

TRIAL COURT ADMINISTRATION

Policy 501

March 14, 2005

ADOPTION OF POLICIES AND PROCEDURES

SECTION 1. Authority to Develop Administrative Policies

Article VI, Section 3 of the North Dakota Constitution, authorizes the Supreme Court to promulgate rules of procedure for all courts of the state and names the chief justice as administrative head of the unified judicial system. The Supreme Court is also given supervision over all courts of the state in Section 27-02-05.1, N.D.C.C. Under this authority, the Supreme Court has adopted Administrative Rule 22, North Dakota Administrative Council, giving that Council the responsibility of developing administrative policies for the trial courts.

SECTION 2. Intent

By this policy, the Administrative Council intends to implement a mechanism for the development of uniform administrative policies for the trial courts which assure full involvement of judges and personnel in the creation of such policies and procedures.

SECTION 3. Procedures for Adoption of Policies

Before adopting or amending any administrative policy or procedure, the policy or procedure must be distributed for comment by the Council or the Chair.

1. The proposed policy or procedure will be distributed to all district court judges and appropriate personnel allowing at least 30 days for comment prior to final adoption.
2. If the subject requires expedited action, the Council may provide for a shortened comment period or adopt the policy or procedure on an emergency basis pending comment and final action by the Council.

SECTION 4. Initiation of Policies or Procedures

Any member of the Council may ask that matters be addressed by the Council by asking that the chair place the matter on the agenda of the Council. All requests should be made so that materials may be distributed at least two weeks prior to consideration.

Approved by Council of Presiding Judges 06/13/95; Amended by Administrative Council 3/14/05