

My name is H. Patrick Weir ("Pat"). I would, respectfully, offer my testimony in support of HB1002.

I graduated from the University of Notre Dame Law School; accepted a judicial clerkship with the Honorable Charles Vogel, Chief Judge of the United States Court of Appeals for the 8th. Circuit. I then joined the Vogel Law Firm where I practiced in the Fargo and Bismarck office for 40 some years.

After my retirement from the active practice, I was appointed to serve as a District Judge in the S.W. District of North Dakota. I served on that court for about four years, after which I served as a Surrogate Judge in Grand Forks for about six months and later in Minot for several months. During my term as a district judge, I was also honored by serving several times as a Surrogate Justice on the ND Supreme Court.

After my court service, I was the first General Counsel for Missouri Basin Oil and Gas Company in western North Dakota. Upon retirement from that position, I was named Billings County States Attorney in my home town of Medora, ND. I continue as the States Attorney.

I presently serve as Chairman of the North Dakota Parole Board & have served in that capacity for approximately eight years. I am the immediate past chairman of the North Dakota History Society Board and continue to serve on that board. I currently serve as Chairman of the North Dakota Pardon Advisory Board and have served in that capacity for approximately 6 years.

Judges and Justices in North Dakota, in my opinion, are not being adequately compensated. Your Committee has been provided with the comparative data. I can tell the committee that beginning lawyers in the "larger" law firms in North Dakota compensate first year graduates at about two thirds of what sitting judges and justices earn. Within a relatively short period of time (5-8 years) these very good, young lawyers will be earning more money than the judges and justices. Moreover, in my experience, lawyers who chose to go into a business as associate counsel or general counsel for larger corporations in North Dakota will earn a good deal more income than the judiciary.

Further complicating the compensation issue for the judiciary is the fact that very competent lawyers in the desired age range for appointment simply cannot afford to give up their private practice. There are many advantages to being on the bench: professional prestige amongst the most important as well as the certainty of the income flow and good health and retirement benefits. However, lawyers with family, educational, and other priorities, unless blessed with inherited wealth, are faced with a very difficult decision. Another complication of the existing compensation system is that the "pool" of lawyers willing to become judges/justices is rapidly shrinking. North Dakota has been blessed with judges and justices who have accepted the financial situation. In my opinion, that is rapidly changing. I am fearful that the future will hold out the possibility that the judiciary will be populated by the young and inexperienced or as an "honored" position for those well-past the prime of their professional careers.