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State of North Dakota
DISTRICT COURT
NORTHWEST JUDICIAL DISTRICT

20230068
FILED MARCH 30, 2023
CLERK OF THE SUPREME COURT
STATE OF NORTH DAKOTA

March 29, 2023

Clerk of the Supreme Court
Supreme Court of North Dakota
600 E. Boulevard Ave.
Bismarck, ND 58505-0530

RE: Comments on Retention of Judgeship #3 in Williston, NWJD

Dear Chief Justice and Justices of the North Dakota Supreme Court:

We are writing to request the retention of Judgeship #3 following the Honorable Paul W. Jacobson's retirement.

We are aware the current weighted case load studies show a slight judge overage in our district. We believe these numbers are inaccurate and do not show a complete picture of the judicial need in northwestern North Dakota, especially when considering the complexity and nature of the numerous cases involving the oil and gas industry in this district. A request has been made to court administration to review how the weighted caseload study is used and determine whether it remains an accurate reporting tool.

The County commissioners for Divide, Williams, and McKenzie County have already submitted letters in support of retaining the judgeship and we will not repeat their comments and reasoning here. For the record, we agree with their analysis regarding the citizens' needs in our district.

As you know there are six judges in this district, four chambered in Williston and two in Watford City. The six of us provide coverage for Divide County. Since 2017, the Williams County court has operated on a four week calendar rotation. Each week has every judge scheduled to be in court in both Williams and McKenzie County. We do not have opinion weeks or days in any calendar in this district. We write our opinions and do the research when a case settles and clears up time on our calendars.

Every judge has a full load of cases and most judges have a trial calendar that is full at least a year into the future. We have made great progress with the backlog of cases created by the initial oil boom and then the impact COVID had on the judiciary. Losing a judgeship in Williams County would negatively impact the citizens of each County in this District.

This judgeship is critical to maintaining adequate access to justice for the citizens of Northwestern North Dakota. Therefore, we are requesting the retention of Judgeship #3 in Williston.

Respectfully,

Robin A. Schmidt
Presiding Judge
Northwest Judicial District

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