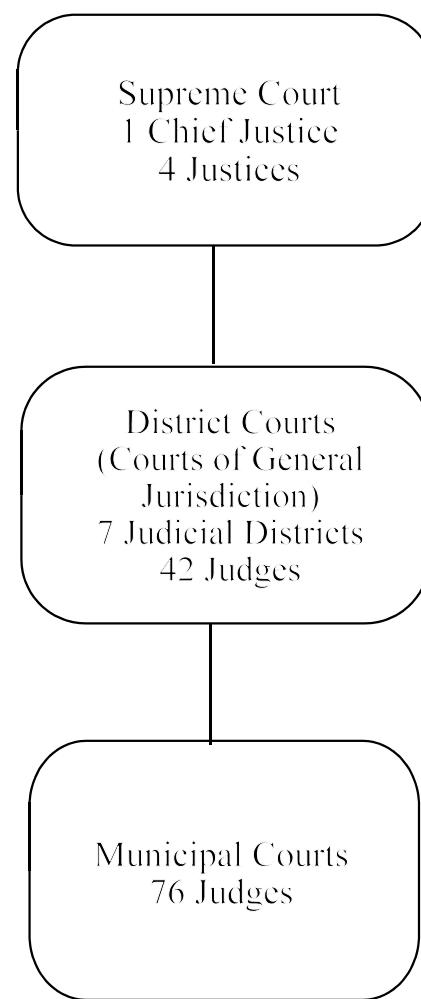

The Structure of the North Dakota Judicial System



Profile of the North Dakota Judicial System

Structure of the Court System

The original constitution of the state of North Dakota created a judicial system consisting of the Supreme Court, district courts, county courts, and such municipal courts as provided by the law. This judicial structure remained intact until 1959 when the Legislative Assembly abolished the justice of peace courts in the state.

The adoption of a new judicial article to the state constitution in 1976 significantly modified the constitutional structure of the judicial system. The new judicial article vested the judicial powers of the state in a unified judicial system consisting of a Supreme Court, district courts, and such other courts as provided by law. Thus, under the new judicial article, only the Supreme Court and the district courts retained their status as constitutional courts. All other courts in the state are statutory courts.

In 1981 the Legislative Assembly further altered the structure of the judicial system by enacting legislation that replaced the multi-level county court structure with a uniform system of county courts throughout the state. This new county court structure became effective on January 1, 1983.

With the county court system in place, the judicial system of the state consisted of the Supreme Court, district courts, county courts, and municipal courts.

This changed again as the county courts were abolished by 1991 House Bill 1517, effective January 1, 1995. The Bill, with a final completion date of January 1, 2001, also transferred the jurisdictional workload to an expanded number of district judges. The 1991 total of 26 county judges and 27 district court judges had been reduced to 42 district court judges on January 1, 2001, as provided by statute.

Administrative Authority

The 1981 Legislative Assembly clarified the administrative responsibilities of the Supreme Court by designating the chief justice as the administrative head of the judicial system and by granting the chief justice the authority to assign judges for temporary duty in any non-federal or tribal court in the state. It also acknowledged the Supreme Court's rulemaking authority in such areas as court procedure and attorney supervision.

Selection and Removal of Judges

All judges in North Dakota are elected in nonpartisan elections. Justices of the Supreme Court are elected for ten-year terms; district court judges for six-year terms; and municipal court judges for four-year terms.

Vacancies in the Supreme Court and the district courts can be filled either by a special election called by the governor or by gubernatorial appointment. However, before a vacancy can be filled by gubernatorial appointment, the Judicial Nominating Committee must first submit a list of nominees to the governor from which the governor makes an appointment. Whether the vacancy is filled by a special election or by appointment, the appointed judge serves for a minimum of two years and then until the next general election, at which time the office is filled by election for the remainder of the term.

If a vacancy occurs in a municipal court, it is filled by the executive officer of the municipality with the consent of the governing body of the municipality.

Under the North Dakota Constitution only Supreme Court justices and district court judges can be removed from office by impeachment. All judges, however, are subject to removal, censure, suspension, retirement or other disciplinary action for misconduct by the Supreme Court upon the recommendation of the Judicial Conduct Commission. Other methods for the retirement, removal and discipline of judges can be established by the Legislative Assembly.

North Dakota Supreme Court



Left to right: (Sitting) Justice Dale V. Sandstrom; Chief Justice Gerald W. VandeWalle;
Justice William A. Neumann;
(Standing) Justice Carol Ronning Kapsner; Justice Mary Muehlen Maring

The North Dakota Supreme Court has five Justices. Each Justice is elected for a ten-year term in a nonpartisan election. The terms of the Justices are staggered so that only one judgeship is scheduled for election every two years. Each Justice must be a licensed attorney and a citizen of the United States and North Dakota.

One member of the Supreme Court is selected as Chief Justice by the Justices of the Supreme Court and the District Court Judges. The Chief Justice's term is for five years or until the Justice's elected term on the court expires. The Chief Justice's duties include presiding over Supreme Court conferences, representing the judiciary at official state functions, and serving as the administrative head of the judicial system.

The North Dakota Supreme Court is the highest court for the State of North Dakota. It has two major types of responsibilities: (1) adjudicative and (2) administrative.

In its adjudicative capacity, the Supreme Court is primarily an appellate court with jurisdiction to hear appeals from decisions of the district courts. All appeals from these courts must be ripe for review by the Court. In addition, the Court also has original jurisdiction authority and can issue such original and remedial writs as are necessary to exercise this authority.

The state constitution requires that a majority of the Justices is necessary before the Court can conduct its adjudicative business. In addition, the Court cannot declare a legislative enactment unconstitutional unless four of the Justices so decide. When the Court reverses, modifies, or affirms a trial court judgment or order, it is required to issue a written opinion stating the reasons for its decision. Any Justice disagreeing with the majority opinion may issue a dissenting opinion which explains the reasons for the disagreement with the majority.

In its administrative capacity, the Supreme Court has major responsibilities for ensuring the efficient and effective operation of all nonfederal courts in the state, maintaining high standards of judicial conduct, supervising the legal profession, and promulgating procedural rules which allow for the orderly and efficient transaction of judicial business. Within each area of administrative responsibility the Court has general rulemaking authority.

The Court carries out its administrative responsibilities with the assistance of various committees and boards. It exercises its authority to admit and license attorneys through the State Board of Law Examiners. Its supervision of legal ethics is exercised through the Disciplinary Board of the Supreme Court and its supervision of judicial conduct is exercised through the Judicial Conduct Commission. Continuing review

and study of specific subject areas within its administrative jurisdiction is provided through five advisory committees - the Joint Procedure Committee, the Joint Committee on Attorney Standards, the Judiciary Standards Committee, the Court Services Administration Committee, and the Judicial Planning Committee. Other committees, such as the Juvenile Policy Board, the Personnel Policy Board, the Continuing Judicial Education Commission, and the North Dakota Legal Counsel for Indigents Commission, also provide valuable assistance to the Supreme Court in important administrative areas.

Administrative personnel of the Supreme Court also play a vital role in helping the court fulfill its administrative functions. The clerk of the Supreme Court supervises the calendaring and assignment of cases, oversees the distribution and publication of Supreme Court opinions, administrative rules and orders, decides certain procedural motions filed with the Court, and serves as an ex-officio member to the State Board of Law Examiners and the Disciplinary Board. The state court administrator is responsible for the budgetary oversight of the judicial system, prepares statistical reports on the workload of the state's courts, provides judicial educational services, and performs such other administrative duties that are assigned by the Supreme Court. The state law librarian supervises the operation of the state law library.

North Dakota Supreme Court Caseload

A 138% increase in appeals of drug offenses contributed to the overall increase in new filings in the North Dakota Supreme Court in calendar year 2002. This increase is not surprising considering the increase in drug related arrests and prosecutions in the state.

Appeals in tort, malpractice, probate and attorney discipline cases increased more than other civil case filings. The number of appeals in family related cases, remained relatively stable, accounting for 22% of the civil caseload in 2002. This is down from 28% last year.

The most appeals originated from the South Central Judicial District, followed by the East Central, Northwest Southeast, Northeast Central, Northeast and Southwest Districts.

In 18% of all actions filed in 2002, one or more parties represented themselves on appeal. For the past several years, the level of self-represented litigants has fluctuated between 14% and 24%.

The Justices each authored an average of 42 majority opinions, and an additional 71 opinions concurring and/or dissenting with the majority position were separately authored. Oral arguments were scheduled in 208 cases, and the Justices also continued the practice of having weekly motions and administrative conferences.

The year ended with Justice William A. Neumann being elected to another 10 year term on the Court. Additionally, the Court adopted rules to allow for the electronic filing of documents in appellate cases. This capability, and the web page, make the North Dakota Supreme Court one of the most technologically advanced and accessible appellate state courts in the nation.

**Caseload Synopsis of the Supreme Court
For the 2001 and 2002 Calendar Years**

	2001	2002	Percent Difference
New Filings	307	353	14.98
Civil	195	237	21.54
Criminal	112	116	3.57
Transferred to Court of Appeals	0	0	0
Civil	0	0	0
Criminal	0	0	0
New Filings Balance	307	353	14.98
Civil	195	237	21.54
Criminal	112	116	3.57
Filings Carried Over From Previous Calendar Year	185	152	-17.84
Total Cases Docketed	492	505	2.64
Dispositions	340	333	-2.05
Civil	242	216	-10.74
Criminal	98	117	19.39
Cases Pending as of December 31	152	172	13.16
Civil	99	120	21.21
Criminal	53	52	-1.89

Case Dispositions - 2002

	Civil	Criminal
BY OPINION:		
Affirmed	65	34
Affirmed & Modified	1	0
Reversed; Reversed & Remanded;		
Reversed in Part & Remanded	30	13
Affirmed in Part & Reversed in Part;		
Affirmed in Part & Dismissed in Part	20	0
Affirmed by Summary Disposition	27	23
Discipline Imposed	19	0
Original Jurisdiction--Denied	1	0
Original Jurisdiction--Granted	0	0
Certified Question Answered	0	0
Remanded	1	0
Reinstatement Ordered	1	0
Dispositions by Opinion	165	70
BY ORDER:		
Dismissed	30	24
Dismissed After Conference	7	11
Original Jurisdiction--Denied	12	11
Original Jurisdiction--Granted	2	1
Dispositions by Order	51	47
Total Dispositions for 2002	216	117

Caseload Overview of North Dakota Courts for 2002 and 2001

Level of Court	Filings		Dispositions	
	2001	2002	2001	2002
Supreme Court	307	353	341	333
District Courts	145,942	156,521	157,784	168,036

North Dakota Court of Appeals

The Court of Appeals was established in 1987 to assist the Supreme Court in managing its workload. Since it was established, the Court of Appeals has written opinions disposing of 75 cases.

Cases assigned to the Court of Appeals under Administrative Rule 27 may include family law issues; appeals from administrative agency decisions; appeals from trial court orders on motions for summary judgment; appeals involving cases originating under the Uniform Juvenile Court Act; and appeals from misdemeanor convictions.

Authorization for the Court of Appeals extends to January 1, 2004.

No cases were assigned or heard by the Court of Appeals in 2002.

District Courts

There are district court services in each of the state's fifty-three counties. The district courts are funded by the state of North Dakota. The district courts have original and general jurisdiction in all cases except as otherwise provided by law. They have the authority to issue original and remedial writs. They have exclusive jurisdiction in criminal cases and have general jurisdiction for civil cases.

The district courts also serve as the juvenile courts in the state and have exclusive and original jurisdiction over any minor who is alleged to be unruly, delinquent, or deprived. This jurisdiction includes cases in which a female minor is seeking judicial authorization to obtain an abortion without parental consent. Unlike a majority of other states, the responsibility for supervising and counseling juveniles who have been brought into court lies with the judicial branch of government in North Dakota. To meet these responsibilities, the presiding judge, in consultation with the district court judges of each judicial district, has the authority to employ appropriate juvenile court personnel. In addition to these personnel, the presiding judge, on behalf of the district court judges of the judicial district, may also appoint judicial referees to preside over juvenile proceedings, judgment enforcement proceedings, and domestic relations proceedings other than contested divorces.

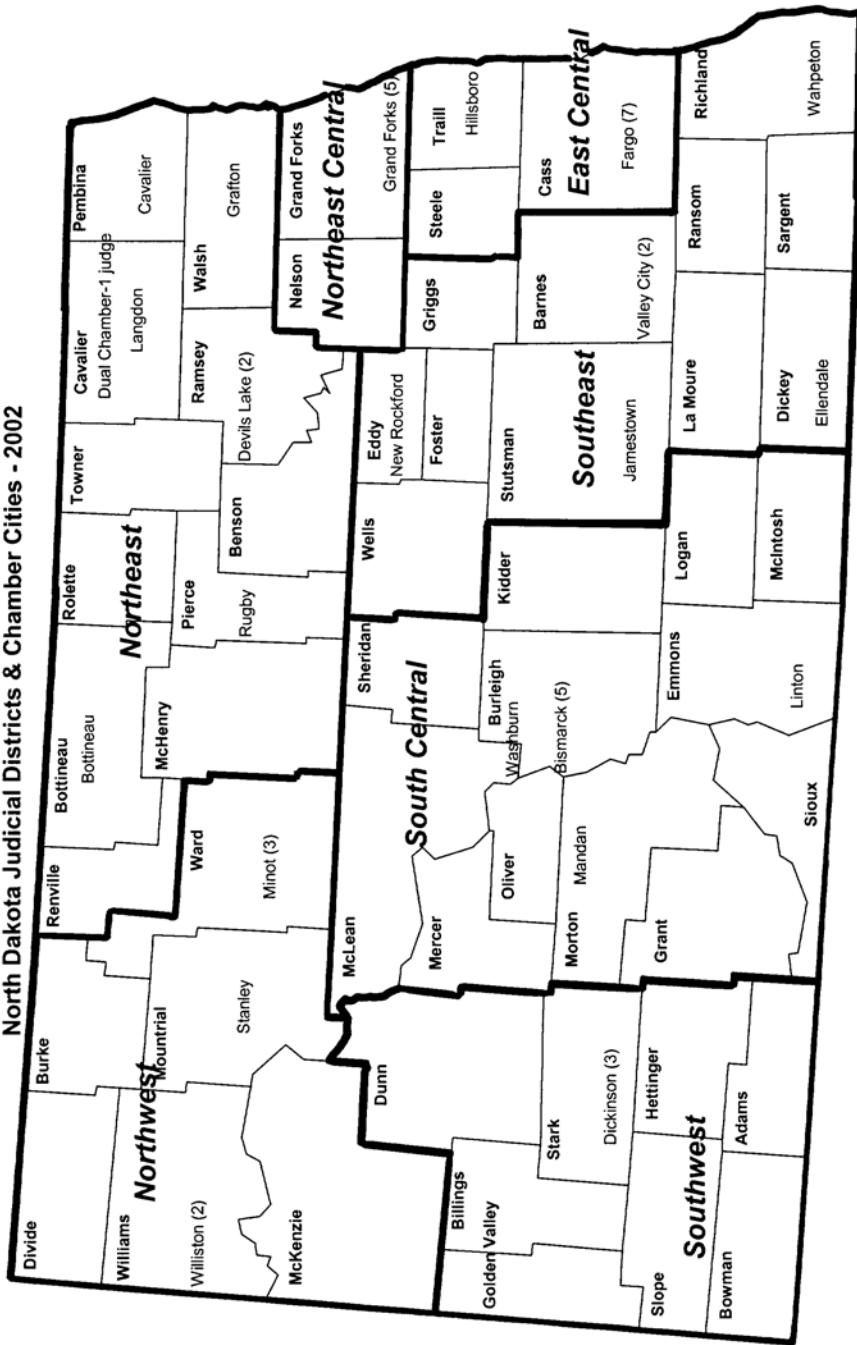
The district courts are also the appellate courts of first instance for appeals from the decisions of many administrative agencies. Acting in this appellate capacity, district courts do not conduct a retrial of the case. Their decisions are based on a review of the record of the administrative proceeding conducted by the administrative agency.

In 1979 the Supreme Court divided the state into seven judicial districts. In each judicial district there is a presiding judge who supervises all court services of courts in the geographical area of the judicial district. The duties of the presiding judge, as established by the Supreme Court, include convening regular meetings of the judges within the judicial district to discuss issues of common concern, assigning cases among the judges of the district, and assigning judges within the judicial district in cases of demand for change of judge. All judicial districts are served by a court administrator or administrative assistant, who has the administrative responsibility for liaison with governmental agencies, budget, facilities, records management, personnel, and contract administration.

There are, as of the end of 2002, forty-two district judges in the state. Eight judges in four chamber city locations serve the South Central Judicial District, the largest geographically and most populous district in the state. There are seven judges in the Northwest Judicial District serving in four chamber city locations. Seven judges serve the East Central Judicial District in two chamber city locations, and five judges serve the Northeast Central Judicial District in one chamber city location. Six judges serve the Northeast Judicial District in five chamber city locations. Six judges serve the Southeast Judicial District in five chamber city locations. Three judges serve the Southwest Judicial District in one chamber city locations. All district court judges are required by the state constitution to be licensed North Dakota attorneys, citizens of the United States, and residents of North Dakota.

The office of district court judge is an elected position which is filled every six years in a nonpartisan election held in the district in which the judge will serve. If a vacancy in the office of district judge occurs, the Supreme Court must determine whether the vacancy should be filled or whether the vacant office should be abolished or transferred. If the vacancy is to be filled, the governor may either fill the vacancy by appointing a candidate from a list of nominees submitted by the Judicial Nominating Committee or by calling a special election to fill the vacancy. If the vacancy is filled by the nomination process, the appointed judge serves for a minimum of two years and then until the next general election, at which time the office is filled by election for the remainder of the term.

North Dakota Judicial Districts & Chamber Cities - 2002



District Court Caseload

District court filings increased slightly in 2002, showing a 7.25% increase over 2001 filings.

Civil filings were up 2.50% from 2001 while small claims filings increased 17.17%. Criminal filings reflect a slight increase of 7.26% from 2001 levels. Formal juvenile filings show a 8.64% decrease.

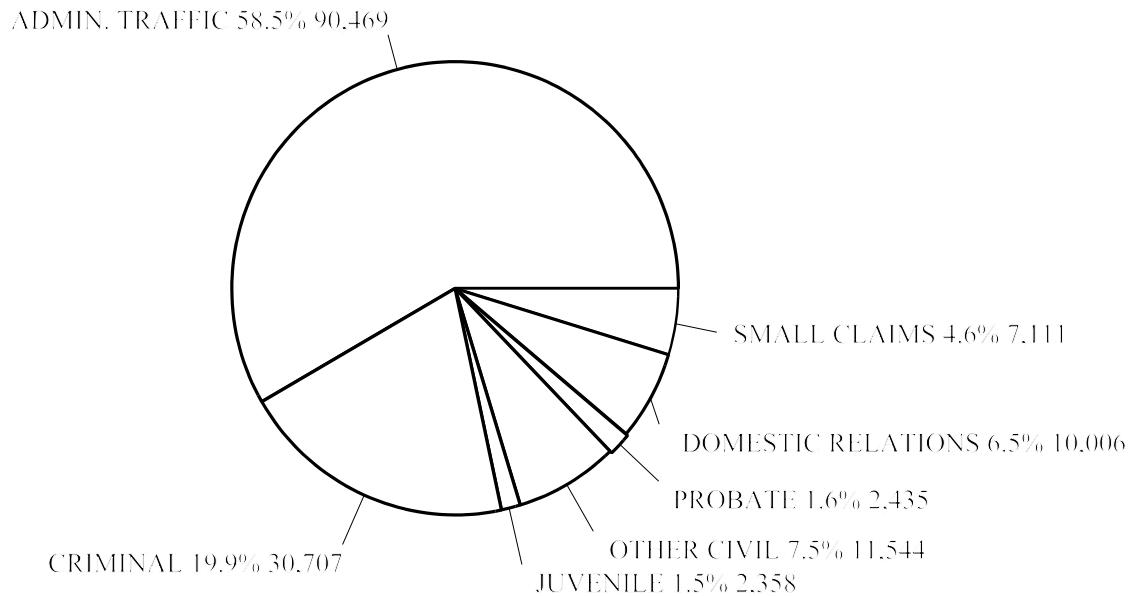
**District Court Caseload
for Calendar Year 2001 and 2002**

Case Filings	2001	2002	Change in Filings 2001/2002
New Filings Total	145,942	156,521	7.25
Civil	25,245	25,876	2.50
Small Claims	6,069	7,111	17.17
Criminal	28,628	30,707	7.26
Juvenile	2,581	2,358	-8.64
Admin. Traffic	83,419	90,469	8.45
Case Dispositions	2001	2002	
Dispositions Total	157,785	168,036	6.50
Civil	32,963	32,339	-1.89
Small Claims	6,122	6,899	12.69
Criminal	34,921	35,514	1.70
Juvenile	2,598	2,358	-9.27
Admin. Traffic	81,180	90,926	12.01

District Court Case Filings by Type - 2002

CIVIL		CRIMINAL	
Case Type	Filings	Case Type	Filings
Property Damage	147	Felony	4,240
Personal Injury	308	Misdemeanor	22,258
Malpractice	41	Infraction	4,209
Divorce	2,680		
Adult Abuse	1,291	State Total	30,707
Custody	115		
Support Proceedings	4,674		
Adoption	311		
Paternity	913		
Termination of Parental Rights	22		
Administrative Appeal	167		
Appeal Other	6		
Contract/Collect	8,311		
Quiet Title	78		
Condemnation	20		
Forcible Detain	738		
Foreclosure	630		
Change of Name	185		
Special Proceedings	36		
Trust	91		
Foreign Judgment	294		
Other	750		
Conservator/Guardianship	403		
Protective Proceedings	86		
Probate	2,435		
Mental Health	1,144		
Small Claims	7,111		
State Total	32,987		

TYPES OF CASES FILED IN DISTRICT COURT DURING 2002



The following is a chart that shows the number of jury trials held in each judicial district for 2002.

District	2002
East Central	42
Northeast Central	13
Northeast	19
Northwest	39
South Central	110
Southeast	32
Southwest	15
Total	270

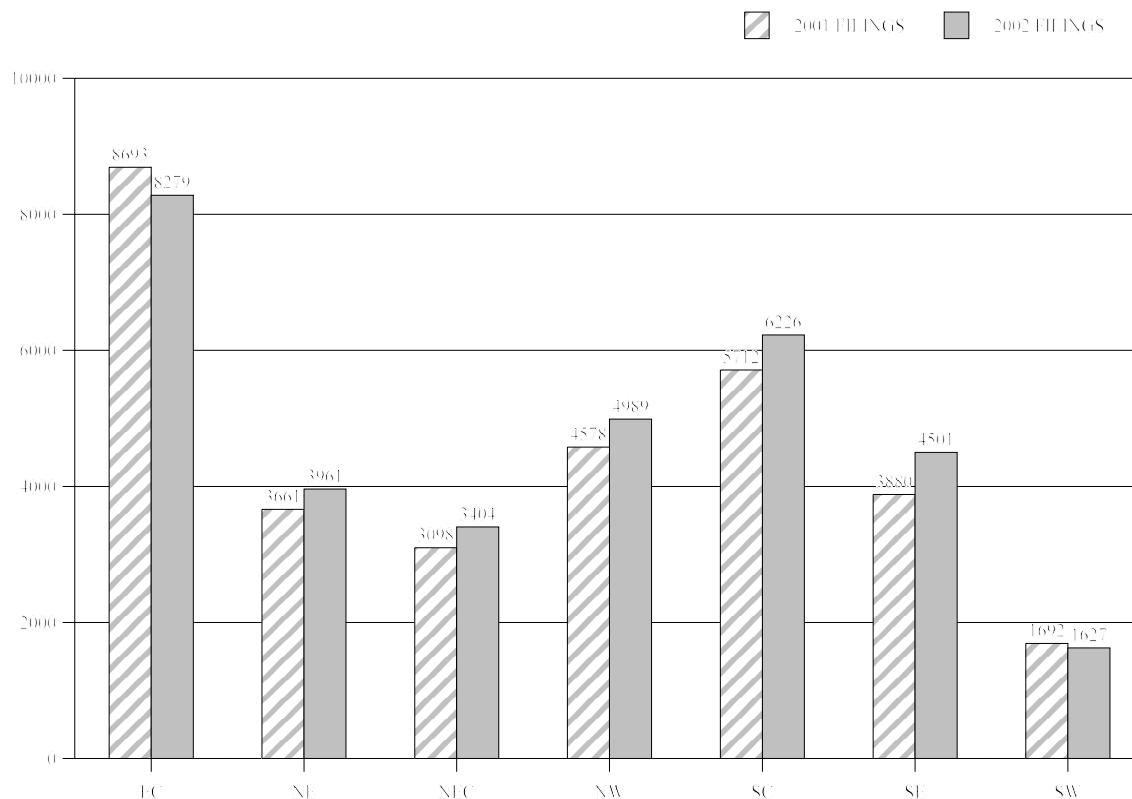
Civil Caseload

Civil filings increased slightly during 2002. General civil plus small claims cases increased 5.34% from 2001 levels. The increase was mainly in small claims filings.

Domestic relations case filings decreased 4.9%. Support proceedings make up 46.7% of all domestic relations case filings. Divorce filings account for 26.8%, adult abuse filings 12.9%, custody filings 1.1%, adoption 3.1%, paternity 9.1%, and termination of parental rights account for .2% of the domestic caseload.

Divorce filings were up 1.1% to 2,680 cases in 2002. Adult abuse case filings increased 8.8% to 1,291. Paternity case filings were down 6.4% with 913 cases filed, while support proceedings decreased 11.6% with 4,674 cases filed, compared to 5,286 cases in 2001.

ND CIVIL CASELOAD FOR DISTRICT COURT FOR 2001 AND 2002

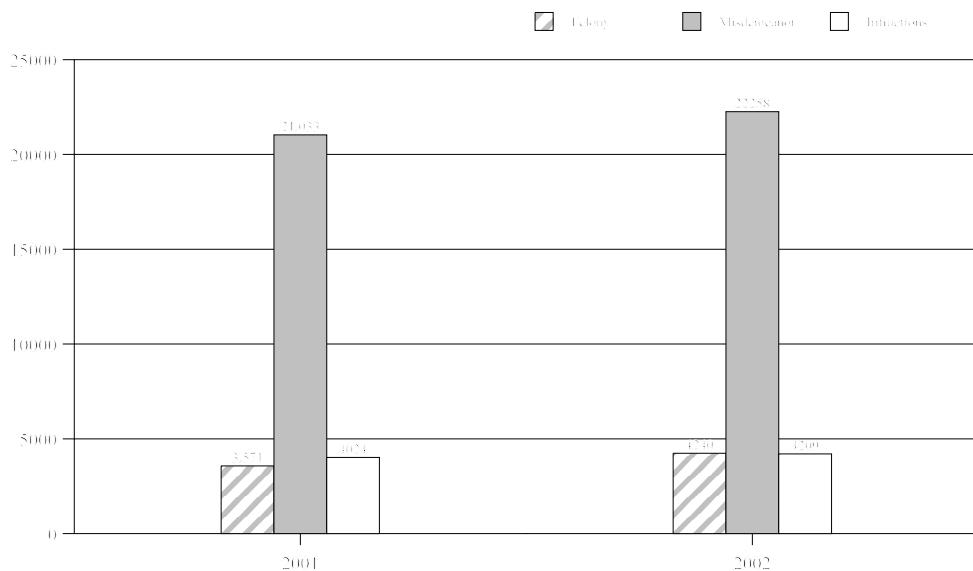


Criminal Caseload

Criminal case filing data for 2002 reflects a 7.26% increase in filings from 2001. The 2002 felony filings increased by 669 cases, over 18.7% over 2001. Misdemeanor filings increased 5.8%.

Consistent with previous data, misdemeanors and infractions represent 86.2% of the criminal filings and felonies represent 13.8% of the overall criminal filings.

ND CRIMINAL CASELOAD FOR DISTRICT COURT FOR 2001 AND 2002



Administrative Traffic Case Processing

Administrative traffic filings during 2002 increased 8.45% from 2001 levels. These cases make up 57.8% of the overall caseload; however, they require little judicial involvement. The processing time required impacts court clerk personnel almost exclusively.

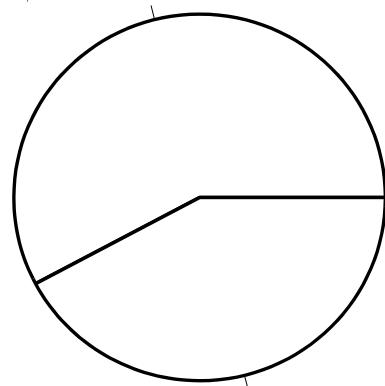
Case Filings	2001	2002	Percent Difference
Admin. Traffic	83,419	90,469	8.45
Case Dispositions	2001	2002	Percent Difference
Admin. Traffic	81,180	90,926	12.01

TOTAL CASES FILED IN DISTRICT COURT INCLUDING ADMINISTRATIVE TRAFFIC

ADMIN. TRAFFIC

57.8%

90,469



ALL OTHER FILINGS

42.2%

66,052

Juvenile Caseload

This year's data shows a slight decline in juvenile offenses. However, because of relatively low numbers, comparing numbers for just two years may not reflect a true trend. For example, overall referrals showed a decline of 10% between 2000 and 2001. However, the same data showed an increase of 10% from 2001 to 2002.

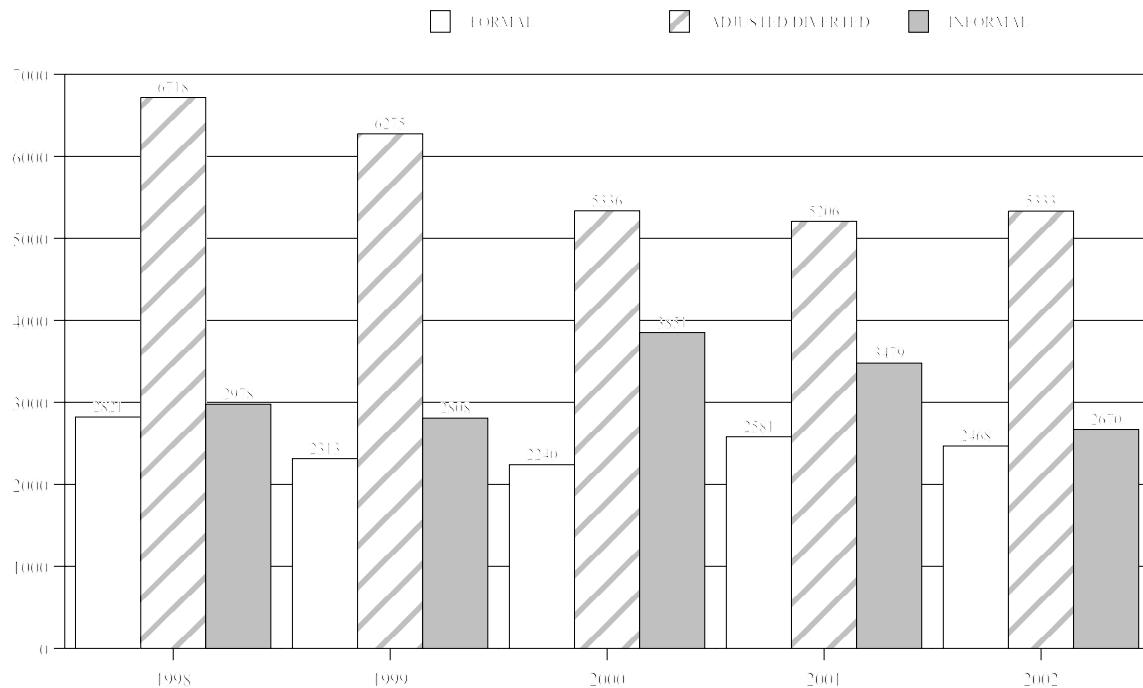
As with the criminal caseload, the low violent crime rate in North Dakota is reflected in its juvenile court statistics. Offenses against persons made up 7% of the juvenile court caseload. Meanwhile, status offenses (offenses which only a child can commit) made up 18% of the caseload. Property offenses comprise 23%; traffic offense, 5%; deprivation, 7%; and other delinquency, 39% of the juvenile caseload.

The method by which cases were disposed shows a continued reliance on adjusted/diverted proceedings. Of the cases heard, 50% were disposed of through adjusted/diverted proceedings in 2002, compared to 47% in 2001 and 46% in 2000. The use of informal probation adjustments decreased in 2002. The formal juvenile court caseload reflects a decrease over previous years. Tables comparing the types of dispositions and reasons for referral to the juvenile court in 2001 and 2002 follow. As in previous years, the illegal possession or purchase of alcoholic beverages continues to be the most common single reason for referral to the juvenile court.

Types of Juvenile Court Dispositions for 2001 and 2002

Judicial District	Formal		Informal/Probation		Adjusted/Diverted		Total Dispositions		Percent Diff.
	2001	2002	2001	2002	2001	2002	2001	2002	
East Central	552	679	769	605	662	775	1,983	2,059	3.8
Northeast	301	390	210	370	954	832	1,465	1,592	8.7
NE Central	620	382	516	410	652	390	1,788	1,182	-33.9
Northwest	312	228	780	163	644	1,087	1,736	1,478	-14.9
South Central	336	386	550	280	1,306	1,520	2,192	2,186	-0.3
Southeast	317	258	539	657	665	501	1,521	1,416	-6.9
Southwest	143	144	115	185	323	229	581	558	-4.0
TOTAL	2,581	2,467	3,479	2,670	5,206	5,334	11,266	10,471	-7.1

COMPARISON OF JUVENILE DISPOSITIONS FOR 1998-2002



**Reasons for Referral to Juvenile Court Services
in 2001 and 2002**

		2001	2002	% Diff.
FAMILY		2,135	1,933	-1.4
	Runaway (instate resident)	609	522	-14.3
	Runaway (out-of-state resident)	26	15	-42.3
	Truancy	344	283	-17.7
	Ungovernable Behavior	703	680	-3.3
	Curfew	354	326	-7.9
	Other Unruly	99	107	8.1
DELINQUENCY		8,178	7,752	-5.2
	Offenses Against Persons	613	698	13.9
	Assault	535	605	13.1
	Homicide (attempted)	3	0	N/A
	Kidnapping	0	4	N/A
	Other Offenses Against Persons	5	22	340.0
	Sex Offenses	70	67	-4.3
	Offenses Against Property	2,413	2,456	1.8
	Arson	12	5	-58.3
	Burglary	267	277	3.7
	Criminal Mischief/Vandalism	439	459	4.6
	Criminal Trespass	165	163	-1.2
	Forgery	42	30	-28.6
	Other Property Offenses	48	15	-68.8
	Robbery	2	8	300.0
	Shoplifting	675	678	0.4
	Theft	763	821	7.6
	Traffic Offenses	457	512	12.0
	DUI/Physical Control	102	113	10.8
	Driving without License	262	297	13.4
	Other Traffic	93	102	9.7

		2001	2002	% Diff.
	Other Offenses	4,695	4,086	-13.0
	Check Offenses	24	33	37.5
	City Ordinances	53	77	45.3
	Disorderly Conduct	682	663	-2.8
	Weapons	32	51	59.4
	Game and Fish	69	82	18.8
	Obstruction	29	12	-58.6
	Other Public Order	267	267	0.0
	Possession/Purchase Alcohol	2,482	2,277	-8.3
	Controlled Substance - Possession	617	520	-15.7
	Controlled Substance - Delivery	33	23	-30.3
	Tobacco	407	81	-80.1
DEPRIVATION		587	751	27.9
	Abandonment	0	0	0.0
	Abuse/Neglect	95	124	30.5
	Deprived	492	627	27.4
SPEC. PROCEEDING		127	127	0.0
	Termination of Parental Rights (Involuntary)	37	54	45.9
	Termination of Parental Rights (Voluntary)	33	37	12.1
	Other Special Proceeding	57	36	-36.8
TOTAL		11,027	10,563	-4.2

Report of the East Central Judicial District

The Honorable Michael O. McGuire, Presiding Judge
Eloise M. Haaland, Administrative Assistant

District Court Judges: Michael O. McGuire, Presiding Judge; Norman J. Backes, Georgia Dawson, Ralph R. Erickson, John C. Irby, Lawrence A. Leclerc, Frank L. Racek, Cynthia A. Rothe-Seeger
District Court Referees: John A. Dietz and Janice Benson Johnson.
Number of Counties in District: 3
District Court Chambers: Fargo, Hillsboro



**East Central
Judicial District Caseload
for Calendar Years 2001 and 2002**

Case Filings/ Dispositions	2001		2002	
	(F)	(D)	(F)	(D)
Civil	7,118	6,907	6,348	6,413
Small Claims	1,575	1,637	1,931	1,746
Admin Traffic	10,847	10,479	13,561	13,286
Criminal	4,688	4,021	5,313	4,562
Juvenile	552	552	660	660

District Court

The Supreme Court moved a judgeship from the Northwest Judicial District to the East Central judicial district giving our district an eighth judge. John C. Irby was appointed and took the bench May 1, 2002. With the additional judge, the criminal division schedule was revamped , assigning four judges to the criminal division and four to the civil division. After relocating personnel, the judges are all ensconced in their respective offices. With the fourth judge being assigned to criminal division, a criminal division judge now travels to Traill County one day a week and to Steele County one day a month to take care of court business.

On November 11, 2002, the Cass County district court was integrated into the state information system, a conversion from PCSS to UCIS. This was a big change for Cass County district court and without the cooperation, assistance, and patience of personnel both in Cass County and the state Supreme Court technical staff, this could not have been accomplished. The unified court information system (UCIS) was installed in Traill County in June of 2002 and in Steele County the end of December 2002. This is the first information system these two counties have ever had. All of the East Central Judicial District is now operating on UCIS, alleviating the need for hard copy data and statistics to be furnished to the state administrative office.

Cass County built a new jail which is located a distance from the courthouse. Meetings and dialogue took place before the transition to adapt to the shuttling of inmates to and from court so as not to create delays. This has caused minimal problems as far as the court is concerned.

The meshing of the clerk's office and district court staff in Cass County has resulted in court reporters clerking for the hearing judge, as well as taking the record. Secretaries are clerking court trials to put less burden on the clerk's office which is understaffed.

In September our court hosted five Russian judges as they observed our court, visited with judges and other court personnel. The staff served tea and refreshments. It was a time of sharing knowledge and information for all involved.

The referees keep a full schedule hearing small claims, traffic cases, child support, pre and post divorce matters and all juvenile cases in which a judge is not requested. One referee uses one of the district court courtrooms because

juvenile court has only one courtroom. We find our judges strapped for courtrooms on occasion, necessitating use of the county commission room as a courtroom.

Juvenile Court

The East Central Judicial District juvenile court saw a small increase in referrals from law enforcement. There were 21 fewer misdemeanor, felony referrals, and an increase of 133 referrals for unruly. Most notable are the 196 deprivation petitions filed. Over \$30,000 in monetary restitution was collected. The staff in juvenile court continue to be involved in the community. The director of juvenile court serves on the board of Juvenile Accountability Incentive Block Grant, Children's Services Coordinating Committee, Program Committee for Children's Services Coordinating Committee Mayor's Gang Task Force, and the West Fargo Prevention Program. As funding services become more limited, the juvenile court is developing a plan which would include having fewer resources available in the community and are in the process of prioritizing what programs are necessities.

All filings increased in our district. Our district judges tried ten civil jury trials, five felony trials, 34 misdemeanor jury trials, 69 civil bench trials and criminal bench trials, as well as civil motions, in Cass County numbering 3,165, as well as 1,046 hearings in Traill and Steele (includes both criminal and civil.). The referees held 2,362 child support hearings.

Report of the Northeast Judicial District

The Honorable M. Richard Geiger, Presiding Judge
Kimberly D. Nelsen, Administrative Assistant

District Court Judges: M. Richard Geiger, Presiding Judge; Lee A. Christofferson; Laurie A. Fontaine; Donovan Foughty; Lester S. Ketterling; and John C. McClintock, Jr.

Judicial Referee: Dale Thompson

Number of Counties: 11

Chambered Locations: Bottineau, Devils Lake, Grafton, Langdon/Cavalier, and Rugby.



Northeast Judicial District Caseload
for Calendar Years 2001 and 2002

Case Filings/ Dispositions	2001		2002	
	(F)	(D)	(F)	(D)
Civil	2,667	3,582	2,761	3,559
Small Claims	994	927	1,200	1,201
Admin Traffic	12,758	12,597	14,062	14,033
Criminal	4,762	5,781	4,911	5,579
Juvenile	300	300	379	379

District Court

The Northeast Judicial District has six chamber cities located within the district to serve its citizens effectively relative to population and geography. Two chambers in the east, Grafton and Cavalier/Langdon serve the eastern section of the district. The two-judge chamber in Devils Lake serves the central section of the district. The chambers in Rugby and Bottineau serve the western section of the district. In addition, the judges are regularly assigned to other cases throughout the district as the need arises. The district is also served by one judicial referee who travels throughout the counties of the district on a regularly basis, handling the child support enforcement proceedings and some juvenile proceedings. The district maintains a budget of slightly over \$4 million for the biennium. It has approximately 50 personnel, including all county clerk employees.

Administratively, the district continues working toward maintaining a strong communication network among its personnel. In addition to the immediate communication available through its computer network, the district maintains regular meetings among the office divisions: the offices of the clerks of court personnel, juvenile personnel, and court judicial officers. Each of these groups separately meet or confer at least annually within the district. In addition, the Northeast Judicial District, in conjunction with the Southeast Judicial District, has an annual meeting for all personnel to promote a common sense of mission, share work experiences, and present a professional development program for all employees.

In its efforts to better serve the public, the district continues those efforts on many fronts. The district recently adopted Rule 8.5 summary divorce proceedings. The district has engaged in discussions with other districts to share its resources and personnel. Budget reductions and limited funding in the near future have compelled the district to seek out alternatives to serve the public in the most efficient manner possible. We continue to pursue implementing uniform practices where appropriate. The district has continued its efforts to maintain adequate computer support by adding and upgrading equipment on a continuing basis and placing them at appropriate locations throughout the district and its courthouses. As part of the process of improving courtroom facilities the district maintains recording and sound enhancement systems in the courtrooms in each of the chamber cities.

The Northeast Judicial District continues its commitment to recover monetary obligations from those convicted of criminal offenses. The district also remains in substantial compliance with the docket currency standards. The benefits from the unified court information system (UCIS) remains an important component in allowing the courts to regularly monitor management of its cases and maintain docket currency.

As in other judicial districts of the state, the courts of the Northeast Judicial District continue to see increased court activity relating to drug offenses, including the discovery of methamphetamine labs, and other crimes relating to this criminal activity. This trend the rural character of the district, and other developments have created challenges in maintaining an effective indigent defense program within the district.

Juvenile Court

The juvenile court for the Northeast Judicial District, operating out of three primary sites, Bottineau, Devils Lake, and Grafton, continues to adhere to the balanced approach philosophy, whereby juveniles are held accountable for their actions and to their victims, as well as provided opportunity to learn new skills to prevent their return to the juvenile court, and to make their communities a safer place to live.

This is accomplished through various programs such as Keys to Innervisions, youth accountability conferences, tracking, alcohol and drug testing, electronic monitoring, community service, and restitution.

Our restitution program continues to be successful, collecting a combined total of \$46,123.00, that is recovered on behalf of the victims. Our community service program also remains successful with juvenile offenders having worked a combined total of 9,786 hours.

Report of the Northeast Central Judicial District

The Honorable Debbie Kleven, Presiding Judge
Kathy Narlock, Administrative Assistant

District Court Judges: Debbie Kleven, Presiding Judge; Bruce E. Bohlman; Karen Braaten; Lawrence E. Jahnke; and Joel D. Medd

Judicial Referees: Harlan Dyrud and David Vigeland.

Number of Counties in District: 2

District Court Chambers: Grand Forks



**Northeast Central
Judicial District Caseload
for Calendar Years 2001 and 2002**

Case Filings/ Dispositions	2001		2002	
	(F)	(D)	(F)	(D)
Civil	2,565	4,327	2,655	4,316
Small Claims	533	518	749	772
Admin Traffic	10,403	9,988	8,218	8,564
Criminal	4,089	5,700	3,721	5,748
Juvenile	620	620	378	378

District Court

In 2002, the Northeast Central Judicial District continued its case assignment practice of assigning two judges to the criminal division and three judges to the civil division. Judges Braaten and Medd handled the criminal caseload whiles Judges Bohlman, Jahnke, and Kleven handled all civil cases. Referees Dyrud and Vigeland continued to hear juvenile matters, small claims cases, and child support enforcement actions.

A STOP grant was obtained to fund a family court pilot project. The grant will extend for one year and hopefully beyond as we develop the concept. The family court has three basic goals: (1) to bundle cases together that affect members of the same family and assign them to one judge, thereby avoiding conflicting orders and promoting efficient and effective resolution of family law matters; (2) to develop a community team of helping agencies to provide focused and coordinated delivery of services to the family; and (3) to utilize mediation and other non-adversarial dispute resolution techniques whenever possible. Amy Bohn is the family court coordinator and she would be happy to answer any questions concerning the project.

Another pilot project was implemented in the clerk of court's office involving bail bonds. Before a cash bond is returned to the remitter, a clerk verifies whether the remitter owes any child support. If there is an outstanding child support obligation, the matter is brought to the attention of the judge who decides whether the cash bond should be applied to the child support obligation rather than being returned to the remitter. The project will be reviewed after one year to determine whether it should be implemented statewide.

The number of criminal case dispositions has increased significantly over the last year. Like the rest of the state of North Dakota, the Northeast Central Judicial District has seen an increase in criminal cases involving defendants who use methamphetamine. Because of the effect methamphetamine has on its users, these cases tend to be more difficult to handle for not only the courts but also the prosecutors, defense attorneys, and probation officers. Further, these cases usually result in additional court time as probationers are returned to court on petitions to revoke probation.

The Grand Forks County Commission has approved a remodeling project for the courthouse. It is anticipated the project will start in the spring of 2003. The plans include locating the administrative offices and both the criminal and civil clerk's offices on 1st floor. The second floor will include two courtrooms and

the State's Attorney's Office. There will be four courtrooms located on the 4th floor, including a new courtroom that will be much larger than any of the current courtrooms. We look forward to having a courtroom large enough to accommodate more than three attorneys. In the past, we have relied upon the law school and the federal courthouse when a large courtroom was needed.

Juvenile Court

The year 2002 found the juvenile court in our district attempting to maintain programming developed in previous years. Because of lack of funding the Keys program, community service, and DIVERT programs are on unstable ground. These programs have been available because of funding through the Children Services Coordinating Committee. The generation of these funds is made by random moment time studies, which have been reduced or eliminated. Unless refinance dollars increase, tough decisions will have to be made regarding which of these programs will survive.

Drug court, which is still running smoothly, is facing similar problems, but there is an attempt to get funding from the legislature for this program. Judge Braaten has been handling juvenile drug court since October 2002.

Drug testing continues to be a strong part of probation and this should continue. Accountability conferencing, day report, and day treatment are other programs within the district that look healthy financially. These programs are funded through OJJDP and come to the state in other ways. The continuation of these programs will help a great deal.

On the bright side our probation caseload has dropped for the first time in 20 years. This may be partly demographics. We believe some of the excellent programming mentioned above has affected our reduced caseload.

Formal court seems busier than ever. After two years into the ASFA requirements, we find more formal court time is necessary to meet the mandates of ASFA. Further requirements pushing terminations of parental rights also have impacted the district. That being said, it is likely a very positive addition to the rights and needs of children.

2003 should be an interesting year. We will all have to put our collective heads together and work on solutions to maintain current program levels should financial resources not be available.

Report of the Northwest Judicial District

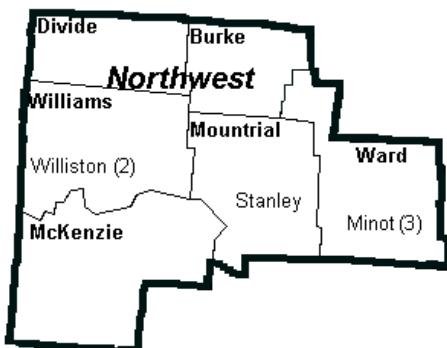
The Honorable Robert W. Holte, Presiding Judge
Waldemar Kowitz, Administrative Assistant

District Court Judges: Robert W. Holte, Presiding Judge; Gary Holum; William W. McLees, Jr.; David Nelson; Everett Nels Olson, and Gerald Rustad.

Judicial Referee: Connie S. Portscheller

Number of Counties in District: 6

District Court Chambers: Minot, Stanley, and Williston.



**Northwest Judicial District Caseload
for Calendar Years 2001 and 2002**

Case Filings/ Dispositions	2001		2002	
	(F)	(D)	(F)	(D)
Civil	3,905	5,642	4,151	5,268
Small Claims	673	696	838	801
Admin Traffic	10,222	9,978	10,773	10,630
Criminal	4,109	4,512	4,484	4,574
Juvenile	312	312	223	223

The main events during 2002 were technology improvements, office and clerk relocation and a review of case assignment/case processing procedures.

District Court

Mission: Dispensing Timely Justice Within the Rule of Law.

The district continued to consider how to make the best use of jurors with the least disruption to their lives. An in-depth review continued this year to determine the causes for last minute cancellation of jury trials. Out of about 139 trials for which notices were sent to jurors, only 29 actually started. An improved jury payment system, first tested in the NWJD, reduced the juror's waiting period for payment from about two weeks to less than one week. The district also distributes questionnaires to jury members and makes improvements based on the responses. The number of jury trials decreased to 29, down from 46 last year.

Technology continued to evolve throughout the district. More Citrix "thin client" workstations were put in place in the clerk's offices, courtrooms, and public use areas.

Little progress was made in case management. Overall the district had an 89% clearance rate; ie, for every 100 new cases filed this year, only 89 cases were completed. This was due to an increasing caseload and to a continuing struggle to find efficient case handling procedures with a reduced number of judges. The district Case Management Committee worked diligently to implement a new case assignment/case management system to start in 2003.

Juvenile Court

Mission: To provide and promote rehabilitation services to delinquent, unruly, or deprived children in the least restrictive manner consistent with the protection of the public interest.

The district's judicial referee handles formal juvenile hearings, child support hearings, and protection and restraining orders, as well as small claims cases.

Juvenile and support hearings are held in each of the four chambered cities. Juvenile matters in McKenzie, Divide, Mountrail, and Williams counties are taken care of by the Williston juvenile court office; Burke and Ward county matters fall under the Minot Juvenile Court office. Contracted attorneys provide juvenile indigent defense for juvenile cases, parental terminations, and Guardian ad Litem services.

Clerk of District Court

Two of the six county clerk offices in the district (Ward and Williams Counties) are staffed by state employees. The other four counties contract with the state to provide local clerk of court services in those counties. Five of the six counties are now making full use of the unified court information system (UCIS) for case management and related clerk needs.

After years of being split between two office locations (a hold over from when there was both a county clerk and a district clerk) the Ward County clerk of district court and eight deputies relocated into a single suite on the second floor. The new offices have efficient modular furniture, new filing systems, high speed computer connections, and room for an additional clerk. Towards year's end, the clerk's move allowed the reshuffling of several other state offices in the Ward County courthouse, improving community access to the clerk of court and to court administration.

Report of the South Central Judicial District

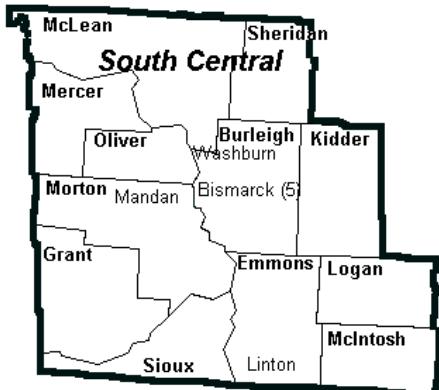
The Honorable Benny A. Graff, Presiding Judge
Douglas H. Johnson, Trial Court Administrator

District Court Judges: Benny A. Graff, Presiding Judge; Gail Hagerty; Bruce Haskell; Donald Jorgensen; Burt Riskedahl; Bruce Romanick; Thomas Schneider; and Robert O. Wefald.

Judicial Referees: James Purdy and Robert Freed.

Number of Counties in District: 12

District Court Chambers: Bismarck, Mandan, Linton and Washburn.



**South Central
Judicial District Caseload
for Calendar Years 2001 and 2002**

Case Filings/ Dispositions	2001		2002	
	(F)	(D)	(F)	(D)
Civil	4,563	6,303	5,031	6,826
Small Claims	1,149	1,170	1,195	1,224
Admin. Traffic	16,351	15,948	18,736	18,945
Criminal	4,743	6,018	5,282	6,754
Juvenile	337	354	353	353

District Court

The year 2002 could be best categorized as a year of change. Most notably, the South Central Judicial District added a Juvenile Drug Court in October which is presided over by Judge Bruce Romanick. Another milestone, the district completed its second year of the Adult Drug Court. This, the first adult drug court in North Dakota, is being overseen by Judge Gail Hagerty and Judge Bruce Haskell. Approximately 20 defendants are going through this intensive program aimed at getting people free from a substance abuse lifestyle. The program only accepts cases from Burleigh and Morton County. The Drug Courts came into being with cooperation with many agencies including the Department of Corrections Probation and Parole Division, local States Attorneys, and defense counsel, as well as many treatment and addiction facilities in the area.

The district also said goodbye to James Purdy who retired at the end of 2002. Jim was a Judicial Referee in the district for over 15 years and heard primarily juvenile and child support cases.

The South Central Judicial District continues to use the interactive video system which links courtrooms in Burleigh, Mercer, and McLean County together. The ITV system is also capable of transmitting outside parties into courtrooms interactively. The judges use the system primarily for bond hearings, misdemeanor sentencing, and for miscellaneous hearings and meetings.

The district's case flow management committee (made up of two judges, a clerk, a calendar control clerk,

a court reporter, and the district court administrator) continues to meet regularly and look at issues for improving service and makes recommendations to the entire bench. Two subcommittees, which looked onto the processing of child support cases and juveniles court cases, were busy in 2002. Both committees, chaired by Judge Robert Wefald, streamlined operations and promoted the use of multi-part forms to help expedite the court process.

Juvenile Division and Judicial Referee Activities

In 2002, 2,125 referrals were made to the juvenile court and 932 of the referrals, primarily first time offenders, minor violations, or children of a very young age , were diverted to the Bismarck-Mandan Police Youth Bureau for disposition.

Children retained in the juvenile court and handled either informally or formally through the petition process numbered 1,193. There were 386 formal matters heard in juvenile court in 2002 which include detention/shelter care hearings on temporary custody orders issued by the court service officers. A total of 280 children were placed on probation through the informal or formal process.

Referees conducted 523 formal juvenile hearings and issued detention and temporary custody orders for children who are placed in temporary alternative environments outside the parental home.

In addition to the formal juvenile proceedings, the judicial referees conducted 675 orders to show cause hearings for non-payment of child support, 24 involuntary termination cases and 33 review/modifications of child support. Full time referee Freed heard 105 small claim cases and 19 civil traffic hearings in 2002.

ACT Program

The Alternative Choice Training Program (ACT) completed its twelfth year of providing alternative sentencing programs for the Court and community. In 2002, 407 people completed one of the twelve minor in possession classes, while 28 people finished one of the adult six misdemeanor classes held in 2002. The domestic violence class had 23 participants who completed this 24-hour class. The Court added a free check writing class in 2001 for those who need help managing their bills and money and 46 people took advantage of the four sessions held in 2002.

Bismarck State College and the Adult Abused Resource Center continue to manage the classes and are responsible for the success of these alternative sentencing programs.

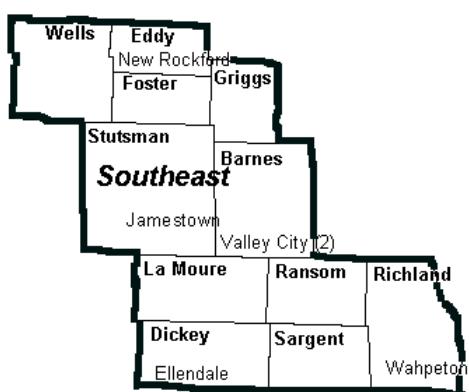
Report of the Southeast Judicial District

The Honorable John T. Paulson, Presiding Judge
Christine Iverson, Administrative Assistant

District Court Judges: John T. Paulson, Presiding Judge; James M. Bekken; Ronald E. Goodman; John E. Greenwood; Richard W. Grosz; and Mikal Simonson.

Number of Counties in District: 11

District Court Chambers: Valley City, Jamestown, New Rockford, Ellendale, and Wahpeton.



**Southeast
Judicial District Caseload
for Calendar Years 2001 and 2002**

Case Filings/ Dispositions	2001		2002	
	(F)	(D)	(F)	(D)
Civil	3,001	4,192	3,539	4,046
Small Claims	879	894	962	942
Admin Traffic	15,258	14,744	18,593	18,788
Criminal	4,157	6,115	4,628	5,480
Juvenile	317	317	236	236

District Court

A master calendar system continues to be used in Stutsman County. Types of cases included on the master calendar are typically short matters. These cases are heard on a rotating 16-day cycle on the first through fourth Monday through Thursday of the month. The civil and criminal cases not resolved on master calendar are then distributed between four judges according to the percentage of master calendar they handle. In addition, block scheduling has been implemented for child support cases in both Stutsman County and Barnes County.

An interactive-television pilot project is also being developed for use during mental health hearings in Stutsman County. This ITV system allows patients and/or doctors to testify in court without leaving the State Hospital. The pilot project is intended for mental health proceedings and is designed to avoid the time, expense and inconvenience imposed on mental health patients and other participants in the proceeding. It is expected this project will be up and running in early 2003.

The unified court information system continues to be used as the case management tool throughout the district. All eleven counties in the Southeast Judicial District are now on-line. Regular meetings are held with the clerks of court to help develop uniformity throughout the district; both with UCIS data entry and general office procedures. These meeting include discussion of the issues as well as hands-on training. The meetings also serve to keep the county employed clerks' offices aware of what is being implemented in the state employed clerks' offices.

Juvenile Court

Juvenile court offices throughout the district continue to use the juvenile case management system (JCMS). The program continues to be evaluated and enhanced to better meet the needs of the users. By going to a uniform data entry system, the courts are better able to generate statistical reports and monitor trends within the juvenile court system.

Juvenile court offices also continue to use juvenile accountability incentive block grant program (JAIBG) funds as a tool to hold youth accountable for their actions. These funds allow juvenile offenders to work meaningful community service to pay off restitution owed to their victims and benefit the community in a visible and meaningful way. This guarantees that the victims receive restitution as soon as possible and juvenile offenders are still held accountable for their actions.

Other programs used by the juvenile courts which have shown positive results are drug and alcohol testing, tracking, a victim/offender mediation program, Keys to Innervisions, and a community accountability board.

Guardians Ad Litem

The Southeast Judicial District continues to use lay people as guardians ad litem in juvenile court cases and as Custody Investigators in divorce and/or custody cases. Periodic meetings or training sessions are scheduled in order to keep everyone abreast of new developments in the program as well as provide continuing education hours.

Report of the Southwest Judicial District

The Honorable Allan L. Schmalenberger, Presiding Judge
Ardean Ouellette, Trial Court Administrator

District Court Judges: Allan L. Schmalenberger, Presiding Judge; Ronald L. Hilden; and Zane Anderson.

Number of Counties in District: 8

District Court Chambers: Dickinson



**Southwest Judicial District Caseload
for Calendar Years 2001 and 2002**

Case Filings/ Dispositions	2001		2002	
	(F)	(D)	(F)	(D)
Civil	1,426	2,010	1,391	1,909
Small Claims	266	280	236	213
Admin Traffic	7,580	7,446	6,562	6,680
Criminal	2,080	2,774	2,368	2,817
Juvenile	143	143	129	129

District Court

Case filings are shown in the chart on the right. The Southwest Judicial District continues to use a master and individual calendar assignment plan.

All the district judges are assigned throughout the district to assure an equitable distribution of the caseload and to promote a fair, expeditious disposition of all cases in compliance with the docket currency standards. During 2002, the district was in compliance with the docket currency standards.

Juvenile Court

The Southwest Juvenile Court continues its efforts to treat and rehabilitate young offenders while holding them accountable for their actions. In addition to the Southwest Judicial District, they also handle the formal and informal hearings and probation supervision for Mercer County and assist with supervision of probation cases in Grant county and the western half of Morton County when needed.

Our Juvenile Court officers continue to utilize programs such as Keys to Innervisions, community service, drug screening, tracking services, and the Victim Offender Mediation Program.

They continue to promote partnerships with other local community agencies for preventative programming to encourage a pro-active approach to helping at-risk youth.

Municipal Courts

There are approximately 363 incorporated cities in North Dakota. Currently, there are 82 municipal judges. State law permits an individual to serve more than one city as a municipal judge.

Each municipality under 5,000 population has the option of deciding whether or not to have a municipal court. Municipalities may contract with the state to provide municipal ordinance violation court services so that district judges may hear municipal ordinance violations.

Municipal judges have jurisdiction over all violations of municipal ordinances, except certain violations involving juveniles. Violations of state law are not within the jurisdiction of the municipal courts.

A municipal judge is elected for a four-year term. The judge must be a qualified elector of the city, except in cities with a population below 5,000. In cities with a population of 5,000 or more, the municipal judge is required to be a licensed attorney, unless an attorney is unavailable or not interested in serving. At present, there are approximately 22 legally-trained and 60 lay municipal judges in the state. Vacancies that occur between elections are filled by appointment by the municipality's governing body.

State law requires that each new municipal judge attend two educational seminars and all others attend one course conducted by the Supreme Court in each calendar year. If a municipal judge fails to meet this requirement without an excused absence from the Continuing Judicial Education Commission, the judge's name is referred to the Judicial Conduct Commission for disciplinary action.

Municipal courts have jurisdiction over municipal ordinance violations, which are either traffic or criminal cases. Most of the traffic caseload of the municipal courts consists of noncriminal or administrative traffic cases. While these cases greatly outnumber the criminal traffic cases, they generally take much less time to process. There is a lesser burden of proof in noncriminal traffic cases than in criminal cases and most noncriminal traffic cases are disposed of by bond forfeitures. While judges are not needed to process bond forfeitures, support personnel in the clerk's office must account for every citation received by the court.

Municipal criminal ordinance violations that may be heard by a municipal court are either infractions or Class B misdemeanors; and are, in large part, similar or identical to many of the criminal cases heard in the district courts. A large share of the criminal violations are those involving traffic, but many are unique to each city and based on the particular ordinances. The North Dakota Rules of Criminal Procedure and the Rules of Evidence are applicable to municipal court criminal proceedings. Jury trials are available to persons charged in municipal court with Class B misdemeanors upon a request for transfer to district court; otherwise, trials in municipal court are to the judge without a jury. As in all criminal cases, the city must prove beyond a reasonable doubt that the defendant committed the alleged criminal offense. Appeal from a criminal conviction in municipal court is to the district court.

**Selected Municipal Court Case Dispositions
for Calendar Year 2002**

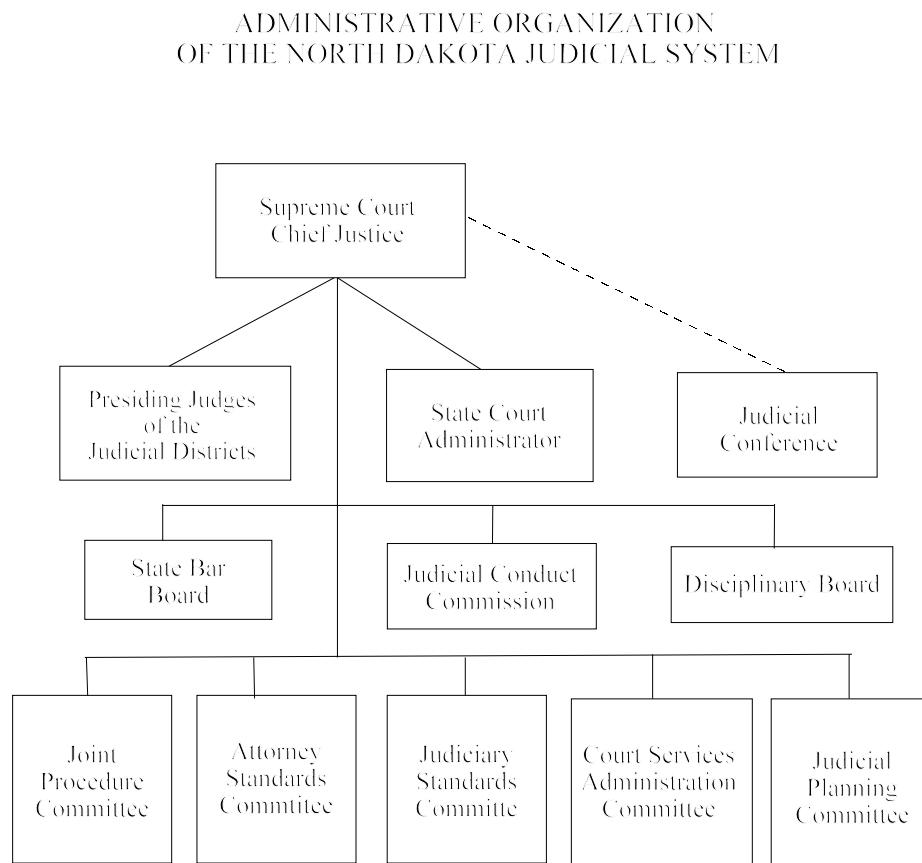
Municipalities	Criminal	Noncriminal	Total
Bismarck	2,908	11,152	14,060
Dickinson	588	3,313	3,901
Fargo	5,641	12,273	17,914
Grand Forks	2,455	4,736	7,191
Jamestown	919	3,764	4,683
Mandan	880	1,770	2,650
Minot	2,907	5,481	8,388
Valley City	403	1,296	1,699
Wahpeton	392	431	823
West Fargo	1,003	1,983	2,986
Williston	825	2,051	2,876
TOTAL	18,921	48,250	67,171

Administration of the Judicial System

Ultimate responsibility for the efficient and effective operation of the judicial system resides with the Supreme Court. The Constitution establishes the Supreme Court's administrative responsibility for the judicial system by designating the chief justice as the administrative head of the judicial system. In addition, the state constitution also grants the Supreme Court supervisory authority over the legal profession. Article VI, Section 3, states that the Supreme Court shall have the authority, "unless otherwise provided by law, to promulgate rules and regulations for the admission to practice, conduct, disciplining, and disbarment of attorneys at law."

To help it fulfill these administrative and supervisory responsibilities, the Supreme Court relies upon the state court administrator, presiding judges, and various advisory committees, commissions, and boards. The functions and activities of these various bodies during 2002 are described in the subsequent pages of this report.

A diagram of the administrative organization of the North Dakota judicial system is provided below.



Office of State Court Administrator

Article VI, Section 3, of the North Dakota Constitution authorizes the chief justice of the Supreme Court to appoint a court administrator for the unified judicial system. Pursuant to this constitutional authority, the Supreme Court has outlined the powers, duties, qualifications, and term of the state court administrator in Administrative Rule 1. The duties delegated to the state court administrator include assisting the Supreme Court in the preparation and administration of the judicial budget, providing for judicial education services, coordinating technical assistance to all levels of courts, planning for statewide judicial needs, and administering a personnel system.

Judicial Education

The office of state court administrator, under the guidance of the Continuing Judicial Education Commission and through the director of human resources and development, develops and implements education programs for all judicial and non-judicial personnel. To supplement the education programs presently being offered, an audio and video library has been established and is housed in the Supreme Court Library. To complement this library, the University of North Dakota Law School provides additional materials upon request.

Further activities of the Commission are described in greater detail in the second part of this report.

Research and Planning

Staff services are provided to the Judicial Planning Committee and other advisory committees of the Supreme Court by staff in the office of state court administrator. The duties of these staff personnel include research, bill drafting, rule drafting, arrangement of committee meetings, and any other tasks assigned by various committees. Specific activities and projects of the Supreme Court standing committees are provided in a latter section of this report.

Personnel Management

To ensure uniformity in personnel administration across districts, personnel policies and a pay and classification plan for district court employees were developed under the direction of the state court administrator. This program is administered by the director of human resources and development. The Personnel Policy Board provides oversight and guidance.

Fiscal Responsibilities

One of the primary functions of the office of state court administrator is to obtain adequate financial resources for judicial operations and to manage these resources. These functions are met with fiscal personnel consisting of a director of finance, supervisor of accounting, and technical staff. With the assistance of fiscal staff, the various judicial budgets are developed for funding consideration by the Legislative Assembly. The Supreme Court budget request is developed with input from Supreme Court department heads. The Judicial Conduct Commission and Disciplinary Board budget request is developed by their staff. The district court budget is coordinated by fiscal staff and prepared by each of the seven judicial districts with a joint recommendation of approval from the Council of Presiding Judges.

A monitoring function is carried out on a monthly basis with an analysis of the budget and preparation of status reports after the monthly payroll and other expenditures have been processed. Guidance for approval of various expenditures is found in budgetary policies.

In viewing the judicial budget, it should be noted that the state funds the Supreme Court, the Judicial Conduct Commission, approximately one-half of the expenses of the Disciplinary Board, and district court expenses including 11 of the largest clerk of district court offices. The remaining clerk offices are funded by the state with a service contract, except for four counties which provide clerk of court services with county funds. Municipal courts are funded by the municipalities they serve.

Information Technology

The state court administrator's office is responsible for providing information technology services to the judicial branch. These services are provided through the Information Technology Department.

In addition to supporting the many standard off-the-shelf office productivity tools in use within the judicial branch, the Information Technology Department is responsible for development and support of the case management system for the district court, the unified court information system (UCIS), support of the juvenile court information system (JCMS), support of the jury management system, as well as development and support of the other various custom software systems in use within the judiciary.

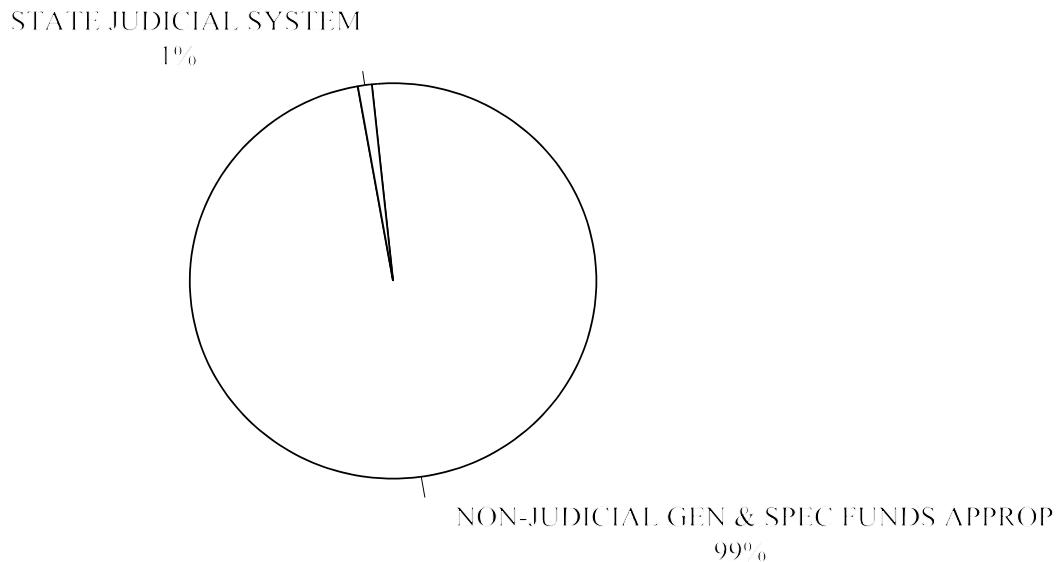
The Information Technology Department provides email services to all judicial employees and contract employees, web site hosting for the state court web site (www.ndcourts.com), data server hosting for all judicial employees, and server operations and maintenance for the information system.

Through the judicial branch help desk, judicial employees can receive support, ask questions, and get problems resolved related to the information systems, software, and hardware they use.

The Information Technology Department has recently begun offering standard and custom technology training to judicial branch employees.

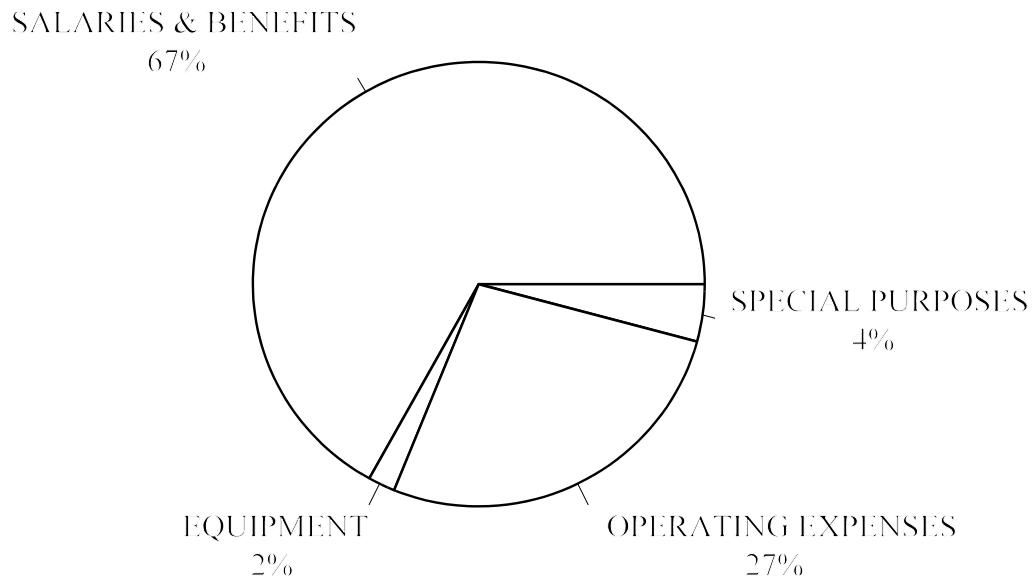
JUDICIAL PORTION OF THE STATE'S BUDGET
2001-2003 BIENNIUM
July 1, 2001 - June 30, 2003

Total State General and Special Funds Appropriation
\$4,773,230,696
Executive and Legislative Branch General and Special Funds Appropriation
\$4,716,909,366 (99%)
Judicial Branch General and Special Funds Appropriation
\$ 56,321,330 (1%)



**STATE JUDICIAL BRANCH APPROPRIATION
BY APPROPRIATED LINE ITEM
2001-2003 BIENNIUM**

Total Judicial Branch General and Special
Funds Appropriation \$56,321,330
Salaries and Benefits \$37,847,484 (67%)
Operating Expenses \$14,927,084 (27%)
Equipment \$ 1,411,050 (2%)
Special Purposes \$ 2,135,712 (4%)



**STATE JUDICIAL BRANCH APPROPRIATION
BY TYPE OF ACTIVITY
2001-2003 BIENNIUM**

Supreme Court

General Fund	\$ 7,603,951
Special Funds	<u>0</u>
TOTAL	\$ 7,603,951 (14%)

District Courts

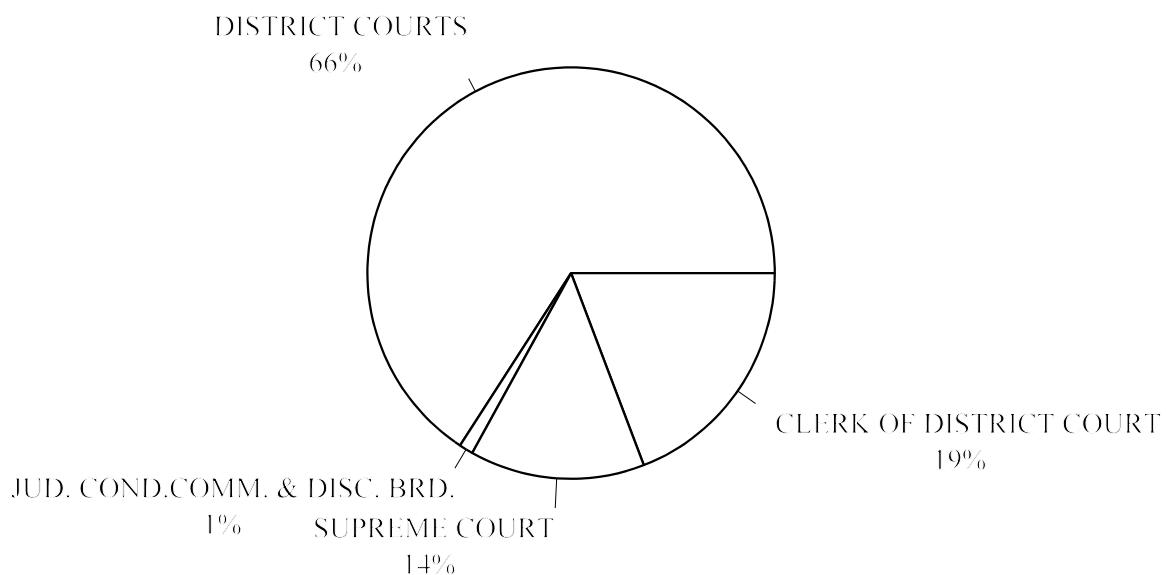
General Fund	\$36,090,693
Federal Funds	827,851
Special Funds	<u>366,220</u>
TOTAL	\$37,284,764 (66%)

Judicial Conduct Commission & Disciplinary Board

General Fund	\$ 254,512
Special Funds	<u>273,750</u>
TOTAL	\$ 528,262 (1%)

Clerk of District Court

General Fund	\$10,154,353
Special Funds	<u>750,000</u>
TOTAL	\$10,904,353 (19%)



Advisory Committees of the North Dakota Judicial System

In the North Dakota judicial system, a system of committees has been established to develop new ideas and evaluate proposals for improving public services. These advisory committees include citizen members, legislators, lawyers, and judges. The activities of these advisory committees are summarized here:

Committees Under the Rule on Procedural Rules, Administrative Rules, and Administrative Orders

Joint Procedure Committee

The Joint Procedure Committee is the standing committee of the Supreme Court responsible for proposing adoption, amendment, or repeal of rules of civil procedure, rules of criminal procedure, rules of appellate procedure, rules of evidence, rules of court, and specialized court procedure. Justice Dale V. Sandstrom chairs the Committee. The committee's membership of 10 judges and 10 attorneys is appointed by the Supreme Court, except for one liaison member appointed by the State Bar Association.

The committee recently completed a full review and revision of the rules of appellate procedure. The committee is now beginning work on updating the rules of criminal procedure. The committee has also been working on rule amendments designed to integrate new technologies into court procedure, including expanded use of interactive video in court hearings and electronic filing of court documents.

Judiciary Standards Committee

The Judiciary Standards Committee, chaired by Brian Neugebauer of West Fargo, studies and reviews all rules relating to the supervision of the judiciary, including judicial discipline, judicial ethics, and the judicial nominating process. During 2002, the Committee completed a study of several issues related to the selection of judges and possible methods of establishing a judicial improvement program and submitted a judicial improvement program proposal to the Supreme Court for consideration.

Court Services Administration Committee

The Court Services Administration Committee, chaired by William A. Strutz of Bismarck, is responsible for the study and review of all rules and orders relating to the administrative supervision of the judicial system. During 2002, the Committee continued its study of issues related to *pro se* litigation in the courts. The Committee developed and submitted to the Supreme Court a proposed policy regarding assistance to self-represented litigants and also submitted a set of forms for use by self-represented litigants in selected court proceedings.

Committees of the North Dakota Judicial Conference

Judicial Ethics Advisory Committee

The Judicial Ethics Advisory Committee, chaired by Judge Ronald Goodman, provides advisory services for judges relating to judicial ethics issues. The Committee has provided all judges with an ethics manual and responds to inquiries by judges on ethics questions. The Committee also documents responses for use by all members of the judiciary.

Jury Standards Committee

The Jury Standards Committee, chaired by Judge Joel D. Medd, studies and oversees the operation of North Dakota's jury system.

Committees Established by Administrative Rule

Judicial Planning Committee

The Judicial Planning Committee is chaired by Justice William A. Neumann. The Committee continued an evaluation of the judiciary with the objective of making recommendations about how the courts can more effectively provide judicial services in light of many changes affecting the courts. In November 2002, the Committee submitted proposed planning recommendations to the Supreme Court.

North Dakota Legal Counsel for Indigents Commission

The Legal Counsel for Indigents Commission, chaired in 2002 by Judge Debbie Kleven, identifies and reviews issues concerning the operation of the indigent defense contract system. During 2002, the Commission offered its assistance to an interim legislative committee studying possible alternatives to the indigent defense contract system and completed its revision of Indigent Defense Procedures and Guidelines.

Council of Presiding Judges

The Council of Presiding Judges is a policy making body charged with the responsibility to provide uniform and efficient delivery of administrative support to the trial courts. The council consists of the presiding judge of each judicial district and the chief justice of the supreme court as the presiding officer of the council. Duties of the council include the responsibility to develop administrative policies for the trial courts and provide the mechanism to ensure implementation. The Council of Presiding Judges meets at the call of the chair.

Juvenile Policy Board

The Juvenile Policy Board, chaired by Judge Norman Backes, continues to oversee the implementation of Balanced and Restorative Justice.

Under this system, juvenile courts address public safety, accountability of the offender to the victim and society, and the competency development of juveniles who come in contact with the court. Research indicates that courts that "balance" these approaches with juveniles are most effective in reducing juvenile recidivism.

Accountability means holding the offender accountable to their victim and to the community. Accountability to the victim has traditionally meant collecting restitution for the victim. Annually, the juvenile courts collect about \$100,000. The ability to collect restitution, enhanced in recent years by the legislature, includes such options as reducing the restitution amount to a judgment when the child turns 18. This keeps the obligation to pay for damages in place for at least ten years. Under Balanced and Restorative Justice, however, the courts attempt to involve the victim more fully.

The courts have contracted with a private provider to hold "juvenile accountability conference". Through these conferences, victims are given the opportunity to face offenders and explain to the offender the true consequences of their actions and to have input on the consequences of their actions. This program has been shown to be very beneficial to victims and to have a serious impact on offenders.

In several communities, the courts, through local funding, have established restitution funds. Under this program, victims are paid damages immediately and the offender pays the restitution back, or completes community service hours equivalent to the damages paid out.

Accountability to the community means repaying the community for harm caused. A principle of restorative justice is that any crime hurts the peace and security of the community and that offenders have an obligation to rectify that harm. In response, all of the courts are involved in community service projects. Statewide, the courts are attempting to establish community service projects which are meaningful to both the community and to the juvenile. For example, the Williston juvenile court established a community garden where offenders plant, weed, and maintain a community garden. The produce is sold with profits going to the local victim restitution fund. The Valley City juvenile court undertook a project to have offenders plant trees and shrubs in the local parks. Much of the value of these programs involves the mentoring relationship of the supervisor.

The Balanced and Restorative Justice model also emphasizes the importance of building on the competency of the offender. That is, most, if not all, offenders need to improve in such skills as decision making and anger management.

The courts have emphasized a program known as "Keys to Innervisions". This program emphasizes that the juvenile accept responsibility for their behavior, understand that they have the power to change their behavior, and provide skills towards changing their behavior.

Community safety also involves controlling the whereabouts of certain offenders while they are in the community. This may mean electronic monitoring, drug and alcohol screening, and face-to-face intensive tracking. At times, it involves removal from the community to a correctional and residential setting.

The North Dakota Supreme Court, through the Juvenile Policy Board, established a Juvenile Drug Court Program. Two pilot courts were established, one in the Northeast judicial district and one in the East Central judicial district. They have been operational since May 1, 2000. Since that time there have been 56 participants and 20 successful graduations.

This is a post petition/post adjudication program with the option of dismissing the petition after the participant successfully completes the program. The program is aimed at intervening in alcohol and/or drug abuse and criminal behavior through intense supervision and participation in recovery services. Each court has a team which consists of a judge, prosecutor, public defender, treatment provider, juvenile court personnel, school representative, and a coordinator. This program is a 9 to 12 month agreement between the juvenile, parents, and drug court. This agreement means that the parents and child will appear weekly, if ordered, in front of the judge. At that time, the judge reviews the progress or lack of progress of the youth. The participants of this program are held accountable for school attendance and grades, employment, drug or alcohol usage, and community and family involvement.

Commission on Judicial Education

The Continuing Judicial Education Commission was established following adoption of Administrative Rule 36 by the Supreme Court. The commission is chaired by Judge Donald L. Jorgensen and is comprised of the chief justice, state and municipal court judges, a representative from the law school, juvenile court and court support staff for the courts of record. The commission develops policies and procedures concerning the implementation of a statewide continuing judicial education program for judges and personnel of the unified judicial system.

The commission was instrumental in the Supreme Court's decision to mandate that all supreme, district and municipal judges, judicial referees and magistrates, and juvenile court directors and court officers receive an identified number of hours of continuing education each biennium.

In 2002, the Commission began implementation of the strategic plan for judicial education. In part, this plan identifies specific long and short-term training needs for all judges and employees of the North Dakota judiciary. The plan will allow the Commission to focus on providing quality education that meets the direct needs of the judiciary and its employees. The plan will be revisited once each biennium to ensure it remains current with the educational needs of the judiciary.

Committee on Tribal and State Court Affairs

The Committee on Tribal and State Court Affairs was established following adoption of Administrative Rule 37 by the Supreme Court and is chaired by District Judge Donovan Foughty. The Committee is comprised of tribal and state court judges, tribal and state court support services representatives, and public members. It is intended to provide a vehicle for expanding awareness about the operation of tribal and state court systems; identifying and discussing issues regarding court practices, procedures, and administration which are of common concern to members of the two court systems; and for cultivating mutual respect for, and cooperation between, tribal and state courts.

Joint Committee on Attorney Standards

The Joint Committee on Attorney Standards was established following adoption of Administrative Rule 38 by the Supreme Court. The Committee, chaired by Alice Senechal of Grand Forks, is comprised of members appointed by the Chief Justice and the Board of Governors of the State Bar Association. During 2002, the Committee continued a study of lawyer diversion and lawyer assistance programs and began a review of the Rules of Professional Conduct in light of recently adopted ABA Model Rules.

Committees Established by Administrative Order

Gender Fairness Implementation Committee

The Gender Fairness Implementation Committee, chaired by Justice Mary Muehlen Maring, was established by Supreme Court Administrative Order 7 to oversee implementation of the recommendations of the Supreme Court's Commission on Gender Fairness in the Courts. It is further charged with monitoring the progress of the judicial branch in eliminating gender bias in the courts. During 2002, the Committee supported an application by the Supreme Court for federal STOP grant funds to prepare a domestic violence benchbook for judges, judicial referees, and selected court personnel. The grant was approved and work on the benchbook began in November, 2002.

Court Technology Committee

The Court Technology Committee, chaired by Judge Allan Schmalenberger, is comprised of representatives from the Supreme Court, District Courts, Clerks of Court, and State Court Administrator's Office. The committee is responsible for general oversight and direction of technology for the Judicial Branch.

In 2002, the Unified Court information Systems (UCIS) demonstrated what is perhaps the largest evolutionary change and growth in its history by becoming the single statewide case management system for the North Dakota Judicial Branch. This was achieved by completing the integration of Cass County in November, 2002. This process involved making several enhancements to UCIS and converting and integrating the data from Cass County's previous system.

In addition, the Court Technology Committee authorized adding the remaining 13 counties to UCIS. These counties are expected to be using UCIS by July, 2003.

Dickinson and Devils Lake Municipal Courts were also added and now use UCIS as the case management system for their courts. This brings the total number of municipalities using UCIS to six.

The data sharing capabilities that exist between the State's Attorney Management System (SAMS) and UCIS have been extended so data may still be shared with the two systems residing on separate computers. We continue to work with State's Attorneys and the Attorney General's office on a replacement for SAMS.

The Court Technology Committee continued with the project to provide full text of protection orders to law enforcement. This is a joint venture between the Judicial Branch, the Bureau of Criminal Investigation, State Radio Communications, Victim Advocate Groups, and others. This project is expected to be completed in early 2003.

We began working with the North Dakota Highway Patrol on a project to transfer citation data electronically from the North Dakota Highway Patrol's in-car citation system to UCIS. This is an ongoing project, with an expected implementation date in mid-2003.

Access to district court case information is available to other criminal justice related personnel. Currently, web-based access is provided to nearly 200 non-judicial personnel, and UCIS access is provided to approximately 125 non-judicial personnel.

The Court Technology Committee expanded the use of interactive television (ITV) to the Southeast Judicial District. They will be using ITV for mental health proceedings. Cass County is also working towards using ITV between the Cass County jail and the Cass County Courthouse for persons in custody.

Based on requests from the district judges, a web-based interactive child support calculator was developed.

We continue to work with the state's Criminal Justice Information Sharing (CJIS) initiative. This initiative is a joint, multi-branch of government effort to facilitate sharing of criminal justice information.

The technology department's Help Desk provides technical support to all judicial branch employees and clerk of court personnel.

Committees Established by Administrative Policy

Personnel Policy Board

The Personnel Policy Board was established following adoption of Administrative Policy 106 by the Supreme Court. The board is chaired by Judge Mikal Simonson and is comprised of a supreme court justice, district court

judges, supreme court department heads, and employees of the supreme and district courts. The board is tasked with the responsibility of reviewing and implementing the personnel system and developing a salary administration plan for the judiciary. In 2002 the board's primary focus centered around a review of the current pay and classification system. The review will continue through June of 2003.

Trial Court Legal Research Assistance Committee

The Trial Court Legal Research Assistance Committee, chaired by Judge David Nelson, was created in 1999. The committee provides technical assistance and management assistance to trial courts in the state. During 2002, the committee began a review of the Lexis service, our present CALR provider, and looked at a West proposal to offer Westlaw to the district court judges, all in preparation for contract negotiations at the end of the biennium.

Committee on Caseflow Management

The Committee on Caseflow Management, chaired by Judge Allan Schmalenberger, has been established to review district case management plans and practices; to ensure early court intervention and continuous court control over case progress; develop strategies for differentiated case management; creation of realistic and credible trial dates; and the development of strategies to ensure oversight of all court related case events. The Committee of 16 is made up of judges from each judicial district, two bar representatives, court administrative personnel, public defenders, and state's attorneys representatives.

The Committee meets at the call of the chair, but usually quarterly.

Trial Court Operations Committee

A newly created trial court operations committee, chaired by Judge David Nelson, is to develop and maintain a current clerk of court procedures manual; review the operations of various clerk of court operations for consistent application of statutes, rules, and policies; develop and maintain forms for use statewide; and review matters assigned by the Council of Presiding Judges.

This seven member committee, appointed by the chief justice, includes two district judges, two trial court administrative representatives, and three clerks of district court.

Disciplinary Board

The Disciplinary Board was established to provide a procedure for investigating, evaluating, and acting upon complaints alleging unethical conduct by attorneys licensed in North Dakota. The Rules of Professional Conduct are the primary guide for lawyer conduct and the North Dakota Rules for Lawyer Discipline provide the procedural framework for the handling and disposition of complaints. By Supreme Court rule, the Joint Committee on Attorney Standards provides the vehicle for the coordinated, complementary, and continuing study and review of the range of issues concerning attorney conduct and discipline.

When a written complaint alleging attorney misconduct is received, it is filed with the Board's secretary and referred to the District Inquiry Committee Northeast, Southeast or West of the State Bar Association. The chair of the respective committee reviews the complaint and, if appropriate, assigns the complaint for investigation to a member of the committee or staff counsel. If the complaint, on its face, does not indicate misconduct, an investigation will not be initiated and the matter will be referred to the committee for summary dismissal. Actions available to district inquiry committees include dismissal, issuing an admonition, probation with the consent of the respondent attorney, or directing that formal proceedings be instituted.

Formal proceedings are instituted when a petition for discipline is filed which outlines the charges against the attorney. A hearing panel is appointed by the chair of the Disciplinary Board to consider the petition and other evidence regarding it, make findings and a recommendation, and enter appropriate orders. Present and past members of the Board may serve as hearing panel members. Recommendations of the hearing panel which do not result in dismissal, consent probation, or reprimand are filed directly with the Court. The Court's standard of review in these instances is *de novo* on the record. The hearing panel may enter orders of dismissal, consent probation or reprimand; however, they are subject to a petition for review that is filed with the Court. This petition must show that the panel acted arbitrarily, capriciously or unreasonably.

Non-lawyer citizens are members of the District Inquiry Committees and the Disciplinary Board. All members of the Board and the Inquiry Committees are volunteers and are asked to review what, at times, can be very time-consuming matters. While many complaints are dismissed as groundless, the amount of volunteer time needed to run the system is significant.

Following is a summary of complaint files under consideration in 2002.

New Complaint Files Opened in 2002	219
General Nature of Complaints:	
Client Funds & Property	10
Conflict of Interest	12
Criminal Convictions	0
Disability/Incapacity to Practice Law	1
Excessive Fees	10
Failure to Communicate/Cooperate with Client	10
Improper Conduct	92
Incompetent Representation	68
Misappropriation/Fraud	4
Neglect/Delay	7
Petition for Reinstatement	0
Unauthorized Practice of Law	5
TOTAL	219
Formal Proceedings Pending From Prior Years	23
Other Complaint Files Pending From Prior Years	42
Appeals Filed with Disciplinary Board in 2002	30
Appeals Filed with Supreme Court in 2002	2
Total Files for Consideration in 2002	316
Disposition of Complaint Files:	
Dismissed by Inquiry Committees	114
Dismissed without Prejudice by Inquiry Committees	1
Summary Dismissals by Inquiry Committees	50
Admonitions Issued by Inquiry Committees	15
Consent Probation by Inquiry Committees	0
Disciplinary Board Approves IC Dismissal	21
Disciplinary Board Disapproves IC Disposition	1
Disciplinary Board Approves IC Admonition	3
Disciplinary Board Approves Consent Probation	0
Dismissal by Hearing Panel	4
Reprimand by Hearing Panel	3
Reprimand by Supreme Court	1
Reinstatement by Supreme Court	1
Suspensions by Supreme Court	3
Disbarments by Supreme Court	12*
Interim Suspension by Supreme Court	1
Formal Proceedings Pending 12/31/02	12
Other Complaint Files Pending 12/31/02	75
TOTAL	317*
	*

*12 files resulted in the disbarment of three attorneys.

**Number includes an interim suspension by the Supreme Court.

Judicial Conduct Commission

The Judicial Conduct Commission was established in 1975 to receive, investigate, and evaluate complaints against any judges or officer of the judicial system in this state and, when necessary, conduct hearings concerning the discipline, removal, or retirement of any judge.

The procedures of the Commission are set forth in the North Dakota Rules of the Judicial Conduct Commission. Significant procedural changes, effective August 1, 1997, include evaluation of the complaint and summary dismissal by Disciplinary Counsel, after providing an opportunity for Commission members to request further consideration. An admonition (formerly a private censure) now requires the consent of the judge. Complaints are now filed with Disciplinary Counsel for the Commission, with the Clerk of the Supreme Court relieved of all ex officio administrative duties for the Commission. As before, the Supreme Court must take final action on public censure, removal, suspension, retirement, or other public discipline against a judge.

The number of complaints against judges in 2002 was down by four from those filed in 2001. The plurality were dismissed as being without merit because complainants frequently believe the Commission has the authority to change a judge's decision or influence trial proceedings in some way.

The table, which follows, includes a summary of the nature and the disposition of complaints filed with the Judicial Conduct Commission in 2002.

New Complaints Opened in 2002	42
General Nature of Complaints:	
Abuse of authority/prestige	2
Admin. irregularity	1
Bias, discrimination/partiality	5
Failure to disqualify	1
Failure to perform duties	1
Education requirements	6
Election violations	1
Improper conduct on bench	1
Improper decision/ruling	22
Incompetence as judge	1
Reputation of judicial office	1
TOTAL	42
Complaint Files Carried Over from 2001	13
Total Files Pending Consideration in 2002	55
Disposition of Complaints:	
Summarily Dismissed	37
Dismissed	2
Dismissed because of resignation	1
Admonition by the Judicial Conduct Commission	0
Censure by the Supreme Court	2
Suspension	0
Total 2002 Dispositions	42
Complaint Files Pending as of 12/31/02	13

Of the new complaints filed in 2002:
30 were against 23 District Court Judges
11 were against 10 Municipal Court Judges
1 was against a Referee

State Board of Law Examiners

The State Board of Law Examiners was created by statute to assist the Supreme Court in its constitutional responsibility to regulate the admission to practice.

In 2002, Board members were Rebecca S. Thiem of the Bismarck firm of Zuger, Kirmis & Smith; Mark L. Stenehjem of the Williston firm of Winkjer, McKennett, Stenehjem, Reierson & Forsberg; and Paul F. Richard of MeritCare Health System in Fargo.

On July 30 and 31, the Board administered a two-day bar examination. The examination consisted of the Multistate Performance Test (MPT), a written three-hour examination consisting of two ninety-minute tasks that examine fundamental lawyering skills, including problem solving, legal analysis and reasoning, factual analysis, communication, organization and management of a legal task, and recognizing and resolving ethical dilemmas; the Multistate Essay Examination (MEE), a written three-hour examination consisting of six questions from pre-selected topic areas; and the Multistate Bar Examination (MBE), an objective six-hour multiple choice exam.

No February bar exam is offered in North Dakota.

Passage rates for the 2002 examination:

Exam	# Apps.	# Pass/ % Pass	# UND Grads	# Pass/ % Pass
7/02	34	29/85%	27	26/96%

Admission to the practice of law in North Dakota can be based not only on the results of the written bar examination, but on five years of admission with at least four years of practice in another jurisdiction, or, upon achieving a score of 150 on the Multistate Bar Examination (MBE) and admission in another jurisdiction within two years of application. Every applicant for admission must also be at least 18 years old, of good moral character, fit to practice law, and been awarded a juris doctor or equivalent degree from a law school, approved or provisionally approved, for accreditation by the ABA. The Character and Fitness Committee assists the Board in investigating applicants' character, fitness and moral qualifications. In 2002, members of the Committee were: Charles S. Miller, Malcolm H. Brown, Luella Dunn, Reverend Robert Nordvall, and Dr. Al Samuelson, all of Bismarck.

Of the 39 attorneys admitted in 2002, 26 were by bar examination; four by achieving the 150 MBE score and admission in another state; and nine by having the requisite years of practice in another state.

In 2002, the Board, in its licensing capacity, issued licenses to 1,834 lawyers and judges, 393, or 21%, of whom were women.

As a part of its licensing and admission responsibilities, the Board monitors the pro hac vice admission of attorneys who are not licensed in North Dakota. During 2002, 152 nonresident attorneys filed motions under N.D.R. Ct. 11.1, and \$12,600 in fees were collected. The fees were forwarded to the State Bar Association of North Dakota to help fund the attorney disciplinary system.

North Dakota Judicial Conference

The North Dakota Judicial Conference was originally established as an arm of the judicial branch of state government in 1927. At that time, the organization was known as the North Dakota Judicial Council. Present statutory language covering the Judicial Conference is found in N.D.C.C. Ch. 27-15.

There are currently sixty-four members of the Judicial Conference. The conference consists of all Supreme Court justices and district court judges. Other members are the attorney general; the dean of the University of North Dakota School of Law; the clerk of the Supreme Court; two judges of the municipal courts, as appointed by the Municipal Judges Association; and five members of the North Dakota Bar Association who are appointed by the Bar Association. All surrogate judges, as appointed by the Supreme Court under N.D.C.C. §27-17-03, are also conference members.

The members of the conference serve during the time they occupy their respective official positions. The term of office of the two municipal judges is two years. The term of office for the five members of the bar is five years. Vacancies on the Judicial Conference are filled by the authority originally selecting the members.

The state court administrator serves as the executive secretary of the Judicial Conference.

The officers of the Judicial Conference consist of the chair and chair-elect, who are selected for a term of two years by the members of the conference. In addition, there is an executive committee consisting of the chair, chair-elect, a justice of the Supreme Court elected by the Supreme Court, and two district judges elected by the Association of District Judges.

Under North Dakota law, the Judicial Conference is required to meet twice each year. These meetings are usually held in June and November. Special meetings, however, may be called by the chair. While members of the Judicial Conference are not compensated for their services, they are reimbursed for their expenses while discharging their conference duties.

The Judicial Conference has four major duties:

1. Solicit, receive, and evaluate suggestions relating to the improvement of the administration of justice.
2. Consider and make recommendations to the Supreme Court for changes in rules, procedures, or any matter pertaining to the judicial system.
3. Coordinate continuing judicial education efforts for judges and support staff.
4. Establish methods for review of proposed legislation which may affect the operation of the judicial branch.

Several committees have been established to support the activities of the full conference. The committees and respective committee chairs during 2002 were as follows:

1. Program Planning Committee, vacant.
2. Committee on Legislation, Judge Gail Hagerty, Chair.
3. Committee on Judicial Compensation, co-chairs Justice William Neumann and Judge Ralph R. Erickson.
4. Jury Standards Committee, Judge Robert Holte, Chair.

Committee membership results from appointment by the chair after consultation with the Executive Committee of the Judicial Conference. The bylaws provide that non-conference members can serve on either standing or special committees.

The officers and Executive Committee of the Judicial Conference during 2002 were as follows:

Judge James M. Bekken, Chair

Judge John T. Paulson, Chair-Elect

Justice Dale V. Sandstrom, Past Chair

Judge Ronald E. Goodman., Executive Committee

Justice Mary Muehlen Maring, Executive Committee

Judge Robert O. Wefald, Executive Committee

North Dakota Judicial Conference

Judges of the Supreme Court

Gerald W. VandeWalle
William A. Neumann

Dale V. Sandstrom

Mary Muehlen Maring
Carol Ronning Kapsner

Judges of the District Court

East Central District

*Michael O. McGuire
Norman J. Backes
Georgia Dawson
Ralph R. Erickson
John C. Irby
Lawrence A. Leclerc
Frank L. Racek
Cynthia Rothe-Seeger

Northeast District

*M. Richard Geiger
Lee A. Christofferson
Laurie A. Fontaine
Donovan Foughty
Lester Ketterling
John C. McClintock, Jr.

Northeast Central District

*Debbie Kleven
Bruce E. Bohlman
Karen K. Braaten
Lawrence E. Jahnke
Joel D. Medd

Northwest District

*Robert W. Holte
Gary A. Holum
William W. McLees
David W. Nelson
Everett Nels Olson
Gerald H. Rustad

South Central District

*Benny A. Graff
Gail Hagerty
Bruce B. Haskell
Donald L. Jorgensen
Burt L. Riskedahl
Bruce Romanick
Thomas J. Schneider
Robert O. Wefald

Southeast District

*John T. Paulson
James M. Bekken
Ronald E. Goodman
John E. Greenwood
Richard W. Grosz
Mikal Simonson

Southwest District

*Allan L. Schmalenberger
Zane Anderson
Ronald L. Hilden

Judges of the Municipal Courts

Robert A. Keogh
Julie Evans

Surrogate Judges of the Supreme and District Courts

William M. Beede
Gerald G. Glaser
William F. Hodny

Gordon O. Hoberg
Jon R. Kerian

James H. O'Keefe
Kirk Smith

Attorney General Wayne K. Stenehjem
Clerk of the Supreme Court Penny Miller
Dean of the UND School of Law Jeremy Davis

Members of the Bar

Steven J. Lies
Sherry Mills Moore

Michael D. Sturdevant

James S. Hill
Michael F. Daley

Executive Secretary Ted C. Gladden

65 Members