



State Bar Association
of North Dakota

SBAND Board of Governors

C. B. Little House
Bismarck

September 15, 2007
8:30 AM

Minutes

Members Present: Dave Petersen, Chair; Lawrence King; Dave Maring; Mike Williams; James Hill; Kristi Pettit; Fallon Kelly; Robert Keogh; Dean Paul LeBel; Jane Dynes; Swain Benson Sandi Tabor

Members Absent: Dennis Johnson

Staff Members Present: William A. Neumann; Jeanne Schlittenhard

Guests Present: Leslie Oliver

Chair Petersen called the meeting to order at 8:34 a.m.

Meeting Minutes, [Attachment #1] (June 12, 2007, June 15, 2007, and August 22, 2007)

Action: The minutes were received and approved with one time correction.

Financial Statements and Vouchers - April 2007 [Attachment # 2]

W. Neumann reviewed the May, June, and July 2007 Financial Reports.

Action: It was duly moved, seconded, and carried to accept the financials as submitted. [M. Williams / S. Tabor]

Planning

Chair Petersen reported in his President's Message he listed goals, six specific goals and requested an update at each of the Board of Governors Meetings. The six specific areas are:

- *Expansion of Law Related Education Program* [W. Neumann]
- *Expansion of the Lawyer Assistance Program* [W. Neumann / L. Oliver]
- *Improvement of Client Protection Fund Program and issue of Lawyer Trust Accounts* [J. Dynes / W. Neumann]
- *Mentoring Program with Law Students* [M. Williams]
- *Improvement of SBAND Website* [W. Neumann / J. Schlittenhard]]
- *Custody and Visitation Task Force* [L. King / S. Tabor]

Mentoring Program with the Law Students

M. Williams reported 45+ law students have signed up for the mentoring program and matches of mentors and students will be carried out in the near future.

Custody and Visitation Task Force

The organizational meeting was held on September 6, 2007. Subcommittees were created and assignments made.

Report: Lawyer Assistance Program

L. Oliver thanked the Board for considering the Lawyer Assistance Program growth a goal. She reviewed the history of the development of the program in North Dakota. One priority is to develop a good working relationship with the Disciplinary Counsel.

Ms. Oliver distributed a proposed 2008 LAP Budget. The expense line item of Employee Assistance Program for \$23,000 was discussed as well as the \$5,000 line item for travel. The Employee Assistance Program through St. Alexius Hospital in Bismarck is a statewide referral with consultation available 24/7/365.

Director Neumann reported on the status of accrued disciplinary funds over the years. It was recommended to the Board that \$22,500 could be transferred from Discipline Savings to support the Lawyer Assistance Program for 2008.

Recommendations / Conclusions: The Board asked Ms. Oliver to attend a meeting with the Disciplinary Board to get information on the Lawyer Assistance Program to the Disciplinary Board as well as the three Inquiry Committees. In addition, S. Tabor recommended Ms. Oliver also attend a Joint Committee on Attorney Standards meeting. The Board also asked Ms. Oliver to report routinely to the Board of Governors regarding the progress of the Lawyer Assistance Program. Marketing of the program and promoting wellness as a goal.

Action#1: It was duly moved and seconded to approve the 2008 LAP Budget at \$40,000.
[L. King / D. Maring]

Action #2: It was duly moved, seconded, and carried to amend the motion to reduce the Co-Lap travel line by \$3,000 which would revise the total 2008 LAP Budget to \$37,000. [D. Maring / J. Hill] The motion, as amended, carried.

2008 Budget [Tab 3]

Chair Petersen stated the Finance Committee (Executive Committee) reviewed the 2008 proposed budget and agreed to forward to the full Board of Governors for action.

As a result of the amended Lawyer Assistance Program, the 2008 budget will be amended accordingly.

The 2008 SBAND Revenue budget, line 23, transfer from Discipline Savings, will be amended to \$22,500 to support the operation of the Lawyer Assistance Program for 2008.

Action: It was duly moved, seconded, and carried to approve the 2008 budget with the amendment to the revenue budget (Discipline Transfer \$22,500) and expense budget (Lawyer Assistance Program) to \$37,000. [M. Williams / S. Tabor]

Annual Meeting 2007 Report [Attachment 4]

D. Maring reviewed the statistical report with the members of the Board of Governors.

Action: No action taken.

North Dakota Administrative Council [Attachment #5]

Action: It was duly moved, seconded, and carried to recommend to the Supreme Court the reappointment of James Hill for a second term on the North Dakota Administrative Council. [S. Tabor / M. Williams]

Operations Committee of the Disciplinary Board [Attachment #5]

Action: It was duly moved, seconded, and carried to recommend to the Supreme Court the reappointment of Michel Stefanowicz for a second term on the Operations Committee of the Disciplinary Board. [S. Tabor / M. Williams]

Judicial Conduct Commission reappointment [Attachment #5]

Action: It was duly moved, seconded, and carried to recommend to the Supreme Court the reappointment of Monte Rogneby for a second term on the Judicial Conduct Commission. [S. Tabor / M. Williams]

Audit of Trust Accounts / Bonding Issue / Petition to amend Rule 13 and Promulgate new Rule 18 – [Attachment #6]

Chair Petersen noted the consensus of the Board, as discussed in the September 14th planning session was to continue monitor this issue.

Review of Amendment to Lease [Diocese of Bismarck] – [Attachment #7]

Action: It was duly moved, seconded, and carried that the Executive Director execute the amendment to the lease agreement. [J. Hill / S. Tabor]

“Stuff from Bill”

Director Neumann reported on a proposal from Fireside for a managed services contact for SBAND's computers/servers. Due to time constraints, this will be discussed at a later date.

Recommendation of the CLA Committee for individual lawyer intake for VLP [Attachment #8]

Director Neumann reported the CLE Committee is asking for the Board's approval on a policy where one of our lawyers can submit a case to our Volunteer Lawyer Program by submitting the proposed Individual Lawyer Intake Form.

Recommendation / Conclusion: Corrections to the form should be replacing *purpose* in the first line with *goals*, and the reference to malpractice coverage should read when handling *this case*.

Action: It was duly moved, seconded, and carried to approve the policy change with the corrections as listed above. [S. Tabor / J. Hill]

Lawyer Referral and Information Services

Director Neumann reported utilization of this program has dropped off in the last several years. SBAND invited the ABA's Lawyer Referral and Information Service Standing Committee's Program of Assistance and Review (PAR) to review our SBAND Program. A formal report on the visit has not been received to date.

Action: No action taken.

Summer Internship Program

Director Neumann reported the summer internship joint program with Legal Services of North Dakota was very successful. The candidate chosen for the internship was Jean Lengowski. Legal Services and SBAND will offer the internship program to a UND School of Law student again in 2008.

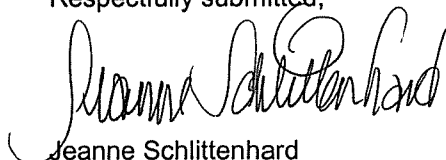
Action: No action taken.

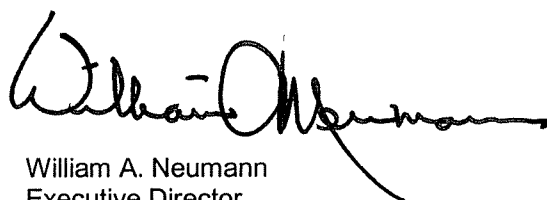
New Bar Admission Ceremony

Director Neumann reminded the Board members that the new bar admission ceremony is scheduled for October 8, 2007.

There being no further business, Chair Petersen adjourned the meeting at 12:16 pm.

Respectfully submitted,


Jeanne Schlittenhard
Associate Director


William A. Neumann
Executive Director