

2013 SENATE JUDICIARY

SB 2075

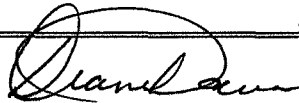
2013 SENATE STANDING COMMITTEE MINUTES

Senate Judiciary Committee
Fort Lincoln Room, State Capitol

SB2075
1/21/2013
Job #17439

☐ Conference Committee

Committee Clerk Signature



Minutes:

Attached testimony

Relating to the establishment of three additional district court judgeships

Senator David Hogue - Chairman

Chief Justice VandeWalle - In support of the bill. Explains his concerns about the number of judges across the state. He says they now use a weighted case load study that's put out by the National Center for State Courts, that is an approximation of the judicial time they need. He goes on to say to say that it has been a helpful tool although it's not completely accurate otherwise they would be asking for even more judges. He says it's evident why judges are needed.

Sally Holewa - See written testimony - marked, presented by Chief Justice VandeWalle. #1

Senator Hogue - Asks in addition to judges what other personnel would be needed and if the judges can be moved if a case load shifts.

Holewa - Replies that 3 judges would each have a court reporter. She also says they do move judgeships by statute and by court rule. They generally move when there is a vacancy.

Senator Armstrong - States Williston hasn't had a judge in a very long time.

Senator Berry - Asks if there is a limit to 42 judges

Holewa - Explains how there came to be the number of judges.

Senator Grabinger - Asks why they are requesting a judge for the east central district when filings show they are down.

Holewa - She explains the case filings have dropped partly due to the way they file cases, they combine certain cases and the number of cases is larger than anywhere else.

William McLees - NW Judicial District Judge - He explains how he started out in 1978 and goes on to explain the county court system and gives a historical perspective of the judges in the NW part of the State. He says they do not have the time to spend in specialty courts

such as Drug Court and believes strongly in that program. He said there has been an increase in criminal cases, they have a master calendar they use in Minot where you handle all of the criminal appearances for that particular week and process initial appearances, he goes on to say, two weeks ago they had in Minot 24 people in jail who hadn't made bail over the weekend and additional 30 to 35 people besides those 25 that day, 60 people in one day. He said it doesn't leave them time to spend with each individual. He said it is even more pronounced in Williston they have a higher case load per judge than any jurisdiction in the state right now. He explains on the probate side they are seeing a lot of termination of interest in mineral cases and they take a lot of time to process also.

Senator Sitte - Asks since municipal court does well here she wonders if it should be expanded or does that depend on the cases they handle.

McLees - Explains the municipal courts are limited in terms of the types of cases they can handle. They are limited to Class B misdemeanor or less. He says municipal courts have been disappearing in the small communities.

Senator Hogue - Says there is a statute that requires the court to strike a balance between chambering the judges in the populated cities verses the rural cities. He asks if the court has a plan where these two NW judges would be chambered to comply with that statute.

Chief Justice - Explains the only requires that the judges be residents of the district in which they are chambers are located. He said it is an issue providing services to the rural areas. He said they have not decided where the new judges will be located. He said in years in past they cut judge positions to unify the system but also it was a county option how many they wanted but when the states took over they wouldn't take all the judges because of the money and they didn't need all of them.

David Nelson - District Judge, Williston, ND - He explains who has municipal judges in the western part of the state saying they are usually in cities that have police departments. He talks of the Williston drug court being on hold for the last two years but he does not have the time now but believes it was very rewarding and they hope to start it up again. He mentions because of time constraints he has less and less time for prep time. He goes on to say how they have to stack up jury trials now because of time. He also mentions how the jails are full and people in there are staying a very long time because they can't make their bond. He conveys how he has no time and it wears on him personally.

Senator Hogue - Asks if there has been any thought of housing for these new people.

Nelson - Responds they hope to hire local and they do have a new chamber almost ready for a new judge. He says the average caseload coverage for a judge is about 1500 a year but he and another Williston judge are up to 3200 cases each.

Lisa Fair McEvers - District Judge, East-Central Judicial District - In support of this bill. She said she has been on the bench approximately 2.5 years and on her first day she had 76 appearances. She says Fargo is busy as well because their population is growing also. She mentions the high number of interpreter cases they have. They also have a number of complicated cases with a high number of asbestos cases that take a lot of prep time.

Aaron Birst - Association of Counties - In support of this bill

Judge Gail Hagerty - President of the State Bar Association - In support

Allan Austad - ND Association for Justice - In support

Opposition - none

Neutral - none

Close the hearing on 2075

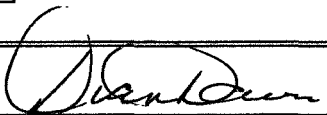
2013 SENATE STANDING COMMITTEE MINUTES

Senate Judiciary Committee
Fort Lincoln Room, State Capitol

SB 2075
1/21/2013
Job #17539

☐ Conference Committee

Committee Clerk Signature



Minutes:

(7:35 on recording)

Senator David Hogue - Chairman

Committee Work

Senator Nelson asks if we should put on an emergency clause to help speed up the system. Senator Hogue relates that the Chief Justice commented on that he did not want it to affect the bill. The committee discusses the emergency clause and if it would allow the speeding up of the process they think it should be enacted. Senator Armstrong says the emergency clause won't buy them much time.

Senator Nelson motions to add the emergency clause
Senator Sitte seconds

Discussion

Senator Berry thinks it would be just the voting by a 2/3 majority if there is any problem. Senator Nelson said let them start the process because they more than likely won't be done by July first when the appropriation takes effect. Senator Grabinger states we are just giving them the ability to move forward quicker.

Verbal vote - all in favor

Senator Grabinger moves a do pass as amended and rerefer to appropriations
Senator Berry seconds

Vote - 7 yes, 0 no
Motion passes

Senator Hogue will carry

January 23, 2013



PROPOSED AMENDMENTS TO SENATE BILL NO. 2075

Page 1, line 2, after "judgeships" insert "; and to declare an emergency"

Page 1, line 7, remove "biennium beginning July 1,"

Page 1, line 8, replace "2013" with "period beginning with the effective date of this Act"

Page 1, after line 20, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

Date: 1/22/13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2075

Senate JUDICIARY Committee

☐ Check here for Conference Committee To add an emergency clause

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By S. Nelson Seconded By S. Sitte

Senators	Yes	No	Senator	Yes	No
Chairman David Hogue	/		Senator Carolyn Nelson	/	
Vice Chairman Margaret Sitte	/		Senator John Grabinger	/	
Senator Stanley Lyson	/			/	
Senator Spencer Berry	/			/	
Senator Kelly Armstrong	/			/	
	/			/	

Total (Yes) _____ No _____

Absent Verbal yes vote

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 11/22/
Roll Call Vote #: 2

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2075

Senate JUDICIARY Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 13.8021.01001

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment
☒ Rerefer to Appropriations ☐ Reconsider

Motion Made By L. Grabinger Seconded By S. Berry

Senators	Yes	No	Senator	Yes	No
Chairman David Hogue	X		Senator Carolyn Nelson	X	
Vice Chairman Margaret Sitte	X		Senator John Grabinger	X	
Senator Stanley Lyson	X				
Senator Spencer Berry	X				
Senator Kelly Armstrong	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment S. Hogue

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2075: Judiciary Committee (Sen. Hogue, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2075 was placed on the Sixth order on the calendar.

Page 1, line 2, after "judgeships" insert "; and to declare an emergency"

Page 1, line 7, remove "biennium beginning July 1,"

Page 1, line 8, replace "2013" with "period beginning with the effective date of this Act"

Page 1, after line 20, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

2013 SENATE APPROPRIATIONS

SB 2075

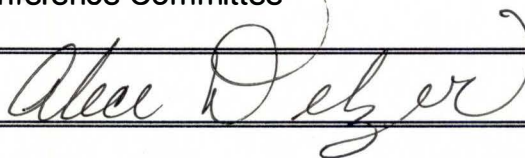
2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2075
01-31-2013
Job # 18055

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch relating to establishment of three additional district court judgeships; and to declare an emergency.

Minutes:

See attached testimony

Chairman Holmberg: Called the committee to order on Thursday, January 31, 2013 in regards to SB 2075. All committee members were present except Senator Robinson. Adam Mathiak from Legislative Council and Laney Herauf from OMB were present.

Chairman Holmberg: The bill was separated out from the judicial budget as a stand-alone bill but I am sure there will be some repetition.

Jerry Vande Walle, Chief Justice: Testified in support of the bill. I had asked for three new judges and three court reporters to go along with the new judges. You have heard the story before and you know what it is. Sally will have the statistics that we have. The request for 3 judges does not take care of all the issues of under judging in the state by a means but these are the most acute issues. I liken the northwest to the sudden boiling pot and the frogs are put in and they jump out immediately because it is too hot. Fargo is the other way. They just heated the pot up gradually and they have been just assuming and assuming. That is where the problem arises. The judgeship bill, one reason we did not ask for Fargo before is because they didn't have facilities. Williston did not either, but they now have an addition. So both areas have the facilities now, Fargo and Williston. I ask favorable consideration of this bill and please ask if you have any questions of me.

Chairman Holmberg: Thank you very much. When we talk about a judgeship being created, how many people are involved in that?

Sally Holewa: A judgeship unit is simply the judge and either a court reporter who does the steno machine or a court recorder who runs the audio tape.

Chairman Holmberg: Then they fit into the rest of the judicial group that happens to be in Williams County. Cass County has been handled then for space for a new judge?

Sally Holewa: They built the addition to the Courthouse and it included extra chambers.

Sally Holewa, State Court Administrator: Testified in favor of SB 2075 and provided Testimony attached # 1. This bill is a request for three new judgeships. Two would be chambered in the Northwest judicial District, which is the six county area around Williston and Minot, and the other one would be in the East Central Judicial District, which is made up of Cass, Steele, and Trail counties. (7:12)

Chairman Holmberg: I did not understand attachment B; could you explain that?

Sally Holewa: Basically, what it means is that in the northwest we are short 2.35 judges and in the southwest we are short .23 of a judge. The south central we need 1.36 judges, and the east central we need 2.17. In the southeast, we are over judged this year by 1.16. This is the first time in 10 years we have been over judged.

Chairman Holmberg: Is that Wahpeton?

Salley Holewa: The southeast runs from Wahpeton all the way across to Logan or McIntosh County and up to Jamestown north of the highway.

Chairman Holmberg: I am not surprised about the northeast central that are a little under.

Sally Holewa: You cannot go by trying to get a zero and not over or under because of the distance and you need people placed in the communities.

Vice Chairman Bowman: When the demand rose so that you have to have more judges, does that go in reverse then after? How does that work if you hire a judge and then all of a sudden the case load goes way down and you don't need them anymore, what do you do? Who makes the decision to pull a judge and maybe moving him/her?

Sally Holewa: It is sort of a two-for, because the court gets the first pass. By court rules and statute we can move judges. That is what we've been doing over the last couple of years. We have that authority to transfer where there is more need. Ultimately, if we were not to do that, legislature funds them and the legislature authorizes them. If we were not diligent in closing those offices, I am almost certain that whoever is here will help us along.

Chief Justice Jerry Vande Walle: We are quite familiar with reducing judges. If you recall when we unified the system, we were required to reduce 10 judges. We did it by attrition. What would happen is that the judge would be there for the term of their office, but at the end of the term, the positions could be eliminated. We cut 10 back in the 90's. We cut a few too many and we bounced judges around and we did move them; some of them unwillingly.

We still have the requirement that 30% of the judges must be chambered in cities of 15,000 or less.

Senator Warner: The judges and the recorders are in this bill?

Sally Holewa: That is right.

Senator Warner: It is likely that at least one of these judges will be in a city that no longer has a chambered position. Are there clerks that are in the other bill that are essential to the implementation to this bill?

Sally Holewa: I would say yea and the reason I say that is not because we have a formula like other states do. If you add a judge you add clerk staff because they are essential. It is almost an assembly line process. Judges touch cases at very specific points in the life of that case but there is the whole life of the case before he sees it, each time after he sees it and long after a case has been decided, the clerks will be working on paperwork

Senator Warner: Because those two chambers have not been used for some time, are there renovation costs that will affect your budget?

Sally Holewa: There is a court facilities improvement grant fund. It is a continuing appropriation. We have a committee that is made up of the chief's appointment and two county commissioner representatives and one legislator and one member of the bar association. That committee makes grants out of this continuing appropriation.

Senator Wanzek: When I do the math on your need based, it comes up to 3.5 judges net. You feel with the three you are able to have the flexibility in those areas of need to be able to meet the extra half of a judgeship?

Sally Holewa: I am really having a hard time answering that because I want to say absolutely yes but I have a strong feeling that come next session we will be looking for a judge in the south-central. We tried to address the greatest need here.

(17.09) **Chief Justice Jerry Vande Walle:** The emergency measure was not requested by me. One of the senators asked if it would be alright with it. It takes a 2/3 majority to get it through. I want everyone to know that it would speed up the process, there is a lengthy process. When new judgeships are created, it automatically creates a vacancy which is filled by the Governor. At that time the nominating commission kicks in. It takes some time for that process to get worked out.

Chairman Holmberg: The emergency clause is on here but if the bill passes with 24 to 23 the emergency clause goes but the bill still is fine.

Chief Justice Jerry Vande Walle: I did not want the bill to draw fire for that. I was grateful that they see the need.

Chairman Holmberg: Anyone else going to testify today? This will go to our same subcommittee: Senator Kilzer, Senator Carlisle, and Senator Warner. I understand that you prefer this to remain separate and not be folded into the judiciary budget?

Chief Justice Jerry Vande Walle: We were told years ago that this is the way the legislature preferred it. So that was fine with us. I agree that this has to stand on its own.

Chairman Holmberg: Thank you for that advice.

Senator Carlisle: The weighted measure, how many years have you been using that?

Sally Holewa: We used it first in 2000. It is done by the national center for state courts which is a huge non-profit entity that studies courts. They have been using that since the mid 70's.

Chief Justice Jerry Vande Walle: It's been a little longer than that. We went the national center when we had to cut judges and they developed this process during the 90's. It's more sophisticated now. I don't want you to think that it scientific to the point that it shows needing a 1.2 than you really need a 1.2. There is some wiggle room in there. There are some things that a weighted caseload doesn't account for. That is the economy of scale. If you have 6 judges in one courthouse and one of them is sick and the other one has time that they can sit on a case otherwise the case is delayed. Some of those things are very difficult to measure.

Chairman Holmberg: You've got some judges that are more deliberative than others.

Chief Justice Jerry Vande Walle: At least handle them faster. That is not a criticism. I understand that.

Chairman Holmberg: Closed hearing on SB 2075.

2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

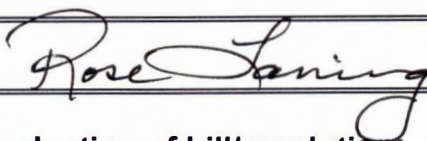
SB 2075 subcommittee

February 6, 2013

Job # 18417

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch relating to establishment of three additional district court judgeships.

Minutes:

Legislative Council - Becky J. Keller
OMB - Laney Herauf

Testimony attached # 1-2

Senator Kilzer opened the subcommittee hearing on SB 2075. **Senator Carlisle** and **Senator Warner** were also present.

Honorable Gerald W. VandeWalle, Chief Justice, North Dakota Supreme Court

Testimony attached # 1 - Administrative Rules and Orders.

This is how we go about choosing judges. There is a rule on how we handle vacancies. That is how we transfer chambers. If they have too many judges, there is a provision in the law that allows us to terminate judges until we got down to 42. We got down to 42 so that provision was taken out in the 2009 legislative assembly. If there is a concern on that, it wouldn't take too much to amend the current law to allow us to transfer judges. This would only happen when a vacancy occurs that we could eliminate that judgeship.

Senator Kilzer: If something like that comes up and it would be more efficient, that could be approved by the legislature.

Sally Holewa, State Court Administrator

Testimony attached # 2 - Number of Judges and Total Caseload 1991-2013

They discussed the number of judges they've had from 1991 on. The red line shows what is going on with their caseload.

Senator Carlisle: I like the chart, but could you add a few notes like you just described? (Sally would put that together.)

Senator Kilzer: Any other items?

Senator Carlisle: The money is in this bill. It's both the 2 judges and the court reporter are both in this bill.

Sally Holewa: The money is in this bill and separate from the budget.

Gerald VandeWalle: It would give us a jump start.

**Senator Carlisle moved moved Do Pass on SB 2075.
Senator Warner seconded the motion.**

Senator Carlisle will carry the bill to the committee and on the floor.

**Senator Kilzer - yes
Senator Carlisle - yes
Senator Warner - yes.**

Motion carried.

Senator Kilzer closed the hearing on SB 2075.

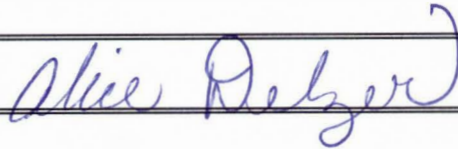
2013 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2075
02-07-2013
Job # 18469

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for the Judicial Branch - establishing 3 additional district court judgeships - emergency (Do Pass)

Minutes:

You may make reference to "attached testimony."

Chairman Holmberg opened the hearing on SB 2075. All committee members were present.

Brady Larson and Adam Mathiak - Legislative Council
Tammy R. Dolan - OMB

There was discussion in the committee unrelated to this bill (1.16)

Senator Kilzer This bill would add 3 judges to the system and increase the number of judges from 44 to 47. The chief was very firm in his testimony. He presented very strong evidence about the increase in case load. In addition to the 3 judges, a court reporter would go with each one of those we are talking a total of 6 people. One in Fargo, one in Williston, the 3rd one in the northwest probably in Watford city or Stanley, all of those places do have chambers available. The emphasis is so strong and the need for these 3 judges that it was not included in the regular judiciary bill but it was presented as a separate bill.(3.00)

Chairman Holmberg The chief was asked their preferences about that and they preferred to let this bill run on it's own and not be folded into the budget. Any Discussion. Call the roll on a Do Pass on SB 2075.

Senator Kilzer Moved Do Pass. 2nd by Senator Warner. A Roll Call vote was taken. Yea:13 Nay: 0 Absent 0. Senator Carlisle will carry the bill.

The hearing was closed on SB 2075.

Date: 2-7-13Roll Call Vote # 1

**2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES**

BILL/RESOLUTION NO. 2075Senate Appropriations Committee☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do PassMotion Made By Kilzer Seconded By Warner

Senators	Yes	No	Senator	Yes	No
Chairman Ray Holmberg	✓		Senator Tim Mathern	✓	
Co-Vice Chairman Bill Bowman	✓		Senator David O'Connell	✓	
Co-Vice Chair Tony Grindberg	✓		Senator Larry Robinson	✓	
Senator Ralph Kilzer	✓		Senator John Warner	✓	
Senator Karen Krebsbach	✓				
Senator Robert Erbele	✓				
Senator Terry Wanzek	✓				
Senator Ron Carlisle	✓				
Senator Gary Lee	✓				

Total (Yes) 13 No 0Absent 0Floor Assignment Carlisle

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2075, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed SB 2075 was placed on the Eleventh order on the calendar.

2013 HOUSE JUDICIARY

SB 2075

2013 HOUSE STANDING COMMITTEE MINUTES

House Judiciary Committee Prairie Room, State Capitol

SB 2075
March 19, 2013
Job # 20152

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Act to provide an appropriation for defraying the expenses of the judicial branch of state government relating to the establishment of three additional district court judgeships; and to declare an emergency.

Minutes:

Testimony #1, #2

Chairman Kim Koppelman: Opened the hearing on SB 2075.

Chief Justice Vanderwall: (See testimony #1 and #2) 00:33 - 8:08 This bill would authorize two judges for northwest district and one for Fargo. One would go to Williston and either Watford City or Stanley. This does not take care of all the needs. Cases are being filed in Burleigh County as other counties are not able to handle them.

Rep. Ben Hanson: were the same needs in Grand Forks or Ward County area. Does this address those?

Chief Justice Vanderwall: Ward County is part of the northwest judicial district. If we were to put a judge in Stanley it would help. When he retired we moved that judgeship to Minot and now Stanley may be in a position to have a judgeship. We have tried to move people around to accommodate and it doesn't always work. Grand Forks is growing, but not like the others. The second page shows an excess of .88 judges. You can't move 1/2 judge around. This will vary from year to year.

Chairman Kim Koppelman: In some of these areas you have judges that are chambered in one location, but they move somewhere else and serve that location on a part time basis. Is that a possible solution in some of these areas?

Chief Justice Vanderwall: The Legislature required us to chamber 30% of the judges in cities of under 10,000. We have done that but some of those judges do not actually live in those chamber cities. Bismarck is the south central judicial district has a judge chambered in Linton that lives in Bismarck and a judge chambered in Washburn that lives in Bismarck. When the judge lived in Bismarck he drove four days a week from Linton to Bismarck. It is not a very efficient way of handling that and we cannot cannibalize one area to satisfy

another and that is what you are suggesting by that question because we don't have the huge excess.

Chairman Kim Koppelman: Would it be possible for floating Judges?

Chief Justice Vanderwall: We already have that.

Rep. Gary Paur: With this bill we would have ten judgeships?

Chief Justice Vanderwall: No, it doesn't create a new judicial district. It just adds judges to already existing system. In the northwest it would add two judges to the judges there and one in the east central judicial district which is Fargo.

Rep. Bill Kretschmar: Is the court looking at changing the judicial districts?

Chief Justice Vanderwall: I understand there is a plan proposed out of one of our committees to realign the judicial districts. It is something that will come up. It alters the lines to even out the caseload. We have taken measures in the northwest district to alleviate the need. We have the authority to use surrogate judges but that is a band aid approach to it.

Vice Chairman Larry Klemin: SB 2076 seems inadequate. Is it appropriate to wait another two years? Why wouldn't we want to amend this bill to add one or two judges?

Chief Justice Vanderwall: I heir on the side of conservative. I want to be sure the judicial is busy because that is respect for the position. I would not oppose that. We do use surrogates like Burleigh County and some in Fargo and Grand Forks that can help with the load.

Vice Chairman Larry Klemin: when this bill was originally introduced you did not have the latest data?

Chief Justice Vanderwall: No we did not have the latest data. I don't think it would have changed our minds that much. I think Burleigh County is clearly the next hot spot.

Rep. Lois Delmore: As you look at that weighted data that is the criteria that you use when you look at new judges?

Chief Justice Vanderwall: That is one of the tools. I listen to comments from the district judges themselves and where they are with their case loads and how they are handling them.

Rep. Lois Delmore: Do you find that the population increase also is what we have done in the past with the district judges out there?

Chief Justice Vanderwall: I think it does involve the population and also the type of population. If you have twenty thousand people gathered together in one place and twenty

thousand people spread out in a wide area you are going to have more crime and litigation among the compressed twenty thousand than you are in the spread out twenty thousands.

Rep. Kathy Hogan: I am very interested in the northwest statistics because there have been such an increase in probates and trusts and felony convictions and traffic in those particular areas that is significantly different than other areas. Does that impact how you organize your court structure because of the nature of the increases?

Chief Justice Vanderwall: The structure and processes are set by law. Cass County has the most efficient court system in the state and that is how they have handled their caseload. You realize they have all their judges in one courthouse; everyone comes to them so if one judge is ill perhaps another judge can step in.

Rep. Kathy Hogan: What support staff are you going to need with these additional judges?

Chief Justice Vanderwall: The bill asks for a court reporter for each Judge.

Rep. Randy Boehning: You talked about surrogates out there. What does that equal to full time employees?

Chief Justice: We don't use them that often frankly. If a judge is disqualified we can call in a surrogate judge to set with us and that is what we use them for mostly.

Rep. Diane Larson: I talked with Sheriff Henert from Burleigh County and he said a lot of people sitting in jail are waiting for hearings.

Chief Justice Vanderwall: It may be due to lack of defense?

Rep. Lois Delmore: Are we still having trouble finding lawyers taking on cases; especially in the western part of the state?

Chief Justice Vanderwall: I do not know that as a fact. Some of the criminal statistics I saw a few months ago it shows an increase in felony crimes but a decrease for misdemeanors. We have put our juvenile judge's court on hold out there and not all due to the shortage of judges, but partially due to the fact there is just not the referrals to the judge courts. I don't think the teenage drinking has declined out there. All areas out there are stressed and they are dealing with emergencies mostly, I think.

Vice Chairman Larry Klemin: I wonder if the court could provide us more information. Maybe if we would amend this to provide for another judge in Bismarck what would the effect then be on the appropriation in Section 1 with the dollar amounts?

Chief Justice Vanderwall: We will get that to you. I want to emphasize you won't fix the problem by adding just new judges. They need additional help in clerk's offices.

Rep. Randy Boehning: Are you having problems hiring clerks of court?

Chief Justice Vanderwall: There is a turnover. Salary and living conditions and number two is the stress. We are seeing a lot of self-represented people in the state who needs help that takes up the clerk's time.

Chairman Kim Koppelman: The appropriation in the bill 1.69 million. Is that strictly salary and benefits?

Chief Justice Vanderwall: There is a court report in there and that would salary, benefits and the court reports and the judge's salary.

Aaron Birst, Association of Counties: All of our members support our bills. We have talked to everyone and they identify one particular problem partially out west.

Chairman Kim Koppelman: What is the current status?

Aaron Birst: I can't imagine a better relationship. The counties do provide the courtroom facilities for the judges; generally unpaid. The Legislature has made significant help along with the court system. The court system is constantly looking at itself for improvements and they seek information from the county. Ward County doesn't have any place for judges right now so those are things we need to work through.

Rep. Lois Delmore: Many of us have been involved in different committee with the Supreme Court with the wonderful mixture of people. I would like to commend the Chief Justice and everyone in the Supreme Court office for taking the time and planning out the best we can for the needs we have.

Aaron Birst: Many of the counties share a reporter/clerk so there is already that deep connection.

Bill Newman, Executive Director of the State Bar Association: We strongly support this bill.

Rep. Bill Kretschmar: You agree with Chief Justice that maybe we should not have too many judges.

Bill Newman: Yes, I do agree with that. Judges can work a little harder when things come up; up to a point. Waited caseloads study is a wonderful tool but a rough one. We need to make for sure we are dealing with a long term trend and not something that just happened to pop up one year.

Allan Austad, Representative of Association of Justice: The resolution period is not adequate. Make sure you give them support staff because without that there is not a lot of point in having a judge out there. We support the bill.

Vice Chairman Larry Klemin: In looking at a lot of these issues we tend to focus on criminal cases but civil cases go up also. Are they seeing an increase in the number of civil cases?

House Judiciary Committee

SB 2075

March 19, 2013

Page 5

Allan Austad: Civil cases are going down. It is cheaper and quicker to settle.

Opposition: None

Neutral: None

Hearing closed.

2013 HOUSE STANDING COMMITTEE MINUTES

House Judiciary Committee
Prairie Room, State Capitol

SB 2075
March 26, 2013
Job # 20498

☐ Conference Committee

Carman Hicklo

Explanation or reason for introduction of bill/resolution:

Act to provide an appropriation for defraying the expenses of the judicial branch of state government relating to the establishment of three additional district court judgeships; and to declare an emergency.

Minutes:

Chairman Kim Koppelman: Opened the hearing on SB 2075 for committee work.

Vice Chairman Larry Klemin: I have an amendment to add another judge.

Rep. Bill Kretschmar: In SB 2075 there are three judges and in SB 2076 there is only two.

Chairman Kim Koppelman: SB 2076 is not a call for new judges it's what we are seeing here the old language, the non- underscored language. The language in SB 2076 is the session laws from 2009 and in SB 2076 they are looking for this formula to be citified, the ongoing public policy going forward as to how judges assume office.

Vice Chairman Larry Klemin: If we amend one to put it in session laws it will apply to both. The amendment I have adds one additional judge in the South Central Judicial District which is ten counties surrounding Bismarck. The Chief Justice testimony he had data that show the need for judges. When this bill was introduced they based it on the needs assessment from 2010 and 2011. After the bill got introduced then they got new data from 2011 to 2012 assessment and that shows that there is a shortage of 1.98 judges in the South Central Judicial District. That is two judges; there is a shortage of two judges in Burleigh County. That situation is becoming more critical as time goes by. Two years from now what's it going to show, a shortage of four? My amendment adds one judge in South Central Judicial District. Where they place that judge would be up to the Supreme Court. We have ten offices where that person could be in. It increases the amount of judges by one, it increases the amount necessary for one more judge, and increases the staff by an amount necessary for one more judge. The evidence is there that we need another judge in the South Central Judicial District. There is a lot of activity taking place in this area because of what's going on in the oil patch.

Rep. Gary Paur: I am going to resist because the Chief Justice was not amenable to the idea. He said if we want to help this area we should give them more clerks not more judges.

Rep. Vicky Steiner: I am also going to resist this because in the budget section in December there was something that came through the Governor's budget for Bismarck State College library that was not run through Higher Ed, through their budgeting process. As Legislature we bring forward things we see in our district and I know we are under pressure to keep our budget under control. I had a bill in for fifteen million for the city of Dickinson, which I know they desperately need and it was defeated on the floor. Since the Chief Justice said they can wait I'm going to respect that.

Vice Chairman Larry Klemin: Made a motion on the amendment.

Rep. Andy Maragos: Second the motion.

Vice Chairman Larry Klemin: For an example we had a case that had to be rescheduled and the next available date was a year away.

Rep. Diane Larson: I have talked with Pat Heinert and I know with Burleigh and Morton Counties there is such a jail shortage and one of the big reasons is because not being able to get the cases to court so they are being held in jail until their court hearing. I will be supporting the idea.

Rep. Kathy Hogan: I am also supporting the motion. It could be three more years before we have a potential judgeship in this district. If you look back two years the growth has been substantial and we have no indication that rate of growth is not going to continue. I think if we wait even two years we will be in a real crisis. This requires us to be visionary.

Chairman Kim Koppelman: I am going to resist this, I'm not denying there might be a need but we have needs in various areas of our state and normally they are brought to the process with bills.

Rep. Andy Maragos: I am going to support this because we as the policy committee need to establish the policy. If it goes to Appropriations and they decide they can't afford it that is a financial decision but I think it is important to set the kind of policy we want to set.

Rep. Bill Kretschmar: I too will support this. We have an obligation in this Legislative assembly to provide for our judicial system for our state. It has to be an adequate system and there are certain needs in the South Central district. We have to look at the needs at the whole state and we need some additional power our whole judicial system.

Rep. Lois Delmore: I am also going to support this. The court went from 56, we asked them to go down to 42 judges and they complied with it. Now we are seeing changes on the other side, I agree with Rep. Maragos we are the policy setting committee and we are seeing a valid need based on new information since it was heard in the Senate.

Voice vote to close to call. Roll call vote 8-6-0.

Rep. Andy Maragos: Made a motion for do pass engrossed bill SB 2075 as amended, re-referred to Appropriations.

Rep. Ben Hanson: Second the motion.

Vote 10-4-0

Vice Chairman Larry Klemin: Will carry the bill.

Y/K
3/26/13

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2075

Page 1, line 2, replace "three" with "four"

Page 1, line 6, replace "\$1,690,950" with "\$2,254,600"

Page 1, line 7, replace "three" with "four"

Page 1, line 9, replace "six" with "eight"

Page 1, line 12, after the second "district" insert ", one additional district court judgeship in the south central judicial district,"

Renumber accordingly

Date: 3-26-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2075

House Judiciary Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Klemin Seconded By Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman		/	Rep. Lois Delmore	/	
Vice Chairman Lawrence Klemin	/		Rep. Ben Hanson	/	
Rep. Randy Boehning		/	Rep. Kathy Hogan	/	
Rep. Roger Brabandt		/			
Rep. Karen Karls	/				
Rep. William Kretschmar	/				
Rep. Diane Larson	/				
Rep. Andrew Maragos	/				
Rep. Gary Paur		/			
Rep. Vicky Steiner		/			
Rep. Nathan Toman		/			

Total (Yes) 8 No 6

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Voice vote to close to call.

Date: 3-26-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE

ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2075

House Judiciary Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 13.8021.02001

Action Taken: ☒ Do Pass ☐ Do Not Pass ☒ Amended ☐ Adopt Amendment
☒ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Maragos Seconded By Rep. Hanson

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman	/		Rep. Lois Delmore	/	
Vice Chairman Lawrence Klemin	/		Rep. Ben Hanson	/	
Rep. Randy Boehning		/	Rep. Kathy Hogan	/	
Rep. Roger Brabandt		/			
Rep. Karen Karls	/				
Rep. William Kretschmar	/				
Rep. Diane Larson	/				
Rep. Andrew Maragos	/				
Rep. Gary Paur	/				
Rep. Vicky Steiner		/			
Rep. Nathan Toman		/			

Total (Yes) 10 No 4

Absent 0

Floor Assignment Rep. Klemin

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2075, as engrossed: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2075 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "three" with "four"

Page 1, line 6, replace "\$1,690,950" with "\$2,254,600"

Page 1, line 7, replace "three" with "four"

Page 1, line 9, replace "six" with "eight"

Page 1, line 12, after the second "district" insert ", one additional district court judgeship in the south central judicial district,"

Renumber accordingly

2013 HOUSE APPROPRIATIONS

SB 2075

2013 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee Roughrider Room, State Capitol

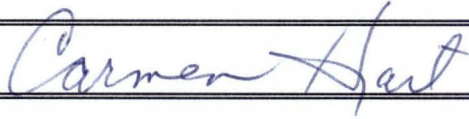
SB 2075

4/2/13

20791

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill for an act to provide an appropriation for defraying the expenses of the judicial branch of state government relating to the establishment of four additional district court judgeships; and to declare an emergency.

Minutes:

Attachment 1

Chairman Delzer called the committee back to order.

Rep. Kim Koppelman, District 13 appeared. He introduced the bill. He distributed testimony. See **Attachment 1**. It is basically an appropriation bill for additional judges. The chief justice still stands in his request for three judges. A comment the chief justice made was they believe the court is more respected when the judges are busy.

03:50

Chairman Delzer: As it sits before us, how many FTEs?

Rep. Koppelman: It is 8 FTEs including 4 judges. There would be one support staff for each judge. The vote on the amendment was 8-6. Then when the bill was amended the vote was 10-4.

Chairman Delzer: Why were the four votes against it?

Rep. Koppelman: We didn't discuss that specifically, but I feel it was likely a protest vote against the fourth judge.

Rep. Brandenburg: Was there any discussion about these judges being handled through the budget bill?

Rep. Koppelman: I had a private discussion with the chief justice about that. I was told that years ago the court was instructed by the legislature that they would rather see it is a standalone separate bill.

Rep. Brandenburg: In this bill there are 8 full time positions, 4 judges and 4 clerks?

Rep. Koppelman: Yes, and as it came to us it was 3 and 3. Personally, my vote was no on the amendment and yes on the bill, because I think the idea of judges is warranted, but I appreciate what the court said and I think we ought to respect their request.

Chairman Delzer: Did you have any discussion on the emergency clause and if the money would cover that?

Rep. Koppelman: We did not have that discussion. We did not ask about the emergency clause at all. The testimony indicated they wanted to get new judges in place as soon as possible.

Rep. Brandenburg: As you look at these caseloads, what happens if it takes longer to get them in court?

Rep. Koppelman: Then they wait. We've heard of situations where people wait a year for a court date. We believe there is a certain constitutional right to swift justice as well. We can all debate what the word swift means.

Chairman Delzer: (9:45) Did you have any discussion about whether or not settlements impact court scheduling? Are there situations where they try multiple charges as a single trial?

Rep. Koppelman: No we did not have that discussion. My understanding is that, if possible, they fill the dockets in a case of a settlement. With regard to case filings, I can't answer that.

Rep. Thoreson: That has not come up in our (GO) discussion yet with the judicial branch.

Rep. Brandenburg: We really need to get our arms around that as far as the caseload. It would be interesting to know if you have somebody that is in jail and they are waiting to go to court, what the difference is.

Rep. Nelson: Regarding the fourth judicial seat added in the amendment, looking at the caseload data provided in the testimony, it looks like South Central has a higher caseload than East Central. What was the discussion about where these new judges would serve?

Rep. Koppelman: The general feeling was that the judges were needed in the areas requested. The judicial planning committee looks at these population trends in the state and where they believe future needs will surface. The courts look at trends over time.

14:15

Rep. Nelson: The case filings in the first example are a different time period than what the last pages were, and we defer to their better judgment.

Rep. Koppelman: They are a different branch of government, and we authorize the expenditure, but they can move judges if they need to.

Rep. Nelson: Are there areas in the state that are being over-judged?

Rep. Koppelman: We didn't discuss that in the hearing. It is up to the discretion of the court. I think what they are saying is system wide, they need three. Would they accept four? Their answer is yes. The committee thinks we need four.

Rep. Grande: I have a concern if we're going to add a fourth judge, we may lose the emergency clause on this.

Chairman Delzer: We'll ask GO to look into how this potentially integrates into the budget.

Rep. Skarphol: The emergency clause intrigues me, because isn't there a timeframe that is required to hire someone in state government? Does hiring a judge and a reporter a facilitated process?

Chairman Delzer: We reduced at one time and we built back up. Have we ever reduced down in that same time period since they became district judges?

Gerald VandeWalle, Chief Justice, ND Supreme Court: (18:00) No when we unified, the county judges became district judges. At that time we had 56 county and district judges. The counties took care of some of it before the unification took place. By the time unification became operative, we had 53. We had to cut 11 positions and we did. I knew at that time we were cutting too deeply, but that was the agreement made with the legislature by my predecessor. We waited until 2009 to ask for two more judges which we did receive. Addressing the emergency clause, that was put on by the Senate. I did not request that, and the budget is for the next biennium. It would move it up. Once the bill becomes effective, there are vacancies, and those are filled by the Governor per the constitution. It takes 2-3 months. There are not currently any vacancies. If there had been, they would have been filled by that process. Justice delayed is justice denied is the old adage. Some criminals may walk because they are entitled to a speedy trial and they would be let out. It is also expensive for counties to house people pending their trial and some of them would be released on probation or perhaps something after the trial.

Chairman Delzer: You will be available if the section has questions?

Rep. Skarphol: With regard to the extra judge, do you have a plan for addressing the caseload of south central?

Gerald VandeWalle: Every time there is a vacancy, the court is required by law to look at that vacancy and determine whether it should be moved someplace else.

Chairman Delzer: (24:50) You mentioned the smaller places like Washburn and Linton. They are not restricted to that court that they are housed in within the district? If they needed to, the Washburn judge could work in Bismarck or Linton or wherever.

Gerald VandeWalle: They are, in fact, doing that. If that was the rule, we wouldn't be surviving in Bismarck. It is those judges that are carrying the load in Bismarck. When we had a judge actually living in Linton, four out of the five days a week he drove to Bismarck.

Chairman Delzer: Thank you.

Rep. Glassheim: You have a weighted methodology?

Gerald VandeWalle: It follows the national center study.

Rep. Glassheim: Looking at East Central, South Central, and Northwest, I get the need for 7.4.

Gerald VandeWalle: Overall, that is correct. (26:10) My experience with the legislature is that you have given us what we need to minimally operate, and I accept that. But when this burgeoning comes along, you can't expect us to have excess capacity to deal with it. You simply cannot have it both ways.

Chairman Delzer: Questions for Koppelman on 2075?

Rep. Koppelman: I was thinking about Rep. Brandenburg's comment about letting them sit in a jail for a while before we find out if they are innocent or guilty. It reminds me of an old line from a movie when Paul Newman played Judge Roy L. Bean and he said my job is to give you a fair trial before we hang you.

Thank you.

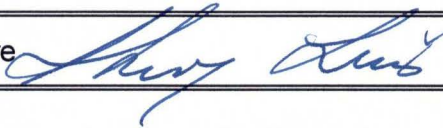
2013 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Government Operations Division
Medora Room, State Capitol

SB2075
April 4, 2013
Recording Job# 20911

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch of state government relating to the establishment of three additional district court judgeships; and to declare an emergency.

Minutes:

Chairman Thoreson: Opened the discussion on SB2075.

Representative Glassheim: Made a motion to kill SB2075 and we incorporate three judges and three clerks in the judicial branch bill.

Representative Sanford: Seconded the motion.

Representative Sanford: Withdrew his second.

Representative Glassheim: Withdrew his motion.

Representative Hawken: Made a motion to amend this bill to 3 judges.

Representative Glassheim: Seconded the motion.

A voice vote was made and carried.

Vice Chairman Brandenburg: Made a motion for a "Do Not Pass as Amended".

Representative Glassheim: Seconded the motion.

Roll call vote 7 Yeas 0 Nays 0 Absent

Representative Sanford: Carried the bill.

Chairman Thoreson: Closed the discussion.

2013 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee Roughrider Room, State Capitol

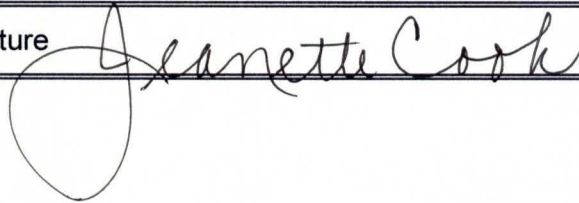
SB 2075

04-05-13

Job # 20945 (0:00 - 1:53)

☐ Conference Committee

Committee Clerk Signature



Minutes:

Chairman Delzer: Do you have anything on the judge's budget? I think they are going to deal with the medical school in the budget. Are you going to deal with the judges in the budget?

Representative Thoreson: We have taken action on SB 2075, and we amended it to three judges as it was before it went to House Judiciary, but we gave it a Do Not Pass. We have actually put the three judges and supporting staff into SB 2002.

Chairman Delzer: Okay. Do you have the amendments for SB 2075? Do you have 2333?

Representative Skarphol: We did amend it (2075) by the action of the committee into the budget. We haven't gotten the budget amendments back. We did not amend 2333 at all. We gave it a Do Not Pass.

Chairman Delzer: Committee members, what we do with these is wait for the bill, so after the budget. It doesn't mean that we have to wait here to take action on these bills. We have 2333 before us.

Representative Skarphol: We amended all of the provisions of this bill into the budget of Higher Education. We wanted to do that so that it was going to be part of the negotiations of the Higher Ed. budget, rather than have a separate bill appropriating money.

Continued on Minutes for SB 2333.

2013 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee Roughrider Room, State Capitol

SB 2075
4/9/13
Job #21047

☐ Conference Committee

Committee Clerk Signature

Mary Brucker

Explanation or reason for introduction of bill/resolution:

A Bill for an Act to provide an appropriation for defraying the expenses of the judicial branch of state government relating to the establishment of four additional district court judgeships; and to declare an emergency.

Minutes:

*Attached amendments 13.8021.02002 and
13.8021.02003*

Rep. Sanford: As we received the bill, it had four new district court judges and four court reporters. Our intention would be to kill the bill.

Chairman Delzer: We have to amend it back to three first.

Rep. Sanford: Ok.

Chairman Delzer: We have to adopt that amendment.

Rep. Sanford: We want to go back to version 02000. I also have proposed amendments that modify 02000 a little bit. Can we just go back to the 02000 version which was three?

Chairman Delzer: I believe we can. We can amend or remove the policy committee's amendments from the bill and that would put it back to the way it came over from the senate. Then you can move to further amend.

Rep. Sanford: Made a motion to remove the policy committee's amendments from 03000 and bring it back to the 02000 version.

Rep. Thoreson: Seconded.

Chairman Delzer: We have a motion to amend the bill from the first engrossment 03000 with house amendments back to 2000 first engrossment. Any discussion?

VOICE VOTE: MOTION CARRIES.

Rep. Sanford we also have amendments version .02002.

Chairman Delzer: What do these amendments do?

Rep. Sanford: They change the bill so it's not exactly the same as it was in 02000.

Chairman Delzer: Mr. Knutson called me on this and he said if we were going to do this we need to go back and change a comma or period or something.

Rep. Sanford: **Made a motion to move the 02002 amendments.** It removes the emergency and it takes "period" and replaces it with "biennium."

Rep. Thoreson: **Seconded.**

VOICE VOTE: MOTION CARRIES.

Chairman Delzer: We have the amended bill before us. What are your wishes?

Rep. Sanford: **Made a motion for a Do Not Pass as Amended.**

Rep. Brandenburg: **Seconded.**

ROLL CALL VOTE: 20 YES 0 NO 2 ABSENT
MOTION CARRIED FOR DO NOT PASS AS AMENDED.

Rep. Sanford will carry this bill.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2075

In lieu of the amendments adopted by the House as printed on page 1059 and 1060 of the House Journal, Engrossed Senate Bill No. 2075 is amended as follows:

Page 1, line 2, remove "; and"

Page 1, line 3, remove "to declare an emergency"

Page 1, line 8, replace "period" with "biennium"

Page 1, line 8, remove "with the"

Page 1, line 9, replace "effective date of this Act" with "July 1, 2013"

Page 1, remove line 22

Renumber accordingly

Date: April 4, 2013
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2075

House Appropriations - Government Operations Division Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass as Amended

Motion Made By Vice Chairman Brandenburg Seconded By Representative Glassheim

Representatives	Yes	No	Representatives	Yes	No
Chairman Thoreson	x		Representative Glassheim	x	
Vice Chairman Brandenburg	x		Representative Guggisberg	x	
Representative Kempenich	x				
Representative Hawken	x				
Representative Sanford	x				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Representative Sanford

If the vote is on an amendment, briefly indicate intent:

Date: 4/9/13
Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2075**

House Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Sanford Seconded By Rep. Thoreson

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Rep. Streyle		
Vice Chairman Kempenich			Rep. Thoreson		
Rep. Bellew			Rep. Wieland		
Rep. Brandenburg					
Rep. Dosch					
Rep. Grande			Rep. Boe		
Rep. Hawken			Rep. Glassheim		
Rep. Kreidt			Rep. Guggisberg		
Rep. Martinson			Rep. Holman		
Rep. Monson			Rep. Williams		
Rep. Nelson					
Rep. Pollert					
Rep. Sanford					
Rep. Skarphol					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

remove policy committee amendments,
return to 02000 version (first engrossment)
voice vote carrier

Date: 4/9/13
Roll Call Vote #: 2

**2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2075**

House Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number .02002

Action Taken: ☐ Do Pass ☐ Do Not Pass ☐ Amended ☒ Adopt Amendment
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Sanford Seconded By Rep. Thoreson

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Rep. Streyle		
Vice Chairman Kempenich			Rep. Thoreson		
Rep. Bellew			Rep. Wieland		
Rep. Brandenburg					
Rep. Dosch					
Rep. Grande			Rep. Boe		
Rep. Hawken			Rep. Glassheim		
Rep. Kreidt			Rep. Guggisberg		
Rep. Martinson			Rep. Holman		
Rep. Monson			Rep. Williams		
Rep. Nelson					
Rep. Pollert					
Rep. Sanford					
Rep. Skarphol					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Voice vote carries

Date: 4/9/13
Roll Call Vote #: 3

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2075

House Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☒ Do Not Pass ☒ Amended ☐ Adopt Amendment
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Rep. Sanford Seconded By Rep. Brandenburg

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X		Rep. Streyle	X	
Vice Chairman Kempenich	X		Rep. Thoreson	X	
Rep. Bellew	X		Rep. Wieland	X	
Rep. Brandenburg	X				
Rep. Dosch	X				
Rep. Grande	X		Rep. Boe		
Rep. Hawken	X		Rep. Glassheim	X	
Rep. Kreidt	X		Rep. Guggisberg	X	
Rep. Martinson	X		Rep. Holman	X	
Rep. Monson	X		Rep. Williams	X	
Rep. Nelson	X				
Rep. Pollert					
Rep. Sanford	X				
Rep. Skarphol	X				

Total Yes 20 No 0

Absent 2

Floor Assignment Rep. Sanford

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2075, as engrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO NOT PASS** (20 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2075, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on page 1059 and 1060 of the House Journal, Engrossed Senate Bill No. 2075 is amended as follows:

Page 1, line 2, remove "; and"

Page 1, line 3, remove "to declare an emergency"

Page 1, line 8, replace "period" with "biennium"

Page 1, line 8, remove "with the"

Page 1, line 9, replace "effective date of this Act" with "July 1, 2013"

Page 1, remove line 22

Renumber accordingly

2013 TESTIMONY

SB 2075

Senate Bill 2075
Senate Judiciary Committee
Presented by Chief Justice VandeWalle
January 21, 2013

The Court is requesting the addition of 3 new judgeships. Two of the new judgeships would be chambered in the Northwest Judicial District, which is the six county area around Williston and Minot. The other judgeship would be chambered in the East Central Judicial District, which is made up of Cass, Steele and Traill Counties.

Our request for new judgeships is based on our weighted caseload study. The weighted caseload study is a time and motion study that takes into account not only the number of cases filed each year, but the type of cases that are filed. As you might guess, it takes much longer to handle a contested divorce or a felony case than it does to handle a small claims or traffic case. By using a weighted caseload study, we can account for those differences when we determine how many judges we need.

In 2012, there were 185,982 cases filed statewide. Compared to 2011, there was an 11.3% increase in case filings. These figures do not include the more than 20,000 cases that are re-opened each year. As expected, the largest increases in filings are in the NWJD (26% increase) and the SWJD (21% increase).

The last time we added new judges was in 2009. Since then, the number of annual statewide case filings has increased by more than 31,000 cases.

One of the new judgeships created in 2009 was assigned to the NWJD. Since then, the caseload in the NWJD has increased by more than 18,000 cases. This number reflects an 85% increase in criminal cases and a 74% increase in probate filings -- in just 3 years. We expect that the number of case filings will continue to increase in the coming year, with the most likely scenario being a continued sharp increase in filings followed by a gradual leveling off of filings at the higher rate. Our latest weighted caseload study shows that this district has a shortage of 2 judges. These judges are swamped. By adding 2 judges as soon as possible, we can get them caught up and be in a position to deal with the continued increase in cases that are sure to come our way.

Our weighed caseload also shows a 2 judge shortage in the East Central Judicial District (ECJD). The last time a new judgeship was added to the ECJD was in 2000, when the judgeship was moved from the NWJD to the ECJD. Since then, there has been a 17% increase in case filings. Just as important as case filings is the change in demographics in that region. Since 2000, the population has increased by nearly 47,000 people. New Americans make up a substantial portion of that increase. More than 300 new refugees settle in Cass County every year. While most are law abiding, the number of persons coming to court who need interpreters continues to increase. Last year, ECJD judges handled 155 hearings involving interpreters in 17 languages. This has a major impact on the court because these proceedings take significantly longer to hear than similar cases where no interpreter is needed. We are asking for 1 additional judge for the ECJD. While this will not eliminate the shortage, it will go a long way in assisting the judges who are currently working there.

2012 Judge Need As Measured by the Weighted Caseload Study

Northeast Judicial District	-.58
Northeast Central Judicial District	-.88
Southeast Judicial District	-1.16
East Central Judicial District	2.17
South Central Judicial District	1.36
Southwest Judicial District	.23
Northwest Judicial District	2.35

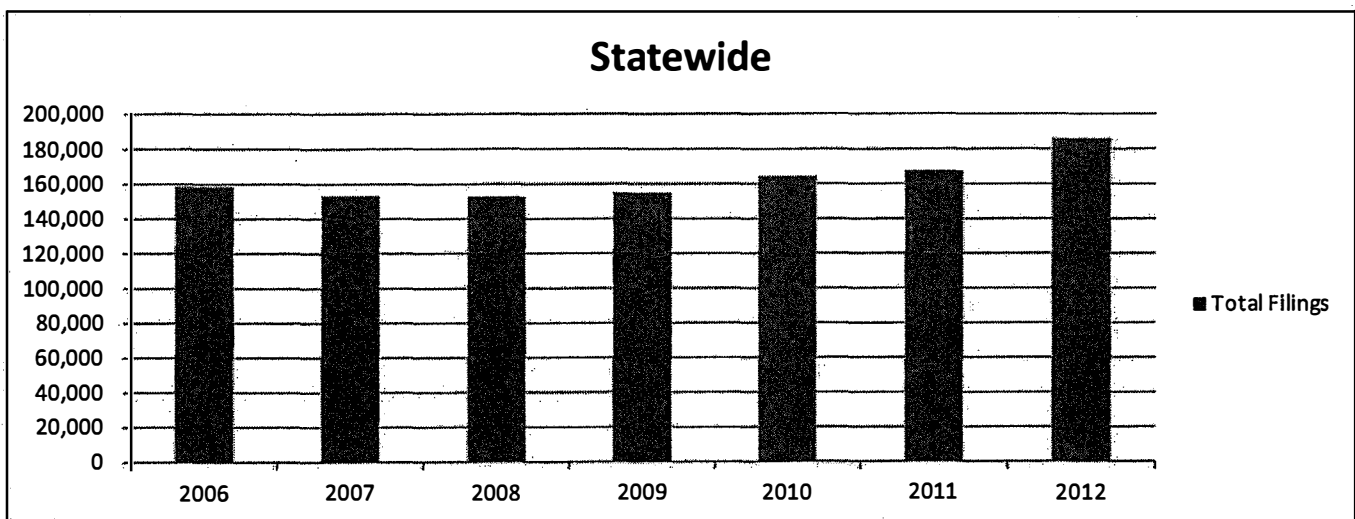
Clerk of District Court
Statewide
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	2,304	2,305	2,160	2,205	2,482	2,317	2,447	5.6%
Child Support	4,178	4,079	4,161	4,203	3,291	2,659	2,726	2.5%
Domestic - other	2,731	2,898	2,844	2,998	3,037	2,989	3,172	6.1%
Small Claims	5,228	4,893	4,497	4,851	5,057	5,028	5,123	1.9%
Probate and Trust	2,921	3,003	3,627	3,766	4,233	4,624	5,009	8.3%
Mentl Health	1,243	1,313	1,257	1,286	1,303	1,328	1,479	11.4%
Administrative Appeal	216	228	216	196	206	205	249	21.5%
Other civil	13,011	16,034	17,315	16,805	17,739	17,530	15,844	-9.6%
Juvenile	2,576	2,429	2,654	2,472	2,614	2,469	2,616	6.0%
Total Civil Cases	34,408	37,182	38,731	38,782	39,962	39,149	38,665	-1.2%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	4,075	4,049	3,833	4,090	4,150	4,759	5,587	17.4%
Misdemeanor	24,028	23,052	21,231	20,825	21,262	23,294	25,018	7.4%
Infraction	2,827	2,487	2,137	1,820	1,574	1,258	1,319	4.8%
Total Criminal Cases	30,930	29,588	27,201	26,735	26,986	29,311	31,924	8.9%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	93,236	86,335	86,608	89,252	97,326	98,705	115,387	16.9%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Statewide	158,574	153,105	152,540	154,769	164,274	167,165	185,976	11.3%



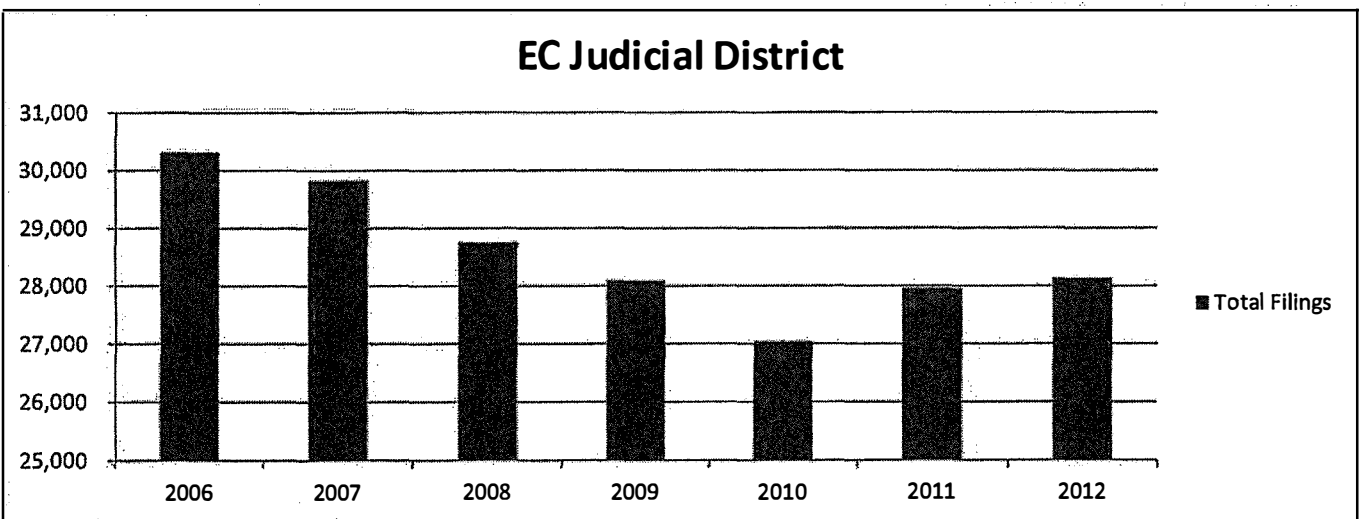
Clerk of District Court
East Central Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	563	570	504	527	561	526	599	13.9%
Child Support	1,233	1,149	1,037	958	588	541	509	-5.9%
Domestic - other	384	426	403	383	388	408	343	-15.9%
Small Claims	1,268	1,196	1,096	1,233	1,320	1,347	1,221	-9.4%
Probate and Trust	351	381	405	441	435	402	401	-0.2%
Mental Health	256	288	270	338	354	328	320	-2.4%
Administrative Appeal	24	40	42	46	39	45	49	8.9%
Other Civil	3,066	4,029	4,506	4,253	4,652	4,318	3,699	-14.3%
Juvenile	733	719	793	714	829	813	768	-5.5%
Total Civil Cases	7,878	8,798	9,056	8,893	9,166	8,728	7,909	-9.4%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	1,082	1,070	986	1,007	1,096	950	1,147	20.7%
Misdemeanor	4,192	4,430	4,208	3,807	3,715	3,882	3,683	-5.1%
Infraction	350	323	342	263	201	239	255	6.7%
Total Criminal Cases	5,624	5,823	5,536	5,077	5,012	5,071	5,085	0.3%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	16,819	15,211	14,166	14,133	12,868	14,169	15,143	6.9%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total East Central	30,321	29,832	28,758	28,103	27,046	27,968	28,137	0.6%



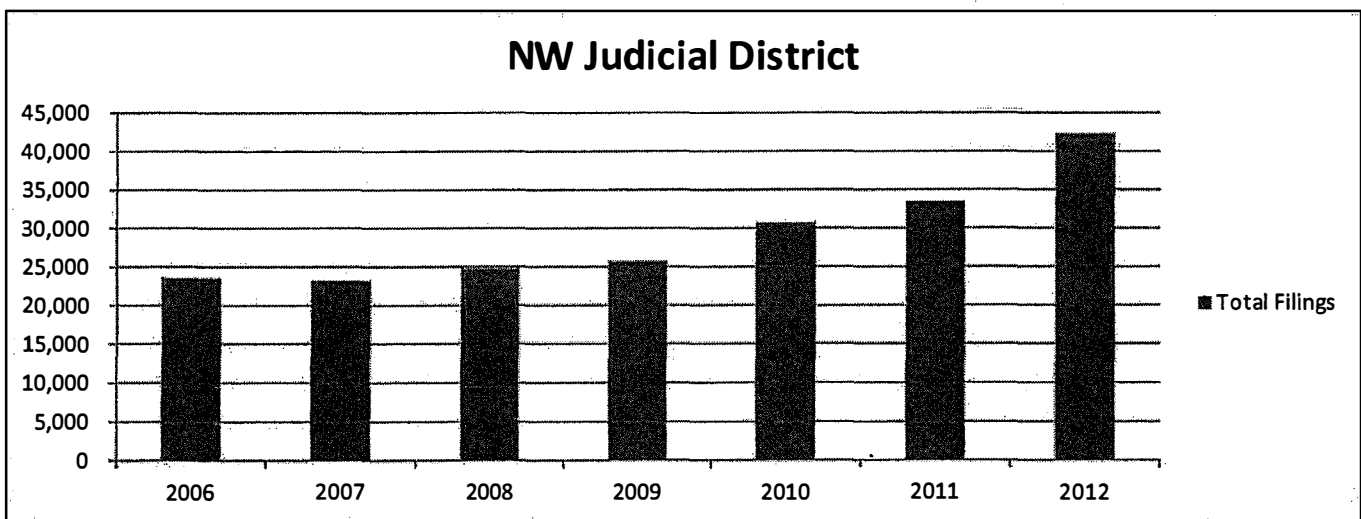
Clerk of District Court
Northwest Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	431	441	402	427	551	506	507	0.2%
Child Support	504	577	563	700	734	477	565	18.4%
Domestic - other	492	570	509	548	553	572	681	19.1%
Small Claims	661	627	535	601	606	503	493	-2.0%
Probate and Trust	627	705	1,052	1,196	1,531	1,686	2,076	23.1%
Mental Health	274	286	305	303	292	326	339	4.0%
Administrative Appeal	25	25	24	26	46	65	72	10.8%
Other Civil	2,127	2,712	2,716	2,587	2,702	2,671	2,627	-1.6%
Juvenile	309	305	315	327	391	352	345	-2.0%
Total Civil Cases	5,450	6,248	6,421	6,715	7,406	7,158	7,705	7.6%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	599	596	587	583	677	916	1,271	38.8%
Misdemeanor	4,357	3,999	3,901	3,912	4,640	6,255	7,237	15.7%
Infraction	362	389	296	231	264	219	245	11.9%
Total Criminal Cases	5,318	4,984	4,784	4,726	5,581	7,390	8,753	18.4%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	12,854	12,040	13,605	14,347	17,806	18,977	25,857	36.3%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northwest	23,622	23,272	24,810	25,788	30,793	33,525	42,315	26.2%



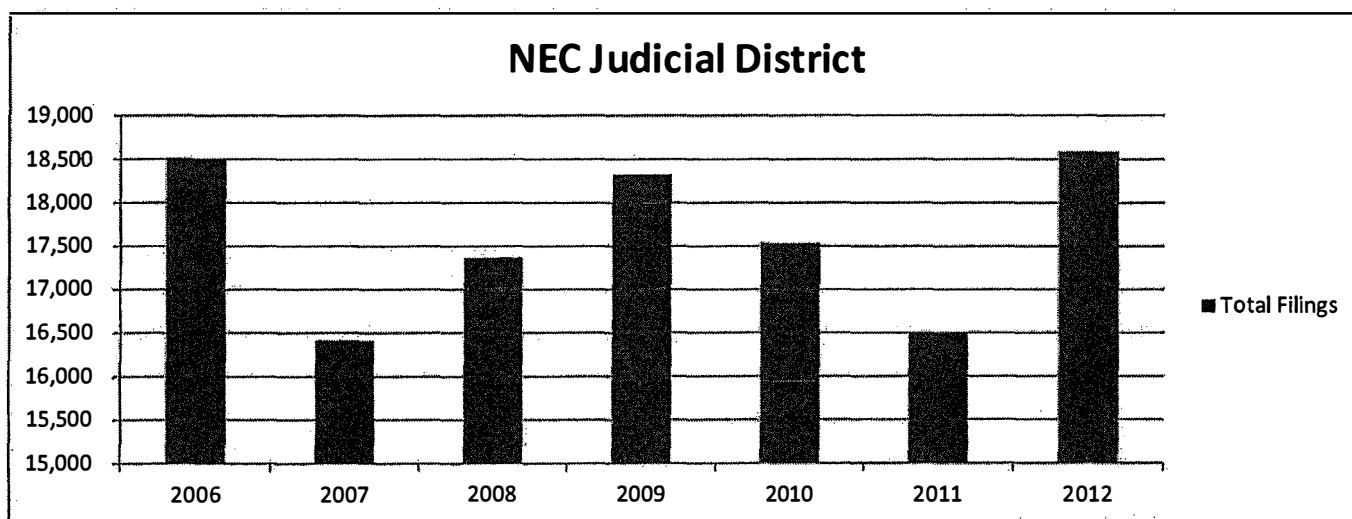
Clerk of District Court
Northeast Central Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	300	280	303	274	309	250	243	-2.8%
Child Support	528	446	523	514	296	177	71	-59.9%
Domestic - other	360	362	422	425	391	410	550	34.1%
Small Claims	902	622	658	870	867	1,168	1,389	18.9%
Probate and Trust	206	226	197	211	253	220	251	14.1%
Mental Health	139	147	141	146	143	154	169	9.7%
Administrative Appeal	35	21	21	29	13	16	11	-31.3%
Other Civil	1,226	1,637	1,652	1,775	1,593	1,660	1,507	-9.2%
Juvenile	481	420	477	379	311	293	364	24.2%
Total Civil Cases	4,177	4,161	4,394	4,623	4,176	4,348	4,555	4.8%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	456	453	408	482	432	564	604	7.1%
Misdemeanor	3,250	2,474	2,204	2,429	2,102	2,210	2,690	21.7%
Infraction	310	251	183	189	99	121	122	0.8%
Total Criminal Cases	4,016	3,178	2,795	3,100	2,633	2,895	3,416	18.0%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	10,321	9,083	10,184	10,595	10,733	9,268	10,621	14.6%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northeast Central	18,514	16,422	17,373	18,318	17,542	16,511	18,592	12.6%



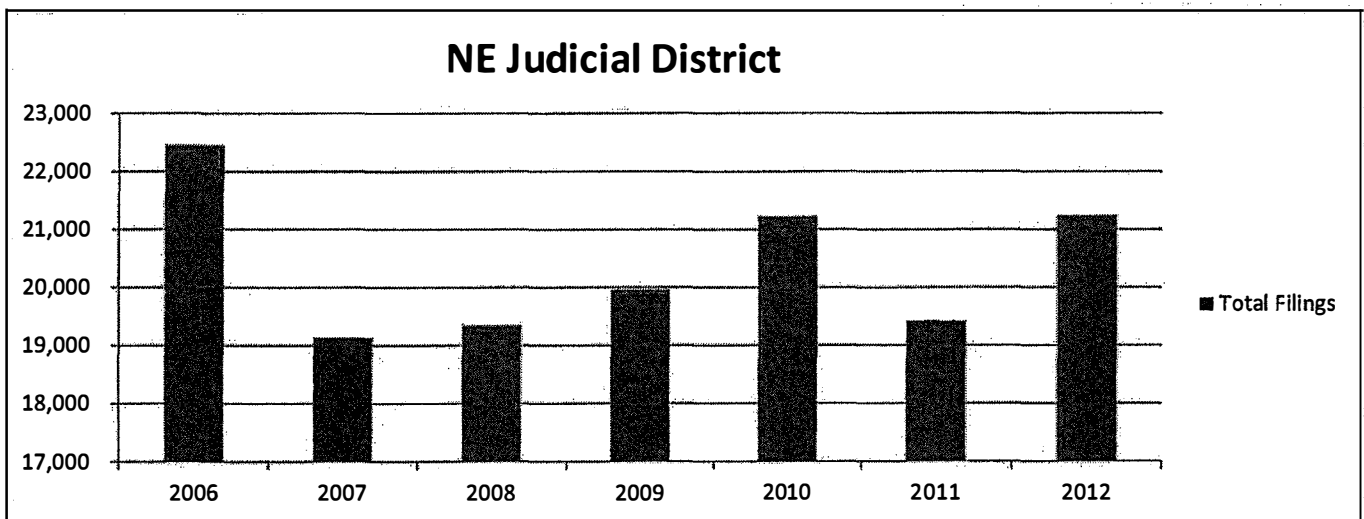
Clerk of District Court
Northeast Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	155	156	152	169	196	183	175	-4.4%
Child Support	414	467	612	606	431	537	583	8.6%
Domestic - other	308	345	389	458	537	385	332	-13.8%
Small Claims	654	689	652	613	650	487	462	-5.1%
Probate and Trust	448	438	466	453	546	493	472	-4.3%
Mental Health	86	86	85	73	83	104	105	1.0%
Administrative Appeal	9	16	14	10	16	9	9	0.0%
Other Civil	1,103	1,319	1,474	1,583	1,572	1,494	1,296	-13.3%
Juvenile	355	246	230	266	267	246	306	24.4%
Total Civil Cases	3,532	3,762	4,074	4,231	4,298	3,938	3,740	-5.0%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	508	379	371	349	421	452	441	-2.4%
Misdemeanor	3,342	2,917	2,665	2,754	2,585	2,537	2,688	6.0%
Infraction	469	468	403	335	329	200	218	9.0%
Total Criminal Cases	4,319	3,764	3,439	3,438	3,335	3,189	3,347	5.0%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	14,604	11,616	11,833	12,295	13,588	12,295	14,159	15.2%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northeast	22,455	19,142	19,346	19,964	21,221	19,422	21,246	9.4%



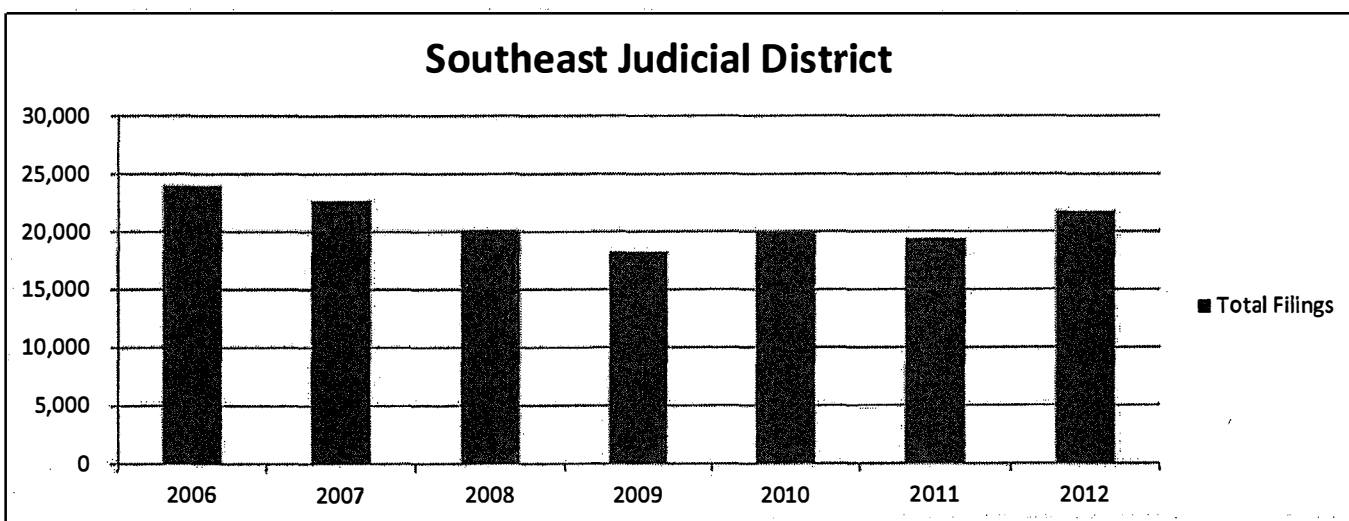
Clerk of District Court
Southeast Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	278	261	233	234	241	227	242	6.6%
Child Support	518	464	354	416	215	247	295	19.4%
Domestic - other	407	369	341	332	326	346	378	9.2%
Small Claims	695	686	591	607	660	615	699	13.7%
Probate and Trust	439	402	429	427	410	426	475	11.5%
Mental Health	348	339	316	254	266	234	282	20.5%
Administrative Appeal	14	21	16	10	33	10	20	100.0%
Other Civil	1,568	1,749	2,002	1,877	2,089	2,009	1,872	-6.8%
Juvenile	180	214	207	152	192	155	220	41.9%
Total Civil Cases	4,447	4,505	4,489	4,309	4,432	4,269	4,483	5.0%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	418	446	395	456	439	433	446	3.0%
Misdemeanor	3,260	3,307	2,799	2,635	2,381	2,405	2,306	-4.1%
Infraction	634	531	417	330	298	199	172	-13.6%
Total Criminal Cases	4,312	4,284	3,611	3,421	3,118	3,037	2,924	-3.7%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	15,237	13,863	12,062	10,521	12,330	12,089	14,349	18.7%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Southeast	23,996	22,652	20,162	18,251	19,880	19,395	21,756	12.2%



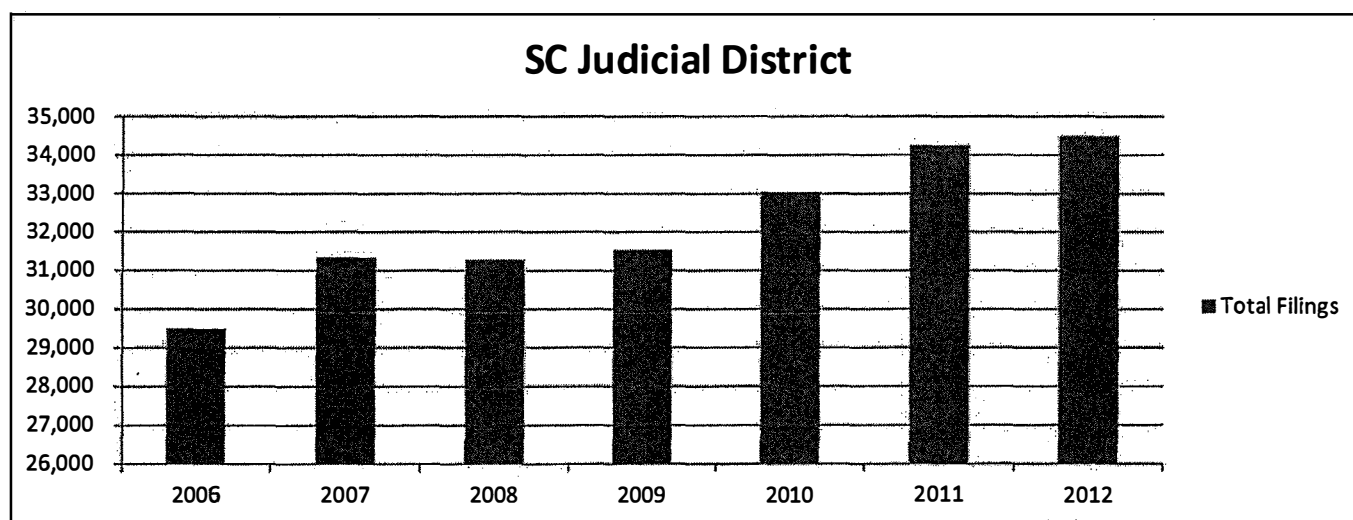
Clerk of District Court
South Central Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	462	483	440	443	478	477	523	9.6%
Child Support	775	746	860	801	857	528	505	-4.4%
Domestic - other	658	710	674	729	717	738	736	-0.3%
Small Claims	798	867	767	732	735	730	673	-7.8%
Probate and Trust	554	551	645	644	617	643	633	-1.6%
Mental Health	94	116	102	118	126	125	183	46.4%
Administrative Appeal	86	72	65	48	45	48	57	18.8%
Other Civil	3,076	3,693	4,050	3,855	4,043	4,191	3,627	-13.5%
Juvenile	421	424	541	546	552	512	487	-4.9%
Total Civil Cases	6,924	7,662	8,144	7,916	8,170	7,992	7,424	-7.1%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	842	926	920	1,018	877	1,129	1,358	20.3%
Misdemeanor	3,978	4,375	4,067	3,810	4,156	4,188	4,299	2.7%
Infraction	320	308	326	291	187	162	166	2.5%
Total Criminal Cases	5,140	5,609	5,313	5,119	5,220	5,479	5,823	6.3%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	17,429	18,069	17,827	18,504	19,656	20,786	21,250	2.2%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total South Central	29,493	31,340	31,284	31,539	33,046	34,257	34,497	0.7%



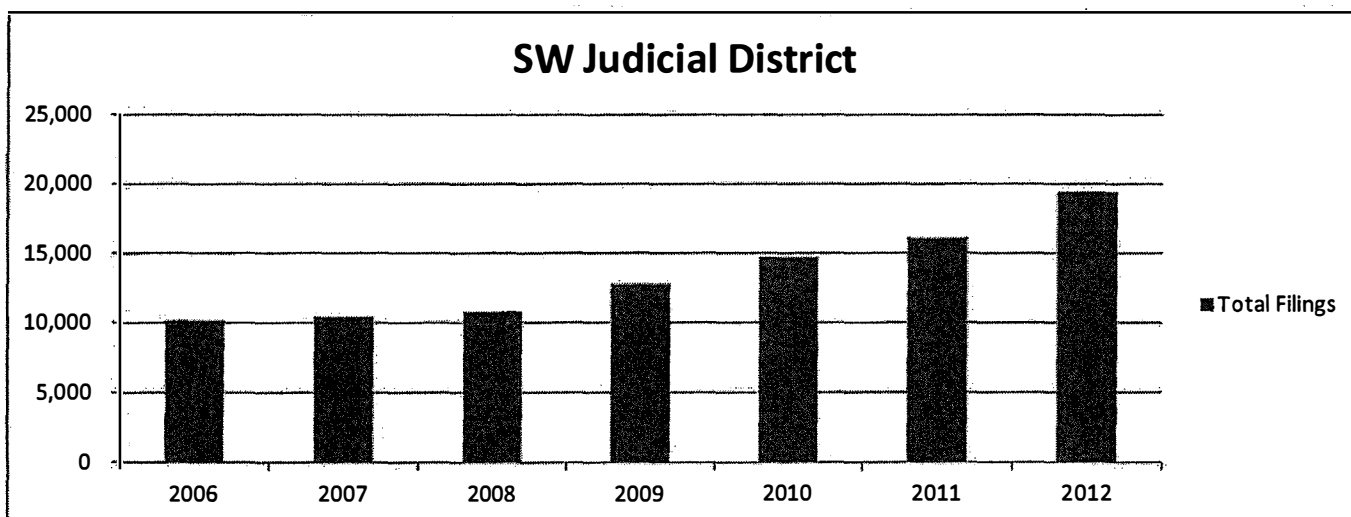
Clerk of District Court
Southwest Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	115	114	126	131	146	148	158	6.8%
Child Support	206	230	212	208	170	152	198	30.3%
Domestic - other	122	116	106	123	125	130	152	16.9%
Small Claims	250	206	198	195	219	178	186	4.5%
Probate and Trust	296	300	433	394	441	754	701	-7.0%
Mental Health	46	51	38	54	39	57	81	42.1%
Administrative Appeal	23	33	34	27	14	12	31	158.3%
Other Civil	845	895	915	875	1,088	1,187	1,216	2.4%
Juvenile	97	101	91	88	72	98	126	28.6%
Total Civil Cases	2,000	2,046	2,153	2,095	2,314	2,716	2,849	4.9%

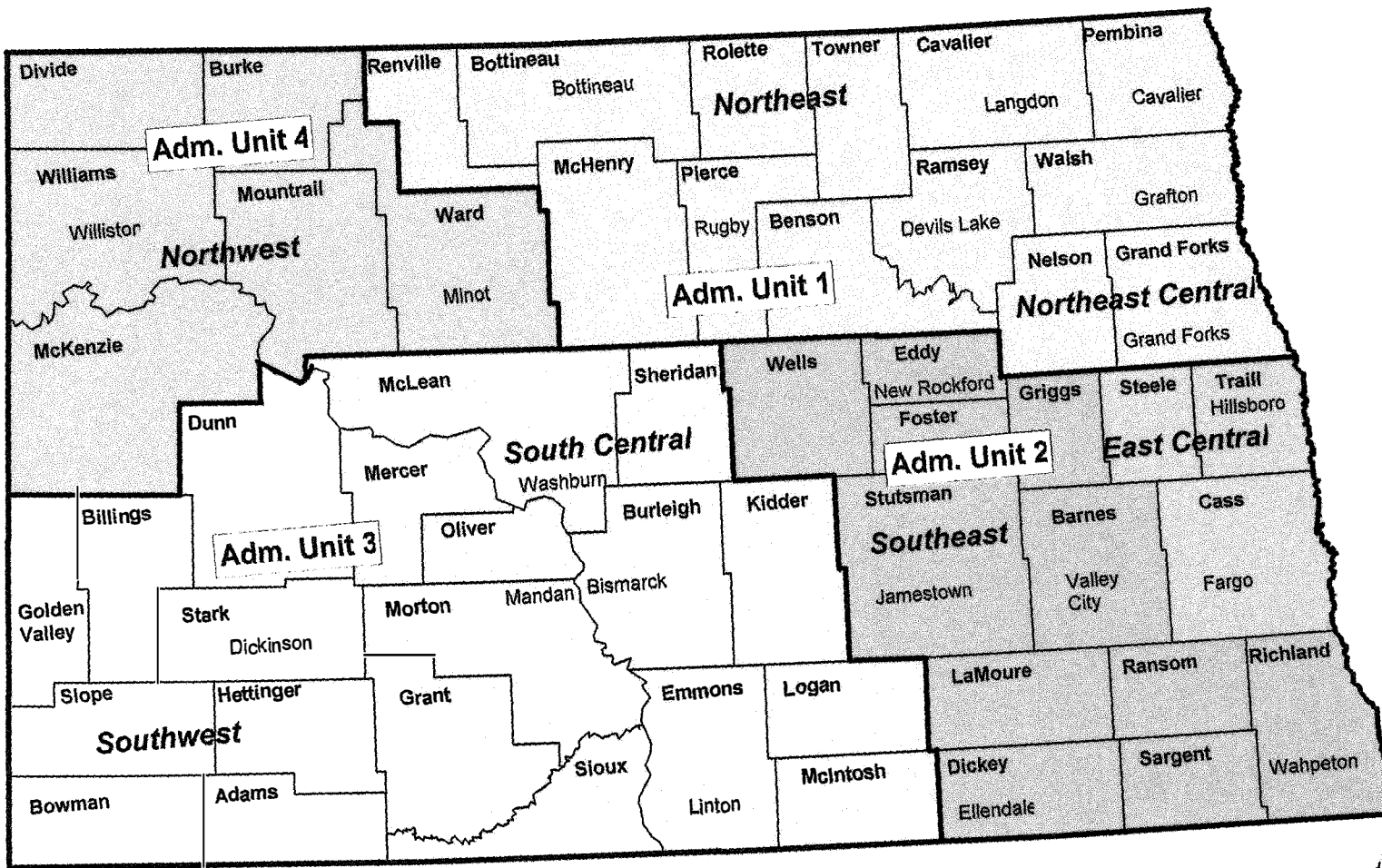
Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	170	179	166	195	208	315	320	1.6%
Misdemeanor	1,649	1,550	1,387	1,478	1,683	1,817	2,115	16.4%
Infraction	382	217	170	181	196	118	141	19.5%
Total Criminal Cases	2,201	1,946	1,723	1,854	2,087	2,250	2,576	14.5%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	5,972	6,453	6,931	8,857	10,345	11,121	14,008	26.0%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Southwest	10,173	10,445	10,807	12,806	14,746	16,087	19,433	20.8%



North Dakota Administrative Units & Judicial Districts - 2012



Senate Bill 2075
Senate Judiciary Committee
Presented by Sally Holewa
January 31, 2013

For the record, my name is Sally Holewa. I am the state court administrator. SB 2075 provides for the addition of 3 new judgeships. Two of the new judgeships would be chambered in the Northwest Judicial District, which is the six county area around Williston and Minot. The other judgeship would be chambered in the East Central Judicial District, which is made up of Cass, Steele, and Traill counties. The bill also provides for one court reporter per judge. The total biennial cost of the bill is \$1,690,950 (see Attachment A). The cost per judgeship unit is \$563,650.

Our request for new judgeships is based on our weighted caseload study (see Attachment B). The weighted caseload study is a time and motion study that takes into account not only the number of cases filed each year, but the type of cases that are filed. As you might guess, it takes much longer to handle a contested divorce or a felony case than it does to handle a small claims or traffic case. By using a weighted caseload study, we can account for those differences when we determine how many judges we need.

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The last time we added new judges was in 2009. Since then, the number of annual statewide case filings has increased by more than 31,000 cases (see attached caseload statistics charts).

One of the new judgeships created in 2009 was assigned to the NWJD. Since then, the caseload in the NWJD has increased by more than 18,000 cases. This number reflects an 85% increase in criminal cases and a 74% increase in probate filings -- in just 3 years. We expect that the number of case filings will continue to increase in the coming year, with the most likely scenario being a continued sharp increase in filings followed by a gradual leveling off of filings at the higher rate. Our latest weighted caseload study shows that this district has a shortage of 2 judges. These judges are swamped. By adding two judges as soon as possible, we can get them caught up and be in a position to deal with the continued increase in cases that are sure to come our way.

Our weighted caseload also shows a 2 judge shortage in the East Central Judicial District (ECJD). The last time a new judgeship was added to the ECJD was in 2000, when the judgeship was moved from the NWJD to the ECJD. Since then, there has been a 17% increase in case filings. Just as important as case filings is the change in demographics in that region. Since 2000, the population has increased by nearly 47,000 people. New Americans make up a substantial portion of that increase. More than 300 new refugees settle in Cass County every year. While most are law abiding, the number of persons coming to court who need interpreters continues to increase. Last year, ECJD judges handled 155 hearings involving interpreters in 17

languages. This number only reflects those cases in which the court has hired an interpreter. It does not include any of the cases where people bring a family member or friend to interpret for them. I'm told that this happens on an almost daily basis, particularly in eviction, small claims, and traffic cases. This has a major impact on the court because these proceedings take significantly longer to hear than similar cases where no interpreter is needed. We are asking for 1 additional judge for the ECJD. While this will not eliminate the shortage, it will go a long way in assisting the judges who are currently working there.

Attachment A

2013-15 APPROPRIATION REQUEST FOR NEW JUDGES

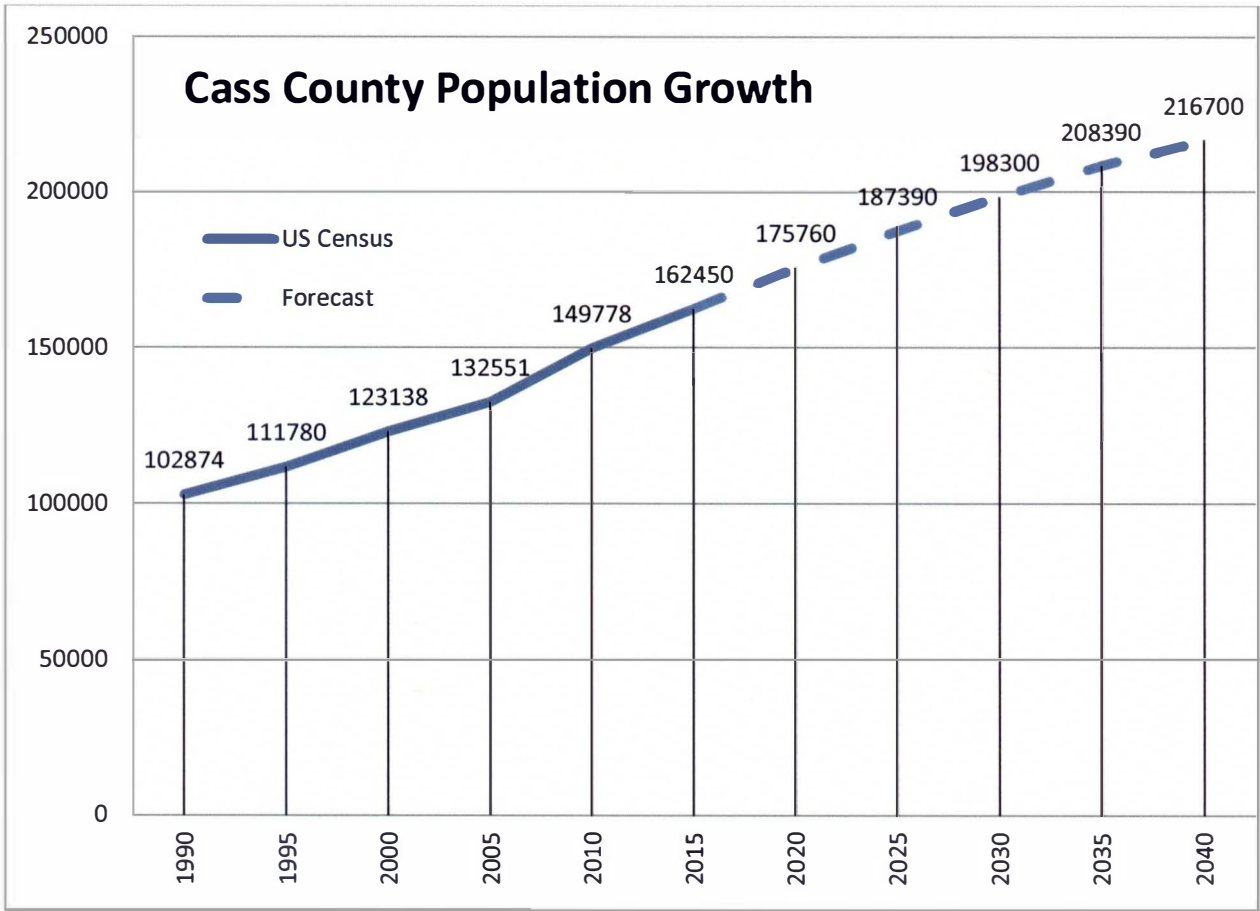
Appropriation for 24 months

<u>Salaries and wages:</u>	Judge	Court Reporter	Total	<u>Notes</u>
Salary	\$272,500	\$111,672	\$384,172	
Fringe	\$98,256	\$42,746	\$141,002	
Total salaries and wages	\$370,756	\$154,418	\$525,174	Full biennium
<u>Operations:</u>				
Office equipment under \$5,000	\$10,000	\$5,000	\$15,000	Desks, chairs, etc. Computers and printers
IT equipment under \$5,000	\$3,180	\$1,680	\$4,860	
IT contractual services	\$1,188	\$1,188	\$2,376	
IT telephone	\$1,800	\$600	\$2,400	
Travel	\$6,000	\$1,000	\$7,000	
Professional development	\$4,000	\$200	\$4,200	
Professional supplies/materials	\$2,500	\$140	\$2,640	
Total operations	\$28,668	\$9,808	\$38,476	
Total Appropriation per Judge	\$399,424	\$164,226	\$563,650	
Total new Judges requested	3	3	3	
Total Appropriation	\$1,198,272	\$492,678	\$1,690,950	

Attachment B

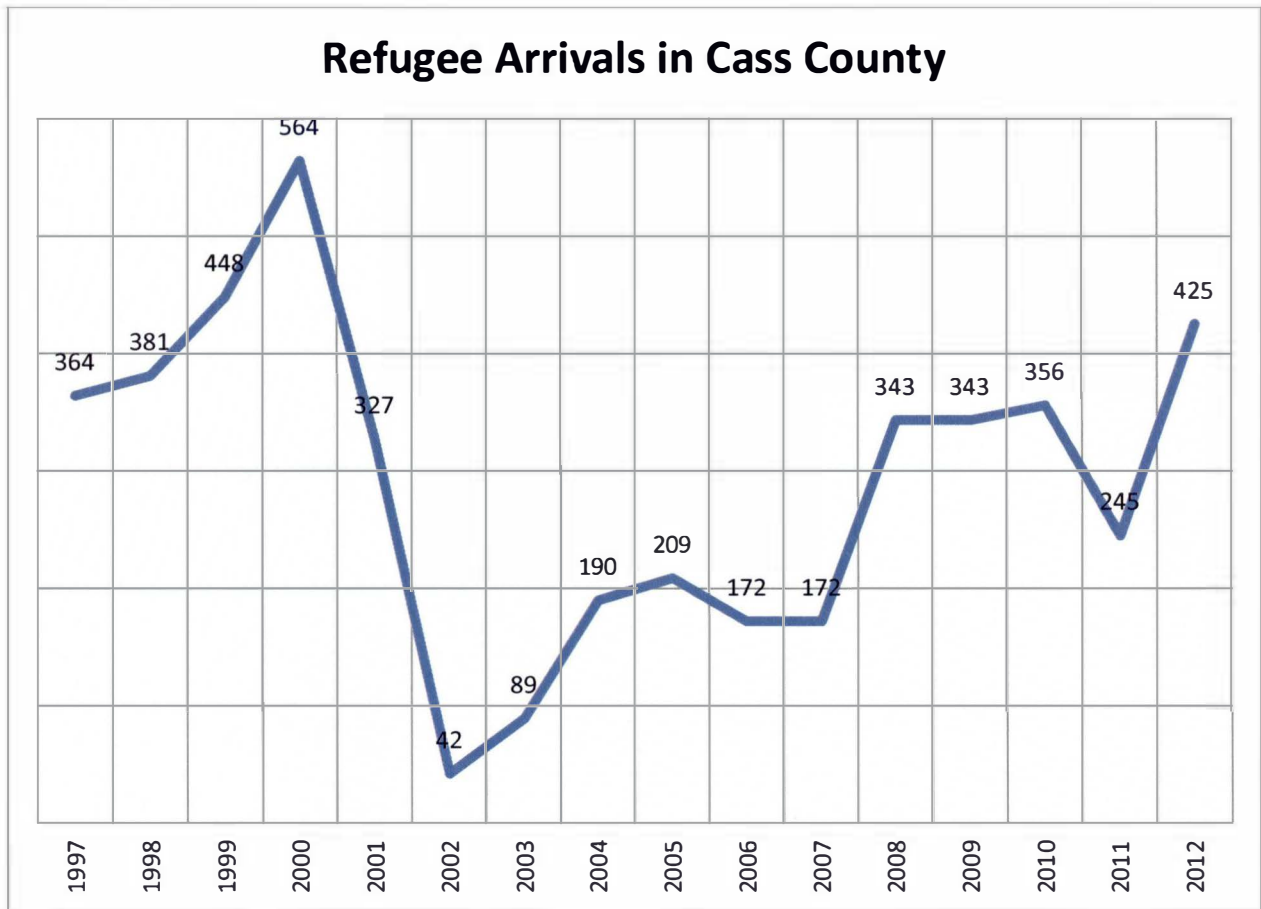
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Northeast Central Judicial District	-.88
Southeast Judicial District	-1.16
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Northwest Judicial District	2.35

Attachment C



Prepared by Ulteig and McKibben Demographics Research

Attachment D



Information provided by Lutheran Social Services

Attachment E

Interpreters Statistics

NDODYPROD

Date Range: 01/01/2012 to 12/31/2012

Languages: ALL

Detail Sort Order: Language

Report Options: Detail

Cass County

Cass County continued...

Date/Time	Location	Case Style / Setting Information	Language	Interpreter/Agency
03/27/2012 3:00 PM	Cass County	State of North Dakota vs. Levin Cortez/ Misdemeanor Dispositional Conference (Wade L Webb)	Spanish	. International Translation Services
03/29/2012 2:00 PM	Burleigh County	State of North Dakota vs. Vicente Erasno Chacano/ Sentencing (Steven E McCullough)	Spanish	. Other
06/04/2012 1:30 PM	Cass County	State of North Dakota vs. Felipe Estrada/ Sentencing (Wade L Webb)	Spanish	. International Translation Services
06/11/2012 2:30 PM	Cass County	State of North Dakota vs. Felipe Estrada/ Sentencing (Wade L Webb)	Spanish	. International Translation Services
07/10/2012 9:00 AM	Cass County	State of North Dakota vs. De Jesus-Roy Renan Diaz/ Arraignment (Douglas Herman)	Spanish	. International Translation Services
02/07/2012 11:00 AM	Annex	In the Interest of [REDACTED] Juvenile Disposition Hearing (Scott Griffith)	Swahili	Language Link CTS
02/07/2012 11:00 AM	Annex	In the Interest of [REDACTED] Juvenile Pretrial (Scott Griffith)	Swahili	Language Link CTS
02/21/2012 11:00 AM	Cass County	State of North Dakota vs. NDABISHURIYE ANISETHI/ Arraignment (Douglas Herman)	Swahili	Language Link CTS
03/06/2012 11:45 AM	Annex	In the Interest of [REDACTED] Juvenile Disposition Hearing (Scott Griffith)	Swahili	. International Translation Services
03/06/2012 11:45 AM	Annex	In the Interest of [REDACTED] Juvenile Pretrial (Scott Griffith)	Swahili	. International Translation Services
04/30/2012 9:00 AM	Annex	In the Interest of [REDACTED] Juvenile Change of Plea (Scott Griffith)	Swahili	Language Link CTS
10/02/2012 3:00 PM	Cass County	State of North Dakota vs. Ndabishuriye Anisethi/ Misdemeanor Dispositional Conference (Douglas Herman)	Swahili	mirc MIRC
10/02/2012 3:00 PM	Cass County	State of North Dakota vs. NDABISHURIYE ANISETHI/ Misdemeanor Dispositional Conference (Douglas Herman)	Swahili	mirc MIRC
10/09/2012 9:00 AM	Cass County	State of North Dakota vs. Honoree Kabatesi/ Arraignment (Wade L Webb)	Swahili	mirc MIRC
10/30/2012 3:00 PM	Cass County	State of North Dakota vs. Ndabishuriye Anisethi/ Misdemeanor Dispositional Conference (Douglas Herman)	Swahili	mirc MIRC
10/30/2012 3:00 PM	Cass County	State of North Dakota vs. NDABISHURIYE ANISETHI/ Misdemeanor Dispositional Conference (Douglas Herman)	Swahili	mirc MIRC

Interpreters Statistics

NDODYPROD

Date Range: 01/01/2012 to 12/31/2012

Languages: ALL

Detail Sort Order: Language

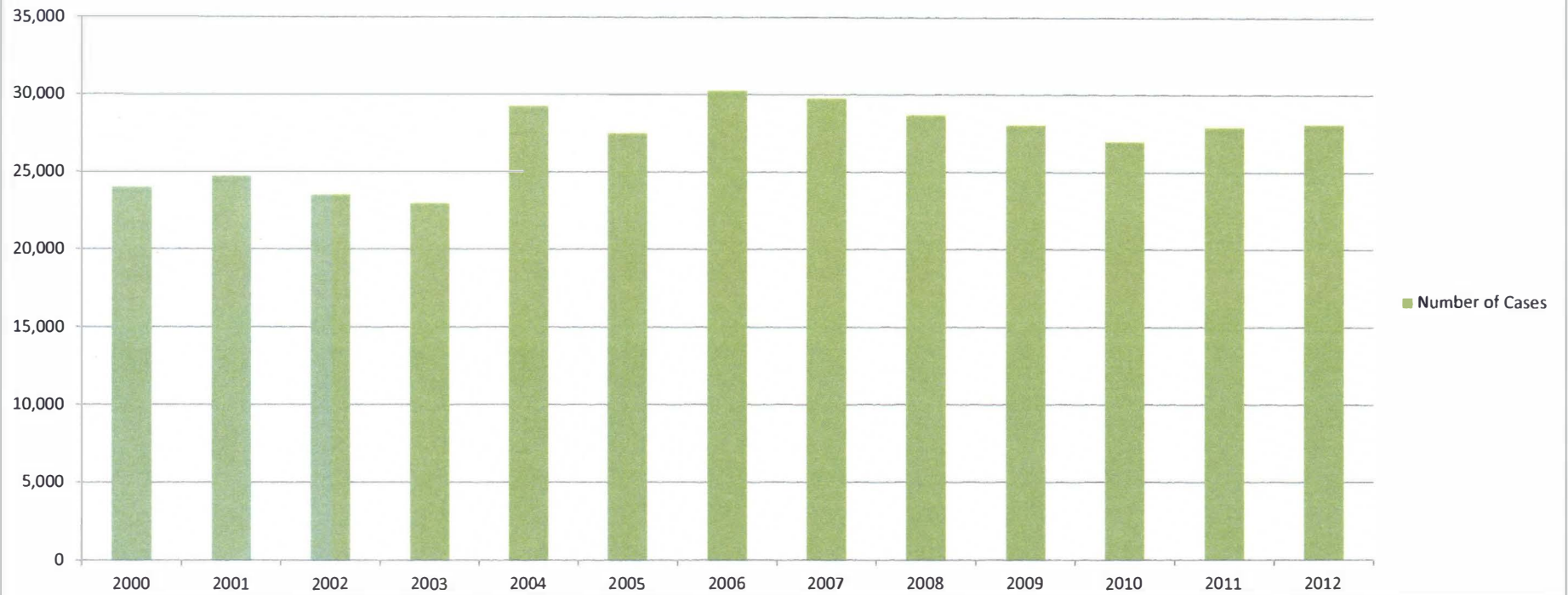
Report Options: Detail

Cass County

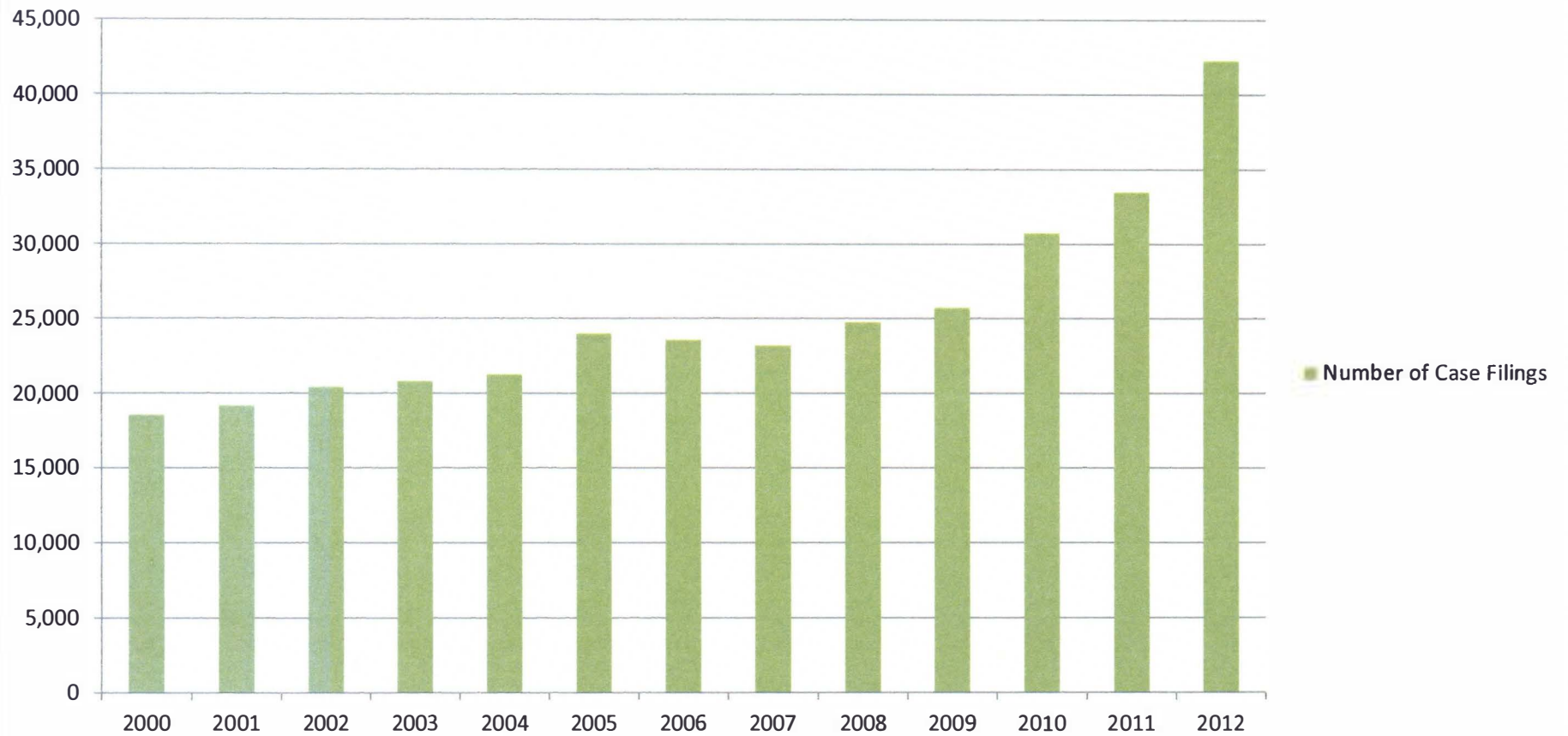
Cass County continued...

Date/Time	Location	Case Style / Setting Information	Language	Interpreter/Agency
03/27/2012 3:00 PM	Cass County	State of North Dakota vs. Mulugeta Degefa/ Misdemeanor Dispositional Conference (Wade L Webb)	Tigrinya	Language Link CTS
01/03/2012 8:30 AM	Annex	In the Interest of [REDACTED] Juvenile Initial Hearing (Susan Solheim)	Vietnamese	. Tele Interpreters
01/03/2012 8:30 AM	Annex	In the Interest of [REDACTED] Juvenile Review Hearing (Susan Solheim)	Vietnamese	. Tele Interpreters
01/09/2012 1:00 PM	Annex	In the Interest of [REDACTED] Juvenile Detention Hearing (Scott Griffeth)	Vietnamese	. Tele Interpreters
05/31/2012 1:30 PM	Cass County	State of North Dakota vs. Dung Tan Nguyen/ Preliminary Hearing and/or Arraignment (John C Irby)	Vietnamese	. International Translation Services
06/07/2012 1:30 PM	Cass County	State of North Dakota vs. Bay Phan/ Preliminary Hearing and/or Arraignment (Steven E McCullough)	Vietnamese	. International Translation Services
06/26/2012 3:00 PM	Cass County	State of North Dakota vs. Hai Duy Nguyen/ Misdemeanor Dispositional Conference (John C Irby)	Vietnamese	. International Translation Services
07/24/2012 3:00 PM	Cass County	State of North Dakota vs. Hai Duy Nguyen/ Misdemeanor Dispositional Conference (Steven E McCullough)	Vietnamese	. International Translation Services
07/25/2012 3:00 PM	Cass County	State of North Dakota vs. Dung Tan Nguyen/ Felony Dispositional Conference (Wickham Corwin)	Vietnamese	. International Translation Services
08/01/2012 3:00 PM	Cass County	State of North Dakota vs. Bay Phan/ Felony Dispositional Conference (Steven E McCullough)	Vietnamese	. International Translation Services
11/06/2012 9:00 AM	Cass County	State of North Dakota vs. Dung Tan Nguyen/ Felony Jury Trial (John C Irby)	Vietnamese	. International Translation Services
Grand Total:	155			

Cases Filed in the ECJD 2000-2012



Cases Filed in the NWJD 2000-2012



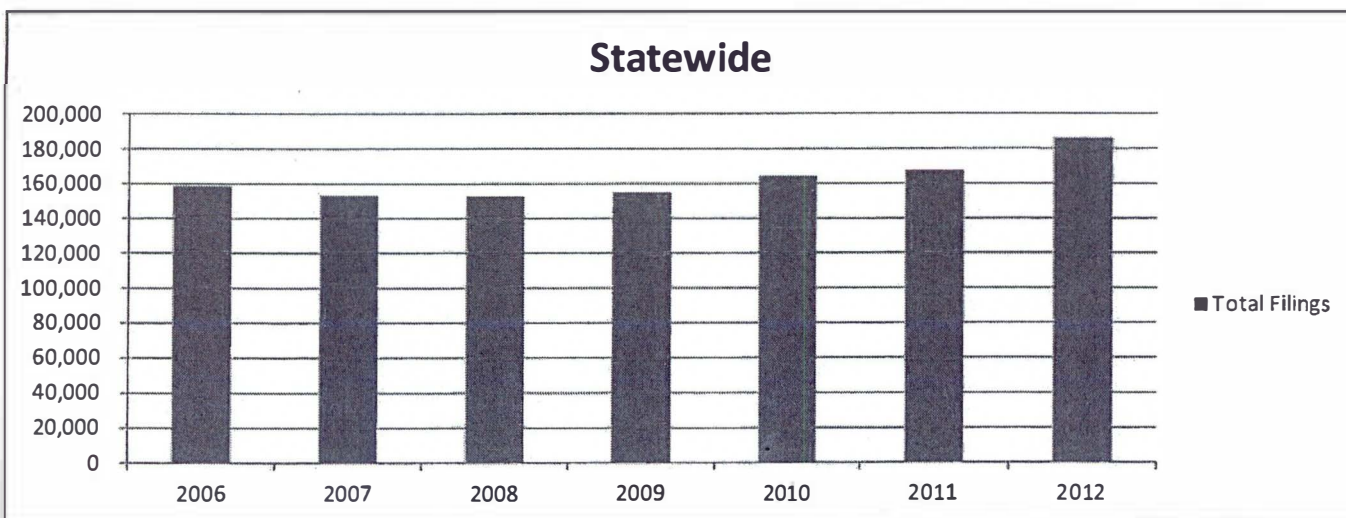
Clerk of District Court
Statewide
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	2,304	2,305	2,160	2,205	2,482	2,317	2,447	5.6%
Child Support	4,178	4,079	4,161	4,203	3,291	2,659	2,726	2.5%
Domestic - other	2,731	2,898	2,844	2,998	3,037	2,989	3,172	6.1%
Small Claims	5,228	4,893	4,497	4,851	5,057	5,028	5,123	1.9%
Probate and Trust	2,921	3,003	3,627	3,766	4,233	4,624	5,009	8.3%
Mentl Health	1,243	1,313	1,257	1,286	1,303	1,328	1,479	11.4%
Administrative Appeal	216	228	216	196	206	205	249	21.5%
Other civil	13,011	16,034	17,315	16,805	17,739	17,530	15,844	-9.6%
Juvenile	2,576	2,429	2,654	2,472	2,614	2,469	2,616	6.0%
Total Civil Cases	34,408	37,182	38,731	38,782	39,962	39,149	38,665	-1.2%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	4,075	4,049	3,833	4,090	4,150	4,759	5,587	17.4%
Misdemeanor	24,028	23,052	21,231	20,825	21,262	23,294	25,018	7.4%
Infraction	2,827	2,487	2,137	1,820	1,574	1,258	1,319	4.8%
Total Criminal Cases	30,930	29,588	27,201	26,735	26,986	29,311	31,924	8.9%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	93,236	86,335	86,608	89,252	97,326	98,705	115,387	16.9%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Statewide	158,574	153,105	152,540	154,769	164,274	167,165	185,976	11.3%



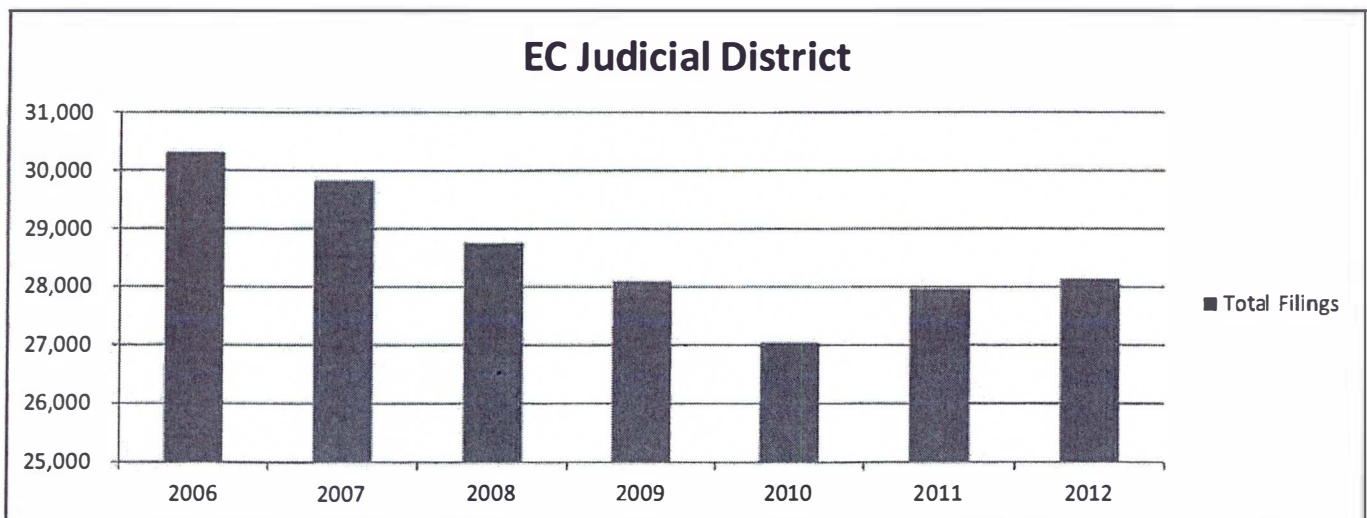
**Clerk of District Court
East Central Judicial District
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	563	570	504	527	561	526	599	13.9%
Child Support	1,233	1,149	1,037	958	588	541	509	-5.9%
Domestic - other	384	426	403	383	388	408	343	-15.9%
Small Claims	1,268	1,196	1,096	1,233	1,320	1,347	1,221	-9.4%
Probate and Trust	351	381	405	441	435	402	401	-0.2%
Mental Health	256	288	270	338	354	328	320	-2.4%
Administrative Appeal	24	40	42	46	39	45	49	8.9%
Other Civil	3,066	4,029	4,506	4,253	4,652	4,318	3,699	-14.3%
Juvenile	733	719	793	714	829	813	768	-5.5%
Total Civil Cases	7,878	8,798	9,056	8,893	9,166	8,728	7,909	-9.4%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	1,082	1,070	986	1,007	1,096	950	1,147	20.7%
Misdemeanor	4,192	4,430	4,208	3,807	3,715	3,882	3,683	-5.1%
Infraction	350	323	342	263	201	239	255	6.7%
Total Criminal Cases	5,624	5,823	5,536	5,077	5,012	5,071	5,085	0.3%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	16,819	15,211	14,166	14,133	12,868	14,169	15,143	6.9%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total East Central	30,321	29,832	28,758	28,103	27,046	27,968	28,137	0.6%



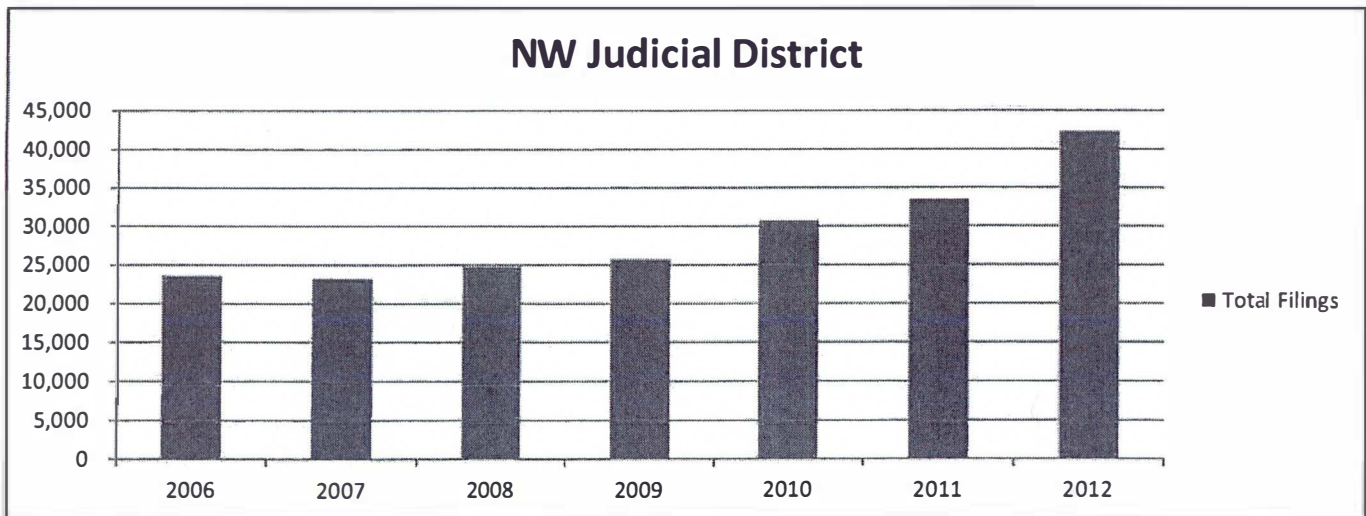
**Clerk of District Court
Northwest Judicial District
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	431	441	402	427	551	506	507	0.2%
Child Support	504	577	563	700	734	477	565	18.4%
Domestic - other	492	570	509	548	553	572	681	19.1%
Small Claims	661	627	535	601	606	503	493	-2.0%
Probate and Trust	627	705	1,052	1,196	1,531	1,686	2,076	23.1%
Mental Health	274	286	305	303	292	326	339	4.0%
Administrative Appeal	25	25	24	26	46	65	72	10.8%
Other Civil	2,127	2,712	2,716	2,587	2,702	2,671	2,627	-1.6%
Juvenile	309	305	315	327	391	352	345	-2.0%
Total Civil Cases	5,450	6,248	6,421	6,715	7,406	7,158	7,705	7.6%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	599	596	587	583	677	916	1,271	38.8%
Misdemeanor	4,357	3,999	3,901	3,912	4,640	6,255	7,237	15.7%
Infraction	362	389	296	231	264	219	245	11.9%
Total Criminal Cases	5,318	4,984	4,784	4,726	5,581	7,390	8,753	18.4%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	12,854	12,040	13,605	14,347	17,806	18,977	25,857	36.3%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northwest	23,622	23,272	24,810	25,788	30,793	33,525	42,315	26.2%



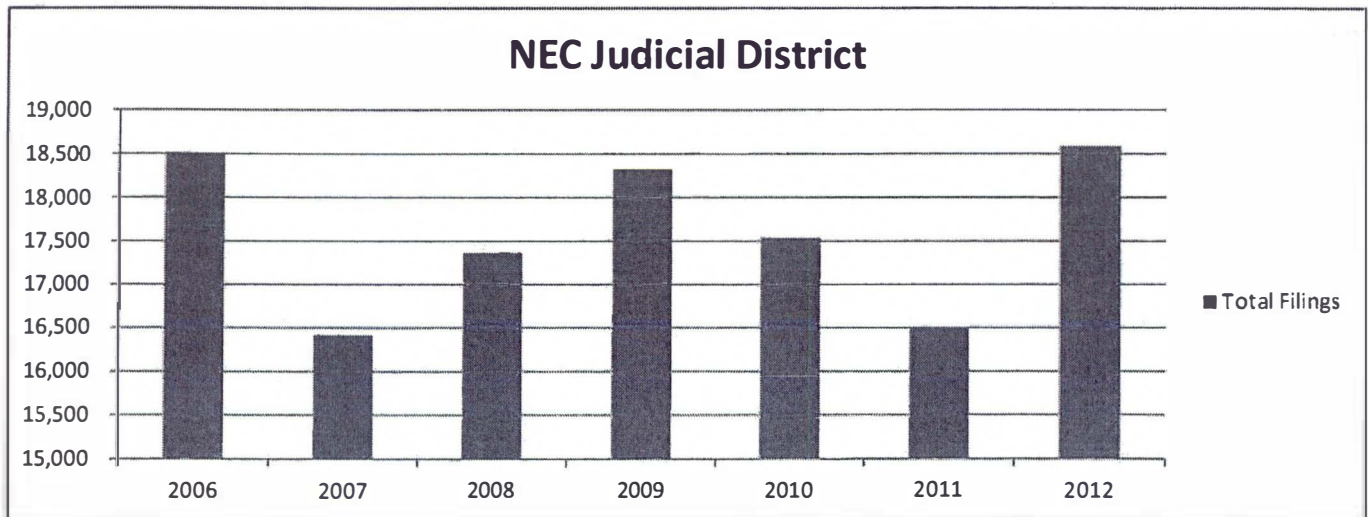
**Clerk of District Court
Northeast Central Judicial District
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	300	280	303	274	309	250	243	-2.8%
Child Support	528	446	523	514	296	177	71	-59.9%
Domestic - other	360	362	422	425	391	410	550	34.1%
Small Claims	902	622	658	870	867	1,168	1,389	18.9%
Probate and Trust	206	226	197	211	253	220	251	14.1%
Mental Health	139	147	141	146	143	154	169	9.7%
Administrative Appeal	35	21	21	29	13	16	11	-31.3%
Other Civil	1,226	1,637	1,652	1,775	1,593	1,660	1,507	-9.2%
Juvenile	481	420	477	379	311	293	364	24.2%
Total Civil Cases	4,177	4,161	4,394	4,623	4,176	4,348	4,555	4.8%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	456	453	408	482	432	564	604	7.1%
Misdemeanor	3,250	2,474	2,204	2,429	2,102	2,210	2,690	21.7%
Infraction	310	251	183	189	99	121	122	0.8%
Total Criminal Cases	4,016	3,178	2,795	3,100	2,633	2,895	3,416	18.0%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	10,321	9,083	10,184	10,595	10,733	9,268	10,621	14.6%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northeast Central	18,514	16,422	17,373	18,318	17,542	16,511	18,592	12.6%



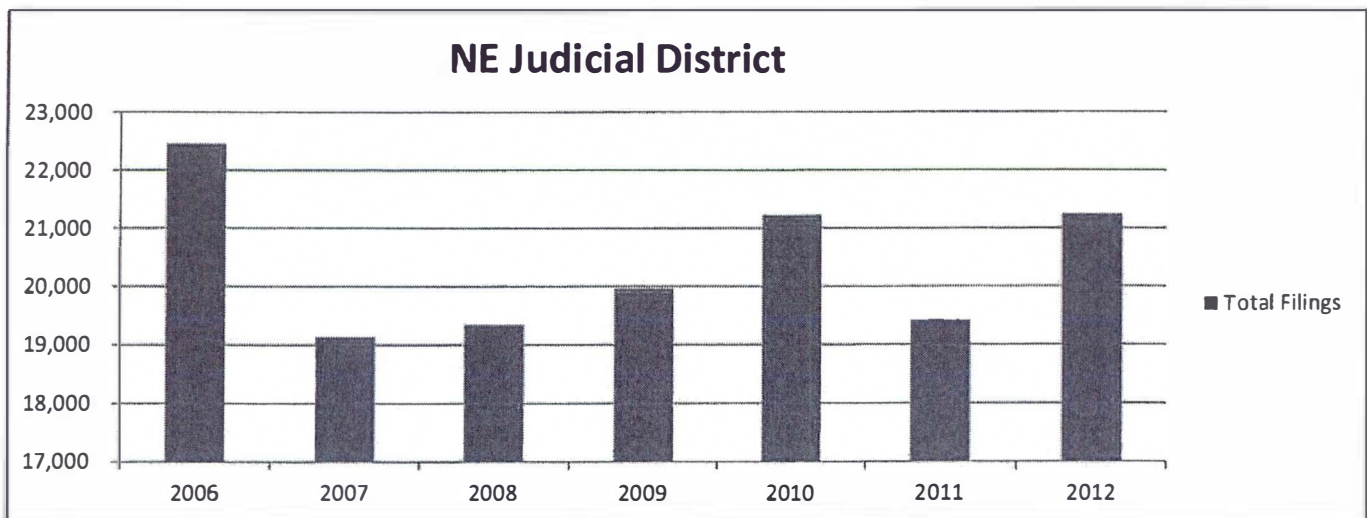
Clerk of District Court
Northeast Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	155	156	152	169	196	183	175	-4.4%
Child Support	414	467	612	606	431	537	583	8.6%
Domestic - other	308	345	389	458	537	385	332	-13.8%
Small Claims	654	689	652	613	650	487	462	-5.1%
Probate and Trust	448	438	466	453	546	493	472	-4.3%
Mental Health	86	86	85	73	83	104	105	1.0%
Administrative Appeal	9	16	14	10	16	9	9	0.0%
Other Civil	1,103	1,319	1,474	1,583	1,572	1,494	1,296	-13.3%
Juvenile	355	246	230	266	267	246	306	24.4%
Total Civil Cases	3,532	3,762	4,074	4,231	4,298	3,938	3,740	-5.0%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	508	379	371	349	421	452	441	-2.4%
Misdemeanor	3,342	2,917	2,665	2,754	2,585	2,537	2,688	6.0%
Infraction	469	468	403	335	329	200	218	9.0%
Total Criminal Cases	4,319	3,764	3,439	3,438	3,335	3,189	3,347	5.0%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	14,604	11,616	11,833	12,295	13,588	12,295	14,159	15.2%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northeast	22,455	19,142	19,346	19,964	21,221	19,422	21,246	9.4%



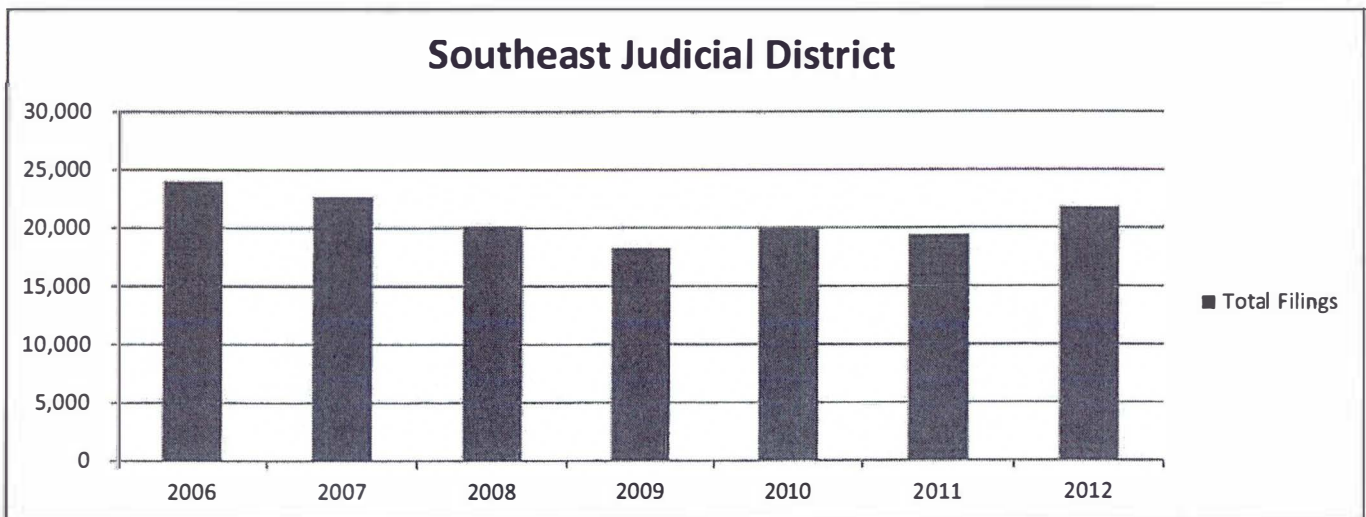
**Clerk of District Court
Southeast Judicial District
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	278	261	233	234	241	227	242	6.6%
Child Support	518	464	354	416	215	247	295	19.4%
Domestic - other	407	369	341	332	326	346	378	9.2%
Small Claims	695	686	591	607	660	615	699	13.7%
Probate and Trust	439	402	429	427	410	426	475	11.5%
Mental Health	348	339	316	254	266	234	282	20.5%
Administrative Appeal	14	21	16	10	33	10	20	100.0%
Other Civil	1,568	1,749	2,002	1,877	2,089	2,009	1,872	-6.8%
Juvenile	180	214	207	152	192	155	220	41.9%
Total Civil Cases	4,447	4,505	4,489	4,309	4,432	4,269	4,483	5.0%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	418	446	395	456	439	433	446	3.0%
Misdemeanor	3,260	3,307	2,799	2,635	2,381	2,405	2,306	-4.1%
Infraction	634	531	417	330	298	199	172	-13.6%
Total Criminal Cases	4,312	4,284	3,611	3,421	3,118	3,037	2,924	-3.7%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	15,237	13,863	12,062	10,521	12,330	12,089	14,349	18.7%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Southeast	23,996	22,652	20,162	18,251	19,880	19,395	21,756	12.2%



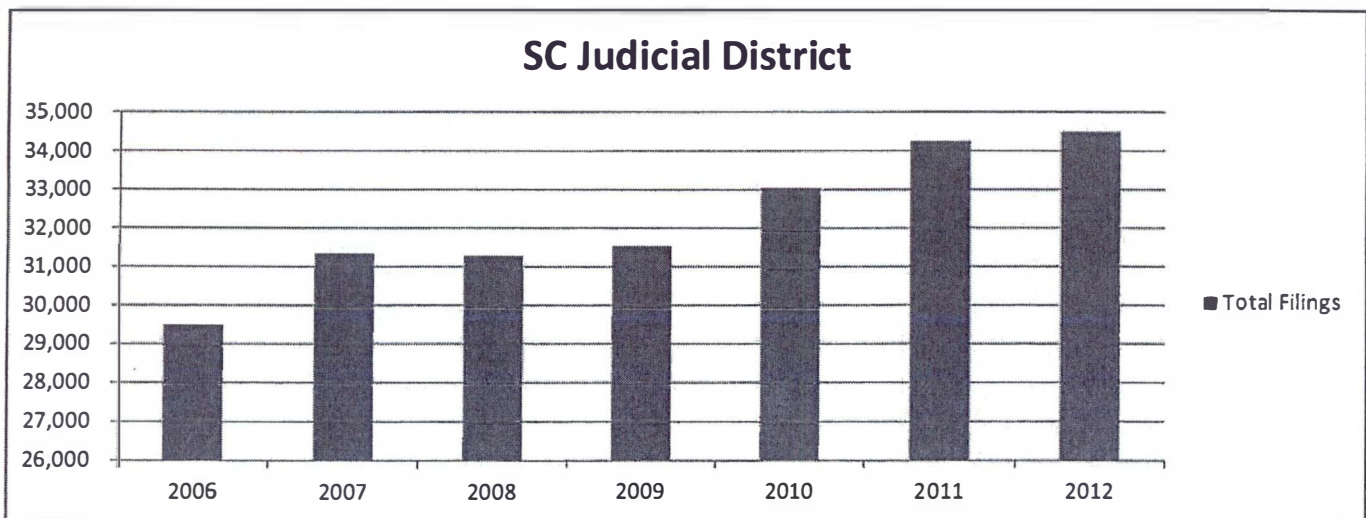
Clerk of District Court
South Central Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	462	483	440	443	478	477	523	9.6%
Child Support	775	746	860	801	857	528	505	-4.4%
Domestic - other	658	710	674	729	717	738	736	-0.3%
Small Claims	798	867	767	732	735	730	673	-7.8%
Probate and Trust	554	551	645	644	617	643	633	-1.6%
Mental Health	94	116	102	118	126	125	183	46.4%
Administrative Appeal	86	72	65	48	45	48	57	18.8%
Other Civil	3,076	3,693	4,050	3,855	4,043	4,191	3,627	-13.5%
Juvenile	421	424	541	546	552	512	487	-4.9%
Total Civil Cases	6,924	7,662	8,144	7,916	8,170	7,992	7,424	-7.1%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	842	926	920	1,018	877	1,129	1,358	20.3%
Misdemeanor	3,978	4,375	4,067	3,810	4,156	4,188	4,299	2.7%
Infraction	320	308	326	291	187	162	166	2.5%
Total Criminal Cases	5,140	5,609	5,313	5,119	5,220	5,479	5,823	6.3%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	17,429	18,069	17,827	18,504	19,656	20,786	21,250	2.2%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total South Central	29,493	31,340	31,284	31,539	33,046	34,257	34,497	0.7%



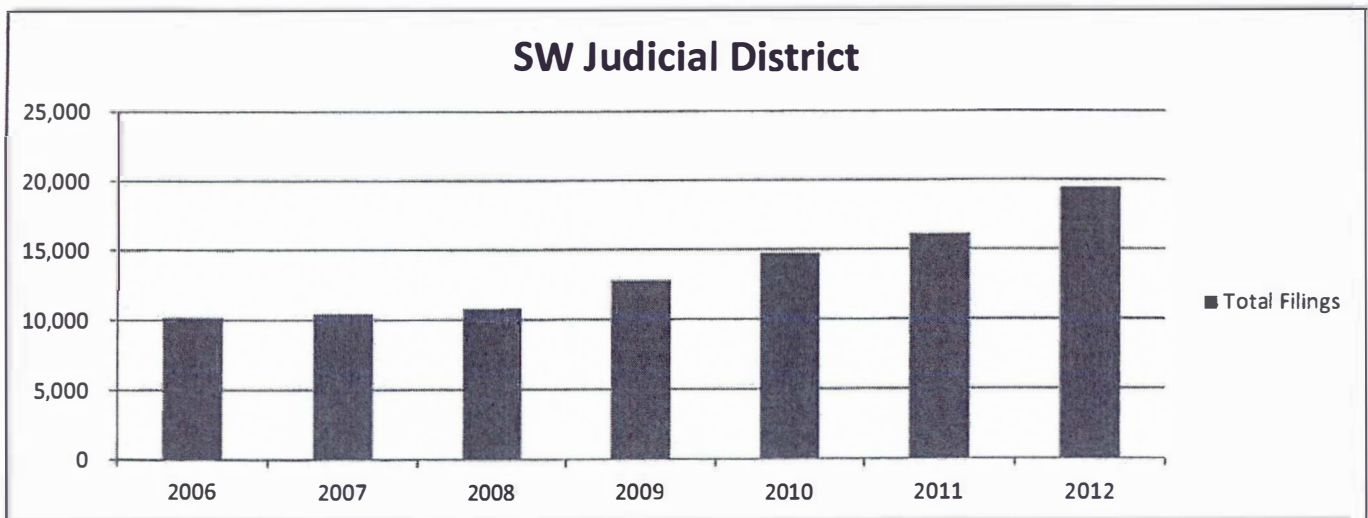
Clerk of District Court
Southwest Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	115	114	126	131	146	148	158	6.8%
Child Support	206	230	212	208	170	152	198	30.3%
Domestic - other	122	116	106	123	125	130	152	16.9%
Small Claims	250	206	198	195	219	178	186	4.5%
Probate and Trust	296	300	433	394	441	754	701	-7.0%
Mental Health	46	51	38	54	39	57	81	42.1%
Administrative Appeal	23	33	34	27	14	12	31	158.3%
Other Civil	845	895	915	875	1,088	1,187	1,216	2.4%
Juvenile	97	101	91	88	72	98	126	28.6%
Total Civil Cases	2,000	2,046	2,153	2,095	2,314	2,716	2,849	4.9%

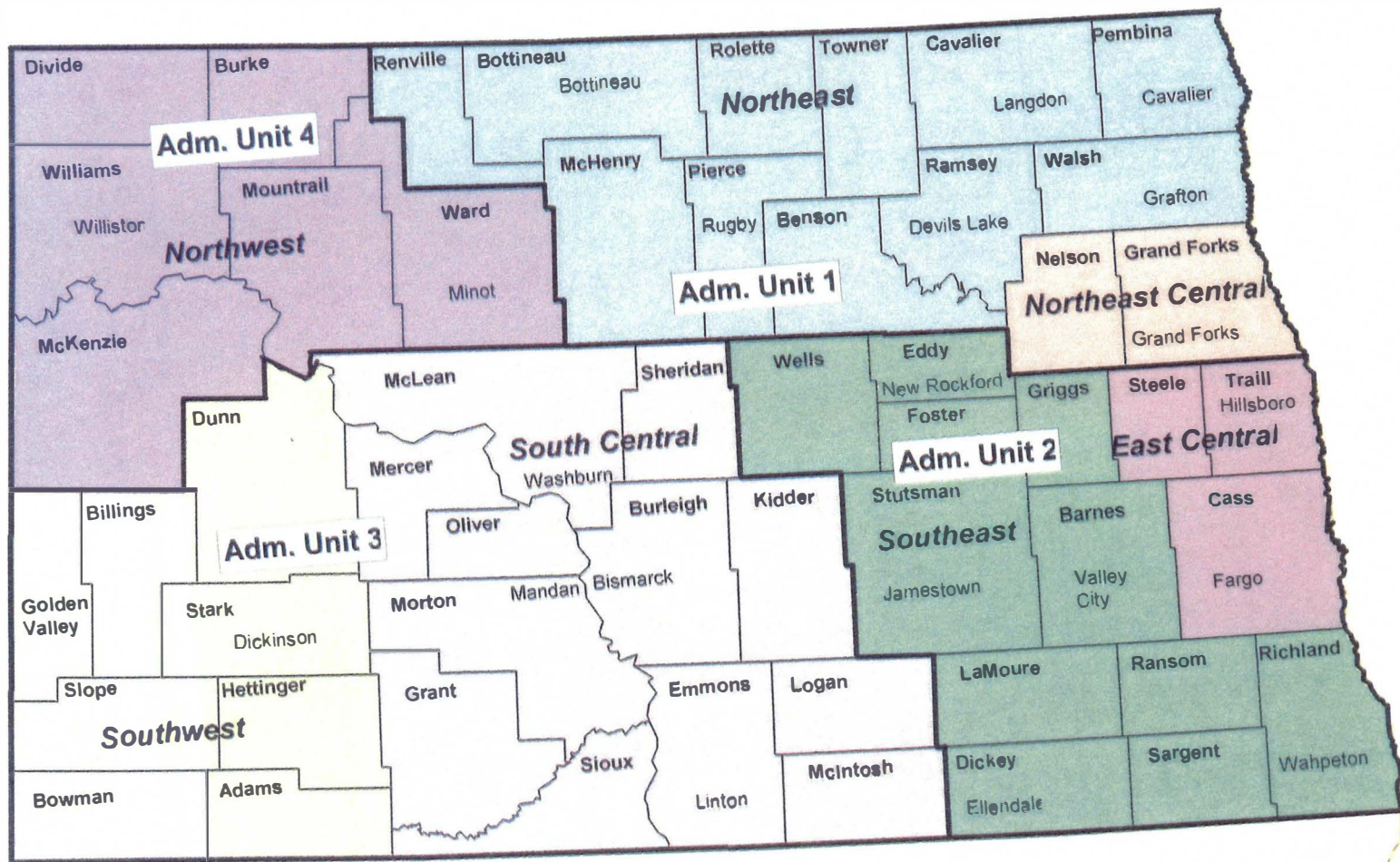
Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	170	179	166	195	208	315	320	1.6%
Misdemeanor	1,649	1,550	1,387	1,478	1,683	1,817	2,115	16.4%
Infraction	382	217	170	181	196	118	141	19.5%
Total Criminal Cases	2,201	1,946	1,723	1,854	2,087	2,250	2,576	14.5%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	5,972	6,453	6,931	8,857	10,345	11,121	14,008	26.0%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Southwest	10,173	10,445	10,807	12,806	14,746	16,087	19,433	20.8%



North Dakota Administrative Units & Judicial Districts - 2012



2. Implementing and ensuring compliance with policies and procedures adopted by the judges in the administrative unit which are not inconsistent with Judicial Branch policies and procedures.

3. With the exception of judicial referees, law clerks, court reporters, and secretaries to judges, hiring and supervising all trial court personnel in the administrative unit, including state-employed clerks of court, juvenile court personnel, and calendar control clerks.

4. Monitoring compliance with personnel-related policies and providing interpretation of policies to trial court personnel.

5. If supervisory authority is delegated to the trial court administrator by the presiding judge, supervising judicial referees, law clerks, court reporters, and secretaries to judges hired by the presiding judge of the judicial district.

6. Developing work plans to ensure efficient use of administrative personnel.

7. Assigning subordinate personnel to other locations within the administrative unit in accordance with Judicial Branch staffing.

8. Providing regular reports to the Council on the state of the district courts within the administrative unit, including fiscal management, case management, jury management, juvenile court services, indigent defense services, facilities, and personnel and records management.

9. In consultation with the presiding judges of the administrative unit, preparing a budget for the unit each biennium.

10. Performing duties or responsibilities as may be directed by the State Court Administrator.

11. Performing such other non-conflicting duties or responsibilities as may be directed by the presiding judges of the judicial districts within the administrative unit.

D. The trial court administrator may delegate supervisory or other authority to assistants or local administrative personnel as considered appropriate or necessary.

E. The trial court administrator shall oversee the provision of administrative support services throughout the administrative unit for which the administrator is responsible.

Section 4. Effective Date.

The effective date of this rule is August 1, 2004.

[Adopted effective Aug. 1, 2004.]

AR 7. Designation of Judgeships and Chambers With Assignments

A. Each office of the District Judge is a separate office. Judgeships and chambers within each judicial

district are established with assignment of judges and chambers as follows:

1. Northwest Judicial District.

Judgeship No. 1, with chambers at Williston, the Honorable Gerald H. Rustad or successor.

Judgeship No. 2, with chambers at Minot, the Honorable Douglas L. Mattson or successor.

Judgeship No. 3, with chambers at Minot, was abolished effective January 1, 1999, under Section 27-05-02.1, N.D.C.C.

Judgeship No. 4, with chambers at Minot, the Honorable Gary H. Lee or successor.

Judgeship No. 5, with chambers at Williston, the Honorable David W. Nelson or successor.

Judgeship No. 6, with chambers at Minot, transferred to the East Central Judicial District effective December 14, 2001, under Section 27-05-02.1, N.D.C.C.

Judgeship No. 7, with chambers at Stanley, the Honorable Richard L. Hagar or successor, transferred to Minot effective January 1, 2007, under Section 27-05-08, N.D.C.C.

Judgeship No. 8, with chambers at Minot, the Honorable William W. McLees or successor.

Judgeship No. 9, with chambers at Minot, created by the 61st Legislative Assembly, 2009 N.D. Sess. Laws, ch. 261, the Honorable Todd L. Cresap or successor.

2. Northeast Judicial District.

Judgeship No. 1, with chambers at Devils Lake, the Honorable Lee A. Christofferson or successor.

Judgeship No. 2, with chambers at Grafton, was abolished effective January 1, 1995, under Section 27-05-02.1, N.D.C.C.

Judgeship No. 3, with chambers at Bottineau, the Honorable Michael G. Sturdevant or successor.

Judgeship No. 4, with chambers at Devils Lake, the Honorable Donovan Foughty or successor.

Judgeship No. 5, with chambers at Cavalier-Langdon, the Honorable Laurie A. Fontaine or successor.

Judgeship No. 6, with chambers at Grafton, the Honorable M. Richard Geiger or successor.

Judgeship No. 7, with chambers at Rugby, the Honorable John C. McClintock, Jr. or successor.

3. Northeast Central Judicial District.

Judgeship No. 1, with chambers at Grand Forks, the Honorable Sonja Clapp or successor.

Judgeship No. 2, with chambers at Grand Forks, the Honorable Karen K. Braaten or successor.

Judgeship No. 3, with chambers at Grand Forks, the Honorable Joel D. Medd or successor.

Judgeship No. 4, with chambers at Grand Forks, the Honorable Lawrence E. Jahnke or successor.

Judgeship No. 5, with chambers at Grand Forks, the Honorable Debbie Gordon Kleven or successor.

4. *East Central Judicial District.*

Judgeship No. 1, with chambers at Fargo, the Honorable Wickham Corwin or successor.

Judgeship No. 2, with chambers at Fargo, the Honorable Douglas R. Herman or successor.

Judgeship No. 3, with chambers at Fargo, the Honorable Steven E. McCullough or successor.

Judgeship No. 4, with chambers at Fargo, the Honorable Steven L. Marquart or successor.

Judgeship No. 5, with chambers at Fargo, the Honorable Frank L. Racek or successor.

Judgeship No. 6, with chambers at Fargo, the Honorable Georgia Dawson or successor.

Judgeship No. 7, with chambers at Hillsboro, the Honorable Wade L. Webb or successor.

Judgeship No. 8, with chambers at Fargo, the Honorable John C. Irby or successor.

5. *Southeast Judicial District.*

Judgeship No. 1, with chambers at Jamestown, was abolished effective February 3, 1998, under Section 27-05-02.1, N.D.C.C.

Judgeship No. 2, with chambers at Valley City, the Honorable John T. Paulson or successor.

Judgeship No. 3, with chambers at Wahpeton, was abolished effective January 3, 1996, under Section 27-05-02.1, N.D.C.C.

Judgeship No. 4, with chambers at New Rockford, the Honorable James M. Bekken or successor.

Judgeship No. 5, with chambers at Ellendale, the Honorable Daniel D. Narum or successor.

Judgeship No. 6, with chambers at Valley City, the Honorable Mikal Simonson or successor.

Judgeship No. 7, with chambers at Lisbon, was abolished effective January 1, 1995, under Section 27-05-02.1, N.D.C.C.

Judgeship No. 8, with chambers at Wahpeton, the Honorable Richard W. Grosz or successor.

Judgeship No. 9, with chambers at Jamestown, the Honorable John E. Greenwood or successor.

Judgeship No. 10, with chambers at Jamestown, created by the 61st Legislative Assembly, 2009 N.D. Sess. Laws, ch. 261, the Honorable Thomas E. Merrick or successor.

6. *South Central Judicial District.*

Judgeship No. 1, with chambers at Bismarck, the Honorable David E. Reich or successor.

Judgeship No. 2, with chambers at Bismarck, the Honorable Sonna M. Anderson or successor.

Judgeship No. 3, with chambers at Mandan, was abolished effective March 11, 1998, under Section 27-05-02.1, N.D.C.C.

Judgeship No. 4, with chambers at Bismarck, the Honorable Bruce B. Haskell or successor.

Judgeship No. 5, with chambers at Bismarck, the Honorable Robert O. Wefald or successor.

Judgeship No. 6, with chambers at Bismarck, the Honorable Gail Hagerty or successor.

Judgeship No. 7, with chambers at Mandan, the Honorable Thomas J. Schneider or successor.

Judgeship No. 8, with chambers at Linton, the Honorable Donald L. Jorgensen or successor.

Judgeship No. 9, with chambers at Washburn, the Honorable Bruce A. Romanick or successor.

7. *Southwest Judicial District.*

Judgeship No. 1, with chambers at Dickinson, the Honorable Zane Anderson or successor.

Judgeship No. 2, with chambers at Hettinger, transferred to the South Central Judicial District, effective May 1, 1995, under Section 27-05-02.1, N.D.C.C.

Judgeship No. 3, with chambers at Dickinson, the Honorable Harlan Patrick Weir or successor.

Judgeship No. 4, with chambers at Dickinson, the Honorable William A. Herauf or successor.

Judgeship No. 5, with chambers at Bowman, was abolished effective December 31, 2000, under Section 27-05-02.1, N.D.C.C.

B. It is the intent of the Supreme Court that the residents of the various counties within a judicial district receive judicial services as provided by law in their own county.

Dated at Bismarck, North Dakota.

[Amended effective Jan. 27, 2010.]

SOURCE: AR 7-1979 effective July 1, 1979; AR 7-1980 effective May 16, 1980; AR 7-1981 effective July 1, 1981; AR 7-1981 effective Sept. 3, 1981; AR 7 amended Nov. 8, 1985; Sec. 27-05-08(2) N.D.C.C.; S.L.1979, Ch. 76, Sec. 4; S.L. 1981, Ch. 36, Sec. 3; AR 7-1987 amended Nov. 12, 1987; AR 7-1989 amended Feb. 20, 1989; AR 7 amended January 31, 1990; Sec. 27-05-00.1(3), N.D.C.C.; S.L.1991, Ch. 326, Sec. 1(3); AR 7 amended October 6, 1993; amended November 16, 1994, effective January 1, 1995; amended effective March 16, 1995 and May 1, 1995; amended effective January 10, 1996; amended April 1, 1998; amended effective January 1, 2001; amended effective December 14, 2001; amended effective July 2, 2003; amended effective January 1, 2007; amended effective January 27, 2010.

AR 7.1. Rule Regarding Resident District Court Judgeship Chambers of Judicial Districts

Section 1. Authority and Policy. Pursuant to the authority of the Supreme Court in Section 3 of Article VI, North Dakota Constitution, and N.D.C.C. § 27-05-08, it is the policy of the North Dakota Judicial System to provide procedures for the establishment of resident district court judgeship chambers within the judicial districts of North Dakota.

The Supreme Court will exercise its authority to designate resident district court judgeship chambers for each district court judge pursuant to the criteria and procedures of these Rules.

Section 2. Petition.

1. Any person, or the Supreme Court on its own motion through the State Court Administrator, interested in the designation or redesignation of a resident district court judgeship chamber of a judicial district by the Supreme Court may file with the Clerk of the Supreme Court a petition to designate or change the designation of a resident district court judgeship chamber.

2. The petition shall state the petitioner's grounds for the change regarding designation of a chamber and should be accompanied by supporting documentation addressing the criteria in Section 4.

3. The petitioner shall give notice of the filing of the petition to the presiding judge of the judicial district, the mayor of any city and the chair of the county commission of any county referred to in the petition and shall give public notice by publication of the notice of filing once in a newspaper published in each of the affected counties.

4. Any affected city or county may appear as a respondent.

5. The Supreme Court, in its discretion, may refer the petition to a hearing officer or a hearing panel of three persons, or grant the petitioner an opportunity for written comment or oral hearing directly to the Supreme Court. Whenever the Supreme Court determines that a petition is improper as to form or is frivolous, the Supreme Court may make an immediate decision on the petition.

6. If the opportunity for written comment or oral hearing is granted directly to the Supreme Court, the time, place, and conditions for an oral hearing will be fixed or conditions for written comment will be set. Notice of the hearing shall be given to petitioners, the presiding judge of the judicial district, and to those persons identified in Section 2(3). Publication of the notice of hearing shall be given once in a newspaper published in each of the affected counties.

Section 3. Hearings Before a Hearing Officer or Hearing Panel.

1. The hearing officer or hearing panel shall hold a hearing in the existing chambers within a reasonable period of time. The hearing shall be open to the public. Public notice of the hearing shall be given once in a newspaper published in each of the affected counties.

2. The hearing officer or hearing panel will consider all evidence and information submitted in the proceeding. The hearing officer or hearing panel will visit the court facilities in all affected locations.

3. The hearing officer or hearing panel shall consider the most recent "Report on the Status of Court Facilities of the Judicial District" as prepared by the court administrator of the judicial district or, in a judicial district which does not have a court administrator, another person designated by the presiding judge of the judicial district. The Report shall address the factors in Section 4.

4. The report of a hearing panel will include any written minority position of hearing panel members.

5. The hearing officer or hearing panel shall keep an audio or written transcript record of all proceedings. The hearing officer or hearing panel shall make written findings of fact, conclusions, and recommendations with respect to the proceeding. The findings of fact, conclusions, and recommendations of the hearing officer or hearing panel shall be entered in the record and notice thereof shall be mailed to the parties.

6. The hearing officer or hearing panel, within 30 days after the conclusion of its hearing, shall submit to the Clerk of the Supreme Court a report containing its findings of fact, conclusions, and recommendations, together with the audio or written record of the proceedings for review by the Supreme Court.

Section 4. Criteria for Consideration.

1. The hearing officer or hearing panel, and the Supreme Court, will consider evidence regarding the following factors concerning the designation or change in designation of a chamber:

a. Annual district court combined civil, criminal and formal juvenile caseload for the most recent three-year period and any discernible caseload trends or patterns;

b. Number and location of attorneys;

c. Community facilities (restaurants, motels, etc.);

d. Convenience of travel access from surrounding communities (highway, bus, train, air, and parcel services, etc.);

e. Compliance with or commitment to court facility standards;

(1) size of available space for judges and court personnel;

(2) environmental controls;

(3) quality of court facilities;

- (4) law library space;
 - f. Proximity to detention facilities for adults and juveniles;
 - g. Cooperative court service arrangements with the county courts;
 - h. Proximity to a Human Service Center of the Department of Human Services;
 - i. Impact of any change of chamber on travel time for judges, court personnel, attorneys, and litigants;
 - j. Population distribution in the judicial district or de facto subdistrict;
 - k. Impact on affected judicial system employees (juvenile, transcript preparation, and clerks of district court); and
 - l. Recommendation of the presiding judge of the judicial district, after consultation with the judges of the judicial district.
2. Economic impacts of the change of chamber for the affected cities will not be considered a significant factor.

Section 5. Hearing Before the Supreme Court.

1. The Supreme Court, in its discretion, may grant an oral hearing or an opportunity for further written comment or filing of briefs concerning the report of the hearing officer or hearing panel. The Supreme Court will fix the time and place for hearing or the conditions for comment or briefs.
2. The petitioner for a designation or change of designation of a chamber shall have the burden of persuasion.

Section 6. Decision by Supreme Court. The Supreme Court shall review the record of the proceedings and shall file a written order as it finds just and proper.

Section 7. Citations. The North Dakota Rules Regarding Resident District Court Judgeship Chambers of Judicial Districts may be cited as NDRDCJC.

Section 8. Effective Date. The effective date of this Rule is September 1, 1990.

[Adopted effective September 1, 1990.]

SOURCE: Supreme Court No. 900068; January 12, 1990, minutes of the Court Services Administration Committee.

AR 7.2. North Dakota Rule Regarding Disposition of Judgeship Vacancies

Section 1. Authority.

Under the authority of the Supreme Court provided in N.D. Const. art. VI, &S& 3 and N.D.C.C. &S& 27-05-02.1, this rule provides procedures for the disposition of a vacancy in the office of district court

judge and a determination of the office's proper location for purposes of fulfilling a need for judicial services.

Section 2. Vacancy Notification-Hearing.

1. a. Upon notification by the Governor of a vacancy in the office of district court judge, the Supreme Court may refer the matter to a hearing officer or a hearing panel of three persons.

b. The Supreme Court, instead of or in addition to the referral provided for in subdivision (a), may grant to interested parties the opportunity to submit written comments directly to the Supreme Court or appear at an oral hearing before the Supreme Court.

c. If the opportunity for submission of written comments or appearance at an oral hearing is provided pursuant to subdivision (b), the Supreme Court shall fix the time, place, and conditions for the oral hearing or submission of written comments. The Supreme Court shall keep an audio or written transcript record of the proceeding. Notice of the hearing must be given to the presiding judge of the judicial district in which the judgeship is located and the board of county commissioners of the county in which the judgeship is located. Notice of the hearing must also be published once in a newspaper of general circulation in each of the affected counties.

2. In addition to any hearing or submission of written comments provided pursuant to subsection (1), the Supreme Court shall consult with the judges and attorneys of the affected judicial district on the issue of whether the office is necessary for effective judicial administration. The consultation must be in a manner deemed suitable by the Supreme Court and notice of the manner of consultation must be given to the affected judges and attorneys.

3. Any person interested in the disposition of a vacancy in the office of district court judge may file with the Clerk of the Supreme Court written comments regarding the preferred disposition of the vacancy. The written comments must state the grounds for the preferred disposition and should be accompanied by supporting documentation addressing the criteria in Section 4.

Section 3. Hearing Before a Hearing Officer or Hearing Panel.

1. If the matter is referred to a hearing officer or hearing panel pursuant to subsection (1)(a) of Section 2, the hearing officer or hearing panel shall hold a hearing in the affected chambers within a reasonable period of time. The hearing must be open to the public. Public notice of the hearing must be given once in a newspaper of general circulation in each of the affected counties.

2. The hearing officer or hearing panel shall consider all evidence and information submitted in the proceeding and shall visit the court facilities in all affected locations.

3. The hearing officer or hearing panel shall consider a report on the application of the criteria in Section 4 to the matter as prepared by the court administrator of the administrative unit in which the judgeship is located or, in an administrative unit that does not have a court administrator, another person designated by the presiding judge of the judicial district in which the judgeship is located.

4. The report of a hearing panel must include any written minority position of hearing panel members.

5. The hearing officer or hearing panel shall keep an audio or written transcript record of all proceedings. The hearing officer or hearing panel shall make written findings of fact and conclusions, and, if directed to do so by the Supreme Court, recommendations with respect to the proceeding. The findings of fact and conclusions, and recommendations, if made, of the hearing officer or hearing panel must be entered in the record.

6. The hearing officer or hearing panel, within 30 days after the conclusion of its hearing, shall submit to the Clerk of the Supreme Court a report containing its findings of fact and conclusions, and recommendations, if made, together with the audio or written record of the proceedings for review by the Supreme Court.

Section 4. Criteria.

The hearing officer or hearing panel, or the Supreme Court, or both, shall consider evidence regarding the following criteria concerning disposition of the vacancy:

1. Population;
2. Caseloads and unusual case types;
3. Trends in 1 and 2;
4. Impact of proposed vacancy disposition on travel requirements;
5. Age or possible retirement of remaining judges in the affected judicial district; and
6. Availability of facilities (e.g., law enforcement, correctional, and court facilities).

Section 5. Decision by Supreme Court.

The Supreme Court shall review the record of the proceedings and file a written order concerning the disposition of the vacant office and whether the vacant office is necessary for effective judicial administration in its present location.

Section 6. Citation.

The North Dakota Rule Regarding Disposition of Judgeship Vacancies may be cited as NDRDJV.

Section 7. Effective Date.

The effective date of this rule, as amended, is October 1, 2010.

[Adopted effective February 1, 1992; amended effective January 1, 1995; October 1, 2010.]

AR 8. Temporary Judges, Appointment

The 1979 Legislative Assembly provided for the appointment of temporary judges in Chapter 27-24, NDCC (Chapter 367, S.L. 1979). Under Section 27-24-01(2), NDCC, the Supreme Court hereby adopts the following administrative rule for the appointment of temporary judges.

Section 1. Creation of Statewide List of Temporary Judge Candidates.

a. The presiding judge, acting in conjunction with the local advisory committee of each judicial district, shall nominate persons eligible under Section 27-24-01, NDCC, as candidates for temporary judge. It is recommended that at least two nominations be made from each judicial district.

b. The presiding judge shall submit the nominations to the State Court Administrator, who shall keep the statewide list of all nominations. The Supreme Court may make additional nominations on its own motion.

c. Each nominee shall sign a statement of eligibility, qualifications, consent to accept appointment as temporary judge during a period of two years, and indicate willingness to attend training sessions as provided by the State Court Administrator. The statement must accompany the nomination.

d. The first statewide list of candidates must be established no later than 90 days after the effective date of this rule. The candidates will be available for appointment during a period of two years commencing on the date the list is established.

e. The persons on the first statewide list shall serve terms as initially determined by lot, one-half of the candidates to serve for one year and one-half to serve for two years. Except for nominations made by the Supreme Court, at the end of a candidate's term, or in the event of the death or resignation of a candidate, the presiding judge shall submit names of additional candidate(s) to the State Court Administrator, who shall incorporate the candidates' names in the statewide list.

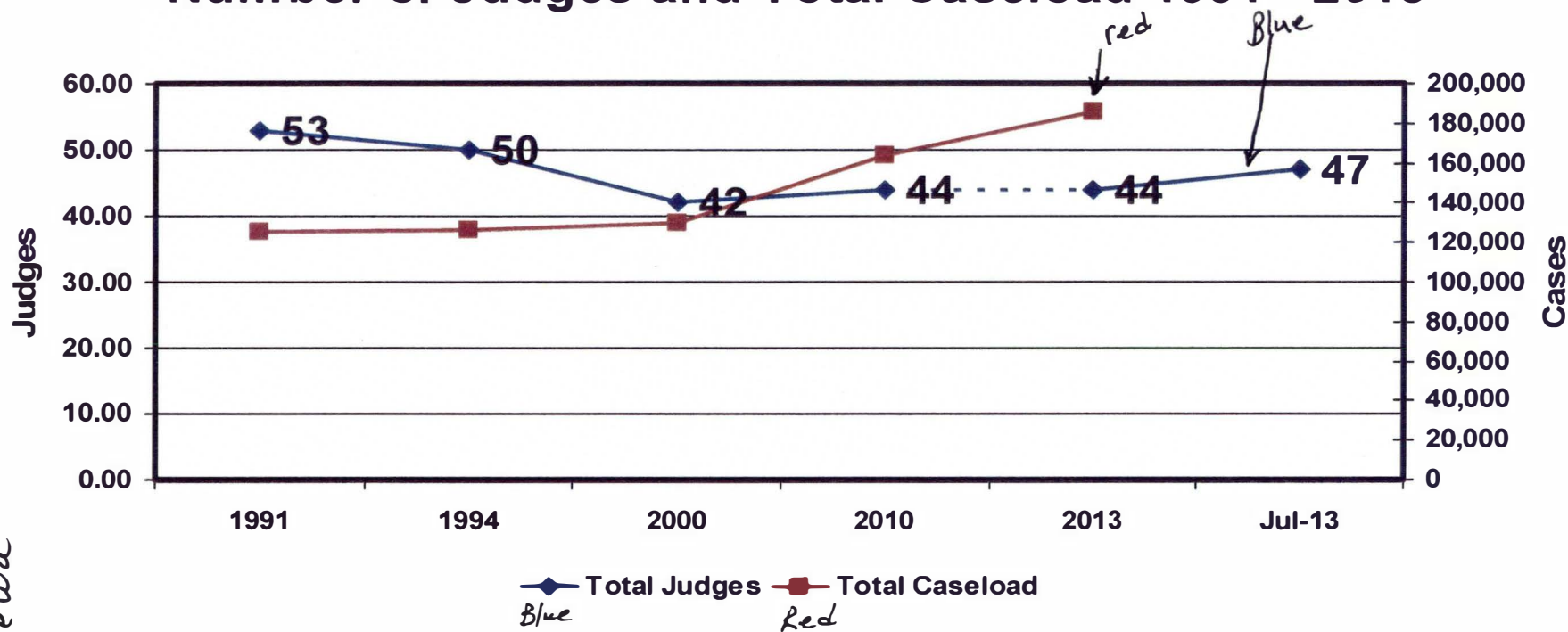
Section 2. Determination of Need for Temporary Judge.

Need for the appointment of a temporary judge shall be determined by the Supreme Court upon recommendation of the presiding judge of a judicial district to the Chief Justice, or by the Supreme Court on its own motion. Need is established when the appointment is found to be reasonably necessary to the efficient administration of justice.

Section 3. Appointment of Temporary Judge.

#2

Number of Judges and Total Caseload 1991 - 2013



Sally Holewa
SB 2075
2-6-13

History of Judgeship Changes Since Consolidation (January 1, 1991 to Present)

Judgeships Abolished

<u>District</u>	<u>Judgeship</u>	<u>City</u>	<u>Effective Date</u>
SCJD	#8	Linton	August 16, 1991 (Hatch)
NWJD		Williston	August 16, 1991 (Wilson)
NEJD		Bottineau	April 5, 1993 (Neumann)
NEJD	#2	Grafton	March 9, 1994 (O'Keefe)
SWJD		Hettinger	May 1, 1995 (Wolberg)
SEJD	#7	Lisbon	March 23, 1994 (Tjon)
SEJD	#3	Wahpeton	January 3, 1996 (Eckert)
SEJD	#1	Jamestown	February 3, 1998 (Wright)
SCJD	#3	Mandan	March 10, 1998 (Hodny)
NWJD	#3	Minot	March 10, 1998 (Bernig)
SWJD	#5	Bowman	December 31, 2000 (Hunke)

Judgeships Transferred

<u>District</u>	<u>Judgeship</u>	<u>From</u>	<u>To</u>	<u>District</u>	<u>Effective Date</u>
SWJD	#2	Hettinger	Linton	SCJD	5/1/1995
NWJD	#6	Minot	Fargo	ECJD	12/14/ 2001
NWJD	#8	Watford City	Minot	NWJD	01/01/2003
NWJD	#7	Stanley	Minot	NWJD	1/1/2007

Judgeships Added

<u>District</u>	<u>Judgeship</u>	<u>City</u>	<u>Effective Date</u>
NEJD	#9	Minot	January 1, 2010
SEJD	#10	Jamestown	January 1, 2010

Senate Bill 2075
House Judiciary Committee
Testimony of Chief Justice Gerald VandeWalle
March 19, 2013

The Court is requesting the addition of 3 new judgeships. Two of the new judgeships would be chambered in the Northwest Judicial District (NWJD), which is the six county area around Williston and Minot. The other judgeship would be chambered in the East Central Judicial District, which is made up of Cass, Steele and Traill Counties.

Our request for new judgeships is based on our weighted caseload study. The weighted caseload study is a time and motion study that takes into account not only the number of cases filed each year, but the type of cases that are filed. As you might guess, it takes much longer to handle a contested divorce or a felony case than it does to handle a small claims or traffic case. By using a weighted caseload study we can account for those differences when we determine how many judges we need.

In 2012, there were 185,982 cases filed statewide.¹ Compared to 2011, there was an 11.3% increase in case filings. These figures do not include the more than 20,000 cases that are re-opened each year. As expected, the largest increases in filings are in the NWJD (26% increase) and the SWJD (21% increase).

The last time we added new judges was in 2009. Since then, the number of annual statewide case filings has increased by more than 31,000 cases.

One of the new judgeships created in 2009 was assigned to the NWJD. Since then, the caseload in the NWJD has increased by more than 18,000 cases. This number reflects an 85% increase in criminal cases and a 74% increase in probate filings -- in just 3 years. We expect that the number of case filings will continue to increase in the coming year, with the most likely scenario being a continued sharp increase in filings followed by a gradual leveling off of filings at the higher rate. Our latest weighted caseload study shows that this district has a shortage of 3 judges. These judges are swamped. By adding 2 judges as soon as possible, we can get them caught up and be in a position to deal with the continued increase in cases that are sure to come our way.

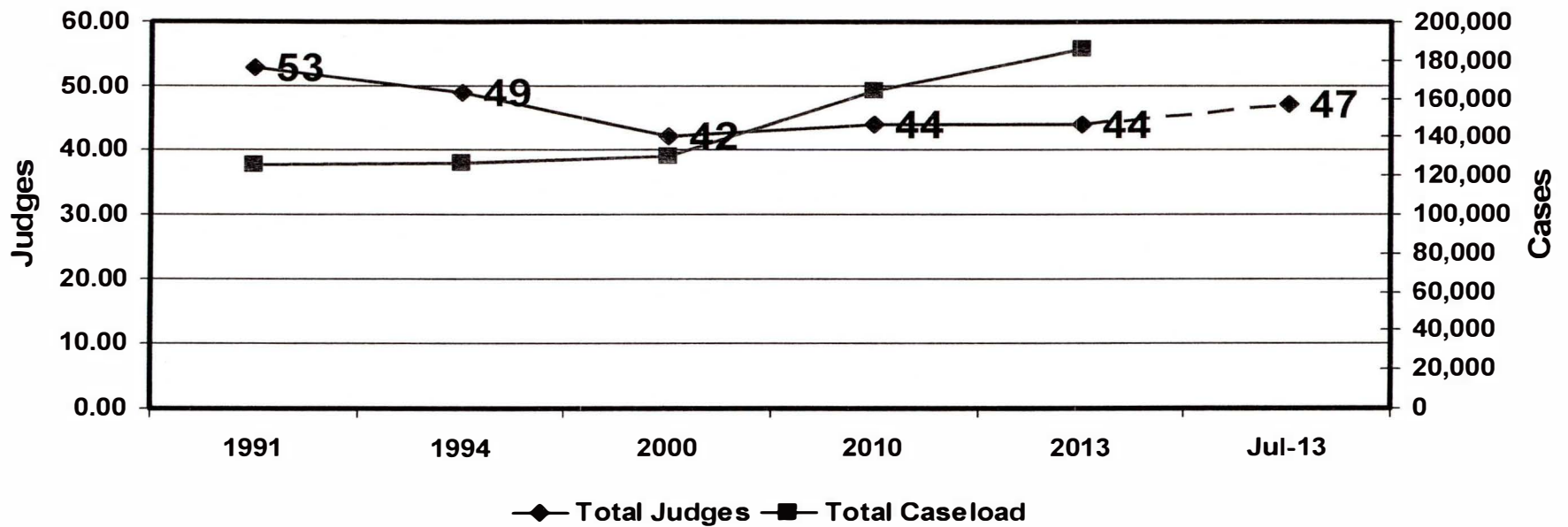
Our weighed caseload also shows a 2 judge shortage in the East Central Judicial District (ECJD). The last time a new judgeship was added to the ECJD was in 2000, when the judgeship was

¹ Since this bill was heard on the Senate side, the year-end statistics for 2012 have become available.

moved from the NWJD to the ECJD. Since then, there has been a 17% increase in case filings. Just as important as case filings is the change in demographics in that region. Since 2000, Cass County's population has increased by nearly 47,000 people. New Americans make up a substantial portion of that increase. More than 300 new refugees settle in Cass County every year. While most are law abiding, the number of persons coming to court who need interpreters continues to increase. Last year, ECJD judges handled 155 hearings involving interpreters in 17 languages. This has a major impact on the court because these proceedings take significantly longer to hear than similar cases where no interpreter is needed. We are asking for 1 additional judge for the ECJD. While this will not eliminate the shortage, it will go a long way in assisting the judges who are currently working there.

Judge Need As Measured by the Weighted Caseload Study		
Period:	2010/2011	2011/2012
Northeast Judicial District	Excess of .58	Excess of .84
Northeast Central Judicial District	Excess of .88	Excess of .18
Southeast Judicial District	Excess of 1.16	Excess of .95
East Central Judicial District	Shortage of 2.17	Shortage of 1.82
South Central Judicial District	Shortage of 1.36	Shortage of 1.98
Southwest Judicial District	Shortage of .23	Shortage of .77
Northwest Judicial District	Shortage of 2.35	Shortage of 3.60

Number of Judges and Total Caseload 1991 - 2013



1991 - This is the year the legislation authorizing consolidation of district and county courts was enacted. The consolidation became effective January 1, 1995. It required that the number of judges had to be reduced to 42 by January 1, 2001.

1994 - As of December 31, 1994, the Supreme Court had eliminated 4 district judgeships. County judgeships were also eliminated during the lead-up to court consolidation. On January 1, 1995, all of the county judges became district judges.

2000 - As of December 31, 2000, the Supreme Court had reduced the number of judges to 42 as required by statute.

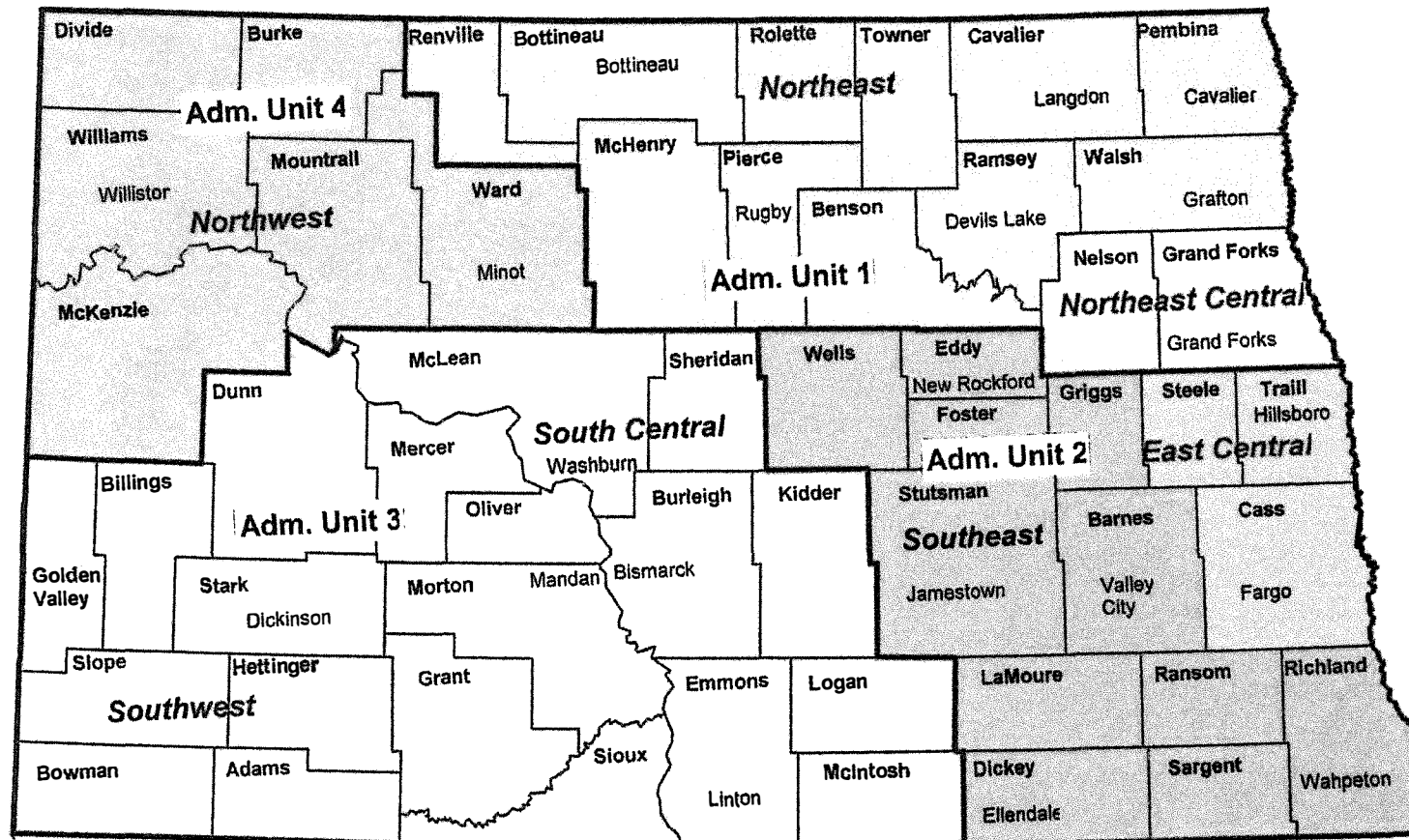
2010 - The 2007-2009 legislature authorized the addition of two district court judges, bringing the state total to 44.

2013 - As of today, we have 44 judges; If the legislature authorizes the 3 new judges the court is requesting, the total number of judges statewide will be 47.

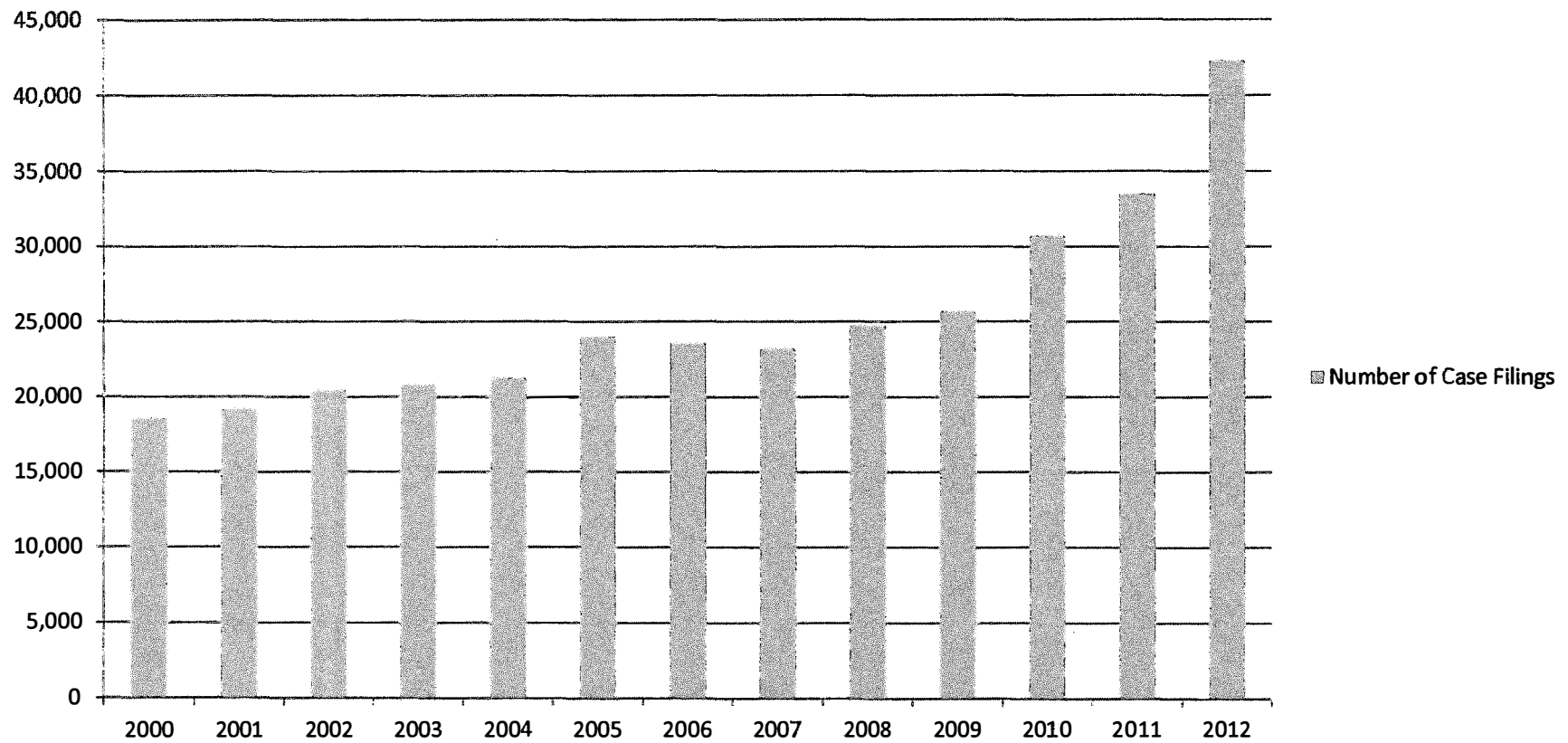
Location of New Judges - The court has asked for two judges for the Northwest. One judge will most likely be chambered in Willison. The location of the second judge is yet to be determined. Possible chamber locations include Williston, Stanley, and Watford City. The court has asked for one judge for the East Central. This judge will most likely be chambered in Fargo.

Judge Unit - A judge unit consists of one judge and one court reporter. For that reason SB 2075 contains the authorization and funding for 6 FTEs.

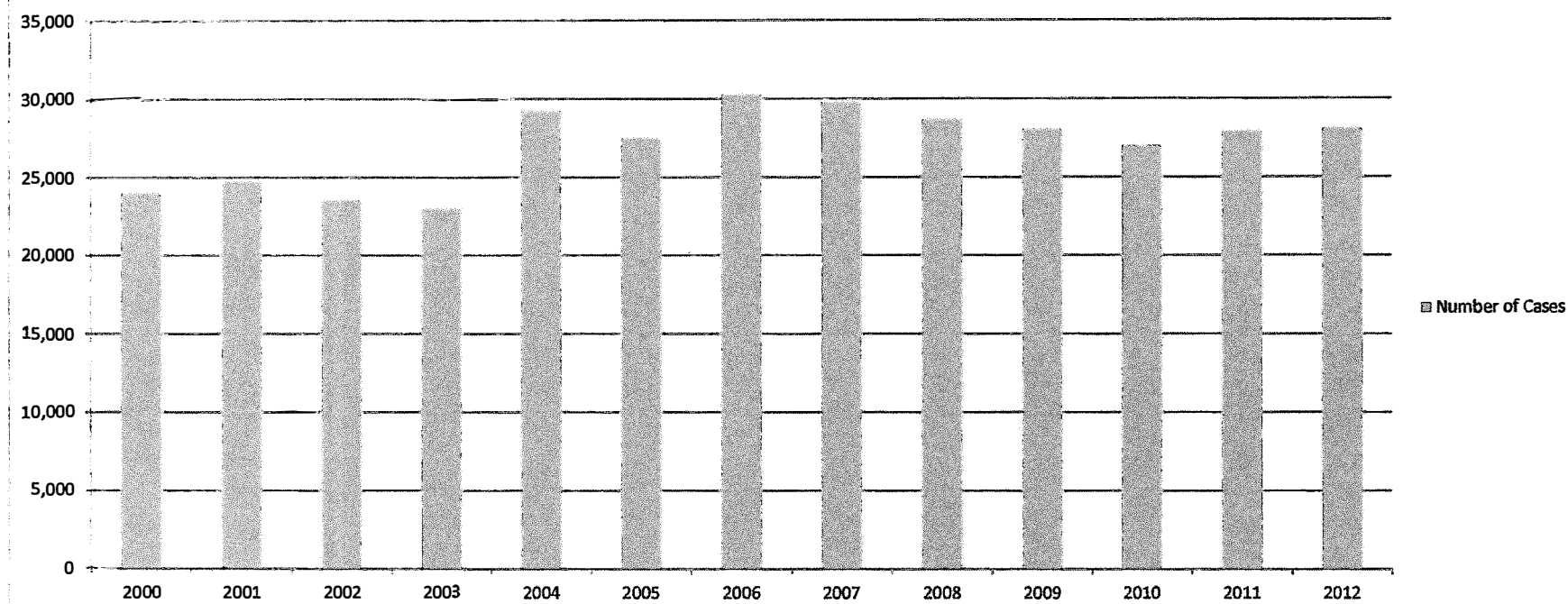
North Dakota Administrative Units & Judicial Districts - 2012

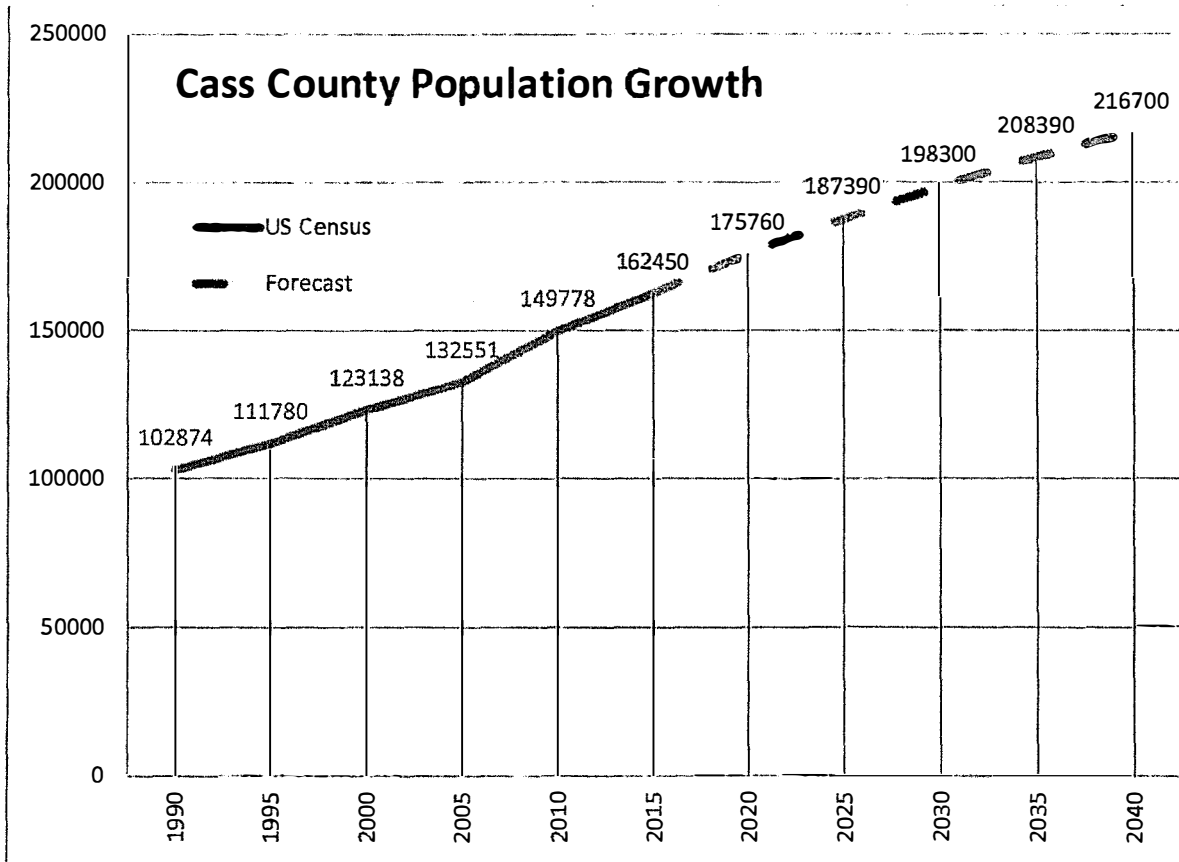


Cases Filed in the NWJD 2000-2012

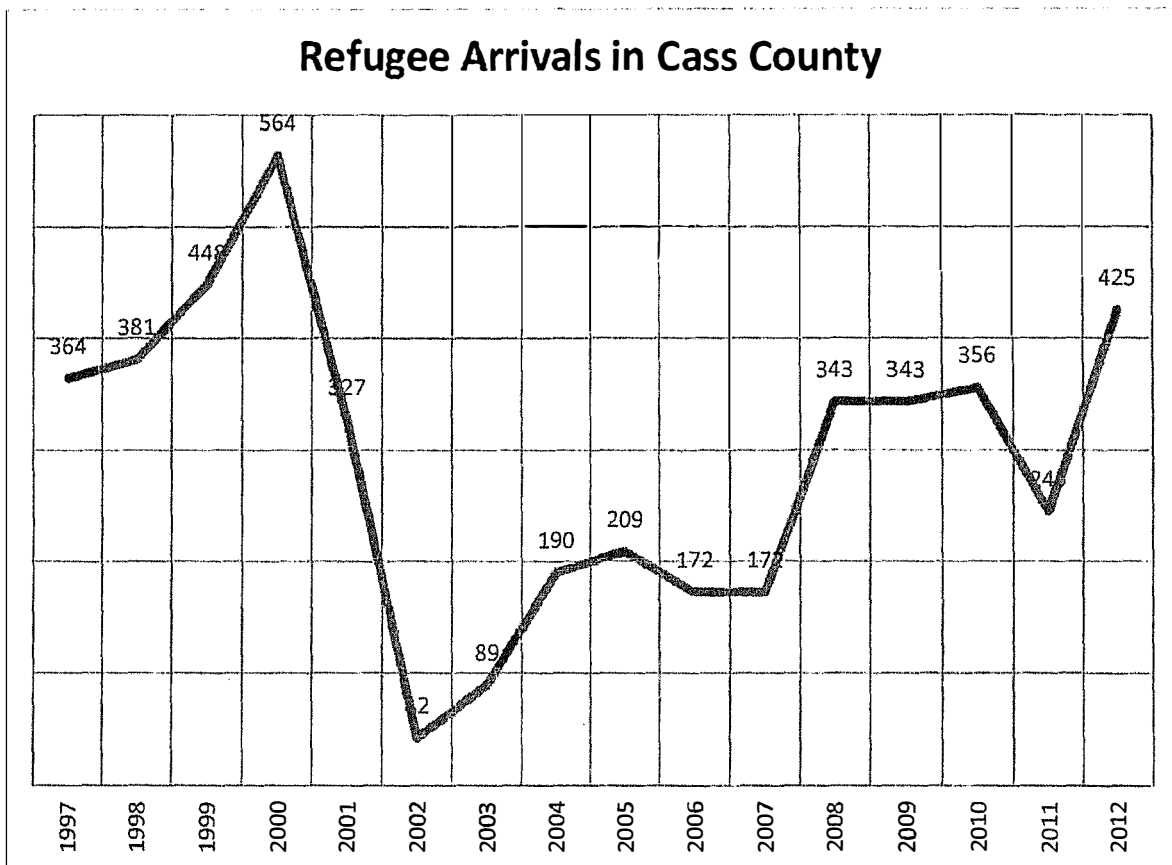


Cases Filed in the ECJD 2000-2012





Prepared by Ulteig and McKibben Demographics Research



Information provided by Lutheran Social Services

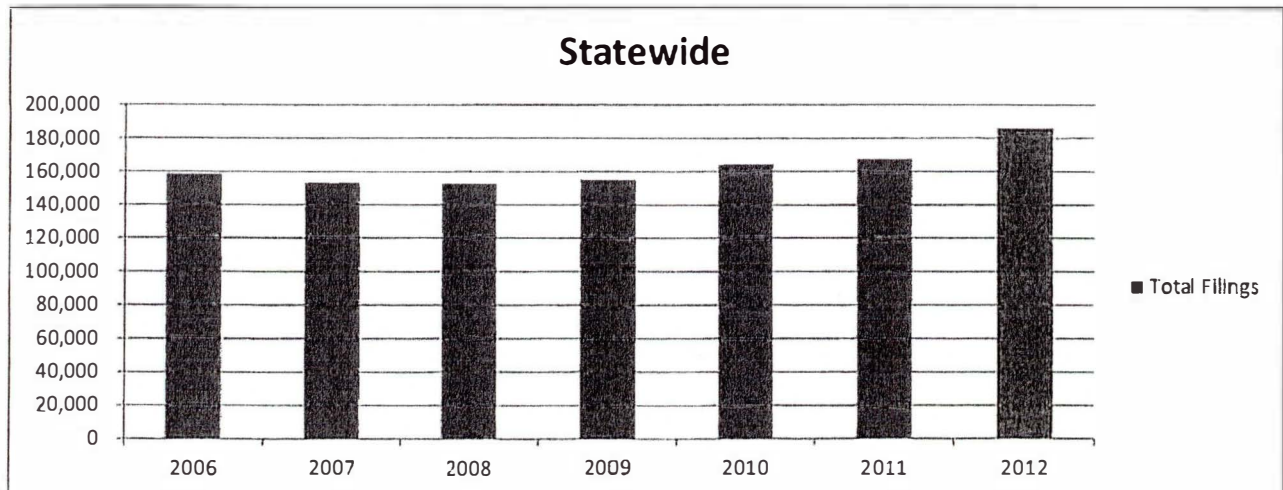
**Clerk of District Court
Statewide
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	2,304	2,305	2,160	2,205	2,482	2,317	2,447	5.6%
Child Support	4,178	4,079	4,161	4,203	3,291	2,659	2,726	2.5%
Domestic - other	2,731	2,898	2,844	2,998	3,037	2,989	3,172	6.1%
Small Claims	5,228	4,893	4,497	4,851	5,057	5,028	5,123	1.9%
Probate and Trust	2,921	3,003	3,627	3,766	4,233	4,624	5,009	8.3%
Mentl Health	1,243	1,313	1,257	1,286	1,303	1,328	1,479	11.4%
Administrative Appeal	216	228	216	196	206	205	249	21.5%
Other civil	13,011	16,034	17,315	16,805	17,739	17,530	15,844	-9.6%
Juvenile	2,576	2,429	2,654	2,472	2,614	2,469	2,616	6.0%
Total Civil Cases	34,408	37,182	38,731	38,782	39,962	39,149	38,665	-1.2%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	4,075	4,049	3,833	4,090	4,150	4,759	5,587	17.4%
Misdemeanor	24,028	23,052	21,231	20,825	21,262	23,294	25,018	7.4%
Infraction	2,827	2,487	2,137	1,820	1,574	1,258	1,319	4.8%
Total Criminal Cases	30,930	29,588	27,201	26,735	26,986	29,311	31,924	8.9%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	93,236	86,335	86,608	89,252	97,326	98,705	115,387	16.9%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Statewide	158,574	153,105	152,540	154,769	164,274	167,165	185,976	11.3%



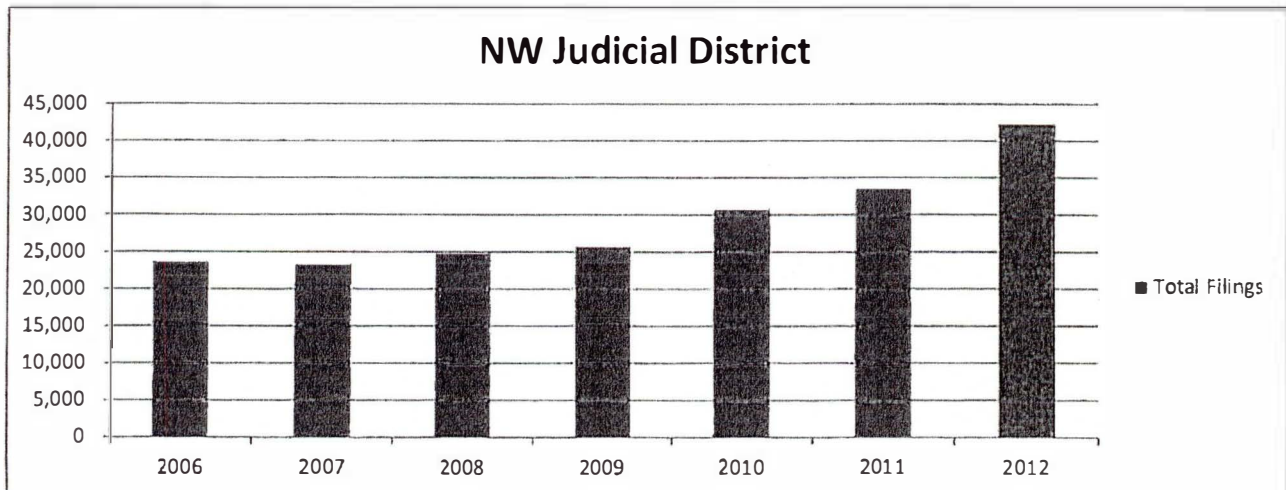
Clerk of District Court
Northwest Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	431	441	402	427	551	506	507	0.2%
Child Support	504	577	563	700	734	477	565	18.4%
Domestic - other	492	570	509	548	553	572	681	19.1%
Small Claims	661	627	535	601	606	503	493	-2.0%
Probate and Trust	627	705	1,052	1,196	1,531	1,686	2,076	23.1%
Mental Health	274	286	305	303	292	326	339	4.0%
Administrative Appeal	25	25	24	26	46	65	72	10.8%
Other Civil	2,127	2,712	2,716	2,587	2,702	2,671	2,627	-1.6%
Juvenile	309	305	315	327	391	352	345	-2.0%
Total Civil Cases	5,450	6,248	6,421	6,715	7,406	7,158	7,705	7.6%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	599	596	587	583	677	916	1,271	38.8%
Misdemeanor	4,357	3,999	3,901	3,912	4,640	6,255	7,237	15.7%
Infraction	362	389	296	231	264	219	245	11.9%
Total Criminal Cases	5,318	4,984	4,784	4,726	5,581	7,390	8,753	18.4%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	12,854	12,040	13,605	14,347	17,806	18,977	25,857	36.3%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northwest	23,622	23,272	24,810	25,788	30,793	33,525	42,315	26.2%



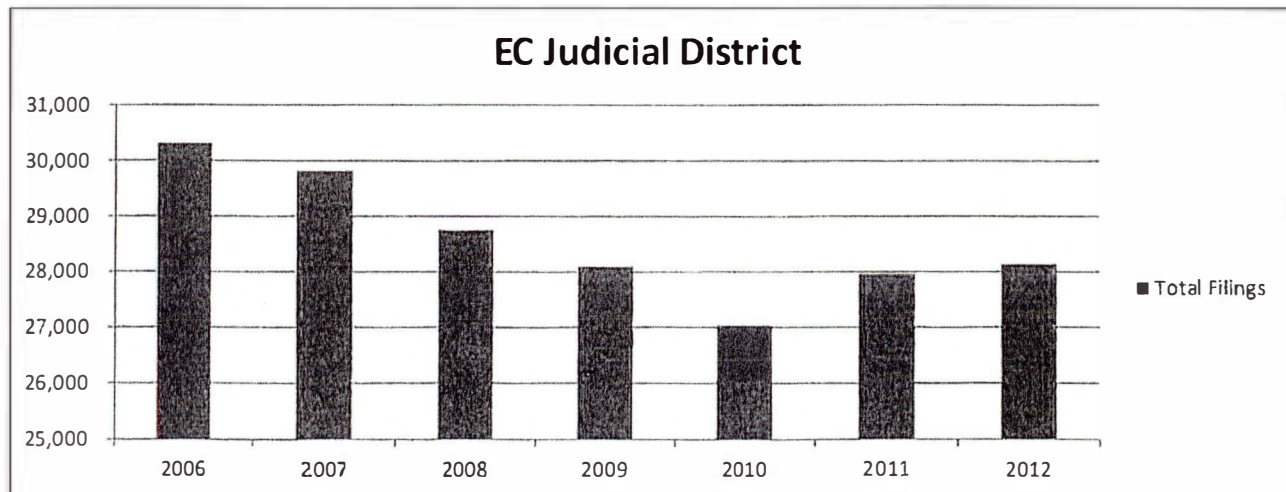
Clerk of District Court
East Central Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	563	570	504	527	561	526	599	13.9%
Child Support	1,233	1,149	1,037	958	588	541	509	-5.9%
Domestic - other	384	426	403	383	388	408	343	-15.9%
Small Claims	1,268	1,196	1,096	1,233	1,320	1,347	1,221	-9.4%
Probate and Trust	351	381	405	441	435	402	401	-0.2%
Mental Health	256	288	270	338	354	328	320	-2.4%
Administrative Appeal	24	40	42	46	39	45	49	8.9%
Other Civil	3,066	4,029	4,506	4,253	4,652	4,318	3,699	-14.3%
Juvenile	733	719	793	714	829	813	768	-5.5%
Total Civil Cases	7,878	8,798	9,056	8,893	9,166	8,728	7,909	-9.4%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	1,082	1,070	986	1,007	1,096	950	1,147	20.7%
Misdemeanor	4,192	4,430	4,208	3,807	3,715	3,882	3,683	-5.1%
Infraction	350	323	342	263	201	239	255	6.7%
Total Criminal Cases	5,624	5,823	5,536	5,077	5,012	5,071	5,085	0.3%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	16,819	15,211	14,166	14,133	12,868	14,169	15,143	6.9%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total East Central	30,321	29,832	28,758	28,103	27,046	27,968	28,137	0.6%



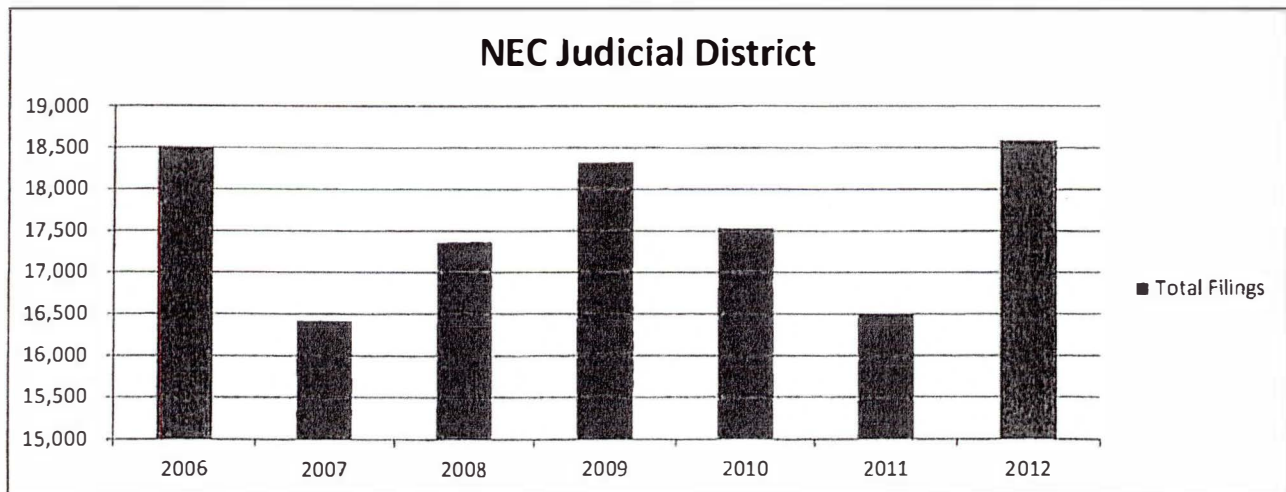
Clerk of District Court
Northeast Central Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	300	280	303	274	309	250	243	-2.8%
Child Support	528	446	523	514	296	177	71	-59.9%
Domestic - other	360	362	422	425	391	410	550	34.1%
Small Claims	902	622	658	870	867	1,168	1,389	18.9%
Probate and Trust	206	226	197	211	253	220	251	14.1%
Mental Health	139	147	141	146	143	154	169	9.7%
Administrative Appeal	35	21	21	29	13	16	11	-31.3%
Other Civil	1,226	1,637	1,652	1,775	1,593	1,660	1,507	-9.2%
Juvenile	481	420	477	379	311	293	364	24.2%
Total Civil Cases	4,177	4,161	4,394	4,623	4,176	4,348	4,555	4.8%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	456	453	408	482	432	564	604	7.1%
Misdemeanor	3,250	2,474	2,204	2,429	2,102	2,210	2,690	21.7%
Infraction	310	251	183	189	99	121	122	0.8%
Total Criminal Cases	4,016	3,178	2,795	3,100	2,633	2,895	3,416	18.0%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	10,321	9,083	10,184	10,595	10,733	9,268	10,621	14.6%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northeast Central	18,514	16,422	17,373	18,318	17,542	16,511	18,592	12.6%



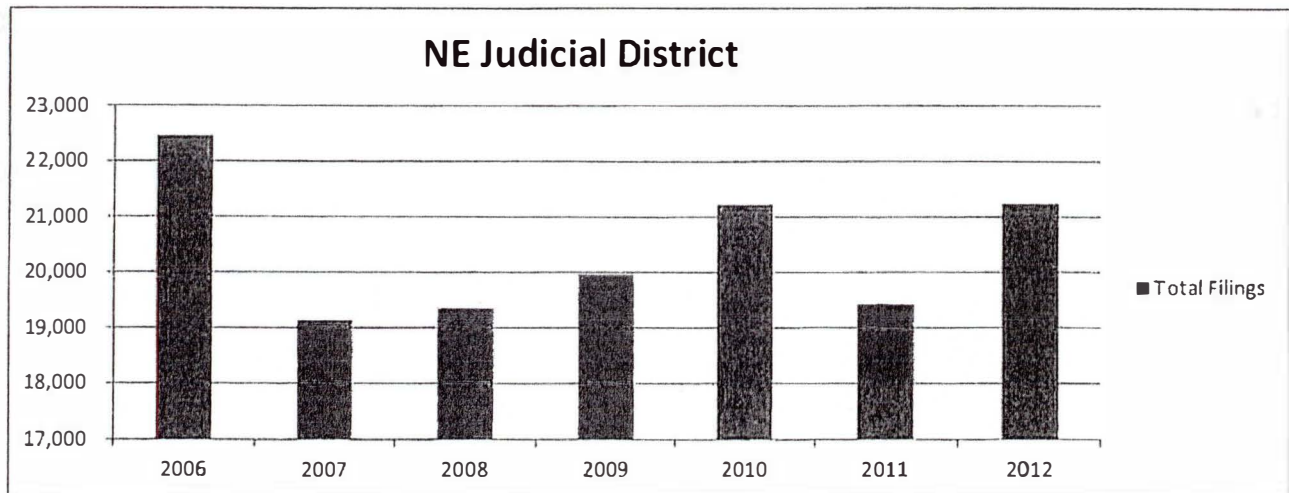
Clerk of District Court
Northeast Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	155	156	152	169	196	183	175	-4.4%
Child Support	414	467	612	606	431	537	583	8.6%
Domestic - other	308	345	389	458	537	385	332	-13.8%
Small Claims	654	689	652	613	650	487	462	-5.1%
Probate and Trust	448	438	466	453	546	493	472	-4.3%
Mental Health	86	86	85	73	83	104	105	1.0%
Administrative Appeal	9	16	14	10	16	9	9	0.0%
Other Civil	1,103	1,319	1,474	1,583	1,572	1,494	1,296	-13.3%
Juvenile	355	246	230	266	267	246	306	24.4%
Total Civil Cases	3,532	3,762	4,074	4,231	4,298	3,938	3,740	-5.0%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	508	379	371	349	421	452	441	-2.4%
Misdemeanor	3,342	2,917	2,665	2,754	2,585	2,537	2,688	6.0%
Infraction	469	468	403	335	329	200	218	9.0%
Total Criminal Cases	4,319	3,764	3,439	3,438	3,335	3,189	3,347	5.0%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	14,604	11,616	11,833	12,295	13,588	12,295	14,159	15.2%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northeast	22,455	19,142	19,346	19,964	21,221	19,422	21,246	9.4%



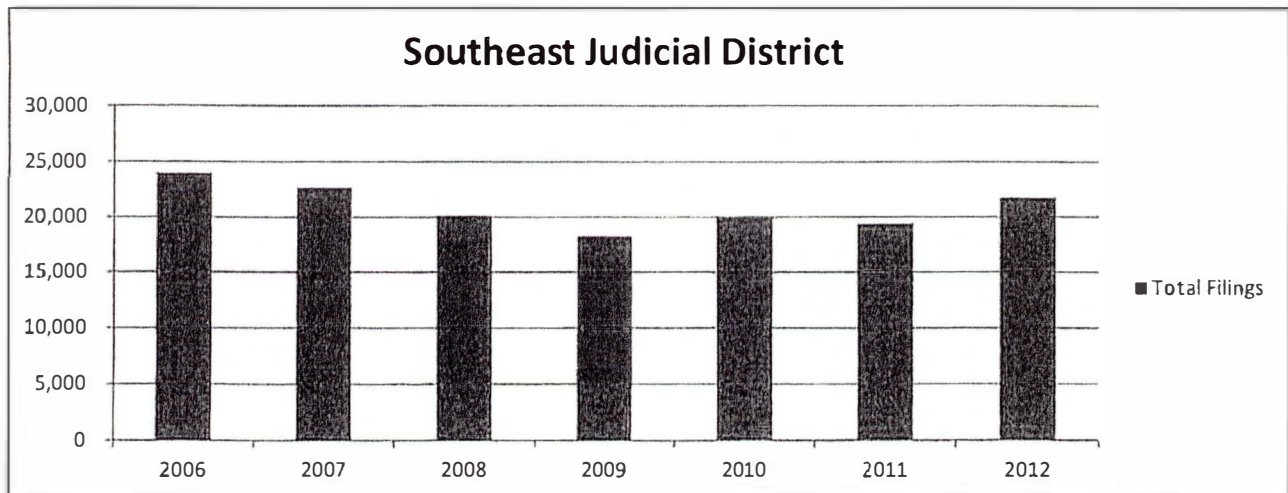
Clerk of District Court
Southeast Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	278	261	233	234	241	227	242	6.6%
Child Support	518	464	354	416	215	247	295	19.4%
Domestic - other	407	369	341	332	326	346	378	9.2%
Small Claims	695	686	591	607	660	615	699	13.7%
Probate and Trust	439	402	429	427	410	426	475	11.5%
Mental Health	348	339	316	254	266	234	282	20.5%
Administrative Appeal	14	21	16	10	33	10	20	100.0%
Other Civil	1,568	1,749	2,002	1,877	2,089	2,009	1,872	-6.8%
Juvenile	180	214	207	152	192	155	220	41.9%
Total Civil Cases	4,447	4,505	4,489	4,309	4,432	4,269	4,483	5.0%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	418	446	395	456	439	433	446	3.0%
Misdemeanor	3,260	3,307	2,799	2,635	2,381	2,405	2,306	-4.1%
Infraction	634	531	417	330	298	199	172	-13.6%
Total Criminal Cases	4,312	4,284	3,611	3,421	3,118	3,037	2,924	-3.7%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	15,237	13,863	12,062	10,521	12,330	12,089	14,349	18.7%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Southeast	23,996	22,652	20,162	18,251	19,880	19,395	21,756	12.2%



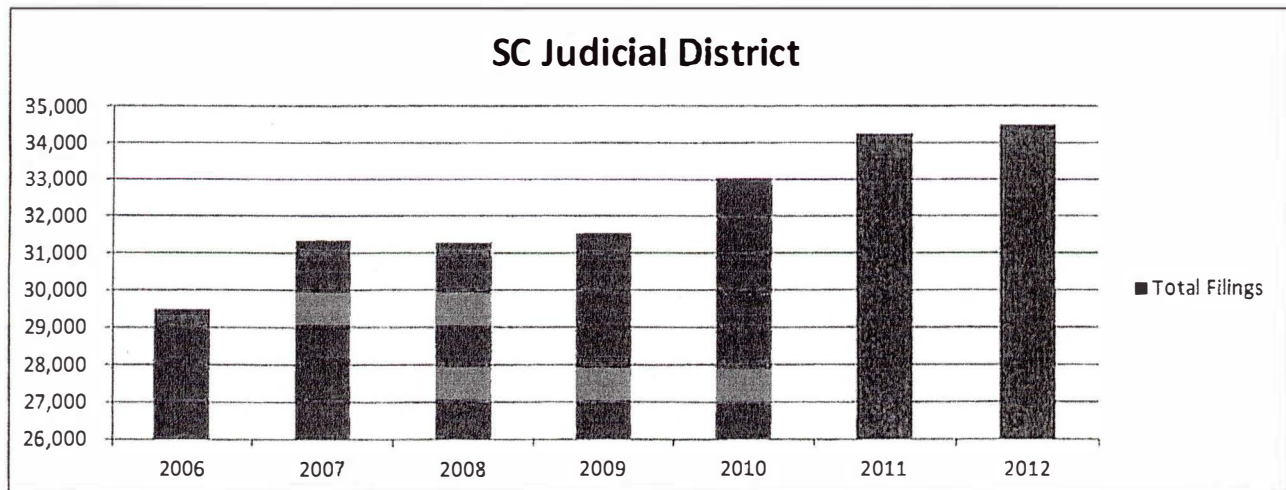
Clerk of District Court
South Central Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	462	483	440	443	478	477	523	9.6%
Child Support	775	746	860	801	857	528	505	-4.4%
Domestic - other	658	710	674	729	717	738	736	-0.3%
Small Claims	798	867	767	732	735	730	673	-7.8%
Probate and Trust	554	551	645	644	617	643	633	-1.6%
Mental Health	94	116	102	118	126	125	183	46.4%
Administrative Appeal	86	72	65	48	45	48	57	18.8%
Other Civil	3,076	3,693	4,050	3,855	4,043	4,191	3,627	-13.5%
Juvenile	421	424	541	546	552	512	487	-4.9%
Total Civil Cases	6,924	7,662	8,144	7,916	8,170	7,992	7,424	-7.1%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	842	926	920	1,018	877	1,129	1,358	20.3%
Misdemeanor	3,978	4,375	4,067	3,810	4,156	4,188	4,299	2.7%
Infraction	320	308	326	291	187	162	166	2.5%
Total Criminal Cases	5,140	5,609	5,313	5,119	5,220	5,479	5,823	6.3%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	17,429	18,069	17,827	18,504	19,656	20,786	21,250	2.2%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total South Central	29,493	31,340	31,284	31,539	33,046	34,257	34,497	0.7%



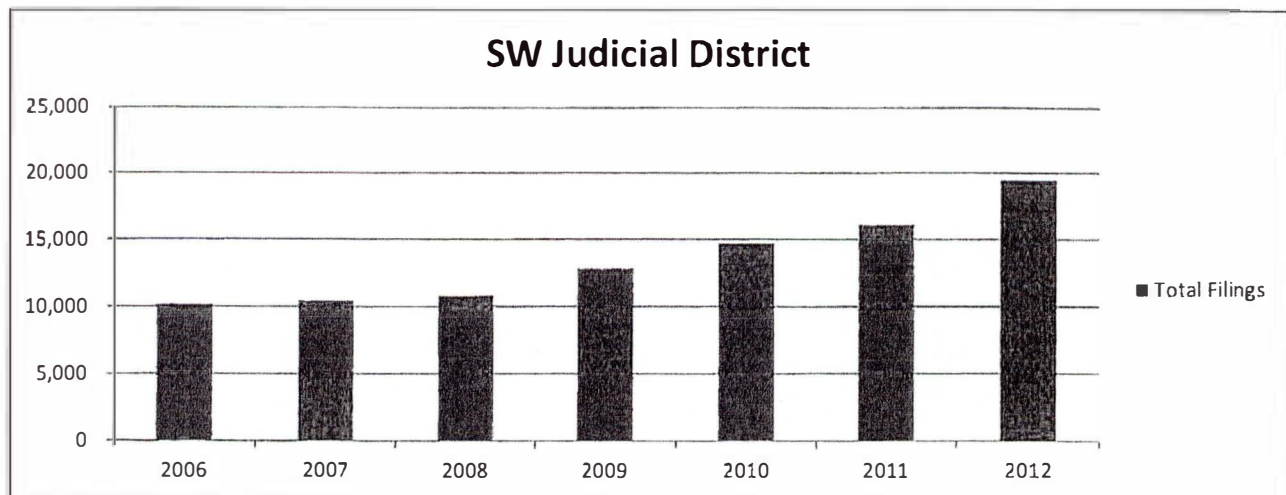
Clerk of District Court
Southwest Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	115	114	126	131	146	148	158	6.8%
Child Support	206	230	212	208	170	152	198	30.3%
Domestic - other	122	116	106	123	125	130	152	16.9%
Small Claims	250	206	198	195	219	178	186	4.5%
Probate and Trust	296	300	433	394	441	754	701	-7.0%
Mental Health	46	51	38	54	39	57	81	42.1%
Administrative Appeal	23	33	34	27	14	12	31	158.3%
Other Civil	845	895	915	875	1,088	1,187	1,216	2.4%
Juvenile	97	101	91	88	72	98	126	28.6%
Total Civil Cases	2,000	2,046	2,153	2,095	2,314	2,716	2,849	4.9%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	170	179	166	195	208	315	320	1.6%
Misdemeanor	1,649	1,550	1,387	1,478	1,683	1,817	2,115	16.4%
Infraction	382	217	170	181	196	118	141	19.5%
Total Criminal Cases	2,201	1,946	1,723	1,854	2,087	2,250	2,576	14.5%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	5,972	6,453	6,931	8,857	10,345	11,121	14,008	26.0%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Southwest	10,173	10,445	10,807	12,806	14,746	16,087	19,433	20.8%



ARTICLE VI

JUDICIAL BRANCH

Section 1. The judicial power of the state is vested in a unified judicial system consisting of a supreme court, a district court, and such other courts as may be provided by law.

Section 2. The supreme court shall be the highest court of the state. It shall have appellate jurisdiction, and shall also have original jurisdiction with authority to issue, hear, and determine such original and remedial writs as may be necessary to properly exercise its jurisdiction. The supreme court shall consist of five justices, one of whom shall be designated chief justice in the manner provided by law.

Section 3. The supreme court shall have authority to promulgate rules of procedure, including appellate procedure, to be followed by all the courts of this state; and, unless otherwise provided by law, to promulgate rules and regulations for the admission to practice, conduct, disciplining, and disbarment of attorneys at law.

The chief justice shall be the administrative head of the unified judicial system. He may assign judges, including retired judges, for temporary duty in any court or district under such rules and regulations as may be promulgated by the supreme court. The chief justice shall appoint a court administrator for the unified judicial system. Unless otherwise provided by law, the powers, duties, qualifications, and terms of office of the court administrator, and other court officials, shall be as provided by rules of the court.

Section 4. A majority of the supreme court shall be necessary to constitute a quorum or to pronounce a decision, provided that the supreme court shall not declare a legislative enactment unconstitutional unless at least four of the members of the court so decide.

Section 5. When a judgment or order is reversed, modified, or confirmed by the supreme court, the reasons shall be concisely stated in writing, signed by the justices concurring, filed in the office of the clerk of the supreme court, and preserved with a record of the case. Any justice dissenting may give the reason for his dissent in writing over his signature.

Section 6. Appeals shall be allowed from decisions of lower courts to the supreme court as may be provided by law.

Section 7. The justices of the supreme court shall be chosen by the electors of the state for ten-year terms, so arranged that one justice is elected every two years. They shall hold office until their successors are duly qualified, and shall receive compensation as provided by law, but the compensation of any justice shall not be diminished during his term of office.

Section 8. The district court shall have original jurisdiction of all causes, except as otherwise provided by law, and such appellate jurisdiction as may be provided by law or by rule of the supreme court. The district court shall have authority to issue such writs as are necessary to the proper exercise of its jurisdiction.

Section 9. The state shall be divided into judicial districts by order of the supreme court. In each district, one or more judges, as provided by law, shall be chosen by the electors of the district. The term of office shall be six years, and a district judge shall hold office until his successor is duly qualified. The compensation of district judges shall be fixed by law, but the compensation of any district judge shall not be diminished during his term of office.

Section 10. Supreme court justices and district court judges shall be citizens of the United States and residents of this state, shall be learned in the law, and shall possess any additional qualifications prescribed by law. Judges of other courts shall be selected for such terms and shall have such qualifications as may be prescribed by law.

No justice of the supreme court or judge of the district court of this state shall engage in the practice of law, or hold any public office, elective or appointive, not judicial in nature. No duties shall be imposed by law upon the supreme court or any of the justices thereof, except such as are judicial, nor shall any of the justices exercise any power of appointment except as herein provided. No judge of any court of this state shall be paid from the fees of his office, nor shall the amount of his compensation be measured by fees, other moneys received, or the amount of judicial activity of his office.

Section 11. When any justice or judge has a conflict of interest in a pending cause or is unable to sit in court because he is physically or mentally incapacitated, the chief justice, or a justice acting in his stead, shall assign a judge, or retired justice or judge, to hear the cause.

Section 12. The legislative assembly may provide for the retirement, discipline, and removal of judges. The removal procedure provided for herein may be used in addition to the impeachment proceedings provided for in article XI, sections 8, 9, and 10, and removal provided for in article XI, section 11.

Section 12.1. The legislative assembly may provide for the retirement, discipline and removal of judges of the supreme court and district court. The removal procedure provided for herein may be used in addition to the impeachment proceedings provided for in article XI, sections 8, 9, and 10.

Section 13.

1. A judicial nominating committee must be established by law. The governor shall fill any vacancy in the office of supreme court justice or district court judge by appointment from a list of candidates nominated by the committee, unless the governor calls a special election to fill the vacancy for the remainder of the term. Except as provided in subsection 2, an appointment must continue until the next general election, when the office must be filled by election for the remainder of the term.
2. An appointment must continue for at least two years. If the term of the appointed judgeship expires before the judge has served at least two years, the judge shall continue in the position until the next general election immediately following the service of at least two years.
3. Notwithstanding sections 7 and 9 of this article, the term of the judge elected at the subsequent general election provided for in subsection 2 is reduced to the number of years remaining in the subsequent term after the appointee has served at least two years.

Senate Bill 2075
House Appropriations Committee
Testimony of Chief Justice Gerald VandeWalle
April 2, 2013

The Court is requesting the addition of 3 new judgeships. Two of the new judgeships would be chambered in the Northwest Judicial District (NWJD), which is the six county area around Williston and Minot. The other judgeship would be chambered in the East Central Judicial District, which is made up of Cass, Steele and Traill Counties.

Our request for new judgeships is based on our weighted caseload study. The weighted caseload study is a time and motion study that takes into account not only the number of cases filed each year, but the type of cases that are filed. As you might guess, it takes much longer to handle a contested divorce or a felony case than it does to handle a small claims or traffic case. By using a weighted caseload study we can account for those differences when we determine how many judges we need.

In 2012, there were 185,982 cases filed statewide.¹ Compared to 2011, there was an 11.3% increase in case filings. These figures do not include the more than 20,000 cases that are re-opened each year. As expected, the largest increases in filings are in the NWJD (26% increase) and the SWJD (21% increase).

The last time we added new judges was in 2009. Since then, the number of annual statewide case filings has increased by more than 31,000 cases.

One of the new judgeships created in 2009 was assigned to the NWJD. Since then, the caseload in the NWJD has increased by more than 18,000 cases. This number reflects an 85% increase in criminal cases and a 74% increase in probate filings -- in just 3 years. We expect that the number of case filings will continue to increase in the coming year, with the most likely scenario being a continued sharp increase in filings followed by a gradual leveling off of filings at the higher rate. Our latest weighted caseload study shows that this district has a shortage of 3 judges. These judges are swamped. By adding 2 judges as soon as possible, we can get them caught up and be in a position to deal with the continued increase in cases that are sure to come our way.

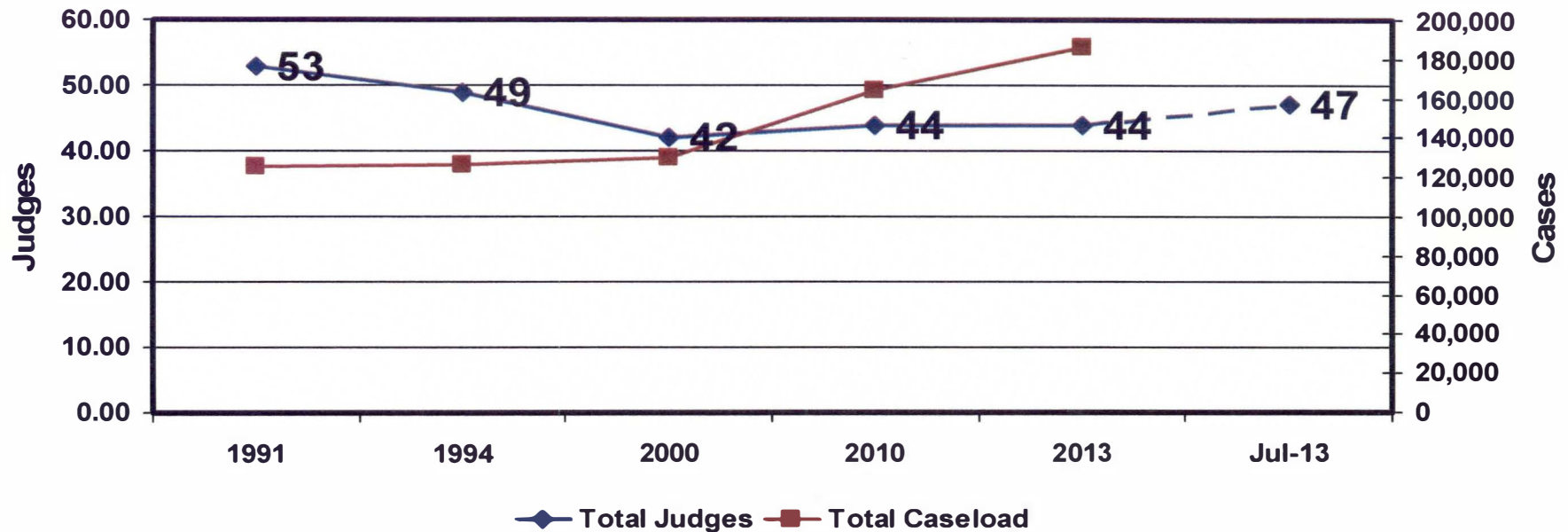
Our weighed caseload also shows a 2 judge shortage in the East Central Judicial District (ECJD). The last time a new judgeship was added to the ECJD was in 2000, when the judgeship was

¹ Since this bill was heard on the Senate side, the year-end statistics for 2012 have become available.

moved from the NWJD to the ECJD. Since then, there has been a 17% increase in case filings. Just as important as case filings is the change in demographics in that region. Since 2000, Cass County's population has increased by nearly 47,000 people. New Americans make up a substantial portion of that increase. More than 300 new refugees settle in Cass County every year. While most are law abiding, the number of persons coming to court who need interpreters continues to increase. Last year, ECJD judges handled 155 hearings involving interpreters in 17 languages. This has a major impact on the court because these proceedings take significantly longer to hear than similar cases where no interpreter is needed. We are asking for 1 additional judge for the ECJD. While this will not eliminate the shortage, it will go a long way in assisting the judges who are currently working there.

Judge Need As Measured by the Weighted Caseload Study		
Period:	2010/2011	2011/2012
Northeast Judicial District	Excess of .58	Excess of .84
Northeast Central Judicial District	Excess of .88	Excess of .18
Southeast Judicial District	Excess of 1.16	Excess of .95
East Central Judicial District	Shortage of 2.17	Shortage of 1.82
South Central Judicial District	Shortage of 1.36	Shortage of 1.98
Southwest Judicial District	Shortage of .23	Shortage of .77
Northwest Judicial District	Shortage of 2.35	Shortage of 3.60

Number of Judges and Total Caseload 1991 - 2013



1991 - This is the year the legislation authorizing consolidation of district and county courts was enacted. The consolidation became effective January 1, 1995. It required that the number of judges had to be reduced to 42 by January 1, 2001.

1994 - As of December 31, 1994, the Supreme Court had eliminated 4 district judgeships. County judgeships were also eliminated during the lead-up to court consolidation. On January 1, 1995, all of the county judges became district judges.

2000 - As of December 31, 2000, the Supreme Court had reduced the number of judges to 42 as required by statute.

2010 - The 2007-2009 legislature authorized the addition of two district court judges, bringing the state total to 44.

2013 - As of today, we have 44 judges; If the legislature authorizes the 3 new judges the court is requesting, the total number of judges statewide will be 47.

Location of New Judges - The court has asked for two judges for the Northwest. One judge will most likely be chambered in Williston. The location of the second judge is yet to be determined. Possible chamber locations include Williston, Stanley, and Watford City. The court has asked for one judge for the East Central. This judge will most likely be chambered in Fargo.

Judge Unit - A judge unit consists of one judge and one court reporter. For that reason SB 2075 contains the authorization and funding for 6 FTEs.

History of Judgeship Changes Since Consolidation (January 1, 1991 to Present)

Judgeships Abolished

<u>District</u>	<u>Judgeship</u>	<u>City</u>	<u>Effective Date</u>
SCJD	#8	Linton	August 16, 1991 (Hatch)
NWJD		Williston	August 16, 1991 (Wilson)
NEJD		Bottineau	April 5, 1993 (Neumann)
NEJD	#2	Grafton	March 9, 1994 (O'Keefe)
SWJD		Hettinger	May 1, 1995 (Wolberg)
SEJD	#7	Lisbon	March 23, 1994 (Tjon)
SEJD	#3	Wahpeton	January 3, 1996 (Eckert)
SEJD	#1	Jamestown	February 3, 1998 (Wright)
SCJD	#3	Mandan	March 10, 1998 (Hodny)
NWJD	#3	Minot	March 10, 1998 (Berning)
SWJD	#5	Bowman	December 31, 2000 (Hunke)

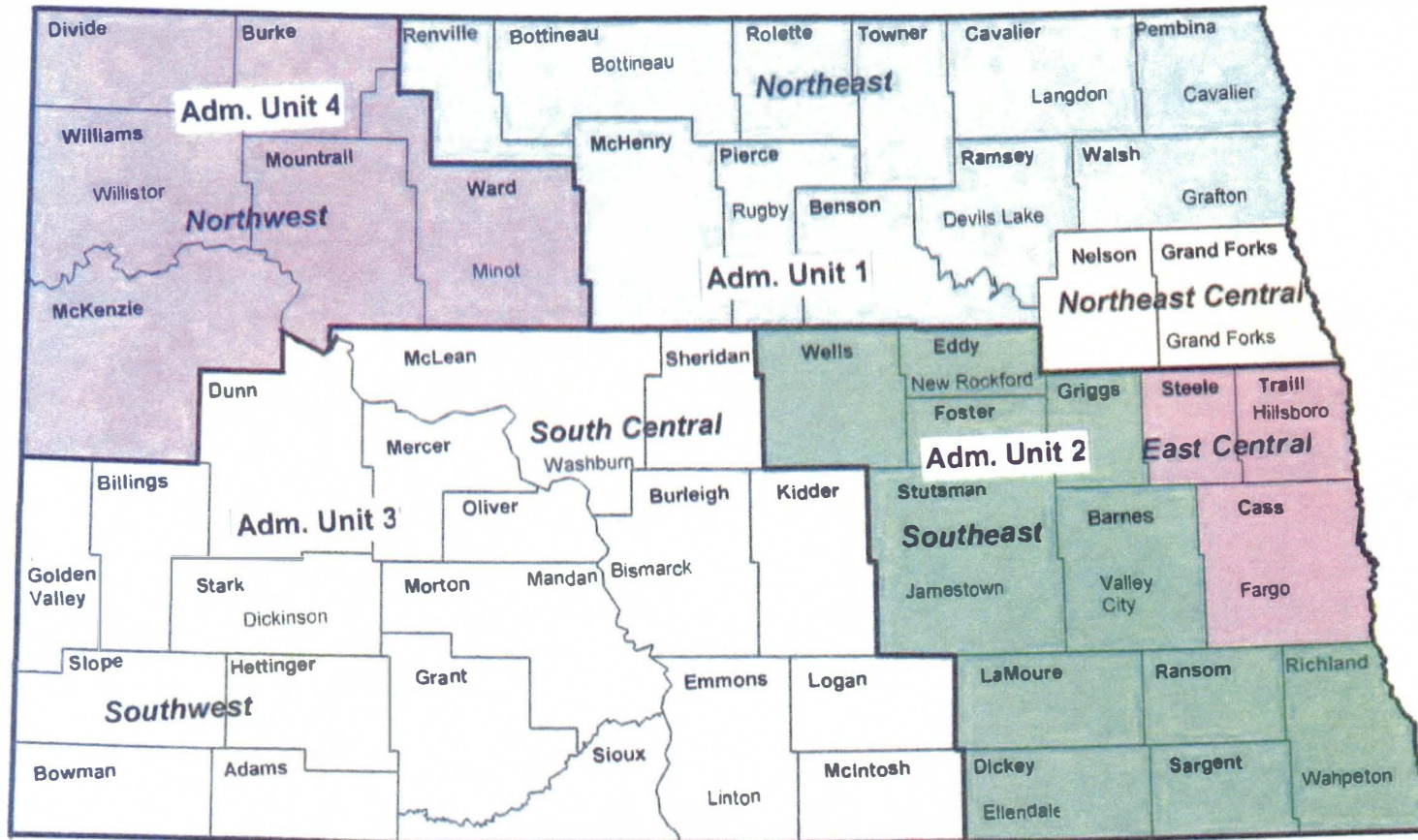
Judgeships Transferred

<u>District</u>	<u>Judgeship</u>	<u>From</u>	<u>To</u>	<u>District</u>	<u>Effective Date</u>
SWJD	#2	Hettinger	Linton	SCJD	5/1/1995
NWJD	#6	Minot	Fargo	ECJD	12/14/ 2001
NWJD	#8	Watford City	Minot	NWJD	01/01/2003
NWJD	#7	Stanley	Minot	NWJD	1/1/2007

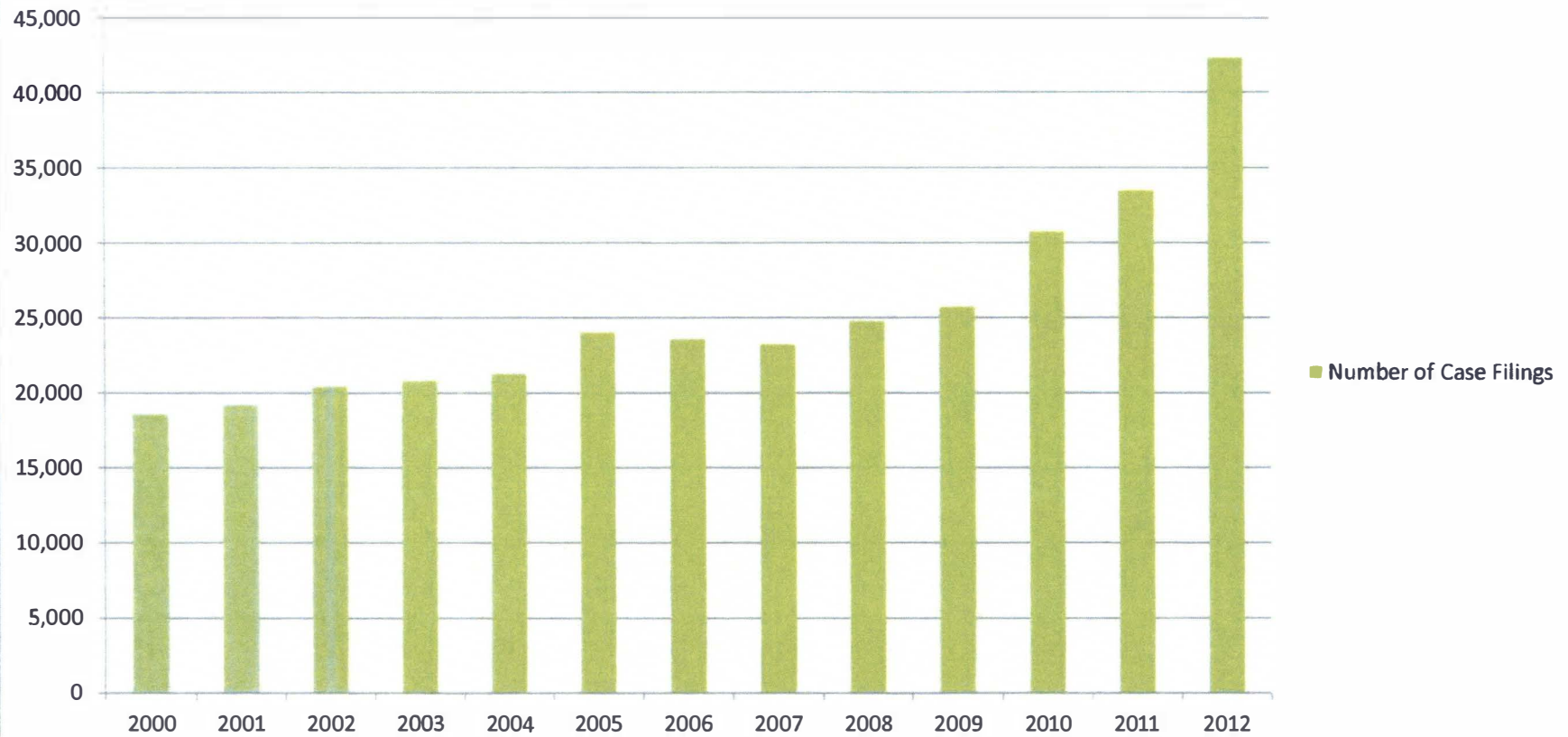
Judgeships Added

<u>District</u>	<u>Judgeship</u>	<u>City</u>	<u>Effective Date</u>
NEJD	#9	Minot	January 1, 2010
SEJD	#10	Jamestown	January 1, 2010

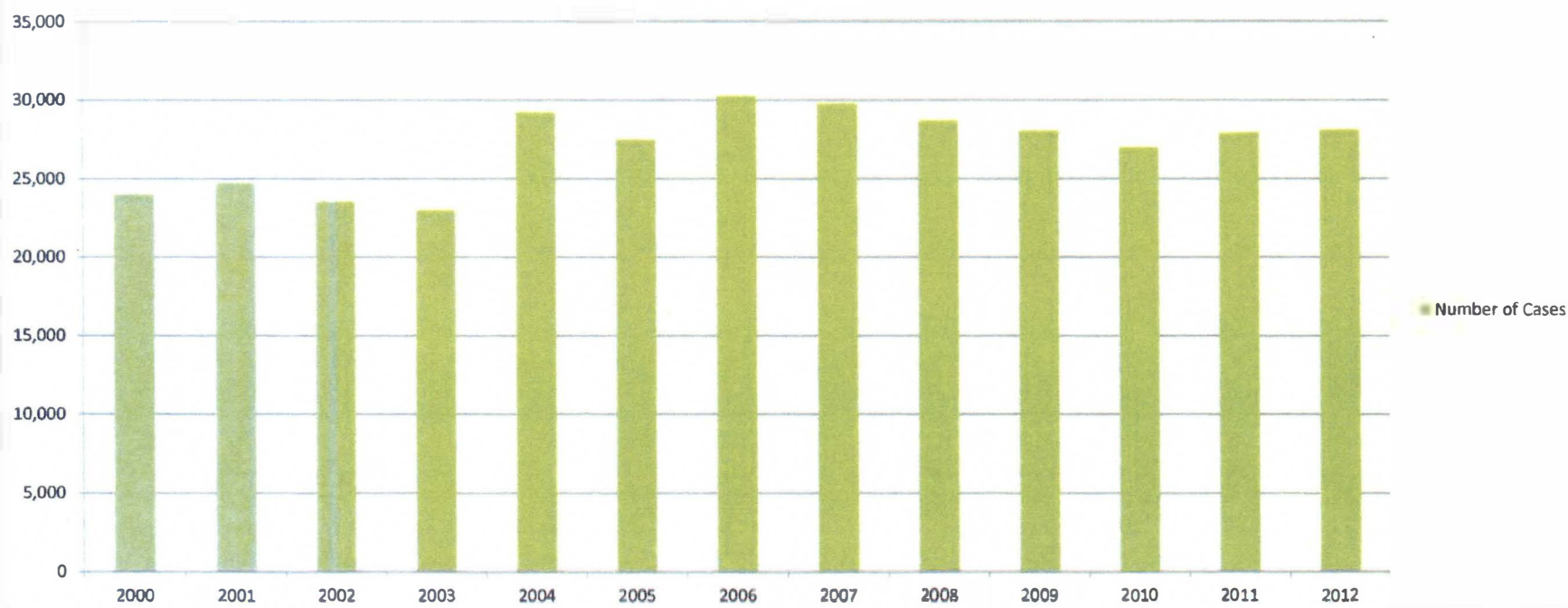
North Dakota Administrative Units & Judicial Districts - 2012

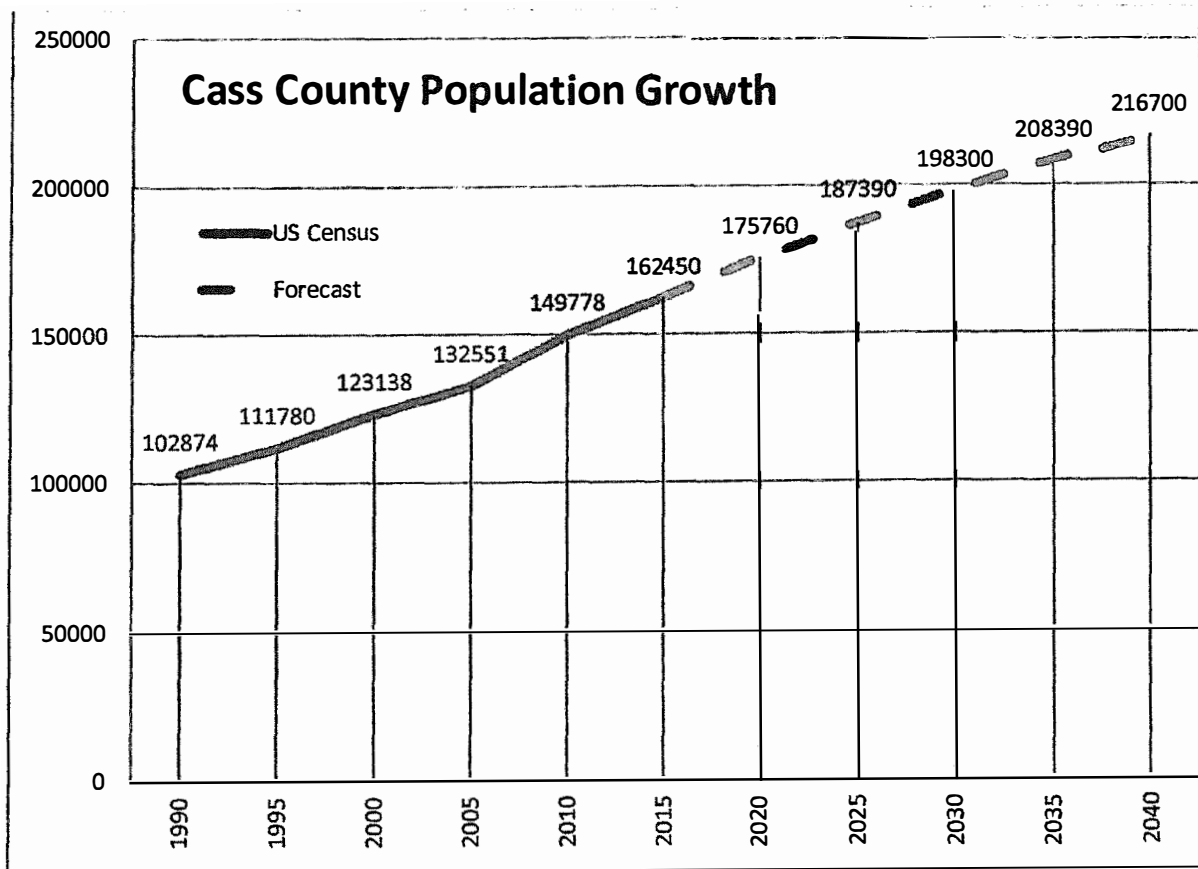


Cases Filed in the NWJD 2000-2012

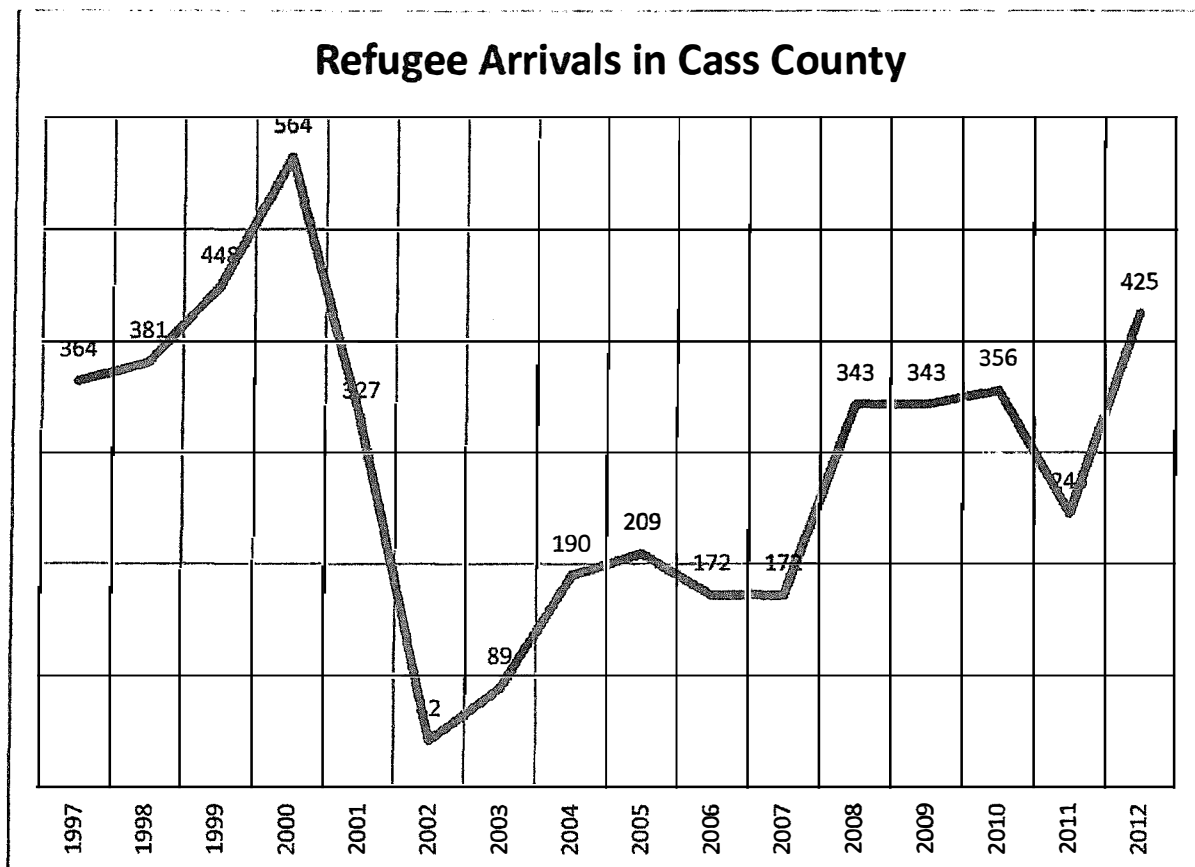


Cases Filed in the ECJD 2000-2012





Prepared by Ulteig and McKibben Demographics Research



Information provided by Lutheran Social Services

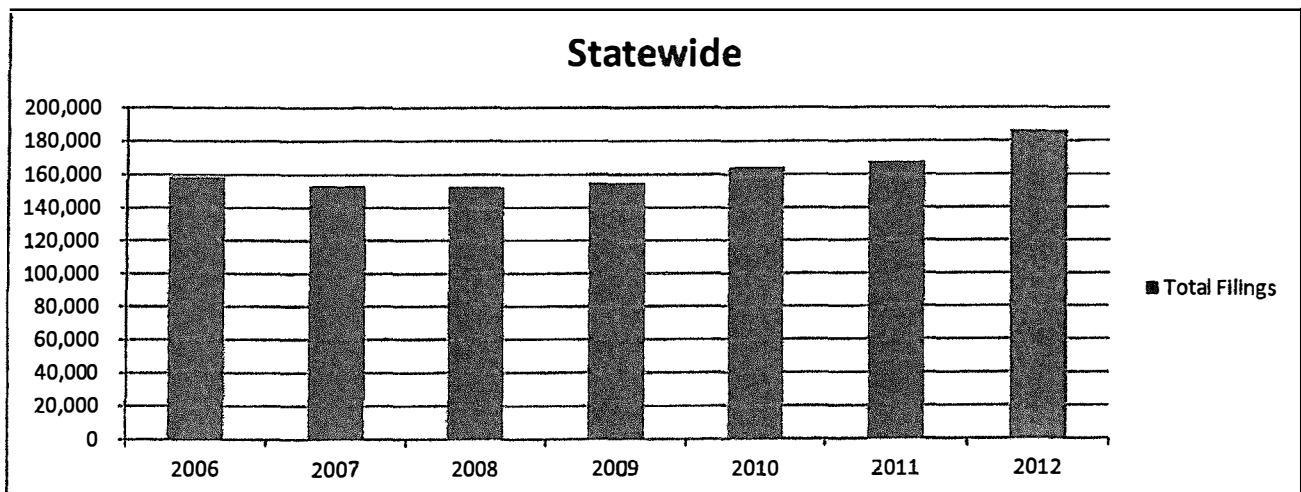
**Clerk of District Court
Statewide
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	2,304	2,305	2,160	2,205	2,482	2,317	2,447	5.6%
Child Support	4,178	4,079	4,161	4,203	3,291	2,659	2,726	2.5%
Domestic - other	2,731	2,898	2,844	2,998	3,037	2,989	3,172	6.1%
Small Claims	5,228	4,893	4,497	4,851	5,057	5,028	5,123	1.9%
Probate and Trust	2,921	3,003	3,627	3,766	4,233	4,624	5,009	8.3%
Mentl Health	1,243	1,313	1,257	1,286	1,303	1,328	1,479	11.4%
Administrative Appeal	216	228	216	196	206	205	249	21.5%
Other civil	13,011	16,034	17,315	16,805	17,739	17,530	15,844	-9.6%
Juvenile	2,576	2,429	2,654	2,472	2,614	2,469	2,616	6.0%
Total Civil Cases	34,408	37,182	38,731	38,782	39,962	39,149	38,665	-1.2%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	4,075	4,049	3,833	4,090	4,150	4,759	5,587	17.4%
Misdemeanor	24,028	23,052	21,231	20,825	21,262	23,294	25,018	7.4%
Infraction	2,827	2,487	2,137	1,820	1,574	1,258	1,319	4.8%
Total Criminal Cases	30,930	29,588	27,201	26,735	26,986	29,311	31,924	8.9%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	93,236	86,335	86,608	89,252	97,326	98,705	115,387	16.9%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Statewide	158,574	153,105	152,540	154,769	164,274	167,165	185,976	11.3%



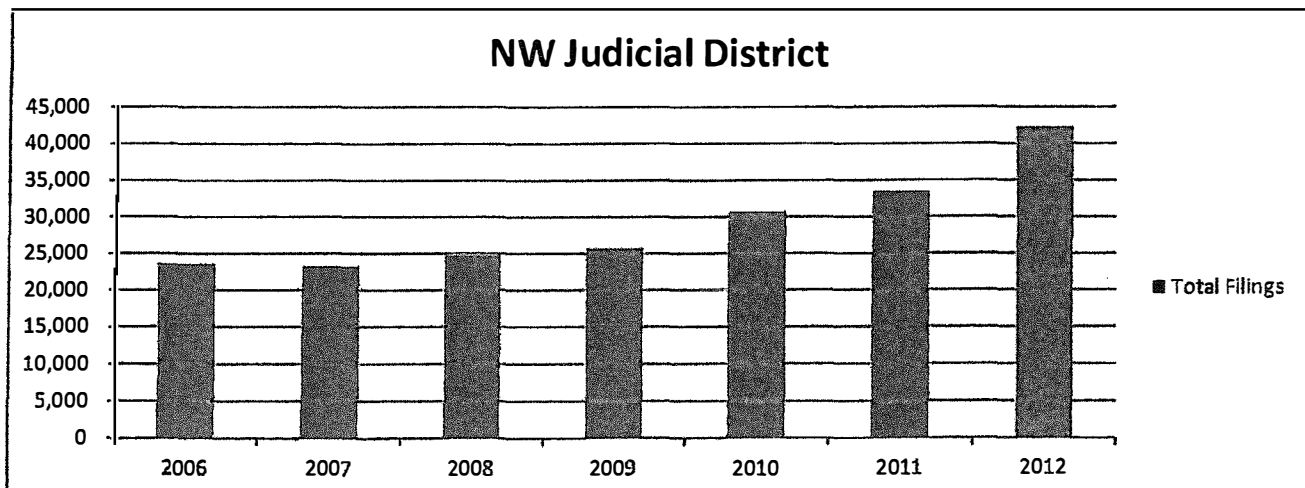
**Clerk of District Court
Northwest Judicial District
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	431	441	402	427	551	506	507	0.2%
Child Support	504	577	563	700	734	477	565	18.4%
Domestic - other	492	570	509	548	553	572	681	19.1%
Small Claims	661	627	535	601	606	503	493	-2.0%
Probate and Trust	627	705	1,052	1,196	1,531	1,686	2,076	23.1%
Mental Health	274	286	305	303	292	326	339	4.0%
Administrative Appeal	25	25	24	26	46	65	72	10.8%
Other Civil	2,127	2,712	2,716	2,587	2,702	2,671	2,627	-1.6%
Juvenile	309	305	315	327	391	352	345	-2.0%
Total Civil Cases	5,450	6,248	6,421	6,715	7,406	7,158	7,705	7.6%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	599	596	587	583	677	916	1,271	38.8%
Misdemeanor	4,357	3,999	3,901	3,912	4,640	6,255	7,237	15.7%
Infraction	362	389	296	231	264	219	245	11.9%
Total Criminal Cases	5,318	4,984	4,784	4,726	5,581	7,390	8,753	18.4%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	12,854	12,040	13,605	14,347	17,806	18,977	25,857	36.3%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northwest	23,622	23,272	24,810	25,788	30,793	33,525	42,315	26.2%



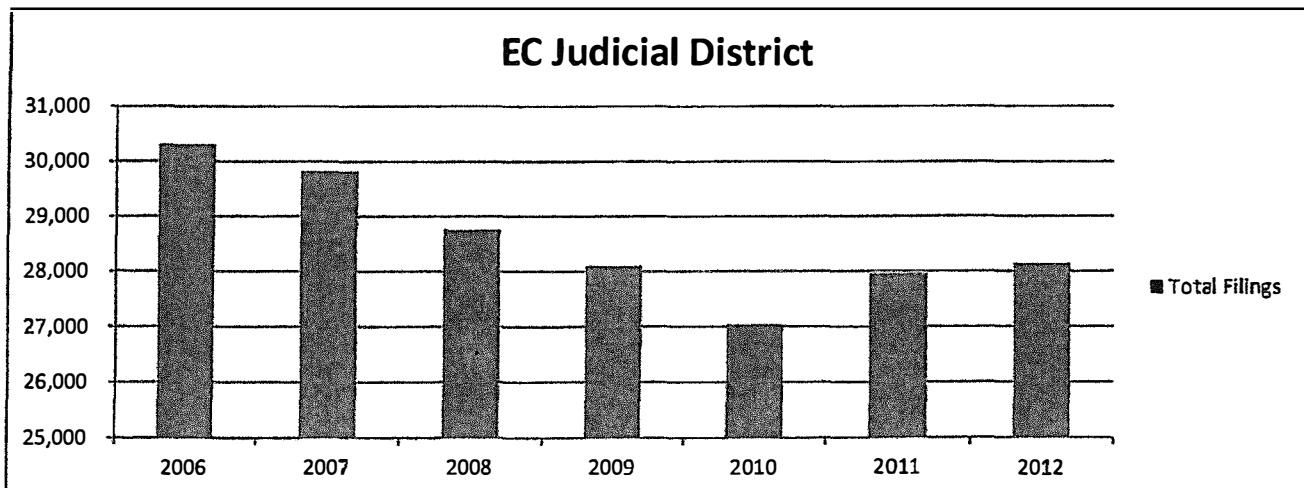
**Clerk of District Court
East Central Judicial District
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	563	570	504	527	561	526	599	13.9%
Child Support	1,233	1,149	1,037	958	588	541	509	-5.9%
Domestic - other	384	426	403	383	388	408	343	-15.9%
Small Claims	1,268	1,196	1,096	1,233	1,320	1,347	1,221	-9.4%
Probate and Trust	351	381	405	441	435	402	401	-0.2%
Mental Health	256	288	270	338	354	328	320	-2.4%
Administrative Appeal	24	40	42	46	39	45	49	8.9%
Other Civil	3,066	4,029	4,506	4,253	4,652	4,318	3,699	-14.3%
Juvenile	733	719	793	714	829	813	768	-5.5%
Total Civil Cases	7,878	8,798	9,056	8,893	9,166	8,728	7,909	-9.4%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	1,082	1,070	986	1,007	1,096	950	1,147	20.7%
Misdemeanor	4,192	4,430	4,208	3,807	3,715	3,882	3,683	-5.1%
Infraction	350	323	342	263	201	239	255	6.7%
Total Criminal Cases	5,624	5,823	5,536	5,077	5,012	5,071	5,085	0.3%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	16,819	15,211	14,166	14,133	12,868	14,169	15,143	6.9%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total East Central	30,321	29,832	28,758	28,103	27,046	27,968	28,137	0.6%



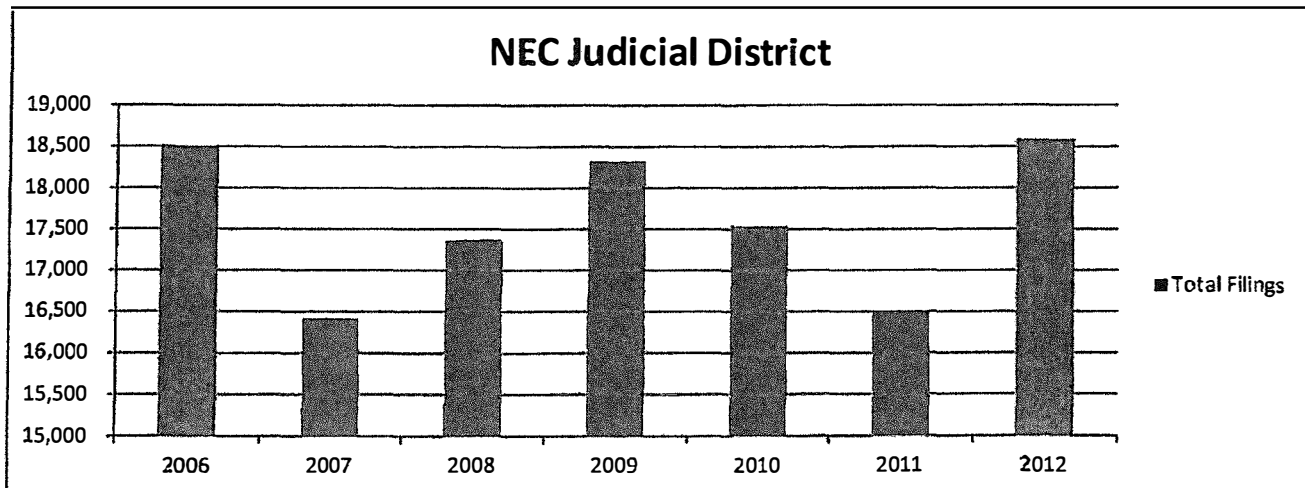
Clerk of District Court
Northeast Central Judicial District
2006 Through 2012 Comparison of Case Filings

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	300	280	303	274	309	250	243	-2.8%
Child Support	528	446	523	514	296	177	71	-59.9%
Domestic - other	360	362	422	425	391	410	550	34.1%
Small Claims	902	622	658	870	867	1,168	1,389	18.9%
Probate and Trust	206	226	197	211	253	220	251	14.1%
Mental Health	139	147	141	146	143	154	169	9.7%
Administrative Appeal	35	21	21	29	13	16	11	-31.3%
Other Civil	1,226	1,637	1,652	1,775	1,593	1,660	1,507	-9.2%
Juvenile	481	420	477	379	311	293	364	24.2%
Total Civil Cases	4,177	4,161	4,394	4,623	4,176	4,348	4,555	4.8%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	456	453	408	482	432	564	604	7.1%
Misdemeanor	3,250	2,474	2,204	2,429	2,102	2,210	2,690	21.7%
Infraction	310	251	183	189	99	121	122	0.8%
Total Criminal Cases	4,016	3,178	2,795	3,100	2,633	2,895	3,416	18.0%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	10,321	9,083	10,184	10,595	10,733	9,268	10,621	14.6%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northeast Central	18,514	16,422	17,373	18,318	17,542	16,511	18,592	12.6%



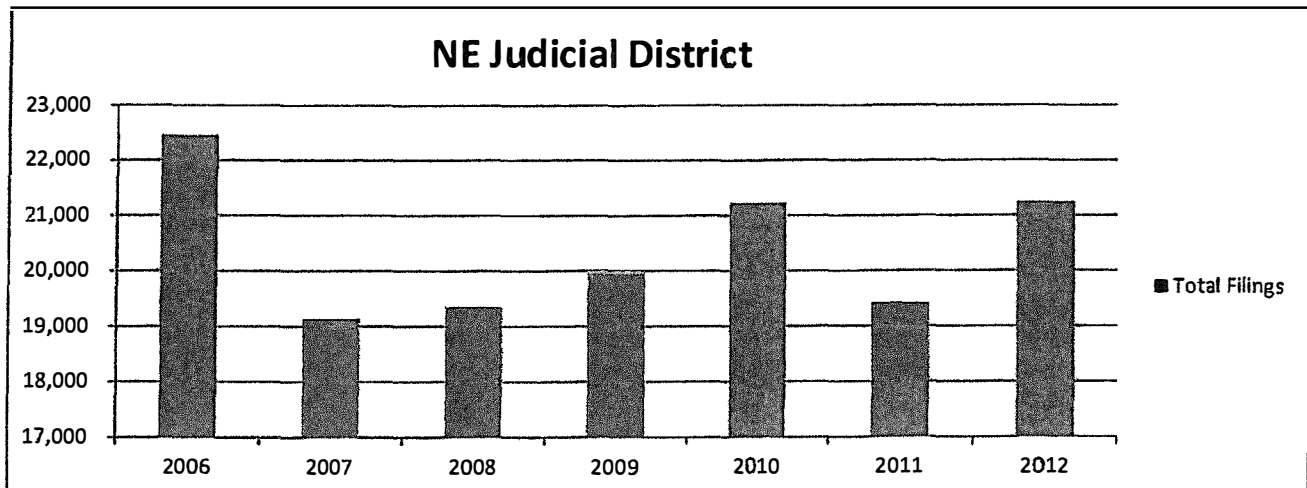
**Clerk of District Court
Northeast Judicial District
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	155	156	152	169	196	183	175	-4.4%
Child Support	414	467	612	606	431	537	583	8.6%
Domestic - other	308	345	389	458	537	385	332	-13.8%
Small Claims	654	689	652	613	650	487	462	-5.1%
Probate and Trust	448	438	466	453	546	493	472	-4.3%
Mental Health	86	86	85	73	83	104	105	1.0%
Administrative Appeal	9	16	14	10	16	9	9	0.0%
Other Civil	1,103	1,319	1,474	1,583	1,572	1,494	1,296	-13.3%
Juvenile	355	246	230	266	267	246	306	24.4%
Total Civil Cases	3,532	3,762	4,074	4,231	4,298	3,938	3,740	-5.0%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	508	379	371	349	421	452	441	-2.4%
Misdemeanor	3,342	2,917	2,665	2,754	2,585	2,537	2,688	6.0%
Infraction	469	468	403	335	329	200	218	9.0%
Total Criminal Cases	4,319	3,764	3,439	3,438	3,335	3,189	3,347	5.0%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	14,604	11,616	11,833	12,295	13,588	12,295	14,159	15.2%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Northeast	22,455	19,142	19,346	19,964	21,221	19,422	21,246	9.4%



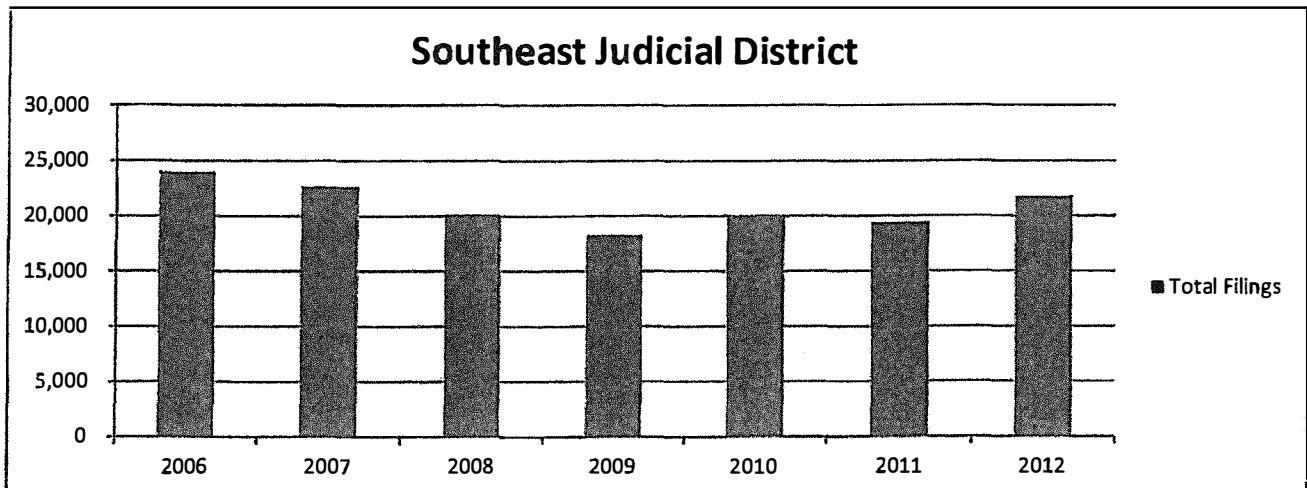
**Clerk of District Court
Southeast Judicial District
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	278	261	233	234	241	227	242	6.6%
Child Support	518	464	354	416	215	247	295	19.4%
Domestic - other	407	369	341	332	326	346	378	9.2%
Small Claims	695	686	591	607	660	615	699	13.7%
Probate and Trust	439	402	429	427	410	426	475	11.5%
Mental Health	348	339	316	254	266	234	282	20.5%
Administrative Appeal	14	21	16	10	33	10	20	100.0%
Other Civil	1,568	1,749	2,002	1,877	2,089	2,009	1,872	-6.8%
Juvenile	180	214	207	152	192	155	220	41.9%
Total Civil Cases	4,447	4,505	4,489	4,309	4,432	4,269	4,483	5.0%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	418	446	395	456	439	433	446	3.0%
Misdemeanor	3,260	3,307	2,799	2,635	2,381	2,405	2,306	-4.1%
Infraction	634	531	417	330	298	199	172	-13.6%
Total Criminal Cases	4,312	4,284	3,611	3,421	3,118	3,037	2,924	-3.7%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	15,237	13,863	12,062	10,521	12,330	12,089	14,349	18.7%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Southeast	23,996	22,652	20,162	18,251	19,880	19,395	21,756	12.2%



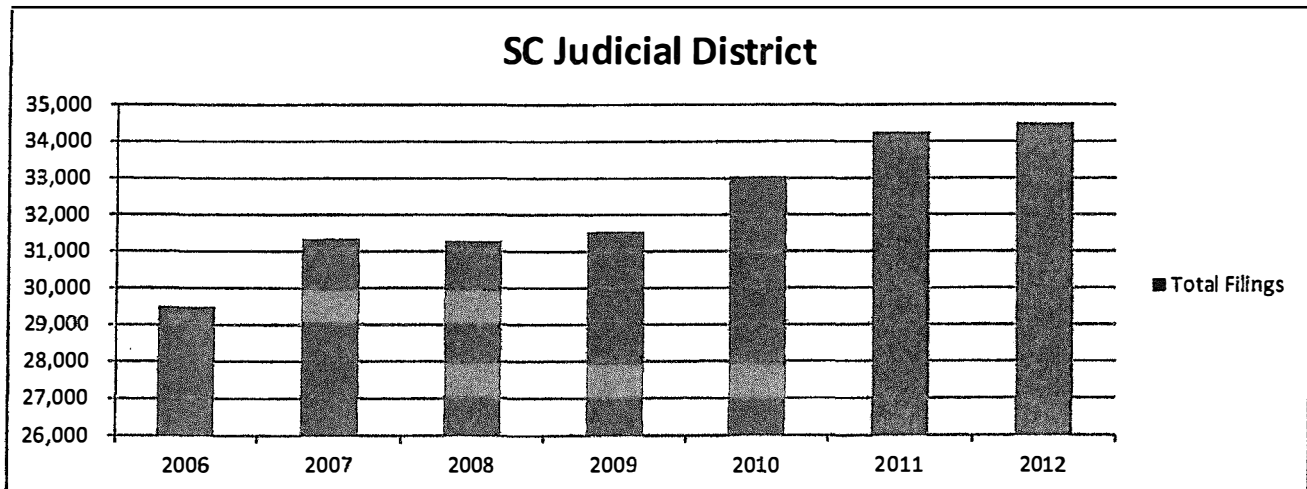
**Clerk of District Court
South Central Judicial District
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	462	483	440	443	478	477	523	9.6%
Child Support	775	746	860	801	857	528	505	-4.4%
Domestic - other	658	710	674	729	717	738	736	-0.3%
Small Claims	798	867	767	732	735	730	673	-7.8%
Probate and Trust	554	551	645	644	617	643	633	-1.6%
Mental Health	94	116	102	118	126	125	183	46.4%
Administrative Appeal	86	72	65	48	45	48	57	18.8%
Other Civil	3,076	3,693	4,050	3,855	4,043	4,191	3,627	-13.5%
Juvenile	421	424	541	546	552	512	487	-4.9%
Total Civil Cases	6,924	7,662	8,144	7,916	8,170	7,992	7,424	-7.1%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	842	926	920	1,018	877	1,129	1,358	20.3%
Misdemeanor	3,978	4,375	4,067	3,810	4,156	4,188	4,299	2.7%
Infraction	320	308	326	291	187	162	166	2.5%
Total Criminal Cases	5,140	5,609	5,313	5,119	5,220	5,479	5,823	6.3%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	17,429	18,069	17,827	18,504	19,656	20,786	21,250	2.2%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total South Central	29,493	31,340	31,284	31,539	33,046	34,257	34,497	0.7%



**Clerk of District Court
Southwest Judicial District
2006 Through 2012 Comparison of Case Filings**

Civil	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Divorce	115	114	126	131	146	148	158	6.8%
Child Support	206	230	212	208	170	152	198	30.3%
Domestic - other	122	116	106	123	125	130	152	16.9%
Small Claims	250	206	198	195	219	178	186	4.5%
Probate and Trust	296	300	433	394	441	754	701	-7.0%
Mental Health	46	51	38	54	39	57	81	42.1%
Administrative Appeal	23	33	34	27	14	12	31	158.3%
Other Civil	845	895	915	875	1,088	1,187	1,216	2.4%
Juvenile	97	101	91	88	72	98	126	28.6%
Total Civil Cases	2,000	2,046	2,153	2,095	2,314	2,716	2,849	4.9%

Criminal	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Felony	170	179	166	195	208	315	320	1.6%
Misdemeanor	1,649	1,550	1,387	1,478	1,683	1,817	2,115	16.4%
Infraction	382	217	170	181	196	118	141	19.5%
Total Criminal Cases	2,201	1,946	1,723	1,854	2,087	2,250	2,576	14.5%

Traffic	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Traffic Cases	5,972	6,453	6,931	8,857	10,345	11,121	14,008	26.0%

Total Filings	2006	2007	2008	2009	2010	2011	2012	2012/11 Change %
Total Southwest	10,173	10,445	10,807	12,806	14,746	16,087	19,433	20.8%

