

**Judicial Branch  
Budget No. 180  
House Bill No. 1002**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>2019-21 legislative appropriations</b>	<b>363.00</b>	<b>\$107,503,043</b>	<b>\$3,112,297</b>	<b>\$110,615,340</b>
2019-21 base budget	355.50	102,257,770	1,821,839	104,079,609
Legislative increase (decrease) to base budget	7.50	\$5,245,273	\$1,290,458	\$6,535,731

**ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS**

	<b>Ongoing General Fund Appropriation</b>	<b>One-Time General Fund Appropriation</b>	<b>Total General Fund Appropriation</b>
<b>2019-21 legislative appropriations</b>	<b>\$107,355,691</b>	<b>\$147,352</b>	<b>\$107,503,043</b>
2017-19 legislative appropriations	102,257,770	0	102,257,770
2019-21 legislative increase (decrease) to 2017-19 appropriations	\$5,097,921	\$147,352	\$5,245,273
Percentage increase (decrease) to 2017-19 appropriations	5.0%	100.0%	5.1%

**SUMMARY OF LEGISLATIVE CHANGES TO THE BASE BUDGET AND MAJOR FUNDING ITEMS  
Changes to Base Budget**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
The legislative action:				
Adjusted funding for base payroll changes.		\$493,396	(\$109,639)	\$383,757
Added funding to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020.		2,293,060	22,721	2,315,781
Added funding for employee health insurance premiums to reflect a revised premium estimate of \$1,426.74 per month.		1,601,494	31,627	1,633,121
Reduced funding for judges' retirement.		(143,722)		(143,722)
Added funding for 7.5 new FTE positions.	7.50	1,459,508	14,111	1,473,619
Added funding for the court improvement program.		53,916	404,306	458,222
Adjusted funding for miscellaneous expenses, including equipment, information technology, and other operating expenses.		(757,971)	(42,668)	(800,639)

Removed funding for University of North Dakota central legal research.	(40,000)	(40,000)
Added funding for drug court in the Southeast Judicial District.	125,240	125,240
Added funding for guardian continuing education.	13,000	13,000
Added one-time funding for copy machines.	82,500	82,500
Added one-time funding for district court audio and video equipment.	64,852	64,852
Added one-time funding from the Capitol building fund to remodel the Supreme Court Law Library.		970,000
Total	<u>7.50</u>	<u>\$5,245,273</u>
		<u>\$1,290,458</u>
		<u>\$6,535,731</u>

### FTE Changes

The 2019-21 biennium appropriation includes funding for 363 FTE positions, an increase of 7.5 FTE positions from the 2017-19 biennium authorized level of 355.5 FTE positions. The Legislative Assembly added:

- 2 FTE deputy clerks of court
- 2 FTE law clerks
- 1 FTE court recorder
- 1 FTE district court judge
- 1 FTE court reporter
- 0.5 FTE Judicial Conduct Commission paralegal

### One-Time Funding

The Legislative Assembly appropriated \$1,117,352 of one-time funding to the judicial branch for the 2019-21 biennium. The appropriation includes \$82,500 from the general fund for copy machines, \$64,852 from the general fund for district court audio and video equipment, and \$970,000 from the Capitol building fund to remodel the Supreme Court Law Library.

### Other Sections in House Bill No. 1002

**Capitol building fund - Law library remodel** - Section 3 provides \$970,000 from the Capitol building fund for the law library renovation. The section also provides legislative intent that any remodel of Supreme Court space result in no fewer than two study rooms for use by attorneys appearing in cases before the Supreme Court. Section 18 declares this section to be an emergency measure.

**Supreme Court justices' salaries** - Section 4 provides the statutory changes to increase Supreme Court justices' salaries by \$200 per month for the 1<sup>st</sup> year of the biennium and 2.5 percent for the 2<sup>nd</sup> year of the biennium. Supreme Court justices' annual salaries are increased from the current level of \$157,009 to \$159,409 effective July 1, 2019, and \$163,394 effective July 1, 2020. The Chief Justice of the Supreme Court will continue to receive an additional \$4,508 per annum, and an additional \$4,621 per annum effective July 1, 2020.

**Temporary court of appeals** - Sections 5 through 13 extend authority for the temporary court of appeals through January 1, 2024.

**District judges' salaries** - Section 14 provides the statutory changes to increase district court judges' salaries by \$200 per month for the 1<sup>st</sup> year of the biennium and 2.5 percent for the 2<sup>nd</sup> year of the biennium. District court judges' annual salaries are increased from the current level of \$143,869 to \$146,269 effective July 1, 2019, and \$149,926 effective July 1, 2020. A presiding judge of a judicial district will continue to receive an additional \$4,156 per annum, and an additional \$4,260 per annum effective July 1, 2020.

**Additional appropriation** - Section 15 appropriates to the judicial branch all funds received pursuant to federal acts and private gifts, grants, and donations, for the purpose as designated in the federal acts or private gifts, grants, and donations, for the period beginning July 1, 2019, and ending June 30, 2021.

**Line item transfers** - Section 16 requires the Director of the Office of Management and Budget to transfer appropriation authority between line items for the judicial branch of government as requested by the Supreme Court upon a finding by the court that the nature of the duties of the court and its staff requires the transfers to carry on properly the functions of the judicial branch of government.

**Legislative intent - Judgeships** - Section 17 provides legislative intent that the judicial branch consider the relocation of a current judge prior to requesting any additional district court judge positions in future budget requests.

**Judicial branch study - Court reporters** - Section 18 provides for the judicial branch to study the need for one court reporter for each district court judge and to report its findings to the Budget Section.

#### **Related Legislation**

**House Bill No. 1015** - Provides for a pretrial services program, including the placement of pretrial services officers in three judicial districts.

**House Bill No. 1039** - Increases the age of culpability of a juvenile from 7 to 10 years.

**House Bill No. 1068** - Repeals North Dakota Century Code Sections 27-04-01, 27-04-03, 27-04-04, 27-04-06, 27-04-07, and 27-04-08 relating to the Supreme Court reporter.

**House Bill No. 1334** - Provides for the sealing of criminal records relating to driving under the influence after 7 years.

**House Bill No. 1395** - Requires parental capacity evaluations for individuals convicted of child abuse.

**House Bill No. 1516** - Increases the amount of fee revenue placed in the civil legal services fund from \$650,000 to \$750,000 per biennium.

**Senate Bill No. 2087** - Reduces the record retention period for adult and juvenile case files and court records from 50 to 25 years.