

**Commission on Legal Counsel for Indigents**  
**Budget No. 188**  
**Senate Bill No. 2022; House Bill No. 1035**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2021-23 legislative appropriation	40.00	\$19,294,363	\$1,994,850	\$21,289,213
2019-21 legislative appropriation	40.00	18,384,627	1,990,035	20,374,662
2021-23 appropriation increase (decrease) to 2019-21 appropriation	0.00	\$909,736	\$4,815	\$914,551

**Item Description**

**Legal counsel for juveniles** - House Bill No. 1035 amended law related to the Uniform Juveniles Court Act and provided a \$325,000 general fund appropriation to the Commission on Legal Counsel for Indigents to provide legal counsel for juveniles.

The Commission on Legal Counsel for Indigents is required to report to the Legislative Management by July 1, 2022, regarding actual costs incurred to date and expected costs to be incurred for the 2021-23 biennium to provide legal counsel and related services to indigent juveniles and nonindigent juveniles, and any amounts collected from those financially able to pay all or part of the cost of providing legal counsel and related services for juveniles.

**Court case assignments** - The Commission on Legal Counsel for Indigents provides legal representation for indigent persons in cases where the person has a right to an attorney under the United States Constitution, Constitution of North Dakota, or North Dakota Century Code. If a court determines a person who has been charged with a crime is indigent, the court will assign the case to the commission.

**Status/Result**

Through March 2022, the commission estimates having 4,568 juvenile cases during the 2021-23 biennium, an increase of 1,377 juvenile cases from the 2019-21 biennium. It is anticipated the entire \$325,000 appropriation will be spent by the end of the biennium.

The actual cost of the additional juvenile cases may exceed the \$325,000 appropriation but due to significant employee turnover resulting in salary savings during the 2021-23 biennium, the commission does not anticipate requesting a deficiency appropriation from the 2023 Legislative Assembly. As of March 2022, the commission estimates the 2021-23 biennium cost of additional juvenile cases to be approximately \$550,000.

The following is a summary of court cases assigned to the commission. The cases shown for the 2021-23 biennium are based on actual cases through March 2022 and projected cases for the remainder of the biennium.

<b>Judicial District</b>	<b>Actual Cases</b>			<b>Projected Cases</b>
	<b>2015-17 Biennium</b>	<b>2017-19 Biennium</b>	<b>2019-21 Biennium</b>	<b>2021-23 Biennium</b>
East Central	6,820	7,436	8,156	8,707
North Central	3,378	3,209	3,010	2,955
Northeast	2,084	1,926	2,301	2,779
Northeast Central	2,630	2,776	2,784	3,525
Northwest	3,293	2,986	2,826	2,163
South Central	8,715	8,540	7,844	8,131
Southeast	2,477	2,658	2,310	2,448
Southwest	1,376	1,236	1,344	1,304
<b>Total</b>	<b>30,773</b>	<b>30,767</b>	<b>30,575</b>	<b>32,012</b>