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MINORITY JUSTICE IMPLEMENTATION COMMITTEE

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5/5/2015

Hon. Gerald W. VandeWalle
Chief Justice
Supreme Court of North Dakota
600 E. Boulevard Ave.
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STATE OF
NORTH DAKOTA

Chief Justice VandeWalle,

STATE OF NORTH DAKOTA

During the February 19, 2015 Minority Justice Committee meeting, members voted unanimously in favor of broadening the scope of the Committee's focus to include access to justice issues. Members approved a change in name to the "Minority Justice and Access to Justice Commission" and drafted the following mission statement indicating the purpose of the Commission would be:

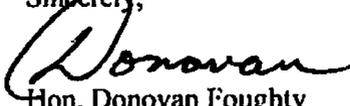
To ensure equal justice, fairness, and access for all citizens, with a focus on minorities and other disadvantaged populations in North Dakota Courts.

Members agreed that there has already been significant overlap between the work of the Minority Justice Committee and work commonly performed by access to justice commissions. This overlap is particularly apparent because minorities are disproportionately represented among those at or near poverty level in North Dakota, the economic group most likely to face obstacles in gaining access to court services.

Members agreed that all current and proposed Minority Justice Committee work should move forward, while additional access to justice projects should be added. The Minority Justice and Access to Justice Commission would continue to implement recommendations from the 2012 Final Report of the Commission to Study Racial and Ethnic Bias in the Courts. Expanded focus would include access to justice issues affecting groups such as those with mental health needs and the elderly.

The Minority Justice Implementation Committee therefore requests permission to seek modification to Administrative Order 21 to incorporate the new title, mission statement, and expanded its focus to cover access to justice issues.

Sincerely,


Hon. Donovan Foughty
Chair

Administrative Order 21 - MINORITY JUSTICE IMPLEMENTATION COMMITTEE

Section 1. Creation.

This order establishes a Minority Justice Implementation Committee. Its purpose is to provide a means to implement the recommendations of the North Dakota Commission to Study Racial and Ethnic Bias in the Courts submitted to the Supreme Court in the Final Report of the Commission dated June 2012.

Section 2. Membership.

The Chief Justice, in consultation with the ~~co-chairs of the North Dakota Commission to Study Racial and Ethnic Bias in the Courts~~ chair of this Committee, shall appoint a thirteen member committee. The following positions shall be appointed to the Committee with their consent: Executive Director of the North Dakota Indian Affairs Commission, Dean of the University of North Dakota School of Law or designee; Executive Director of the State Bar Association of North Dakota, Director of the Department of Corrections and Rehabilitation, State Court Administrator, Executive Director of Legal Services of North Dakota, two District Judges, two attorneys and three members-at-large. The Chief Justice shall appoint the Committee chair. The Chief Justice shall appoint replacement members after consultation with the chair of this committee. Members who serve as attorneys, district judges and members-at-large shall serve three-year terms and may serve two consecutive three-year terms. ~~By lot at the first meeting, one attorney, one district judge and one member-at-large shall be selected to serve an initial term of two years, rather than three years.~~

Section 3. Duties.

The committee shall

- A. Develop a detailed course of action to implement the recommendations of the Final Report of the North Dakota Commission to Study Racial and Ethnic Bias in the Courts, after review by the Supreme Court;
- B. Monitor progress in the North Dakota court system of reducing racial and ethnic bias;
- C. Seek funding sources for the implementation of Commission recommendations;
- D. Develop and coordinate ~~community outreach~~ initiatives designed to broaden access to and improve public understanding of the legal system including through partnerships with the bar, law school and community groups;
- E. Devise methods for the public to communicate with the Committee concerns relating to perceived ethnic or racial bias in the North Dakota court system;
- F. Recommend action beyond that set forth by the Commission and Supreme Court review

where necessary to achieve the goals identified in the Final Report.

Section 4. Staffing.

Staffing for the Committee will be provided by the Office of the State Court Administrator.

Section 5. Report.

The Committee shall submit a progress report to the Chief Justice on an annual basis.

Section 6. Expenses.

Committee expenses incurred by members are reimbursed by the Supreme Court.

Section 7. Effective Date.

This order, as amended, is effective ~~May 1, 2013~~, and remains in effect until further order of the Court.

The Supreme Court of the State of North Dakota convened the day of _____, with the Honorable Gerald W. VandeWalle, Chief Justice, and the Honorable Dale V. Sandstrom, the Honorable Carol Ronning Kapsner, the Honorable Daniel J. Crothers and the Honorable Lisa Fair McEvers, Justices, directing the Clerk of the Supreme Court to enter the above order.

Penny Miller
Clerk
North Dakota Supreme Court

Reference: Supreme Court No. 20130130