IN THE SUPREME COURT OF NORTH DAKOTA

In the matter of the Creation of a Specialized Docket for the Northeast Central Judicial District of North Dakota

PETITION FOR THE CREATION OF A VETERANS TREATMENT COURT (SPECIALIZED DOCKET) UNDER NORTH DAKOTA SUPREME COURT ADMINISTRATIVE RULE 60

Whereas the first Veterans Treatment Court (VTC) was created in 2008 and since that time more than 400 such courts have been created nationwide to address significant concerns that many Veteran's struggle that can be attributed to military service. These issues can be correlated with the impact of traumatic brain injury, military sexual trauma, substance abuse, and/or post-traumatic stress disorder. The consequence of which can lead to homelessness and/or criminal activity. To address these issues, VTCs are created and designed to provide support and resources for veterans involved with the criminal justice system -- rather than punishment. Understanding the aforementioned, the Northeast Central Judicial District (and its workgroup on the creation of a specialized docket) collectively believes that a need exists in the State of North Dakota to create a specialized docket (VTC) and specifically, within this district and;

Whereas the Northeast Central Judicial District Veteran's Treatment Court workgroup understands that any specialized docket must adhere to the *Ten Key Components of a Veterans Treatment Court* (attached) and;

Whereas North Dakota Supreme Court Administrative Rule 60 contemplates that the eight requirements in Section 2 (b) be met and that the specialized docket (VTC), as envisioned, meets the requirements as outlined below:

(1) The funding for this specialized docket will be met through a number of anticipated methods including: Department of Veteran's Affairs Treatment Providers; Medicare

eligible participants; the Grand Forks non-profit Veteran's Warrior Foundation and potential (drafting) enabling legislation that could support funding for the specialized docket.

(2) The extent to which there is a need for the establishment of this specialized docket can be found in an attached statistical analysis completed in late 2019. The NECJD found as many as 29 potential candidates for the proposed specialized docket.

(3) The NECJD believes that even though it has a 1.48 judge shortfall based upon the most recent two-year average developed through Weighted Caseload Analysis there is a significant need to create a Veteran's Treatment Court and that adequate judicial resources exist within the NECJD to support this initiative.

(4) There exists a significant and supportive constituency to effectively staff all roles (and supporting roles) for the creation of this specialized docket. Attached is a letter of support and interest along with the latest roster of those working on the creation of a specialized docked (VTC).

(5) An interim coordinator for mentorship and the specialized docket (VTC) has been named.

(6) The State of North Dakota has a significant U.S. Military Veteran population within its borders (46,507 persons or 12.4% of the population) and specifically, within the Northeast Central Judicial District (NECJD) there are 5,010 veteran residents.

(7) The initial geographic area to be served is Grand Forks and Nelson Counties which comprise the NECJD. However, the working cohort believes that the reach of the specialized docket (VTC) could be extended encompass other veteran populations through the use of technology.

(8) The specialized docket (VTC) will have access to treatment resources through the federal Department of Veterans Affairs and other local treatment providers (such as Centre, Inc.) potentially supported by advancements in Medicare eligibility and;

Whereas, pursuant to Section 3 (a) of N.D. Sup. Ct. Admin. R. 60, Petitioner Donald Hager, Presiding Judge of the Northeast Central Judicial District in consultation with the District Judges, hereby petitions the Supreme Court of North Dakota to approve this request to create a specialized docket (VTC) within the Northeast Central Judicial District.

Dated in Grand Forks, North Dakota this 31st day of July, 2020.

Don Hager, Petitioner
Presiding Judge
Northeast Central Judicial District