

SBAND Board of Governors

SBAND Office / Telephone Conference Call

December 9, 2020

Minutes



State Bar Association
of North Dakota

Members Present: Carrie Francis, President; Aubrey Fiebelkorn-Zuger; Hon. Doug Bahr; Dean, Michael McGinniss; Hon. Daniel Traynor; Taylor Olson; Deb Hoffarth; Jordan Selinger; Brady Pelton; Joshua Frey; Paul Myerchin

Members Absent: Rob Manly; Tonya Duffy; Ted Sandberg; Jennifer Albaugh

Staff Members Present: Tony Weiler; Jeanne Schlittenhard

President Francis called the meeting to order at 9:01 AM.

Joint Committee on Attorney Standards request for Board review on proposed rule amendments as submitted by the State Board of Law Examiners

The Board of Governors discussed the proposed amendments on Admission to Practice Rules 1.0, 6.0, 7.0 and the Rule on Limited Practice by Law Students, III. Eligibility Requirements. The Board concluded it would support the language as adopted by the Joint Committee on Attorney Standards with respect to all the Rules, except the proposed changes to Rule 7. Some members were concerned the revision to Rule 7 is inconsistent with the purposes of the Uniform Bar Examination and North Dakota's implementation of the exam. The revision would prohibit someone with intentions of practicing in North Dakota because of failed repeated attempts to pass the exam (or until one could waive in through passage in another jurisdiction). In contrast, someone who has little interest in serving the citizens of the State can waive in by score without ever setting foot in the jurisdiction, and someone who wants to live, and practice here would be barred because of numerous failed tests. Testing environments are different in other jurisdictions which may lead some to pass the exam in another jurisdiction after repeated attempts in North Dakota. Also, other jurisdictions grade their exam differently by allowing a second review of the exam, which is not permitted by the existing State Board of Law Examiners. Executive Director Weiler will send a letter to the Joint Committee on Attorney Standards.

Action: It was the consensus of the Board to approve the amendments to Admission to Practice Rules 1.0, 6.0, and Rule on Limited Practice by Law Students, III. Eligibility Requirements and to send a letter of comment to the Joint Committee on Attorney standards regarding the Board's concerns on amendments to Rule 7.

Rural Attorney Recruitment Program

Board members T. Olson and Dean McGinniss reported on their work on a bill to be submitted to the legislature in the upcoming 2021 legislative session to establish a Rural Attorney Recruitment Program. The program will pay 90% of the lawyers' law school tuition if the attorney practices in a rural community for at least 5 years. They have discussed the proposed bill with the Chief Justice and with legislators who have agreed to sponsor the bill. The Rural Attorney Recruitment Program is based on the program that has been successful in South Dakota. Dean McGinniss stated this would be a great benefit for students, giving those who participate value in being part of a community. Dean McGinniss also recognized Hon. Michael Hurly's work on this project. Ms. Olson answered questions from the Board and stated she would send a copy of the draft bill to Board members.

Members of the Board were concerned with the intended financial commitment from SBAND. It was recommended that support would be best from the North Dakota Bar Foundation as the funding entity. It was recommended that SBAND make a request to the Foundation Board.

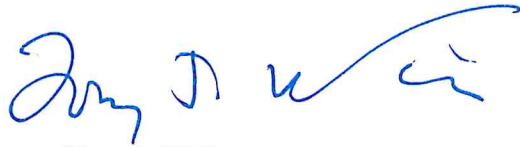
Action: It was the consensus of the Board to table the discussion on funding for now, but to signal the Board's support in moving the support of the program forward.

There being no further business, the meeting was adjourned at 10:02 AM.

Respectfully submitted,



Jeanne Schlittenhard
Associate Director



Tony J. Weiler
Executive Director