



State Bar Association
of North Dakota

SBAND Board of Governors
C. B. Little House
Bismarck

September 13, 2008

Members Present: Dave Maring, President; Dave Petersen; James Hill; Jane Dynes; Robert Keogh; Sandi Tabor; Dean Paul LeBel; Mike Williams; Dennis Johnson; Swain Benson; Nancy Morris

Members Absent: Kristi Pettit; Fallon Kelly

Staff Members Present: William A. Neumann; Jeanne Schlittenhard

Guests Present: Penny Miller (via telephone)

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

Meeting Minutes of June 10, 2008, June 13, 2008, and July 22, 2008 [Attachment #1]

Action: The minutes were received. [D. Petersen / J. Hill]

Financial Statements and Vouchers-June and July 2008 [Attachment #2]

W. Neumann reviewed the Financial Reports.

Action: It was duly moved, seconded, and carried to accept the financials. [J. Hill / S. Tabor] Neumann

Admission to Practice Rule Amendments [Attachment #3]

Penny Miller, Secretary-Treasurer of the State Board of Law Examiners, reported on the proposed amendments to Admission to Practice Rule Amendments as presented to the Joint Attorney Standards Committee. The Board was provided a detailed listing of the proposed changes in a letter dated July 21, 2008, a copy of which is included in the original documents of the Board of Governors meeting.

Action: It was duly moved, seconded, and carried that the Board of Governors supports the amendments to the North Dakota Admission to Practice Rules as submitted by the Joint Attorney Standards Committee and the North Dakota State Board of Law Examiners. [J. Hill / J. Dynes]

Proposed Pro Bono Emeritus Attorney Rule [Attachment #4]

S. Tabor presented the proposed rule on behalf of the Joint Attorney Standards Committee.

Recommendation / Conclusion: Because the proposed rule exempts pro bono emeritus attorneys from CLE requirements, it is recommended this be referred to the North Dakota CLE Commission for its consideration before the Board of Governors response to the Joint Attorney Standards Committee.

Action: It was duly moved, seconded, and carried to support the proposed rule on the condition that the North Dakota CLE Commission reviews and approves the rule. [D. Petersen / D. Johnson]

Professional Aspirations – Consideration and Method of Review [Attachment #5]

S. Tabor, Chair of the Joint Attorney Standards Committee (JASC), reported the Supreme Court has referred to the JASC the consideration for possible adoption of a Professional Aspirations Code for North Dakota. The JASC decided to move forward on this and to present it to the Board of Governors for further consideration and possible action by SBAND.

Recommendation / Conclusion: Although this issue has previously been presented to the Board of Governors and the Board has rejected the idea, the Board recommended proceeding with consideration of a rule of professional conduct code. It was recommended President Maring appoint a task force to review the materials as presented by the JASC.

Action: It was duly moved, seconded, and carried to authorize the President to appoint a task force to review materials from the Joint Attorney Standards Committee and information from other states and make a recommendation to the Board of Governors regarding a proposed professional aspiration code. [J. Hill / M. Williams]

Proposed Amendments to NDR Civ P, NDR Crim P, NDR App P, NDR Ct ND Sup Ct Admin R. No. 2008021 [Attachment #6]

The Board of Governors reviewed the proposed amendments.

Action: No action taken.

Draft Legislation from North Dakota Commission on Indigent Defense [Attachment #7]

The Board of Governors reviewed the draft legislation information as provided by Robin Huseby.

Action: No action taken.

2009 DRAFT Expense and Revenue Budgets [Attachment #8]

W. Neumann reported he recommended changing the way CLE Commission receipts and expenses are shown in the budgets, to reflect the Commission's independent status. W. Neumann stated formal review of the 2009 Expense and Revenue Budgets will be on the agenda for the November 8, 2008 meeting, following review by the Budget Committee.

Action: The proposed changes were approved by consensus.

Law Review [Attachment #9]

W. Neumann reviewed the concerns regarding the recent articles in the *Law Review*. Dean LeBel thanked Executive Director Neumann for the Bar Association's support early on during the period of discussions regarding the articles in the recent *Law Review*. Dean LeBel also thanked the Board of Governors for the financial support of the law school with the \$10 portion of fees that are marked for support of the *Law Review*.

Recommendation / Conclusion: Board members stated the importance of continued support for the Law School. The Board will review SBAND's funding of the Law School at the 2009 Strategic Planning Session of the Board of Governors.

Action: It was duly moved, seconded, and carried the Board of Governors resolves and reaffirms unwavering support of the UND School of Law and the independent *Law Review*. [J. Hill / D. Johnson]

Old Client Files [Attachment #10]

W. Neumann reported he often receives a question regarding how long client records need to be retained.

Recommendation / Conclusion: It was recommended ALPS be contacted to submit an article in *The Gavel* for information to the membership of SBAND.

Action: No action taken.

Annual Meeting [Attachment #11]

W. Neumann reviewed the financials of the 2008 Annual Meeting; this was the first meeting / convention held at the Alerus Center. Every effort was made to control costs and this is reflected in the financial report.

Recommendation / Conclusion: The Board agreed that the Alerus Center was an excellent facility and should be considered in the rotation of the SBAND Annual meetings.

Action #1: It was duly moved, seconded, and carried that the 2010 SBAND Annual Meeting will be located in Fargo. [J. Hill / D. Petersen]

Action #2: It was duly moved, seconded, and carried that the 2011 SBAND Annual Meeting will be located in Bismarck. [J. Hill / D. Petersen]

Action #3: It was duly moved, seconded, and carried that the 2012 SBAND Annual Meeting will be located in Grand Forks at the Alerus Center. [J. Hill / D. Petersen]

Judicial Evaluation Report 2008 General Election [Attachment #12]

The results of the Judicial Evaluation Report will be released to the candidates, the SBAND website and media.

Action: No action required.

Travel by Officers [Attachment #13]

W. Neumann reviewed the travel voucher and discussed possible revisions.

Recommendation / Conclusion: The Board concluded no revisions to the travel voucher are required.

Action: No action taken.

Travel Approval – 8th Circuit Judicial Conference

Action: It was duly moved, seconded, and carried to approve retroactively the travel by President David Maring to the 8th Circuit Judicial Conference in Chicago. Chief Justice Gerald W. VandeWalle was presented with the 2008 American Inns of Court Professionalism Award at the Eighth Circuit. [J. Hill / S. Tabor]

“Stuff from Bill”

Director Neumann asked for approval to attend the NABE Government Relations Section Meeting

Action: It was duly moved, seconded, and carried to allow Director Neumann to attend the NABE Government Relations Section Meeting in November, 2008. [M. Williams / J. Hill]

City Magazine

Tom Regan, Editor for the City Magazine (Bismarck-Mandan area) contacted SBAND to inquire about the possibility of SBAND assisting in legal tips / legal topic feature.

Recommendation / Conclusion: It was recommended Mr. Regan be advised to contact the Big Muddy Bar Association regarding featured topics and cooperation with legal tips / topics.

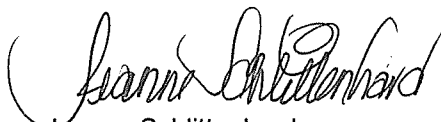
Action: No action taken.

Other Business

President Maring requested the Board of Governors discuss the issue of SBAND funds and bank fund limits at the November meeting.

There being no further business, President Maring adjourned the meeting at 11:19 a.m.

Respectfully submitted,



Jeanne Schlittenhard
Associate Director



William A. Neumann
Executive Director