Government Services Committee

Testimony of Sally Holewa
North Dakota State Court Administrator

August 22, 2013

Good morning Chairman Sorvaag and members of the Government Services Committee. For the record, my name is Sally Holewa. I am the State Court Administrator for the North Dakota Court System. I am here today to provide information on the space needs of the judiciary.

As you know, most of the Judicial Wing is occupied by executive branch agencies. The court currently has 21,604 square feet of space, divided between the first and second floors of the Judicial Wing, which houses 49 employees and 5 supreme court justices. These employees include those of the Supreme Court, the Office of the Clerk of the Supreme Court, staff to the Board of Law Examiners, the Office of the State Court Administrator, the Law Library, and Central Legal Services. We also provide temporary space for interns, externs and contract staff. A portion of the space we occupy is public space which includes the Supreme Court courtroom, the lobby area for the courtroom, and a waiting area in the Clerk of Court office. We have another 890 square feet of storage space in the basement of the Capitol Tower.

In addition to this space, we lease 11,128 square feet in the Centennial Plaza building in downtown Bismarck. The current combined per foot lease rate is $11.64, for a biennial lease cost of $256,500. This building houses 14 employees, a server room, two conference rooms, a training room and storage space.

The Judicial Conduct Commission also leases 700 square feet downtown. The combined per foot least rate is $13.46 for a biennial lease cost of $18,840. This space houses 4 employees who also serve as staff to the Lawyer Disciplinary Board.

The Judicial Wing was built in response to a space needs study that was done in 1977. The study projected the 25-year space need for the court as 52,720 square feet. At that time, the Supreme Court had 35 employees and only 11,798 square feet of space in the Capitol Tower. We also had a much different court system

than we do now. Back then, Supreme Court served an oversight role in a non-unified system with most court functions provided by the county.

Since that time, the legislature has consolidated both levels of county court into the district court system and moved the consolidated services from county-funded to state-funded. The Supreme Court now serves a direct management role for the district and juvenile courts. The judicial branch is a large organization with 53 locations, 5 justices, 47 judges, 311 state employees, and 35 contract county employees to manage. This changed role requires management of a human resources and compensation system, budget management and accounting services, judicial and staff education, information management systems for district court, juvenile court, and jury management, grant writing and administration, legal assistance to clerks of court, juvenile court directors and court administrators, and staffing for numerous committees, boards and task forces that provide advice and recommendations to the Supreme Court. In addition, we monitor statewide services for drug courts, mediation, guardians ad litem, custody investigators, and juvenile court programs.

As staff has grown to meet these needs, we have run out of space to conduct our daily business. We reached the breaking point in 2008, and a decision was made to re-locate our technical staff offsite. It is our desire to have all of our staff in one location. Unlike some government entities, where divisions can stand independently of each other, the court system has one focus and only one mission. To carry out our work efficiently, we need to have repeated, daily interactions between all of our departments.

Our space needs analysis is more than 30 years old, so I cannot give you any specifics on how much space the court needs. What I can tell you is that in addition to office space, we are in need of several conference rooms, a large training room, space for our servers, and attorney preparation space for those appearing before the Supreme Court. In addition, we would like enough space to set-up an interactive information center for visitors.

I need to add a special note on the Judicial Conduct Commission. This is a statutory entity that is separate from the court system, although for accounting purposes, their budget is included as part of the court's appropriation. Because the court has a role in reviewing the decisions of the Commission and the Disciplinary Board, it is important that if they are moved to the Capitol, that their space be separate and distinctive from the court in order to fully preserve the independence of each entity.

We moved into the Judicial Wing more than 25 years ago. At that time, it was billed as a 10-15 year solution for the court system. While I don't have a recommendation for you on how to address all of the space needs of government, I urge you to find an adequate solution for both the immediate and the future needs of the court.