

# State of North Dakota

**Michael P. Hurly**

District Court Judge  
Northeast Judicial District

## **CHAMBERS**

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Good Morning, Chairman Nathe and members of the Committee.

My name is Michael Hurly, and I serve as a District Court Judge in the Northeast Judicial District, a largely rural area covering 5,339 square miles. Our district has six judges who provide judicial services to 68,600 citizens. While we are assigned local chambers, we regularly travel across the district to hear cases—what we colloquially call “windshield time.”

I have been a lawyer since 2007, beginning my practice in Devils Lake at the Traynor Law Firm. My practice was broad, the hours were long, and I loved the challenge of the courtroom. When I was encouraged to apply for the bench, I knew it would be a financial sacrifice, but I pursued it as a civic duty, inspired by my grandfather, who returned to North Dakota from the east coast after World War II at the request of Msgr. Hogan of St. Leo’s in Minot to provide medical care in rural communities.

As a judge, I have committed myself to working hard, treating every case with the seriousness it deserves, and ensuring that litigants feel heard. It’s why I personally appear at hearings rather than relying on Zoom. While I love my job and the challenges it presents, I did not fully grasp how isolating it can be.

North Dakota judges work hard. Our caseloads are among the heaviest in the nation. A recent study by the National Center for State Courts found that, adjusted for population, North Dakota judges carry the highest criminal caseload in the country. Not only do we handle more cases per capita, but we also resolve them more efficiently than other states. That is evidence-based proof that North Dakota citizens receive exceptional service from their judiciary as a whole.

That brings me to the issue of judicial compensation. Historically, there has been reluctance among judges to advocate for salary increases. As a result, North Dakota judicial salaries

have fallen behind both the national average and those of our neighboring states. According to the National Center for State Courts, North Dakota judges rank 40th and 42nd nationally in pay, trailing South Dakota, Minnesota, and Wyoming.

North Dakota is a small state with usually a one degree of separation amongst us. North Dakota's legal community is equally small, and attorneys are acutely aware of judicial salaries and staffing limitations. My concern is the growing difficulty in attracting private-sector attorneys to the bench. I have discussed this with Governor Armstrong, and he shares the same concern. If judicial salaries continue to lag behind competitive private-sector opportunities, we risk a shortage of qualified candidates willing to assume the workload and responsibilities required of a district court judge. This is in no way an attempt to disparage those judges coming from public office. Most of the judges in my district are former prosecutors, but the health of the judiciary as a whole must come from a diversity of perspective, which requires private sector attorneys to want to seek the bench. For instance, I understand what it takes to run a small firm and expenses only go up each year. When I practiced I felt frustration when Judges I appeared in front of challenged a bill submitted when I knew they had never been in private practice. I myself have hoped to never forget what that felt like.

To be sure, I am proud of the work my colleagues and I do, as well as the clerks and staff attorneys who support us. Thank you for recognizing their contributions with salary adjustments in our budget proposal as a whole. North Dakota citizens, whether in rural or urban areas, expect and deserve a strong judicial presence in their communities. Every judge I know is deeply committed to that mission even if we disagree philosophically.

Chairman Nathe and members of the Committee: Our caseloads and staffing constraints justify a salary structure that is at least in line with the national average. If we fail to address this, we will soon face a judicial recruitment and retention crisis.

For these reasons, I respectfully support the Judicial Branch's budget request for judicial salary adjustments. My colleagues on the bench deserve compensation that reflects their workload, experience, responsibilities, and the personal and professional demands of serving as a District Court Judge.

Thank you for your time and consideration. I would be happy to answer any questions.

**Respectfully submitted,**

Michael Hurly  
District Court Judge, Northeast Judicial District