



State Bar Association
of North Dakota

SBAND Board of Governors

SBAND Office / Telephone Conference Call
Bismarck, ND

January 24, 2020
3:00 PM

Minutes

Members Present: Aubrey Fiebelkorn-Zuger, President; Zack Pelham; Carrie Francis; Pat Ward; Dan Traynor; Dean Michael McGinniss; Tonya Duffy; Jennifer Albaugh; Judge Doug Bahr; Andrew Askew; Debra Hoffarth; Taylor Olson

Members Absent: Judge Mike Hurly; Ted Sandberg; Christina Wenko

Staff Members Present: Tony Weiler; Jeanne Schlittenhard

President Zuger called the meeting to order at 3:04 PM.

Meeting Minutes December 23, 2019 [Attachment #1]

One editorial correction was cited.

Action: It was duly moved and seconded to approve the minutes of the December 23, 2019 with the correction. [D. Traynor / D. Bahr] Motion carried.

Financial Statements and vouchers October and November 2019 [Attachments #2]

Secretary-Treasurer Ward and Executive Director Weiler met prior to the meeting to review the financial information for October and November 2019. No areas of concern were identified.

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

Project Rural Practice

President Zuger stated this item will be placed on the April 24, 2020, agenda as Judge Hurly is unable to attend this meeting.

***Fleck v. Wetch* Update**

President Zuger reported SBAND's response to the pending petition is due February 3, 2020. Executive Director Weiler circulated a draft of the response to the Board and asked that comments be submitted to him by next week Wednesday.

Action: No action required

Courts Public Access Portal

On January 1, 2020, and for about one week, the new public access of court records in North Dakota resulted in the unintended result of inclusion of personal information. SBAND received comments and

the SBAND leadership met with Chief Justice Jensen. President Zuger reported this was a good discussion and the Chief was informed that SBAND will provide support as the Court works to sort out the privacy issues. Executive Director Weiler will author a short article should the communications regarding this issue arise again in the meantime. The Board of Governors will monitor this issue and address concerns that arise. The Board of Governors is ready to meet and provide support to the Court as required.

2020 High School Mock Trial Update

President Zuger reported three high school teams have registered for the 2020 High School Mock Trial (HSMT). SBAND will continue to publicize the opportunity for high school students. President Zuger recommended SBAND set a goal of six schools for 2021. Fourteen attorneys and judges have volunteered to participate in the judging of the HSMT. SBAND will continue to promote the event; any additional interest in judging, please notify President Zuger or Executive Director Weiler by the end of March 2020.

Action: No action required.

SBAND Energy Law Committee Update

Executive Director Weiler reported the committee has held their initial meeting. Board member Zack Pelham is chair of the Committee. Committee members are a good cross-section of lawyers working in energy law areas: gas, coal, wind. One of the goals of the formation of this committee was to seek donations to support the Law Clinic at the UND School of Law and support of UND School of Law's Energy Law Professor. Dean McGinniss stated that he and UND School of Law appreciate the formation of this committee.

Action: No action required.

Law School Fundraising Update

Dean McGinniss reported great progress. Currently the Law School is at \$400,000 in commitments, this is 80% of the goal. Potential donors continue to be recruited. North Dakota attorneys have been very generous in establishment of endowments, fundraising, estate planning, and through a donation from the North Dakota Bar Foundation. The deadline for donations is June 30, 2020.

Action: No action required.

Board Appointments /Reappointments / Recommendations to the Court

Joint Committee on Attorney Standards

The Board considered two individuals for two openings on the committee: Nicholas Thornton and Jeremy Bendewald (non-attorney member). Both individuals are eligible for reappointment.

Action: It was duly moved and seconded to reappointment Nicholas Thornton and Jeremy Bendewald for an additional term on the Joint Committee on Attorney Standards. (D. Bahr / T. Olson). Motion carried.

Court Facilities Improvement Committee

The Board considered one individual for one opening on the committee: Seth Thompson. Mr. Thompson is eligible for reappointment

Action: It was duly moved and seconded to reappointment Seth Thompson for an additional term on the Court Facilities Improvement Committee. (D. Traynor / P. Ward) Motion carried.

Parenting Investigator Review Board

The Board considered two individuals for one opening on the committee: Diane Schull and Tara Muhlhauser. Ms. Schull is eligible for reappointment.

Action: It was duly moved and seconded to reappointment Diane Schull for an additional term on the Parenting Investigator Review Board. (J. Albaugh / C. Francis). Motion carried

ABA Report from Dan Traynor

Judge Traynor reported the midwinter meeting is scheduled February in Austin, Texas. Resolutions before the House of Delegates will deal with issues such as unmanned aircraft systems and private property rights, various elements of gun control, voting rights, marijuana related activities, number of ABA delegates for California, and other resolutions. Please watch for the report in *The Gavel*. Committee appointments are being considered. Deadline for volunteering for committee appointments is end of February. ABA Days are scheduled for April. Attending and representing North Dakota will be Judge Hill, Judge Traynor, Aubrey Zuger (SBAND President) and Tony Weiler (SBAND Executive Director).

Action: No action taken.

Law School Update from Dean Michael McGinniss

Dean McGinniss reiterated his appreciation of the work of the SBAND Energy Law Committee. He reported spring semester has begun and the Law School has two new adjunct faculty members teaching agricultural law and alternative dispute resolution. Dean McGinniss reported on upcoming events at the Law School.

Action: No action taken.

SBAND President's Report

President Zuger reminded the Board the April meeting will be held in Fargo, Board members and their significant other are invited to attend the President's Dinner following the meeting. The annual meeting will be in Grand Forks this year. She encouraged Board members to promote the meeting to their colleagues in their office and district.

Action: No action taken.

Executive Director's Report

Executive Director Weiler reported planning for the annual meeting is moving forward. SBAND still in process of securing the opening plenary and closing plenary sessions.

The Board of Governors will discuss and choose the 2020 award recipients

Client Protection Fund Update – Foster claim reimbursements continue to be issued. Approximately \$45,000 of the \$75,000 claim limit have been paid.

Staff Update: J. Schlittenhard is working remotely and at a ¾ time position. One of our part-time administrative assistants, Sue Helbling, has resigned. The other part time administrative assistant, Deodar Eisenbraun, is considering transitioning to full time. With the change in staffing, SBAND is confident good member services will remain in place. In addition, Jennifer Hauge continues to work with SBAND is taking on additional duties with committee work.

SBAND has been working with the ABA to produce a survey for SBAND members. This survey is close to completion. Executive Director Weiler will send to Board members prior to the entire membership.

Other Business

There being no further business, the meeting was adjourned at 4:24 PM.

Respectfully submitted,


Jeanne Schlittenhard
Associate Director


Tony J. Weiler
Executive Director