

Introduced by

1 A BILL for an Act to create a committee to study the feasibility, structure, fiscal impact, and
2 implementation requirements for establishing a family court; and to provide for a legislative
3 management report.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. LEGISLATIVE FAMILY COURT REVIEW COMMITTEE - REPORT TO**
6 **LEGISLATIVE MANAGEMENT.**

- 7 1. During the 2027-28 interim, the legislative management shall establish and provide
8 staffing and administrative services to a legislative family court review committee to
9 study the feasibility, structure, fiscal impact, and implementation requirements for
10 establishing a family court in this state.
- 11 2. The fifteen-member committee must consist of:
- 12 a. Eight members of the legislative assembly, four members from the house of
13 representatives and four members from the senate, appointed by the chairman of
14 the legislative management;
 - 15 b. The state court administrator;
 - 16 c. One judge, appointed by the supreme court;
 - 17 d. One member of the family law section, appointed by the state bar association;
 - 18 e. One family mediator, appointed by the supreme court;
 - 19 f. One member of the supreme court self-help program, appointed by the supreme
20 court;
 - 21 g. One mental health professional, appointed by the chairman of the legislative
22 management; and
 - 23 h. One member representing domestic violence advocacy services, appointed by
24 the chairman of the legislative management.

- 1 3. The study must include:
 - 2 a. An examination of the constitutional authority for establishing a family court and
 - 3 the identification of any necessary changes to state law;
 - 4 b. Identification of the types of cases to be included within the jurisdiction of the
 - 5 family court and an analysis of how the family court would interact with existing
 - 6 courts;
 - 7 c. Development of a proposed court structure and governance model, including the
 - 8 number and location of judges and staff, geographic districts, qualification and
 - 9 training requirements, and case assignment procedures;
 - 10 d. Consideration of whether new or revised procedural rules are required, including
 - 11 expedited hearing timelines, standardized forms, and emergency or ex parte
 - 12 procedures;
 - 13 e. Review and evaluation of existing alternative dispute resolution roles, including
 - 14 mediators and parenting coordinators, and consideration of establishing new
 - 15 roles;
 - 16 f. Analysis of fiscal impacts, including costs associated with judges, judicial
 - 17 referees, staff, court facilities, technology, and case management systems or
 - 18 enhancements; and
 - 19 g. Recommendations regarding implementation, including consideration of a
 - 20 phased approach or pilot program.
- 21 4. The committee shall report its findings and recommendations, together with any
- 22 legislation necessary to implement the recommendations, to the legislative
- 23 management.
- 24 5. a. A member of the committee who is not a state employee is entitled to
- 25 reimbursement for mileage and expenses as provided by law for state officers
- 26 and employees, to be paid by the legislative council.
- 27 b. A state employee who is a member of the committee is entitled to receive that
- 28 employee's regular salary and is entitled to reimbursement for mileage and
- 29 expenses to be paid by the employing agency.
- 30 c. A member of the committee who is a member of the legislative assembly is
- 31 entitled to receive per diem compensation at the rate provided under section

Seventieth
Legislative Assembly

1 54-35-10 for each day performing official duties of the committee. The legislative
2 council shall pay the per diem compensation and reimbursement for travel and
3 expenses as provided by law for any member of the committee who is a member
4 of the legislative assembly.