Filed 8/7/19 by Clerk of Supreme Court

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2019 ND 212

In the Matter of the Chambering of a New District Judgeship in the South Central Judicial District

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No. 20190210

Per curiam.

[¶1] The 66th Legislative Assembly passed House Bill 1002, the appropriation bill for the judicial branch, which included a new district judgeship for the South Central Judicial District. The bill was signed by Governor Doug Burgum and was effective July 1, 2019.

[¶2] N.D. Sup. Ct. Admin. R. 7.1 provides the procedure for establishing judgeship chambers with the judicial districts of North Dakota. Notice the Court was contemplating chambering the judgeship in Mandan, North Dakota, in the South Central Judicial District, and providing an opportunity for written comment was posted July 11, 2019, on the Supreme Court website.

[¶3] At the Court's request, a Report containing population and caseload trends, and other criteria identified in N.D. Sup. Ct. Admin. R. 7.1, was filed July 23, 2019, by the Trial Court Administrator for the South Central Judicial District

[¶4] The South Central Judicial District is comprised of Burleigh, Emmons, Grant, McLean, Mercer, Morton, Oliver, Sheridan and Sioux Counties. The district's population

has grown 23% since 2000, and approximately 80% of the population is centered in Bismarck and Mandan, which are located in Burleigh and Morton Counties. Additionally, 96% of the licensed attorneys in the district are located in Bismarck and Mandan.

[¶5] Case filings have steadily increased in the South Central Judicial District, with the combined civil, criminal, and formal juvenile caseloads in the South Central Judicial District having increased by 37% since 2000. According to the district's report, year-to-date Odyssey filing data (excluding traffic cases) in 2019 shows overall growth of 10% when compared to the same period in 2018. Additionally, 87.6% of the districts weighted workload is concentrated in Burleigh and Morton Counties.

[¶6] The Burleigh County courthouse has six courtrooms and one hearing room. The courtrooms have both sound and digital recording systems installed. The hearing room has digital recording capabilities. Two of the courtrooms have ITV systems install and three others share portable ITV carts. Six judges and two referees currently work out of the Burleigh County courthouse.

[¶7] The Morton County courthouse has five courtrooms. All courtrooms are equipped with sound and digital recording systems. Two of the courtrooms have ITV capabilities. Three judges currently work out of the Morton County courthouse.

[¶8] According to the district's report, chamber space for the new judge and courtroom space is more readily available in the Morton County courthouse following a renovation that was completed in July of 2018. Additional space was obtained in Burleigh County, however, in its current configuration suitable courtroom space and permanent judge chambers are not available at this time.

[¶9] The caseflow plan for the South Central Judicial District requires all of the judges in the district to manage all case types in all counties and is best managed from a central location. The close proximity of Bismarck and Mandan allows judges to easily travel between the two cities for hearings and trials.

[¶10] The Court recognizes the continued cooperation and support of the Burleigh and Morton County Commissioners in providing secure court facilities to our chambered judges

and staff.

[¶11] Following consideration of the record before the Court in this matter, and the recommendation of the judges of the South Central Judicial District,

[¶12] IT IS HEREBY ORDERED, that the new judgeship is designated Judgeship No. 10, with chambers in Mandan, North Dakota, in the South Central Judicial District, to be filled in the manner provided by N.D.C.C. Chapter 27-25.

[¶13] Gerald W. VandeWalle, C.J.
Jerod E. Tufte
Jon J. Jensen
Daniel J. Crothers
Lisa Fair McEvers