

Judicial Branch Education Commission

Course Approval

A. Authority.

Under the North Dakota Rule on Continuing Judicial Education, Administrative Rule 36, the Commission has the authority to determine the number of continuing judicial education credits a participant receives for attending an education program.

B. Presumptively Approved Courses.

A course is presumptively approved for credit if sponsored by an organization listed in Rule 6(b) of the North Dakota Rules on Continuing Judicial Education.

C. Specific Topic Credits.

A presentation may qualify for credit in the following specific topics if the component meets the stated definition and covers a minimum of 30 minutes, consistent with Rule 6 of Administrative Rule 36. The segment must be clearly and appropriately described in the written materials and the time for the component must be clearly designated in the program schedule.

1. Ethics: A qualified ethics course or component is a clearly identified segment of a course or program which is devoted to one or more topics embraced in recognized formulations of rules of professional conduct or codes of professional responsibility applicable to judicial officers or to the systems and procedures established for enforcement and interpretation of those rules or codes;
2. Diversity and Inclusion: A qualified diversity and inclusion course or component is a clearly identified segment of a course or program which is devoted to one or more topics referring to attitudes or stereotypes that affect understanding, action, or decision-making in a conscious or unconscious manner or one that is devoted to access to justice or due process issues. Areas of focus for this credit may include gender, color, race, religion, ancestry, national origin, physical or mental disability, economic status, age, and sexual orientation.

D. Other Courses.

All other courses will be approved for credit upon a satisfactory showing that:

1. Judicial Officers:
 - a. Courses directly relate to and deal primarily with matters related to judging, the practice of law, professional responsibilities, or ethical issues of judges; and
 - b. The course is taught by instructors qualified by practical or academic experience to teach the subject covered in the course.

2. Juvenile Court:

- a. Courses directly relate to and deal primarily with matters related to N.D.C.C 27- 20 and the mission of the Juvenile Court. The mission statement of the of the juvenile court states:

The Juvenile Court protects the best interests of children and addresses the unique characteristics and needs of children that come before the court as deprived, unruly and delinquent matters. Following the principles of Balanced and Restorative Justice, the mission of the North Dakota Juvenile Court is to promote public safety, hold juvenile offenders accountable, and increase the capacity of juveniles to contribute productively to their community. The courts empower victims, encourage community participation, and support parental responsibility.

- b. Other topics that may be approved for credit include using risk screening and assessment tools, case planning, family engagement, motivational interviewing, mental health, family law, juvenile code, officer safety, legal liabilities, ethics, courtroom proceedings, child welfare, suicide prevention and intervention, drug training, adolescent development, addiction, behavior management, community safety and security, and confidentiality.

E. Web-based Courses

Live, interactive courses presented over the internet or other media may be awarded continuing judicial education credit if sponsored by an organization that is presumptively approved. Credit for other courses is subject to approval of the Judicial Branch Education Commission.

F. Application

1. A judge or court officer seeking to attend a course satisfying Section B need not seek prior approval to attend that course. However, application must be made to the Commission, through entry in the Learning Management System or course approval form, to determine the number of continuing judicial education hours to be awarded for attendance. The attending judge must attach a copy of the course agenda to the Application for Approval of Continuing Judicial Education Activities.
2. A judge or court officer who attends a course that does not meet the criteria of a presumptively-approved course, but wishes to seek continuing judicial education credits, must submit an Application for Approval of Continuing Judicial Education Activities with the agenda attached or enter the course on their transcript in the Learning Management System and upload a copy of the course agenda.
3. The application process referred to in F must be submitted to the Judicial Education Commission through either entry in the Learning Management System

or the Director of Education and Communication within the reporting period the course was completed.

G. Commission Action

The Commission or a subcommittee of the Commission shall approve or deny the application within thirty days of receipt of the written request. Failure of the Commission to act within thirty days shall result in the approval of the application.

H. Availability of Hearing

A judge or juvenile court officers wishing to contest the decision of the Commission may request a hearing before the full Commission, which may be heard telephonically or otherwise as directed by the chair of the Commission.

I. Application for Credit to Outside Entities

Court administration staff will not seek continuing education credits from other entities for individual employees unless the continuing education, certification, or license is required by the individual's position within the court system.

Adopted: May 23, 1994

Amended: August 29, 2008

Amended: December 12, 2008

Amended: February 8, 2013

Amended: Oct. 7, 2016

Amended: Feb. 1. 2019