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To: Senate Judiciary Committee
Hon. Chairman Larson
Hon. Vice-Chair Paulson
Members of the Committee

From: Wade G. Enget, Mountrail County State's Attorney

Re: SB 2277

Chairman Larson, Vice-Chair Larson, Members of the Senate Judiciary Committee:

I am submitting this testimony in OPPOSITION to SB 2277.

Committee Members, I have several concerns with this Bill as written that have prompted me to request a DO NOT PASS.. I will summarize the reasons for my opposition :

- 1) I have been a practicing attorney for thirty-eight years, and Mountrail County State's Attorney for thirty-seven years. In that time, I have been a part of the court unification process, including serving on the Interim Committee that helped write the current law regarding Clerks of Court.

I have been told by the proponents of SB2277 that this Bill is about having better administrative control over the several clerks of court, and that with the present statutory framework that additional control is not possible. This argument does not hold water, in that each county that has a clerk must sign an agreement with the State Court in which they agree to follow all directives of the Court. If there needs to be additional control exercised by the State Court, that can be accomplished by additional training and including the requirements for training in the current contract with the affected counties.

- 2) The bringing all clerks under the State Court is the same concept that was accomplished by the State when it took over Social Services funding and administration in 2019. The providing of services to the rural areas of North Dakota has not improved since the implementation of the Human Service Zones, and I am afraid that this legislation will provide less local access to the rural areas as well if SB2277 is passed.

Thank you for your time, and again I would request a DO NOT PASS recommendation from this Committee on SB 2277.

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