

**2025 HOUSE JUDICIARY**

**HB 1189**

# 2025 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Room JW327B, State Capitol

HB 1189  
1/29/2025

A BILL for an Act to create and enact a new section to chapter 27-02 of the North Dakota Century Code, relating to publication of judicial improvement survey results.

10:50 a.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Hoverson, Johnston, McLeod, S. Olson, Satrom, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Representative Henderson

**Discussion Topics:**

- Other states with similar bills
- Public input on judicial surveys

10:50 a.m. Representative Nathan Toman, North Dakota Representative for District 34, introduced the bill.

10:53 a.m. Sally Holewa, North Dakota State Court Administrator, testified in opposition and provided testimony #31810.

11:03 a.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

**HB 1189****House Judiciary Committee  
January 29, 2025  
Testimony of Sally Holewa  
State Court Administrator**

Chair Klemin and members of the committee, for the record, my name is Sally Holewa. I am the state court administrator.

In 2003, the North Dakota Supreme Court established the North Dakota Judicial Improvement Program. This is a mandatory self-improvement program which requires every new district court judge and supreme court justice to participate in the program once during their first two years on the bench and then once per term following each election. District court referees are appointed by the presiding judge of the district rather than elected. They are required to participate in the program once during their first two years on the bench and then once during every four years they are employed as a referee. A judicial officer may request to participate in the process more frequently than the minimum requirement.

Under the program, a standard survey is released to North Dakota attorneys through the listserv maintained by the State Bar Association of North Dakota and another survey is sent to all court personnel who regularly work with the judicial officer. Results of the surveys are summarized and a report is sent to the individual who the judicial officer has selected as their reviewer. The reviewer then meets personally with the judicial officer to discuss the results and to provide guidance and practical advice if there are areas where improvement is needed.

The primary intent behind this program is to give judicial officers candid feedback in their early years on the bench so they have a chance to self-correct any behaviors that are problematic and improve their job performance. The requirement for continued performance evaluations is to catch emerging issues before they can become serious issues.

Publishing the results of the surveys would gut the purpose of the survey and, in my opinion, lead to both fewer responses and less candid responses. With fewer individual who can legitimately assess the judge's work performance holding back comments or not responding at all, a judge loses the opportunity to understand how they are being perceived, what they are doing well, and how they can do better.

Ninety percent of participating judges have indicated that they find the program helpful. Because it has been such a successful program, the court is reluctant to support any changes that have the potential to reduce its benefit for judicial officers. For this reason, I urge a Do Not Pass on HB 1189.

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**Discussion Topics:**

- Committee action

11:52 a.m. Representative Wolff moved a Do Not Pass.

11:52 a.m. Representative McLeod seconded the motion.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	N
Representative Jeff Hoverson	N
Representative Daniel Johnston	N
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	N
Representative Christina Wolff	Y

11:54 a.m. Motion passed 10-4-0

11:54 a.m. Representative Karls will carry the bill.

11:55 a.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**HB 1189 ([25.0669.01000](#))**

**Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). HB 1189 was placed on the Eleventh order on the calendar.