

**Judicial Branch
Budget No. 180
Senate Bill No. 2002; House Bill No. 1024**

	FTE Positions	General Fund	Other Funds	Total
2017-19 legislative appropriation	355.50	\$102,257,770	\$3,321,839	\$105,579,609
2015-17 legislative appropriation	<u>391.00</u>	<u>105,253,664</u>	<u>2,366,806</u>	<u>107,620,470</u>
2017-19 appropriation increase (decrease) to 2015-17 appropriation	(35.50)	(\$2,995,894)	\$955,033	(\$2,040,861)

Item Description

One-time funding - In Section 2 of 2017 House Bill No. 1024, the Legislative Assembly appropriated \$1.5 million from other funds received from the Adjutant General for judicial branch costs relating to unlawful activity associated with the construction of the Dakota Access Pipeline.

University of North Dakota central legal research - In Section 6 of 2017 Senate Bill No. 2002, the Legislative Assembly provided that \$40,000 appropriated from the general fund to the judicial branch for University of North Dakota central legal research may not be spent until the Chief Justice of the Supreme Court certifies to the Office of Management and Budget that \$40,000 in matching funds from nonstate sources have been provided to the University of North Dakota for central legal research.

FTE changes - The 2017-19 biennium appropriation includes funding for 355.5 FTE positions, a decrease of 35.5 FTE positions from the 2015-17 biennium authorized level of 391 FTE positions. The Legislative Assembly removed 2 Supreme Court administrative assistants, 1 Supreme Court law library assistant, 0.5 Supreme Court deputy clerk, 3 referees, 3 court recorders, 2 calendar control clerks, 2 district court administrative assistants, 1 assistant district court administrator, 3 juvenile court administrative assistants, 8 juvenile court officers, 3 law clerks, 3 deputy clerks, 1 citizen access paralegal, 1 assistant state court administrator, 1 technology support specialist, and 1 technology coordinator.

Status/Result

The judicial branch anticipates the court cases relating to unlawful activity associated with the construction of the Dakota Access Pipeline to be completed in 2018. As of March 2018, costs from the court cases totaled \$87,609. The judicial branch estimates total costs reimbursed by the Adjutant General will be \$125,000.

The State Bar Association of North Dakota contributed \$20,000 to the University of North Dakota for central legal research in 2017. The judicial branch anticipates the State Bar Association of North Dakota will contribute an additional \$20,000 to the University of North Dakota for central legal research in 2018, at which time the judicial branch will distribute the \$40,000 general fund appropriation to the University of North Dakota.

The judicial branch has removed the 35.5 FTE positions. In addition to the 35.5 FTE positions removed, the judicial branch removed 14 temporary and contract positions, including juvenile court secretaries, deputy clerks, and Supreme Court positions. The judicial branch conducted a judicial officer weighted caseload study in fiscal year 2017. The study identified a statewide shortage of 8.31 judges. The judicial branch also conducted a clerk-need assessment in fiscal year 2017, which identified a statewide shortage of 20.8 clerks.