

**AGENCY OVERVIEW****180 Judicial Branch****Date:** 11/30/2020**Time:** 13:31:03**Statutory Authority**

ND Constitution, Article 6, Judicial Branch, Sections 1-13, Chapters 27-02, 27-03, 27-04, 27-05, 27-05.2, 27-06, 27-17, 27-20, 27-23, North Dakota Century Code; North Dakota Rules of Disciplinary Procedure.

**Agency Description**

The North Dakota judicial system is comprised of the Supreme Court, district courts, municipal courts and the intermediate court of appeals, when convened. The juvenile court is a division of the district court. These courts provide the forum for the resolution of litigation in an orderly, timely manner.

The North Dakota Supreme Court is the highest court for the State of North Dakota. It has two major types of responsibilities--adjudicative and administrative. It is primarily an appellate court with jurisdiction to hear appeals from decisions of the district courts. The Court also has original jurisdiction authority and can issue such original and remedial writs as are necessary. In its administrative capacity, the Court is responsible for ensuring the efficient and effective operation of all courts in the state, maintaining high standards of judicial conduct, supervising the legal profession and promulgating procedural rules.

District Courts are the state trials courts of general jurisdiction. Among the types of cases they hear are civil, criminal, domestic relations, small claims, and probate. District Courts also serve as the Juvenile Courts in the state with original jurisdiction over any minor who is alleged to be unruly, delinquent, or deprived. In some districts, judicial referees have been appointed to preside over juvenile child support enforcement and domestic relations proceedings, other than contested divorces. District Courts are also the appellate courts of first instance for appeals from the decisions of many administrative agencies and for criminal convictions in Municipal Courts. There are 52 District Court Judges in North Dakota.

**Agency Mission Statement**

The mission of the North Dakota judicial system is to provide the people, through an independent judiciary, equal access to fair and timely resolution of disputers under law.

**Agency Performance Measures**

The judiciary is constantly monitoring its performance regarding delivering judicial services. Some of these performance measures include:

- Civil, criminal and juvenile docket currency standards.
- Jury yield and juror utilization statistics.
- Staffing standards.
- Fully Automated Child Support Enforcement System (FACSES) action alerts.
- Case data entry time standards.

**Major Accomplishments**

1. Mandated use of electronic filing.
2. Provided web-based access to court records.
3. Implemented rules to expedite appeals of termination of parental rights cases.
4. Revised the rules of criminal procedure.
5. Mandated greater use of alternative dispute resolution processes in district court.
6. Implemented mediation process in Supreme Court.
7. Collected fines/fees through state tax intercept.
8. Implemented self-help center for litigants.
9. Implemented ethics training for interpreters.
10. Expanded interactive television.

**AGENCY OVERVIEW**

180 Judicial Branch

**Date:** 11/30/2020  
**Time:** 13:31:03

- 11. Expanded digital audio recording.
- 12. Implemented interactive phone payment system.
- 13. Implemented paper on demand filing system.
- 14. Implemented web payment system.
- 15. Implemented expedited pre-filing mediation for custody and visitation issues.
- 16. Implemented streamlined Supreme Court procedures.

**Future Critical Issues**

- Developing strategies for delivering judicial services given the changing demographics of the state.
- Utilizing technology to deliver judicial services more efficiently.

**REQUEST SUMMARY**

180 Judicial Branch

Biennium: 2021-2023

Date: 11/30/2020

Time: 13:31:03

Description	Expenditures 2017-2019 Biennium	Legislative Base 2019-2021	Budget Request Change	Requested Budget 2021-2023 Biennium	Optional Budget Request
<b>By Major Program</b>					
Supreme Court	12,801,802	14,327,524	1,349,514	15,677,038	0
District Court	87,106,876	93,919,502	4,609,658	98,529,160	0
Judicial Cond Comm and Disc. Board	1,086,192	1,250,962	42,497	1,293,459	0
<b>Total Major Program</b>	<b>100,994,870</b>	<b>109,497,988</b>	<b>6,001,669</b>	<b>115,499,657</b>	<b>0</b>
<b>By Line Item</b>					
Salaries and Wages	76,469,781	84,580,988	2,488,931	87,069,919	0
Operating Expenses	21,469,366	23,102,664	(821,414)	22,281,250	0
Capital Assets	1,391,111	0	4,360,000	4,360,000	0
District Court- Judges Retirement	271,329	280,332	(66,086)	214,246	0
Judicial Conduct Comm & Disciplinary Brd	1,086,192	1,250,962	42,497	1,293,459	0
Supreme Court- Judges Retirement	17,693	0	0	0	0
Guardianship Program	249,398	283,042	(2,259)	280,783	0
Und-Grant	40,000	0	0	0	0
Guardianship Monitoring Program	0	0	0	0	0
<b>Total Line Items</b>	<b>100,994,870</b>	<b>109,497,988</b>	<b>6,001,669</b>	<b>115,499,657</b>	<b>0</b>
<b>By Funding Source</b>					
General Fund	99,325,971	107,355,691	5,949,557	113,305,248	0
Federal Funds	1,082,272	1,659,596	32,313	1,691,909	0
Special Funds	586,627	482,701	19,799	502,500	0
<b>Total Funding Source</b>	<b>100,994,870</b>	<b>109,497,988</b>	<b>6,001,669</b>	<b>115,499,657</b>	<b>0</b>
<b>Total FTE</b>	<b>355.50</b>	<b>363.00</b>	<b>0.00</b>	<b>363.00</b>	<b>0.00</b>



**REQUEST DETAIL**

180 Judicial Branch

Biennium: 2021-2023

Date: 1/30/2020

Time: 13:31:03

Description	Expenditures 2017-2019 Biennium	Legislative Base 2019-2021	Budget Request Change	Requested Budget 2021-2023 Biennium	Optional Budget Request
<b>Salaries and Wages</b>					
Salaries - Permanent	53,373,700	57,908,127	2,011,626	59,919,753	0
Temporary Salaries	606,075	939,420	(59,666)	879,754	0
Overtime	0	0	0	0	0
Fringe Benefits	22,490,006	25,733,441	536,971	26,270,412	0
<b>Total</b>	<b>76,469,781</b>	<b>84,580,988</b>	<b>2,488,931</b>	<b>87,069,919</b>	<b>0</b>
<b>Salaries and Wages</b>					
General Fund	75,573,148	83,278,007	2,519,985	85,797,992	0
Federal Funds	831,508	1,302,981	(31,054)	1,271,927	0
Special Funds	65,125	0	0	0	0
<b>Total</b>	<b>76,469,781</b>	<b>84,580,988</b>	<b>2,488,931</b>	<b>87,069,919</b>	<b>0</b>
<b>Operating Expenses</b>					
Travel	1,148,717	1,737,786	(351,594)	1,386,192	0
Supplies - IT Software	2,277,718	2,764,982	324,744	3,089,726	0
Supply/Material-Professional	1,186,900	1,452,474	(661,244)	791,230	0
Food and Clothing	13,807	19,150	(4,500)	14,650	0
Bldg, Ground, Maintenance	15,039	2,000	(2,000)	0	0
Miscellaneous Supplies	106,073	166,810	(60,160)	106,650	0
Office Supplies	194,046	293,150	(29,366)	263,784	0
Postage	372,375	460,650	(42,050)	418,600	0
Printing	207,426	261,584	(35,700)	225,884	0
IT Equip Under \$5,000	706,157	664,349	(34,789)	629,560	0
Office Equip & Furn Supplies	134,955	78,400	(65,200)	13,200	0
Insurance	31,919	57,316	10,146	67,462	0
Rentals/Leases-Equip & Other	17,627	17,717	2,133	19,850	0
Rentals/Leases - Bldg/Land	241,221	257,667	(254,417)	3,250	0
Repairs	179,279	307,850	(131,150)	176,700	0
IT - Data Processing	1,904,717	1,943,199	102,153	2,045,352	0
IT - Communications	447,789	515,133	55,980	571,113	0
IT Contractual Svcs and Rprs	644,817	398,237	1,522,884	1,921,121	0
Professional Development	478,126	637,291	(53,190)	584,101	0
Operating Fees and Services	9,731,292	9,624,983	(1,336,738)	8,288,245	0
Fees - Professional Services	1,347,800	1,369,436	207,354	1,576,790	0
Medical, Dental and Optical	81,566	72,500	15,290	87,790	0
<b>Total</b>	<b>21,469,366</b>	<b>23,102,664</b>	<b>(821,414)</b>	<b>22,281,250</b>	<b>0</b>
<b>Operating Expenses</b>					
General Fund	21,143,416	22,746,049	(884,781)	21,861,268	0



**REQUEST DETAIL**

180 Judicial Branch

Biennum: 2021-2023

Date: 1/1/30/2020

Time: 13:31:03

Description	Expenditures 2017-2019 Biennum	Legislative Base 2019-2021	Budget Request Change	Requested Budget 2021-2023 Biennum	Optional Budget Request
Federal Funds	250,764	356,615	63,367	419,982	0
Special Funds	75,186	0	0	0	0
<b>Total</b>	<b>21,469,366</b>	<b>23,102,664</b>	<b>(821,414)</b>	<b>22,281,250</b>	<b>0</b>
<b>Capital Assets</b>					
Extraordinary Repairs	0	0	0	0	0
Equipment Over \$5000	129,837	0	0	0	0
IT Equip/Software Over \$5000	1,261,274	0	4,360,000	4,360,000	0
<b>Total</b>	<b>1,391,111</b>	<b>0</b>	<b>4,360,000</b>	<b>4,360,000</b>	<b>0</b>
<b>Capital Assets</b>					
General Fund	1,391,111	0	4,360,000	4,360,000	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
<b>Total</b>	<b>1,391,111</b>	<b>0</b>	<b>4,360,000</b>	<b>4,360,000</b>	<b>0</b>
<b>Supreme Court- Judges Retirement</b>					
Salaries - Permanent	17,693	0	0	0	0
<b>Total</b>	<b>17,693</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Supreme Court- Judges Retirement</b>					
General Fund	17,693	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
<b>Total</b>	<b>17,693</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>District Court- Judges Retirement</b>					
Salaries - Permanent	271,329	280,332	(280,332)	0	0
Salaries - Other	0	0	214,246	214,246	0
<b>Total</b>	<b>271,329</b>	<b>280,332</b>	<b>(66,086)</b>	<b>214,246</b>	<b>0</b>
<b>District Court- Judges Retirement</b>					
General Fund	271,329	280,332	(66,086)	214,246	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
<b>Total</b>	<b>271,329</b>	<b>280,332</b>	<b>(66,086)</b>	<b>214,246</b>	<b>0</b>
<b>Judicial Conduct Comm &amp; Disciplinary Brd</b>					
Salaries - Permanent	595,617	693,564	37,812	731,376	0

REQUEST DETAIL

180 Judicial Branch

Biennium: 2021-2023

Date: 11/30/2020  
Time: 13:31:03

Description	Expenditures 2017-2019 Biennium	Legislative Base 2019-2021	Budget Request Change	Requested Budget 2021-2023 Biennium	Optional Budget Request
Temporary Salaries	35,684	0	0	0	0
Fringe Benefits	242,631	311,271	7,511	318,782	0
Travel	36,972	40,000	0	40,000	0
Supplies - IT Software	3,782	1,350	138	1,488	0
Supply/Material-Professional	6,591	7,000	(3,000)	4,000	0
Miscellaneous Supplies	537	1,250	(750)	500	0
Office Supplies	4,824	1,750	0	1,750	0
Postage	5,753	6,500	(1,500)	5,000	0
Printing	1,692	1,250	(750)	500	0
IT Equip Under \$5,000	5,146	4,364	774	5,138	0
Office Equip & Furn Supplies	5,456	1,000	0	1,000	0
Insurance	296	800	(51)	749	0
Rentals/Leases-Equip & Other	5,162	7,800	(550)	7,250	0
Rentals/Leases - Bldg/Land	67,307	72,000	2,500	74,500	0
Repairs	1,538	2,000	(750)	1,250	0
IT - Data Processing	13,207	15,831	(1,191)	14,640	0
IT - Communications	5,336	6,232	2,304	8,536	0
IT Contractual Svcs and Rprs	0	2,000	0	2,000	0
Professional Development	9,133	10,000	0	10,000	0
Operating Fees and Services	14,462	35,000	0	35,000	0
Fees - Professional Services	25,066	30,000	0	30,000	0
<b>Total</b>	<b>1,086,192</b>	<b>1,250,962</b>	<b>42,497</b>	<b>1,293,459</b>	<b>0</b>

Judicial Conduct Comm & Disciplinary Brd

General Fund	639,876	768,261	22,698	790,959	0
Federal Funds	0	0	0	0	0
Special Funds	446,316	482,701	19,799	502,500	0
<b>Total</b>	<b>1,086,192</b>	<b>1,250,962</b>	<b>42,497</b>	<b>1,293,459</b>	<b>0</b>

Guardianship Program

Salaries - Permanent	155,550	165,570	9,030	174,600	0
Fringe Benefits	61,227	67,663	1,778	69,441	0
Travel	6,742	5,000	2,000	7,000	0
Supplies - IT Software	192	0	0	0	0
Supply/Material-Professional	39	0	250	250	0
Miscellaneous Supplies	499	100	800	900	0
Office Supplies	337	500	(150)	350	0
Insurance	70	109	33	142	0
Professional Development	6,391	14,000	(7,000)	7,000	0
Operating Fees and Services	68	100	0	100	0

REQUEST DETAIL

180 Judicial Branch

Biennium: 2021-2023

Date: 11/30/2020

Time: 13:31:03

Description	Expenditures 2017-2019 Biennium	Legislative Base 2019-2021	Budget Request Change	Requested Budget 2021-2023 Biennium	Optional Budget Request
Fees - Professional Services	18,283	30,000	(9,000)	21,000	0
Total	249,398	283,042	(2,259)	280,783	0
Guardianship Program					
General Fund	249,398	283,042	(2,259)	280,783	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	249,398	283,042	(2,259)	280,783	0
Und-Grant					
Grants, Benefits & Claims	40,000	0	0	0	0
Total	40,000	0	0	0	0
Und-Grant					
General Fund	40,000	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	40,000	0	0	0	0
Guardianship Monitoring Program					
Travel	0	0	0	0	0
Supply/Material-Professional	0	0	0	0	0
Miscellaneous Supplies	0	0	0	0	0
Office Supplies	0	0	0	0	0
Insurance	0	0	0	0	0
Professional Development	0	0	0	0	0
Fees - Professional Services	0	0	0	0	0
Total	0	0	0	0	0
Guardianship Monitoring Program					
General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	0	0	0	0

Funding Sources

General Fund	99,325,971	107,355,691	5,949,557	113,305,248	0
Federal Funds	1,082,272	1,659,596	32,313	1,691,909	0
Special Funds	586,627	482,701	19,799	502,500	0



**REQUEST DETAIL**

180 Judicial Branch

Biennium: 2021-2023

Date: 11/30/2020  
Time: 13:31:03

Description	Expenditures 2017-2019 Biennium	Legislative Base 2019-2021	Budget Request Change	Requested Budget 2021-2023 Biennium	Optional Budget Request
Total Funding Sources	100,994,870	109,497,988	6,001,669	115,499,657	0

**CHANGE PACKAGE SUMMARY**

180 Judicial Branch

Date: 11/30/2020

Time: 13:31:03

Biennium: 2021-2023

Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
<b>Base Budget Changes</b>						
<b>One Time Budget Changes</b>						
A-B 10 Supreme Court Docket Management System		0.00	2,000,000	0	0	2,000,000
A-B 7 Zoom remote video equipment		0.00	360,000	0	0	360,000
A-B 8 Wi-Fi access points		0.00	157,600	0	0	157,600
A-B 9 Juvenile case management system replacement		0.00	2,000,000	0	0	2,000,000
A-E 4 Remove prior biennium one-time funding items		0.00	(147,352)	0	(970,000)	(1,117,352)
<b>Total One Time Budget Changes</b>		<b>0.00</b>	<b>4,370,248</b>	<b>0</b>	<b>(970,000)</b>	<b>3,400,248</b>
<b>Ongoing Budget Changes</b>						
A-A 1 Miscellaneous Supreme Court adjustments		0.00	(503,346)	0	0	(503,346)
A-A 11 Veterans treatment court		0.00	145,247	0	0	145,247
A-A 2 Miscellaneous District Court adjustments		0.00	(490,532)	63,367	0	(427,165)
A-A 3 Miscellaneous JCCDB adjustments		0.00	(2,504)	0	(322)	(2,826)
A-A 5 Reduce funding for juvenile service programs		0.00	(1,221,086)	0	0	(1,221,086)
A-A 6 Blades and disk drives lease		0.00	1,115,008	0	0	1,115,008
Base Payroll Change		0.00	2,389,170	(31,054)	20,121	2,378,237
<b>Total Ongoing Budget Changes</b>		<b>0.00</b>	<b>1,431,957</b>	<b>32,313</b>	<b>19,799</b>	<b>1,484,069</b>
<b>Total Base Budget Changes</b>		<b>0.00</b>	<b>5,802,205</b>	<b>32,313</b>	<b>(950,201)</b>	<b>4,884,317</b>

**BUDGET CHANGES NARRATIVE**

180 Judicial Branch

**Date:** 11/30/2020  
**Time:** 13:31:03

<b>Change Group:</b> A	<b>Change Type:</b> A	<b>Change No:</b> 1	<b>Priority:</b>
------------------------	-----------------------	---------------------	------------------

Miscellaneous Supreme Court adjustments

Various miscellaneous budget increases and decreases for the Supreme Court, including the Guardianship Monitoring Program.

<b>Change Group:</b> A	<b>Change Type:</b> A	<b>Change No:</b> 2	<b>Priority:</b>
------------------------	-----------------------	---------------------	------------------

Miscellaneous District Court adjustments

Various miscellaneous budget increases and decreases for District Courts.

<b>Change Group:</b> A	<b>Change Type:</b> A	<b>Change No:</b> 3	<b>Priority:</b>
------------------------	-----------------------	---------------------	------------------

Miscellaneous JCCDB adjustments

Various miscellaneous budget increases and decreases for the Judicial Conduct Commission and Disciplinary Board.

<b>Change Group:</b> A	<b>Change Type:</b> A	<b>Change No:</b> 5	<b>Priority:</b>
------------------------	-----------------------	---------------------	------------------

Reduce funding for juvenile service programs

Removes funding for family based intensive in-home services (\$500,000) and youth cultural achievement (\$455,000) programs. Replacement funding could potentially be made available through the Department of Human Services which is working on expansion of services for juveniles, including using title IV-E funding for prevention services. Funding was not requested for youth cultural achievement programs due to high cost, limited number of participants and overall benefits realized. Funding was reduced for other programs including restorative justice, diversion and day report. Rather than contract for these programs the Court System is looking at options in which juvenile court officers would provide some of these services via Zoom.

<b>Change Group:</b> A	<b>Change Type:</b> A	<b>Change No:</b> 6	<b>Priority:</b>
------------------------	-----------------------	---------------------	------------------

Blades and disk drives lease

Replacement of blades and disk drives for Bismarck and the disaster recovery site. The equipment is end-of-life and will no longer be serviced if not replaced. The total lease cost of the equipment and additional related software is \$1,393,242 for the biennium or an increase of \$1,115,008 as compared to current biennium maintenance costs. The equipment lease covers a five year period and includes all maintenance. The cost to purchase the equipment with a five year maintenance agreement is \$2,931,682 as compared to \$3,004,725 to lease the equipment over a five year period. In the past the Court System has purchased replacement blades and disk drives, however the lease option will minimize our expense outlay next biennium and level out future budget requests.

<b>Change Group:</b> A	<b>Change Type:</b> A	<b>Change No:</b> 11	<b>Priority:</b>
------------------------	-----------------------	----------------------	------------------

Veterans treatment court