

**TESTIMONY OF  
JUDGE TRENT N. BARKUS  
BEFORE THE 68<sup>th</sup>  
LEGISLATIVE SESSION HOUSE  
JUDICIARY COMMITTEE  
MARCH 5, 2023  
IN SUPPORT OF S.B. 2138**

Chairman Klemin, members of the House Judiciary Committee, my name is Trent Barkus, I'm the Municipal Judge in West Fargo and a Board Member of the Municipal Judge's Association. I am here today to testify in support of Senate Bill 2138.

The proposed change will allow for more local control and flexibility for our 87 municipal courts throughout the state. As currently written, municipal courts are not allowed to be "open" on Sundays which prohibits municipal judges from performing judicial functions (i.e. signing of warrants) or marriage ceremonies. The bill would also clear some contradictions with Rule 56 of the North Dakota Rules of Criminal Procedure (NDRCrP). This references that the Courts are always open for filing, etc. It says this applies to all court subject to the rules. We are subject to the rules.

I ask for your favorable support of the bill and am pleased to stand for any questions you may have. Thank you.