MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M

ROLL NUMBER

DESCRIPTION

2105

2005 SENATE JUDICIARY

SB 2105

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2105

Senate Judiciary Committee

☐ Conference Committee

Hearing Date January 11, 2005

Tape Number	Side A	Side B	Meter #
1	X		4793 - 5440
Committee Clerk Signature	Mona L Solberg		

Minutes: Relating to the state juvenile service coordinator.

Senator John (Jack) T. Trainer, Chairman called the Judiciary committee to order. All Senators were present. The hearing opened with the following testimony:

Testimony In Support of the Bill:

Mr. Gladden State Court Administrator (meter 4793) Gave testimony. Att. #1. (meter 4793)

Sen. Traynor discussed fiscal note.

Testimony in Opposition of the Bill:

None

Senator John (Jack) T. Trainer, Chairman closed the Hearing

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2105

Senate Judiciary Committee

☐ Conference Committee

Hearing Date January 18, 2005

Tape Number	Side A	Side B	Meter #
1	X		1110-1200
Committee Clerk Signature Mona L Solberg			

Minutes: Relating to the state juvenile service coordinator.

Senator John (Jack) T. Trainer, Chairman called the Judiciary committee to order. All Senators were present. The hearing opened with the following:

Sen. Nelson made the motion to Do Pass SB 2105 and **Senator Hacker** seconded the motion.

All committee members were in favor and the motion passes

Carrier: **Senator Hacker**

Senator John (Jack) T. Trainer, Chairman closed the Hearing

FISCAL NOTE

Requested by Legislative Council

12/20/2004

Bill/Resolution No.: SB 2105

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			$0	$0		
Expenditures			$0	$0		
Appropriations			$0	$0		

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

SB 2105 repeals the statute relating to the state juvenile services coordinator.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*
   A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

   B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

   C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Ted Gladden	**Agency:**	Supreme Court
Phone Number:	328-4216	**Date Prepared:**	12/22/2004

Date: 2/18/05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2105

Senate Judiciary Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen Nelson Seconded By Sen. Hacker

Senators	Yes	No	SenatorsSen. Nelson	Yes	No
Sen. Traynor	✓		Sen. Nelson	✓	
Senator Syverson	✓		Senator Triplett	✓	
[redacted]ator Hacker	✓				
[redacted]. Trenbeath	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Hacker.

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2105: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2105 was placed on the Eleventh order on the calendar.

2005 HOUSE JUDICIARY

SB 2105

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2105

House Judiciary Committee

☐ Conference Committee

Hearing Date 2/15/05

Tape Number	Side A	Side B	Meter #
1	xx		0-5.7
Committee Clerk Signature Dawn Penrose			

Minutes: 13 members present, 1 member absent (Rep. Bernstein).

Chairman DeKrey: We will open the hearing on SB 2105.

Ted Gladden, State Court Administrator: Support (see written testimony).

Representative Delmore: Can you explain the fiscal note to me.

Ted Gladden: There is no fiscal impact because the duties have just been realigned to other personnel, we did not delete an individual and there will no addition. It's just been absorbed with other people having those duties.

Representative Klemin: On page 1, in the last paragraph of your testimony, the second line of that paragraph, we now have one individual designated as a director of juvenile court services in each of our four administrative units. Does that mean you have four people designated as directors.

Ted Gladden: We have four people who are designated as the director for that administrative unit. All of the other 12 offices that I referred to earlier, they all report to one director of juvenile court services in each administrative unit who oversees all the day-to-day program activities.

Representative Klemin: It wasn't clear to me whether you had one person in each of the four units, or one person for all four units, but there's 4 people.

Ted Gladden: That's correct.

Chairman DeKrey: Thank you. Further testimony in support, testimony in opposition. We will close the hearing. What are the committee's wishes in regard to SB 2105.

Representative Maragos: I move a Do Pass.

Representative Koppelman: Seconded.

13 YES 0 NO 1 ABSENT **DO PASS** **CARRIER: Rep. Maragos**

Date: 2/15/05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2105

HOUSE JUDICIARY COMMITTEE

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Maragos Seconded By Rep. Koppelman

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey	✓		Representative Delmore	✓	
Representative Maragos	✓		Representative Meyer	✓	
Representative Bernstein	A		Representative Onstad	✓	
Representative Boehning	✓		Representative Zaiser	✓	
Representative Charging	✓				
Representative Galvin	✓				
Representative Kingsbury	✓				
Representative Klemin	✓				
Representative Koppelman	✓				
Representative Kretschmar	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. Maragos

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2105: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2105 was placed on the Fourteenth order on the calendar.

2005 TESTIMONY

SB 2105

Att #1

Testimony Before the Senate Judiciary Committee on SB 2105 by Ted Gladden, State Court Administrator

Chairman Traynor and members of the Senate Judiciary Committee, I am appearing today in support of SB 2105 to repeal § 27-02-05.2, NDCC, relating to the state juvenile services coordinator position.

The position of state juvenile services coordinator was established in 1977. It was created at a time when there was a recognition that juvenile court services needed to be coordinated. In fact, if my memory serves me correctly, Corliss Mushik and Aloha Eagles were two legislators who were prime movers behind this piece of legislation recognizing the need for greater coordination of juvenile court services. Since 1977, there have been a host of changes in the administration of our juvenile courts. When this law was enacted, every juvenile court was overseen by a judge or judges in one of the 12 cities the offices were located. There was minimal coordination of juvenile programs and a lack of consistency of forms and operating procedures. In 1981, the juvenile court personnel became state employees as part of our unified court system providing a basis to begin implementing systemwide policies.

With the most recent step that occurred, with the administrative reorganization of the district courts effective August 1, 2004, we now have one individual designated as a director of juvenile court services in each of our four administrative units. That individual takes their direction from a local court administrator who is answerable to the state court administrator. We have a Juvenile Policy Board in place to oversee juvenile court policy and provide guidance and direction to our juvenile court

personnel. Our personnel are also answerable to the Administrative Council on all administrative matters that do not relate to juvenile program initiatives. The directors meet monthly with the assistant state court administrator for trial courts to discuss operational issues.

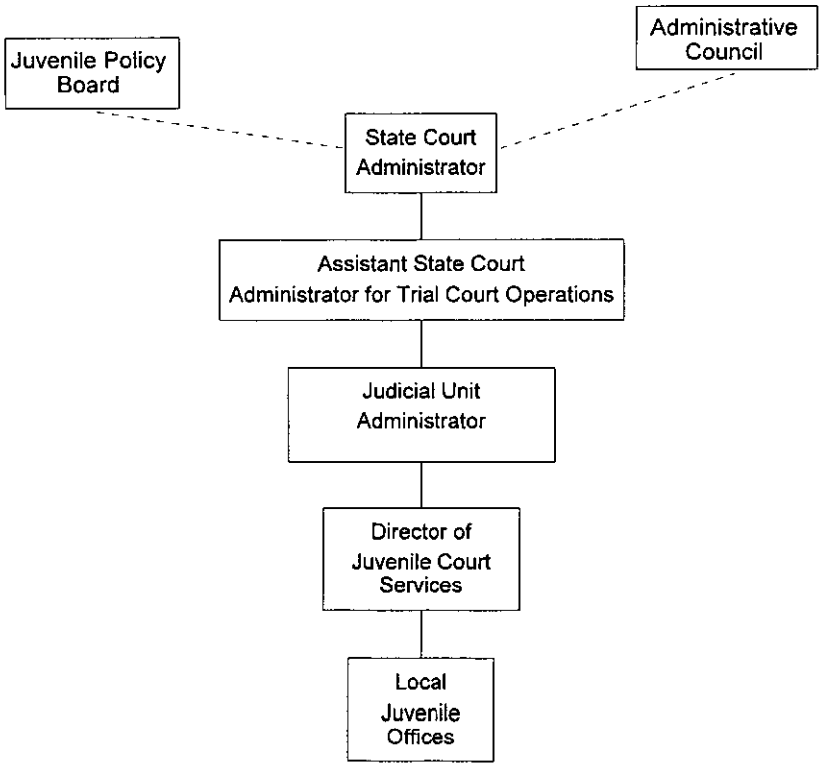
The point is that our system of administration has changed dramatically since 1977. We now have a director of finance, a director of technology, a director of human resources, and one individual under the director of human resources who is responsible for all staff training initiatives. These individuals are part of the staff of the Office of State Court Administrator. We have outgrown what was contemplated in 1977 of one individual coordinating all juvenile court services and activities throughout the state. While we have also changed our delivery system, I would submit we are doing a more effective job of developing uniform operating procedures and practices for juvenile court personnel, providing mechanisms to assure communications with other justice system providers, and providing coherent and coordinated services throughout the state. All of our juvenile courts now utilize one common case management system for the administration of the cases. We also have developed a risk assessment tool that is used by all of our offices in making intake decisions regarding services provided by our juvenile courts. Louie Hentzen, the Assistant State Court Administrator for Trial Court Operations, has been designated as the juvenile services coordinator by the Supreme Court and oversees juvenile court activities as well as serving as staff to the Juvenile Policy Board.

This is the only judicial system position that is provided specifically for by statute. The statute is unnecessary as the services are being provided as part of our unified court personnel system. The services are being provided and are recognized

as a legitimate responsibility under the Supreme Court through the direction of the State Court Administrator's Office.

Thank you.

Administrative Organization
ND Juvenile Court Personnel



Testimony Before the
House Judiciary Committee
on SB 2105
by Ted Gladden, State Court Administrator

Chairman DeKrey and members of the House Judiciary Committee, I am appearing today in support of SB 2105 to repeal § 27-02-05.2, NDCC, relating to the state juvenile services coordinator position.

The position of state juvenile services coordinator was established in 1977. It was created at a time when there was a recognition that juvenile court services needed to be coordinated. In fact, if my memory serves me correctly, Corliss Mushik and Aloha Eagles were two legislators who were prime movers behind this piece of legislation recognizing the need for greater coordination of juvenile court services. Since 1977, there have been a host of changes in the administration of our juvenile courts. When this law was enacted, every juvenile court was overseen by a judge or judges in one of the 12 cities the offices were located. Juvenile court services were county funded. There was minimal coordination of juvenile programs and a lack of consistency of forms and operating procedures. In 1981, the juvenile court personnel became state employees as part of our unified court system providing a basis to begin implementing systemwide policies.

With the most recent step that occurred, with the administrative reorganization of the district courts effective August 1, 2004, we now have one individual designated as a director of juvenile court services in each of our four administrative units. That individual takes their direction from a local court administrator who is answerable to the state court administrator. We have a Juvenile Policy Board in place to oversee juvenile court policy and provide program guidance and direction to our juvenile

court personnel. Our personnel are also answerable to the Administrative Council on all administrative matters that do not relate to juvenile program initiatives. The directors meet monthly with the assistant state court administrator for trial courts to discuss operational issues.

The point is that our system of administration has changed dramatically since 1977. We now have a director of finance, a director of technology, a director of human resources, and one individual under the director of human resources who is responsible for all staff training initiatives. These individuals are part of the staff of the Office of State Court Administrator. We have outgrown what was contemplated in 1977 of one individual coordinating all juvenile court services and activities throughout the state. While we have also changed our delivery system, I would submit we are doing a more effective job of developing uniform operating procedures and practices for juvenile court personnel, providing mechanisms to assure communications with other justice system providers, and providing coherent and coordinated services throughout the state. All of our juvenile courts now utilize one common case management system for the administration of the cases. We also have developed a risk assessment tool that is used by all of our offices in making intake decisions regarding services provided by our juvenile courts. Louie Hentzen, the Assistant State Court Administrator for Trial Court Operations, has been designated as the juvenile services coordinator by the Supreme Court and oversees juvenile court activities as well as serving as staff to the Juvenile Policy Board.

This is the only judicial system position that is provided specifically for by statute. The statute is unnecessary as the services are being provided as part of our unified court personnel system. The services are being provided and are recognized

as a legitimate responsibility under the Supreme Court through the direction of the State Court Administrator's Office.

Thank you.