



**TO:** Mayor Shaun Sipma  
Members of the City Council

**FROM:** Kelly Hendershot

**DATE:** June 22, 2018

**SUBJECT: AMENDED CONTRACT FOR TRANSFER OF MUNICIPAL COURT CASES TO DISTRICT COURT**

**I. RECOMMENDED ACTION**

- A. The City Council move to approve the amended contract for transfer of municipal court cases to district court and authorize the Mayor to sign the contract on behalf of the City of Minot.

**II. DEPARTMENT CONTACT PERSONS**

Kelly Hendershot – (701) 857-4755

**III. DESCRIPTION**

The City of Minot prosecutes violations of municipal ordinances. Section 40-18-15.1 of the North Dakota Century Code requires transfer of certain city cases to district court, if a defendant requests a jury trial in writing within a specific statutory timeframe. The City of Minot previously entered into a contract with the State of North Dakota and Ward County to address the prosecution of municipal ordinance violations and the costs associated with the prosecution and management of files. The most recent contract is from 2007 and that contract outlines which entity is responsible for specific duties and also provides for a disbursement of collected fees, fines, costs, forfeitures, and any other monetary consideration collected from cases transferred to district court. After 2007, the legislature designated how certain new fees collected must be deposited. The amended contract before the City Council is proposed to eliminate confusion over the deposit of the specific fees and any similar fees that may be enacted in the future. All other terms remained the same.

**IV. IMPACT:**

N/A

**V. ALTERNATIVES**

N/A

**VI. TIME CONSTRAINTS**

The State of North Dakota sent this on June 1, 2018 and requested it be signed and returned.

**VII. LIST OF ATTACHMENTS**

- A. June 1, 2018 Letter from State of North Dakota
- B. Proposed Amended Contract
- C. Current Contract --2007