

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2024 ND 45

In the Matter of the Vacancy in Judgeship No. 3, with Chambers in
Washburn, South Central Judicial District

No. 20240006

Per Curiam.

[¶1] On January 3, 2024, the Honorable Bruce A. Romanick, Judge of the District Court, South Central Judicial District, informed this Court he does not intend to seek reelection when his term expires. Judge Romanick is chambered in Washburn and his term expires December 31, 2024. Under N.D.C.C. § 27-05-02.1(2), a vacancy in the office of district judge occurs if a judge declares the intention not to seek reelection.

[¶2] Under N.D.C.C. § 27-05-02.1, within 90 days of receiving notice of a vacancy, this Court is required to determine whether the office is necessary for effective judicial administration. This Court may, consistent with that determination, order the vacancy filled, order the vacant office transferred to another judicial district in which an additional judge is necessary, or abolish the vacant judicial office, with or without a transfer.

[¶3] Under [N.D. Sup. Ct. Admin. R. 7.2](#), notice of a written consultation with attorneys and judges and other interested persons in the South Central Judicial District was posted January 19, 2024 on the Supreme Court's website. Notice was also electronically provided to all presiding judges of the state. Written comments on the vacancy were permitted through February 12, 2024. This procedure is sufficient for purposes of the consultation required under N.D.C.C. § 27-05-02.1(2).

[¶4] One comment was received in support of retaining the judgeship in the South Central Judicial District. No comments or petitions were received to relocate or abolish this judgeship. On January 19, 2024, the State Court Administrator filed weighted caseload statistics for 2022 and 2023. On February 9, 2024, the East Central Judicial District filed a report containing population and caseload trends, and other criteria identified in N.D. Sup. Ct. Admin. R. 7.2, Section 4.

[¶5] The South Central Judicial District is comprised of Burleigh, Emmons, Grant, McIntosh, McLean, Mercer, Morton, Oliver, Sioux, Sheridan and Wells Counties, with five judges chambered in Bismarck, three judges chambered in Mandan, one judge chambered in Linton, and one judge chambered in Washburn. The judicial district has two judicial referees. According to the district's report, Judgeship No. 3 is responsible for a share of caseload in this district. The population in the district increased 28% since 2000. The district's report reflects the Bismarck and Mandan area account for 81% of the total population of the district.

[¶6] The weighted caseload statistics show the two-year average need for judicial officers in the South Central Judicial District decreased from 11.99 to 11.60 from 2022 to 2023. The report shows the district has an overage of 0.40 judicial officers based on the 2022-2023 average. The number of more serious criminal matters, felonies, increased 23% since 2013. Civil filings decreased 7% overall.

[¶7] Under the criteria of Section 4 of [N.D. Sup. Ct. Admin. R. 7.2](#), this Court has considered all submissions and its own administrative records on state-wide weighted caseload data.

[¶8] Based on the record before us, this Court determines this office is necessary for effective judicial administration in its present location.

[¶9] IT IS HEREBY ORDERED, that the Court declines to transfer or abolish Judgeship No. 3 in the South Central Judicial District, with chambers in Washburn, and does hereby notify the secretary of state of this determination so that the office may be filled by election.

[¶10] Jon J. Jensen, C.J.

Daniel J. Crothers

Lisa Fair McEvers

Jerod E. Tufte

Douglas A. Bahr