
AGENCY OVERVIEW**180 Judicial Branch**

Date: 12/07/2012**Time:** 13:42:09**Statutory Authority**

ND Constitution, Article 6, Judicial Branch, Sections 1-13, Chapters 27-02, 27-03, 27-04, 27-05, 27-05.2, 27-06, 27-17, 27-20, 27-23, North Dakota Century Code; North Dakota Rules of Disciplinary Procedure.

Agency Description

The North Dakota judicial system is comprised of the Supreme Court, district courts, municipal courts and the intermediate court of appeals, when convened. The juvenile court is a division of the district court. These courts provide the forum for the resolution of litigation in an orderly, timely manner.

The North Dakota Supreme Court is the highest court for the State of North Dakota. It has two major types of responsibilities--adjudicative and administrative. It is primarily an appellate court with jurisdiction to hear appeals from decisions of the district courts. The Court also has original jurisdiction authority and can issue such original and remedial writs as are necessary. In its administrative capacity, the Court is responsible for ensuring the efficient and effective operation of all courts in the state, maintaining high standards of judicial conduct, supervising the legal profession and promulgating procedural rules.

District Courts are the state trials courts of general jurisdiction. Among the types of cases they hear are civil, criminal, domestic relations, small claims, and probate. District Courts also serve as the Juvenile Courts in the state with original jurisdiction over any minor who is alleged to be unruly, delinquent, or deprived. In some districts, judicial referees have been appointed to preside over juvenile judgment enforcement and domestic relations proceedings, other than contested divorces. District Courts are also the appellate courts of first instance for appeals from the decisions of many administrative agencies for criminal convictions in Municipal Courts. There are 44 District Court Judges in North Dakota.

Agency Mission Statement

The mission of the North Dakota judicial system is to provide equal access to just, impartial, and timely resolution of disputes under law.

Agency Performance Measures

The judiciary is constantly monitoring its performance regarding delivering judicial services. Some of these performance measures include:

- Civil, criminal and juvenile docket currency standards.
- Jury yield and juror utilization statistics.
- Staffing standards.
- Fully Automated Child Support Enforcement System (FACSES) action alerts.
- Case data entry time standards.

Major Accomplishments

Some major accomplishments of the judiciary include:

1. Implemented electronic filing.
2. Provided web-based access to court records.
3. Implemented rules to expedite appeals of juvenile probation cases.
4. Revised the rules of criminal procedure.
5. Mandated greater use of alternative dispute resolution processes.
6. Collected fines/fees through state tax intercept.
7. Changed Rules of Professional Conduct.

Major technology accomplishments include:

1. Expanded interactive television.
2. Expanded digital audio recording.

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3. Implemented interactive phone payment system.
4. Implemented paper on demand filing system.
5. Implemented web payment system.

Future Critical Issues for delivering judicial services given the changing demographics of the state.

- Utilizing technology to deliver judicial services more efficiently.

REQUEST SUMMARY180 Judicial Branch
Biennium: 2013-2015

Bill#: SB2002

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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
By Major Program					
Supreme Court	10,169,788	11,594,874	1,157,434	12,752,308	0
District Court	69,177,301	73,179,807	8,747,909	81,927,716	0
Judicial Cond Comm and Disc. Board	787,871	889,955	83,897	973,852	0
Total Major Program	80,134,960	85,664,636	9,989,240	95,653,876	0
By Line Item					
Salaries and Wages	56,333,176	63,332,795	5,829,797	69,162,592	0
Operating Expenses	19,166,386	19,173,640	3,743,027	22,916,667	0
Capital Assets	2,413,858	701,480	146,546	848,026	0
Grants	0	0	0	0	0
District Court- Judges Retirement	452,405	478,997	31,795	510,792	0
Judicial Conduct Comm & Disciplinary Brd	787,871	889,955	83,897	973,852	0
Supreme Court- Judges Retirement	127,021	138,105	(61,621)	76,484	0
Mediation	774,243	869,664	215,799	1,085,463	0
Und-Central Legal Research	80,000	80,000	0	80,000	0
Total Line Items	80,134,960	85,664,636	9,989,240	95,653,876	0
By Funding Source					
General Fund	78,118,149	83,482,362	9,995,923	93,478,285	0
Federal Funds	1,681,630	1,856,775	(48,684)	1,808,091	0
Special Funds	335,181	325,499	42,001	367,500	0
Total Funding Source	80,134,960	85,664,636	9,989,240	95,653,876	0
Total FTE	342.00	344.00	15.00	359.00	0.00

REQUEST DETAIL180 Judicial Branch
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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Salaries and Wages					
Salaries - Permanent	40,862,150	45,412,922	3,516,161	48,929,083	0
Salaries - Other	0	0	1,294,475	1,294,475	0
Temporary Salaries	726,866	1,048,900	(353,154)	695,746	0
Overtime	37,017	0	0	0	0
Fringe Benefits	14,707,143	16,870,973	1,372,315	18,243,288	0
Salary Increase	0	0	0	0	0
Benefit Increase	0	0	0	0	0
Total	56,333,176	63,332,795	5,829,797	69,162,592	0
Salaries and Wages					
General Fund	55,321,255	62,173,132	5,855,109	68,028,241	0
Federal Funds	1,000,538	1,159,663	(25,312)	1,134,351	0
Special Funds	11,383	0	0	0	0
Total	56,333,176	63,332,795	5,829,797	69,162,592	0
Operating Expenses					
Travel	1,697,481	1,589,830	187,138	1,776,968	0
Supplies - IT Software	389,570	451,831	1,729,363	2,181,194	0
Supply/Material-Professional	1,323,549	1,447,104	110,580	1,557,684	0
Food and Clothing	4,957	8,650	8,300	16,950	0
Bldg, Ground, Maintenance	841	0	0	0	0
Miscellaneous Supplies	151,833	184,637	15,133	199,770	0
Office Supplies	322,288	395,929	8,339	404,268	0
Postage	482,189	536,968	(16,090)	520,878	0
Printing	269,413	292,405	(4,079)	288,326	0
IT Equip Under \$5,000	611,749	515,129	474,310	989,439	0
Other Equip Under \$5,000	9,089	0	0	0	0
Office Equip & Furn Supplies	130,826	298,394	(72,614)	225,780	0
Insurance	38,782	60,295	(22,407)	37,888	0
Rentals/Leases-Equip & Other	13,202	17,150	0	17,150	0
Rentals/Leases - Bldg/Land	259,031	264,056	8,894	272,950	0
Repairs	190,787	221,090	5,710	226,800	0
IT - Data Processing	986,992	1,440,394	4,793	1,445,187	0
IT - Communications	501,793	507,425	47,444	554,869	0
IT Contractual Srvcs and Rprs	4,143,693	2,030,637	(973,503)	1,057,134	0
Professional Development	590,438	796,862	(51,532)	745,330	0
Operating Fees and Services	6,423,347	7,374,749	2,171,888	9,546,637	0
Fees - Professional Services	537,950	688,605	73,860	762,465	0
Medical, Dental and Optical	86,586	51,500	37,500	89,000	0

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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Total	19,166,386	19,173,640	3,743,027	22,916,667	0
Operating Expenses					
General Fund	18,461,822	18,476,528	3,766,399	22,242,927	0
Federal Funds	681,092	697,112	(23,372)	673,740	0
Special Funds	23,472	0	0	0	0
Total	19,166,386	19,173,640	3,743,027	22,916,667	0
Capital Assets					
Equipment Over \$5000	198,496	185,000	146,470	331,470	0
IT Equip/Sftware Over \$5000	2,215,362	516,480	76	516,556	0
Total	2,413,858	701,480	146,546	848,026	0
Capital Assets					
General Fund	2,413,858	701,480	146,546	848,026	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	2,413,858	701,480	146,546	848,026	0
Grants					
Grants, Benefits & Claims	0	0	0	0	0
Total	0	0	0	0	0
Grants					
General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	0	0	0	0
Supreme Court- Judges Retirement					
Salaries - Permanent	127,021	138,105	(138,105)	0	0
Salaries - Other	0	0	76,484	76,484	0
Temporary Salaries	0	0	0	0	0
Salary Increase	0	0	0	0	0
Total	127,021	138,105	(61,621)	76,484	0
Supreme Court- Judges Retirement					
General Fund	127,021	138,105	(61,621)	76,484	0
Federal Funds	0	0	0	0	0

REQUEST DETAIL180 Judicial Branch
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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Special Funds	0	0	0	0	0
Total	127,021	138,105	(61,621)	76,484	0
District Court- Judges Retirement					
Salaries - Permanent	452,405	478,997	(478,997)	0	0
Salaries - Other	0	0	510,792	510,792	0
Temporary Salaries	0	0	0	0	0
Travel	0	0	0	0	0
Office Supplies	0	0	0	0	0
Salary Increase	0	0	0	0	0
Total	452,405	478,997	31,795	510,792	0
District Court- Judges Retirement					
General Fund	452,405	478,997	31,795	510,792	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	452,405	478,997	31,795	510,792	0
Judicial Conduct Comm & Disciplinary Brd					
Salaries - Permanent	492,975	537,447	2,001	539,448	0
Salaries - Other	0	0	19,281	19,281	0
Temporary Salaries	0	0	0	0	0
Fringe Benefits	163,674	183,077	5,300	188,377	0
Travel	29,023	33,000	15,000	48,000	0
Supplies - IT Software	3,982	1,830	0	1,830	0
Supply/Material-Professional	5,522	5,000	2,000	7,000	0
Miscellaneous Supplies	188	1,750	(250)	1,500	0
Office Supplies	945	1,500	0	1,500	0
Postage	7,340	11,000	0	11,000	0
Printing	2,527	2,000	0	2,000	0
IT Equip Under \$5,000	224	4,268	1,092	5,360	0
Office Equip & Furn Supplies	0	1,000	0	1,000	0
Insurance	742	800	0	800	0
Rentals/Leases-Equip & Other	7,632	10,000	0	10,000	0
Rentals/Leases - Bldg/Land	17,412	20,800	(800)	20,000	0
Repairs	3,402	4,800	200	5,000	0
Salary Increase	0	0	0	0	0
Benefit Increase	0	0	0	0	0
IT - Data Processing	7,828	9,418	4,314	13,732	0
IT - Communications	3,990	4,523	501	5,024	0

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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
IT Contractual Svcs and Rprs	3,672	5,742	12,258	18,000	0
Professional Development	5,154	8,000	3,000	11,000	0
Operating Fees and Services	28,060	34,000	0	34,000	0
Fees - Professional Services	3,579	10,000	20,000	30,000	0
Total	787,871	889,955	83,897	973,852	0

Judicial Conduct Comm & Disciplinary Brd

General Fund	487,545	564,456	41,896	606,352	0
Federal Funds	0	0	0	0	0
Special Funds	300,326	325,499	42,001	367,500	0
Total	787,871	889,955	83,897	973,852	0

Mediation

Salaries - Permanent	122,082	129,368	13,048	142,416	0
Fringe Benefits	21,028	44,912	3,647	48,559	0
Travel	33,382	16,500	9,500	26,000	0
Supplies - IT Software	0	420	0	420	0
Supply/Material-Professional	140	5,000	(2,000)	3,000	0
Miscellaneous Supplies	0	200	4,800	5,000	0
Postage	0	0	1,820	1,820	0
Printing	84	0	1,000	1,000	0
IT Equip Under \$5,000	0	1,336	524	1,860	0
Office Equip & Furn Supplies	0	3,844	(3,844)	0	0
Insurance	78	0	100	100	0
Rentals/Leases - Bldg/Land	350	0	0	0	0
Salary Increase	0	0	0	0	0
Benefit Increase	0	0	0	0	0
IT - Data Processing	1,044	1,200	(12)	1,188	0
IT - Communications	2,297	2,000	0	2,000	0
Professional Development	10,430	10,000	5,500	15,500	0
Fees - Professional Services	583,328	654,884	181,716	836,600	0
Total	774,243	869,664	215,799	1,085,463	0

Mediation

General Fund	774,243	869,664	215,799	1,085,463	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	774,243	869,664	215,799	1,085,463	0

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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Budget Request
Und-Central Legal Research					
Grants, Benefits & Claims	80,000	80,000	0	80,000	0
Total	80,000	80,000	0	80,000	0
Und-Central Legal Research					
General Fund	80,000	80,000	0	80,000	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	80,000	80,000	0	80,000	0
Funding Sources					
General Fund	78,118,149	83,482,362	9,995,923	93,478,285	0
Federal Funds	1,681,630	1,856,775	(48,684)	1,808,091	0
Special Funds	335,181	325,499	42,001	367,500	0
Total Funding Sources	80,134,960	85,664,636	9,989,240	95,653,876	0

CHANGE PACKAGE SUMMARY

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Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
Base Budget Changes						
One Time Budget Changes						
A-B 3 Equipment over \$5,000		0.00	848,026	0	0	848,026
A-B 4 One-time projects		0.00	324,850	0	0	324,850
A-E 1 Remove prior biennium one-time funding items		0.00	(200,000)	0	0	(200,000)
Total One Time Budget Changes		0.00	972,876	0	0	972,876
Ongoing Budget Changes						
A-A 10 Juvenile Drug Court		0.00	165,350	0	0	165,350
A-A 11 Miscellaneous Supreme Court adjustments		0.00	293,028	0	0	293,028
A-A 12 Miscellaneous District Court adjustments		0.00	313,321	(25,330)	0	287,991
A-A 13 Miscellaneous JCCDB adjustments		0.00	31,815	0	25,500	57,315
A-A 5 Information Technology costs		0.00	946,815	0	0	946,815
A-A 6 Payments to contract counties		0.00	1,276,250	0	0	1,276,250
A-A 7 Salaries and wages - Judicial Branch		0.00	75,102	0	0	75,102
A-A 8 Lay Guardian ad Litem Project		0.00	523,279	1,958	0	525,237
A-A 9 Juvenile Services		0.00	247,508	0	0	247,508
A-F 2 Remove prior biennium capital assts		0.00	(701,480)	0	0	(701,480)
Base Payroll Change		15.00	5,852,059	(25,312)	16,501	5,843,248
Total Ongoing Budget Changes		15.00	9,023,047	(48,684)	42,001	9,016,364
Total Base Budget Changes		15.00	9,995,923	(48,684)	42,001	9,989,240

BUDGET CHANGES NARRATIVE

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Change Group: A	Change Type: A	Change No: 5	Priority:
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Information Technology costs

Based on historical trends maintenance agreements are anticipated to increase approximately 15-20 percent per year, which is reflected in the budget increase. Software maintenance costs were transferred from IT contractual services to software supplies to reflect change in OMB reporting guidelines. The budget provides for an increase in computer costs, and to update digital recording equipment and printers.

Change Group: A	Change Type: A	Change No: 6	Priority:
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Payments to contract counties

Increases in payments to contract counties for providing clerk of court services. Contract payments are based on weighted caseload staffing standards adopted by the Supreme Court. The total 2013-15 biennium budget for contract payments and other associated operating costs is \$4,837,873.

Change Group: A	Change Type: A	Change No: 7	Priority:
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Salaries and wages - Judicial Branch

Total salaries and wages includes \$1,181,020 for a five percent per year salary increase for Justices and Judges. Adds \$1,313,756 for employee salary increases relative to market. The request is based on 3 percent of employee base salaries and fringes, excluding judges and justices, health insurance and the Governor's allocation to the Judicial Branch for level of performance salary increases. The District Court budget request includes the following 15 new FTE positions and related operating costs for the new positions:

Positions	Location	Operating costs
2 Deputy Clerks of Court	Cass County	\$17,034
1 Juvenile Court Officer	Unit 2	\$2,952
2 Deputy Clerks of Court	Burleigh (1 FTE due to oil activity)	\$14,904
1 Deputy Clerk of Court	Stark (due to oil activity)	\$7,452
1 Juvenile Court Officer	South Central Judicial District	\$7,452
2 Deputy Clerks of Court	Williams County (due to oil activity)	\$10,404
1 Deputy Clerk of Court	Ward County (due to oil activity)	\$7,452
1 Court Facilitator	Statewide assistance	\$7,452
4 Technology Coordinators	These coordinators are currently temporary positions, request is to make them permanent full-time	\$0

BUDGET CHANGES NARRATIVE

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Total		\$75,102
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Change Group: A	Change Type: A	Change No: 8	Priority:
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Lay Guardian ad Litem Project

The State Court Administrator's office contracts with Youthworks to recruit and train lay guardians ad litem (GAL) throughout the state and to oversee the daily operation of the project. The role of the lay GAL is to represent the best interests of a child or children at juvenile court hearings pertaining to deprivation and at other child welfare proceedings and meetings. Due to changes in federal grant guidelines, the administration costs of the GAL program can no longer be funded with the federal Court Improvement Program grant. The budget request provides for the federal Court Improvement Program grant (\$197,648) and General Fund match (\$65,882) to instead be used for a new GAL quality assurance program (\$263,530). Due to increases in active caseload numbers, an additional \$265,007 is requested for administration, GAL fees and travel, and other related program costs.

Change Group: A	Change Type: A	Change No: 9	Priority:
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Juvenile Services

Increases funding for Juvenile Court program services by \$247,508 primarily to provide additional intensive in-home family based programs and increase funding for restorative justice programs due to loss of funding for the Department of Juvenile Services.

Change Group: A	Change Type: A	Change No: 10	Priority:
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Juvenile Drug Court

Increases funding for Juvenile Drug Court to add a program that would serve Jamestown and Valley City. Juvenile Drug Courts are currently operated in Grand Forks, Fargo, Bismarck, Minot, Williston and Devils Lake.

Change Group: A	Change Type: A	Change No: 11	Priority:
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Miscellaneous Supreme Court adjustments

Various miscellaneous increases and decreases for the Supreme Court.

Change Group: A	Change Type: A	Change No: 12	Priority:
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Miscellaneous District Court adjustments

Various miscellaneous increases and decreases for District Courts.

Change Group: A	Change Type: A	Change No: 13	Priority:
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Miscellaneous JCCDB adjustments

Various miscellaneous increases and decreases for the Judicial Conduct Commission and Disciplinary Board.

Change Group: A	Change Type: B	Change No: 3	Priority:
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BUDGET CHANGES NARRATIVE**180 Judicial Branch****Bill#: SB2002****Date:** 12/07/2012**Time:** 13:42:09

Equipment over \$5,000

Equipment over \$5,000 (\$331,470) includes funding for copy machines, office furniture and other office equipment necessary for operation of the courts. IT equipment over \$5,000 includes funding for court sound systems (\$57,556), ITV installations (\$102,000), digital audio servers (\$63,000), XIV disk and blade server upgrades (\$240,000) and Cybernetics LTO5 tape backup system (\$54,000).

Change Group: A	Change Type: B	Change No: 4	Priority:
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One-time projects

Includes one-time funding for a juvenile case management information technology system replacement project study (\$90,000), disaster recovery planning (\$95,000) and Criminal Justice Information Sharing (CJIS) publisher project (\$139,850).

Change Group: A	Change Type: E	Change No: 1	Priority:
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Remove prior biennium one-time funding items

Removes 2011-13 biennium District Court one-time funding of \$200,000 for the Work Assessment Policy Committee (WAPC) study to assess clerk of court staffing standards and and the weighted caseload (WCL) study of judicial resources and workload.

Change Group: A	Change Type: F	Change No: 2	Priority:
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Remove prior biennium capital assts

Removes 2011-13 biennium one-time funding for office equipment and IT equipment over \$5,000.

Change Group: R	Change Type: A	Change No: 100	Priority:
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Executive Compensation Package Adjustment

This budget change provides funding for recommended 2013-15 compensation adjustments.