

SBAND Board of Governors

SBAND Office - Bismarck

April 26, 2019

Minutes



State Bar Association
of North Dakota

Members Present: President, Zachary Pelham; Aubrey Fiebelkorn-Zuger; Darcie Einarson Pat Ward; Dan Traynor; Int. Dean Bradley Myers; Christina Wenko; Peter Welte; Hon. Michael Hurly; Jennifer Albaugh; Carrie Francis; Hon. Doug Bahr; Tonya Duffy; Andrew Askew; Taylor Olson

Members Not Present: Jennifer Albaugh; Hon. Michael Hurly

Staff Members Present: Tony J. Weiler; Jeanne Schlittenhard

President Pelham called the meeting to order at 3:02 pm.

Meeting Minutes February 23, 2019 [Attachments #1]

Action: It was duly moved and seconded to approve the minutes as written. [D. Traynor / P Ward] Motion carried.

Financial statements—January and February 2019 [Attachments #2]

Executive Director Weiler reviewed the financial statements. The financial statements were reviewed with Secretary-Treasurer Ward prior to the Board meeting.

Action: It was duly moved and seconded to receive the financial reports of January and February 2019 [C. Francis / D. Bahr] Motion carried.

Joint Committee on Attorney Standards – request for Board review and comment on changes to Admission to Practice Rule 3(A)(1)(a) regarding *Pro Hac Vice* Admission [Attachment #3]

Recommendation / Conclusion: Following discussion on the rule amendments, the Board is in support of the Joint Committee on Attorney Standard's recommendations.

Action: It was duly moved and seconded to support the proposed amendments to 3(A)(1)(a) regarding *Pro Hac Vice* Admission as recommended by the Joint Committee on Attorney Standards. [P. Ward / D. Einarson]. Motion carried.

Professor Endowment

President Pelham stated during the 2019 legislative session, legislators were inquiring about what the State Bar Association of North Dakota is doing for the Law School. There have been recommendations and suggestions that the Law School needs to reinstate the Legal Clinic, but there also needs to be an energy law emphasis, including an energy law professor. The goal during the next biennium is for SBAND to continue to work with the Law School, but to also look at whether there is the potential to assist in raising money from energy businesses.

Action: It was duly moved and seconded to allow SBAND Executive Director Weiler to work with Mike Mannausau with the UND Foundation to continue efforts in identifying a fund raiser with a legal background, and also assist in finding attorneys in North Dakota willing to act as a working group to raise funds for an energy law professor. [D. Traynor / P. Ward] Motion and second was withdrawn.

It was further recommended that Executive Director Weiler serve as a liaison to the UND Foundation to identify individual and attorney donors to support efforts at the Law School. D. Einarson recommended

consideration of hiring a fundraising group. Executive Director Weiler will continue to report to the Board on the progress of this issue.

Futures Task Force

Executive Director Weiler reported that considering *Fleck vs. McDonald, et al* and the concerns of mandatory bars across the country, SBAND should consider creating a Futures Task Force.

Recommendation / Conclusion: Suggested members of the Futures Task Force include (but not limited to): SBAND Board of Governors Executive Committee, the Chief Justice, the court administrator, the secretary of the State Board of Law Examiners, and Disciplinary Board/Judicial Conduct Commission counsel. The task force would look at licensing, regulation, and challenges that would occur with de-unification.

Action: It was duly moved and seconded to approve the SBAND president to establish a Futures Task Force. [P. Ward / D. Bahr] Motion carried. Executive Director Weiler will consult with executive directors of voluntary bar associations.

Board Appointments / Recommendations

North Dakota Bar Foundation Board of Directors (3 openings)

Three attorneys are considered for the three openings on the North Dakota Bar Foundation Board of Directors: Leslie Oliver; Robert Thomas; Ross Sundeen.

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

Pattern Jury Instruction Commission (2 openings)

Three attorneys were considered for two openings on the Pattern Jury Instruction Commission: Jim Hoy (eligible for reappointment); Steven Leibel, Nathan Severson.

Action: It was duly moved and seconded to reappoint Jim Hoy and to appoint Steven Leibel to the Pattern Jury Instruction Commission. [C. Wenko / D. Traynor]. Motion carried.

Awards 2019

Distinguished Service Award

Action: It was duly moved and seconded to award the 2019 Distinguished Service Award to John M. Olson. [D. Bahr / D. Traynor] Motion carried.

Legislative Service Award

Action: It was duly moved and seconded to award the 2019 Legislative Service Award to US Representative Kelly Armstrong. [P. Welte / T. Duffy] Motion carried.

Gerald W. VandeWalle Medal

Action: It was duly moved and seconded to award the 2019 Gerald W. VandeWalle Medal to the Honorable Charles S. Miller. [P. Welte / A. Zuger] Motion carried.

Liberty Bell Award

Action: It was duly moved and seconded to award the 2019 Liberty Bell Award to Jack McDonald. [P. Ward / A. Askew] Motion carried.

Community Service Awards

Action: It was duly moved and seconded to extend the nomination time for the 2019 Community Service Awards. The Board can meet to discuss nominations towards the end of May 2019. [D. Traynor / T. Olson] Motion carried.

ABA Delegate Report

D. Traynor reported that he, President Pelham, and Executive Director travelled to Washington DC for the 2019 ABA Law Day. Meetings were scheduled with Congressman Kelly Armstrong, Senator John Hoeven and staff members Mark Gruman and Ben Bergstrom from Senator Cramer's office. Legal Services Corporation (LSC) funding support was discussed. The ABA Annual Meeting in San Francisco is scheduled for August 8-13, 2019. Mr. Traynor stated ABA Committee appointments are in motion; if Board of Governors members or members in their districts are interested in serving on an ABA Committee, please contact him.

Law School Report

- Interim Dean Myers thanked SBAND for the support of UND School of Law funding in the legislative session. He talked about the plans for new hires for next year.
- Professor Patty Alleva will deliver the commencement address on May 4, 2019.
- UND School of Law website has posted the bar passage rates and information
- Admission numbers are good – ahead of last year

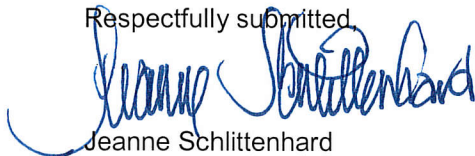
Executive Director Report

- ABA President Bob Carlson is scheduled to attend the 2019 SBAND Annual Meeting
- The Northeast Central Judicial District elected Ted Sandberg to the Board of Governors as the NEC Judicial District Representative for 2019-2022
- The 2019 Annual Meeting planning continues. Speakers are confirmed, and the CLE topics will be valuable to attendees
- Executive Director Weiler notified the Board of Governors that he applied for a nomination on the National Association of Bar Executives Board of Directors.

Other Business

There being no further business, the meeting was adjourned.

Respectfully submitted,



Jeanne Schlittenhard
Associate Director



Tony J. Weiler
Executive Director