



State Bar Association
of North Dakota

SBAND Board of Governors

C. B. Little House
Bismarck

March 8, 2008
8:30 AM

Minutes

Members Present: Dave Petersen, President; Lawrence King; Dave Maring; James Hill; Dennis Johnson; Kristi Pettit; Jane Dynes; Fallon Kelly; Robert Keogh; Sandi Tabor; Dean Paul LeBel

Members Absent: Mike Williams; Swain Benson

Staff Members Present: William A. Neumann; Jeanne Schlittenhard

President Petersen called the meeting to order at 8:30 a.m.

Meeting Minutes of January 26, 2008 [Attachment #1]

Action: The minutes were received and approved without objection. [J. Hill / S Tabor]

Financial Statements and Vouchers – December 2007 and January 2008 [Attachment # 2]

W. Neumann reviewed the December 2007 and January 2008 Financial Reports. He emphasized the importance to increase our non-dues revenues.

Action: It was duly moved, seconded, and carried to receive the financials. [J. Hill / D. Maring]

Amend 2008 Budget to reflect IOLTA Grants

W. Neumann submitted a revised budget to reflect the grants as decided by the IOLTA Committee of the North Dakota Bar Foundation.

Recommendation / Conclusion: The Board discussed the IOLTA Committee's decisions regarding grant applications and the amount(s) awarded. The North Dakota Bar Foundation Board of Directors will meet in April and will need to review the final decision on the IOLTA Committees recommendations. It was recommended the April 19, 2008, Board of Governors Agenda include review of appointments / reappointments to the North Dakota Bar Foundation's Board of Directors.

Action: It was duly moved, seconded, and carried to approve the amended revenue and expense budget(s) for 2008. [S. Tabor / J. Dynes]

Challenges to a fair and impartial judiciary

W. Neumann and D. Petersen presented updates on this issue.

Recommendation / Conclusion: The Board continues to stress the importance of positive public perception of lawyers, judges, and the judicial system. J. Hill and D. Maring volunteered to monitor this issue, and President Petersen agreed to contact the judge in his area.

Planning / Updates [Attachment 3]

- **Law Related Education**

W. Neumann distributed information on the Law Related Education along with a newsletter distributed to the Bismarck Schools featuring *We The People*.

- **Lawyer Assistance Program**

W. Neumann reported an announcement letter for the Member Assistance Program has been sent to all in-state SBAND members.

- **Trust Account Task Force**

J. Dynes reviewed the report of the Trust Account Task Force as distributed to the Board of Governors.

Recommendation / Conclusions: It was recommended the concerns of the Trust Account Task Force be articulated with the North Dakota Banker's Association.

Action#1: It was duly moved, seconded, and carried to forward recommendation #5 [explore feasibility of amending disciplinary rules to require an attorney to report dual status (attorney and personal representative) representation] to the Joint Attorney Standards Committee. [P. LeBel / D. Maring]

Action#2: It was duly moved, seconded, and carried to ask the North Dakota Bar Foundation Board of Directors to direct the IOLTA Committee to contact the Executive Director and/or counsel of the North Dakota Banker's Association regarding the Trust Account Task Force's recommendation that financial institutions with IOLTA accounts provide notice of any overdrafts to the State Bar Association of North Dakota and Disciplinary Counsel. [S. Tabor / D. Maring]

Mentorship Program with Law Students

W. Neumann reported this program is very successful. Some of the Board of Governors members are mentors and shared their positive experiences with the Program. Ways of assessing and measuring effectiveness are currently being considered by the Law School and the Young Lawyers and Law Students Liaison Committee.

SBAND Website Improvement Project

W. Neumann reported he has received responses from the consultants and a meeting date is being finalized.

Custody and Visitation Task Force

L. King and S. Tabor reported the Custody & Visitation Task Force is considering proposals for parenting coordinators, parenting plans, and early neutral evaluation.

Annual Meeting

K. Pettit and W. Neumann briefly reviewed the line up of CLE Presenters and some of the entertainment activities planned.

2009 Annual Meeting – Chief Justice (Rhode Island) Frank J. Williams, Lincoln portrayer

Recommendation / Conclusion: The Board unanimously agreed Chief Justice Williams would be an excellent Constitutional Symposium speaker for 2009, in conjunction with the Lincoln Bicentennial. Executive Director Neumann will make contact and arrangements for the speaker's appearance.

Action: No action taken.

Client Protection Fund Report [Attachment 4]

J. Dynes briefly reported on the Client Protection Committee's decision on the five claims reviewed.

Action: It was duly moved, seconded, and carried to accept the recommendations of the Client Protection Committee and reimburse the claimants at the listed amount(s). [J. Hill / S. Tabor]

Law School Update

Dean Paul LeBel distributed information on the UND School of Law's Long-Term Tuition Plan.
Recommendation / Conclusion: The Board of Governors commended Dean LeBel and the UND School of Law on the successes over the past several years and the importance of this Long-Term Tuition Plan to address the need to generate additional revenue necessary to the success of the Law School and the need to maintain the affordability of legal education to the citizens of North Dakota.
Action: It was duly moved, seconded, and carried that the Board of Governors supports the UND School of Law's long-term tuition plan as presented by Dean LeBel. [D. Maring / L. King]

Board appointments – North Dakota Bar Foundation Board of Directors [Attachment 5]

W. Neumann stated several NDBF Board of Directors are eligible for appointment / reappointment in June, 2008. A News Flash will be distributed to announce openings for Bar Foundation members interested in serving on the Board of Directors. This will be on the April 19, 2008, agenda.

Board appointments – Joint ADR Committee

W. Neumann asked Board of Governors members to submit names of non-lawyer members for consideration of appointment to this committee.

ABA Government & Public Sector Lawyers Division [Attachment 6]

Recommendation / Conclusion: By consensus, the Board of Governors agreed to nominate Matt Sagsveen for election to the Council of the ABA Government & Public Sector Lawyer Division.
Action: No action taken.

Jury Questionnaire [Attachment 7]

Executive Director Neumann will send a News Flash encouraging members to submit concerns and/or suggestions to the Jury Standards Committee for consideration at the April 26, 2008, meeting.
Recommendation / Conclusion: It was concluded that a letter from the Board of Governors might be beneficial to address concerns regarding the jury questionnaire. K. Pettit, D. Johnson, J. Hill and D. Maring will prepare a draft letter for consideration at the April 19, 2008, Board of Governors meeting.
Action: No action taken.

Elder Law Section [Attachment 8]

W. Neumann reported several persons have formally submitted a request for the Board of Governors to authorize the creation of an Elder Law Section.
Action: It was duly moved, seconded, and carried to authorize the creation of an Elder Law Section. [L. King / S. Tabor]

2008 Awards [Attachment 9]

Community Service Awards

District representatives are encouraged to have their Community Service Award recipients finalized by the April 19, 2008, meeting.

Distinguished Service Award

President Petersen reviewed the Board of Governors has received two nominations. The Board unanimously agreed both recipients are outstanding and each an exemplary lawyer.

Action: It was duly moved, seconded, and carried to give the 2008 Distinguished Service Award to David Peterson of Bismarck. [D. Maring / D. Johnson]

Legislative Service Award

To be discussed and decided on at the April 19, 2008, meeting

Liberty Bell Award

The Board of Governors has awarded the 2008 Liberty Bell Award to Hon. Myron Bright. A dinner in conjunction with the Law School will be held on Thursday, March 27, 2008, and Judge Bright will be presented with the award on that evening. The Board of Governors has asked Rebecca S. Thiem to make the presentation to Judge Bright.

Other Business

President Petersen reported the President's Dinner will be at Sanders in Grand Forks at 6:30 PM on Friday, April 18, 2008, and the Board of Governors Meeting on Saturday, April 19, 2008, 8:30 AM at the UND School of Law.

"Stuff from Bill"

SBAND owns a photocopier machine that is not being used by staff.

Recommendation / Conclusion: The Board unanimously agreed Executive Director Neumann sell or donate the copy machine as deemed appropriate.

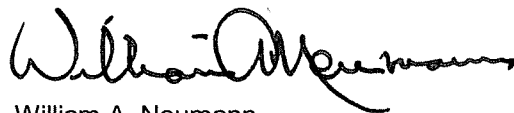
Executive Director Neumann reported on the current accounts and investments with Starion Financial.

Recommendation / Conclusion: With the current amount of monies in the Starion Financial, Executive Director Neumann will review the contract with Starion Financial and report to the Board of Governors at the April 19, 2008, meeting the status on the insurance coverage over and above the FDIC limits.

There being no further business, President Petersen adjourned the meeting at 12:14 p.m.

Respectfully submitted,


Jeanne Schlittenhard
Associate Director


William A. Neumann
Executive Director