



State Bar Association
of North Dakota

SBAND Board of Governors
C. B. Little House
Bismarck

September 19, 2009
8:30 AM

Minutes

Members Present: Jane Dynes, President; Sandi Tabor; Michael Williams; James Hill; Dennis Johnson; Kristi Pettit; Swain Benson; Nancy Morris; Robert Keogh; Dean Kathryn Rand; Judge Gail Hagerty; Petra Mandigo-Hulm

Members Absent: Dave Maring; Fallon Kelly;

Staff Members Present: William A. Neumann; Jeanne Schlittenhard

President Dynes called the meeting to order at 8:33 a.m.

Young Lawyers Section Bylaws Revision [Attachment #3]

Action: It was duly moved, seconded, and carried to approve the Young Lawyers Section Bylaws as revised and submitted. [S. Tabor / M. Williams]

Meeting Minutes of June 9, 2009, June 12, 2009, and July 9, 2009 [Attachments #1]

Action: The minutes were approved. [J. Hill / K. Pettit]

Financial Statements and Vouchers –May, June, July and August 2009 [Attachments # 2]

W. Neumann reviewed the May, June, July and August 2009 Financial Reports.

Action: It was duly moved, seconded, and carried to receive the financials. [D. Johnson / S. Benson]

Law Review Update

Dean Kathryn Rand updated the Board of Governors on the editorial student board of the Law Review and the agenda for the year. Symposiums scheduled include: 1) a joint symposium with the aviation division on aviation and unmanned aerial vehicles and 2) a focus on energy law and the connection to issues relevant to North Dakota's economy (wind energy, cap & trade, etc.) The goal is to ensure the content of the Law Review is relevant to the issues of the practicing bench and bar. An added value will be offering SBAND members the option of receiving the Law Review in electronic version.

Dean Rand reported on statistics regarding the applications to UND School of Law for this school year (2009 – 2010).

Action: It was the consensus of the Board to support and encourage the Law Review in the endeavors as reported.

Proposed Fee Arbitration revisions [Attachment #4]

W. Neumann submitted revisions in the Fee Arbitration Program procedures. The revision provides for two panels rather than separate panels for each of the judicial districts.

Action: It was duly moved, seconded, and carried to approve the revisions in the Fee Arbitration Program rules. [D. Johnson / S. Tabor]

Absentee Ballot Procedure revisions [Attachment #5]

Executive Director Neumann reported President Dynes, S. Tabor, and D. Maring met and submit the proposed revisions in the Absentee Ballot procedure(s) for the Board of Governor's approval.

Action: It was duly moved, seconded, and carried to approve the revised absentee ballots. [S. Tabor / J. Hill]

Board Appointments / Reappointments [Attachments #6]

Pattern Jury Instruction Commission

Paul Myerchin and Tracy Vigness Kolb have completed their first term and are eligible for reappointment. Both have expressed an interest in continuing to serve on the Pattern Jury Instruction Commission.

Action: It was duly moved, seconded, and carried to reappoint Paul Myerchin and Tracy Vigness Kolb to an additional term on the Pattern Jury Instruction Commission. [M. Williams / S. Tabor]

Disciplinary Board [East Central Judicial District Representative]

Action: It was duly moved, seconded, and carried to submit the following nominees to the Supreme Court for consideration for the lawyer opening on the Disciplinary Board: Susan Ellison [West Fargo], DeAnn Pladson [Fargo] and Stacey Tjon Bossart [Fargo]. [J. Hill / S. Tabor. M. Williams abstained]

Task Force to study the Revised Uniform Limited Liability Company Act [Attachment #7]

Executive Director Neumann reported a request to SBAND from the chair of the Interim Judiciary Committee to assist the Committee's work by authorizing the SBAND President to appoint a task force to work with the Interim Judicial Committee regarding revisions in the Uniform Limited Liability Company Act. In addition, a request was made for a task force to assist the Interim Judiciary Committee in revisions in the Uniform Debt Services Act.

Recommendation / Conclusion: It was recommended for the Uniform Debt Services Act that Executive Director Neumann contact the banking commissioner to coordinate a task force.

Action#1: It was duly moved, seconded, and carried to authorize President Dynes to appoint Bill Guy and any other persons Mr. Guy may recommend to serve on the task force to work with the Interim Judicial Committee on the revision of the Uniform Limited Liability Company Act. [M. Williams / D. Johnson]

Action#2: It was duly moved, seconded, and carried to authorize President Dynes to appoint a task force work with the Interim Judicial Committee on the revision of the Uniform Debt Services Act. [M. Williams / D. Johnson]

Future of the Bench & Bar Seminar [Attachment #8]

The CLE Committee submitted a recommendation to discontinue planning for the 2010 Bench and Bar Seminar and to concentrate on coordination of activities with the bench and bar at the 2010 Annual Meeting.

Action: It was duly moved, seconded, and carried to accept the recommendation of the CLE Committee regarding the Bench and Bar Seminar. [D. Johnson / S. Tabor]

“Stuff from Bill”

CLE Issues

Executive Director Neumann reported the SBAND and NDMA Joint Committee and the staff worked to plan a seminar which was ultimately canceled because of lack of registrations.

The SBAND Leadership Forum is scheduled for November 20-21, 2009. It was recommended the Board of Governors attend the social events to interact with the attendees.

The Jack Rabbit Bar Association is June 3-5, 2010, in Fargo. Executive Director Neumann will present a budget for the Jack Rabbit as part of the proposed SBAND 2010 budget at the November 14, 2009, Board of Governors meeting.

Membership Survey

Action: It was duly moved, seconded, and carried to authorize President Dynes and Past President Maring and President-Elect Tabor to work with the Judicial Planning Committee to author a membership survey to obtain information from SBAND members. [K Pettit / R. Keogh]

The Young Lawyers Section is interested in starting a website or expanding SBAND's website to include a more active Young Lawyer Section portion of the SBAND website.

Supreme Court Rule regarding paperless storage of client files. Petra Mandigo-Hulm is a member of the Joint Attorney Standards Committee and will ask this item be discussed at the next meeting of the Joint Attorney Standards Committee.

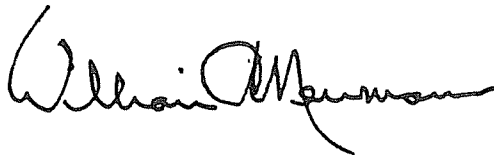
Issues to be discussed at the November, 2009, Board of Governors meeting will be professional liability and the time period on discovery rule.

There being no further business, President Dynes adjourned the meeting at 10:24 p.m.

Respectfully submitted,



Jeanne Schlittenhard
Associate Director



William A. Neumann
Executive Director