

NORTH DAKOTA COURTS



**ANNUAL REPORT
1995**



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June 14, 1996

TO THE HONORABLE CHIEF JUSTICE
AND JUSTICES OF THE SUPREME COURT
OF THE STATE OF NORTH DAKOTA:

TO THE HONORABLE MEMBERS OF THE
NORTH DAKOTA JUDICIAL CONFERENCE:

I am pleased to submit to you the Annual Report of the North Dakota judicial system. This report highlights the activities of the North Dakota judicial system during calendar year 1995. It provides statistical information on our courts and reports on other developments and activities which are shaping our judicial system. It should prove valuable as a reference source for anyone wishing to learn about the operation of the judicial system in North Dakota.

I take this opportunity to publicly acknowledge the valuable assistance and cooperation extended to me by the judges and court personnel whose reports provided the information contained in the Annual Report. Particular thanks go to the staff of the State Court Administrator's office for their diligent work in compiling the statistics and designing the format for this work.

Respectfully submitted,

A handwritten signature in cursive script that reads "Keith E. Nelson".

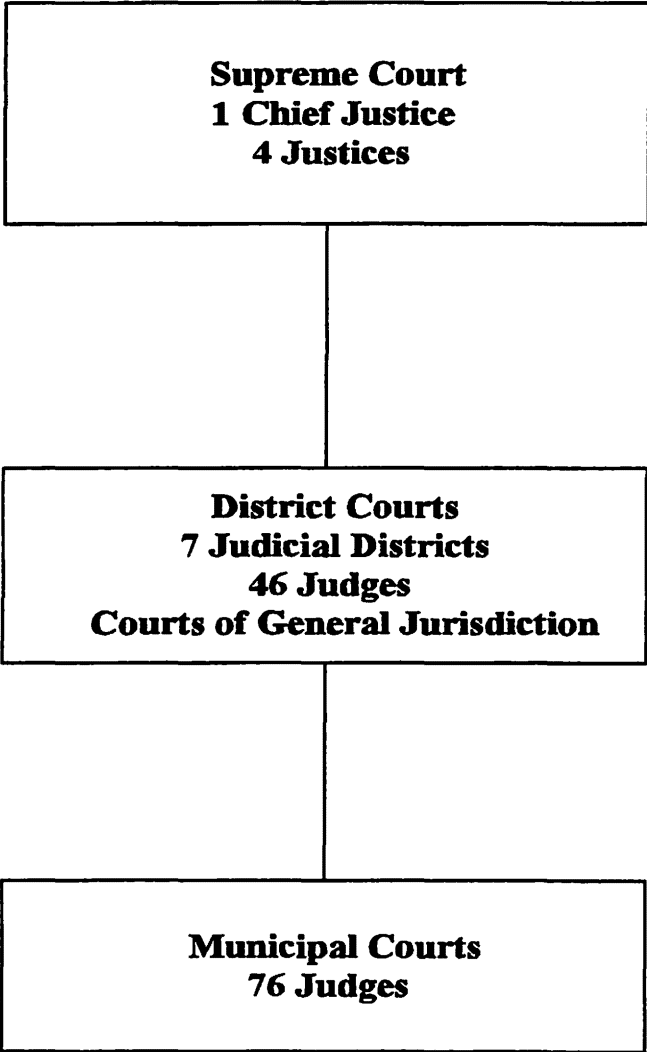
KEITHE E. NELSON
State Court Administrator and
Judicial Conference Executive
Secretary

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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 46 district court judges currently sitting. This number is scheduled to be reduced to a total of 42 district court judges by the year 2001. Several advisory committees of the Supreme Court continue studying implementation with the goal of providing recommendations to the Supreme Court.

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

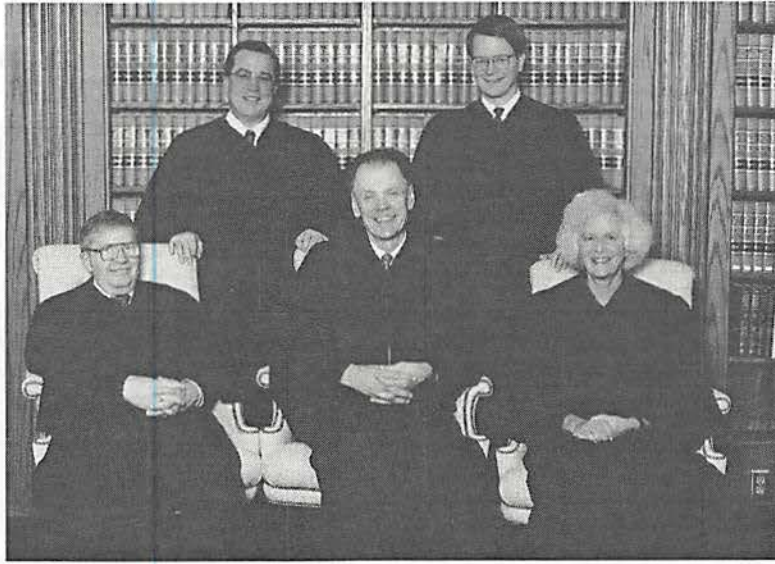
All judges in North Dakota are elected in nonpartisan elections. Justices of the Supreme Court are elected for ten-year terms; district court judges for six-year terms; and municipal court judges for four-year terms.

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 only 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 Herbert L. Meschke; Chief Justice Gerald W. VandeWalle; Justice Beryl J. Levine; (Standing) Justice William A. Neumann; Justice Dale V. Sandstrom

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 accepted 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 judicial 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, Personnel Advisory Boards, 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 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

As predicted at the end of 1994, the case filings in the North Dakota Supreme Court increased in 1995. The 8% increase, however, cannot be attributed to any one reason. Some factors which may have attributed to the increase in filings are unification of the trial courts which resulted in a number of new trial judges; a steady high rate of self-represented litigants; and double jeopardy challenges of driving under the influence convictions. Appeals of driving under the influence/driving under suspension convictions increased 84% over 1994.

While the Court of Appeals was not called into session by the Supreme Court, the justices' workload remains heavy. Weekly administrative conferences were held to dispose of motions to dismiss, petitions for supervisory and mandamus jurisdiction, motions for stay, requests for dismissal by the clerk's office for failure to proceed and untimeliness of the appeal, rule amendments, and various administrative and budgetary issues. Combined with oral arguments scheduled in 254 cases, an average of 46 majority opinions per justice, 103 concurrences or dissents, admission ceremonies, speeches, seminars, visits with students and other groups, and other official duties, the North Dakota Supreme Court continues to be a very busy bench.

A caseload synopsis follows. Not reflected in the charts, however, is the nature of the appeals. Appeals in family law cases, driving under the influence/driving under suspension cases, administrative agency appeals, and petitions to invoke the court's supervisory, mandamus or original jurisdiction accounted for approximately 44% of the new filings. Self-represented litigants were involved in 17% of the appeals in 1995. The highest number of appeals originated in the South Central Judicial District, followed by the East Central Judicial District, Northeast Central Judicial District, Northwest Judicial District, Southeast Judicial District, Southwest Judicial District, and the Northeast Judicial District. The Bismarck location of the State Penitentiary and State Capitol obviously affect the appellate caseload in the South Central district.

Reviewing the past five years and looking to future indications, it is apparent the Supreme Court's workload will continue to be heavy and efficient and effective administration will be an absolute necessity.

CASELOAD SYNOPSIS OF THE SUPREME COURT FOR THE 1995 AND 1994 CALENDAR YEARS

	1995	1994	Percent Difference
New Filings	417	385	+8.3
Civil	276	287	-3.8
Criminal	141	98	+43.9
Transferred to Court of Appeals			
Civil	0	0	0
Criminal	0	0	0
New Filings Balance	417	385	+8.3
Civil	276	287	-3.8
Criminal	141	98	+43.9
Filings Carried Over From Previous Calendar Year			
Civil	200	223	-10.3
Criminal	156	168	-7.1
Criminal	44	55	-20.0
Total Cases Docketed			
Civil	617	608	+1.5
Criminal	432	455	-5.1
Criminal	185	153	+21.0
Dispositions	386	408	-5.4
Civil	280	299	-6.4
Criminal	106	109	-2.8
Cases Pending as of December 31			
Civil	231	200	+15.5
Civil	152	156	-2.6
Criminal	79	44	+80.0

DISPOSITIONS - 1995

	Civil	Criminal
BY OPINION:		
Affirmed; Modified & Affirmed	96	38
Reversed; Reversed & Remanded; Reversed & Modified	49	17
Affirmed in Part & Reversed in Part; Dismissed in Part or Vacated in Part	17	1
Affirmed by Summary Disposition	19	5
Dismissed	4	1
Discipline Imposed	21	0
Judgment/Order Vacated, Remanded	2	0
Original Jurisdiction--Granted	5	0
Original Jurisdiction--Denied	3	0
Certified Question Answered	0	0
Dispositions by Opinion	216	62
BY ORDER:		
Dismissed	40	30
Dismissed After Conference	14	5
Original Jurisdiction--Granted	1	1
Original Jurisdiction--Denied	9	7
No Action Required	0	1
Dispositions by Order	64	44
Total Dispositions for 1994	280	106

**CASELOAD OVERVIEW OF NORTH DAKOTA COURTS
FOR 1995 AND 1994**

Level of Court	Filings		Dispositions		Pendings at Year's End	
	1995	1994	1995	1994	1995	1994
Supreme Court	417	385	386	408	231	200
District Courts*	130,079	24,941	132,108	23,807	17,251	12,765
County Courts*	---	100,974	---	99,011	---	32,000
TOTAL	130,496	126,300	132,494	123,226	17,482	44,965

*As of January 1, 1995, the county courts were combined into the district courts. Statistics for 1995 and years following will combine the above numbers under the district courts.

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 under review.

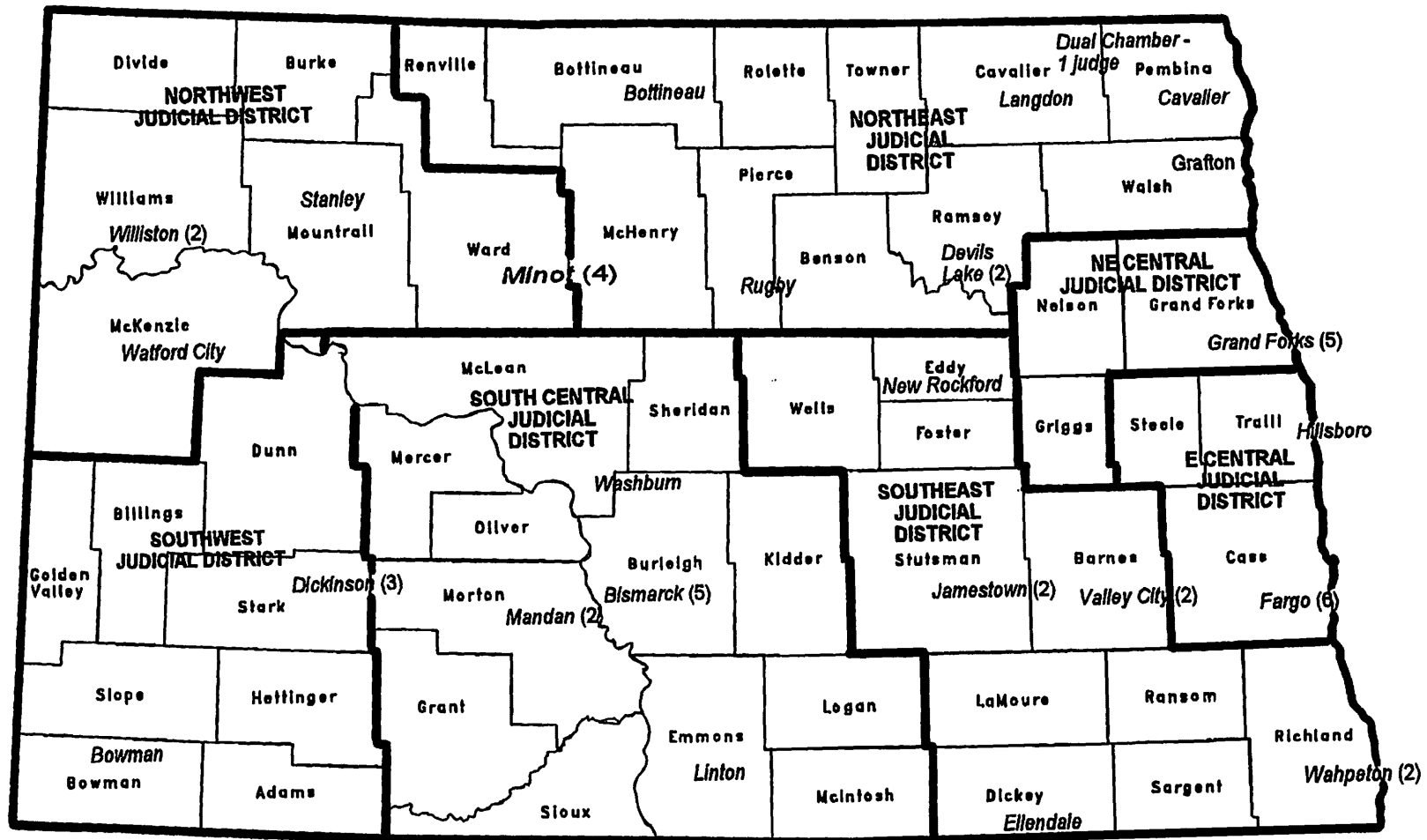
In 1979 the Supreme Court divided the state into seven judicial districts. In each judicial district there is a presiding judge who supervises all court services of all courts in the geographical area of the judicial district. The duties of the presiding judge, as established by the Supreme Court, include 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 of the 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 1995, forty-six district judges in the state. Nine judges in four chamber city locations serve the South Central Judicial District, the largest geographically and most populous district in the state. There are eight judges in the Northwest Judicial District serving in four chamber locations. Seven judges serve the East Central Judicial District in two chamber city location, and five judges serve the Northeast Central Judicial District in one chamber city location. Six judges serve the Northeast Judicial District in five city locations. Seven 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 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 1995 CHAMBER CITIES**



District Court Caseload

As indicated in the charts below, there was nearly a 6% increase in district court filings in 1995. This increase is reflective of the steady growth of court cases over the last several years, with the exception of 1993 when there was a slight (.08%) decrease.

Special caution should be used in reviewing the 1995 caseload data. Under court unification, a number of clerk of court officers were colocated, combining filing systems and practices in both the criminal and civil areas. The numbers presented are an accurate reflection of filings and dispositions, but changes in any one category may be more a result of new reporting practices than a trend.

Even with some differences in counting, the relative breakdown of types of cases and distribution within categories remain steady from year to year. In terms of numbers, administrative traffic is the largest single category of cases representing 50% of all new filings, followed by civil at 27%, criminal at 22%, and juvenile making up about 2% of the caseload.

Both juvenile and criminal cases showed increases in 1995, after showing decreases in 1994. However, because these numbers are relatively small, they are subject to what appears to be significant percentage changes from year to year. Any comparison of numbers should be made using a multi-year trend.

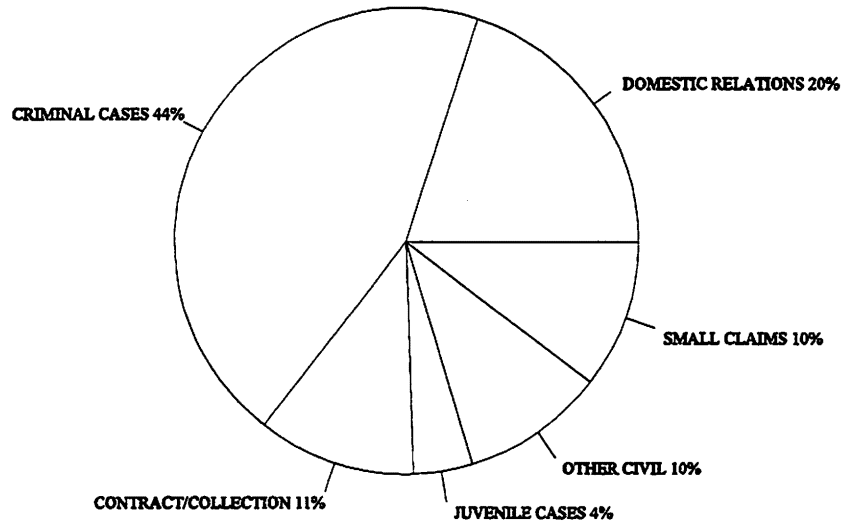
DISTRICT COURT CASELOAD FOR CALENDAR YEAR 1995 AND 1994

	1995	1994	Percent Difference
New Filings	130,163	122,649	+6.10
Civil	27,920	28,401	-1.69
Small Claims	6,300	6,217	+1.34
Admin. Traffic	64,776	58,967	+9.85
Criminal	28,555	26,864	+6.29
Juvenile	2,612	2,200	+18.73
Cases Carried Over From Previous Year	19,280	16,076	+19.93
Civil	12,586	10,999	+14.43
Small Claims	635	494	+28.54
Admin. Traffic	0	0	—
Criminal	6,059	4,583	+32.21
Juvenile	0	0	—
Total Cases Docketed	149,325	138,725	+7.60
Civil	40,422	39,400	+2.59
Small Claims	6,935	6,711	+3.34
Admin. Traffic	64,776	58,967	+9.85
Criminal	34,614	31,447	+10.07
Juvenile	2,578	2,200	+17.18
Dispositions	132,113	118,896	+11.10
Civil	27,506	26,205	+4.96
Small Claims	6,268	6,076	+3.16
Admin. Traffic	64,776	58,967	+9.85
Criminal	30,951	25,448	+21.62
Juvenile	2,612	2,200	+18.73
Cases Pending as of December 31	17,212	19,829	-13.20
Civil	12,926	13,195	-2.04
Small Claims	662	635	+4.25
Admin. Traffic	0	0	—
Criminal	3,663	5,999	-38.90
Juvenile	0	0	—

DISTRICT COURT CASE TYPE FILING - 1995

CIVIL		CRIMINAL	
Case Type	Filings	Case Type	Filings
Property Damage	182	Felony	2,428
Personal Injury	465	Misdemeanor	26,118
Malpractice	38	Special	9
Divorce	3,035	Other	0
Adult Abuse	1,030	State Total	28,555
Custody	88		
Support Proceedings	7,593		
Adoption	291		
Paternity	1,216		
Termination of Parental Rights	18		
Administrative Appeals	365		
Appeal Other	23		
Contract/Collection	6,943		
Quiet Title	79		
Condemnation	20		
Forcible Detainer	415		
Foreclosure	235		
Change of Name	194		
Special Proceedings	50		
Trust	146		
Foreign Judgment	312		
Other	902 <i>al</i>		
Conservator/Guardianship	508		
Protective Proceedings	25		
Probate	2,729		
Mental Health	1,018		
Small Claims	6,300		
State Total	34,220		

**DISTRICT COURT CASE TYPES
UNDER UNIFICATION DURING 1995
EXCLUDING ADMINISTRATIVE TRAFFIC CASES**



Civil Caseload

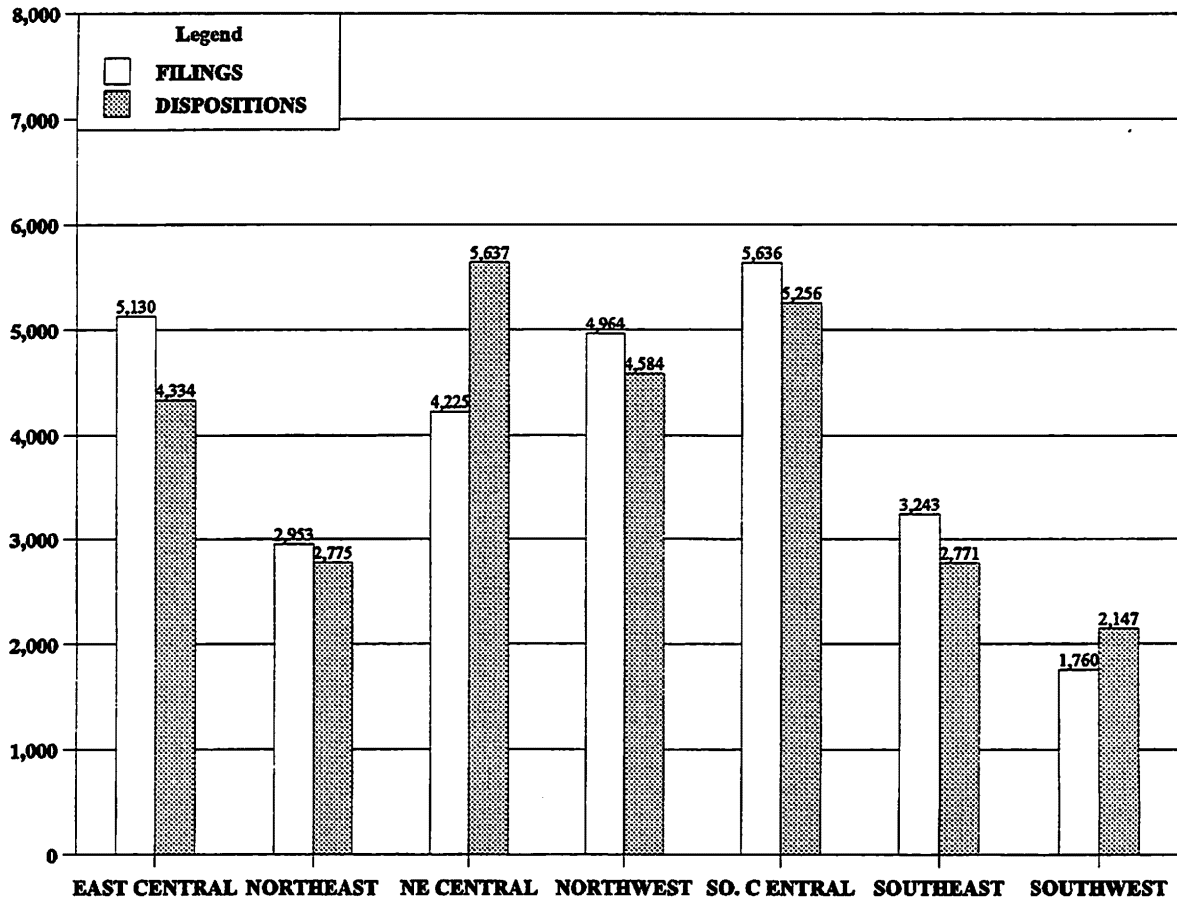
The data indicates a leveling of civil cases in 1995. When comparing 1995 filings with the 1994 district and county court filings, the civil (general civil plus small claims) data indicates a 1% decrease in new filings.

As percentages, most types of cases remain relatively stable. The number of support actions decreased by nearly 8%. This is the third consecutive year that this type of filing decreased and may reflect the more common use of administrative actions, such as income withholding of child support payments automatically at the time of divorce.

Overall, domestic relations filings decreased by 5%. Within the domestic relations category, child support actions make up 57% of the cases, divorce - 23%, paternity - 9%, adult abuse - 7%, and custody and adoption 1%.

Adult abuse filings increased significantly again in 1995 to 1,030 cases, compared with 720 filings in 1994. Divorce filings decreased slightly in 1995 with 3,035 filings compared to 3,239 in 1994.

ND CIVIL CASELOAD FOR DISTRICT COURT FOR 1995



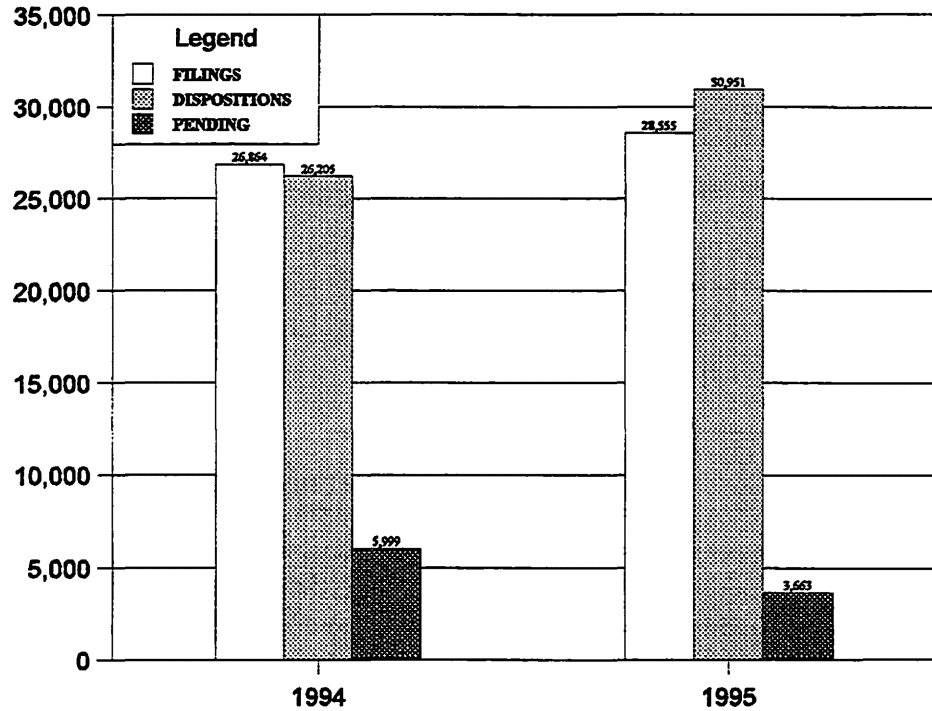
Criminal Caseload

North Dakota continued its traditional low rate of crime. However, filings increased by 6% after decreasing by 2% in 1994. This should not be viewed as a significant trend. The low numbers result in large percentage variations in any one year. Overall, criminal cases have shown a slight upward trend.

Of the criminal cases filed in district court, 92% were misdemeanors and 8% 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 or indictment 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.

ND CRIMINAL CASELOAD FOR DISTRICT COURT FOR 1995



Juvenile Caseload

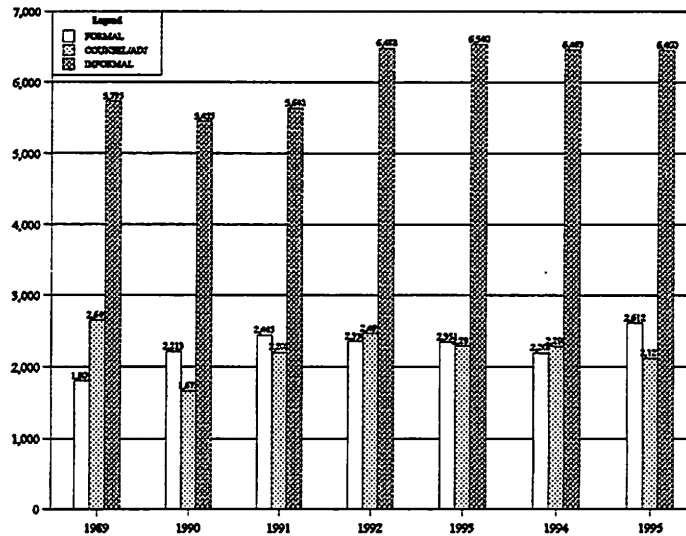
As with the criminal caseload, the low violent crime rate in North Dakota is reflected in its juvenile court statistics. Offenses against persons made up 5% of the juvenile court caseload. Meanwhile, status offenses (offenses which only a child can commit) made up 19% of the caseload. Offenses against property - 30%, traffic offense - 5%, deprivation - 17%, and other filings 25%.

The method by which cases were disposed shows a continued reliance on informal adjustments. Of the cases heard, 58% were disposed of through informal adjustments in 1995, compared with 59% in 1994 and 58% in 1993.

However, formal disposition increased by 400. This may reflect legislation which ties transfer to adult court with formal adjustments.

Overall, the juvenile court caseload was up slightly after decreasing in 1994. The table on the adjacent page compares the reason for referral for the juvenile court in 1994 and 1995. 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. Deprivation ranks second, while misdemeanor theft ranks third.

COMPARISON OF JUVENILE DISPOSITIONS FOR 1989-1995



TYPES OF JUVENILE COURT DISPOSITIONS FOR 1995 AND 1994

Judicial District	Formal		Informal		Counsel/Adjusted		Total Dispositions		Percent Diff.
	1995	1994	1995	1994	1995	1994	1995	1994	
Northwest	316	298	1,283	1,291	233	156	1,832	1,740	+5.0
Northeast	589	279	527	533	378	691	1,494	1,503	-1.0
NE Central	341	300	958	940	302	316	1,601	1,556	+2.0
East Central	600	569	965	951	298	263	1,863	1,783	+4.0
Southeast	279	209	699	682	329	401	1,307	1,292	+1.0
South Central	405	481	1,703	1,768	355	235	2,463	2,484	-1.0
Southwest	82	69	325	298	232	228	639	595	+7.0
TOTAL	2,612	2,200	6,460	6,463	2,127	2,290	11,199	10,953	+2.2

**REASONS FOR REFERRAL TO JUVENILE COURT SERVICES
IN 1995 AND 1994**

	1995	1994	Percent Difference
UNRULY	2,147	2,072	+3.6
Runaway-Instate	609	641	-6.2
Runaway-Out-of-State	127	134	-5.2
Truancy	259	216	+19.0
Ungovernable Behavior	416	420	-1.0
Conduct/Control Violation	98	89	+10.0
Curfew Violation	375	278	+35.0
Other	263	294	-10.0
DELINQUENCY	7,084	6,931	+2.2
Offense Against Person	575	550	+4.5
Assault	379	341	+11.0
Homicide	3	0	+300.0
Kidnapping	1	0	+100.0
Sex Offense	61	57	+7.0
Other	126	152	-17.0
Offense Against Property	3,358	3,381	-6
Arson	11	12	+8.0
Burglary	253	241	+5.0
Criminal Mischief	612	637	-3.7
Criminal Trespass	149	137	+8.7
Forgery	60	78	-23.0
Robbery	10	7	+42.0
Theft-Misdemeanor	1,324	1,296	+2.1
Theft-Felony	602	620	-3.0
Unauthorized Use of Vehicle	119	126	-5.0
Other	218	227	-3.7
Traffic Offenses	526	453	+16.0
Driving w/o License	329	317	+3.7
Negligent Homicide	1	1	0
Other	196	135	+45.0
Other Offenses	2,625	2,547	+3.0
Disorderly Conduct	391	403	-2.9
Firearms	69	77	-10.0
Game & Fish Violation	71	56	+25.0
Obstruction of Law	33	23	+47.0
Possession or Purchase of Alcohol Beverage	1,717	1,684	+1.9
Controlled Substance Violation	68	72	-5.0
Other	276	232	+18.9
DEPRIVATION	1,892	1,874	+1.0
Abandoned	2	1	+100.0
Abuse/Neglect	1,311	1,279	+2.5
Deprived	517	523	-1.1
Other	62	71	-12.1
SPECIAL PROCEEDINGS	76	76	0
Involuntary Termination of Parental Rights	19	15	+26.0
Voluntary Termination of Parental Rights	57	61	-6.5
Other	0	0	0
TOTAL	11,199	10,953	+2.2

Report of the Northwest Judicial District

The Honorable Everett Nels Olson, Presiding Judge
William Blore, Court Administrator

District Court Judges: Everett Nels Olson, Presiding Judge; Wallace D. Berning; Glenn Dill III; Gary Holum; Robert W. Holte; William W. McLees, Jr.; David Nelson; and Gerald Rustad..

Number of Counties in District: 6

District Court Chambers: Minot, Stanley, Watford City, and Williston.

Unification Effort in Training and Technology

Calendar year 1995 witnessed emphasis on training of judicial staff as the clerk of court offices merged. Purchase of necessary computer technology also required additional training emphasis. A coordinated effort with local units of government to accomplish a network of data gathering capability took giant strides forward. Connecting the entire district with on-line computer access is the next priority with technical expertise coming from the state court administration staff.

Juvenile Restitution and Community Service

Over \$24,000 was recovered in juvenile restitution payments while over 6,000 hours of community service were completed. A growing relationship between the nature of an offense and the consequence involving repayment has proven effective again this year. Community support for these programs has received widespread approval.

Facility Renovation for Ward County Advocated

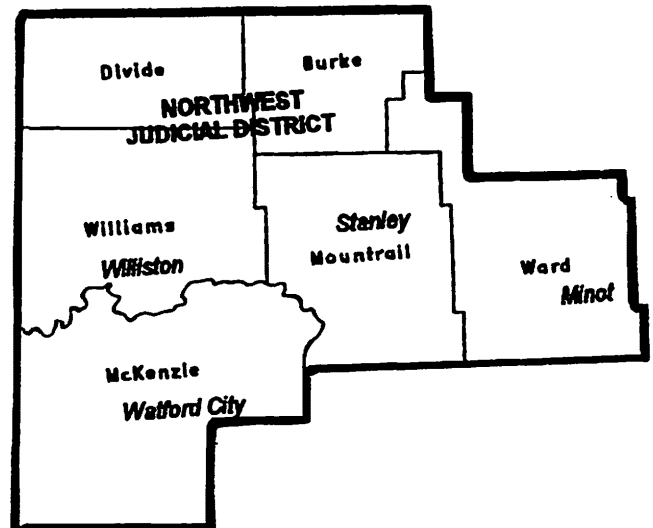
The results of a local planning committee's efforts to bring efficiency to court services has been presented to local officials. The recommendations include bringing the clerks of court into one office complex and freeing up much needed space for courtrooms, jury deliberations, and attorney conference rooms. A three-phase plan would acknowledge fiscal constraints without impacting the orderly transition of other government offices to adequate quarters as well.

Child Support and Restitution Collection

The collection of child support and restitution once again saw an increase as each category received emphasis districtwide. Child support collections of \$9,959,518 were recovered, while restitution collections totaled \$154,439.

Court Recording Options Expand

All persons having a secretary II classification have been provided training which makes court recording an integral part of their job description. Necessary coverage for the multitude of court activities involving the master calendar, juvenile, and expanding child support and domestic violence cases has placed a significant burden upon available personnel to cover all court proceedings.



Prevention a Priority

Juvenile court staff instituted a new program for minors involved in shoplifting. The "YES" program is an educational tool which requires youthful offenders to take a serious look at the impact of theft not only upon the business but upon themselves and their community as well. Similar prevention programs have also been implemented involving alcohol and smoking violations.

**NORTHWEST JUDICIAL DISTRICT CASELOAD
FOR CALENDAR YEARS 1995 AND 1994**

	1995	1994	Percent Difference
New Filings	17,044	15,634	+9.02
Civil	4,964	4,909	+1.12
Small Claims	724	732	-1.09
Admin. Traffic	6,934	6,392	+8.48
Criminal	4,106	3,308	+24.12
Juvenile	316	293	+7.85
Cases Carried Over from Previous Year	1,991	1,612	+23.51
Civil	1,106	1,098	+0.73
Small Claims	95	67	+41.79
Admin. Traffic	0	0	—
Criminal	790	447	+76.73
Juvenile	0	0	—
Total Cases Docketed	19,035	17,246	+10.37
Civil	6,070	6,007	+1.05
Small Claims	819	799	+2.50
Admin. Traffic	6,934	6,392	+8.48
Criminal	4,896	3,755	+30.39
Juvenile	316	293	+7.85
Dispositions	16,801	14,706	+14.25
Civil	4,584	4,292	+6.80
Small Claims	785	704	+11.51
Admin. Traffic	6,934	6,392	+8.48
Criminal	4,182	3,025	+38.25
Juvenile	316	293	+7.85
Cases Pending as of December 31	2,234	2,540	-12.00
Civil	1,486	1,715	-13.40
Small Claims	34	95	-64.20
Admin. Traffic	0	0	—
Criminal	714	730	-2.19
Juvenile	0	0	—

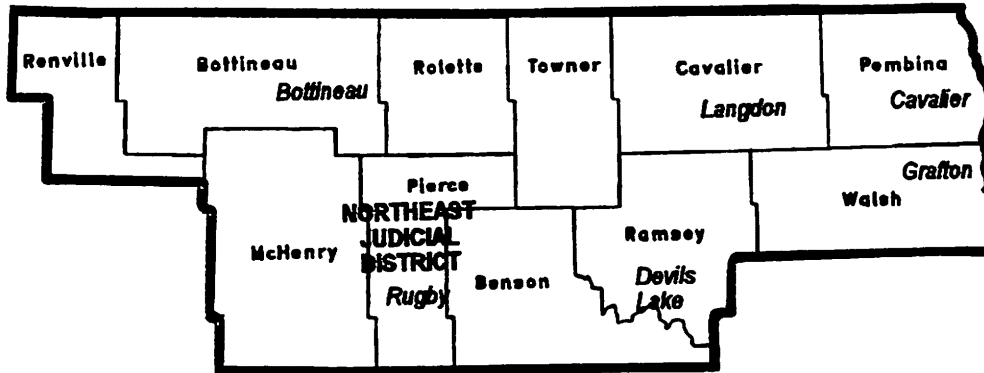
Report of the Northeast Judicial District

The Honorable Lee A. Christofferson, Presiding Judge
Scott K. Johnson, Administrative Assistant

District Court Judges: Lee A. Christofferson, Presiding Judge; Donovan Foughty, M. Richard Geiger, Lester S. Ketterling, John C. McClintock Jr., and Thomas K. Metelmann.

Number of Counties: 11

Chambered Locations: Bottineau, Devils Lake, Grafton, Langdon/Cavalier, and Rugby.



District Court

Trial court unification provided the impetus for "regionalizing" the district. The district is fictitiously divided into three primary areas of operation that reflect the geographic realities of the district.

Excluding administrative traffic cases, total docketed caseload for the district, during 1995, was 1,761 cases per judge. Filings were 1,403 cases per judge, and dispositions were 1,361 cases per judge. 1995 is a new benchmark year for caseload statistics due to trial court unification.

Several projects were launched in the district court during 1995. The projects include the development of standardized processes and on-line/in-court forms processing.

Personnel changes have affected the structure and outlook of the district. The retirement of Presiding Judge James O'Keefe left only one prior district judge, Judge Lee Christofferson. However, the five new district judges bring the district insight, great experience, and new challenges.

Technology

The district is continuing its efforts to provide the most efficient and effective methods for managing caseload and servicing customer/client needs. The development of an open system utilizing the "client-server" concept is being accomplished through placement of network infrastructure at all chambered locations. This effort will provide connectivity between chambered locations via the state "backbone" network. Annual training of all personnel in the use of personal computers and software was completed.

Juvenile and Judicial Referee Activities

The district juvenile court operates from three primary regions: Bottineau, Devils Lake, and Grafton. Dale Thompson serves as judicial referee for the entire district.

The Bottineau region noted an increase of felony offenses. Additionally, a marked increase in controlled substance use was gleaned from referrals and drug testing. Voice recognition technology is a new tool that was first utilized in the Bottineau region. This technology provides the probation officer with a format to monitor uncooperative clients. Community service hours totaled 1,838 and restitution collected on behalf of crime victims was \$13,508.11.

The Devils Lake region has noted a 10% increase in proceedings. The main area of increase is crimes against persons. One variable related to this increase may be the new "zero tolerance" philosophy of the included school systems. Staff continues to be involved in community prevention and early intervention efforts through the Regional Children's Services Coordinating Committee and the Mayor's Task Force on Youth. The staff has placed a high emphasis on aggression replacement training and alcohol education programs. Restitution was collected on behalf of crime victims in the amount of \$14,965.89 with 4,994 community service hours completed.

The Grafton region has been active in the Chemical Health Task Force for Walsh, Pembina, and Cavalier counties, and parenting and anger management classes in conjunction with the Regional Children's Services Coordinating Committee. Additionally, 2,760 community service hours were completed with restitution in the amount of \$18,936 collected on behalf of crime victims.

Districtwide \$47,409.85 in restitution was collected and 9,592 hours of community service hours were tallied.

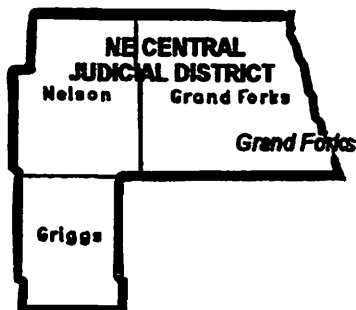
**NORTHEAST JUDICIAL DISTRICT CASELOAD
FOR CALENDAR YEARS 1995 AND 1994**

	1995	1994	Percent Difference
New Filings	17,975	16,282	+10.40
Civil	2,953	2,986	-1.11
Small Claims	885	846	+4.61
Admin. Traffic	9,554	8,648	+10.48
Criminal	3,994	3,523	+13.37
Juvenile	589	279	+111.10
Cases Carried Over from Previous Year	2,150	1,296	+65.90
Civil	1,286	854	+50.59
Small Claims	65	37	+75.68
Admin. Traffic	0	0	—
Criminal	799	405	+97.28
Juvenile	0	0	—
Total Cases Docketed	20,125	17,578	+14.49
Civil	4,239	3,840	+10.39
Small Claims	950	883	+7.59
Admin. Traffic	9,554	8,648	+10.48
Criminal	4,793	3,928	+22.02
Juvenile	589	279	+111.10
Dispositions	17,723	15,428	+14.88
Civil	2,775	2,554	+8.65
Small Claims	852	818	+4.16
Admin. Traffic	9,554	8,648	+10.48
Criminal	3,953	3,129	+26.33
Juvenile	589	279	+111.10
Cases Pending as of December 31	2,402	2,150	+11.72
Civil	1,464	1,286	+13.84
Small Claims	98	65	+50.77
Admin. Traffic	0	0	—
Criminal	840	799	+5.13
Juvenile	0	0	—

Report of the Northeast Central Judicial District

The Honorable Bruce E. Bohlman, Presiding Judge
Patricia Thompson, Court Administrator

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



NORTHEAST CENTRAL JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1995 AND 1994

	1995	1994	Percent Difference
New Filings	16,465	15,533	+6.00
Civil	4,225	2,400	+76.04
Small Claims	643	665	-3.31
Admin. Traffic	6,793	7,734	-12.20
Criminal	4,463	4,434	+6.5
Juvenile	341	300	+13.67
Cases Carried Over from Previous Year	3,060	3,040	+66
Civil	2,258	2,203	+2.50
Small Claims	247	258	-4.26
Admin. Traffic	0	0	—
Criminal	555	579	-4.15
Juvenile	0	0	—
Total Cases Docketed	19,525	18,573	+5.13
Civil	6,483	4,603	+40.84
Small Claims	890	923	-3.58
Admin. Traffic	6,793	7,734	-12.2
Criminal	5,018	5,013	+1.0
Juvenile	341	300	+13.67
Dispositions	18,029	15,513	+16.22
Civil	5,637	2,345	+140.40
Small Claims	870	676	+28.70
Admin. Traffic	6,793	7,734	-12.20
Criminal	4,388	4,458	-1.57
Juvenile	341	300	+13.67
Cases Pending as of December 31	1,496	3,060	-51.10
Civil	846	2,258	-62.50
Small Claims	20	247	-91.90
Admin. Traffic	0	0	—
Criminal	630	555	+13.51
Juvenile	0	0	—

District Court

As of January 1, 1995, court consolidation became a reality. The county court was abolished and the expanded district court started operations. The year has seen the successful integration of the clerks of county and district courts, as well as the county and district courts. All of the judges are on a five week rotation plan with each judge handling master calendar (formerly county court matters) one week during the five week schedule.

Courthouse renovation remains one of the highest priorities. The second floor of the courthouse is now scheduled for remodeling which will allow more adequate courtroom and administration space. The juvenile court referee will be moved to the courthouse from the county office building so that all judicial functions will be located in the courthouse.

Juvenile Court:

The youth education series, a shoplifters home study course, has been very successful in the northeast central district. Sixty-five juveniles completed the program from April 1 through December 5, 1995. Evaluations obtained by the juveniles indicated a positive experience with the use of this program.

1995 saw an increase in serious crimes and the emergence of gang activity in the district. Efforts have been underway, with other community members, to deal with these issues. Legislation passed in 1995 has been helpful in dealing with serious crimes and gang issues. However, changing the behavior in the community continues to be a formidable challenge.

The northeast central district juvenile court is a strong advocate for a proposed curriculum for probation officers. The curriculum proposes a structured format of delivering services to certain offenders. Its emphasis is cognitive restructuring which attempts to get young people to evaluate their behaviors thereby making better decisions. It is hoped this approach will reduce reliance on out-of-home placement.

Report of the East Central Judicial District

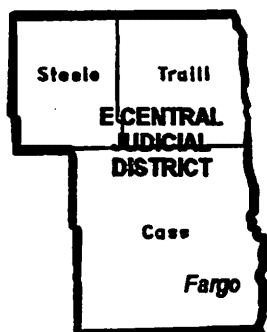
The Honorable Norman J. Backes, Presiding Judge
Eloise M. Haaland, Administrative Assistant

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

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

Number of Counties in District: 3

District Court Chambers: Fargo, Hillsboro



EAST CENTRAL JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1995 AND 1994

	1995	1994	Percent Difference
New Filings	20,628	19,931	+3.50
Civil	5,130	5,911	-13.20
Small Claims	1,872	1,827	+2.46
Admin. Traffic	7,613	6,555	+16.14
Criminal	5,413	5,069	+6.79
Juvenile	600	569	+5.45
Cases Carried Over from Previous Year	4,505	3,965	+13.62
Civil	3,755	3,689	+1.79
Small Claims	126	0	—
Admin. Traffic	0	0	—
Criminal	624	276	+126.10
Juvenile	0	0	—
Total Cases Docketed	25,112	23,896	+5.09
Civil	8,885	9,600	-7.45
Small Claims	1,998	1,827	+9.36
Admin. Traffic	7,613	6,555	+16.14
Criminal	6,037	5,345	+12.95
Juvenile	579	569	+1.76
Dispositions	19,892	19,391	+2.58
Civil	4,334	5,845	-25.90
Small Claims	1,721	1,701	+1.18
Admin. Traffic	7,613	6,555	+16.14
Criminal	5,624	4,721	+19.13
Juvenile	600	568	+5.45
Cases Pending as of December 31	5,241	4,505	+16.34
Civil	4,551	3,755	+21.20
Small Claims	277	126	+119.80
Admin. Traffic	0	0	—
Criminal	413	624	-33.80
Juvenile	0	0	—

District Court

Court consolidation resulted in adding three judges, one court reporter, one secretary, and one law clerk. The district decided to divide into a civil division with four judges and a criminal division with three judges. Each judge will rotate after two years in a division. Efforts are underway to improve scheduling practices and to expedite case dispositions. Progress in automated scheduling is being made.

New civil filings have decreased slightly; felonies increased 25% and misdemeanors decreased 1%. Traffic (non-criminal) is up 16%; and juvenile formals are up 1%. Small claims remains constant.

Sixty-four certificates of readiness for jury cases were filed with disposal of 48 jury cases through trial or settlement. One hundred forty-five certificates of readiness were filed for bench trials with disposal of 124 through trial or settlement. Judicial referees heard 2,500 matters, which included formal juvenile proceedings, pre- and post-divorce motions and child support.

Juvenile Court

In 1995, 2,700 delinquent, unruly, and deprived referrals were made to the east central judicial district juvenile court. Monetary restitution was collected and distributed to the victims of juvenile crimes.

The Tobacco Intervention Program has been implemented by juvenile court personnel. Court officers remain involved in community activities which relate to juvenile offenders.

Child Support:

The Southeast Regional Child Support Enforcement Unit currently handles over 7,500 open files, including 3,300 AFDC cases and over 4,200 non-AFDC cases. IV-D collections in the southeast region during the calendar year 1995 totaled \$7,818,622, representing 26.64% of the statewide 1995 total of \$29,352,304.

Currently, 20 employees work in the child support office. More courthouse office space and implementation of the new child support enforcement computer system in 1997 will streamline operations to increase productivity and enhance efficiency.

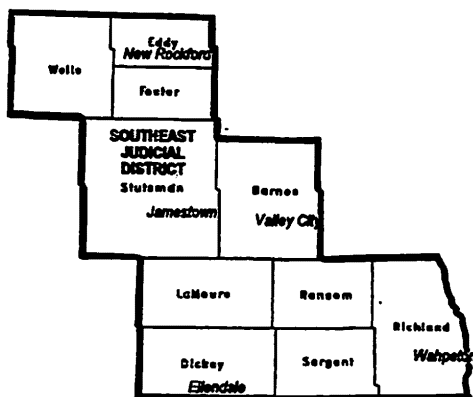
Report of the Southeast Judicial District

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

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

Number of Counties in District: 10

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



**SOUTHEAST JUDICIAL DISTRICT CASELOAD
FOR CALENDAR YEARS 1995 AND 1994**

	1995	1994	Percent Difference
New Filings	17,547	20,738	-15.50
Civil	3,243	4,485	-27.70
Small Claims	927	942	-1.59
Admin. Traffic	10,694	10,961	-2.44
Criminal	2,404	4,141	-41.9
Juvenile	279	209	+18.22
Cases Carried Over from Previous Year	1,638	742	+120.80
Civil	1,327	630	+110.60
Small Claims	50	65	-23.1
Admin. Traffic	0	0	—
Criminal	261	47	+455.30
Juvenile	0	0	—
Total Cases Docketed	19,185	21,480	-10.80
Civil	4,570	5,115	-10.70
Small Claims	977	1,007	-2.98
Admin. Traffic	10,694	10,961	-2.44
Criminal	2,665	4,188	-36.40
Juvenile	279	209	18.22
Dispositions	16,933	19,842	-14.80
Civil	2,771	3,788	-26.80
Small Claims	894	957	-6.58
Admin. Traffic	10,694	10,961	-2.44
Criminal	2,295	3,927	-41.60
Juvenile	279	209	+18.22
Cases Pending as of December 31	2,252	1,638	+37.48
Civil	1,799	1,327	+35.57
Small Claims	83	50	+66.00
Admin. Traffic	0	0	—
Criminal	370	261	+41.76
Juvenile	0	0	—

District Court Caseload

Court unification was the headline news of calendar year 1995 with the district adjusting well to the changes incurred. Several individuals were welcomed on board as state employees when the county courts combined with the district courts.

The Honorable John T. Paulson became presiding judge of the southeast judicial district upon the retirement of Judge Robert Eckert.

The total number of cases docketed in district court more than doubled due, in part, to the unification of county and district courts. Proportionately, criminal filings were much more on the rise than civil filings. However, now included in the criminal statistics are all misdemeanor as well as felony filings which contributed to the sharp increase in criminal filings.

Juvenile Court

Personnel in juvenile court are looking forward to implementation of the KEYS program which focuses on cognitive restructuring. This program is a joint venture with other agencies and uses a community-based team effort approach. Also, community service hours have increased significantly through the district and the programs and resources used in conjunction with this approach have improved markedly. A youth shoplifting alternative program, an alcohol awareness program, and a smoking cessation program have been implemented.

Elimination of Wahpeton Judgeship

Judge Eckert's retirement, November 1, 1995, resulted in the abolishment of one of the Wahpeton judgeships by the supreme court. Presently, Judge Ronald Goodman travels from his chambers in Ellendale to assist in providing judicial services to Richland County. Consequently, Judge John Paulson and Judge Mikal Simonson each schedule regular visits to LaMoure County from their chambers in Valley City.

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; William F. Hodny; Donald Jorgensen; Dennis A. Schneider; Gail Hagerty; Burt L. Riskedahl; Thomas J. Schneider; Bruce Haskell; and James Vukelic.

Judicial Referees: James Purdy and Robert Freed.

Number of Counties in District: 12

District Court Chambers: Bismarck, Mandan, Linton and Washburn.

District Court

The south central judicial district began the year with three newly elected judges; Judges Haskell, Vukelic, and Wolberg. In January, Judge Keith Wolberg passed away with less than a month on the bench. This was truly a sad start to 1995 and a deep loss to the district and North Dakota judiciary. Surrogate Judge Gordon Hoberg stepped in and handled the caseload until May when the Supreme Court transferred the Honorable Donald Jorgensen's judgeship from Hettinger to Linton.

Court Unification

The judges chambered in Bismarck and Mandan became equally integrated into the total workload as they each take rotations on the master calendar in Burleigh and Morton 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 and Morton Counties.

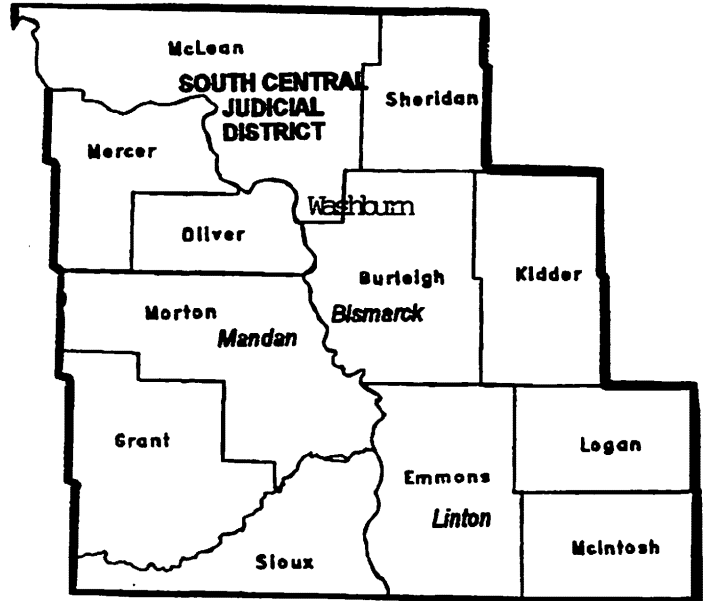
Juvenile Division and Judicial Referee Activities:

In 1995, 3,859 referrals were made to the juvenile court. This was an increase of over 550 when compared to 1994. Of the referrals, 920 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.

There were 2,939 children retained in the juvenile court and handled either informally or formally through the petition process. There were 689 formal matters heard in juvenile court in 1995, which include detention/shelter care hearings on temporary custody orders issued by the court service officers. Referees conducted 363 formal hearings.

Detention and temporary custody orders were issued for 284 children who were placed in temporary alternative environments outside the parental home.

In addition to the formal juvenile proceedings, the judicial referees conducted 316 orders to show cause hearings for non-payment of child support, 57 foster support matters, and 85 review/modification of child support hearings.



ACT Program

The Alternative Choice Training (ACT) program continued to remain self-sufficient for the fifth straight year. In 1995, 158 people completed the minor in possession class and 65 completed the adult misdemeanor class. The domestic violence class had 31 participants who completed the course. Approximately 70% of those referred to the ACT program complete the class.

**SOUTH CENTRAL
JUDICIAL DISTRICT CASELOAD
FOR CALENDAR YEARS 1995 AND 1994**

	1995	1994	Percent Difference
New Filings	31,202	26,615	+17.23
Civil	5,636	5,779	-2.47
Small Claims	882	836	+5.50
Admin. Traffic	18,275	15,003	+21.81
Criminal	6,004	4,516	+32.95
Juvenile	405	481	-15.80
Cases Carried Over from Previous Year	4,734	4,399	+7.62
Civil	2,135	1,974	+8.16
Small Claims	40	38	+5.26
Admin. Traffic	0	0	—
Criminal	2,559	2,387	+7.21
Juvenile	0	0	—
Total Cases Docketed	35,936	31,014	+15.87
Civil	7,771	7,753	+23
Small Claims	922	874	+5.49
Admin. Traffic	18,275	15,003	+21.81
Criminal	8,563	6,903	+24.05
Juvenile	405	481	-15.80
Dispositions	32,710	26,280	+24.43
Civil	5,256	5,618	-6.62
Small Claims	803	834	-3.72
Admin. Traffic	18,275	15,003	+21.81
Criminal	7,971	4,344	+83.49
Juvenile	405	481	-15.80
Cases Pending as of December 31	3,226	4,734	-31.60
Civil	2,515	2,135	+18.27
Small Claims	119	40	+197.50
Admin. Traffic	0	0	—
Criminal	592	2,559	-76.90
Juvenile	0	0	—

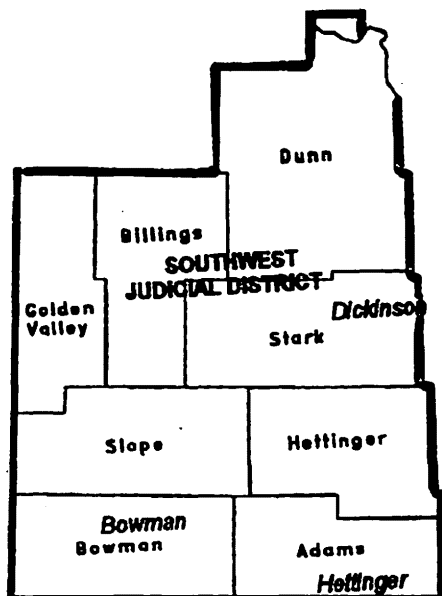
Report of the Southwest Judicial District

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 1995 AND 1994

	1995	1994	Percent Difference
New Filings			
Civil	9,295	7,916	+17.42
Small Claims	1,762	1,931	-8.75
Admin. Traffic	367	369	-.54
Criminal	4,913	3,674	+33.72
Juvenile	2,171	1,873	+15.91
	82	69	+18.84
Cases Carried Over from Previous Year			
Civil	1,202	1,022	+17.61
Small Claims	719	551	+30.49
Admin. Traffic	12	29	-58.60
Criminal	0	0	—
Juvenile	471	442	+6.56
	0	0	—
Total Cases Docketed			
Civil	5,502	8,938	-38.40
Small Claims	2,481	2,482	-.04
Admin. Traffic	379	398	-4.77
Criminal	0	3,674	-100.00
Juvenile	2,642	2,315	+14.13
	0	69	-100.00
Dispositions			
Civil	10,030	7,736	+29.65
Small Claims	2,149	1,763	+21.89
Admin. Traffic	348	386	-9.84
Criminal	4,913	3,674	+33.72
Juvenile	2,538	1,844	+37.64
	82	69	+18.84
Cases Pending as of December 31			
Civil	467	1,202	-61.10
Small Claims	332	719	-53.80
Admin. Traffic	31	12	+158.30
Criminal	0	0	—
Juvenile	104	471	-77.90
	0	0	—

Caseload

Previous reports have noted the stability of the caseload in the Southwest Judicial District. The accompanying statistics point to a continuation of the past stability.

Docket Currency

Past reports noted a pride in the district for bringing cases to trial in a reasonable, prompt fashion. This has continued through 1995, and again, this is attributable to an adequate number of judges.

Trial Court Consolidation

With the passage of House Bill 1517 and unification, the judges and clerks met throughout 1994 to get ready for unification. A facilities and staff review was made to determine the best method to unify the clerks of court offices and handle the consolidated cases. After meeting with the rural justice center, a master and individual calendaring plan was developed to meet the needs of the district for delivery of judicial services in each county.

MUNICIPAL COURTS

There are approximately 363 incorporated cities in North Dakota. Of the total municipalities, approximately 80 cities have municipal courts. There are approximately 76 judges serving in these 80 municipalities. State law permits an individual to serve more than one city as a municipal judge.

In 1981, the Legislative Assembly amended the state law pertaining to municipalities to allow each municipality the option of deciding whether or not to have a municipal judge. Before this amendment, all incorporated municipalities were required to establish a municipal court.

State law was amended to permit district court judges to hear municipal ordinance violation cases and to permit 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 18 legally-trained and 58 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.

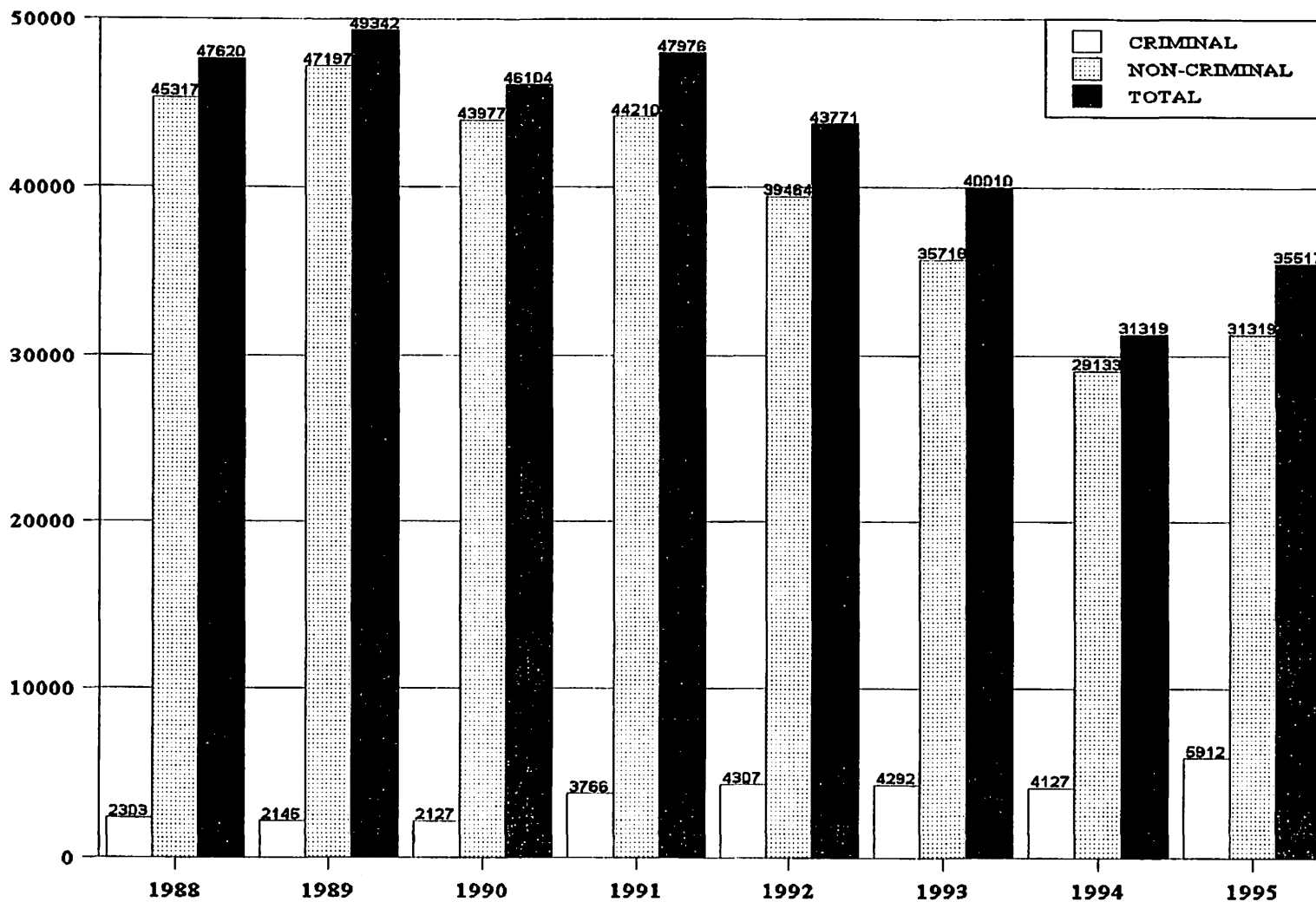
Municipal courts have jurisdiction over municipal crimes and traffic cases. Most of the traffic caseload of the municipal courts consists of noncriminal or administrative traffic cases. While these cases greatly outnumber the criminal traffic cases, they generally take much less time to process. There 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.

COMPARISON OF MUNICIPAL COURT TRAFFIC DISPOSITIONS FOR CALENDAR YEARS 1995 AND 1994

Ten Municipalities With Highest Case Volume	Criminal Traffic Dispositions		Noncriminal Traffic Dispositions		Total Traffic Dispositions		% Diff.
	1995	1994	1995	1994	1995	1994	
Bismarck	939	638	9,050	8,917	9,989	9,555	+05
Dickinson	133	118	2,334	2,124	2,467	2,242	+10
Fargo	899	869	4,333	4,612	5,232	5,481	-05
Grand Forks	586	489	2,641	1,838	3,227	2,327	+39
Jamestown	225	215	2,766	2,274	2,991	2,489	+20
Mandan	418	446	2,106	2,342	2,524	2,788	-09
Minot	500	466	5,417	4,571	5,917	5,037	+17
Wahpeton	70	—	491	—	561	—	—
West Fargo	186	155	585	849	771	1,004	-23
Williston	242	191	1,596	1,606	1,838	1,797	-02
TOTAL	4,198	3,587	31,319	29,133	35,517	32,720	+08

COMPARISON OF MUNICIPAL COURT DISPOSITIONS FOR 1988-1995



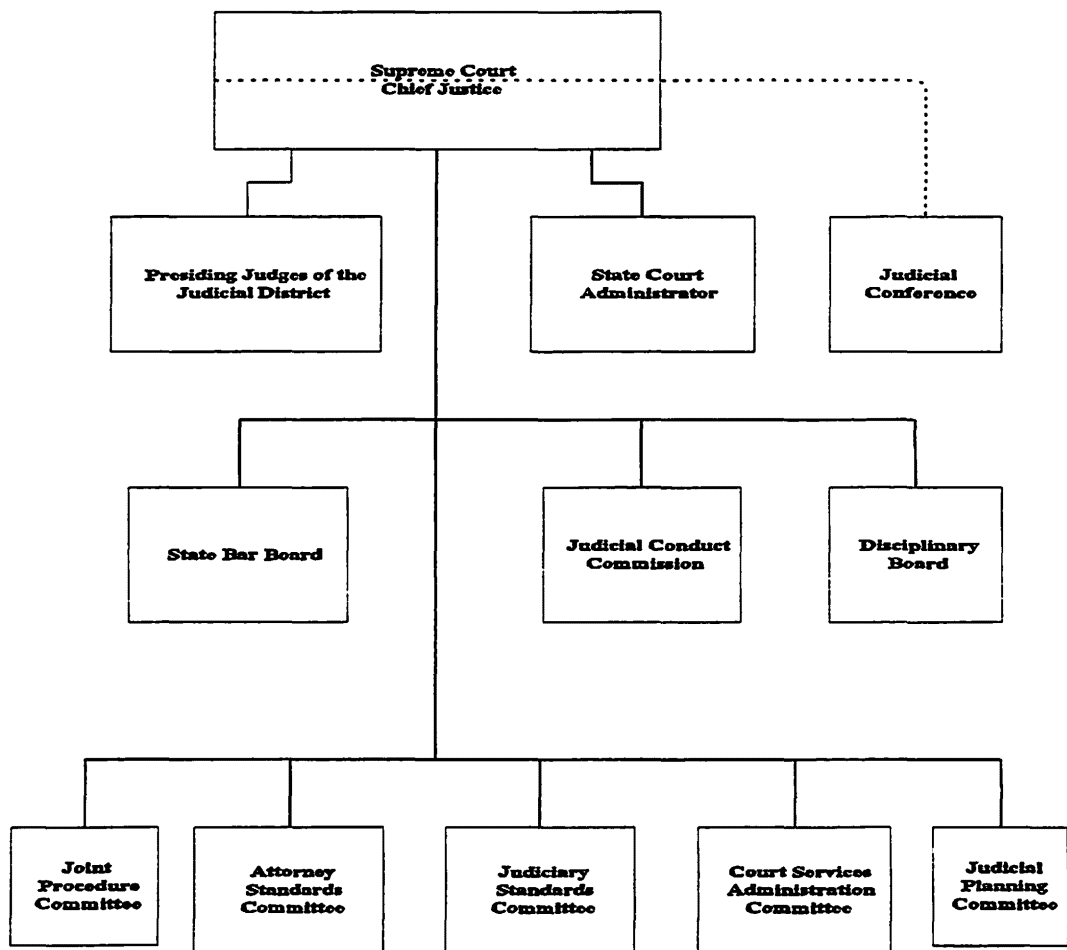
Administration of the Judicial System

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 1994 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 office of the state court administrator. To complement this library, the University of North Dakota Law School provides additional materials upon request. The library has access to a large selection of legal and professional audio and video tapes.

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 personnel.

Fiscal Responsibilities

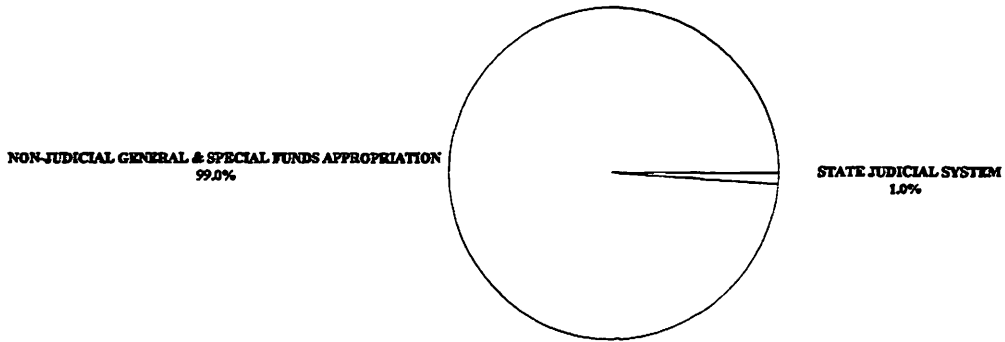
One of the primary functions of the office of state court administrator is to obtain adequate financial resources for judicial operations and to manage these resources. These functions are met with fiscal personnel consisting of a director of finance, supervisor of accounting, and technical staff. With 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 as of January, 1995, the state will be funding Supreme Court, Judicial Conduct Commission and 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.

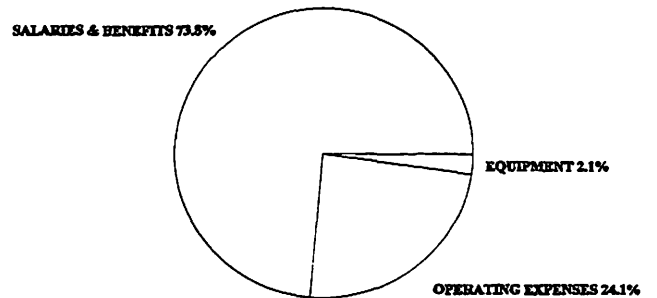
**JUDICIAL PORTION OF THE STATE'S BUDGET
1995-97 BIENNIUM**

Total State General and Special Funds Appropriation
\$3,591,160,154 (99%)
Judicial System General and Special Funds Appropriation
\$ 35,143,031 (1%)



**STATE JUDICIAL SYSTEM APPROPRIATION
BY APPROPRIATED LINE ITEM
1995-97 BIENNIUM**

Total Judicial System General and Special
Funds Appropriation \$35,143,031
Salaries and Benefits \$25,942,877 (73.8%)
Operating Expenses \$ 8,468,047 (24.1%)
Equipment \$ 732,107 (2.1%)

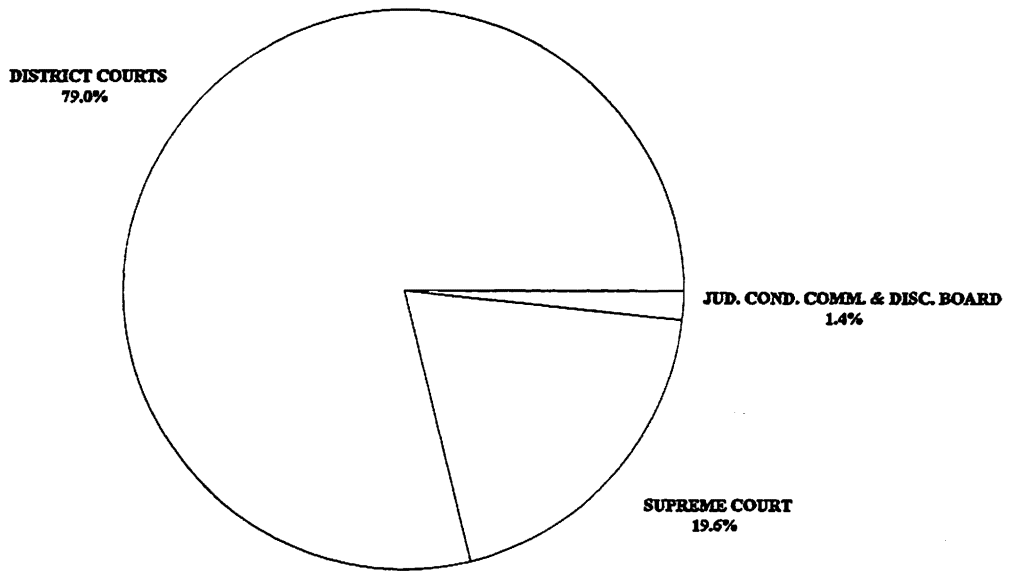


**STATE JUDICIAL SYSTEM APPROPRIATION
BY TYPE OF ACTIVITY
1995-97 BIENNIUM**

Supreme Court			
General Fund		\$ 6,830,676	
Special Funds		<u>55,672</u>	
TOTAL		\$ 6,886,348	(19.6%)

District Courts			
General Fund		\$27,521,855	
Special Funds		<u>259,541</u>	
TOTAL		\$27,781,396	(79.1%)

Judicial Conduct Commission & Disciplinary Board			
General Fund		\$ 403,287	
Special Funds		<u>72,000</u>	
TOTAL		\$ 475,287	(1.4%)



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 chaired by Justice Herbert L. Meschke identifies, describes, and clarifies problem areas that are then referred to judicial leaders and other standing committees for resolution.

Joint Procedure Committee

The Joint Procedure Committee is responsible for continued study, review, and improvement of North Dakota's rules of pleading, practice, and procedure, including rules of civil procedure, rules of criminal procedure, rules of appellate procedure, rules of evidence, and rules of court. The committee is chaired by Justice Beryl J. Levine, staffed by Gerhard Raedeke and comprised of 10 judges and 10 attorneys appointed by the Supreme Court.

Joint Attorney Standards Committee

The Joint Attorney Standards Committee was established following adoption of Administrative Rule 38 by the Supreme Court. The committee, chaired by Christine Hogan of Bismarck, is comprised of members appointed by the chief justice and the Board of Governors of the State Bar Association. During 1995, the joint committee reviewed several amendments concerning the Rules of Professional Conduct which originated with the American Bar Association. The amendments touched on a variety of subjects including lawyer advertising, conflicts of interest, ancillary business, and sale of a law practice. The joint committee began an intensive review of the status, qualifications, and supervision of legal assistants and also generally discussed issues concerning civility in the courts. In late 1995, the joint committee began a preliminary review of possible changes to the rules governing the lawyer 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. During 1995, the committee initiated a reappraisal of the establishment of a judicial performance evaluation program and, through a subcommittee, joined representatives of the Judicial Conduct Commission in reviewing potential amendments to rules governing operation of the commission.

Court Services Administration Committee

The Court Services Administration Committee, chaired by William A. Strutz of Bismarck, continues its study of the implementation of court unification legislation. During 1995, the committee began review of a draft rule governing access to court records, as well as issues concerning public administrators and electronic court recording procedures.

Committee on Tribal and State Court Affairs

The Committee on Tribal and State Court Affairs was established following adoption of Administrative Rule 37 by the Supreme Court. The Committee is chaired by former Chief Justice Ralph J. Erickstad and 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 1995, the committee met on each of the state's four reservations and discussed issues relating to child support enforcement, juror selection, enforcement of warrants, and compliance with Indian Child Welfare Act requirements. Members of the committee also participated in meetings with Chief District Judge Rodney Webb, federal magistrates, the U.S. Attorney, the North Dakota Attorney General, tribal government representatives, and representatives of the Department of Justice and the federal Administrative Office of the Courts in an attempt to identify an effective method of ensuring adequate prosecution of non-Indians who commit misdemeanor offenses in Indian country.

Commission on Judicial Education

The Continuing Judicial Education Commission was established following the adoption of Administrative Rule 36 by the Supreme Court. The Commission is comprised of nine members representing judges, municipal and state courts, law school faculty, juvenile court personnel, and state court support services representatives. The Commission is chaired by the Honorable Bruce E. Bohman of Grand Forks. The primary responsibility of the Commission is to develop quality judicial training and continuing judicial education programs for all judges and personnel of the unified judicial system.

The commission was instrumental in developing and institutionalizing the Judicial Institute, an annual 4-day education program for Supreme Court, federal, district, and tribal court judges. The institute implements a 5-year curriculum which focuses on criminal law and procedures; family law; evidence, judicial writing, and judicial decisionmaking. The institute has been in existence since 1990.

Other projects of the commission include the development and implementation of the new judge orientation program for trial and municipal court judges, orientation program for new clerks of court, the drafting and publication of trial and municipal court benchbooks, and various educational brochures on the judicial system, such as "The Family Circus Visits the Courts" and "The North Dakota Judicial System".

Personnel Advisory Boards

The District Court and Supreme Court Personnel Advisory Boards are chaired by Judge Allan Schmalenberger and L. David Gunkel respectively.

The boards continue the implementation of the judicial system salary administration plan, refining components as budgets allow.

The district court board has been faced with a number of issues resulting from unification and assumption of former county judges, as well as federal laws and regulations relating to court reporters.

Overall, the boards continue to refine the personnel system which was adopted by the supreme court in 1991.

The work of the boards was complemented by a series of educational programs for supervisors established by the director of judicial education. Subjects for those seminars ranged from dealing with sexual harassment to work hours under the fair labor standards act.

North Dakota Legal Counsel for Indigents Commission

The Legal Counsel for Indigents Commission, established by Supreme Court Administrative Rule 18, identifies and reviews areas of concern regarding indigent defense. The commission,

chaired by Michael Hoffman of Bismarck, until December 1, 1995, and now chaired by Constance L. Triplett of Grand Forks, develops and revises procedures and guidelines concerning the provision of appointed and contract counsel services for indigent persons. During 1995, the commission completed a substantive revision of the indigent defense procedures and guidelines and submitted a recommended policy governing indigent defense contract administration to the Council of Presiding Judges.

Juvenile Policy Board

The Juvenile Policy Board, chaired by Judge Norman Backes, continues to develop policies and procedures designed to implement consistent services on a statewide basis.

The board adopted "The Balanced Approach to Probation" as an operating philosophy for the juvenile courts. Based on research, this philosophy suggests that effective probation departments must implement programs to ensure public safety, accountability to the victim and society, and competency development of juveniles who appear in the courts. The implementation of the Balanced Approach will begin in 1996 and will take several years.

As such, the board has dealt with the findings of the Governor's Task Force on Juvenile Violence, has adopted policies on restitution and community service, and has adopted a competency development program known as "Keys to Innervation". That program is designed to help offenders realize they are responsible for their actions, that they have control over their own actions, and that they have the power to change their own behavior.

Additionally, Judge Backes and Greg Wallace represented the judiciary on the Governor's Juvenile Justice Task Force. That task force, which focused primarily on violent and repetitive offenders, made a number of recommendations which were adopted by the Legislative Assembly, including changes in how juveniles are transferred to adult court, increasing liability of parents for acts of their children, allowing restitution owed by juveniles to be entered as money judgments when the child turns 18, and increased involvement of victims.

Council of Presiding Judges

The Council of Presiding Judges changed from a supreme court advisory body to a policy making body charged with the responsibility to provide uniform and efficient delivery of administrative support to the trial courts. The council now 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 now 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 Burleigh, Grand Forks, Morton, Mountrail, Stark, and Ward Counties. That 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, has undertaken 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 should be able to take advantage of point-to-point capabilities in the near future. In other words, e-mail and the ability of a judge to check on the status of a case from a remote site is not far off.

A subcommittee, chaired by Judge Everett Nels Olson, also made its first report on issues faced in moving to a statewide computer aided transcript system. That subcommittee is charged with establishing hardware and software standards to implement such a system.

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, which became effective January 1, 1995, provide the procedural framework for the handling and disposition of complaints.

When a written complaint alleging attorney misconduct is received, it is filed by 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. Action available to district inquiry committees is dismissal, issuing a private reprimand, also known as 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 board to make findings and a recommendation to the disciplinary 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 formal proceedings were pending as of January 1, 1995, issuing a private reprimand, also known as an admonition, was also available to the board as a sanction. If suspension or disbarment was recommended in 1995, a report was forwarded to the Supreme Court for review and action.

Members of the Disciplinary Board and the District 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 1995.

Disciplinary Board Summary - 1995

New Complaint Files Opened in 1995	193
General Nature of Complaints:	
Client Funds & Property	12
Conflict of Interest	23
Criminal Convictions	2
Excessive Fees	10
Failure to Communicate/Cooperate with Client	8
Improper Conduct	87
Incompetent Representation	39
Misappropriation/Fraud	3
Neglect/Delay	6
Petition for Reinstatement	1
Solicitation	1
Unauthorized Practice of Law	1
TOTAL	193
Formal Proceedings Pending From Prior Years	46
Other Complaint Files Pending From Prior Years	59
Appeals Under Consideration in 1995	17
Total Files for Consideration in 1995	315
Disposition of Complaint Files:	
Dismissed by Inquiry Committee (IC)	98
Summary Dismissals by Inquiry Committees	41
Dismissed by Disciplinary Board	3
Admonitions Issued by Inquiry Committee	23
Private Reprimands Issued by Disciplinary Board	4
Probation by Consent by Inquiry Committees	1
Reprimands (Public) Issued by Disciplinary Board	4
Disciplinary Board Approves IC Dismissal	9
Disciplinary Board Disapproves IC Dismissal	2
Disciplinary Board Approves IC Admonition	4
Disciplinary Board Took No Action	1
Public Reprimands Issued by Supreme Court	2
Suspensions by Supreme Court	*4
Disbarments by Supreme Court	**14
Formal Proceedings Pending 12/31/95	40
Other Complaint Files Pending 12/31/95	65
TOTAL	351

*4 complaint files resulted in suspension of 2 attorneys

**14 complaint files resulted in disbarment of 3 attorneys

Judicial Conduct Commission

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

Written complaints alleging judicial misconduct are received and filed with the secretary of the commission and referred to staff counsel for investigation. The Code of Judicial Conduct, which defines the standard of conduct for judges, is reviewed when the commission considers allegations of judicial misconduct. In responding to a complaint, judges are given the opportunity to present any information the judge may choose. If there is substantial misconduct, formal proceedings will be instituted and a hearing will be held. The procedures of the commission are set forth in the North Dakota Rules of Judicial Conduct Commission. The Supreme Court must take final action on public censure, removal, suspension, retirement, or other public discipline against a judge.

Complaints against judges in 1995 increased over those filed in 1994. However, the majority were dismissed by the commission 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 1995.

Judicial Conduct Commission - Summary of 1995

New Complaint Files Opened in 1995	51
General Nature of Complaints:	
Biased Decision	7
Conflict of Interest	4
Delay in Decision	2
Failure to Comply with Law	3
Failure to Afford Complainant Due Process	9
Improper Judicial Conduct	26
TOTAL	51
Complaint Files Carried Over from 1994	40
Total Files Pending Consideration in 1995	91
Disposition of Complaints:	
Dismissed	71
Private Censure	8
Public Censure	1
Commission Took No Action	1
Total 1995 Dispositions	81
Complaint Files Pending as of 12/31/95	10

Of the New Complaints Filed in 1995:
 47 were against District Court Judges
 4 were against Municipal Judges

State Bar Board Annual Report - 1995

The State Bar Board was created by statute to assist the Supreme Court in its constitutional responsibility to regulate the admission to practice. The Bar Board's three members must all be licensed members of the North Dakota bar. In 1995, board members were Gerald D. Galloway of the Dickinson Firm of Howe, Hardy, Galloway, and Maus; Rebecca S. Thiem of the Bismarck firm of Zuger, Kirmis, and Smith; and Mark L. Stenehjem of the Williston firm of Winkjer, McKennett, Stenehjem, Reiersen, and Forsberg. After 13 years of service, Mr. Galloway notified the court he would not seek another term upon expiration of his term at the end of 1995.

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), admission in another jurisdiction. However, every applicant for admission must be at least 18 years old, of good moral character, fit to practice law, and have been awarded a juris doctor or equivalent degree from a law school approved, or provisionally approved, for accreditation by the ABA.

Good moral character and fitness to practice law include honesty, trustworthiness, diligence and reliability, as well as the ability to perform the obligations a member of the bar owes to clients, the courts, opposing parties and counsel, and the public in general.

By conducting an investigation into each applicant's background, the bar board is able to verify, follow-up and screen information provided by applicants. The National Conference of Bar Examiners is contracted with to assist the board in this investigation. The Character and Fitness Committee, which was established by the Supreme Court in 1993, also provides the board with invaluable assistance when questions arise concerning an applicant's character and fitness to practice law.

The Board continues to explore ways to improve the exam process and respond to the demands of the various elements of the legal profession. The board is exploring the possibility of using the Multistate Performance Examination developed by the National Conference of Bar Examiners. This exam will test skills not currently tested on the state bar exam, such as research and drafting documents. The board is also exploring the possibility of using the Conference's Multistate Essay Examination.

Effective with the class entering law school in the fall of 1993, law students planning to sit for the North Dakota bar examination upon graduation must file a law student registration application with the bar board in their second year of law school. This allows the board to begin the character and fitness investigation, and possibly identify areas of concern that could result in a negative recommendation for admission. A student may then take rehabilitative or corrective measures before completing three years of law school, or reconsider his or her career choice.

The bar board administered a two-day bar examination in February and July of 1995. Due to a decrease in the number of individuals interested in writing the February bar exam, and the increasing impracticability of giving and administering this exam, beginning in 1996, the board will no longer administer a February bar exam:

Passage rates for the 1995 examinations were:

Exam	#Apps.	# Pass/ % Pass	# UND Grads	# Pass/ % Pass
02/95	17	8/47%	13	7/54%
07/95	65	53/82%	50	46/82%

In 1995, 79 individuals, 20 women and 59 men, were admitted to the North Dakota bar. Sixty of these individuals were admitted after sitting for the bar examination.

The state bar board is also responsible for collecting annual license fees. In 1995, 1,817 lawyers and judges, 345 of whom were women, were licensed.

Over the past year, the bar board has continued to review examination and character and fitness issues for continued fairness in the application and examination process and to maintain the integrity and competence of the bar. As a part of this review and to educate law students, the board annually travels to the University of North Dakota School of Law to meet with first and third-year law students. The board members explain the purpose and function of the board, and answer questions regarding the character and fitness investigation and bar examination. During this visit, the board also meets with the law school faculty to discuss mutual issues of concern.

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 seventy-two 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 the 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 1995 were as follows:

1. Program Planning Committee, Judge Bruce E. Bohlman, Chair.
2. Committee on Legislation, Justice Herbert L. Meschke, Chair.
3. Committee on Judicial Compensation, Judge Lawrence A. Leclerc, Chair.

Special committees are as follows:

1. Judicial Immunity Committee, Judge Kirk Smith, Chair.
2. Jury Standards Committee, Judge Jon Kerian, 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 1995 were as follows:

Judge Gail Hagerty, Chair
Judge Kirk Smith, Chair-elect
Justice Dale V. Sandstrom, Executive Committee
Judge John C. McClintock, Jr., Executive Committee
Judge Donald L. Jorgensen, Executive Committee

NORTH DAKOTA JUDICIAL CONFERENCE

JUDGES OF THE SUPREME COURT

Gerald W. VandeWalle
Herbert L. Meschke

Beryl J. Levine

William A. Neumann
Dale V. Sandstrom

JUDGES OF THE DISTRICT COURT

South Central District

*Benny A. Graff
Gail Hagerty
Bruce B. Haskell
William F. Hodny
Donald L. Jorgensen
Burt L. Riskedahl
Dennis A. Schneider
Thomas J. Schneider
James M. Vukelic

Northeast District

*Lee A. Christofferson
Donovan Foughty
M. Richard Geiger
Lester Ketterling
John C. McClintock, Jr.
Thomas K. Metelmann

East Central District

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

Northwest District

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

Northeast Central District

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

Southeast District

*John T. Paulson
James M. Bekken
Robert L. Eckert
Ronald E. Goodman
Richard W. Grosz
Randall L. Hoffman
Mikal Simonson
James A. Wright

Southwest District

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

JUDGES OF THE MUNICIPAL COURTS

Kathleen Cunningham
David L. Petersen

SURROGATE JUDGES OF THE SUPREME AND DISTRICT COURTS

William M. Beede
Eugene A. Burdick
Ralph J. Erickstad

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

Kermit Edward Bye
James S. Hill

Carol Ronning Kapsner

Dwight C. H. Kautzmann
Paul G. Kloster

*Presiding Judge

Executive Secretary Keithe E. Nelson

72 Members