

TESTIMONY OF REP. LAWRENCE R. KLEMIN
SENATE JUDICIARY COMMITTEE
HOUSE BILL NO. 1499
APRIL 9, 2025

Members of the Senate Judiciary Committee. I am Lawrence R. Klemin, Representative for District 47 in Bismarck. I am here to testify in support of House Bill No. 1499. This bill relates to a confidential records exception for a Justice of the United States, federal judge, or magistrate judge.

The “Sunshine Law” in the North Dakota Constitution requires records of governmental bodies to be open to the public unless otherwise provided by law. Article XI, Section 6 provides:

Section 6. [Open records]

Unless otherwise provided by law, all **records** of public or governmental bodies, boards, bureaus, commissions, or agencies of the state or any political subdivision of the state, or organizations or agencies supported in whole or in part by public funds, or expending public funds, shall be public records, open and accessible for inspection during reasonable office hours.

Section 44-04-17(3) of the North Dakota Century Code defines a “**confidential record**” as follows:

3. “Confidential meeting” or “**confidential record**” means all or part of a record or meeting that is either expressly declared confidential or is prohibited from being open to the public.

Section 44-04-18.3 currently provides that the telephone number and home address of prosecutors, state court officials, law enforcement employees, and correctional facility employees are confidential records and may not be disclosed. The purpose of HB 1499 is to add Justices of the United States, federal court judges, and magistrate judges to the list of people whose telephone numbers and home addresses are confidential records and may not be disclosed. Federal justices and judges should be protected the same as state court justices and judges. A complete copy of Section 44-04-18.3 is attached to my testimony for your ease of reference.

Also attached to my testimony is a letter from U.S. District Judge Daniel Traynor of Bismarck citing incidents in the past decade where state and federal judges have been attacked. Serious threats to judges have increased by more than 400%.

Members of the Committee, I urge you to include federal court officials in Section 44-04-18.3 and to recommend “do pass” on HB 1499. Thank you.

Rep. Lawrence R. Klemin
District 47, Bismarck