

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

ORDER OF ADOPTION

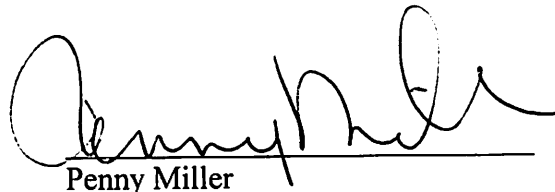
Supreme Court No. 20180305

**Proposed Administrative Rule 60 Establishing An Interdisciplinary Committee on
Specialized Dockets**

[¶ 1] The Supreme Court considered adoption of a Supreme Court Administrative Rule establishing an interdisciplinary committee to serve as a collaborative mechanism to acquire and analyze relevant information related to the need for and feasibility of establishing specialized dockets. The proposal is available at <http://www.ndcourts.gov/Court/Notices/Notices.htm>. Individuals who do not have internet access may contact the Office of the Clerk of the Supreme Court to obtain a copy of the proposal. The Court considered the matter, and

[¶ 2] **IT IS ORDERED**, that North Dakota Supreme Court Administrative Rule 60 is ADOPTED, effective January 1, 2019.

[¶ 3] The Supreme Court of the State of North Dakota convened the 19th day of September, 2018, with the Honorable Gerald W. VandeWalle, Chief Justice, and the Honorable Daniel J. Crothers, the Honorable Lisa Fair McEvers, the Honorable Jerod E. Tufte, and the Honorable Jon J. Jensen, Justices, directing the Clerk of the Supreme Court to enter the above order.



Penny Miller
Clerk
North Dakota Supreme Court

RULE 60. INTERDISCIPLINARY COMMITTEE ON SPECIALIZED DOCKETS

Section 1. Interdisciplinary Committee.

(a) Purpose. The interdisciplinary committee on specialized dockets is established as a collaborative mechanism to acquire and analyze relevant information related to the need for and feasibility of establishing specialized dockets. A "specialized docket" is a juvenile or district court that oversees a therapeutic program comprised of interdisciplinary teams, enhanced judicial involvement, court-supervised treatment programs, and other components designed to achieve effective alternatives to traditional case dispositions.

(b) Membership. The committee consists of:

- (1) a justice of the supreme court appointed by the chief justice;
- (2) two district judges appointed by the chief justice upon recommendation by North Dakota Judges Association;
- (3) If agreed to by the department, a representative of the department of human services appointed by the director.
- (4) If agreed to by the department, a representative of the department of corrections and rehabilitation appointed by the director.
- (5) The state court administrator or the administrator's designee.

(c) Chair. The chief justice will appoint a chair from among the members of the committee.

(d) Terms. Committee members serve for a term of three years beginning January 1, 2019. Members are limited to three consecutive terms.

(e) Temporary Members. The chair may temporarily supplement membership to assist the committee in reviewing whether establishment of a specialized docket should be recommended. The presiding judge of the district in which a specialized docket is being reviewed or proposed and the unit administrator of the district must be included as temporary members.

(f) Meetings. The committee will meet at least semiannually but may meet more frequently if necessary to timely consider any requests for establishment of a specialized docket or review of an existing court.

Section 2. Functions and Duties.

(a) The committee will:

- (1) acquire and analyze information and data, including budgetary requirements and funding sources, regarding whether establishing, reducing or closing a specialized docket in a judicial district should be considered;
- (2) determine the feasibility of establishing or maintaining a specialized docket in a judicial district, including the availability of judicial and nonjudicial resources;
- (3) based on relevant data and analysis, recommend to the presiding judge of a judicial district and the supreme court whether a specialized docket in the judicial district should be established;
- (4) review requests to establish specialized dockets and submit recommendations to the supreme court regarding whether a particular specialized docket should be established;
- (5) establish a mechanism for monitoring and evaluating the effectiveness of established specialized dockets and related treatment services.

(b) In carrying out its functions, the committee must consider:

- (1) the funding required for the specialized docket and the source of necessary funding;
- (2) the extent that the proposed services are needed in the geographic area where the specialized docket will be located;
- (3) the availability of adequate judicial resources to support operation of the specialized docket;
- (4) the availability of potential members of the specialized docket team and the roles to be played by each potential member;
- (5) the availability of a potential coordinator for the specialized docket and support staff;
- (6) the population of eligible participants in the specialized docket;
- (7) the geographic area to be served by the specialized docket;
- (8) the availability of participant monitors and treatment resources in the specialized docket's area of operation.

Section 3. Request to establish a specialized docket; Submission; Review.

- (a) A request for establishment of a specialized docket may be submitted to the committee for review and recommendation.
- (b) The committee will promptly review any information submitted in support of the request and consider the committee's own analysis, if any, regarding the need for a specialized docket.
- (c) Following its review, the committee will promptly submit to the supreme court its recommendation regarding the need for and feasibility of the requested specialized docket.
- (d) The supreme court may withdraw approval of a specialized docket or suspend operation of the specialized docket. Such action may be taken if adequate funding,

judicial resources, or support services are not available. Such action also may be taken if evaluation of a specialized docket fails to indicate the specialized docket is effectively addressing the needs for which it was created.

Section 4. Staff Services. The office of the state court administrator will provide staff for the committee on specialized dockets.

EXPLANATORY NOTE

Rule 60 was adopted effective January 1, 2019.