

SBAND Board of Governors



State Bar Association
of North Dakota

SBAND Office
1661 Capitol Way
Bismarck ND

January 24, 2015

Minutes

Members Present: Jack McDonald, President; Joe Wetch; Aubrey Fiebelkorn Zuger; Dan Traynor; Dean Kathryn Rand; Scott Jensen; Charles DeMakis; Zach Pelham; Jeff Nehring; Lee Grossman; Darcie Einarson; Tom Gehrz;

Members Absent: Nancy Morris; Levi Andrist; Connie Cleveland

Staff Members Present: Tony J. Weiler; Jeanne Schlittenhard

President McDonald called the meeting to order at 8:30 am.

Meeting Minutes November 22, 2014 [Attachments #1]

Action: It was duly moved and seconded to approve the minutes as written. [Z. Pelham / C. DeMakis]
Motion carried.

Financial Statements and vouchers – October and November 2014 [Attachments #2]

Executive Director Weiler reviewed the financial statements. The financial statements were reviewed with Secretary-Treasurer Zuger. Mr. Weiler reported the audit of the 2014 financials is scheduled for the week of January 26-30, 2015.

Action: It was duly moved and seconded to receive the financial reports of October and November 2014. J. Nehring / L. Grossman] Motion carried.

UND Mock Trial- Attachment #3]

SBAND received a request to consider support of the University of North Dakota Undergraduate Mock Trial Team. The Board agreed this is an important activity within UND. Dean Kathryn Rand reported this is an official organization of the University and can be supported by the Law School.

Action: No action taken.

Electronic Filing Requirements

Executive Director Weiler reported this issue is on the Board of Governors Agenda as a result of concerns from SBAND members regarding the Odyssey e-filing system. The Board concurred the Odyssey e-filing system is good, but needs improvements. It was recommended that practitioners be included on the Court Technology Committee. Inconsistencies in the procedures accepted by clerks of courts have been reported.

Recommendation / Conclusion: It was recommended that SBAND ask for comments from its members regarding concerns with the Odyssey e-filing system. Executive Director Weiler will advise the Court this will be done.

Action: No action taken.

Keller Refund issue [Attachment #4]

Executive Director Weiler reported on the requests made for a dues refund as a result of SBAND's opposition to Measure #6. The SBAND Legislative Policy was followed. Refunds were issued to those who requested a refund.

Recommendation / Conclusion: It was discussed to a committee to review and revise the policy, present to the SBAND membership at the General Assembly.

Action: No Action taken.

March Board of Governors Meeting

It was duly moved and seconded to cancel the March 2015 Board of Governors Meeting. [J. Nehring / L. Grossman] The Board of Governors is required to have a minimum of six meetings annually and this requirement will be met.

ABA Disciplinary Report [Attachment #5]

SBAND President Jack McDonald appointed Board member Zach Pelham as the designated representative of the Board of Governors to the Joint Attorney Standards Committee for lawyer discipline system review. The ABA recommended substantial changes to the current structure, specifically to transfer disciplinary proceedings from the Inquiry Committees to the Disciplinary Counsel. The Joint Committee on Attorney Standards is reviewing draft rule amendments to Rules 2.4, 2.5, 3.1, regarding inquiry committee responsibilities. Executive Director Weiler is also attending and will keep the Board of Governors updated regarding amendments.

Action: No Action taken.

Law School Report

Dean Rand reported the following:

- Building Project continues to be on budget and on time, with completion date of July 17, 2015. Photos of the progress are found on the Law School's website. A formal grand opening will be scheduled in October 2015 in conjunction with Homecoming Events.
- The ABA accreditation report has been issued and the action plans are doable.
- UND School of Law has an opening, a new position, for a Field Placement & Rural Justice Coordinator, to be responsible for development, administration, management, and supervision of the School of Law's student field placement programs.

Action: No Action taken.

Executive Director Report

- Executive Director Weiler asked that Board of Governor's members be prepared to finalize 2015 awards at the April 25, 2015, Board of Governors Meeting: Distinguished Service Award, Legislative Service Award, Liberty Bell Award, and Community Service Awards.
- Charles DeMakis has submitted his petition to run for the office of SBAND President-Elect.

Action: No Action taken.

Other Business**SB 2150**

SB 2150 Due Process for College Students and Student Organizations was originally designated for the "track" position. Dean Kathryn Rand opposed SB 2150. She expressed concern and thought this bill may result in a deterrent to early intervention / fitness to practice law. She felt the disciplinary process could be a learning experience.

Action: It was duly moved and seconded to authorize Executive Director Weiler to testify in support of SB 2150 scheduled for hearing before the Senate Judiciary Committee on Monday, January 26, 2015. [Z. Pelham / T. Gehrz]

HB 1468

This is a House Bill relating to injury to property not from contract. There was discussion on removal of certain terms in current law. This bill is scheduled for hearing on Tuesday, January 27, 2015.

It was the consensus of the Board that Executive Weiler should attend the hearing on January 27, 2015.

Action: No Action taken.

There being no further business, the meeting was adjourned at 10:15 AM.

Respectfully submitted,



Jeanne Schlittenhard
Associate Director



Tony J. Weiler
Executive Director