



State Bar Association
of North Dakota

SBAND Board of Governors

Delta by Marriott
Fargo, North Dakota

June 15, 2022

Minutes

Members Present: Judge Doug Bahr, President; Carrie Francis; Jennifer Albaugh; Rob Manly; Judge Daniel Traynor; Dean, Michael McGinniss; Tonya Duffy; Brady Pelton; Joshua Frey; Taylor Olson; Debra Hoffarth; Paul Myerchin; Jordan Selinger

Members Absent: Ted Sandberg

Guests Present: Ashley Engel, Brady Martz & Associates

Staff Members Present: Tony Weiler; Jeanne Schlittenhard

President Bahr called the meeting to order at 10:15 AM.

Meeting Minutes April 22, 2022

Action: It was duly moved and seconded to approve the minutes of the April 22, 2022, meeting with minor corrections. [D. Traynor / B. Pelton] Motion carried.

Financial Statements and vouchers March 2022

Executive Director Weiler reviewed the financial statements.

Action: It was duly moved and seconded to receive the financials. [C. Francis / D. Hoffarth] Motion carried.

Annual Review of Reserve Fund Policy

Executive Director Weiler reviewed the Reserve Fund report provided annually to the Board of Governors. The Reserve Fund was increased by \$419,876 for FY2021. The SBAND reserve funds will be an item of discussion with the SBAND Investment Committee for consideration on how excess funds can be used for investments and to further the profession.

Action: It was duly moved and seconded to approve the Reserve Fund Policy for 2021 Funds. [D. Traynor / T. Olson] Motion carried.

Brady Martz Audit Report of 2021 Financials

Ashley Engel, CPA from Brady Martz & Associates presented the audit report to the Board of Governors, a copy was provided to all Board members. Ms. Engel reviewed sections of the report including the Statement of Financial Position, Statement of Activities, Statement of Functional Expenses, Statement of Cash Flows, and Note to Financial Statements. Ms. Engel emphasized that SBAND contracting an outside accounting firm is important in issuing the unqualified (clean) opinion. A copy of the 2021 Audited Financials is available to all members and will be posted on the SBAND Website.

Action: It was duly moved and seconded to receive the 2021 Audited Financial report. [D. Traynor / T. Olson] Motion carried.

Appointments /Reappointments / Recommendations to the Court

- **North Dakota CLE Commission [3 openings]**
 - Debra Hoffarth (eligible for reappointment)
 - Sophie Morgan (eligible for reappointment)

- Jennifer Grosz (eligible for reappointment)

Action: It was duly moved and seconded to reappoint Debra Hoffarth, Sophie Morgan, and Jennifer Grosz to the North Dakota CLE Commission. [D. Traynor/ T Olson; D. Hoffarth abstained from the vote] Motion carried

- **North Dakota CLE Commission – Appointment of Chair**

Action: It was duly moved and seconded to reappoint Adele Page as chair of the North Dakota CLE Commission. [D. Hoffarth / C. Francis] Motion carried.

- **Judicial Conduct Commission [1 opening]**

- Lawrence King, Bismarck
- Dane DeKrey, Moorhead MN

Action: It was duly moved and seconded to appoint Lawrence King to the Judicial Conduct Commission. [D. Hoffarth / P. Myerchin] Motion carried.

- **Administrative Council [1 opening]**

- Pat Ward, Bismarck

Action: It was duly moved and seconded to reappoint Pat Ward to the Administrative Council. [M. McGinniss / T. Duffy] Motion carried.

- **North Dakota Bar Foundation Board of Directors [3 openings]**

- Robert Thomas, Minot - eligible for reappointment
- Leslie Oliver, Bismarck – eligible for reappointment
- Ross Sundeen, Watford City – eligible for reappointment

Action: It was duly moved and seconded to reappoint Robert Thomas, Leslie Oliver, and Ross Sundeen to an additional term on the North Dakota Bar Foundation Board of Directors. [C. Francis / J. Frey] Motion carried.

- **SBAND Investment Committee [3 openings]**

- Randall H. Borkus – Williston
- Kenneth V. Carlsen – Grand Forks
- Charles DeMakis – Minot
- J D Haas – Bloomington, MN
- Kyle A. Knop – Cottage Grove, MN
- Scott M. Knudsvig – Minot
- Mark V. Larson – Minot
- Steven R. Morrison – Grand Forks
- Timothy G. Richard – Fargo
- Ross Sundeen – Watford City
- Michael Tschider – Overland Park, KS
- Aaron Weber – Watford City

Action: It was duly moved and seconded to appoint Mark Larson, Timothy Richard, and Michael Tschider to the SBAND Investment Committee. [D. Traynor / J. Frey] Motion carried.

Executive Director Weiler will schedule a meeting of the SBAND Investment Committee and staggered terms will be determined at the initial meeting of the committee.

Annual Meeting – General Assembly Materials

Board members received the General Assembly materials and introduction information on the speakers.

Action: No action required.

Law School Update from Dean Michael McGinniss

Dean McGinniss addressed the Board on this his last meeting as Dean of the Law School and SBAND Board member. He stated the past three years have been so valuable in maintaining the great partnership with SBAND and the Law School. Brian Pappas will begin his deanship with the Law School on July 5, 2022.

Dean McGinniss reported on the faculty, Energy Law Committee, admissions update for the upcoming year and the good results from the February 2022 bar examination.

ABA Report from Judge Daniel Traynor

The 2022 ABA Annual meeting will be in Chicago in August. The agenda has been published and can be found on the ABA website. Further information will be included in the ABA Delegate page of the Summer 2022 edition of *The Gavel*.

President's Report from President Doug Bahr

President Bahr briefly reported on the Jackrabbit Bar Association Meeting in Deadwood, South Dakota. He thanked SBAND Board of Governors members for the opportunity to serve as President this past year.

Executive Director's Report

Mr. Weiler reported that SBAND CLEs have been focusing on areas of wellness. The Lawyer Assistance Program has been busy with intakes. Consideration of contracting specialists in mental health is still on-going. The Lawyer Assistance Program Committee is made up of six members who volunteer time with attorneys struggling in various areas of their practice. Mr. Weiler also reported currently there are discussions with the State Board of Law Examiners and the Court regarding the role(s) of the Lawyer Assistance Program Committee. He will keep the Board of Governors updated on progress of those discussions.

The first candidate has been accepted for the Rural Practice initiative.

Other Business

There being no further business, the meeting was adjourned.

Respectfully submitted,


Jeanne Schlittenhard
Associate Director


Tony J. Weiler
Executive Director