

PROCEEDINGS OF THE ONE HUNDRED TWENTIETH  
ANNUAL MEETING OF THE NORTH DAKOTA STATE BAR  
ASSOCIATION

OFFICERS

ZACHARY E. PELHAM..... President  
AUBREY J. FIEBELKORN-ZUGER .....President-Elect  
PAT WARD .....Secretary-Treasurer  
DARCIE EINARSON.....Immediate Past President  
TONY J. WEILER .....Executive Director

PROCEEDINGS

June 14, 2019

(WHEREUPON, the following proceedings were duly had:)

(The meeting was called to order.)

MR. PELHAM: Good morning. Good morning, everyone. Welcome to Friday. If you were—Yeah. I know. You guys heard me. Am I on? Good morning, everyone. All right. I came prepared this morning. For those of you, good morning. Happy Friday. We're not in the office, so that's already a good start. If you had a chance to look outside, there's a beautiful rainbow out in Fargo, and a nice rain from last night. But we're going to call the general assembly meeting to order. And the first item is we are going to have the presentation of the colors. These guys are a great group. I was speaking with them earlier. They're from Troop 241 and their group leader is Jerome Crandall and they are going to be doing the presentation of the colors. Singing our national anthem today is Oak Grove Senior, Elena Linster. Elena is going to be attending a pretty good school right here in Fargo, NDSU. (PRESENTATION OF THE COLORS AND NATIONAL ANTHEM).

MR. PELHAM: Thank you again to Boy Scout Troop 241 and thank you for the beautiful rendition of our national anthem, Elena, and good luck this fall at NDSU.

At this time I want to recognize—I need my sunglasses to be able to see you. I can't see you all otherwise—to recognize this year's annual meeting planning committee, and this planning committee in conjunction, of course, with the fine folks at your bar association led by Tony Weiler and you saw Jeanie Schlittenhard around, she's the associate executive director, and

Carrie Molander is the director of programs. In addition to those folks, these planning committee members assisted greatly in the program, the content, the events, all of the things related to this annual meeting doesn't just get done like that, believe it or not. So as your name is called, I would ask that you stand, and then we'll hold our applause until the end: Jenny Albaugh, Aubrey Zuger, Jordan Wire, Anna Dearth, Matt Dearth, Ian McClain, Tracey McNary, Sarah Atkinson, Jessi Foss, Jake Rodenbiker, and they have my name listed on here but I'm not going to call it. So, let's give these folks a round of applause.

So, I know you've been listening to me this past day, but you get to listen to me just a bit more, and I appreciate all the comments that all of you have—well, not all—but some of you have provided. I'm going to take these things off, because I probably look a little silly. But this is my opportunity to give my address to you, our members, we're all members of a great association.

I want to first start off by saying thank you, thank you to my wife who is not able to be here, Brandi, she—I could not do what I do in my professional career without her. We have four wonderful children. We have very busy lives in the personal realm of things, as I know many of you do as well. From a professional standpoint, being mostly a general litigator in North Dakota, that also takes me away from home quite a bit, and this past year and even prior to that as president elect, took me away from home quite a bit more. So, I really need to recognize and want to recognize my wife, Brandi, who has supported me, and I am extremely, extremely thankful for her and grateful.

Next, I'd like to thank our board of governors, your board of governors, this is a group of people who have dedicated their time to quarterly meetings and sometimes special meetings, and during the legislative sections we have more meetings, because there are important matters that come before the board for determination and guidance that our executive director brings to us. Not only that, this year and the past several years, as you know, the bar association has been subject to litigation. In fact, yesterday some of you may know, at the 8<sup>th</sup> Circuit, the bar association's attorney as well as the State of North Dakota's attorney was arguing the Fleck case before the 8<sup>th</sup> Circuit. So that case is still going on. So, these board members are from your communities. They represent all of the districts, judicial districts. We have a Young Lawyer member, we have an ABA member as well, and we have the law school dean as a member. So, I think great thanks goes to the board. They have helped me out significantly. I know they will continue to help all of you out with their sound wisdom and guidance of your bar association. So, thank you, board of governors.

I'd also like to thank my law firm, The Pearce Durick Law Firm, who has really been great in my time away. I'll get a couple comments like, "Well, you're the president of the bar this year, so we understand." And there really hasn't been much more said than that. So that, quite frankly, in and of itself is a good thing. It shows that I think my firm is supportive of people in the firm being leaders in the bar association both on a local level and a state level.

I would like to thank Chief Justice Vandewalle. I think it's a very important relationship that the bar association has with the judiciary. Now I understand of course the members of the judiciary are members of our bar association, but let's be realistic, the judiciary leads our legal system in our state mostly. And the relationship that we attorneys, not judges, have with our judiciaries is an important one, and I know that the Chief values that relationship very much, and I appreciate the times that he has agreed and taken the time to meet with me, returning calls very quickly, more quickly, quite frankly, than I would have expected from someone as busy as the Chief. So, thank you, Chief Justice.

I would like to thank Tony Weiler. Tony is, as you know, the executive director, and we learned just yesterday that Tony is a people person. And for those of you who are surprised by that, well, where have you been? But Tony is a people person and that is a great attribute of an executive director of our bar association. I can tell you having attended national conferences throughout my year as president, that Tony is well respected in the general bar association world. In fact, the National Association of Bar Executives elected Tony just recently to be a NABE, of course everything has an acronym, but in bar association world NABE is National Association of Bar Executives. So Tony does a great job of assuring the leaders of your association are connected to the national groups and meeting great people regionally. I can say as president, I've met some great people from South Dakota, some great people from Montana who share a lot of the make-up of North Dakota as a small, rural state. So, I've appreciated that very much this year in Tony.

I'd also be remiss if I weren't to thank the rest of the bar association staff, especially Jeanne Schlittenhard, who is the assistant director as I mentioned. Jeanne is a great help. She is a very organized individual and has very much appreciated me who, well, I'll be honest, I am, I try to be at least, an organized person and to have all the ducks in a row as much as possible.

And last, in addition, I'd just like to thank Carrie Molander as well, who does a great job in assisting with the program and the union meeting and also the CLEs that go out.

Last, I would like to thank all of you. You are our members and you comprise the bar association. It would be remiss of me not to thank you. I thank you for responding to my requests, some of you may have gotten emails

and thought “It’s that email again, delete,” which is fine. The minute though that I don’t send out an email informing you, it’s, “Well, why didn’t you do this?” It’s always that way. But this year, and especially I’ll get to that in a moment, but this year we really, we being leadership on the board, really appreciate all of you communicating with your locally elected officials, state officials with assistance with the law school. And I was specifically told by at least three legislators that our members made a difference this year. So, thank you.

I am looking forward, I have been asked this several times over the last couple of days, yes, I am looking forward to handing over the gavel, I’m looking forward to handing over the gavel to a very competent person, a very competent attorney who will do an excellent job representing you, the members of the bar association. With that being said, I am also very appreciative and blessed to have led this organization, so it’s with mixed emotions.

I am very much proud of the accomplishments that your bar association has achieved in the last year. Just briefly go through some of these items, some of you may have seen me present to your local bar associations. I was honored to be invited—Well, I suppose invited may be a bit of an overstatement, but we were asked to come and we were invited to the Ward County Bar Association, Cass County Bar Association, the Greater Grand Forks Bar Association, the Upper Missouri Bar Association, the Lake Region Bar Association, and I’ll be honest, I’m sorry, I’m biased, the best local organization in the state, the Big Muddy Bar Association, which I was a previous president. So, I hope you’re not too offended that I have that opinion.

But all of these local bar associations are extremely important, and I felt it was important to visit them to present to them what it is that SBAND is doing to show the flag, right? You know, I’m in Bismarck. I don’t know exactly what is going on in Devil’s Lake, I don’t know exactly what is going on in Watford City all the time. I traveled to those locations, but it was a really good opportunity for me to meet with attorneys that I wouldn’t normally interact with because they’re not in my practice areas and maybe they don’t always attend the annual meeting. So, I was honored to be invited to these organizations and engage them. And what I said essentially, in a nutshell, I won’t go through my whole program, and Tony is probably glad, because at times he would say, “Well, you could shorten this down a little bit,” so and he does it in a nice way, because he’s a people person, but, you know, essentially, in a nutshell, what I told these local bar associations, and it’s applicable to all of you as well, is get involved, get involved in your communities, get involved in your local bar association, get involved in your courts, if you have those in your communities, but just again, get involved. As attorneys, we are leaders. Like it or not, people look to us, and they look at us

differently when they find out you're an attorney. You can tell. Their facial expressions change, and we see it every day. Our clients look to us for advice. Our clients rely on us for advice. And our communities do rely on us attorneys to help them through difficult situations and moving forward. So I would encourage you all to get involved in whatever capacity that you have an interest in. And that is what I told our local bar associations and what I'm doing today. I think in addition to a personal benefit, to your own self personally, there's also the professional benefit, very much so. So even if you think to yourself, "Well, why would I take time out of my day when I could bill an extra two and a half hours, why would I do that?" Well, that two and a half hours you didn't bill, might turn in to 100 hours if you get a new case with a local community person. So, you know, you have to consider the professional networking element as well.

The other thing that was accomplished this year is the development and refinement, I suppose, a disaster plan for the bar association. Not just for in the event of a disaster in a local community and how the bar association could assist local attorneys who may be impacted by that, but also how the bar association would respond to the general public in assisting them in the numerous types of needs that they would have in that event. We recently formed a Futures Task Force. I mentioned the Fleck case, and it would be remiss if we did not prepare for the future in the event of de-unification, but we don't like to mention that but we can't ignore it either. So, the Futures Task Force would be composed of the executive council on the Board of Governors, which is comprised of the past president, president, president elect, and the secretary treasurer, and we've asked the Chief, who has graciously agreed to serve on that committee, and several other leaders in the judicial system as well as in the bar association. And essentially, the questions that we'll be asked are "What if?" and "Then what?" Those are the questions that will be asked, and so we as a bar association are prepared.

So, I was involved, I had the honor of serving on the Dean Search Committee. The National Dean Search Committee was a group comprised of some really great people, and unfortunately, and I don't mean to dwell on this, but I think I need to tell the whole story. Unfortunately, the two finalists that were identified and were offered jobs, did turn the job down for the law school dean here in Grand Forks. Disappointing but out of that came—Where'd he go?—Dean Appoint, or essentially the incoming dean, Mike McGinnis. In the end, it really did work out. And why did it work out? Well, I can say that having traveled to the law school not very frequently since I graduated from the law school, because I, you know, as I said am quite busy like all of you as well. Of course, the law school, they're led by very good people, they're doing their thing, and they were, but then the budget cuts occurred. And the

budget cuts severely impacted the law school. And for me, for myself, personally, I did not realize the extent that the budget cuts effected the law school until having served on the Dean Search Committee.

Traveling up to the law school, talking and seeing the faces of faculty, staff, students at the law school, I could tell there was great concern, and I went back to our board of governors and Tony and said, “We’ve got to do something.” And I want to recognize a couple people that pushed me and were instrumental in SBAND taking action. I know this person is here, Dan Traynor, he’s a member of the Board of Governors. Dan is also a member of the State Board of Higher Education. I brought Dan in right away when we were trying to convince one of the candidates who said no to change his mind. We had very good discussion with this gentleman, a very competent individual. Ultimately, he said no, but Dan had very good ideas, as you may recall. We did have an idea of increasing the civil filing fees. That fell flat on its face, but what didn’t fall flat on its face was the reality that the legislators could not ignore and that being that the clinic had closed. I know it’s on hiatus, but it closed. And what are we gonna do when the State of North Dakota potentially conceivably would not have a law school supported by, a supported public law school, that was part of the discussion, and I know that may sound extreme to you, but there had been rumblings in university administration of a potential end.

So taking all of that, taking that to the legislators, utilizing people like Dan Traynor—The other person I’d like to recognize is Levi Andrist. I don’t know if Levi is here. I know he’s at the meeting. Levi encouraged me, Levi pushed me, he served on the search committee as well, and Levi is a great North Dakotan in that regard and felt very strongly about the law school, as many of you did as well. But in the process of gaining about 2.8 million dollars in additional funding for the law school, so that it could reopen the clinic, so that it could actually recruit good faculty, because in addition to the dean search, there were failed faculty searches, and not a lot of people know about that. That’s an indication of things not going well. And that was recognized. And I’ll admit, maybe I should have recognized it earlier. And I’ve made clear to Dean McGinnis that we can’t let that happen again. The bar association is here to help. We need to know how to help, and I believe under your leadership, we’re going to be able to know how to help and specifically.

So, all that to say, I am very grateful that I was involved with a team of people who were able to get substantive results for our law school so that it can continue to be a respectable, regional law school. And why? Well, to me the answer is fairly simple, because most of us in this room graduated from the University of North Dakota School of Law, which means that most of the future attorneys who are going to be practicing in the State of North Dakota

as well as regionally will be coming from the University of North Dakota School of Law. And me as a business owner, let's face it, private practice attorneys are business owners, we are attorneys as well of course, but from my firm's prospective, we want competent, qualified, professional law students coming to the University of North Dakota School of Law and graduating and taking the bar in North Dakota. And that is why the bar association got so involved in sustaining the law school. Of course, there are other reasons too, but that is the main reason.

As I said, this isn't over though, and the dean mentioned yesterday at the luncheon that there is a challenge grant of \$250,000. This is me talking, I'm going to be past president here in, I don't know, an hour, but the energy law professorship that the dean mentioned in his luncheon address is something that I've heard, many of you have probably heard, why doesn't our law school have an energy law program. North Dakota is an energy rich state. Many of you have practiced in the oil and gas industry representing oil and gas companies on both sides, many of you work for wind energy companies, some of you may work even for solar companies. There's a solar plant company that's right here in Cass County by the Public Service Commission. Some of you may work in the coal industry. So why is it that our law school does not have a professor who is guiding students who may very well, probably will be entering into at least some area of practice in energy law. I feel strongly about that. I think there is a potential for industry assistance, private industry assistance for the funding of an endowment for a professor. It costs a lot of money for an endowment. I'm told three million dollars. Certainly, I mean, a lot of you do well, I, myself, do well, but not three million dollars, right? You know, so in the coming months, in the coming months, in cooperation with the law school, the bar association is going to be looking at opportunities to see about funding and endowment for an energy law professorship. Not to take away from the clinic, the clinic is going to be wheels up soon. But looking to the future of the law school for the benefit of practitioners in the State of North Dakota. I think it's important for the law school to have an energy law program. So in conclusion, it was a blessing for me, both professionally and personally to serve as your president of our fine bar association. Thank you.

And the Chief Justice, do you have a report for us this year?

CHIEF JUSTICE: Good morning. I have no report. This is going to sound like a mutual admiration society. But I would like to thank the president, Tony, for their cooperation with the courts and helping to build a fair, just, and accessible judicial system in North Dakota. I also want to acknowledge Bob Carlson, who is going to be speaking to us. He's a neighbor kid and we're always happy when a neighbor kid does as well as he did. And

the last thing I want to say is what Zach commented on, and that is, let's put our money where our mouth is in the law school. Thank you.

MR. PELHAM: Thank you, Chief Justice. And now Tony Weiler is going to provide the executive director report. My kids really like *The Lion King* and when I say "the executive report" it's like it's the morning report. I don't know if you've seen *The Lion King* lately, but he's not going to sing it though thankfully.

MR. WEILER: I could sing. I'm telling you. I threatened to do so last night, but I didn't.

Good morning, everyone. Thank you. I appreciate Zach's year. We've had a very good year. I appreciate your leadership, especially in the law school funding issue. That was no shortage of tremendous work, the amount of money that we were able to get from our legislature, you were instrumental, you, and Dan and Levi.

I will be brief this morning too. I just hope that everyone has enjoyed our annual meeting. I think it's one of the best things that we do to get over 300 lawyers out of a bar association of three thousand roughly is a real tribute, and I think it's because all of you really enjoy the collegiality, you enjoy the time together. I'd like to think that we put on good programming, and if we don't, you will let me know. And that's fine. We do want to hear it.

It always, it shouldn't shock me anymore. I've just reached my 6th anniversary as your executive director, and I really enjoy the work. I really, really do. I think I am a people person. It's a good thing, isn't it? Maybe I need a new term. I'll reinvent the term like our governors reinvent the government. I need a better term. But I really enjoy the work. I appreciate it.

I have a tremendous staff. Jeanne and Carrie, are they in the room? I can't see anything from up here. I know all of you know them, but I want to thank them for how much work they do, how hard they work. And they always do it with a smile, they really do. And so, could you just help me thank them. They are tremendous. Jeanne tells me she's going to start working a little bit less and I said, "That's not what I want to hear you say." But I guess you get to a point in life where you do that, unless you're the Chief Justice.

And I just want to say one other thing, we are very cognizant, we are very aware of where we are with the Fleck case. I'm aware that we have limitations on what we can do as a mandatory bar. I'm cognizant of the fact that we have constitutional limitations. We're guided by that. I still believe very strongly that mandatory bars are constitutional. I'm hopeful that we will prevail in this case. If we don't, then we will take it from there, and I will continue to do that with a smile. I will continue to do that with the leadership of people like Aubrey, following her hopefully Carrie Francis, unless there's a cue. It can't be, is it too late? I don't check the rules on those kinds of things.



I really, really, really also want to state that the Board of Governors that we have is so good. They're dedicated to doing better things for all of you and for me. And one of the greatest fears when you become the executive director of the bar association is that you have to work for 14 lawyers as your direct bosses, and I like lawyers. I really do. I don't say that flippantly, but that's challenging. And they really are dedicated to what they do. They care about what the bar association does, and they care about the future of the practice of law. So, I want to tell you that I really enjoy being your executive director. I will continue to do this job as long as you will have me, and I hope you've enjoyed the annual meeting.

Please fill out the survey afterwards, because we learn from that. There will be someone who will say "This is the best one I've ever been to," and some who will say it's the worst. It happens every year. And we know the truth is somewhere in between. But we get value from what you tell us. So, thank you very much for being here, and I hope you enjoy the rest of today. Thank you.

MR. PELHAM: Thank you, Tony. And it appears—Tony, do you have the report for the bar—or for the financial report? I don't think I have that in my materials here. Well, maybe I do. Can you give me a copy, please? I seem to have misplaced it. Thank you, Tony.

Our treasurer was unable to be here. He was here yesterday for most of the day and as well as, today's Friday, so Wednesday as well. But this is the financial report. It's in your materials as well, the financial report for the year 2018, a copy of this report. The 2018 audit report and the 2019 budget are available with the meeting materials on the SBAND website.

So, the 2018 audit reflects total year end liabilities and net assets of \$2,499,645 compared to \$2,532,694 in 2017. This includes \$1,210,702 in restricted cash assets and \$1,200,465 in unrestricted assets, including \$31,573 in equipment and inventory of \$3,505. Net assets for \$2,411,167 compared to \$2,424,911 in 2017.

In revenues, the associations 2018 total revenues was—and I'm going to say it because it's in your materials—approximately \$1.6 million dollars compared to approximately \$1.5 million in 2017. 47 percent of total revenue or about \$750,000 was from license fees available for SBAND's general operations and 16 percent or about \$250,000 is legislatively mandated for operation of the disciplinary system.

Our total expenditures for 2018 amounted to about \$1.6 million compared to \$1.3 million in 2017. This includes total disciplinary expenses of about \$265,000 and general and administrative expenses of about \$1 million.

All association expenses are closely monitored by the Board of Governors to guarantee that the members receive the best value for their dollar. The

board tracks all spending through detailed monthly financial reports to assure that the association continues to provide the quality services and programs that our members have come to expect. If you would like more information about budget, please contact Tony Weiler at the SBAND office. This concludes the SBAND financial report.

At this time, I'd ask the chair of the North Dakota Bar Foundation and our Liberty Bell recipient, Jack McDonald, to come to the podium to deliver the report from the North Dakota Bar Foundation rather.

MR. MCDONALD: Good morning. Thank you very much. The report of the bar foundation is in your meeting packet as well, so we won't go over all the details of it.

Just real quickly to summarize, the bar foundation is basically an umbrella group that oversees two different functions. One is the use of the IOLTA Foundation, the interest from lawyer trust accounts, and that year, as of 2018, that garnered \$44,270, and that goes to Legal Services of North Dakota. As many of you know, the IOLTA funds pretty well dried up a few years ago. But anyway, that went to Legal Services of North Dakota.

And in addition, we oversaw the Bank of America settlement case, which you've heard about before. We got over a million dollars from that, and of that, Legal Services of North Dakota got \$908,000, and High Plains Fair Housing got \$109,000. The terms of that grant, they had to go to some organizations that dealt with mortgages and home loans.

So, all total we gave out \$30,000 in IOLTA funds in 2018. And the public service function of the bar foundation, we approved funding for the law school, for the Randy Lee Chair of Law. In addition, we had scholarships for the law review case note comments writers and homecoming scholarships for the top first year law students at UND, and we also helped fund the UND Public Interest Law Fellowship, Interest rather.

In addition, we contributed \$20,000 as a part of a matching grant for the Rural Justice Program through UND. The total funds that were raised by the foundation for 2018 were \$50,223. And, again, that report is in your folders.

In addition, we serve as a conduit for the pro bono fund, and people can make contributions to the state pro bono fund. Excuse me. I get so choked up talking about these monies all the time. And the total so far we've given out through 2018, we've given out \$176,955 in pro bono funds. So that's been working well.

I hope you think about the bar foundation. Those of you doing wills for rich, old widows with no children, please remember the bar foundation.

And finally, I'd like to thank the members of the bar foundation. They include Rebecca Binstock, Lori Conroy, Charlie Demakis, Rick Johnson, Meredith Larson, Leslie Oliver, Judge Romanick, Ross Sundeen, Rob

Thomas from Minot, and also as well acting for a few more weeks dean of the law school, Brad Myers, the new dean, Michael McGinnis, and of course, the two past officers, current officer and past president, soon to be Zach Pelham and Aubrey Zuger.

If you have any questions, you can check our web page, the SBAND web page. Thank you very much.

MR. PELHAM: All right. At this time, I would like to recognize our outgoing board members on the Board of Governors. I ask that they come forward when their name is called and just hold your applause until the end. And, Tony, we're going to get a picture here, right? Okay. All right.

Our past president is Darcie Einarson. Darcie has served our association very capably and she is now an outgoing board member. So Darcie, come on up. Brad Myers, I know Brad is around. I don't know if Brad is here this morning though. Brad is the interim dean and he led the school of law capably during some fairly tumultuous times and as dean he will be exiting as an outgoing board member as well. Unable to be here today is outgoing north-east central board member Peter Welte. Peter is out with his daughter, I know, visiting some colleges. So please join me in giving a round of applause to these serving board members and outgoing. Thank you.

MISS ZUGER: On behalf of the State Bar Association of North Dakota, I want to thank Zach Pelham for his excellent year as president of our association. Zach has been so dedicated to SBAND during his year as president and during his time on the board. Working with Zach has made clear that he loves the bar association and he loves everything it stands for and is committed to its excellence. Zach, SBAND appreciates all you've done for the bar association and wants to thank you with this gift.

We can now move onto the resolution. The first resolution is a resolution of appreciation for Zach Pelham, whereas Zach Pelham and his family have served the State Bar Association of North Dakota during the past year at great personal sacrifice to themselves and their family, and whereas the State Bar Association of North Dakota has been greatly improved and enriched due to their efforts. And I'll therefore be it resolved that the State Bar Association of North Dakota commend President Zach Pelham and his family for their efforts.

MR. PELHAM: I'm already shirking my responsibilities as president. I must be thinking that I'll be passed soon by my resolution packet wasn't in here. It was this morning but it's not now.

Resolution 2 is appreciation whereas members of the 2018 annual meeting planning committee and subcommittees and others have put considerable time and efforts into planning and organizing the 2019 Annual Meeting of

the State Bar Association of North Dakota, and whereas, those persons deserve special thanks for their efforts.

Now therefore be it resolved that the State Bar Association of North Dakota extends a special thank you to those persons involved in the planning and organization of this meeting, particularly Jennifer Albaugh, myself, Aubrey Zuger, Jordan Weir, Anna Dearth, Matthew Dearth, Ian McClain, Kasey McNary, Sarah Atkinson, Jessi Foss, Jake Rodenbiker.

Resolution Number 3, again, one of appreciation. Whereas, the businesses and organizations that graciously sponsored portions of the 2019 annual meeting and those that participated as sponsors and exhibitors are: Platinum sponsors; North Dakota CLE Commission, the North Dakota Lawyers Assistance Program, the Vogel Law Firm—Rob Manly said that I recognize the Vogel Law Firm too much, so you if you remember that Vogel and you thought it was too much, I'm sorry.

I'd rather be sorry for that and not enough though – Gold sponsors; First International Bank, Fredrikson and Byron, LawPay, Maring Williams, Nilles, Pearce Durick, Serkland, Starion Bank.

Silver sponsors; Alps, Bakke, Grinolds, Wiederholt, Crowley Fleck, EideBailly, LexisNexis, North Dakota Guarantee and Title, Severson, Wogslund & Liebl, Smith Porsborg Schweigert Armstrong Moldenhauer & Smith.

Bronze sponsors; Bormann Myerchin, Brudvik Law Office, Casemaker, Fargo Moorhead Convention and Visitors Bureau, Meagher & Geer, NRG Technology Services, SBAND Women Lawyers Section, Sanford Health, Traynor Law Firm, Wheeler Wolf Law Firm.

And partners were Cass County Bar Association, Clearwater Communications, North Dakota Community Foundation, Pifer's Auction and Realty.

Whereas, without their participation and financial support, the 2019 Annual Meeting of the State Bar Association of North Dakota would not have been the success that it was. Be it further resolved that the above be thanked for their gracious support.

It's that time of year where we recognize those who came before us and those who have passed on, and these are some legal titans in our community and we recognize them here, and we are going to read off their names: John Bruhn, Jerome Shermoen, Gene Allen, The Honorable Sonna Anderson, Dennis Anderson, Tom Disselhorst, James Hanson, Evan Heustis, Richard Healy, Donald Holloway, Loren Johnson, Edward Klinger, Shelley Lashkowitz, Rod Mather, Pat Morley, Berentje Pohlman, Harry Poulson, James Purdy, Justin Silicz, Jacque Stockman, John Walstad, and Bert Wheeler. Thank you.

At this time, we are going to call for the election of the secretary treasurer and at this time I would entertain a motion from the floor. We have a motion

to nominate Pat Ward as the secretary treasurer of the State Bar Association of North Dakota. Do we have a second? Second by Judge Lita Romanick. Sorry, Judge Hill. She beat you out and I worked with Lita when I was at the Morley Firm in law school, so no offense, Judge. All right. We have a motion and a second. Further discussion? Hearing none. All in favor, certify by saying "Aye."

IN UNISON: Aye.

MR. PELHAM: And the next item on the agenda is the election of the president elect. Do we have a nomination? And just so it's clear, there is a requirement that names be submitted, it's either 30 or 60 days, Tony, prior to the annual meeting. And we did have one name submitted and that was Carrie Francis. So, at this time I'd entertain a motion. We have a motion by Jennifer Albaugh to nominate Carrie Francis, current northeast—north central—I always get that—I'm so sorry, Minot—It confused me when it was northwest. I've still not recovered from that change. But Carrie Francis of Minot, a motion to nominate her as president elect of SBAND. Do we have a second? I didn't see who that is. Deb Hofer, thank you, Deb. A second by Minot attorney, Deb Hofer. Further discussion? All those in favor signify by saying "Aye."

IN UNISON: Aye.

MR. PELHAM: All right. Motion continues. Thank you, Carrie. You'll do a great job as well. And it is at this moment, that I officially take leave as president of the State Bar Association of North Dakota and with honor and best wishes to our incoming and now president, Aubrey Fiebelkorn-Zuger. She'll do a great job.

MISS ZUGER: Thank you. I just would like to say, I look forward to a great year. And with that, I move for a motion to adjourn. Seconded? We're adjourned.

(The meeting was adjourned.)

#### REPORTER'S CERTIFICATE

I, Samantha Goodwin, a certified Shorthand Reporter, 51 Broadway, Suite 130, Fargo, North Dakota, do hereby certify that these 31 pages of type-written material constitute a full and accurate transcript of the audio recording provided to me.