

Klemin, Lawrence R.

From: Finck, Travis <tfinck@nd.gov>
Sent: Wednesday, March 12, 2025 12:20 PM
To: Klemin, Lawrence R.; Karls, Karen; Vetter, Steve M.; Tveit, Bill; McLeod, Carrie; Satrom, Bernie L.; Schneider, Mary; Olson, SuAnn; Hoverson, Jeff A.; VanWinkle, Lori; Johnston, Daniel; Wolff, Christina; Henderson, Donna; Christianson, Nels
Cc: Sickler, Jonathan; Ewell, Todd; Peterson, Shaun - NDLA, Intern 10
Subject: FW: SB 2226 - Incarcerated Individuals Presumed Indigent to Have Counsel at First Appearances

Rep. Klemin and Members of the Committee:

The Commission was asked to amend the appropriation in Section 2 of this bill given the proposed amendment of the Governor's Office for a delayed implementation date of January 2026. In so doing, the Commission would request the appropriation be amended to **\$463,644**.

The Commission reached this amount in the following way. The State District Courts are split into for different administrative units. We reached out to each Unit Administrator to find out when initial appearances for those in custody were conducted. We determined we would need a contractor to cover most of those hearings and devoted 1 hour of contract time to cover each initial appearance session. This equates to a requirement of 286.2 hours per month to cover all initial appearance time slots. This includes discounting time for some small rural counties who currently have their initial appearances during the timeslots of the larger counties.

We then multiplied the 286.2 hours per month times 18 months for the biennium. January 2026 – June 30, 2027. This total is 5151.6 hours for the biennium. We then take that number of hours and multiply it by our hourly rate we are anticipating given where our budget is currently at this biennium. (We currently pay 80 per hour, however, the Senate approved \$2,000,000 to increase contract rates and the house is now considering our budget. If that increase remains, we are confident we will be able to raise the rate to at least \$90 / hour.) The total appropriation request to have counsel and all initial appearances then totals: 286.2 hours per month * 18 months * \$90/hour = **\$463,644**.

Respectfully:



Travis W. Finck