

**Senate Bill 2252**  
**Senate Judiciary Committee**

**Testimony Presented by the Judges and Referees**  
**of the South Central Judicial District**

**January 31, 2023**

Chair Larson, and members of the Senate Judiciary Committee, for the record,

we are:

The Honorable Bruce A. Romanick, Presiding Judge;  
The Honorable Douglas A. Bahr, District Judge;  
The Honorable Daniel J. Borgen, District Judge;  
The Honorable Cynthia M. Feland, District Judge;  
The Honorable James S. Hill, District Judge;  
The Honorable Pamela A. Nesvig, District Judge;  
The Honorable Lindsey Nieuwsma, District Judge;  
The Honorable David E. Reich, District Judge;  
The Honorable Bonnie L. Storbakken, District Judge;  
The Honorable Bobbi Weiler, District Judge;  
The Honorable Jason Hammes, Judicial Referee; and  
The Honorable Krista Thompson, Judicial Referee.

We constitute the present judicial officers, both district judges and referees, of the South Central Judicial District of the State of North Dakota. We are jointly providing this written testimony in opposition to Senate Bill 2252.

The South Central Judicial District is comprised of Burleigh, Morton, McLean, Mercer, Emmons, Grant, Sioux, Oliver, and Sheridan counties. Our district is one of the three judicial districts in the State which presently utilizes judicial referees. In reviewing the written testimony of the other two districts using judicial referees, the East Central Judicial District, and the North Central Judicial District, we join in their respective comments and recommendations.

While joining in the comments of our colleagues in the East Central and North Central Judicial Districts, we also must touch on the characteristics of our district which make referees an indispensable resource in providing timely quality judicial services. Although the bulk of our cases arise out of Burleigh and Morton Counties, the combined cases in Mercer and Mclean rival those in Morton County. In addition to these four counties, we have five other counties to serve. Given the number of counties, their respective caseloads and the distance between each county, a rotation reminiscent of circuit judges has been created and used to ensure appropriate service to all the citizens in the district.

Although this district has a high volume of juvenile filings, comprising 27% of juvenile proceedings in the State, the current referee schedule has enabled our district to keep the same referee with the same family/persons involved while still meeting the short hearing time frames associated with juvenile cases as noted by our colleagues. Further, if scheduling problems arise on the referee calendar, non-juvenile cases can be moved to the district judge calendar.

The characteristics of this district simply reemphasizes the need for specialty judicial officers to maintain continuity, and provide timely services for juvenile cases in a high case volume district.

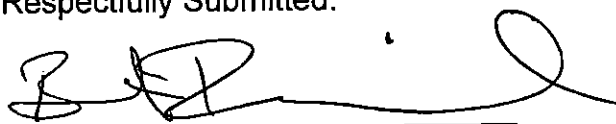
Two of our judges, one a former referee, and one of our current referees support referees becoming district judges as contemplated by this bill only to the extent that the tasks and roles of the referee are important and should be treated with the same respect and compensation as a district judge. The one judge and referee having worked in the juvenile system know the full benefit of the "One family - One judge"

model in servicing the families/persons coming before the Court. This bill does not create a specialty court within the district court to handle juvenile cases and preserve that model, it simply creates more district judgeships with no guidance as to how to maintain the continuity of having the "One family - One judge" model to handle these juvenile cases timely, effectively and appropriately. In creating additional judgeships, the bill also does not lessen the caseload of the district, as the Referees already maintain full caseloads.

As noted by our colleagues East Central Judicial District, and the North Central Judicial District, this bill will leave each district with the task of creating specialty courts on their own to best service the juvenile docket. Further, we too are unaware of any existing problems anywhere in the State with either the performance of, or the obtaining of, referees. In this district, we have never had a shortage of applicants when a referee position has been open.

We respectfully urge that you adopt a Do Not Pass recommendation on Senate Bill 2252.

Respectfully Submitted:



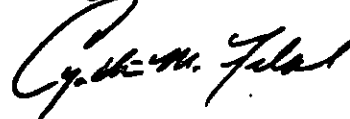
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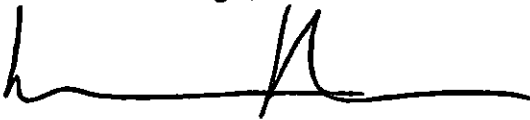
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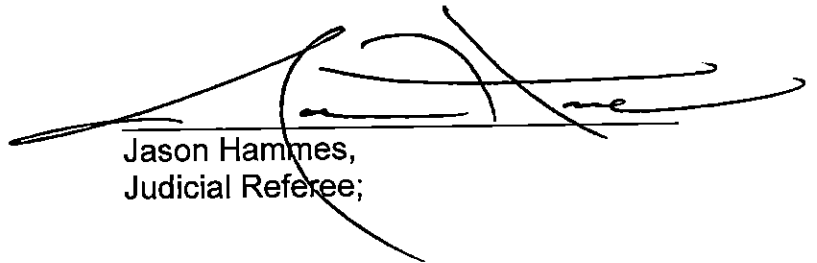
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