



SBAND Board of Governors

November 22, 2024
UND School of Law, Room 220E
3:00 PM

Minutes

Members Present: President Ted Sandberg, Taylor Olson, Debra Hoffarth, Zack Pelham, Dean Brian Pappas, Katie Schmidt, Hernando Perez, Diane Schull, Ashleigh Ensrud, Amanda Engelstad, Erica Hovey, Ashley Samuelson, Paul Myerchin, Rob Manly

Staff Members Present: Tony Weiler, Jennifer Hauge

Guest Present: Chris Newbold, Chief Operating Officer and EVP, ALPS

C. Newbold introduced himself and outlined the process he will use when he leads the SBAND Board of Governors in strategic planning at the end of February.

President Sandberg called the meeting to order at 3:21.

Action: It was duly moved and seconded to add NDR Prof. Conduct 5.5 to the agenda at item 7, and to move item 7 to the top of the agenda [P. Myerchin / K. Schmidt] Motion carried

N.D.R Lawyer Discipl. 6.1 and N.D.R. Prof. Conduct 5.5

Action: It was duly moved and seconded to support N.D.R. Lawyer Discipl. 6.1 as presented [D. Hoffarth / T. Olson] Motion carried.

Professor Mike McGinniss entered the meeting to answer questions about the proposed changes to N.D.R. Prof. Conduct 5.5. The Board inquired about inconsistent language between (b)(1) and (c)(1). The phrase “client’s commonly owned affiliates” is present in (b)(1) but being removed in (c)(1) and replaced by “it’s organizational affiliates.”

Action: It was duly moved and seconded to support proposed amendments to N.D.R. Prof. Conduct 5.5 and draw the Court’s attention to the inconsistent language [Z. Pelham / T. Olson] Motion carried.

Professor Mike McGinniss exited the meeting

Meeting Minutes September 13, 2024

Action: It was duly moved and seconded to approve the minutes from September 13, 2024 [T. Olson / D. Hoffarth] Motion carried.

Financials – 3rd Quarter 2024 [Attachment #2] and Travel Policy Changes

Secretary-Treasurer Manly and Executive Director Weiler visited prior to the meeting to review the current financial information.

Action: It was duly moved and seconded to receive the financial reports [P. Myerchin / A. Samuelson] Motion carried.

Executive Director Weiler also proposed some amendments to the Travel Policy to reflect Annual Meeting expenses for Governors and to allow the President-Elect to attend more national meetings.

Action: It was duly moved and seconded to approve the proposed changes to the SBAND travel policy [Z. Pelham / D. Schull] Motion carried.

2025 Budget

The SBAND Executive Committee reviewed the 2025 SBAND Budget and presented the budget to the Board of Governors. Executive Director Weiler reviewed the Revenue and Expense Budgets and addressed any questions or concerns from the Board. The Board proposed a few increases in budgeted expenses.

Action: It was duly moved and seconded to approve the proposed SBAND 2025 Budget with increasing Contract Expenses (item 24) to \$100,000 and Law School Support (item 32) to \$25,000 [P. Myerchin / D. Hoffarth]. Motion carried by consensus of the Board.

Executive Director Weiler left the meeting while the Board discussed the proposed salaries.

Action: It was duly moved and seconded to approve the proposed 2025 salaries as discussed and to visit with Mike Tschider about creating a 457b Deferred Compensation Plan for the Executive Director to be funded at approximately \$10,000 annually [T. Olson / D. Schull] Motion carried by consensus of the Board.

Board Recommendations / Appointments / Reappointment Disciplinary Board – Northwest Judicial District [1 opening]

Jeff Nehring's term ends December 31, 2024, and he is not eligible for reappointment. SBAND is to send 3 names to the Court for consideration, but despite numerous solicitations, only one attorney expressed interest.

Action: It was duly moved and seconded to forward Lisa Hettich's name to the Court, with an explanation that no other attorneys volunteered [A. Samuelson / H. Perez] Motion carried

Board of Law Examiners [1 opening]

Jane Dynes's term is ending and she is not eligible for reappointment. SBAND needs to send 3 names to the Court for consideration.

Action: It was duly moved and seconded to forward Elizabeth Alvine, J. P. "Dutch" Bialke, and Aubrey Zuger to the Court [Z. Pelham / R. Manly] Motion carried.

Court Facilities Improvement Advisory Committee

The Board needs to appoint an individual to serve on the Court Facilities Improvement Advisory Committee.

Action: It was duly moved and seconded to appoint Gail Hagerty [Z. Pelham / R. Manly] Motion carried.

Attorney Standards Committee

Three members have terms ending January 1, 2025, and all three are eligible for reappointment.

Action: It was duly moved and seconded to reappointment David Barrett (2nd term), William Guy III (3rd term), and Taylor Olson (3rd term) to an additional term ending January 1, 2028 [D. Hoffarth / A. Samuelson] Motion carried.

The Board still needs to appoint a lay person to replace SuAnn Olson. This term ends Jan 1, 2026. Members are encouraged to submit names to SBAND.

2024 SBAND Membership Survey

Survey results were provided for Board review, they will be discussed as part of the strategic planning in late February.

Action: None required

Law School Report – Dean Brian Pappas provided an update on admissions, academic partnerships, and the potential for an immigration clinic at the UND School of Law. Tuition remains in the Top 10 for affordability, even with an increase.

ABA Delegate Report – Z. Pelham will be attending the ABA meeting in February. He also stated the Indigent Defense Commission will be asking for a budget increase to support increased rates during the upcoming legislative session, and he encouraged the Board to support the Commission.

President's Report – None

Executive Director Report – None

Other Business None

It was duly moved and seconded to adjourn the meeting at 5:25 [T. Olson / D. Hoffarth] Motion carried.

Respectfully submitted,



Jennifer Hauge
Staff Attorney



Tony J. Weiler
Executive Director