

Sixtieth
Legislative Assembly
of North Dakota

SENATE CONCURRENT RESOLUTION NO. 4004

Introduced by

Senators Triplett, Fiebiger, Lyson

Representatives DeKrey, Delmore, Klemin

1 A concurrent resolution directing the Legislative Council to study the respective responsibilities
2 of county and state judicial system personnel under the Uniform Juvenile Court Act in light of
3 statutory ambiguities in defining those responsibilities.

4 **WHEREAS**, the Uniform Juvenile Court Act, Chapter 27-20, was enacted in 1969 and
5 has been amended numerous times in following years; and

6 **WHEREAS**, during the years after the Act's enactment the structure of this state's
7 judicial system and the relationships between county personnel and state judicial system
8 personnel have changed substantially as a result of legislative enactments; and

9 **WHEREAS**, the current Act provides for numerous actions in the adjudication of juvenile
10 court cases, including preparation of petitions, service of notice, and presentation of evidence,
11 but is ambiguous in defining institutional responsibilities for ensuring these actions are
12 effectively and appropriately carried out; and

13 **WHEREAS**, these ambiguities pose difficulties concerning intrusions into respective
14 executive and judicial branch spheres of authority and the blurring of institutional lines of
15 responsibilities; and

16 **WHEREAS**, in light of the involvement and respective roles, and institutional interests,
17 of county and state personnel and officials in the adjudication of juvenile court cases, a
18 thorough review of those roles and interests and applicable statutes would aid in ensuring
19 proper execution of the Act's objectives;

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

22 That the Legislative Council study the respective responsibilities of county and state
23 judicial system personnel under the Uniform Juvenile Court Act in light of statutory ambiguities
24 in defining those responsibilities; 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 Sixty-first Legislative Assembly.