



# Northeast Central Judicial District

## Caseflow Management Plan

Updated: June 5, 2024

**MISSION STATEMENT & INTRODUCTION.....2**

**INTRODUCTION .....2**

**CASE MANAGEMENT GOALS AND OBJECTIVES .....2**

*The Goals of the Northeast Central District Case Management Plan are to:..... 2*

*The Objectives of the Northeast Central District Case Management Plan are to: ..... 3*

**JUDGE CASE ASSIGNMENT.....3**

*Judge Case Assignment: General Procedures (Grand Forks and Nelson Counties) ..... 3*

*Miscellaneous Assignment ..... 4*

**JUDGES COURT CALENDAR GUIDELINES .....4**

*Judges (6 Week) Rotation Calendars ..... 4*

*Judges Specialty Assignments: ..... 7*

*Judges Seniority Rotation ..... 7*

**JUDGES SCHEDULING GUIDELINES AND DEADLINES .....8**

    WEEK 1 & 3: CRIMINAL MASTER & CRIMINAL TRIAL WEEK SCHEDULING GUIDELINES AND DEADLINES ..... 8

    WEEK 2: JUVENILE WEEK SCHEDULING GUIDELINES..... 9

    WEEK 4 & 5: CIVIL MASTER WEEK, AND CIVIL TRIAL WEEK SCHEDULING GUIDELINES ..... 10

**JURY MANAGEMENT .....14**

*Jury Management: General Procedures: ..... 14*

**CASEFLOW MANAGEMENT AND ACCOUNTABILITY .....14**

*Monthly Reporting - Administrative Rule 12 & Policy 507 – Matters Submitted for Decision (Under Advisement): ..... 14*

*Quarterly Reporting - ..... 14*

**TECHNOLOGY FOR EVIDENCE PRESENTATION .....15**

*Reserve Equipment for Evidence Presentation: ..... 15*

**JUDICIAL STAFF EDUCATION AND CUSTOMER SERVICE .....15**

*Employee Education & Professional Growth: ..... 15*

*Public/Customer Service: ..... 15*

# Mission Statement & Introduction

---

***"TO PROVIDE EQUAL ACCESS TO JUST, IMPARTIAL, AND TIMELY RESOLUTION OF DISPUTES UNDER LAW"***

## Introduction

---

The following Caseflow Management Plan and policies are adopted to efficiently manage and distribute the judicial caseload in the Northeast Central Judicial District. Cases in the Northeast Central Judicial District shall be processed and disposed of in a manner consistent with the goals, objectives, procedures and forms as set forth in this document. Nothing contained in this plan shall supersede or conflict with any State Statutes or Procedure, Administrative Rules, Policies, or Rules of Court, Rules of Civil Procedure, Criminal Procedure or any other Rules that now exist or are hereinafter adopted by the North Dakota Supreme Court.

Judges and administrators emphasize acting collectively, a collaborative work environment and effective communication as follows:

- 1) Provide procedural fairness and due diligence to ensure good customer service.
- 2) Establish court personnel rules and procedures to implement accurate and timely case flow enhancing teamwork, problem solving and communication.
- 3) Implement and maintain knowledge of current technologies that assist timely disposition of cases.
- 4) Promote public trust and confidence through fair and ethical treatment of the public by court personnel.
- 5) Network with court interested agencies to achieve real and continuing improvements in the process and in customer satisfaction.
- 6) Provide and encourage respectful progressive continuing education to court personnel to enhance their engagement, efficiencies and leadership.
- 7) Acknowledge and accommodate diverse populations through Court Services such as:
  - a. Interpreters
  - b. Meeting ADA requirements
  - c. Appointment of Indigent Defense Counsel
  - d. Waiver of fees

## Case Management Goals and Objectives

---

***The Goals of the Northeast Central District Case Management Plan are to:***

- 1) Manage the judicial caseload as efficiently as possible in meeting the case disposition timing objectives.
- 2) Maintain a system of regular judicial attendance in each county in a fair and equitable manner.
- 3) Develop judicial schedules that are divided into master and individual calendars based on volume and need.
- 4) Develop and maintain an understandable case assignment protocol in order to promote fairness and consistency concerning judicial assignments.
- 5) Maintain procedural fairness to litigants to promote compliance and less return to the court minimizing litigants' time and cost to resolve each case.
- 6) Promote litigants understanding of the court process to assist in compliance and ultimately reduce unproductive hearings.
- 7) Identify and eliminate inefficiencies in the case flow management process.
- 8) Maintain uniform procedures unit wide where possible.

*The Objectives of the Northeast Central District Case Management Plan are to:*

- 1) Identify cases where judicial continuity is not essential and the amount of judicial time involved is relatively short, assigning those cases to the Master Calendars.
  - a. The management of the Master Calendars is the responsibility of the Clerk of District Court and Unit Court Administration in consultation with the Presiding Judge.
- 2) Identify cases where judicial continuity is essential.
  - a. The management and disposition of individually assigned cases is the responsibility of the assigned Judge.
- 3) Identify contested cases and set scheduling conferences or an initial hearing upon filing of those cases.
- 4) Conduct productive hearings for the parties and the Court, holding attorneys and litigants accountable to deadlines.
- 5) Manage requests for continuances of hearings or trials.
- 6) Monitor a case assignment policy which fairly distributes the caseload of this district.
- 7) Develop procedures that promote litigant understanding of what occurred at each hearing.
- 8) Develop unit wide procedures and forms where possible that are easily understandable by litigants.

## Judge Case Assignment

---

*Judge Case Assignment: General Procedures (Grand Forks and Nelson Counties)*

1. Criminal case types
  - a. The judge is assigned to the case:
    - i. At the initial appearance if disposition or scheduling order is completed
- 2) Civil case types:
  - a. The judge is **auto-rotation assigned** to the case upon filing of:
    - i. Summons/Complaint
    - ii. Informal Probate
  - b. The judge is **assigned to the hearing judge**
    - i. Concluding Documents from Civil Master Hearings
    - ii. Final Order in Mental Health Cases
    - iii. SDI Cases
    - iv. Final Order in Mental Health Cases
    - v. Domestic Violence Protection Order (DVPO) / Disorderly Conduct Restraining Order (DCRO): Judge reviews and issues Temporary Order – often times the hearing is held on the Master Calendar days, so the judge hears the case and is assigned at that time.
  - c. The judge is **assigned to the judge signing the concluding order:**
    - i. JV Termination of Parental Rights
- 3) In the Odyssey case management system, the judge assignment is setup so that the cases assigned to each judge is within 2 cases.

Miscellaneous Assignment

- 1) Presiding Judge assigns cases and coordinates judicial services in order to maintain a current docket throughout the district (*N.D.Sup.Ct. Admin. R. 2.*) This responsibility includes:
  - a. Initial Case Assignment
  - b. Reopen Case Assignment
  - c. Demands for Change of Judge
  - d. Recusals
  - e. Judge Extended Leave
  - f. Reassign caseload to accommodate judicial time intensive cases
  - g. Departing/Retiring Judges

# Judges Court Calendar Guidelines

---

Judges (6 Week) Rotation Calendars

WEEK 1 - Criminal Master					
	Monday	Tuesday	Wednesday	Thursday	Friday
9 – 10:30	Preliminary Hearing / Arraignment	Criminal Master (1 <sup>st</sup> Appearances / In Custody)			Cont'd. Preliminary Hearing / Arraignment/ Child Support OSC
10:30 – 12:00	Sentencings (4)				
1:30 – 3:30	*Criminal Master (In Custody)	Revocation of Probation / Criminal & Ledger Card OSC	**Preliminary Hearing/ Arraignment	Dispositional / Pretrial Hearings	Criminal Master (In Custody / Bond Review)
3:30 – 5:00	<u>Specialty Courts</u> Adult Drug Court, Juvenile Drug Court, Domestic Violence Court & Veterans Wellness Court				

Criminal master judge is responsible for obtaining coverage for absences during this week including E-Warrants

\*Monday Holiday: Tuesday Criminal Master (1<sup>st</sup> Appearances / In Custody) at 1:30-3:00 pm

Tuesday Civil Master - Civil Trial Week 9:00 am to 5:00 pm

\*\*Judge Knudson, Judge McCarthy and Judge Thelen do not have Wednesday prelim sessions.

WEEK 2 – Juvenile Week					
	Monday	Tuesday	Wednesday	Thursday	Friday
Juvenile Master, Juvenile Trial & Specialty Courts	9 – 12 *Juvenile Master	9 – 12 Juvenile Trial	9 – 12 Juvenile Trial	9 – 12 Juvenile Master <b>(Pretrial designation)****</b>	9 - 12 *Juvenile Master
	1:30-2:30 Juvenile Emergency (1 case/15 min)	1:30-2:30 Juvenile Emergency (1 case/15 min)	1:30-2:30 Juvenile Emergency (1 case/15 min)	1:30-2:30 Juvenile Emergency (1 case/15 min)	1:30-2:30 Juvenile Emergency (1 case/15 min)
	3:30 – 5:00 <u>Specialty Courts</u> Adult Drug Court, Juvenile Drug Court, Domestic Violence Court & Veterans Wellness Court	2:30-5 Juvenile Trial  <b>Juvenile Guardianship Designation (including Reviews)</b> ***	2:30 – 5 Juvenile Trial	2:30-5 Juvenile Master/ Trial *	1:30 – 5 *Juvenile Master *

\*Termination of Parental Rights:

- Juvenile Master includes initial appearance and pretrial for Termination of Parental Rights.

\*\*\*Juvenile Guardianship review hearings will be scheduled with the Judge who last heard the case with the following exception: if the order will expire before the assigned judge’s next juvenile week

\*\*\*\* Pretrials will be in-person. Thursday mornings are designated for pretrials however, any master session will be utilized if Thursday fills up during a specific week.

WEEK 3 - Criminal Trial					
	Monday	Tuesday	Wednesday	Thursday	Friday
9 – 12	Court Trial / Jury Trial Status Conference & Change of Plea	Criminal Trial and Nelson County Trial Week			9 - 12 Motion Hearing / Court Trial / Post-Conviction Relief
1:30 – 5	3:30 – 5:00 <u>Specialty Courts</u> Adult Drug Court, Juvenile Drug Court, Domestic Violence Court & Veterans Wellness Court				

WEEK 4 – Civil Master					
	Monday	Tuesday	Wednesday	Thursday	Friday
9 – 12	9-12 ** DVPO, SARO & DCRO (Max: 6/Stacked)	Civil Master Contempt Motions, Collection OSC, PTC, FDC, Sch. Conf. Hearing, Guardianship Review Cases, & Other Judge Assigned Cases	Civil Master Contempt Motions, Collection OSC, PTC, FDC, Sch. Conf. Hearing, Guardianship Review Cases, & Other Judge Assigned Cases	9-10:30 *Small Claims	9-10:30 Adoption
				10:30-12 Eviction (overflow)/ Civil Master	
1:30 - 5	3:30 – 5:00 <u>Specialty Courts</u> Adult Drug Court, Juvenile Drug Court, Domestic Violence Court & Veterans Wellness Court	***1:30 – 3 Mental Health (Stack Hearings at 1:30)	1:30 - 5 ** DVPO, SARO & DCRO (2 per Hour)	***1:30 – 3:30 Mental Health (Stack Hearings at 1:30)	
		3 – 5 Eviction		3:30 - 5 Administrative Traffic Hearing	

\*Small Claims Orders and Judgment

- The clerk shall forward the small claims case to staff attorney for review. Once compliant with all of the requirements the staff attorney shall send case to judge.
- After the Judgment/Order is signed by the judge, the clerk shall enter and sign the Notice of Entry of Judgment/Judgment. (N.D.C.C. 27-08.1-05 Judgment)

\*\* Disorderly Conduct Restraining Order (DCRO), Sexual Assault Restraining Orders (SARO), & Domestic Violence Protection Order (DVPO)

- Law Enforcement should be present in all Domestic Violence Protection Order proceedings;
- No Law Enforcement presence is required in Disorderly Conduct Restraining Order proceedings unless noted by the judge when the temporary order is signed or subsequently requested by the judge.
- If the sheriff does locate the respondent after the initial hearing date, the sheriff to fill in the date and time of the Continued Hearing. The sheriff is provided the court’s schedule and will skip a week when setting the hearing on the temporary order, using the 14-day limit as close as possible.

\*\*\*Mental Health:

- Add Nelson County Mental Health hearing to Tuesday and Thursday afternoon mental health hearings, as needed.

WEEK 5 – Civil Trial / Nelson County					
	Monday	Tuesday	Wednesday	Thursday	Friday
9-12	9-12 Civil Trial/Jury Selection (Civil Master Overflow)	9-5 Civil Trial Week, & Criminal Carry Over Trial (Jury Trial, Court Trial, Sexually Dangerous Individual (SDI), Evidentiary, and Nelson County Civil Trials)			9 – 12 Nelson County (every week)
3:30 – 5:00	<u>Specialty Courts</u> Adult Drug Court, Juvenile Drug Court, Domestic Violence Court & Veterans Wellness Court				

WEEK 6 – Opinion Week					
	Monday	Tuesday	Wednesday	Thursday	Friday
9 – 5	3:30-5 <u>Specialty Courts</u> Adult Drug Court, Juvenile Drug Court, Domestic Violence Court & Veterans Wellness Court **Judge find backups**	<i>Opinion Week (Only Judge May Schedule)</i>			

**Judges Specialty Assignments:**

- Administrative Duties: Presiding Judge Hager
- Adult Drug Court: Judge Thelen (Backup: Judge Venhuizen)
  - Monday from 3:30 to 5:00 p.m.
- Juvenile Court: Judge Knudson (Backup: Judge Sandberg)
  - Monday from 3:30 to 5:00 p.m.
- Domestic Violence Court: Judge McCarthy and Judge Venhuizen
  - Monday of every criminal master week for both judges from 3:30 to 5:00 p.m.
- Veterans Wellness Court – Judge Hager (Backup: Judge Sandberg)
  - Monday from 3:30 to 5:00 p.m.

**Judges Seniority Rotation**

- Presiding Donald Hager
- John Thelen (Backup Presiding Judge)
- Jason McCarthy
- Jay Knudson (Second Backup Presiding Judge)
- Kristi Venhuizen
- Ted Sandberg



# Judges Scheduling Guidelines and Deadlines

The judges rotate weekly between the six calendars: criminal master, juvenile week, criminal trial, civil master, civil trial/Nelson County and opinion. Variations of the weekly rotation occur during judicial officer education, committee, vacation or sick leave.

## *Week 1 & 3: Criminal Master & Criminal Trial Week Scheduling Guidelines and Deadlines*

<b><u>Court Session and Deadlines</u></b>	<b><u>Hearing Types Included in Each Session and Deadlines</u></b>	<b><u>Scheduling &amp; Deadline Guidelines</u></b>	<b><u>Time Frames</u></b>
Criminal Master	Initial Appearance	Set within 2-3 weeks of issuance of citation	9:00 am - 10:30 am (T - Th) 1:30 pm - 3:30 pm (M, F)
	Bond Reduction Hearing	Set for the Friday after the hearing request is made	1:30 pm - 5 pm (F)
Rule 16 Discovery	Last day to make a Rule 16 Discovery Request	4 weeks after initial appearance	-
	Last day to REPLY to Rule 16 Discovery	6 weeks after initial appearance	-
Preliminary Hearings/ Arraignments	Preliminary Hearings/ Arraignments *	6 weeks after initial appearance	9:00 am – 10:30 am (M) 1:30 pm – 3:00 pm (W) * 9:00 am – 10:30 am (F) * (Continuances Only)
Motion Deadlines	Deadline for the filing, service and noticing of all other Motions	11 weeks after initial appearance	-
	Last day to reply to Other Motions	13 weeks after initial appearance	-
Motions Hearings <i>N.D.R.Crim.P. 12</i> <i>N.D.R.Crim.P. 47</i> <i>N.D.R.Ct. 3.2</i>	Motion Hearing/ Post-Conviction Hearings	14 weeks after initial appearance	9 am – 11 am (F)
Revocation of Probation Hearings	Revocation of Probation Hearings	Set at first available date on Judge 6-week rotation	1:30 pm – 5:00 pm (T)

Felony Sentencing	Sentencing Hearing	Set at first available date on Judge 6-week rotation (6 weeks for PSI requests; 90 days for sex offenses)	10:30 am – 12 pm (M)
Final Dispositional Hearings	Final Dispositional Hearings	18 weeks after initial appearance	1:30 pm - 5:00 pm (Th)
Jury Selection and Trial, Bench Trial, and Change of Plea	Jury Selection and Trial	20 weeks After initial appearance	9 am – 5 pm (T, W, Th)
	Bench Trial/Jury Trial Status Conference		9 am – 12 pm (M)
	Change of Plea		9 am – 12 pm (M)
Ledger Card Order to Show Cause & Order to Show Cause Hearings	Ledger Card Order to Show Cause	Set 3-4 weeks from review of non-compliance	1:30 pm – 5:00 pm (T)
	Order to Show Cause		
Post-Conviction Relief	Post-Conviction Relief Hearing	Set 120 days from filing of application	9:00 – 11:00 am (F)
Child Support Order To Show Cause	Child Support Order to Show Cause	Set at least 21 days out from the hearing request date	9:00 am -12:00 pm (F)

\* No Wednesday Prelim Session for Judge Knudson, Judge McCarthy and Judge Thelen

### Week 2: Juvenile Week Scheduling Guidelines

<u>Juvenile Master &amp; Trial Week Court Session &amp; Deadlines</u>	<u>Hearing Types Included in Each Session and Deadlines</u>	<u>Scheduling Guidelines</u>	<u>Time Frames</u>	<u>Parameters</u>
Juvenile Emergency	Juvenile Detention Hearing, Juvenile Extradition Hearing & Juvenile Shelter Care Hearing, Juvenile Emergency Guardianship	Set Detention Hearing/Extradition Hearing within 24 hours of entering detention Set Shelter Care/Emergency Guardianship Hearing within 96 hours of child entering custody	1:30 am – 2:30 pm (Daily)	1 case every 15 minutes
	Juvenile Initial Appearance	*Set 2 – 3 weeks after petition is filed. ICWA – 3 weeks TPR - 3 weeks		
Juvenile Master	Juvenile Pretrial*	Set 2 weeks after initial appearance	Monday 9:00 am – 12:00 am  Thursday 9:00 am – 12:00 (Pretrial designation)* and 2:30-5 p.m.	1 case every 15 minutes
	Juvenile Review Hearing (1 <sup>st</sup> hearing/initial)	Set 2 weeks after filing of hearing request, unless otherwise directed by judge		
	Juvenile Disposition Hearing	Set 2 weeks after filing of hearing request , unless otherwise directed by judge		
	Juvenile Restitution Hearing		Friday 2:30 pm - 5:00 pm	1 case per 30 minute increment

	Juvenile Motion Hearing <i>N.D.R.Juv.P. 14</i>	Set 2 weeks after service of motion is filed		
Juvenile Permanency Hearing	1 <sup>st</sup> Juvenile Permanency Hearing ( <i>Initial Appearance</i> ) ( <i>Juv Master</i> )	Set 60 days prior to expiration of order		1 case every 15 mins.
	1 <sup>st</sup> Juvenile Permanency Hearing ( <i>Post-Termination Request</i> ) ( <i>Juv. Master</i> )	Set 2-3 weeks after petition is filed		
	2 <sup>nd</sup> Juvenile Permanency Hearing ( <i>Juv. Trial block</i> )	Set 30 days prior to expiration of order	9:00 am – 12 pm (Tuesday)	1 per hour
Juvenile Guardianship	Initial Review Trials		2:30 pm – 5 pm (Tuesday)	30 minutes (initials/reviews) 1 hr. (trials)
Revocation of Probation & Modification of Disposition	Juvenile Review Hearing (Initial Appearance) (master)	Set 2 weeks after filing of request	9:00 am – 12:00 pm (Monday/Thursday) and 2:30 pm - 5:00 pm (Thursday)	1 case per 15 min.
	Juvenile Review Hearing (Revocation of Probation/Modification of Disposition) Trial	Set 2 weeks after 1 <sup>st</sup> review hearing (initial appearance)	9:00 am – 12 pm OR 2:30 pm – 5:00 pm (Tuesday/Thursday)	1 per hour
Juvenile Court Trials	Juvenile Trials (Excluding Termination of Parental Rights)	Set 1½ weeks after pre-trial hearing	9:00 am – 12 pm OR 2:30 pm – 5:00 pm (Tuesday/Wednesday/Thursday)	9 a.m. and 2:30 p.m.
	Juvenile Trial – Termination of Parental Rights	Within 10 weeks of Pretrial Conference	9:00 am – 12 pm OR 2:30 pm – 5:00 pm (Wednesday)	½ day

\*If youth is in detention, initial hearing must be held within 14 days after placement into detention.

*Week 4 & 5: Civil Master Week, and Civil Trial Week Scheduling Guidelines*

<b><u>Civil Master &amp; Civil Trial Week Court Session</u></b>	<b><u>Hearing Types Included in Each Session and Deadlines</u></b>	<b><u>Scheduling Guidelines</u></b>	<b><u>Time Frames</u></b>	<b><u>Parameters</u></b>
Civil Master Hearing Types	Emergency Temporary Guardianship	Set within 10 Days & in accordance to statute (N.D.C.C. 30.1-28-10.1)	9:00 am - 12:00 pm (T, W)	30 minute increments
	Permanent Guardianship	Set before expiration of temporary order		
	Default Hearings	Attorneys will request the hearing be set within a certain time frame	10:30 am – 12:00 pm (Th)	
	Guardianship/ Conservatorship Hearing			
	Stipulated Hearing			
	Juvenile Special Proceedings	Within 48 hours		

	Order to Show Cause	Set at least 21 days out from the hearing request date		
	Sexually Dangerous Individuals (SDI) Preliminary Hearing	Set within 72 hours of detention		
Civil Master Hearing Types	Motions/Applications by Attorney <i>N.D.R.Ct. 3.2</i>	Attorneys will request the hearing be set within a certain time frame	9:00 am - 12:00 pm (T, W)	Set 2 hours or less requested for the hearing
	Interim Motion/Ex Parte <i>N.D.R.Ct. 8.2</i>	Held within 21-30 days after filing of motion	10:30 am – 12:00 pm (Th)	
	Summary Judgment Motion Hearing <i>N.D.R.Civ.P. 56</i>	Set 45 days after filing of motion		
	Scheduling Conference	Set 30 days out if JSP/JIS not timely filed	9:00 am - 12:00 pm (T, W) 10:30 am – 12:00 pm (Th)	30 minute increments
	Pretrial Conference	Set by Judge at Scheduling Conference and/or Scheduling Order		
	Final Dispositional Conference	Set by Judge at Scheduling Conference		
	Small Claims	Set within 30 days	9 am – 10:30 am (Th)	1 case per hour
	Domestic Relations Summary Proceeding (DRSP)		9:00 am - 12:00 pm (T, W, TH)	
	Guardianship Review (5 Year Review)		9:00 am - 12:00 pm (T, W) 10:30 am – 12:00 pm (Th)	30 minute increments
Civil Master Week	Adoptions	Attorneys will request the hearing be set within a certain time frame	9 am – 10:30 am (F)	30 minute increments
	Evictions	Set no less than 3 days from service of summons & no more than 15 days from service of summons	3:00 pm – 5:00 pm (T) (Overflow) 9:00 am – 12:00 pm (TH)	3 cases per one hour time slot
Domestic Violence Restraining Order, Sexual Assault Restraining Order, & Domestic Violence Protection Order Hearings	Domestic Violence Restraining Order, Sexual Assault Restraining Order, & Domestic Violence Protection Order	Set within 14 days of the filing of the Temporary Order	9:00 am – 12:00 pm (M) 1:30 pm – 5:00 pm (W)	2 cases per hour
Mental Health Hearings & Emergency Guardianship Hearings	Continuing Treatment Hearing	Set hearing date between 16-30 days of the filing of the petition	1:30 - 3:00 pm (T & Th)	2 cases per 30 minute increments (only 1 at 2:30 pm)
	Commitment Hearing	Set in accordance to statute (N.D.C.C. 25-03.1)		
	Discharge Hearing			
	Medication Hearing			
	Modification Hearing			

	Treatment Hearing			
	Preliminary Hearing			
Uncontested Permanent Guardianships & Probate Final Accounting Deadlines	Uncontested Permanent Guardianships & Probate Final Accounting	Attorneys will notify that there are <u>no appearances expected (NAE)</u>	Set per time frame requested by Attorney (M – F)	4 - 4:15 pm
*Civil Jury/Court Trials, Evidentiary Hearings, Juvenile Termination of Parental Rights & Sexually Dangerous Individuals (SDI) Treatment/Discharge Hearings	Jury Selection, Jury Trial / Back up Jury Trial, and Court Trial / Backup Court Trial	Non-Domestic Jury/Court Trial set at the time of the Joint Scheduling Plan (JSP) or at Scheduling Conference	9:00 am – 12:00 pm (M) 9:00 am - 5:00 pm (T, W, TH)	All day (will set backups)
		Domestic Court Trial set based off Joint Informational Statement		
		*Juvenile Termination of Parental Rights set within 10 weeks of Pretrial Conference		
	Evidentiary Hearing – Modification of Primary Residential Responsibility (PRR)	Set at Pretrial Conference (Judge & Attorneys)	1 Day	
	SDI Treatment Hearing	Set within 90 days of the filing of the order for evaluation/findings from the preliminary hearing	1 Day	
	SDI Discharge Hearing	Set at least 8 weeks out		

\* Termination of Parental Rights (TPR) trial can be scheduled into another judge’s Civil Trial week to meet TPR deadlines. TPR cases to be completed within 120 days of filing. Subject to the need to expediently litigate a Termination of Parental Rights File which could usurp this trial/evidentiary hearing.

<b><u>RULE DEADLINES</u></b> <b><u>Civil Motion,</u></b> <b><u>Prima Facie,</u></b> <b><u>Joint Informational</u></b> <b><u>Statement (JIS), &amp; Joint</u></b> <b><u>Scheduling Plan (JSP)</u></b>	<b><u>Motion, Prima Facie</u></b> <b><u>&amp; Joint</u></b> <b><u>Informational</u></b> <b><u>Statement (JIS), &amp;</u></b> <b><u>Joint Scheduling</u></b> <b><u>Plan (JSP) Rules</u></b>	<b><u>Case Activity or</u></b> <b><u>Judicial</u></b> <b><u>Determination</u></b>	<b><u>Deadlines</u></b>	<b><u>Motion Hearing</u></b> <b><u>/ Scheduling</u></b> <b><u>Order</u></b>
Motion, Brief, Answer Brief, Reply Brief	Motions/ Applications by Attorney <i>N.D.R.Ct. 3.2</i>	Motion	Moving Party file Motion that requests and indicate time of oral argument or file brief	Oral Argument - See Civil Motion Hearings
		Answer Brief	Opposing party's Brief to be filed 14 days after service of motion	
		Reply Brief	Moving Party has 7 days to file Reply Brief after service of answer brief	
	Summary Judgment Motion <i>N.D.R.Civ.P. 56</i>	Motion	Moving Party file motion 90 days before trial and 45 days before hearing date, unless otherwise ordered	Summary Judgment Motion Hearing – See Civil Motion Hearings
		Answer Brief	Opposing Party file Answer Brief 30 days after service of brief	
		Reply Brief	Moving Party has 14 days to serve and file Reply Brief	
<b><u>DOMESTIC</u></b> Motion, Brief, Answer, Reply, Response, Prima Facie, & Joint Informational Statement (JIS) Deadlines --- (Divorce, Paternity, Primary Residential Responsibility & Parenting Time)	Interim Motion <i>N.D.R.Ct. 8.2</i>	Interim Motion	Moving Party file motion, affidavits and financial statement 21 days prior to hearing	Interim Motion Hearing – See Civil Motion Hearings
		Response	Responding Party new issues: Response affidavits to be filed not later than 14 days prior to hearing	
			Responding Party no new issues: Response affidavits to be filed no later than 7 days prior to the hearing	
	Reply	Moving Party responds to new issues raised. Affidavits must be served and filed not later than 7 days prior to the hearing		
	Motion to Modify Primary Residential Responsibility (PRR) (Prima Facie) <i>N.D.R.Civ.P.6(e)</i>	Judge Review For Prima Facie Determination	When the Motion to Modify PRR is filed a time Standard is set 22 or 28 days out	-
		Order for Prima Facie	Prima Facie is Granted by Judge, letters sent to parties for Joint Informational Statement	Evidentiary Hearing – See Civil Trial Week
	Joint Informational Statement (JIS) Filing Due (Divorce, Paternity, Primary Residential Responsibility & Parenting Time) <i>(N.D.R.Ct. 8.3)</i> <i>(N.D.R.Ct. 8.3.1)</i>	Answer	Within 30 days from the date of filing of answer	See Scheduling Order - See Civil Trial Week
Dismissal for Non-Compliance (JIS Not Filed)				
<b>NON-DOMESTIC</b> Joint Scheduling Plan (JSP)	Joint Scheduling Plan (JSP) Filing Due	Answer	Within 25 days from the date of filing of answer	

# Jury Management

---

## Jury Management: General Procedures:

- 1) Juror summonses are mailed to potential jurors 4-6 weeks prior to the trial report date. Potential jurors receive a follow-up letter, the week before their trial report date, providing parking passes and other related information.
- 2) Having multiple jury trials scheduled per week, more than one jury pool is used; felony, civil, and misdemeanor. Upon request attorneys are provided a copy of all juror pools that are to report for that week. The recommended number of jurors needed for jury trial as follows and in compliance with Jury Selection Plan, Section 10. Number of Jurors Summoned, effective January 9, 2019.
  - a. For felony-level criminal cases alleging Gross Sexual Imposition, Murder, Assault, Theft, Controlled Substance or Driving Under the Influence
    - i. 35 jurors – 12 person jury trial
    - ii. High profile cases – check with assigned judge
  - b. For all other criminal and civil cases
    - i. 33 jurors – 12 person jury trial (felony)
    - ii. 31 jurors – 9 person jury trial (civil)
    - iii. 23 jurors – 6 person jury trial (misdemeanor)
  - c. Judge Discretion: When judges are requesting more than the standard number of jurors advise the clerk's office 4-6 weeks prior to the report date to ensure juror availability.

# Caseflow Management and Accountability

---

## Monthly Reporting - Administrative Rule 12 & Policy 507 - Matters Submitted for Decision (Under Advisement):

- 1) Each judicial officer is responsible for reviewing their judicial dashboard for cases they have under advisement. If there are cases that will exceed the 90 day under advisement standard the judge may seek an extension from the presiding judge. If the decision is not made within the extension the judge may request further extension from the Chief Justice. Both extensions will be noted in the comment box of the under-advisement event in Odyssey.
- 2) Each presiding judge and administrator will review the under-advisement dashboard the last week of each month and report any cases exceeding the time standards noting any extensions granted to the Chief Justice.

## Quarterly Reporting - Administrative Rule 12 & Policy 507 - Cases Time to Disposition Standards:

- 1) The clerk and juvenile court staff in each county will receive an email in February, May, August, and November advising that the upcoming month is a quarterly reporting month. The email will include the instruction that they are to review the overdue cases for a future hearing, time standard, or under advisement event AND ensure that time clocks are correct.
- 2) Each judicial officer and administrator will receive an email in March, June, September, and December indicating that the current month is a quarterly reporting month and that all judges should review their overdue case listing and enter any docket currency comments by the 15<sup>th</sup> of the month.
- 3) Each presiding judge will review the overdue case comments for the district and discuss any cases with the assigned judge, as needed.
- 4) The unit administrator will review the overdue case listing and assist the presiding judges with providing a report to the Chief Justice.

# Technology for Evidence Presentation

---

The Northeast Central Judicial District of North Dakota is committed to up to date, effective, and efficient technology for use in courtrooms. The Court's goal is to provide systems that are sophisticated, user-friendly, and flexible.

## Reserve Equipment for Evidence Presentation:

Counsel or self-represented parties are required to reserve the use of any court equipment at least seven (7) days prior to trial.

- 1) The equipment is reserved through the assigned court reporter/recorder or staff attorney.
- 2) Counsel, their staff, and self-represented parties are required to operate the equipment during trial.
- 3) Judicial staff, clerks of court and court administration personnel will not assist you in its operation at trial.
- 4) Counsel, their staff, and self-represented parties requiring instruction on technology available and its operation must contact court personnel at least seven (7) days before trial.

# Judicial Staff Education and Customer Service

---

## Employee Education & Professional Growth:

- 1) State employed court personnel are offered training opportunities to include but are not limited to:
  - a. New Employee Orientation
  - b. Introductory training specific to their position
  - c. Annual training opportunities specific to their position
  - d. Webinars
  - e. Court Management Programs with priority given under [Policy 504](#)
  - f. Certification specific to their position
  - g. Sexual Harassment training pursuant to [Policy 146](#)
  - h. Information Technology Security Awareness training pursuant to [Policy 146](#)
  - i. Other Professional Development as defined in [Policy 123](#)
- 2) Continuing education requirements for specific positions as specified in [Administrative Rule 36](#).

## Public/Customer Service:

- 1) Monitor Customer Service:
  - a. Supervisors will monitor and review court personnel daily during interaction with public.
  - b. Immediate feedback on these interactions will be provided to staff.
- 2) Juror Exit Questionnaire:
  - a. An exit questionnaire is provided to every juror following jury deliberation.
  - b. This questionnaire is used to collect feedback regarding the overall experience jurors had with the district court personnel, bailiffs, attorneys and law enforcement.
- 3) Juvenile Court Probation Officer Client Survey:
  - a. A survey is sent to youth upon the completion of their probation period.
  - b. This survey evaluates the juvenile and their experience with the probation officer.
- 4) Victim Satisfaction Survey:
  - a. A survey is sent to every victim who has contact with the juvenile court.
  - b. This survey evaluates victim's contact with juvenile court staff and their rights as a victim.
- 5) Informal Complaints Against Judges or Judicial Employees Process:



- a. Information is located on the North Dakota Courts [website](#).
- b. This is a method for the public to address their complaints or concerns about judges and employees of the state judicial system.