

Judicial Branch Education Commission
Minutes
(Unofficial Until Approved)
September 25, 2015

Members Present

Judge Steven McCullough, Chair
Justice Daniel Crothers
Judge Debbie Kleven via phone
Municipal Judge Darcie Einarson via phone
Chris Iverson, Assistant Trial Court Administrator
Cory Pedersen, Unit 3 Juvenile Court Director
Larry Zubke, Technology Director

Members Absent

Dean Kathryn Rand
Judge John McClintock
Judge David Reich

Staff Present

Lee Ann Barnhardt, Director of Education and Communication
Scott Johnson, Asst. State Court Administrator for Trial Courts
Kimberly Dockter, Special Projects Coordinator
Lana Zimmerman, Scribe

Judge McCullough called the meeting to order. **A motion was made by Justice Crothers to approve the February 13, 2015, meeting minutes. The motion was seconded by Cory Pedersen. Motion carried.**

Old Business

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

A. The 2015 Annual Drug Court Conference is scheduled September 30-October 1, 2015, at the Cambria Suites in Fargo. So far, over 100 participants have registered. Wrapping up the conference will be Kat Perkins, finalist on "The Voice" on NBC.

B. The 2015 Annual Municipal Court Conference is scheduled October 5, 2015, at the Radisson Hotel in Bismarck. Michael McGinnis, assistant professor of law from the University of North Dakota will be conducting a session on Ethics. Legislative updates and hot topic discussion will be conducted by Municipal Judge Bill Severin. The conference will wrap up with Courtroom 101 led by Judge Bill Severin and Judge Thomas Moe.

C. The 2015 Judicial Writing Seminar is scheduled October 8-9, 2015, at the Radisson Hotel in Bismarck. Ron Hofer will facilitate the seminar.

D. The 2015 Court Reporter Conference is scheduled November 23-24, 2015, at the Radisson Hotel in Bismarck. Larry Paiz will facilitate the seminar on Case Catalyst Version 16.

E. The Electronic Court Recorders Conference is scheduled November 23-24, 2015, at the Radisson Hotel in Bismarck. Topics include sessions on Administrative Rules, Rules of Court, Rules of Criminal Procedure, Rules of Appellate Procedure and Court Policies, and transcript writing.

F. The Fall Judicial Conference is scheduled November 23-24, 2015, at the Radisson Hotel in Bismarck. There will be sessions on juries and social media, Indian Child Welfare Act, evidence and competency.

II. Proposed Changes to Rules/Policies

A. The proposed policy changes were sent out for approval/disapproval. The Supreme Court did not approve proposed changes to Administrative 36.

B. Policy 201 - Membership/Professional Dues. Recommended changes were approved as submitted.

C. Policy 504 Professional Development for Trial Court Administrative Personnel was presented to Administrative Council and approved.

III. Intranet Education Website

A. Kim Dockter and Jon Paul with the IT Department, have been working on building the new intranet education website. Kim Dockter gave a brief presentation on the content of the website. The Commission agreed to a soft launch of the website in December.

New Business

I. Lee Ann Barnhardt informed the Commission that this year will be Judge Geiger's last time to update the Trial Court Bench Book. Scott Johnson suggested a new approach could be to form a small judicial leadership group to work on specific areas of the bench book utilizing staff attorney support.

The Commission asked Lee Ann to determine how much time a staff attorney will need per year to update the bench books.

A motion was made by Justice Crothers to have Lee Ann Barnhardt draft a letter for Judge McCullough to submit to Sally Holewa on the need for staff attorney assistance in

updating the Trial Court Bench Book. The motion was seconded by Chris Iverson. Motion approved.

II. Summer Judicial Conference/SBAND Annual Meeting, Grand Forks. Lee Ann Barnhardt was contacted by a Grand Forks domestic violence group working with the National Council for Juvenile and Family Court Judges out of Reno, Nevada, who have proposed offering a training during the next summer Judicial Conference related to domestic violence issues.

Because of the Commission's prior commitment to work with SBAND on the annual meeting education sessions, the Commission asked Lee Ann to contact the sponsors from the domestic violence group and to find a place to conduct the conference as a stand alone conference or hold it at the Fall 2016 Judicial Conference.

III. Lee Ann Barnhardt received a formal request from the Clerk of Court Association to establish some form of professional development for the deputy clerks of court. Few deputies are able to attend the annual conference provided for the clerks. The board members of the association feel that it is good for them to meet and network with their peers and would like to have the deputies have the same experience and opportunities on an annual basis. A suggestion was to schedule training for the staff at the same time as the Judicial Conference in June. There isn't a current budget item for this in the schedule specifically for the deputy clerks.

Chris Iverson shared that she asked the other court administrators for input on the issue. In Unit 2, there was a unit-wide strengths training that involved all of the deputy clerks, clerks of court, juvenile staff, court reporters and recorders. It is being followed up with individual office meetings to discuss it in depth. In mid-October, there are 3 days set aside for ½ day training for clerks mostly on Odyssey issues but also some procedural issues that will be offered in three different locations.

Scott Johnson suggested that the other units are not doing what Unit 2 is doing, and that it could be replicable in the units with some support from the education staff.

This request will be added to the Trial Court Administrative Personnel meeting agenda to get input from the court administrators.

IV. Lee Ann Barnhardt discussed the judicial education training space with the Commission. The new space is jointly shared with the Legislative Council. There will be a large meeting space with a retractable wall for large groups. There will be a meeting room to accommodate 50+ people and a conference room to accommodate 30 people. There will also be a suite of 3 offices for Lee Ann Barnhardt, Kim Dockter and Marilyn Moe with working space to assemble conference materials and for storage. Bids will go out in December.

V. Lee Ann received an email from the National Judicial College regarding the pilot testing of a new self study curriculum for Judges on forensic evidence. They would like us to be one of three pilot states to test the curriculum and give them feedback. They will need 10 judges to be willing to do the self study modules. The judges participating will get CLE credits. This will begin the end of October.

By consensus, Lee Ann Barnhardt may pursue 10 judges to participate in the pilot test.

VI. Lee Ann shared that the judge teaching the evidence session at the November Judicial Conference would like the judges to use his book on essential evidence during the conference.

By consensus, Lee Ann Barnhardt will purchase 1 book per judge for the Judicial Conference.

A motion was made by Cory Pedersen to adjourn. Motion seconded by Chris Iverson. Motion carried.