

**2025 SENATE APPROPRIATIONS**

**SB 2002**

## DEPARTMENT 180 - JUDICIAL BRANCH 2025-27 BASE-LEVEL BUDGET

### Base Budget - Summary

	<u>Base Level</u>
<b>Supreme Court</b>	
Salaries and wages	\$12,363,778
Operating expenses	2,915,259
New and vacant full-time equivalent (FTE) funding pool	<u>8,740,214</u>
Total all funds	\$24,019,251
Less other funds	<u>97,793</u>
Total general fund	\$23,921,458
Full-time equivalent (FTE) positions	45.50
<b>District Courts</b>	
Salaries and wages	\$79,576,340
Operating expenses	24,524,619
Judges' retirement	<u>177,340</u>
Total all funds	\$104,278,299
Less other funds	<u>830,318</u>
Total general fund	\$103,447,981
FTE positions	334.00
<b>Judicial Conduct Commission and Disciplinary Board</b>	
Judicial conduct commission and disciplinary board	<u>\$1,399,862</u>
Total all funds	\$1,399,862
Less other funds	<u>512,317</u>
Total general fund	\$887,545
FTE positions	4.50
<b>GRAND TOTAL - JUDICIAL BRANCH</b>	
Grand total all funds	\$129,697,412
Less grand total other funds	<u>1,440,428</u>
Grand total general fund	\$128,256,984
Grand total FTE positions	384.00

### Selected Base Budget Information

	General Fund	Other Funds	Total
1. Includes funding for Supreme Court salaries and benefits for 45.5 FTE positions (\$12,235,192), temporary salaries (\$44,000), and retirement leave payouts (\$84,586)	\$12,363,778	\$0	\$12,363,778
2. Includes funding for Supreme Court operating expenses, primarily relating to professional supplies and materials (\$733,287), professional development (\$360,000), and information technology (IT) costs (\$1,108,644)	\$2,915,259	\$0	\$2,915,259
3. Includes funding for the new and vacant FTE funding pool, including Supreme Court FTE positions (\$954,355), district courts FTE positions (\$7,729,838), and Judicial Conduct Commission and Disciplinary Board FTE positions (\$56,021)	\$8,642,421	\$97,793	\$8,740,214
4. Includes funding for district courts salaries and benefits for 334 FTE positions (\$78,139,246) and temporary salaries (\$1,437,094)	\$79,221,911	\$354,429	\$79,576,340
5. Includes funding for district courts operating expenses, primarily relating to travel (\$1,648,100), operating fees and services (\$9,800,740), professional fees and services (\$1,899,400), and IT costs (\$9,180,623)	\$24,048,730	\$475,889	\$24,524,619
6. Includes funding for judges' retirement	\$177,340	\$0	\$177,340
7. Includes funding for the Judicial Conduct Commission and Disciplinary Board, primarily relating to state employee salaries and benefits for 4.5 FTE positions (\$1,108,161), travel (\$45,000), professional fees and services (\$50,000), and rent (\$77,000)	\$887,545	\$512,317	\$1,399,862



## **Continuing Appropriations**

**Restitution collection assistance fund** - North Dakota Century Code Section 12.1-32-08 - This fund is used for defraying expenses incident to the collection of restitution through imposing a fee equal to the greater of \$10 or 25 percent of the amount of restitution ordered, not to exceed \$1,000. For the 2021-23 biennium, the fund had \$5,584 of revenues, \$36,477 of expenses, and a June 30, 2023, fund balance of \$77,716.

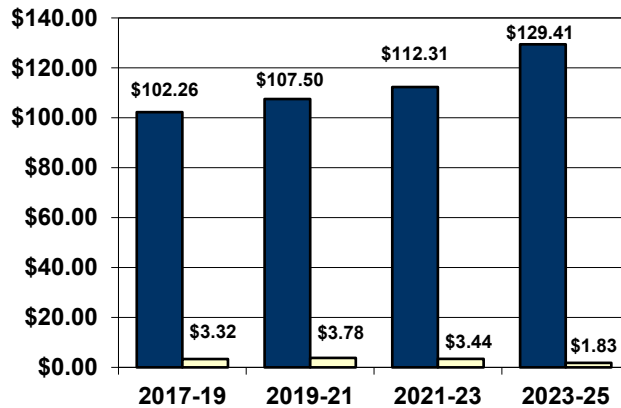
**Court facilities improvement and maintenance fund** - Sections 27-05.2-08 and 29-26-22 - Funding from this fund may be used by the Court Facilities Improvement Advisory Committee to make grants to counties to provide funds for court facilities and improvement and maintenance projects. The source of these funds is a \$100 fee charged in all criminal cases except infractions. The first \$750,000 collected is used for indigent defense services, the next \$460,000 is used for court facilities, and additional collections are deposited equally into the two funds. For the 2021-23 biennium, the fund had \$878,944 of revenues, \$922,649 of expenses, and a June 30, 2023, fund balance of \$1,574,118.

**Court receivables fund** - Section 27-05.2-04 - Any money received by the clerk which is not required to be deposited in the general fund, a different special fund, or the county treasury, and which is received as bail or restitution, or otherwise received pursuant to an order of the court is deposited in this fund. Amounts are used for refunding bail, forwarding restitution amounts to entitled recipients, or otherwise making payments as directed by the court. For the 2021-23 biennium, the fund had \$20,823,600 of revenues, \$23,270,410 of expenses, and a June 30, 2023, fund balance of \$7,915,009.

# Historical Appropriations Information

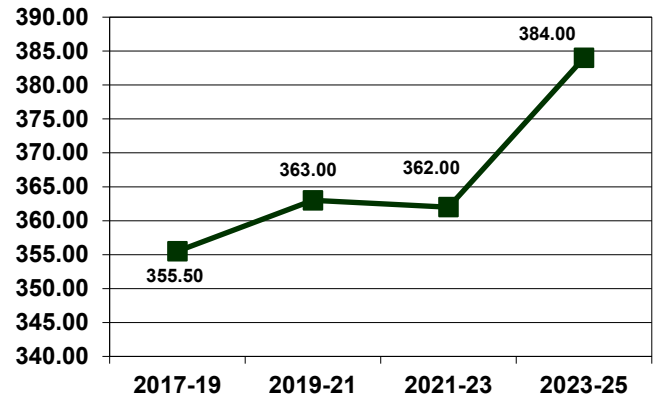
## Agency Appropriations and FTE Positions

Agency Funding (Millions)



■ General Fund □ Other Funds

FTE Positions



### Ongoing General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25
Ongoing general fund appropriations	\$101,591,134	\$102,257,770	\$107,355,691	\$110,312,790	\$128,256,984
Increase (decrease) from previous biennium	N/A	\$666,636	\$5,097,921	\$2,957,099	\$17,944,194
Percentage increase (decrease) from previous biennium	N/A	0.7%	5.0%	2.8%	16.3%
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	0.7%	5.7%	8.6%	26.2%

### Major Increases (Decreases) in Ongoing General Fund Appropriations

#### 2017-19 Biennium

1. Removed 32 FTE positions (\$2,801,754)
2. Increased funding for operating expenses, including IT costs \$1,101,096
3. Increased funding for payments to contract counties for clerk of court services \$342,479

#### 2019-21 Biennium

1. Added 7.5 FTE positions, including 1 new district judge \$1,459,508
2. Reduced funding for miscellaneous expenses, including equipment, IT, and other operating expenses (\$757,971)
3. Added funding for drug court in the Southeast Judicial District \$125,240

#### 2021-23 Biennium

1. Reduced funding for juvenile intensive in-home services (\$200,000)
2. Added funding for a veterans' treatment court \$145,247
3. Added funding to lease IT equipment \$912,008

#### 2023-25 Biennium

1. Added funding for 22 new FTE positions \$4,658,738
2. Added funding for increased IT costs \$2,392,995
3. Added funding to increase jury compensation rates by 100 percent \$960,000
4. Added funding for temporary youth coordinator positions \$495,000

### One-Time General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25
One-time general fund appropriations	\$3,662,530	\$0	\$147,352	\$2,000,000	\$1,153,720

## Major One-Time General Fund Appropriations

### 2017-19 Biennium

None	\$0
------	-----

### 2019-21 Biennium

1. Added funding for copy machines and audio and video equipment	\$147,357
--	-----------

### 2021-23 Biennium

1. Added funding for a juvenile case management system	\$2,000,000
--	-------------

### 2023-25 Biennium

1. Added funding for district court equipment, including copy machines, video systems, and other IT equipment	\$1,125,220
---	-------------

2. Added funding for Supreme Court equipment, including a microfiche machine and copy machines	\$28,500
--	----------



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

**EXECUTIVE BUDGET RECOMMENDATION  
2025-27 BIENNIUM**

**Budget Summary**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
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
<b>2025-27 Biennium Base Level</b>	384.00	\$128,256,984	\$1,440,428	\$129,697,412
<b>2025-27 Ongoing Funding Changes</b>				
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	<b>22.00</b>	<b>\$28,094,555</b>	<b>(\$30,929)</b>	<b>\$28,063,626</b>
<b>One-Time Funding Items</b>				
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	<b>0.00</b>	<b>\$9,161,616</b>	<b>\$0</b>	<b>\$9,161,616</b>
<b>Total Changes to Base Level Funding</b>	<b>22.00</b>	<b>\$37,256,171</b>	<b>(\$30,929)</b>	<b>\$37,225,242</b>
<b>2025-27 Total Funding</b>	<b>406.00</b>	<b>\$165,513,155</b>	<b>\$1,409,499</b>	<b>\$166,922,654</b>

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>	<u>Adjustments or 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

		Adjustments or	
	<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

		Adjustments or	
	<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

		Adjustments or	
	<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~~.



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

**REVISED EXECUTIVE BUDGET RECOMMENDATION  
2025-27 BIENNIUM**

**Budget Summary**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Burgum budget recommendation	406.00	\$165,513,155	\$1,409,499	\$166,922,654
Revisions - Increase (decrease)	0.00	(955,228)	(6,769)	(961,997)
<b>Armstrong budget recommendation</b>	<b>406.00</b>	<b>\$164,557,927</b>	<b>\$1,402,730</b>	<b>\$165,960,657</b>
Base level	384.00	128,256,984	1,440,428	129,697,412
Increase (decrease)	22.00	\$36,300,943	(\$37,698)	\$36,263,245
Percentage increase (decrease)	5.7%	28.3%	(2.6%)	28.0%

**NOTE:**

More detailed information on the revised executive budget recommendation is attached as an appendix.

**Selected Highlights**

- **Salary increases of up to 3 percent effective July 1, 2025, and 3 percent effective July 1, 2026**
- Health insurance increase of \$250.22 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 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.

**House Bill No. 1310 - Court improvement grants** - Eliminates the court improvement grants program and removes certain fees charged by the court, including for presentence investigation and prosecution costs.

**House Bill No. 1328 - School discipline** - Requires a school to exhaust all school discipline policies and procedures before referring a child to juvenile court.

**House Bill No. 1347 - Supervised treatment** - Clarifies responsibilities for district court supervised treatment programs.

**House Bill No. 1417 - Court fines and fees** - Amends law relating to probation and provides for a Legislative Management study of court fines and fees.

**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

	Armstrong Executive Budget			
	FTE Positions	General Fund	Other Funds	Total
<b>2025-27 Biennium Base Level</b>	384.00	\$128,256,984	\$1,440,428	\$129,697,412
<b>2025-27 Ongoing Funding Changes</b>				
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		4,277,475	30,331	4,307,806
Health insurance increase		2,425,383	18,767	2,444,150
Adds funding for judges and justices salary equity		2,078,868		2,078,868
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	<b>22.00</b>	<b>\$27,139,327</b>	<b>(\$37,698)</b>	<b>\$27,101,629</b>
<b>One-Time Funding Items</b>				

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 system		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	<b>0.00</b>	<b>\$9,161,616</b>	<b>\$0</b>	<b>\$9,161,616</b>
<b>Total Changes to Base Level Funding</b>	<b>22.00</b>	<b>\$36,300,943</b>	<b>(\$37,698)</b>	<b>\$36,263,245</b>
<b>2025-27 Total Funding</b>	<b>406.00</b>	<b>\$164,557,927</b>	<b>\$1,402,730</b>	<b>\$165,960,657</b>

*Federal funds included in other funds*

*\$851,850*

*Total ongoing changes - Percentage of base level*

*5.7%*

*21.2%*

*(2.6%)*

*20.9%*

*Total changes - Percentage of base level*

*5.7%*

*28.3%*

*(2.6%)*

*28.0%*

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
1/20/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for transfers; and to provide an exemption.

10:09 a.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Scott Meyer, Senator Donald Schaible, Senator Paul J. Thomas.

### Discussion Topics:

- Major Changes within Judicial Branch.
- New FTS's.
- IT.
- Other Fees.
- Budget Request.
- Judicial National Average Salary.

10:09 a.m. John Jenson, Chief Justice of the Supreme Court, testified in favor and submitted testimony #29803.

10:15 a.m. Sally Holewa, State Court Administrator, Judicial Branch, testified in favor and submitted testimony #29802.

10:58 a.m. Don Wolfe, Director of Finances, Judicial Branch, testified in favor and submitted testimony #29806

11:01 Sally Holewa, State Court Administrator, Judicial Branch, testified in favor.

11:02 Don Wolfe, Director of Finances, Judicial Branch, testified in favor and continued testimony #29806.

11:20 a.m. Kara Erikson, Disciplinary Council, Judicial Branch testified in favor and submitted testimony #29835.

11:23 a.m. Barbara Whelan, District Court Judge, Judicial Branch, testified in favor and submitted #29931.

11:34 a.m. Zachary Pelham, Private Practice attorney, testified in favor and submitted testimony #29846.

11:46 a.m. Tony Weiler, State Bar Association, testified in favor.

11:48 a.m. Barbara Andrist, testified in favor and submitted testimony #29882.



11:52 a.m. Travis Finck, Executive Director of ND Commission of Legal Council, testified in favor.

**Additional written testimony:**

Dennis Pathroff, Lobbyist, ND Judges Assoc. submitted testimony in favor #29878.

11:52 a.m. Chairman Sorvaag closed the meeting.

*Steven Hall, Committee Clerk*

**Senate Bill 2002  
House Appropriations Committee  
Education and Environment Division**

**Testimony Presented by Sally Holewa  
State Court Administrator  
January 20, 2025**

Good morning, Chairman Sorvaag and members of the Committee. For the record, my name is Sally Holewa. I am the State Court Administrator. I will be providing an overview of the major changes in the Judicial Branch appropriation request. Our director of finance will be following me to provide the line-item details.

The Judicial Branch appropriation funds the personnel, programs, and operating costs of the Supreme Court, the district courts, and the Judicial Conduct Commission and Attorney Disciplinary Board (JCCDB). Our appropriation request for the 2025-2027 biennium is **\$166,922,654**. This is an increase of **\$37,225,242** over our 2023-2025 base budget. The increase comes primarily from two areas: IT and Salaries and Benefits. The increase in IT costs is mostly in the maintenance of necessary software and equipment but also includes some discretionary IT projects. In addition to the regular cost to continue salaries and health insurance increases, the increase in salary and benefit costs includes an increase in judge salaries, a market adjustment to the court's compensation pay grid, and a request for 22 additional FTEs.

### **Salary and Wages**

Personnel costs are the largest share (83%) of the court's budget. Our appropriation request includes an increase of **\$7,713,983** for increases in health insurance and for salary increases of 4% in the first year of the biennium and 3% in the second year of the budget. The appropriation request also includes **\$2,078,868** for judicial officer increases, **\$2,038,816** to adjust our compensation system to the market rate, and funding for 22 new FTEs at a total cost of **\$5,240,783**.

### **Judicial Officer Raises**

I believe there are other people here today who will be testifying about the need to increase judicial salaries, so I will keep my remarks on this subject short. Our judicial salaries are falling behind. In 2007, the legislature made a choice to bring North Dakota judge salaries to a comparable level with neighboring states. We were able to obtain and hold parity with them for several years but have since fallen far behind them. We are requesting that North Dakota judicial salaries be raised to the equivalent of the national average. This equates to a 12.1% increase for the chief justice, 11.1% for the other justices, and 7.7% for the presiding judge, other judges of the district court, and judicial referees.

The current salary for a district court judge is \$171,113.00. Every district has a presiding judge who is paid slightly higher to handle administrative duties in addition to their duties as a judge. The current salary for a presiding judge is \$175,975.00. Under the proposed increase, the salary for a district court judge would rise to \$184,366.00 on July 1, 2025. The salary for a presiding

judge would rise to \$189,528.00 on July 1, 2025. Including the 8 presiding judges, we currently have a total of 55 district court judges.

The current salary for a supreme court justice is \$186,484.00. The Chief Justice has a higher salary because he is the administrative head of the judicial branch in addition to his adjudicative duties. The current salary for the Chief Justice is \$191,758.00. Under the proposed increase, the salary for a supreme court justice would rise to \$207,249 on July 1, 2025. The salary for the Chief Justice would rise to \$214,896.00 on July 1, 2025. Including the Chief Justice, there is a total of 5 supreme court justices.

District court referees are appointed by the presiding judge of a district to assist the judges in managing their caseloads. By court policy, they are paid 80% of the salary of a district court judge. We currently have 5 referees serving in 3 judicial districts.

### **Adjustment to Compensation System**

The court system uses an 11-step/21-year compensation grid that is pegged to market level at mid-point of the grid. The system is designed to start employees at a training wage that increases until it reaches market level or the mid-point of the step system. The grid periodically needs to be adjusted to maintain market position because of changes in the demand for labor and increases in the cost-of-living. The last time we adjusted our pay grid to market level was in 2013. A compensation study that we completed in 2024 shows that our mid-point has slipped 13.20% from where we were in 2015. To regain market level, we are requesting a 3% adjustment of the grid. The cost to make this adjustment is **\$2,038,816**.

## **New FTEs**

### **Office of Guardianship and Conservatorship (SB 2029)**

If it passes, SB 2029 will create an Office of Guardianship and Conservatorship responsible for overseeing the expenditure of over \$19 million in public funds for guardianship services, licensing of professional guardians, establishing a complaint process, and providing education for guardians and conservators. Our appropriation request includes \$326,140 for operating expenses and \$1,252,432 for 5 new FTE positions to set up the administrative structure to handle the new financial, educational and oversight responsibilities assigned to the Commission. The new FTEs include 1 director, 1 administrative assistant, 1 accountant analyst, 1 program monitor and 1 paralegal.

The director would be responsible for the administrative oversight of the Office, which would include oversight for \$19 million appropriation, staff management, program management and support for an operations committee and a complaint review board.

The administrative assistant would assist the director with general office tasks and provide logistical and clerical support to the complaint review board and operations committee.

The accountant analyst would be responsible for auditing and payment of invoices, office expenses and program expenditures.

The monitoring program manager would conduct random financial reviews, assign court visitors, prepare reports, testify in court, respond to inquiries, and create continuing education sessions for guardians and conservators.

The paralegal would assist the staff attorney in investigating concerns that are filed with the complaint review board.

### **Court Navigator**

We are requesting \$329,862 to establish a court navigator position within our self-help center. This includes 1 FTE staff attorney at a cost of \$313,744 plus \$16,118 in operating costs. A court navigator is an attorney who has been given special authority to provide legal assistance to self-represented litigants in completing forms and answering legal questions related to specific proceedings.

### **Allied Legal Professional Program**

We are requesting \$384,694 to implement an Allied Legal Professional Program. This includes 1 FTE staff attorney at a cost of \$313,744 and \$70,950 in operating costs. Allied Legal Professional programs have been successful in other states in mitigating attorney shortages by providing cost-effective legal advice and assistance for specified proceedings. Allied Legal Professionals must pass examinations and be licensed by the Board of Law Examiners. We anticipate building education and testing for up to 5 areas of law, including landlord-tenant, consumer debt collection and family law.

### **District Court Staffing**

District court services are available in all 53 counties, but we do not have a judge or an office in every county. We have judges chambered in 19

counties, juvenile court offices in 10 counties, state-employed clerks of court in 14 counties and administrative offices in 4 counties.

#### **Unit 1 (NECJD and NEJD)**

- .5 FTE administrative assistant for juvenile court to convert a current part-time position in Grand Forks to a full-time position.

#### **Unit 2 (ECJD and SEJD)**

- 1 FTE administrative assistant for juvenile court
- 1 FTE juvenile court officer

Both of these positions would be located in Fargo

#### **Unit 3 (SCJD and SWJD)**

- 1 FTE administrative assistant for the unit administrator's office. This would restore one of the two positions that were lost due to budget reductions in 2016 and free up time that the unit administrator is spending doing clerical work.

#### **Unit 4 (NCJD and NWJD)**

- 1 FTE deputy unit administrator

Unit 4 is the only administrative unit that operates without a deputy unit administrator. The position should have been filled in 2004 but instead was converted to a juvenile court officer position and moved to Bismark to fill an acute shortage in the juvenile court. This decision has created a situation where the unit administrator, without any assistance or back-up, has to perform all of her duties as well as those specifically assigned to deputy administrators such as risk management and annual audits of the clerks of court offices within the unit.

- 1 FTE administrative assistant for juvenile court
- 1 FTE juvenile court officer

Both juvenile court positions will be located in Minot

#### **IT Staff**

- 2 FTE programmers
- 2 FTE network analysts
- 1 FTE technology coordinator

The court system currently has an IT department that consists of 1 IT director and 12 staff to support 4,000 internal and external clients. Since 2000, we have added only two additional staff to this department and both were positions converted from other departments when a vacancy occurred. This staffing level leaves us unable to meet the demands for service, leading to delays in creating new programs, responding to requests for data, and inhibiting the ability to adequately staff the office throughout the day due to the need to physically install and upgrade equipment and provide training to court staff and others.

### **Self-Help Staff**

- 1 FTE Self-help staff attorney

The self-help center was established in 2014. On average, the Center responds to over 1,600 requests for service every year. The Center has also developed 800 instructions, guides and forms for self-represented litigants. It is staffed by one attorney, who also serves as the law librarian, and one paralegal. Additional assistance is provided by the assistant law librarian. Another attorney is needed to meet the heavy demand for services and to provide for regular review of current forms as well as creating new resources as time allows.

### **Clerk of the Supreme Court staff**

- .5 FTE administrative assistance
- 1 FTE deputy supreme court clerk

This would convert a current half-time administrative position to a full-time position and add one additional deputy clerk to meet the needs of the office.

### **State Court Administrator staff**

- 1 FTE staff attorney

There are currently three staff attorneys within the office of the state court administrator. They provide legal research, policy interpretation and guidance to clerks of court, juvenile court personnel, division directors, program managers and others. They also staff supreme court committees, draft legislation, rules and policies, provide training to judges and court staff and serve as faculty for continuing legal education programs. They frequently serve as members or staff to interagency committees and task forces.



### **IT Costs**

Each year there are increases associated with data processing, software licensing and equipment. We are requesting **\$2,059,179** to cover those increases to allow us to continue necessary IT operations.

### **One-time funding for IT equipment over \$5,000/capital assets**

We are requesting **\$7,298,916** for IT equipment over \$5,000. With 54 locations and more than 100 courtrooms statewide, we have equipment that regularly needs to be replaced. Our appropriation request includes funds to replace a number of audio and video systems for courtrooms, and similar equipment that are used on a daily basis. There is one item, though, that I specifically want to bring to your attention because it is the single largest item in our capital assets request and probably the most important one. That is the **\$874,216** lease payment for the blade servers and disk drives. This equipment holds all of our court records and is vital to our operation. We used to buy these items and replace them every few years but last biennium we followed NDIT's lead and switched to leasing. Leasing allows us access to upgrades as they are released and allows for more predictable budgeting and better pricing.

### **Capital Assets**

We are requesting one-time funding of **\$866,100** for the subscription fee for hosting (cloud solution) the Supreme Court's case management system.

### **One-time funding for non-IT Equipment over \$5,000**

We are requesting **\$530,100** for office equipment and furniture. This includes 4 large capacity copy machines; 2 medium capacity copy machines; 6 folding machines; furniture replacement for 3 judicial chambers and replacement of 48 workstation and office furniture systems.

### **IT initiatives**

- **\$1,250,000** to implement AI for clerk filings. This is a product that is offered by our current case management software vendor and is being used successfully in courts in Texas and Florida. The South Central Judicial District is currently short 10 deputy clerks of court. This project would help fill that need and reduce the burden on current staff that is created by chronic turnover and staff shortages.
- **\$780,000** to implement a new case management system for problem-solving courts. This software would be used by the 6 adult drug courts, the Richland County Treatment Court, 5 juvenile drug courts, both the current and planned veterans court, and the planned mental health court and Indian Child Welfare Court.
- **\$980,000** to implement a digital evidence management system. This is a software system that allows litigants to upload evidence into the software, share it with opposing counsel, mark it as an exhibit and play the evidence in court during trials or other court proceedings. Evidence is stored and managed within the system rather than on external storage devices.
- **\$960,000** for mandatory migration to the new version of public and attorney access to court records. Our case management software company is discontinuing support for the current portal that allows the public to search court records and for attorneys to search records and access court documents.
- **\$758,000** for migrating the district court case management system to the cloud. Our current software vendor is shifting its business away from on-premise solutions. We anticipate the need to move to the cloud-based version during the 2025-2027 biennium.

## **Other Initiatives**

### **Specialized court dockets**

We are requesting **\$373,476** for temporary staff and operating expenses to establish 3 new specialized court dockets. These include an Indian Child Welfare Court in Devils Lake, a Mental Health Court in Mandan, and a Veteran's Court in Fargo. Each of these courts would be staffed by a part-time temporary coordinator at a cost of \$86,592 per position.

### **Lay Guardian ad litem program**

A lay guardian ad litem is a non-lawyer who is appointed by the court to advocate for children who are the subject of a child in need of protection or services case. This program is run through a contract with Youthworks and relies on a staff of 15 part-time positions and 4 full-time positions. A task force that examined the lay guardian ad litem system this summer determined that the most effective way to reduce turnover, increase skills and meet the request for more involvement with the children was to add 4 full-time positions by combining several of the part-time positions. The cost to make that change is an increase of **\$935,768**.

### **Family Mediation Program**

The court has had a family mediation program since 2008. This program has proven to be a great success for resolving disputed parental rights and responsibilities and grandparent visitation issues. The program has an historic average settlement rate of 71% and satisfaction rate by parties of 87%. Prior to implementing the program, 27% of cases were re-opened

within 3 years to litigate issues with parenting time or parenting responsibility. That rate has now dropped to just 17%. We are requesting an increase of **\$138,200** to allow us to continue to accept all cases that are referred to the program.

### **County Contract fees**

We are requesting \$4,687,536 for the clerk of court services that we obtain through contracts with 39 counties. This is a slight increase of **\$189,428** from the current appropriation. The amount is based on the number and types of cases filed during the period of January 2022 through January 2024 and the clerk of court staff county salary in effect on January 2024, and includes additional salary reimbursement of \$173,928 plus an additional \$15,500 in operating costs to cover credit card processing fees.

Since 2001, clerk of court services are delivered in two ways in North Dakota. In fourteen counties,<sup>1</sup> the state employs the personnel for this office. In the remaining 39 counties, the state contracts with the county to perform those duties under NDCC 27-05.2-02. The contracts for those counties are calculated using the court's workload assessment formula. This formula determines the amount of work required based on number and types of cases filed using a two-year average.

### **Staffing studies**

The court uses time and motion studies to determine how many staff are needed and where staff should be located. We are requesting one-time

---

<sup>1</sup> The fourteen counties where clerk offices are state employees are: Barnes, Burleigh, Cass, Grand Forks, McKenzie, Morton, Ramsey, Richland, Rolette, Stark, Stutsman, Walsh, Ward, and Williams. Five counties are eligible to transfer clerk services to the state but have elected to retain those services. Those counties are: Dunn, McHenry, McLean, Mercer and Mountrail.

funding of **\$466,500** to update the clerk of court and juvenile court staffing studies, and to develop a new study to determine staffing levels for staff attorneys, law clerks and paralegals.

### **Conclusion**

I have attached some additional information about the court system that is not specifically related to our appropriation request. I will be happy to run through that information or let you review it on your own at some other time, depending on the preference of the committee chair.

Don Wolf, our Director of Finance, will provide more details of our budget request in his presentation.

## North Dakota Courts by the Numbers

### Supreme Court

**5** – Number of Justices on the Supreme Court

**10 years** – Length of Term

**4** - Number of Justices initially reaching the bench through gubernatorial appointment

**390** – Number of new Supreme Court cases filed in 2023

### District Courts

**52** – Number of District Court Judges

**6 years**– Length of Term

**36** – Number of current district court judges initially reaching the bench through gubernatorial appointment

**5** - District Court Referees appointed by the presiding judges

**12** - Chambered cities

**8** - Judicial Districts

**4** - Administrative Units

**53** – Clerks of District Court

**14** – Number of Clerk of Court offices under state employment

**5** – Number of Clerk of Court offices eligible to transfer to state employment

**20,355** district court cases re-opened in 2023

**154,074** new district court cases filed in 2023

### Municipal Courts

**73** – Number of Municipal Courts

**54** – Number of Municipal Court Judges

**21** – Number of municipal court judges who have a law degree

**4 years**– Length of Term

**55** – Number of Municipal Court Clerks

**80** – Number of contracts the district courts have with municipalities to hear some or all of their ordinance cases

**Unknown** – Number of cases filed in municipal courts

### Juvenile Court

**10** – Number of Juvenile Court Offices

**4** – Number of juvenile court offices staffed by a single person

**5,998** – Number of new juvenile cases filed in 2023

## **Specialized Court Dockets**

**6** - Number of juvenile drug courts

**76** – Number of new cases referred to juvenile drug court in 2023

**6** – Number of adult drug courts

**1** – Number of veterans treatment courts

**8** – Number of cases supervised by Veterans court in its first year

**1** – Number of domestic violence courts

**92** – Number of referrals to domestic violence court in 2023

**551** – Number of cases supervised by DV court since its inception

## **Court Services**

### **Self-Help Center**

**2** - Number of Staff employed in the self-help center

**800** - Number of forms and guides available through the self-help center

**1,585** - Number of direct requests made to the Self-Help Center in 2023

**16,609** - Number of direct requests received by the Self-Help Center since its inception in July 2015

### **Family Mediation Program**

**777** - Number of cases sent to family mediation program in 2024

**67%** - Percentage of cases fully or mostly resolved through the family mediation program in 2024

### **Expedited Family Mediation Program**

**269** - Number of requests for the expedited mediation program since its inception in June 2020

**61%** - Percentage of cases resolved through the expedited mediation program

### **Guardianship Monitoring Program**

**355** - Average number of new guardianship cases filed each year

**85** - Number of cases referred to the monitoring program in 2024

**19** - Number of cases in 2024 referred to Adult Protective Services, Protection & Advocacy or Social Security Administration as a result of a review by the Guardianship monitoring program

**300** - Average number of individuals trained annually

**3,669** - Number of guardianship cases that were active in 2024

## **Judicial Conduct Commission & Attorney Disciplinary Board**

**42** – Number of new judicial conduct complaints filed in 2023

**55** – Number of new attorney conduct complaints filed in 2023

## **State Board of Law Examiners**

**3,070** – Number of law licenses issued in 2023

**1,585** - Number of North Dakota licensed attorneys who actually reside in North Dakota

## **Finances**

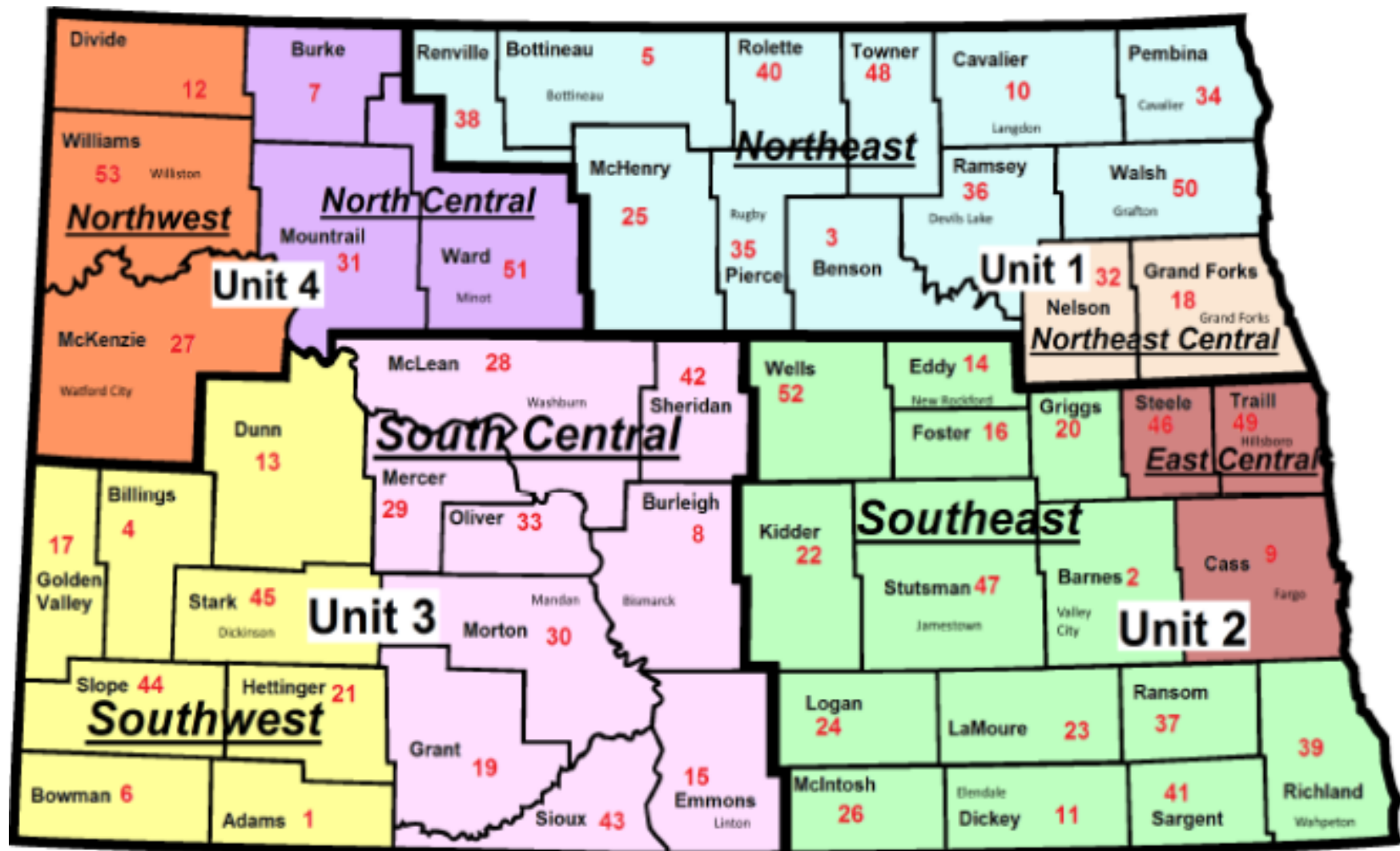
**384** – Number of FTEs excluding judicial officers

**.07 %** - Percent of General Fund dollars appropriated to the Judicial Branch for the 2024-2023 biennium

**83%** - Percent of Judicial Branch Budget Spent on Salaries & Wages

**\$26.9 Million** – Average amount of money collected by the district courts during a biennium





**Senate Bill 2002  
House Appropriations Committee  
Education and Environment Division**

**Testimony Presented by Jon J. Jensen  
Chief Justice  
January 20, 2025**

Good morning, Chairman Sorvaag and members of the Committee. For the record, my name is Jon Jensen. I am the Chief Justice of the North Dakota Supreme Court. Sally Holewa, our State Court Administrator will be providing an overview of the major changes in the Judicial Branch appropriation request. Our director of finance, Don Wolf, will be following her to provide the line-item details. They will be able to answer your specific questions. Also attending today's hearing are Justice Lisa Fair McEvers and Justice Douglas Bahr.

Thank you for the opportunity to testify and introduce Ms. Holewa and Mr. Wolf. Let me start by saying thank you to the prior legislature for addressing our funding requests for the current budget cycle. In particular, we are grateful for the creation of three new judicial positions in the Northeast Central Judicial District and the East Central Judicial District. Those positions have already been filled and are helping to elevate some of the excess workload placed on the existing judges in those districts.

While Ms. Holewa and Mr. Wolf will be able to answer your specific questions, I would like to highlight five areas of the Judicial Branch budget:

1. The need for judicial salary increases.
2. The 3% adjustment to the compensation grid to regain our competitiveness in the market.
3. The need for the Office of Guardianship and Conservatorship and the necessity of adequate staffing for that Office.
4. The creation of a court navigator position, additional staff for the self-help center, and the creation of an Allied Legal Professional program to address the shortage of attorneys.

5. The funding of an AI driven filing initiative to address current and future staffing needs.

Ms. Holewa and Mr. Wolf will discuss these and the other aspects of the Judicial Branch budget. Thank you and I wish you the best for the current legislative session.

**Senate Bill 2002**  
**Senate Appropriations**  
Don Wolf, Director of Finance  
January 20, 2025

Mr. Chairman and members of the Committee, good morning. For the record my name is Don Wolf and I am the Director of Finance for the court system. I will be providing you with a summary of the Judicial Branch budget request.

<b>JUDICIAL BRANCH</b>	<b>2023-25 Biennium Appropriation</b>	<b>One-time Funding Adjustment</b>	<b>2023-25 Biennium Base</b>
Supreme Court	\$24,435,751	(\$416,500)	<b>\$24,019,251</b>
District Court	105,403,519	(1,125,220)	<b>\$104,278,299</b>
JCC/DB	<u>1,399,862</u>	<u>0</u>	<b><u>\$1,399,862</u></b>
<b>Total base budget</b>	<b>\$131,239,132</b>	<b>(\$1,541,720)</b>	<b>\$129,697,412</b>

<b>Funding</b>	<b>2023-25 Biennium Appropriation</b>	<b>One-time Funding Adjustment</b>	<b>2023-25 Biennium Base</b>
General Fund	\$129,410,704	(\$1,153,720)	<b>\$128,256,984</b>
Federal funds	1,294,767	(388,000)	<b>\$906,767</b>
Special funds	<u>533,661</u>	<u>0</u>	<b><u>\$533,661</u></b>
<b>Total</b>	<b>\$131,239,132</b>	<b>(\$1,541,720)</b>	<b>\$129,697,412</b>

The total **2023-25 biennium appropriation** for the Judicial Branch is **\$131,239,132**. The appropriation includes funding for the Supreme Court, district courts and the Judicial Conduct Commission and Disciplinary Board (JCC/DB).

The 2023-25 biennium appropriation included **one-time funding** of \$1,153,720 from the general fund for capital assets and \$388,000 of federal funds from a Department of Justice Grant for a study and implementation project to reduce delay in criminal case processing. The total 2023-25 biennium **base budget** (net of the one-time funding) is **\$129,697,412**.

The 2023 Legislative Assembly approved 22 new FTE positions for the Judicial Branch. The positions approved include:

- 1 FTE assistant state court administrator position;

- 3 FTE district court judge positions;
- 4 FTE staff attorney positions;
- 11 FTE deputy clerk of court positions;
- 1 FTE guardianship monitoring program position; and
- 2 FTE court improvement program positions that were converted from temporary positions.

These new positions were all filled during the first seven months of the biennium with the exception of 2 FTE deputy clerk positions, which were finally filled in July 2024. There continues to be a high turnover rate among the deputy clerk of court positions statewide. There have been 39 separate times a deputy clerk of court position has been vacated during the first 18 months of the biennium, excluding the 11 new deputy clerk of court positions that were authorized. This is out of 99 total deputy clerk of court positions.

The 2023-25 biennium court system budget was reduced by \$11,219,618 to account for new FTE position and vacant FTE position salary savings. A total of \$8,740,214 was appropriated to the new FTE (\$3,989,161) and vacant FTE (\$4,751,053) funding pool line item. In July 2024, the court system transferred \$6,038,547 from the new and vacant FTE funding pool to salaries and wages. There remains a balance of \$2,701,667 within the vacant FTE funding pool. It is anticipated that we will make an additional transfer from the vacant FTE funding pool before the end of the biennium, however we do not anticipate a deficiency appropriation request.

Actual savings from vacant positions to date is \$1,192,284. Savings from vacant positions have been used for accrued leave payments (\$151,657); step system increases (\$42,007); overtime, on-call and comp time (\$32,225); position reclassifications (\$102,725); and salary equity adjustments (\$121,268).

The 2025-27 biennium budget request (Governor's recommendation) is **\$166,922,654** or an increase of \$37,225,242 as compared to the 2023-25 biennium base budget. The budget request provides for a total of **406.0 full-time equivalent (FTE)** positions, which is an increase of 22 FTEs as compared to the current appropriation.

#### **A comparison of budget versions:**

Subdivision	2023-25 Biennium Base	2025-27 Biennium Request	Increase (Decrease)
Supreme Court	\$24,019,251	\$23,063,402	(\$955,849)
District Court	104,278,299	142,152,037	\$37,873,738
JCC/DB	1,399,862	1,707,215	\$307,353
<b>Total</b>	<b>\$129,697,412</b>	<b>\$166,922,654</b>	<b>\$37,225,242</b>

Funding	2023-25 Biennium Base	2025-27 Biennium Request	Increase (Decrease)
General Fund	\$128,256,984	\$165,513,155	\$37,256,171
Federal funds	906,767	855,023	(\$51,744)
Special funds	533,661	554,476	\$20,815
<b>Total</b>	<b>\$129,697,412</b>	<b>\$166,922,654</b>	<b>\$37,225,242</b>

FTEs	2023-25 Biennium Base	2025-27 Biennium Request	Increase (Decrease)
<b>Total</b>	<b>384.0</b>	<b>406.0</b>	<b>22.0</b>

**2025-27 biennium Judicial Branch budget request (Governor's Recommendation) – Overview:**

- The executive budget recommendation includes **\$7,713,983** added by the Office of Management and Budget (OMB) for proposed employee salary (4%/3%) and health insurance increases.
- The budget request includes **\$2,078,868** for judicial salary increases. The proposal would bring salaries to the national average for justices and judges and equates to a 12.1 percent increase for the Chief Justice, 11.1 percent for the Supreme Court justices and 7.7 percent for district court judges and presiding judges. The proposed increase would be effective the first year of the biennium. There is not an additional proposed increase for the second year of the biennium.
- The request includes **\$2,038,816** for an overall 3 percent adjustment to the judicial pay grade system and **\$416,001** for anticipated retiree leave payouts.
- Information technology operating costs increased by **\$2,059,179**. The budget includes funding for the operating systems of the judiciary including Odyssey, C-

Track and the juvenile case management system; major software systems utilized including Zoom Enterprise, Manage Engine and disaster recovery; computers, scanners and other courtroom technology equipment; and technology fees charged by NDIT.

### **Supreme Court Budget**

<b>Supreme Court</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Biennium Request</b>	<b>Increase (Decrease)</b>
Salaries and wages	\$12,363,778	\$18,582,036	\$6,218,258
Operating	2,915,259	3,615,266	\$700,007
Capital assets	<u>0</u>	866,100	\$866,100
Funding pool	8,740,214	<u>0</u>	(\$8,740,214)
<b>Total</b>	<b>\$24,019,251</b>	<b>\$23,063,402</b>	<b>(\$955,849)</b>

<b>Funding</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Biennium Request</b>	<b>Increase (Decrease)</b>
General Fund	\$23,921,458	\$23,063,402	(\$858,056)
Federal funds	76,449	0	(\$76,449)
Special funds	<u>21,344</u>	<u>0</u>	(\$21,344)
<b>Total</b>	<b>\$24,019,251</b>	<b>\$23,063,402</b>	<b>(\$955,849)</b>

The total Supreme Court budget request is **\$23,063,402**. The proposal includes funding for a total of **56.0 FTES**, including the following **9.5** new FTE positions.

- ❖ 1 FTE Office of Guardianship and Conservatorship (OGC) director;
- ❖ 1 FTE OGC administrative assistant;
- ❖ 1 FTE OGC monitoring program manager;
- ❖ 1 FTE OGC account analyst;
- ❖ 1 FTE OGC paralegal;
- ❖ 1 FTE staff attorney for Supreme Court administration
- ❖ 1 FTE deputy clerk for the Supreme Court Clerk of Court office
- ❖ 0.5 FTE administrative assistant for the Supreme Court Clerk of Court;
- ❖ 1 FTE staff attorney for the allied legal professional program; and
- ❖ 1 FTE staff attorney for the court navigator program.

Highlights of the Supreme Court budget changes include the following:

- **Office of Guardianship and Conservatorship (OGC)** – The budget request includes an additional **\$1,578,572** to create an OGC as a division under the Supreme Court. The proposal would add 5 new FTEs to the current 2 FTEs that staff the Supreme Court’s guardianship monitoring program. The intent for the creation of the OGC is to consolidate statewide guardianship and conservatorship funding and responsibilities under one entity. If the OGC request is approved, we are requesting to consolidate and transfer the existing guardianship monitoring budget (\$730,488) and the OGC budget request (\$1,578,572) from the Supreme Court budget line item to a separate OGC budget line item.
- **Supreme Court Law Library costs** – Due to increases in legal reference subscription rates, an additional **\$73,882** is requested for the Supreme Court law library professional supplies budget.
- **Rural attorney recruitment program (NDCC Section 27-02.2-05)** – The 2021 Legislative Assembly approved the rural attorney recruitment program. An attorney agreeing to practice in rural counties or municipalities is eligible to receive an incentive payment of \$45,000 to be paid in five equal annual installments. The county or municipality served by the attorney is to provide 35% of the incentive, the ND State Bar Foundation is to pay 15% and the Supreme Court is responsible for the balance. The 2023 Legislative Assembly increased the maximum number of attorneys that may participate in the program at any one time from four to eight. The Supreme Court share for the additional incentive payments is **\$36,000**.
- **Allied Legal Professional (ALP) program** – ALP programs provide a practical and innovative solution to the growing access to justice problem. An ALP is a relatively new tier of legal professionals authorized to provide legal advice and services in specific areas of law under certain conditions, without the need to obtain a law degree or pass the traditional bar exam. The budget request of **\$384,694** includes 1 FTE staff attorney and operating costs to establish the parameters, rules and procedures for ALP positions in North Dakota.
- **Court navigator program** -Court navigators serve as a bridge between self-represented litigants and the court to ensure that individuals are better informed



about their rights and the legal process. This new program would provide in-person assistance, help with form completion and potentially reduce the burden on the court system by ensuring the self-represented litigants are better prepared and informed. The budget request of **\$329,862** includes 1 FTE staff attorney and related operating costs for the court navigator program.

- **IT Equipment over \$5,000 (one-time)** – The Supreme Court capital asset request of **\$866,100** includes funding for the C-Track system hosting (cloud) subscription service fees.

### **District Court Budget**

<b>District Court</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Biennium Request</b>	<b>Increase (Decrease)</b>
Salaries and wages	\$79,576,340	\$105,107,353	\$25,531,013
Operating	\$24,524,619	\$29,051,994	\$4,527,375
Capital assets	\$0	\$7,829,016	\$7,829,016
Judges' retirement	\$177,340	\$163,674	(\$13,666)
<b>Total</b>	<b>\$104,278,299</b>	<b>\$142,152,037</b>	<b>\$37,873,738</b>

<b>Funding</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Biennium Request</b>	<b>Increase (Decrease)</b>
General Fund	\$103,447,981	\$141,297,014	\$37,849,033
Federal funds	830,318	855,023	\$24,705
Special funds	0	0	\$0
<b>Total</b>	<b>\$104,278,299</b>	<b>\$142,152,037</b>	<b>\$37,873,738</b>

The district court budget request is **\$142,152,037**. The proposal includes funding for a total of **345.5 FTEs**, including the following 12.5 new FTE positions:

- ❖ 0.5 FTE juvenile court administrative assistant in Unit 1;
- ❖ 1 FTE juvenile court officer in Unit 2;
- ❖ 1 FTE juvenile court administrative assistant in Unit 2;
- ❖ 1 FTE district court administrative assistant in Unit 3;

- ❖ 1 FTE deputy unit court administrator in Unit 4;
- ❖ 1 FTE juvenile court officer in Unit 4;
- ❖ 1 FTE juvenile court administrative assistant in Unit 4;
- ❖ 2 FTE programmer analysts in shared services administration;
- ❖ 2 FTE network analysts in shared services administration;
- ❖ 1 FTE technology coordinator in shared services administration; and
- ❖ 1 FTE staff attorney for the self-help center.

Other proposed changes to the district court budget include the following:

- **New treatment courts** –The budget request includes **\$373,476** to establish three new treatment courts; an Indian and Child Welfare Act (ICWA) court in Unit 1, a veteran’s court in Unit 2 and a mental health court in Unit 3. The request includes 3 part-time temporary coordinator positions to oversee the courts.
- **Family mediation program** – The family mediation program budget request includes an increase of **\$138,200** based on additional demand for services. Mediators are allowed to bill for up to six hours for each case or up to two and one-half hours for expedited mediation cases. Mediators are paid \$220 per hour.
- **Guardian ad Litem program** – The budget request for the guardian ad litem program is an increase of **\$935,768** or a total budget of \$2,345,768. Guardians ad litem are used in child abuse and neglect cases, termination of parental rights cases, and juvenile guardianship cases. They are responsible for protecting the well-being and interests of their ward, who is usually a minor. The court system contracts with Youthworks to administer the program, including maintaining a staff of temporary employee guardians ad litem. Youthworks has had difficulty maintaining a sufficient staff of temporary employees. The request would allow Youthworks to hire 4 full-time guardians ad litem to improve staff retention. In addition, the request expands the program to include post-judgement monitoring.
- **Interpreters** – The budget request adds **\$125,500** for interpreters based on demand for services particularly in Units 2 and 3.
- **Credit card processing fees** – The state clerk of court budget includes an increase of **\$293,000** relating to credit card processing fees. The credit card

processing fee is anticipated to change from the current rate of 2.9 percent of the transaction total plus a \$0.15 per transaction fee to a flat 5.0 percent per transaction rate.

- **Contract county clerk of court payments** – The budget for contract county payments for clerk of court services is an increase of **\$189,428** as compared to the current biennium. Based on the two-year caseload study, the total contract payments to counties will be \$4,687,536 or an increase of **\$173,928**. The budget request also adds **\$15,500** for an expected increase in credit card processing fees.
- **Staffing studies (one-time)** – The budget request includes **\$466,500** of one-time funding for three staffing studies. This includes updating the juvenile court officer (\$155,500) and clerk of court (\$155,500) need studies. In addition, \$155,500 is requested to develop a staff attorney, law clerk and paralegal need study.
- **IT equipment over \$5,000 (one-time)** – The budget request for IT equipment over \$5,000 is **\$7,298,916** which includes the following:
  - ❖ Blade and disk drive lease payment (\$874,216);
  - ❖ 27 QSC interactive cameras (\$459,000);
  - ❖ 50 courtroom sound rack updates (\$892,500);
  - ❖ 12 jury selection microphone and speaker systems (\$115,200);
  - ❖ 15 courtroom assisted listening devices (\$90,000);
  - ❖ 6 courtroom speaker replacements (\$30,000);
  - ❖ 1 new courtroom project in Cass County (\$75,000);
  - ❖ 1 media camera system replacement in Cass County (\$25,000);
  - ❖ 1 projector replacement in the Coteau Room (\$10,000);
  - ❖ Odyssey migration hosting (cloud) subscription (\$758,000);
  - ❖ Artificial Intelligence software for clerk filings (\$1,250,000);
  - ❖ Problem solving court case management system (\$780,000);
  - ❖ Digital evidence management system (\$980,000); and
  - ❖ Research and secure access to court records system (\$960,000).
- **Equipment over \$5,000 - (one-time)** – The office equipment and furniture over \$5,000 budget request of **\$530,100** includes the following:
  - ❖ 4 replacement large copy machines (\$60,000);

- ❖ 2 replacement medium copy machines (\$15,000);
- ❖ 6 folding machines (\$72,600);
- ❖ 3 judge chamber furniture updates (\$22,500) and
- ❖ 48 workstation and office furniture systems (\$360,000).

• **Judges' Retirement (NDCC Chapter 27-17 Old Retirement System) –**

There are two remaining participants within the old judges' retirement system. The budget request is \$163,674 or a decrease of **\$13,666** as compared to the current appropriation. The average age of the remaining recipients is 92.

**Judicial Conduct Commission and Disciplinary Board Budget**

JCC/DB	2023-25 Biennium Base	2025-27 Biennium Request	Increase (Decrease)
Salaries and wages	\$1,126,969	\$1,414,938	\$287,969
Operating	\$272,893	\$292,277	\$19,384
<b>Total</b>	<b>\$1,399,862</b>	<b>\$1,707,215</b>	<b>\$307,353</b>

Funding	2023-25 Biennium Base	2025-27 Biennium Request	Increase (Decrease)
General Fund	\$887,545	\$1,152,739	\$265,194
Federal funds	0	0	\$0
Special funds	512,317	554,476	\$42,159
<b>Total</b>	<b>\$1,399,862</b>	<b>\$1,707,215</b>	<b>\$307,353</b>

The Judicial Conduct Commission and Disciplinary Board (JCC/DB) is responsible for investigating complaints against North Dakota judges and attorneys. The budget request of **\$1,707,215** includes funding for **4.5 FTEs**, the same as the current appropriation. No capital assets are being requested.

Funding for the JCC/DB is from two sources, the State Bar Association and the general fund. State Bar Association funds are from \$75 of each attorney license issued.

### **Additional Sections within Senate Bill No. 2002**

- **Section 2** – Appropriates additional funding that may be received through federal acts and private gifts, grants and donations.
- **Section 3** – Allows for the transfer of appropriation authority between line items 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 court system.

#### **Other sections needed:**

- **NDCC Section 27-02-02** – Amendment to provide for the salaries of the Supreme Court justices.
- **NDCC Section 27-05-03** – Amendment to provide for the salaries of the District Court judges.

### **Other Bills with Budgetary Impact**

- **Senate Bill No. 2057** – This bill increases fees charged by the ND court system.
- **Senate Bill No. 2029** – This bill creates an Office of Guardianship and Conservatorship as part of the Judicial Branch budget.

In conclusion, I would be happy to answer any questions.

**Senate Bill 2002  
Senate Appropriations  
Education and Environment Division**

**Testimony Presented by Kara J. Erickson  
Disciplinary Counsel  
January 20, 2025**

Good morning, Chairman Sorvaag and members of the committee. For the record, my name is Kara Erickson. I serve as Disciplinary Counsel for the Judicial Conduct Commission and the Disciplinary Board of the Supreme Court. As Disciplinary Counsel, my office handles the administrative, investigative, and prosecutorial roles for matters that are before the Judicial Conduct Commission and the Disciplinary Board. More simply stated, my office handles allegations of ethical violations for both lawyers and judges within the judicial branch. Both the Judicial Conduct Commission and Disciplinary Board fall under the authority of the Supreme Court; however, because one of the functions of our office is to discipline members of the judiciary, including the Justices of the Supreme Court, our office is held at arms' length from the Supreme Court. Sally Holewa and Don Wolf have done a wonderful job going over the appropriations requests from the Court, but they asked me to specifically touch on my office's portion of that request.

As a bit of background about our functioning, the Court's rules established an Operations Committee to handle oversight of my office. The Committee has four members, with two additional ex-officio members. The members of the Operations Committee are appointed to oversee the budget requests and the operational aspects of the office. The four members of the Operations Committee consist of a lay member, a member appointed by the Court from nominations from the Disciplinary Board, a member appointed by the Court from a nomination from the State Bar Association's

Board of Governors, and one member appointed by the Court from a list of nominations from the Judicial Conduct Commission. The ex-officio members who attend the Operations Committee meetings are the State Court Administrator, Sally Holewa, and the State Bar Association's Executive Director, Tony Weiler.

As with the Court System as a whole, the majority of our budget is in salaries. There is a small increase in salaries due to reclassification of some of our employees and to bring salaries back to a competitive level.

In looking at our budget for the upcoming biennium, we have essentially presented a hold even operating budget for our office. The most significant operating increases were related to IT costs. Those were based on recommendations by the Court's IT Director. We also requested some increased travel costs because more meetings, hearings, and trainings, are being held in person.

I would be happy to try to answer any questions the Committee may have at this time that are specifically related to the Judicial Conduct Commission and the Disciplinary Board's portion of the budget included within Senate Bill 2002. I would urge the Committee to recommend a "do pass" of Senate Bill 2002. Thank you for your consideration.

Good morning, Chairman Sorvaag and members of the Education and Environment Division of Senate Appropriations. My name is Zack Pelham.

I'm here today to testify in support of SB 2002, the judicial branch budget. Specifically, I'm here to urge your support of the portion of the budget, which would increase judicial salaries to the national average — an increase of about 8% for district court judges and about 11% for supreme court justices.

I've been in private practice for many years and am an active member of the state bar. Currently, I'm the managing member of the Pearce Durick law firm in Bismarck. My practice focuses on insurance defense, oil and gas law, product liability defense, employment and labor law, and general business representation. I am a past president of the State Bar Association, current board member of the State Bar Association, past president of the Big Muddy Bar Association, past president of the North Dakota Defense Lawyers Association, and current Chair of the Commission on Legal Counsel for Indigents. I am here today, however, in my individual capacity as a private practice attorney and North Dakota citizen.

Current judicial compensation is inadequate to attract highly qualified individuals from private practice. When I first starting practicing law in 2004, judicial vacancies used to routinely have 10 or more candidates, many from private practice. That is no longer the case. The vast majority of recent judicial applicants are individuals moving from one government position to another or candidates with limited legal experience. To be clear, these are good people. I worked with some of them when I was an assistant attorney general before moving into private practice in 2007. The reason we have few applicants, and almost no applicants from private practice, for state judicial vacancies is in large part because of current judicial compensation. I can tell you that is not a problem for federal judicial vacancies — of which I have applied for. I can tell you with certainty that a successful, mid-career private practitioner in North Dakota, who is typically at the height of their earning capacity, simply cannot take a significant pay cut in becoming a state court judge. For me, with a wife and four children, I am here to tell you the numbers do not add up—I have done the math.

We are fortunate in North Dakota to have a great bench from a diversity of life and professional experiences. However, as our current judges retire and judicial salaries continue to lag behind real-dollar increases realized by private practitioners, judicial



recruitment and the quality of our bench is at serious risk. Having a broad based judiciary, made up of professionals from public *and* private practice is imperative for a healthy judicial system in North Dakota.

I believe that the very best attorneys in our state should consider being judges. If money were no object, the applications from attorneys to be a judge would be voluminous. Money is a factor, it always is. It is the more established and experienced attorneys who are often the most compensated. This does not happen overnight and requires continuous work to maintain. And while pay for a judge will never get to the point of a hard-working and established private practice attorney in North Dakota, our state must remain competitive so as to allow the Governor to choose from a pool of the very best attorneys.

As such, I urge you to support the judiciary's request for a \$2.1 million dollar increase to its biannual budget to provide our judges and justices with salaries at an amount that are at least marginally competitive in the current North Dakota legal market.

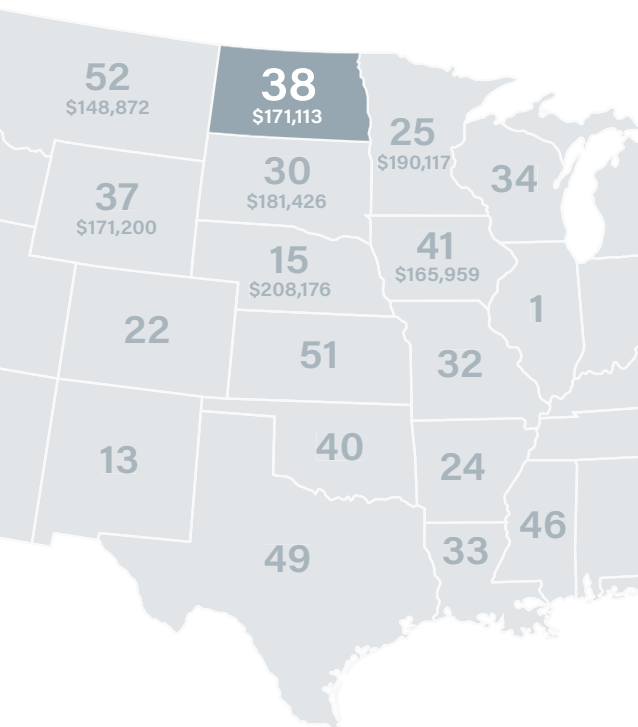
Thank you, Chairman Sorvaag. I'd be happy to answer any questions from the committee.

## Judges are Compensated Below the National Average

**North Dakota Judges & Justices are, respectively, paid the**

38<sup>th</sup> & 41<sup>st</sup>  
LOWEST SALARIES  
IN THE NATION.<sup>1</sup>

Their salaries have fallen behind other nearby states such as South Dakota, Wyoming, Minnesota, and Nebraska.



## Judicial Recruitment and Retention are at Risk

## Declining Applicants

The number of judicial applications has declined in recent years, particularly from private practitioners.

### No Specialized Courts

North Dakota does not have specialized courts such as for family law, probate, or business, leaving judges with heavier workloads on a wider variety of cases than peer states.

## Less Staff, More Work

Experienced attorneys who leave private practice to become a judge must learn new skills and law with less support staff, creating more work for less money.

## Quality Retention at Risk

Among its peer states, North Dakota has some of the shortest terms for district court judges at 6 years, and no retention process other than primary and general elections. North Dakota's Judge pay fails to adequately compensate for this time, expense, and employment risk.

	Supreme Court Chief Justice	Supreme Court Justice	District Court Presiding Judge	District Court Judge	Total
National Avg. Judicial Salaries	\$214,896	\$207,249	\$189,528	\$184,366	
ND Judicial Salaries as of July 2024	\$191,758	\$186,484	\$175,975	\$171,113	
<b>Salary Difference</b>	<b>\$23,138</b>	<b>\$20,765</b>	<b>\$13,553</b>	<b>\$13,253</b>	
Number of ND Justices & Judges	1	4	8	47	
<b>Total Annual Cost of Salary Adjustment</b>	<b>\$23,138</b>	<b>\$83,060</b>	<b>\$108,424</b>	<b>\$622,891</b>	<b>\$837,513</b>
Additional Cost of Fringe Benefits	\$4,526	\$15,977	\$22,640	\$129,363	\$172,506
<b>Total Cost to Bring to Average Salary</b>	<b>\$27,664</b>	<b>\$99,037</b>	<b>\$131,064</b>	<b>\$752,254</b>	<b>\$1,010,019</b>

**North Dakota should increase judicial pay to the national average to help attract and retain highly-qualified judges.**



TOTAL COST TO THE STATE  
LESS THAN \$2.1M

**Senate Bill 2002**  
**Senate Appropriations Committee**  
**Education and Environment Division**  
**Testimony Presented by Barbara Andrist**

Chairman Sorvaag and members of the committee. My name is Barbara Andrist. I live in Bismarck and I'm here today to support expanding the lay guardian ad litem program as outlined by Ms. Holewa.

I am a former foster parent, and in a 40-year public health nursing career in Minnesota and North Dakota I spent many years working on child protection teams.

There typically are more than 1,200 children in foster care in North Dakota, with just four full-time and 15 part-time staff in the lay guardian ad litem program to serve them. I encourage you to support the additional appropriation to add four more FTEs to this program. Here's why. Our family is intimately aware of what happens when there is not sufficient funding to provide guardian ad litem advocates to advocate for children who have been removed from their family homes.

In our system, lay guardian ad litem advocates for foster children until the courts have ordered placement outside the home. After that, apparently because of limited budget resources, the guardian ad litem is dismissed and the child no longer has an advocate in the system. Social Services continues to advocate for family reunification, but there is no one left to advocate for the health and safety of the child. We need to do better, and I am hopeful that additional funding and FTEs in the guardian ad litem program will be the first step in protecting children in foster care the way they need to be protected.

These children need the advocates to continue working on their behalf throughout the entire foster care placement, not just at the beginning. For privacy reasons I can't give you specific details about the situation that right now is important to our family. But I can tell you we worry every day that at least one child in this system is destined to be returned to the same living conditions that originally resulted in foster care placement.

Your approval of four new positions will go a long way toward providing these vulnerable children with the services they need and deserve.

Thank you for your consideration.

# State of North Dakota

**Barbara L. Whelan**

District Court Judge  
Northeast Judicial District

## **CHAMBERS**

Walsh County Courthouse  
600 Cooper Avenue – 2<sup>nd</sup> Floor  
Grafton, North Dakota 58237  
Telephone: 352-5089

**Mikan Lovcik**  
Staff Attorney

January 20, 2025

Good Morning Chairman Sorvaag and members of the Committee.

My name is Barbara Whelan, and I serve as a District Court Judge from the Northeast Judicial District, which covers 11 counties in the upper northeast corner of the state. We are a unique judicial district because the counties that we serve are rural, with the largest county seat being Devils Lake, and the smallest being Minnewauken. The 6 District Court Judges that serve the Northeast Judicial District are responsible for providing judicial services to 68,600 citizens, covering 5,339 square miles. While these 6 judges are assigned to local chambers, all of us travel across our district to cover cases assigned to us outside of our local chambers.

I have been a lawyer since being admitted to the Maryland Bar in 1990, where I began my practice. Since returning home to North Dakota in 1993, I have been a member of the bar for more than 30 years. I started out in private practice and doing part-time State's Attorney work, eventually moving to a full-time elected State's Attorney position. I served in that capacity in both Pembina and Walsh Counties until 2017 when Governor Burgum appointed me to the bench. As a State's Attorney I had an office staff which included a full-time Assistant State's Attorney, a paralegal and a legal secretary.

When I became a judge, I expected to work hard and to work long hours. Still, I was overwhelmed by the need to research and study so many different areas of the law, requiring knowledge in criminal cases, probate cases, collection cases, malpractice cases, eviction matters, divorce, primary residential responsibility for children, to name but a few. Often, time to actually contemplate the legal issues before me is non-existent during the 9-5 work week. I spend much of my "free" time thinking about my cases and the decisions I must make. While I love my job and the challenges it presents, I did not fully appreciate how being a Judge would turn me into such a solitary person.

As Judge, I have 1 staff person to assist me. I started with a certified court recorder who spent her time in the courtroom with me, doing calendaring/scheduling, and preparing transcripts. She was not able to research or draft legal documents for me. I had one staff attorney available to me, but she was shared with 4 other District Court Judges, so my reliance on the staff attorney

was mainly for complex civil cases. After 30+ years serving the Court system, my court recorder retired last month.

The Court system filled the vacancy left by my court recorder with an attorney who was recently admitted to the bar. This “staff attorney” position is still required to provide court recording services, but I am optimistic that with the shifting of some responsibilities my staff attorney will provide some relief with regard to legal research and writing.

Replacing my court recorder with a staff attorney is simply a necessity. The complexity of legal issues is more challenging than ever. The seriousness of the criminal caseload seems to be skyrocketing. As just 1 example, a criminal defendant appeared before me last week on a domestic violence case, and when I was reviewing his criminal history for the purpose of setting bond, I learned that this defendant had no less than 22 previous felony convictions for crimes committed within the State of North Dakota. And the mental health and chemical addiction issues present some of the most perplexing and time-consuming cases that your North Dakota judges must routinely manage. Not only in criminal court, but in juvenile court where children raised in homes with these issues are often in need of intensive services. Trying to balance the safety of the community with the reality of lack of community services and early parole of so many defendants is a huge burden that every judge shoulders.

North Dakota judges work hard. We carry very heavy caseloads. In fact, the National Center for State Courts recently released the results of a multi-year [study](#), which found that adjusted for population, North Dakota’s judges carry the highest criminal caseload in the nation. Not only do we carry the highest criminal caseload in the nation, but we also handle our cases timely, meaning we have more cases than the rest of the nation per capita, and we manage those cases more efficiently than the rest of the country. That is evidence-based research proving that North Dakota’s citizens are getting great service from their judges.

When the issue of judicial compensation is discussed at judge’s meetings, I have noted that my colleagues are conservative and sometimes apologetic about seeking increased compensation. That is the North Dakota way. Often times the comments are made such as: the farming economy isn’t that great, we can’t ask for a raise; the Governor has asked us to cut the budget, and we can’t cut anything else and still provide judicial services, so we can’t ask for a raise; we are so short-handed and need more judges, so we should focus our attention on getting more judges, rather than seeking a raise for ourselves.

As the natural result, judicial salaries have fallen behind the national average and what our peer states are paying their judicial officers. According to the National Center for State Courts, North Dakota’s judges are paid 38<sup>th</sup> and 41<sup>st</sup> lowest in the nation and are behind South Dakota, Minnesota, and Wyoming.

The judges that I serve with in my district are proud of the rural nature of our Court services. The citizens we serve expect a judicial presence in their rural communities, just as the citizens

in more populated areas of the State take for granted the presence of a Courthouse with numerous judges available to serve their needs. Regardless of where we are chambered, every North Dakota judge I have encountered is absolutely dedicated to providing justice across our State. And every North Dakota judge works hard and will continue to work hard.

I acknowledge that last session the Judges Association ruffled a few feathers with our request for a salary increase. That was my first experience testifying before the Legislature. It was a tremendous learning experience for me, and I have had time to reflect upon what transpired. I believe that after years of neglecting to seek raises to keep judicial salaries at par with the national average and also competitive with attorneys in private practice, the dedicated Judges serving North Dakota put out a desperate plea for a salary package that would level the playing field. We come before you again this session with the same concerns, and perhaps even more of a sense of desperation.

Senator Soorvaag and members of the Committee: heavy caseloads and limited staffing for North Dakota's judges justify a national average salary, which is at least marginally competitive with private practitioners in North Dakota's legal market. If we fail to keep judicial salaries in line, we will soon be facing a crisis. Attorneys with experience will not be willing to forfeit financial rewards to take a position on the bench where the pay is simply not commensurate with the work load and responsibilities. You will shortly hear testimony from a respected attorney in private practice who will address this very issue.

These are the reasons I appear today to advocate for an increase in judicial salaries as set forth in the budget request by the Judicial Branch. My colleagues on the bench deserve compensation commensurate with the amount of work they do, the depth and breadth of the knowledge and experience they hold, the enormous responsibility they carry on their shoulders, and the professional and personal burdens that come with being an elected District Court Judge.

Thank you for your attention, and I would be happy to try to answer any questions you may have.

Respectfully submitted,

Barbara L. Whelan  
District Court Judge  
Northeast Judicial District

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
1/27/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for transfers; and to provide an exemption.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Scott Meyer, Senator Donald Schaible, Senator Paul J. Thomas

2:01 p.m. Chairman Sorvaag called the meeting to order.

### **Discussion Topics:**

- Changes in Budget Recommendations.
- Prioritization of appropriations requests.

2:03 p.m. Alex Cronquist, Fiscal Analyst, Legislative Council, testified in neutral with testimony #31872

2:13 p.m. Sally Holewa, State Court Administrator, ND Court System, testified in favor and submitted testimony #31882

2:35 p.m. Chairman Sorvaag closed the meeting.

*Steven Hall, Procedural Clerk*





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

	Burgum Budget				Armstrong Budget				Armstrong Budget Compared to Burgum Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	Increase (Decrease)			
									FTE Positions	General Fund	Other Funds	Total
2025-27 Biennium Base Level	384.00	\$128,256,984	\$1,440,428	\$129,697,412	384.00	\$128,256,984	\$1,440,428	\$129,697,412	0.00	\$0	\$0	\$0
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		\$3,490,350	(\$114,374)	\$3,375,976				\$0
Salary increase		5,232,703	37,100	5,269,803		4,277,475	30,331	4,307,806		(\$955,228)	(\$6,769)	(961,997)
Health insurance increase		2,425,383	18,767	2,444,150		2,425,383	18,767	2,444,150				0
Adds funding for judges and justices salary equity		2,078,868		2,078,868		2,078,868		2,078,868				0
Adds funding for pay plan 3 percent salary		2,028,177	10,639	2,038,816		2,028,177	10,639	2,038,816				0
Restores new and vacant FTE funding		2,455,681	23,723	2,479,404		2,455,681	23,723	2,479,404				0
Adds funding for accrued leave payouts		460,487	514	461,001		460,487	514	461,001				0
Adds 4.5 new juvenile court positions	4.50	829,304		829,304	4.50	829,304		829,304				0
Adds a new district court administrative assistant position	1.00	170,025		170,025	1.00	170,025		170,025				0
Adds a new district court deputy court administrator position	1.00	272,529		272,529	1.00	272,529		272,529				0
Adds 2 new district court programmer analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds 2 new district court network analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds a new district court technology coordinator position	1.00	196,210		196,210	1.00	196,210		196,210				0
Adds a new district court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Adds a new Supreme Court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Adds a new Supreme Court deputy clerk position	1.00	170,025		170,025	1.00	170,025		170,025				0
Increases a Supreme Court part-time administrative assistant position to full-time	0.50	65,161		65,161	0.50	65,161		65,161				0
Adds funding for office of guardianship and conservatorship	5.00	1,494,628		1,494,628	5.00	1,494,628		1,494,628				0
Adds funding for court navigator program	1.00	309,742		309,742	1.00	309,742		309,742				0
Adds funding for allied legal professional program	1.00	364,574		364,574	1.00	364,574		364,574				0
Adds funding for 3 new treatment courts		373,476		373,476		373,476		373,476				0
Reduces funding for judges' retirement		(13,666)		(13,666)		(13,666)		(13,666)				0
Adds funding for information technology system maintenance and enhancements		2,059,179		2,059,179		2,059,179		2,059,179				0
Adds funding for law library reference materials subscription		73,882		73,882		73,882		73,882				0
Adds funding for credit card processing and bank fees		293,000		293,000		293,000		293,000				0
Adjusts funding for operating costs		409,699	(7,298)	402,401		409,699	(7,298)	402,401				0
Adds funding for interpreters		125,500		125,500		125,500		125,500				0
Adds funding for county clerk of court contract		189,428		189,428		189,428		189,428				0
Increases funding for rural attorney recruitment program		36,000		36,000		36,000		36,000				0



Increases funding for the family mediation program to provide a total of \$1.52 million		138,200		138,200		138,200		138,200				0
Adds funding for guardian ad litem program to provide a total of \$2.35 million		935,768		935,768		935,768		935,768				0
Total ongoing funding changes	22.00	\$28,094,555	(\$30,929)	\$28,063,626	22.00	\$27,139,327	(\$37,698)	\$27,101,629	0.00	(\$955,228)	(\$6,769)	(\$961,997)
<b>One-Time Funding Items</b>												
Adds funding for information technology equipment lease		\$874,216		\$874,216		\$874,216		\$874,216				\$0
Adds funding for case management system migration to cloud-based hosting		758,000		758,000		758,000		758,000				0
Adds funding for clerk filing software		1,250,000		1,250,000		1,250,000		1,250,000				0
Adds funding for problem solving court case management system		780,000		780,000		780,000		780,000				0
Adds funding for digital evidence management system		980,000		980,000		980,000		980,000				0
Adds funding for court records access system		960,000		960,000		960,000		960,000				0
Adds funding for cloud-based storage fees		866,100		866,100		866,100		866,100				0
Adds funding for courtroom audio and video systems		1,586,700		1,586,700		1,586,700		1,586,700				0
Adds funding for Cass County courtroom equipment		100,000		100,000		100,000		100,000				0
Adds funding for Coteau Room camera and projector		10,000		10,000		10,000		10,000				0
Adds funding to replace furniture in three judge chambers		22,500		22,500		22,500		22,500				0
Adds funding to replace 48 workstations and cubicles		360,000		360,000		360,000		360,000				0
Adds funding for copy machines		75,000		75,000		75,000		75,000				0
Adds funding for folding machines		72,600		72,600		72,600		72,600				0
Adds funding for juvenile court workload study		466,500		466,500		466,500		466,500				0
Total one-time funding changes	0.00	\$9,161,616	\$0	\$9,161,616	0.00	\$9,161,616	\$0	\$9,161,616	0.00	\$0	\$0	\$0
<b>Total Changes to Base Level Funding</b>	<b>22.00</b>	<b>\$37,256,171</b>	<b>(\$30,929)</b>	<b>\$37,225,242</b>	<b>22.00</b>	<b>\$36,300,943</b>	<b>(\$37,698)</b>	<b>\$36,263,245</b>	<b>0.00</b>	<b>(\$955,228)</b>	<b>(\$6,769)</b>	<b>(\$961,997)</b>
<b>2025-27 Total Funding</b>	<b>406.00</b>	<b>\$165,513,155</b>	<b>\$1,409,499</b>	<b>\$166,922,654</b>	<b>406.00</b>	<b>\$164,557,927</b>	<b>\$1,402,730</b>	<b>\$165,960,657</b>	<b>0.00</b>	<b>(\$955,228)</b>	<b>(\$6,769)</b>	<b>(\$961,997)</b>
Federal funds included in other funds			\$855,023			\$851,850				(\$3,173)		
Total ongoing changes - Percentage of base level	5.7%	21.9%	(2.1%)	21.6%	5.7%	21.2%	(2.6%)	20.9%	N/A	N/A	N/A	N/A
Total changes - Percentage of base level	5.7%	29.0%	(2.1%)	28.7%	5.7%	28.3%	(2.6%)	28.0%	N/A	N/A	N/A	N/A

## SB 2002

### Judicial Branch FTE Priority List

Supreme Court	IT	District Court	New Initiatives
.5 FTE Admin. Asst. - Supreme Court Clerk's office	1 FTE Programmer	1 FTE Unit 4 Deputy Administrator	1 FTE Staff Attorney – Allied Legal Professional
1 FTE Staff Attorney – State Court Administrator's office	1 FTE Technology Coordinator	1 FTE Staff Attorney – Self Help Center	1 FTE Staff Attorney - Court Navigator
1 FTE Deputy Clerk of Supreme Court	1 FTE Network Analyst	1 FTE Admin Assistant – Unit 3 court administration	
	1 FTE Programmer	.5 FTE juvenile court administrative assistant – Grand Forks	
	1 FTE Network Analyst	1 FTE juvenile court administrative assistant – Minot	
		1 FTE juvenile court administrative assistant – Fargo	
		1 FTE Juvenile Court Officer - Fargo	
		1 FTE Juvenile Court Officer – Minot	

Office of Guardianship and Conservatorship
1 FTE Director
1 FTE Accountant Analyst
1 FTE Staff Attorney
1 FTE Program Manager
1 FTE Monitor

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
1/30/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for transfers; and to provide an exemption.

2:48 p.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Donald Schaible, Senator Paul J. Thomas.

Absent: Senator Scott Meyer.

### **Discussion Topics:**

- Operating cost recovery.
- Budget for District Courts.
- Appropriation priorities.

2:49 p.m. Barbara Oliger, Director for Youths Work at Guardian Program, testified in favor.

2:57 p.m. Chairman Tony Grindburg, Commissioner, Cass County testified in favor and submitted testimony #33043

3:03 p.m. Senator Thomas, District 6, testified in neutral and submitted testimony #33045.

3:10 p.m. Senator Thomas, District 6, testified in neutral.

3:15 p.m. Sally Holewa State Court Administrator, ND Court System, testified in favor.

3:36 p.m. Chairman Sorvaag closed the meeting.

*Steven Hall, Committee Clerk*



**Board of County  
Commissioners**

Tony Grindberg  
Duane Breitling  
Tim Flakoll  
Jim Kapitan  
Joel Vettel



PO Box 2806  
211 Ninth Street South  
Fargo, North Dakota 58108  
701-241-5609  
[www.casscountynd.gov](http://www.casscountynd.gov)

---

January 29, 2025

Chairman Ron Sorvaag  
Senate Appropriations – Education & Environmental Division  
North Dakota State Capitol  
600 East Boulevard  
Bismarck, ND 58505-0360

RE: SB 2002-Amendment Requested

Chairman Sorvaag and Members of the Senate Appropriations – Education & Environmental Division:

Thank you for the opportunity to provide testimony on SB 2002 and describe some of the challenges Cass County faces in meeting the facility needs of the East Central Judicial District (ECJD). Cass County has been aggressive in recent years - trying to provide the Courts with space that is not just adequate, but well-appointed to allow the courts in the busiest district in North Dakota to operate at maximum efficiency.

The Cass County Courthouse currently has 8 courtrooms, three with secure access enabling judges and deputies escorting in-custody defendants to enter & exit without interacting with the public. The ECJD has 13 Judges and Referees.

Cass County has made significant investments in recent years trying to be responsive to the growing needs of the ECJD. The County is finalizing plans to convert our Information Technology office to a fourth secure courtroom at an approximate cost of \$1.1 million. The County is also conducting a space needs study to determine our overall space needs for the next 15 years. A key element of that study is identifying space in the Courthouse where additional courtrooms could be constructed. In 2020 & 2021 the County spent nearly \$400,000 to convert two smaller courtrooms into a single larger courtroom. This was in direct response to judicial requests for a courtroom that was both suitable for larger civil trials and could accommodate COVID-19 related social distancing recommendations.

Presently under North Dakota Century Code, operating cost recovery is not allowed. We request a change in century code and cost reimbursement is allowed for Counties with 8 or more courtrooms.

*27-01-01.1. Budgeting and financing of the supreme court and district courts. The state court administrator shall submit a comprehensive budget for the supreme court and the district courts to the legislative assembly. An informational copy of the budget must be delivered to the director of the budget pursuant to section 54-44.1-13. The budget for the district courts must include all salary and expenses for the district courts, including the juvenile courts, and their employees. Each county shall provide the district court in that county with **adequate** chamber, court, and law library quarters, and lights and fuel and appropriate facilities for clerk of court services that are state-funded pursuant to section 27-05.2-02. Any equipment, furnishings, and law libraries in the control and custody of the district court on January 1, 1980, and any such property acquired from that date until July 1, 1981, must continue to be in the district court's custody and control until the state court administrator determines such items are no longer needed by the court.*

Below is a summary of space Cass County taxpayers cover the facility costs for North Dakota's Court System. Using a market rate (\$7.00 sq/ft) for facility operating costs, the Cass County Commission covers annual costs of approximately \$438,904.69 for 62,700.67 sq/ft.

North Dakota Court System	55,514 sq/ft
<u>Underground Secure Parking</u>	<u>7,186 sq/ft</u>
Total	62,700 sq/ft

**Proposed Amendment:**

*County Operational Grants, the funds provided in this section, or so much of the funds as may be necessary up to \$900,000, are appropriated out of any moneys in the general fund in the state treasury, to the State Judicial Court system for the purpose of defraying the expenses for counties located in North Dakota with 8 or more courtrooms, for the biennium beginning July 1, 2025, and ending June 30, 2027.*

We appreciate the committee's time and thoughtful consideration. Cass County is prepared to discuss specific ways we believe the State and County can partner to meet these critical needs.

Sincerely,

*Tony Grindberg*

Chairman Tony Grindberg  
Cass County Commission

2025-2027 Supplemental Package by Priority Designation	
A	(1) Lease Payments for Blades & disk drives (2) IT Technology Increases (3) Supreme Court C-Track hosting subscription (4) Research and Secure Public Access for district court records (5) Supreme Court Law Library costs (subscription) (6) Courtroom Sound and Video Equipment <ul style="list-style-type: none"> <li>• QSC camera replacements (6)</li> <li>• Sound rack updates (7)</li> <li>• Courtroom speaker replacement (8)</li> <li>• Assisted Listening Devices (9)</li> <li>• Cass Co. courtroom equipment (new) (10)</li> <li>• Cass Co. media room camera system (11)</li> <li>• Juror speaker/microphone units (12)</li> </ul> (13) Credit Card Processing and Bank Fees (14) Miscellaneous Operating Expenses
B	(15) Old Judges Retirement (16) Retirement Leave Payouts (17) Interpreter Fees (18) Contract County Clerk of Court Fees (19) Rural Attorney Recruitment Program
C	(20) Judicial Officer Salary Increase
D	(21) Pay Plan Adjustment of 3%
E	(22) New FTEs
F	(23) Family Mediation Program (24) AI Software for Clerk Filings (25) Guardian ad litem Program (26) New Treatment Courts
G	(27) Camera & Projector for Coteau Room (28) Judge Chamber Furniture (29) Workstations for Staff (30) Large Copy Machines (31) Medium Copy Machines (32) Folding Machines
H	(33) Migration of Odyssey case management system to cloud hosting (34) Office of Guardianship and Conservatorship (35) Allied Legal Professional Program (36) Court Navigator Position (37) Workload Assessment Studies for juvenile court officers, clerks of court, and staff attorneys/law clerks (38) Problem-Solving Court Case Management System (39) Digital Evidence Management System

### **Criteria for Establishing Appropriation Priorities for Decision Packages**

- A. Things necessary to continue normal court operations
- B. Funds necessary to continue legally mandated and contracted services
- C. Judge and Referee salary increases
- D. Staff salary Increase
- E. New FTEs
- F. Funds to expand current services
- G. Replacement of equipment and furniture
- H. Funds/Products/Personnel for new initiatives



## SB 2002

### Judicial Branch IT Project Priority List

Priority Designation*	Project	Cost	Comments
A (1)	Lease Payments for Blades & Disk Drive	\$874,216	Required to continue district court operations
A (2)	IT System Maintenance and Enhancements	\$2,059,179	Updates and maintenance for critical software operating systems
A (3)	Supreme Court C-Track Cloud hosting subscription	\$866,100	Required to continue supreme court operations
A (4)	Research & Secure Access to Court Records	\$960,000	Vendor has updated web access platform and we will lose our public access website if we don't move to the new system
F (24)	AI Software for Clerk Filings	\$1,250,000	AI software to review and auto file new cases
F (33)	Migration of District Court Case Management System to Cloud Hosting	\$758,000	Vendor is transitioning to cloud-based system
F (38)	Case Management System for Problem-Solving Courts	\$780,000	We currently do not have a software program to track cases and record events that occur in drug court, veterans court or domestic violence court
F (39)	Digital Evidence Management System	\$980,000	This software would eliminate the need for proprietary playback software, allow for easy exchange of evidence between attorneys, and store exhibits in their native format rather than on external memory devices

\*Priority designation refers to criteria for establishing appropriation priority for decision package. The Alpha designation refers to the criteria and the numeric designation refers to the priority ranking overall.



## SB 2002

### Judicial Branch FTE Priority List

Supreme Court	IT	District Court	New Initiatives
.5 FTE Admin. Asst. - Supreme Court Clerk's office	1 FTE Programmer	1 FTE Unit 4 Deputy Administrator	1 FTE Staff Attorney – Allied Legal Professional
1 FTE Staff Attorney – State Court Administrator's office	1 FTE Technology Coordinator	1 FTE Staff Attorney – Self Help Center	1 FTE Staff Attorney - Court Navigator
1 FTE Deputy Clerk of Supreme Court	1 FTE Network Analyst	1 FTE Admin Assistant – Unit 3 court administration	
	1 FTE Programmer	.5 FTE juvenile court administrative assistant – Grand Forks	
	1 FTE Network Analyst	1 FTE juvenile court administrative assistant – Minot	
		1 FTE juvenile court administrative assistant – Fargo	
		1 FTE Juvenile Court Officer - Fargo	
		1 FTE Juvenile Court Officer – Minot	

Office of Guardianship and Conservatorship
1 FTE Director
1 FTE Accountant Analyst
1 FTE Staff Attorney
1 FTE Program Manager
1 FTE Monitor

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
2/4/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for transfers; and to provide an exemption.

2:30 p.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Scott Meyer, Senator Donald Schaible, Senator Paul J. Thomas.

### **Discussion Topics:**

- Judicial IT Priority List.
- Full Time Employee Priority List.

2:31 p.m. Senator Thomas, District 6, testified in favor and submitted testimony #34722.

2:43 p.m. Chairman Sorvaag closed the meeting.

*Steven Hall, Committee Clerk*

## SB 2002

## Judicial Branch IT Project Priority List

Priority Designation*	Project	Cost	Comments
A (1)	Lease Payments for Blades & Disk Drive	\$874,216	Required to continue district court operations
A (2)	IT System Maintenance and Enhancements	\$2,059,179	Updates and maintenance for critical software operating systems
A (3)	Supreme Court C-Track Cloud hosting subscription	\$866,100	Required to continue supreme court operations
A (4)	Research & Secure Access to Court Records	\$960,000	Vendor has updated web access platform and we will lose our public access website if we don't move to the new system
F (24)	AI Software for Clerk Filings	\$1,250,000	AI software to review and auto file new cases
F (33)	Migration of District Court Case Management System to Cloud Hosting	\$758,000	Vendor is transitioning to cloud-based system
F (38)	Case Management System for Problem-Solving Courts	\$780,000	We currently do not have a software program to track cases and record events that occur in drug court, veterans court or domestic violence court
F (39)	Digital Evidence Management System	\$980,000	This software would eliminate the need for proprietary playback software, allow for easy exchange of evidence between attorneys, and store exhibits in their native format rather than on external memory devices

\*Priority designation refers to criteria for establishing appropriation priority for decision package. The Alpha designation refers to the criteria and the numeric designation refers to the priority ranking overall.

## SB 2002

### Judicial Branch FTE Priority List

Supreme Court	IT	District Court	New Initiatives
.5 FTE Admin. Asst. - Supreme Court Clerk's office	1 FTE Programmer	1 FTE Unit 4 Deputy Administrator	1 FTE Staff Attorney – Allied Legal Professional
1 FTE Staff Attorney – State Court Administrator's office	1 FTE Technology Coordinator	1 FTE Staff Attorney – Self Help Center	1 FTE Staff Attorney - Court Navigator
1 FTE Deputy Clerk of Supreme Court	1 FTE Network Analyst	1 FTE Admin Assistant – Unit 3 court administration	
	1 FTE Programmer	.5 FTE juvenile court administrative assistant – Grand Forks	
	1 FTE Network Analyst	1 FTE juvenile court administrative assistant – Minot	
		1 FTE juvenile court administrative assistant – Fargo	
		1 FTE Juvenile Court Officer - Fargo	
		1 FTE Juvenile Court Officer – Minot	

#### Office of Guardianship and Conservatorship

1 FTE Director
1 FTE Accountant Analyst
1 FTE Staff Attorney
1 FTE Program Manager
1 FTE Monitor

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
2/11/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for transfers; and to provide an exemption.
---

3:26 p.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Scott Meyer, Senator Donald Schaible, Senator Paul J. Thomas.

### **Discussion Topics:**

- Additions to Salary Funding

3:25 p.m. Senator Thomas testified in favor and referenced Long Sheet.

3:31 p.m. Alex Cronquist, Fiscal Analyst, Legislative Council, answered questions and submitted testimony #37184.

3:32 p.m. Chairman Sorvaag closed the meeting.

*Steven Hall, Committee Clerk*





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

	Armstrong Executive Budget				Senate Version				Senate Compared to Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	Increase (Decrease)			
									FTE Positions	General Fund	Other Funds	Total
<b>2025-27 Biennium Base Level</b>	384.00	\$128,256,984	\$1,440,428	\$129,697,412	384.00	\$128,256,984	\$1,440,428	\$129,697,412	0.00	\$0	\$0	\$0
<b>2025-27 Ongoing Funding Changes</b>												
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		\$3,490,350	(\$114,374)	\$3,375,976				\$0
Salary increase		4,277,475	30,331	4,307,806		3,004,482	30,331	3,034,813		(\$1,272,993)		(1,272,993)
Health insurance increase		2,425,383	18,767	2,444,150		2,353,323	18,767	2,372,090		(72,060)		(72,060)
Adds funding for judges and justices salary increases		2,078,868		2,078,868		1,490,362		1,490,362		(588,506)		(588,506)
Adds funding for pay plan 3 percent salary adjustment		2,028,177	10,639	2,038,816				0		(2,028,177)	(\$10,639)	(2,038,816)
Restores 2023-25 new and vacant FTE funding		2,455,681	23,723	2,479,404		2,455,681	23,723	2,479,404				0
Transfers funding for 2025-27 new and vacant FTE pool				0		(2,849,418)	(18,912)	(2,868,330)		(2,849,418)	(18,912)	(2,868,330)
Adds funding for accrued leave payouts		460,487	514	461,001				0		(460,487)	(514)	(461,001)
Adds new juvenile court positions	4.50	829,304		829,304	0.50	67,758		67,758	(4.00)	(761,546)		(761,546)
Adds a new district court administrative assistant position	1.00	170,025		170,025	1.00	170,025		170,025				0
Adds a new district court deputy court administrator position	1.00	272,529		272,529	1.00	272,529		272,529				0
Adds new district court programmer analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds new district court network analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds a new district court technology coordinator position	1.00	196,210		196,210	1.00	196,210		196,210				0
Adds a new district court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Adds a new Supreme Court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Adds a new Supreme Court deputy clerk position	1.00	170,025		170,025				0	(1.00)	(170,025)		(170,025)
Increases a Supreme Court part-time administrative assistant position to full-time	0.50	65,161		65,161	0.50	65,161		65,161				0
Adds funding for office of guardianship and conservatorship	5.00	1,494,628		1,494,628				0	(5.00)	(1,494,628)		(1,494,628)
Adds funding for court navigator program	1.00	309,742		309,742				0	(1.00)	(309,742)		(309,742)
Adds funding for allied legal professional program	1.00	364,574		364,574				0	(1.00)	(364,574)		(364,574)
Adds funding for 3 new treatment courts		373,476		373,476				0		(373,476)		(373,476)
Reduces funding for judges' retirement		(13,666)		(13,666)				0		13,666		13,666
Adds funding for information technology (IT) system maintenance and enhancements		2,059,179		2,059,179		2,059,179		2,059,179				0
Adds funding for law library reference materials subscription		73,882		73,882				0		(73,882)		(73,882)
Adds funding for credit card processing and bank fees		293,000		293,000				0		(293,000)		(293,000)
Adjusts funding for operating costs		409,699	(7,298)	402,401				0		(409,699)	7,298	(402,401)
Adds funding for interpreters		125,500		125,500				0		(125,500)		(125,500)
Adds funding for county clerk of court contract		189,428		189,428				0		(189,428)		(189,428)



Increases funding for rural attorney recruitment program		36,000		36,000				0		(36,000)		(36,000)
Increases funding for the family mediation program to provide a total of \$1.52 million		138,200		138,200				0		(138,200)		(138,200)
Adds funding for guardian ad litem program to provide a total of \$2.35 million		935,768		935,768				0		(935,768)		(935,768)
Total ongoing funding changes	22.00	\$27,139,327	(\$37,698)	\$27,101,629	10.00	\$14,205,884	(\$60,465)	\$14,145,419	(12.00)	(\$12,933,443)	(\$22,767)	(\$12,956,210)
<b>One-Time Funding Items</b>												
Adds funding for IT equipment lease		\$874,216		\$874,216		\$874,216		\$874,216				\$0
Adds funding for case management system migration to cloud-based hosting		758,000		758,000				0		(\$758,000)		(758,000)
Adds funding for clerk filing software		1,250,000		1,250,000		1,250,000		1,250,000				0
Adds funding for problem solving court case management system		780,000		780,000				0		(780,000)		(780,000)
Adds funding for digital evidence management system		980,000		980,000				0		(980,000)		(980,000)
Adds funding for court records access system		960,000		960,000		960,000		960,000				0
Adds funding for cloud-based storage fees		866,100		866,100		866,100		866,100				0
Adds funding for courtroom audio and video systems		1,586,700		1,586,700				0		(1,586,700)		(1,586,700)
Adds funding for Cass County courtroom equipment		100,000		100,000				0		(100,000)		(100,000)
Adds funding for Coteau Room camera and projector		10,000		10,000				0		(10,000)		(10,000)
Adds funding to replace furniture in three judge chambers		22,500		22,500				0		(22,500)		(22,500)
Adds funding to replace 48 workstations and cubicles		360,000		360,000				0		(360,000)		(360,000)
Adds funding for copy machines		75,000		75,000				0		(75,000)		(75,000)
Adds funding for folding machines		72,600		72,600				0		(72,600)		(72,600)
Adds funding for court workload studies		466,500		466,500				0		(466,500)		(466,500)
Total one-time funding changes	0.00	\$9,161,616	\$0	\$9,161,616	0.00	\$3,950,316	\$0	\$3,950,316	0.00	(\$5,211,300)	\$0	(\$5,211,300)
Total Changes to Base Level Funding	22.00	\$36,300,943	(\$37,698)	\$36,263,245	10.00	\$18,156,200	(\$60,465)	\$18,095,735	(12.00)	(\$18,144,743)	(\$22,767)	(\$18,167,510)
2025-27 Total Funding	406.00	\$164,557,927	\$1,402,730	\$165,960,657	394.00	\$146,413,184	\$1,379,963	\$147,793,147	(12.00)	(\$18,144,743)	(\$22,767)	(\$18,167,510)
Federal funds included in other funds			\$851,850				\$862,422			\$10,572		
Total ongoing changes - Percentage of base level	5.7%	21.2%	(2.6%)	20.9%	2.6%	11.1%	(4.2%)	10.9%	N/A	N/A	N/A	N/A
Total changes - Percentage of base level	5.7%	28.3%	(2.6%)	28.0%	2.6%	14.2%	(4.2%)	14.0%	N/A	N/A	N/A	N/A

**Other Sections in Judicial Branch - Budget No. 180**

Section Description	Armstrong Executive Budget	Senate Version
New and vacant FTE pool		Section 3 provides language regarding the use of funding in the new and vacant FTE pool line item.
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.	Section 4 appropriates 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.	Section 5 requires 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.

Other Sections in Judicial Branch - Budget No. 180

Section Description	Armstrong Executive Budget	Senate Version	
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.	Section 6 provides the statutory changes to increase Supreme Court justices' salaries by approximately 8.5 percent on July 1, 2025. Supreme Court justices' annual salaries would be increased from the current level of \$186,484 to \$202,335 effective July 1, 2025. The Chief Justice of the Supreme Court would be entitled to receive an additional \$6,681 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.	Section 7 provides the statutory changes to increase district court judges' salaries by approximately 5.5 percent on July 1, 2025. District court judges' annual salaries would be increased from the current level of \$171,113 to \$180,524 effective July 1, 2025. A presiding judge of a judicial district would be entitled to receive an additional \$5,130 per annum effective July 1, 2025, an increase from the current additional amount for presiding judges of \$4,862 per annum.	



# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
2/17/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for transfers; and to provide an exemption.

8:39 a.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Scott Meyer, Senator Donald Schaible, Senator Paul J. Thomas.

### **Discussion Topics:**

- Distributions of Funding.
- Expected fee increases for the Court.

8:39 a.m. Alex Cronquist, Fiscal Analyst, Legislative Council, testified in neutral and referenced long sheet #37841

8:41 a.m. Senator Thomas testified in neutral and referenced long sheet #37841

8:46 a.m. Sally Holewa, State Court Administrator, testified in favor and referenced long sheet #37841.

9:09 a.m. Chairman Sorvaag closed the meeting.

*Steven Hall, Committee Clerk*



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

	Armstrong Executive Budget				Senate Version				Senate Compared to Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	Increase (Decrease)			
									FTE Positions	General Fund	Other Funds	Total
<b>2025-27 Biennium Base Level</b>	384.00	\$128,256,984	\$1,440,428	\$129,697,412	384.00	\$128,256,984	\$1,440,428	\$129,697,412	0.00	\$0	\$0	\$0
<b>2025-27 Ongoing Funding Changes</b>												
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		\$3,490,350	(\$114,374)	\$3,375,976				\$0
Salary increase		4,277,475	30,331	4,307,806		3,004,482	30,331	3,034,813		(\$1,272,993)		(1,272,993)
Health insurance increase		2,425,383	18,767	2,444,150		2,353,323	18,767	2,372,090		(72,060)		(72,060)
Adds funding for judges and justices salary increases		2,078,868		2,078,868		1,842,192		1,842,192		(236,676)		(236,676)
Adds funding for pay plan 3 percent salary		2,028,177	10,639	2,038,816				0		(2,028,177)	(\$10,639)	(2,038,816)
Restores 2023-25 new and vacant FTE funding		2,455,681	23,723	2,479,404		2,455,681	23,723	2,479,404				0
Transfers funding for 2025-27 new and vacant FTE pool				0		(2,849,418)	(18,912)	(2,868,330)		(2,849,418)	(18,912)	(2,868,330)
Adds funding for accrued leave payouts		460,487	514	461,001				0		(460,487)	(514)	(461,001)
Adds new juvenile court positions	4.50	829,304		829,304	0.50	67,758		67,758	(4.00)	(761,546)		(761,546)
Adds a new district court administrative assistant position	1.00	170,025		170,025	1.00	170,025		170,025				0
Adds a new district court deputy court administrator position	1.00	272,529		272,529	1.00	272,529		272,529				0
Adds new district court programmer analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds new district court network analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds a new district court technology coordinator position	1.00	196,210		196,210	1.00	196,210		196,210				0
Adds a new district court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Adds a new Supreme Court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Adds a new Supreme Court deputy clerk position	1.00	170,025		170,025				0	(1.00)	(170,025)		(170,025)
Increases a Supreme Court part-time administrative assistant position to full-time	0.50	65,161		65,161	0.50	65,161		65,161				0
Adds funding for office of guardianship and conservatorship	5.00	1,494,628		1,494,628				0	(5.00)	(1,494,628)		(1,494,628)
Adds funding for court navigator program	1.00	309,742		309,742				0	(1.00)	(309,742)		(309,742)
Adds funding for allied legal professional program	1.00	364,574		364,574				0	(1.00)	(364,574)		(364,574)
Adds funding for 3 new treatment courts		373,476		373,476				0		(373,476)		(373,476)
Reduces funding for judges' retirement		(13,666)		(13,666)		(13,666)		(13,666)				0
Adds funding for information technology (IT) system maintenance and enhancements		2,059,179		2,059,179		2,059,179		2,059,179				0
Adds funding for law library reference materials subscription		73,882		73,882				0		(73,882)		(73,882)
Adds funding for credit card processing and bank		293,000		293,000				0		(293,000)		(293,000)
Adjusts funding for operating costs		409,699	(7,298)	402,401				0		(409,699)	7,298	(402,401)
Adds funding for interpreters		125,500		125,500				0		(125,500)		(125,500)
Adds funding for county clerk of court contract		189,428		189,428				0		(189,428)		(189,428)

Increases funding for rural attorney recruitment program		36,000		36,000				0		(36,000)		(36,000)
Increases funding for the family mediation program to provide a total of \$1.52 million		138,200		138,200				0		(138,200)		(138,200)
Adds funding for guardian ad litem program to provide a total of \$2.35 million		935,768		935,768				0		(935,768)		(935,768)
Total ongoing funding changes	22.00	\$27,139,327	(\$37,698)	\$27,101,629	10.00	\$14,544,048	(\$60,465)	\$14,483,583	(12.00)	(\$12,595,279)	(\$22,767)	(\$12,618,046)
<b>One-Time Funding Items</b>												
Adds funding for IT equipment lease		\$874,216		\$874,216		\$874,216		\$874,216				\$0
Adds funding for case management system migration to cloud-based hosting		758,000		758,000		758,000		758,000				0
Adds funding for clerk filing software		1,250,000		1,250,000		1,250,000		1,250,000				0
Adds funding for problem solving court case management system		780,000		780,000				0		(\$780,000)		(780,000)
Adds funding for digital evidence management system		980,000		980,000				0		(980,000)		(980,000)
Adds funding for court records access system		960,000		960,000		960,000		960,000				0
Adds funding for cloud-based storage fees		866,100		866,100		866,100		866,100				0
Adds funding for courtroom audio and video systems		1,586,700		1,586,700				0		(1,586,700)		(1,586,700)
Adds funding for Cass County courtroom equipment		100,000		100,000				0		(100,000)		(100,000)
Adds funding for Coteau Room camera and projector		10,000		10,000				0		(10,000)		(10,000)
Adds funding to replace furniture in three judge chambers		22,500		22,500				0		(22,500)		(22,500)
Adds funding to replace 48 workstations and cubicles		360,000		360,000				0		(360,000)		(360,000)
Adds funding for copy machines		75,000		75,000				0		(75,000)		(75,000)
Adds funding for folding machines		72,600		72,600				0		(72,600)		(72,600)
Adds funding for court workload studies		466,500		466,500				0		(466,500)		(466,500)
Total one-time funding changes	0.00	\$9,161,616	\$0	\$9,161,616	0.00	\$4,708,316	\$0	\$4,708,316	0.00	(\$4,453,300)	\$0	(\$4,453,300)
Total Changes to Base Level Funding	22.00	\$36,300,943	(\$37,698)	\$36,263,245	10.00	\$19,252,364	(\$60,465)	\$19,191,899	(12.00)	(\$17,048,579)	(\$22,767)	(\$17,071,346)
2025-27 Total Funding	406.00	\$164,557,927	\$1,402,730	\$165,960,657	394.00	\$147,509,348	\$1,379,963	\$148,889,311	(12.00)	(\$17,048,579)	(\$22,767)	(\$17,071,346)
Federal funds included in other funds			\$851,850				\$862,422			\$10,572		

Total ongoing changes - Percentage of base level	5.7%	21.2%	(2.6%)	20.9%	2.6%	11.3%	(4.2%)	11.2%	N/A	N/A	N/A	N/A
Total changes - Percentage of base level	5.7%	28.3%	(2.6%)	28.0%	2.6%	15.0%	(4.2%)	14.8%	N/A	N/A	N/A	N/A

Other Sections in Judicial Branch - Budget No. 180

Section Description	Armstrong Executive Budget	Senate Version	
New and vacant FTE pool		Section 3 provides language regarding the use of funding in the new and vacant FTE pool line item.	
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.	Section 4 appropriates 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.	Section 5 requires 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.	



Other Sections in Judicial Branch - Budget No. 180

Section Description	Armstrong Executive Budget	Senate Version	
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.	Section 6 provides the statutory changes to increase Supreme Court justices' salaries by approximately 8.5 percent on July 1, 2025. Supreme Court justices' annual salaries would be increased from the current level of \$186,484 to \$202,335 effective July 1, 2025. The Chief Justice of the Supreme Court would be entitled to receive an additional \$6,681 per annum effective July 1, 2025, to provide a 9 percent total increase for the Chief Justice 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.	Section 7 provides the statutory changes to increase district court judges' salaries by approximately 7 percent on July 1, 2025. District court judges' annual salaries would be increased from the current level of \$171,113 to \$183,091 effective July 1, 2025. A presiding judge of a judicial district would be entitled to receive an additional \$5,202 per annum effective July 1, 2025, an increase from the current additional amount for presiding judges of \$4,862 per annum.	

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
2/18/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for transfers; and to provide an exemption.

8:30 a.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Scott Meyer, Senator Donald Schaible, Senator Paul J. Thomas.

### **Discussion Topics:**

- Change in raises.
- Change in FTE allotment.

8:30 a.m. Alex Cronquist, Fiscal Analyst, Legislative Council, submitted testimony in neutral #37952.

8:31 a.m. Senator Thomas referenced Long Sheet #37952 and made statements to the committee.

8:38 a.m. Chairman Sorvaag closed the meeting.

*Steven Hall, Committee Clerk*

Armstrong Executive Budget										Senate Version										Senate Compared to Executive Budget									
2025-27 Ongoing Funding Changes					2025-27 Biennium Base Level					FTE					Positions					Increase (Decrease)					Total				
Base payroll changes, including cost to continue salary increases and step increases in the judicial branch pay plan					Total					Total					Total					Total					Total				
Health insurance increase					FTE					FTE					FTE					FTE					FTE				
Salary increase					FTE					FTE					FTE					FTE					FTE				
Add funding for judges and justices salary increases					FTE					FTE					FTE					FTE					FTE				
Add funding for pay plan 3 percent salary adjustment					FTE					FTE					FTE					FTE					FTE				
Restores 2023-25 new and vacant FTE funding					FTE					FTE					FTE					FTE					FTE				
Transfers funding for 2025-27 new and vacant FTE pool					FTE					FTE					FTE					FTE					FTE				
Add funding for accrued leave payouts					FTE					FTE					FTE					FTE					FTE				
Add new juvenile court positions					FTE					FTE					FTE					FTE					FTE				
Add a new district court administrative assistant position					FTE					FTE					FTE					FTE					FTE				
Add a new district court deputy court administrator position					FTE					FTE					FTE					FTE					FTE				
Add new district court programmer analyst positions					FTE					FTE					FTE					FTE					FTE				
Add new district court network analyst positions					FTE					FTE					FTE					FTE					FTE				
Add a new district court technology coordinator position					FTE					FTE					FTE					FTE					FTE				
Add a new district court staff attorney position					FTE					FTE					FTE					FTE					FTE				
Add a new Supreme Court staff attorney position					FTE					FTE					FTE					FTE					FTE				
Add a new Supreme Court deputy clerk position					FTE					FTE					FTE					FTE					FTE				
Increases a Supreme Court part-time administrative assistant position to full-time					FTE					FTE					FTE					FTE					FTE				
Add funding for office of guardianship and conservatorship					FTE					FTE					FTE					FTE					FTE				
Add funding for court navigator program					FTE					FTE					FTE					FTE					FTE				
Add funding for allied legal professional program					FTE					FTE					FTE					FTE					FTE				
Transfers \$730,478 for guardianship monitoring					FTE					FTE					FTE					FTE					FTE				
Add funding for 3 new treatment courts					FTE					FTE					FTE					FTE					FTE				
Reduces funding for judges' retirement					FTE					FTE					FTE					FTE					FTE				
Add funding for information technology (IT) system maintenance and enhancements					FTE					FTE					FTE					FTE					FTE				
Add funding for law library reference materials subscription					FTE					FTE					FTE					FTE					FTE				
Add funding for credit card processing and bank fees					FTE					FTE					FTE					FTE					FTE				
Adjusts funding for operating costs					FTE					FTE					FTE					FTE					FTE				
Add funding for interpreters					FTE					FTE					FTE					FTE					FTE				
Add funding for county clerk of court contract					FTE					FTE					FTE					FTE					FTE				

Increases funding for rural attorney recruitment program		36,000		36,000		36,000		36,000				0
Increases funding for the family mediation program to provide a total of \$1.52 million		138,200		138,200				0		(138,200)		(138,200)
Adds funding for guardian ad litem program		935,768		935,768		470,000		470,000		(465,768)		(465,768)
Total ongoing funding changes	22.00	\$27,139,327	(\$37,698)	\$27,101,629	14.00	\$16,150,641	(\$60,465)	\$16,090,176	(8.00)	(\$10,988,686)	(\$22,767)	(\$11,011,453)
<b>One-Time Funding Items</b>												
Adds funding for IT equipment lease		\$874,216		\$874,216		\$874,216		\$874,216				\$0
Adds funding for case management system migration to cloud-based hosting		758,000		758,000		758,000		758,000				0
Adds funding for clerk filing software		1,250,000		1,250,000		1,250,000		1,250,000				0
Adds funding for problem solving court case management system		780,000		780,000				0		(\$780,000)		(780,000)
Adds funding for digital evidence management system		980,000		980,000				0		(980,000)		(980,000)
Adds funding for court records access system		960,000		960,000		960,000		960,000				0
Adds funding for cloud-based storage fees		866,100		866,100		866,100		866,100				0
Adds funding for courtroom audio and video systems		1,586,700		1,586,700				0		(1,586,700)		(1,586,700)
Adds funding for Cass County courtroom equipment		100,000		100,000				0		(100,000)		(100,000)
Adds funding for Coteau Room camera and projector		10,000		10,000				0		(10,000)		(10,000)
Adds funding to replace furniture in three judge chambers		22,500		22,500				0		(22,500)		(22,500)
Adds funding to replace 48 workstations and cubicles		360,000		360,000				0		(360,000)		(360,000)
Adds funding for copy machines		75,000		75,000				0		(75,000)		(75,000)
Adds funding for folding machines		72,600		72,600				0		(72,600)		(72,600)
Adds funding for court workload studies		466,500		466,500				0		(466,500)		(466,500)
Total one-time funding changes	0.00	\$9,161,616	\$0	\$9,161,616	0.00	\$4,708,316	\$0	\$4,708,316	0.00	(\$4,453,300)	\$0	(\$4,453,300)
Total Changes to Base Level Funding	22.00	\$36,300,943	(\$37,698)	\$36,263,245	14.00	\$20,858,957	(\$60,465)	\$20,798,492	(8.00)	(\$15,441,986)	(\$22,767)	(\$15,464,753)
2025-27 Total Funding	406.00	\$164,557,927	\$1,402,730	\$165,960,657	398.00	\$149,115,941	\$1,379,963	\$150,495,904	(8.00)	(\$15,441,986)	(\$22,767)	(\$15,464,753)
Federal funds included in other funds			\$851,850				\$862,422			\$10,572		

Total ongoing changes - Percentage of base level	5.7%	21.2%	(2.6%)	20.9%	3.6%	12.6%	(4.2%)	12.4%	N/A	N/A	N/A	N/A
Total changes - Percentage of base level	5.7%	28.3%	(2.6%)	28.0%	3.6%	16.3%	(4.2%)	16.0%	N/A	N/A	N/A	N/A

Other Sections in Judicial Branch - Budget No. 180

Section Description	Armstrong Executive Budget	Senate Version
New and vacant FTE pool		Section 3 provides language regarding the use of funding in the new and vacant FTE pool line item.
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.	Section 4 appropriates 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.	Section 5 requires 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.



Other Sections in Judicial Branch - Budget No. 180

Section Description	Armstrong Executive Budget	Senate Version	
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.	Section 6 provides the statutory changes to increase Supreme Court justices' salaries by approximately 8.5 percent on July 1, 2025. Supreme Court justices' annual salaries would be increased from the current level of \$186,484 to \$202,335 effective July 1, 2025. The Chief Justice of the Supreme Court would be entitled to receive an additional \$6,681 per annum effective July 1, 2025, to provide a 9 percent total increase for the Chief Justice 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.	Section 7 provides the statutory changes to increase district court judges' salaries by approximately 7 percent on July 1, 2025. District court judges' annual salaries would be increased from the current level of \$171,113 to \$183,091 effective July 1, 2025. A presiding judge of a judicial district would be entitled to receive an additional \$5,202 per annum effective July 1, 2025, an increase from the current additional amount for presiding judges of \$4,862 per annum.	



# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
2/20/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for transfers; and to provide an exemption.

9:05 a.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Scott Meyer, Senator Donald Schaible, Senator Paul J. Thomas.

### Discussion Topics:

- Changes to FTE Funding.
- Rural Attorney Recruitment Program.
- Adjustments to Operating Fund.

9:07 a.m. Senator Thomas referenced Long Sheet #38371 and submitted testimony #38185 in favor.

9:09 a.m. Adam Mathiak, Fiscal Analyst, Legislative Council, answered committee questions and submitted testimony in neutral #38371.

9:10 a.m. Senator Thomas continued testimony #38185.

9:19 a.m. Senator Thomas moved to adopt amendment LC #25.0169.01001 #38185.

9:19 a.m. Senator Meyer Seconded.

Senators	Vote
Senator Ronald Sorvaag	Y
Senator Cole Conley	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Paul J. Thomas	Y

Motion Passed: 5-0-0.

9:20 a.m. Senator Thomas moved a Do Pass as amended.

9:20 a.m. Senator Schaible Seconded the motion.

Senators	Vote
Senator Ronald Sorvaag	Y
Senator Cole Conley	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Paul J. Thomas	Y

Motion Passed: 5-0-0.

Senator Thomas will carry the bill.

9:21 a.m. Chairman Sorvaag closed the meeting.

*Steven Hall, Committee Clerk*

25.0169.01001  
Title.  
Fiscal No. 1

Prepared by the Legislative Council  
staff for Senate Appropriations -  
Education and Environment Division  
Committee

February 18, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2002

Introduced by

Appropriations Committee

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

### 5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

11 Subdivision 1.

#### 12 SUPREME COURT

13		Adjustments or	
14		Base Level	Enhancements
15			Appropriation
15	Salaries and wages	\$12,363,778	\$0
16	Operating expenses	2,915,259	0
17	New and vacant FTE funding pool	8,740,214	0
18	Total all funds	\$24,019,251	\$0

Sixty-ninth  
Legislative Assembly

1	<del>Less other funds</del>	<del>97,793</del>	<del>0</del>	<del>97,793</del>
2	<del>Total general fund</del>	<del>\$23,921,458</del>	<del>\$0</del>	<del>\$23,921,458</del>
3	Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
4	New and vacant FTE pool	8,740,214	(68,714)	8,671,500
5	Operating expenses	2,915,259	191,426	3,106,685
6	Capital assets	0	866,100	866,100
7	Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
8	Less other funds	97,793	(53,664)	44,129
9	Total general fund	\$23,921,458	\$2,098,403	\$26,019,861

10 Subdivision 2.

11 DISTRICT COURTS

12		Adjustments or		
13		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
14	Salaries and wages	\$79,576,340	\$0	\$79,576,340
15	Operating expenses	24,524,619	0	24,524,619
16	Judges' retirement	177,340	0	177,340
17	Total all funds	\$104,278,299	\$0	\$104,278,299
18	Less other funds	830,318	0	830,318
19	Total general fund	\$103,447,981	\$0	\$103,447,981
20	Salaries and wages	\$79,576,340	\$11,134,861	\$90,711,201
21	Operating expenses	24,524,619	3,006,722	27,531,341
22	Capital assets	0	4,742,216	4,742,216
23	Judges' retirement	177,340	(13,666)	163,674
24	Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
25	Less other funds	830,318	(11,320)	818,998
26	Total general fund	\$103,447,981	\$18,881,453	\$122,329,434

27 Subdivision 3.

28 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

29		Adjustments or		
30		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
31	Salaries and wages	\$1,399,862	\$0	\$1,399,862



Sixty-ninth  
Legislative Assembly

1	Total all funds	\$1,399,862	\$0	\$1,399,862
2	Less other funds	512,317	0	512,317
3	Total general fund	\$887,545	\$0	\$887,545
4	Judicial conduct commission and	\$1,399,862	\$155,643	\$1,555,505
5	disciplinary board			
6	Total all funds	\$1,399,862	\$155,643	\$1,555,505
7	Less other funds	512,317	(2,779)	509,538
8	Total general fund	\$887,545	\$158,422	\$1,045,967
9	Subdivision 4.			
10	Office of Guardianship and Conservatorship			
11		Adjustments or		
12		Base Level	Enhancements	Appropriation
13	Office of guardianship and conservatorship	\$0	\$936,405	\$936,405
14	Total general fund	\$0	\$936,405	\$936,405

Subdivision 4.5.

TOTAL - SECTION 1

17		Adjustments or		
18		Base Level	Enhancements	Appropriation
19	Grand total all funds	\$129,697,412	\$0	\$129,697,412
20	Grand total other funds	1,440,428	0	1,440,428
21	Grand total general fund	\$128,256,984	\$0	\$128,256,984
22	Full-time equivalent positions	384.00	0.00	384.00
23	Grand total all funds	\$129,697,412	\$22,006,920	\$151,704,332
24	Grand total other funds	1,440,428	(67,763)	1,372,665
25	Grand total general fund	\$128,256,984	\$22,074,683	\$150,331,667
26	Full-time equivalent positions	384.00	12.00	396.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in the entity's base budget for the 2027-29 biennium and which the entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:



<u>One-Time Funding Description</u>	<u>General Fund</u>
Information technology equipment lease	\$874,216
Case management software cloud migration	758,000
Clerk filing software	1,250,000
Court records access system	960,000
Cloud-based storage fees	866,100
Courtroom audio and video equipment	800,000
Cass County courtroom equipment	<u>100,000</u>
Total	\$5,608,316

**SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.**

1. The supreme court may not spend funding from the new and vacant FTE funding pool line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the guardianship and conservatorship line item within subdivision 1 of this Act, and to the judicial conduct commission and disciplinary board line item within subdivision 3 of this Act, as necessary to provide funding for:
  - a. Filling a new position from the date of hire through the end of the biennium; or
  - b. Salaries and wages if actual salaries and wages savings from vacant positions and employee turnover, adjusted for other uses, are less than the estimate used by the sixty-ninth legislative assembly in the development of the appropriation.
2. The supreme court shall report to the budget section regarding the use of funding in the pool, including information on:
  - a. New FTE positions, including the date hired;
  - b. Vacant FTE positions, including information regarding positions that become vacant and positions filled, salaries and wages savings resulting from vacant positions and employee turnover, and the use of salaries and wages savings for other purposes; and
  - c. Additional salaries and wages funding needed due to savings from vacant positions being less than anticipated.



3. If funding in the new and vacant FTE pool line item is insufficient to provide the necessary salaries and wages funding for the biennium, the supreme court may request a deficiency appropriation from the seventieth legislative assembly.

**SECTION 4. 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 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 two thousand three hundred thirty-five dollars. The chief justice of the supreme court is entitled to receive an additional ~~five thousand seventy-one dollars per annum through June 30, 2024, and five thousand two hundred seventy-four~~ six thousand six hundred eighty-one 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-three thousand ninety-one dollars. 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 two hundred two dollars per annum ~~through June 30, 2024, and four thousand eight hundred sixty-two dollars thereafter~~.

**SECTION 7. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer appropriation authority between line items

Sixty-ninth  
Legislative Assembly

- 1 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the
- 2 nature of the duties of the court and its staff requires the transfers to carry on properly the
- 3 functions of the judicial branch of government.



**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2002 - Summary of Senate Action**

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Supreme Court			
Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
Less estimated income	97,793	(53,664)	44,129
General fund	<u>\$23,921,458</u>	<u>\$2,098,403</u>	<u>\$26,019,861</u>
FTE	45.50	(1.00)	44.50
District Courts			
Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
Less estimated income	830,318	(11,320)	818,998
General fund	<u>\$103,447,981</u>	<u>\$18,881,453</u>	<u>\$122,329,434</u>
FTE	334.00	7.00	341.00
Judicial Conduct Commission			
Total all funds	\$1,399,862	\$155,643	\$1,555,505
Less estimated income	512,317	(2,779)	509,538
General fund	<u>\$887,545</u>	<u>\$158,422</u>	<u>\$1,045,967</u>
FTE	4.50	0.00	4.50
Guardianship and Conservatorship			
Total all funds	\$0	\$936,405	\$936,405
Less estimated income	0	0	0
General fund	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>
FTE	0.00	6.00	6.00
Bill total			
Total all funds	\$129,697,412	\$22,006,920	\$151,704,332
Less estimated income	1,440,428	(67,763)	1,372,665
General fund	<u>\$128,256,984</u>	<u>\$22,074,683</u>	<u>\$150,331,667</u>
FTE	384.00	12.00	396.00

**Senate Bill No. 2002 - Supreme Court - Senate Action**

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
New and vacant FTE pool	8,740,214	(68,714)	8,671,500
Operating expenses	2,915,259	191,426	3,106,685
Capital assets		866,100	866,100
Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
Less estimated income	97,793	(53,664)	44,129
General fund	<u>\$23,921,458</u>	<u>\$2,098,403</u>	<u>\$26,019,861</u>
FTE	45.50	(1.00)	44.50

**Department 181 - Supreme Court - Detail of Senate Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts Funding to Replace 2023-25 New and Vacant FTE Pool <sup>3</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>4</sup>	Adds FTE Positions <sup>5</sup>	Transfers Funding for Guardianship Monitoring <sup>6</sup>
Salaries and wages	\$823,923	\$963,458	\$1,257,725	(\$1,619,591)	\$293,625	(\$663,213)
New and vacant FTE pool			(8,740,214)	8,671,500		
Operating expenses						(67,265)
Capital assets						
Total all funds	\$823,923	\$963,458	(\$7,482,489)	\$7,051,909	\$293,625	(\$730,478)
Less estimated income	0	0	(97,793)	44,129	0	0
General fund	\$823,923	\$963,458	(\$7,384,696)	\$7,007,780	\$293,625	(\$730,478)
FTE	0.00	0.00	0.00	0.00	1.00	(2.00)

	Adjusts Operating Funding <sup>7</sup>	Adds One- Time Funding for Cloud- Based Storage <sup>8</sup>	Total Senate Changes
Salaries and wages			\$1,055,927
New and vacant FTE pool			(68,714)
Operating expenses	\$258,691		191,426
Capital assets		\$866,100	866,100
Total all funds	\$258,691	\$866,100	\$2,044,739
Less estimated income	0	0	(53,664)
General fund	\$258,691	\$866,100	\$2,098,403
FTE	0.00	0.00	(1.00)

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2025-27 biennium salary adjustments of 3 percent on July 1, 2025, and 3 percent on July 1, 2026, and increases in health insurance premiums from \$1,643 to \$1,893 per month:

	<b>General Fund</b>
Salary increase	\$474,983
Health insurance increase	288,256
Supreme Court justices' salaries increase of 8.5 percent and chief justice salary increase of 9 percent	<u>200,219</u>
Total	\$963,458

The salaries of Supreme Court justices and district court judges are not adjusted for 3 percent annual increases.

<sup>3</sup> Funding is adjusted to replace 2023-25 biennium new and vacant FTE pool funding.

<sup>4</sup> Funding of \$1,619,591 for new FTE positions and estimated savings from vacant FTE positions is removed from the Supreme Court salaries and wages line item and funding of \$8,671,500 is added for a Judicial Branch 2025-27 new and vacant FTE pool line item as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
New FTE positions	(\$293,625)	\$0	(\$293,625)
Vacant FTE positions	<u>(1,325,966)</u>	0	<u>(1,325,966)</u>
Total	(\$1,619,591)	\$0	(\$1,619,591)
Funding pool line item	<u>1,192,439</u>	0	<u>1,192,439</u>
Supreme Court net savings	(\$427,152)	\$0	(\$427,152)
Funding pool line item from district courts, Judicial Conduct Commission, and Office of Guardianship and Conservatorship	<u>7,434,932</u>	<u>44,129</u>	<u>7,479,061</u>
Net impact on Supreme Court	\$7,007,780	\$44,129	\$7,051,909

<sup>5</sup> Funding of \$293,625 from the general fund is added for 1 new FTE staff attorney position.

<sup>6</sup> Funding and FTE positions for guardianship monitoring are transferred from the Supreme Court to the newly created Office of Guardianship and Conservatorship division of the Judicial Branch.

<sup>7</sup> Operating funding is adjusted as follows:

	<b>General Fund</b>
IT system maintenance and enhancements	\$120,700
Law library reference materials subscription	73,882
Rural attorney recruitment and retention	36,000
Various operating adjustments	<u>28,109</u>
Total	\$258,691

<sup>8</sup> One-time funding of \$866,100 from the general fund is added for cloud-based storage fees.

### Senate Bill No. 2002 - District Courts - Senate Action

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$79,576,340	\$11,134,861	\$90,711,201
Operating expenses	24,524,619	3,006,722	27,531,341
Capital assets		4,742,216	4,742,216
Judges' retirement	<u>177,340</u>	<u>(13,666)</u>	<u>163,674</u>
Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
Less estimated income	<u>830,318</u>	<u>(11,320)</u>	<u>818,998</u>
General fund	\$103,447,981	\$18,881,453	\$122,329,434
FTE	334.00	7.00	341.00

### Department 182 - District Courts - Detail of Senate Changes

	<b>Adjusts Funding for Base Payroll Changes<sup>1</sup></b>	<b>Adds Funding for Salary and Benefit Increases<sup>2</sup></b>	<b>Adds Funding to Replace 2023-25 New and Vacant FTE Pool<sup>3</sup></b>	<b>Transfers Funding for 2025-27 New and Vacant FTE Pool<sup>4</sup></b>	<b>Adds FTE Positions<sup>5</sup></b>	<b>Reduces Funding for Judges' Retirement<sup>6</sup></b>
Salaries and wages	\$2,469,136	\$6,182,309	\$9,881,863	(\$8,880,203)	\$1,481,756	
Operating expenses						
Capital assets						
Judges' retirement						<u>(\$13,666)</u>
Total all funds	\$2,469,136	\$6,182,309	\$9,881,863	(\$8,880,203)	\$1,481,756	(\$13,666)
Less estimated income	<u>(76,436)</u>	<u>23,218</u>	<u>91,024</u>	<u>(29,657)</u>	<u>0</u>	<u>0</u>
General fund	\$2,545,572	\$6,159,091	\$9,790,839	(\$8,850,546)	\$1,481,756	(\$13,666)
FTE	0.00	0.00	0.00	0.00	7.00	0.00

	<b>Adjusts Operating Funding<sup>7</sup></b>	<b>Adds One-Time Funding<sup>8</sup></b>	<b>Total Senate Changes</b>
Salaries and wages			\$11,134,861
Operating expenses	\$3,006,722		3,006,722
Capital assets		\$4,742,216	4,742,216
Judges' retirement			<u>(13,666)</u>
Total all funds	\$3,006,722	\$4,742,216	\$18,870,133
Less estimated income	<u>(19,469)</u>	<u>0</u>	<u>(11,320)</u>
General fund	\$3,026,191	\$4,742,216	\$18,881,453
FTE	0.00	0.00	7.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2025-27 biennium salary adjustments of 3 percent on July 1, 2025, and 3 percent on July 1, 2026, and increases in health insurance premiums from \$1,643 to \$1,893 per month:

	<u>General Fund</u>	<u>Federal Funds</u>	<u>Total</u>
Salary increase	\$2,478,324	\$14,210	\$2,492,534
Health insurance increase	2,038,794	9,008	2,047,802
District court judges' salaries increase of 7 percent	<u>1,641,973</u>	<u>0</u>	<u>1,641,973</u>
Total	\$6,159,091	\$23,218	\$6,182,309

The salaries of Supreme Court justices and district court judges are not adjusted for 3 percent annual increases.

<sup>3</sup> Funding is added to replace 2023-25 biennium new and vacant FTE pool funding as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Vacant FTE positions	\$3,999,004	\$63,662	\$4,062,666
New FTE positions	<u>5,791,835</u>	<u>27,362</u>	<u>5,819,197</u>
Total	\$9,790,839	\$91,024	\$9,881,863

<sup>4</sup> Funding of \$8,880,203 is removed, including \$1,481,756 for new FTE positions and \$7,398,447 for estimated savings from vacant 2025-27 FTE positions, and \$6,512,493 is added to the Supreme Court new and vacant FTE pool line item resulting in net savings of \$2,367,710.

<sup>5</sup> The following FTE positions and related funding are added:

	<u>FTE Positions</u>	<u>General Fund</u>
Administrative assistant	1.00	\$170,025
Deputy court administrator	1.00	272,529
Programmer analyst	2.00	421,496
Network analyst	2.00	421,496
Technology coordinator	<u>1.00</u>	<u>196,210</u>
Total	7.00	\$1,481,756

<sup>6</sup> Funding is reduced by \$13,666 from the general fund to provide a total of \$163,674 for judges' retirement.

<sup>7</sup> Operating funding is adjusted as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
IT system maintenance and enhancements	\$1,938,479		\$1,938,479
Credit card processing and bank fees	200,000		200,000
Interpreters	60,000		60,000
County clerk of court contract	189,428		189,428
Guardian ad litem program	470,000		470,000
Various operating adjustments	<u>168,284</u>	<u>(\$19,469)</u>	<u>148,815</u>
Total	\$3,026,191	(\$19,469)	\$3,006,722

<sup>8</sup> One-time funding is added as follows:

	<u>General Fund</u>
IT equipment lease	\$874,216
Case management system cloud migration	758,000
Clerk filing software	1,250,000
Court records management system	960,000
Courtroom audio and video systems	800,000
Cass County courtroom equipment	<u>100,000</u>
Total	\$4,742,216



**Senate Bill No. 2002 - Judicial Conduct Commission - Senate Action**

	Base Budget	Senate Changes	Senate Version
Judicial Conduct Commission	\$1,399,862	\$155,643	\$1,555,505
Total all funds	\$1,399,862	\$155,643	\$1,555,505
Less estimated income	512,317	(2,779)	509,538
General fund	\$887,545	\$158,422	\$1,045,967
FTE	4.50	0.00	4.50

**Department 183 - Judicial Conduct Commission - Detail of Senate Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds Funding to Replace 2023-25 New and Vacant FTE Pool <sup>3</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>4</sup>	Adds funding for Operating Costs <sup>5</sup>	Total Senate Changes
Judicial Conduct Commission	\$82,917	\$79,634	\$80,030	(\$102,716)	\$15,778	\$155,643
Total all funds	\$82,917	\$79,634	\$80,030	(\$102,716)	\$15,778	\$155,643
Less estimated income	(37,938)	25,880	30,492	(33,384)	12,171	(2,779)
General fund	\$120,855	\$53,754	\$49,538	(\$69,332)	\$3,607	\$158,422
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2025-27 biennium salary adjustments of 3 percent on July 1, 2025, and 3 percent on July 1, 2026, and increases in health insurance premiums from \$1,643 to \$1,893 per month:

	General Fund	Other Funds	Total
Salary increase	\$33,486	\$16,121	\$49,607
Health insurance increase	20,268	9,759	30,027
Total	\$53,754	\$25,880	\$79,634

<sup>3</sup> Funding is added to replace 2023-25 biennium vacant FTE pool funding.

<sup>4</sup> Funding of \$102,716 is removed for estimated savings from vacant 2025-27 FTE positions and \$71,902 is added to the Supreme Court new and vacant FTE pool line item resulting in net savings of \$30,814.

<sup>5</sup> Funding is added for increases in miscellaneous operating expenses.

**Senate Bill No. 2002 - Guardianship and Conservatorship - Senate Action**

	Base Budget	Senate Changes	Senate Version
Guardianship and conservatorship		\$936,405	\$936,405
Total all funds	\$0	\$936,405	\$936,405
Less estimated income	0	0	0
General fund	\$0	\$936,405	\$936,405
FTE	0.00	6.00	6.00

**Department 184 - Guardianship and Conservatorship - Detail of Senate Changes**

	Adds Funding for Guardianship and Conservatorship <sup>1</sup>	Transfers Funding for Guardianship Monitoring <sup>2</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>3</sup>	Total Senate Changes
Guardianship and conservatorship	\$1,200,000	\$730,478	(\$994,073)	\$936,405
Total all funds	\$1,200,000	\$730,478	(\$994,073)	\$936,405
Less estimated income	0	0	0	0
General fund	\$1,200,000	\$730,478	(\$994,073)	\$936,405
FTE	4.00	2.00	0.00	6.00

<sup>1</sup> Funding of \$1.2 million from the general fund 4 new FTE positions are added for the Office of Guardianship and Conservatorship.

<sup>2</sup> Funding and FTE positions for guardianship monitoring are transferred from the Supreme Court to the newly created Office of Guardianship and Conservatorship division of the Judicial Branch.

<sup>3</sup> Funding of \$994,073 is removed for new 2025-27 FTE positions and \$894,666 is added to the Supreme Court new and vacant FTE pool line item resulting in net savings of \$99,407.

**Senate Bill No. 2002 - Other Changes - Senate Action**

This amendment also:

1. Adds a section to provide language regarding the use of funding in the new and vacant FTE pool line item.
2. Includes a section to appropriate to the judicial branch all funds received pursuant to federal acts and private gifts, grants, and donations.
3. Includes a section to 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.
4. Adds a section to provide the statutory changes to increase Supreme Court justices' salaries by 8.5 percent on July 1, 2025 and to increase the salary of the Chief Justice of the Supreme Court by 9 percent on July 1, 2025.
5. Adds a section to provide the statutory changes to increase district court judges' salaries by 7 percent on July 1, 2025.





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

	Armstrong Executive Budget				Senate Version				Senate Compared to Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2025-27 Biennium Base Level</b>	384.00	\$128,256,984	\$1,440,428	\$129,697,412	384.00	\$128,256,984	\$1,440,428	\$129,697,412	0.00	\$0	\$0	\$0
<b>2025-27 Ongoing Funding Changes</b>												
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		\$3,490,350	(\$114,374)	\$3,375,976				\$0
Salary increase		4,277,475	30,331	4,307,806		2,986,793	30,331	3,017,124		(\$1,290,682)		(1,290,682)
Health insurance increase		2,425,383	18,767	2,444,150		2,347,318	18,767	2,366,085		(78,065)		(78,065)
Adds funding for judges and justices salary increases		2,078,868		2,078,868		1,842,192		1,842,192		(236,676)		(236,676)
Adds funding for pay plan 3 percent salary adjustment		2,028,177	10,639	2,038,816				0		(2,028,177)	(\$10,639)	(2,038,816)
Restores 2023-25 new and vacant FTE funding		2,455,681	23,723	2,479,404		2,455,681	23,723	2,479,404				0
Transfers funding for 2025-27 new and vacant FTE pool				0		(2,906,171)	(18,912)	(2,925,083)		(2,906,171)	(18,912)	(2,925,083)
Adds funding for accrued leave payouts		460,487	514	461,001				0		(460,487)	(514)	(461,001)
Adds new juvenile court positions	4.50	829,304		829,304				0	(4.50)	(829,304)		(829,304)
Adds a new district court administrative assistant position	1.00	170,025		170,025	1.00	170,025		170,025				0
Adds a new district court deputy court administrator position	1.00	272,529		272,529	1.00	272,529		272,529				0
Adds new district court programmer analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds new district court network analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds a new district court technology coordinator position	1.00	196,210		196,210	1.00	196,210		196,210				0
Adds a new district court staff attorney position	1.00	293,625		293,625				0	(1.00)	(293,625)		(293,625)
Adds a new Supreme Court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Adds a new Supreme Court deputy clerk position	1.00	170,025		170,025				0	(1.00)	(170,025)		(170,025)
Increases a Supreme Court part-time administrative assistant position to full-time	0.50	65,161		65,161				0	(0.50)	(65,161)		(65,161)
Adds funding for office of guardianship and conservatorship	5.00	1,494,628		1,494,628	4.00	1,200,000		1,200,000	(1.00)	(294,628)		(294,628)
Adds funding for court navigator program	1.00	309,742		309,742				0	(1.00)	(309,742)		(309,742)
Adds funding for allied legal professional program	1.00	364,574		364,574				0	(1.00)	(364,574)		(364,574)
Transfers \$730,478 for guardianship monitoring				0				0				0
Adds funding for 3 new treatment courts		373,476		373,476				0		(373,476)		(373,476)
Reduces funding for judges' retirement		(13,666)		(13,666)		(13,666)		(13,666)				0
Adds funding for information technology (IT) system maintenance and enhancements		2,059,179		2,059,179		2,059,179		2,059,179				0
Adds funding for law library reference materials subscription		73,882		73,882		73,882		73,882				0
Adds funding for credit card processing and bank fees		293,000		293,000		200,000		200,000		(93,000)		(93,000)
Adjusts funding for operating costs		409,699	(7,298)	402,401		200,000	(7,298)	192,702		(209,699)		(209,699)
Adds funding for interpreters		125,500		125,500		60,000		60,000		(65,500)		(65,500)
Adds funding for county clerk of court contract		189,428		189,428		189,428		189,428				0



Increases funding for rural attorney recruitment program		36,000		36,000		36,000		36,000				0
Increases funding for the family mediation program to provide a total of \$1.52 million		138,200		138,200				0		(138,200)		(138,200)
Adds funding for guardian ad litem program		935,768		935,768		470,000		470,000		(465,768)		(465,768)
Total ongoing funding changes	22.00	\$27,139,327	(\$37,698)	\$27,101,629	12.00	\$16,466,367	(\$67,763)	\$16,398,604	(10.00)	(\$10,672,960)	(\$30,065)	(\$10,703,025)
<b>One-Time Funding Items</b>												
Adds funding for IT equipment lease		\$874,216		\$874,216		\$874,216		\$874,216				\$0
Adds funding for case management system migration to cloud-based hosting		758,000		758,000		758,000		758,000				0
Adds funding for clerk filing software		1,250,000		1,250,000		1,250,000		1,250,000				0
Adds funding for problem solving court case management system		780,000		780,000				0		(\$780,000)		(780,000)
Adds funding for digital evidence management system		980,000		980,000				0		(980,000)		(980,000)
Adds funding for court records access system		960,000		960,000		960,000		960,000				0
Adds funding for cloud-based storage fees		866,100		866,100		866,100		866,100				0
Adds funding for courtroom audio and video systems		1,586,700		1,586,700		800,000		800,000		(786,700)		(786,700)
Adds funding for Cass County courtroom equipment		100,000		100,000		100,000		100,000				0
Adds funding for Coteau Room camera and projector		10,000		10,000				0		(10,000)		(10,000)
Adds funding to replace furniture in three judge chambers		22,500		22,500				0		(22,500)		(22,500)
Adds funding to replace 48 workstations and cubicles		360,000		360,000				0		(360,000)		(360,000)
Adds funding for copy machines		75,000		75,000				0		(75,000)		(75,000)
Adds funding for folding machines		72,600		72,600				0		(72,600)		(72,600)
Adds funding for court workload studies		466,500		466,500				0		(466,500)		(466,500)
Total one-time funding changes	0.00	\$9,161,616	\$0	\$9,161,616	0.00	\$5,608,316	\$0	\$5,608,316	0.00	(\$3,553,300)	\$0	(\$3,553,300)
<b>Total Changes to Base Level Funding</b>	<b>22.00</b>	<b>\$36,300,943</b>	<b>(\$37,698)</b>	<b>\$36,263,245</b>	<b>12.00</b>	<b>\$22,074,683</b>	<b>(\$67,763)</b>	<b>\$22,006,920</b>	<b>(10.00)</b>	<b>(\$14,226,260)</b>	<b>(\$30,065)</b>	<b>(\$14,256,325)</b>
<b>2025-27 Total Funding</b>	<b>406.00</b>	<b>\$164,557,927</b>	<b>\$1,402,730</b>	<b>\$165,960,657</b>	<b>396.00</b>	<b>\$150,331,667</b>	<b>\$1,372,665</b>	<b>\$151,704,332</b>	<b>(10.00)</b>	<b>(\$14,226,260)</b>	<b>(\$30,065)</b>	<b>(\$14,256,325)</b>
<i>Federal funds included in other funds</i>			\$851,850				\$842,953				(\$8,897)	
Total ongoing changes - Percentage of base level	5.7%	21.2%	(2.6%)	20.9%	3.1%	12.8%	(4.7%)	12.6%	N/A	N/A	N/A	N/A
Total changes - Percentage of base level	5.7%	28.3%	(2.6%)	28.0%	3.1%	17.2%	(4.7%)	17.0%	N/A	N/A	N/A	N/A

**Other Sections in Judicial Branch - Budget No. 180**

Section Description	Armstrong Executive Budget	Senate Version
New and vacant FTE pool		Section 3 provides language regarding the use of funding in the new and vacant FTE pool line item.
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.	Section 4 appropriates 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.	Section 5 requires 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.



Other Sections in Judicial Branch - Budget No. 180

Section Description	Armstrong Executive Budget	Senate Version	
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.	Section 6 provides the statutory changes to increase Supreme Court justices' salaries by approximately 8.5 percent on July 1, 2025. Supreme Court justices' annual salaries would be increased from the current level of \$186,484 to \$202,335 effective July 1, 2025. The Chief Justice of the Supreme Court would be entitled to receive an additional \$6,681 per annum effective July 1, 2025, to provide a 9 percent total increase for the Chief Justice 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.	Section 7 provides the statutory changes to increase district court judges' salaries by approximately 7 percent on July 1, 2025. District court judges' annual salaries would be increased from the current level of \$171,113 to \$183,091 effective July 1, 2025. A presiding judge of a judicial district would be entitled to receive an additional \$5,202 per annum effective July 1, 2025, an increase from the current additional amount for presiding judges of \$4,862 per annum.	

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations Committee Harvest Room, State Capitol

SB 2002  
2/21/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for transfers; and to provide an exemption.

8:08 a.m. Chairman Bekkedahl called the meeting to order.

Members Present: Chairman Bekkedahl, Vice-Chairman Erbele, and Senators Burckhard, Cleary, Conley, Davison, Dever, Dwyer, Magrum, Mathern, Meyer, Schaible, Sickler, Sorvaag, Thomas, Wanzek.

### Discussion Topics:

- Salary Increases
- Additional FTE Positions Locations
- Judicial Conduct Commission
- Credit Card Processing Fee Increase
- Guardianship and Conservatorship Funds Under Judicial Branch

8:10 a.m. Senator Thomas introduced the bill and submitted testimony #38290.

8:21 a.m. Senator Thomas moved amendment LC 25.0169.01001.

8:21 a.m. Senator Meyer seconded the motion.

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Robert Erbele	Y
Senator Randy A. Burckhard	Y
Senator Sean Cleary	Y
Senator Cole Conley	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Jeffery J. Magrum	N
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Jonathan Sickler	Y
Senator Ronald Sorvaag	Y
Senator Paul J. Thomas	Y
Senator Terry M. Wanzek	N

Motion Passed 14-2-0.

8:38 a.m. Senator Thomas moved a Do Pass as Amended.

8:38 a.m. Senator Burckhard seconded the motion.

<b>Senators</b>	<b>Vote</b>
Senator Brad Bekkedahl	Y
Senator Robert Erbele	Y
Senator Randy A. Burckhard	Y
Senator Sean Cleary	Y
Senator Cole Conley	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Jeffery J. Magrum	N
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Jonathan Sickler	Y
Senator Ronald Sorvaag	Y
Senator Paul J. Thomas	Y
Senator Terry M. Wanzek	Y

Motion Passed 15-1-0.

Senator Thomas will carry the bill.

8:40 a.m. Chairman Bekkedahl closed the hearing.

*Elizabeth Reiten, Committee Clerk*

25.0169.01001  
Title.02000  
Fiscal No. 1

Prepared by the Legislative Council  
staff for Senate Appropriations -  
Education and Environment Division  
Committee

February 18, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2002

Introduced by

Appropriations Committee

2-21-25

John 10/12

1 A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch;  
2 to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code.  
3 relating to the salaries of justices of the supreme court and salaries of district court judges; to  
4 provide for transfers; to provide for a report; and to provide an exemption.

#### 5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

11 Subdivision 1.

#### 12 SUPREME COURT

13		Adjustments or	
14	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
15	<del>Salaries and wages</del>	<del>\$12,363,778</del>	<del>\$0</del>
16	<del>Operating expenses</del>	<del>2,915,259</del>	<del>0</del>
17	<del>New and vacant FTE funding pool</del>	<del>8,740,214</del>	<del>0</del>
18	<del>Total all funds</del>	<del>\$24,019,251</del>	<del>\$0</del>

2 of 12

1	<del>Less other funds</del>	<del>97,793</del>	<del>0</del>	<del>97,793</del>
2	<del>Total general fund</del>	<del>\$23,921,458</del>	<del>\$0</del>	<del>\$23,921,458</del>
3	Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
4	New and vacant FTE pool	8,740,214	(68,714)	8,671,500
5	Operating expenses	2,915,259	191,426	3,106,685
6	Capital assets	0	866,100	866,100
7	Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
8	Less other funds	97,793	(53,664)	44,129
9	Total general fund	\$23,921,458	\$2,098,403	\$26,019,861

Subdivision 2.

DISTRICT COURTS

		Adjustments or		
		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
14	Salaries and wages	\$79,576,340	\$0	\$79,576,340
15	Operating expenses	24,524,619	0	24,524,619
16	Judges' retirement	177,340	0	177,340
17	Total all funds	\$104,278,299	\$0	\$104,278,299
18	Less other funds	830,318	0	830,318
19	Total general fund	\$103,447,981	\$0	\$103,447,981
20	Salaries and wages	\$79,576,340	\$11,134,861	\$90,711,201
21	Operating expenses	24,524,619	3,006,722	27,531,341
22	Capital assets	0	4,742,216	4,742,216
23	Judges' retirement	177,340	(13,666)	163,674
24	Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
25	Less other funds	830,318	(11,320)	818,998
26	Total general fund	\$103,447,981	\$18,881,453	\$122,329,434

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

29			Adjustments or	
30		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
31	Salaries and wages	\$1,399,862	\$0	\$1,399,862



1	<del>Total all funds</del>	<del>\$1,399,862</del>	<del>\$0</del>	<del>\$1,399,862</del>
2	<del>Less other funds</del>	<del>512,317</del>	<del>0</del>	<del>512,317</del>
3	<del>Total general fund</del>	<del>\$887,545</del>	<del>\$0</del>	<del>\$887,545</del>
4	Judicial conduct commission and	\$1,399,862	\$155,643	\$1,555,505
5	disciplinary board			
6	Total all funds	\$1,399,862	\$155,643	\$1,555,505
7	Less other funds	512,317	(2,779)	509,538
8	Total general fund	\$887,545	\$158,422	\$1,045,967
9	Subdivision 4.			
10	Office of Guardianship and Conservatorship			
11			Adjustments or	
12		Base Level	Enhancements	Appropriation
13	Office of guardianship and conservatorship	\$0	\$936,405	\$936,405
14	Total general fund	\$0	\$936,405	\$936,405

Subdivision 4.5.

TOTAL - SECTION 1

17			Adjustments or	
18		Base Level	Enhancements	Appropriation
19	<del>Grand total all funds</del>	<del>\$129,697,412</del>	<del>\$0</del>	<del>\$129,697,412</del>
20	<del>Grand total other funds</del>	<del>1,440,428</del>	<del>0</del>	<del>1,440,428</del>
21	<del>Grand total general fund</del>	<del>\$128,256,984</del>	<del>\$0</del>	<del>\$128,256,984</del>
22	<del>Full-time equivalent positions</del>	<del>384.00</del>	<del>0.00</del>	<del>384.00</del>
23	Grand total all funds	\$129,697,412	\$22,006,920	\$151,704,332
24	Grand total other funds	1,440,428	(67,763)	1,372,665
25	Grand total general fund	\$128,256,984	\$22,074,683	\$150,331,667
26	Full-time equivalent positions	384.00	12.00	396.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in the entity's base budget for the 2027-29 biennium and which the entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:



40812

<u>One-Time Funding Description</u>	<u>General Fund</u>
Information technology equipment lease	\$874,216
Case management software cloud migration	758,000
Clerk filing software	1,250,000
Court records access system	960,000
Cloud-based storage fees	866,100
Courtroom audio and video equipment	800,000
Cass County courtroom equipment	<u>100,000</u>
Total	\$5,608,316

### **SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.**

1. The supreme court may not spend funding from the new and vacant FTE funding pool line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the guardianship and conservatorship line item within subdivision 1 of this Act, and to the judicial conduct commission and disciplinary board line item within subdivision 3 of this Act, as necessary to provide funding for:
  - a. Filling a new position from the date of hire through the end of the biennium; or
  - b. Salaries and wages if actual salaries and wages savings from vacant positions and employee turnover, adjusted for other uses, are less than the estimate used by the sixty-ninth legislative assembly in the development of the appropriation.
2. The supreme court shall report to the budget section regarding the use of funding in the pool, including information on:
  - a. New FTE positions, including the date hired;
  - b. Vacant FTE positions, including information regarding positions that become vacant and positions filled, salaries and wages savings resulting from vacant positions and employee turnover, and the use of salaries and wages savings for other purposes; and
  - c. Additional salaries and wages funding needed due to savings from vacant positions being less than anticipated.



3. If funding in the new and vacant FTE pool line item is insufficient to provide the necessary salaries and wages funding for the biennium, the supreme court may request a deficiency appropriation from the seventieth legislative assembly.

**SECTION 4. 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 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 two thousand three hundred thirty-five dollars. The chief justice of the supreme court is entitled to receive an additional ~~five thousand seventy-one dollars per annum through June 30, 2024, and five thousand two hundred seventy-four~~ six thousand six hundred eighty-one 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-three thousand ninety-one dollars. 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 two hundred two dollars per annum ~~through June 30, 2024, and four thousand eight hundred sixty-two dollars thereafter~~.

**SECTION 7. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer appropriation authority between line items



- 1 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the
- 2 nature of the duties of the court and its staff requires the transfers to carry on properly the
- 3 functions of the judicial branch of government.

**STATEMENT OF PURPOSE OF AMENDMENT:***70612***Senate Bill No. 2002 - Summary of Senate Action**

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Supreme Court			
Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
Less estimated income	97,793	(53,664)	44,129
General fund	\$23,921,458	\$2,098,403	\$26,019,861
FTE	45.50	(1.00)	44.50
District Courts			
Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
Less estimated income	830,318	(11,320)	818,998
General fund	\$103,447,981	\$18,881,453	\$122,329,434
FTE	334.00	7.00	341.00
Judicial Conduct Commission			
Total all funds	\$1,399,862	\$155,643	\$1,555,505
Less estimated income	512,317	(2,779)	509,538
General fund	\$887,545	\$158,422	\$1,045,967
FTE	4.50	0.00	4.50
Guardianship and Conservatorship			
Total all funds	\$0	\$936,405	\$936,405
Less estimated income	0	0	0
General fund	\$0	\$936,405	\$936,405
FTE	0.00	6.00	6.00
Bill total			
Total all funds	\$129,697,412	\$22,006,920	\$151,704,332
Less estimated income	1,440,428	(67,763)	1,372,665
General fund	\$128,256,984	\$22,074,683	\$150,331,667
FTE	384.00	12.00	396.00

**Senate Bill No. 2002 - Supreme Court - Senate Action**

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
New and vacant FTE pool	8,740,214	(68,714)	8,671,500
Operating expenses	2,915,259	191,426	3,106,685
Capital assets		866,100	866,100
Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
Less estimated income	97,793	(53,664)	44,129
General fund	\$23,921,458	\$2,098,403	\$26,019,861
FTE	45.50	(1.00)	44.50

808 12

**Department 181 - Supreme Court - Detail of Senate Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts Funding to Replace 2023-25 New and Vacant FTE Pool <sup>3</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>4</sup>	Adds FTE Positions <sup>5</sup>	Transfers Funding for Guardianship Monitoring <sup>6</sup>
Salaries and wages	\$823,923	\$963,458	\$1,257,725	(\$1,619,591)	\$293,625	(\$663,213)
New and vacant FTE pool			(8,740,214)	8,671,500		
Operating expenses						(67,265)
Capital assets						
Total all funds	\$823,923	\$963,458	(\$7,482,489)	\$7,051,909	\$293,625	(\$730,478)
Less estimated income	0	0	(97,793)	44,129	0	0
General fund	\$823,923	\$963,458	(\$7,384,696)	\$7,007,780	\$293,625	(\$730,478)
FTE	0.00	0.00	0.00	0.00	1.00	(2.00)

	Adjusts Operating Funding <sup>7</sup>	Adds One- Time Funding for Cloud- Based Storage <sup>8</sup>	Total Senate Changes
Salaries and wages			\$1,055,927
New and vacant FTE pool			(68,714)
Operating expenses	\$258,691		191,426
Capital assets		\$866,100	866,100
Total all funds	\$258,691	\$866,100	\$2,044,739
Less estimated income	0	0	(53,664)
General fund	\$258,691	\$866,100	\$2,098,403
FTE	0.00	0.00	(1.00)

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2025-27 biennium salary adjustments of 3 percent on July 1, 2025, and 3 percent on July 1, 2026, and increases in health insurance premiums from \$1,643 to \$1,893 per month:

	<b>General Fund</b>
Salary increase	\$474,983
Health insurance increase	288,256
Supreme Court justices' salaries increase of 8.5 percent and chief justice salary increase of 9 percent	<u>200,219</u>
Total	\$963,458

The salaries of Supreme Court justices and district court judges are not adjusted for 3 percent annual increases.

<sup>3</sup> Funding is adjusted to replace 2023-25 biennium new and vacant FTE pool funding.

<sup>4</sup> Funding of \$1,619,591 for new FTE positions and estimated savings from vacant FTE positions is removed from the Supreme Court salaries and wages line item and funding of \$8,671,500 is added for a Judicial Branch 2025-27 new and vacant FTE pool line item as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
New FTE positions	(\$293,625)	\$0	(\$293,625)
Vacant FTE positions	<u>(1,325,966)</u>	0	<u>(1,325,966)</u>
Total	(\$1,619,591)	\$0	(\$1,619,591)
Funding pool line item	<u>1,192,439</u>	0	<u>1,192,439</u>
Supreme Court net savings	(\$427,152)	\$0	(\$427,152)
Funding pool line item from district courts, Judicial Conduct Commission, and Office of Guardianship and Conservatorship	<u>7,434,932</u>	<u>44,129</u>	<u>7,479,061</u>
Net impact on Supreme Court	\$7,007,780	\$44,129	\$7,051,909

<sup>5</sup> Funding of \$293,625 from the general fund is added for 1 new FTE staff attorney position.

9012

<sup>6</sup> Funding and FTE positions for guardianship monitoring are transferred from the Supreme Court to the newly created Office of Guardianship and Conservatorship division of the Judicial Branch.

<sup>7</sup> Operating funding is adjusted as follows:

	<b>General Fund</b>
IT system maintenance and enhancements	\$120,700
Law library reference materials subscription	73,882
Rural attorney recruitment and retention	36,000
Various operating adjustments	28,109
<b>Total</b>	<b>\$258,691</b>

<sup>8</sup> One-time funding of \$866,100 from the general fund is added for cloud-based storage fees.

### Senate Bill No. 2002 - District Courts - Senate Action

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$79,576,340	\$11,134,861	\$90,711,201
Operating expenses	24,524,619	3,006,722	27,531,341
Capital assets		4,742,216	4,742,216
Judges' retirement	177,340	(13,666)	163,674
<b>Total all funds</b>	<b>\$104,278,299</b>	<b>\$18,870,133</b>	<b>\$123,148,432</b>
Less estimated income	830,318	(11,320)	818,998
<b>General fund</b>	<b>\$103,447,981</b>	<b>\$18,881,453</b>	<b>\$122,329,434</b>
<b>FTE</b>	<b>334.00</b>	<b>7.00</b>	<b>341.00</b>

### Department 182 - District Courts - Detail of Senate Changes

	<b>Adjusts Funding for Base Payroll Changes<sup>1</sup></b>	<b>Adds Funding for Salary and Benefit Increases<sup>2</sup></b>	<b>Adds Funding to Replace 2023-25 New and Vacant FTE Pool<sup>3</sup></b>	<b>Transfers Funding for 2025-27 New and Vacant FTE Pool<sup>4</sup></b>	<b>Adds FTE Positions<sup>5</sup></b>	<b>Reduces Funding for Judges' Retirement<sup>6</sup></b>
Salaries and wages	\$2,469,136	\$6,182,309	\$9,881,863	(\$8,880,203)	\$1,481,756	
Operating expenses						
Capital assets						
Judges' retirement						(\$13,666)
<b>Total all funds</b>	<b>\$2,469,136</b>	<b>\$6,182,309</b>	<b>\$9,881,863</b>	<b>(\$8,880,203)</b>	<b>\$1,481,756</b>	<b>(\$13,666)</b>
Less estimated income	(76,436)	23,218	91,024	(29,657)	0	0
<b>General fund</b>	<b>\$2,545,572</b>	<b>\$6,159,091</b>	<b>\$9,790,839</b>	<b>(\$8,850,546)</b>	<b>\$1,481,756</b>	<b>(\$13,666)</b>
<b>FTE</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>7.00</b>	<b>0.00</b>

	<b>Adjusts Operating Funding<sup>7</sup></b>	<b>Adds One-Time Funding<sup>8</sup></b>	<b>Total Senate Changes</b>
Salaries and wages			\$11,134,861
Operating expenses	\$3,006,722		3,006,722
Capital assets		\$4,742,216	4,742,216
Judges' retirement			(13,666)
<b>Total all funds</b>	<b>\$3,006,722</b>	<b>\$4,742,216</b>	<b>\$18,870,133</b>
Less estimated income	(19,469)	0	(11,320)
<b>General fund</b>	<b>\$3,026,191</b>	<b>\$4,742,216</b>	<b>\$18,881,453</b>
<b>FTE</b>	<b>0.00</b>	<b>0.00</b>	<b>7.00</b>

<sup>1</sup> Funding is adjusted for base payroll changes.



10 of 12

<sup>2</sup> The following funding is added for 2025-27 biennium salary adjustments of 3 percent on July 1, 2025, and 3 percent on July 1, 2026, and increases in health insurance premiums from \$1,643 to \$1,893 per month:

	<u>General Fund</u>	<u>Federal Funds</u>	<u>Total</u>
Salary increase	\$2,478,324	\$14,210	\$2,492,534
Health insurance increase	2,038,794	9,008	2,047,802
District court judges' salaries increase of 7 percent	<u>1,641,973</u>	<u>0</u>	<u>1,641,973</u>
Total	\$6,159,091	\$23,218	\$6,182,309

The salaries of Supreme Court justices and district court judges are not adjusted for 3 percent annual increases.

<sup>3</sup> Funding is added to replace 2023-25 biennium new and vacant FTE pool funding as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Vacant FTE positions	\$3,999,004	\$63,662	\$4,062,666
New FTE positions	<u>5,791,835</u>	<u>27,362</u>	<u>5,819,197</u>
Total	\$9,790,839	\$91,024	\$9,881,863

<sup>4</sup> Funding of \$8,880,203 is removed, including \$1,481,756 for new FTE positions and \$7,398,447 for estimated savings from vacant 2025-27 FTE positions, and \$6,512,493 is added to the Supreme Court new and vacant FTE pool line item resulting in net savings of \$2,367,710.

<sup>5</sup> The following FTE positions and related funding are added:

	<u>FTE Positions</u>	<u>General Fund</u>
Administrative assistant	1.00	\$170,025
Deputy court administrator	1.00	272,529
Programmer analyst	2.00	421,496
Network analyst	2.00	421,496
Technology coordinator	<u>1.00</u>	<u>196,210</u>
Total	7.00	\$1,481,756

<sup>6</sup> Funding is reduced by \$13,666 from the general fund to provide a total of \$163,674 for judges' retirement.

<sup>7</sup> Operating funding is adjusted as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
IT system maintenance and enhancements	\$1,938,479		\$1,938,479
Credit card processing and bank fees	200,000		200,000
Interpreters	60,000		60,000
County clerk of court contract	189,428		189,428
Guardian ad litem program	470,000		470,000
Various operating adjustments	<u>168,284</u>	<u>(\$19,469)</u>	<u>148,815</u>
Total	\$3,026,191	(\$19,469)	\$3,006,722

<sup>8</sup> One-time funding is added as follows:

	<u>General Fund</u>
IT equipment lease	\$874,216
Case management system cloud migration	758,000
Clerk filing software	1,250,000
Court records management system	960,000
Courtroom audio and video systems	800,000
Cass County courtroom equipment	<u>100,000</u>
Total	\$4,742,216

**Senate Bill No. 2002 - Judicial Conduct Commission - Senate Action**

110812

	Base Budget	Senate Changes	Senate Version
Judicial Conduct Commission	\$1,399,862	\$155,643	\$1,555,505
Total all funds	\$1,399,862	\$155,643	\$1,555,505
Less estimated income	512,317	(2,779)	509,538
General fund	\$887,545	\$158,422	\$1,045,967
FTE	4.50	0.00	4.50

**Department 183 - Judicial Conduct Commission - Detail of Senate Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds Funding to Replace 2023-25 New and Vacant FTE Pool <sup>3</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>4</sup>	Adds funding for Operating Costs <sup>5</sup>	Total Senate Changes
Judicial Conduct Commission	\$82,917	\$79,634	\$80,030	(\$102,716)	\$15,778	\$155,643
Total all funds	\$82,917	\$79,634	\$80,030	(\$102,716)	\$15,778	\$155,643
Less estimated income	(37,938)	25,880	30,492	(33,384)	12,171	(2,779)
General fund	\$120,855	\$53,754	\$49,538	(\$69,332)	\$3,607	\$158,422
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2025-27 biennium salary adjustments of 3 percent on July 1, 2025, and 3 percent on July 1, 2026, and increases in health insurance premiums from \$1,643 to \$1,893 per month:

	General Fund	Other Funds	Total
Salary increase	\$33,486	\$16,121	\$49,607
Health insurance increase	20,268	9,759	30,027
Total	\$53,754	\$25,880	\$79,634

<sup>3</sup> Funding is added to replace 2023-25 biennium vacant FTE pool funding.

<sup>4</sup> Funding of \$102,716 is removed for estimated savings from vacant 2025-27 FTE positions and \$71,902 is added to the Supreme Court new and vacant FTE pool line item resulting in net savings of \$30,814.

<sup>5</sup> Funding is added for increases in miscellaneous operating expenses.

**Senate Bill No. 2002 - Guardianship and Conservatorship - Senate Action**

	Base Budget	Senate Changes	Senate Version
Guardianship and conservatorship		\$936,405	\$936,405
Total all funds	\$0	\$936,405	\$936,405
Less estimated income	0	0	0
General fund	\$0	\$936,405	\$936,405
FTE	0.00	6.00	6.00

**Department 184 - Guardianship and Conservatorship - Detail of Senate Changes**

120812

	Adds Funding for Guardianship and Conservatorship <sup>1</sup>	Transfers Funding for Guardianship Monitoring <sup>2</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>3</sup>	Total Senate Changes
Guardianship and conservatorship	\$1,200,000	\$730,478	(\$994,073)	\$936,405
Total all funds	\$1,200,000	\$730,478	(\$994,073)	\$936,405
Less estimated income	0	0	0	0
General fund	\$1,200,000	\$730,478	(\$994,073)	\$936,405
FTE	4.00	2.00	0.00	6.00

<sup>1</sup> Funding of \$1.2 million from the general fund 4 new FTE positions are added for the Office of Guardianship and Conservatorship.

<sup>2</sup> Funding and FTE positions for guardianship monitoring are transferred from the Supreme Court to the newly created Office of Guardianship and Conservatorship division of the Judicial Branch.

<sup>3</sup> Funding of \$994,073 is removed for new 2025-27 FTE positions and \$894,666 is added to the Supreme Court new and vacant FTE pool line item resulting in net savings of \$99,407.

**Senate Bill No. 2002 - Other Changes - Senate Action**

This amendment also:

1. Adds a section to provide language regarding the use of funding in the new and vacant FTE pool line item.
2. Includes a section to appropriate to the judicial branch all funds received pursuant to federal acts and private gifts, grants, and donations.
3. Includes a section to 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.
4. Adds a section to provide the statutory changes to increase Supreme Court justices' salaries by 8.5 percent on July 1, 2025 and to increase the salary of the Chief Justice of the Supreme Court by 9 percent on July 1, 2025.
5. Adds a section to provide the statutory changes to increase district court judges' salaries by 7 percent on July 1, 2025.



**REPORT OF STANDING COMMITTEE  
SB 2002**

**Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS** ([25.0169.01001](#)) and when so amended, recommends **DO PASS** (15 YEAS, 1 NAY, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2002 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

2-21-25

25.0169.01001  
Title.  
Fiscal No. 1

Prepared by the Legislative Council  
staff for Senate Appropriations -  
Education and Environment Division  
Committee

February 18, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2002

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch;  
2 to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code.  
3 relating to the salaries of justices of the supreme court and salaries of district court judges; to  
4 provide for transfers; to provide for a report; and to provide an exemption.

### 5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

11 Subdivision 1.

#### 12 SUPREME COURT

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13			
14			
15	<del>Salaries and wages</del>	<del>\$12,363,778</del>	<del>\$0</del>
16	<del>Operating expenses</del>	<del>2,915,259</del>	<del>0</del>
17	<del>New and vacant FTE funding pool</del>	<del>8,740,214</del>	<del>0</del>
18	<del>Total all funds</del>	<del>\$24,019,251</del>	<del>\$0</del>

Sixty-ninth  
Legislative Assembly

1	<del>Less other funds</del>	<del>97,793</del>	<del>0</del>	<del>97,793</del>
2	<del>Total general fund</del>	<del>\$23,921,458</del>	<del>\$0</del>	<del>\$23,921,458</del>
3	Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
4	New and vacant FTE pool	8,740,214	(68,714)	8,671,500
5	Operating expenses	2,915,259	191,426	3,106,685
6	Capital assets	0	866,100	866,100
7	Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
8	Less other funds	97,793	(53,664)	44,129
9	Total general fund	\$23,921,458	\$2,098,403	\$26,019,861

Subdivision 2.

DISTRICT COURTS

		Adjustments or	
	Base Level	Enhancements	Appropriation
14	<del>Salaries and wages</del>	<del>\$79,576,340</del>	<del>\$0</del>
15	<del>Operating expenses</del>	<del>24,524,619</del>	<del>0</del>
16	<del>Judges' retirement</del>	<del>177,340</del>	<del>0</del>
17	<del>Total all funds</del>	<del>\$104,278,299</del>	<del>\$0</del>
18	<del>Less other funds</del>	<del>830,318</del>	<del>0</del>
19	<del>Total general fund</del>	<del>\$103,447,981</del>	<del>\$0</del>
20	Salaries and wages	\$79,576,340	\$11,134,861
21	Operating expenses	24,524,619	3,006,722
22	Capital assets	0	4,742,216
23	Judges' retirement	177,340	(13,666)
24	Total all funds	\$104,278,299	\$18,870,133
25	Less other funds	830,318	(11,320)
26	Total general fund	\$103,447,981	\$18,881,453

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

		Adjustments or	
	Base Level	Enhancements	Appropriation
31	<del>Salaries and wages</del>	<del>\$1,399,862</del>	<del>\$0</del>



Sixty-ninth  
Legislative Assembly

1	Total all funds	\$1,399,862	\$0	\$1,399,862
2	Less other funds	512,317	0	512,317
3	Total general fund	\$887,545	\$0	\$887,545
4	Judicial conduct commission and	\$1,399,862	\$155,643	\$1,555,505
5	disciplinary board			
6	Total all funds	\$1,399,862	\$155,643	\$1,555,505
7	Less other funds	512,317	(2,779)	509,538
8	Total general fund	\$887,545	\$158,422	\$1,045,967
9	Subdivision 4.			
10	Office of Guardianship and Conservatorship			
11		Adjustments or		
12		Base Level	Enhancements	Appropriation
13	Office of guardianship and conservatorship	\$0	\$936,405	\$936,405
14	Total general fund	\$0	\$936,405	\$936,405
15	Subdivision 4.5.			

TOTAL - SECTION 1

17		Adjustments or		
18		Base Level	Enhancements	Appropriation
19	Grand total all funds	\$129,697,412	\$0	\$129,697,412
20	Grand total other funds	1,440,428	0	1,440,428
21	Grand total general fund	\$128,256,984	\$0	\$128,256,984
22	Full-time equivalent positions	384.00	0.00	384.00
23	Grand total all funds	\$129,697,412	\$22,006,920	\$151,704,332
24	Grand total other funds	1,440,428	(67,763)	1,372,665
25	Grand total general fund	\$128,256,984	\$22,074,683	\$150,331,667
26	Full-time equivalent positions	384.00	12.00	396.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in the entity's base budget for the 2027-29 biennium and which the entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:



<u>One-Time Funding Description</u>	<u>General Fund</u>
Information technology equipment lease	\$874,216
Case management software cloud migration	758,000
Clerk filing software	1,250,000
Court records access system	960,000
Cloud-based storage fees	866,100
Courtroom audio and video equipment	800,000
Cass County courtroom equipment	<u>100,000</u>
Total	\$5,608,316

**SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.**

1. The supreme court may not spend funding from the new and vacant FTE funding pool line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the guardianship and conservatorship line item within subdivision 1 of this Act, and to the judicial conduct commission and disciplinary board line item within subdivision 3 of this Act, as necessary to provide funding for:
  - a. Filling a new position from the date of hire through the end of the biennium; or
  - b. Salaries and wages if actual salaries and wages savings from vacant positions and employee turnover, adjusted for other uses, are less than the estimate used by the sixty-ninth legislative assembly in the development of the appropriation.
2. The supreme court shall report to the budget section regarding the use of funding in the pool, including information on:
  - a. New FTE positions, including the date hired;
  - b. Vacant FTE positions, including information regarding positions that become vacant and positions filled, salaries and wages savings resulting from vacant positions and employee turnover, and the use of salaries and wages savings for other purposes; and
  - c. Additional salaries and wages funding needed due to savings from vacant positions being less than anticipated.



3. If funding in the new and vacant FTE pool line item is insufficient to provide the necessary salaries and wages funding for the biennium, the supreme court may request a deficiency appropriation from the seventieth legislative assembly.

**SECTION 4. 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 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 two thousand three hundred thirty-five dollars. The chief justice of the supreme court is entitled to receive an additional ~~five thousand seventy-one dollars per annum through June 30, 2024, and five thousand two hundred seventy-four~~ six thousand six hundred eighty-one 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-three thousand ninety-one dollars. 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 two hundred two dollars per annum ~~through June 30, 2024, and four thousand eight hundred sixty-two dollars thereafter.~~

**SECTION 7. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer appropriation authority between line items

- 1 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the
- 2 nature of the duties of the court and its staff requires the transfers to carry on properly the
- 3 functions of the judicial branch of government.

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2002 - Summary of Senate Action**

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Supreme Court			
Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
Less estimated income	97,793	(53,664)	44,129
General fund	\$23,921,458	\$2,098,403	\$26,019,861
FTE	45.50	(1.00)	44.50
District Courts			
Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
Less estimated income	830,318	(11,320)	818,998
General fund	\$103,447,981	\$18,881,453	\$122,329,434
FTE	334.00	7.00	341.00
Judicial Conduct Commission			
Total all funds	\$1,399,862	\$155,643	\$1,555,505
Less estimated income	512,317	(2,779)	509,538
General fund	\$887,545	\$158,422	\$1,045,967
FTE	4.50	0.00	4.50
Guardianship and Conservatorship			
Total all funds	\$0	\$936,405	\$936,405
Less estimated income	0	0	0
General fund	\$0	\$936,405	\$936,405
FTE	0.00	6.00	6.00
Bill total			
Total all funds	\$129,697,412	\$22,006,920	\$151,704,332
Less estimated income	1,440,428	(67,763)	1,372,665
General fund	\$128,256,984	\$22,074,683	\$150,331,667
FTE	384.00	12.00	396.00

**Senate Bill No. 2002 - Supreme Court - Senate Action**

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
New and vacant FTE pool	8,740,214	(68,714)	8,671,500
Operating expenses	2,915,259	191,426	3,106,685
Capital assets		866,100	866,100
Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
Less estimated income	97,793	(53,664)	44,129
General fund	\$23,921,458	\$2,098,403	\$26,019,861
FTE	45.50	(1.00)	44.50



**Department 181 - Supreme Court - Detail of Senate Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts Funding to Replace 2023-25 New and Vacant FTE Pool <sup>3</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>4</sup>	Adds FTE Positions <sup>5</sup>	Transfers Funding for Guardianship Monitoring <sup>6</sup>
Salaries and wages	\$823,923	\$963,458	\$1,257,725	(\$1,619,591)	\$293,625	(\$663,213)
New and vacant FTE pool			(8,740,214)	8,671,500		
Operating expenses						(67,265)
Capital assets						
Total all funds	\$823,923	\$963,458	(\$7,482,489)	\$7,051,909	\$293,625	(\$730,478)
Less estimated income	0	0	(97,793)	44,129	0	0
General fund	\$823,923	\$963,458	(\$7,384,696)	\$7,007,780	\$293,625	(\$730,478)
FTE	0.00	0.00	0.00	0.00	1.00	(2.00)

	Adjusts Operating Funding <sup>7</sup>	Adds One- Time Funding for Cloud- Based Storage <sup>8</sup>	Total Senate Changes
Salaries and wages			\$1,055,927
New and vacant FTE pool			(68,714)
Operating expenses	\$258,691		191,426
Capital assets		\$866,100	866,100
Total all funds	\$258,691	\$866,100	\$2,044,739
Less estimated income	0	0	(53,664)
General fund	\$258,691	\$866,100	\$2,098,403
FTE	0.00	0.00	(1.00)

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2025-27 biennium salary adjustments of 3 percent on July 1, 2025, and 3 percent on July 1, 2026, and increases in health insurance premiums from \$1,643 to \$1,893 per month:

	<b>General Fund</b>
Salary increase	\$474,983
Health insurance increase	288,256
Supreme Court justices' salaries increase of 8.5 percent and chief justice salary increase of 9 percent	<u>200,219</u>
Total	\$963,458

The salaries of Supreme Court justices and district court judges are not adjusted for 3 percent annual increases.

<sup>3</sup> Funding is adjusted to replace 2023-25 biennium new and vacant FTE pool funding.

<sup>4</sup> Funding of \$1,619,591 for new FTE positions and estimated savings from vacant FTE positions is removed from the Supreme Court salaries and wages line item and funding of \$8,671,500 is added for a Judicial Branch 2025-27 new and vacant FTE pool line item as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
New FTE positions	(\$293,625)	\$0	(\$293,625)
Vacant FTE positions	<u>(1,325,966)</u>	0	<u>(1,325,966)</u>
Total	(\$1,619,591)	\$0	(\$1,619,591)
Funding pool line item	1,192,439	0	1,192,439
Supreme Court net savings	(\$427,152)	\$0	(\$427,152)
Funding pool line item from district courts, Judicial Conduct Commission, and Office of Guardianship and Conservatorship	<u>7,434,932</u>	<u>44,129</u>	<u>7,479,061</u>
Net impact on Supreme Court	\$7,007,780	\$44,129	\$7,051,909

<sup>5</sup> Funding of \$293,625 from the general fund is added for 1 new FTE staff attorney position.

<sup>6</sup> Funding and FTE positions for guardianship monitoring are transferred from the Supreme Court to the newly created Office of Guardianship and Conservatorship division of the Judicial Branch.

<sup>7</sup> Operating funding is adjusted as follows:

	<b>General Fund</b>
IT system maintenance and enhancements	\$120,700
Law library reference materials subscription	73,882
Rural attorney recruitment and retention	36,000
Various operating adjustments	<u>28,109</u>
Total	\$258,691

<sup>8</sup> One-time funding of \$866,100 from the general fund is added for cloud-based storage fees.

### Senate Bill No. 2002 - District Courts - Senate Action

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Salaries and wages	\$79,576,340	\$11,134,861	\$90,711,201
Operating expenses	24,524,619	3,006,722	27,531,341
Capital assets		4,742,216	4,742,216
Judges' retirement	177,340	(13,666)	163,674
Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
Less estimated income	830,318	(11,320)	818,998
General fund	<u>\$103,447,981</u>	<u>\$18,881,453</u>	<u>\$122,329,434</u>
FTE	334.00	7.00	341.00

### Department 182 - District Courts - Detail of Senate Changes

	<b>Adjusts Funding for Base Payroll Changes<sup>1</sup></b>	<b>Adds Funding for Salary and Benefit Increases<sup>2</sup></b>	<b>Adds Funding to Replace 2023-25 New and Vacant FTE Pool<sup>3</sup></b>	<b>Transfers Funding for 2025-27 New and Vacant FTE Pool<sup>4</sup></b>	<b>Adds FTE Positions<sup>5</sup></b>	<b>Reduces Funding for Judges' Retirement<sup>6</sup></b>
Salaries and wages	\$2,469,136	\$6,182,309	\$9,881,863	(\$8,880,203)	\$1,481,756	
Operating expenses						
Capital assets						
Judges' retirement						(\$13,666)
Total all funds	\$2,469,136	\$6,182,309	\$9,881,863	(\$8,880,203)	\$1,481,756	(\$13,666)
Less estimated income	(76,436)	23,218	91,024	(29,657)	0	0
General fund	<u>\$2,545,572</u>	<u>\$6,159,091</u>	<u>\$9,790,839</u>	<u>(\$8,850,546)</u>	<u>\$1,481,756</u>	<u>(\$13,666)</u>
FTE	0.00	0.00	0.00	0.00	7.00	0.00

	<b>Adjusts Operating Funding<sup>7</sup></b>	<b>Adds One- Time Funding<sup>8</sup></b>	<b>Total Senate Changes</b>
Salaries and wages			\$11,134,861
Operating expenses	\$3,006,722		3,006,722
Capital assets		\$4,742,216	4,742,216
Judges' retirement			(13,666)
Total all funds	\$3,006,722	\$4,742,216	\$18,870,133
Less estimated income	(19,469)	0	(11,320)
General fund	<u>\$3,026,191</u>	<u>\$4,742,216</u>	<u>\$18,881,453</u>
FTE	0.00	0.00	7.00

<sup>1</sup> Funding is adjusted for base payroll changes.



<sup>2</sup> The following funding is added for 2025-27 biennium salary adjustments of 3 percent on July 1, 2025, and 3 percent on July 1, 2026, and increases in health insurance premiums from \$1,643 to \$1,893 per month:

	<b>General Fund</b>	<b>Federal Funds</b>	<b>Total</b>
Salary increase	\$2,478,324	\$14,210	\$2,492,534
Health insurance increase	2,038,794	9,008	2,047,802
District court judges' salaries increase of 7 percent	<u>1,641,973</u>	<u>0</u>	<u>1,641,973</u>
Total	\$6,159,091	\$23,218	\$6,182,309

The salaries of Supreme Court justices and district court judges are not adjusted for 3 percent annual increases.

<sup>3</sup> Funding is added to replace 2023-25 biennium new and vacant FTE pool funding as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Vacant FTE positions	\$3,999,004	\$63,662	\$4,062,666
New FTE positions	<u>5,791,835</u>	<u>27,362</u>	<u>5,819,197</u>
Total	\$9,790,839	\$91,024	\$9,881,863

<sup>4</sup> Funding of \$8,880,203 is removed, including \$1,481,756 for new FTE positions and \$7,398,447 for estimated savings from vacant 2025-27 FTE positions, and \$6,512,493 is added to the Supreme Court new and vacant FTE pool line item resulting in net savings of \$2,367,710.

<sup>5</sup> The following FTE positions and related funding are added:

	<b>FTE Positions</b>	<b>General Fund</b>
Administrative assistant	1.00	\$170,025
Deputy court administrator	1.00	272,529
Programmer analyst	2.00	421,496
Network analyst	2.00	421,496
Technology coordinator	<u>1.00</u>	<u>196,210</u>
Total	7.00	\$1,481,756

<sup>6</sup> Funding is reduced by \$13,666 from the general fund to provide a total of \$163,674 for judges' retirement.

<sup>7</sup> Operating funding is adjusted as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
IT system maintenance and enhancements	\$1,938,479		\$1,938,479
Credit card processing and bank fees	200,000		200,000
Interpreters	60,000		60,000
County clerk of court contract	189,428		189,428
Guardian ad litem program	470,000		470,000
Various operating adjustments	<u>168,284</u>	<u>(\$19,469)</u>	<u>148,815</u>
Total	\$3,026,191	(\$19,469)	\$3,006,722

<sup>8</sup> One-time funding is added as follows:

	<b>General Fund</b>
IT equipment lease	\$874,216
Case management system cloud migration	758,000
Clerk filing software	1,250,000
Court records management system	960,000
Courtroom audio and video systems	800,000
Cass County courtroom equipment	<u>100,000</u>
Total	\$4,742,216

**Senate Bill No. 2002 - Judicial Conduct Commission - Senate Action**

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Judicial Conduct Commission	\$1,399,862	\$155,643	\$1,555,505
Total all funds	\$1,399,862	\$155,643	\$1,555,505
Less estimated income	512,317	(2,779)	509,538
General fund	\$887,545	\$158,422	\$1,045,967
FTE	4.50	0.00	4.50

**Department 183 - Judicial Conduct Commission - Detail of Senate Changes**

	<b>Adjusts Funding for Base Payroll Changes<sup>1</sup></b>	<b>Adds Funding for Salary and Benefit Increases<sup>2</sup></b>	<b>Adds Funding to Replace 2023-25 New and Vacant FTE Pool<sup>3</sup></b>	<b>Transfers Funding for 2025-27 New and Vacant FTE Pool<sup>4</sup></b>	<b>Adds funding for Operating Costs<sup>5</sup></b>	<b>Total Senate Changes</b>
Judicial Conduct Commission	\$82,917	\$79,634	\$80,030	(\$102,716)	\$15,778	\$155,643
Total all funds	\$82,917	\$79,634	\$80,030	(\$102,716)	\$15,778	\$155,643
Less estimated income	(37,938)	25,880	30,492	(33,384)	12,171	(2,779)
General fund	\$120,855	\$53,754	\$49,538	(\$69,332)	\$3,607	\$158,422
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2025-27 biennium salary adjustments of 3 percent on July 1, 2025, and 3 percent on July 1, 2026, and increases in health insurance premiums from \$1,643 to \$1,893 per month:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$33,486	\$16,121	\$49,607
Health insurance increase	20,268	9,759	30,027
Total	\$53,754	\$25,880	\$79,634

<sup>3</sup> Funding is added to replace 2023-25 biennium vacant FTE pool funding.

<sup>4</sup> Funding of \$102,716 is removed for estimated savings from vacant 2025-27 FTE positions and \$71,902 is added to the Supreme Court new and vacant FTE pool line item resulting in net savings of \$30,814.

<sup>5</sup> Funding is added for increases in miscellaneous operating expenses.

**Senate Bill No. 2002 - Guardianship and Conservatorship - Senate Action**

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Guardianship and conservatorship		\$936,405	\$936,405
Total all funds	\$0	\$936,405	\$936,405
Less estimated income	0	0	0
General fund	\$0	\$936,405	\$936,405
FTE	0.00	6.00	6.00

**Department 184 - Guardianship and Conservatorship - Detail of Senate Changes**

	Adds Funding for Guardianship and Conservatorship <sup>1</sup>	Transfers Funding for Guardianship Monitoring <sup>2</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>3</sup>	Total Senate Changes
Guardianship and conservatorship	\$1,200,000	\$730,478	(\$994,073)	\$936,405
Total all funds	\$1,200,000	\$730,478	(\$994,073)	\$936,405
Less estimated income	0	0	0	0
General fund	\$1,200,000	\$730,478	(\$994,073)	\$936,405
FTE	4.00	2.00	0.00	6.00

<sup>1</sup> Funding of \$1.2 million from the general fund 4 new FTE positions are added for the Office of Guardianship and Conservatorship.

<sup>2</sup> Funding and FTE positions for guardianship monitoring are transferred from the Supreme Court to the newly created Office of Guardianship and Conservatorship division of the Judicial Branch.

<sup>3</sup> Funding of \$994,073 is removed for new 2025-27 FTE positions and \$894,666 is added to the Supreme Court new and vacant FTE pool line item resulting in net savings of \$99,407.

**Senate Bill No. 2002 - Other Changes - Senate Action**

This amendment also:

1. Adds a section to provide language regarding the use of funding in the new and vacant FTE pool line item.
2. Includes a section to appropriate to the judicial branch all funds received pursuant to federal acts and private gifts, grants, and donations.
3. Includes a section to 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.
4. Adds a section to provide the statutory changes to increase Supreme Court justices' salaries by 8.5 percent on July 1, 2025 and to increase the salary of the Chief Justice of the Supreme Court by 9 percent on July 1, 2025.
5. Adds a section to provide the statutory changes to increase district court judges' salaries by 7 percent on July 1, 2025.

**2025 HOUSE APPROPRIATIONS**

**SB 2002**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Prairie Room, State Capitol

SB 2002  
3/6/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; relating to the salaries of justices of the supreme court and salaries of district court judges; to provide for transfers; to provide for a report; and to provide an exemption.

9:04 a.m. Chairman Nathe opened the meeting.

Members present: Chairman Nathe, Vice Chairman Swiontek, Representatives Hanson, Martinson, Richter and Sanford.

Members absent: Representative Louser.

### **Discussion Topics:**

- Chief Justice
- Increased Cases
- Juvenile Court needs

9:08 a.m. Jon Jensen, Chief Justice, ND Supreme Court, in favor.

9:18 a.m. Sally Holewa, State Court Administrator, ND Supreme Court, presented testimony #38983 in favor.

10:20 a.m. Don Wolf, Director of Finance, ND Supreme Court, presented testimony #38945 in favor.

10:33 a.m. Kara Erickson, Office of Disciplinary Counsel, Disciplinary Council, presented testimony #38922, in favor.

10:34 a.m. Michael Hurly, District Court Judge, Northeast Judicial District, in favor testimony #39004.

10:39 a.m. Bobbie Weiler, District Court Judge, South Central Judicial District, in favor testimony #38569.

10:43 a.m. Connie Cleveland, District Court Judge, East Central Judicial District, presented testimony #39279 in favor, and distributed latest issue of Goodlife (Men's Magazine).

10:56 a.m. Tony Weiler, Executive Director, Stare Bar Association of ND, testified in favor.

11:00 a.m. Aaron Birst, ND Association of Counties, in favor.

11:04 a.m. Travis Finck, Executive Director, State of ND Courts, testified in favor.

11:04 a.m. Barbara Oliger, Director, Youthworks, testified in favor #39110.



11:12 a.m. Barbara Andrist, ND citizen, testified in favor #38988.

11:14 a.m. Joshua Selle, Probation Officer, ND DOCR, testified in favor #39052.

**Additional written testimony:**

Thomas Erhardt, Chief Parole and Probation Officer, ND DOCR, submitted testimony #38626 in favor.

Zack Pelman, Attorney, Private Practice submitted testimony #38643 in favor.

Heather Traynor, Youth and Family Court Specialist, ND Supreme Court, submitted testimony # 38655 in favor.

Chase L. Lingle, Deputy Assistant States Attorney, Morton County States Attorney Office submitted testimony in favor # 38836.

Mark H. Kemmet, Behavioral Health Specialist, Burleigh County Sheriff's Office submitted testimony in favor #38940, #38941.

Dennis Pathroff, Lobbyist, ND Judges Association, submitted testimony in favor #39097, #39098.

Alex Cronquist, Senior Fiscal Analyst, ND Legislative Council, submitted testimony in favor # 39255, #39256.

11:18 a.m. Chairman Nathe adjourned the meeting.

*Steven Riehl, Committee Clerk*

## STATE OF NORTH DAKOTA

DISTRICT COURT  
SOUTH CENTRAL JUDICIAL DISTRICT  
219 2<sup>ND</sup> AVE. NW  
MANDAN, ND 58554

HON. BOBBI WEILER  
DISTRICT JUDGE

JANA AAMODT  
COURT REPORTER  
701-667-3357

Good Morning,

Chairman Nathe and members of the Education and Environment Division of House Appropriations.

My name is Bobbi Weiler and I am a District Court Judge from the South Central Judicial District. I was appointed to the bench in March of 2020 and elected in 2022.

I am hoping to start the first Mental Health Court in North Dakota. We started the process of creating this Mental Health Court approximately two years ago. However, it has been a dream of mine shortly after becoming a lawyer in 2010. In fact, I talked to Former Governor Burgum about creating a Mental Health Court when I interviewed with him for the position in 2020.

---

Without any notice, the funding was cut last minute from the Judicial Budget in Senate Appropriations. The bill is 2002. There is a line item in the Judicial Budget for three new treatment courts. I have attached the two-page printout showing the Judicial Budget as it was changed in the Senate. The total amount for the three new treatment courts is \$373,476. This includes our Mental Health Court in the South Central Judicial District, a Veterans Treatment Court in Fargo, and an ICWA Court in Devils Lake. Our Mental Health Court accounts for \$85,164.

Prior to the bench, I was an attorney in private practice focusing primarily in family law and criminal law. Specifically, in criminal law, there are a lot of people who struggle with mental health issues. I have never met a person struggling with addiction who does not have a mental health issue. I truly believe that we cannot help the addiction issue without first addressing the mental health issue. Most people who suffer from addiction use drugs and alcohol as a way to cope with their mental health issues.

I see this same problem as a District Court Judge. Our courtrooms have become a revolving door for people who struggle with addiction and mental health. Sometimes we see the same people within days of being released from jail or prison.

Our current system of dealing with those who have been classified as chronically mentally ill is not working. If a person is arrested and we have reason to believe they are not mentally fit to understand the legal process, then we sign an order for them to get a fitness evaluation. This can take several months to get depending on several factors; there are two outcomes from a fitness evaluation—either they are determined fit to proceed or they are determined not fit to proceed.

# STATE OF NORTH DAKOTA

DISTRICT COURT

SOUTH CENTRAL JUDICIAL DISTRICT

219 2<sup>ND</sup> AVE. NW  
MANDAN, ND 58554

HON. BOBBI WEILER  
DISTRICT JUDGE

JANA AAMODT  
COURT REPORTER  
701-667-3357

If a person is determined not fit, then we order restoration efforts to occur at the North Dakota State Hospital. This can take up to six months. If someone cannot be restored to fitness, then their case is dismissed and they are released into the public without further treatment set up.

If a person is fit or is restored to fitness, then we have to order a criminal responsibility evaluation. Again, this can take several months depending on many factors.

If a person is determined not criminally responsible, then there are further proceedings determining whether we will order continued treatment at the North Dakota State Prison or through the community.

In 2024, we ordered a total of 115 evaluations. In 2023, we ordered a total of 126 evaluations. In 2022, we ordered a total of 89. In 2021, we ordered a total of 84. In 2020, we ordered a total of 52. And in 2019, we ordered a total of 31 evaluations. In five short years, our numbers have quadrupled. These numbers are just from Burleigh and Morton Counties. They don't even include the entire South Central Judicial District. They don't include those ordered in other districts. This has caused a huge strain on our system.

No matter what happens in a person's case, the process is long. Most of the individuals who have mental health struggles and come into the criminal justice system are homeless. They spend most of this process, if not all of this process, in custody.

No matter what is determined in a person's case, there are limited services for people who have mental health struggles when they are finally released into the community. Most of the individuals who have mental health struggles cannot fill out applications for services, most don't have addresses to put on applications, most don't have a driver's license, most don't have community support, most get no treatment, most don't have the ability to continue to get their medications that were given to them in custody.

The result of all of this is we see those who struggle with mental health in and out of our criminal justice system on a regular basis. This puts a huge strain on our court system, our prison system, our State Hospital, our probation officers—the entire system.

It costs approximately \$55,000 a year to house one inmate at the North Dakota State Prison. The costs are more at the North Dakota State Hospital. Our proposed Mental Health Court has a cost of approximately \$42,500 a year. That means if we can just help one person a year through our Mental Health Court, it would save the State money each year. Studies show that Mental Health Courts have a 50% success rate for keeping people out of prison and preventing recidivism. Our hope is to have twenty

# STATE OF NORTH DAKOTA

DISTRICT COURT

SOUTH CENTRAL JUDICIAL DISTRICT

219 2<sup>ND</sup> AVE. NW  
MANDAN, ND 58554

HON. BOBBI WEILER  
DISTRICT JUDGE

JANA AAMODT  
COURT REPORTER  
701-667-3357

participants in the first year, based upon our budget. If we can meet the success rate, then that would amount to a savings to the State of approximately \$500,000 a year.

We have been working on creating a better system through our Mental Health Court with many members in the judiciary, executive bench, treatment providers, State Hospital, county jails, and community members over the last two years. I have attached the Letter of Support we filed with the Interdisciplinary Specialized Docket Committee to get approval for the Mental Health Court. As you can see, we have support from numerous agencies and people. I have also attached our Petition that was filed with the North Dakota Supreme Court. Our Mental Health Court was approved by the Interdisciplinary Specialized Docket Committee and the Supreme Court. The only step left is to get our budget approved.

We have also created a Mental Health Participant Manuel and most of the documents needed to start our Mental Health Court. I would be happy to send you any materials if you would like them.

---

It is hard to explain our entire plan for the Mental Health Court in a short letter. I will try to give a brief explanation. Our first plan is to create a Mental Health Docket that I and Judge Jackson Lofgren would preside over. This will allow us to schedule all of our mental health criminal cases in specific time slots. This will allow the state's attorneys, the defense attorneys, the North Dakota State Prison, and the jail to attend one or two hearing time slots a month versus spreading them out between ten judges and multiple time slots. This will speed up the process of getting evaluations ordered and completed.

We have worked on setting up an expedited process through our evaluators at the North Dakota State Prison and West Central Human Services and the jail to allow people to be evaluated more quickly.

We have worked on getting services available through our pretrial services at the jail to get applications filled out for services, such as Medicaid Supplement.

We have set up relationships with community members for housing, transportation, community services, addiction services, and mental health services.

We have a plan for two case workers provided through the Free Through Recovery Program to provide services to our participants, including medication distribution and in-person checks.

We are ready to start the first Mental Health Court in North Dakota. We have done all the leg work. We can start our hiring process immediately if we get approved for

STATE OF NORTH DAKOTA

DISTRICT COURT  
SOUTH CENTRAL JUDICIAL DISTRICT  
219 2<sup>ND</sup> AVE. NW  
MANDAN, ND 58554

HON. BOBBI WEILER  
DISTRICT JUDGE

JANA AAMODT  
COURT REPORTER  
701-667-3357

funding. We hope to hold our first Mental Health Court in December 2025 or January 2026.

I cannot overstate how big of a need there is for a Mental Health Court in our community. The cost is very low compared to the savings to the State if we are allowed to help people overcome their mental health struggles and live a productive life in our community.

I beg the committee to put the Mental Health Court back into the Judiciary Budget for a total cost of \$85,164.

Thank you to Chairman Nathe and the Committee Members for allowing me this time today. I would be happy to answer any questions from the committee.



---

Bobbi Weiler  
District Judge



2

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

	Armstrong Executive Budget				Senate Version				Senate Compared to Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2025-27 Biennium Base Level	384.00	\$128,256,984	\$1,440,428	\$129,697,412	384.00	\$128,256,984	\$1,440,428	\$129,697,412	0.00	\$0	\$0	\$0
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		\$3,490,350	(\$114,374)	\$3,375,976				\$0
Salary increase		4,277,475	30,331	4,307,806		3,004,482	30,331	3,034,813		(\$1,272,993)		(1,272,993)
Health insurance increase		2,425,383	18,767	2,444,150		2,353,323	18,767	2,372,090		(72,060)		(72,060)
Adds funding for judges and justices salary increases		2,078,868		2,078,868		1,842,192		1,842,192		(236,676)		(236,676)
Adds funding for pay plan 3 percent salary adjustment		2,028,177	10,639	2,038,816				0		(2,028,177)	(\$10,639)	(2,038,816)
Restores 2023-25 new and vacant FTE funding		2,455,681	23,723	2,479,404		2,455,681	23,723	2,479,404				0
Transfers funding for 2025-27 new and vacant FTE pool				0		(2,948,825)	(18,912)	(2,967,737)		(2,948,825)	(18,912)	(2,967,737)
Adds funding for accrued leave payouts		460,487	514	461,001				0		(460,487)	(514)	(461,001)
Adds new juvenile court positions	4.50	829,304		829,304	0.50	67,758		67,758	(4.00)	(761,546)		(761,546)
Adds a new district court administrative assistant position	1.00	170,025		170,025	1.00	170,025		170,025				0
Adds a new district court deputy court administrator position	1.00	272,529		272,529	1.00	272,529		272,529				0
Adds new district court programmer analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds new district court network analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds a new district court technology coordinator position	1.00	196,210		196,210	1.00	196,210		196,210				0
Adds a new district court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Adds a new Supreme Court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Adds a new Supreme Court deputy clerk position	1.00	170,025		170,025				0	(1.00)	(170,025)		(170,025)
Increases a Supreme Court part-time administrative assistant position to full-time	0.50	65,161		65,161	0.50	65,161		65,161				0
Adds funding for office of guardianship and conservatorship	5.00	1,494,628		1,494,628	4.00	1,200,000		1,200,000	(1.00)	(294,628)		(294,628)
Adds funding for court navigator program	1.00	309,742		309,742				0	(1.00)	(309,742)		(309,742)
Adds funding for allied legal professional program	1.00	364,574		364,574				0	(1.00)	(364,574)		(364,574)
Transfers \$730,478 for guardianship monitoring				0				0				0
Adds funding for 3 new treatment courts		373,476		373,476				0		(373,476)		(373,476)
Reduces funding for judges' retirement		(13,666)		(13,666)		(13,666)		(13,666)				0
Adds funding for information technology (IT) system maintenance and enhancements		2,059,179		2,059,179		2,059,179		2,059,179				0
Adds funding for law library reference materials subscription		73,882		73,882				0		(73,882)		(73,882)
Adds funding for credit card processing and bank fees		293,000		293,000				0		(293,000)		(293,000)
Adjusts funding for operating costs		409,699	(7,298)	402,401				0		(409,699)	7,298	(402,401)
Adds funding for interpreters		125,500		125,500				0		(125,500)		(125,500)
Adds funding for county clerk of court contract		189,428		189,428				0		(189,428)		(189,428)

Increases funding for rural attorney recruitment program		36,000		36,000		36,000		36,000				0
Increases funding for the family mediation program to provide a total of \$1.52 million		138,200		138,200				0		(138,200)		(138,200)
Adds funding for guardian ad litem program		935,768		935,768		470,000		470,000		(465,768)		(465,768)
<b>Total ongoing funding changes</b>	<b>22.00</b>	<b>\$27,139,327</b>	<b>(\$37,698)</b>	<b>\$27,101,629</b>	<b>14.00</b>	<b>\$16,150,641</b>	<b>(\$60,465)</b>	<b>\$16,090,176</b>	<b>(8.00)</b>	<b>(\$10,988,686)</b>	<b>(\$22,767)</b>	<b>(\$11,011,453)</b>
<b>One-Time Funding Items</b>												
Adds funding for IT equipment lease		\$874,216		\$874,216		\$874,216		\$874,216				\$0
Adds funding for case management system migration to cloud-based hosting		758,000		758,000		758,000		758,000				0
Adds funding for clerk filing software		1,250,000		1,250,000		1,250,000		1,250,000				0
Adds funding for problem solving court case management system		780,000		780,000				0		(\$780,000)		(780,000)
Adds funding for digital evidence management system		980,000		980,000				0		(980,000)		(980,000)
Adds funding for court records access system		960,000		960,000		960,000		960,000				0
Adds funding for cloud-based storage fees		886,100		886,100		886,100		886,100				0
Adds funding for courtroom audio and video systems		1,586,700		1,586,700				0		(1,586,700)		(1,586,700)
Adds funding for Cass County courtroom equipment		100,000		100,000				0		(100,000)		(100,000)
Adds funding for Coteau Room camera and projector		10,000		10,000				0		(10,000)		(10,000)
Adds funding to replace furniture in three judge chambers		22,500		22,500				0		(22,500)		(22,500)
Adds funding to replace 48 workstations and cubicles		360,000		360,000				0		(360,000)		(360,000)
Adds funding for copy machines		75,000		75,000				0		(75,000)		(75,000)
Adds funding for folding machines		72,600		72,600				0		(72,600)		(72,600)
Adds funding for court workload studies		466,500		466,500				0		(466,500)		(466,500)
<b>Total one-time funding changes</b>	<b>0.00</b>	<b>\$9,161,616</b>	<b>\$0</b>	<b>\$9,161,616</b>	<b>0.00</b>	<b>\$4,708,316</b>	<b>\$0</b>	<b>\$4,708,316</b>	<b>0.00</b>	<b>(\$4,453,300)</b>	<b>\$0</b>	<b>(\$4,453,300)</b>
<b>Total Changes to Base Level Funding</b>	<b>22.00</b>	<b>\$36,300,943</b>	<b>(\$37,698)</b>	<b>\$36,263,245</b>	<b>14.00</b>	<b>\$20,858,957</b>	<b>(\$60,465)</b>	<b>\$20,798,492</b>	<b>(8.00)</b>	<b>(\$15,441,986)</b>	<b>(\$22,767)</b>	<b>(\$15,464,753)</b>
<b>2025-27 Total Funding</b>	<b>406.00</b>	<b>\$164,557,927</b>	<b>\$1,402,730</b>	<b>\$165,960,657</b>	<b>398.00</b>	<b>\$149,115,941</b>	<b>\$1,379,963</b>	<b>\$150,495,904</b>	<b>(8.00)</b>	<b>(\$15,441,986)</b>	<b>(\$22,767)</b>	<b>(\$15,464,753)</b>
<i>Federal funds included in other funds</i>			<i>\$851,850</i>				<i>\$862,422</i>				<i>\$10,572</i>	
<i>Total ongoing changes - Percentage of base level</i>	<i>5.7%</i>	<i>21.2%</i>	<i>(2.6%)</i>	<i>20.9%</i>	<i>3.6%</i>	<i>12.6%</i>	<i>(4.2%)</i>	<i>12.4%</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>Total changes - Percentage of base level</i>	<i>5.7%</i>	<i>28.3%</i>	<i>(2.6%)</i>	<i>28.0%</i>	<i>3.6%</i>	<i>16.3%</i>	<i>(4.2%)</i>	<i>16.0%</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>

**Other Sections in Judicial Branch - Budget No. 180**

Section Description	Armstrong Executive Budget	Senate Version
New and vacant FTE pool		Section 3 provides language regarding the use of funding in the new and vacant FTE pool line item.
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.	Section 4 appropriates 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.	Section 5 requires 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.





# NORTH DAKOTA COURT SYSTEM

South Central Judicial District  
P O Box 1013  
Bismarck, ND 58505  
(701)222-6682

HONORABLE BRUCE ROMANICK  
PRESIDING DISTRICT JUDGE  
HONORABLE DANIEL BORDEN  
DISTRICT JUDGE  
HONORABLE CYNTHIA FELAND  
DISTRICT JUDGE  
HONORABLE JAMES HILL  
DISTRICT JUDGE  
HONORABLE JACKSON J LOFGREN  
DISTRICT JUDGE  
HONORABLE LINDSEY NIEUWSMA  
DISTRICT JUDGE  
HONORABLE PAMELA NESVIG  
DISTRICT JUDGE  
HONORABLE DAVID REICH  
DISTRICT JUDGE  
HONORABLE BONNIE STORBAKKEN  
DISTRICT JUDGE  
HONORABLE BOBBI WEILER  
DISTRICT JUDGE

January 31, 2024

Hon. Jerod Tufte  
Justice and Chair, Interdisciplinary Specialized Docket Committee  
600 E Boulevard Avenue  
Bismarck, ND 58505-0530

In Re: Letter of Interest and Cooperation – Creation of a Specialized Docket (Mental Health Court)

Justice Tufte,

We write to provide you and your committee with our collective sentiment along with the attached petition on the creation of a specialized docket. We are dedicated to working collaboratively with North Dakota residents that may have an increased likelihood of interaction with the criminal justice system due to unmet mental health, and potentially, addiction needs.

To assure fidelity to the evidence-based approaches associated with a problem-solving court model; we pledge to operationalize our approach to the creation of this court through the incorporation of the Ten Essential Elements of a Mental Health Court from the Council of States Governments Justice Center and the Bureau of Justice Assistance into our initiative. They are:

1. A broad-based group of stakeholders representing the criminal justice, mental health, substance abuse treatment, and related systems and the community guides the planning and administration of the court.
2. Eligibility criteria address public safety and consider a community's treatment capacity, in addition to the availability of alternatives to pretrial detention for defendants with mental illnesses.
3. Participants are identified, referred, and accepted into the mental health courts, and then linked to community-based service providers as quickly as possible.
4. Terms of participation are clear, promote public safety, facilitate the defendant's engagement in treatment, are individualized to correspond to the level of risk that the defendant presents to the community, and provide for positive legal outcomes for those individuals who successfully complete the program.
5. Defendants fully understand the program requirements before agreeing to participate in a mental health court. They are provided legal counsel to inform this decision and subsequent

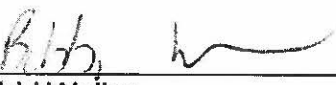


decisions about program involvement. Procedures exist to address concerns about a defendant's competency whenever they arise.


6. Mental health courts connect participants to comprehensive and individualized treatment supports and services in the community.
7. Health and legal information should be shared in a way that protects potential participants' confidentiality rights as mental health consumers and their constitutional rights as defendants. Information gathered as part of the participants' court-ordered treatment program or services should be safeguarded in the event that participants are returned to traditional court processing.
8. A team of criminal justice and mental health staff and service and treatment providers receives special, ongoing training and helps mental health court participants achieve treatment and criminal justice goals by regularly reviewing and revising the court process.
9. Criminal justice and mental health staff collaboratively monitor participants' adherence to court conditions, offer individualized graduated incentives and sanctions, and modify treatment as necessary to promote public safety and participants' recovery.
10. Data is collected and analyzed to demonstrate the impact of the mental health court, its performance is assessed periodically (and procedures are modified accordingly), court processes are institutionalized, and support for the court in the community is cultivated and expanded.

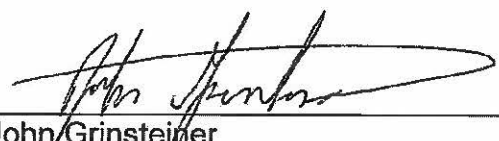
Finally, if approved for planning and implementation – we believe that legislation should be pursued to ensure that the initiative meets rigorous evaluative scrutiny, long-term viability, assures funding as well as fidelity to the Mental Health Court model.

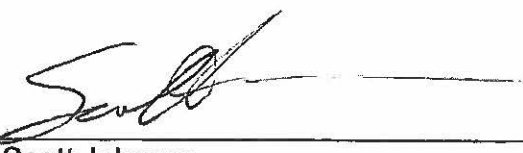
Sincerely,

  
\_\_\_\_\_  
Bobbi Weiler  
Judge, SCJD

  
\_\_\_\_\_  
Jackson Lofgren  
Judge, SCJD

  
\_\_\_\_\_  
Bradley A. Cruff  
Judge, SEJD

  
\_\_\_\_\_  
John Grinsteiner  
Judge, Retired


  
\_\_\_\_\_  
Scott Johnson  
Assistant State Court Administrator


  
\_\_\_\_\_  
Donna Wunderlich  
Unit Court Administrator

  
John Gourde  
Program Manager

  
Travis Finck  
Indigent Defense

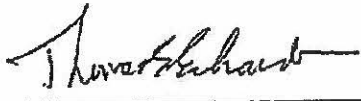
  
Carey Goetz  
Defense Attorney

  
Justin Balzer  
Defense Attorney

  
Allen Koppy  
Morton County States Attorney

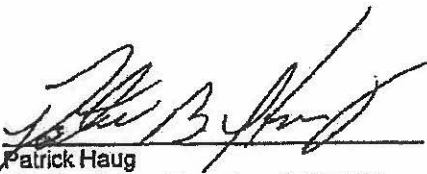
  
Julie Lawyer  
Burleigh County States Attorney

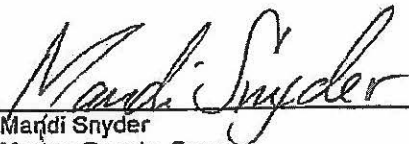
\_\_\_\_\_  
Senator Sean Cleary

  
Thomas Erhardt  
Director of Parole and Probation, DOCR

\_\_\_\_\_  
Brad Peterson  
Protection and Advocacy Legal Director

  
Mark Kemmet  
Behavioral Health Specialist, Burleigh  
Morton Detention Center

  
Patrick Haug  
Mandan Police Department, Captain

  
Marjdi Snyder  
Morton County, Sargent





---

Pam Sagness  
Executive Director of the Behavioral Health  
Division, DHHS



---

Heather Brandt  
Manager, Behavioral Health  
Community Supports, DHHS



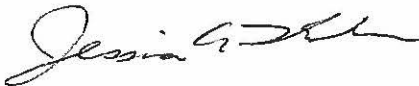
---

Brad Brown  
Regional Director, West Central Human  
Service Center



---

Ariana Best  
Clinical Director, West Central Human  
Service Center



---

Jessica Throlson  
Program Manager, ND Supreme Court

---

IN THE SUPREME COURT OF NORTH DAKOTA

---

*In the matter of the Creation of a Specialized Docket for the South Central Judicial District of North Dakota*

PETITION FOR THE CREATION OF A MENTAL HEALTH COURT  
(SPECIALIZED DOCKET) UNDER NORTH DAKOTA SUPREME COURT  
ADMINISTRATIVE RULE 60

---

Whereas the first Mental Health Court (MHC) was created in 1997 and since that time more than 300 such courts have been created nationwide to address the large number of people with mental illness in the criminal justice system. The consequences of which can lead to homelessness, addiction and/or criminal activity. To address these issues, MHCs are created and designed to provide support and resources for these individuals involved with the criminal justice system – rather than punishment. In 2023, the Sixty-Eighth Legislative Assembly of North Dakota passed House Bill No. 1138 which allowed the creation of a Mental Health Court. Understanding the aforementioned, the South Central Judicial District (and its workgroup on the creation of a specialized docket) collectively believes that a need exists in the State of North Dakota to create a specialized docket (MHC) and specifically, within this district and;

Whereas the South Central Judicial District Mental Health Court workgroup understands that any specialized docket must adhere to *The Essential Elements of a Mental Health Court* (attached) and;

Whereas North Dakota Supreme Court Administrative Rule 60 contemplates that the eight requirements in Section 2 (b) be met and that the specialized docket (MHC), as envisioned, meets the requirements as outlined below:

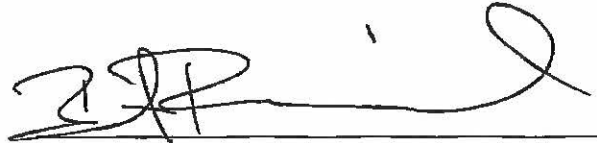
- (1) The funding for this specialized docket will be met through the State Court System budget with treatment through the Department of Health and Human Services.



- (2 and 6) The extent to which there is a need for the establishment of this specialized docket can be found in an attached statistical analysis completed in early 2024. Since 2020 there has been a dramatic increase in the number of people with mental illness entering the judicial system. Between 2021 and 2023, Burleigh and Morton counties saw a 30% increase in the number of defendants requiring a Mental Health Evaluation. The SCJD identified as many as 60 potential candidates for the proposed specialized docket.
- (3) The SCJD believes that there is a significant need to create a Mental Health Court and that adequate judicial resources exist within the SCJD to support this initiative.
- (4) There is a significant and supportive constituency to effectively staff all roles (and supporting roles) for the creation of this specialized docket. Attached is a letter of support and interest along with the latest roster of those working on creation of a specialized docket (MHC).
- (5) A coordinator for the specialized docket will be hired.
- (7) The geographic area to be served is Burleigh and Morton counties. The cohort believes that the Mental Health Court could be expanded to include other counties that make up the SCJD as resources allow.
- (8) The specialized docket (MHC) will have access to treatment resources through the West Central Human Service Center and other local treatment providers and;

Whereas, pursuant to Section 3 (a) of N.D. Sup. Ct. Admin. R. 60, Petitioner Bruce Romanick, Presiding District Judge of the South Central Judicial District in consultation with the District Judges, hereby petitions the Supreme Court of North Dakota to approve this request to create a specialized docket (MHC) within the South Central Judicial District.

Dated in Bismarck, North Dakota this 17 day of June, 2024.

A handwritten signature in black ink, appearing to read 'BR', is written over a horizontal line.

Bruce Romanick, Petitioner  
Presiding District Judge  
South Central Judicial District

**HOUSE APPROPRIATIONS EDUCATION AND ENVIRONMENT DIVISION  
COMMITTEE  
REPRESENTATIVE MIKE NATHE CHAIR  
MARCH 6, 2025**

---

**TOM ERHARDT, CHIEF PAROLE AND PROBATION OFFICER  
PRESENTING TESTIMONY IN SUPPORT OF SENATE BILL 2002**

---

Chairman Nathe and members of the Committee, my name is Tom Erhardt, and I am the Chief Parole and Probation Officer of North Dakota Parole, Probation and Pretrial Services, a division of the North Dakota Department of Corrections and Rehabilitation (DOCR). The Parole, Probation and Pretrial Services Division is responsible for delivering correctional supervision to over seven thousand adults serving their sentences on parole granted by the authority of the North Dakota Parole Board, sentenced to supervised by probation or ordered to pretrial supervision by district courts, and transferred to North Dakota via the Interstate Compact for Adult Offender Supervision. Our staff of approximately one hundred fifty work out of seventeen district offices throughout the state. I write to you today to provide testimony in support of Senate Bill 2002, specifically the appropriation for specialized court dockets.

The DOCR supports six specialized dockets (also known as treatment courts) in North Dakota with program management and staff specifically assigned to supervise participants in the program. Over the past two years we have been collaborating with judges from the South Central and East Central Judicial Districts to develop Mental Health Treatment (South Central) and Veteran's Treatment Courts (East Central), respectively. The plan in place, if funded, was



to assign currently employed probation officers to supervise the participants and be a formal member of each team.

Treatment courts have been shown to be an effective tool to reduce recidivism. A 2022 outcome and evidence-based process evaluation on North Dakota adult drug courts showed that participating in a drug court in North Dakota reduces one-year and two-year recidivism rates by 10% on average. Successful graduation from drug court reduces one-year recidivism across the state by 18% and two-year recidivism by 23%.

Recent DOCR data shows that approximately 2/3 of the adults sentenced to prison have a substance use disorder diagnosis. Approximately 1/3 have a serious mental illness such as bipolar disorder, schizophrenia, or major depression. Currently in Bismarck/Mandan two probation officers are assigned clients who meet the criteria for seriously mentally ill and supervise 42 individuals between them. These 42 individuals would be appropriate candidates for a Mental Health Court.

In Fargo there are 69 individuals who report veteran status who are currently on parole or probation and 19 who are incarcerated at the DOCR with a Cass County case. Many of these individuals have had contact with law enforcement and subsequent sentences to the DOCR for substance-use related crimes such as possession of methamphetamine, DUI, or possession of drug paraphernalia. Veterans face a variety of challenges after serving in the military including increased risk for substance use disorders, mental illness, suicide, chronic pain, trauma, and unstable housing. Veterans' treatment courts can

improve outcomes for those who served our country by helping them address the underlying issues that is causing their involvement with the criminal justice system.

To put into fiscal perspective from only the DOCR point of view, it costs the state \$148.00 per day (\$54,020 per year) to incarcerate an individual in the state's prison system. It costs \$7.67 per day (\$2,800 per year) for an individual to be supervised in the community by a probation officer. There are additional costs for participants in treatment court than just the supervision; however, if this diversion opportunity experienced just seven individuals who were successful in these treatment courts, it saves the state money by avoiding costly incarceration. The long-term benefits of avoidance of future crime, contribution to society, and less victimization are immeasurable. The DOCR supports the appropriation for these treatment courts as an effective public safety strategy.

Please consider these factors as you continue your work on SB 2002.  
Thank you. I will stand to answer questions.

Chairman Nathe and members of the Education and Environment Division of House Appropriations. My name is Zack Pelham.

I submit this written testimony in support of SB 2002, the judicial branch budget. Specifically, I urge your support of the portion of the budget, which seeks to increase judicial salaries to the national average — an increase of about 8% for district court judges and about 11% for supreme court justices. The Senate sent the bill to you with salary increases of 7% for district court judges and 8.5% for supreme court judges — less than the national average.

I've been in private practice for many years and am an active member of the state bar. Currently, I'm the managing member of the Pearce Durick law firm in Bismarck. My practice focuses on insurance defense, oil and gas law, product liability defense, employment and labor law, and general business representation. I am a past president of the State Bar Association, current board member of the State Bar Association, past president of the Big Muddy Bar Association, past president of the North Dakota Defense Lawyers Association, and current Chair of the Commission on Legal Counsel for Indigents. I write to you today, however, in my individual capacity as a private practice attorney and North Dakota citizen.

Current judicial compensation is inadequate to attract highly qualified individuals from private practice. When I first starting practicing law in 2004, judicial vacancies used to routinely have 10 or more candidates, many from private practice. That is no longer the case. The vast majority of recent judicial applicants are individuals moving from one government position to another or candidates with limited legal experience. To be clear, these are good people. I worked with some of them when I was an assistant attorney general before moving into private practice in 2007. The reason we have few applicants, and almost no applicants from private practice, for state judicial vacancies is in large part because of current judicial compensation. I can tell you that is not a problem for federal judicial vacancies — of which I have applied for. I can tell you with certainty that a successful, mid-career private practitioner in North Dakota, who is typically at the height of their earning capacity, simply cannot take a significant pay cut in becoming a state court judge. For me, with a wife and four children, I can tell you the numbers do not add up—I have done the math.

We are fortunate in North Dakota to have a great bench from a diversity of life and professional experiences. However, as our current judges retire and judicial salaries continue to lag behind real-dollar increases realized by private practitioners, judicial recruitment and the quality of our bench is at serious risk. Having a broad based judiciary, made up of professionals from public *and* private practice is imperative for a healthy judicial system in North Dakota.

I believe that the very best attorneys in our state should consider being judges. If money were no object, the applications from attorneys to be a judge would be voluminous. Money is a factor, it always is. It is the more established and experienced attorneys who are often the most compensated. This does not happen overnight and requires continuous work to maintain. And while pay for a judge will never get to the point of a hard-working and established private practice attorney in North Dakota, our state must remain competitive so as to allow the Governor to choose from a pool of the very best attorneys.

As such, I urge you to support the judiciary's request for a \$2.1 million dollar increase to its biannual budget to provide our judges and justices with salaries at an amount that are at least marginally competitive in the current North Dakota legal market.

Thank you, Chairman Nathe.

Chairman Nathe and members of the Education and Environment Division of House Appropriations, my name is Heather Traynor and I am the Youth and Family Court Specialist of the Court Improvement Program (CIP) for the North Dakota Supreme Court.

I am asking that the committee consider reintroducing the funds (\$125,292) that were cut from the proposed budget to support the creation of an Indian Child Welfare Act (ICWA) court in North Dakota.

As Sheldon Spotted Elk, Senior Director of Judicial and National Engagement of Casey Family Programs stated in his testimony to the 2024 Interim Juvenile Justice Committee, "An ICWA court is a state court that specializes in ICWA legal practice through compliance with the law and the spirit of keeping children connected to family, community, and culture. ICWA courts are used as an intervention to work with American Indian families with the hope of reducing disproportionality and improving the outcomes of American Indian children in foster care."

Indian children are a vital part of their tribes and cultures. Congress enacted the Indian Child Welfare Act (ICWA) in 1978 to address the alarming rates of Indian children being removed from their families and tribes. The goal of ICWA is to keep Indian children with their families and tribes whenever possible, preserving their connections to their cultural heritage. ICWA compliance also plays a critical role in fostering collaboration between state and tribal nations.

Though ICWA was passed in 1978 and many efforts have been made in North Dakota to comply with the law, there continues to be a high disproportionate rate of American Indian children in foster care. In North Dakota's general child population, White children accounted for 87% of the population in State Fiscal Year 2024. In contrast, American Indian or Alaska Native children accounted for approximately 6% of the population. However, in 2024, Native American children were the subject of 26% of Children in Need of Protection cases and 22% of Termination of Parental Rights cases. This disparity raises significant concerns about the adequacy of current child welfare processes to address the unique needs of Native American families and uphold the intent of the ICWA, which is to preserve cultural connections and family unity whenever possible.

Notable findings from published studies and articles on ICWA courts include promising outcomes for American Indian Families. A recently published journal article published by the National Council of Juvenile and Family Court Judges explored the effectiveness of an ICWA court in Duluth, Minnesota. According to the article concerning placement, ICWA court cases were able to place significantly more children with relatives at an earlier stage of the case compared to pre-ICWA court cases. It was also noted that ICWA court cases achieved timelier permanency, closing in significantly less time than pre-ICWA court cases.

Over the past year the CIP has worked to educate stakeholders and receive support of the implementation of an ICWA court pilot in the North East Judicial District. The ICWA court model was presented to and favorably received, by the Tribal and State Relations and Juvenile Justice Interim committees. We have also garnered and received overwhelming support by many state



and tribal partners. We continue to be dedicated to working with North Dakota tribes and families to achieve positive outcomes for Native American children in care and hope that you consider funding to support these efforts as well.

Thank you,

A handwritten signature in black ink, appearing to read "Heather Traynor, LBSW". The signature is fluid and cursive, with the initials "LBSW" written in a slightly different style at the end.

Heather Traynor, LBSW

Youth and Family Court Specialist, ND Supreme Court

# State of North Dakota

## Presiding District Court Judges

Donovan Foughty  
*NEJD Presiding Judge*

Donald Hager  
*NECJD Presiding Judge*

## *Unit 1: Northeast and Northeast Central Judicial Districts*

124 South 4<sup>th</sup> Street  
Grand Forks, ND 58201  
Phone (701) 787-2730

## Court Administration

Kelly Hutton  
*Unit Court Administrator*

Rebecca Nelson  
*Deputy Court Administrator*

September 24, 2024

Hon. Jerod Tufte  
Justice and Chair, Interdisciplinary Specialized Docket Committee  
600 E Boulevard Avenue  
Bismarck, ND 58505-0530

In Re: Letter of Interest and Cooperation – Creation of a Specialized Docket (Indian Child Welfare Act Court)

Justice Tufte,

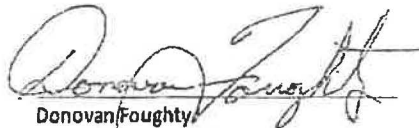
We write to provide you and your committee with our collective sentiment along with the attached petition on the creation of a specialized docket. We are dedicated to working collaboratively with North Dakota tribes and families to achieve positive outcomes for permanency for Native American children in care while preserving their familial and cultural connections.

To assure fidelity to the evidence-based approaches associated with a problem-solving court model; we pledge to operationalize our approach to the creation of this court through the incorporation of the Five Principles of ICWA Courts from the National Council of Juvenile and Family Court Judges. They are:

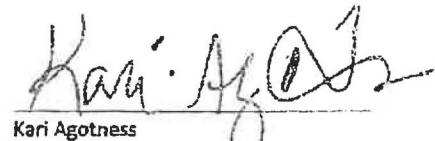
1. ICWA Court judges lead in coordination with the ICWA partners to achieve the spirit of ICWA.
2. Data collection informs practice and can measure the impact of ICWA Courts.
3. ICWA training on the spirit and letter of the law is central to the understanding and practice of ICWA Courts.
4. Authentic Tribal collaboration and partnership foster better outcomes for ICWA families.
5. Judges, attorneys, social workers and tribal representatives are “gold standard” professionals. This court community are focused on education and skill-development of the laws relevant to ICWA.

Finally, if approved for planning and implementation – we believe that legislation should be pursued to ensure that the initiative meets rigorous evaluative scrutiny, long-term viability, assures funding as well as fidelity to the ICWA Court model.

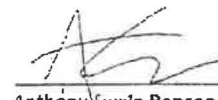
Sincerely,



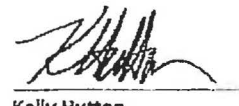
Donovan Foughty  
Presiding Judge, NEID



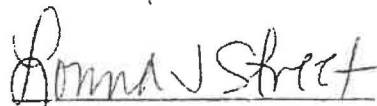
Kari Agotness  
Judge, NEID




Anthony Swain Benson  
Judge, NEID




Kelly Hutton  
Unit 1 Court Coordinator




Lonna Jackson-Street  
Spirit Lake Nation



Jamie Azure  
Turtle Mountain Band of Chippewa



Heather Traynor  
CIP Coordinator



Marilyn Poltra  
ICWA Coordinator  
Turtle Mountain Band of Chippewa



Marie Martin  
ICWA Coordinator, Spirit Lake Nation



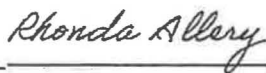
Shawn Peterson  
Juvenile Court Director, Unit 1



Brad Hawk  
Executive Director, Indian Affairs Commission



Anthony Bauer  
Deputy Director, Indian Affairs Commission




Rhonda R Allery  
Director, Mountain Lakes Human Service Zone

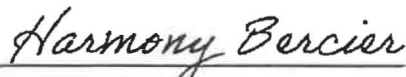
Kelly Jensen  
Director, Northern Prairie Human Service Zone



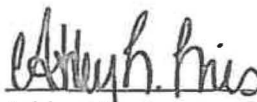
Cory Pedersen  
Director, Children and Family Services



Gillian Plenty Chief  
Director, Native American Training Institute



Harmony Bercier  
Project Manager, ND ICWA Best  
Practices Partn



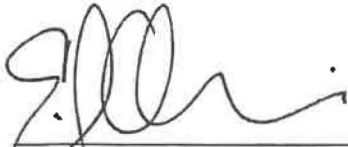
Ashley Lies  
Executive Director, ND State's Attorney's  
Association



Travis Finck  
Executive Director, Commission on Legal  
Counsel for Indigents



Jessica Throlson  
Manager of Specialized Dockets

A handwritten signature in black ink, appearing to read 'Emily O'Brien', with a horizontal line extending to the right.

Emily O'Brien, Representative  
District 42



Testimony Regarding Engrossed Senate Bill 2002:

I ask the House to reconsider the decision to take the Budget for treatment Courts out of this bill. This appears to be antithetical to the legislatures clear desire given a number bill seeking criminal justice reform and reducing prison population, as opposed to expanding the prison to house individuals sentenced to prison. The removal is reflected in the Agency worksheet that appears as written testimony of Alex Cronquist Document number 37184, discussed during committee work on February 18<sup>th</sup> 2025.

The \$373,476 is beneficial to ensuring the protection of the public, if the Legislature is not going to expand the State Penitentiary, then there needs to be alternatives to incarceration that will help reduce recidivism. One such alternative that is specifically related to Morton County is the Mental Health Court sought to be created in the South-Central Judicial District (SCJD). The SCJD Mental Health Court seeks \$85,164. That amount reflects a clear reinvestment of taxpayer finances back into the community for community safety. The importance of the collaboration between Criminal Justice Systems and Mental Health Systems is clear.<sup>1</sup> Current Research supports a trend on the effectiveness of Mental Health Courts on reducing recidivism.<sup>2</sup>

I can certainly appreciate the approach to reducing taxpayer's burden by limiting spending. I certainly understand the Judiciary focusing on certain items and their priority listing as provided to the Senate. The issue is the priority items essentially amount to "quality of life improvements", which is great, but that is routine and from what I can tell amounts to the bare minimum for the judiciary to continue to function effectively. (Document number 33045). It is rare that the three branches of

---

<sup>1</sup> <https://pmc.ncbi.nlm.nih.gov/articles/PMC8844546/>

<sup>2</sup> (PDF) [Assessing the Effectiveness of Mental Health Courts in Reducing Recidivism: A Systematic Review with Meta-analysis](#) SEE ALSO: <https://d-scholarship.pitt.edu/9275/1/CMSarteschiAug2009Dissertation.pdf>

government can agree on something, reducing recidivism is one of those things. Yet, the Legislature demands slashes to the Judiciary's proposed budget to keep only the bare minimum increases for effective functioning, so that our Court system can continue to limp on until the next biennium. The treatment courts may be a "want" and not a "need". However, it is a want that will do good, a want whose effectiveness can be reevaluated in the coming years. I want to make it clear that reinvesting into the criminal justice system is anything but wasted funds as it serves to keep communities safe. The \$85,164, would go to keep individuals in the South-Central Judicial District safe, and to provide diversionary resources to address ever-increasing crime. Removal of the funds for the South-Central Judicial District Mental Health Court was an understandable mistake.

CONCLUSION:

I urge the House to undo the mistake of the Senate and add back in the \$373,476 to the Budget for the 3 new treatment courts, or at the very least consider adding back the \$85,164 for the SCJD. If the Legislature wants to take a real step to reduce recidivism, to address crime rates, to keep communities safe there are few options, 1) Expand the State Penitentiary or 2) Fund treatment courts. I would urge the Legislature to consider the options before it.

Respectfully Submitted; March 5th 2025:

/s/Chase R. Lingle  
Chase R. Lingle Bar ID #08401  
Deputy Assistant State's Attorney  
210 2<sup>nd</sup> Avenue NW  
Mandan ND 58554  
701-667-3350  
E-serve: [mortonsa@mortonnd.org](mailto:mortonsa@mortonnd.org)

**Senate Bill 2002  
House Appropriations  
Education and Environment Division**

**Testimony Presented by Kara J. Erickson  
Disciplinary Counsel  
March 6, 2025**

Good morning, Chairman Nathe and members of the committee. For the record, my name is Kara Erickson. I serve as Disciplinary Counsel for the Judicial Conduct Commission and the Disciplinary Board of the Supreme Court. As Disciplinary Counsel, my office handles the administrative, investigative, and prosecutorial roles for matters that are before the Judicial Conduct Commission and the Disciplinary Board. More simply stated, my office handles allegations of ethical violations for both lawyers and judges within the judicial branch. Both the Judicial Conduct Commission and Disciplinary Board fall under the authority of the Supreme Court; however, because one of the functions of our office is to discipline members of the judiciary, including the Justices of the Supreme Court, our office is held at arms' length from the Supreme Court. Sally Holewa and Don Wolf have done a wonderful job going over the appropriations requests from the Court, but they asked me to specifically touch on my office's portion of that request.

As a bit of background about our functioning, the Court's rules established an Operations Committee to handle oversight of my office. The Committee has four members, with two additional ex-officio members. The members of the Operations Committee are appointed to oversee the budget requests and the operational aspects of the office. The four members of the Operations Committee consist of a lay member, a member appointed by the Court from nominations from the Disciplinary Board, a member appointed by the Court from a nomination from the State Bar Association's

Board of Governors, and one member appointed by the Court from a list of nominations from the Judicial Conduct Commission. The ex-officio members who attend the Operations Committee meetings are the State Court Administrator, Sally Holewa, and the State Bar Association's Executive Director, Tony Weiler.

As with the Court System as a whole, the majority of our budget is in salaries. There is a small increase in salaries due to reclassification of some of our employees and to bring salaries back to a competitive level.

In looking at our budget for the upcoming biennium, we have essentially presented a hold even operating budget for our office. The most significant operating increases were related to IT costs. Those were based on recommendations by the Court's IT Director. We also requested some increased travel costs because more meetings, hearings, and trainings, are being held in person.

I would be happy to try to answer any questions the Committee may have at this time that are specifically related to the Judicial Conduct Commission and the Disciplinary Board's portion of the budget included within Senate Bill 2002. I would urge the Committee to recommend a "do pass" of Senate Bill 2002. Thank you for your consideration.



# BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN  
SHERIFF

03/05/25

House Appropriations – Education and Environment Division  
Prairie Room  
North Dakota State Capitol

To: Chairman Nathe, Vice Chairman Swiontek, Committee Members Hanson, Louser, Martinson, Richter, and Sanford

I'm writing in support of SB 2002. I've been employed in my current capacity as Behavioral Health Specialist for the Burleigh County Sheriff's Department for a little of 8 years. I have over 30 years of experience in law enforcement and corrections. I am a member of the Mental Health Court Planning Committee. In short, from when I started, working with mentally ill people was once in a while. Now, it's "how many today?" I believe a Mental Health Court would lessen the burden on correctional facilities by moving certain people through the judicial system faster. It would give some people the opportunity for treatment and monitoring in the community versus coordinating services from inside a correctional facility.

I've recently put together some information comparing the number of days in the Burleigh Morton Detention Center for mentally ill versus non-mentally ill inmates. In short, people in jail are incarcerated much longer if they have severe mental illnesses that need to be addressed versus those people who do not. I've added this attachment to my Registrant Information.

Thank you for your time and consideration.

A handwritten signature in black ink that reads "Mark Kemmet".

Mark Kemmet  
Behavioral Health Specialist  
Burleigh Morton Detention Center  
4000 Apple Creek Road  
P.O. Box 2499  
Bismarck, ND 58502-2499  
(701) 255-3113 Main Line  
(701) 258-5319 Fax Line  
<http://www.burleighsd.com>

cc: District Court Judge Bobbi Weiler, Sheriff Kelly Leben, Major Trent Wangen, Captain Lisa Wicks

Attachment: Mentally Ill BMDC Inmates day in jail vs. Non-mentally Ill Inmates

## COURTHOUSE

514 E. Thayer • PO Box 1416  
Bismarck, ND 58502-1416  
P 701-222-6651 • F 701-221-6899  
 [www.facebook.com/BurleighCountySheriffsDepartment](http://www.facebook.com/BurleighCountySheriffsDepartment)

## BURLEIGH MORTON DETENTION CENTER

4000 Apple Creek Road • PO Box 2499  
Bismarck, ND 58502-2499  
P 701-255-3113 • F 701-258-5319



**Mentally Ill BMDC Inmates days in jail vs. Non-mentally Ill Inmates**

- Class C Felony or less (except Inmate #6 is Class A Felony due to worth of vehicle that was stolen).
- Non-violent offense.
- Non-sexual offense.
- Admissions in CY 2024 only.
- The cost per day per inmate at the Burleigh Morton Detention Center is \$100/day. Price per day will increase to \$115/day on 01/01/26.
- I reviewed all admissions to the BMDC in October 2024, highlighted all admissions with similar cases, and did rough math. I found that **234 inmates averaged 12.77 days in jail for similar offenses.**

## 1. Inmate #1

- a. Possession of Drug Paraphernalia - C Felony, False Information to Law Enforcement – A Misdemeanor, Driving Under Suspension – A Misdemeanor.
- b. 86 days in custody.**
- c. Case dismissed after 86 days in custody due to mentally incompetent.
- d. Jailed 5x's in 2024.

## 2. Inmate #2

- a. Possession of Drug Paraphernalia – C Felony, Ingestion of a Controlled Substance – A Misdemeanor.
- b. 163 days in custody.**
- c. Jailed 2x's in 2024.

## 3. Inmate #3

- a. Theft of Services – C Felony, Non-Sufficient Fund Check-C Felony.
- b. 89 days in custody.**
- c. Jailed 2x's in 2024.

## 4. Inmate #4

- a. Burglary-C Felony.
- b. 40 days in custody.**
- c. Jailed 5x's in 2024.

## 5. Inmate #5

- a. Unauthorized Use of a Motor Vehicle - C Felony, Criminal Mischief – A Misdemeanor., Obstruct of a Government Function – A Misdemeanor.
- b. 97 days in custody.**
- c. Jailed 4x's in 2024.

6. Inmate #6

- a. Theft - A Felony (due to value of stolen vehicle).
- b. 228 days in custody.**
- c. Jailed 3x's in 2024.

7. Inmate #7

- a. Possession of Drug Paraphernalia – C Felony, Ingestion of a Controlled Substance – A Misdemeanor (Failure To Appear for Court).
- b. Possession of Methamphetamine – C Felony, Possession of Drug Paraphernalia – C Felony (new charge while out on bond).
- c. 56 days in custody.**
- d. Jailed 2x's in 2024.

8. Inmate #8

- a. Possession of Methamphetamine – C Felony, Possession of Drug Paraphernalia – C Felony, Refusal to Halt, B Misdemeanor (Failure To Appear for Court).
- b. 101 days and counting in custody.**
- c. Jailed 4x's in 2024.
- d. \*\*\*In jail for 198 days in 2024 on a separate violent offense.

9. Inmate #9

- a. Criminal Trespass – A Misdemeanor.
- b. 1 day in jail.**
- c. \*\*\***108 days and counting** in custody on subsequent charge: Possession of Methamphetamine - A Misdemeanor, Possession of Drug Paraphernalia – A Misdemeanor, while going through evaluation and treatment for a different case.
- d. Jailed 11x's in 2024.

10. Inmate #10

- a. Possession of Methamphetamine – C Felony, Possession of Marijuana – Infraction
- b. 1 day in jail.**
- c. \*\*\***53 days and counting** in custody on subsequent charge: Possession with Intent To Delivery Fentanyl, Possession of Drug Paraphernalia – A Misdemeanor, while going through evaluation and treatment for another case.
- d. Jailed 2x's in 2024.

**Senate Bill 2002**  
**House Appropriations**  
Don Wolf, Director of Finance  
March 6, 2025

Mr. Chairman and members of the Committee, good morning. For the record my name is Don Wolf and I am the Director of Finance for the court system. I will be providing you with a summary of the Judicial Branch budget request.

<b>JUDICIAL BRANCH</b>	<b>2023-25 Biennium Appropriation</b>	<b>One-time Funding Adjustment</b>	<b>2023-25 Biennium Base</b>
Supreme Court	\$24,435,751	(\$416,500)	<b>\$24,019,251</b>
District Court	105,403,519	(1,125,220)	<b>\$104,278,299</b>
JCC/DB	<u>1,399,862</u>	<u>0</u>	<b><u>\$1,399,862</u></b>
<b>Total base budget</b>	<b>\$131,239,132</b>	<b>(\$1,541,720)</b>	<b>\$129,697,412</b>

<b>Funding</b>	<b>2023-25 Biennium Appropriation</b>	<b>One-time Funding Adjustment</b>	<b>2023-25 Biennium Base</b>
General Fund	\$129,410,704	(\$1,153,720)	<b>\$128,256,984</b>
Federal funds	1,294,767	(388,000)	<b>\$906,767</b>
Special funds	<u>533,661</u>	<u>0</u>	<b><u>\$533,661</u></b>
<b>Total</b>	<b>\$131,239,132</b>	<b>(\$1,541,720)</b>	<b>\$129,697,412</b>

The total **2023-25 biennium appropriation** for the Judicial Branch is **\$131,239,132**. The appropriation includes funding for the Supreme Court, district courts and the Judicial Conduct Commission and Disciplinary Board (JCC/DB).

The 2023-25 biennium appropriation included **one-time funding** of \$1,153,720 from the general fund for capital assets and \$388,000 of federal funds from a Department of Justice Grant for a study and implementation project to reduce delay in criminal case processing. The total 2023-25 biennium **base budget** (net of the one-time funding) is **\$129,697,412**.

The 2023 Legislative Assembly approved 22 new FTE positions for the Judicial Branch. The positions approved include:

- 1 FTE assistant state court administrator position;

- 3 FTE district court judge positions;
- 4 FTE staff attorney positions;
- 11 FTE deputy clerk of court positions;
- 1 FTE guardianship monitoring program position; and
- 2 FTE court improvement program positions that were converted from temporary positions.

These new positions were all filled during the first seven months of the biennium with the exception of 2 FTE deputy clerk positions, which were finally filled in July 2024. There continues to be a high turnover rate among the deputy clerk of court positions statewide. There have been 39 separate times a deputy clerk of court position has been vacated during the first 18 months of the biennium, excluding the 11 new deputy clerk of court positions that were authorized. This is out of 99 total deputy clerk of court positions.

The 2023-25 biennium court system budget was reduced by \$11,219,618 to account for new FTE position and vacant FTE position salary savings. A total of \$8,740,214 was appropriated to the new FTE (\$3,989,161) and vacant FTE (\$4,751,053) funding pool line item. In July 2024, the court system transferred \$6,038,547 from the new and vacant FTE funding pool to salaries and wages. There remains a balance of \$2,701,667 within the vacant FTE funding pool. It is anticipated that we will make an additional transfer from the vacant FTE funding pool before the end of the biennium, however we do not anticipate a deficiency appropriation request.

Actual savings from vacant positions to date is \$1,320,048. Savings from vacant positions have been used for accrued leave payments (\$213,831); step system increases (\$48,532); overtime, on-call and comp time (\$36,588); position reclassifications (\$140,617); and salary equity adjustments (\$259,216).

The 2025-27 biennium budget request (Governor Armstrong's recommendation) is **\$165,960,657** or an increase of \$36,263,245 as compared to the 2023-25 biennium base budget. The budget request provides for a total of **406.0 full-time equivalent (FTE)** positions, which is an increase of 22 FTEs as compared to the current appropriation.

Engrossed Senate Bill 2002 includes an appropriation of **\$151,704,332**. This is a reduction of \$14,256,325 as compared to the executive budget recommendation. It includes 396.0 FTE positions.

**A comparison of budget versions:**

<b>Subdivision</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Gov Armstrong Budget</b>	<b>Engrossed Senate Bill 2002</b>
Supreme Court	\$24,019,251	\$22,916,626	\$26,063,990
District Court	104,278,299	141,347,888	\$123,148,432
JCC/DB	1,399,862	1,696,143	\$1,555,505
OGC	0	0	\$936,405
<b>Total</b>	<b>\$129,697,412</b>	<b>\$165,960,657</b>	<b>\$151,704,332</b>

<b>Funding</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Gov Armstrong Budget</b>	<b>Engrossed Senate Bill 2002</b>
General Fund	\$128,256,984	\$164,557,927	\$150,331,667
Federal funds	906,767	851,850	\$839,739
Special funds	533,661	550,880	\$532,926
<b>Total</b>	<b>\$129,697,412</b>	<b>\$165,960,657</b>	<b>\$151,704,332</b>

<b>FTEs</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Gov Armstrong Budget</b>	<b>Engrossed Senate Bill 2002</b>
<b>Total</b>	<b>384.0</b>	<b>406.0</b>	<b>396.0</b>

**2025-27 biennium Judicial Branch budget request (Governor's Recommendation) – Overview:**

- The executive budget recommendation includes **\$6,751,956** added by the Office of Management and Budget (OMB) for proposed employee salary (3%/3%) and health insurance increases.
- The budget request includes **\$2,078,868** for judicial salary increases. The proposal would bring salaries to the national average for justices and judges and equates to a 12.1 percent increase for the Chief Justice, 11.1 percent for the Supreme Court justices and 7.7 percent for district court judges and presiding judges. The proposed increase would be effective the first year of the biennium.

There is not an additional proposed increase for the second year of the biennium. *The Senate approved \$1,842,192 for a 9.0 percent increase for the Chief Justice, 8.5 percent increase for the Supreme Court justices and 7.0 percent increase for district court judges and presiding judges.*

- The request includes **\$2,038,816** for an overall 3 percent adjustment to the judicial pay grade system and **\$416,001** for anticipated retiree leave payouts. *The Senate did not approve this funding.*
- Information technology operating costs increased by **\$2,059,179**. The budget includes funding for the operating systems of the judiciary including Odyssey, C-Track and the juvenile case management system; major software systems utilized including Zoom Enterprise, Manage Engine and disaster recovery; computers, scanners and other courtroom technology equipment; and technology fees charged by NDIT. *The Senate approved this funding.*
- The request included an overall increase of \$402,401 for miscellaneous operating costs, primarily due to inflation. *The Senate approved an increase of \$192,702.*
- The Senate adjustment for the 2025-27 biennium new and vacant FTE funding pool includes a reduction of \$11,596,583 to the salaries and wages line items and an addition of **\$8,671,500** to the new and vacant FTE funding pool line item within the Supreme Court subdivision.

### **Supreme Court Budget**

<b>Supreme Court</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Gov Armstrong Budget</b>	<b>Engrossed Senate Bill 2002</b>
Salaries and wages	\$12,363,778	\$18,435,260	\$13,419,705
Operating	2,915,259	3,615,266	\$3,106,685
Capital assets	<u>0</u>	866,100	\$866,100
Funding pool	8,740,214	<u>0</u>	<u>\$8,671,500</u>
<b>Total</b>	<b>\$24,019,251</b>	<b>\$22,916,626</b>	<b>\$26,063,990</b>



Funding	2023-25 Biennium Base	2025-27 Gov Armstrong Budget	Engrossed Senate Bill 2002
General Fund	\$23,921,458	\$22,916,626	\$26,019,861
Federal funds	76,449	0	\$20,741
Special funds	21,344	0	\$23,388
<b>Total</b>	<b>\$24,019,251</b>	<b>\$22,916,626</b>	<b>\$26,063,990</b>

The total Supreme Court budget request is **\$22,916,626**. The proposal includes funding for a total of **56.0 FTES**, including the following **9.5** new FTE positions.

*Positions approved by the Senate:*

- ❖ 1 FTE Office of Guardianship and Conservatorship (OGC) director;
- ❖ 1 FTE OGC administrative assistant;
- ❖ 1 FTE OGC monitoring program manager;
- ❖ 1 FTE OGC account analyst;
- ❖ 1 FTE staff attorney for Supreme Court administration

*Positions not approved by the Senate:*

- ❖ 1 FTE OGC paralegal;
- ❖ 1 FTE deputy clerk for the Supreme Court Clerk of Court office
- ❖ 0.5 FTE administrative assistant for the Supreme Court Clerk of Court;
- ❖ 1 FTE staff attorney for the allied legal professional program; and
- ❖ 1 FTE staff attorney for the court navigator program.

Highlights of the Supreme Court budget changes include the following:

- **Office of Guardianship and Conservatorship (OGC)** – The budget request includes an additional **\$1,494,628** to create an OGC as a division under the Supreme Court. The proposal would add 5 new FTEs to the current 2 FTEs that staff the Supreme Court's guardianship monitoring program. The intent for the creation of the OGC is to consolidate statewide guardianship and conservatorship funding and responsibilities under one entity. *The Senate consolidated and transferred the existing guardianship monitoring budget (\$730,478) and the OGC budget request (\$1,494,628) from the Supreme Court budget subdivision to a separate OGC subdivision.*

- **Supreme Court Law Library costs** – Due to increases in legal reference subscription rates, an additional **\$73,882** is requested for the Supreme Court law library professional supplies budget. *The Senate approved this request.*
- **Rural attorney recruitment program (NDCC Section 27-02.2-05)** – The 2021 Legislative Assembly approved the rural attorney recruitment program. An attorney agreeing to practice in rural counties or municipalities is eligible to receive an incentive payment of \$45,000 to be paid in five equal annual installments. The county or municipality served by the attorney is to provide 35% of the incentive, the ND State Bar Foundation is to pay 15% and the Supreme Court is responsible for the balance. The 2023 Legislative Assembly increased the maximum number of attorneys that may participate in the program at any one time from four to eight. The Supreme Court share for the additional incentive payments is **\$36,000**. *The Senate approved this request.*
- **Allied Legal Professional (ALP) program** – ALP programs provide a practical and innovative solution to the growing access to justice problem. An ALP is a relatively new tier of legal professionals authorized to provide legal advice and services in specific areas of law under certain conditions, without the need to obtain a law degree or pass the traditional bar exam. The budget request of **\$364,574** includes 1 FTE staff attorney and operating costs to establish the parameters, rules and procedures for ALP positions in North Dakota. *This request was not approved by the Senate.*
- **Court navigator program** -Court navigators serve as a bridge between self-represented litigants and the court to ensure that individuals are better informed about their rights and the legal process. This new program would provide in-person assistance, help with form completion and potentially reduce the burden on the court system by ensuring the self-represented litigants are better prepared and informed. The budget request of **\$309,742** includes 1 FTE staff attorney and related operating costs for the court navigator program. *This request was not approved by the Senate.*

- **IT Equipment over \$5,000 (one-time)** – The Supreme Court capital asset request of **\$866,100** includes funding for the C-Track system hosting (cloud) subscription service fees. *The Senate approved this request.*

### **District Court Budget**

<b>District Court</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Gov Armstrong Budget</b>	<b>Engrossed Senate Bill 2002</b>
Salaries and wages	\$79,576,340	\$104,303,204	\$90,711,201
Operating	\$24,524,619	\$29,051,994	\$27,531,341
Capital assets	\$0	\$7,829,016	\$4,742,216
Judges' retirement	\$177,340	\$163,674	\$163,674
<b>Total</b>	<b>\$104,278,299</b>	<b>\$141,347,888</b>	<b>\$123,148,432</b>

<b>Funding</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Gov Armstrong Budget</b>	<b>Engrossed Senate Bill 2002</b>
General Fund	\$103,447,981	\$140,496,038	\$122,329,434
Federal funds	830,318	851,850	\$818,998
Special funds	0	0	\$0
<b>Total</b>	<b>\$104,278,299</b>	<b>\$141,347,888</b>	<b>\$123,148,432</b>

The district court budget request is **\$141,347,888**. The proposal includes funding for a total of **345.5 FTEs**, including the following 12.5 new FTE positions:

*Positions approved by the Senate:*

- ❖ 1 FTE district court administrative assistant in Unit 3;
- ❖ 1 FTE deputy unit court administrator in Unit 4;
- ❖ 2 FTE programmer analysts in shared services administration;
- ❖ 2 FTE network analysts in shared services administration;
- ❖ 1 FTE technology coordinator in shared services administration;

*Positions not approved by the Senate:*

- ❖ 0.5 FTE juvenile court administrative assistant in Unit 1;
- ❖ 1 FTE juvenile court officer in Unit 2;
- ❖ 1 FTE juvenile court administrative assistant in Unit 2;

- ❖ 1 FTE juvenile court officer in Unit 4;
- ❖ 1 FTE juvenile court administrative assistant in Unit 4; and
- ❖ 1 FTE staff attorney for the self-help center.

Other proposed changes to the district court budget include the following:

- **New treatment courts** –The budget request includes **\$373,476** to establish three new treatment courts; an Indian and Child Welfare Act (ICWA) court in Unit 1, a veteran’s court in Unit 2 and a mental health court in Unit 3. The request includes 3 part-time temporary coordinator positions to oversee the courts. *This request was not approved by the Senate.*
- **Family mediation program** – The family mediation program budget request includes an increase of **\$138,200** based on additional demand for services. Mediators are allowed to bill for up to six hours for each case or up to two and one-half hours for expedited mediation cases. Mediators are paid \$220 per hour. *This request was not approved by the Senate.*
- **Guardian ad Litem program** – The budget request for the guardian ad litem program is an increase of **\$935,768** or a total budget of \$2,345,768. Guardians ad litem are used in child abuse and neglect cases, termination of parental rights cases, and juvenile guardianship cases. They are responsible for protecting the well-being and interests of their ward, who is usually a minor. The court system contracts with Youthworks to administer the program, including maintaining a staff of temporary employee guardians ad litem. Youthworks has had difficulty maintaining a sufficient staff of temporary employees. The request would allow Youthworks to hire 4 full-time guardians ad litem to improve staff retention. In addition, the request expands the program to include post-judgement monitoring. *The Senate approved \$470,000 of this request.*
- **Interpreters** – The budget request adds **\$125,500** for interpreters based on demand for services particularly in Units 2 and 3. *The Senate approved \$60,000 of this request.*
- **Credit card processing fees** – The state clerk of court budget includes an increase of **\$293,000** relating to credit card processing fees. The credit card

processing fee is anticipated to change from the current rate of 2.9 percent of the transaction total plus a \$0.15 per transaction fee to a flat 5.0 percent per transaction rate. *The Senate approved \$200,000 of this request.*

- **Contract county clerk of court payments** – The budget for contract county payments for clerk of court services is an increase of **\$189,428** as compared to the current biennium. Based on the two-year caseload study, the total contract payments to counties will be \$4,687,536 or an increase of **\$173,928**. The budget request also adds **\$15,500** for an expected increase in credit card processing fees. *The Senate approved this request.*
- **Staffing studies (one-time)** – The budget request includes **\$466,500** of one-time funding for three staffing studies. This includes updating the juvenile court officer (\$155,500) and clerk of court (\$155,500) need studies. In addition, \$155,500 is requested to develop a staff attorney, law clerk and paralegal need study. *This request was not approved by the Senate.*
- **IT equipment over \$5,000 (one-time)** – The budget request for IT equipment over \$5,000 is **\$7,298,916** which includes the following:

*IT equipment approved by the Senate:*

- ❖ Blade and disk drive lease payment (\$874,216);
- ❖ Research and secure access to court records system (\$960,000);
- ❖ 1 new courtroom project in Cass County (\$75,000);
- ❖ 1 media camera system replacement in Cass County (\$25,000);
- ❖ Odyssey migration hosting (cloud) subscription (\$758,000);
- ❖ Artificial Intelligence software for clerk filings (\$1,250,000);
- ❖ Courtroom equipment (\$1,586,700) – *The Senate approved \$800,000 of this request.*
  - 27 QSC interactive cameras (\$459,000);
  - 50 courtroom sound rack updates (\$892,500);
  - 12 jury selection microphone and speaker systems (\$115,200);
  - 15 courtroom assisted listening devices (\$90,000);
  - 6 courtroom speaker replacements (\$30,000);

*IT equipment not approved by the Senate:*

- ❖ 1 projector replacement in the Coteau Room (\$10,000);
  - ❖ Problem solving court case management system (\$780,000); and
  - ❖ Digital evidence management system (\$980,000).
- **Equipment over \$5,000 - (one-time)** – The office equipment and furniture over \$5,000 budget request of **\$530,100** includes the following:
    - ❖ 4 replacement large copy machines (\$60,000);
    - ❖ 2 replacement medium copy machines (\$15,000);
    - ❖ 6 folding machines (\$72,600);
    - ❖ 3 judge chamber furniture updates (\$22,500) and
    - ❖ 48 workstation and office furniture systems (\$360,000).

*The Senate did not approve the request for equipment over \$5,000.*

- **Judges' Retirement (NDCC Chapter 27-17 Old Retirement System)** –  
There are two remaining participants within the old judges' retirement system. The budget request is \$163,674 or a decrease of **\$13,666** as compared to the current appropriation. The average age of the remaining recipients is 92. *The Senate approved this request.*

#### **Judicial Conduct Commission and Disciplinary Board Budget**

JCC/DB	2023-25 Biennium Base	2025-27 Gov Armstrong Budget	Engrossed Senate Bill 2002
Salaries and wages	\$1,126,969	\$1,403,866	\$1,266,834
Operating	\$272,893	\$292,277	\$288,671
<b>Total</b>	<b>\$1,399,862</b>	<b>\$1,696,143</b>	<b>\$1,555,505</b>

Funding	2023-25 Biennium Base	2025-27 Gov Armstrong Budget	Engrossed Senate Bill 2002
General Fund	\$887,545	\$1,145,263	\$1,045,967
Federal funds	0	0	\$0
Special funds	512,317	550,880	\$509,538
<b>Total</b>	<b>\$1,399,862</b>	<b>\$1,696,143</b>	<b>\$1,555,505</b>



The Judicial Conduct Commission and Disciplinary Board (JCC/DB) is responsible for investigating complaints against North Dakota judges and attorneys. The budget request of **\$1,696,143** includes funding for **4.5 FTEs**, the same as the current appropriation. No capital assets are being requested.

Funding for the JCC/DB is from two sources, the State Bar Association and the general fund. State Bar Association funds are from \$75 of each attorney license issued.

### **Office of Guardianship and Conservatorship**

<b>OGC</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Gov Armstrong Budget</b>	<b>Engrossed Senate Bill 2002</b>
OGC	\$0	\$0	\$936,405
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$936,405</b>

<b>Funding</b>	<b>2023-25 Biennium Base</b>	<b>2025-27 Gov Armstrong Budget</b>	<b>Engrossed Senate Bill 2002</b>
General Fund	\$0	\$0	\$936,405
Federal funds	0	0	\$0
Special funds	0	0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$936,405</b>

The Senate approved \$1,200,000 of the \$1,494,628 requested to operate the OGC. This includes 4 of the 5 FTE positions requested. In addition, \$730,478 and 2 FTE positions that have resided in the Supreme Court budget for the guardianship monitoring program were transferred to this new subdivision. The total OGC budget after the new and vacant FTE pool adjustment is \$936,405. If Senate Bill 2029 is not approved the request would be to transfer the 2 FTE positions and funding associated with the guardianship monitoring program back to the Supreme Court subdivision.

### **Additional Sections within Engrossed Senate Bill No. 2002**

- **Section 2** – Provides for the 2025-27 biennium one-time funding items.
- **Section 3** – Provides guidelines for the new and vacant FTE funding pool.
- **Section 4** – Appropriates additional funding that may be received through federal acts and private gifts, grants and donations.
- **Section 5** – Amendment to provide for the salaries of the Supreme Court justices.
- **Section 6** – Amendment to provide for the salaries of the District Court judges.
- **Section 7** – Allows for the transfer of appropriation authority between line items 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 court system.

### **Other Bills with Budgetary Impact**

- **Senate Bill No. 2057** – This bill increases fees charged by the ND court system.
- **Senate Bill No. 2029** – This bill creates an Office of Guardianship and Conservatorship as part of the Judicial Branch budget.

In conclusion, I would be happy to answer any questions.

**Senate Bill 2002  
House Appropriations Committee  
Education and Environment Division**

**Testimony Presented by Sally Holewa  
State Court Administrator  
March 6, 2025**

Good morning, Chairman Nathe and members of the Committee. For the record, my name is Sally Holewa. I am the State Court Administrator. I will be providing an overview of the major changes in the Judicial Branch appropriation request. Our director of finance will be following me to provide the line-item details.

The Judicial Branch appropriation funds the personnel, programs, and operating costs of the Supreme Court, the district courts, and the Judicial Conduct Commission and Attorney Disciplinary Board (JCCDB). Our appropriation request for the 2025-2027 biennium is **\$165,960,657**. This is an increase of **\$36,263,245** over our 2023-2025 base budget. The increase comes primarily from two areas: IT and Salaries and Benefits. The increase in IT costs is mostly in the maintenance of necessary software and equipment but also includes some discretionary IT projects. In addition to the regular cost to continue salaries and health insurance increases, the increase in salary and benefit costs includes an increase in judge salaries, a market adjustment to the court's compensation pay grid, and a request for 22 additional FTEs.

**Salary and Wages**

Personnel costs are the largest share (83%) of the court's budget. Our appropriation request includes an increase of **\$6,751,956** for increases in health insurance and for salary increases of 3% in each year of the year of the biennium for staff salary. The appropriation request also includes **\$2,078,868** for judicial officer increases, **\$2,038,816** to adjust our compensation system to the market rate, and **\$4,889,232** for 22 new FTE.

### **Judicial Officer Raises**

There are others people here today who will be testifying about the need to increase judicial salaries, so I will keep my remarks on this subject short. Our judicial salaries are falling behind. In 2007, the legislature made a choice to bring North Dakota judge salaries to a comparable level with neighboring states. We were able to obtain and hold parity with them for several years but have since fallen far behind them. We are requesting that North Dakota judicial salaries be raised to the equivalent of the national average. This equates to a 12.1% increase for the chief justice, 11.1% for the other justices, and 7.7% for the presiding judge, other judges of the district court, and judicial referees.

The current salary for a district court judge is \$171,113.00. Every district has a presiding judge who is paid slightly higher to handle administrative duties in addition to their duties as a judge. The current salary for a presiding judge is \$175,975.00. Under the proposed increase, the salary for a district court judge would rise to \$184,366.00 on July 1, 2025. The salary for a presiding judge would rise to \$189,528.00 on July 1, 2025. Including the 8 presiding judges, we currently have a total of 55 district court judges.

The current salary for a supreme court justice is \$186,484.00. The Chief Justice has a higher salary because he is the administrative head of the judicial branch in addition to his adjudicative duties. The current salary for the Chief Justice is \$191,758.00. Under the proposed increase, the salary for a supreme court justice would rise to \$207,249 on July 1, 2025. The salary for the Chief Justice would rise to \$214,896.00 on July 1, 2025. Including the Chief Justice, there is a total of 5 supreme court justices.

District court referees are appointed by the presiding judge of a district to assist the judges in managing their caseloads. By court policy, they are paid 80% of the salary of a district court judge. We currently have 5 referees serving in 3 judicial districts.

### **Adjustment to Compensation System**

The court system uses an 11-step/21-year compensation grid that is pegged to market level at mid-point of the grid. The system is designed to start employees at a training

wage that increases until it reaches market level or the mid-point of the step system. The grid periodically needs to be adjusted to maintain market position because of changes in the demand for labor and increases in the cost-of-living. The last time we adjusted our pay grid to market level was in 2013. A compensation study that we completed in 2024 shows that our mid-point has slipped 13.20% from where we were in 2015. To regain market level, we are requesting a 3% adjustment of the grid. The cost to make this adjustment is **\$2,038,816**.

### **Vacant FTE Pool and Accrued Leave Payouts**

The next 3 items on your agency worksheet are in regard to the vacant FTE pool and funding for accrued leave payouts. Our Director of Finance is familiar with how those processes work and is the best person to speak to the accounting necessary for these line items.

### **New FTEs**

District court services are available in all 53 counties, but we do not have a judge or an office in every county. We have judges chambered in 19 counties, juvenile court offices in 10 counties, state-employed clerks of court in 14 counties and administrative offices in 4 counties.

#### **Juvenile Court Staff (4.5 FTEs)**

- .5 FTE administrative assistant for juvenile court to convert a current part-time position in Grand Forks to a full-time position.
- 1 FTE administrative assistant for juvenile court in Fargo
- 1 FTE juvenile court officer in Fargo
- 1 FTE administrative assistant for juvenile court in Minot
- 1 FTE juvenile court officer in Minot

#### **District Court Administrative Assistant**

- 1 FTE administrative assistant for the unit administrator's office located in Bismarck. This would restore one of the two positions that were lost due to budget reductions in 2016 and free up time that the unit administrator is spending doing clerical work.

#### **Deputy District Unit Administrator**

- 1 FTE deputy unit administrator  
Unit 4, which encompasses Ward, Williams and the 4 other northwestern counties, is the only administrative unit that operates without a deputy unit

administrator. The position should have been filled in 2004 but instead was converted to a juvenile court officer position and moved to Bismarck to fill an acute shortage in the juvenile court. This decision has created a situation where the unit administrator, without any assistance or back-up, has to perform all of her duties as well as those specifically assigned to deputy administrators such as risk management and annual audits of the clerks of court offices within the unit.

#### IT Staff (5 FTEs)

- 2 FTE programmers
- 2 FTE network analysts
- 1 FTE technology coordinator

The court system currently has an IT department that consists of an IT director and 12 staff to support 4,000 internal and external clients. Since 2000, we have added only two additional staff to this department and both were positions converted from other departments when a vacancy occurred. This staffing level leaves us unable to meet the demands for service, leading to delays in creating new programs, responding to requests for data, and inhibiting the ability to adequately staff the office throughout the day due to the need to physically install and upgrade equipment and provide training to court staff and others.

#### District Court Staff Attorney

- 1 FTE staff attorney for the Self-Help Center

The self-help center was established in 2014. On average, the Center responds to over 1,600 requests for service every year. The Center has also developed 800 instructions, guides and forms for self-represented litigants. It is staffed by one attorney, who also serves as the law librarian, and one paralegal. Additional assistance is provided by the assistant law librarian. Another attorney is needed to meet the heavy demand for services and to provide for regular review of current forms as well as creating new resources as time allows.

#### Supreme Court Administrator staff

- 1 FTE staff attorney

There are currently three staff attorneys within the office of the state court administrator. They provide legal research, policy interpretation and guidance to clerks of court, juvenile court personnel, division directors, program managers and others. They also staff supreme court committees, draft legislation, rules and policies, provide training to judges and court staff and serve as faculty for continuing legal education programs. They frequently serve as members or staff to interagency committees and task forces.

#### Supreme Court Deputy Clerk

- 1 FTE deputy supreme court clerk

The Supreme Court has operated with 4 deputy clerks of court since the late 1970s. This would add one additional deputy clerk.

#### Supreme Court Administrative Assistant

- .5 FTE administrative assistant



This would convert a current half-time administrative position to a full-time position.

### **Office of Guardianship and Conservatorship (SB 2029) (5 FTEs)**

If it passes as amended by the Senate, SB 2029 will create an Office of Guardianship and Conservatorship responsible for overseeing the expenditure of over \$15 million in public funds for guardianship services, licensing of professional guardians, establishing a complaint process, and providing education for guardians and conservators. Our appropriation request includes **\$326,140** for operating expenses and **\$1,168,488** for 5 new FTE positions to set up the administrative structure to handle the new financial, educational and oversight responsibilities assigned to the Commission. The new FTEs include:

- 1 FTE director responsible for the administrative oversight of the Office, which would include oversight for \$15 million in public expenditures for guardianship services, staff management, program management, and support for an operations committee and a complaint review board.
- 1 FTE administrative assistant to assist the director with general office tasks and provide logistical and clerical support to the complaint review board and operations committee.
- 1 FTE accountant analyst responsible for auditing and payment of invoices, office expenses and program expenditures.
- 1 FTE monitoring program manager whose responsibilities would include a combination of conducting random financial reviews, assigning court visitors, responding to questions from guardians, conservators and others, and creating continuing education sessions for guardians and conservators.
- 1 FTE paralegal to assist the staff attorney in investigating concerns that are filed with the complaint review board.

### **Court Navigator (1 FTE)**

We are requesting **\$309,742** to establish a court navigator position within our self-help center. This includes 1 FTE staff attorney at a cost of \$293,624 plus \$16,118 in operating costs. A court navigator is an attorney who has been given special authority to provide legal assistance to self-represented litigants in completing forms and answering legal questions related to specific proceedings.

### **Allied Legal Professional Program (1 FTE)**

We are requesting **\$364,574** to implement an Allied Legal Professional Program. This includes 1 FTE staff attorney at a cost of \$293,624 and \$70,950 in operating costs.

Allied Legal Professional programs have been successful in other states in mitigating attorney shortages by providing cost-effective legal advice and assistance for specified proceedings. Allied Legal Professionals must pass examinations and be licensed by the Board of Law Examiners. We anticipate building education and testing for up to 5 areas of law, including landlord-tenant, consumer debt collection and family law.

### **Treatment Courts (Specialized court dockets)**

We are requesting **\$373,476** for temporary staff and operating expenses to establish 3 new specialized court dockets. These include an Indian Child Welfare Court in Devils Lake, a Mental Health Court in Mandan, and a Veteran's Court in Fargo. Each of these courts would be staffed by a part-time temporary coordinator at a cost of \$86,592 per position, plus operating costs for a total of \$124,492 per court. Additional written testimony in support of these courts has been submitted online. There may be others here today who wish to testify in regard to these courts.

### **Judges' Retirement System**

We have two remaining participants in the former judges' retirement system. This retirement system was put in place in the early 1950s and was eventually replaced by the current judge's retirement plan administered by NDPERS. We are requesting a *decrease* of **\$13,666** for that program due to the continued decline in participating members.

### **IT System Maintenance and Enhancements**

Each year there are increases associated with data processing, software licensing and equipment. We are requesting **\$2,059,179** to cover those increases to allow us to continue necessary IT operations. In addition to the software and maintenance costs increases, there is a significant amount of equipment such as printers, scanners, credit card machines, assisted listening devices and external microphones used in the courts that must be periodically upgraded or replaced.

### **Law Library Subscriptions**

We are requesting **\$73,882** to cover increases in our law library subscriptions. These subscriptions cover the legal research resources used by justices, judges, referees, staff attorneys, law clerks and paralegals within the court system.

### **Credit Card Processing and Bank Fees**

We are requesting **\$293,000** to cover increases in credit card processing and banking fees. Credit cards are used to pay civil filing fees, document fees, traffic fines, bail, bond, restitution and court fines.

### **Operating Costs**

We are requesting **\$409,699** to cover a range of small increases in various operating costs. There is a detailed list on page 13.

### **Interpreter fees**

We are requesting **\$125,500** to cover increased costs for interpreter fees. Between January 1, 2023 and June 30, 2024, we used interpreters for 1,589 court hearings, covering the need for American Sign Language and 39 foreign languages. Laws requiring the court to utilize interpreters have been on the books since North Dakota's territorial days. While it is tempting to consider interpreters a luxury for defendants, they are in fact just as necessary for the judge to be able to explain what is happening and to understand what the defendant is communicating.

### **Clerk of Court Contract fees**

We are requesting an increase **\$189,428** for the clerk of court services that we obtain through contracts with 39 counties. The increase is to cover salary increases that the counties have already given to clerk staff and the increased costs for credit card fees. Individual contract amounts are based on (a) the number and types of cases filed during the period of January 2022 through January 2024, (2) the clerk of court staff salary set by the county and in effect on January 2024, (3) a proportional amount of health insurance cost, and (4) an additional 10% to reimburse the county for overhead costs.

Since 2001, clerk of court services are delivered in two ways in North Dakota. In fourteen counties,<sup>1</sup> the state employs the personnel for this office. In the remaining 39 counties, the state contracts with the county to perform those duties under NDCC 27-05.2-02. The contracts for those counties are calculated using the court's workload assessment formula. This formula determines the amount of work required based on the number and types of cases filed using a rolling two-year average. The total budget for this service is \$4,687,536. More information about the clerks of court can be found on pages 14-15.

### **Rural Attorney Recruitment Program**

We are requesting additional funding in the amount of **\$36,000** to cover the state share of the six rural attorney recruitment contracts that are already in place. The rural attorney recruitment program was created by the legislature in 2021 to provide funding for attorneys willing to live and work in rural areas of the state. Under the program, each attorney is entitled to receive \$45,000 payable in equal annual installments over 5 years. The state is responsible for 50% of the cost of the contract.

### **Family Mediation Program**

The court has had a family mediation program since 2008. This program has proven to be a great success for resolving disputed parental rights and responsibilities and grandparent visitation issues. The program has an historic average settlement rate of 71% and satisfaction rate by parties of 87%. Prior to implementing the program, 27% of cases were re-opened within 3 years to litigate issues with parenting time or parenting responsibility. That rate has now dropped to just 17%. We are requesting an increase of **\$138,200** to allow us to continue to accept all cases that are referred to the program.

---

<sup>1</sup> The fourteen counties where clerk offices are state employees are: Barnes, Burleigh, Cass, Grand Forks, McKenzie, Morton, Ramsey, Richland, Rolette, Stark, Stutsman, Walsh, Ward, and Williams. Five counties are eligible to transfer clerk services to the state but have elected to retain those services. Those counties are: Dunn, McHenry, McLean, Mercer and Mountrail.

### **Guardian ad litem program**

A lay guardian ad litem is a non-lawyer who is appointed by the court to advocate for children who are the subject of a child in need of protection or services case. This program has nothing to do with the adult guardianship and conservatorship cases that are the subject of SB 2029.

The court currently administers the lay guardian ad litem through a contract with Youthworks. Youthworks provides a staff of 2 full-time positions and 13 part-time positions to handle more than 2,000 cases referred to them by the courts per year. A task force that examined the lay guardian ad litem system this summer determined that the most effective way to reduce turnover, increase skills and meet the request for more involvement with the children was to convert some of the part-time positions to full-time. The cost to make those changes is **\$935,768**. I believe there are others here today who can provide expert testimony on this program and the need for increased funding.

With 54 locations and more than 100 courtrooms statewide, we have equipment that regularly needs to be replaced. Our appropriation request includes funds to replace a number of audio and video systems for courtrooms, and similar equipment that are used on a daily basis.

### **IT Equipment Lease**

There are two large items IT equipment costs that I specifically want to bring to your attention because of their cost and because of their importance. The first is the **\$874,216** lease payment for the blade servers and disk drives. This equipment holds all of our court records and is vital to our operation. We used to buy these items and replace them every few years but switched to leasing last biennium. Leasing allows us access to upgrades as they are released and allows for more predictable budgeting and better pricing.

### **Case Management System Migration to Cloud-Based Storage (District Court)**

We are requesting **\$758,000** for migrating the district court case management system to the cloud. This is not the same as the cloud-based subscription fee for the supreme court case management system.

Our current software vendor is shifting its business away from on-premise solutions and will discontinue support in 2028. A move to the cloud-based version of the software in 2026 will put us in the best bargaining position with the company, allow us utilize our existing hardware through its full lifecycle and make more informed choices about what replacement hardware we will need.

### **Clerk Filing Software**

We are requesting **\$1,250,000** to implement AI for clerk filings. This is a product that is offered by our current case management software vendor and is being used successfully in courts in Texas and Florida. The South Central Judicial District is currently short 9 deputy clerks of court. This project would help fill that need and reduce the burden on current staff that is created by chronic turnover and staff shortages.

### **Problem-Solving Court Case Management System**

We are requesting **\$780,000** to implement a new case management system for problem-solving courts. This software would be used by the 6 adult drug courts, the Richland County Treatment Court, the 5 juvenile drug courts, both the current and planned veterans courts, and the planned mental health court and Indian Child Welfare Court.

### **Digital Evidence Management System**

We are requesting **\$980,000** to implement a digital evidence management system. This is a software system that allows litigants to upload evidence into the software, share it with opposing counsel, mark it as an exhibit and play the evidence in court during trials or other court proceedings. Evidence is stored and managed within the system rather than on external storage devices.



### **Court Records Access System**

We are requesting **\$960,000** for the necessary migration to a new version of the software we use to provide public and attorney access to court records. Our case management software company is discontinuing support for the current portal that allows the public to search court records and for attorneys to search records and access court documents.

### **Cloud-Based Storage Fees (Supreme Court Case Management System)**

This is the other necessary item that I referenced above. It is **\$866,100** for the subscription fee for cloud hosting the Supreme Court's case management system and the records within it. Both this and the lease of the blades are essential to the court system's ability to continue to use electronic records and maintain the history of court cases.

### **Courtroom Audio and Video Systems**

We are requesting **\$1,586,700** to replace courtroom audio and video systems. Statewide, we have 100 courtrooms and all have fully integrated video, audio, amplification and recording systems. Routine maintenance and upgrades to equipment is necessary to ensure the usability of the rooms. The request for this biennium includes 27 interactive cameras, 50 sound racks, 12 jury selection microphone systems, 15 assisted listening device systems and 6 courtroom speaker replacements.

### **Cass County Courtroom Equipment**

The court is responsible for providing necessary equipment for courtrooms. We are requesting **\$100,000** for equipment in Cass County. This includes \$75,000 to equip the new courtroom they are building and \$25,000 to replace equipment in the media and interpreter room in an existing courtroom.

### **Coteau Room Camera and Projector**

By statute, the Coteau Room here at the Capitol is a legislative hearing room. However, through an interagency agreement we share this space when the legislature is not in session. The camera and projector in that room are due for replacement at a cost of **\$10,000**.

### **Furniture for Judge Chambers**

We have judicial chambers in all 53 counties. We are requesting **\$22,500** to replace furniture in 3 judicial chambers.

### **Workstation and Cubicles**

We are requesting **\$360,000** to replace 48 workstations and cubicles in various offices around the state.

### **Copy Machines**

We are requesting **\$75,000** to replace 4 large capacity copy machines and 2 medium capacity copy machines.

### **Folding Machines**

We are requesting \$72,600 to replace 6 folding machines. These machines are used for high volume mailing such as overdue payment notices and jury summons.

### **Workload Studies**

The court uses time and motion studies to determine how many staff are needed and where staff should be located. We are requesting one-time funding of **\$466,500** to update the clerk of court and juvenile court staffing studies, and to develop a new study to determine staffing levels for staff attorneys, law clerks and paralegals. The \$155,500 cost per study is based on responses we received to a recent Requests for Proposals for the judicial workload study.

### **Conclusion**

Additional information about the court system that is not specifically related to our appropriation request, can be found starting on page 16. I will be happy to run through that information or let you review it on your own at some other time, depending on the preference of the committee chair.

Don Wolf, our Director of Finance, will provide more details of our budget request in his presentation.

**Miscellaneous Operating Cost Adjustment (2025-27 Biennium)**

	<b>SC</b>	<b>DC</b>	<b>JCC/DB</b>	<b>Total</b>
Travel	\$14,200	\$136,000	\$5,000	\$155,200
Pro supplies	(\$2,264)	\$89,305		\$87,041
Food and clothing	\$0	\$12,450		\$12,450
Misc. supplies	\$0	(\$13,800)		(\$13,800)
Office supplies	\$250	(\$15,488)		(\$15,238)
Postage	\$100	\$63,870		\$63,970
Printing	(\$7,900)	\$3,100		(\$4,800)
Office equip and furniture	\$800	(\$1,780)		(\$980)
Insurance	\$384	\$163	\$24	\$571
Equipment rent	\$0	(\$6,300)	(\$1,500)	(\$7,800)
Building rent	\$750	(\$1,000)		(\$250)
Repairs	\$0	\$27,900		\$27,900
Pro development	\$32,700	\$85,530		\$118,230
Operating fees	\$7,197	(\$13,950)		(\$6,753)
Professional services	\$10,000	(\$27,900)		(\$17,900)
Medical supplies	\$0	(\$11,300)		(\$11,300)
IT software supplies	\$0	\$0	\$1,000	\$1,000
IT equipment under \$5,000	\$0	\$0	\$1,658	\$1,658
IT data processing	\$0	\$0	\$10,074	\$10,074
IT communications	\$0	\$0	\$1,128	\$1,128
IT contractual services	\$0	\$0	\$2,000	\$2,000
<b>Total</b>	<b>\$56,217</b>	<b>\$326,800</b>	<b>\$19,384</b>	<b>\$402,401</b>

## COURT ADMINISTRATION

# CLERKS OF COURT

The clerk of district court works under the direction of the trial court administrator and is responsible for planning, directing, organizing and supervising all personnel assigned to the office of the clerk. This position is responsible for maintaining all court records and developing office operational procedures associated with all district court cases involving criminal, civil, restricted, traffic, or other cases filed with district court.

North Dakota Century Code, Chapter 27-05.2, states that the North Dakota Supreme Court shall provide clerk of district court services in each county in the state. The Supreme Court may provide such services through clerks of district court, deputies, and assistants who are employees of the state judicial system or through service agreements with the counties.

While the court has assumed the responsibility for the expenses of operating the clerk's offices statewide, only a portion of the clerks have transferred to state employment. A distinction is made based on

number of staff in each office. In offices of five or more, the clerk and staff are required to become state employees unless the county chooses to keep the clerk functions and forgo any state funds to support the office.

For offices ranging in staff size from one to four, the county retains the option to transfer the clerk and deputies to state employment. Finally, the smallest counties are ineligible to transfer the clerk position to state employment.

When a county transfers clerk responsibility to the state, the clerk position becomes a classified position within the court's employee classification and compensation system. In those counties that chose to retain clerks and staff as county employees, and those that are ineligible to transfer, the county can continue to choose whether the clerk must run for election or whether the office will be an appointed one. Under state law, counties can choose to combine positions and decide if a combined position will be an appointed or elected position.

<b>TOTALS</b>	County-Contract	39
	State-Employed	14
	<b>Total Clerks</b>	<b>53</b>
	Combined Offices	25
	Separate Offices	14
	<b>Total</b>	<b>39</b>
	Elected	27
	Appointed	12
	<b>Total</b>	<b>39</b>

Eligible for  
Transfer  
to State



DUNN  
MCHENRY  
MCLEAN  
MERCER  
MOUNTRAIL

State  
Employed Clerk of  
Court  
Offices



BARNES  
BURLEIGH  
CASS  
GRAND FORKS  
MCKENZIE  
MORTON  
RAMSEY

RICHLAND  
ROLETTE  
STARK  
STUTSMAN  
WALSH  
WARD  
WILLIAMS

## COUNTY-EMPLOYED CLERKS OF COURT METHOD OF ATTAINING OFFICE

County Name	Full-Time /Part-Time	Role: Combined / Separate	Elected	Eligible to be transferred to State Employment
Adams	Part-time	Recorder	as Recorder	No
Benson	Part-time	Separate	as Clerk	No
Billings	Part-time	Recorder	as Recorder/Clerk	No
Bottineau	Full-time	Separate		No
Bowman	Part-time	Recorder	as Recorder	No
Burke	Full-time	Recorder	as Recorder	No
Cavalier	Full-time	Separate		No
Dickey	Full-time	Separate		No
Divide	Full-time	Recorder	as Recorder	No
Dunn	Full-time	Recorder	as Recorder/Clerk	Yes
Eddy	Part-time	Recorder	as Recorder/Clerk	No
Emmons	Part-time	Recorder	as Recorder/Clerk	No
Foster	Full-time	Separate		No
Golden Valley	Part-time	Recorder	as Recorder/Clerk	No
Grant	Part-time	Recorder	as Recorder/Clerk	No
Griggs	Part-time	Recorder	as Recorder/Clerk	No
Hettinger	Part-time	Recorder	as Recorder/Clerk	No
Kidder	Part-time	Recorder	as Recorder	No
Lamoure	Full-time	Separate		No
Logan	Part-time	Recorder	as Recorder	No
McHenry	Full-time	Separate	as Clerk	Yes
McIntosh	Part-time	Recorder	as Recorder/Clerk	No
McLean	Full-time	Separate		Yes
Mercer	Full-time	Separate		Yes
Mountrail	Full-time	Separate		Yes
Nelson	Part-time	Recorder	as Recorder/Clerk	No
Oliver	Part-time	Recorder	as Recorder	No
Pembina	Full-time	Recorder	as Recorder/Clerk	No
Pierce	Part-time	Separate		No
Ransom	Full-time	Separate		No
Renville	Part-time	Recorder	as Recorder	No
Sargent	Part-time	Recorder & Treasurer & Clerk	as Recorder/ Clerk/Treasurer	No
Sheridan	Part-time	Recorder	as Recorder/Clerk	No
Sioux	Part-time	Recorder & Treasurer & Clerk	as Recorder/Trea- surer	No
Slope	Part-time	Recorder	as Recorder/Clerk	No
Steele	Part-time	Recorder		No
Towner	Part-time	Recorder	as Recorder	No
Traill	Full-time	Separate	as Clerk	No
Wells	Full-time	Separate		No

# North Dakota Courts by the Numbers

## Supreme Court

**5** – Number of Justices on the Supreme Court

**10 years** – Length of Term

**4** - Number of Justices initially reaching the bench through gubernatorial appointment

**335** – Number of new Supreme Court cases filed in 2024

## District Courts

**55** – Number of District Court Judges

**6 years**– Length of Term

**36** – Number of current district court judges initially reaching the bench through gubernatorial appointment

**5** - District Court Referees appointed by the presiding judges

**12** - Chambered cities

**8** - Judicial Districts

**4** - Administrative Units

**53** – Clerks of District Court

**14** – Number of Clerk of Court offices under state employment

**5** – Number of Clerk of Court offices eligible to transfer to state employment

**20,479** district court cases re-opened in 2024

**168,304** new district court cases filed in 2024

## Municipal Courts

**73** – Number of Municipal Courts

**54** – Number of Municipal Court Judges

**21** – Number of municipal court judges who have a law degree

**4 years**– Length of Term

**55** – Number of Municipal Court Clerks

**80** – Number of contracts the district courts have with municipalities to hear some or all of their ordinance cases

**Unknown** – Number of cases filed in municipal courts

## Juvenile Court

**10** – Number of Juvenile Court Offices

**4** – Number of juvenile court offices staffed by a single person

**7,341** – Number of new cases referred in 2024

## Specialized Court Dockets

**6** - Number of juvenile drug courts

**82**– Number of active participants in juvenile drug court in 2024

**6** – Number of adult drug courts

**1** – Number of veterans treatment courts

**8** – Number of cases supervised by Veterans court in its first year

**1** – Number of domestic violence courts



**95** – Number of referrals to domestic violence court in 2024  
**646** – Number of cases supervised by DV court since its inception

## **Court Services**

### **Self-Help Center**

**2** - Number of Staff employed in the self-help center  
**800** - Number of forms and guides available through the self-help center  
**1,585** - Number of direct requests made to the Self-Help Center in 2024  
**16,609** - Number of direct requests received by the Self-Help Center since its inception in July 2015

### **Family Mediation Program**

**777** - Number of cases sent to family mediation program in 2024  
**67%** - Percentage of cases fully or mostly resolved through the family mediation program in 2024

### **Expedited Family Mediation Program**

**269** - Number of requests for the expedited mediation program since its inception in June 2020  
**61%** - Percentage of cases resolved through the expedited mediation program

### **Guardianship Monitoring Program**

**355** - Average number of new guardianship cases filed each year  
**85** - Number of cases referred to the monitoring program in 2024  
**19** - Number of cases in 2024 referred to Adult Protective Services, Protection & Advocacy or Social Security Administration as a result of a review by the Guardianship monitoring program  
**300** - Average number of individuals trained annually  
**3,669** - Number of guardianship cases that were active in 2024

## **Judicial Conduct Commission & Attorney Disciplinary Board**

**37** – Number of new judicial conduct complaints filed in 2024  
**174** – Number of new attorney conduct complaints filed in 2024

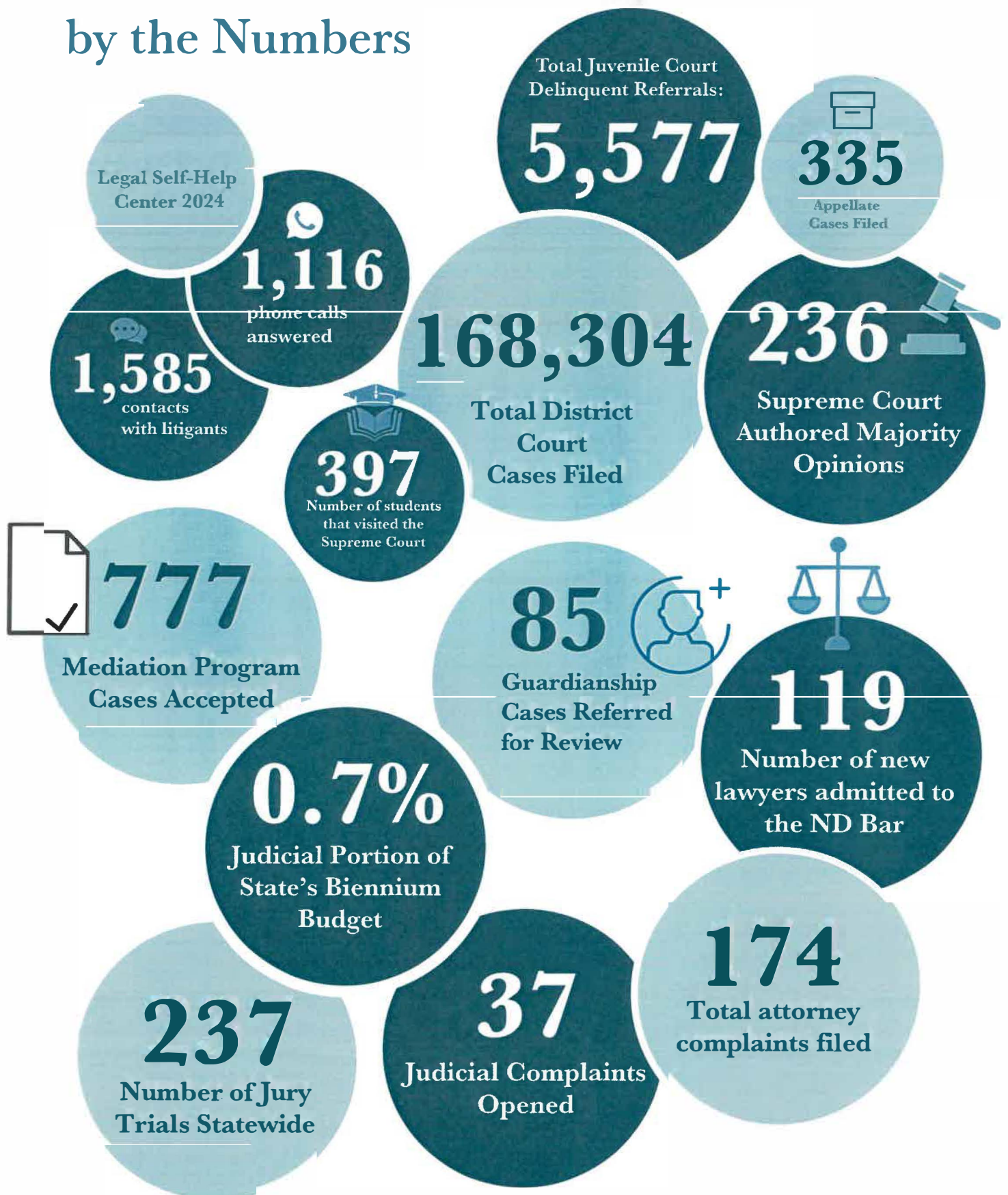
## **State Board of Law Examiners**

**3,064** – Number of law licenses issued in 2024  
**1,585** - Number of North Dakota licensed attorneys who actually reside in North Dakota

## **Finances**

**384** – Number of FTEs excluding judicial officers  
**.07 %** - Percent of General Fund dollars appropriated to the Judicial Branch for the 2024-2023 biennium  
**83%** - Percent of Judicial Branch Budget Spent on Salaries & Wages  
**\$26.9 Million** – Average amount of money collected by the district courts during a biennium

## 2024 ND Courts by the Numbers



**Senate Bill 2002**  
**House Appropriations Committee**  
**Education and Environment Division**  
**Testimony Presented by Barbara Andrist**

Chairman Nathe and members of the committee. My name is Barbara Andrist. I live in Bismarck and I'm here today to support expanding the lay guardian ad litem program as outlined by Ms. Holewa to \$935,768 so monitoring of the foster care children can be accomplished.

I am a former foster parent, and in a 40-year public health nursing career in Minnesota and North Dakota I spent many years working on child protection teams.

According to Youthworks, this last year had 1883 children in foster care in North Dakota, with just four full-time and 15 part-time staff in the lay guardian ad litem program to serve them. I encourage you to support the additional appropriation to add four more FTEs to this program. Here's why. Our family is intimately aware of what happens when there is not sufficient funding to provide guardian ad litem advocates to advocate for children who have been removed from their family homes.

In our system, lay guardian ad litem advocates only for foster children until the courts have ordered placement outside the home. After that, apparently because of "limited budget" resources since 2017, the guardian ad litem is dismissed and the child no longer has an advocate in the system. As the next court hearing approaches the guardian ad litem is reinstated. Social Services continue to advocate for family reunification, but there is no one left to advocate for the health and safety of the child. The Court Improvement Program finished their guardian ad litem assessment in July of 2024 and has asked for this funding amount, \$935,768. We need and can do better than the \$470,000 appropriated by the Senate. I am hopeful that additional funding and FTEs in the guardian ad litem program will be the first step in protecting children in foster care the way they need to be protected with the monitoring throughout their placement.

These children need the advocates to continue working on their behalf throughout the entire foster care placement, not just at the beginning. For privacy reasons I can't give you specific details about the situation that right now is important to our family. But I can tell you we worry every day that at least one child in this system is destined to be returned to the same living conditions that originally resulted in foster care placement.

Your approval of four new positions will go a long way toward providing these vulnerable children with the services they need and deserve.

Thank you for your consideration.

# State of North Dakota

**Michael P. Hurly**

District Court Judge  
Northeast Judicial District

**CHAMBERS**

**Hewett**

Pierce County Courthouse  
240 2<sup>nd</sup> Ave SE  
Rugby, North Dakota 58368  
Telephone: 701-776-5375

**Elisabeth**

Staff Attorney

March 6, 2025

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

**HOUSE APPROPRIATIONS  
EDUCATION AND ENVIRONMENT DIVISION  
REPRESENTATIVE MIKE NATHE, CHAIR  
MARCH 6, 2025**

---

Chairman Nathe and members of the Committee, our names are Josh Selle and Kayla Sjoberg, together we form the Behavioral Health team within the Bismarck Office of North Dakota Parole, Probation and Pretrial Services, a division of the North Dakota Department of Corrections and Rehabilitation (DOCR). The Parole, Probation and Pretrial Services Division is responsible for delivering correctional supervision to over seven thousand adults serving their sentences on parole granted by the authority of the North Dakota Parole Board, sentenced to supervised by probation or ordered to pretrial supervision by district courts, and transferred to North Dakota via the Interstate Compact for Adult Offender Supervision. We stand before you today to provide testimony in support of Senate Bill 2002, specifically the appropriation for specialized court dockets.

We would like to speak from the view of a front-line worker. Although we have not worked directly with a specialized treatment court, we have assisted our Drug Court probation officer on numerous occasions and have witnessed firsthand the significant impact that treatment courts have on their clients. While recidivism still occurs within Drug Court, it is substantially lower compared to a traditional caseload. We believe this is directly attributable to the structure and collaborative approach of treatment courts. When all stakeholders—including the judge, treatment providers, probation officers, and both state and defense attorneys—work together, the outcomes are far more effective. Clients benefit from direct, face-to-face interactions with all parties involved in their case,



receiving immediate positive reinforcement or sanctions based on their progress or actions.

A specialized mental health court would function in much the same way. Currently, we are required to meet with clients once a month, but we make a concerted effort to see most of them more frequently. Many struggle with medication management, remembering appointments, and even physically attending them. Additionally, a significant portion of this population is homeless and lacks access to a phone, making consistent communication a challenge.

On many occasions, we have driven around town searching for clients who frequently move and have no means of informing us of their whereabouts. Even when they do have a phone, some remain unaware that they even are on probation for extended periods due to their mental health. A monthly check-in is often insufficient, as a great deal can go wrong in that time. For this reason, we prioritize frequent contact to ensure they receive the necessary support.

We have personally handled cases in which individuals have committed offenses while experiencing a mental health crisis. However, with additional support and proper medication management, these individuals have been able to turn their lives around—securing housing, obtaining employment, and becoming productive members of society.

A dedicated mental health court docket would provide the opportunity for weekly face-to-face meetings, along with comprehensive support services integrated within the court system. This structure would allow for timely interventions when challenges arise, ensuring that all stakeholders remain aligned in their approach. Consistency is essential

when working with individuals who have behavioral health needs, and this type of treatment court would provide the stability required for effective case management.

We firmly believe that establishing a mental health court would be highly beneficial for individuals struggling with mental illness. Not only would it provide them with the necessary support and oversight, but it would also help reduce their involvement in the traditional court system and jails—environments that are often ill-equipped to address their needs. Ultimately, this approach would lead to improved outcomes for both clients and the justice system as a whole.

## Judges are Compensated Below the National Average

**North Dakota Judges & Justices  
are, respectively, paid the**

38<sup>th</sup> & 41<sup>st</sup>  
LOWEST SALARIES  
IN THE NATION.<sup>1</sup>

Map of the United States showing the number of people who have visited the Grand Canyon by state. The map is color-coded by the number of visitors: 52 (dark blue), 38 (medium blue), 25 (light blue), 34 (very light blue), 37 (lightest blue), 30 (light blue), 15 (lightest blue), 41 (light blue), 22 (lightest blue), 51 (light blue), 32 (light blue), 13 (lightest blue), 40 (light blue), 24 (light blue), 46 (light blue), 49 (light blue), and 1 (lightest blue).

State	Number of Visitors	Total Visitors
Montana	52	\$148,872
North Dakota	38	\$171,113
South Dakota	30	\$181,426
Nebraska	15	\$208,176
Wyoming	37	\$171,200
Idaho	22	
Utah	13	
Arizona	49	
New Mexico	40	
Colorado	51	
Minnesota	25	\$190,117
Wisconsin	34	
Illinois	1	
Indiana	32	
Michigan	41	\$165,959
Ohio	24	
Pennsylvania	33	
West Virginia	46	

## Judicial Recruitment and Retention are at Risk

## Declining Applicants

## No Specialized Courts

## Less Staff, More Work

## Quality Retention at Risk

Among its peer states, North Dakota has some of the shortest terms for district court judges at 6 years, and no retention process other than primary and general elections. North Dakota's Judge pay fails to adequately compensate for this time, expense, and employment risk.

	Supreme Court Chief Justice	Supreme Court Justice	District Court Presiding Judge	District Court Judge	Total
National Avg. Judicial Salaries	\$214,896	\$207,249	\$189,528	\$184,366	
ND Judicial Salaries as of July 2024	\$191,758	\$186,484	\$175,975	\$171,113	
<b>Salary Difference</b>	<b>\$23,138</b>	<b>\$20,765</b>	<b>\$13,553</b>	<b>\$13,253</b>	
Number of ND Justices & Judges	1	4	8	47	
<b>Total Annual Cost of Salary Adjustment</b>	<b>\$23,138</b>	<b>\$83,060</b>	<b>\$108,424</b>	<b>\$622,891</b>	<b>\$837,513</b>
Additional Cost of Fringe Benefits	\$4,526	\$15,977	\$22,640	\$129,363	\$172,506
<b>Total Cost to Bring to Average Salary</b>	<b>\$27,664</b>	<b>\$99,037</b>	<b>\$131,064</b>	<b>\$752,254</b>	<b>\$1,010,019</b>

**North Dakota should increase judicial pay to the national average to help attract and retain highly-qualified judges.**



TOTAL COST TO THE STATE  
LESS THAN \$2.1M



# SURVEY OF Judicial Salaries

ncsc.org/salarytracker

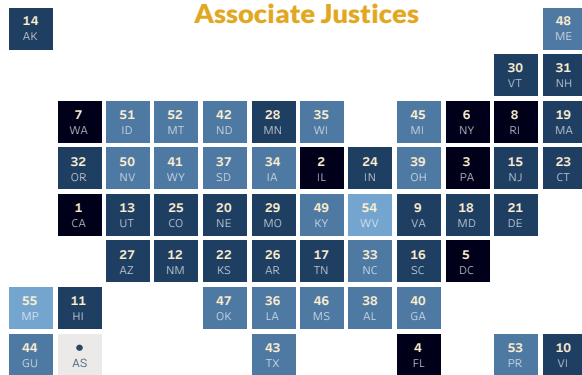
Published January 2025 — Vol. 50, No. 1  
Data and Rankings as of January 1, 2025

These graphics depict the rankings of judicial salaries, with the highest salary for each position having a rank of "1."

Data as reported by each jurisdiction to NCSC.

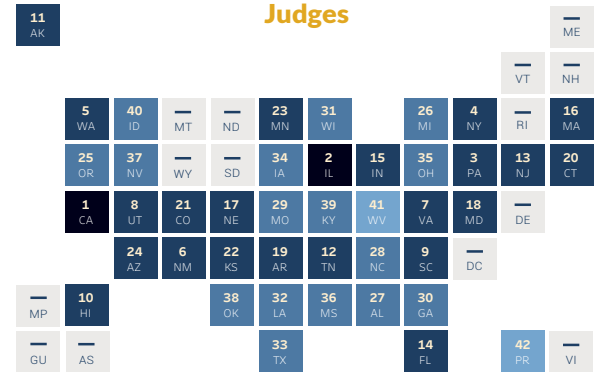
Less than \$100,000    \$100,000 to \$149,999    \$150,000 to \$199,999    \$200,000 to \$249,999    More than \$250,000

## Court of Last Resort Associate Justices



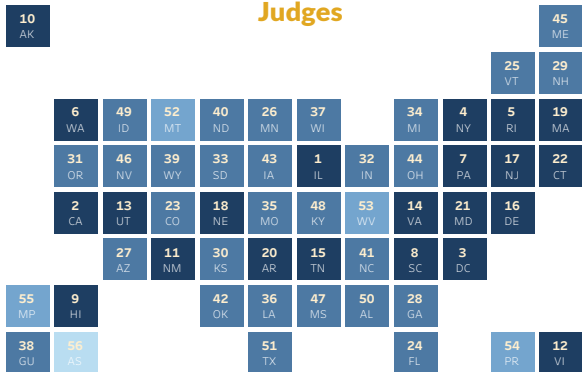
• No Response

## Intermediate Appellate Court Judges

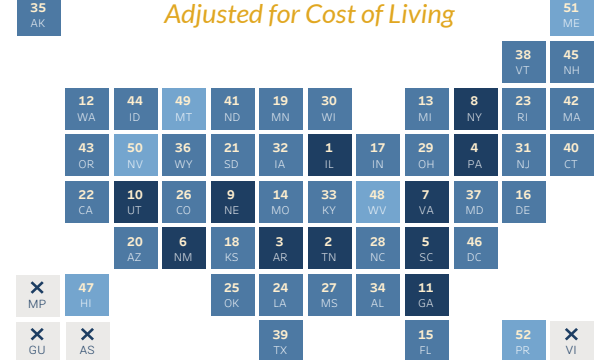


— States without an intermediate appellate court

## General Jurisdiction Judges



## General Jurisdiction Judges Adjusted for Cost of Living



X C2ER does not provide cost of living index for U.S. Territories (except for San Juan, Puerto Rico)

### Judicial Salaries at a Glance

	Mean	Median	Range
Chief, Highest Court	\$217,817	\$220,614	\$130,000 to \$313,257
Associate Justice, Court of Last Resort	\$210,584	\$214,935	\$126,000 to \$298,721
Judge, Intermediate Appellate Court	\$203,083	\$205,728	\$139,563 to \$280,052
Judge, General Jurisdiction Trial Court	\$187,598	\$189,377	\$75,000 to \$246,099



**Headquarters**  
300 Newport Avenue, Williamsburg, VA 23185

**Arlington Office**  
2425 Wilson Boulevard, Suite 350, Arlington, VA 22201

**Washington, D.C. Office**  
111 Second Street NE, Washington, D.C. 20002

© Copyright 2025 National Center for State Courts.

This publication and its contents may be reproduced and used without cost and without obtaining the expressed written permission of NCSC. Proper attribution is required.

## Salaries and Rankings - Listed Alphabetically by Jurisdiction Name

The table below lists the salaries and rankings for associate justices of the courts of last resort, associate judges of intermediate appellate courts and judges of general jurisdiction trial courts. Salaries are ranked from highest to lowest, with the highest salary for each position having a rank of "1." The adjustment factor for general jurisdiction courts is available for 52 of the jurisdictions. Salaries are as of January 1, 2025.

	Court of Last Resort		Intermediate Appellate Court		General Jurisdiction Court		General Jurisdiction Court <i>Adjusted for Cost-of-Living Index</i>		
	Salary	Rank	Salary	Rank	Salary	Rank	Factor	Salary	Rank
Alabama	\$193,139	38	\$192,036	27	\$154,511	50	93.1	\$165,962	34
Alaska	\$233,844	14	\$220,916	11	\$216,236	10	131.8	\$164,064	35
American Samoa	No Response		Not Applicable		\$75,000	56	Not Available		
Arizona	\$215,000	27	\$200,000	24	\$190,000	27	102.4	\$185,547	20
Arkansas	\$215,843	26	\$209,452	19	\$204,494	20	90.5	\$225,960	3
California	\$298,721	1	\$280,052	1	\$244,727	2	134.8	\$181,548	22
Colorado	\$215,904	25	\$207,351	21	\$198,798	23	111.2	\$178,775	26
Connecticut	\$222,545	23	\$209,046	20	\$201,023	22	126.2	\$159,289	40
Delaware	\$223,064	21	Not Applicable		\$211,358	16	109.7	\$192,669	16
District of Columbia	\$257,900	5	Not Applicable		\$243,300	3	159.1	\$152,923	46
Florida	\$258,957	4	\$218,939	14	\$196,898	24	101.4	\$194,180	15
Georgia	\$189,112	40	\$187,990	30	\$189,390	28	93.5	\$202,556	11
Guam	\$183,927	44	Not Applicable		\$172,927	38	Not Available		
Hawaii	\$239,688	11	\$222,804	10	\$217,104	9	149.2	\$145,512	47
Idaho	\$169,508	51	\$161,508	40	\$155,508	49	99.8	\$155,820	44
Illinois	\$284,948	2	\$268,190	2	\$246,099	1	99.8	\$246,592	1
Indiana	\$221,024	24	\$214,852	15	\$183,513	32	95.6	\$191,959	17
Iowa	\$196,692	34	\$178,253	34	\$165,959	43	97.8	\$169,692	32
Kansas	\$222,660	22	\$204,105	22	\$185,550	30	98.2	\$188,951	18
Kentucky	\$170,050	49	\$163,292	39	\$156,565	48	92.5	\$169,259	33
Louisiana	\$194,427	36	\$182,007	32	\$174,988	36	97.2	\$180,029	24
Maine	\$172,266	48	Not Applicable		\$161,470	45	116.8	\$138,245	51
Maryland	\$226,433	18	\$213,633	18	\$204,433	21	126.4	\$161,735	37
Massachusetts	\$226,187	19	\$213,924	16	\$207,855	19	132.2	\$157,228	42
Michigan	\$181,483	45	\$195,625	26	\$180,741	34	91.1	\$198,399	13
Minnesota	\$214,935	28	\$202,528	23	\$190,117	26	102.1	\$186,207	19
Mississippi	\$173,800	46	\$168,467	36	\$158,000	47	88.6	\$178,330	27
Missouri	\$205,965	29	\$188,267	29	\$177,609	35	90.5	\$196,253	14
Montana	\$162,503	52	Not Applicable		\$148,872	52	104.0	\$143,146	49
Nebraska	\$225,055	20	\$213,803	17	\$208,176	18	100.8	\$206,524	9
Nevada	\$170,000	50	\$165,000	37	\$160,000	46	112.0	\$142,857	50
New Hampshire	\$201,903	31	Not Applicable		\$189,365	29	121.6	\$155,727	45
New Jersey	\$230,818	15	\$219,857	13	\$208,250	17	121.2	\$171,823	31
New Mexico	\$239,578	12	\$227,599	6	\$216,219	11	100.5	\$215,143	6
New York	\$257,500	6	\$245,100	4	\$232,600	4	112.4	\$206,940	8
North Carolina	\$197,802	33	\$189,621	28	\$169,125	41	95.2	\$177,652	28
North Dakota	\$186,484	42	Not Applicable		\$171,113	40	107.9	\$158,585	41
Northern Mariana Islands	\$126,000	55	Not Applicable		\$120,000	55	Not Available		
Ohio	\$191,092	39	\$178,108	35	\$163,792	44	92.5	\$177,072	29
Oklahoma	\$173,469	47	\$164,339	38	\$167,703	42	93.2	\$179,939	25
Oregon	\$200,544	32	\$196,668	25	\$185,508	31	118.6	\$156,415	43
Pennsylvania	\$261,976	3	\$247,188	3	\$227,411	7	102.0	\$222,952	4
Puerto Rico	\$153,519	53	\$139,563	42	\$126,875	54	102.6	\$123,660	52
Rhode Island	\$250,367	8	Not Applicable		\$232,069	5	127.9	\$181,446	23
South Carolina	\$229,026	16	\$223,300	9	\$217,574	8	98.8	\$220,217	5
South Dakota	\$194,241	37	Not Applicable		\$181,246	33	99.7	\$181,792	21
Tennessee	\$228,132	17	\$220,548	12	\$212,940	15	92.3	\$230,704	2
Texas	\$184,800	43	\$178,400	33	\$154,000	51	96.6	\$159,420	39
Utah	\$235,300	13	\$224,600	8	\$213,900	13	103.7	\$206,268	10
Vermont	\$204,256	30	Not Applicable		\$194,168	25	121.2	\$160,205	38
Virgin Islands	\$241,091	10	Not Applicable		\$213,992	12	Not Available		
Virginia	\$243,842	9	\$225,325	7	\$213,839	14	102.5	\$208,623	7
Washington	\$251,861	7	\$239,755	5	\$228,261	6	115.0	\$198,488	12
West Virginia	\$149,600	54	\$142,500	41	\$138,600	53	95.3	\$145,435	48
Wisconsin	\$196,102	35	\$184,995	31	\$174,512	37	100.1	\$174,338	30
Wyoming	\$187,250	41	Not Applicable		\$171,200	39	105.2	\$162,738	36
Mean	\$210,584		\$203,083		\$187,598				
Median	\$214,935		\$205,728		\$189,377				
Range	\$126,000 to \$298,721		\$139,563 to \$280,052		\$75,000 to \$246,099				

\*The figures presented use the C2ER Cost-of-Living Index. The Council for Community and Economic Research-C2ER is the most widely accepted U.S. source for cost-of-living indices. C2ER does not provide cost of living index for U.S. Territories (except for San Juan, Puerto Rico). Due to the rounding of C2ER factors to the nearest hundredth for publication purposes, user calculations of our adjusted salary figures may not equate to the published totals. More detailed information can be found at [www.c2er.org](http://www.c2er.org).

Good morning, Chairman Nathe and members of the Education and Environment Division of House Appropriations. I would like to thank you for this opportunity to talk about Senate Bill 2002, specifically the portion of the budget committed to the Guardian Ad Litem Program.

My name is Barbara Oliger, I am the North Dakota Guardian Ad Litem (GAL) program Director. I have been employed to work with the GAL program since 2000, becoming a Youthworks employee in 2003. I have been with the program since the inception. I have worked as a Guardian Ad Litem in many parts of the state, moving into the supervisory position for Western part of the state. I am now the Director of the program for the state.

I am testifying today in support of the restoration of the amount of \$935,000 that was in this bill originally as the portion of the Supreme Court's budget dedicated to the GAL program. The amount was cut from \$935,000 to \$470,000 by the Senate. My testimony will describe the GAL program and provide you with the reasons we requested the initial \$935,000 and why this funding request is so important to North Dakota's court system and the children we serve.

If I may provide a bit of history of the GAL program, the pilot program originated with Youthworks and then it moved to the University of North Dakota. The program was rolled out in the Grand Forks and Fargo areas in 2000. By 2003, it had been initiated in all eight (8) judicial districts. In 2003, Youthworks again took over the contract for administering the program.

I would like to offer some explanation of what the Guardian Ad Litem Program provides to the children of North Dakota. A Guardian Ad Litem is assigned to every child who has an open Child in Need of Protection Case with Juvenile Court. These cases were formerly known as deprivation cases. The GAL is to act objectively and unbiasedly and gather factual information about each child. The GAL visits with the child, parents, foster parents, family members, school staff, therapist, other caregivers, the Human Service Zone Staff, the Indian Tribe (if applicable) and others who support the child. The GAL attends all court hearings for the child and writes a thorough, factual report for the Court. The GAL is required to testify if requested by the Court or the parties.

Presently, our staff is composed of three (3) full-time GALs and ten (10) part-time GALs. In addition, we have a full-time supervisor and a full-time Director. We have such a high volume of cases and lack of employees; the supervisor and director are required to take cases. This has a negative impact upon the amount of time allowed for supervision and ongoing training.

Last year the Court Improvement Program of the Supreme Court convened a workgroup to look at North Dakota's GAL program as well as the best practices of GAL programs across



the nation. They evaluated how those best practices compare to North Dakota GAL practices. It was the result of the workgroup's recommendations that we arrived at our budget request of \$935,000.

The multi-disciplinary workgroup was made up of a Juvenile Court referee, a Juvenile Court supervisor, a GAL program supervisor, a Juvenile Court Director, a Case Management Administrator, a Public Defender, a State's Attorney, an ICWA Family Preservationist, a County Human Service Zone Director, and the GAL Program Administrator. The workgroup also surveyed various community partners, such as judges, referees, zone workers, defense attorneys, and state attorneys, for their input.

In 2024, the Court Improvement workgroup noted that 1883 case assignments were made to GALs across the state. The workgroup also found that, like so many places since Covid, we have been unable to stabilize the GAL workforce. Many reasons were discussed as to both why this happened and the impact this has had on the GAL services we can provide.

It was discussed that the workload of a GAL has become more complex and there have been additional types of cases assigned in the past few years. These cases include an automatic assignment to all Juvenile Guardianship cases, and Private Termination of Parental Rights in Juvenile Court. There is a possible appointment of a GAL in cases involving a child sexual abuse victim in criminal cases.

After many meetings and input from many professionals, the GAL workgroup recommended that Youthworks hire at least one full time GAL in each judicial district. They did so because the current structure does not adequately support the number of required case assignments. The workgroup also recommended establishing a caseload average per GAL. The current caseload size for the three full-time GALs is averaging 60 open cases. The best practice model suggests 17-22 families would be a full-time caseload. Most part-time GALs in North Dakota are at an average of 40 cases. By increasing the number of full-time positions, the GAL program will provide a higher level of services to the children of North Dakota.

Youthworks has struggled to hire enough GALs over the past three years. As a result, the average number of hours each GAL is able to put into a case has decreased. By adding additional full-time Guardian Ad Litem, this would enhance the availability and accessibility of the GALs across the counties. By allowing GALs to spend more time on each case, they can provide more information to the Court, allowing recommendations that serve the best interest of the children.

To bring the workforce up to 7 full-time and 10 part-time GALs would cost \$794,000 of the \$935,000 requested for this program. The additional request is for other expenditures, such as milage, office supplies, and ongoing training opportunities, etc.

The workgroup also recommended the establishment of an ICWA specialized GAL in each district, monitoring of cases post disposition, the review of the GAL caseload by the Juvenile Court Director, a formal policy for record retention, establishing a minimum number of hours for part-time GALs, and conducting exit interviews when a GAL leaves the program.

We have asked for \$935,000 increase to our portion of the Supreme Court budget to cover the recommendations of the workgroup. The Senate has cut our request leaving \$470,000. While this \$470,000 will help us, it is far short of the amount needed to hire enough competent workers and give them the resources they need to do their job for the children of North Dakota.

The children we serve are some of the most vulnerable of clients and deserve to have the best North Dakota can provide for them. They are often without parental support or family support and have no one to advocate for what is in their best interest. Our North Dakota kids are placed in vulnerable places and circumstances, none of which is their doing and not by their choice. We have had three (3) children born in a local hospital in the last year without a parent providing a first name for the child. These are the children who need direct advocacy. The Guardian Ad Litem offers the Court additional information to make decisions in the child's best interest.

Guardian Ad Litem are respected in the Court process for the advocacy role they offer, representing the best interests of children, who through no fault of their own are thrust into the legal system. We need well-trained, competent, and compassionate Guardian Ad Litem to help protect our children. This increase back to the original request of \$935,000 will help us employ a GAL workforce that has the resources and skills to help our children.

Thank you, Chairman Nathe and the Committee Members, for allowing me this time today. I am happy to answer any questions from the committee.

Barbara Oliger, Director

YouthworksND

701-870-0064

[boliger@youthworksnd.org](mailto:boliger@youthworksnd.org)



# North Dakota Legislative Council

Prepared for the House Appropriations Committee

March 6, 2025

## MAJOR RELATED LEGISLATION AFFECTING THE JUDICIAL BRANCH AS OF CROSSOVER

This memorandum provides information on major related legislation affecting the judicial branch as of Crossover:

**House Bill No. 1032** - This bill 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** - This bill 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.

**House Bill No. 1263** - This bill allows for individuals to appeal the denial of a petition to seal a criminal record from a district court judge.

**House Bill No. 1328** - This bill requires a school to exhaust all school discipline policies and procedures before referring a child to juvenile court.

**House Bill No. 1347** - This bill clarifies responsibilities for district court supervised treatment programs.

**House Bill No. 1417** - This bill amends law relating to probation and provides for a Legislative Management study of court fines and fees.

**Senate Bill No. 2029** - This bill provides an appropriation of \$15.2 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** - This bill 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** - This bill amends the statutory 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** - This bill 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** - This bill 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** - This bill increases certain fees charged by municipal courts, district courts, and the Supreme Court.

**Senate Bill No. 2291** - This bill amends law relating to guardians for children and persons with disabilities.



Legislative Council

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

	Armstrong Executive Budget				Senate Version				Senate Compared to Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	Increase (Decrease)			
									FTE Positions	General Fund	Other Funds	Total
2025-27 Biennium Base Level	384.00	\$128,256,984	\$1,440,428	\$129,697,412	384.00	\$128,256,984	\$1,440,428	\$129,697,412	0.00	\$0	\$0	\$0
2025-27 Ongoing Funding Changes												\$0
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		\$3,490,350	(\$114,374)	\$3,375,976				
Salary increase		4,277,475	30,331	4,307,806		2,986,793	30,331	3,017,124		(\$1,290,682)		(1,290,682)
Health insurance increase		2,425,383	18,767	2,444,150		2,347,318	18,767	2,366,085		(78,065)		(78,065)
Adds funding for judges and justices salary increases		2,078,868		2,078,868		1,842,192		1,842,192		(236,676)		(236,676)
Adds funding for pay plan 3 percent salary adjustment		2,028,177	10,639	2,038,816				0		(2,028,177)	(\$10,639)	(2,038,816)
Restores 2023-25 new and vacant FTE funding		2,455,681	23,723	2,479,404		2,455,681	23,723	2,479,404				0
Transfers funding for 2025-27 new and vacant FTE				0		(2,906,171)	(18,912)	(2,925,083)		(2,906,171)	(18,912)	(2,925,083)
Adds funding for accrued leave payouts		460,487	514	461,001				0		(460,487)	(514)	(461,001)
Adds new juvenile court positions	4.50	829,304		829,304				0	(4.50)	(829,304)		(829,304)
Adds a new district court administrative assistant position	1.00	170,025		170,025	1.00	170,025		170,025				0
Adds a new district court deputy court administrator position	1.00	272,529		272,529	1.00	272,529		272,529				0
Adds new district court programmer analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds new district court network analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds a new district court technology coordinator position	1.00	196,210		196,210	1.00	196,210		196,210				0
Adds a new district court staff attorney position	1.00	293,625		293,625				0	(1.00)	(293,625)		(293,625)
Adds a new Supreme Court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Adds a new Supreme Court deputy clerk position	1.00	170,025		170,025				0	(1.00)	(170,025)		(170,025)
Increases a Supreme Court part-time administrative assistant position to full-time	0.50	65,161		65,161				0	(0.50)	(65,161)		(65,161)
Adds funding for office of guardianship and conservatorship	5.00	1,494,628		1,494,628	4.00	1,200,000		1,200,000	(1.00)	(294,628)		(294,628)
Adds funding for court navigator program	1.00	309,742		309,742				0	(1.00)	(309,742)		(309,742)
Adds funding for allied legal professional program	1.00	364,574		364,574				0	(1.00)	(364,574)		(364,574)
Transfers \$730,478 for guardianship monitoring				0				0				0
Adds funding for 3 new treatment courts		373,476		373,476				0		(373,476)		(373,476)
Reduces funding for judges' retirement		(13,666)		(13,666)		(13,666)		(13,666)				0
Adds funding for information technology (IT) system maintenance and enhancements		2,059,179		2,059,179		2,059,179		2,059,179				0
Adds funding for law library reference materials subscription		73,882		73,882		73,882		73,882				0
Adds funding for credit card processing and bank fees		293,000		293,000		200,000		200,000		(93,000)		(93,000)
Adjusts funding for operating costs		409,699	(7,298)	402,401		200,000	(7,298)	192,702		(209,699)		(209,699)
Adds funding for interpreters		125,500		125,500		60,000		60,000		(65,500)		(65,500)
Adds funding for county clerk of court contract		189,428		189,428		189,428		189,428				0
Increases funding for rural attorney recruitment program		36,000		36,000		36,000		36,000				0



Increases funding for the family mediation program to provide a total of \$1.52 million		138,200		138,200				0		(138,200)		(138,200)
Adds funding for guardian ad litem program		935,768		935,768		470,000		470,000		(465,768)		(465,768)
Total ongoing funding changes	22.00	\$27,139,327	(\$37,698)	\$27,101,629	12.00	\$16,466,367	(\$67,763)	\$16,398,604	(10.00)	(\$10,672,960)	(\$30,065)	(\$10,703,025)
<b>One-Time Funding Items</b>												
Adds funding for IT equipment lease		\$874,216		\$874,216		\$874,216		\$874,216				\$0
Adds funding for case management system migration to cloud-based hosting		758,000		758,000		758,000		758,000				0
Adds funding for clerk filing software		1,250,000		1,250,000		1,250,000		1,250,000				0
Adds funding for problem solving court case management system		780,000		780,000				0		(\$780,000)		(780,000)
Adds funding for digital evidence management system		980,000		980,000				0		(980,000)		(980,000)
Adds funding for court records access system		960,000		960,000		960,000		960,000				0
Adds funding for cloud-based storage fees		866,100		866,100		866,100		866,100				0
Adds funding for courtroom audio and video systems		1,586,700		1,586,700		800,000		800,000		(786,700)		(786,700)
Adds funding for Cass County courtroom equipment		100,000		100,000		100,000		100,000				0
Adds funding for Coteau Room camera and projector		10,000		10,000				0		(10,000)		(10,000)
Adds funding to replace furniture in three judge chambers		22,500		22,500				0		(22,500)		(22,500)
Adds funding to replace 48 workstations and cubicles		360,000		360,000				0		(360,000)		(360,000)
Adds funding for copy machines		75,000		75,000				0		(75,000)		(75,000)
Adds funding for folding machines		72,600		72,600				0		(72,600)		(72,600)
Adds funding for court workload studies		466,500		466,500				0		(466,500)		(466,500)
Total one-time funding changes	0.00	\$9,161,616	\$0	\$9,161,616	0.00	\$5,608,316	\$0	\$5,608,316	0.00	(\$3,553,300)	\$0	(\$3,553,300)
<b>Total Changes to Base Level Funding</b>	<b>22.00</b>	<b>\$36,300,943</b>	<b>(\$37,698)</b>	<b>\$36,263,245</b>	<b>12.00</b>	<b>\$22,074,683</b>	<b>(\$67,763)</b>	<b>\$22,006,920</b>	<b>(10.00)</b>	<b>(\$14,226,260)</b>	<b>(\$30,065)</b>	<b>(\$14,256,325)</b>
<b>2025-27 Total Funding</b>	<b>406.00</b>	<b>\$164,557,927</b>	<b>\$1,402,730</b>	<b>\$165,960,657</b>	<b>396.00</b>	<b>\$150,331,667</b>	<b>\$1,372,665</b>	<b>\$151,704,332</b>	<b>(10.00)</b>	<b>(\$14,226,260)</b>	<b>(\$30,065)</b>	<b>(\$14,256,325)</b>

Federal funds included in other funds

\$851,850

\$842,953

(\$8,897)

Total ongoing changes - Percentage of base level

5.7%

21.2%

(2.6%)

20.9%

3.1%

12.8%

(4.7%)

12.6%

N/A

N/A

N/A

N/A

Total changes - Percentage of base level

5.7%

28.3%

(2.6%)

28.0%

3.1%

17.2%

(4.7%)

17.0%

N/A

N/A

N/A

N/A

#### Other Sections in Judicial Branch - Budget No. 180

Section Description	Armstrong Executive Budget	Senate Version
New and vacant FTE pool		Section 3 provides language regarding the use of funding in the new and vacant FTE pool line item.
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.	Section 4 appropriates 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.	Section 5 requires 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.

Other Sections in Judicial Branch - Budget No. 180


Section Description	Armstrong Executive Budget	Senate Version	
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.	Section 6 provides the statutory changes to increase Supreme Court justices' salaries by approximately 8.5 percent on July 1, 2025. Supreme Court justices' annual salaries would be increased from the current level of \$186,484 to \$202,335 effective July 1, 2025. The Chief Justice of the Supreme Court would be entitled to receive an additional \$6,681 per annum effective July 1, 2025, to provide a 9 percent total increase for the Chief Justice 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.	Section 7 provides the statutory changes to increase district court judges' salaries by approximately 7 percent on July 1, 2025. District court judges' annual salaries would be increased from the current level of \$171,113 to \$183,091 effective July 1, 2025. A presiding judge of a judicial district would be entitled to receive an additional \$5,202 per annum effective July 1, 2025, an increase from the current additional amount for presiding judges of \$4,862 per annum.	



**SB 2002****House Appropriations Committee****Education and Environment Division****Testimony Presented by Constance L. Cleveland****District Court Judge, East Central Judicial District****March 6, 2025****Chairman Nathe and members of the Committee:**

I am Connie Cleveland, one of the District Court Judges in the East Central Judicial District, which includes Cass, Traill and Steele counties.

I am here to support SB2002, but more specifically to urge this committee to restore the funding removed by the Senate that relates to Treatment Courts. I want to be clear that this funding request is not for new courtrooms or new judges, but to support programs that have proven effective as alternatives to incarceration and successfully address recidivism. The funds requested reflect necessary administrative costs for implementing specialized dockets that have been developed and vetted and are based upon proven successful models that hold individuals with criminal convictions accountable through intensive probation and active judicial supervision.

 Each treatment court included in the Supreme Court's original budget has a judge committed to spend additional time working with a multi-disciplinary team

on an intensive basis with convicted individuals sentenced to a treatment court for a minimum of a year rather than long term incarceration.

My commitment has been to establish a Veterans Treatment Court in the East Central Judicial District. The term veteran, as used here, includes individuals who have been in active duty as well as guard and reserve members. Individuals who have served our country mostly on a volunteer basis and have returned to civilian life but have unique training, demonstrated values, and experiences. Other states have taken steps to address the need of veterans who become court involved, and as of 2021 there were over 600 Veterans Treatment Courts in the United States.

With the approval and support of the last legislature, Judge Donald Hager in Grand Forks established the first (and currently only) Veterans Treatment Court in North Dakota. The model that Judge Hager implemented reflects the research that has resulted from other successful courts, and is the model that the East Central Judicial District has adopted. This is a yearlong program, and one of the essential elements is the volunteer mentor that is assigned to each participant. Mentors are individuals with military experience who provide support and guidance and are familiar with the values instilled through training and service. Those mentors, while aware of and experienced regarding military, also need

guidance with regard to the role in this setting, which is why there is a coordinator and trainer as part of the financial request. The Grand Forks Court has already produced graduates and is proving successful. The proposed Veterans Treatment Court for the East Central Judicial District has gathered support from members of the community, demonstrated a need through evaluation of the population of the jail and the numbers of defendants' self-reporting prior military experience in our district, has a policy manual that has been reviewed by the Interdisciplinary Committee on Specialized Dockets, and has been approved by the Supreme Court as warranted to address the specific needs in the communities we will serve.

The cost for the Veterans Treatment Court for the biennium is \$122,892. That represents the administrative costs for training, a coordinator, and a mentor recruiter/trainer. When you consider that incarceration of one individual for one year is approximately \$55,000 in North Dakota, I feel very comfortable coming before you to urge you to re-instate that amount – in light of the long-term benefit, the financial impact, and the reflection of our commitment to make sure our veterans have the support they need to return to successful civilian life.

Thank you.



# INSPIRATION NOT INCARCERATION

Veterans Treatment Court Removes the  
Bars from Mental Health Accessibility

WRITTEN BY: AMY WIESER WILLSON  
PHOTOS BY: URBAN TOAD MEDIA

Most crimes aren't black and white. When it comes to combat veterans especially, extenuating circumstances often intertwine with the actions they take. Many turn to drugs and alcohol as a way to self-medicate for post-traumatic stress, which only leads to more problems – such as ending up in court with charges filed.

For many, treatment, not incarceration, is what they really need. A new program in Cass County will provide that option.

## EXPANDING TO CASS COUNTY

Veterans Treatment Court began a little over a year ago in Grand Forks County, and their first veteran recently graduated from the program. Judge Constance Cleveland kicked off the effort in Cass County in April 2024, and the momentum grew when it was taken to the Cass County Commission in June. Next up is to request funding for the program from the State of North Dakota and to begin training.

“Judge Cleveland took the initiative and is the driving force behind getting a Veterans Treatment Court in the East Central Judicial District,” said Dan Bertsch, a veteran and attorney working on the project. “She did all the work to have the North Dakota Supreme Court approve a Veterans Treatment Court in the District, met with all the players to get the needed support, met with the Cass County Commission, and has spoken with veteran groups and the media in order to garner support.”

While Veterans Treatment Court will have similarities to Drug Court, it's not limited to those with substance abuse disorders. Rather, those who choose to participate will receive treatment for mental health concerns.

“Service in the military is done by very few in our society, and so many don't understand the cost and the impact on those who serve and on the family,” Cleveland said. “Sometimes, the impact is negative and

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Prairie Room, State Capitol

SB 2002  
3/18/2025

SB 2002: Relating to the salaries of Justices of the supreme court and salaries of District Court Judges; to provide for transfers; to provide for a report; and to provide an exemption.

2:23 p.m. Chairman Nathe opened the meeting.

Members present: Chairman Nathe, Vice Chairman Swiontek, Representatives Louser, Martinson, Richter, Sanford and Hanson.

### **Discussion Topics:**

- Indian Child Welfare Act
- Staffing and salaries in juvenile court

2:26 p.m. Cathy Ferderer, Director, Juvenile and Family Services ND, in favor.

2:40 p.m. Jerod Tufte, Supreme Court Justice, ND Supreme Court, in favor.

2:50 p.m. Heather Traynor, Youth and Family Court Specialist, ND Supreme Court, Court Improvement Program (CIP) in favor, previous testimony, #38655.

2:57 p.m. Jonthan Holth, Commissioner, in favor.

3:02 p.m. Sally Holewa, Administrator, ND Court System, in favor.

3:10 p.m. Representative Hanson explained Court Administration Fees.

3:26 p.m. Chairman Nathe closed the meeting.

*Steven Riehl, Committee Clerk*

# **2025 HOUSE STANDING COMMITTEE MINUTES**

## **Appropriations - Education and Environment Division** Prairie Room, State Capitol

SB 2002  
3/19/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to create and enact a new subsection to section 54-06-08.2 of the North Dakota Century Code, relating to credit and debit card fees; to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of justices of the supreme court and salaries of district court judges; to provide for transfers; to provide for a report; and to provide an exemption.

9:49 a.m. Chairman Nathe opened the meeting.

Members present: Chairman Nathe, Vice Chairman Swiontek, Representatives Louser, Martinson, Richter, Sanford and Hanson.

### **Discussion Topics:**

- Budget
- Judicial Salary National Average
- Strong Candidates as Judges

9:54 a.m. Representative Hanson explained previous long sheet #39256 from 3/6/25.

10:30 a.m. Chairman Nathe adjourned the meeting.

*Krystal Eberle for Steven Riehl, Committee Clerk*



# 2025 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Prairie Room, State Capitol

SB 2002  
3/25/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; relating to the salaries of justices of the supreme court and salaries of district court judges; to provide for transfers; to provide for a report; and to provide an exemption.

2:38 p.m. Chairman Nathe opened the meeting.

Members present: Chairman Nathe, Vice Chairman Swiontek, Representatives Hanson, Martinson, Richter and Sanford.

### Discussion Topics:

- Changes to budget

2:38 p.m. Representative Hanson, reviewed budget long sheet #43781.

2:56 p.m. Representative Hanson moved to adopt House amendments from budget long sheet #43781.

2:56 p.m. Representative Sanford seconded the motion.

2:57 p.m. Representative Martinson moved to excuse Representative Louser from voting.

2:57 p.m. Representative Swiontek seconded the motion.

2:57 p.m. Voice vote 6-0-1. Motion passed.

2:58 p.m. Roll Call Vote

Representatives	Vote
Representative Mike Nathe	Y
Representative Steve Swiontek	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	E
Representative Bob Martinson	Y
Representative David Richter	Y
Representative Mark Sanford	Y

2:58 p.m. Motion passed 6-0-1.

3:01 p.m. Representative Hanson moved to further amend and appropriate \$1.5 million into Court Facilities Improvements and Maintenance Fund (SIFF Funds) Court Improvement Grant Fund.

3:02 p.m. Motion failed due to lack of a second.

3:04 p.m. Representative Hanson moved Do Pass as amended.

3:04 p.m. Representative Swiontek seconded the motion.

3:05 p.m. Roll Call Vote

<b>Representatives</b>	<b>Vote</b>
Representative Mike Nathe	Y
Representative Steve Swiontek	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	E
Representative Bob Martinson	Y
Representative David Richter	Y
Representative Mark Sanford	Y

3:05 p.m. Motion passed 6-0-1.

3:06 p.m. Bill assigned to Representative Swiontek.

3:06 p.m. Chairman Nathe closed the meeting.

*Krystal Eberle for Steven Riehl, Committee Clerk*

March 24, 2025

Legislative Council

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

	Senate Version				House Version				House Compared to Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	Increase (Decrease)			
									FTE Positions	General Fund	Other Funds	Total
<b>2025-27 Biennium Base Level</b>	384.00	\$128,256,984	\$1,440,428	\$129,697,412	384.00	\$128,256,984	\$1,440,428	\$129,697,412	0.00	\$0	\$0	\$0
<b>2025-27 Ongoing Funding Changes</b>												
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		\$3,490,350	(\$114,374)	\$3,375,976				\$0
Salary increase												
Health insurance increase		2,986,793	30,331	3,017,124		2,998,833	30,331	3,029,164		\$12,040		12,040
Adds funding for judges and justices salary increases		2,347,318	18,767	2,366,085		2,365,333	18,767	2,384,100		18,015		18,015
Adds funding for pay plan 3 percent salary		1,842,192		1,842,192		2,078,868		2,078,868		236,676		236,676
Restores 2023-25 new and vacant FTE funding				0		2,028,177	10,639	2,038,816		2,028,177	\$10,639	2,038,816
Transfers funding for 2025-27 new and vacant FTE		2,455,681	23,723	2,479,404		2,455,681	23,723	2,479,404				0
Adds funding for accrued leave payouts		(2,906,171)	(18,912)	(2,925,083)		(2,936,465)	(18,912)	(2,955,377)		(30,294)		(30,294)
Adds new juvenile court positions				0				0				0
Adds a new district court administrative assistant position	1.00	170,025		170,025	1.50	237,783		237,783	1.50	237,783		237,783
Adds a new district court deputy court administrator position	1.00	272,529		272,529	1.00	170,025		170,025				0
Adds new district court programmer analyst positions	2.00	421,496		421,496	1.00	272,529		272,529				0
Adds new district court network analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds a new district court technology coordinator position	1.00	196,210		196,210	2.00	421,496		421,496				0
Adds a new district court staff attorney position				0	1.00	196,210		196,210				0
Adds a new Supreme Court staff attorney position	1.00	293,625		293,625				0				0
Adds a new Supreme Court deputy clerk position				0	1.00	293,625		293,625				0
Increases a Supreme Court part-time administrative assistant position to full-time				0	0.50	65,161		65,161	0.50	65,161		65,161
Adds funding for office of guardianship and conservatorship	4.00	1,200,000		1,200,000	4.00	1,200,000		1,200,000				0
Adds funding for court navigator program				0				0				0
Adds funding for allied legal professional program				0				0				0
Transfers \$730,478 for guardianship monitoring				0				0				0
Adds funding for 3 new treatment courts				0				0				0
Reduces funding for judges' retirement		(13,666)		(13,666)		373,476		373,476		373,476		373,476
Adds funding for information technology (IT) system maintenance and enhancements		2,059,179		2,059,179		(13,666)		(13,666)				0
Adds funding for law library reference materials subscription		73,882		73,882		2,059,179		2,059,179				0
Adds funding for credit card processing and bank		200,000		200,000		73,882		73,882				0
Adjusts funding for operating costs		200,000	(7,298)	192,702		0		0		(200,000)		(200,000)
Adds funding for interpreters		60,000		60,000		409,699	(7,298)	402,401		209,699		209,699
Adds funding for county clerk of court contract		189,428		189,428		125,500		125,500		65,500		65,500
						189,428		189,428				0



Increases funding for rural attorney recruitment program		36,000		36,000		36,000		36,000				0
Increases funding for the family mediation program to provide a total of \$1.52 million				0		138,200		138,200		138,200		138,200
Adds funding for guardian ad litem program		470,000		470,000		935,768		935,768		465,768		465,768
Total ongoing funding changes	12.00	\$16,466,367	(\$67,763)	\$16,398,604	14.00	\$20,086,568	(\$57,124)	\$20,029,444	2.00	\$3,620,201	\$10,639	\$3,630,840
<b>One-Time Funding Items</b>												
Adds funding for IT equipment lease		\$874,216		\$874,216		\$874,216		\$874,216				\$0
Adds funding for case management system migration to cloud-based hosting		758,000		758,000		758,000		758,000				0
Adds funding for clerk filing software		1,250,000		1,250,000		1,250,000		1,250,000				0
Adds funding for problem solving court case management system				0				0				0
Adds funding for digital evidence management system				0				0				0
Adds funding for court records access system		960,000		960,000		960,000		960,000				0
Adds funding for cloud-based storage fees		866,100		866,100		866,100		866,100				0
Adds funding for courtroom audio and video systems		800,000		800,000		1,586,700		1,586,700		\$786,700		786,700
Adds funding for Cass County courtroom equipment		100,000		100,000		100,000		100,000				0
Adds funding for Coteau Room camera and projector				0				0				0
Adds funding to replace furniture in three judge chambers				0				0				0
Adds funding to replace 48 workstations and cubicles				0				0				0
Adds funding for copy machines				0				0				0
Adds funding for folding machines				0				0				0
Adds funding for court workload studies				0				0				0
Total one-time funding changes	0.00	\$5,608,316	\$0	\$5,608,316	0.00	\$6,395,016	\$0	\$6,395,016	0.00	\$786,700	\$0	\$786,700
<b>Total Changes to Base Level Funding</b>	<b>12.00</b>	<b>\$22,074,683</b>	<b>(\$67,763)</b>	<b>\$22,006,920</b>	<b>14.00</b>	<b>\$26,481,584</b>	<b>(\$57,124)</b>	<b>\$26,424,460</b>	<b>2.00</b>	<b>\$4,406,901</b>	<b>\$10,639</b>	<b>\$4,417,540</b>
<b>2025-27 Total Funding</b>	<b>396.00</b>	<b>\$150,331,667</b>	<b>\$1,372,665</b>	<b>\$151,704,332</b>	<b>398.00</b>	<b>\$154,738,568</b>	<b>\$1,383,304</b>	<b>\$156,121,872</b>	<b>2.00</b>	<b>\$4,406,901</b>	<b>\$10,639</b>	<b>\$4,417,540</b>
Federal funds included in other funds			\$842,953				\$842,953				\$0	
Total ongoing changes - Percentage of base level	3.1%	12.8%	(4.7%)	12.6%	3.6%	15.7%	(4.0%)	15.4%	N/A	N/A	N/A	N/A
Total changes - Percentage of base level	3.1%	17.2%	(4.7%)	17.0%	3.6%	20.6%	(4.0%)	20.4%	N/A	N/A	N/A	N/A

**Other Sections in Judicial Branch - Budget No. 180**

Section Description	Senate Version	House Version
New and vacant FTE pool	Section 3 provides language regarding the use of funding in the new and vacant FTE pool line item.	Section 3 provides language regarding the use of funding in the new and vacant FTE pool line item.
Appropriation	Section 4 appropriates 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.	Section 4 appropriates 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 5 requires 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.	Section 5 requires 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.

**Other Sections in Judicial Branch - Budget No. 180**

<b>Section Description</b>	<b>Senate Version</b>	<b>House Version</b>	
Supreme Court justices' salaries	Section 6 provides the statutory changes to increase Supreme Court justices' salaries by approximately 8.5 percent on July 1, 2025. Supreme Court justices' annual salaries would be increased from the current level of \$186,484 to \$202,335 effective July 1, 2025. The Chief Justice of the Supreme Court would be entitled to receive an additional \$6,681 per annum effective July 1, 2025, to provide a 9 percent total increase for the Chief Justice from the current additional amount for the Chief Justice of \$5,274 per annum.	Section 6 provides 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 7 provides the statutory changes to increase district court judges' salaries by approximately 7 percent on July 1, 2025. District court judges' annual salaries would be increased from the current level of \$171,113 to \$183,091 effective July 1, 2025. A presiding judge of a judicial district would be entitled to receive an additional \$5,202 per annum effective July 1, 2025, an increase from the current additional amount for presiding judges of \$4,862 per annum.	Section 7 provides 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.	
Credit card and bank fees		Section 8 provides authority for the judicial branch to charge a fee as a service charge for the acceptance of a payment made by a credit or debit card or an electronic fund transfer.	

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Appropriations Committee Roughrider Room, State Capitol

SB 2002  
3/31/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; relating to the salaries of justices of the supreme court and salaries of district court judges; to provide for transfers; to provide for a report; and to provide an exemption.

9:38 a.m. Chairman Vigesaa opened the meeting.

Members present: Chairman Vigesaa, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Members absent: Vice Chairman Kempenich.

### Discussion Topics:

- Committee Action

9:39 Representative Hanson explained Amendment LC #25.0169.02001, #44451.

10:09 a.m. Representative Hanson moved Amendment LC #25.0169.02001.

10:09 a.m. Representative Nathe seconded the motion.

10:09 a.m. Representative Bosch moved Representative Louser be excused from voting on SB 2002.

10:09 a.m. Representative Swiontek seconded the motion.

10:10 a.m. Voice Vote, motion passed.

10:10 a.m. Roll Call Vote on amendment.

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	AB
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glenn Bosch	Y
Representative Mike Brandenburg	Y
Representative Jay Fisher	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	AB
Representative Bob Martinson	Y
Representative Lisa Meier	Y



Representative Alisa Mitskog	Y
Representative David Monson	Y
Representative Eric J. Murphy	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy L. Pyle	AB
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

10:10 a.m. Motion passed 20-0-3.

10:11 a.m. Representative Murphy moved to further amend to change the funding source.

10:11 a.m. Representative Bosch seconded the motion.

10:12 a.m. Roll Call Vote

<b>Representatives</b>	<b>Vote</b>
Representative Don Vigesaa	Y
Representative Keith Kempenich	AB
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glenn Bosch	Y
Representative Mike Brandenburg	Y
Representative Jay Fisher	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	AB
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative David Monson	Y
Representative Eric J. Murphy	Y
Representative Mike Nathe	N
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy L. Pyle	AB
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	N
Representative Scott Wagner	Y

10:12 a.m. Motion passed 18-2-3.

10:14 a.m. Representative Hanson moved Do Pass as amended.

10:14 a.m. Representative Swiontek seconded the motion.

10:14 a.m. Roll Call Vote

<b>Representatives</b>	<b>Vote</b>
Representative Don Vigesaa	Y
Representative Keith Kempenich	AB
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glenn Bosch	Y
Representative Mike Brandenburg	Y
Representative Jay Fisher	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	AB
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative David Monson	Y
Representative Eric J. Murphy	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy L. Pyle	AB
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

10:14 a.m. Motion passed 20-0-3.

10:14 a.m. Representative Hanson will carry the bill.

10:15 a.m. Chairman Vigesaa closed the meeting.

*Krystal Eberle, Committee Clerk*

*Bill was further amended on 4/17/25.*

March 31, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

VG 3/31/25  
1 of 11

**ENGROSSED SENATE BILL NO. 2002**

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch;  
2 to create and enact a new subsection to section 54-06-08.2 of the North Dakota Century Code,  
3 relating to credit and debit card fees; to amend and reenact sections 27-02-02 and 27-05-03 of  
4 the North Dakota Century Code, relating to the salaries of justices of the supreme court and  
5 salaries of district court judges; to provide for transfers; to provide for a report; and to provide an  
6 exemption.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

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

13 Subdivision 1.

14 SUPREME COURT

	Base Level	Adjustments or Enhancements	Appropriation	
15				
16				
17	Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
18	New and vacant FTE pool	8,740,214	(68,714)	8,671,500
19	Operating expenses	2,915,259	191,426	3,106,685
20	Capital assets	0	866,100	866,100

1	Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
2	Less other funds	97,793	(53,664)	44,129
3	Total general fund	\$23,921,458	\$2,098,403	\$26,019,861
4	Salaries and wages	\$12,363,778	\$1,488,083	\$13,851,861
5	New and vacant FTE pool	8,740,214	203,936	8,944,150
6	Operating expenses	2,915,259	219,534	3,134,793
7	Capital assets	0	866,100	866,100
8	Total all funds	\$24,019,251	\$2,777,653	\$26,796,904
9	Less other funds	97,793	(53,664)	44,129
10	Total general fund	\$23,921,458	\$2,831,317	\$26,752,775

Subdivision 2.

DISTRICT COURTS

13			Adjustments or	
14		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
15	Salaries and wages	\$79,576,340	\$11,134,861	\$90,711,201
16	Operating expenses	24,524,619	3,006,722	27,531,341
17	Capital assets	0	4,742,216	4,742,216
18	Judges' retirement	177,340	(13,666)	163,674
19	Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
20	Less other funds	830,318	(11,320)	818,998
21	Total general fund	\$103,447,981	\$18,881,453	\$122,329,434
22	Salaries and wages	\$79,576,340	\$13,235,292	\$92,811,632
23	Operating expenses	24,524,619	3,767,875	28,292,494
24	Capital assets	0	5,528,916	5,528,916
25	Judges' retirement	177,340	(13,666)	163,674
26	Total all funds	\$104,278,299	\$22,518,417	\$126,796,716
27	Less other funds	830,318	4,643,380	5,473,698
28	Total general fund	\$103,447,981	\$17,875,037	\$121,323,018

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD



		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and	<u>\$1,399,862</u>	<u>\$155,643</u>	<u>\$1,555,505</u>
disciplinary board			
Total all funds	<u>\$1,399,862</u>	<u>\$155,643</u>	<u>\$1,555,505</u>
Less other funds	<u>512,317</u>	<u>(2,779)</u>	<u>509,538</u>
Total general fund	<u>\$887,545</u>	<u>\$158,422</u>	<u>\$1,045,967</u>
Judicial conduct commission and	<u>\$1,399,862</u>	<u>\$191,985</u>	<u>\$1,591,847</u>
disciplinary board			
Total all funds	<u>\$1,399,862</u>	<u>\$191,985</u>	<u>\$1,591,847</u>
Less other funds	<u>512,317</u>	<u>7,860</u>	<u>520,177</u>
Total general fund	<u>\$887,545</u>	<u>\$184,125</u>	<u>\$1,071,670</u>

Subdivision 4.

Office of Guardianship and Conservatorship

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Office of guardianship and conservatorship	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>
Total general fund	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>

Subdivision 5.

TOTAL - SECTION 1

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Grand total all funds	<u>\$129,697,412</u>	<u>\$22,006,920</u>	<u>\$151,704,332</u>
Grand total other funds	<u>1,440,428</u>	<u>(67,763)</u>	<u>1,372,665</u>
Grand total general fund	<u>\$128,256,984</u>	<u>\$22,074,683</u>	<u>\$150,331,667</u>
Full-time equivalent positions	<u>384.00</u>	<u>12.00</u>	<u>396.00</u>
Grand total all funds	<u>\$129,697,412</u>	<u>\$26,424,460</u>	<u>\$156,121,872</u>
Grand total other funds	<u>1,440,428</u>	<u>4,597,576</u>	<u>6,038,004</u>
Grand total general fund	<u>\$128,256,984</u>	<u>\$21,826,884</u>	<u>\$150,083,868</u>
Full-time equivalent positions	<u>384.00</u>	<u>14.00</u>	<u>398.00</u>

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in the entity's base budget for the 2027-29 biennium and which the entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:

<u>One-Time Funding Description</u>	<u>General Fund</u>
Information technology equipment lease	\$874,216
Case management software cloud migration	758,000
Clerk filing software	1,250,000
Court records access system	960,000
Cloud-based storage fees	866,100
Courtroom audio and video equipment	800,000
Cass County courtroom equipment	100,000
<b>Total</b>	<b>\$5,608,316</b>

<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total Funds</u>
Information technology equipment lease	\$874,216	\$0	\$874,216
Case management software cloud migration	0	758,000	758,000
Clerk filing software	0	1,250,000	1,250,000
Court records access system	0	960,000	960,000
Cloud-based storage fees	866,100	0	866,100
Courtroom audio and video equipment	0	1,586,700	1,586,700
Cass County courtroom equipment	0	100,000	100,000
<b>Total</b>	<b>\$1,740,316</b>	<b>\$4,654,700</b>	<b>\$6,395,016</b>

**SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.**

- The supreme court may not spend funding from the new and vacant FTE funding pool line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the guardianship and conservatorship line item within subdivision 1 of this Act, and to the



judicial conduction commission and disciplinary board line item within subdivision 3 of this Act, as necessary to provide funding for:

- a. Filling a new position from the date of hire through the end of the biennium; or
- b. Salaries and wages if actual salaries and wages savings from vacant positions and employee turnover, adjusted for other uses, are less than the estimate used by the sixty-ninth legislative assembly in the development of the appropriation.

2. The supreme court shall report to the budget section regarding the use of funding in the pool, including information on:

- a. New FTE positions, including the date hired;
- b. Vacant FTE positions, including information regarding positions that become vacant and positions filled, salaries and wages savings resulting from vacant positions and employee turnover, and the use of salaries and wages savings for other purposes; and
- c. Additional salaries and wages funding needed due to savings from vacant positions being less than anticipated.

3. If funding in the new and vacant FTE pool line item is insufficient to provide the necessary salaries and wages funding for the biennium, the supreme court may request a deficiency appropriation from the seventieth legislative assembly.

**SECTION 4. 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 5. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

The grand total other funds line item in section 1 of this Act includes the sum of \$4,654,700 from the strategic investment and improvements fund for one-time projects and programs as follows:

Case management software cloud migration	\$758,000
Clerk filing software	1,250,000
Court records access system	960,000
Courtroom audio and video equipment	1,586,700

1	Cass County courtroom equipment	100,000
2	Total	\$4,654,700

3       **SECTION 6. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5       **27-02-02. Salaries of justices of supreme court.**

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

13       **SECTION 7. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15       **27-05-03. Salaries and expenses of district judges.**

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

26       **SECTION 8.** A new subsection to section 54-06-08.2 of the North Dakota Century Code is  
27 created and enacted as follows:

28       The judicial branch may charge a reasonable fee not exceeding the discount charged  
29 by the credit or debit card issuer. The fee may be added to a payment as a service  
30 charge for the acceptance of a payment made by a credit or debit card. The state



1 court administrator shall determine which nationally recognized cards will be accepted  
2 for payments made to the judicial branch under this section.

3 **SECTION 9. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director  
4 of the office of management and budget shall transfer appropriation authority between line items  
5 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the  
6 nature of the duties of the court and its staff requires the transfers to carry on properly the  
7 functions of the judicial branch of government.

8 of 11

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2002 - Summary of House Action**

	Base Budget	Senate Version	House Changes	House Version
Supreme Court				
Total all funds	\$24,019,251	\$26,063,990	\$732,914	\$26,796,904
Less estimated income	97,793	44,129	0	44,129
General fund	\$23,921,458	\$26,019,861	\$732,914	\$26,752,775
FTE	45.50	44.50	0.50	45.00
District Courts				
Total all funds	\$104,278,299	\$123,148,432	\$3,648,284	\$126,796,716
Less estimated income	830,318	818,998	4,654,700	5,473,698
General fund	\$103,447,981	\$122,329,434	(\$1,006,416)	\$121,323,018
FTE	334.00	341.00	1.50	342.50
Judicial Conduct Commission				
Total all funds	\$1,399,862	\$1,555,505	\$36,342	\$1,591,847
Less estimated income	512,317	509,538	10,639	520,177
General fund	\$887,545	\$1,045,967	\$25,703	\$1,071,670
FTE	4.50	4.50	0.00	4.50
Guardianship and Conservatorship				
Total all funds	\$0	\$936,405	\$0	\$936,405
Less estimated income	0	0	0	0
General fund	\$0	\$936,405	\$0	\$936,405
FTE	0.00	6.00	0.00	6.00
Bill total				
Total all funds	\$129,697,412	\$151,704,332	\$4,417,540	\$156,121,872
Less estimated income	1,440,428	1,372,665	4,665,339	6,038,004
General fund	\$128,256,984	\$150,331,667	(\$247,799)	\$150,083,868
FTE	384.00	396.00	2.00	398.00

**Senate Bill No. 2002 - Supreme Court - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$12,363,778	\$13,419,705	\$432,156	\$13,851,861
New and vacant FTE pool	8,740,214	8,671,500	272,650	8,944,150
Operating expenses	2,915,259	3,106,685	28,108	3,134,793
Capital assets		866,100		866,100
Total all funds	\$24,019,251	\$26,063,990	\$732,914	\$26,796,904
Less estimated income	97,793	44,129	0	44,129
General fund	\$23,921,458	\$26,019,861	\$732,914	\$26,752,775
FTE	45.50	44.50	0.50	45.00

90f11

**Department 181 - Supreme Court - Detail of House Changes**

	Increases Funding for Salary Equity <sup>1</sup>	Adds Funding for Administrative Assistant Position <sup>2</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>3</sup>	Increases Funding for Operating Costs <sup>4</sup>	Total House Changes
Salaries and wages	\$423,170	\$74,147	(\$65,161)		\$432,156
New and vacant FTE pool			272,650		272,650
Operating expenses				\$28,108	28,108
Capital assets					
Total all funds	\$423,170	\$74,147	\$207,489	\$28,108	\$732,914
Less estimated income	0	0	0	0	0
General fund	\$423,170	\$74,147	\$207,489	\$28,108	\$732,914
FTE	0.00	0.50	0.00	0.00	0.50

<sup>1</sup> Funding is added as follows for Supreme Court salary equity:

	Senate Version	House Changes	Total General Fund
Supreme Court justices salaries increase of 11.1 percent and chief justice salary increase of 12.1 percent	\$200,219	\$63,386	\$263,605
Pay plan 3 percent salary adjustment	0	359,784	359,784
Total	\$200,219	\$423,170	\$623,389

<sup>2</sup> Funding of \$74,147 is added by the House to increase a part-time administrative assistant position to a full-time position.

<sup>3</sup> Funding of \$65,161 for an increased administrative assistant position is removed from the Supreme Court salaries and wages line item and funding of \$272,650 is added for the judicial branch 2025-27 new and vacant FTE pool line item as follows:

	General Fund
New FTE positions	(\$65,161)
Funding pool line item	58,645
Supreme Court net savings	(\$6,516)
Funding pool line item from district courts	214,005
Net impact on Supreme Court	\$207,489

<sup>4</sup> Funding of \$28,108 from the general fund is added by the House to provide a total of \$56,217 for increased miscellaneous operating costs.

**Senate Bill No. 2002 - District Courts - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$79,576,340	\$90,711,201	\$2,100,431	\$92,811,632
Operating expenses	24,524,619	27,531,341	761,153	28,292,494
Capital assets		4,742,216	786,700	5,528,916
Judges' retirement	177,340	163,674		163,674
Total all funds	\$104,278,299	\$123,148,432	\$3,648,284	\$126,796,716
Less estimated income	830,318	818,998	4,654,700	5,473,698
General fund	\$103,447,981	\$122,329,434	(\$1,006,416)	\$121,323,018
FTE	334.00	341.00	1.50	342.50

10011

## Department 182 - District Courts - Detail of House Changes

	Increases Funding for Salary Equity <sup>1</sup>	Adds Funding for Juvenile Court Positions <sup>2</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>3</sup>	Adds Funding for Treatment Courts <sup>4</sup>	Adjusts Operating Funding <sup>5</sup>	Adjusts One- Time Funding <sup>6</sup>
Salaries and wages	\$1,819,586	\$258,852	(\$237,783)	\$259,776		
Operating expenses				113,700	\$647,453	
Capital assets						\$786,700
Judges' retirement						
Total all funds	\$1,819,586	\$258,852	(\$237,783)	\$373,476	\$647,453	\$786,700
Less estimated income	0	0	0	0	0	4,654,700
General fund	\$1,819,586	\$258,852	(\$237,783)	\$373,476	\$647,453	(\$3,868,000)
FTE	0.00	1.50	0.00	0.00	0.00	0.00

	Total House Changes
Salaries and wages	\$2,100,431
Operating expenses	761,153
Capital assets	786,700
Judges' retirement	
Total all funds	\$3,648,284
Less estimated income	4,654,700
General fund	(\$1,006,416)
FTE	1.50

<sup>1</sup> Funding is added as follows for district courts salary equity:

	Senate Version	House Changes	Total General Fund
District court judges salaries increase of 7.7 percent	\$1,641,973	\$173,290	\$1,815,263
Pay plan 3 percent salary adjustment	0	1,646,296	1,646,296
Total	\$1,641,973	\$1,819,586	\$3,461,559

<sup>2</sup> Funding of \$258,852 from the general fund is added by the House for 1 new FTE administrative assistant position and to increase a part-time administrative assistant position to a full-time position.

<sup>3</sup> Funding of \$237,783 from the general fund added by the Senate for new FTE position salaries and wages is removed and \$214,005 is added to the Supreme Court new and vacant FTE pool line item resulting in a net savings of \$23,778.

<sup>4</sup> Funding of \$373,476 from the general fund is added for three new treatment courts. The Senate did not include funding for new treatment courts.

<sup>5</sup> Operating funding is adjusted as follows:

	Senate Version	House Changes	Total General Fund
Credit card processing and bank fees	\$200,000	(\$200,000)	\$0
Interpreters	60,000	65,500	125,500
Family mediation program	0	138,200	138,200
Guardian ad litem program	470,000	465,768	935,768
Miscellaneous operating adjustments	168,284	177,985	346,269
Total	\$898,284	\$647,453	\$1,545,737

<sup>6</sup> One-time funding is increased by \$786,700 to provide a total of \$1,586,700 for courtroom audio and video equipment. The House is providing \$4,654,700 from strategic investment and improvements fund (SIIF) for one-time funding items, including a case management system, clerk filing software, court records access system, courtroom audio and video equipment, and Cass County courtroom equipment. The Senate provided \$3,868,000 from the general fund for these items.



11 of 11

**Senate Bill No. 2002 - Judicial Conduct Commission - House Action**

	Base Budget	Senate Version	House Changes	House Version
Judicial Conduct Commission	\$1,399,862	\$1,555,505	\$36,342	\$1,591,847
Total all funds	\$1,399,862	\$1,555,505	\$36,342	\$1,591,847
Less estimated income	512,317	509,538	10,639	520,177
General fund	\$887,545	\$1,045,967	\$25,703	\$1,071,670
FTE	4.50	4.50	0.00	4.50

**Department 183 - Judicial Conduct Commission - Detail of House Changes**

	Adds Funding for Salary Equity <sup>1</sup>	Adds funding for Operating Costs <sup>2</sup>	Total House Changes
Judicial Conduct Commission	\$32,736	\$3,606	\$36,342
Total all funds	\$32,736	\$3,606	\$36,342
Less estimated income	10,639	0	10,639
General fund	\$22,097	\$3,606	\$25,703
FTE	0.00	0.00	0.00

<sup>1</sup> Funding of \$32,736, including \$22,097 from the general fund and \$10,639 from other funds, is added for a pay plan adjustment of 3 percent. The Senate did not include additional funding for a pay plan adjustment.

<sup>2</sup> Funding of \$3,606 from the general fund is added by the House to provide a total increase of \$19,384 for miscellaneous operating costs, including \$7,213 from the general fund and \$12,171 from other funds.

**Senate Bill No. 2002 - Guardianship and Conservatorship - House Action**

	Base Budget	Senate Version	House Changes	House Version
Guardianship and conservatorship		\$936,405		\$936,405
Total all funds	\$0	\$936,405	\$0	\$936,405
Less estimated income	0	0	0	0
General fund	\$0	\$936,405	\$0	\$936,405
FTE	0.00	6.00	0.00	6.00

**Senate Bill No. 2002 - Other Changes - House Action**

This amendment also:

- Adds a section to identify \$4,654,700 from SIIF for various one-time appropriations.
- Amends sections relating to the salaries of Supreme Court justices and district court judges.
- Adds a section to authorize the judicial branch to charge a fee as a service charge for the acceptance of a payment made by a credit or debit card.

25.0169.02001  
Title.  
Fiscal No. 1

Prepared by the Legislative Council  
staff for House Appropriations -  
Education and Environment Division  
Committee

March 26, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

### ENGROSSED SENATE BILL NO. 2002

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch;  
2 to create and enact a new subsection to section 54-06-08.2 of the North Dakota Century Code,  
3 relating to credit and debit card fees; to amend and reenact sections 27-02-02 and 27-05-03 of  
4 the North Dakota Century Code, relating to the salaries of justices of the supreme court and  
5 salaries of district court judges; to provide for transfers; to provide for a report; and to provide an  
6 exemption.

### 7 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

13 Subdivision 1.

#### 14 SUPREME COURT

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
16 Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
18 New and vacant FTE pool	8,740,214	(68,714)	8,671,500
19 Operating expenses	2,915,259	191,426	3,106,685

Sixty-ninth  
Legislative Assembly

1	Capital assets	<u>0</u>	<u>866,100</u>	<u>866,100</u>
2	Total all funds	<u>\$24,019,251</u>	<u>\$2,044,739</u>	<u>\$26,063,990</u>
3	Less other funds	<u>97,793</u>	<u>(53,664)</u>	<u>44,129</u>
4	Total general fund	<u>\$23,921,458</u>	<u>\$2,098,403</u>	<u>\$26,019,861</u>
5	Salaries and wages	<u>\$12,363,778</u>	<u>\$1,488,083</u>	<u>\$13,851,861</u>
6	New and vacant FTE pool	<u>8,740,214</u>	<u>203,936</u>	<u>8,944,150</u>
7	Operating expenses	<u>2,915,259</u>	<u>219,534</u>	<u>3,134,793</u>
8	Capital assets	<u>0</u>	<u>866,100</u>	<u>866,100</u>
9	Total all funds	<u>\$24,019,251</u>	<u>\$2,777,653</u>	<u>\$26,796,904</u>
10	Less other funds	<u>97,793</u>	<u>812,436</u>	<u>910,229</u>
11	Total general fund	<u>\$23,921,458</u>	<u>\$1,965,217</u>	<u>\$25,886,675</u>

12 Subdivision 2.

13 DISTRICT COURTS

14		Adjustments or		
15		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
16	Salaries and wages	<u>\$79,576,340</u>	<u>\$11,134,861</u>	<u>\$90,711,201</u>
17	Operating expenses	<u>24,524,619</u>	<u>3,006,722</u>	<u>27,531,341</u>
18	Capital assets	<u>0</u>	<u>4,742,216</u>	<u>4,742,216</u>
19	Judges' retirement	<u>177,340</u>	<u>(13,666)</u>	<u>163,674</u>
20	Total all funds	<u>\$104,278,299</u>	<u>\$18,870,133</u>	<u>\$123,148,432</u>
21	Less other funds	<u>830,318</u>	<u>(11,320)</u>	<u>818,998</u>
22	Total general fund	<u>\$103,447,981</u>	<u>\$18,881,453</u>	<u>\$122,329,434</u>
23	Salaries and wages	<u>\$79,576,340</u>	<u>\$13,235,292</u>	<u>\$92,811,632</u>
24	Operating expenses	<u>24,524,619</u>	<u>3,767,875</u>	<u>28,292,494</u>
25	Capital assets	<u>0</u>	<u>5,528,916</u>	<u>5,528,916</u>
26	Judges' retirement	<u>177,340</u>	<u>(13,666)</u>	<u>163,674</u>
27	Total all funds	<u>\$104,278,299</u>	<u>\$22,518,417</u>	<u>\$126,796,716</u>
28	Less other funds	<u>830,318</u>	<u>4,643,380</u>	<u>5,473,698</u>
29	Total general fund	<u>\$103,447,981</u>	<u>\$17,875,037</u>	<u>\$121,323,018</u>

30 Subdivision 3.

31 JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD



Sixty-ninth  
Legislative Assembly

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and	<u>\$1,399,862</u>	<u>\$155,643</u>	<u>\$1,555,505</u>
disciplinary board			
Total all funds	<u>\$1,399,862</u>	<u>\$155,643</u>	<u>\$1,555,505</u>
Less other funds	<u>512,317</u>	<u>(2,779)</u>	<u>509,538</u>
Total general fund	<u>\$887,545</u>	<u>\$158,422</u>	<u>\$1,045,967</u>
Judicial conduct commission and	<u>\$1,399,862</u>	<u>\$191,985</u>	<u>\$1,591,847</u>
disciplinary board			
Total all funds	<u>\$1,399,862</u>	<u>\$191,985</u>	<u>\$1,591,847</u>
Less other funds	<u>512,317</u>	<u>7,860</u>	<u>520,177</u>
Total general fund	<u>\$887,545</u>	<u>\$184,125</u>	<u>\$1,071,670</u>

Subdivision 4.

Office of Guardianship and Conservatorship

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Office of guardianship and conservatorship	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>
Total general fund	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>

Subdivision 5.

TOTAL - SECTION 1

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Grand total all funds	<u>\$129,697,412</u>	<u>\$22,006,920</u>	<u>\$151,704,332</u>
Grand total other funds	<u>1,440,428</u>	<u>(67,763)</u>	<u>1,372,665</u>
Grand total general fund	<u>\$128,256,984</u>	<u>\$22,074,683</u>	<u>\$150,331,667</u>
Full-time equivalent positions	<u>384.00</u>	<u>12.00</u>	<u>396.00</u>
Grand total all funds	<u>\$129,697,412</u>	<u>\$26,424,460</u>	<u>\$156,121,872</u>
Grand total other funds	<u>1,440,428</u>	<u>5,463,676</u>	<u>6,904,104</u>
Grand total general fund	<u>\$128,256,984</u>	<u>\$20,960,784</u>	<u>\$149,217,768</u>
Full-time equivalent positions	<u>384.00</u>	<u>14.00</u>	<u>398.00</u>

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**

**SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in the entity's base budget for the 2027-29 biennium and which the entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:

<u>One-Time Funding Description</u>	<u>General Fund</u>
Information technology equipment lease	\$874,216
Case management software cloud migration	758,000
Clerk filing software	1,250,000
Court records access system	960,000
Cloud-based storage fees	866,100
Courtroom audio and video equipment	800,000
Cass County courtroom equipment	100,000
Total	\$5,608,316

<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total Funds</u>
Information technology equipment lease	\$874,216	\$0	\$874,216
Case management software cloud migration	0	758,000	758,000
Clerk filing software	0	1,250,000	1,250,000
Court records access system	0	960,000	960,000
Cloud-based storage fees	0	866,100	866,100
Courtroom audio and video equipment	0	1,586,700	1,586,700
Cass County courtroom equipment	0	100,000	100,000
Total	\$874,216	\$5,520,800	\$6,395,016

**SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.**

1. The supreme court may not spend funding from the new and vacant FTE funding pool line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the guardianship and conservatorship line item within subdivision 1 of this Act, and to the



- 1 judicial conduct commission and disciplinary board line item within subdivision 3 of  
2 this Act, as necessary to provide funding for:
- 3 a. Filling a new position from the date of hire through the end of the biennium; or  
4 b. Salaries and wages if actual salaries and wages savings from vacant positions  
5 and employee turnover, adjusted for other uses, are less than the estimate used  
6 by the sixty-ninth legislative assembly in the development of the appropriation.
- 7 2. The supreme court shall report to the budget section regarding the use of funding in  
8 the pool, including information on:
- 9 a. New FTE positions, including the date hired;  
10 b. Vacant FTE positions, including information regarding positions that become  
11 vacant and positions filled, salaries and wages savings resulting from vacant  
12 positions and employee turnover, and the use of salaries and wages savings for  
13 other purposes; and  
14 c. Additional salaries and wages funding needed due to savings from vacant  
15 positions being less than anticipated.
- 16 3. If funding in the new and vacant FTE pool line item is insufficient to provide the  
17 necessary salaries and wages funding for the biennium, the supreme court may  
18 request a deficiency appropriation from the seventieth legislative assembly.

19 **SECTION 4. APPROPRIATION.** There are appropriated any funds received by the supreme  
20 court, district courts, and judicial conduct commission and disciplinary board, not otherwise  
21 appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose  
22 as designated in the federal acts or private gifts, grants, and donations for the period beginning  
23 July 1, 2025, and ending June 30, 2027.

24 **SECTION 5. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

25 The grand total other funds line item in section 1 of this Act includes the sum of \$5,520,800 from  
26 the strategic investment and improvements fund for one-time projects and programs as follows:

27 Case management software cloud migration	\$758,000
28 Clerk filing software	1,250,000
29 Court records access system	960,000
30 Cloud-based storage fees	866,100
31 Courtroom audio and video equipment	1,586,700



1	Cass County courtroom equipment	<u>100,000</u>
2	Total	\$5,520,800

3       **SECTION 6. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5       **27-02-02. Salaries of justices of supreme court.**

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

13       **SECTION 7. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15       **27-05-03. Salaries and expenses of district judges.**

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

26       **SECTION 8.** A new subsection to section 54-06-08.2 of the North Dakota Century Code is  
27 created and enacted as follows:

28       The judicial branch may charge a reasonable fee not exceeding the discount charged  
29 by the credit or debit card issuer. The fee may be added to a payment as a service  
30 charge for the acceptance of a payment made by a credit or debit card. The state

1 court administrator shall determine which nationally recognized cards will be accepted  
2 for payments made to the judicial branch under this section.

3 **SECTION 9. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director  
4 of the office of management and budget shall transfer appropriation authority between line items  
5 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the  
6 nature of the duties of the court and its staff requires the transfers to carry on properly the  
7 functions of the judicial branch of government.

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2002 - Summary of House Action**

	Base Budget	Senate Version	House Changes	House Version
Supreme Court				
Total all funds	\$24,019,251	\$26,063,990	\$732,914	\$26,796,904
Less estimated income	97,793	44,129	866,100	910,229
General fund	\$23,921,458	\$26,019,861	(\$133,186)	\$25,886,675
FTE	45.50	44.50	0.50	45.00
District Courts				
Total all funds	\$104,278,299	\$123,148,432	\$3,648,284	\$126,796,716
Less estimated income	830,318	818,998	4,654,700	5,473,698
General fund	\$103,447,981	\$122,329,434	(\$1,006,416)	\$121,323,018
FTE	334.00	341.00	1.50	342.50
Judicial Conduct Commission				
Total all funds	\$1,399,862	\$1,555,505	\$36,342	\$1,591,847
Less estimated income	512,317	509,538	10,639	520,177
General fund	\$887,545	\$1,045,967	\$25,703	\$1,071,670
FTE	4.50	4.50	0.00	4.50
Guardianship and Conservatorship				
Total all funds	\$0	\$936,405	\$0	\$936,405
Less estimated income	0	0	0	0
General fund	\$0	\$936,405	\$0	\$936,405
FTE	0.00	6.00	0.00	6.00
Bill total				
Total all funds	\$129,697,412	\$151,704,332	\$4,417,540	\$156,121,872
Less estimated income	1,440,428	1,372,665	5,531,439	6,904,104
General fund	\$128,256,984	\$150,331,667	(\$1,113,899)	\$149,217,768
FTE	384.00	396.00	2.00	398.00

**Senate Bill No. 2002 - Supreme Court - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$12,363,778	\$13,419,705	\$432,156	\$13,851,861
New and vacant FTE pool	8,740,214	8,671,500	272,650	8,944,150
Operating expenses	2,915,259	3,106,685	28,108	3,134,793
Capital assets		866,100		866,100
Total all funds	\$24,019,251	\$26,063,990	\$732,914	\$26,796,904
Less estimated income	97,793	44,129	866,100	910,229
General fund	\$23,921,458	\$26,019,861	(\$133,186)	\$25,886,675
FTE	45.50	44.50	0.50	45.00



**Department 181 - Supreme Court - Detail of House Changes**

	Increases Funding for Salary Equity <sup>1</sup>	Adds Funding for Administrative Assistant Position <sup>2</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>3</sup>	Increases Funding for Operating Costs <sup>4</sup>	Adjusts Funding for Cloud-Based Storage Fees <sup>5</sup>	Total House Changes
Salaries and wages	\$423,170	\$74,147	(\$65,161)			\$432,156
New and vacant FTE pool			272,650			272,650
Operating expenses				\$28,108		28,108
Capital assets						
<b>Total all funds</b>	<b>\$423,170</b>	<b>\$74,147</b>	<b>\$207,489</b>	<b>\$28,108</b>	<b>\$0</b>	<b>\$732,914</b>
Less estimated income	0	0	0	0	866,100	866,100
General fund	\$423,170	\$74,147	\$207,489	\$28,108	(\$866,100)	(\$133,186)
<b>FTE</b>	<b>0.00</b>	<b>0.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.50</b>

<sup>1</sup> Funding is added as follows for Supreme Court salary equity:

	Senate Version	House Changes	Total General Fund
Supreme Court justices salaries increase of 11.1 percent and chief justice salary increase of 12.1 percent	\$200,219	\$63,386	\$263,605
Pay plan 3 percent salary adjustment	0	359,784	359,784
Total	\$200,219	\$423,170	\$623,389

<sup>2</sup> Funding of \$74,147 is added by the House to increase a part-time administrative assistant position to a full-time position.

<sup>3</sup> Funding of \$65,161 for an increased administrative assistant position is removed from the Supreme Court salaries and wages line item and funding of \$272,650 is added for the judicial branch 2025-27 new and vacant FTE pool line item as follows:

	General Fund
New FTE positions	(\$65,161)
Funding pool line item	58,645
Supreme Court net savings	(\$6,516)
Funding pool line item from district courts	214,005
Net impact on Supreme Court	\$207,489

<sup>4</sup> Funding of \$28,108 from the general fund is added by the House to provide a total of \$56,217 for increased miscellaneous operating costs.

<sup>5</sup> One-time funding for cloud-based storage fees is adjusted by the House to provide the funding from the strategic investment and improvements fund (SIIF). The Senate provided the funding from the general fund.

**Senate Bill No. 2002 - District Courts - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$79,576,340	\$90,711,201	\$2,100,431	\$92,811,632
Operating expenses	24,524,619	27,531,341	761,153	28,292,494
Capital assets		4,742,216	786,700	5,528,916
Judges' retirement	177,340	163,674		163,674
<b>Total all funds</b>	<b>\$104,278,299</b>	<b>\$123,148,432</b>	<b>\$3,648,284</b>	<b>\$126,796,716</b>
Less estimated income	830,318	818,998	4,654,700	5,473,698
General fund	\$103,447,981	\$122,329,434	(\$1,006,416)	\$121,323,018
<b>FTE</b>	<b>334.00</b>	<b>341.00</b>	<b>1.50</b>	<b>342.50</b>

**Department 182 - District Courts - Detail of House Changes**

	Increases Funding for Salary Equity <sup>1</sup>	Adds Funding for Juvenile Court Positions <sup>2</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>3</sup>	Adds Funding for Treatment Courts <sup>4</sup>	Adjusts Operating Funding <sup>5</sup>	Adjusts One- Time Funding <sup>6</sup>
Salaries and wages	\$1,819,586	\$258,852	(\$237,783)	\$259,776		
Operating expenses				113,700	\$647,453	
Capital assets						\$786,700
Judges' retirement						
Total all funds	\$1,819,586	\$258,852	(\$237,783)	\$373,476	\$647,453	\$786,700
Less estimated income	0	0	0	0	0	4,654,700
General fund	\$1,819,586	\$258,852	(\$237,783)	\$373,476	\$647,453	(\$3,868,000)
FTE	0.00	1.50	0.00	0.00	0.00	0.00

	Total House Changes
Salaries and wages	\$2,100,431
Operating expenses	761,153
Capital assets	786,700
Judges' retirement	
Total all funds	\$3,648,284
Less estimated income	4,654,700
General fund	(\$1,006,416)
FTE	1.50

<sup>1</sup> Funding is added as follows for district courts salary equity:

	Senate Version	House Changes	Total General Fund
District court judges salaries increase of 7.7 percent	\$1,641,973	\$173,290	\$1,815,263
Pay plan 3 percent salary adjustment	0	1,646,296	1,646,296
Total	\$1,641,973	\$1,819,586	\$3,461,559

<sup>2</sup> Funding of \$258,852 from the general fund is added by the House for 1 new FTE administrative assistant position and to increase a part-time administrative assistant position to a full-time position.

<sup>3</sup> Funding of \$237,783 from the general fund added by the Senate for new FTE position salaries and wages is removed and \$214,005 is added to the Supreme Court new and vacant FTE pool line item resulting in a net savings of \$23,778.

<sup>4</sup> Funding of \$373,476 from the general fund is added for three new treatment courts. The Senate did not include funding for new treatment courts.

<sup>5</sup> Operating funding is adjusted as follows:

	Senate Version	House Changes	Total General Fund
Credit card processing and bank fees	\$200,000	(\$200,000)	\$0
Interpreters	60,000	65,500	125,500
Family mediation program	0	138,200	138,200
Guardian ad litem program	470,000	465,768	935,768
Miscellaneous operating adjustments	168,284	177,985	346,269
Total	\$898,284	\$647,453	\$1,545,737

<sup>6</sup> One-time funding is increased by \$786,700 to provide a total of \$1,586,700 for courtroom audio and video equipment. The House is providing \$4,654,700 from SIIF for one-time funding items, including a case management system, clerk filing software, court records access system, courtroom audio and video equipment, and Cass County courtroom equipment. The Senate provided \$3,868,000 from the general fund for these items.

**Senate Bill No. 2002 - Judicial Conduct Commission - House Action**

	Base Budget	Senate Version	House Changes	House Version
Judicial Conduct Commission	\$1,399,862	\$1,555,505	\$36,342	\$1,591,847
Total all funds	\$1,399,862	\$1,555,505	\$36,342	\$1,591,847
Less estimated income	512,317	509,538	10,639	520,177
General fund	\$887,545	\$1,045,967	\$25,703	\$1,071,670
FTE	4.50	4.50	0.00	4.50

**Department 183 - Judicial Conduct Commission - Detail of House Changes**

	Adds Funding for Salary Equity <sup>1</sup>	Adds funding for Operating Costs <sup>2</sup>	Total House Changes
Judicial Conduct Commission	\$32,736	\$3,606	\$36,342
Total all funds	\$32,736	\$3,606	\$36,342
Less estimated income	10,639	0	10,639
General fund	\$22,097	\$3,606	\$25,703
FTE	0.00	0.00	0.00

<sup>1</sup> Funding of \$32,736, including \$22,097 from the general fund and \$10,639 from other funds, is added for a pay plan adjustment of 3 percent. The Senate did not include additional funding for a pay plan adjustment.

<sup>2</sup> Funding of \$3,606 from the general fund is added by the House to provide a total increase of \$19,384 for miscellaneous operating costs, including \$7,213 from the general fund and \$12,171 from other funds.

**Senate Bill No. 2002 - Guardianship and Conservatorship - House Action**

	Base Budget	Senate Version	House Changes	House Version
Guardianship and conservatorship		\$936,405		\$936,405
Total all funds	\$0	\$936,405	\$0	\$936,405
Less estimated income	0	0	0	0
General fund	\$0	\$936,405	\$0	\$936,405
FTE	0.00	6.00	0.00	6.00

**Senate Bill No. 2002 - Other Changes - House Action**

This amendment also:

- Adds a section to identify \$5,520,800 from SIIF for various one-time appropriations.
- Amends sections relating to the salaries of Supreme Court justices and district court judges.
- Adds a section to authorize the judicial branch to charge a fee as a service charge for the acceptance of a payment made by a credit or debit card.



# 2025 HOUSE STANDING COMMITTEE MINUTES

## Appropriations Committee Roughrider Room, State Capitol

SB 2002  
4/17/2025

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; relating to the salaries of justices of the supreme court and salaries of district court judges; to provide for transfers; to provide for a report; and to provide an exemption.

8:42 a.m. Chairman Vigesaa opened the meeting.

Members present: Chairman Vigesaa, Vice Chairman Kempenich, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Member absent: O'Brien

### Discussion Topics:

- Committee Action

8:42 a.m. Representative Nathe moved to reconsider the bill.

8:42 a.m. Representative Hanson seconded the motion.

8:42 a.m. Voice Vote. Motion carried.

8:43 a.m. Representative Hanson introduced amendment LC #25.0169.02003, #45047.

8:44 a.m. Representative Hanson moved amendment LC #25.0169.02003.

8:44 a.m. Representative Nathe seconded the motion.

8:48 a.m. Representative Bosch moved Representative Louser be excused from voting.

8:49 a.m. Representative Nathe seconded the motion.

8:49 a.m. Voice Vote. Motion passed.

8:49 a.m. Roll Call Vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glenn Bosch	Y
Representative Mike Brandenburg	Y
Representative Jay Fisher	Y

Representative Karla Rose Hanson	Y
Representative Scott Louser	AB
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative David Monson	Y
Representative Eric J. Murphy	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	AB
Representative Brandy L. Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

8:49 a.m. Motion passed 21-0-2.

8:50 a.m. Representative Hanson moved Do Pass as Amended.

8:50 a.m. Representative Nathe seconded the motion.

8:50 a.m. Roll Call Vote

<b>Representatives</b>	<b>Vote</b>
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glenn Bosch	Y
Representative Mike Brandenburg	Y
Representative Jay Fisher	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	AB
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative David Monson	Y
Representative Eric J. Murphy	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	AB
Representative Brandy L. Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

8:50 a.m. Motion passed 21-0-2.

8:50 a.m. Representative Hanson will carry the bill.

8:51 a.m. Chairman Vigesaa closed the meeting.

*Krystal Eberle, Committee Clerk*

April 16, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

**ENGROSSED SENATE BILL NO. 2002**

Introduced by

Appropriations Committee

CO  
4/17/25  
10x7

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch;  
to create and enact a new subsection to section 54-06-08.2 of the North Dakota Century Code,  
relating to credit and debit card fees; to amend and reenact sections 27-02-02 and 27-05-03 of  
the North Dakota Century Code, relating to the salaries of justices of the supreme court and  
salaries of district court judges; to provide for transfers; to provide for a report; 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 other funds derived from special funds and  
federal funds, 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**

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
<del>Salaries and wages</del>	<del>\$12,363,778</del>	<del>\$1,055,927</del>	<del>\$13,419,705</del>
<del>New and vacant FTE pool</del>	<del>8,740,214</del>	<del>(68,714)</del>	<del>8,671,500</del>
<del>Operating expenses</del>	<del>2,915,259</del>	<del>191,426</del>	<del>3,106,685</del>
<del>Capital assets</del>	<del>0</del>	<del>866,100</del>	<del>866,100</del>

1	Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
2	Less other funds	97,793	(53,664)	44,129
3	Total general fund	\$23,921,458	\$2,098,403	\$26,019,861
4	Salaries and wages	\$12,363,778	\$1,488,083	\$13,851,861
5	New and vacant FTE pool	8,740,214	(690,730)	8,049,484
6	Operating expenses	2,915,259	219,534	3,134,793
7	Capital assets	0	866,100	866,100
8	Total all funds	\$24,019,251	\$1,882,987	\$25,902,238
9	Less other funds	97,793	(53,664)	44,129
10	Total general fund	\$23,921,458	\$1,936,651	\$25,858,109

Subdivision 2.

DISTRICT COURTS

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
15	Salaries and wages	\$79,576,340	\$11,134,861	\$90,711,201
16	Operating expenses	24,524,619	3,006,722	27,531,341
17	Capital assets	0	4,742,216	4,742,216
18	Judges' retirement	177,340	(13,666)	163,674
19	Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
20	Less other funds	830,318	(11,320)	818,998
21	Total general fund	\$103,447,981	\$18,881,453	\$122,329,434
22	Salaries and wages	\$79,576,340	\$13,235,292	\$92,811,632
23	Operating expenses	24,524,619	3,767,875	28,292,494
24	Capital assets	0	5,528,916	5,528,916
25	Judges' retirement	177,340	(13,666)	163,674
26	Total all funds	\$104,278,299	\$22,518,417	\$126,796,716
27	Less other funds	830,318	4,643,380	5,473,698
28	Total general fund	\$103,447,981	\$17,875,037	\$121,323,018

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD



		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and	<del>\$1,399,862</del>	<del>\$155,643</del>	<del>\$1,555,505</del>
—disciplinary board			
Total all funds	<del>\$1,399,862</del>	<del>\$155,643</del>	<del>\$1,555,505</del>
Less other funds	<del>512,317</del>	<del>(2,779)</del>	<del>509,538</del>
Total general fund	<del>\$887,545</del>	<del>\$158,422</del>	<del>\$1,045,967</del>
Judicial conduct commission and	\$1,399,862	\$191,985	\$1,591,847
disciplinary board			
Total all funds	\$1,399,862	\$191,985	\$1,591,847
Less other funds	512,317	7,860	520,177
Total general fund	\$887,545	\$184,125	\$1,071,670

Subdivision 4.

~~Office of Guardianship and Conservatorship~~ OFFICE OF GUARDIANSHIP AND  
CONSERVATORSHIP

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Office of guardianship and conservatorship	<del>\$0</del>	<del>\$936,405</del>	<del>\$936,405</del>
Total general fund	<del>\$0</del>	<del>\$936,405</del>	<del>\$936,405</del>
Office of guardianship and conservatorship	\$0	\$730,478	\$730,478
Total general fund	\$0	\$730,478	\$730,478

Subdivision 5.

TOTAL - SECTION 1

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Grand total all funds	\$129,697,412	\$22,006,920	\$151,704,332
Grand total other funds	1,440,428	(67,763)	1,372,665
Grand total general fund	\$128,256,984	\$22,074,683	\$150,331,667
Full time equivalent positions	384.00	12.00	396.00
Grand total all funds	\$129,697,412	\$25,323,867	\$155,021,279
Grand total other funds	1,440,428	4,597,576	6,038,004



1	<u>Grand total general fund</u>	<u>\$128,256,984</u>	<u>\$20,726,291</u>	<u>\$148,983,275</u>
2	<u>Full-time equivalent positions</u>	<u>384.00</u>	<u>10.00</u>	<u>394.00</u>

3 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**

4 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
5 items included in the appropriation in section 1 of this Act which are not included in the entity's  
6 base budget for the 2027-29 biennium and which the entity shall report to the appropriations  
7 committees of the seventieth legislative assembly regarding the use of this funding:

8	<u>One-Time Funding Description</u>	<u>General Fund</u>
9	<u>Information technology equipment lease</u>	<u>\$874,216</u>
10	<u>Case management software cloud migration</u>	<u>758,000</u>
11	<u>Clerk filing software</u>	<u>1,250,000</u>
12	<u>Court records access system</u>	<u>960,000</u>
13	<u>Cloud-based storage fees</u>	<u>866,100</u>
14	<u>Courtroom audio and video equipment</u>	<u>800,000</u>
15	<u>Cass County courtroom equipment</u>	<u>100,000</u>
16	<u>Total</u>	<u>\$5,608,316</u>

17	<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total Funds</u>
18	<u>Information technology equipment</u>	<u>\$874,216</u>	<u>\$0</u>	<u>\$874,216</u>
19	<u>lease</u>			
20	<u>Case management software cloud</u>	<u>0</u>	<u>758,000</u>	<u>758,000</u>
21	<u>migration</u>			
22	<u>Clerk filing software</u>	<u>0</u>	<u>1,250,000</u>	<u>1,250,000</u>
23	<u>Court records access system</u>	<u>0</u>	<u>960,000</u>	<u>960,000</u>
24	<u>Cloud-based storage fees</u>	<u>866,100</u>	<u>0</u>	<u>866,100</u>
25	<u>Courtroom audio and video equipment</u>	<u>0</u>	<u>1,586,700</u>	<u>1,586,700</u>
26	<u>Cass County courtroom equipment</u>	<u>0</u>	<u>100,000</u>	<u>100,000</u>
27	<u>Total</u>	<u>\$1,740,316</u>	<u>\$4,654,700</u>	<u>\$6,395,016</u>

28 **SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.**

- 29 1. The supreme court may not spend funding from the new and vacant FTE funding pool  
30 line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line  
31 item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the

guardianship and conservatorship line item within subdivision 1 of this Act, and to the judicial conduction commission and disciplinary board line item within subdivision 3 of this Act, as necessary to provide funding for:

- a. Filling a new position from the date of hire through the end of the biennium; or
- b. Salaries and wages if actual salaries and wages savings from vacant positions and employee turnover, adjusted for other uses, are less than the estimate used by the sixty-ninth legislative assembly in the development of the appropriation.

2. The supreme court shall report to the budget section regarding the use of funding in the pool, including information on:

- a. New FTE positions, including the date hired;
- b. Vacant FTE positions, including information regarding positions that become vacant and positions filled, salaries and wages savings resulting from vacant positions and employee turnover, and the use of salaries and wages savings for other purposes; and
- c. Additional salaries and wages funding needed due to savings from vacant positions being less than anticipated.

3. If funding in the new and vacant FTE pool line item is insufficient to provide the necessary salaries and wages funding for the biennium, the supreme court may request a deficiency appropriation from the seventieth legislative assembly.

**SECTION 4. 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 5. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

The grand total other funds line item in section 1 of this Act includes the sum of \$4,654,700 from the strategic investment and improvements fund for one-time projects and programs as follows:

Case management software cloud migration	\$758,000
Clerk filing software	1,250,000
Court records access system	960,000
Courtroom audio and video equipment	1,586,700



1	Cass County courtroom equipment	<u>100,000</u>
2	Total	\$4,654,700

3       **SECTION 6. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5       **27-02-02. Salaries of justices of supreme court.**

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

13       **SECTION 7. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15       **27-05-03. Salaries and expenses of district judges.**

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

26       **SECTION 8.** A new subsection to section 54-06-08.2 of the North Dakota Century Code is  
27 created and enacted as follows:

28       The judicial branch may charge a reasonable fee not exceeding the discount charged  
29 by the credit or debit card issuer. The fee may be added to a payment as a service  
30 charge for the acceptance of a payment made by a credit or debit card. The state

1 court administrator shall determine which nationally recognized cards will be accepted  
2 for payments made to the judicial branch under this section.

3 **SECTION 9. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director  
4 of the office of management and budget shall transfer appropriation authority between line items  
5 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the  
6 nature of the duties of the court and its staff requires the transfers to carry on properly the  
7 functions of the judicial branch of government.

**REPORT OF STANDING COMMITTEE  
ENGROSSED SB 2002**

**Appropriations Committee (Rep. Vigesaa, Chairman)** recommends **AMENDMENTS** ([25.0169.02003](#)) and when so amended, recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). Engrossed SB 2002 was placed on the Sixth order on the calendar.

25.0169.02003  
Title.  
Fiscal No. 3

Prepared by the Legislative Council  
staff for Representative Hanson

April 16, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

### ENGROSSED SENATE BILL NO. 2002

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch;  
2 to create and enact a new subsection to section 54-06-08.2 of the North Dakota Century Code,  
3 relating to credit and debit card fees; to amend and reenact sections 27-02-02 and 27-05-03 of  
4 the North Dakota Century Code, relating to the salaries of justices of the supreme court and  
5 salaries of district court judges; to provide for transfers; to provide for a report; and to provide an  
6 exemption.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

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

13 Subdivision 1.

#### 14 SUPREME COURT

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
17 <del>Salaries and wages</del>	<del>\$12,363,778</del>	<del>\$1,055,927</del>	<del>\$13,419,705</del>
18 <del>New and vacant FTE pool</del>	<del>8,740,214</del>	<del>(68,714)</del>	<del>8,671,500</del>
19 <del>Operating expenses</del>	<del>2,915,259</del>	<del>191,426</del>	<del>3,106,685</del>
20 <del>Capital assets</del>	<del>0</del>	<del>866,100</del>	<del>866,100</del>



Sixty-ninth  
Legislative Assembly

1	Total all funds	<del>\$24,019,251</del>	<del>\$2,044,739</del>	<del>\$26,063,990</del>
2	Less other funds	<del>97,793</del>	<del>(53,664)</del>	<del>44,129</del>
3	Total general fund	<del>\$23,921,458</del>	<del>\$2,098,403</del>	<del>\$26,019,861</del>
4	Salaries and wages	\$12,363,778	\$1,488,083	\$13,851,861
5	New and vacant FTE pool	8,740,214	(690,730)	8,049,484
6	Operating expenses	2,915,259	219,534	3,134,793
7	Capital assets	0	866,100	866,100
8	Total all funds	\$24,019,251	\$1,882,987	\$25,902,238
9	Less other funds	97,793	(53,664)	44,129
10	Total general fund	\$23,921,458	\$1,936,651	\$25,858,109

Subdivision 2.

DISTRICT COURTS

13			Adjustments or	
14		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
15	Salaries and wages	<del>\$79,576,340</del>	<del>\$11,134,861</del>	<del>\$90,711,201</del>
16	Operating expenses	<del>24,524,619</del>	<del>3,006,722</del>	<del>27,531,341</del>
17	Capital assets	<del>0</del>	<del>4,742,216</del>	<del>4,742,216</del>
18	Judges' retirement	<del>177,340</del>	<del>(13,666)</del>	<del>163,674</del>
19	Total all funds	<del>\$104,278,299</del>	<del>\$18,870,133</del>	<del>\$123,148,432</del>
20	Less other funds	<del>830,318</del>	<del>(11,320)</del>	<del>818,998</del>
21	Total general fund	<del>\$103,447,981</del>	<del>\$18,881,453</del>	<del>\$122,329,434</del>
22	Salaries and wages	\$79,576,340	\$13,235,292	\$92,811,632
23	Operating expenses	24,524,619	3,767,875	28,292,494
24	Capital assets	0	5,528,916	5,528,916
25	Judges' retirement	177,340	(13,666)	163,674
26	Total all funds	\$104,278,299	\$22,518,417	\$126,796,716
27	Less other funds	830,318	4,643,380	5,473,698
28	Total general fund	\$103,447,981	\$17,875,037	\$121,323,018

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

Sixty-ninth  
Legislative Assembly

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and	<u>\$1,399,862</u>	<u>\$155,643</u>	<u>\$1,555,505</u>
<del>disciplinary board</del>			
Total all funds	<u>\$1,399,862</u>	<u>\$155,643</u>	<u>\$1,555,505</u>
Less other funds	<u>512,317</u>	<u>(2,779)</u>	<u>509,538</u>
Total general fund	<u>\$887,545</u>	<u>\$158,422</u>	<u>\$1,045,967</u>
Judicial conduct commission and	<u>\$1,399,862</u>	<u>\$191,985</u>	<u>\$1,591,847</u>
<u>disciplinary board</u>			
Total all funds	<u>\$1,399,862</u>	<u>\$191,985</u>	<u>\$1,591,847</u>
Less other funds	<u>512,317</u>	<u>7,860</u>	<u>520,177</u>
Total general fund	<u>\$887,545</u>	<u>\$184,125</u>	<u>\$1,071,670</u>

Subdivision 4.

~~Office of Guardianship and Conservatorship~~ OFFICE OF GUARDIANSHIP AND  
CONSERVATORSHIP

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
<del>Office of guardianship and conservatorship</del>	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>
Total general fund	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>
Office of guardianship and conservatorship	<u>\$0</u>	<u>\$730,478</u>	<u>\$730,478</u>
Total general fund	<u>\$0</u>	<u>\$730,478</u>	<u>\$730,478</u>

Subdivision 5.

TOTAL - SECTION 1

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Grand total all funds	<u>\$129,697,412</u>	<u>\$22,006,920</u>	<u>\$151,704,332</u>
Grand total other funds	<u>1,440,428</u>	<u>(67,763)</u>	<u>1,372,665</u>
Grand total general fund	<u>\$128,256,984</u>	<u>\$22,074,683</u>	<u>\$150,331,667</u>
Full-time equivalent positions	<u>384.00</u>	<u>12.00</u>	<u>396.00</u>
Grand total all funds	<u>\$129,697,412</u>	<u>\$25,323,867</u>	<u>\$155,021,279</u>
Grand total other funds	<u>1,440,428</u>	<u>4,597,576</u>	<u>6,038,004</u>



1	<u>Grand total general fund</u>	<u>\$128,256,984</u>	<u>\$20,726,291</u>	<u>\$148,983,275</u>
2	<u>Full-time equivalent positions</u>	<u>384.00</u>	<u>10.00</u>	<u>394.00</u>

3       **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**  
4 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
5 items included in the appropriation in section 1 of this Act which are not included in the entity's  
6 base budget for the 2027-29 biennium and which the entity shall report to the appropriations  
7 committees of the seventieth legislative assembly regarding the use of this funding:

8	<u>One-Time Funding Description</u>	<u>General Fund</u>		
9	<del>Information technology equipment lease</del>	<del>\$874,216</del>		
10	<del>Case management software cloud migration</del>	<del>758,000</del>		
11	<del>Clerk filing software</del>	<del>1,250,000</del>		
12	<del>Court records access system</del>	<del>960,000</del>		
13	<del>Cloud-based storage fees</del>	<del>866,100</del>		
14	<del>Courtroom audio and video equipment</del>	<del>800,000</del>		
15	<del>Cass County courtroom equipment</del>	<del>100,000</del>		
16	<del>Total</del>	<del>\$5,608,316</del>		

17	<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total Funds</u>
18	<u>Information technology equipment</u>	<u>\$874,216</u>	<u>\$0</u>	<u>\$874,216</u>
19	<u>  <u>lease</u></u>			
20	<u>Case management software cloud</u>	<u>0</u>	<u>758,000</u>	<u>758,000</u>
21	<u>  <u>migration</u></u>			
22	<u>Clerk filing software</u>	<u>0</u>	<u>1,250,000</u>	<u>1,250,000</u>
23	<u>Court records access system</u>	<u>0</u>	<u>960,000</u>	<u>960,000</u>
24	<u>Cloud-based storage fees</u>	<u>866,100</u>	<u>0</u>	<u>866,100</u>
25	<u>Courtroom audio and video equipment</u>	<u>0</u>	<u>1,586,700</u>	<u>1,586,700</u>
26	<u>Cass County courtroom equipment</u>	<u>0</u>	<u>100,000</u>	<u>100,000</u>
27	<u>Total</u>	<u>\$1,740,316</u>	<u>\$4,654,700</u>	<u>\$6,395,016</u>

28       **SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.**

- 29       1. The supreme court may not spend funding from the new and vacant FTE funding pool  
30       line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line  
31       item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the

- 1 guardianship and conservatorship line item within subdivision 1 of this Act, and to the  
2 judicial conduct commission and disciplinary board line item within subdivision 3 of  
3 this Act, as necessary to provide funding for:
- 4 a. Filling a new position from the date of hire through the end of the biennium; or
  - 5 b. Salaries and wages if actual salaries and wages savings from vacant positions  
6 and employee turnover, adjusted for other uses, are less than the estimate used  
7 by the sixty-ninth legislative assembly in the development of the appropriation.
- 8 2. The supreme court shall report to the budget section regarding the use of funding in  
9 the pool, including information on:
- 10 a. New FTE positions, including the date hired;
  - 11 b. Vacant FTE positions, including information regarding positions that become  
12 vacant and positions filled, salaries and wages savings resulting from vacant  
13 positions and employee turnover, and the use of salaries and wages savings for  
14 other purposes; and
  - 15 c. Additional salaries and wages funding needed due to savings from vacant  
16 positions being less than anticipated.
- 17 3. If funding in the new and vacant FTE pool line item is insufficient to provide the  
18 necessary salaries and wages funding for the biennium, the supreme court may  
19 request a deficiency appropriation from the seventieth legislative assembly.

20 **SECTION 4. APPROPRIATION.** There are appropriated any funds received by the supreme  
21 court, district courts, and judicial conduct commission and disciplinary board, not otherwise  
22 appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose  
23 as designated in the federal acts or private gifts, grants, and donations for the period beginning  
24 July 1, 2025, and ending June 30, 2027.

25 **SECTION 5. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

26 The grand total other funds line item in section 1 of this Act includes the sum of \$4,654,700 from  
27 the strategic investment and improvements fund for one-time projects and programs as follows:

28 Case management software cloud migration	\$758,000
29 Clerk filing software	1,250,000
30 Court records access system	960,000
31 Courtroom audio and video equipment	1,586,700



1	Cass County courtroom equipment	<u>100,000</u>
2	Total	\$4,654,700

3       **SECTION 6. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5       **27-02-02. Salaries of justices of supreme court.**

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

13       **SECTION 7. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is  
14 amended and reenacted as follows:

15       **27-05-03. Salaries and expenses of district judges.**

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

26       **SECTION 8.** A new subsection to section 54-06-08.2 of the North Dakota Century Code is  
27 created and enacted as follows:

28       The judicial branch may charge a reasonable fee not exceeding the discount charged  
29 by the credit or debit card issuer. The fee may be added to a payment as a service  
30 charge for the acceptance of a payment made by a credit or debit card. The state



1 court administrator shall determine which nationally recognized cards will be accepted  
2 for payments made to the judicial branch under this section.

3 **SECTION 9. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director  
4 of the office of management and budget shall transfer appropriation authority between line items  
5 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the  
6 nature of the duties of the court and its staff requires the transfers to carry on properly the  
7 functions of the judicial branch of government.

**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2002 - Summary of House Action**

	Base Budget	Senate Version	House Changes	House Version
Supreme Court				
Total all funds	\$24,019,251	\$26,063,990	(\$161,752)	\$25,902,238
Less estimated income	97,793	44,129	0	44,129
General fund	\$23,921,458	\$26,019,861	(\$161,752)	\$25,858,109
FTE	45.50	44.50	0.50	45.00
District Courts				
Total all funds	\$104,278,299	\$123,148,432	\$3,648,284	\$126,796,716
Less estimated income	830,318	818,998	4,654,700	5,473,698
General fund	\$103,447,981	\$122,329,434	(\$1,006,416)	\$121,323,018
FTE	334.00	341.00	1.50	342.50
Judicial Conduct Commission				
Total all funds	\$1,399,862	\$1,555,505	\$36,342	\$1,591,847
Less estimated income	512,317	509,538	10,639	520,177
General fund	\$887,545	\$1,045,967	\$25,703	\$1,071,670
FTE	4.50	4.50	0.00	4.50
Guardianship and Conservatorship				
Total all funds	\$0	\$936,405	(\$205,927)	\$730,478
Less estimated income	0	0	0	0
General fund	\$0	\$936,405	(\$205,927)	\$730,478
FTE	0.00	6.00	(4.00)	2.00
Bill total				
Total all funds	\$129,697,412	\$151,704,332	\$3,316,947	\$155,021,279
Less estimated income	1,440,428	1,372,665	4,665,339	6,038,004
General fund	\$128,256,984	\$150,331,667	(\$1,348,392)	\$148,983,275
FTE	384.00	396.00	(2.00)	394.00

**Senate Bill No. 2002 - Supreme Court - House Action**

	Base Budget	Senate Version	House Changes	House Version
Salaries and wages	\$12,363,778	\$13,419,705	\$432,156	\$13,851,861
New and vacant FTE pool	8,740,214	8,671,500	(622,016)	8,049,484
Operating expenses	2,915,259	3,106,685	28,108	3,134,793
Capital assets		866,100		866,100
Total all funds	\$24,019,251	\$26,063,990	(\$161,752)	\$25,902,238
Less estimated income	97,793	44,129	0	44,129
General fund	\$23,921,458	\$26,019,861	(\$161,752)	\$25,858,109
FTE	45.50	44.50	0.50	45.00

**Department 181 - Supreme Court - Detail of House Changes**

	<b>Increases Funding for Salary Equity<sup>1</sup></b>	<b>Adds Funding for Administrative Assistant Position<sup>2</sup></b>	<b>Transfers Funding for 2025-27 New and Vacant FTE Pool<sup>3</sup></b>	<b>Increases Funding for Operating Costs<sup>4</sup></b>	<b>Total House Changes</b>
Salaries and wages	\$423,170	\$74,147	(\$65,161)		\$432,156
New and vacant FTE pool			(622,016)		(622,016)
Operating expenses				\$28,108	28,108
Capital assets					
<b>Total all funds</b>	<b>\$423,170</b>	<b>\$74,147</b>	<b>(\$687,177)</b>	<b>\$28,108</b>	<b>(\$161,752)</b>
Less estimated income	0	0	0	0	0
<b>General fund</b>	<b>\$423,170</b>	<b>\$74,147</b>	<b>(\$687,177)</b>	<b>\$28,108</b>	<b>(\$161,752)</b>
<b>FTE</b>	<b>0.00</b>	<b>0.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.50</b>

<sup>1</sup> Funding is added as follows for Supreme Court salary equity:

	<b>Senate Version</b>	<b>House Changes</b>	<b>Total General Fund</b>
Supreme Court justices salaries increase of 11.1 percent and chief justice salary increase of 12.1 percent	\$200,219	\$63,386	\$263,605
Pay plan 3 percent salary adjustment	0	359,784	359,784
<b>Total</b>	<b>\$200,219</b>	<b>\$423,170</b>	<b>\$623,389</b>

<sup>2</sup> Funding of \$74,147 is added by the House to increase a part-time administrative assistant position to a full-time position.

<sup>3</sup> Funding of \$65,161 for an increased administrative assistant position is removed from the Supreme Court salaries and wages line item and funding of \$622,016 is removed for the judicial branch 2025-27 new and vacant FTE pool line item as follows:

<b>General Fund</b>
New FTE positions
Funding pool line item
Supreme Court net savings
Funding pool line item from district courts
Guardianship and conservatorship funding
pool line item adjustment
Net impact on Supreme Court

<sup>4</sup> Funding of \$28,108 from the general fund is added by the House to provide a total of \$56,217 for increased miscellaneous operating costs.

**Senate Bill No. 2002 - District Courts - House Action**

	<b>Base Budget</b>	<b>Senate Version</b>	<b>House Changes</b>	<b>House Version</b>
Salaries and wages	\$79,576,340	\$90,711,201	\$2,100,431	\$92,811,632
Operating expenses	24,524,619	27,531,341	761,153	28,292,494
Capital assets		4,742,216	786,700	5,528,916
Judges' retirement	177,340	163,674		163,674
<b>Total all funds</b>	<b>\$104,278,299</b>	<b>\$123,148,432</b>	<b>\$3,648,284</b>	<b>\$126,796,716</b>
Less estimated income	830,318	818,998	4,654,700	5,473,698
<b>General fund</b>	<b>\$103,447,981</b>	<b>\$122,329,434</b>	<b>(\$1,006,416)</b>	<b>\$121,323,018</b>
<b>FTE</b>	<b>334.00</b>	<b>341.00</b>	<b>1.50</b>	<b>342.50</b>

**Department 182 - District Courts - Detail of House Changes**

	<b>Increases Funding for Salary Equity<sup>1</sup></b>	<b>Adds Funding for Juvenile Court Positions<sup>2</sup></b>	<b>Transfers Funding for 2025-27 New and Vacant FTE Pool<sup>3</sup></b>	<b>Adds Funding for Treatment Courts<sup>4</sup></b>	<b>Adjusts Operating Funding<sup>5</sup></b>	<b>Adjusts One- Time Funding<sup>6</sup></b>
Salaries and wages	\$1,819,586	\$258,852	(\$237,783)	\$259,776		
Operating expenses				113,700	\$647,453	
Capital assets						\$786,700
Judges' retirement						
<b>Total all funds</b>	<b>\$1,819,586</b>	<b>\$258,852</b>	<b>(\$237,783)</b>	<b>\$373,476</b>	<b>\$647,453</b>	<b>\$786,700</b>
Less estimated income	0	0	0	0	0	4,654,700
<b>General fund</b>	<b>\$1,819,586</b>	<b>\$258,852</b>	<b>(\$237,783)</b>	<b>\$373,476</b>	<b>\$647,453</b>	<b>(\$3,868,000)</b>
<b>FTE</b>	<b>0.00</b>	<b>1.50</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

	<b>Total House Changes</b>
Salaries and wages	\$2,100,431
Operating expenses	761,153
Capital assets	786,700
Judges' retirement	
<b>Total all funds</b>	<b>\$3,648,284</b>
Less estimated income	4,654,700
<b>General fund</b>	<b>(\$1,006,416)</b>
<b>FTE</b>	<b>1.50</b>

<sup>1</sup> Funding is added as follows for district courts salary equity:

	<b>Senate Version</b>	<b>House Changes</b>	<b>Total General Fund</b>
District court judges salaries increase of 7.7 percent	\$1,641,973	\$173,290	\$1,815,263
Pay plan 3 percent salary adjustment	0	1,646,296	1,646,296
<b>Total</b>	<b>\$1,641,973</b>	<b>\$1,819,586</b>	<b>\$3,461,559</b>

<sup>2</sup> Funding of \$258,852 from the general fund is added by the House for 1 new FTE administrative assistant position and to increase a part-time administrative assistant position to a full-time position.

<sup>3</sup> Funding of \$237,783 from the general fund added by the Senate for new FTE position salaries and wages is removed and \$214,005 is added to the Supreme Court new and vacant FTE pool line item resulting in a net savings of \$23,778.

<sup>4</sup> Funding of \$373,476 from the general fund is added for three new treatment courts. The Senate did not include funding for new treatment courts.

<sup>5</sup> Operating funding is adjusted as follows:

	<b>Senate Version</b>	<b>House Changes</b>	<b>Total General Fund</b>
Credit card processing and bank fees	\$200,000	(\$200,000)	\$0
Interpreters	60,000	65,500	125,500
Family mediation program	0	138,200	138,200
Guardian ad litem program	470,000	465,768	935,768
Miscellaneous operating adjustments	168,284	177,985	346,269
<b>Total</b>	<b>\$898,284</b>	<b>\$647,453</b>	<b>\$1,545,737</b>

<sup>6</sup> One-time funding is increased by \$786,700 to provide a total of \$1,586,700 for courtroom audio and video equipment. The House is providing \$4,654,700 from the strategic investment and improvements fund for one-time funding items, including a case management system, clerk filing software, court records access system, courtroom audio and video equipment, and Cass County courtroom equipment. The Senate provided \$3,868,000 from the general fund for these items.



**Senate Bill No. 2002 - Judicial Conduct Commission - House Action**

	Base Budget	Senate Version	House Changes	House Version
Judicial Conduct Commission	\$1,399,862	\$1,555,505	\$36,342	\$1,591,847
Total all funds	\$1,399,862	\$1,555,505	\$36,342	\$1,591,847
Less estimated income	512,317	509,538	10,639	520,177
General fund	\$887,545	\$1,045,967	\$25,703	\$1,071,670
FTE	4.50	4.50	0.00	4.50

**Department 183 - Judicial Conduct Commission - Detail of House Changes**

	Adds Funding for Salary Equity <sup>1</sup>	Adds funding for Operating Costs <sup>2</sup>	Total House Changes
Judicial Conduct Commission	\$32,736	\$3,606	\$36,342
Total all funds	\$32,736	\$3,606	\$36,342
Less estimated income	10,639	0	10,639
General fund	\$22,097	\$3,606	\$25,703
FTE	0.00	0.00	0.00

<sup>1</sup> Funding of \$32,736, including \$22,097 from the general fund and \$10,639 from other funds, is added for a pay plan adjustment of 3 percent. The Senate did not include additional funding for a pay plan adjustment.

<sup>2</sup> Funding of \$3,606 from the general fund is added by the House to provide a total increase of \$19,384 for miscellaneous operating costs, including \$7,213 from the general fund and \$12,171 from other funds.

**Senate Bill No. 2002 - Guardianship and Conservatorship - House Action**

	Base Budget	Senate Version	House Changes	House Version
Guardianship and conservatorship		\$936,405	(\$205,927)	\$730,478
Total all funds	\$0	\$936,405	(\$205,927)	\$730,478
Less estimated income	0	0	0	0
General fund	\$0	\$936,405	(\$205,927)	\$730,478
FTE	0.00	6.00	(4.00)	2.00

**Department 184 - Guardianship and Conservatorship - Detail of House Changes**

	Transfers Positions to Office of Guardianship and Conservatorship <sup>1</sup>	Total House Changes
Guardianship and conservatorship	(\$205,927)	(\$205,927)
Total all funds	(\$205,927)	(\$205,927)
Less estimated income	0	0
General fund	(\$205,927)	(\$205,927)
FTE	(4.00)	(4.00)

<sup>1</sup> Funding of \$205,927 added by the Senate for operating costs relating to 4 new FTE guardianship and conservatorship positions is removed by the House. The House amendment provides for the transfer of the 4 new FTE positions and related salaries and operating costs to a newly created Office of Guardianship and Conservatorship separate from the judicial branch. The reduction for related salaries and wages is from the new and vacant FTE pool line item under the Supreme Court.



---

**Senate Bill No. 2002 - Other Changes - House Action**

This amendment also:

- Adds a section to identify \$4,654,700 from the strategic investment and improvements fund for various one-time appropriations.
- Amends sections relating to the salaries of Supreme Court justices and district court judges.
- Adds a section to authorize the judicial branch to charge a fee as a service charge for the acceptance of a payment made by a credit or debit card.

**2025 CONFERENCE COMMITTEE**

**SB 2002**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

HB 2002  
4/24/2025  
Conference Meeting

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to create and enact a new subsection, to amend and reenact sections relating to the salaries of justices of the supreme court and salaries of district court judges; to provide for transfers; to provide for a report; and to provide an exemption.

9:31 a.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Paul J Thomas, Senator Cole Conley, Senator Scott Meyer. Representative Hanson, Representative Swiontek, Representative Richter

### **Discussion Topics:**

- Funding Sources.
- Salary Increases.
- Equity Increases.
- Credit Card Processing and Bank Fees.

9:32 a.m. Chairman Thomas discussed the changes in the bill and referenced Long testimony #45160.

9:33 a.m. Representative Hanson discussed the changes made by the house, referenced Long Sheet testimony #45160.

9:39 a.m. Chairman Thomas testified in favor of the senates version of the bill and asked for clarification regarding the changes provided by the house.

9:42 a.m. Representative Hanson continued testimony and further explained the changes provided by the house.

9:50 a.m. Chairman Thomas provided background information regarding the decisions the senate made on the bill.

9:55 a.m. Representative Hanson discussed miscellaneous costs requested by Chairman Thomas.

### **Additional written testimony:**

Alex Cronquist, Fiscal Analyst, Legislative Council, submitted testimony in neutral #45160.

9:56 a.m. Chairman Thomas adjourned the meeting.

*Steven Hall, Committee Clerk*

Legislative Council

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

	Senate Version				House Version				House Compared to Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	Increase (Decrease)			
									FTE Positions	General Fund	Other Funds	Total
<b>2025-27 Biennium Base Level</b>	384.00	\$128,256,984	\$1,440,428	\$129,697,412	384.00	\$128,256,984	\$1,440,428	\$129,697,412	0.00	\$0	\$0	\$0
<b>2025-27 Ongoing Funding Changes</b>												
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		\$3,490,350	(\$114,374)	\$3,375,976				\$0
Salary increase		2,986,793	30,331	3,017,124		2,998,833	30,331	3,029,164		\$12,040		12,040
Health insurance increase		2,347,318	18,767	2,366,085		2,365,333	18,767	2,384,100		18,015		18,015
Adds funding for judges and justices salary increases		1,842,192		1,842,192		2,078,868		2,078,868		236,676		236,676
Adds funding for pay plan 3 percent salary adjustment				0		2,028,177	10,639	2,038,816		2,028,177	\$10,639	2,038,816
Restores 2023-25 new and vacant FTE funding		2,455,681	23,723	2,479,404		2,455,681	23,723	2,479,404				0
Transfers funding for 2025-27 new and vacant FTE pool		(2,906,171)	(18,912)	(2,925,083)		(2,837,058)	(18,912)	(2,855,970)		69,113		69,113
Adds new juvenile court positions				0	1.50	237,783		237,783	1.50	237,783		237,783
Adds a new district court administrative assistant position	1.00	170,025		170,025	1.00	170,025		170,025				0
Adds a new district court deputy court administrator position	1.00	272,529		272,529	1.00	272,529		272,529				0
Adds new district court programmer analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds new district court network analyst positions	2.00	421,496		421,496	2.00	421,496		421,496				0
Adds a new district court technology coordinator position	1.00	196,210		196,210	1.00	196,210		196,210				0
Adds a new Supreme Court staff attorney position	1.00	293,625		293,625	1.00	293,625		293,625				0
Increases a Supreme Court part-time administrative assistant position to full-time				0	0.50	65,161		65,161	0.50	65,161		65,161
Adds funding for office of guardianship and conservatorship	4.00	1,200,000		1,200,000	0.00	0		0	(4.00)	(1,200,000)		(1,200,000)
Transfers \$730,478 for guardianship monitoring				0				0				0
Adds funding for 3 new treatment courts				0		373,476		373,476		373,476		373,476
Reduces funding for judges' retirement		(13,666)		(13,666)		(13,666)		(13,666)				0
Adds funding for information technology (IT) system maintenance and enhancements		2,059,179		2,059,179		2,059,179		2,059,179				0
Adds funding for law library reference materials subscription		73,882		73,882		73,882		73,882				0
Adds funding for credit card processing and bank fees		200,000		200,000		0		0		(200,000)		(200,000)
Adjusts funding for operating costs		200,000	(7,298)	192,702		409,699	(7,298)	402,401		209,699		209,699
Adds funding for interpreters		60,000		60,000		125,500		125,500		65,500		65,500
Adds funding for county clerk of court contract		189,428		189,428		189,428		189,428				0
Increases funding for rural attorney recruitment program		36,000		36,000		36,000		36,000				0
Increases funding for the family mediation program to provide a total of \$1.52 million				0		138,200		138,200		138,200		138,200
Adds funding for guardian ad litem program		470,000		470,000		935,768		935,768		465,768		465,768



Total ongoing funding changes	12.00	\$16,466,367	(\$67,763)	\$16,398,604	10.00	\$18,985,975	(\$57,124)	\$18,928,851	(2.00)	\$2,519,608	\$10,639	\$2,530,247
<b>One-Time Funding Items</b>												
Adds funding for IT equipment lease		\$874,216		\$874,216		\$874,216		\$874,216				\$0
Adds funding for case management system migration to cloud-based hosting		758,000		758,000		0	\$758,000	758,000		(\$758,000)	\$758,000	0
Adds funding for clerk filing software		1,250,000		1,250,000		0	1,250,000	1,250,000		(1,250,000)	1,250,000	0
Adds funding for court records access system		960,000		960,000		0	960,000	960,000		(960,000)	960,000	0
Adds funding for cloud-based storage fees		866,100		866,100		866,100		866,100				0
Adds funding for courtroom audio and video systems		800,000		800,000		0	1,586,700	1,586,700		(800,000)	1,586,700	786,700
Adds funding for Cass County courtroom equipment		100,000		100,000		0	100,000	100,000		(100,000)	100,000	0
Total one-time funding changes	0.00	\$5,608,316	\$0	\$5,608,316	0.00	\$1,740,316	\$4,654,700	\$6,395,016	0.00	(\$3,868,000)	\$4,654,700	\$786,700
<b>Total Changes to Base Level Funding</b>	12.00	\$22,074,683	(\$67,763)	\$22,006,920	10.00	\$20,726,291	\$4,597,576	\$25,323,867	(2.00)	(\$1,348,392)	\$4,665,339	\$3,316,947
<b>2025-27 Total Funding</b>	396.00	\$150,331,667	\$1,372,665	\$151,704,332	394.00	\$148,983,275	\$6,038,004	\$155,021,279	(2.00)	(\$1,348,392)	\$4,665,339	\$3,316,947
<i>Federal funds included in other funds</i>			\$842,953					\$842,953		\$0		

Total ongoing changes - Percentage of base level	3.1%	12.8%	(4.7%)	12.6%	2.6%	14.8%	(4.0%)	14.6%	N/A	N/A	N/A	N/A
Total changes - Percentage of base level	3.1%	17.2%	(4.7%)	17.0%	2.6%	16.2%	319.2%	19.5%	N/A	N/A	N/A	N/A

**Other Sections in Judicial Branch - Budget No. 180**

Section Description	Senate Version	House Version	
New and vacant FTE pool	Section 3 provides language regarding the use of funding in the new and vacant FTE pool line item.	Section 3 provides language regarding the use of funding in the new and vacant FTE pool line item.	
Appropriation	Section 4 appropriates 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.	Section 4 appropriates 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.	
Strategic investment and improvements fund		Section 5 identifies \$4,654,700 from the strategic investment and improvements fund for various one-time appropriations.	
Supreme Court justices' salaries	Section 5 provides the statutory changes to increase Supreme Court justices' salaries by approximately 8.5 percent on July 1, 2025. Supreme Court justices' annual salaries would be increased from the current level of \$186,484 to \$202,335 effective July 1, 2025. The Chief Justice of the Supreme Court would be entitled to receive an additional \$6,681 per annum effective July 1, 2025, to provide a 9 percent total increase for the Chief Justice from the current additional amount for the Chief Justice of \$5,274 per annum.	Section 6 provides 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 provides the statutory changes to increase district court judges' salaries by approximately 7 percent on July 1, 2025. District court judges' annual salaries would be increased from the current level of \$171,113 to \$183,091 effective July 1, 2025. A presiding judge of a judicial district would be entitled to receive an additional \$5,202 per annum effective July 1, 2025, an increase from the current additional amount for presiding judges of \$4,862 per annum.	Section 7 provides 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.	



Other Sections in Judicial Branch - Budget No. 180

Section Description	Senate Version	House Version	
Credit card and bank fees		Section 8 provides authority for the judicial branch to charge a fee as a service charge for the acceptance of a payment made by a credit or debit card.	
Line item transfers	Section 7 requires 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.	Section 9 requires 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.	

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
4/25/2025  
Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to create and enact a new subsection, to amend and reenact sections of the North Dakota Century Code, relating to the salaries of justices of the supreme court and salaries of district court judges; to provide for transfers; to provide for a report; and to provide an exemption.

3:33 p.m. Chairman Thomas called the meeting to order.

Members Present: Chairman Paul J. Thomas, Senator Meyer, Senator Conley.  
Representative Richter, Representative Hanson, Representative Swiontek.

### Discussion Topics:

- Funding Source of One-Time expenditures.
- Audio/Video costs.
- Funding for Court Room Equipment.

3:33 p.m. Chairman Thomas referenced previous Long Sheet #45160 04/24/25 and made recommendations to the committee.

3:40 p.m. Representative Hanson responded to the suggestions provided by Chairman Thomas and provided more suggestions to the committee.

3:43 p.m. Chairman Thomas responded to the suggestions provided by Representative Hanson.

3:46 p.m. Chairman Thomas recessed the meeting

3:55 p.m. Chairman Thomas reconvened the meeting.

3:55 p.m. Representative Hanson provided counteroffers and made statements to the committee.

3:58 p.m. Chairman Thomas adjourned the meeting.

*Steven Hall, Committee Clerk*

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
4/26/2025  
Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide for transfers; and to provide an exemption.

9:31 a.m. Chairman Thomas opened the meeting.

Members Present: Chairman Thomas, Senators Conley, Meyer, Representatives Hanson, Swiontek, Richter.

### **Discussion Topics:**

- Guardianship and Conservatorship
- Family Mediation
- Courtroom Audio and Video Upgrades
- New Juvenile Court Positions
- Treatment Courts Breakdown
- Guardian Ad Litem
- Match Requirement for Cass County Courtroom

9:33 a.m. Chairman Thomas opened discussion for the change for guardianship.

9:33 a.m. Alex Conquist, Fiscal Analyst, Legislative Council, provided information about guardianship and conservatorship.

9:36 a.m. Rep Hanson discussed the new House proposal and submitted testimony #45281.

9:42 a.m. Chairman Thomas discussed the House and Senate proposals.

9:45 a.m. Rep Hanson discussed a match requirement for Cass County courtrooms.

9:51 a.m. Chairman Thomas discussed facility grants and the funding source.

9:54 a.m. Chairman Thomas closed the meeting.

*Elizabeth Reiten for Steven Hall, Committee Clerk*

	Senate version	House Version	Senate conferee proposal	House conferee proposal	NOTES	Decrease from House position
Compensation Grid	0	2,038,816	1,359,397	1,359,397	2% instead of 3% increase	679,419
New Juvenile Court positions	0	237,783	0	237,738	keep the 1.5 positions	
Move admin from p/t to f/t	0	65,161	65,161	65,161		
Treatment Courts	0	373,476	0	248,984	Keep 2	124,492
Operating Costs	192,702	402,401	300,000	402,401	fully fund	
Interpreters	60,000	125,500	100,000	125,500	fully fund	
Family Mediation	0	138,200	0	0		138,200
Guardian Ad Litem	470,000	935,768	470,000	935,768	Moves 4 people from pt to ft + enables hours after child is in permanent placement	
Courtroom Audio/Video	800,000	1,586,700	1,200,000	1,200,000	split the difference (75% of request to start with 15-year-old equipment)	386,700
Cass County courtroom	100,000	100,000		400,000	Add 2:1 match requirement	
Guardianship office	1,200,000	-1,200,000		TBD additional amount	need to shift \$ for guardianship attorney - moves 7/1 instead of 4/1	

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
4/28/2025  
Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to create and enact a new subsection to section 54-06-08.2 of the North Dakota Century Code, relating to credit and debit card fees; to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of justices of the supreme court and salaries of district court judges; to provide for transfers; to provide for a report; and to provide an exemption.

4:01 p.m. Chairman Thomas called the meeting to order.

Members Present: Chairman Thomas, Senator Conley, Senator Meyer, Representative Hanson, Representative Swiontek, Representative Richter

### Discussion Topics:

- Mandan Treatment Court.
- Operating and Interpreter Costs.
- Rank Order of Court Priorities.
- Guardian Ad Litum Funding.

4:02 p.m. Chairman Thomas covered topics discussed in the last meeting and presented compromises.

4:03 p.m. Representative Hanson offered additional compromises and submitted testimony in favor #45280

4:06 p.m. Chairman Thomas responded to the suggestions made by the house and asked for clarification.

4:10 p.m. Representative Richter defended the position of the house regarding court funding.

4:11 p.m. Representative Hanson provided further clarification regarding the reasoning for the recommendations of the house.

4:20 p.m. Representative Swiontek answered questions posed by the senate.

4:24 p.m. Representative Richter suggested a change of funding source from general to SIIF.

4:26 p.m. Chairman Thomas closed the meeting.

*Steven Hall, Committee Clerk*



			Senate conferee	House conferee	Senate Conferee	House conferee		Decrease from House position
	Senate version	House Version	proposal #1	proposal #1	Proposal #2	Proposal #2	House notes	
Compensation Grid (D)	0	2,038,816	1,359,397	1,359,397	1,359,397	1,359,397	2% instead of 3% increase	679,419
New Juvenile Court positions - E	0	237,783	0	237,738	0	237,783	keep the 1.5 positions	
Move admin from p/t to f/t - E	0	65,161	65,161	65,161	65,161	65,161		
Treatment Courts (F)	0	373,476	0	248,984	0	124,492	Agree to 1 court in Mandan	248,984
Operating Costs (A)	192,702	402,401	300,000	402,401	add \$50k here	402,401	fully fund	
Interpreters (A)	60,000	125,500	100,000	125,500	or here	125,500	fully fund	
Family Mediation (F)	0	138,200	0	0	0	0		138,200
Guardian Ad Litem (F)	470,000	935,768	470,000	935,768	Add \$400k here	735,768	Moves 4 from pt to ft but fewer hours after child is in perm placement	200,000
Courtroom Audio/Video (A)	800,000	1,586,700	1,200,000	1,200,000	or here	1,200,000	Split difference - 75% of request to start with 15-year-old equipment	386,700
								<b>1,653,303</b>
Cass County courtroom	100,000	100,000		400,000	Infusion into facilities fund?			
Guardianship office	1,200,000	-1,200,000					need to shift \$355k for guardianship attorney - moves to OGC on 7/1 instead of 4/1	
<b>Total Budget</b>	<b>151,704,332</b>	<b>155,021,279</b>						
		-3,316,947						

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2002  
4/29/2025  
Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to create and enact a new subsection to section 54-06-08.2 of the North Dakota Century Code, relating to credit and debit card fees; to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of justices of the supreme court and salaries of district court judges; to provide for transfers; to provide for a report; and to provide an exemption.

3:34 p.m. Chairman Thomas called the meeting to order.

Members Present: Chairman Thomas, Senator Meyer, Senator Conley, Representative Hanson,, Representative Swiontek, Representative Richter.

### Discussion Topics:

- FTE positions
- Treatment Courts
- Court House Improvement Fund

3:35 p.m. Chairman Thomas presented the current standing of the senate, referenced previous testimony #45280 04/28/25 and answered committee questions.

3:40 p.m. Representative Hanson provided discussion to accept changes to supply FTE and treatment court funding for 12 months, and to provide \$1.2 million to courtroom audio/video.

3:43 p.m. Representative Hanson moved Amendment LC#25.0169.02004 In Place Of LC#25.0169.02003.

3:43 p.m. Senator Conley seconded the motion

Motion Passed 6-0-0.

Senator Thomas will carry the bill for the Senate.

Representative Hanson will carry the bill for the House.

3:45 p.m. Chairman Thomas adjourned the meeting.

*Steven Hall, Committee Clerk*

April 30, 2025

DR  
1813  
4-30-25

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

**ENGROSSED SENATE BILL NO. 2002**

Introduced by

Appropriations Committee

*In place of amendment (25.0169.02003) adopted by the House, Engrossed Senate Bill No. 2002 is amended by amendment (25.0169.02004) as follows:*

A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch; to provide an appropriation to the office of guardianship and conservatorship; to create and enact a new subsection to section 54-06-08.2 of the North Dakota Century Code, relating to credit and debit card fees; to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of justices of the supreme court and salaries of district court judges; to provide for transfers; to provide for a report; 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 other funds derived from special funds and federal funds, 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**

	Base Level	Adjustments or Enhancements	Appropriation
Salaries and wages	\$12,363,778	\$1,055,927	\$13,419,705
New and vacant FTE pool	8,740,214	(68,714)	8,671,500

Sixty-ninth  
Legislative Assembly

10R  
2-213  
4-30-25

1	Operating expenses	2,915,259	191,426	3,106,685
2	Capital assets	0	866,100	866,100
3	Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
4	Less other funds	97,793	(53,664)	44,129
5	Total general fund	\$23,921,458	\$2,098,403	\$26,019,861
6	Salaries and wages	\$12,363,778	\$1,368,155	\$13,731,933
7	New and vacant FTE pool	8,740,214	(767,241)	7,972,973
8	Operating expenses	2,915,259	219,534	3,134,793
9	Office of guardianship and conservatorship	0	375,478	375,478
10	Capital assets	0	866,100	866,100
11	Total all funds	\$24,019,251	\$2,062,026	\$26,081,277
12	Less other funds	97,793	(53,664)	44,129
13	Total general fund	\$23,921,458	\$2,115,690	\$26,037,148

Subdivision 2.

DISTRICT COURTS

		Adjustments or		
	Base Level	Enhancements	Appropriation	
18	Salaries and wages	\$79,576,340	\$11,134,861	\$90,711,201
19	Operating expenses	24,524,619	3,006,722	27,531,341
20	Capital assets	0	4,742,216	4,742,216
21	Judges' retirement	177,340	(13,666)	163,674
22	Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
23	Less other funds	830,318	(11,320)	818,998
24	Total general fund	\$103,447,981	\$18,881,453	\$122,329,434
25	Salaries and wages	\$79,576,340	\$12,513,343	\$92,089,683
26	Operating expenses	24,524,619	3,318,107	27,842,726
27	Capital assets	0	5,142,216	5,142,216
28	Judges' retirement	177,340	(13,666)	163,674
29	Total all funds	\$104,278,299	\$20,960,000	\$125,238,299
30	Less other funds	830,318	4,256,680	5,086,998
31	Total general fund	\$103,447,981	\$16,703,320	\$120,151,301



DR  
3213  
4-30-25

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and	<del>\$1,399,862</del>	<del>\$155,643</del>	<del>\$1,555,505</del>
disciplinary board			
Total all funds	<del>\$1,399,862</del>	<del>\$155,643</del>	<del>\$1,555,505</del>
Less other funds	<del>512,317</del>	<del>(2,779)</del>	<del>509,538</del>
Total general fund	<del>\$887,545</del>	<del>\$158,422</del>	<del>\$1,045,967</del>
Judicial conduct commission and	<u>\$1,399,862</u>	<u>\$181,073</u>	<u>\$1,580,935</u>
disciplinary board			
Total all funds	<u>\$1,399,862</u>	<u>\$181,073</u>	<u>\$1,580,935</u>
Less other funds	<u>512,317</u>	<u>4,314</u>	<u>516,631</u>
Total general fund	<u>\$887,545</u>	<u>\$176,759</u>	<u>\$1,064,304</u>

Subdivision 4.

Office of Guardianship and Conservatorship

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Office of guardianship and conservatorship	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>
Total general fund	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>

Subdivision 5.

TOTAL - SECTION 1

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
<del>Grand total all funds</del>	<del>\$129,697,412</del>	<del>\$22,006,920</del>	<del>\$151,704,332</del>
<del>Grand total other funds</del>	<del>1,440,428</del>	<del>(67,763)</del>	<del>1,372,665</del>
<del>Grand total general fund</del>	<del>\$128,256,984</del>	<del>\$22,074,683</del>	<del>\$150,331,667</del>
<del>Full-time equivalent positions</del>	<del>384.00</del>	<del>12.00</del>	<del>396.00</del>
<u>Grand total all funds</u>	<u>\$129,697,412</u>	<u>\$23,203,099</u>	<u>\$152,900,511</u>
<u>Grand total other funds</u>	<u>1,440,428</u>	<u>4,207,330</u>	<u>5,647,758</u>



OR  
4-13  
4-30-2

1	<u>Grand total general fund</u>	<u>\$128,256,984</u>	<u>\$18,995,769</u>	<u>\$147,252,753</u>
2	<u>Full-time equivalent positions</u>	<u>384.00</u>	<u>10.00</u>	<u>394.00</u>

3       **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**  
4 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
5 items included in the appropriation in section 1 of this Act which are not included in the entity's  
6 base budget for the 2027-29 biennium and which the entity shall report to the appropriations  
7 committees of the seventieth legislative assembly regarding the use of this funding:

8	<u>One-Time Funding Description</u>	<u>General Fund</u>		
9	<u>Information technology equipment lease</u>	<u>\$874,216</u>		
10	<u>Case management software cloud migration</u>	<u>758,000</u>		
11	<u>Clerk filing software</u>	<u>1,250,000</u>		
12	<u>Court records access system</u>	<u>960,000</u>		
13	<u>Cloud-based storage fees</u>	<u>866,100</u>		
14	<u>Courtroom audio and video equipment</u>	<u>800,000</u>		
15	<u>Cass County courtroom equipment</u>	<u>100,000</u>		
16	<u>Total</u>	<u>\$5,608,316</u>		

17	<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total Funds</u>
18	<u>Information technology equipment</u>	<u>\$874,216</u>	<u>\$0</u>	<u>\$874,216</u>
19	<u>  <u>lease</u></u>			
20	<u>Case management software cloud</u>	<u>0</u>	<u>758,000</u>	<u>758,000</u>
21	<u>  <u>migration</u></u>			
22	<u>Clerk filing software</u>	<u>0</u>	<u>1,250,000</u>	<u>1,250,000</u>
23	<u>Court records access system</u>	<u>0</u>	<u>960,000</u>	<u>960,000</u>
24	<u>Cloud-based storage fees</u>	<u>866,100</u>	<u>0</u>	<u>866,100</u>
25	<u>Courtroom audio and video equipment</u>	<u>0</u>	<u>1,200,000</u>	<u>1,200,000</u>
26	<u>Cass County courtroom equipment</u>	<u>0</u>	<u>100,000</u>	<u>100,000</u>
27	<u>Total</u>	<u>\$1,740,316</u>	<u>\$4,268,000</u>	<u>\$6,008,316</u>

28       **SECTION 3. NEW AND VACANT ~~FTE~~ FULL-TIME EQUIVALENT POOL - BUDGET**

29 **SECTION REPORT.**

- 30       1. The supreme court may not spend funding from the new and vacant ~~FTE~~ full-time  
31       equivalent funding pool line item in subdivision 1 of section 1 of this Act, but may

DR  
5 & 13  
April 30, 28

1 transfer funds from this line item to the salaries and wages line items within  
2 subdivisions 1 and 2 of this Act, to the guardianship and conservatorship line item  
3 within subdivision 1 of this Act, and to the judicial conduction commission and  
4 disciplinary board line item within subdivision 3 of this Act, as necessary to provide  
5 funding for:

- 6 a. Filling a new position from the date of hire through the end of the biennium; or
- 7 b. Salaries and wages if actual salaries and wages savings from vacant positions  
8 and employee turnover, adjusted for other uses, are less than the estimate used  
9 by the sixty-ninth legislative assembly in the development of the appropriation.

10 2. The supreme court shall report to the budget section regarding the use of funding in  
11 the pool, including information on:

- 12 a. New ~~FTE~~full-time equivalent positions, including the date hired;
- 13 b. Vacant ~~FTE~~full-time equivalent positions, including information regarding  
14 positions that become vacant and positions filled, salaries and wages savings  
15 resulting from vacant positions and employee turnover, and the use of salaries  
16 and wages savings for other purposes; and
- 17 c. Additional salaries and wages funding needed due to savings from vacant  
18 positions being less than anticipated.

19 3. If funding in the new and vacant ~~FTE~~full-time equivalent pool line item is insufficient to  
20 provide the necessary salaries and wages funding for the biennium, the supreme court  
21 may request a deficiency appropriation from the seventieth legislative assembly.

22 **SECTION 4. APPROPRIATION.** There are appropriated any funds received by the supreme  
23 court, district courts, and judicial conduct commission and disciplinary board, not otherwise  
24 appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose  
25 as designated in the federal acts or private gifts, grants, and donations, for the period beginning  
26 July 1, 2025, and ending June 30, 2027.

27 **SECTION 5. APPROPRIATION - OFFICE OF GUARDIANSHIP AND**  
28 **CONSERVATORSHIP.** There is appropriated out of any moneys in the general fund in the state  
29 treasury, not otherwise appropriated, the sum of \$355,000, or so much of the sum as may be  
30 necessary, to the office of guardianship and conservatorship for the purpose of providing  
31 salaries, wages, and operations funding for an attorney position transferred to the office



DR  
C.B.B.  
4.30.24

pursuant to Senate Bill No. 2029, as approved by the sixty-ninth legislative assembly, for the biennium beginning July 1, 2025, and ending June 30, 2027.

**SECTION 6. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - COURT FACILITIES IMPROVEMENT AND MAINTENANCE FUND.** The office of management and budget shall transfer the sum of \$200,000 from the strategic investment and improvements fund to the court facilities improvement and maintenance fund during the biennium beginning July 1, 2025, and ending June 30, 2027.

**SECTION 7. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The grand total other funds line item in section 1 of this Act includes the sum of \$4,268,000 from the strategic investment and improvements fund for one-time projects and programs as follows:

Case management software cloud migration	\$758,000
Clerk filing software	1,250,000
Court records access system	960,000
Courtroom audio and video equipment	1,200,000
Cass County courtroom equipment	<u>100,000</u>
Total	\$4,268,000

**SECTION 8. 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 two thousand three hundred thirty-five dollars two hundred seven thousand two hundred forty-nine dollars. The chief justice of the supreme court is entitled to receive an additional ~~five thousand seventy-one dollars per annum through June 30, 2024, and five thousand two hundred seventy-four~~ six thousand six hundred eighty-one seven thousand six hundred forty-seven dollars per annum thereafter.

**SECTION 9. 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~~

DR  
7813  
4-30-25

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

9 **SECTION 10.** A new subsection to section 54-06-08.2 of the North Dakota Century Code is  
10 created and enacted as follows:

11 The judicial branch may charge a reasonable fee not exceeding the discount charged  
12 by the credit or debit card issuer. The fee may be added to a payment as a service  
13 charge for the acceptance of a payment made by a credit or debit card. The state  
14 court administrator shall determine which nationally recognized cards will be accepted  
15 for payments made to the judicial branch under this section.

16 **SECTION 11. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director  
17 of the office of management and budget shall transfer appropriation authority between line items  
18 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the  
19 nature of the duties of the court and its staff requires the transfers to carry on properly the  
20 functions of the judicial branch of government.



**STATEMENT OF PURPOSE OF AMENDMENT:****Senate Bill No. 2002 - Summary of Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Supreme Court						
Total all funds	\$24,019,251	\$26,063,990	\$17,287	\$26,081,277	\$25,902,238	\$179,039
Less estimated income	97,793	44,129	0	44,129	44,129	0
General fund	\$23,921,458	\$26,019,861	\$17,287	\$26,037,148	\$25,858,109	\$179,039
FTE	45.50	44.50	2.50	47.00	45.00	2.00
District Courts						
Total all funds	\$104,278,299	\$123,148,432	\$2,089,867	\$125,238,299	\$126,796,716	(\$1,558,417)
Less estimated income	830,318	818,998	4,268,000	5,086,998	5,473,698	(386,700)
General fund	\$103,447,981	\$122,329,434	(\$2,178,133)	\$120,151,301	\$121,323,018	(\$1,171,717)
FTE	334.00	341.00	1.50	342.50	342.50	0.00
Judicial Conduct Commission						
Total all funds	\$1,399,862	\$1,555,505	\$25,430	\$1,580,935	\$1,591,847	(\$10,912)
Less estimated income	512,317	509,538	7,093	516,631	520,177	(3,546)
General fund	\$887,545	\$1,045,967	\$18,337	\$1,064,304	\$1,071,670	(\$7,366)
FTE	4.50	4.50	0.00	4.50	4.50	0.00
Guardianship and Conservatorship						
Total all funds	\$0	\$936,405	(\$936,405)	\$0	\$730,478	(\$730,478)
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$936,405	(\$936,405)	\$0	\$730,478	(\$730,478)
FTE	0.00	6.00	(6.00)	0.00	2.00	(2.00)
Office of Guardianship						
Total all funds	\$0	\$0	\$355,000	\$355,000	\$0	\$355,000
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$355,000	\$355,000	\$0	\$355,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00
Bill total						
Total all funds	\$129,697,412	\$151,704,332	\$1,551,179	\$153,255,511	\$155,021,279	(\$1,765,768)
Less estimated income	1,440,428	1,372,665	4,275,093	5,647,758	6,038,004	(390,246)
General fund	\$128,256,984	\$150,331,667	(\$2,723,914)	\$147,607,753	\$148,983,275	(\$1,375,522)
FTE	384.00	396.00	(2.00)	394.00	394.00	0.00

**Senate Bill No. 2002 - Supreme Court - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$12,363,778	\$13,419,705	\$312,228	\$13,731,933	\$13,851,861	(\$119,928)
New and vacant FTE pool	8,740,214	8,671,500	(698,527)	7,972,973	8,049,484	(76,511)
Operating expenses	2,915,259	3,106,685	28,108	3,134,793	3,134,793	0
Capital assets		866,100		866,100	866,100	0
Guardianship and conservatorship			375,478	375,478		375,478
Total all funds	\$24,019,251	\$26,063,990	\$17,287	\$26,081,277	\$25,902,238	\$179,039
Less estimated income	97,793	44,129	0	44,129	44,129	0
General fund	\$23,921,458	\$26,019,861	\$17,287	\$26,037,148	\$25,858,109	\$179,039
FTE	45.50	44.50	2.50	47.00	45.00	2.00



**Department 181 - Supreme Court - Detail of Conference Committee Changes**

	Increases Funding for Salary Equity <sup>1</sup>	Adds Funding for Administrative Assistant Position <sup>2</sup>	Transfers Current Guardianship Positions <sup>3</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>4</sup>	Increases Funding for Operating Costs <sup>5</sup>	Total Conference Committee Changes
Salaries and wages	\$303,242	\$74,147		(\$65,161)		\$312,228
New and vacant FTE pool				(\$698,527)		(\$698,527)
Operating expenses					\$28,108	28,108
Capital assets						
Guardianship and conservatorship			\$375,478			375,478
Total all funds	\$303,242	\$74,147	\$375,478	(\$763,688)	\$28,108	\$17,287
Less estimated income	0	0	0	0	0	0
General fund	\$303,242	\$74,147	\$375,478	(\$763,688)	\$28,108	\$17,287
FTE	0.00	0.50	2.00	0.00	0.00	2.50

<sup>1</sup> Funding is added from the general fund as follows for Supreme Court salary equity:

	<u>Senate Version</u>	<u>House Version</u>	<u>Conference Committee Version</u>
Supreme Court justices salaries increase of 11.1 percent and chief justice salary increase of 12.1 percent	\$200,219	\$263,605	\$263,605
Pay plan salary adjustment	0	359,784	239,856
Total	\$200,219	\$623,389	\$503,461

The conference committee version provides for a pay plan salary adjustment of 2 percent. The House version provided for a pay plan salary adjustment of 3 percent.

<sup>2</sup> Funding of \$74,147 is added to increase a part-time administrative assistant position to a full-time position, the same as the House.

<sup>3</sup> The guardianship and conservatorship funding (\$375,478) and FTE positions in the judicial branch base budget are placed in an office of guardianship and conservatorship line item under the Supreme Court. The FTE attorney position relating to guardianship and conservatorship is to be transferred to the newly created Office of Guardianship and Conservatorship on July 1, 2025, pursuant to Senate Bill No. 2029. The FTE position remaining after the July 1, 2025, transfer and any unspent funding in the line item are to be transferred to the newly created Office of Guardianship and Conservatorship by April 1, 2026.

<sup>4</sup> Funding of \$65,161 for a 0.5 FTE administrative assistant position increase is removed from the Supreme Court salaries and wages line item and funding of \$698,527 is removed for the judicial branch 2025-27 new and vacant FTE pool line item as follows:

	<b>General Fund</b>
New FTE positions	(\$65,161)
Funding pool line item	58,645
Supreme Court net savings	(\$6,516)
Funding pool line item from district courts	137,494
Guardianship and conservatorship funding pool line item adjustment	(894,666)
Net impact on Supreme Court	(\$763,688)

<sup>5</sup> Funding of \$28,108 from the general fund is added to provide a total of \$56,217 for increased miscellaneous operating costs, the same as the House.

DR  
10/13  
4-30-25

**Senate Bill No. 2002 - District Courts - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Salaries and wages	\$79,576,340	\$90,711,201	\$1,378,482	\$92,089,683	\$92,811,632	(\$721,949)
Operating expenses	24,524,619	27,531,341	311,385	27,842,726	28,292,494	(449,768)
Capital assets		4,742,216	400,000	5,142,216	5,528,916	(386,700)
Judges' retirement	177,340	163,674		163,674	163,674	
Total all funds	\$104,278,299	\$123,148,432	\$2,089,867	\$125,238,299	\$126,796,716	(\$1,558,417)
Less estimated income	830,318	818,998	4,268,000	5,086,998	5,473,698	(386,700)
General fund	\$103,447,981	\$122,329,434	(\$2,178,133)	\$120,151,301	\$121,323,018	(\$1,171,717)
FTE	334.00	341.00	1.50	342.50	342.50	0.00

**Department 182 - District Courts - Detail of Conference Committee Changes**

	Increases Funding for Salary Equity <sup>1</sup>	Adds Funding for Juvenile Court Positions <sup>2</sup>	Transfers Funding for 2025-27 New and Vacant FTE Pool <sup>3</sup>	Adds Funding for Treatment Courts <sup>4</sup>	Adjusts Operating Funding <sup>5</sup>	Adjusts One- Time Funding <sup>6</sup>
Salaries and wages	\$1,270,821	\$173,840	(\$152,771)	\$86,592		
Operating expenses				37,900	\$273,485	
Capital assets						\$400,000
Judges' retirement						
Total all funds	\$1,270,821	\$173,840	(\$152,771)	\$124,492	\$273,485	\$400,000
Less estimated income	0	0	0	0	0	4,268,000
General fund	\$1,270,821	\$173,840	(\$152,771)	\$124,492	\$273,485	(\$3,868,000)
FTE	0.00	1.50	0.00	0.00	0.00	0.00

	Total Conference Committee Changes
Salaries and wages	\$1,378,482
Operating expenses	311,385
Capital assets	400,000
Judges' retirement	
Total all funds	\$2,089,867
Less estimated income	4,268,000
General fund	(\$2,178,133)
FTE	1.50

<sup>1</sup> Funding is added from the general fund as follows for district courts salary equity:

	Senate Version	House Version	Conference Committee Version
District court judges salaries increase of 7.7 percent	\$1,641,973	\$1,815,263	\$1,815,263
Pay plan salary adjustment	0	1,646,296	1,097,531
Total	\$1,641,973	\$3,461,559	\$2,912,794

The conference committee version provides for a pay plan salary adjustment of 2 percent. The House version provided for a pay plan salary adjustment of 3 percent.

<sup>2</sup> Funding of \$173,840 from the general fund is added by the House for 1 new FTE administrative assistant position (starting July 1, 2026) and to increase a part-time administrative assistant position to a full-time position (starting July 1, 2025), including related salary and health insurance increases. The House appropriated \$258,852 from the general fund to fully fund the 1.5 FTE positions for the entire biennium.

<sup>3</sup> Funding of \$152,771 from the general fund added by the conference committee for new FTE position salaries and wages is removed and \$137,494 is added to the Supreme Court new and vacant FTE pool line item resulting in a net



11/9/13  
4-30-25

savings of \$15,277.

<sup>4</sup> Funding of \$124,492 from the general fund is added for a mental health treatment court in Mandan and a veterans court in Cass County for the second year of the biennium. The House included \$373,476 from the general fund for three new treatment courts for the full biennium. The Senate did not include funding for new treatment courts.

<sup>5</sup> Operating funding from the general fund is adjusted as follows:

	<u>Senate Version</u>	<u>House Version</u>	<u>Conference Committee Version</u>
Credit card processing and bank fees	\$200,000	\$0	\$0
Interpreters	60,000	125,500	125,500
Family mediation program	0	138,200	0
Guardian ad litem program	470,000	935,768	700,000
Miscellaneous operating adjustments	<u>168,284</u>	<u>346,269</u>	<u>346,269</u>
Total	\$898,284	\$1,545,737	\$1,171,769

<sup>6</sup> One-time funding is increased by \$400,000 to provide a total of \$1,200,000 for courtroom audio and video equipment. The House included \$1,586,700 for courtroom audio and video equipment. The conference committee amendment provides \$4,268,000 from the strategic investment and improvements fund (SIIF) for one-time funding items, including a case management system, clerk filing software, court records access system, courtroom audio and video equipment, and Cass County courtroom equipment. The House provided \$4,654,700 from SIIF and the Senate provided \$3,868,000 from the general fund for these items.

#### Senate Bill No. 2002 - Judicial Conduct Commission - Conference Committee Action

	<u>Base Budget</u>	<u>Senate Version</u>	<u>Conference Committee Changes</u>	<u>Conference Committee Version</u>	<u>House Version</u>	<u>Comparison to House</u>
Judicial Conduct Commission	\$1,399,862	\$1,555,505	\$25,430	\$1,580,935	\$1,591,847	(\$10,912)
Total all funds	\$1,399,862	\$1,555,505	\$25,430	\$1,580,935	\$1,591,847	(\$10,912)
Less estimated income	512,317	509,538	7,093	516,631	520,177	(3,546)
General fund	\$887,545	\$1,045,967	\$18,337	\$1,064,304	\$1,071,670	(\$7,366)
FTE	4.50	4.50	0.00	4.50	4.50	0.00

#### Department 183 - Judicial Conduct Commission - Detail of Conference Committee Changes

	<u>Adds Funding for Salary Equity<sup>1</sup></u>	<u>Adds funding for Operating Costs<sup>2</sup></u>	<u>Total Conference Committee Changes</u>
Judicial Conduct Commission	\$21,824	\$3,606	\$25,430
Total all funds	\$21,824	\$3,606	\$25,430
Less estimated income	7,093	0	7,093
General fund	\$14,731	\$3,606	\$18,337
FTE	0.00	0.00	0.00

<sup>1</sup> Funding of \$21,824, including \$14,731 from the general fund and \$7,093 from other funds, is added for a pay plan adjustment of 2 percent. The House provided \$32,736 for a pay plan adjustment of 3 percent and the Senate did not include additional funding for a pay plan adjustment.

<sup>2</sup> Funding of \$3,606 from the general fund is added to provide a total increase of \$19,384 for miscellaneous operating costs, including \$7,213 from the general fund and \$12,171 from other funds, the same as the House.

**Senate Bill No. 2002 - Guardianship and Conservatorship - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Guardianship and conservatorship		\$936,405	(\$936,405)		\$730,478	(\$730,478)
Total all funds	\$0	\$936,405	(\$936,405)	\$0	\$730,478	(\$730,478)
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$936,405	(\$936,405)	\$0	\$730,478	(\$730,478)
FTE	0.00	6.00	(6.00)	0.00	2.00	(2.00)

**Department 184 - Guardianship and Conservatorship - Detail of Conference Committee Changes**

	Transfers New Positions to Office of Guardianship and Conservatorship <sup>1</sup>	Transfers Current Guardianship Positions <sup>2</sup>	Total Conference Committee Changes
Guardianship and conservatorship	(\$205,927)	(\$730,478)	(\$936,405)
Total all funds	(\$205,927)	(\$730,478)	(\$936,405)
Less estimated income	0	0	0
General fund	(\$205,927)	(\$730,478)	(\$936,405)
FTE	(4.00)	(2.00)	(6.00)

<sup>1</sup> Funding of \$205,927 added by the Senate for operating costs relating to 4 new FTE guardianship and conservatorship positions is removed by the conference committee, the same as the House. The 4 new FTE positions and related salaries and operating costs for the newly created Office of Guardianship and Conservatorship are appropriated to the office in Senate Bill No. 2029, the same as the House. The reduction for related salaries and wages is from the new and vacant FTE pool line item under the Supreme Court.

<sup>2</sup> The conference committee removed the Office of Guardianship and Conservatorship from the judicial branch and appropriated \$355,000 from the general fund to the newly created Office of Guardianship and Conservatorship for the purpose of providing salaries, wages, and operations funding for an attorney position to be transferred to the office on July 1, 2025, pursuant to Senate Bill No. 2029, as approved by the sixty-ninth legislative assembly. The remaining guardianship and conservatorship funding (\$375,478) and FTE positions in the judicial branch budget are transferred to the office of guardianship and conservatorship line item under the Supreme Court. The FTE position remaining after July 1, 2025, and any unspent funding in the line item are to be transferred to the newly created Office of Guardianship and Conservatorship by April 1, 2026.

**Senate Bill No. 2002 - Office of Guardianship - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Guardianship and conservatorship			\$355,000	\$355,000		\$355,000
Total all funds	\$0	\$0	\$355,000	\$355,000	\$0	\$355,000
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$0	\$355,000	\$355,000	\$0	\$355,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

DR  
13413  
4-30-25

**Department 315 - Office of Guardianship - Detail of Conference Committee Changes**

	Adds Funding for FTE Position <sup>1</sup>	Total Conference Committee Changes
Guardianship and conservatorship	\$355,000	\$355,000
Total all funds	\$355,000	\$355,000
Less estimated income	0	0
General fund	\$355,000	\$355,000
FTE	0.00	0.00

<sup>1</sup> The conference committee appropriated \$355,000 from the general fund to the newly created Office of Guardianship and Conservatorship for the purpose of providing salaries, wages, and operations funding for an attorney position to be transferred to the office on July 1, 2025, pursuant to Senate Bill No. 2029, as approved by the sixty-ninth legislative assembly. The remaining guardianship and conservatorship funding (\$375,478) and FTE positions in the judicial branch budget are transferred to the office of guardianship and conservatorship line item under the Supreme Court. The FTE position remaining after the July 1, 2025, transfer and any unspent funding in the line item are to be transferred to the newly created Office of Guardianship and Conservatorship by April 1, 2026.

**Senate Bill No. 2002 - Other Changes - Conference Committee Action**

This amendment also:

- Adds a section to transfer \$200,000 from SIIF to the court facilities improvement and maintenance fund. Neither the House version nor the Senate version provided for this transfer.
- Adds a section to identify \$4,268,000 from SIIF for various one-time appropriations. The House appropriated \$4,654,700 from SIIF and the Senate appropriated the funding from the general fund for various one-time appropriations.
- Amends sections relating to the salaries of Supreme Court justices and district court judges, the same as the House.
- Adds a section to authorize the judicial branch to charge a fee as a service charge for the acceptance of a payment made by a credit or debit card, the same as the House.



# SB 2002 042925 1352 PM Roll Call Vote

## Final Recommendation

### SB 2002

**Date Submitted:** April 30, 2025, 1:52 p.m.

**Recommendation:** In Place Of

**Amendment LC #:** 25.0169.02004

**Engrossed LC #:** N/A

**Motioned By:** Hanson, Karla Rose

**Seconded By:** Conley, Cole

**House Carrier:** Hanson, Karla Rose

**Senate Carrier:** Thomas, Paul J.

**Emergency Clause:** None

**Vote Results:** 6 - 0 - 0

**Description:** supply FTE and treatment court funding for 12 months, and to provide \$1.2 million to courtroom audio-video

Sen. Thomas, Paul J.	Yea
Sen. Conley, Cole	Yea
Sen. Meyer, Scott	Yea
Rep. Hanson, Karla Rose	Yea
Rep. Swiontek, Steve	Yea
Rep. Richter, David	Yea

**REPORT OF CONFERENCE COMMITTEE  
ENGROSSED SB 2002**

Your conference committee (Sens. Thomas, Conley, Meyer and Reps. Hanson, Swiontek, Richter) recommends that in place of amendment [25.0169.02003](#) adopted by the House, Engrossed SB 2002 is amended by amendment [25.0169.02004](#).

Engrossed SB 2002 was placed on the Seventh order of business on the calendar.