

HB 1138  
68<sup>th</sup> Legislative Assembly  
House Human Services Committee  
January 9, 2023  
Testimony of Travis W. Finck, Executive Director NDCLCI in Support

Chairman Weisz, members of the House Human Services Committee, I rise today on behalf of the Commission on Legal Counsel for Indigents in support of HB 1138. The Commission on Legal Counsel is the state agency responsible for the provision of legal services for individuals when there is a constitutional, statutory or rule based right to counsel.

As part of our mission, the Commission was deeply involved in the reform efforts last session dealing with how the Courts are responding to the increase in mental health cases we were seeing in criminal courts. The undersigned had the great fortune of representing the state of North Dakota on a Task Force to Examine State Court Response to Mental Health spearheaded by the National Center on State Courts. Diverting cases from jail time and providing services is a vast improvement over the incarcerate and give them treatment there model.

My work with the National Center allowed me to view several different models across the country and how different courts are responding to the crisis. North Dakota has created a Supreme Court committee chaired by the Honorable Brad Cruff, a district court judge in the Southeast Judicial District. I again have the privilege of serving on that committee. As a group, we have examined several different projects and have worked with others on at least one other pilot attempt to deal with the unique challenges these cases can present. Thus, I appreciate this bill allowing the Court to help establish rules and would suggest the court assign that duty to our working group. I truly believe providing services to those in need makes fiscal sense and will provide for a safer community.

Diverting nonviolent cases with defendants experiencing crisis only makes sense. A person in crisis needs our help, they don't need to be jailed. As Mahatma Gandhi once said, "the true measure in

society can be found in how it treats its most vulnerable members". For all the reasons state herein, the Commission supports HB 1138.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read 'Travis W. Finck', written over a horizontal line.

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