

TRIAL COURT ADMINISTRATION

Policy 516

September 23, 2016

COURT-ORDERED EXPENSES

A. Purpose.

This policy governs the manner in which a court may direct payment by the judicial system of expenses or services when responsibility for payment is not otherwise provided for by statute or rule. This policy is intended to provide a method of minimizing the impact on the judicial budget of unanticipated court orders for payment of expenses or services incurred or provided in accordance with a court order.

B. Procedure.

1. When ordering that an expense incurred in accordance with an order of the court be paid by the judicial system, the court must include in its order a reference to the statute or rule indicating the responsibility for payment. If there is no applicable statute or rule, the court must include in its order a legal rationale for directing that the judicial system incur the fiscal responsibility for the expense.
2. Before directing that the judicial system must pay an expense, the court shall determine whether the particular service for which the expense is incurred may be obtained through a state or local governmental agency or in a more cost-effective manner.
3. Before directing that the judicial system must pay an expense exceeding \$500, the court shall obtain the approval of the presiding judge of the judicial district in which the court is located.
4. The Appendix to this policy lists statutory or other provisions that generally identify judicial system responsibility for certain expenses.

Approved by the Council of Presiding Judges 07/21/03; amended by Administrative Council 09/23/16

APPENDIX

ND Century Code

12.1-04.1-02	Court may authorize reasonable expenditures from "public funds" for services of a mental health professional if indigent criminal defendant is unable to pay for such services (Criminal Responsibility chapter).
12.1-20-16	Expenses for guardian ad litem in sex offense cases for minor or person with developmental disability paid by supreme Court. "State also" pays expenses for guardian ad litem in mental health commitment proceedings.
27-20-49(2)	Supreme court responsible for guardians ad litem in juvenile cases.
29-10.1-18	All necessary expenses of grand jury paid from funds appropriated to supreme court.
31-01-18	Witness expenses.