

Introduced by

Senators Carlisle, Armstrong, Heckaman

Representatives M. Johnson, Karls, Maragos

1 A BILL for an Act to create and enact a new chapter to title 27 of the North Dakota Century  
2 Code, relating to the establishment of an interdisciplinary committee on problem-solving courts;  
3 and to provide an expiration date.

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

5 **SECTION 1.** A new chapter to title 27 of the North Dakota Century Code is created and  
6 enacted as follows:

7 **Interdisciplinary committee on problem-solving courts - Report to legislative**  
8 **management.**

- 9 1. The interdisciplinary committee on problem-solving courts is established as a  
10 collaborative mechanism to acquire and analyze relevant information related to the  
11 need for and feasibility of establishing problem-solving courts in this state. For  
12 purposes of this chapter, a "problem-solving court" is a juvenile or adult drug court,  
13 mental health court, veterans court, or other specialized court comprised of  
14 interdisciplinary teams, enhanced judicial involvement, court-supervised treatment  
15 programs, and other components designed to achieve effective alternatives to  
16 traditional case dispositions.
- 17 2. The interdisciplinary committee on problem-solving courts consists of:
- 18 a. A justice of the supreme court appointed by the chief justice.
- 19 b. ~~A member appointed by the governor.~~
- 20 ~~c.~~ A presiding judge elected by the judicial system administrative council.
- 21 ~~d.~~ c. The executive director of the department of human services, or the director's  
22 designee.
- 23 ~~e.~~ d. The director of the department of corrections and rehabilitation, or the director's  
24 designee.

- 1 ~~f.~~ ~~The state court administrator, or the administrator's designee.~~
- 2 ~~g.e.~~ A state's attorney appointed by the state's attorneys' association.
- 3 ~~h.f.~~ A defense attorney appointed by the commission on legal counsel for indigents.
- 4 ~~i.~~ ~~A court administrator appointed by the state court administrator.~~
- 5 ~~j.g.~~ A representative of chemical, mental health, or other treatment providers in the
- 6 state as agreed upon by the committee members.
- 7 ~~k.~~ ~~The director of parole and probation services.~~
- 8 ~~l.~~ ~~A director of juvenile court appointed by the chief justice.~~
- 9 ~~m.~~ ~~Two members~~
- 10 h. One member appointed by the North Dakota peace officers association, ~~one~~
- 11 ~~representing city law enforcement agencies and one representing county law~~
- 12 ~~enforcement agencies.~~
- 13 ~~n.~~ ~~A legislator appointed by the chairman of legislative management.~~
- 14 ~~o.i.~~ The executive director of the department of veterans' affairs.
- 15 3. The chief justice designates the chairman and vice-chairman of the interdisciplinary
- 16 committee.
- 17 4. ~~Members of the interdisciplinary committee serve for a term of three years beginning~~
- 18 ~~January 1, 2016. Appointed members are limited to two consecutive terms.~~
- 19 ~~5.~~ With the consent of committee members, the chairman of the interdisciplinary
- 20 committee may temporarily supplement membership to assist in the review of whether
- 21 establishment of a problem-solving court should be recommended.
- 22 ~~6.5.~~ The interdisciplinary committee shall meet at least ~~semiannually~~ quarterly but must
- 23 timely consider any requests for evaluation of the establishment of a problem-solving
- 24 court.

25 **Functions and duties.**

26 The interdisciplinary committee on problem-solving courts shall:

- 27 1. Acquire and analyze information and data, including budgetary requirements and
- 28 funding sources, regarding whether establishment of a problem-solving court in a
- 29 judicial district should be considered.
- 30 2. Determine the feasibility of establishing a problem-solving court in a judicial district,
- 31 including the availability of judicial and nonjudicial resources.

- 1       3. Based on relevant data and analysis, report findings and recommend proposed  
2       legislation to the presiding judge of a judicial district and the supreme court that  
3       establishment of a problem-solving court in the judicial district should be  
4       considered legislative management.
- 5       4. Review requests to establish problem-solving courts and submit recommendations to  
6       the supreme court legislative management regarding whether a particular  
7       problem-solving court should be established.
- 8       5. Establish a mechanism for monitoring and evaluating the effectiveness of established  
9       problem-solving courts and related treatment services.

10     ~~**Request to establish a problem-solving court – Submission – Review.**~~

- 11     ~~1. A request for establishment of a problem-solving court must be submitted to the~~  
12     ~~interdisciplinary committee on problem-solving courts for review and recommendation.~~
- 13     ~~2. The interdisciplinary committee shall promptly review any information submitted in~~  
14     ~~support of the request and consider the committee's own analysis, if any, regarding~~  
15     ~~the need for a problem-solving court.~~
- 16     ~~3. Following its review, the interdisciplinary committee shall promptly submit to the~~  
17     ~~supreme court its recommendation regarding the need for and feasibility of the~~  
18     ~~requested problem-solving court.~~

19     **Staff services.**

20     The interdisciplinary committee on problem-solving courts may request appropriate staff  
21     services from the office of the state court administrator.

22     **SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2017, and after that  
23     date is ineffective.