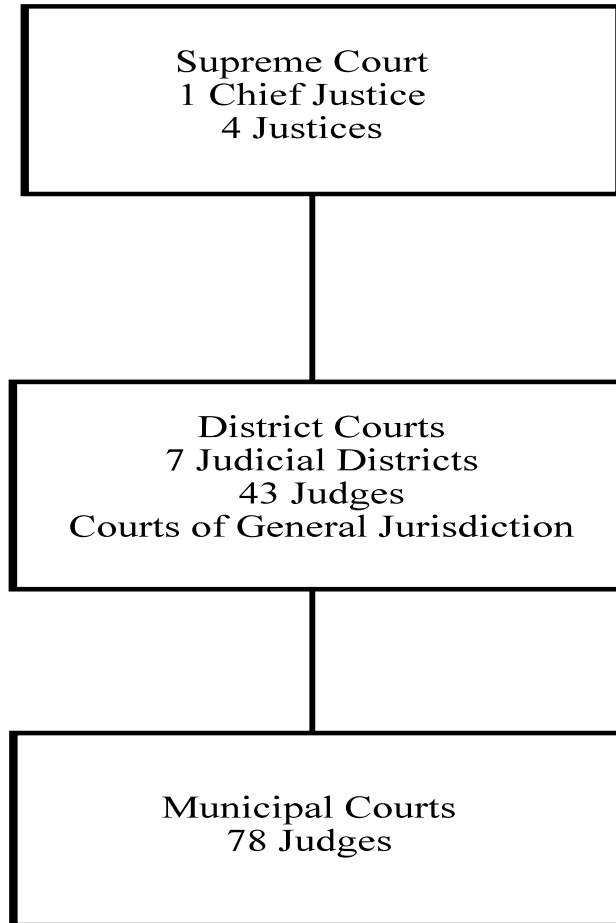


## THE STRUCTURE OF THE NORTH DAKOTA JUDICIAL SYSTEM



# Profile of the North Dakota Judicial System

## Structure of the Court System

The original constitution of the state of North Dakota created a judicial system consisting of the Supreme Court, district courts, justice of the peace courts, and such municipal courts as provided by the law. This judicial structure remained intact until 1959 when the Legislative Assembly abolished the justice of peace courts in the state. The adoption of a new judicial article to the state constitution in 1976 significantly modified the constitutional structure of the judicial system. The new judicial article vested the judicial powers of the state in a unified judicial system consisting of a Supreme Court, district courts, and such other courts as provided by law. Thus, under the new judicial article, only the Supreme Court and the district courts retained their status as constitutional courts. All other courts in the state are statutory courts.

In 1981 the Legislative Assembly further altered the structure of the judicial system by enacting legislation that replaced the multi-level county court structure with a uniform system of county courts throughout the state. This new county court structure became effective on January 1, 1983.

With the county court system in place, the judicial system of the state consisted of the Supreme Court, district courts, county courts, and municipal courts.

This changed once again as 1991 House Bill 1517 began implementation on July 1, 1991, with a completion date scheduled on January 1, 2001. Briefly stated, this legislation abolished county courts on January 1, 1995, with the jurisdictional workload transferring to an expanded number of district judges. The 1991 total of 26 county judges and 27 district court judges has been reduced to 43 district court judges sitting as of the end of 1998. This number is scheduled to be reduced to a total of 42 district court judges by the year 2001.

## Administrative Authority

The 1981 Legislative Assembly clarified the administrative responsibilities of the Supreme Court by designating the chief justice as the administrative head of the judicial system and by granting the chief justice the authority to assign judges for temporary duty in any non-federal court in the state. It also acknowledged the Supreme Court's rulemaking authority in such areas as court procedure and attorney supervision.

## Selection and Removal of Judges

All judges in North Dakota are elected in nonpartisan elections. Justices of the Supreme Court are elected for ten-year terms; district court judges for six-year terms; and municipal court judges for four-year terms.

Vacancies in the Supreme Court and the district courts can be filled either by a special election called by the governor or by gubernatorial appointment. However, before a vacancy can be filled by gubernatorial appointment, the Judicial Nominating Committee must first submit a list of nominees to the governor from which the governor makes an appointment. Whether the vacancy is filled by a special election or by appointment, the person filling the judicial vacancy serves for a minimum of two years and then until the next general election. The person elected to the office at the general election serves for the remainder of the unexpired term.

If a vacancy occurs in a municipal court, it is filled by the executive officer of the municipality with the consent of the governing body of the municipality.

Under the North Dakota Constitution only Supreme Court justices and district court judges can be removed from office by impeachment. All judges, however, are subject to removal, censure, suspension, retirement or other disciplinary action for misconduct by the Supreme Court upon the recommendation of the Judicial Conduct Commission. Other methods for the retirement, removal and discipline of judges can be established by the Legislative Assembly.

## North Dakota Supreme Court



Left to right: (Sitting) Justice Dale V. Sandstrom; Chief Justice Gerald W. VandeWalle; Justice William A. Neumann; (Standing) Justice Carol Ronning Kapsner; Justice Mary Muehlen Maring

The North Dakota Supreme Court has five Justices. Each Justice is elected for a ten-year term in a nonpartisan election. The terms of the Justices are staggered so that only one judgeship is scheduled for election every two years. Each Justice must be a licensed attorney and a citizen of the United States and North Dakota.

One member of the Supreme Court is selected as Chief Justice by the Justices of the Supreme Court and the District Court Judges. The Chief Justice's term is for five years or until the Justice's elected term on the court expires. The Chief Justice's duties include presiding over Supreme Court conferences, representing the judiciary at official state functions, and serving as the administrative head of the judicial system.

The North Dakota Supreme Court is the highest court for the State of North Dakota. It has two major types of responsibilities: (1) adjudicative and (2) administrative.

In its adjudicative capacity, the Supreme Court is primarily an appellate court with jurisdiction to hear appeals from decisions of the district courts. All appeals from these courts must be ripe for review by the Court. In addition, the Court also has original jurisdiction authority and can issue such original and remedial writs as are necessary to exercise this authority.

The state constitution requires that a majority of the Justices is necessary before the Court can conduct its adjudicative business. In addition, the Court cannot declare a legislative enactment unconstitutional unless four of the Justices so decide. When the Court reverses, modifies, or affirms a trial court judgment or order, it is required to issue a written opinion stating the reasons for its decision. Any Justice disagreeing with the majority opinion may issue a dissenting opinion which explains the reasons for the disagreement with the majority.

In its administrative capacity, the Supreme Court has major responsibilities for ensuring the efficient and effective operation of all nonfederal courts in the state, maintaining high standards of judicial conduct, supervising the legal profession, and promulgating procedural rules which allow for the orderly and efficient transaction of judicial business.

Within each area of administrative responsibility the Court has general rulemaking authority.

The Court carries out its administrative responsibilities with the assistance of various committees and boards. It exercises its authority to admit and license attorneys through the State Bar Board. Its supervision of legal ethics is exercised through the Disciplinary Board of the Supreme Court and its supervision of judicial conduct is exercised through the Judicial Conduct Commission. Continuing review and study of specific subject areas within its administrative jurisdiction is provided through five advisory committees - the Joint Procedure Committee, the Joint Committee on Attorney Standards, the Judiciary Standards Committee, the Court Services Administration Committee, and the Judicial Planning Committee. Other committees, such as, the Continuing Judicial Education Commission, Juvenile Policy Board, Personnel Policy Board, and the Legal Counsel for Indigents Commission, also provide valuable assistance to the Supreme Court in important administrative areas.

Administrative personnel of the Supreme Court also play a vital role in helping the court fulfill its administrative functions. The clerk of the Supreme Court supervises the calendaring and assignment of cases, oversees the distribution and publication of Supreme Court opinions and administrative rules and orders, and decides certain procedural motions filed with the Court. The state court administrator is responsible for the budgetary oversight of the judicial system, prepares statistical reports on the workload of the state's courts, provides judicial educational services, and performs such other administrative duties that are assigned by the Supreme Court. The state law librarian supervises the operation of the state law library.

## North Dakota Supreme Court

The last quarter of 1998 saw the North Dakota Supreme Court, once again, undergo change. Justice Herbert L. Meschke retired from the Court effective October 1, 1998; and Carol Ronning Kapsner became the newest member of the Supreme Court bench when she began hearing oral arguments November 1, 1998. In the past 10 years, 10 individuals have served as Justices on the state's highest Court.

After Justice Meschke announced his retirement, the slight decrease in new case filings, and the transferring of cases to the Court of Appeals, gave the Supreme Court needed flexibility while awaiting Governor Edward T. Schafer's appointment.

The slight decrease in civil filings can be attributed to decreases in appeals involving workers' compensation bureau administrative proceedings and applications for post-conviction relief; however, appeals in workers' compensation and family law proceedings still accounted for 34% of the civil case filings in 1998. Appeals in the family law area increased 37% over 1997. The increase in criminal filings can be attributed to significant increases in appeals involving sexual offenses, 116%, and drug offenses, 50%. This is the second successive year there was a large increase in appeals involving drug offenses. Factors which may affect the number of appeals in drug offense cases include increased resources being allocated for drug enforcement and minimum mandatory sentences. Likewise, the sexual offender registration law may affect the number of appeals in sexual offense cases.

The workload of the Justices included the scheduling of oral arguments in 251 cases, an average of 45 majority opinions per Justice, with 61 separately authored concurrences or dissents, admission ceremonies, visits with students and others, and official appearances. Weekly motions and administrative conferences continued to be held, with over 600 motions relating to extensions of time, remands, dismissals, substantive issues in pending appeals, the supervisory, mandamus or original jurisdiction of the Court, and lawyer discipline being considered by the Court, Chief Justice or the Clerk of Court. Additionally, four district court judgeship vacancies, a petition to relocate a judgeship's chamber, and 17 rule amendments were considered. Self-represented or pro se litigants added to the administrative challenge by appearing in over 21% of the new cases filed.

The highest number of appeals originated in the South Central Judicial District, followed by the East Central Judicial District, Northwest Judicial District, Southeast Judicial District, Northeast Judicial District, Northeast Central Judicial District and the Southwest Judicial District.

A caseload synopsis follows.

### CASELOAD SYNOPSIS OF THE SUPREME COURT FOR THE 1998 AND 1997 CALENDAR YEARS

	1998	1997	Percent Difference
New Filings	380	391	-2.8
Civil	257	271	-5.2
Criminal	123	120	2.5
Transferred to Court of Appeals	16	* 4	300
Civil	11	3	266
Criminal	5	1	400
New Filings Balance			
Civil	364	387	-5.9
Criminal	246	268	-8.2
	118	119	-0.8
Filings Carried Over From Previous Calendar Year	200	**207	-3.4
Civil	130	155	-16.1
Criminal	70	52	34.6
Total Cases Docketed	564	594	-5.1
Civil	376	423	-11.0
Criminal	188	171	9.9
Dispositions	353	**394	-10.4
Civil	236	293	-19.5
Criminal	117	101	15.8
Cases Pending as of December 31	211	200	5.5
Civil	140	130	7.7
Criminal	71	70	1.4

\*Cases filed in 1997 were transferred to Court of Appeals in 1998.

\*\*Incorrectly reported in previous Annual Reports.

**CASE DISPOSITIONS - 1998**

	<b>Civil</b>	<b>Criminal</b>
BY OPINION:		
Affirmed	73	41
Affirmed & Modified	4	1
Reversed; Reversed & Remanded		
Affirmed in Part & Reversed in Part;		
Affirmed in Part & Dismissed in	48	12
Part		
Affirmed by Summary Disposition	17	3
Reversed by Summary Disposition	19	12
Dismissed	0	1
Discipline Imposed	10	0
Original Jurisdiction--Granted	4	0
	1	0
Dispositions by Opinion	176	70
BY ORDER:		
Dismissed	37	31
Dismissed After Conference	11	9
Original Jurisdiction--Granted	1	0
Original Jurisdiction--Denied	11	7
Dispositions by Order	60	47
<b>Total Dispositions for 1998</b>	<b>236</b>	<b>117</b>

**CASELOAD OVERVIEW OF NORTH DAKOTA COURTS  
FOR 1998 AND 1997**

<b>Level of Court</b>	<b>Filings</b>		<b>Dispositions</b>	
	<b>1998</b>	<b>1997</b>	<b>1998</b>	<b>1997</b>
Supreme Court	380	391	353	394
District Courts	123,530	127,407	136,435	129,354

### North Dakota Court of Appeals

The Court of Appeals was established in 1987 to assist the Supreme Court in managing its workload. For the first time since 1994, panels of the Court of Appeals were assigned cases.

Judges serving on the panels were:

June 10, 1998  
 Surrogate Judge Gordon O. Hoberg, Chief Judge  
 Surrogate Judge William F. Hodny  
 District Judge Debbie Gordon Kleven

June 11, 1998  
 Surrogate Judge James H. O'Keefe, Chief Judge  
 District Judge Bruce E. Bohlman  
 District Judge Ronald L. Hilden

June 12, 1998  
 Surrogate Judge Gerald G. Glaser, Chief Judge  
 Surrogate Judge Eugene A. Burdick  
 District Judge Michael O. McGuire

September 17, 1998  
 Surrogate Judge William F. Hodny, Chief Judge  
 District Judge Ralph R. Erickson  
 District Judge Gail Hagerty

October 12, 1998  
 Surrogate Judge Gerald G. Glaser, Chief Judge  
 District Judge Maurice R. Hunke  
 District Judge David W. Nelson

Cases assigned to the Court of Appeals under Administrative Rule 27 included family law issues; appeals from administrative agency decisions; appeals from trial court orders on motions for summary judgment; appeals involving cases originating under the Uniform Juvenile Court Act; and appeals from misdemeanor convictions.

Statistical summaries of the Court of Appeals cases assignments and dispositions follow.

### CASELOAD SYNOPSIS OF THE COURT OF APPEALS FOR THE 1998 CALENDAR YEAR

	1998
1998 Cases Assigned	16
Civil	11
Criminal	5
1997 Cases Assigned	4
Civil	3
Criminal	1
Total Cases Docketed	20
Civil	14
Criminal	6
Dispositions	17
Civil	12
Criminal	5
Cases Pending as of December 31	3
Civil	2
Criminal	1

1998 DISPOSITIONS	Civil	Criminal
Affirmed	4	1
Affirmed by Summary Disposition	3	3
Reversed & Remanded; Remanded	4	1
Dismissed	1	0
<b>TOTAL 1998 DISPOSITIONS</b>	<b>12</b>	<b>5</b>

## DISTRICT COURTS

There are district court services in each of the state's fifty-three counties. The district courts are funded by the state of North Dakota. The district courts have original and general jurisdiction in all cases except as otherwise provided by law. They have the authority to issue original and remedial writs. They have exclusive jurisdiction in criminal cases and have general jurisdiction for civil cases.

The district courts also serve as the juvenile courts in the state and have exclusive and original jurisdiction over any minor who is alleged to be unruly, delinquent, or deprived. This jurisdiction includes cases in which a female minor is seeking judicial authorization to obtain an abortion without parental consent. Unlike a majority of other states, the responsibility for supervising and counseling juveniles who have been brought into court lies with the judicial branch of government in North Dakota. To meet these responsibilities, the presiding judge, in consultation with the district court judges of each judicial district, has the authority to employ appropriate juvenile court personnel. In addition to these personnel, the presiding judge, on behalf of the district court judges of the judicial district, may also appoint judicial referees to preside over juvenile proceedings, judgment enforcement proceedings, and domestic relations proceedings other than contested divorces.

The district courts are also the appellate courts of first instance for appeals from the decisions of many administrative agencies. Acting in this appellate capacity, district courts do not conduct a retrial of the case. Their decisions are based on a review of the record of the administrative proceeding conducted by the administrative agency.

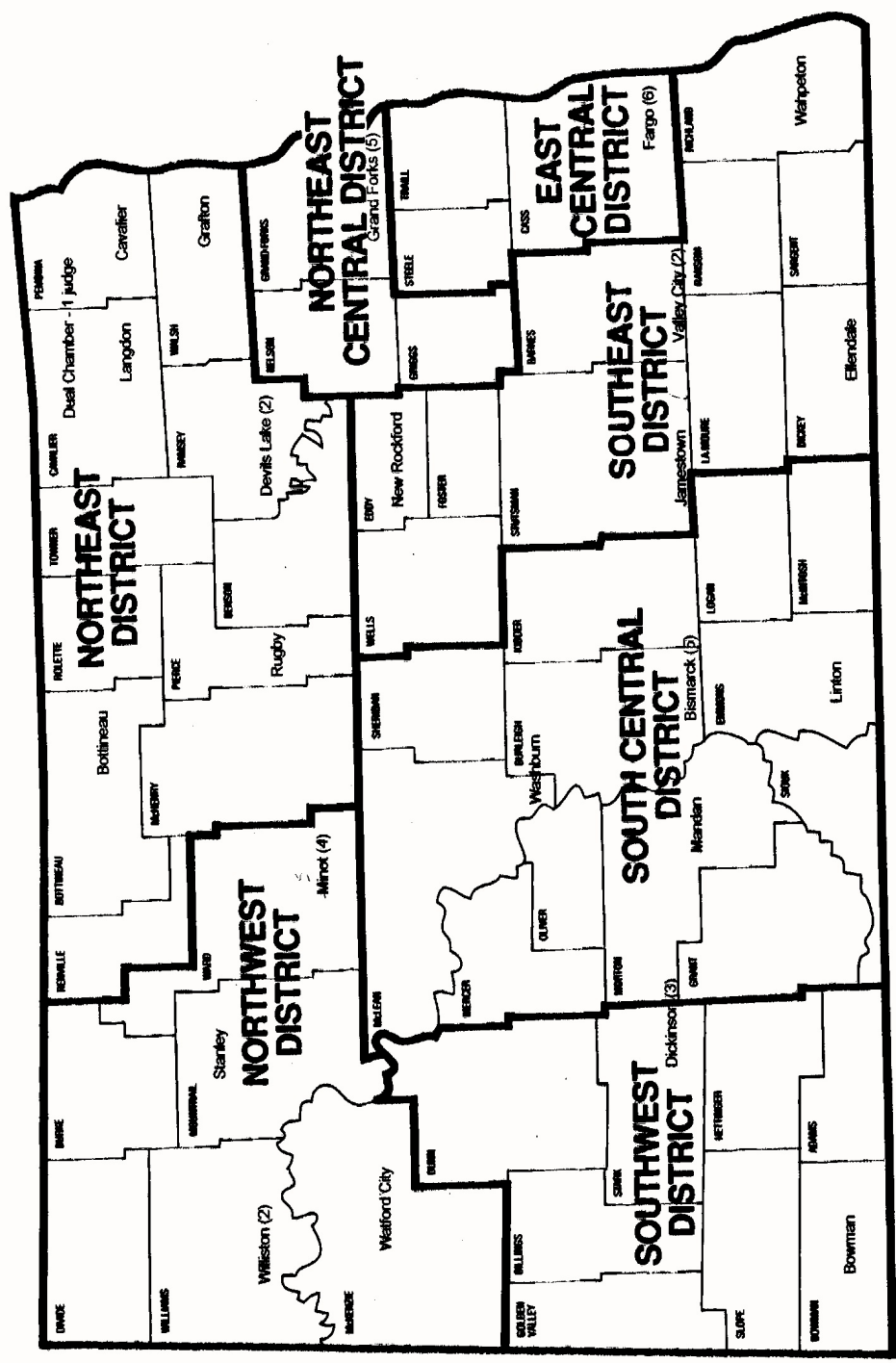
In 1979 the Supreme Court divided the state into seven judicial districts. In each judicial district there is a presiding judge who supervises all court services of courts in the geographical area of the judicial district. The duties of the presiding judge, as established by the Supreme Court, include convening regular meetings of the judges within the judicial district to discuss issues of common concern, assigning cases

among the judges of the district, and assigning judges within the judicial district in cases of demand for change of judge. All judicial districts are served by a court administrator or administrative assistant, who has the administrative responsibility for liaison with governmental agencies, budget, facilities, records management, personnel, and contract administration.

There are, as of the end of 1998, forty-three district judges in the state. Eight judges in four chamber city locations serve the South Central Judicial District, the largest geographically and most populous district in the state. There are seven judges in the Northwest Judicial District serving in four chamber city locations. Seven judges serve the East Central Judicial District in two chamber city locations, and five judges serve the Northeast Central Judicial District in one chamber city location. Six judges serve the Northeast Judicial District in five chamber city locations. Six judges serve the Southeast Judicial District in five chamber city locations. Four judges serve the Southwest Judicial District in two chamber city locations. All district court judges are required by the state constitution to be licensed North Dakota attorneys, citizens of the United States, and residents of North Dakota.

The office of district court judge is an elected position which is filled every six years in a nonpartisan election held in the district in which the judge will serve. If a vacancy in the office of district judge occurs, the Supreme Court must determine whether the vacancy should be filled or whether the vacant office should be abolished or transferred. If the vacancy is to be filled, the governor may either fill the vacancy by appointing a candidate from a list of nominees submitted by the Judicial Nominating Committee or by calling a special election to fill the vacancy. If the vacancy is filled by the nomination process, the appointed judge serves for a minimum of two years and then until the next general election, at which time the office is filled by election for the remainder of the term.

NORTH DAKOTA'S JUDICIAL DISTRICTS AND CHAMBER CITIES





## District Court Caseload

Statewide, district court caseloads have remained relatively steady over the last several years. Overall, 1998 case filings decreased 4.92% from 1997.

This decrease is largely due to a 9.52% decrease in administrative traffic filings. While administrative cases make up nearly 46% of the overall filings, these cases require minimal judicial involvement. The processing time required impacts clerk personnel, almost exclusively. Civil filings make up 22% of new filings, criminal 24%, juvenile 2%, and small claims 6%.

While formal juvenile filings increased 12.17%, it should be noted that overall juvenile filings increased only 2.6%

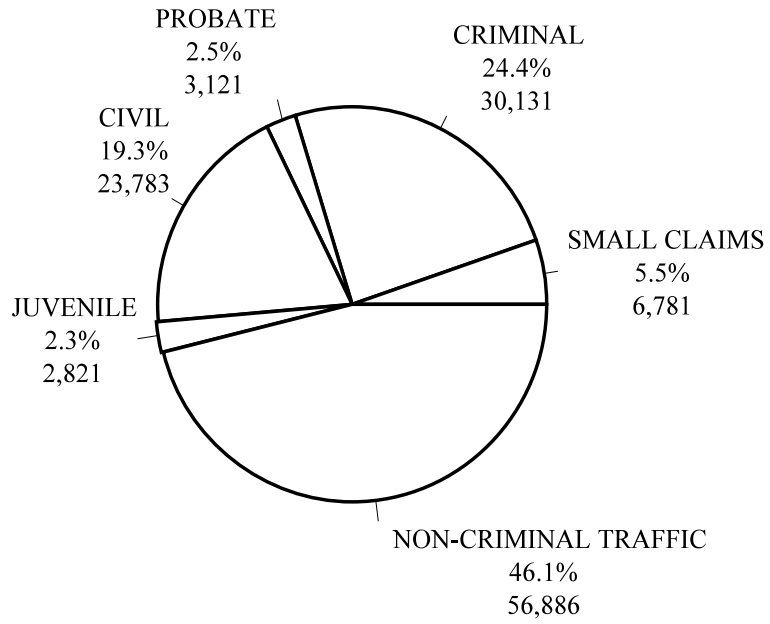
### DISTRICT COURT CASELOAD FOR CALENDAR YEAR 1998 AND 1997

Case Filings	1998	1997	Percent Difference
New Filings	123,530	127,407	-4.92
Civil	26,911	26,566	+1.30
Small Claims	6,781	6,912	-1.90
Admin. Traffic	56,886	62,873	-9.52
Criminal	30,131	31,056	-2.98
Juvenile	2,821	2,515	+12.17
<b>Case Dispositions</b>	<b>1998</b>	<b>1997</b>	
Dispositions	136,776	129,364	+4.21
Civil	34,625	29,072	+19.10
Small Claims	6,941	6,616	+4.91
Admin. Traffic	56,886	62,873	-9.52
Criminal	35,503	30,173	+17.66
Juvenile	2,821	2,515	+12.17

### DISTRICT COURT CASE TYPE FILING - 1998

CIVIL		CRIMINAL	
Case Type	Filings	Case Type	Filings
Property Damage	196	Felony	3,294
Personal Injury	469	Misdemeanor	20,780
Malpractice	19	Infraction	6,057
Divorce	3,044		
Adult Abuse	1,086	<b>State Total</b>	<b>30,131</b>
Custody	109		
Support Proceedings	6,788		
Adoption	290		
Paternity	1,148		
Termination of Parental Rights	36		
Administrative Appeal	265		
Appeal Other	3		
Contract/Collect	7,031		
Quiet Title	90		
Condemnation	11		
Forcible Detain	580		
Foreclosure	315		
Change of Name	173		
Special Proceedings	41		
Trust	101		
Foreign Judgment	346		
Other	673		
Conservator/Guardianship	459		
Protective Proceedings	19		
Probate	2,650		
Mental Health	969		
Small Claims	6,781		
<b>State Total</b>	<b>33,692</b>		

**TYPES OF CASES FILED IN DISTRICT COURT DURING 1998**



The following is a chart that shows the number of jury trials held in each judicial district for 1998.

District	1998
East Central	72
Northeast Central	31
Northeast	40
Northwest	44
South Central	109
Southeast	36
Southwest	20
<b>Total</b>	<b>352</b>

## Civil Caseload

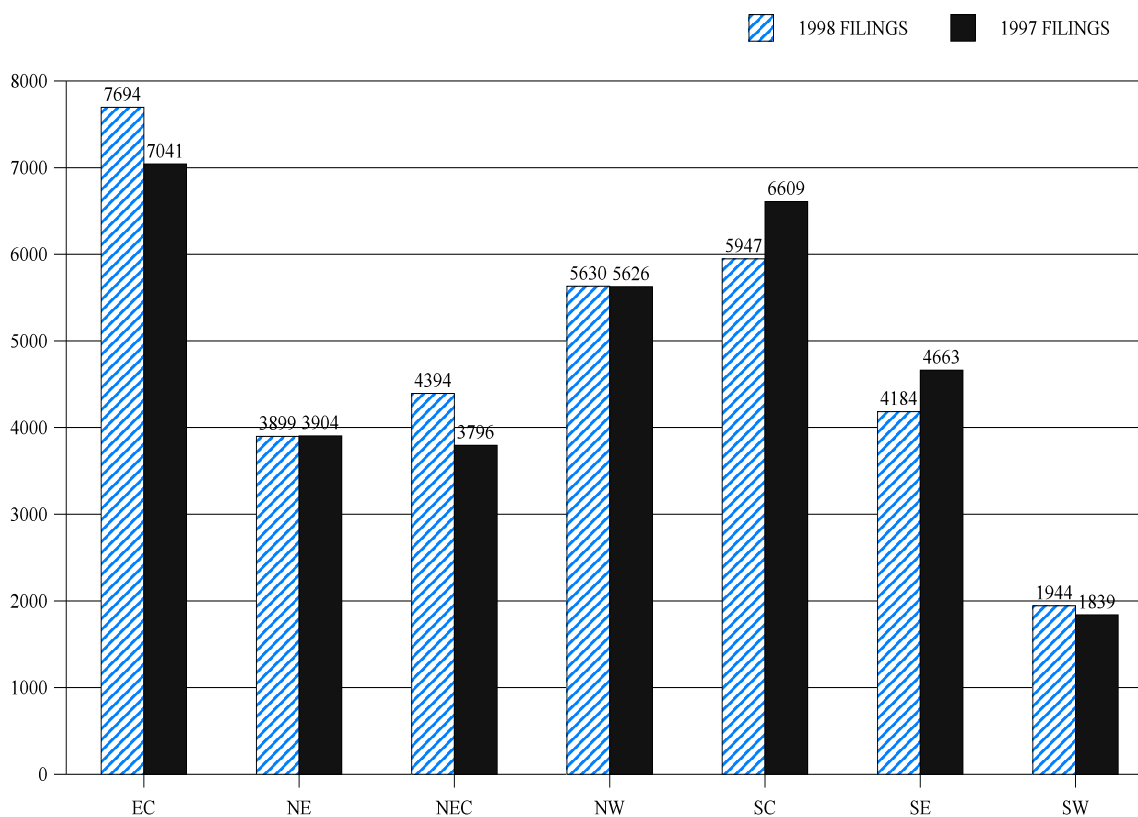
The data indicates a continued leveling of civil cases in 1998. When comparing 1998 filings with the 1997 district court filings, the civil (generally civil plus small claims) data indicates a .7% statewide increase from 1997. The 15% increase in the Northeast Central Judicial District civil filings is believed to be caused by the April 1997 flood that closed the city of Grand Forks for several months.

As percentages, most types of cases remain relatively stable. Notable changes include the number of support actions which decreased 10%. Contract/collections filings were up 20.9% and personal injury filings were up 32.5%.

Overall, domestic relations filings decreased 5.7%. Within the domestic relations category, child support actions make up 54.5% of the cases; divorce, 24.4%; paternity, 9.2%; adult abuse, 8.7%; and custody and adoption, 3.2%.

Adult abuse filings decreased slightly in 1998 to 1,086 cases, compared with 1,160 filings in 1997. Divorce filings increased in 1998 with 3,044 filings compared to 2,911 in 1997, while child support actions decreased from 7,610 in 1997 to the 1998 level of 6,788.

ND CIVIL CASELOAD FOR DISTRICT COURT FOR 1998 AND 1997

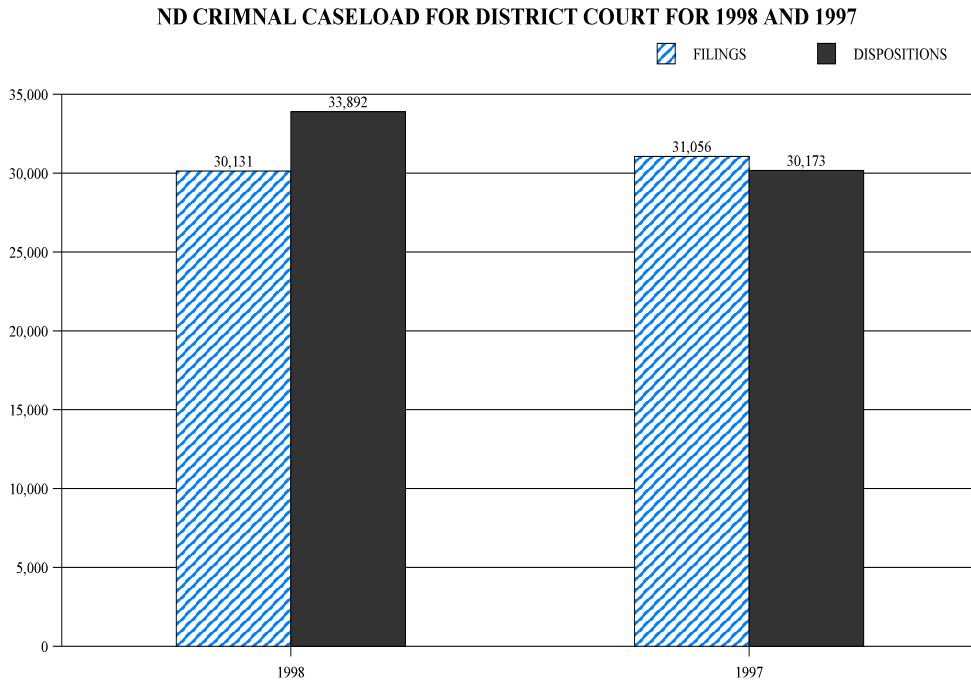


# Criminal Caseload

North Dakota continued its traditional low rate of crime. Criminal filings were down 2.98% in 1998, following a .8% decrease in 1997

Of the criminal cases filed in district court, 89% were misdemeanors and 11% were felonies.

As with civil cases, docket currency standards have been established for criminal cases. Standards call for these cases to be decided within 120 days of the filing of the information in the district court. The presiding judge of the district or chief justice of the Supreme Court can waive the standards for specific cases if good cause is demonstrated.



## Juvenile Caseload

As with the criminal caseload, the low violent crime rate in North Dakota is reflected in its juvenile court statistics. Offenses against persons made up 5.5% of the juvenile court caseload. Meanwhile, status offenses (offenses which only a child can commit) made up 18.6% of the caseload. Property offenses, 25.2%; traffic offense, 4.1%; deprivation, 5%; and other filings, 41.6%.

The method by which cases were disposed shows a continued reliance on adjusted/diverted proceedings. Of the cases heard, 54% were disposed of through adjusted/diverted proceedings in 1998, compared to 54% in 1997 and 52%

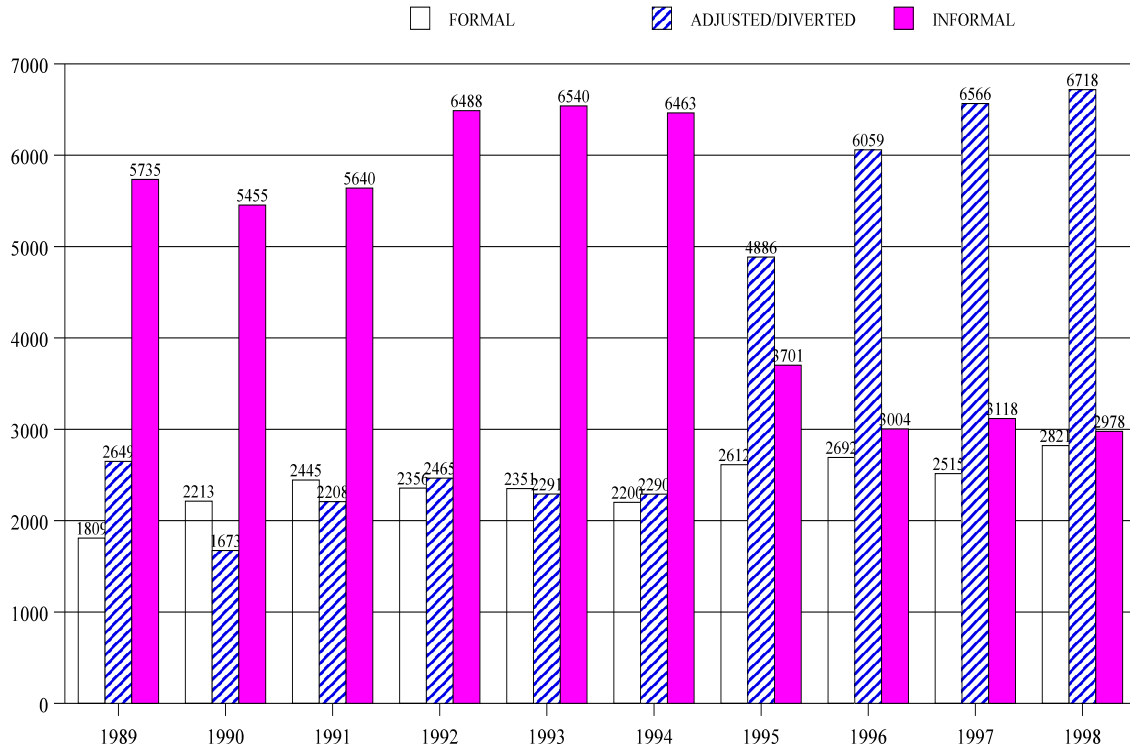
in 1996.

The use of informal probation adjustments decreased in 1998. Twenty-four percent of the cases were disposed of through this process in 1998; 1996 and 1997 both posted 26%. The formal juvenile court caseload was up 12% after increasing 4% in 1997 and 5% in 1996. Tables comparing the types of dispositions and reasons for referral to the juvenile court in 1997 and 1998 follow. As in previous years, the illegal possession or purchase of alcoholic beverages continues to be the most common single reason for referral to the juvenile court.

### TYPES OF JUVENILE COURT DISPOSITIONS FOR 1998 AND 1997

Judicial District	Formal		Informal/Probation		Adjusted/Diverted		Total Dispositions		Percent Diff.
	1998	1997	1998	1997	1998	1997	1998	1997	
East Central	897	527	600	501	585	713	2,082	1,741	19.6
Northeast	428	462	215	286	1,073	795	1,716	1,543	11.2
NE Central	395	231	298	244	879	854	1,572	1,329	18.3
Northwest	310	393	745	755	962	1,163	2,017	2,311	-12.7
South Central	376	572	586	806	2,074	1,932	3,036	3,310	-8.3
Southeast	271	213	428	416	779	662	1,478	1,291	14.5
Southwest	144	117	106	110	366	447	616	674	-8.6
<b>TOTAL</b>	<b>2,821</b>	<b>2,515</b>	<b>2,978</b>	<b>3,118</b>	<b>6,718</b>	<b>6,566</b>	<b>12,517</b>	<b>12,199</b>	<b>2.6</b>

### COMPARISON OF JUVENILE DISPOSITIONS FOR 1989-1998



**REASONS FOR REFERRAL TO JUVENILE COURT SERVICES**

**IN 1998 AND 1997**

		1998	1997	%Diff
UNRULY		2331	2542	-8.3%
	Run-a-way -- (instate Resident)	780	854	-8.7%
	Run-a-way -- (out of state Resident)	9	14	-35.7%
	Truancy	317	308	2.9%
	Ungovernable Behavior	567	595	-4.7%
	Conduct/Control Violations	42	53	-20.8%
	Curfew	350	486	-28.0%
	Other Unruly	266	232	14.7%
DELINQUENCY		9360	8872	5.5%
	Offenses Against Persons	688	595	15.6%
	Assault	465	413	12.6%
	Homicide	2	0	0.0%
	Kidnapping	0	0	0.0%
	Other Offenses Against Persons	139	130	6.9%
	Sex Offenses	82	52	57.7%
	Offenses Against Property	3157	3358	-6.0%
	Arson	8	7	14.3%
	Burglary	183	229	-20.1%
	Criminal Mischief/Vandalism	625	579	7.9%
	Criminal Trespass	302	255	18.4%
	Forgery	48	43	11.6%
	Other Property Offenses	116	149	-22.1%
	Robbery	9	13	-30.8%
	Shoplifting	897	1127	-20.4%
	Theft	969	956	1.4%
	Traffic Offenses	509	530	-4.0%
	DUI/Physical Control	105	89	18.0%
	Driving Without License	251	234	7.3%
	Other Traffic	153	207	-26.1%
	Other Offenses	5006	4389	14.1%
	Disorderly Conduct	545	553	-1.4%
	Firearms	42	47	-10.6%
	Game and Fish	85	56	51.8%
	Obstruction	137	122	12.3%
	Other Public Order	374	304	23.0%
	Possession /Purchase Alcohol	2781	2378	16.9%

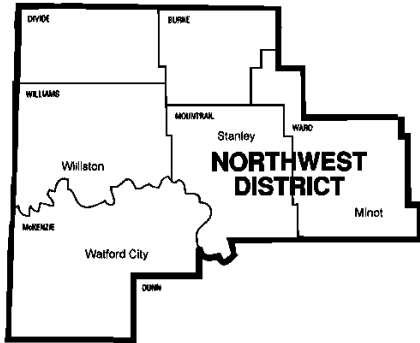
		1998	1997	%Diff
	Controlled Substance Violations	517	435	18.9%
	Tobacco	525	494	6.3%
DEPRIVATION		625	614	1.8%
	Abandonment	4	16	-75.0%
	Abuse/Neglect	147	162	-9.3%
	Deprived	474	436	8.7%
SPECIAL PROCEEDING		201	171	17.5%
	Termination Of Parental Rights (Involuntary)	49	23	113.0%
	Termination Of Parental Rights (Voluntary)	60	49	22.4%
	Other Special Proceeding	92	99	-7.1%
TOTAL		12,517	17,118	2.6%



# Report of the Northwest Judicial District

The Honorable Robert W. Holte, Presiding Judge  
Waldemar Kowitz, Administrative Assistant

District Court Judges: Robert W. Holte, Presiding Judge; Glenn Dill III; Gary Holum; William W. McLees, Jr.; David Nelson; Everett Nels Olson, and Gerald Rustad.  
Judicial Referee: Connie S. Portscheller  
Number of Counties in District: 6  
District Court Chambers: Minot, Stanley, Watford City, and Williston.



## District Court

During 1998, all counties of the Northwest Judicial District were brought on line with UCIS. Burke and Divide Counties provide their case information to the Williston district court personnel for computer input. The remaining four counties have their own computers for direct input to UCIS.

Early in the year the district lost experienced administrative leadership when the Honorable Nels Olson decided not to seek reelection as presiding judge. We express our appreciation to Judge Olson for his years of administrative service. As the year ended the district lost a judgeship with the retirement of the Honorable Wallace D. Berning. Based on the Weighted Caseload Study conducted by the National Center for State Courts, the district should still be well served by the remaining seven judges.

On the technological front, the district has continued efforts to modernize its office equipment. Two new copiers, a new facsimile machine, and two modular office setups were purchased. We replaced the three remaining old courtroom recording machines and installed a new network server computer. This coming year we plan to replace many of the older pre-pentium computers and to confirm "Year 2000" compliance in the remaining machines. Judge Nelson's use of CD-ROM technology has allowed him to reduce the volume of his paper, legal research library. Due to his success a CD tower is planned for the Ward County courthouse early in 1999.

Late in 1998 the district judges and employees took part in a Minot State University student project in Advanced Management Theory. Dr. Linda Keup guided the study group and will be making the results available in 1999. Also, at year's end, coordination was started with the Ward County Bar Association to develop a proposal for better use of the Ward County Courthouse.

## Juvenile Court

The Juvenile Court staff provides many programs to area youths. Strategies such as the Youth Education Shoplifting (YES) program, "Keys to Innervations," anger management, stop smoking classes, and LAMN for teenage girls, help young offenders examine their own actions and consequences. Also the staff is using parenting classes to help juveniles and dysfunctional families modify their behaviors. The juvenile

officers have become "brokers of services" not only to families, but also to the whole community.

District judges and our judicial referee, Connie Portscheller, held 310 formal hearings. Another 745 informal hearings were held by the juvenile officers, while 962 cases were adjusted or diverted. Although the numbers have gone down from 1997, the year was still very busy, due perhaps to a higher than normal number of continuances of formal court hearings.

More than \$31,700 was recovered in juvenile restitution payments and about 9,100 hours of community service were completed in the six counties of the Northwest Judicial District. The Minot Juvenile Court used 117 days of home detention in Ward County in 1998, saving the county about \$115 for each day.

Juvenile Court officers have also been involved in ongoing training in the "Balanced Approach," a statewide program which is more victim friendly, adds competency to youth, and assures community safety. "Intensive Tracking" is being used to monitor "tougher" youths in the community and a mediation service is being set up.

The district's judicial referee handles formal juvenile hearings, child support hearings, and protection and restraining orders as well as small claims cases. Juvenile and support hearings are held in each of the four chambered cities.

County collections of child support in 1998 totaled more than \$12.1 million and restitution collection by the counties came to more than \$183,000.

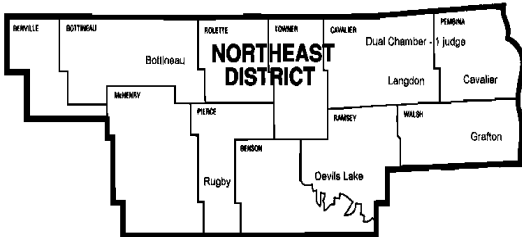
## NORTHWEST JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1997 AND 1998

Case Filings/ Dispositions	1997		1998	
	(F)	(D)	(F)	(D)
Civil	5,019	5,530	4,887	6,952
Small Claims	607	571	743	732
Admin. Traffic	7,518	7,518	6,405	6,405
Criminal	4,007	4,036	3,737	3,817
Juvenile	393	393	310	310

# Report of the Northeast Judicial District

The Honorable Lee A. Christofferson, Presiding Judge  
 Kimberly D. Nelsen, Administrative Assistant

District Court Judges: Lee A. Christofferson, Presiding Judge; Donovan Foughty, M. Richard Geiger, Lester S. Ketterling, John C. McClintock Jr., and Laurie A. Fontaine  
 Judicial Referee: Dale Thompson  
 Number of Counties: 11  
 Chambered Locations: Bottineau, Devils Lake, Grafton, Langdon/Cavalier, and Rugby.



**NORTHEAST JUDICIAL DISTRICT CASELOAD  
 FOR CALENDAR YEARS 1997 AND 1998**

Case Filings/ Dispositions	1997		1998	
	(F)	(D)	(F)	(D)
Civil	2,685	3,242	2,892	3,067
Small Claims	1,219	1,076	1,007	947
Admin Traffic	10,514	10,514	7,843	7,843
Criminal	4,959	4,481	4,122	4,934
Juvenile	462	462	428	428

### District Court

With the November election, the Northeast Judicial District has a new district judge. The Honorable Laurie A. Fontaine will serve the Langdon/Cavalier chamber. Due to this change, case assignments were up in the affected counties. The judicial referee conducts juvenile and child support cases in all eleven counties.

Administratively, the district court has been working toward implementing more uniform practices. The implementation of UCIS has served as a positive tool to all NEJD personnel for managing cases around the district.

### Juvenile Court

The juvenile court for the Northeast Judicial District operates out of three primary sites: Bottineau, Devils Lake, and Grafton.

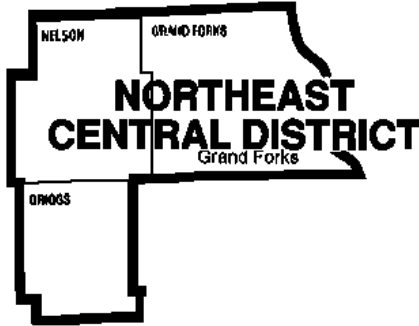
The number of referrals remains fairly consistent compared to 1997. Juvenile court officers are receiving training on offender accountability with a strong focus on compensating victims for any losses. Electronic monitoring and intensive tracking continue to be expanded throughout the district.

Other ongoing programs include: Keys to Innervations, alcohol education, shoplifting and tobacco awareness classes. Restitution and community service are already a major part of juvenile court accountability with a total of \$57,710.28 in restitution collected in 1998 and 11,536 hours of community service completed.

# Report of the Northeast Central Judicial District

The Honorable Lawrence E. Jahnke, Presiding Judge  
Kathy Narlock, Administrative Assistant

District Court Judges: Lawrence E. Jahnke, Presiding Judge; Kirk Smith; Joel D. Medd; Bruce E. Bohlman; and Debbie Kleven  
Number of Counties in District: 3  
District Court Chambers: Grand Forks



## District Court

In the year following the April 1997 flood, civil filings increased 16% during 1998. During the same time period, criminal filings increased 5%. Over the past two years, we have seen a net increase of civil filings of 5% and a net increase in criminal filings of 19%. Domestic cases continue to account for the majority of civil filings. Aside from misdemeanor alcohol and drug-related offenses, felony burglary and methamphetamine cases have seen a dramatic increase as well.

Effective November 1, 1998, and on a one-year trial basis, the civil and criminal calendars were split in the Northeast Central District. Since that date, Judges Bohlman, Medd, and Smith have been assigned all civil matters filed in Grand Forks County and all contested civil matters in Griggs and Nelson Counties. Judges Jahnke and Kleven are handling all criminal matters within the judicial district, as well as all uncontested civil matters in Griggs and Nelson counties. They are also being assigned civil cases in which all three of the civil judges are disqualified, and the civil judges are likewise being assigned to cases in which both of the criminal judges are disqualified. To date, we have not had to go outside our judicial district to seek assistance with handling any case involving a party-initiated disqualification. This procedure appears to be working quite well from a case management standpoint, and has also allowed us to provide more consistent and regular service to our non-chambered cities of Cooperstown and Lakota.

## Juvenile Court

The Juvenile Court had another busy year as well. Filings were up 71% from those of 1997. Even allowing for the flood-related interruption in that year, all filings and dispositions were still dramatically higher than 1996 as well. During 1998, we had one of the highest volumes of in-custody (detention/shelter care) intakes in the state. The juvenile court staff has continued to work hard with the Keys Program and is now moving closer toward implementation of certain elements of the balanced approach. A strong caseload management system, coupled with searching for innovative approaches to effective probation services, is a continuing goal of the Northeast Central Judicial District juvenile court.

### NORTHEAST CENTRAL JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1997 AND 1998

Case Filings/ Dispositions	1997		1998	
	(F)	(D)	(F)	(D)
Civil	3,346	3,429	3,675	5,969
Small Claims	453	480	719	729
Admin. Traffic	7,545	7,545	8,186	8,186
Criminal	4,510	3,923	5,016	7,650
Juvenile	231	231	395	395

# Report of the East Central Judicial District

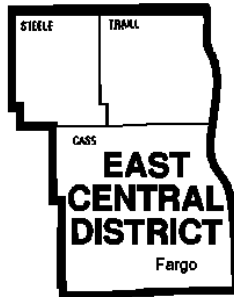
The Honorable Norman J. Backes, Presiding Judge  
 Eloise M. Haaland, Administrative Assistant

District Court Judges: Norman J. Backes, Presiding Judge; Georgia Dawson; Ralph R. Erickson, Lawrence A. Leclerc, Michael O. McGuire; Frank L. Racek, Cynthia A. Rothe-Seeger

District Court Referees: John A. Dietz and Janice Benson Johnson.

Number of Counties in District: 3

District Court Chambers: Fargo, Hillsboro



## District Court

The criminal division is working efficiently with three criminal division judges. Scheduling orders are given to defendants at the first appearance. These scheduling orders set forth all dates for further hearings right up to and including the trial date. All seven judges have now rotated through the criminal and civil divisions.

New civil filings increased 9% and criminal filings decreased 28%. Juvenile formalis increased 23% and small claims filings increased 4.5% with administrative traffic increasing 20%. In 1998, the criminal division tried 19 misdemeanors and 14 felony jury trials. In addition, 12 misdemeanor and 175 traffic matters were tried as court trials. The civil division tried 18 jury and 78 court trials and in addition heard 2,303 motions.

The case management committee meets once each month to discuss and address case management issues. The committee makes recommendations to the presiding judge for action. This has resulted in a lessened burden on public defenders and state's attorneys and has expedited the processing of cases.

A pamphlet for jurors and employers was published and has been well received. As of March 1, 1999, jurors have the option of using the parking pass mailed to them for parking or for city bus service, giving jurors an alternate travel plan.

## Juvenile Court

In 1998, a total of 2,082 delinquent and deprivation referrals were received in juvenile court. Of those referrals, 1,812 were delinquent and 270 were abuse, neglect, and special proceedings. Five hundred eighty-five referrals were handled in fast track adjustments (diversion), with 23 of those referred to other agencies. Eight hundred ninety-seven formal petitions were filed in juvenile court. Of those petitions, 639 were delinquencies and 258 were deprivation and special proceedings. The juvenile court also processed 600 informal probation cases.

Through the case management system, we have prioritized abuse and neglect proceedings. If a child is not in custody, the petition will be heard within 60 days of service. We will continue to expedite these matters with the possibility of the lay guardian ad litem program being implemented and a separate public defender contract for Juvenile Court.

By our internal review process, we have now expedited the processing of truancy matters and alcohol offenses.

Our statistics indicate a dramatic increase in alcohol, controlled substance and possession of drug paraphernalia offenses. This will be addressed community wide to enhance public awareness.

Community service hours have more than doubled. A very successful program was implemented during the summer of 1998. Court officers worked alongside 12 probationers at a time at The Red River Zoo from June through August.

The entire Juvenile Court staff is involved with the America's Promise Program and has adopted Carl Ben Eielson Elementary School. Each employee read to a particular class once a week for 15 to 20 minutes. It is hoped that while developing this positive relationship, any future involvement with Juvenile Court will be minimized.

## EAST CENTRAL JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1997 AND 1998

Case Filings/ Dispositions	1997		1998	
	(F)	(D)	(F)	(D)
Civil	5,240	5,471	5,753	4,703
Small Claims	1,801	1,580	1,941	2,185
Admin. Traffic	6,813	6,813	8,734	8,734
Criminal	5,940	5,096	5,320	5,507
Juvenile	549	549	897	897

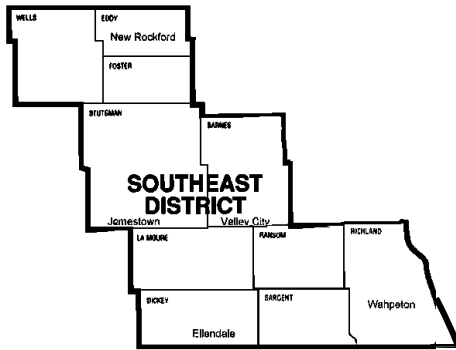
# Report of the Southeast Judicial District

The Honorable John T. Paulson, Presiding Judge  
Jodie Koch, Administrative Assistant

District Court Judge: John T. Paulson, Presiding Judge; James M. Bekken; Ronald E. Goodman; Richard W. Grosz; and Mikal Simonson.

Number of Counties in District: 10

District Court Chambers: Valley City, Jamestown, New Rockford, Ellendale, and Wahpeton.



University of North Dakota's Children and Family Services Training Center in Grand Forks. Annual and additional seminars and workshops provide continuing education in the areas of divorce, custody, and juvenile matters.

## SOUTHEAST JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1997 AND 1998

Case Filings/ Dispositions	1997		1998	
	(F)	(D)	(F)	(D)
Civil	3,190	3,423	3,180	3,925
Small Claims	1,473	1,489	1,004	1,003
Admin. Traffic	10,358	10,358	10,350	10,350
Criminal	4,123	4,277	4,394	4,409
Juvenile	213	213	271	271

### District Court

The effects of having a judgeship cut have been felt by the judges, district and juvenile court staff, and the citizens of the Southeast judicial district. Judges have spent more time traveling and trying to meet the judicial needs of the Stutsman County area. There were four judges up for reelection, namely Judge Paulson, Judge Simonson, Judge Goodman, and Judge Bekken. Judge Bekken ran in the only contested race. Each judge was reelected.

The North Dakota Supreme Court has selected the Southeast judicial district for a pilot project concerning alternative dispute resolution and mediation in family court matters. Those cases, especially those regarding divorce and custody matters, are being referred to mediation to encourage non-adversarial settlement.

The unified court information system (UCIS) is fully operational in the Southeast judicial district and is used to enter all court information, as well as to monitor the caseload. Docket currency continues to be a priority for the district and has resulted in improved efficiency of handling cases. The clerks of court in the Southeast judicial district meet once a month for training and updates. Technology continues to play a large role in communication efforts and better use of resources.

### Juvenile Court

Juvenile courts in Valley City and Wahpeton applied for and received Juvenile Accountability Incentive block grants. These are sizable grants and will be used in the area of restitution. In this manner, victims of juvenile crimes will more likely be able to realize compensation for damages they have incurred. We are proud of our juvenile staff for taking the initiative to secure and implement this grant program.

Testing the new juvenile software program continued to be a project for the Valley City juvenile office. Assessments of the program have been completed and discussion is currently taking place to determine whether this program should be utilized statewide.

Keys to Innervisions continues to be a significant part of the juvenile court's education services. For example, classes are taught by juvenile staff to high school students as a part of their "at risk" curriculum. Feedback from students is good and juvenile personnel feel the program is effective and positive results are being seen.

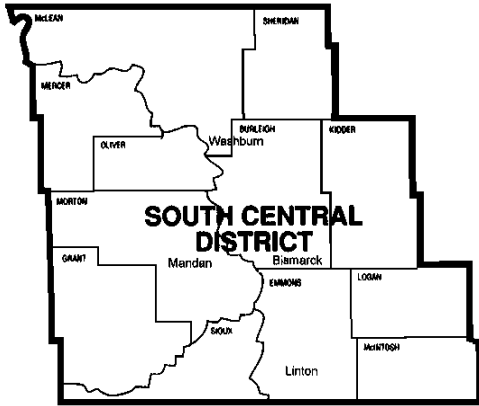
### Guardians Ad Litem

A complete policy manual and program has been completed for the guardian ad litem pilot project in the Southeast judicial district. Our guardians are trained by the

# Report of the South Central Judicial District

The Honorable Benny A. Graff, Presiding Judge  
Douglas H. Johnson, Trial Court Administrator

District Court Judges: Benny A. Graff, Presiding Judge; Gail Hagerty; Bruce Haskell; Donald Jorgensen; Burt Riskedahl; Thomas Schneider; James Vukelic; and Robert O. Wefald.  
Judicial Referees: James Purdy and Robert Freed.  
Number of Counties in District: 12  
District Court Chambers: Bismarck, Mandan, Linton and Washburn.



include detention/shelter care hearings on temporary custody orders issued by the court service officers. A total of 654 children were placed on probation through the informal or formal process. Referees issued 247 detention and temporary custody orders for children who are placed in temporary alternative environments outside the parental home.

In addition to the formal juvenile proceedings, the judicial referees conducted 358 orders to show cause hearings for non-payment of child support, 67 foster support matters, and 113 review/modifications of child support. Full time referee Freed heard 156 small claim cases and 59 civil traffic hearings in 1998..

### ACT Program

The Alternative Choice Training Program (ACT) continued into its eighth year. In 1998, 243 people completed the minor in possession class and 43 finished the adult misdemeanor class. The domestic violence class had 34 participants who completed the class. Bismarck State College and the Adult Abused Resource Center continue to manage the classes and are responsible for the success of this alternative sentencing program.

### Dist riect Court

The South Central Judicial District lost a judgeship chambered in Mandan due to the retirement of Judge William Hodny in March and subsequent abolition by the North Dakota Supreme Court. In April, the district formally petitioned the North Dakota Supreme Court to move the judicial chambers from Linton to Mandan. The petition was denied.

District Judge Dennis Schneider decided to retire at the end of the year due to health reasons. Robert Wefald was elected in a contested race to fill the vacated seat held by Judge Schneider.

Both Judge Hodny and Judge Schneider will be missed as the district loses the services of these longtime judges who served on both the county and district benches of North Dakota.

The district continues to use the case assignment system originally implemented under the unified court as of January 1995. The district is "subdivided" into three geographic regions whereby the judges chambered in Bismarck and Mandan take rotations on the master calendar in Burleigh and Morton counties. These six judges also cover the master calendar in Grant and Sioux counties and are assigned all case filings originating from these four counties. The two rural chambered judges handle all master and individual case work in their geographic area plus a share of the individual case assignments from filings in Burleigh, Morton, Grant, and Sioux County. The Washburn chambered judge covers McLean, Mercer, Oliver, and Sheridan counties while the Linton chambered judge handles Emmons, McIntosh, Logan, and Kidder counties.

Presiding Judge Graff appointed a "rotation committee" to look into various options on how the judges might service the district. The judges adopted a system whereby, beginning in 1999, they all rotate equally throughout the district on master calendar and are assigned individual cases from all 12 counties. This rotation committee evolved into a permanent "case flow management committee" that continued to look at issues for improving service and makes recommendations for the entire judicial district.

### Juvenile Division and Judicial Referee Activities

In 1998, 3,036 referrals were made to the juvenile court and handled either formally or informally through the petition process. One thousand thirty-one of the referrals were diverted to the Bismarck-Mandan Police Youth Bureau for disposition which primarily consists of first time offenders, minor violations, or children of a very young age. Another 1,043 were deferred, adjusted or transferred to other jurisdiction. There were 376 formal matters heard in juvenile court in 1998 which

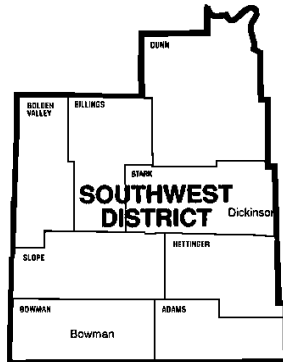
**SOUTH CENTRAL  
JUDICIAL DISTRICT CASELOAD  
FOR CALENDAR YEARS 1997 AND 1998**

Case Filings/ Dispositions	1997		1998	
	(F)	(D)	(F)	(D)
Civil	5,603	6,808	4,963	7,639
Small Claims	1,006	1,054	984	957
Admin. Traffic	14,622	14,622	11,866	11,866
Criminal	5,138	5,567	5,303	5,832
Juvenile	572	572	376	376

# Report of the Southwest Judicial District

The Honorable Allan L. Schmalenberger, Presiding Judge  
Ardean Ouellette, Trial Court Administrator

District Court Judges: Allan L. Schmalenberger, Presiding Judge; Maurice R. Hunke; Ronald L. Hilden; and Zane Anderson.  
Number of Counties in District: 8  
District Court Chambers: Dickinson and Bowman



## SOUTHWEST JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1997 AND 1998

Case Filings/ Dispositions	1997		1998	
	(F)	(D)	(F)	(D)
Civil	1,486	1,799	1,561	2,370
Small Claims	353	366	383	388
Admin. Traffic	5,503	5,503	3,502	3,502
Criminal	2,379	2,766	2,239	3,354
Juvenile	117	117	144	144

### District Court

The Southwest Judicial District utilizes a master and individual calendar assignment plan. The type of hearing determines if it is placed on the master or individual calendar. If the decision must be quick, the parties available, and a particular decision maker is unimportant, it is generally placed on the master calendar. If a single decision maker is important to the quality of the decision, it is generally placed on a judge's individual calendar.

A master calendar schedule is set for all eight counties in the district and the Clerks of the District routinely do the scheduling for the master calendar. All the judges in the district equally share the master calendar work. During the time on master calendar, they are on call 24 hours a day, seven days a week to handle any judicial emergency.

All the district judges are assigned throughout the district as necessary to assure an equitable distribution of the caseload and to promote a fair, expeditious disposition of all cases in compliance with the docket currency standards. During 1998, the district was in compliance with such standards.

### Juvenile

The Southwest District Juvenile Court continues as a test site for the Juvenile Court's Case Management Computer Program. Although it was installed in 1997 and used throughout 1998, it still needs refinement.

The juvenile court continues to move toward the Balanced Approach to Probation. To keep juveniles accountable and to enhance the positive skills of youth, juvenile court uses community service, drug and alcohol education classes, drug testing and Keys to Innervations classes.

The Southwest Judicial District shares a juvenile court position with the South Central Judicial District. Although this has aided our juvenile court, it has caused a larger caseload with an increase in travel time and time outside the office.

## MUNICIPAL COURTS

There are approximately 363 incorporated cities in North Dakota. Currently, there are 78 municipal judges. State law permits an individual to serve more than one city as a municipal judge.

Under state law, each municipality has the option of deciding whether or not to have a municipal judge.

State law permits district court judges to hear municipal ordinance violation cases and permits cities to contract with the state to provide municipal ordinance violation court services.

Municipal judges have jurisdiction over all violations of municipal ordinances, except certain violations involving juveniles. Violations of state law are not within the jurisdiction of the municipal courts.

A municipal judge is elected for a four-year term. The judge must be a qualified elector of the city, except in cities with a population below 5,000. In cities with a population of 5,000 or more, the municipal judge is required to be a licensed attorney, unless an attorney is unavailable or not interested in serving. At present, there are approximately 27 legally-trained and 52 lay municipal judges in the state. Vacancies that occur between elections are filled by appointment by the municipality's governing body.

State law requires that each new municipal judge attend two educational seminars and all others attend one course conducted by the Supreme Court in each calendar year. If a municipal judge fails to meet this requirement without an excused absence from the Continuing Judicial Education Commission, the judge's name is referred to the Judicial Conduct Commission for disciplinary action.

Municipal courts have jurisdiction over municipal crimes and traffic cases. Most of the traffic caseload of the municipal courts consists of noncriminal or administrative traffic cases. While these cases greatly outnumber the criminal traffic cases, they generally take much less time to process. There is a lesser burden of proof in noncriminal traffic cases than in criminal cases and most noncriminal traffic cases are disposed of by bond forfeitures. While judges are not needed to process bond forfeitures, support personnel in the clerk's office must account for every citation received by the court.

Although criminal traffic cases compose only a small percent of the caseload in municipal courts, they require more time and resources for their disposition than noncriminal traffic cases. Litigants are more likely to demand a trial in criminal traffic cases since the penalties for violation of criminal traffic laws are more severe than penalties for violation of noncriminal traffic laws. Moreover, the prosecutor also has a greater burden of proof in criminal traffic cases than in noncriminal traffic cases. In noncriminal traffic cases, the prosecutor must only prove each element of the offense by a preponderance of the evidence for conviction. In criminal traffic cases, the prosecutor must prove each element of the offense beyond a reasonable doubt.

### MUNICIPAL COURT CASES DISPOSITIONS FOR CALENDAR YEAR 1998

Ten Municipalities With Highest Case Volume	Criminal Cases Filed	Noncriminal Cases Filed	Total Cases Filed
Bismarck*	5,312	8,786	14,098
Dickinson	618	1,857	2,475
Fargo	5,010	10,314	15,324
Grand Forks	2,548	5,349	7,897
Jamestown	1,056	2202	3,258
Mandan	978	2761	3,739
Minot	3,093	6,994	10,087
Wahpeton	426	628	1,054
West Fargo	830	1,522	2,352
Williston	1,028	2,096	3,124
TOTAL	20,899	42,509	63,408

\*2,668 of the 5,312 Criminal Cases in Bismarck are Delinquent parking tickets that are criminal infractions punishable by a fine.



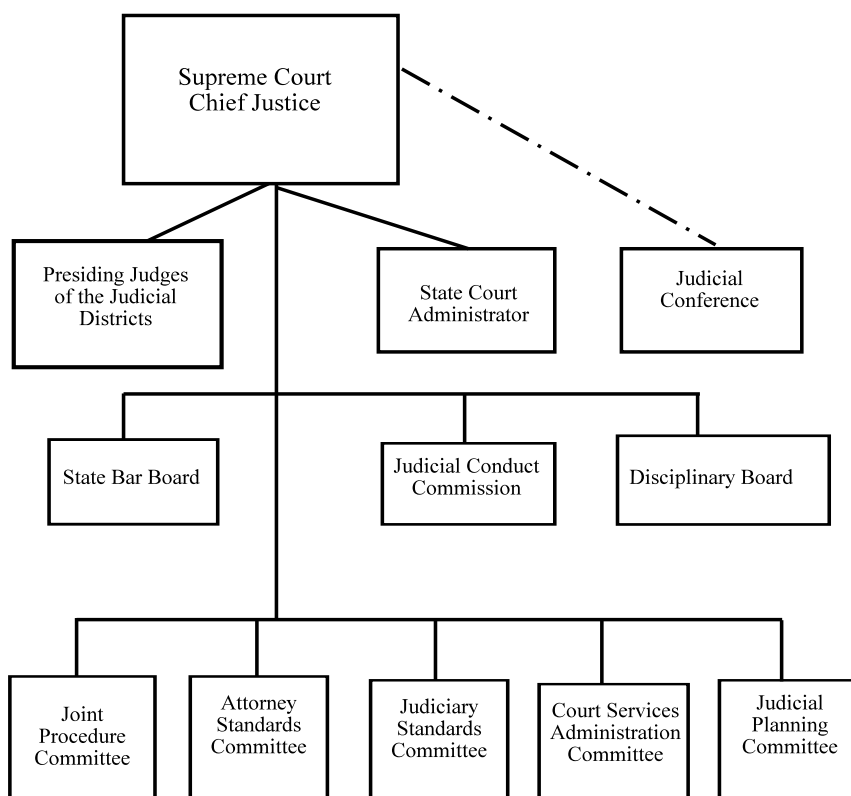
## Administration of the Judicial System

Ultimate responsibility for the efficient and effective operation of the judicial system resides with the Supreme Court. The Constitution establishes the Supreme Court's administrative responsibility for the judicial system by designating the chief justice as the administrative head of the judicial system. In addition, the state constitution also grants the Supreme Court supervisory authority over the legal profession. Article VI, Section 3, states that the Supreme Court shall have the authority, "unless otherwise provided by law, to promulgate rules and regulations for the admission to practice, conduct, disciplining, and disbarment of attorneys at law."

To help it fulfill these administrative and supervisory responsibilities, the Supreme Court relies upon the state court administrator, presiding judges, and various advisory committees, commissions and boards. The functions and activities of these various bodies during 1997 are described in the subsequent pages of this report.

A diagram of the administrative organization of the North Dakota judicial system is provided below.

### ADMINISTRATIVE ORGANIZATION OF THE NORTH DAKOTA JUDICIAL SYSTEM



# Office of State Court Administrator

Article VI, Section 3, of the North Dakota Constitution authorizes the chief justice of the Supreme Court to appoint a court administrator for the unified judicial system. Pursuant to this constitutional authority, the Supreme Court has outlined the powers, duties, qualifications, and term of the state court administrator in an administrative rule. The duties delegated to the state court administrator include assisting the Supreme Court in the preparation of the judicial budget, providing for judicial education services, coordinating technical assistance to all levels of courts, planning for statewide judicial needs, and administering a personnel system.

## **Judicial Education**

The office of state court administrator, under the guidance and supervision of the Continuing Judicial Education Commission and through the director of judicial education, develops and implements education programs for all judicial and non-judicial personnel. To supplement the education programs presently being offered, an audio and video library has been established and is housed in the Supreme Court Library. To complement this library, the University of North Dakota Law School provides additional materials upon request.

Further activities of the Commission are described in greater detail in the second part of this report which discusses the activities of the Commission.

## **Research and Planning**

Staff services are provided to the Judicial Planning Committee and other advisory committees of the Supreme Court by staff in the office of state court administrator. The duties of these staff personnel include research, bill drafting, rule drafting, arrangement of committee meetings, and any other tasks assigned by various other committees. Specific activities and projects of the Supreme Court standing committees are provided in a latter section of this report.

## **Personnel Management**

To ensure uniformity in personnel administration across districts, personnel policies and a pay and classification plan for district court employees were developed under the direction of the state court administrator. This program is administered by the director of human resources and development.

## **Fiscal Responsibilities**

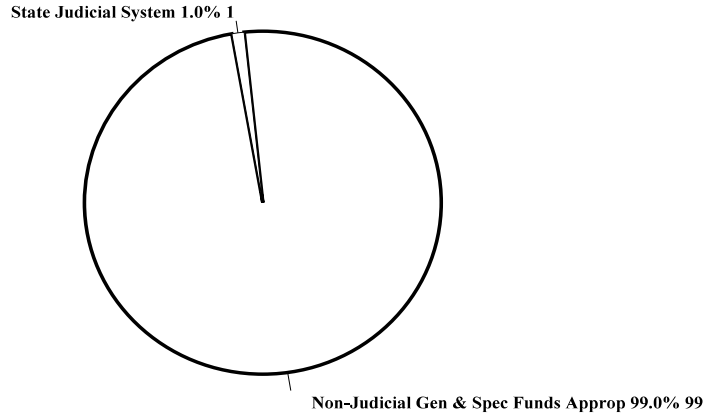
One of the primary functions of the office of state court administrator is to obtain adequate financial resources for judicial operations and to manage these resources. These functions are met with fiscal personnel consisting of a director of finance, supervisor of accounting, and technical staff. With the assistance of fiscal staff, the various judicial budgets are developed for funding consideration by the Legislative Assembly. The Supreme Court budget request is developed with input from Supreme Court department heads. The Judicial Conduct Commission and Disciplinary Board budget request is developed by their staff. The district court budget is coordinated by fiscal staff and prepared by each of the seven judicial districts with a joint recommendation of approval from the Council of Presiding Judges.

A monitoring function is carried out on a monthly basis with an analysis of the budget and preparation of status reports after the monthly payroll and other expenditures have been processed. Guidance for approval of various expenditures is found in budgetary policies.

In viewing the judicial budget, it should be noted that the state funds the Supreme Court, the Judicial Conduct Commission, approximately one-half of the expenses of the Disciplinary Board, and district court expenses with the exception of expenses for the office of district court clerks. The clerks' offices are funded by the counties. Municipal courts are funded by the municipalities they serve.

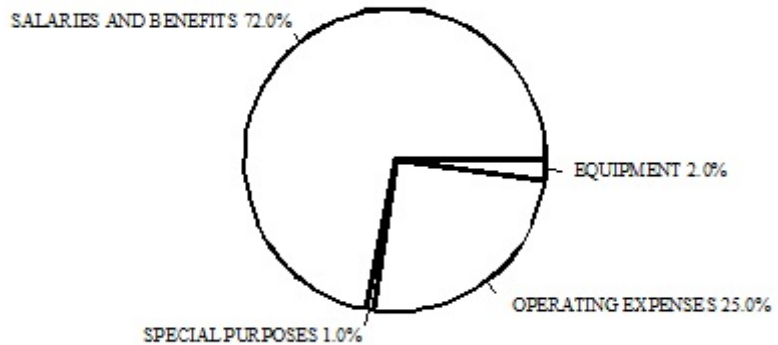
**JUDICIAL PORTION OF THE STATE'S BUDGET  
1997-1999 BIENNIUM**

Total State General and Special Funds Appropriation  
\$3,974,607,404  
Executive and Legislative Branch General and Special Funds Appropriation  
\$3,936,383,801 (99%)  
Judicial Branch General and Special Funds Appropriation  
\$ 38,223,603 ( 1%)



**STATE JUDICIAL BRANCH APPROPRIATION  
BY APPROPRIATED LINE ITEM  
1997-99 BIENNIUM**

Total Judicial Branch General and Special  
Funds Appropriation \$38,223,603  
Salaries and Benefits \$27,458,860 (72%)  
Operating Expenses \$ 9,397,089 (25%)  
Equipment \$ 787,654 ( 2%)  
Special Purposes \$ 580,000 ( 1%)

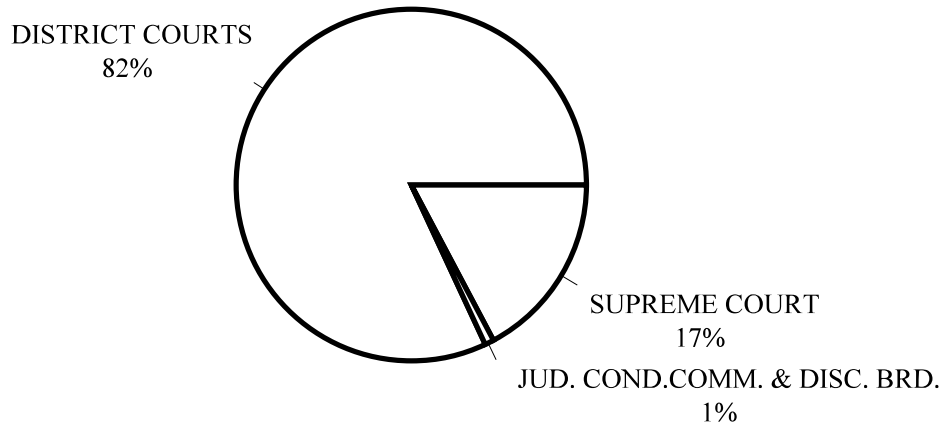


**STATE JUDICIAL BRANCH APPROPRIATION  
BY TYPE OF ACTIVITY  
1997-99 BIENNIUM**

Supreme Court			
	General Fund	\$ 6,616,019	
	Special Funds	<u>8,963</u>	
	TOTAL	\$ 6,624,982	(17%)

District Courts			
	General Fund	\$30,754,532	
	Special Funds	<u>384,089</u>	
	TOTAL	\$31,138,621	(82%)

Judicial Conduct Commission & Disciplinary Board			
	General Fund	\$ 235,000	
	Special Funds	<u>225,000</u>	
	TOTAL	\$ 460,000	( 1%)



# Advisory Committees of the North Dakota Judicial System

In the North Dakota judicial system, a system of committees has been established to develop new ideas and evaluate proposals for improving public services. These advisory committees include citizen members, legislators, lawyers, and judges. The activities of these advisory committees are summarized here:

## **Judicial Planning Committee**

The Judicial Planning Committee provides planning guidance for the short term (two years) intermediate term (10 years) and the future (20 years). Actions that can improve the judiciary and the service provided are identified, planned and then referred to judicial leaders and other standing committees for resolution.

## **Joint Procedure Committee**

The Joint Procedure Committee is responsible for continued study and improvement of the North Dakota Rules of Civil Procedure, Rules of Criminal Procedure, Rules of Court, Rules of Evidence, Rules of Appellate Procedure and specialized court proceeding procedures. The Committee is chaired by Justice Dale V. Sandstrom and staffed by Gerhard Raedeke. The Committee membership of 10 judges and 10 attorneys is appointed by the Supreme Court, except for one liaison member appointed by the State Bar Association. Recently, the committee has been working on jury reform issues and family law amendments defining the role and responsibilities of guardians ad litem.

## **Joint Committee on Attorney Standards**

The Joint Committee on Attorney Standards, chaired during 1998 by Dan Crothers of Fargo, is comprised of members appointed by the Chief Justice and the Board of Governors of the State Bar Association. During 1998, the committee completed an intensive review of rules governing the operation of the lawyer discipline system. As part of its review, the committee submitted a proposed rule, adoption by the Supreme Court, which established an Operations Committee to oversee fiscal and personnel management of the lawyer discipline system. The joint committee also submitted a series of amendments to the Rules for Lawyer Discipline which are intended to procedurally streamline the operation of the discipline system.

## **Judiciary Standards Committee**

The Judiciary Standards Committee, chaired by Brian Neugebauer of West Fargo, studies and reviews all rules relating to the supervision of the judiciary, including judicial discipline, judicial ethics, and the judicial nominating process.

## **Court Services Administration Committee**

The Court Services Administration Committee, chaired by William A. Strutz of Bismarck, is responsible for the study and review of all rules and orders relating to the administrative supervision of the judicial system. During 1998, the committee initiated a review of the system's administrative structure and the effectiveness and efficiency of the administrative operation of the trial courts. An appointed subcommittee is conducting this review, which will include an analysis of the present role of the Council of Presiding Judges, the Judicial Conference, and the advisory committee process.

## **Committee on Tribal and State Court Affairs**

The Committee on Tribal and State Court Affairs, chaired by former Chief Justice Ralph J. Erickstad, is comprised of tribal and state court judges, tribal and state court support services representatives, and public members. It is intended to provide a vehicle for expanding awareness about the operation of tribal and state court systems; identifying and discussing issues regarding court practices, procedures, and administration which are of common concern to members of the two court systems; and for cultivating mutual respect for and cooperation between tribal and

state courts. During 1998, the committee developed draft legislation intended to implement the requirements of the federal Violence Against Women Act concerning full faith and credit recognition and enforcement of foreign domestic violence protection orders.

## **Commission on Judicial Education**

The Continuing Judicial Education Commission was established following adoption of Administrative Rule 36 by the Supreme Court. The commission is chaired by Judge Bruce E. Bohlman of Grand Forks and is comprised of the Chief Justice, state and municipal court judges, a representative from the law school, juvenile court and court support staff for the courts of record. The commission develops policies and procedures concerning the implementation of a statewide continuing judicial education program for judges and personnel of the unified judicial system.

The commission was instrumental in the Supreme Court's decision to mandate that all supreme, district and municipal judges, judicial referees and magistrates, and juvenile court directors and court officers receive an identified number of hours of continuing education each biennium.

In 1998, the Commission authorized and began the development, with the assistance of the Juvenile Court Education Committee, of a set of videotapes which will be used to orient new court officers and respective members of the community on juvenile court laws and procedures. The completion date for this project is June of 1999.

## **Personnel Advisory Boards**

Through Administrative Policy 106, the Supreme Court and District Court Personnel Advisory Boards were established. The individual boards are chaired by Judge Allan Schmalenberger and L. David Gunkel. The boards are tasked with the responsibility of reviewing and implementing the personnel system and salary administration plan for the judiciary.

In 1998 the Supreme Court amended Administrative Policy 106. The amendment consolidates the existing two Boards in January of 1999. The new Board will be comprised of four justices/judges, two supreme court department heads, and an employee from the Supreme Court and District Courts. The responsibility of the Board as originally set forth will not change.

## **North Dakota Legal Counsel for Indigents Commission**

The Legal Counsel for Indigents Commission, chaired by Constance L. Triplett, Grand Forks, identifies and reviews issues concerning the operation of the indigent defense contract system.

During 1998, the commission surveyed contract counsel to gain information on the operation of the contract system. Based on survey information and an analysis of applicable policies and practices, the commission submitted a report to the Council of Presiding Judges which provided the commission's assessment of the administration and operation of the contract system.

## **Juvenile Policy Board**

The Juvenile Policy Board, chaired by Judge Norman Backes, continues to oversee the implementation of the "Balanced Approach to Probation".

This operating philosophy suggests that effective probation departments must implement programs that address public safety, accountability to the victim and society and the competency development of juveniles who come in contact with the court. Research indicates that courts that "balance" these approaches with juveniles are able to reduce recidivism.

The board, working with the directors of juvenile courts, developed a statewide system for electronic monitoring and intensive tracking. This program was developed through a federal juvenile accountability block grant to the state. A system of fully involving victims in the juvenile court process, including offender accountability conferences involving the victim, is being implemented. Additionally, in-state training programs have been conducted to teach the philosophy and develop strategies to implement the Balanced Approach.

As part of the competency development portion of this approach, the board continued implementing the "Keys to Innervisions" program. This program is designed to instill in juveniles that they are responsible for their own actions, that they can change their behavior and to teach them how to change their behavior. In addition to training all juvenile court officers in this approach, the courts have cooperated with schools, tribal governments, social services, law enforcement, and private providers to train another three hundred individuals in this approach; the start of a "community empowerment team". This should help in sending clear and consistent messages to juveniles from the many systems they come in contact with.

The Board is also investigating the creation of a "Juvenile Drug Court." A special task force, chaired by Justice Maring, is studying how a drug court would fit best in North Dakota, what population would be targeted, and if appropriate, how to pilot the project in a district. The task force will report in the spring of 1999.

#### **Council of Presiding Judges**

The Council of Presiding Judges is a policy making body charged with the responsibility to provide uniform and efficient delivery of administrative support to the trial courts. The council consists of the presiding judge of each judicial district and the chief justice of the supreme court as the presiding officer of the council. Duties of the council include the responsibility to develop administrative policies for the trial courts and provide the mechanism to ensure implementation. The Council of Presiding Judges meets at the call of the chair.

#### **Court Technology Committee**

The Court Technology Committee, chaired by Judge Allan Schmalenberger, dealt with numerous issues over the last year, ranging from video recording of trials to installation of a distributed computerized case management system.

The committee oversaw major revisions to the current unified court information system (UCIS), which is installed in all chambered counties throughout the state. The East Central Judicial District has a similar, county funded system. The software was modified from a single county system to a district system allowing access to cases in a district on "real time" status. This eliminates the need to send case information on paper to the state court administrator's office.

At the same time, the committee, recognizing advancements in computer technology, continues a rewrite of UCIS to allow it to be run on a client-server platform. This step will allow best utilization of equipment advances and will enhance user friendliness through Window-type screens.

With improvements in statewide communications by the executive branch's information services division, the judiciary has been able to take advantage of point-to-point capabilities. In other words, e-mail and the ability of a judge to check on the status of a case from a remote site is now available statewide.

## Disciplinary Board

The Disciplinary Board was established to provide a procedure for investigating, evaluating and acting upon complaints alleging unethical conduct by attorneys licensed in North Dakota. The Rules of Professional Conduct are the primary guide for lawyer conduct. The North Dakota Rules for Lawyer Discipline provide the procedural framework for the handling and disposition of complaints. By Supreme Court Administrative Rule, the Joint Attorney Standards Committee provides the vehicle for the coordinated, complementary, and continuing study and review of the range of issues concerning attorney standards and supervision.

When a written complaint alleging attorney misconduct is received, it is filed with the Board's secretary and referred to either the District Inquiry Committee East or West of the State Bar Association. The chair of the respective committee reviews the complaint and, if appropriate, assigns the complaint for investigation to a member of the committee or staff counsel. If the complaint, on its face, does not indicate misconduct, an investigation will not be initiated and the matter will be referred to the committee for summary dismissal. Actions available to district inquiry committees are dismissal, issuing an admonition, probation with the consent of the respondent attorney, or directing that formal proceedings be instituted.

Formal proceedings are instituted when there is probable cause to believe that misconduct has occurred. When a matter goes formal, a petition for discipline is filed and a hearing body is appointed by the chair of the Disciplinary Board to make findings and a recommendation to the Board. Present and past members of the Board may serve as hearing body members. The Board may dismiss the petition, issue a reprimand, impose probation or recommend other appropriate sanctions, with the exception of an admonition. If suspension or disbarment is recommended, a report is forwarded to the Supreme Court for review and action.

Non-lawyer citizens are members of the District Inquiry Committees and the Disciplinary Board. All members of the Board and the Inquiry Committees are volunteers and are asked to review what, at times, can be very time-consuming matters. While many complaints are dismissed because they are groundless, the amount of volunteer time needed to run the system is significant.

Following is a summary of complaint files under consideration in 1998.

New Complaint Files Opened in 1998	203
General Nature of Complaints:	
Client Funds & Property	9
Conflict of Interest	17
Criminal Convictions	1
Excessive Fees	3
Failure to Communicate/Cooperate with Client	16
Improper Conduct	116
Incompetent Representation	26
Misappropriation/Fraud	5
Neglect/Delay	8
Unauthorized Practice of Law	2
<b>TOTAL</b>	<b>203</b>
Formal Proceedings Pending From Prior Years	19
Other Complaint Files Pending From Prior Years	31
Appeals Under Consideration by Disciplinary Board in 1998	21
Appeals Under Consideration by Supreme Court in 1998	2
<b>Total Files for Consideration in 1998</b>	<b>276</b>
Disposition of Complaint Files:	
No Action by Inquiry Committees (IC)	3
Dismissed by Inquiry Committees	101
Summary Dismissals by Inquiry Committees	38
Admonitions Issued by Inquiry Committee	*12
Probation by Consent by Inquiry Committees	4
Reprimands (Public) Issued by Disciplinary Board	6
Disciplinary Board Approves IC Dismissal	17
Disciplinary Board Disapproves IC Disposition	3
Disciplinary Board Approves IC Admonition or Private Reprimand	2
Suspensions by Supreme Court	2
Formal Proceedings Pending 12/31/98	17
Other Complaint Files Pending 12/31/98	72
<b>TOTAL</b>	<b>**277</b>

\* 6 complaint files resulted in admonition of 3 attorneys.

\*\*Total number reflects a dual disposition in one file due to a remand.

NOTE: At the end of 1998, 3 attorneys are on interim suspension pending final disposition of disciplinary proceedings.

## Judicial Conduct Commission

The Judicial Conduct Commission was established in 1975 to receive, investigate, and evaluate complaints against any judges or officer of the judicial system in this state and, when necessary, conduct hearings concerning the discipline, removal or retirement of any judge.

The procedures of the Commission are set forth in the North Dakota Rules of the Judicial Conduct Commission. Significant procedural changes effective August 1, 1997, include evaluation of the complaint and summary dismissal by Disciplinary Counsel, after providing an opportunity for Commission members to request further consideration. An admonition (formerly a private censure) now requires the consent of the judge. Complaints are now filed with Disciplinary Counsel for the Commission, with the Clerk of the Supreme Court relieved of all ex officio administrative duties for the Commission. As before, the Supreme Court must take final action on public censure, removal, suspension, retirement, or other public discipline against a judge.

Complaints against judges in 1998 decreased over those filed in 1997. The majority were dismissed as being without merit because complainants frequently believe the Commission has the authority to change a judge's decision or influence trial proceedings in some way.

The table, which follows, includes a summary of the nature and the disposition of complaints filed with the Judicial Conduct Commission 1998.

**Judicial Conduct Commission - Summary of 1998**

New Complaint Files Opened in 1998	36
General Nature of Complaints:	
Abuse of authority/prestige	2
Administration irregularity	1
Bias, discrimination/partiality	12
Conflict of interest	2
Criminal behavior	1
Delay court business	1
Ex parte communications	5
Failure to follow law/procedure	3
Failure to perform duties	1
Improper conduct on bench	9
Improper decision/ruling	25
Incompetence as judge	2
Intemperance, alcohol or drugs	1
Loss of temper	1
Willful misconduct in office	1
TOTAL	67
Complaint Files Carried Over from 1997	13
Total Files Pending Consideration in 1998	80
Disposition of Complaints:	
Dismissed	1
Private Censure	0
Public Censure	0
Commission Took No Action	57
Total 1998 Dispositions	58
Complaint Files Pending as of 12/31/98	22

Of the New Complaints Filed in 1998:  
 59 were against district court judges  
 6 were against referees  
 1 was against a municipal judge  
 1 was against a non-judge



## State Bar Board

The State Bar Board was created by statute to assist the Supreme Court in its constitutional responsibility to regulate the admission to practice. In 1998, Board members were Rebecca S. Thiem of the Bismarck firm of Zuger, Kirmis & Smith; Mark L. Stenehjem of the Williston firm of Winkjer, McKennett, Stenehjem, Reiersen & Forsberg; and Paul F. Richard of MeritCare Health System in Fargo.

As a part of its application process, the Board conducts character investigations on every applicant regarding their moral character and fitness to practice law. These character investigations provide the Board with information regarding an applicant's employment history; academic history; financial responsibility; any abuse of legal process; evidence of mental or emotional instability; evidence of drug or alcohol dependency; professional disciplinary history; and past misconduct or inappropriate behavior.

In December 1998, the Supreme Court adopted amendments to the Admission to Practice Rules which become effective March 1, 1999, and authorize the Board to recommend the conditional admission or licensure of an applicant who has a record of misconduct, dependencies, instabilities, inappropriate behavior or other problems/circumstances in which the Board determines the protection of the public warrants it. The Board may recommend specific conditions including, requiring drug or alcohol treatment, medical care, psychological or psychiatric care, professional office practice or management counseling, practice supervision, and/or professional audits or reports.

The Character and Fitness Committee assists the Board in investigating applicants' character, fitness and moral qualifications. In 1998, members of the Committee were: Charles S. Miller, Malcolm H. Brown, Luella Dunn, Reverend Keith Odney, and Dr. Al Samuelson, all of Bismarck.

Admission to practice in North Dakota can be based on the results of the written bar examination; five years of admission and at least four years of practice in another jurisdiction; and, within two years of application, achieving a score of 150 on the Multistate Bar Examination (MBE) and admission in another jurisdiction. Additionally, every applicant for admission must be at least 18 years old, of good moral character, fit to practice law, and been awarded a juris doctor or equivalent degree from a law school, approved or provisionally approved, for accreditation by the ABA.

Of those 53 individuals admitted in 1998, 33 were by bar examination; 8 by achieving the 150 MBE score and admission in another state; and 12 by having the requisite years of practice in another state. The Bar Board administered a two-day bar examination in July 1998.

Passage rates for the 1998 examination were:

Exam	# Apps.	# Pass/ % Pass	# UND Grads	# Pass/ % Pass
07/98	40	33/83%	32	25/78%

In 1998, the Board continued the review and implementation of the changes in the format of the state bar examination, which are scheduled to begin with the July 1999 examination. The examination will now consist of the Multistate Bar Examination (MBE), an objective six-hour multiple choice exam; the Multistate Performance Test (MPT), a written three-hour examination consisting of two ninety-minute tasks that examine fundamental lawyering skills, including, problem solving, legal analysis and reasoning, factual analysis, communication, organization and management of a legal task, and recognizing and resolving ethical dilemmas; and the Multistate Essay Examination (MEE), a written three-hour examination consisting of six questions from pre-selected topic areas.

Issues the Board continues to review are procedures and forms for special accommodations requests for writing the examination; the American's With Disabilities Act, formal hearing procedures; and test format.

The State Bar Board is also responsible for licensing attorneys. By statute the Board collected the license fees and remitted 80% to the State Bar Association. In 1998, 1,851 lawyers and judges, 371, or 20%, of whom were women, were licensed.

## North Dakota Judicial Conference

The North Dakota Judicial Conference was originally established as an arm of the judicial branch of state government in 1927. At that time, the organization was known as the North Dakota Judicial Council. Present statutory language covering the Judicial Conference is found in Chapter 27-15, NDCC.

There are currently sixty-nine members of the Judicial Conference. The conference consists of all Supreme Court justices and district court judges. Other members are the attorney general; the dean of the University of North Dakota School of Law; the clerk of the Supreme Court; two judges of the municipal courts, as appointed by the Municipal Judges Association; and five members of the North Dakota Bar Association who are appointed by the Bar Association. All surrogate judges, as appointed by the Supreme Court under section 27-17-03, NDCC, are also conference members.

The members of the conference serve during the time they occupy their respective official positions. The term of office of the two municipal judges is two years. The term of office for the five members of the bar is five years. Vacancies on the Judicial Conference are filled by the authority originally selecting the members.

The state court administrator serves as the executive secretary of the Judicial Conference.

The officers of the Judicial Conference consist of the chair and chair-elect, who are selected for a term of two years by the members of the conference. In addition, there is an executive committee consisting of the chair, chair-elect, a justice of the Supreme Court elected by the Supreme Court, and two district judges elected by the Association of District Judges.

Under North Dakota law, the Judicial Conference is required to meet twice each year. These meetings are usually held in June and November. Special meetings, however, may be called by the chair. While members of the Judicial Conference are not compensated for their services, they are reimbursed for their expenses while discharging their conference duties.

The Judicial Conference has four major duties:

1. Solicit, receive, and evaluate suggestions relating to the improvement of the administration of justice.
2. Consider and make recommendations to the Supreme Court for changes in rules, procedures, or any matter pertaining to the judicial system.
3. Coordinate continuing judicial education efforts for judges and support staff.
4. Establish methods for review of proposed legislation which may affect the operation of the judicial branch.

Several committees have been established to support the activities of the full conference. The committees and respective committee chairs during 1998 were as follows:

1. Program Planning Committee, Judge Bruce E. Bohlman, Chair.
2. Committee on Legislation, Judge Burt L. Riskedahl, Chair.
3. Committee on Judicial Compensation, co-chairs Justice William Neumann and Judge Gary Holum.

Special committees are as follows:

1. Judicial Immunity Committee, Judge Kirk Smith, Chair.
2. Jury Standards Committee, Judge Robert Holte, Chair.

Committee membership results from appointment by the chair after consultation with the executive committee of the Judicial Conference. The bylaws provide that non-conference members can serve on either standing or special committees.

The officers and executive committee of the Judicial Conference during 1998 were as follows:

Judge, Kirk Smith, Chair  
Justice, Dale V. Sandstrom, Chair-Elect  
Justice Mary Muehlen Maring, Executive Committee  
Judge John C. McClintock, Jr., Executive Committee  
Judge Donald L. Jorgensen, Executive Committee  
Judge Gail Hagerty, Past Chair

# NORTH DAKOTA JUDICIAL CONFERENCE

## JUDGES OF THE SUPREME COURT

Gerald W. VandeWalle  
Mary Muchlen Maring

William A. Neumann

Dale V. Sandstrom  
Carol Ronning Kapsner

## JUDGES OF THE DISTRICT COURT

### South Central District

\*Benny A. Graff  
Gail Hagerty  
Bruce B. Haskell  
Donald L. Jorgensen  
Burt L. Riskedahl  
Thomas J. Schneider  
James M. Vukelic  
Robert O. Wefald

### Northwest District

\*Robert W. Holte  
Everett Nels Olson  
Glenn Dill III  
Gary A. Holum  
William W. McLees  
David Nelson  
Gerald H. Rustad

### Northeast District

\*Lee A. Christofferson  
Laurie Fontaine  
Donovan Foughty  
M. Richard Geiger  
Lester Ketterling  
John C. McClintock, Jr.

### Northeast Central District

\*Lawrence E. Jahnke  
Bruce E. Bohlman  
Debbie Kleven  
Joel D. Medd  
Kirk Smith

### Southwest District

\*Allan L. Schmalenberger  
Zane Anderson  
Ronald L. Hilden  
Maurice R. Hunke

### East Central District

\*Norman J. Backes  
Georgia Dawson  
Ralph R. Erickson  
Lawrence A. Leclerc  
Michael O. McGuire  
Frank L. Racek  
Cynthia Rothe-Seeger

### Southeast District

\*John T. Paulson  
James M. Bekken  
Ronald E. Goodman  
Richard W. Grosz  
Mikal Simonson

## JUDGES OF THE MUNICIPAL COURTS

Robert A. Keogh  
William C. Severin

## SURROGATE JUDGES OF THE SUPREME AND DISTRICT COURTS

William M. Beede  
Eugene A. Burdick  
Ralph J. Erickstad  
Gerald G. Glaser

Gordon O. Hoberg  
Jon R. Kerian  
Ralph B. Maxwell

James H. O'Keefe  
Wm. L. Paulson  
Vernon R. Pederson  
Bert L. Wilson

Attorney General Heidi Heitkamp  
Clerk of the Supreme Court Penny Miller  
Dean of the UND School of Law Jeremy Davis

## MEMBERS OF THE BAR

Sherry Moore  
James S. Hill

Steven Lies

Mike Sturdevant  
Paul G. Kloster

\*Presiding Judge

Executive Secretary Keith E. Nelson

71 Members