



**Judicial Branch
Department No. 180
2025 Senate Bill No. 2002**

**EXECUTIVE BUDGET RECOMMENDATION
2025-27 BIENNIUM**

Budget Summary

	FTE Positions	General Fund	Other Funds	Total
Executive budget recommendation	406.00	\$165,513,155	\$1,409,499	\$166,922,654
Base level	384.00	128,256,984	1,440,428	129,697,412
Increase (decrease)	22.00	\$37,256,171	(\$30,929)	\$37,225,242
Percentage increase (decrease)	5.7%	29.0%	(2.1%)	28.7%

NOTE:

More detailed information on the executive budget recommendation is attached as Appendix A.

A copy of the draft appropriations bill reflecting the executive budget recommendation is attached as Appendix B.

Selected Highlights

- Salary increases of up to 4 percent effective July 1, 2025, and 3 percent effective July 1, 2026
- Health insurance increase of \$250 per month (15.2 percent), from \$1,643 to \$1,893, per employee
- Adds \$5.3 million of ongoing funding from the general fund for 22 new FTE positions
- Adds \$2 million of ongoing funding from the general fund for a 3 percent equity pay plan adjustment
- Adds \$2.1 million of ongoing funding from the general fund for information technology (IT) system maintenance and enhancements

Deficiency Appropriations

There are no deficiency appropriations for this agency.

Significant Audit Findings

There are no significant audit findings for this agency.

Agency Fees

As reported to the Legislative Management, pursuant to North Dakota Century Code Section 54-35-27, this agency has 15 fees. The agency did not recommend any changes to the fees, but noted the Legislative Assembly could consider increasing civil filing fees from \$80 to \$160 because the fees have not been increased since 1995.

Major Related Legislation

House Bill No. 1032 - Municipal court - Provides authority for the district court to hear city ordinance cases for cities of fewer than 5,000 people and allows two or more cities to create a joint municipal court and share the operating costs.

House Bill No. 1047 - Juror counseling - Provides for the court to offer psychological counseling services to jurors who served in a trial involving extraordinarily graphic, gruesome, or emotional evidence or testimony.

Senate Bill No. 2029 - Guardianship - Provides an appropriation of \$18.3 million from the general fund to the judicial branch and establishes the office of guardianship and conservatorship as a division under the Supreme Court.

Senate Bill No. 2036 - Juvenile remediation - Codifies due process rights, provides a method for juvenile competency remediation, and allows the court to deflect cases based on prior judicial findings of a lack of fitness to proceed.

Senate Bill No. 2037 - Juvenile court proceedings - Amends the statutory juvenile provisions relating to age-based sex offenses, sexual offender registration, child offender registration, domestic violence laws, and criminal responsibility for juvenile offenders.

Senate Bill No. 2054 - Master jury list - Provides for the master jury list maintained by the clerk of each county to be expanded to include persons receiving unemployment compensation, child care assistance, or other public assistance, contingent on the Department of Health and Human Services receiving a state plan amendment authorizing the disclosure of those individuals receiving public assistance and child care assistance.

Senate Bill No. 2056 - Tribal arrest warrant - Allows for an arrested person to waive the right to appear before a district court judge prior to being transferred to the custody of the applicable tribal authority.

Senate Bill No. 2057 - Court fees - Increases fees charged by municipal and district courts and the Supreme Court.

NOTE:

Please see the Fiscal Impact Report for additional information regarding bills under consideration, which contain either a state revenue impact, an appropriation, or a state fiscal impact.



Judicial Branch - Budget No. 180
Agency Worksheet - Senate Bill No. 2002

	Executive Budget			
	FTE Positions	General Fund	Other Funds	Total
2025-27 Biennium Base Level	384.00	\$128,256,984	\$1,440,428	\$129,697,412
2025-27 Ongoing Funding Changes				
Base payroll changes, including cost to continue salary increases and step increases in the judicial branch pay plan		\$3,490,350	(\$114,374)	\$3,375,976
Salary increase		7,311,571	37,100	7,348,671
Health insurance increase		2,425,383	18,767	2,444,150
Retirement contribution increase				0
Adds funding for pay plan 3 percent salary adjustment		2,028,177	10,639	2,038,816
Restores new and vacant FTE funding		2,455,681	23,723	2,479,404
Adds funding for accrued leave payouts		460,487	514	461,001
Adds 4.5 new juvenile court positions	4.50	829,304		829,304
Adds a new district court administrative assistant position	1.00	170,025		170,025
Adds a new district court deputy court administrator position	1.00	272,529		272,529
Adds 2 new district court programmer analyst positions	2.00	421,496		421,496
Adds 2 new district court network analyst positions	2.00	421,496		421,496
Adds a new district court technology coordinator position	1.00	196,210		196,210
Adds a new district court staff attorney position	1.00	293,625		293,625
Adds a new Supreme Court staff attorney position	1.00	293,625		293,625
Adds a new Supreme Court deputy clerk position	1.00	170,025		170,025
Increases a Supreme Court part-time administrative assistant position to full-time	0.50	65,161		65,161
Adds funding for office of guardianship and conservatorship	5.00	1,494,628		1,494,628
Adds funding for court navigator program	1.00	309,742		309,742
Adds funding for allied legal professional program	1.00	364,574		364,574
Adds funding for 3 new treatment courts		373,476		373,476
Reduces funding for judges' retirement		(13,666)		(13,666)
Adds funding for information technology (IT) system maintenance and enhancements		2,059,179		2,059,179
Adds funding for law library reference materials subscription		73,882		73,882
Adds funding for credit card processing and bank fees		293,000		293,000
Adjusts funding for operating costs		409,699	(7,298)	402,401
Adds funding for interpreters		125,500		125,500
Adds funding for county clerk of court contract		189,428		189,428
Increases funding for rural attorney recruitment program		36,000		36,000
Increases funding for the family mediation program to provide a total of \$1.52 million		138,200		138,200
Adds funding for guardian ad litem program to provide a total of \$2.35 million		935,768		935,768
Total ongoing funding changes	22.00	\$28,094,555	(\$30,929)	\$28,063,626
One-Time Funding Items				
Adds funding for IT equipment lease		\$874,216		\$874,216

Adds funding for case management system migration to cloud-based hosting		758,000		758,000
Adds funding for clerk filing software		1,250,000		1,250,000
Adds funding for problem solving court case management system		780,000		780,000
Adds funding for digital evidence management		980,000		980,000
Adds funding for court records access system		960,000		960,000
Adds funding for cloud-based storage fees		866,100		866,100
Adds funding for courtroom audio and video systems		1,586,700		1,586,700
Adds funding for Cass County courtroom equipment		100,000		100,000
Adds funding for Coteau Room camera and projector		10,000		10,000
Adds funding to replace furniture in three judge chambers		22,500		22,500
Adds funding to replace 48 workstations and cubicles		360,000		360,000
Adds funding for copy machines		75,000		75,000
Adds funding for folding machines		72,600		72,600
Adds funding for juvenile court workload study		466,500		466,500
Total one-time funding changes	0.00	\$9,161,616	\$0	\$9,161,616
Total Changes to Base Level Funding	22.00	\$37,256,171	(\$30,929)	\$37,225,242
2025-27 Total Funding	406.00	\$165,513,155	\$1,409,499	\$166,922,654

Federal funds included in other funds

\$855,023

Total ongoing changes - Percentage of base level

5.7%

21.9%

(2.1%)

21.6%

Total changes - Percentage of base level

5.7%

29.0%

(2.1%)

28.7%

Other Sections in Judicial Branch - Budget No. 180

Section Description	Executive Budget
Appropriation	Section 3 would appropriate to the judicial branch all funds received pursuant to federal acts and private gifts, grants, and donations, for the purpose as designated in the federal acts or private gifts, grants, and donations, for the period beginning July 1, 2025, and ending June 30, 2027.
Line item transfers	Section 4 would require the Director of the Office of Management and Budget to transfer appropriation authority between line items for the judicial branch as requested by the Supreme Court.
Supreme Court justices' salaries	Section 5 would provide the statutory changes to increase Supreme Court justices' salaries by approximately 11.1 percent on July 1, 2025. Supreme Court justices' annual salaries would be increased from the current level of \$186,484 to \$207,249 effective July 1, 2025. The Chief Justice of the Supreme Court would be entitled to receive an additional \$7,647 per annum effective July 1, 2025, an increase from the current additional amount for the Chief Justice of \$5,274 per annum.
District court judges' salaries	Section 6 would provide the statutory changes to increase district court judges' salaries by approximately 7.7 percent on July 1, 2025. District court judges' annual salaries would be increased from the current level of \$171,113 to \$184,366 effective July 1, 2025. A presiding judge of a judicial district would be entitled to receive an additional \$5,162 per annum effective July 1, 2025, an increase from the current additional amount for presiding judges of \$4,862 per annum.

Sixty-ninth
Legislative Assembly
of North Dakota

BILL NO. _____

Introduced by
Appropriations Committee
(At the request of the Supreme Court)

A BILL for an ACT to provide an appropriation for defraying the expenses of the judicial branch; to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of justices of the supreme court and salaries of district court judges; to provide for a transfer; and to provide an exemption.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the judicial branch for the purpose of defraying the expenses of the judicial branch, for the biennium beginning July 1, 2025, and ending June 30, 2027 as follows:

Subdivision 1.

SUPREME COURT

	<u>Base Level</u>	Adjustments or <u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$12,363,778	\$6,218,258	\$18,582,036
Operating expenses	2,915,259	700,007	3,615,266
Capital assets	0	866,100	866,100
New and vacant FTE funding pool	<u>8,740,214</u>	<u>(8,740,214)</u>	<u>0</u>
Total all funds	\$24,019,251	(\$955,849)	\$23,063,402
Less estimated income	<u>97,793</u>	<u>(97,793)</u>	<u>0</u>
Total general fund	\$23,921,458	(\$858,056)	\$23,063,402

Subdivision 2.

DISTRICT COURTS

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$79,576,340	\$25,531,013	\$105,107,353
Operating expenses	24,524,619	4,527,375	29,051,994
Capital assets	0	7,829,016	7,829,016
Judges' retirement	<u>177,340</u>	<u>(13,666)</u>	<u>163,674</u>
Total all funds	\$104,278,299	\$37,873,738	\$142,152,037
Less estimated income	<u>830,318</u>	<u>24,705</u>	<u>855,023</u>
Total general fund	\$103,447,981	\$37,849,033	\$141,297,014

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and disciplinary board	<u>\$1,399,862</u>	<u>\$307,353</u>	<u>\$1,707,215</u>
Total all funds	\$1,399,862	\$307,353	\$1,707,215
Less estimated income	<u>512,317</u>	<u>42,159</u>	<u>554,476</u>
Total general fund	\$887,545	\$265,194	\$1,152,739

Subdivision 4.

BILL TOTAL

	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Grand total general fund	\$128,256,984	\$37,256,171	\$165,513,155
Grand total special funds	<u>1,440,428</u>	<u>(30,929)</u>	<u>1,409,499</u>
Grand total all funds	\$129,697,412	\$37,225,242	\$166,922,654
Full-time equivalent positions	384	22	406

SECTION 2. ONE-TIME FUNDING - REPORT TO SEVENTIETH

LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-eighth legislative assembly for the 2023-25 biennium and the 2025-27 one-time funding items in section 1 of this Act:

<u>One-time Funding Description</u>	<u>2023-25</u>	<u>2025-27</u>
Office equipment and furniture over \$5,000	\$177,300	\$530,100
IT equipment over \$5,000	301,000	7,290,800
Staffing studies	0	466,500
Blade and disk drive lease payment	675,420	874,216
Department of Justice grant	<u>388,000</u>	<u>0</u>
Total all funds	\$1,541,720	\$9,161,616
Less estimated income	<u>388,000</u>	<u>0</u>
Total general fund	\$1,153,720	\$9,161,616

The 2025-27 one-time funding amounts are not a part of the entity’s base budget for the 2027-29 biennium. The supreme court shall report to the appropriations committees of the seventieth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2025, and ending June 30, 2027.

SECTION 3. APPROPRIATION. There are appropriated any funds received by the supreme court, district courts, and judicial conduct commission and disciplinary board, not otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose as designated in the federal acts or private gifts, grants, and donations for the period beginning July 1, 2025, and ending June 30, 2027.

SECTION 4. EXEMPTION - TRANSFERS. Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer appropriation authority between line items and subdivisions in section 1 of this Act as requested by the supreme court upon a finding by the court that the nature of the duties of the court and its staff requires the transfers to carry on properly the functions of the judicial branch of government.

SECTION 5. AMENDMENT. Section 27-02-02 of the North Dakota Century Code is amended and reenacted as follows:

27-02-02. Salaries of justices of supreme court.

The annual salary of each justice of the supreme court is ~~one hundred seventy-nine thousand three hundred twelve dollars through June 30, 2024, and one hundred eighty-six thousand four hundred eighty-four dollars thereafter~~ two hundred seven thousand two hundred forty-nine dollars per annum. The chief justice of the supreme court is entitled to receive an additional ~~five thousand seventy-one~~ seven thousand six hundred forty-seven dollars per annum ~~through June 30, 2024, and five thousand two hundred seventy-four dollars per annum thereafter~~.

SECTION 6. AMENDMENT. Section 27-05-03 of the North Dakota Century Code is amended and reenacted as follows:

27-05-03. Salaries and expenses of district judges.

The annual salary of each district judge is ~~one hundred sixty-four thousand five hundred thirty-two dollars through June 30, 2024, and one hundred seventy-one thousand one hundred thirteen dollars thereafter~~ one hundred eighty-four thousand three hundred sixty-six dollars per annum. Each district judge is entitled to travel expenses, including mileage and subsistence while engaged in the discharge of official duties outside the city in which the judge's chambers are located. The salary and expenses are payable monthly in the manner provided by law. A presiding judge of a judicial district is entitled to receive an additional ~~four thousand six hundred seventy-five~~ five thousand one hundred sixty-two dollars per annum ~~through June 30, 2024, and four thousand eight hundred sixty-two dollars thereafter~~.