



SBAND Board of Governors

ZOOM Conference Call

November 18, 2022
3:00 PM

Minutes

Members Present: Jennifer Albaugh, President; Hon. Doug Bahr; Taylor Olson; Rob Manly; Hon. Daniel Traynor; Debra Hoffarth; Jordan Selinger; Erica Hovey; Joshua Frey; Katie Schmidt; Ashley Lies; Ted Sandberg; Paul Myerchin; Hernando Perez

Members Absent: Dean Brian Pappas

Guest(s) Present: Justice Jerod Tufte

Staff Members Present: Tony Weiler; Jeanne Schlittenhard

President Albaugh called the meeting to order at 3:02 PM.

Presentation and request for support North Dakota Judges Association – Justice Jerod Tufte

President Albaugh welcomed Justice Tufte to the Board Meeting of the State Bar Association. Justice Tufte thanked the Board for the opportunity and emphasized he is addressing the Board as a member of the North Dakota Judges Association, in support of salary increases for the North Dakota judges. Each Board member has received a copy of the NDJA Flyer outlining support for judicial salary increases. The judicial branch has included a 35% pay increase within its 2023-25 budget request (20% increase year 1 and 15% increase year 2). Executive Director Weiler stated that SBAND traditionally has supported the judiciary budget.

Meeting Minutes September 23, 2022

Action: It was duly moved and seconded to approve the minutes of the September 23, 2022. [A. Lies / J. Frey]. Motion carried.

Financial Statements July, August, and September 2022

Executive Director Weiler reviewed the financial statements and met with Secretary-Treasurer Manly prior to the meeting. No areas of concern were identified.

Action: It was duly moved and seconded to receive the financials. [D. Bahr / H. Perez] Motion carried.

2023 Budget

The SBAND Executive Committee has reviewed the 2023 SBAND Budget and has 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.

At this point in the meeting Executive Director Weiler and Ms. Schlittenhard were not present. The Board of Governors approved the proposed salaries for 2023.

Action: It was duly moved and seconded to approve the proposed SBAND 2023 Budget with salaries as discussed and approved by the Board. Motion carried by consensus of the Board. [D. Traynor / T. Sandberg]

Board Appointments / Recommendations

SBAND ABA Delegate Board Position

Eight attorneys were considered for the opening on the Board of Governors for the ABA Delegate. Candidates include Judge Daniel El-Dweek – Williston; Michael Gjesdahl – Fargo; Debra Hoffarth – Minot; Lawrence King – Bismarck; Meg Morley – Grand Forks; Zachary Pelham – Bismarck; Diane Schull – Grand Forks; Grant Shaft – Grand Forks. Board member Debra Hoffarth removed her name from consideration.

Recommendation / Conclusion: The Board recognizes that all the attorneys who applied are very good candidates.

Action: It was duly moved and seconded to appoint Zachary Pelham to the SBAND Board of Governors as the ABA Delegate because of the resignation of Judge Daniel Traynor. [D. Hoffarth / T. Sandberg] Motion carried.

Disciplinary Board – Southeast Judicial District

Lyle Bopp is eligible for reappointment.

Action: It was duly moved and seconded to recommend Lyle Bopp be reappointed to the Disciplinary Board. [D. Bahr / T. Olson] Motion carried.

Disciplinary Board – Southwest Judicial District

Jennifer Grosz is eligible for reappointment.

Action: It was duly moved and seconded to recommend Jennifer Grosz be reappointed to the Disciplinary Board. [J. Selinger / T. Olson] Motion carried.

Disciplinary Board – North Central Judicial District

Charles DeMakis is eligible for reappointment.

Action: It was duly moved and seconded to recommend Charles DeMakis be reappointed to the Disciplinary Board. [D. Bahr / J. Frey] Motion carried.

Administrative Council

One attorney applied for the opening, a list of three candidates is required by the Court. The Board will consider this at the January 6, 2023, Board meeting.

Judicial Conference

One attorney was considered for the opening on the Judicial Conference: Meredith Larson – Grand Forks.

Action: It was duly moved and seconded to appoint Meredith Larson to the Judicial Conference as the SBAND representative. [T. Olson / D. Traynor]. Motion carried.

Operations Committee

Two attorneys were considered for the opening on the Operations Committee: Michael McGinniss – Grand Forks and J. P. Dutch Bialke - Mandan.

Action: It was duly moved and seconded to recommend Michael McGinniss for appointment to the Operations Committee. [D. Bahr / D. Traynor]. Motion carried.

Trustee Position with the Foundation for Natural Resources and Energy Law

Four attorneys were considered for the opening on Foundation for Natural Resources and Energy Law: Jordan Evert – Williston; Paul Forster – Bismarck; Christopher Friez – Bismarck; Maggie Olson – Bismarck.

Recommendation / Discussion: The Board recognized the effort by Crowley Fleck to get North Dakota on the Foundation as a Trustee.

Action: It was duly moved and seconded to appoint Paul Forster to the Trustee Position with the Foundation for Natural Resources and Energy Law. [R. Manly / P. Myerchin]. T. Olson removed herself from the meeting and abstained from the vote.

Joint Committee on Attorney Standards

Two attorneys were considered for the opening on the Joint Committee on Attorney Standards: Matthew Bopp – Fargo and Michael McGinniss – Grand Forks.

Action: It was duly moved and seconded to appoint Michael McGinniss to the Joint Committee on Attorney Standards. [J. Selinger / A. Lies]. Motion carried.

Joint Alternative Dispute Resolution Committee

One attorney was considered for the opening on the Joint Alternative Dispute Resolution Committee: Carrie Francis - Minot.

Action: It was duly moved and seconded to appoint Carrie Francis to the Joint Alternative Dispute Resolution Committee. [D. Bahr / D. Hoffarth]. Motion carried.

SBAND Investment Committee Update

The SBAND Investment Committee considered three RFPs that were submitted regarding investments of SBAND funds: Starion; BNC Bank; and 1st International Bank. The Committee agreed that 1st International and BNC were the best option based on the information submitted. An additional meeting will be scheduled for the Committee to meet each of the bank's representatives and make final decisions after that meeting.

Action: No action required.

Law School Update

No report was presented.

ABA Report from Hon. Daniel Traynor

No report was presented.

SBAND President's Report from Jennifer Albaugh

- President Albaugh and the SBAND Investment Committee have been meeting and continue to work with the financial institutions to secure the best option for SBAND.
- Work with the 2023 Budget has been completed and was presented today for approval by the Board.
- Legislative Session begins in January and the Board will meet weekly to consider the recommended positions by the SBAND Legislative Committee.

Executive Director's Report

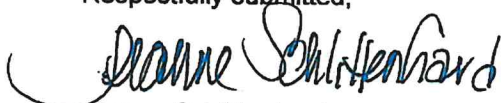
- Executive Director Weiler provided an update on staff activities.
- Staff reviews will be conducted in December.
- The North Dakota Free Legal Answers program is activated and Board members were encouraged to sign up for participation.
- An updated report on the Lawyer Assistance Program was provided. Further information on meetings with the State Board of Law Examiners. Further information will be reported to the Board as needed.

- Legislative Session starts January 3rd. The Board of Governors will meet weekly, Tuesdays at 4:00 PM, beginning January 10, 2023, to consider recommended SBAND positions from the Legislative Committee.
- The board should start thinking about the 2023 Annual Meeting Awards. The Women Lawyers Section is considering establishing a Justice Beryl Levine Award.
- The Judicial Nominating Committee will meet in December to recommend a list of candidates for the Governor's consideration for appointment to the Supreme Court Justice because of the retirement of Justice Gerald W. VandeWalle.

Other Business

There being no further business, the meeting was adjourned.

Respectfully submitted,


Jeanne Schlittenhard
Associate Director


Tony J. Weiler
Executive Director