

Introduced by

Senators Watne, Traynor, W. Stenehjem

Representatives R. Kelsch, Kretschmar, Oban

1 A BILL for an Act to amend and reenact section 54-06-20 of the North Dakota Century Code,
2 relating to the composition of the indigent civil legal services fund advisory committee and to
3 the permissible uses and limitations on funds distributed by the committee.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 54-06-20 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-06-20. Indigent civil legal services fund - Distribution - Continuing**
8 **appropriation - Records.**

- 9 1. An advisory committee consisting of the lieutenant governor, the ~~attorney general~~
10 director of the office of management and budget or the ~~attorney general's~~
11 director's designee, and the state court administrator shall distribute moneys
12 deposited in the indigent civil legal services fund. Qualified legal service programs
13 may apply for moneys in the fund. The moneys in the fund must be distributed to
14 legal service programs operating in the state which provide, with funds
15 appropriated by the federal legal services corporation, legal services to persons
16 unable to afford private counsel. Allocation of funds among the programs must be
17 based on the population served by each program, the range of legal services
18 offered, alternative sources of funding, and other factors deemed relevant by the
19 advisory committee. The moneys deposited in the indigent civil legal services fund
20 in the state treasury are hereby appropriated to the advisory committee on a
21 continuing basis for the purpose of implementing and administering a program to
22 provide civil legal assistance to indigent individuals.
- 23 2. Recipients of funds distributed by the advisory committee shall comply with the
24 federal Legal Services Corporation Act [42 U.S.C. 2996 et seq.].

- 1 3. Subject to the limitations in this section, funds distributed under subsection 1 may
2 be used to provide legal services to persons unable to afford private counsel in the
3 following types of cases:
- 4 a. Public benefits, including temporary assistance to needy families,
5 unemployment compensation, general assistance, food stamps, supplemental
6 security income, or social security disability income;
- 7 b. Medical assistance;
- 8 c. Family law matters;
- 9 d. Housing;
- 10 e. Consumer issues; and
- 11 f. Elder law.
- 12 4. The advisory committee and each recipient of funds from the indigent civil legal
13 services fund shall maintain records in accord with the generally accepted
14 accounting principles. The records must account for the receipt and expenditure of
15 all funds distributed and received and must be maintained for a period of five years
16 from the close of the fiscal year in which the funds are distributed or received or
17 until audited, whichever is sooner.