

Judicial Branch Education Commission
Minutes
(Unofficial Until Approved)
March 4, 2016

Members Present

Justice Daniel Crothers, Chair
Judge Susan Bailey via phone
Chris Iverson, Assistant Trial Court Administrator via phone
Judge Debbie Kleven via phone
Cory Pedersen, Unit 3 Juvenile Court Director

Members Absent

Municipal Judge Darcie Einarson
Judge Gary Lee
Judge John McClintock
Dean Kathryn Rand
Larry Zubke, Technology Director

Staff Present

Lee Ann Barnhardt, Director of Education and Communication
Kimberly Dockter, Special Projects Coordinator
Lana Zimmerman, scribe

Justice Crothers called the meeting to order. **A motion was made by Cory Pedersen to approve the December 4, 2015, meeting minutes. The motion was seconded by Chris Iverson. Motion carried.**

Old Business

I. Conference Updates - Ms. Barnhardt updated the Commission on the progress of the following conferences.

A. The Court Management Program is scheduled March 16-18, 2016, at the Radisson Hotel, in Bismarck. Chris Iverson and Karl Thoennes will facilitate the course on Court Performance Standards: CourTools.

B. The Parenting Investigator Training is scheduled March 17, 2016, at the Radisson Hotel, in Bismarck. The topic is Working with LGBT Families in North Dakota and Domestic Violence: Childhood Trauma and Effects. Erica Davidson, Sexual Assault Program Coordinator for North Dakota Council on Abused Women's Services and Todd Brower, Judicial Education Director for Williams Institute on Sexual Orientation Law for UCLA School of Law will facilitate the program.

C. The Juvenile Court Seminar is scheduled April 11-13, 2016, at the Radisson Hotel, in Bismarck. The topic is Indian Child Welfare facilitated by Heather Traynor and Melanie Sage. The School to Prison Pipeline program is facilitated by Judge Steven Teske, Chief Judge of Clayton County Georgia Juvenile Court.

D. The Clerk of Court Conference is scheduled May 4-5, 2016, at the Holiday Inn, Fargo. The topic are Odyssey related issues, de-escalation of violent situations, interpersonal skills and safety and security issues, and FACES training with child support.

E. The June Judicial Conference is scheduled June 16, 2016, in Grand Forks in the afternoon. The topics are incarceration issues related to the Justice Reinvestment project and Judge Cynthia Feland will also conduct a follow up on the guardianship review process.

II. Intranet Education Website - Ms. Dockter updated the Commission regarding the Judicial Branch Education website. The website has been sent to a small group for review. Ms. Dockter will continue rolling out the website by giving full access to juvenile court personnel now and fully launching the website in May.

III. Plan for Future Bench Books - A proposed Trial Court Bench Book Oversight Group Charter was distributed. If approved by the Court, this group would be responsible for overall editorial management of the Trial Court Bench Book. Duties including overseeing the content, style, and delivery of the bench book that meets the needs of the North Dakota Trial Judges.

Justice Crothers explained this group will be largely responsible for content of the Trial Court Bench Book with the assistance of a staff attorney.

The request before the Commission is to approve the charter and forward it to the Supreme Court for consideration.

After discussion regarding the makeup of the group, it was suggested in III (B) of the charter to add a sentence that explains the process for appointing temporary members.

A motion was made by Cory Pedersen to approve The Trial Court Bench Book Oversight Group Charter subject to amendment of the added sentence under III (B). The motion was seconded by Judge Kleven. Motion carried.

The amended version will be distributed to the Commission members and forwarded to the Supreme Court for consideration.

IV. Training Space Update - Ms. Barnhardt gave an update on the facility expansion project that will provide training space for the court and legislative hearing rooms in the Capitol. This space will be shared with the Legislative Council. Demolition began Tuesday, March 1, 2016 and the project is expected to be complete by mid-July. The court system will occupy the space until

legislative session begins in January through end of April or early May. There are 3 legislative hearing rooms, but 2 of the largest hearing rooms are divided with a removable wall to make a large training space. There is also a conference room designated for court use. Office space for Lee Ann Barnhardt, Kim Dockter and Marilyn Moe is included in the project. Scheduling for courses and classes will begin soon.

New Business

I. Impact of Budget Cuts on Judicial Branch Education - A memorandum was received from Chief Justice VandeWalle in early February indicating that the Judiciary will voluntarily join the rest of the state in reducing expenditures by 4.05% or greater. The savings will particularly come from staff positions already vacated. There are other impacts including out-of state travel that will affect education and some ramifications will follow for in-state travel.

Ms. Barnhardt explained that Chief Justice VandeWalle's memorandum included a request to cut one Juvenile Court Conference. The two conferences each year have been held in September and April.

Mr. Pedersen consulted with the other three juvenile court directors to get input on which conference to eliminate. Since the current April Juvenile Court Conference is set, the directors recommended cutting the fall conference and conducting the next conference in the spring of 2017. That will allow time for staff to review their continuing education credit hours, seek local training for staff to attend without travel, and make decisions next spring as to which staff members should attend training in order to acquire continuing education hours.

Ms. Barnhardt emphasized that the juvenile court officers are required to have continuing education of 40 hours over a 3 year period. The current reporting period ends June 30, 2017.

A motion was made by Cory Pedersen to cancel the 2016 Fall Juvenile Court Conference in alignment with Chief Justice VandeWalle's budget cut request. The motion was seconded by Chris Iverson. Motion carried.

II. On-line Training for Judges - Discussion was held on the need to offer on-line training for judges in the future. Online training is already being provided for clerks of court, deputy clerks of court and judicial referees. Plans are in place to begin on-line training for juvenile staff in September. On-line training is also being planned for court recorders.

No on-line training for district court judges has been offered locally. Ms. Barnhardt shared that in the past, when individuals turn in reporting hours, about 50% of all hours are from out-of-state and the other 50% are primarily through the court system or SBAND. Since out-of-state travel is restricted, it may be a good time to provide online opportunities for judges in state.

III. Judge Survey - A survey of district court judges will be launched soon to gather information needed to plan future in-state training for judges, both in person and online.

IV. 2017-2022 Strategic Planning Process - Ms. Barnhardt will send out proposed dates for a kickoff meeting for the next Strategic Plan for Judicial Branch Education. This is an opportunity to brainstorm in person and develop a plan for what needs to take place for the next 5 years in judicial branch education in North Dakota.

Meeting adjourned at 10:30 a.m.