

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2161**

Introduced by

Senators Carlisle, Armstrong, Heckaman

Representatives M. Johnson, Karls, Maragos

1 A BILL for an Act to create and enact a new chapter to title 27 of the North Dakota Century
2 Code, relating to the establishment of an interdisciplinary committee on problem-solving courts.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new chapter to title 27 of the North Dakota Century Code is created and
5 enacted as follows:

6 **Interdisciplinary committee on problem-solving courts.**

- 7 1. The interdisciplinary committee on problem-solving courts is established as a
8 collaborative mechanism to acquire and analyze relevant information related to the
9 need for and feasibility of establishing problem-solving courts in this state. For
10 purposes of this chapter, a "problem-solving court" is a juvenile or adult drug court,
11 mental health court, veterans court, or other specialized court comprised of
12 interdisciplinary teams, enhanced judicial involvement, court-supervised treatment
13 programs, and other components designed to achieve effective alternatives to
14 traditional case dispositions.
- 15 2. The interdisciplinary committee on problem-solving courts consists of:
- 16 a. A justice of the supreme court appointed by the chief justice.
- 17 b. A member appointed by the governor.
- 18 c. A presiding judge elected by the judicial system administrative council.
- 19 d. The executive director of the department of human services, or the director's
20 designee.
- 21 e. The director of the department of corrections and rehabilitation, or the director's
22 designee.
- 23 f. The state court administrator, or the administrator's designee.
- 24 g. A state's attorney appointed by the state's attorneys' association.

- 1 h. A defense attorney appointed by the commission on legal counsel for indigents.
- 2 i. A court administrator appointed by the state court administrator.
- 3 j. A representative of chemical, mental health, or other treatment providers in the
4 state as agreed upon by the committee members.
- 5 k. The director of parole and probation services.
- 6 l. A director of juvenile court appointed by the chief justice.
- 7 m. Two members appointed by the North Dakota peace officers association, one
8 representing city law enforcement agencies and one representing county law
9 enforcement agencies.
- 10 n. A legislator appointed by the chairman of legislative management.
- 11 o. The executive director of the department of veterans' affairs.
- 12 3. The chief justice designates the chairman and vice-chairman of the interdisciplinary
13 committee.
- 14 4. Members of the interdisciplinary committee serve for a term of three years beginning
15 January 1, 2016. Appointed members are limited to two consecutive terms.
- 16 5. With the consent of committee members, the chairman of the interdisciplinary
17 committee may temporarily supplement membership to assist in the review of whether
18 establishment of a problem-solving court should be recommended.
- 19 6. The interdisciplinary committee shall meet at least semiannually but must timely
20 consider any requests for evaluation of the establishment of a problem-solving court.

21 **Functions and duties.**

22 The interdisciplinary committee on problem-solving courts shall:

- 23 1. Acquire and analyze information and data, including budgetary requirements and
24 funding sources, regarding whether establishment of a problem-solving court in a
25 judicial district should be considered.
- 26 2. Determine the feasibility of establishing a problem-solving court in a judicial district,
27 including the availability of judicial and nonjudicial resources.
- 28 3. Based on relevant data and analysis, recommend to the presiding judge of a judicial
29 district and the supreme court that establishment of a problem-solving court in the
30 judicial district should be considered.

1 4. Review requests to establish problem-solving courts and submit recommendations to
2 the supreme court regarding whether a particular problem-solving court should be
3 established.

4 5. Establish a mechanism for monitoring and evaluating the effectiveness of established
5 problem-solving courts and related treatment services.

6 **Request to establish a problem-solving court - Submission - Review.**

7 1. A request for establishment of a problem-solving court must be submitted to the
8 interdisciplinary committee on problem-solving courts for review and recommendation.

9 2. The interdisciplinary committee shall promptly review any information submitted in
10 support of the request and consider the committee's own analysis, if any, regarding
11 the need for a problem-solving court.

12 3. Following its review, the interdisciplinary committee shall promptly submit to the
13 supreme court its recommendation regarding the need for and feasibility of the
14 requested problem-solving court.

15 **Staff services.**

16 The interdisciplinary committee on problem-solving courts may request appropriate staff
17 services from the office of the state court administrator.