



State Bar Association  
of North Dakota

## SBAND Board of Governors

SBAND  
Minutes

January 23, 2010

8:30 AM

**Members Present:** Jane Dynes, President; David Maring; Michael Williams; Sandi Tabor; James Hill; Dean Kathryn Rand; Kristi Pettit; Swain Benson; Robert Keogh; Gail Hagerty; Nancy Morris; Fallon Kelly;  
**Members Absent:** Dennis Johnson; Petra Mandigo-Hulm  
**Staff Members Present:** William A. Neumann; Jeanne Schlittenhard

President Dynes called the meeting to order at 8:40 a.m.

### **Meeting Minutes, November 14, 2009 [Attachment #1]**

**Action:** The minutes were received and approved with corrections. [J. Hill / S. Tabor]

### **Financial Statements and Vouchers –October, November, and December 2009 [Attachment # 2] Report from the Budget Committee regarding Reserve Fund Policy [Attachment #5]**

Executive Director Neumann reviewed the October, November, and December 2009 Financial Reports. He reported Brady Martz & Associates, P.C. completed the audit this week. The December 2009 Financial Report is marked as a draft report. If revisions are required by the accountants, the December 2009 Financial Report will be reviewed again by the Board of Governors. At this point, the Board of Governors reviewed Agenda Item #5 – the report from the Budget Committee regarding the Reserve Policy. The Budget Committee submitted a revised Reserve Policy.

**Recommendation / Conclusion:** It was the consensus of the Board that the revised Reserve Policy be amended to add language that the Reserve Policy be reviewed on an annual basis by the Board of Governors and that the possibility of a dues refund be a consideration at the annual review.

**Action #1:** It was duly moved, seconded, and carried to approve the Reserve Policy with the amendments of an annual review of the Reserve Policy by the Board of Governors to include the possibility of a dues refund.

**Action#2:** It was duly moved, seconded, and carried to receive the financials. [J. Hill / S. Tabor]

### **Board Appointments [Attachments #3]**

#### *Disciplinary Board [1 opening] NE Judicial District*

Three volunteers submitted their names for consideration of appointment to the opening on the Disciplinary Board to represent the NE Judicial District: David Petersen (Grafton), Lawrence DuBois (Cavalier); and Daniel Traynor [Devils Lake].

**Action:** It was duly moved, seconded, and carried to submit the names of David Petersen, Lawrence DuBois, and Daniel Traynor to the Supreme Court for consideration of appointment to the Disciplinary Board. [J. Hill / D. Maring]

*Joint Committee on Attorney Standards*

**Recommendation / Conclusion:** The Board recognized Jean Hannig has served with great honor and distinction and is eligible for reappointment.

**Action:** It was duly moved, seconded, and carried to approve the reappointment of Jean Hannig to the Joint Committee on Attorney Standards. [J. Hill /S. Tabor]

**Joint Committee on Attorney Standards – Electronic document storage [Attachment #4]**

Executive Director Neumann reviewed the letter received from the Joint Committee on Attorney Standards requesting clarification of the Board's concern whether amendments to the Rules of Professional Conduct were necessary to explicitly permit the electronic storage of client files.

**Recommendation / Conclusion:** The Board of Governors recommended a letter of appreciation from President Jane Dynes to the Joint Committee on Attorney Standards. The Board of Governors had no additional issues and will review the report from the Joint Committee on Attorney Standards following its March 2010 meeting.

**Action:** No action taken.

**SBAND Leadership Forum Report [Attachment #6]**

President Dynes, D. Maring, and Executive Director Neumann each reviewed their impressions on the outcome of the 2009 SBAND Leadership Forum. Board members Kristi Pettit and President Dynes and Executive Director Neumann were designated leaders for the Grand Forks, Fargo, and Bismarck areas, respectively, and each will follow-up with the young lawyers in attendance.

**Recommendation / Conclusion:** It was the consensus of the members of the Board of Governors that this Leadership Forum is a benefit to the attendees as well as to the entire membership of the State Bar Association of North Dakota.

**Action:** It was duly moved, seconded, and carried to support the SBAND Leadership Forum every two years. [D. Maring / S. Tabor]

**Annual Meeting 2010 Awards [Attachment #7]**

President Dynes encouraged Board members to consider recipients for the 2010 awards given out at the annual meeting.

**Recommendation / Conclusion:** It was the consensus of the Board of Governors that the annual meeting is an important function of the State Bar Association of North Dakota. The Board of Governors wishes to continue the concept that the annual meeting be considered one of the member benefits of SBAND. The Annual Meeting Planning Committee and the staff are encouraged to feature speakers and presentations that will be an incentive for members to attend the annual meeting.

**Action:** It was duly moved, seconded, and carried that the State Bar Association of North Dakota will underwrite the costs of the annual meeting up to \$25,000, subject to the approval of the Board of Governors. [D. Maring / S. Tabor]

**Board of Governors – Election of Officers and District Representatives**

Executive Director Neumann reported district elections have been or are in the process of being completed. Barbara Wehlan [Grafton] is the newly elected district representative from the NE Judicial District; Jason Butts [Wahpeton] has stated he is intending to run for election in the SE Judicial District; and Matthew Kolling

[Dickinson] has stated he is intending to run for election in the SW Judicial District. J. Hill has submitted petitions to run for re-election to the ABA Delegate position on the Board of Governors. To date, no candidate has submitted petitions for President-Elect.

**Action:** No action taken.

#### **Mentorship Program for Lawyers - Courtroom Skills [Attachment #8]**

Executive Director Neumann reviewed the request from one of the district judges that SBAND sponsor a mentorship program for practicing lawyers to improve courtroom skills.

**Recommendation / Conclusion:** The Board of Governors concluded this mentorship program appears to be a pre-discipline diversion program, and should be referred to the Lawyer Assistance Program for their review and recommendation. Executive Director Neumann will contact the Lawyer Assistance Program.

**Action:** No action taken.

#### **Other Business**

##### **Public Relations**

Executive Director Neumann reported on his public relations training with Agency MABU in 2009. The issue of attacks on the profession and the judiciary is a continuing concern to the Board of Governors. Specific and targeted attacks were identified for discussion. (At this point President Dynes, Michael Williams, and David Maring excused themselves from discussion. Sandi Tabor assumed the meeting as acting chair.)

**Recommendation / Conclusion:** It was the consensus of the Board of Governors that a committee from the Board of Governors, appointed by S. Tabor, work with Executive Director Neumann and Agency MABU to review ways to contend with attacks on the practice, as well as ways lawyers can prevent or reduce the possibility of on-line attacks.

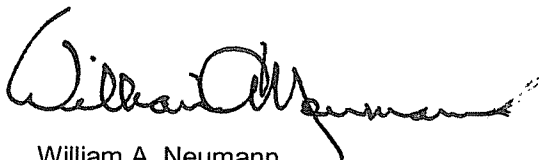
**Action:** It was duly moved, seconded, and carried to authorize President-Elect S. Tabor to appoint a committee to investigate public relations issues and attacks on the bench and the bar, to seek the advice of a public relations firm, and make recommendations to the Board of Governors. [J. Hill / S. Benson]

There being no further business, the meeting was adjourned at 10:31 a.m. The next meeting of the Board of Governors is scheduled for Saturday, March 6, 2010, at the SBAND office.

Respectfully submitted,



Jeanne Schlittenhard  
Associate Director



William A. Neumann  
Executive Director