

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2161

Introduced by

Senators Carlisle, Armstrong, Heckaman

Representatives M. Johnson, Karls, Maragos

1 A BILL ~~for an Act to create and enact a new chapter to title 27 of the North Dakota Century~~
2 ~~Code, relating to the establishment of an interdisciplinary committee on problem-solving courts;~~
3 ~~and to provide an expiration date.~~ for an Act to create and enact a new chapter to title 27 of the
4 North Dakota Century Code, relating to the establishment of an interdisciplinary committee on
5 problem-solving courts.

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

7 ~~— **SECTION 1.** A new chapter to title 27 of the North Dakota Century Code is created and~~
8 ~~enacted as follows:~~

9 ~~— Interdisciplinary committee on problem-solving courts – Report to legislative~~
10 ~~management.~~

11 ~~— 1. The interdisciplinary committee on problem-solving courts is established as a~~
12 ~~collaborative mechanism to acquire and analyze relevant information related to the~~
13 ~~need for and feasibility of establishing problem-solving courts in this state. For~~
14 ~~purposes of this chapter, a "problem-solving court" is a juvenile or adult drug court,~~
15 ~~mental health court, veterans court, or other specialized court comprised of~~
16 ~~interdisciplinary teams, enhanced judicial involvement, court-supervised treatment~~
17 ~~programs, and other components designed to achieve effective alternatives to~~
18 ~~traditional case dispositions.~~

19 ~~— 2. The interdisciplinary committee on problem-solving courts consists of:~~

20 ~~— a. A justice of the supreme court appointed by the chief justice.~~

21 ~~— b. A presiding judge elected by the judicial system administrative council.~~

22 ~~— c. The executive director of the department of human services, or the director's~~
23 ~~designee.~~

- 1 ~~_____ d. The director of the department of corrections and rehabilitation, or the director's~~
2 ~~designee.~~
- 3 ~~_____ e. A state's attorney appointed by the state's attorneys' association.~~
- 4 ~~_____ f. A defense attorney appointed by the commission on legal counsel for indigents.~~
- 5 ~~_____ g. A representative of chemical, mental health, or other treatment providers in the~~
6 ~~state as agreed upon by the committee members.~~
- 7 ~~_____ h. One member appointed by the North Dakota peace officers association.~~
- 8 ~~_____ i. The executive director of the department of veterans' affairs.~~
- 9 ~~_____ 3. The chief justice designates the chairman and vice chairman of the interdisciplinary~~
10 ~~committee.~~
- 11 ~~_____ 4. With the consent of committee members, the chairman of the interdisciplinary~~
12 ~~committee may temporarily supplement membership to assist in the review of whether~~
13 ~~establishment of a problem-solving court should be recommended.~~
- 14 ~~_____ 5. The interdisciplinary committee shall meet at least quarterly but must timely consider~~
15 ~~any requests for evaluation of the establishment of a problem-solving court.~~
- 16 ~~_____ **Functions and duties.**~~
- 17 ~~_____ The interdisciplinary committee on problem-solving courts shall:~~
- 18 ~~_____ 1. Acquire and analyze information and data, including budgetary requirements and~~
19 ~~funding sources, regarding whether establishment of a problem-solving court in a~~
20 ~~judicial district should be considered.~~
- 21 ~~_____ 2. Determine the feasibility of establishing a problem-solving court in a judicial district,~~
22 ~~including the availability of judicial and nonjudicial resources.~~
- 23 ~~_____ 3. Based on relevant data and analysis, report findings and recommend proposed~~
24 ~~legislation to the legislative management.~~
- 25 ~~_____ 4. Review requests to establish problem-solving courts and submit recommendations to~~
26 ~~the legislative management regarding whether a particular problem-solving court~~
27 ~~should be established.~~
- 28 ~~_____ 5. Establish a mechanism for monitoring and evaluating the effectiveness of established~~
29 ~~problem-solving courts and related treatment services.~~

1 ~~— **Staff services.**~~

2 ~~— The interdisciplinary committee on problem-solving courts may request appropriate staff~~
3 ~~services from the office of the state court administrator.~~

4 ~~— **SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2017, and after that~~
5 ~~date is ineffective.~~

6 **SECTION 1.** A new chapter to title 27 of the North Dakota Century Code is created and
7 enacted as follows:

8 **Interdisciplinary committee on problem-solving courts.**

9 1. The interdisciplinary committee on problem-solving courts is established as a
10 collaborative mechanism to acquire and analyze relevant information related to the
11 need for and feasibility of establishing problem-solving courts in this state. For
12 purposes of this chapter, a "problem-solving court" is a juvenile or adult drug court,
13 mental health court, veterans court, or other specialized court comprised of
14 interdisciplinary teams, enhanced judicial involvement, court-supervised treatment
15 programs, and other components designed to achieve effective alternatives to
16 traditional case dispositions.

17 2. The interdisciplinary committee on problem-solving courts consists of:

18 a. A justice of the supreme court appointed by the chief justice.

19 b. A member appointed by the governor.

20 c. A presiding judge elected by the judicial system administrative council.

21 d. The executive director of the department of human services, or the director's
22 designee.

23 e. The director of the department of corrections and rehabilitation, or the director's
24 designee.

25 f. The state court administrator, or the administrator's designee.

26 g. A state's attorney appointed by the state's attorneys' association.

27 h. A defense attorney appointed by the commission on legal counsel for indigents.

28 i. A court administrator appointed by the state court administrator.

29 j. A representative of chemical, mental health, or other treatment providers in the
30 state as agreed upon by the committee members.

31 k. The director of parole and probation services.

- 1 l. A director of juvenile court appointed by the chief justice.
- 2 m. Two members appointed by the North Dakota peace officers association, one
- 3 representing city law enforcement agencies and one representing county law
- 4 enforcement agencies.
- 5 n. A legislator appointed by the chairman of legislative management.
- 6 o. The executive director of the department of veterans' affairs.
- 7 3. The chief justice designates the chairman and vice-chairman of the interdisciplinary
- 8 committee.
- 9 4. Members of the interdisciplinary committee serve for a term of three years beginning
- 10 January 1, 2016. Appointed members are limited to two consecutive terms.
- 11 5. With the consent of committee members, the chairman of the interdisciplinary
- 12 committee may temporarily supplement membership to assist in the review of whether
- 13 establishment of a problem-solving court should be recommended.
- 14 6. The interdisciplinary committee shall meet at least semiannually but must timely
- 15 consider any requests for evaluation of the establishment of a problem-solving court.
- 16 **Functions and duties.**
- 17 The interdisciplinary committee on problem-solving courts shall:
- 18 1. Acquire and analyze information and data, including budgetary requirements and
- 19 funding sources, regarding whether establishment of a problem-solving court in a
- 20 judicial district should be considered.
- 21 2. Determine the feasibility of establishing a problem-solving court in a judicial district,
- 22 including the availability of judicial and nonjudicial resources.
- 23 3. Based on relevant data and analysis, recommend to the presiding judge of a judicial
- 24 district and the supreme court that establishment of a problem-solving court in the
- 25 judicial district should be considered.
- 26 4. Review requests to establish problem-solving courts and submit recommendations to
- 27 the supreme court regarding whether a particular problem-solving court should be
- 28 established.
- 29 5. Establish a mechanism for monitoring and evaluating the effectiveness of established
- 30 problem-solving courts and related treatment services.

1 **Request to establish a problem-solving court - Submission - Review.**

2 1. A request for establishment of a problem-solving court must be submitted to the
3 interdisciplinary committee on problem-solving courts for review and recommendation.

4 2. The interdisciplinary committee shall promptly review any information submitted in
5 support of the request and consider the committee's own analysis, if any, regarding
6 the need for a problem-solving court.

7 3. Following its review, the interdisciplinary committee shall promptly submit to the
8 supreme court its recommendation regarding the need for and feasibility of the
9 requested problem-solving court.

10 **Staff services.**

11 The interdisciplinary committee on problem-solving courts may request appropriate staff
12 services from the office of the state court administrator.