

**IN THE SUPREME COURT  
STATE OF NORTH DAKOTA  
NOTICE OF CONSULTATION  
Supreme Court No. 20260319**

**In the Matter of the Vacancy in  
Judgeship No. 6 with Chambers in  
Valley City, Southeast Judicial Dis-  
trict**

[¶1] On August 31, 2026, this Court received notice that the Honorable Jay A. Schmitz, District Judge for the Southeast Judicial District, is retiring from Judgeship No. 6, effective October 3, 2026. Therefore, under N.D.C.C. § 27-05-02.1, a vacancy is created. Section 27-05-02.1, N.D.C.C., requires the Supreme Court to determine whether the judgeship is necessary for effective judicial administration in the Southeast Judicial District or whether the judgeship may be transferred. The Court considered the matter.

[¶2] IT IS ORDERED, the Supreme Court will undertake a written consultation with the attorneys and judges of the Southeast Judicial District under N.D. Sup. Ct. Admin. R. 7.2. Any person wishing to comment on the vacancy may do so in writing no later than October 9, 2026. It is expected that the Supreme Court will receive a report from the Court Administrator for Unit 2 regarding the Southeast Judicial District and discussing the criteria under N.D. Sup. Ct. Admin. R. 7.2 and receive statewide caseload data from the State Court Administrators office. Written comments may be filed as provided by the Rules of Appellate Procedure.

[¶3] The Supreme Court of the State of North Dakota convened with the Honorable Lisa Fair McEvers, Chief Justice, and the Honorable Jerod E. Tufte, the Honorable Jon J. Jensen, the Honorable Douglas A. Bahr, and the Honorable Mark A. Friesse, Justices, directing the Clerk of the Supreme Court to enter the above order.

[¶4] Dated: 9/10/2026

Petra H. Mandigo Hulm  
Clerk  
North Dakota Supreme Court

**(September 15, 2026)**