

Good Morning,

Chairwoman Larson and committee members, my name is Carol Fey, and I am the McIntosh County Recorder and Clerk of Court and my testimony today is against SB 2277.

McIntosh County is a contract county and the offices of County Recorder and Clerk of Court are combined. I am the elected official for these offices since 2007, and I have worked in the Clerk's office in McIntosh County for 42 years.

In those years, the Clerk's office has gone from using carbon paper to make copies and getting lots of envelopes with court documents, to e-mailing copies and never having a piece of mail for days. There are many more changes that I have experienced but the one thing that has not changed is personal contact with people. Personal contact garnishes better cooperation, respect and understanding. To me that is the essence of county government.

In 2014 Kidder, Logan and McIntosh counties were moved from the South Central to the Southeast Judicial District. Justice Jensen quoted "While practices and procedures of our state offices are consistent and uniform, the contract counties are not." That is a true statement, but not as you may perceive it. After moving to another judicial district it was my observation that practices and procedures are consistent and uniform in "**judicial districts**", not state wide, and these practices and procedures begin with the judges and district court administrator. I was many times puzzled how all these differences could be possible as every office has the same state program, Odyssey, and century code. If true unification is the goal, we may have to look at starting at the top.

McIntosh County is in Unit 2 which is comprised of 17 counties. I know and respect these clerks well enough to say that we all, go to clerk meetings, use the state Business Practice Decisions Manual when working with Odyssey, follow rules and century code, ask questions, and do what is asked of us. These are everyday things that I am sure every clerk in the state does.

When I hear that contract counties are not unified, have decreased efficiency, don't function as well, file documents differently, and have inconsistencies, it diminishes me as an employee. I am a human, not a robot or a computer, I have emotions, feelings, good days, bad days, and yes I make mistakes.

This plan sounds similar to the new Human Service Zones, have you talked to the employees in the offices, they are not happy with the change and one reason is not being able to work the cases of the local residents whom they have known for years, which goes back to the effectiveness of local county services.

Justice Jensen also stated "the judicial branch is committed to remaining in every county". In looking ahead five or even 10 years, I question if the dynamics of that office will stay the same, will it be open five days a week with two full time employees? Or if caseloads are down and there are no qualified candidates, for open positions, will they then move all the work to other

locations? Small communities are hit hard with lack of workers for our hospitals, Ag mechanics, lawyers and teachers, as it seems the younger generation does not want to live in a small town. So attracting potential employees with the education requirements of a state employee, is a concern. On the other hand, it has not been a problem, for me, to fill open positions with local residents.

I would like you to consider this, since larger state offices have an overload of cases, why would you want to remove eight clerks, which are the proposed eight new administrative clerk positions, who now are working cases, and put them in a strictly administrative job, when that money would be better spent adding more full time employees in the offices where they are most needed.

To me there appears to be a lot of unanswered questions as to exactly how this, newly visioned, court system will work, and to pass legislation without a better picture, is a bad business practice.

To date there are 18 contract counties who have passed resolutions opposing this legislation and I have attached McIntosh counties.

MCINTOSH COUNTY
COMMISSION RESOLUTION

Commissioner Neil Meidinger introduced the following resolution and moved for its adoption:

A RESOLUTION OPPOSING LEGISLATION MAKING THE
MCINTOSH COUNTY CLERK OF COURTS' OFFICE A STATE OFFICE

WHEREAS, there is legislation being proposed pertaining to the transition of contract county clerk services to state funding and other legislative priorities;

WHEREAS, such legislation would make the McIntosh County Clerk of Courts' office a state agency and the employees thereof state employee, which would take away local control and governance of such office and employees;

WHEREAS, the Board of Commissioners for McIntosh County, North Dakota, is desirous of keeping the McIntosh County Clerk of Courts' office as a county office.

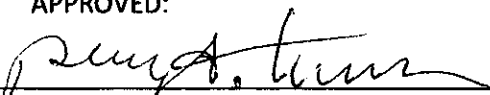
NOW THEREFORE IT IS HEREBY RESOLVED by the Board of County Commissioners for McIntosh County, North Dakota, that the following resolution be adopted as follows:

- a) That the Board of County Commissioners of McIntosh County directly opposes the passage of legislation pertaining to the transition of contract county clerk services to state funding and other legislative priorities; and
- b) That the Board of County Commissioners of McIntosh County resolves to keep the McIntosh County Clerk of Courts' office a county office.


The motion for adoption of the foregoing Resolution was duly seconded by Commissioner Jim Heinrich. On roll call vote the following Commissioners voted in favor of the motion: Perry Turner, Neil Meidinger and Jim Heinrich

The majority having voted in favor of the motion and the motion carried; the Resolution was duly adopted on December 12, 2022.

APPROVED:


Perry Turner, Chairman

ATTEST:


Gina Ketterling, Auditor Deputy
Rebecca Andrew

1st Reading: 12.12.22