

**SENATE BILL NO. 2161**

Introduced by

Senators Carlisle, Armstrong, Heckaman

Representatives M. Johnson, Karls, Maragos

1 A BILL for an Act to create and enact a new chapter to title 27 of the North Dakota Century  
2 Code, relating to the establishment of an interdisciplinary committee on problem-solving courts.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new chapter to title 27 of the North Dakota Century Code is created and  
5 enacted as follows:

6 **Interdisciplinary committee on problem-solving courts.**

- 7 1. The interdisciplinary committee on problem-solving courts is established as a  
8 collaborative mechanism to acquire and analyze relevant information related to the  
9 need for and feasibility of establishing problem-solving courts in this state. For  
10 purposes of this chapter, a "problem-solving court" is a juvenile or adult drug court,  
11 mental health court, veterans court, or other specialized court comprised of  
12 interdisciplinary teams, enhanced judicial involvement, court-supervised treatment  
13 programs, and other components designed to achieve effective alternatives to  
14 traditional case dispositions.
- 15 2. The interdisciplinary committee on problem-solving courts consists of:
- 16 a. A justice of the supreme court appointed by the chief justice.
- 17 b. A member appointed by the governor.
- 18 c. A presiding judge elected by the judicial system administrative council.
- 19 d. The executive director of the department of human services, or the director's  
20 designee.
- 21 e. The director of the department of corrections and rehabilitation, or the director's  
22 designee.
- 23 f. The state court administrator, or the administrator's designee.
- 24 g. A state's attorney appointed by the state's attorneys' association.

- 1            h. A defense attorney appointed by the commission on legal counsel for indigents.
- 2            i. A court administrator appointed by the state court administrator.
- 3            j. A representative of chemical, mental health, or other treatment providers in the
- 4            state as agreed upon by the committee members.
- 5            k. The director of parole and probation services.
- 6            l. A director of juvenile court appointed by the chief justice.
- 7            m. Two members appointed by the North Dakota peace officers association, one
- 8            representing city law enforcement agencies and one representing county law
- 9            enforcement agencies.
- 10           n. A legislator appointed by the chairman of legislative management.
- 11           o. The executive director of the department of veterans' affairs.
- 12           3. The chief justice designates the chairman and vice-chairman of the interdisciplinary
- 13           committee.
- 14           4. Members of the interdisciplinary committee serve for a term of three years beginning
- 15           January 1, 2016. Appointed members are limited to two consecutive terms.
- 16           5. With the consent of committee members, the chairman of the interdisciplinary
- 17           committee may temporarily supplement membership to assist in the review of whether
- 18           establishment of a problem-solving court should be recommended.
- 19           6. The interdisciplinary committee shall meet at least semiannually but must timely
- 20           consider any requests for evaluation of the establishment of a problem-solving court.

21           **Functions and duties.**

22           The interdisciplinary committee on problem-solving courts shall:

- 23           1. Acquire and analyze information and data, including budgetary requirements and
- 24           funding sources, regarding whether establishment of a problem-solving court in a
- 25           judicial district should be considered.
- 26           2. Determine the feasibility of establishing a problem-solving court in a judicial district,
- 27           including the availability of judicial and nonjudicial resources.
- 28           3. Based on relevant data and analysis, recommend to the presiding judge of a judicial
- 29           district and the supreme court that establishment of a problem-solving court in the
- 30           judicial district should be considered.

- 1       4. Review requests to establish problem-solving courts and submit recommendations to  
2       the supreme court regarding whether a particular problem-solving court should be  
3       established.
- 4       5. Establish a mechanism for monitoring and evaluating the effectiveness of established  
5       problem-solving courts and related treatment services.

6       **Request to establish a problem-solving court - Submission - Review.**

- 7       1. A request for establishment of a problem-solving court must be submitted to the  
8       interdisciplinary committee on problem-solving courts for review and recommendation.
- 9       2. The interdisciplinary committee shall promptly review any information submitted in  
10      support of the request and consider the committee's own analysis, if any, regarding  
11      the need for a problem-solving court.
- 12      3. Following its review, the interdisciplinary committee shall promptly submit to the  
13      supreme court its recommendation regarding the need for and feasibility of the  
14      requested problem-solving court.

15      **Staff services.**

- 16      The interdisciplinary committee on problem-solving courts may request appropriate staff  
17      services from the office of the state court administrator.