

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3001

Introduced by

Legislative Council

(Budget Committee on Government Finance)

1 A concurrent resolution directing the Legislative Council to study the feasibility and desirability
2 of funding the office of the clerk of district court through the unified judicial system.

3 **WHEREAS**, the people of this state approved a new judicial article of the Constitution of
4 North Dakota in 1976 establishing a unified judicial system consisting of a Supreme Court, a
5 district court, and such other courts as may be provided by law; and

6 **WHEREAS**, subsequent initial efforts resulted in substantial unification of the judicial
7 system through consolidation of county courts by the 1981 Legislative Assembly; and

8 **WHEREAS**, the 1991 Legislative Assembly considered further unification of the judicial
9 system, enacting bills that provided a transitional process for establishing a single trial court of
10 general jurisdiction by abolishing county courts and providing for additional district court
11 judgeships but providing for the reduction in the total number of judges from 53 to 42 before
12 January 2, 2001; and

13 **WHEREAS**, the 1989 Legislative Assembly enacted North Dakota Century Code
14 Section 11-17-11, which provides a county option to transfer responsibility for funding the office
15 of the clerk of district court to the state; and

16 **WHEREAS**, although this option provides a method of alleviating the cost to the
17 counties of supporting district court functions, appropriations have not been provided to fund
18 this option; and

19 **WHEREAS**, the feasibility and desirability of state funding of the office of the clerk of
20 district court should be studied to assure that any changes made will benefit the citizens of the
21 state and will serve the interests of the judicial system;

22 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
23 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

24 That the Legislative Council study the feasibility and desirability of funding the office of
25 the clerk of district court through the unified judicial system; and

- 1 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
- 2 recommendations, together with any legislation required to implement the recommendations, to
- 3 the Fifty-sixth Legislative Assembly.