



SALLY HOLEWA  
STATE COURT ADMINISTRATOR

State of North Dakota  
OFFICE OF STATE COURT ADMINISTRATOR

RECEIVED BY CLERK  
SUPREME COURT

OCT 28 2020

October 19, 2020

SUPREME COURT  
Judicial Wing, 1st Floor  
600 E Boulevard Ave Dept 180  
Bismarck, ND 58505-0530  
701: (701) 328-4216  
Fax: (701) 328-2092

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FILED OCTOBER 28, 2020  
CLERK OF THE SUPREME COURT  
STATE OF NORTH DAKOTA

TO: Sally Holewa

FROM: Don Wolf 

SUBJECT: September 2020 Annualized Weighted Caseload Study

Attached is the weighted caseload (WCL) statistics for the nine month period ending September 30, 2020 annualized to project the total for calendar year 2020. Since we use a two-year average for these purposes, I have also attached the 2019/20 statistics.

Highlights of the WCL include:

The total case filings are projected to be **154,890** for 2020 as compared to 148,502 for 2019, or an increase of 6,388 cases. Based on the estimated 2020 case filings, there will be overall increases in felonies (70 cases), infractions (554 cases) and administrative traffic (10,393 cases). However, case filings have **decreased** in contract collection (790 cases), forcible detainer (470 cases), extradition (488 cases) and misdemeanors (1,197 cases). The following charts summarize the WCL trends per district.

TOTAL JUDICIAL OFFICER NEED – 3 YEAR TREND			
District	2018 WCL	2019 WCL	2020 WCL
NEJD	5.52	5.61	5.22
NECJD	6.20	6.76	6.31
SEJD	7.11	6.51	6.23
ECJD	12.67	13.15	13.29
SCJD	13.30	12.76	12.29
SWJD	3.65	3.52	3.43
NWJD	6.83	6.38	5.84
NCJD	6.74	7.16	7.00
Total	62.02	61.85	59.60

<b>Districts Showing a Judicial Officer Shortage</b>			
<b>District</b>	<b>2018/2019 (Shortage)</b>	<b>2019/2020 (Shortage)</b>	<b>Net Change to Previous Study</b>
NECJD	(1.48)	(1.54)	Increased need of 0.06
ECJD	(1.91)	(2.22)	Increased need of 0.31
SCJD	(1.03)	(0.53)	<b>Decreased need of 0.50</b>
NWJD	(0.60)	(0.11)	<b>Decreased need of 0.49</b>
NCJD	(0.95)	(1.08)	Increased need of 0.13

<b>Districts Showing a Judicial Officer Overage</b>			
<b>District</b>	<b>2018/2019 Overage</b>	<b>2019/2020 Overage</b>	<b>Net Change to Previous Study</b>
NEJD	0.43	0.59	<b>Decreased need of 0.16</b>
SEJD	0.19	0.63	<b>Decreased need of 0.44</b>
SWJD	0.41	0.53	<b>Decreased need of 0.12</b>

**2019/2020 Net Judicial Officer Shortage      3.73**  
**2018/2019 Net Judicial Officer Shortage      4.94**

**NEJD** – The total filings for the NEJD are estimated to **decrease** by 948 from 2019 to 2020, primarily due to a decrease in contract collection (206 cases), administrative traffic (323) and misdemeanors (183 cases). The net result is an anticipated **decrease** in the one-year judge need of 0.39.



**JUDICIAL OFFICER WEIGHTED CASELOAD STUDY**  
**BASED ON AVERAGE OF 2019 and 2020 CASE FILINGS (Annualized cases as of September 30, 2020)**  
**Based on Total Judicial Officers as of December 31, 2019**

Case Type	Case Weight	Unit 1		Unit 2		Unit 3		Unit 4		ALL
		NE	NEC	SE	EC	SC	SW	NW	NC	
Criminal Major	181.29	501	721	549	1,909	1,965	298	726	900	7,569
Criminal Minor	26.48	2,455	1,879	2,238	3,509	4,014	1,586	3,042	1,999	20,721
Criminal Summary	0.37	8,894	8,568	11,959	12,499	16,193	7,887	11,132	10,604	87,735
Civil Major	671.05	24	46	40	117	103	46	65	49	489
Civil Minor	54.86	799	1,127	1,032	1,981	1,524	440	779	934	8,616
Civil Summary	6.65	1,039	1,716	1,245	2,729	2,645	860	1,444	1,609	13,287
Family Major	152.14	172	276	271	709	549	205	245	412	2,838
Family Minor	53.63	310	302	308	558	490	129	273	363	2,732
Family Summary	46.44	36	45	39	96	81	25	29	40	392
Probate Major	228.76	44	46	74	105	87	26	65	66	511
Probate Minor	32.02	111	134	266	358	195	88	176	147	1,474
Probate Summary	9.93	342	164	386	338	479	287	632	341	2,967
Juvenile Delinquency	106.60	58	153	63	295	129	31	43	34	805
Juvenile Dependency	239.18	159	232	96	213	185	80	88	178	1,230
Juvenile - Other	30.00	31	48	33	66	64	15	41	33	331
Total Filings		14,971	15,455	18,597	25,483	28,701	12,002	18,780	17,707	151,696
Weighted Filings		332,035	437,461	374,283	914,578	842,875	233,527	418,956	468,899	4,022,615
Presiding Judge time at 47.14 min/day		9,664	9,664	9,664	9,664	9,664	9,664	9,664	9,664	77,310
Total workload		341,699	447,124	383,947	924,242	852,539	243,191	428,620	478,562	4,099,925
Judge Year (Minutes) 205 Days		86,100	86,100	86,100	86,100	86,100	86,100	86,100	86,100	
Avg. Non-Case time for all judicial FTEs 54.29 min/day		11,130	11,130	11,130	11,130	11,130	11,130	11,130	11,130	
Adjusted Judge Year (judge year less non case time)		74,970	74,970	74,970	74,970	74,970	74,970	74,970	74,970	
Travel Adjustment		-10,250	-2,116	-11,070	-2,888	-5,426	-4,979	-4,774	-4,774	
Adjusted min available after travel and non-case		64,720	72,854	63,900	72,082	69,544	69,991	70,196	70,196	
Number of Judges & Refs total		6.00	5.00	7.00	11.00	12.00	4.00	6.00	6.00	57.00
Judge Minutes Available		388,320	364,270	447,300	792,897	834,524	279,962	421,173	421,173	3,949,620
Workload compared to Resources (in minutes)		-46,621	82,854	-63,353	131,345	18,015	-36,771	7,447	57,389	150,305
Weighted Case Filing Judicial Officer Need		5.28	6.14	6.01	12.82	12.26	3.47	6.11	6.82	58.90
Treatment Court Need		0.133	0.399	0.360	0.399	0.266			0.266	1.823
Total Judicial Officer Need		5.41	6.54	6.37	13.22	12.53	3.47	6.11	7.08	60.73
Current Total Judges/Referees		6.00	5.00	7.00	11.00	12.00	4.00	6.00	6.00	57.00
2019/2020 Excess (Shortage) of Judicial FTE		0.59	(1.54)	0.63	(2.22)	(0.53)	0.53	(0.11)	(1.08)	(3.73)
2019/20 Percent Excess (Shortage) of Judicial FTE		9.8%	-30.7%	9.0%	-20.2%	-4.4%	13.1%	-1.8%	-18.1%	-6.5%
2018/2019 Excess (Shortage) of Judicial FTE		0.43	(1.48)	0.19	(1.91)	(1.03)	0.41	(0.60)	(0.95)	(4.94)

**Total Judicial Officer Need Comparison**

Year	NE	NEC	SE	EC	SC	SW	NW	NC	Total
2019/20	5.41	6.54	6.37	13.22	12.53	3.47	6.11	7.08	60.73
2018/19	5.57	6.48	6.81	12.91	13.03	3.59	6.60	6.95	61.94
2017/18	5.59	6.39	7.07	12.79	13.60	3.76	6.51	7.22	62.94
2016/17	5.78	6.42	7.03	12.77	14.06	3.92	6.53	7.80	64.31
2015/16	6.27	6.17	7.15	12.28	14.11	4.27	7.42	8.25	65.92
2014/15	6.53	6.27	7.27	11.87	13.31	4.60	8.27	8.20	66.32

**Treatment Courts:**

**Northeast:**

Devils Lake - juvenile (started in March 2009) **0.133**

**Northeast Central:**

Grand Forks - adult (started in August 2008) 0.133

Grand Forks - domestic violence (started in August 2018) 0.133

Grand Forks - juvenile (2000) 0.133

**0.399**

**Southeast:**

Jamestown/Valley City - juvenile (started October 2013) 0.133

Jamestown/Valley City - adult (Started August 2019) 0.094

*An adult court started in Jamestown/Valley City in August 2019 (prorated weight)*

Richland County - adult/DUI (Started in January 2019) 0.133

**0.360**

**East Central:**

Fargo - adult (started in 2003) 0.133

Fargo - adult (started in December 2007) 0.133

Fargo - juvenile (2000) 0.133

**0.399**

**South Central:**

Bismarck - adult (started in 2001) 0.133

Bismarck - juvenile (2002) 0.133

**0.266**

**North Central:**

Minot - adult (started in Jan 2009) 0.133

Minot - juvenile (2007) 0.133

**0.266**

**Northwest:**

Williston - juvenile (started in Jan 2008- currently inactive) 0

**0.000**

**Total drug court need 1.823**

**Judicial officers as of December 31, 2019**

	NE	NEC	SE	EC	SC	SW	NW	NC	Total
Referees	0.00	0.00	0.00	2.00	2.00	0.00	0.00	1.00	5.00
Judges	6.00	5.00	7.00	9.00	10.00	4.00	6.00	5.00	52.00
<b>Total</b>	<b>6.00</b>	<b>5.00</b>	<b>7.00</b>	<b>11.00</b>	<b>12.00</b>	<b>4.00</b>	<b>6.00</b>	<b>6.00</b>	<b>57.00</b>



**JUDICIAL OFFICER WEIGHTED CASELOAD STUDY**  
**BASED ON 2020 CASE FILINGS (as of September 30, 2020 Annualized)**  
**Based on Total Judicial Officers as of December 31, 2019**

Case Type	Case Weight	Unit 1		Unit 2		Unit 3		Unit 4		ALL
		NE	NEC	SE	EC	SC	SW	NW	NC	
Criminal Major	181.29	496	727	528	1,991	1,965	292	720	885	7,604
Criminal Minor	26.48	2,493	1,828	2,169	3,575	3,972	1,572	2,875	1,941	20,425
Criminal Summary	0.37	8,665	8,800	13,093	15,249	16,119	8,339	11,305	11,117	92,688
Civil Major	671.05	25	44	39	112	99	43	61	47	469
Civil Minor	54.86	724	1,073	963	2,001	1,429	429	747	841	8,208
Civil Summary	6.65	939	1,669	1,160	2,589	2,615	851	1,307	1,461	12,591
Family Major	152.14	168	268	281	707	537	209	221	411	2,803
Family Minor	53.63	249	307	311	525	476	140	205	333	2,547
Family Summary	46.44	25	51	35	67	97	21	24	32	352
Probate Major	228.76	39	48	75	101	85	25	63	77	513
Probate Minor	32.02	116	123	247	359	197	92	169	125	1,428
Probate Summary	9.93	316	156	421	337	505	272	655	359	3,021
Juvenile Delinquency	106.60	65	136	33	275	117	27	35	29	717
Juvenile Dependency	239.18	140	193	99	203	165	81	88	204	1,173
Juvenile - Other	30.00	36	48	37	57	68	17	51	36	350
Total Filings		14,497	15,471	19,491	28,148	28,448	12,411	18,525	17,900	154,890
Weighted Filings		319,445	421,119	362,991	919,628	826,196	230,095	399,964	463,308	3,942,746
Presiding judge time at 47.14 min/day		9,664	9,664	9,664	9,664	9,664	9,664	9,664	9,664	77,310
Total workload		329,109	430,782	372,655	929,291	835,860	239,759	409,628	472,972	4,020,056
Judge Year (Minutes) 205 Days		86,100	86,100	86,100	86,100	86,100	86,100	86,100	86,100	
Avg. Non-Case time for all judicial FTEs 54.29 min/day		11,130	11,130	11,130	11,130	11,130	11,130	11,130	11,130	
Adjusted Judge Year (judge year less non case time)		74,970	74,970	74,970	74,970	74,970	74,970	74,970	74,970	
Travel Adjustment		-10,250	-2,116	-11,070	-2,888	-5,426	-4,979	-4,774	-4,774	
Adjusted min available after travel and non-case		64,720	72,854	63,900	72,082	69,544	69,991	70,196	70,196	
Number of Judges & Refs total		6.00	5.00	7.00	11.00	12.00	4.00	6.00	6.00	57.00
Judge Minutes Available		388,320	364,270	447,300	792,897	834,524	279,962	421,173	421,173	3,949,620
Workload compared to Resources (in minutes)		-59,211	66,512	-74,645	136,394	1,336	-40,203	-11,545	51,798	70,436
Weighted Case Filing Judicial Officer Need		5.09	5.91	5.83	12.89	12.02	3.43	5.84	6.74	57.74
Treatment Court Need		0.133	0.399	0.399	0.399	0.266			0.266	1.862
Total Judicial Officer Need		5.22	6.31	6.23	13.29	12.29	3.43	5.84	7.00	59.60
Current Total Judges/Referees		6.00	5.00	7.00	11.00	12.00	4.00	6.00	6.00	57.00
2020 Excess (Shortage) of Judicial FTE		0.78	(1.31)	0.77	(2.29)	(0.29)	0.57	0.16	(1.00)	(2.60)
2020 Percent Excess (Shortage) of Judicial FTE		13.0%	-26.2%	11.0%	-20.8%	-2.4%	14.4%	2.7%	-16.7%	-4.6%
2019 Excess (Shortage) of Judicial FTE		0.39	(1.76)	0.49	(2.15)	(0.76)	0.48	(0.38)	(1.16)	(4.85)

**Total Judicial Officer Need Comparison**

Year	NE	NEC	SE	EC	SC	SW	NW	NC	Total
2020	5.22	6.31	6.23	13.29	12.29	3.43	5.84	7.00	59.60
2019	5.61	6.76	6.51	13.15	12.76	3.52	6.38	7.16	61.85
2018	5.52	6.20	7.11	12.67	13.30	3.65	6.83	6.74	62.02
2017	5.65	6.57	7.04	12.92	13.91	3.86	6.20	7.70	63.85
2016	5.91	6.26	7.02	12.63	14.21	3.98	6.87	7.89	64.77
2015	6.62	6.07	7.27	11.94	14.01	4.55	7.97	8.60	67.03

**Treatment Courts:**

**Northeast:**

Devils Lake - juvenile (started in March 2009) **0.133**

**Northeast Central:**

Grand Forks - adult (started in August 2008) 0.133

Grand Forks - domestic violence (started in August 2018) 0.133

Grand Forks - juvenile (2000) 0.133

**0.399**

**Southeast:**

Jamestown/Valley City - juvenile (Started October 2013) 0.133

Jamestown/Valley City - adult (Started August 2019) 0.133

Richland County - adult/DUI (Started in January 2019) 0.133

**0.399**

**East Central:**

Fargo - adult (started in 2003) 0.133

Fargo - adult (started in December 2007) 0.133

Fargo - juvenile (2000) 0.133

**0.399**

**South Central:**

Bismarck - adult (started in 2001) 0.133

Bismarck - juvenile (2002) 0.133

**0.266**

**North Central:**

Minot - adult (started in Jan 2009) 0.133

Minot - juvenile (2007) 0.133

**0.266**

**Northwest:**

Williston - juvenile (started in Jan 2008 - currently inactive) 0

**0.000**

**Total drug court need 1.862**

Judicial officers as of December 31, 2019	NE	NEC	SE	EC	SC	SW	NW	NC	Total
Referees	0.00	0.00	0.00	2.00	2.00	0.00	0.00	1.00	5.00
Judges	6.00	5.00	7.00	9.00	10.00	4.00	6.00	5.00	52.00
<b>Total</b>	<b>6.00</b>	<b>5.00</b>	<b>7.00</b>	<b>11.00</b>	<b>12.00</b>	<b>4.00</b>	<b>6.00</b>	<b>6.00</b>	<b>57.00</b>