assistant, law clerk, and five attorneys in the Central Legal Department.





CHIEF JUSTICE GERALD VANDEWALLE

BORN

1933 in Noonan, ND

EDUCATION

University of North Dakota School of Business, BS in Commerce, 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; stepped down as chief Dec. 31, 2019.



JUSTICE JON J. JENSEN

BORN

1965 in 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; elected as new Chief Justice in December 2019 effective Jan. 1, 2020



JUSTICE DANIEL J. CROTHERS

BORN

1957 in Fargo, ND

EDUCATION

University of North Dakota, BS in Political Science and Journalism; 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

1962 in Minto, ND

EDUCATION

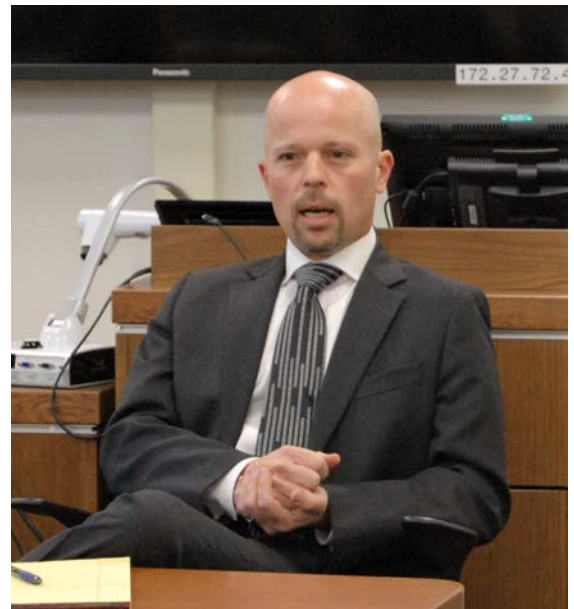
University of North Dakota, BBA in Information Management, 1993; University of North Dakota School of Law, 1997

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



JUSTICE JEROD E. TUFTE

BORN

1975 in 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

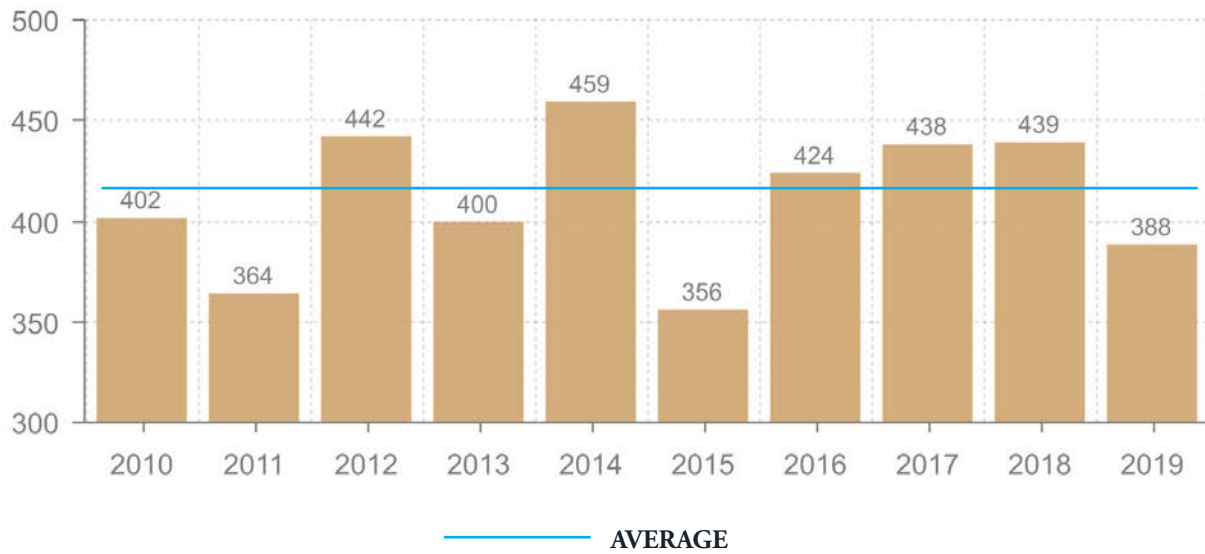
2016, 10-year term



NORTH DAKOTA SUPREME COURT - 2019 CASELOAD HIGHLIGHTS

Compared to 2018, new case filings decreased 12% from 439 to 388.

The number of cases on appeal for the last 10 years is reflected in the figure below.





NORTH DAKOTA SUPREME COURT - 2019 ARGUMENTS/OPINIONS

Civil Filings

Civil matters accounted for 71% of the total caseload. Civil filings decreased 7% in 2019 as compared to 2018.

The overall number of family-related matters increased 12% as compared to 2018. Family-related matters accounted for 17% of the overall caseload and 24% of the civil caseload.

Juvenile appeals, including delinquent or unruly, deprivation and termination of parental rights, decreased 62% as compared to 2018. Those matters accounted for 5% of the overall caseload and 24% of the civil caseload.

Appeals in post-conviction relief matters, which are by statute civil, decreased 27% as compared to 2018. Those matters accounted for 8% of the overall caseload and 11% of the civil caseload.

The civil commitment of sexually dangerous individuals accounted for 3% of the overall caseload and 4% of the civil caseload.

Criminal Filings

Criminal matters accounted for 29% of the total caseload. Criminal appeals decreased 17% in 2019 as compared to 2018.

Matters involving drugs, theft, and driving under the influence decreased 39% as compared to 2018. Those matters accounted for 10% of the overall caseload and 36% of the criminal caseload.

Matters involving assault, homicide, sex offenses, and felonies were consistent with 2018. Those matters accounted for 15% of the overall caseload and 50% of the criminal caseload.

The number of criminal DUI matters decreased 35% in 2019 as compared to 2018.

Oral arguments were scheduled in 291 cases. Approximately 30% of those arguments were waived, in whole or in part by either the parties or the Court, and submitted on the briefs and the record.

The Justices authored 306 majority opinions, which is an increase of 10% as compared to 2018. An additional 68 separate concurrences and/or dissents were written.

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

In 20% of the cases filed in 2019, at least one party was self-represented.

Administrative Filings

The Court considered whether to fill, abolish or transfer three district judge vacancies. There were also 13 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.

The Supreme Court continued the "Taking the Court to Schools" program with visits to Edgeley and Wishek Public Schools and to the UND School of Law.

Amendments to the Rules of Appellate Procedure became effective March 1, 2019, which included changes to the format of briefs, how service is accomplished, electronic filing, and oral argument. Electronic filing and electronic service are now 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 in the brief explaining why oral argument would be helpful to the court and the cover of the brief must state "ORAL ARGUMENT REQUESTED."



NORTH DAKOTA SUPREME COURT - 2018 AND 2019 CASELOAD SYNOPSIS

		2019	2018	PERCENT DIFFERENCE
NEW FILINGS	CIVIL	290	300	-3.5
	CRIMINAL	115	139	-20.9
	TOTAL	405	439	-8.4
DISPOSITIONS	CIVIL	296	317	-7.1
	CRIMINAL	127	144	-13.4
	TOTAL	423	461	-9.0
TRANSFERRED TO COURT OF APPEALS	CIVIL/ CRIMINAL	0	0	0





NORTH DAKOTA SUPREME COURT DISPOSITIONS OF THE SUPREME COURT 2019

BY OPINION			
	Civil	Criminal	Other
Affirmed; Affirmed & Modified	89	46	
Affirmed in Part & Reversed in Part, Remanded in Part, or Vacated in Part	25	6	
Affirmed in Part & Dismissed in Part	2	1	
Affirmed by Summary Disposition	59	16	
Remanded	2	0	
Reversed	12	4	
Reversed & Remanded	32	18	
Reversed by Summary Disposition	1	2	
Dismissed	1	2	
Order/Judgment Vacated, Remanded	1	3	
Certified Question Answered	1	0	
Certified Question Not Answered	0	1	
Original Jurisdiction – Granted	2	0	2
Original Jurisdiction – Denied	0	0	2
Original Jurisdiction – Granted in Part, Denied in Part	0	0	
Discipline Imposed	5	0	
TOTAL BY OPINION	232	99	4
BY ORDER			
	Civil	Criminal	Other
Certified Question Not Answered	0	1	0
Dismissed	46	25	0
Original Jurisdiction--Denied	7	3	0
Original Jurisdiction—Granted	4	0	1
Original Jurisdiction Granted in Part, Denied in Part	0	0	0
Notice of Appeal Void - No Filing Fee	7	N/A	0
Rules - adopted or approved	0	0	13
Original Jurisdiction – Granted	2	0	2
TOTAL BY ORDER	64	28	14
	Civil	Criminal	Other
GRAND TOTAL DISPOSITIONS	296	28	18



NORTH DAKOTA DISTRICT COURTS

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 52 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.





RICHLAND COUNTY TREATMENT COURT OPENS ITS DOORS

The Richland County Treatment Court, located in Wahpeton, is ready to provide a program designed to rehabilitate drug and alcohol offenders who commit to the program. The Wahpeton Court is not new to this type of program, as it ran a DUI Court that started in November 2013 and operated on county funding and grants. The grants ended the summer of 2019. The 66th Legislature provided funds for the North Dakota Supreme Court to reopen the court under its direction.

Agencies involved updated the program which started in January. Those involved are the Southeast Human Service Center, Department of Corrections, Richland County State's Attorney, defense counsel, Life Transformations, Richland County Community Service Coordinator, Unit I Court Administrator, North Dakota Supreme Court Program Manager Marilyn Moe, Judge Brad Cruff, and the Richland County Sheriff's Department. Lindsey Boushee is the program coordinator.

The program provides the court with an alternative to traditional probation supervision for individuals who have serious problems with substance abuse and are involved in the legal system. The program is highly structured and will provide an evidenced-based treatment model following the 10 Guiding Principles for Treatment Courts.

The Richland County Treatment Court is a court-supervised treatment-oriented program and targets non-violent participants whose major problems stem from substance abuse. The Treatment Court is a voluntary program, which includes regular court appearances before the drug court judge. Treatment includes drug testing, individual and group counseling, and regular attendance in community support groups, such as, (Alcoholics Anonymous, Narcotics Anonymous, SMART, etc.). The treatment court team may also assist with obtaining education and skills assessments and will provide referrals for vocational training, education and/or job placement services. The program length, determined by the participant's progress, will be no less than 14 months. Successful completion from the Treatment Court Program may result in having the original charge(s) dismissed, reduction in sentence, or early termination from probation. This opportunity may open new doors for offenders and a new start for many.

Judge Cruff is excited to reopen the Richland County Treatment Court with more resources available to assist participants. He said, "Being able to address the participants' substance use disorders instead of just processing them through the criminal justice system is so much more effective, more rewarding, and a better use of taxpayer dollars."

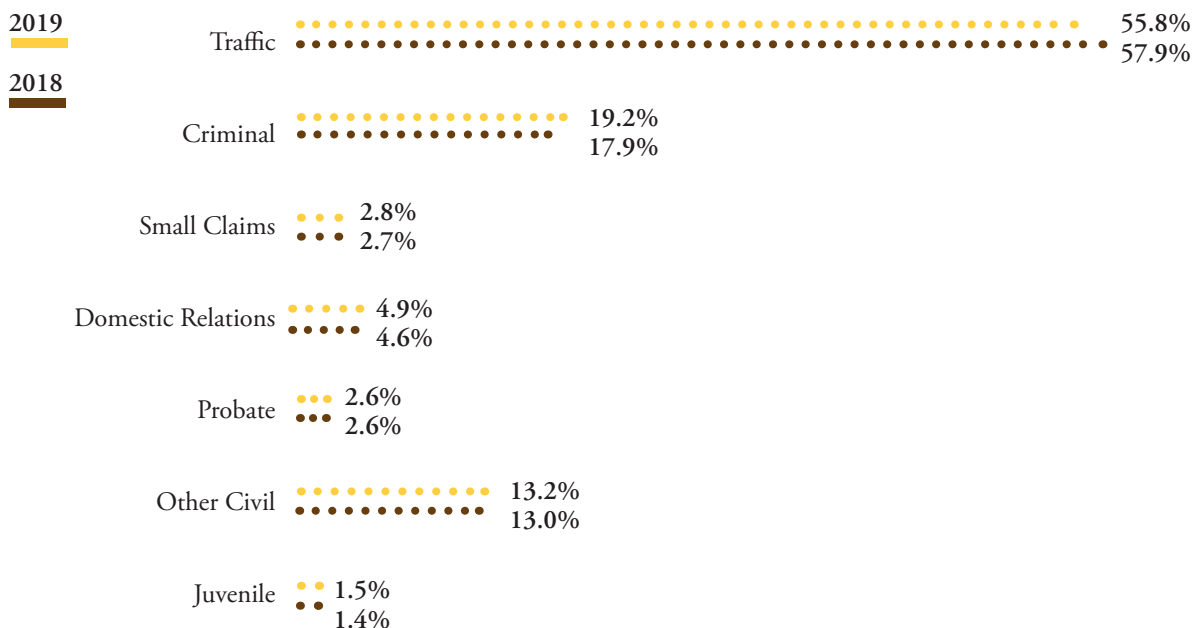




NORTH DAKOTA DISTRICT COURT TOTAL DISTRICT COURT CASELOAD FOR CALENDAR YEARS 2019 AND 2018

CASE FILINGS/ DISPOSITIONS	2019			2018			2018/2019	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	30,837	7,719	37,825	32,077	7,525	39,962	-3.87%	-5.35%
Small Claims	4,245	85	4,145	4,245	89	4,435	0.00%	-6.54%
Criminal	28,640	14,401	40,666	28,494	15,356	47,824	0.51%	-14.97%
Traffic	83,148	330	85,901	92,105	316	94,829	-9.72%	-9.41%
Juvenile	2,208	1,862	3,364	2,261	2,049	3,680	-2.34%	-8.59%
Total	149,078	24,397	171,901	159,182	25,335	190,730	-6.35%	-9.87%

NORTH DAKOTA DISTRICT COURT TYPES OF CASES FILED IN DISTRICT COURT 2019 AND 2018





NORTH DAKOTA DISTRICT COURT JURY TRIALS FOR JUDICIAL DISTRICT FOR 2019

District	2019	2018
Northeast	16	15
Northeast Central	35	23
East Central	38	43
Southeast	38	43
South Central	58	56
Southwest	14	15
Northwest	27	34
North Central	39	39
Total	265	268

*Based on jury trials paid.

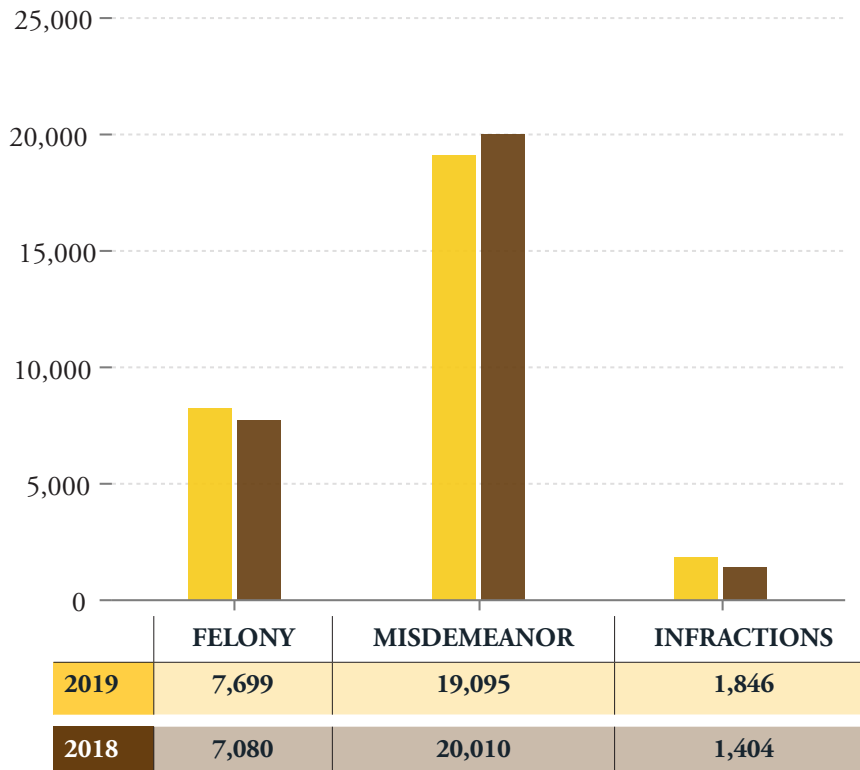




NORTH DAKOTA DISTRICT COURT CRIMINAL CASELOAD

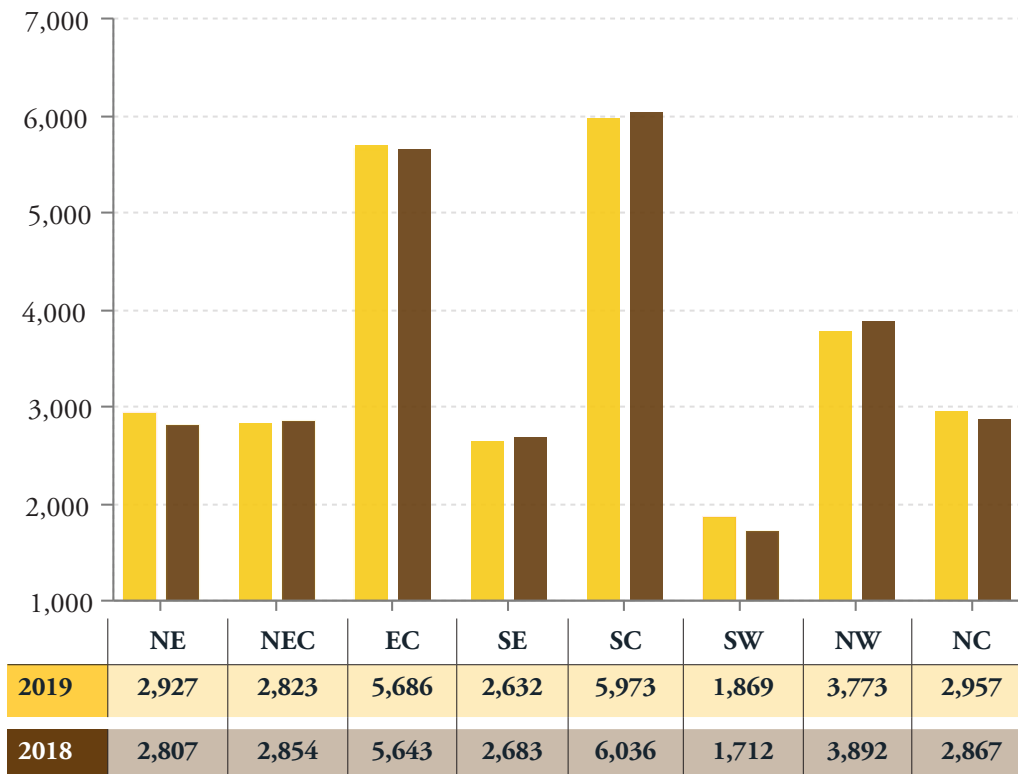
Total criminal filings increased by 0.5% from 2018 to 2019 with 28,640 cases filed compared to 28,494. Felony filings increased by 8.7%; misdemeanors decreased by 4.6%; and infractions increased by 31.5%. Misdemeanors made up 67% of total criminal filings; felonies 27%; and infractions 6%.

ND DISTRICT COURTS CRIMINAL CASELOAD FOR 2019 AND 2018





ND CRIMINAL CASELOAD BY DISTRICT COURT FOR 2019 AND 2018





NORTH DAKOTA DISTRICT COURT CIVIL CASELOAD

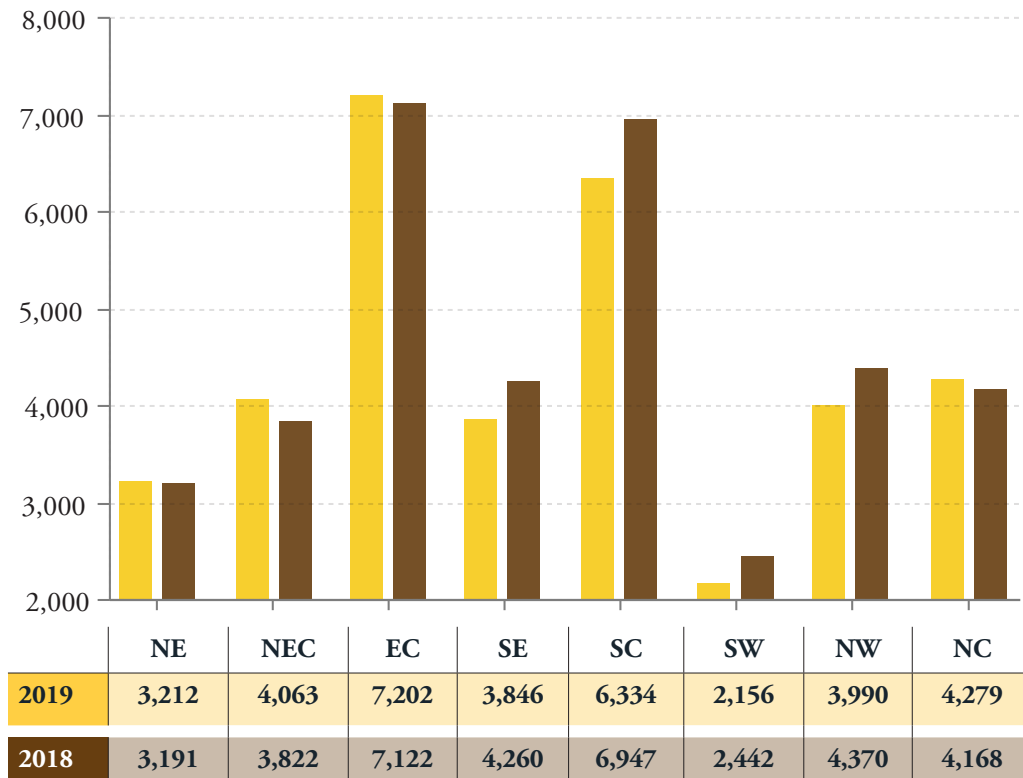
Civil filings decreased by 1,024 or 3.4% in 2019 with total case filings of 35,082. There were 4,245 small claims cases in 2019, the same as 2018. Domestic relations cases decreased by 5 or 0.1%, probate/guardianship cases decreased by 175 or 4.4%, and other civil cases decreased by 1,060 or 5.1% in 2019.

Contract/collection (64%), forcible detainer (15%) and civil commitment (7.0%) cases account for the majority of the 19,698 other civil case types. Contract/collection decreased by 1,033 cases or 7.6%, forcible detainer increased by 456 cases or 18.3% and civil commitment decreased by 276 cases or 16.7% as compared to 2018.

There were 7,293 domestic relations case filings in 2019, consisting of the following: divorce (32%); protection/retraining orders (28%); support proceedings (26%); paternity (4%); adoption (5%); parenting responsibility filings (5%) and termination of parental rights (less than 1%).

Total divorce filings in 2019 were 2,302 compared to 2,422 in 2018. Support proceedings increased by 19.9% with 1,910 cases filed, and protections/restraining order filings decreased by 9.0% with 2,050 cases filed.

ND CIVIL CASELOAD FOR DISTRICT COURTS FOR 2019 AND 2018

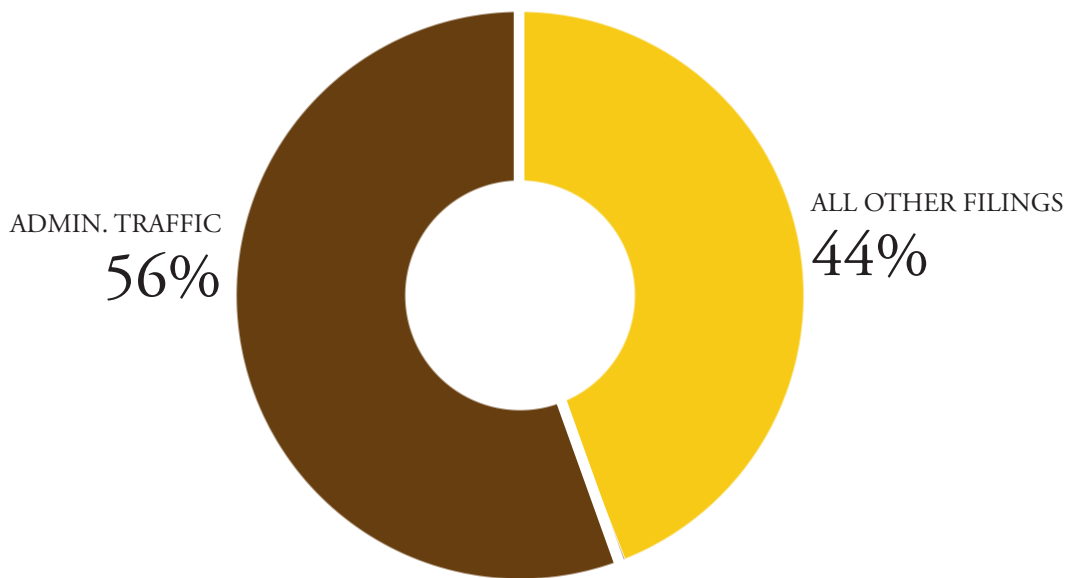




NORTH DAKOTA DISTRICT COURT ADMINISTRATIVE TRAFFIC CASES

Administrative traffic filings decreased by 8,957 (9.7%) from 2018. These cases make up 56% 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 - 2019



	2019	2018
ADMIN. TRAFFIC		
CASE FILINGS	83,148	92,105
CASE RE-OPENS	330	316
CASE DISPOSITIONS	85,901	94,829



NORTH DAKOTA DISTRICT COURT DISTRICT COURT JUDGES SERVING IN 2019 & CHAMBERED CITIES

Douglas A. Bahr - Bismarck
Susan L. Bailey – Fargo
Anthony Swain Benson – Bottineau
Mark T. Blumer – Valley City
Daniel J. Borgen - Bismarck
Cherie L. Clark - Jamestown
Todd Cresap - Minot
Bradley A. Cruft - Wahpeton
Rhonda R. Ehliis – Dickinson
Daniel El Dweek – Watford City
Cynthia M. Feland - Bismarck
Laurie A. Fontaine – Cavalier/Langdon
Donovan Foughty – Devils Lake
James D. Gion - Dickinson
Dann E. Greenwood - Dickinson
John W. Grinsteiner - Mandan
Richard L. Hagar – Minot
Donald Hager – Grand Forks
Gail Hagerty - Bismarck
William A. Herauf - Dickinson
James S. Hill - Mandan
James D. Hovey – New Rockford
Michael P. Hurly - Rugby
John C. Irby – Fargo
Jay Knudson – Grand Forks
Paul W. Jacobson - Williston
Benjamin J. Johnson - Williston
Gary H. Lee – Minot
Troy J. LeFevre - Jamestown
Stacy J. Louser - Minot
Steven L. Marquart - Fargo
Douglas L. Mattson – Minot

Jason McCarthy – Grand Forks
Steven E. McCullough - Fargo
Daniel D. Narum – Ellendale
Pamela A. Nesvig - Bismarck
Lonnie Olson – Devils Lake
Thomas R. Olson - Fargo
Frank Racek - Fargo
David E. Reich - Bismarck
Bruce A. Romanick – Washburn
Lolita Romanick – Grand Forks
Joshua B. Rustad - Williston
Robin Schmidt – Watford City
Jay A. Schmitz – Valley City
Thomas J. Schneider – Mandan
Kirsten M. Sjue – Williston
Stephanie N. Stiel – Fargo
John A. Thelen – Grand Forks
Tristan J. Van de Streek - Fargo
Wade L. Webb – Hillsboro
Barbara L. Whelan - Grafton

JUDICIAL REFEREES SERVING IN 2019

Scott Griffeth – Fargo
Jason Hammes - Bismarck
Pam Nesvig – Bismarck (Appointed District Judge August 2019)
Lindsey Nieuwsma - Bismarck
Connie Portscheller - Minot
Susan Solheim – Fargo (Resigned in November 2019)



Northwest Judicial District
Number of Counties: 3

North Central Judicial District
Number of Counties: 3

Northeast Judicial District
Number of Counties: 11

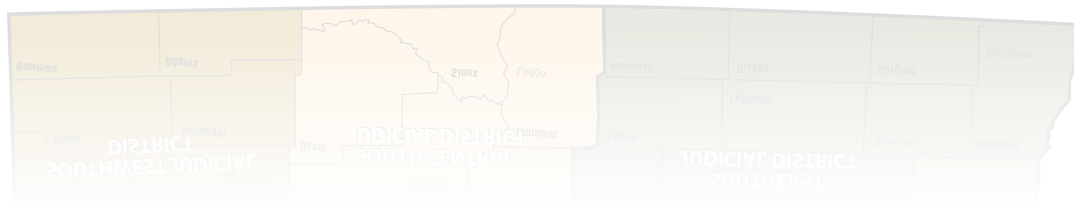
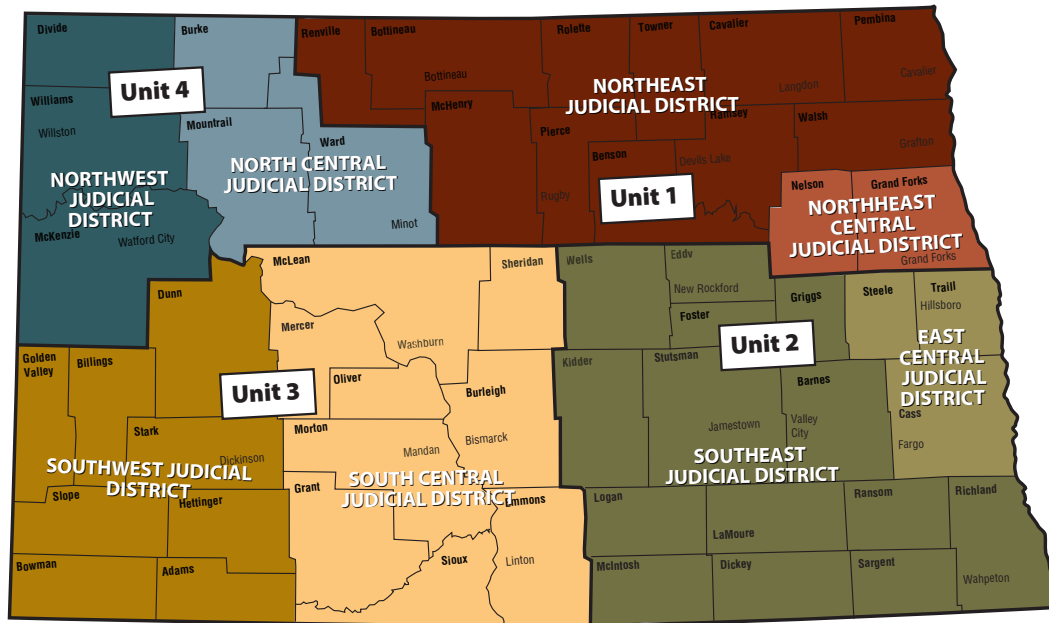
Northeast Central Judicial District
Number of Counties: 2

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





NORTH DAKOTA DISTRICT COURT CASE FILINGS BY JUDICIAL DISTRICT 2019 AND 2018

NORTHEAST DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2019 & 2018

CASE FILINGS/ DISPOSITIONS	2019			2018			2019/2018	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	2,797	806	3,638	2,815	826	3,949	-0.64%	-7.88%
Small Claims	415	5	413	376	7	394	10.37%	4.82%
Criminal	2,927	1,378	4,174	2,807	1,444	4,651	4.28%	-10.26%
Traffic	9,215	26	9,443	9,891	24	10,080	-6.83%	-6.32%
Juvenile	228	176	365	193	149	305	18.13%	19.67%
Total	15,582	2,391	18,033	16,082	2,450	19,379	-3.11%	-6.95%

NORTHEAST CENTRAL DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2019 & 2018

CASE FILINGS/ DISPOSITIONS	2019			2018			2019/2018	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	3,420	599	3,978	3,185	675	4,109	7.38%	-3.19%
Small Claims	643	4	632	637	7	696	0.94%	-9.20%
Criminal	2,823	1,387	3,961	2,854	1,959	5,044	-1.09%	-21.47%
Traffic	8,201	31	8,402	7,898	18	8,100	3.84%	3.73%
Juvenile	440	462	638	310	452	579	41.94%	10.19%
Total	15,527	2,483	17,611	14,884	3,111	18,528	4.32%	-4.95%



EAST CENTRAL DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2019 & 2018

CASE FILINGS/ DISPOSITIONS	2019			2018			2019/2018	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	6,093	1,344	7,161	5,920	1,181	7,155	2.92%	0.08%
Small Claims	1,109	35	1,034	1,202	41	1,239	-7.74%	-16.55%
Criminal	5,686	1,752	6,806	5,643	1,586	8,189	0.76%	-16.89%
Traffic	9,412	38	9,798	12,464	43	12,858	-24.49%	-23.80%
Juvenile	555	270	771	558	321	881	-0.54%	-12.49%
Total	22,855	3,439	25,570	25,787	3,172	30,322	-11.37%	-15.67%

SOUTHEAST DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2019 & 2018

CASE FILINGS/ DISPOSITIONS	2019			2018			2019/2018	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	3,297	1,116	4,324	3,645	1,103	4,526	-9.55%	-4.46%
Small Claims	549	7	559	615	12	617	-10.73%	-9.40%
Criminal	2,632	1,306	3,719	2,683	1,298	4,381	-1.90%	-15.11%
Traffic	11,122	37	11,421	12,518	52	12,759	-11.15%	-10.49%
Juvenile	187	134	287	205	145	315	-8.78%	-8.89%
Total	17,787	2,600	20,310	19,666	2,610	22,598	-9.55%	-10.12%



SOUTH CENTRAL DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2019 & 2018

CASE FILINGS/ DISPOSITIONS	2019			2018			2019/2018	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	5,616	1,663	7,147	6,280	1,544	7,988	-10.57%	-10.53%
Small Claims	718	16	699	667	4	697	7.65%	0.29%
Criminal	5,973	3,104	9,419	6,036	3,224	10,178	-1.04%	-7.46%
Traffic	16,377	68	16,973	16,428	39	16,953	-0.31%	0.12%
Juvenile	348	301	543	445	415	696	-21.80%	-21.98%
Total	29,032	5,152	34,781	29,856	5,226	36,512	-2.76%	-4.74%

SOUTHWEST DISTRICT COURT CASELOAD

FOR CALENDAR YEARS 2019 & 2018

CASE FILINGS/ DISPOSITIONS	2019			2018			2019/2018	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	2,029	425	2,380	2,266	474	2,686	-10.46%	-11.39%
Small Claims	127	4	137	176	2	175	-27.84%	-21.71%
Criminal	1,869	1,257	2,710	1,712	1,337	3,246	9.17%	-16.51%
Traffic	7,497	27	7,739	7,880	29	8,128	-4.86%	-4.79%
Juvenile	114	85	172	133	82	202	-14.29%	-14.85%
Total	11,636	1,798	13,138	12,167	1,924	14,437	-4.36%	-9.00%



NORTHWEST DISTRICT COURT CASELOAD FOR CALENDAR YEARS 2019 & 2018

CASE FILINGS/ DISPOSITIONS	2019			2018			2019/2018	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	3,760	881	4,544	4,138	867	4,982	-9.13%	-8.79%
Small Claims	230	9	232	232	12	255	-0.86%	-9.02%
Criminal	3,773	1,846	4,824	3,892	1,630	5,877	-3.06%	-17.92%
Traffic	11,186	69	11,767	13,607	77	13,956	-17.79%	-15.69%
Juvenile	146	202	282	197	227	342	-25.89%	-17.54%
Total	19,095	3,007	21,649	22,066	2,813	25,412	-13.46%	-14.81%

NORTH CENTRAL DISTRICT COURT CASELOAD FOR CALENDAR YEARS 2019 & 2018

CASE FILINGS/ DISPOSITIONS	2019			2018			2019/2018	
	Filed	Reopen	Disp.	Filed	Reopen	Disp.	Change in Filings	Change in Dispositions
Civil	3,825	885	4,653	3,828	855	4,567	-0.08%	1.88%
Small Claims	454	5	439	340	4	362	33.53%	21.27%
Criminal	2,957	2,371	5,053	2,867	2,878	6,258	3.14%	-19.26%
Traffic	10,138	34	10,358	11,419	34	11,995	-11.22%	-13.65%
Juvenile	190	232	306	220	258	360	-13.64%	-15.00%
Total	17,564	3,527	20,809	18,674	4,029	23,542	-5.94%	-11.61%



NORTH DAKOTA DISTRICT COURT PRESIDING JUDGES 2019

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



JUVENILE COURT 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 SPIRIT LAKE TRIBE AND STATE OF NORTH DAKOTA SIGN JUVENILE SERVICES AGREEMENT

Youth in delinquency cases under Tribal Court jurisdictions often do not have access to, or receive, the same rehabilitative services as youth adjudicated in State District Court. To address this disparity, Senators Nicole Poolman, Jordan Kannianen, and Richard Marcellais, along with Representatives George Keiser and Shannon Roers Jones, sponsored Senate Bill 2153 in the 66th North Dakota Legislative Assembly. The passage of SB 2153 resulted in a new statute, N.D.C.C. 27-20-61 Tribal Juvenile Services Cooperative Agreement, which took effect August 1, 2019.



The statute provides that State agencies serving delinquent youth (ND Department of Corrections-Division of Juvenile Services and ND Court System-Juvenile Court) and the ND Indian Affairs Commission may enter into memorandums of understanding with Tribal governments in the State. The purpose of the MOU's are to provide services for the treatment and rehabilitation of youth adjudicated in tribal court under tribal or federal laws.

: A stakeholder group led by Northeast Judicial District Judge Donovan Foughty and Spirit Lake Tribal Court Chief Judge Joe Vetsch, met to develop an MOU under this statute. Representatives from the Spirit Lake Tribal Court, the Division of Juvenile Services, the ND Court System/District Court, and the ND Indian Affairs Commission drafted an agreement to allow these agencies to share information, resources, and data collection in an effort to better address the needs of delinquent youth adjudicated in tribal court. The group has now

assembled a multi-disciplinary team of professionals who will meet regularly to discuss cases, share information, create case plans, and explore additional services that could be provided to youth.

On January 15, 2020, a symbolic signing of the first MOU under this new statute was held at the Strengthening Government to Government Relationships Conference in Bismarck. Those signing the agreement included Peggy Cavanaugh, Spirit Lake Tribal Council Chairperson, Joseph Vetsch, Spirit Lake Tribal Court Chief Judge, Gerald VandeWalle, ND Supreme Court Chief Justice, Lisa Bjergaard, Division of Juvenile Services, and Scott Davis, ND Indian Affairs Commission. Judge Foughty stated "this memorandum of understanding gives the participants the opportunity to be caring and sharing neighbors."



JUVENILE COURT CASE DATA 2019

Below is the Data for 2019 Referrals to Juvenile Court:

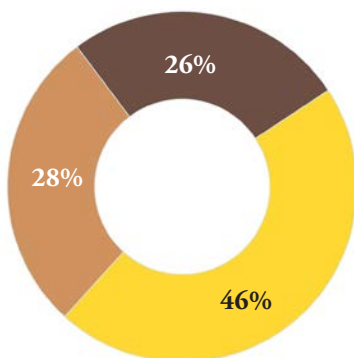
Delinquent and Unruly Case Referrals: In North Dakota, the Juvenile Court has exclusive jurisdiction over youth age ten to eighteen who are alleged to have committed a delinquent or an unruly act. A delinquent act would be a crime if committed by an adult, while an unruly act is behavior such as truancy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

Deprived Case Referrals: In North Dakota, the Juvenile Court has exclusive jurisdiction over youth age ten to 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.

	Unruly	Delinquent	Deprivation	Totals
2019	2643	4597	2858	10098
2018	2408	4332	3349	10089
2017	2603	4744	3273	10620
2016	2467	4461	2839	9767
2015	2492	4586	2714	9792

In 2019, unruly offenses (offenses which only a child can commit) made up 26% of juvenile court referrals, deprivation referrals made up 28%, and delinquent referrals were 46%.

2019 REFERRALS



UNRULY

DELINQUENT

DEPRIVED

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

TOTAL REFERRALS BY CASE TYPE

	2019	2018	2017	2016	2015
Against Person Offenses	1048	1047	907	834	750
Property Offenses	1339	1010	1449	1327	1441
Public Order	1149	992	1051	980	1029
Unruly	2645	2408	2603	2467	2492
Deprivation	2858	3349	3273	2839	2714
Traffic	201	243	239	261	355
Drug Related Offenses	858	1040	1098	1059	1011

New Juvenile Statutory Duties

The 66th Legislative Assembly passed several bills that created two new duties or requirements for the director of juvenile court. All duties took effect on August 1, 2019, and include receiving and examining petitions to establish, modify or terminate a guardianship of a minor child filed under N.D.C.C. 27-20.1 and the review of child placements in residential treatment under N.D.C.C 27-20-06(1)(k).

GUARDIANSHIP CASES AUGUST 1, 2019 TO DECEMBER, 31 2019

Guardianship of a Minor	69
Number of Qualified Residential Treatment Reviews	85

Juvenile Directors are also tasked with carrying out mandates under “Natalee’s Law”, House Bill 1520, which created statutory requirements for courts, law enforcements and the human service zone departments around cases involving delinquent acts committed by youth that are sexual offenses. Some of these new responsibilities include specific steps to ensure timely assessments and treatment, accountability to the victim, and safety of the community. The law also addresses the appropriate use of secure detention and access to the police report by the victim or victim’s guardian.



NORTH DAKOTA JUVENILE COURT JUVENILE DRUG COURT PROGRAM HIGHLIGHTS FOR 2019

The Juvenile Drug Court Program completed its 19th year in North Dakota. Grand Forks and Fargo opened their doors on May 1, 2000. Since then, Bismarck, Minot, Devils Lake, Jamestown/Valley City began operating their juvenile drug courts. These courts have proven to be cost-effective and provide our youth and families with positive outcomes.

The Upper Midwest Drug Court Conference was held in October in Fargo. Team members from Minnesota and South

Dakota joined team members from North Dakota to catch up on the latest drug court trends. Devils Lake Juvenile Drug Court was recognized for its 10-year anniversary.

Through the Juvenile Drug Treatment Courts Initiative, the teams received team training on the Juvenile Drug Treatment Court Guidelines. The training was held in April. Modifications were made to the program on recommendations made by the trainers.





NORTH DAKOTA JUVENILE COURT JUVENILE DRUG COURT PROGRAM 2019 STATISTICS

STATISTICS BY INDIVIDUAL COURTS FOR 2019

Court	Current	Graduations	Terminations	Suspended	Transfers	Totals
Grand Forks	8	7	5	0	0	20
Fargo	13	8	6	0	0	27
Bismarck	8	2	7	0	0	17
Minot	3	1	3	0	0	7
Devils Lake	3	0	0	3	0	6
Stutsman/Barnes	6	1	1	0	1	9
Totals	41	19	22	3	1	86

RACE AND GENDER FOR INDIVIDUAL COURTS

Court	Caucasian	Native American	Hispanic	African American	Other Race	Male	Female
Grand Forks	11	6	1	2	0	15	5
Fargo	17	1	1	4	4	16	11
Bismarck	16	1	0	0	0	9	8
Minot	6	1	0	0	0	4	3
Devils Lake	1	5	0	0	0	3	3
Stutsman/Barnes	9	0	0	0	0	2	7
Totals	60	14	2	6	4	49	37

STATISTICS BY INDIVIDUAL COURTS FOR 2019

Started	Court	Graduations	Terminations	Deceased	Total
May – 2000	Grand Forks	96	107	0	203
May – 2000	Fargo	103	148	1	238
Oct – 2003	Bismarck	75	90	0	165
Jan – 2007	Minot	28	42	0	70
Jan – 2009	Devils Lake	14	31	0	45
Jan – 2013	Stutsman/Barnes	15	21	0	36
Totals		331	439	1	771



NORTH DAKOTA JUVENILE COURT COURT IMPROVEMENT PROGRAM FOCUSES ON JUDICIAL RESPONSE TO CHILDREN IN FOSTER CARE

The Court Improvement Program (CIP) grants were reinstated in January 2019 to provide resources to North Dakota's state courts allowing them to enhance and assess the response of judicial processes to the needs of children in foster care. The CIP consists of three separate federal grants provided by the Administration of Children and Families Children's Bureau.



The basic CIP grant enables state courts to conduct assessments of the role, responsibilities and effectiveness of courts in carrying out laws relating to child welfare proceedings. It also allows courts to make improvements to provide for the safety, well-being, and permanency planning for children in foster care. The CIP data grant supports court data collection and analysis and promotes data sharing between courts, child welfare agencies, and tribes. The CIP training grant is used to increase child welfare expertise within the legal community and facilitate cross-training opportunities among agencies, tribes, courts, and other key stakeholders.

The Court Improvement Program funds and oversees North Dakota's Dual Status Youth Initiative (DSYI) to address

issues related to dual status youth – those youth who have been involved in both the child welfare and juvenile justice systems in North Dakota. Between March 1, 2019 and Jan 31, 2019 the DSYI served 1,325 youth.

In May of 2019, a CIP multidisciplinary team was formed to consider issues, review data, develop plans, and promote system enhancements in order to improve outcomes for children and families in the North Dakota court and child welfare systems. The team reviews data related to Dual Status Youth, termination of parental rights, and Indian Child Welfare Act cases quarterly and oversees the implementation of the goals of the Court Improvement Program grant and the Dual Status Youth Initiative.



Using data from an identified county, the CIP worked with child welfare, states attorneys and the court to implement strategies to address issues regarding the termination of parental rights process. Strategies implemented included holding two stakeholder meetings with 15 participants to review data and revise termination of parental rights case practice guidelines. Results of the process review assisted in the change of requirements in information gathered by state’s attorneys and child welfare, a reduction in 30 backlogged termination cases, and improved time to permanency and adoption for North Dakota’s youth.

Recently the Office of State Court Administrator contracted with the American Bar Association’s Center for Children and the Law to provide technical assistance and expertise in the development of a legal representation plan for children and parents involved in the child welfare system. Through working with the ABA, it is the goal of the CIP to develop a legal representation subcommittee to research models of high-quality legal representation, determine action priorities, and explore the utilization of Family First Title IV-E funds to pay for legal representation for parents and children,

including multidisciplinary team legal representation models.

Over the past year, the CIP provided funding for 12 stakeholders including state’s attorneys, indigent defense attorneys, Guardian Ad Litem, and judicial officers to complete a course in the National Association of Counsel for Children (NACC) Child Welfare Law and Practice Red Book training which offers an in-depth analysis on child welfare law topics including constitutional basics of child abuse and neglect law, permanency planning, appellate practice, and techniques to address secondary trauma. The CIP also provides funding for the certification of interested attorneys to become certified as a Child Welfare Law Specialist, signifying an attorney’s specialized knowledge, skill and verified expertise in the field of child welfare and law. Although North Dakota attorneys do not advertise themselves as specialists, the certification process provides them an in-depth education in child welfare practice. Upcoming continuing education opportunities for judicial officers and attorneys provided by the CIP include a training on the American Bar Association’s Child Safety Guide and an onsite (NACC) Child Welfare Law and Practice Red Book training in July.

Areas of Focus for CIP – A Data Driven Approach



Timeliness to Permanency in Deprivation and Termination of Parental Rights Cases



Dual Status Youth Initiative



Indian Child Welfare Act



Quality Legal Representation Plan

Number of Children in Foster Care in North Dakota by Year

2019	2541
2018	3205
2017	2997
2016	3032
2015	3014

*Federal Fiscal Year – Oct. -1 Sept. 30



NORTH DAKOTA JUVENILE COURT DUAL STATUS YOUTH INITIATIVE

The North Dakota Dual Status Youth Initiative (DSYI) is a result of a multi-year study by the Robert F. Kennedy Foundation. This study found the lifetime prospects for youth in North Dakota were significantly impaired if they were involved simultaneously in the child welfare and juvenile justice systems. Nearly half of all of the youth referred to juvenile court in North Dakota have had previous involvement with child welfare



It is a goal of the North Dakota DSYI to reduce or, ideally, avoid recidivism for these youth. All dual status youth cases require immediate information sharing between the court and child welfare staff after the email notification is received. Involved youth (those referred within the previous 30 days in both systems) are required to have a meeting with a representative from the child welfare system and the judicial system, along with their parents and any other supports (extended family, siblings, school representatives, therapists, etc.). These meetings are held to address strengths, identify weaknesses and provide community supports that the youth may have been lacking. The meeting facilitator distributes surveys to gather family feedback. The Family Child Engagement

meetings are currently available in 17 counties. The DSYI team hopes to see these offered in more counties by year-end 2020.

The DSYI protocol was implemented on Jan. 1, 2019. An independent evaluator was hired to assess the effectiveness of the project and that evaluation phase began March 1, 2019. Between the start of the DSYI evaluation phase and Jan. 31, 2020, there were 1,325 Dual Status Youth in North Dakota. Youth simultaneously involved in both the judicial system and the child welfare system are considered “involved” youth. “Identified” youth consist of youth that have an open case in one system and a history of involvement in the other. Of the 1,325 DSY between those dates, 550 (42%) were involved and 775 (58%) were identified. Three hundred



(approximately 23%) had at least one Multi-Disciplinary Team (MDT) meeting or Family Child Engagement (FCE) meeting.

Results from the 6-month evaluation are positive. It shows dual status youth are much more likely today than in 2015 (baseline data) to have their cases diverted and less likely to be taken into the custody of the courts or social services.

The last formal executive committee meeting was February 14, 2020. The dual status youth project was then transferred to the Court Improvement Program (CIP) and a new working group will be formed under the CIP committee.

Please visit <https://www.ndcourts.gov/dual-status-youth-initiative> for additional information





JUDICIAL PROGRAMS AND SERVICES LAW LIBRARY SPACE TO BE REMODELED FOR COURT'S IT DEPARTMENT

During the 66th Legislative Assembly (2019), the North Dakota State Legislature repealed the laws requiring a state law library and state law librarian. The Legislature also appropriated funds to remodel the current North Dakota Supreme Court Law Library into offices and workspace for the Judicial Branch Information Technology Department (JBIT).



After the remodel is complete, JBIT will move from its office space in downtown Bismarck to occupy the space currently holding the North Dakota Supreme Court Law Library's print collection.

The Law Library's print collection will be significantly downsized before remodeling begins. The remaining print collection will relocate to the space currently used as the Law Library's annex.

After the remodel, physical access to the Law Library will be restricted to employees. However, two public access computer terminals and the microfiche machine will remain in a small vestibule located within the remodeled Law Library entrance. The Law Library Assistant will continue to provide legal reference assistance to Law Library patrons.

Law Library staff, ND Legal Self Help Center staff and Central Legal Staff will remain in the same area they currently occupy. Self-represented individuals will still be able to contact the ND Legal Self Help Center by telephone, email, and mail.

Demolition and reconstruction will occur over the summer months, with an expected completion date of December 2020. The Law Library and ND Legal Self Help Center will remain open during the remodeling, except for limited periods when construction activities makes it unsafe to do so.



JUDICIAL PROGRAMS AND SERVICES FAMILY MEDIATION



Cathy Ferderer
Program Administrator

Mediation program helps families with 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 2019, the Family Mediation Program accepted 713 cases into the Program. Data for completed cases indicates 49% reached full agreement, while an addition 27% reached partial agreements for a positive impact on 76% of cases.

There are currently 29 mediators on the Family Mediation Roster.

Long-term data evaluation continues to show positive impacts of the program. 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. Participation in the program reduces the expenses and stress of court proceedings, and reduces the emotional toll of conflict between parties. By avoiding lengthy court proceedings, the participants benefit greatly by preserving the possibility of ongoing relationships in the future.

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, 2019 through December 31, 2019

Total cases referred to the mediation program		1100
Cases rejected or dropped out		387
Custody issues settled prior to mediation	89	
Existence of domestic violence restraining order in case record or domestic violence issues identified	64	
One party resides outside of North Dakota	93	
Default divorce	35	
One party incarcerated	10	
Mediation attempted prior to filing divorce action	0	
One or both parties did not comply with order	65	
Parties reconciled	5	
Dismissed	14	
Miscellaneous	12	
Cases accepted into the Family Mediation Program		713
Cases mediation completed as of January 31, 2019		539
Cases pending as of January 31, 2019		174



Catie Palsgraaf
Citizen Access Coordinator

JUDICIAL PROGRAMS AND SERVICES LEGAL SELF HELP

Legal Self Help Center helps individuals access courts

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

The Center provides a variety of online forms, informational guides, and research guides for many civil legal issues, such as family law, guardianship, small claims, name change, informal probate, protection and restraining orders, and eviction. The Center's main resource for providing procedural information and education is the North Dakota Legal Self Help Center webpage of the Court System website. The webpage contains all of the forms, informational guides, research guides and brochures available through the Center. The 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 webpage. Most requested topics in 2019:

- 1) Small Claims
- 2) Guardianships of Minors
- 3) Guardianships of Adults
- 4) Family law – Contested matters
- 5) Family law - Modifications to existing orders
- 6) Probate
- 7) Judgment Collection

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



ND LEGAL SELF HELP CENTER CONTACT DATA FOR 2019

	Q1 2019	Q2 2019	Q3 2019	Q4 2019*	Total 2019	Total 2018
Phone Calls	392	329	310	347	1378	1332
Emails	112	106	106	91	415	408
Letters	4	3	0	5	12	13
In-Person	9	7	7	9	32	25
Total	517	445	423	452	1837	1778

In 2019, new forms were created by the Citizen Access Coordinator and added to the webpage, including:

- Motion to appoint a co-guardian in an adult guardianship forms and instructions;
- Service instructions and forms for starting a conservatorship and for service after conservatorship is started;
- Service instructions and forms for starting an adult guardianship;
- General-use template forms and instructions for proposed orders to amend judgments and proposed amended judgments in family law cases;
- A checklist for answering a district court debt collection summons and complaint;
- An informational sheet for obtaining a criminal history background check for juvenile court guardianship;
- An informational guide to judgment collection for the judgment creditor;
- An informational guide to judgment collection for the judgment debtor;
- An informational guide to petitioning to establish date and place to birth to obtain a birth certificate;

- Informational guides for making and answering a motion for a default divorce judgment;
- Informational guides for making and answering a motion for a default parenting responsibility judgment;
- A research guide to sealing criminal records.

Existing forms were updated and revised to reflect changes in law and process. Forms, informational guides, and research guides are key resources provided by the Center.

The Citizen Access Coordinator supervised one law student extern for the Spring 2019 externship with the University of North Dakota School of Law. The 2019 extern created the following resources for the Center:

- An informational guide to making a motion for an interim order in a family case; and
- An informational guide to answering a motion for an interim order in a family case.

New content that will be available on the webpage in 2020 includes:

- A motion and answer to motion to amend parenting time;
- A motion for an order to show case related to parenting time problems;
- A motion to prohibit public access to documents filed in a civil case;
- A new webpage with an overview of how to find an attorney, including contact information for Legal Services of North Dakota, the State Bar Association of North Dakota, and the Court System webpage of attorneys licensed to practice in North Dakota.
- More new forms related to minor guardianships are slated for creation in 2020.

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.



CUMULATIVE 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
Citizen Access Coordinator

JUDICIAL PROGRAMS AND SERVICES NORTH DAKOTA STATE COURT GUARDIANSHIP MONITORING PROGRAM

Reviews and Outcomes for October 2018-September 2019

The district courts referred 31 cases to the monitoring program during the past year. Judges can request a financial review, a wellbeing (visitor) review or both. Primary reasons for referrals include guardians not completing their duties, guardians asking to be discharged, and problems with annual reports. In several instances, the cases referred involved a ward at risk and a report was made to Vulnerable Adult Protective Services.

The program received additional referrals where the court requested intervention other than a standard review:

- In one case, the guardian had passed away. This case was reported to Vulnerable Adult Protective Services so they could perform a wellbeing check on the ward. Based on their recommendation, the guardianship was determined to no longer be necessary and the court terminated the appointment.
- One emergency guardian continued to petition for extensions of the emergency order and seemed unable to complete the process for a petition for a long-term guardianship. The purpose of this referral was a request for the monitor to share information on the process with the petitioner.

Thirteen cases were randomly selected by the monitor for review. Most of these involved professional guardians due to the requirement that the program perform one random audit for each professional guardian each year.

The most common issue seen in reviews is that many guardians are not fully completing the annual reports. Some examples are assets such as spending accounts at long-term care facilities or burial funds not being included in the reports and guardians not including information on the level of financial oversight they are providing. Another common issue is guardians who are not aware that they are still responsible for financial oversight even when a third party payee is involved in the case.

The annual wellbeing reports are similarly often short on details, and sometimes it is because the guardian does not know the ward very well.



Education, Outreach, and Miscellaneous

In April of 2019, North Dakota Courts hosted a conference: “Ensuring Trust: Strengthening Efforts to Protect Vulnerable Adults”. Nationally renowned speakers presented on elder abuse and victimization as well as guardianship standards of practice. Local speakers presented on financial planning, caregiver stress, and guardianship ethics. There were approximately 150 attendees and continuing education credits were issued.

The Guardianship Monitoring Program, working in partnership with Vulnerable Adult Protective Services, has provided training on guardianship issues to service organizations such as the state hospital

and a treatment center. These mini-trainings are helpful to staff in learning how to pursue a guardianship for a client, as well as in understanding the limitations of the powers of the guardian.

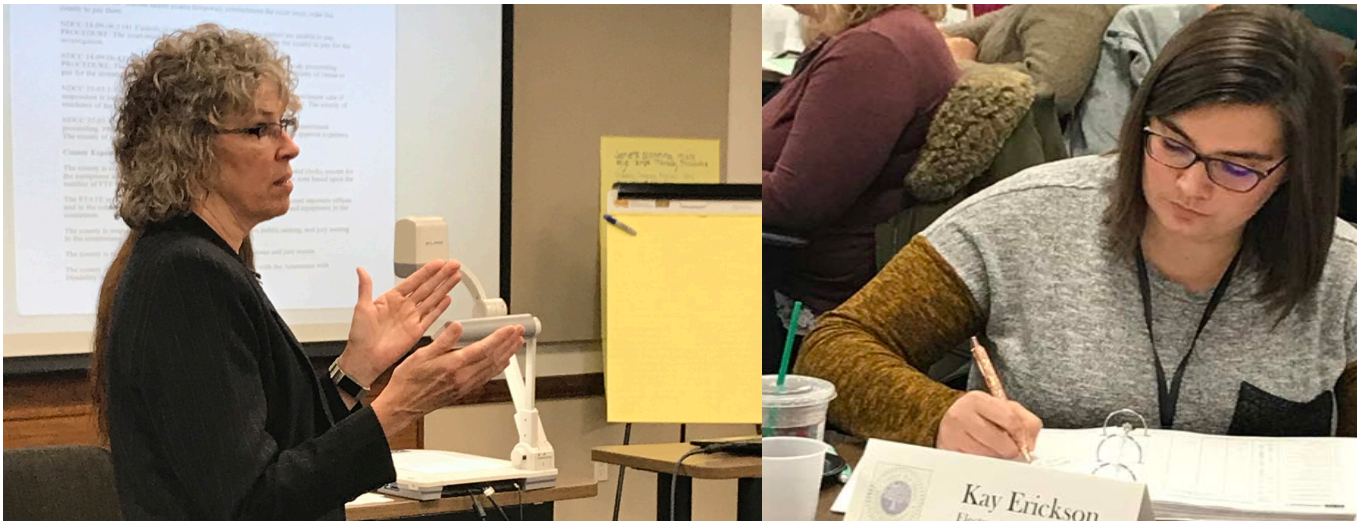
The Guardianship Workgroup recently created a subcommittee to study issues with the current system of delivering adult guardianship services. The subcommittee is chaired by South Central Judge Cynthia Feland and membership includes several legislators who have volunteered their time to serve on the committee because of their interest in guardianship issues. The subcommittee expects to develop recommendations for the 2021 legislative session.





COURT ADMINISTRATION EMPLOYEES TAKE COURSES TO BECOME CERTIFIED COURT MANAGERS

After a break for a couple of years, court manager certification is back with 31 court employees participating in the program. The program began in October 2019 and participants are expected to graduate by the end of 2020.



Offered in coordination with the National Center for State Courts' Institute for Court Management, the certified court manager program is a series of 6 courses based on the core competencies recognized by the National Association for Court Management. This core is a summation of the knowledge, skills and abilities court professionals need to be effective managers and dynamic leaders. The program is designed to develop leaders in court administration for today's judicial branch and for the future.

The required courses are accountability and court performance, budget and fiscal management, caseflow and workflow management, project

management for courts, purposes and responsibilities of courts and workforce management. Each course is 2.5 days. These courses are being taught by our trial court administrators who have been certified in specific courses. The certified instructors are Rod Olson, Donna Wunderlich, Carolyn Probst, Chris Iverson and Kelly Hutton.

Once the courses are complete, participants will earn the designation of Certified Court Managers.

North Dakota has a licensee arrangement with the NCSC to offer the courses locally.

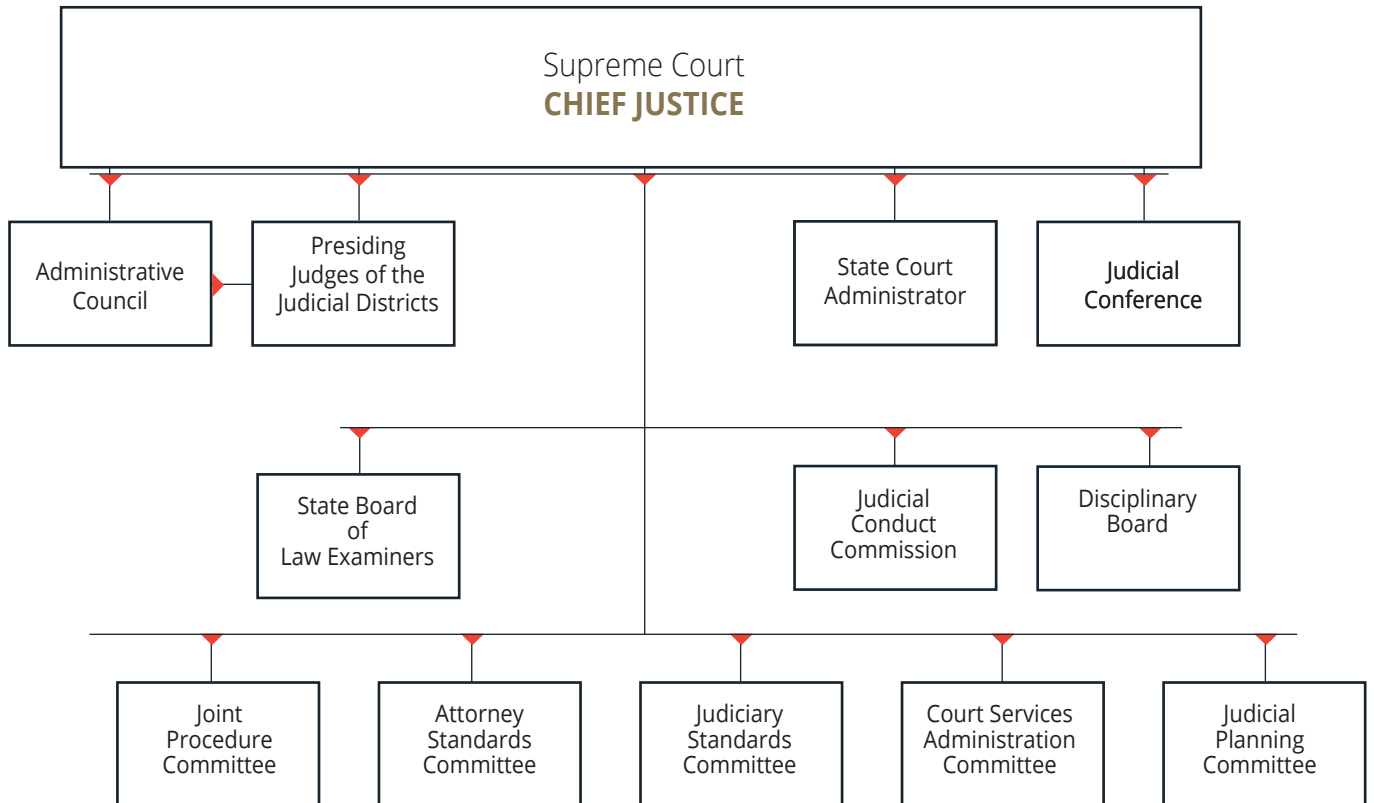


The Hon. Jon J. Jenson,
Chief Justice

NORTH DAKOTA COURT ADMINISTRATION 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

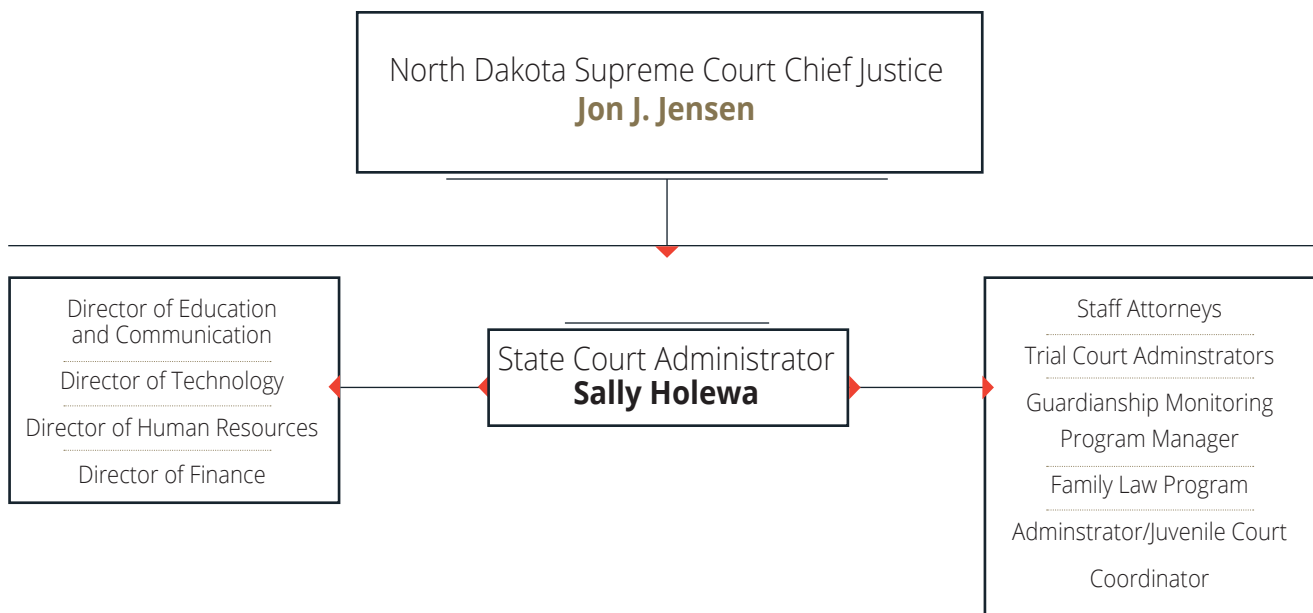




NORTH DAKOTA COURT ADMINISTRATION OFFICE OF STATE COURT ADMINISTRATOR

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 COURT ADMINISTRATION 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.

2019 TRIAL COURT ADMINISTRATION

ADMINISTRATIVE UNIT 1 Trial Court Administrator



SCOTT JOHNSON
Assistant Trial Court
Administrator – Kelly Hutton

ADMINISTRATIVE UNIT 2 Trial Court Administrator



ROD OLSON
Assistant Trial Court
Administrator – Chris Iverson

ADMINISTRATIVE UNIT 3 Trial Court Administrator



DONNA WUNDERLICH

ADMINISTRATIVE UNIT 4 Trial Court Administrator



CAROLYN PROBST



NORTH DAKOTA COURT ADMINISTRATION 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		Yes
Wells	Full-time	Separate		X	No



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

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

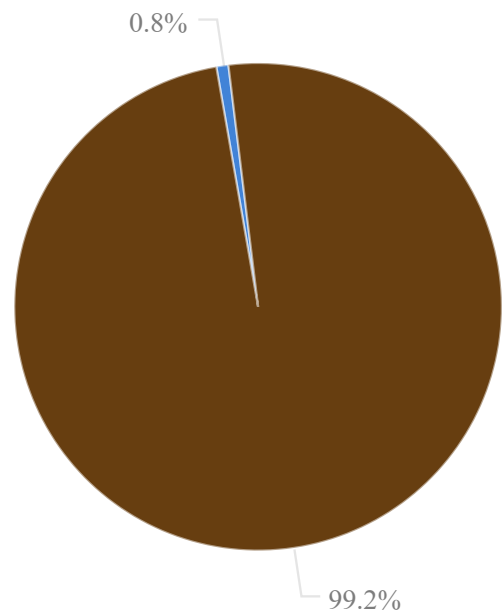


NORTH DAKOTA COURT ADMINISTRATION
JUDICIAL PORTION OF THE STATE'S BUDGET
2019 -21 BIENNIUM
JULY 1, 2019 - JUNE 30, 2021

Total State General and Special Funds Appropriation
 \$14,690,587,737

Executive and Legislative Branch General and Special Funds Appropriation
 \$14,579,982,397 (99.2%)

Judicial Branch General and Special Funds Appropriation
 \$110,615,340 (.8%)



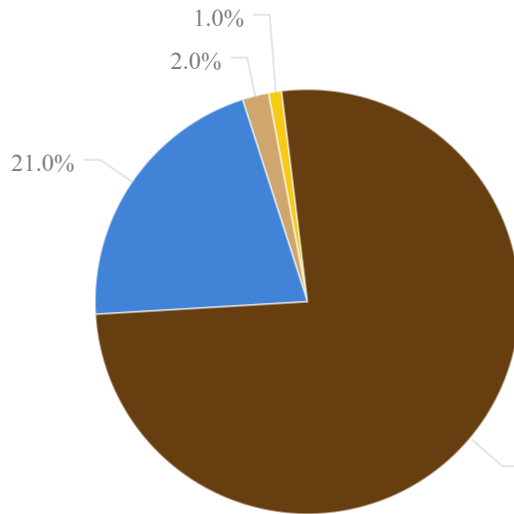
Funding:	Total	Judicial	Net
General Fund	\$ 4,843,563,166	\$ 107,503,043	\$ 4,736,060,123
Special Funds	\$ 9,847,034,571	\$ 3,112,297	\$ 9,843,922,274
Total	\$ 14,690,597,737	\$ 110,615,340	\$ 14,579,982,397



**NORTH DAKOTA COURT ADMINISTRATION
STATE JUDICIAL BRANCH APPROPRIATION
BY APPROPRIATED LINE ITEM
2019-21 BIENNIUM**

Total Judicial Branch General and Special Funds Appropriation
\$110,615,340

■	Salaries and Benefits	
	\$84,580,988	(76.5%)
■	Operating Expenses	
	\$23,102,664	(20.9%)
■	Special Purposes	
	\$ 1,814,336	1.9%)
■	Capital Assets	
	\$ 1,117,352	(1.6%)



Special purposes:

Guardian monitoring	\$283,042
Judge's retirement	\$280,332
JCC/DB	\$1,250,962
Total	\$ 1,814,336



NORTH DAKOTA COURT ADMINISTRATION
STATE JUDICIAL BRANCH APPROPRIATION
BY TYPE OF ACTIVITY
2017-2019 BIENNIUM

Supreme Court

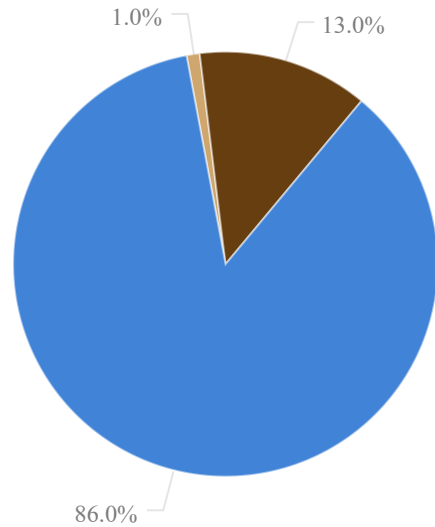
General Fund	\$14,037,662	
Special Funds	\$0	
TOTAL	\$14,037,662	(13%)

District Courts

General Fund	\$87,527,987	
Special Funds	\$1,500,000	
Federal Funds	\$1,399,138	
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, COUNCILS, COMMISSIONS AND BOARDS

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 NEW COMMITTEE TO EVALUATE SPECIALIZED DOCKET REQUESTS

A new committee on specialized dockets was formed in 2019. Authorized under Administrative Rule 60, the primary purpose of the Interdisciplinary Committee on Specialized Dockets is to acquire and analyze information related to the establishment of specialized dockets.

The committee is chaired by Supreme Court Justice Jerod Tufte and staffed by court program manager Marilyn Moe. Members are Judge Cherie Clark, John Gourde from Department of Corrections, Pam Sagness of Department of Human Services, and Judge Jay Knudson.

The Rule defines a specialized docket as a juvenile or district court that oversees a therapeutic program comprised of interdisciplinary teams, enhanced judicial involvement, court supervised treatment programs, and other components designed to achieve effective alternatives to traditional case dispositions. In North Dakota, there are currently adult and juvenile drug courts and one domestic violence court.

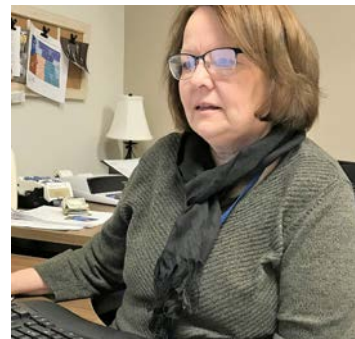
Requests for additional specialized dockets will first pass through the committee before making a recommendation to the Supreme Court. The committee will consider information such as the size of the eligible population, evidence relating to the efficacy of the specialized docket, and funding and other resource requirements of the proposed docket. If approved a planning team will be created including the court administrator and presiding judge along with any other interested persons and local stakeholders.

In addition, the committee is tasked with evaluating existing specialized dockets. The process for how on-going evaluations will be conducted is still being considered.

No formal requests were submitted to the committee in 2019.



JEROD TUFTE
Supreme Court Justice



MARILYN MOE
Court Program Manager



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.

Interdisciplinary Specialized Docket Committee

Established by Administrative Rule 60, the interdisciplinary committee on specialized dockets is established as a collaborative mechanism to acquire and analyze relevant information related to the need for and feasibility of establishing specialized dockets. A «specialized docket» is a juvenile or district court that oversees a therapeutic program comprised of interdisciplinary teams, enhanced judicial involvement, court-supervised treatment programs, and other components designed to achieve effective alternatives to traditional case dispositions.



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 NORTH DAKOTA BOARD OF LAW EXAMINERS - 2019

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 2019, Board members were Lawrence King of Zuger Kirmis and Smith in Bismarck; Jane Dynes of Serkland Law Firm in Fargo; and Bradley Beehler of Morley Law Firm, Ltd. in Grand Forks. Dynes served as President of the Board. The Director of Admissions, Laurie Guenther, assists the Board in its statutory responsibilities.

The 2019 Character and Fitness Committee members were Chair Michael J. Williams, Fargo attorney, Scott K. Porsborg, Bismarck attorney; Dr. Naveed Haider, Fargo psychiatrist; Paul F. Richard, Fargo attorney; and Daniel Ulmer, Bismarck.

Admission

The number of newly admitted attorneys was the highest since 2015. One hundred and ninety one new attorneys were admitted to the North Dakota Bar, a 55% increase from 2018, and a 44% increase from 2017. The figure below shows the number of admissions by type for the last five years.

Ninety motions for admission based on practice or test score were filed, a 4% decrease from 2018. Ninety percent of motions for admission on test score were filed based on the transfer of a Uniform Bar Examination score received in another jurisdiction. Below is a figure showing the number and types of motion applications for 2015-2019.

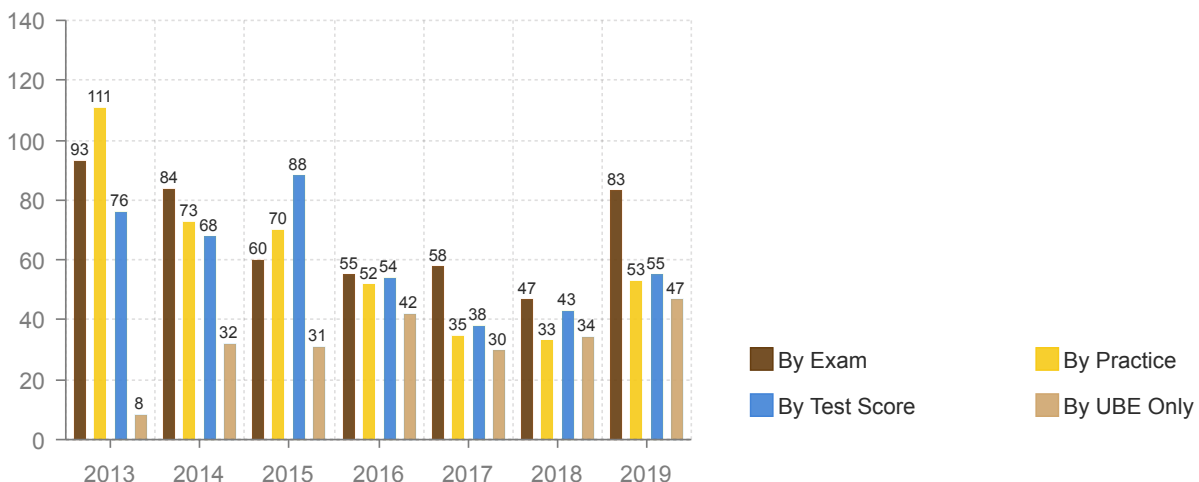
Licensing

In 2019, 3,101 licenses were issued, the highest ever and 2% more than 2018. The number of licenses issued was 45% more in 2019 than 10 years ago in 2010. The ten-year average for licenses issued is 2,672. Below are the total licenses issued for the last 10 years.

Three hundred and fifty three nonresident attorneys appeared pro hac vice in North Dakota courts under Admission to Practice Rule 3, which is decreased 6% from 2018. 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.

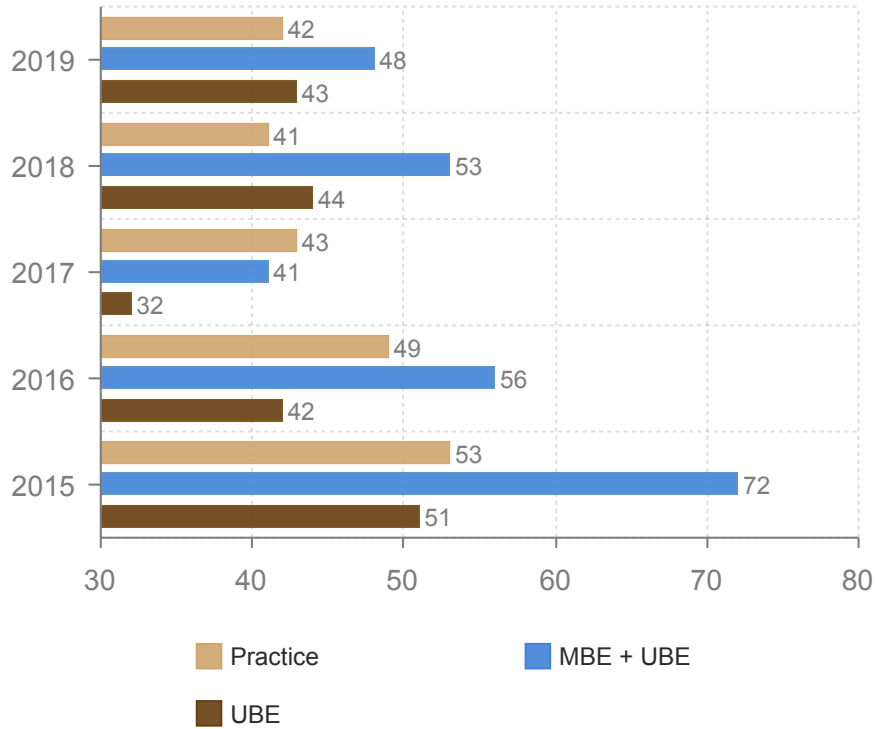
Twelve temporary licenses were approved, while applicants licensed in another jurisdiction awaited the review and approval of their North Dakota applications.

BAR ADMISSION BY TYPE

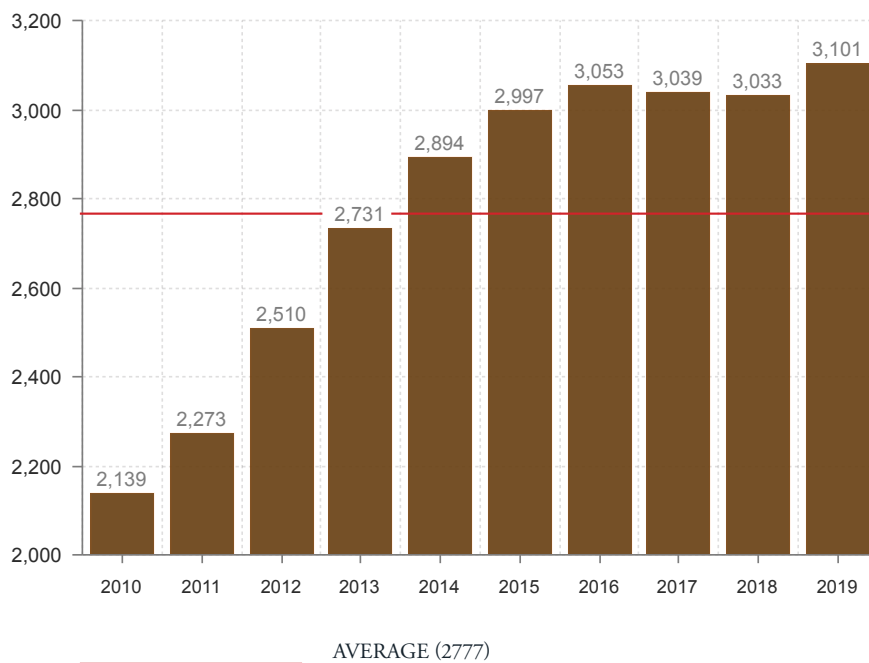




BAR APPLICATIONS BY TYPE OF MOTION



LICENSES ISSUED



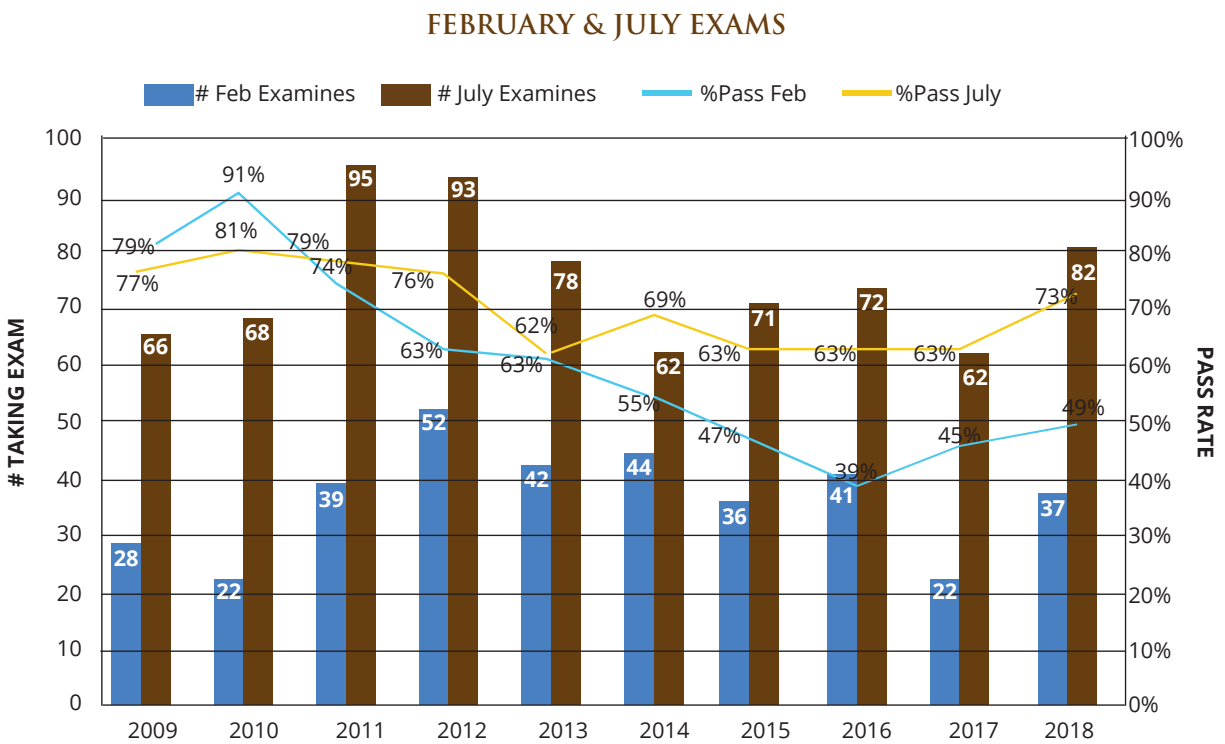


NORTH DAKOTA JUDICIAL SYSTEM

NORTH DAKOTA BOARD OF LAW EXAMINERS - 2019

Exams

The number of February and July examinees (columns) and the passage rate (lines) for 2015-2019 are shown in the figure below.





NORTH DAKOTA JUDICIAL SYSTEM LAWYER 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 2019 is below.

General Nature of Complaints	
Client Funds & Property	0
Conflict of Interest	13
Criminal Convictions	0
Disability/Incapacity to Practice Law	0
Excessive Fees	13
Failure to Communicate/Cooperate with Client	14
Improper Conduct	89
Incompetent Representation	4
Misappropriation/Fraud	1
Neglect/Delay	3
Petition for Reinstatement	0
Unauthorized Practice of Law	4
Solicitation	0
Reciprocal Discipline	2
Total New Complaints	156
Formal Proceedings Pending From Prior Years	9
Other Complaint Files Pending From Prior Years	59
Appeals Filed with Disciplinary Board	8
Appeals Allowed by Supreme Court	0
Total Formal Matters	75
TOTAL FILES AVAILABLE FOR CONSIDERATION	232

Dispositions

Inquiry Committees	Dismissal	46	
	Summary Dismissal	86	
	Admonition	5	
	Referral to Lawyer Assistance Program	2	
	Consent Probation	2	
	Dismissal Without Prejudice	0	
	No Action - Referred to Another State	0	
Disciplinary Board	Approve Inquiry Committee Dismissal	5	
	Approve Inquiry Committee Admonition	0	
	Approve Inquiry Committee Consent Probation	0	
	Disapprove Inquiry Committee Disposition	0	
	Diversion by Hearing Panel of the Board	0	
	Dismissal by Hearing Panel/Disciplinary Board	5	
	Reprimand by Hearing Panel/Disciplinary Board	4	
	Consent Probation by Hearing Panel of the Board	0	
	Supreme Court	Reprimand	3
Suspension		1	
Disbarment		1	
Interim Suspension		0	
Reinstatement		0	
Court Vacated Interim Suspension		0	
Transfer to Disability Inactive Status (No DB File)		0	
Dismisses/Disapproves Petition for Discipline		1	
TOTAL DISPOSITIONS		161	



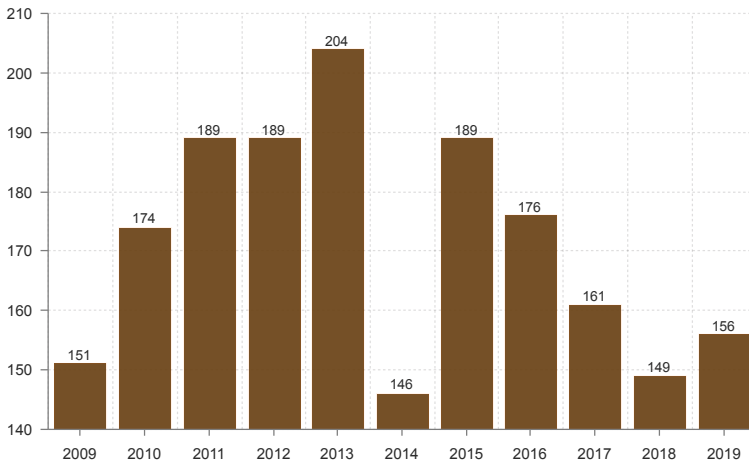
NORTH DAKOTA JUDICIAL SYSTEM LAWYER DISCIPLINARY BOARD

One hundred and fifty six new complaints were filed in 2019, which is a 5% increase from 2018. This represented 91% of the 10-year average of new complaints filed.

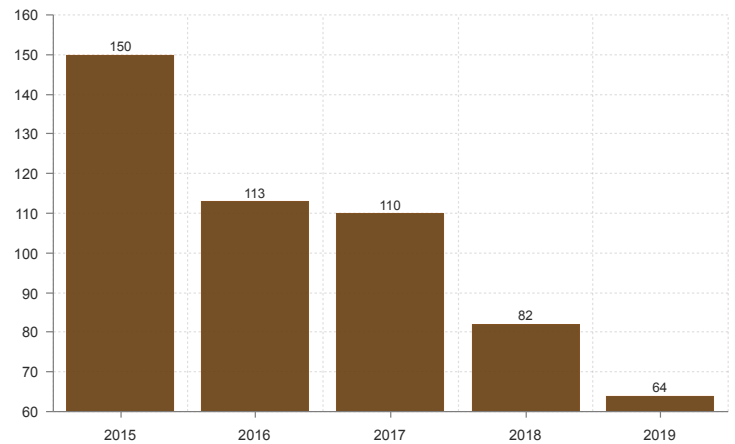
The number of dispositions increased to 161 in 2019 compared to 143 in 2018, representing a 13% increase.

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 113 days in 2016 to 64 days in 2019. The time to disposition for informal matters from 2015-2019 is below and has decreased each year.

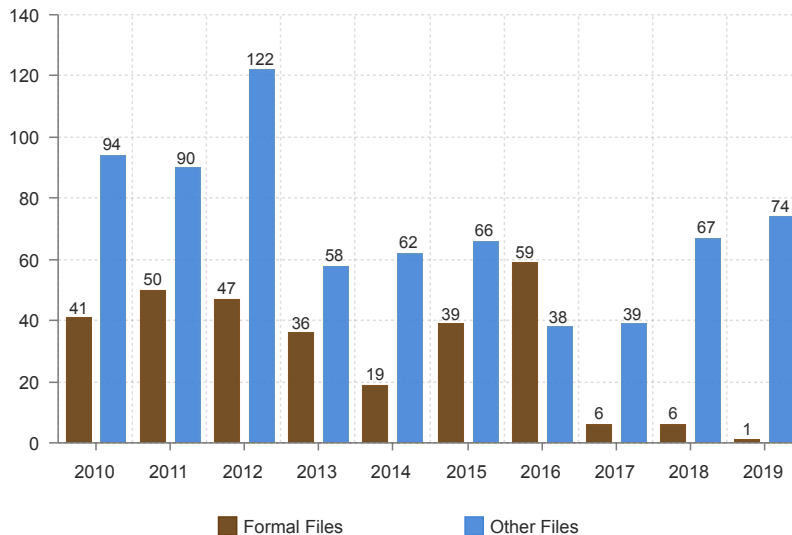
NEW COMPLAINTS FILED 2009-2019



TIME TO DISPOSITION - INFORMAL



COMPARISON OF THE INFORMAL AND FORMAL FILES PENDING AT THE END OF 2019-2010.





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 2019:

- 24 were against 19 District Court Judges
- 2 were against 2 Municipal Judges
- 1 was against 1 Judicial Referee

New Complaints Opened in 2019	27
General Nature of Complaints:	
Bias, discrimination/partiality	5
Improper decision/ruling	17
Improper conduct on bench	4
Administrative Irregularity	1
Failed to perform duties	1
Failure to follow law/procedure	3
Complaint Files Carried Over from 2018	4
Total Files Pending Consideration in 2019	31
Disposition of Complaints:	
Admonition	3
Summary Dismissal	20
Total 2019 Dispositions	23
Complaint Files Pending as of 2019/31/12	8