

Judicial Planning Committee

North Dakota Supreme Court
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Justice Carol Ronning Kapsner, Chair
North Dakota Supreme Court
600 E. Boulevard Ave.
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April 11, 2013

Honorable Gerald W. VandeWalle
Chief Justice
North Dakota Supreme Court
600 E. Boulevard Ave
Bismarck, ND 58505-0530

Re: Redistricting Proposals - Alternatives

Dear Chief Justice VandeWalle:

Following referral to it by the Administrative Council, the Judicial Planning Committee undertook a review of the current judicial district and administrative unit boundaries. The Committee reviewed a variety of information, including the 2012 weighted caseload study results, case filings and population; and trends in both; chamber locations, work locations for judicial officers and court personnel, and travel commitments based on judge location. The Committee identified as a principal objective in a redistricting inquiry achieving approximate parity among the judicial districts in judge need, workload, and population served by judicial officers and court personnel. The Committee's considerations and conclusions are reflected in the attached Report and maps of redistricting alternatives.

Briefly stated, the Committee recommends consideration of three alternative redistricting proposals - Options 5, 5A, and 5B. These options are so numbered as they follow a series of options reviewed by the Committee. All of the options achieve approximate parity in judge need across the several, recommended judicial districts. Option 5B is perhaps the most ambitious in contemplating the rechambering of a current judgeship and the establishment of a single county judicial district. The options also recommend division of the current Northwest Judicial District into two judicial districts. This recommendation, however, is contingent on approval of two additional judgeships for the district. The Committee also recommends the amendment of N.D.C.C. §27-05-08 to eliminate the requirement that no more than 70% of judge chambers may be located in cities with a population greater than 10,000. The requirement has arguably outlived its usefulness and may prove to be an

impediment to placing judgeships in locations where court work occurs. The Supreme Court's commitment to providing judicial services in each county should obviate the need for the continued statutory requirement.

I extend my thanks to Committee members for their commitment of time, insight, and attention to detail in this effort. I, and the entire Committee, also appreciate the very helpful assistance provided by the trial court administrative staff, particularly Donna Wunderlich, in responding to the Committee's requests for information and draft proposals.

I look forward to discussing the Committee's Report and recommendations.

Sincerely,



Carol Ronning Kapsner, Chair
Judicial Planning Committee

CRK/

Attachments

cc: Penny Miller, Clerk of the Supreme Court

JUDICIAL DISTRICT REVIEW AND RECOMMENDATIONS

Preliminary Redistricting Review

The Judicial Planning Committee undertook a review of the current alignment of administrative units and judicial districts in response to a referral from the Administrative Council. The referral was, in turn, a response to a request from the Presiding Judge of the South Central Judicial District that the Council consider the feasibility of relocating two counties from the southeast corner of the district to the Southeast Judicial District. The principal concern was the time and travel commitment required for judges located in Bismarck to attend to judicial business in the two counties. Following discussion of the request, the Administrative Council concluded that a general review of the current judicial district alignments was warranted and referred the matter to the Committee.

The Committee's discussion of district boundaries was preceded by a review of the current administrative unit structure, population divisions among the units and judicial districts, and the location of judicial officers and court personnel across the state. It was generally noted that there are disparities among the judicial districts on the basis of population, workload, and the management of judicial work.

The Committee initially reviewed rough draft maps based principally on the objective of approximately equalizing the population served by judges and court personnel. The Committee then awaited completion of the updated 2012 weighted caseload study. The study provided current judge need information and a more informative basis upon which to consider district arrangements designed to achieve an approximate parity among districts in terms of judicial workload.

The Committee requested the assistance of trial court administrative staff in assembling draft realignments of administrative units and districts. The realignments were based on general criteria identified by the Committee: 1) general parity of population served and caseload for judicial officers and court personnel, 2) the impact of travel commitments to provide judicial services, 3) the availability local community services, and 4) the impact on county services, such as sheriffs' offices and correctional facilities.

The Initial Draft reviewed by the Committee contemplated a realignment of current administrative units which involved unit lines overlapping portions of different judicial districts.

While the draft generally achieved the approximate equalization identified by the Committee, it also suggested that judges handle cases in districts other than those in which the judges were elected. The Committee discounted the viability of an arrangement that would involve judges in regularly handling cases in areas in which the judges were not elected. An alternative discussed by the Committee considered realigning judicial districts to conform to the draft realignment of administrative units. This alternative would have required the relocation of several counties into other judicial districts, with some relocations affecting judges chambered in particular counties.

Following discussion of these preliminary, tentative drafts, the Committee assembled further information in preparation for review of more refined realignment possibilities. The Committee also reviewed current statutes and rules to determine whether any current provisions affected the judicial system's ability to effectively organize the delivery of judicial services.

Statute and Rule Review

The Committee identified few statutes that may compromise the delivery of effective judicial services or inhibit system changes to improve delivery of services and system operation. The Committee noted N.D.C.C. § 27-05-22, which provides that, with certain exceptions, a district judge can act only within the district in which the judge was elected. This statute would arguably limit the reorganization of administrative unit boundaries, as initially reviewed by the Committee, to include overlapping judicial districts. The Committee reached no conclusion regarding whether amendments to the statute should be pursued.

The Committee also reviewed N.D.C.C. §27-05-08, which, in part, requires that no more than 70% of chambers may be located in cities with a population greater than 10,000 (the 70-30 requirement). The statute was enacted amid concern that court unification legislation enacted in the 1991 and the consequent reduction in the number of judges would constrict delivery of judicial services in rural areas. Chamber locations have adhered to the requirement in the intervening years, but there is concern that continuation of the requirement will be an obstacle to placing judgeships in areas where a judgeship is needed based on workload. County representatives informed the Committee that the principal concern for counties is the delivery of adequate court services. If court services are provided as needed, then the actual location of a judge is a lesser issue. In light of these considerations, the Committee voted to support the amendment of N.D.C.C. §27-05-08 to remove the 70/30 requirement.

The Committee's review of relevant court rules did not disclose any rules that would require amendment to remove obstacles to efficient delivery of judicial services. There are several rules that

would require essentially technical amendments to reflect any unit or judicial district realignment that may be adopted.

Principal Redistricting Review

Following review of population and caseload data, an initial realignment draft, statutes and rules related to judicial services, and the updated 2012 weighted caseload study, the Committee then turned to a discussion of more refined redistricting options.

The Committee requested revised draft options with various alternatives. The revised options were based on the basic considerations underlying the initial draft: general parity of workload and population served by judicial officers and court personnel; the impact of travel commitments; the availability of local services, such as correctional facilities and human service centers; and the impact on local county offices closely related to court business, such as sheriffs' offices. These considerations were supplemented by a review of available administrative resources and personnel requirements, for example, the location of juvenile court staff.

The Committee further refined the request for revised options to encompass two possible variations. One variation was based on the identified analytical criteria as applied without regard to current district boundaries. The second variation applied the criteria while seeking to maintain current boundaries to the extent possible. Both variations contemplated four administrative units comprised of two judicial districts in each unit. The two district approach was considered most likely to achieve the general parity objectives. Related to the two district approach, the Committee considered whether judges within an administrative unit should be able to handle cases anywhere within the unit without regard to judicial district boundaries. The Committee reached no conclusion on this issue. It was acknowledged, however, that if such a change were considered, close consideration should be given to the general principle that citizens are entitled to receive judicial services from judges elected by them.

The two district approach reflected in the variations would have the greatest impact on the current Northwest Judicial District, a single district that comprises Administrative Unit 4. There was concern that establishing a second district in the unit with the current number of judges would be impractical. Effective case management would be problematic in a district with only two judges. Additionally, issues related to conflicts and demands for change of judge would be exaggerated in a two-judge district. For these reasons, the Committee concluded that creating a second judicial district in Administrative Unit 4 would be feasible only if additional judgeships were established in the unit, particularly the western portion of the unit. The Committee was aware that the Supreme

Court had requested three new judgeships, with two of the judgeships likely to be located in the Northwest Judicial District. In light of the considerations related to possible redistricting options and the demonstrated need for more judicial services in the area, the Committee voted to support the Supreme Court's request for the additional judgeships.

The first set of revised options reviewed by the Committee suggested boundary revisions for four of the current judicial districts. Three counties (Kidder, Logan, and McIntosh) would have relocated from the South Central Judicial District to the Southeast Judicial District. This change generally reflected the initial request to the Administrative Council. Three counties (Renville, Bottineau, and McHenry) would have relocated from the Northeast Judicial District to the Northwest Judicial District. This change would also affect the judgeship and judicial referee located in Bottineau. Four counties (Wells, Eddy, Foster, and Griggs) would have relocated from the Southeast Judicial District to the Northeast Judicial District. This change would affect the judgeship currently chambered in New Rockford.

The Committee reviewed information related to each of the boundary revisions affecting each judicial district. The Committee also reviewed initial comments from judges and county officials in the Northeast Judicial District regarding the draft revisions related to that district. These comments expressed support for the current district structure and concern that revising the district lines, with the consequent change in service areas for the judge and judicial referee, would negatively affect delivery of judicial services in the area. The Committee underscored its intention that adequate services would continue to be provided in areas when services are needed and that regular judicial contact with all counties in the district would be sustained.

Following a review of information related to the first set of revised options, the Committee considered a second set of revised options and new options which were cumulative in nature:

Option 1, which would relocate Kidder, Logan, and McIntosh counties to the Southeast judicial district.

Option 2, which would combine Option 1 with relocating Eddy, Foster, Wells, and Griggs counties, and the associated judge, to the Northeast judicial district.

Option 3, which would combine Options 1 and 2.

Option 4, which would constitute Option 3 but with the division of Unit 4 into two judicial districts. Data assembled regarding this option addressed

the district configurations with the current two judges in Williston and, alternatively, with the addition of two new judgeships.

Option 5, which was essentially similar to Option 3 except 1) Unit 4/Northwest judicial district would be divided into two districts, 2) Kidder County would be retained in the South Central judicial district, 3) Foster County would be retained in the Southeast judicial district, 4) and Griggs and Steele counties would be relocated from the Southeast judicial district to the Northeast Central judicial district.

The Committee concluded that Option 1 was the narrowest and least controversial approach to the redistricting issue. However, it would not achieve the general objectives identified by the Committee - general parity in caseload, judge need, and population served. The Committee concluded that, as a forward-looking process, planning should attempt to respond to current and future influences on the judicial system and recommend modifications to respond effectively to those influences. Additionally, in light of the request for additional judgeships, an approach that is broader in scope would reflect the judicial system's commitment to thoroughly reviewing how judicial officers, personnel, and resources can be effectively managed to provide adequate and timely judicial services.

Option 2 was likewise considered narrow in scope and unresponsive to case filing and population trends in other areas of the state. The Committee considered a variation of Option 2 which would retain Foster County in the Southeast Judicial District and retain Kidder County in the South Central Judicial district. This variation was considered noteworthy as Foster County is more closely associated with the Jamestown/Stutsman County trade area and the option arguably would better accommodate judge travel requirements as Kidder County is adjacent to Burleigh County.

Option 3 and Option 4, with its judicial district variations, were considered more responsive to the Committee's objective of overall general parity while responding to trends in case filings and population.

Option 5 generally combined the advantages of Option 3 with the advantages of the Option 2 variation. The Option had the additional benefit of reducing judge overages, in all areas, as reflected in the weighted caseload study. As the Committee reviewed the detail of Option 5, it appeared the option represented the basic, preferable platform for considering the most useful approach to redistricting. As a result, the Committee considered slight modifications to more finely address the issue of judge need overages and shortages.

The Committee reviewed a modification to Option 5, denoted as Option 5A, to relocate Kidder County to the Southeast Judicial District and place Foster County in the Northeast Judicial district. This modification had the effect of changing the judge overage in the Northeast Judicial District to a slight judge shortage, while the judge overage in the Southeast Judicial District would be minimally affected.

The Committee considered as well a second modification to Option 5, denoted as Option 5B, which would include the Option 5A change and, additionally, relocate Traill County from the East Central Judicial District to the Northeast Central Judicial District. The judgeship currently chambered in Traill County would be re-chambered in Fargo. Cass County would constitute a single judicial district, the East Central Judicial District. The change would essentially eliminate the judge overage in the Northeast Central Judicial District. Additionally, the change would substantially reduce the judge shortage in the East Central Judicial District, a shortage that would be further reduced if an additional judgeship were established in the district. The Committee recognized, however, the concern related to establishing a one-county judicial district. The feasibility of Option 5B is also affected by the 70/30 requirement, which would likely preclude moving a chambers from a low population city (Hillsboro) to a high population county (Fargo). Consequently, the option's viability is likely dependent on the repeal of the chambering requirement.

Conclusion

Having reviewed a variety of information, including the 2012 weighted caseload study, case filing and population trends, current chamber locations, work locations for judicial officers and court personnel, and several redistricting options of varying scope and detail, the Committee voted to make the following recommendations:

1. That the Supreme Court consider redistricting alternatives Option 5, Option 5A, and Option 5B as summarized in this report and reflected in the attached maps.
2. That the division of the reconfigured Northwest Judicial District/Administrative Unit 4 into two judicial district is contingent on the establishment of two additional judgeships in the district.
3. That N.D.C.C. §27-05-08 be amended to eliminate the requirement that no more than 70% of judge chambers may be located in cities with a population greater than 10,000.

| Option 5 | Judges by chamber | | | | | Pop. Per Judicial Officer | Average Filings ('07-'10) | 2011 & 2010 Weighted Caseload | Filings Per Judicial Officer | Square Miles | Judicial Officer need over/ (short) |
|----------|-------------------|------|----------|----------|----|---------------------------|---------------------------|-------------------------------|------------------------------|--------------|-------------------------------------|
| | Population | city | Referees | Counties | | | | | | | |
| 1 | 142,150 | 11 | | 2 | 14 | 10,935 | 36,201 | 12.37 | 2,785 | 15,151.59 | 0.63 |
| NE | 67,768 | 6 | | 0 | 10 | 11,295 | 17,490 | 5.93 | 2,915 | 11,312.39 | 0.07 |
| NEC | 74,382 | 5 | | 2 | 4 | 10,626 | 18,711 | 6.45 | 2,673 | 3,839.20 | 0.55 |
| 2 | 233,242 | 14 | | 2 | 12 | 14,578 | 46,092 | 17.49 | 2,881 | 14,377.22 | (1.49) |
| EC | 157,899 | 8 | | 2 | 2 | 15,790 | 27,765 | 12.06 | 2,777 | 2,626.89 | (2.06) |
| SE | 75,343 | 6 | | 0 | 10 | 12,557 | 18,327 | 5.44 | 3,055 | 11,750.33 | 0.56 |
| 3 | 180,760 | 11 | | 2 | 18 | 13,905 | 43,330 | 14.38 | 3,333 | 24,012.36 | (1.38) |
| SC | 141,864 | 8 | | 1.85 | 10 | 14,402 | 31,130 | 11.00 | 3,160 | 14,022.95 | (1.15) |
| SW | 38,896 | 3 | | 0.15 | 8 | 12,348 | 12,200 | 3.38 | 3,873 | 9,989.41 | (0.23) |
| 4 | 116,439 | 8 | | 2 | 9 | 11,644 | 30,622 | 11.24 | 3,062 | 15,460.08 | (1.24) |
| NW | 30,829 | 2 | | 0 | 3 | 15,415 | 9,664 | 4.07 | 4,832 | 6,098.51 | (2.07) |
| NWC | 85,610 | 6 | | 2 | 6 | 10,701 | 20,958 | 7.17 | 2,620 | 9,361.57 | 0.83 |
| | 672,591 | 44 | | 8 | 53 | | | 55.49 | | 69,001.25 | |

| Option 5 with 2 new judges | Judges by chamber | | | | | Pop. Per Judicial Officer | Average Filings ('07-'10) | 2011 & 2010 Weighted Caseload | Filings Per Judicial Officer | Square Miles | Judicial Officer need over/ (short) |
|----------------------------|-------------------|------|----------|----------|----|---------------------------|---------------------------|-------------------------------|------------------------------|--------------|-------------------------------------|
| | Population | city | Referees | Counties | | | | | | | |
| 1 | 142,150 | 11 | | 2 | 14 | 10,935 | 36,201 | 12.37 | 2,785 | 15,151.59 | 0.63 |
| NE | 67,768 | 6 | | 0 | 10 | 11,295 | 17,490 | 5.93 | 2,915 | 11,312.39 | 0.07 |
| NEC | 74,382 | 5 | | 2 | 4 | 10,626 | 18,711 | 6.45 | 2,673 | 3,839.20 | 0.55 |
| 2 | 233,242 | 14 | | 2 | 12 | 14,578 | 46,092 | 17.49 | 2,881 | 14,377.22 | (1.49) |
| EC | 157,899 | 8 | | 2 | 2 | 15,790 | 27,765 | 12.06 | 2,777 | 2,626.89 | (2.06) |
| SE | 75,343 | 6 | | 0 | 10 | 12,557 | 18,327 | 5.44 | 3,055 | 11,750.33 | 0.56 |
| 3 | 180,760 | 11 | | 2 | 18 | 13,905 | 43,330 | 14.38 | 3,333 | 24,012.36 | (1.38) |
| SC | 141,864 | 8 | | 1.85 | 10 | 14,402 | 31,130 | 11.00 | 3,160 | 14,022.95 | (1.15) |
| SW | 38,896 | 3 | | 0.15 | 8 | 12,348 | 12,200 | 3.38 | 3,873 | 9,989.41 | (0.23) |
| 4 | 116,439 | 10 | | 2 | 9 | 9,703 | 30,622 | 11.24 | 2,552 | 15,460.08 | 0.76 |
| NW | 30,829 | 4 | | 0 | 3 | 7,707 | 9,664 | 4.07 | 2,416 | 6,098.51 | (0.07) |
| NWC | 85,610 | 6 | | 2 | 6 | 10,701 | 20,958 | 7.17 | 2,620 | 9,361.57 | 0.83 |
| | 672,591 | 46 | | 8 | 53 | | | 55.49 | | 69,001.25 | |

| Option 5 with 3 new judges | Judges by chamber | | | | | Pop. Per Judicial Officer | Average Filings ('07-'10) | 2011 & 2010 Weighted Caseload | Filings Per Judicial Officer | Square Miles | Judicial Officer need over/ (short) |
|----------------------------|-------------------|------|----------|----------|----|---------------------------|---------------------------|-------------------------------|------------------------------|--------------|-------------------------------------|
| | Population | city | Referees | Counties | | | | | | | |
| 1 | 142,150 | 11 | | 2 | 14 | 10,935 | 36,201 | 12.37 | 2,785 | 15,151.59 | 0.63 |
| NE | 67,768 | 6 | | 0 | 10 | 11,295 | 17,490 | 5.93 | 2,915 | 11,312.39 | 0.07 |
| NEC | 74,382 | 5 | | 2 | 4 | 10,626 | 18,711 | 6.45 | 2,673 | 3,839.20 | 0.55 |
| 2 | 233,242 | 15 | | 2 | 12 | 13,720 | 46,092 | 17.49 | 2,711 | 14,377.22 | (0.49) |
| EC | 157,899 | 9 | | 2 | 2 | 14,354 | 27,765 | 12.06 | 2,524 | 2,626.89 | (1.06) |
| SE | 75,343 | 6 | | 0 | 10 | 12,557 | 18,327 | 5.44 | 3,055 | 11,750.33 | 0.56 |
| 3 | 180,760 | 11 | | 2 | 18 | 13,905 | 43,330 | 14.38 | 3,333 | 24,012.36 | (1.38) |
| SC | 141,864 | 8 | | 1.85 | 10 | 14,402 | 31,130 | 11.00 | 3,160 | 14,022.95 | (1.15) |
| SW | 38,896 | 3 | | 0.15 | 8 | 12,348 | 12,200 | 3.38 | 3,873 | 9,989.41 | (0.23) |
| 4 | 116,439 | 10 | | 2 | 9 | 9,703 | 30,622 | 11.24 | 2,552 | 15,460.08 | 0.76 |
| NW | 30,829 | 4 | | 0 | 3 | 7,707 | 9,664 | 4.07 | 2,416 | 6,098.51 | (0.07) |
| NWC | 85,610 | 6 | | 2 | 6 | 10,701 | 20,958 | 7.17 | 2,620 | 9,361.57 | 0.83 |
| | 672,591 | 47 | | 8 | 53 | | | 55.49 | | 69,001.25 | |

| 5A - Option 5 with Foster in NE | Judges by chamber | | | | | Pop. Per Judicial Officer | Average Filings ('07-'10) | 2011 & 2010 Weighted Caseload | Filings Per Judicial Officer | Square Miles | Judicial Officer need over/ (short) |
|---------------------------------|-------------------|------|----------|----------|----|---------------------------|---------------------------|-------------------------------|------------------------------|--------------|-------------------------------------|
| | Population | city | Referees | Counties | | | | | | | |
| 1 | 145,493 | 11 | | 2 | 15 | 11,192 | 37,026 | 12.57 | 2,848 | 15,787.04 | 0.43 |
| NE | 71,111 | 6 | | 0 | 11 | 11,852 | 18,315 | 6.12 | 3,053 | 11,947.84 | (0.12) |
| NEC | 74,382 | 5 | | 2 | 4 | 10,626 | 18,711 | 6.45 | 2,673 | 3,839.20 | 0.55 |
| 2 | 232,334 | 14 | | 2 | 12 | 14,521 | 46,129 | 17.44 | 2,883 | 15,092.96 | (1.44) |
| EC | 157,899 | 8 | | 2 | 2 | 15,790 | 27,765 | 12.06 | 2,777 | 2,626.89 | (2.06) |
| SE | 74,435 | 6 | | 0 | 10 | 12,406 | 18,364 | 5.38 | 3,061 | 12,466.07 | 0.62 |
| 3 | 178,325 | 11 | | 2.0 | 17 | 13,717 | 42,468 | 14.25 | 3,267 | 22,661.17 | (1.25) |
| SC | 139,429 | 8 | | 1.85 | 9 | 14,155 | 30,268 | 10.87 | 3,073 | 12,671.76 | (1.02) |
| SW | 38,896 | 3 | | 0.15 | 8 | 12,348 | 12,200 | 3.38 | 3,873 | 9,989.41 | (0.23) |
| 4 | 116,439 | 8 | | 2 | 9 | 11,644 | 30,622 | 11.24 | 3,062 | 15,460.08 | (1.24) |
| NW | 30,829 | 2 | | 0 | 3 | 15,415 | 9,664 | 4.07 | 4,832 | 6,098.51 | (2.07) |
| NWC | 85,610 | 6 | | 2 | 6 | 10,701 | 20,958 | 7.17 | 2,620 | 9,361.57 | 0.83 |
| | 672,591 | 44 | | 8 | 53 | | | 55.50 | | 69,001.25 | |

| Option 5A with 2 new judges | Judges by chamber | | | | | Pop. Per Judicial Officer | Average Filings ('07-'10) | 2011 & 2010 Weighted Caseload | Filings Per Judicial Officer | Square Miles | Judicial Officer need over/ (short) |
|-----------------------------|-------------------|------|----------|----------|----|---------------------------|---------------------------|-------------------------------|------------------------------|--------------|-------------------------------------|
| | Population | city | Referees | Counties | | | | | | | |
| 1 | 145,493 | 11 | | 2 | 15 | 11,192 | 37,026 | 12.57 | 2,848 | 15,787.04 | 0.43 |
| NE | 71,111 | 6 | | 0 | 11 | 11,852 | 18,315 | 6.12 | 3,053 | 11,947.84 | (0.12) |
| NEC | 74,382 | 5 | | 2 | 4 | 10,626 | 18,711 | 6.45 | 2,673 | 3,839.20 | 0.55 |
| 2 | 232,334 | 14 | | 2 | 12 | 14,521 | 46,129 | 17.44 | 2,883 | 15,092.96 | (1.44) |
| EC | 157,899 | 8 | | 2 | 2 | 15,790 | 27,765 | 12.06 | 2,777 | 2,626.89 | (2.06) |
| SE | 74,435 | 6 | | 0 | 10 | 12,406 | 18,364 | 5.38 | 3,061 | 12,466.07 | 0.62 |
| 3 | 178,325 | 11 | | 2.0 | 17 | 13,717 | 42,468 | 14.25 | 3,267 | 22,661.17 | (1.25) |
| SC | 139,429 | 8 | | 1.85 | 9 | 14,155 | 30,268 | 10.87 | 3,073 | 12,671.76 | (1.02) |
| SW | 38,896 | 3 | | 0.15 | 8 | 12,348 | 12,200 | 3.38 | 3,873 | 9,989.41 | (0.23) |
| 4 | 116,439 | 10 | | 2 | 9 | 9,703 | 30,622 | 11.24 | 2,552 | 15,460.08 | 0.76 |
| NW | 30,829 | 4 | | 0 | 3 | 7,707 | 9,664 | 4.07 | 2,416 | 6,098.51 | (0.07) |
| NWC | 85,610 | 6 | | 2 | 6 | 10,701 | 20,958 | 7.17 | 2,620 | 9,361.57 | 0.83 |
| | 672,591 | 46 | | 8 | 53 | | | 55.50 | | 69,001.25 | |

| Option 5A with 3 new judges | Judges by chamber | | | | | Pop. Per Judicial Officer | Average Filings ('07-'10) | 2011 & 2010 Weighted Caseload | Filings Per Judicial Officer | Square Miles | Judicial Officer need over/ (short) |
|-----------------------------|-------------------|------|----------|----------|----|---------------------------|---------------------------|-------------------------------|------------------------------|--------------|-------------------------------------|
| | Population | city | Referees | Counties | | | | | | | |
| 1 | 145,493 | 11 | | 2 | 15 | 11,192 | 37,026 | 12.57 | 2,848 | 15,787.04 | 0.43 |
| NE | 71,111 | 6 | | 0 | 11 | 11,852 | 18,315 | 6.12 | 3,053 | 11,947.84 | (0.12) |
| NEC | 74,382 | 5 | | 2 | 4 | 10,626 | 18,711 | 6.45 | 2,673 | 3,839.20 | 0.55 |
| 2 | 232,334 | 15 | | 2 | 12 | 13,667 | 46,129 | 17.44 | 2,713 | 15,092.96 | (0.44) |
| EC | 157,899 | 9 | | 2 | 2 | 14,354 | 27,765 | 12.06 | 2,524 | 2,626.89 | (1.06) |
| SE | 74,435 | 6 | | 0 | 10 | 12,406 | 18,364 | 5.38 | 3,061 | 12,466.07 | 0.62 |
| 3 | 178,325 | 11 | | 2.0 | 17 | 13,717 | 42,468 | 14.25 | 3,267 | 22,661.17 | (1.25) |
| SC | 139,429 | 8 | | 1.85 | 9 | 14,155 | 30,268 | 10.87 | 3,073 | 12,671.76 | (1.02) |
| SW | 38,896 | 3 | | 0.15 | 8 | 12,348 | 12,200 | 3.38 | 3,873 | 9,989.41 | (0.23) |
| 4 | 116,439 | 10 | | 2 | 9 | 9,703 | 30,622 | 11.24 | 2,552 | 15,460.08 | 0.76 |
| NW | 30,829 | 4 | | 0 | 3 | 7,707 | 9,664 | 4.07 | 2,416 | 6,098.51 | (0.07) |
| NWC | 85,610 | 6 | | 2 | 6 | 10,701 | 20,958 | 7.17 | 2,620 | 9,361.57 | 0.83 |
| | 672,591 | 47 | | 8 | 53 | | | 55.50 | | 69,001.25 | |

| SB - Option SA with Traill in NEC, move Judgeship in Fargo | Population | Judges by chamber city | Referees | Counties | Pop. Per Judicial Officer | Average Filings ('07-'10) | 2011 & 2010 Weighted Caseload | Filings Per Judicial Officer | Square Miles | Judicial Officer need over/ (short) |
|---|------------|---------------------------------|----------|----------|---------------------------------|----------------------------------|--|---------------------------------------|-----------------|---|
| 1 | 153,614 | 11 | 2 | 16 | 11,816 | 39,269 | 13.05 | 3,021 | 16,648.99 | (0.05) |
| NE | 71,111 | 6 | 0 | 11 | 11,852 | 18,315 | 6.12 | 3,053 | 11,947.84 | (0.12) |
| NEC | 82,503 | 5 | 2 | 5 | 11,786 | 20,954 | 6.93 | 2,993 | 4,701.15 | 0.07 |
| 2 | 224,213 | 14 | 2 | 11 | 14,013 | 43,886 | 16.96 | 2,743 | 14,231.01 | (0.96) |
| EC | 149,778 | 8 | 2 | 1 | 14,978 | 25,522 | 11.58 | 2,552 | 1,764.94 | (1.58) |
| SE | 74,435 | 6 | 0 | 10 | 12,406 | 18,364 | 5.38 | 3,061 | 12,466.07 | 0.62 |
| 3 | 178,325 | 11 | 2.0 | 17 | 13,717 | 42,468 | 14.25 | 3,267 | 22,661.17 | (1.25) |
| SC | 139,429 | 8 | 1.85 | 9 | 14,155 | 30,268 | 10.87 | 3,073 | 12,671.76 | (1.02) |
| SW | 38,896 | 3 | 0.15 | 8 | 12,348 | 12,200 | 3.38 | 3,873 | 9,989.41 | (0.23) |
| 4 | 116,439 | 8 | 2 | 9 | 11,644 | 30,622 | 11.24 | 3,062 | 15,460.08 | (1.24) |
| NW | 30,829 | 2 | 0 | 3 | 15,415 | 9,664 | 4.07 | 4,832 | 6,098.51 | (2.07) |
| NWC | 85,610 | 6 | 2 | 6 | 10,701 | 20,958 | 7.17 | 2,620 | 9,361.57 | 0.83 |
| | 672,591 | 44 | 8 | 53 | | | 55.50 | | 69,001.25 | |

| Option SB with 2 new judges | Population | Judges by chamber city | Referees | Counties | Pop. Per Judicial Officer | Average Filings ('07-'10) | 2011 & 2010 Weighted Caseload | Filings Per Judicial Officer | Square Miles | Judicial Officer need over/ (short) |
|-----------------------------------|------------|---------------------------------|----------|----------|---------------------------------|----------------------------------|--|---------------------------------------|-----------------|---|
| 1 | 153,614 | 11 | 2 | 16 | 11,816 | 39,269 | 13.05 | 3,021 | 16,648.99 | (0.05) |
| NE | 71,111 | 6 | 0 | 11 | 11,852 | 18,315 | 6.12 | 3,053 | 11,947.84 | (0.12) |
| NEC | 82,503 | 5 | 2 | 5 | 11,786 | 20,954 | 6.93 | 2,993 | 4,701.15 | 0.07 |
| 2 | 224,213 | 14 | 2 | 11 | 14,013 | 43,886 | 16.96 | 2,743 | 14,231.01 | (0.96) |
| EC | 149,778 | 8 | 2 | 1 | 14,978 | 25,522 | 11.58 | 2,552 | 1,764.94 | (1.58) |
| SE | 74,435 | 6 | 0 | 10 | 12,406 | 18,364 | 5.38 | 3,061 | 12,466.07 | 0.62 |
| 3 | 178,325 | 11 | 2.0 | 17 | 13,717 | 42,468 | 14.25 | 3,267 | 22,661.17 | (1.25) |
| SC | 139,429 | 8 | 1.85 | 9 | 14,155 | 30,268 | 10.87 | 3,073 | 12,671.76 | (1.02) |
| SW | 38,896 | 3 | 0.15 | 8 | 12,348 | 12,200 | 3.38 | 3,873 | 9,989.41 | (0.23) |
| 4 | 116,439 | 10 | 2 | 9 | 9,703 | 30,622 | 11.24 | 2,552 | 15,460.08 | 0.76 |
| NW | 30,829 | 4 | 0 | 3 | 7,707 | 9,664 | 4.07 | 2,416 | 6,098.51 | (0.07) |
| NWC | 85,610 | 6 | 2 | 6 | 10,701 | 20,958 | 7.17 | 2,620 | 9,361.57 | 0.83 |
| | 672,591 | 46 | 8 | 53 | | | 55.50 | | 69,001.25 | |

| Option SB with 3 new judges | Population | Judges by chamber city | Referees | Counties | Pop. Per Judicial Officer | Average Filings ('07-'10) | 2011 & 2010 Weighted Caseload | Filings Per Judicial Officer | Square Miles | Judicial Officer need over/ (short) |
|-----------------------------------|------------|---------------------------------|----------|----------|---------------------------------|----------------------------------|--|---------------------------------------|-----------------|---|
| 1 | 153,614 | 11 | 2 | 16 | 11,816 | 39,269 | 13.05 | 3,021 | 16,648.99 | (0.05) |
| NE | 71,111 | 6 | 0 | 11 | 11,852 | 18,315 | 6.12 | 3,053 | 11,947.84 | (0.12) |
| NEC | 82,503 | 5 | 2 | 5 | 11,786 | 20,954 | 6.93 | 2,993 | 4,701.15 | 0.07 |
| 2 | 224,213 | 15 | 2 | 11 | 13,189 | 43,886 | 16.96 | 2,582 | 14,231.01 | 0.04 |
| EC | 149,778 | 9 | 2 | 1 | 13,616 | 25,522 | 11.58 | 2,320 | 1,764.94 | (0.58) |
| SE | 74,435 | 6 | 0 | 10 | 12,406 | 18,364 | 5.38 | 3,061 | 12,466.07 | 0.62 |
| 3 | 178,325 | 11 | 2.0 | 17 | 13,717 | 42,468 | 14.25 | 3,267 | 22,661.17 | (1.25) |
| SC | 139,429 | 8 | 1.85 | 9 | 14,155 | 30,268 | 10.87 | 3,073 | 12,671.76 | (1.02) |
| SW | 38,896 | 3 | 0.15 | 8 | 12,348 | 12,200 | 3.38 | 3,873 | 9,989.41 | (0.23) |
| 4 | 116,439 | 10 | 2 | 9 | 9,703 | 30,622 | 11.24 | 2,552 | 15,460.08 | 0.76 |
| NW | 30,829 | 4 | 0 | 3 | 7,707 | 9,664 | 4.07 | 2,416 | 6,098.51 | (0.07) |
| NWC | 85,610 | 6 | 2 | 6 | 10,701 | 20,958 | 7.17 | 2,620 | 9,361.57 | 0.83 |
| | 672,591 | 47 | 8 | 53 | | | 55.50 | | 69,001.25 | |