

**Department 180 - Judicial Branch**  
**House Bill No. 1002**

**First Chamber Comparison to Base Level**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2023-25 First Chamber Version	\$130,609,385	\$1,834,447	\$132,443,832
2023-25 Base Level	110,312,790	1,259,463	111,572,253
Increase (Decrease)	\$20,296,595	\$574,984	\$20,871,579

**First Chamber Changes**

A summary of the first chamber's changes to the agency's base level appropriations and the executive budget is attached as an appendix.

**Selected Bill Sections Included in the First Chamber Version**

**Appropriation** - Section 3 appropriates to the judicial branch all funds received pursuant to federal acts and private gifts, grants, and donations, for the purpose as designated in the federal acts or private gifts, grants, and donations, for the period beginning July 1, 2023, and ending June 30, 2025.

**Line item transfers** - Section 4 requires the Director of the Office of Management and Budget to transfer appropriation authority between line items for the judicial branch as requested by the Supreme Court.

**Supreme Court justices' salaries** - Section 5 provides the statutory changes to increase Supreme Court justices' salaries by 8 percent on July 1, 2023, and by 4 percent on July 1, 2024. Supreme Court justices' annual salaries would be increased from the current level of \$169,162 to \$182,695 effective July 1, 2023, and \$190,003 effective July 1, 2024. The Chief Justice of the Supreme Court is entitled to receive an additional \$5,167 per annum effective July 1, 2023, and an additional \$5,374 per annum effective July 1, 2024, an increase from the current additional amount for the Chief Justice of \$4,784 per annum.

**District judges' salaries** - Section 6 provides the statutory changes to increase district court judges' salaries by 8 percent on July 1, 2023, and by 4 percent on July 1, 2024. District court judges' annual salaries would be increased from the current level of \$155,219 to \$167,637 effective July 1, 2023, and \$174,342 effective July 1, 2024. A presiding judge of a judicial district is entitled to receive an additional \$4,763 per annum effective July 1, 2023, and an additional \$4,954 per annum effective July 1, 2024, an increase from the current additional amount for presiding judges of \$4,410 per annum.

**Juror compensation** - Section 7 provides the statutory changes to increase jury compensation by 100 percent, from \$50 per day to \$100. Compensation for a juror in attendance for 4 hours or less on the 1<sup>st</sup> day would increase from \$25 to \$50.

**Continuing Appropriations**

**Restitution collection assistance fund** - North Dakota Century Code Section 12.1-32-08 - This fund is used for defraying expenses incident to the collection of restitution through imposing a fee equal to the greater of \$10 or 25 percent of the amount of restitution ordered, not to exceed \$1,000.

**Court facilities improvement and maintenance fund** - Sections 27-05.2-08 and 29-26-22 - Funding from this fund may be used by the Court Facilities Improvement Advisory Committee to make grants to counties to provide funds for court facilities and improvement and maintenance projects. The source of these funds is a \$100 fee charged in all criminal cases except infractions. The first \$750,000 collected is used for indigent defense services, the next \$460,000 is used for court facilities, and additional collections are deposited equally into the two funds.

**Court receivables fund** - Section 27-05.2-04 - Any money received by the clerk which is not required to be deposited in the general fund, a different special fund, or the county treasury, and which is received as bail or restitution, or otherwise received pursuant to an order of the court is deposited in this fund. Amounts are used for refunding bail, forwarding restitution amounts to entitled recipients, or otherwise making payments as directed by the court.

**Significant Audit Findings**

There are no significant audit findings for the judicial branch.

**Major Related Legislation**

**House Bill No. 1138** - Provides for a mental health court pilot program in the Southeast Judicial District.

**House Bill No. 1213** - Provides for the state to reimburse costs to a defendant charge with a crime of violence that is determined to be justifiable self-defense.

**House Bill No. 1289** - Provides for the court to waive unpaid fines and fees upon completion of a drug court program.

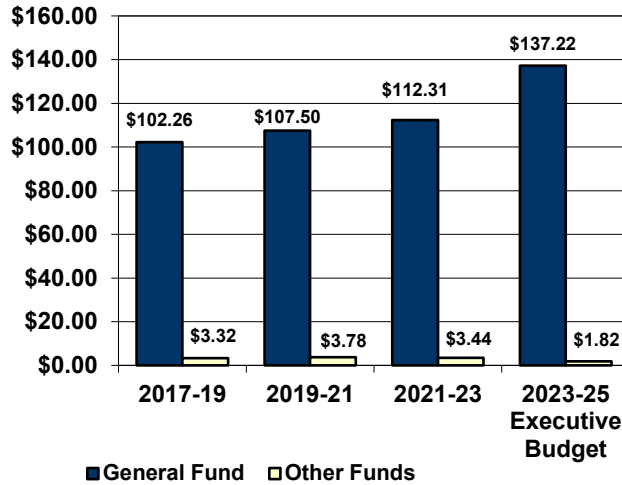
**Senate Bill No. 2267** - Expands the rural attorney recruitment program from 4 to 8 attorneys.

**Senate Bill No. 2345** - Provides an appropriation for a guardianship monitoring task force established by the Supreme Court.

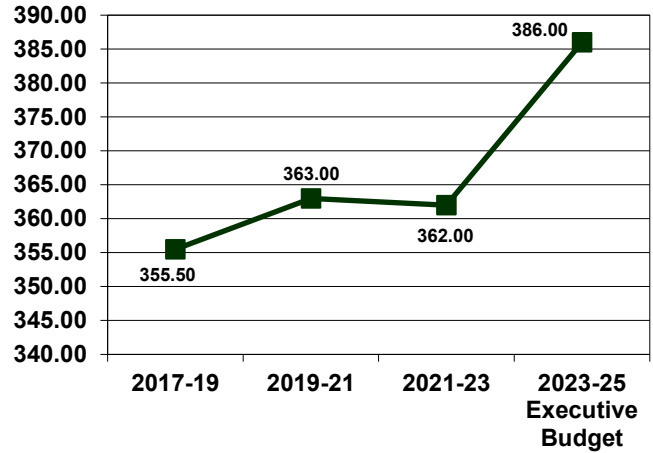
# Historical Appropriations Information

## Agency Appropriations and FTE Positions

Agency Funding (Millions)



FTE Positions



### Ongoing General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
Ongoing general fund appropriations	\$101,591,134	\$102,257,770	\$107,355,691	\$110,312,790	\$136,063,623
Increase (decrease) from previous biennium	N/A	\$666,636	\$5,097,921	\$2,957,099	\$25,750,833
Percentage increase (decrease) from previous biennium	N/A	0.7%	5.0%	2.8%	23.3%
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	0.7%	5.7%	8.6%	33.9%

### Major Increases (Decreases) in Ongoing General Fund Appropriations

#### 2017-19 Biennium

1. Removed 32 FTE positions (\$2,801,754)
2. Increased funding for operating expenses, including information technology (IT) costs \$1,101,096
3. Increased funding for payments to contract counties for clerk of court services \$342,479

#### 2019-21 Biennium

1. Added 7.5 FTE positions, including 1 new district judge \$1,459,508
2. Reduced funding for miscellaneous expenses, including equipment, IT, and other operating expenses (\$757,971)
3. Added funding for drug court in the Southeast Judicial District \$125,240

#### 2021-23 Biennium

1. Reduced funding for juvenile intensive in-home services (\$200,000)
2. Added funding for a veterans' treatment court \$145,247
3. Added funding to lease IT equipment \$912,008

#### 2023-25 Biennium (Executive Budget Recommendation)

1. Adds funding for 22 new FTE positions \$5,760,954
2. Adds funding for increased IT costs \$2,392,995
3. Adds funding to increase jury compensation rates by 100 percent \$960,000

**One-Time General Fund Appropriations**

	<b>2015-17</b>	<b>2017-19</b>	<b>2019-21</b>	<b>2021-23</b>	<b>2023-25 Executive Budget</b>
One-time general fund appropriations	\$3,662,530	\$0	\$147,352	\$2,000,000	\$1,153,720

**Major One-Time General Fund Appropriations**

**2017-19 Biennium**

None \$0

**2019-21 Biennium**

Added funding for copy machines and audio and video equipment \$147,357

**2021-23 Biennium**

Added funding for a juvenile case management system \$2,000,000

**2023-25 Biennium (Executive Budget Recommendation)**

1. Adds funding for district court equipment, including copy machines, video systems, and other IT equipment \$1,125,220
2. Adds funding for Supreme Court equipment, including a microfiche machine and copy machines \$28,500

**Judicial Branch - Budget No. 180**  
**House Bill No. 1002**  
**Base Level Funding Changes**

	Executive Budget Recommendation				House Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2023-25 Biennium Base Level</b>	362.00	\$110,312,790	\$1,259,463	\$111,572,253	362.00	\$110,312,790	\$1,259,463	\$111,572,253
<b>2023-25 Ongoing Funding Changes</b>								
Base payroll changes		\$467,705	\$3,270	\$470,975		\$467,705	\$3,270	\$470,975
Salary increase		11,406,275	28,166	11,434,441		5,821,039	41,558	5,862,597
Health insurance increase		1,992,426	20,088	2,012,514		2,022,830	20,550	2,043,380
Adds funding for salary equity				0		339,090		339,090
Adds new FTE positions	22.00	5,760,954		5,760,954	19.00	4,368,738		4,368,738
Converts federally funded court improvement program temporary positions to FTE positions	2.00		63,662	63,662	2.00		63,662	63,662
Adds funding for retirement leave payouts		369,922	7,166	377,088		369,922	7,166	377,088
Increases funding for judges retirement		40,094		40,094		40,094		40,094
Adds funding for temporary youth coordinator positions		495,000		495,000		495,000		495,000
Adds funding for drug court and veterans' court coordinators and aides		189,582		189,582		189,582		189,582
Adds funding for increased jury compensation rates		960,000		960,000		960,000		960,000
Adds funding for jury costs, including bailiff pay, postage, and jury fees		245,900		245,900		245,900		245,900
Adds funding for increased IT costs		2,392,995		2,392,995		2,392,995		2,392,995
Adds funding for the Supreme Court Law Library		125,500		125,500		125,500		125,500
Adds funding for the rural attorney recruitment program		36,000		36,000		36,000		36,000
Adds funding for travel and professional development		653,287		653,287		653,287		653,287
Adds funding for the family mediation program		282,800		282,800		282,800		282,800
Adds funding for office equipment and furniture		178,880		178,880		178,880		178,880
Removes funding for youth cultural achievement programs		(252,000)		(252,000)		(252,000)		(252,000)
Adds funding for youth restorative justice		144,476		144,476		144,476		144,476
Adjusts funding for other juvenile court services and program costs		7,298		7,298		7,298		7,298
Adjusts funding for other base budget		253,739	50,778	304,517		253,739	50,778	304,517
Adjusts funding to consolidate line items, including the removal of the guardianship monitoring line item				0				0
<b>Total ongoing funding changes</b>	<b>24.00</b>	<b>\$25,750,833</b>	<b>\$173,130</b>	<b>\$25,923,963</b>	<b>21.00</b>	<b>\$19,142,875</b>	<b>\$186,984</b>	<b>\$19,329,859</b>
<b>One-Time Funding Items</b>								
Adds funding for Supreme Court equipment, including a microfiche machine and copy machines		\$28,500		\$28,500		\$28,500		\$28,500

Adds funding for district courts equipment, including copy machines, courtroom video systems, and server equipment	1,125,220		1,125,220	1,125,220		1,125,220		
Adds funding for a federal Department of Justice grant to reduce delays in criminal case processing		\$388,000	388,000		\$388,000	388,000		
Total one-time funding changes	0.00	\$1,153,720	\$388,000	\$1,541,720	0.00	\$1,153,720	\$388,000	\$1,541,720
<b>Total Changes to Base Level Funding</b>	24.00	\$26,904,553	\$561,130	\$27,465,683	21.00	\$20,296,595	\$574,984	\$20,871,579
<b>2023-25 Total Funding</b>	386.00	\$137,217,343	\$1,820,593	\$139,037,936	383.00	\$130,609,385	\$1,834,447	\$132,443,832
<i>Federal funds included in other funds</i>			\$1,280,129				\$1,300,831	
<i>Total ongoing changes as a percentage of base level</i>	6.6%	23.3%	13.7%	23.2%	5.8%	17.4%	14.8%	17.3%
<i>Total changes as a percentage of base level</i>	6.6%	24.4%	44.6%	24.6%	5.8%	18.4%	45.7%	18.7%

**Other Sections in Judicial Branch - Budget No. 180**

	<u>Executive Budget Recommendation</u>	<u>House Version</u>
Appropriation	Section 3 would appropriate to the judicial branch all funds received pursuant to federal acts and private gifts, grants, and donations, for the purpose as designated in the federal acts or private gifts, grants, and donations, for the period beginning July 1, 2023, and ending June 30, 2025.	Section 3 appropriates to the judicial branch all funds received pursuant to federal acts and private gifts, grants, and donations, for the purpose as designated in the federal acts or private gifts, grants, and donations, for the period beginning July 1, 2023, and ending June 30, 2025.
Line item transfers	Section 4 would require the Director of the Office of Management and Budget to transfer appropriation authority between line items for the judicial branch as requested by the Supreme Court.	Section 4 requires the Director of the Office of Management and Budget to transfer appropriation authority between line items for the judicial branch as requested by the Supreme Court.
Supreme Court justices' salaries	Section 5 would provide the statutory changes to increase Supreme Court justices' salaries by 20 percent on July 1, 2023, and by 15 percent on July 1, 2024. Supreme Court justices' annual salaries would be increased from the current level of \$169,162 to \$202,994 effective July 1, 2023, and \$233,444 effective July 1, 2024. The Chief Justice of the Supreme Court would be entitled to receive an additional \$5,741 per annum effective July 1, 2023, and an additional \$6,601 per annum effective July 1, 2024, an increase from the current additional amount for the Chief Justice of \$4,784 per annum.	Section 5 provides the statutory changes to increase Supreme Court justices' salaries by 8 percent on July 1, 2023, and by 4 percent on July 1, 2024. Supreme Court justices' annual salaries would be increased from the current level of \$169,162 to \$182,695 effective July 1, 2023, and \$190,003 effective July 1, 2024. The Chief Justice of the Supreme Court is entitled to receive an additional \$5,167 per annum effective July 1, 2023, and an additional \$5,374 per annum effective July 1, 2024, an increase from the current additional amount for the Chief Justice of \$4,784 per annum.
District court judges' salaries	Section 6 would provide the statutory changes to increase district court judges' salaries by 20 percent on July 1, 2023, and by 15 percent on July 1, 2024. District court judges' annual salaries would be increased from the current level of \$155,219 to \$186,263 effective July 1, 2023, and \$214,202 effective July 1, 2024. A presiding judge of a judicial district would be entitled to receive an additional \$5,292 per annum effective July 1, 2023, and an additional \$6,086 per annum effective July 1, 2024, an increase from the current additional amount for presiding judges of \$4,410 per annum.	Section 6 provides the statutory changes to increase district court judges' salaries by 8 percent on July 1, 2023, and by 4 percent on July 1, 2024. District court judges' annual salaries would be increased from the current level of \$155,219 to \$167,637 effective July 1, 2023, and \$174,342 effective July 1, 2024. A presiding judge of a judicial district is entitled to receive an additional \$4,763 per annum effective July 1, 2023, and an additional \$4,954 per annum effective July 1, 2024, an increase from the current additional amount for presiding judges of \$4,410 per annum.
Juror compensation	Section 7 would provide the statutory changes to increase jury compensation by 100 percent, from \$50 per day to \$100. Compensation for a juror in attendance for 4 hours or less on the 1 <sup>st</sup> day would increase from \$25 to \$50.	Section 7 provides the statutory changes to increase jury compensation by 100 percent, from \$50 per day to \$100. Compensation for a juror in attendance for 4 hours or less on the 1 <sup>st</sup> day would increase from \$25 to \$50.