

2022 STATE BAR ASSOCIATION OF  
NORTH DAKOTA 123<sup>rd</sup> BUSINESS MEETING

GENERAL ASSEMBLY

TRANSCRIPT OF PROCEEDINGS

8:00 o'clock a.m.

June 17, 2022

Taken Before: State Bar Association  
of North Dakota

Taken At: Delta by Marriott  
Crystal Ballroom I & II  
Fargo, North Dakota

Taken By: Joy Filipski, Court Reporter

(Whereupon, the following proceedings were held to-wit:)

**PRESIDENT DOUGLAS BAHR:** Good morning, everyone.

If there is anyone out in the hallway, we invite them to come in as we start the business meeting.

We are going to start with the Presentation of the Colors with Boy Scout Troop 241.

With us is Bennett Parkhouse, Parker Auka, Camden Davis, Soren Pyle and then Jerome Crandall.

(Whereupon, there was Presentation of the Colors.)

(Whereupon, the national anthem was sung.)

**PRESIDENT DOUGLAS BAHR:** Thank you. Please be seated.

I can kind of see out there with the lights, but I was looking before and saw the number of people here, I turned to my wife and said, "These all are the stalwarts of the State Bar Association."

Those are the ones who were here, and have been here, serving and blessing the members of our Bar.

Yesterday as I was able to help present the awards and as I looked around, I saw many people who I consider my mentors. Those who have helped me over the last three decades become a better lawyer and a better judge.

And as I look out today, many of them are here. People who I look up to and hope to one day emulate in their practice of law and their personal lives.

So thank you, all of you, for what you do to help the State Bar Association be a better organization and to serve its members and then directly serve the citizens of North Dakota.

As I've been working with Tony and the Board over the last year, and Tony and I did a lot of traveling the last couple of months trying to go visit the local Bars, I've come to more fully appreciate the many things that SBAND does, the outreach of its programs and services.

I've also come to appreciate the many hats that Tony wears and the things that he has to juggle and the misperceptions of many members as to what his actual role is.

I really have come to appreciate Tony, both as an individual and as our Executive Director and the many things that he does, so I appreciate that.

But I think he would be the first to note that he cannot accomplish the things he does without the great staff at the Association's office.

I ask them, some of them are in, if there's any others, if they'd just please stand so everyone can see who you are.

They're back by the door.

Tony and our staff, we thank you so much for not only planning this meeting, but what you've done all year to serve the members of our Association. We truly do appreciate you. And I know that every time we say this, you humbly bow your head and want to ignore the acknowledgment, but you do so much for us, so thank you very much.

You know, I would like to report on SBAND's many significant and meaningful accomplishments during the past year, unfortunately, I can't. I can't because SBAND's activities, pro—the success of SBAND's activities, programs, and services is only measured, not by numbers and not by statistics, but by whether they have meaningfully impacted you, its members. Have they helped you become a better lawyer or a better individual?

For example, during the last year, we offered 27 CLEs, almost double the number we offer most years. Most of those were virtual and many were free, a number of them had to do with wellness.

Despite the efforts of SBAND to get good presenters and to offer those, they really weren't a success unless they meaningfully impacted you, the members. If they helped you be a better lawyer, a better individual, to find greater satisfaction in your practice of law. And that could be said of all the programs.

A Lawyer Assistance program, we have more participants in that than ever before. People who take time to write articles for *The Gavel* and to prepare that and publish that.

None of that is meaningful unless it is helping you as a member of the Association be a better lawyer, to find greater fulfillment in your practice.

As I wrote in my most recent *Gavel* article, “SBAND is a statewide organization of lawyers, it is us, each of us and all of us, we are the State Bar Association of North Dakota, you are who make it great.”

I appreciate so many of you, as noted, the stalwarts who are here this morning who have done so much over the years to help SBAND become the organization that it is.

And I invite you, both our new lawyers, as well as those who have been doing so much, to continue to do so, to help SBAND become what it can be in the future. That it continues to help our young and older, more experienced lawyers in their practices.

I invite you to take a minute and consider, has SBAND accomplished its mission this year? Has the services provided by SBAND impacted you as one of its members in a meaningful way?

I hope each of you can think of at least a few ways that you feel you’ve been uplifted or improved by being a member of SBAND.

Next, I invite you to consider, what could SBAND do more in the future to help you and other attorneys in our state?

If you have any ideas or suggestions, or if you want to volunteer in any way, please let Tony, me or a member of the Board know so we can understand how we can better serve you and help SBAND continue to accomplish its important mission.

Thank you for the service that you provide to the state, its citizen, its communities and to The Bar.

Thank you for your professionalism and your collegiality and for making the practice of law in the state of North Dakota an enjoyable and rewarding experience.

Thank you for making SBAND what it is and what it will become in the future.

Thank you.

We’re now going to have an update from The Court, by Justice Crothers, we’ll then have a report from our Executive Director, Tony Weiler, he’ll be followed by Rob Manly, the Treasurer for our SBAND Financial Report and then Taylor Olson will give a report from the North Dakota Bar Foundation.

Justice Crothers.

**JUSTICE DANIEL CROTHERS:** Thank you, Mr. President and Judge Bahr.

And, Judge Bahr, thank you for your service as a past President of this organization. And looking around here, I see a number of past Presidents. We thank you, we know what it takes, both personally and on behalf of your family, and we know the sacrifices of being President of this Bar Association takes and thank you for engaging in that.

The Chief Justice could not be here this morning, he asked me to say a few words on his behalf. He gave me a script and I was thinking, well, nobody'll ever know I didn't use it, but I forgot, we have a court reporter.

So I better use the script, at least as far as he knows.

The Chief asked me to update you on a couple things.

First of all, the caseload in North Dakota in the state court system is back to about normal.

In 2021 the judicial branch handled 180,678 cases. There were 159,000 new filings and about 21,000 reopens. 285 of those cases went to trial by jury. And all of that was handled by 52 District Court judges, along with the clerks of court across the state of North Dakota and of course with our administrative unit.

So from this, we submit to The Bar that the court system is functioning at normal capacity and we think is handling cases in a timely manner.

And we think that by looking at our docket currency. Docket currency is the time it takes to proceed from filing to disposition.

We also think that by looking at our statistics on cases under advisement. And the cases under advisement is the measurement of time when a motion or posttrial matter has been fully submitted to The Court, and The Court decides that case.

Both of those metrics tell us that our caseloads are moving through our court system in a timely manner.

And, in fact, the Chief reported in another meeting during this Annual Meeting that the time under advisement requirements by our docket currency standards is being met.

In the last quarter, there were six cases across the state that fell outside of the cases under advisement parameter suggested by our docket currency standards.

That is a report the Chief looks at every quarter and works with the presiding judges to keep cases moving.

And so that's our docket currency.

Unlike other states, North Dakota does not have a backlog coming off of the pandemic. We thank our judges for their timely handling of matters, we thank our clerks of court, and most importantly, we thank you, the practicing lawyers who are appearing in the courts in helping keep your clients' matters moving through the system so that they are decided in a timely manner.

During the pandemic, we learned a number of things. We learned how to use technology in an advantageous way, not for all matters, but for some matters.

Going forward in the trial courts, I think we will see many of our judges using technology and online appearances for appropriate things, such as

scheduling and small hearings and evidentiary proceedings. And I doubt we will see trials by Zoom, but we might.

On the appellate side, when the pandemic hit, it took us 11 days to move from the courtroom to online proceedings.

The North Dakota Supreme Court in 2020 did not miss an argument, we continued to have online arguments throughout the pandemic.

And because of both the feedback from the lawyers and desires by clients, we have decided to keep a portion of our docket as an online process.

And so about 80 percent of our cases now in the Supreme Court are argued live, about 20 percent are argued online. And that, I think, has worked well. If you have a different opinion of it, we would love to hear from you, call the Chief.

The—I know it's early, but that was, you know, kind of my laugh line.

Thank you, I appreciate that.

In terms of legislative priorities, and then I will conclude, number one on our list, or high on our list, is judicial compensation.

Since 2015, when we look at the lack of raises in certain years and the rate of inflation, since 2015, judicial pay has fallen about 12 or 13 percent behind actual earnings.

So, in other words, the judges have lost 12 or 13 percent of their earnings dollars.

We're not just static, we're going backwards, and we know what inflation is doing now.

We are out of sync both with the inflation rates and we are out of sync with what our peer states, in other words, the other smaller states across the country, we're out of sync with what they are receiving in pay and we are going to ask the legislature for catchup.

The other priority for—and that's a priority for the judges.

The priority for the court system, and this is a project pushed by the Chief Justice, mentioned to the legislature last year, is to complete unification of the judiciary.

As we know, we had, in the early 2000s—or, I'm sorry, in the early 1990s, we unified the court system to eliminate the county court system and have all district court judges, but we did not complete that system by bringing in all of the counties into the state clerk system, so we have contract counties and state court clerks.

The Chief's intention and goal is to make all of those county clerks, those contract clerks, State employees.

In doing that, the goal is not to reduce the number of clerks, but it's to keep and utilize the clerks.

Our goal is not to remove deputy clerks from rural areas, it is to utilize the talents we have in those rural areas.

Our goal is not to create trial centers, but to allow and equip every courthouse in North Dakota with the ability to try a case.

Before the pandemic, we knew a lot about how our Odyssey case filing system could be used and how work could be moved around.

But during the pandemic, like many other necessities, we learned that we had to do the work electronically.

Through the lessons learned during the pandemic, it became very clear to us that it didn't matter where the person was who was doing the work, the work on a case could be done.

And so we really moved forward in implementing steps to do work out of district. If a case was filed in one judicial district, it could be done in another district or from county to county, even unit to unit.

We also discovered something—or we remembered something that we already knew, and that is, that we have clerks in rural areas who don't do a lot of the work because they have small workloads in some counties, and so because of that, they lose their proficiency in using Odyssey.

But we found when we moved work around that those clerks, and we didn't find, we remembered, that those clerks, when they did the repetition and remembered how to work with the system, were some of our best clerks.

Because, in the rural areas, we typically don't have the turnover for deputy clerks that we do in the larger areas.

And so we want to utilize that talent pool and we want to have them working long-term for The Court to be efficient.

We also hope that by bringing all of the clerks' offices into the state court system, we will have better uniformity in how cases are handled across the state, because we're fully aware that many, many lawyers don't practice just in one county or one district, that you practice across the state and it can be frustrating to have similar matters handled differently across the state.

So we intend to have clerks spread out. As one online university often advertises, "Talent is uniform, but opportunity is not uniformly distributed."

We intend to take care of addressing our uniform talent across the state by utilizing clerks elsewhere.

So that is a summary that the Chief asked that I provide. If you liked the brevity, you can thank me, if you have questions, comments, or complaints, call the Chief.

Thank you very much, have a good week.

**EXECUTIVE DIRECTOR TONY WEILER:** Oh, my shoe's untied.

Good morning, everyone. Thank you very much for being here.

I hope you've enjoyed the Annual Meeting. It's been great.

My staff, they dash off, you know, Carrie, Jeanne, and my staff that remain at home back in Bismarck, do such a great job for all of us.

And the Annual Meeting is, I think, one of the better things we do. I love to see so many friends and so many colleagues. It's also a lot of work and a lot of stress for us, but I still appreciate it.

I've been your Executive Director now for nine years, which is kind of hard to believe how fast it goes.

And often people say, "You know, what do you do?"

And I say, "Oh, I kind of run around the office with my hair on fire."

And when I started the job, I had, I did have hair like Justice Crothers. And I think by the time I'm done, I'll have hair like Judge Bahr. So it's a cycle I guess. But I really do enjoy it.

I do want to thank you, Doug, for your year of service. I appreciate, you know, your steady hand as you led us through this year. And, I did enjoy our travels.

We talked about a lot more than SBAND, we talked about life and I think you're truly blessed.

Your wife Laura is here and you guys have an amazing marriage and relationship and you have great kids.

So, Laura, thank you for giving us Doug for a year and we appreciate you. And, Judge Bahr, I appreciate you very much.

I'm also—I want to thank the Board of Governors. We are managed by a Board of Governors, 15 lawyers, their time and talent. And I really want to thank our Board.

Any of them are here today, if you're here and a Board member, will you please stand up?

Oh, we got it. Yeah, thank you.

We got like half the Board here, that's pretty good.

But they really are great. And I don't think a lot of people understand or know that—you know, what it is like, what is it going to be like if I get on the Board? I feel like I have to serve.

But I think, I think when most people get on the Board, they enjoy it. They have to put up with me, but that sometimes is—we all have our burdens and our crosses to bear.

I want to thank our outgoing Board members. Carrie Francis is done, she's our Past President. Carrie was here.

Carrie, Carrie's been great. She really led us through COVID, kind of through those COVID years and COVID times where none of us really knew what we were doing or how to navigate that.

And Carrie always said, "But I don't feel like I did much or nothing."

I told her many times that, "Sometimes when you lead through something that's unknown, it's, it's, it's better than when you have the known."

And so we all dealt with that, but she did an amazing job for us.

Tonya Duffy is also leaving the Board. I want to thank her for her service.

And Dean McGinniss. I don't know if the Dean's here this morning.

But Dean McGinniss is leaving the Board as well. Because—the Dean of the Law School is on our Board, which is unique. You don't see that across the country very often and that's something that we appreciate. We appreciate a relationship with the Law School.

I think as we've seen over the last few days how intertwined our Bar is with our School of Law. And we intend to continue to make sure that continues and that relationship is nurtured.

Judge Erickson had asked us all to do an hour a week.

I'm not sure I can do that much, Judge.

But it's kind of like when I used to play the golf tournament with Judge Hovland.

And my former boss, Mike Williams, would say, "You guys win the golf tournament every year."

He says, "I don't know if that looks that good."

I said, "Well, I've been ordered by a federal judge to be part of a team, I don't know what you want me to do."

And so we just had to keep winning the golf tournament.

But I do, I do think that we have a special relationship with our Law School and that's going to continue.

I also just want you to know that we're extremely mindful that, and I appreciate Judge Erickson saying this yesterday, we were the first unified Bar or mandatory Bar in the country in 1921. There's still 31 unified Bars.

We are very mindful of the fact that we are stewards of your money and we are very mindful of the constitutional limitations on the use of that money.

And while mandatory Bars have been under attack in the country over the last several years, including our own Law School, which was one of the first ones in the country, I believe that the Supreme Court of the United States has clearly sent a signal by denying cert in several cases with much bigger Bars than ours, like Texas with 155,000 lawyers and Michigan, that mandatory Bars are constitutional and that we could continue to do the things that we do as long as we're mindful of the constitutional limits.

And what I've tried to stress to my staff and to the Board is that, is that what we want to do is we want to serve you so you can serve your clients.

That is, I think, as simple a mission statement as you can have, because I believe that often mission statements are fluffy and there's a lot in there.

But to me that is really what we try to do. We want to serve you so you can serve your clients.

And if we're not doing that, I want you to e-mail Judge Bahr and let him know, don't e-mail me.



I'm just kidding, Doug.

You can always e-mail me. And I want you to know that.

That if—you know, we keep it simple at SBAND. I mean, at SBAND, if there's something we can do for you, there's something we're not doing right, there's something that we can do better, let me know.

And the people in this room, you are really our champions. I mean, you are supporters of SBAND and, you know, take—you care about what we do and how we do it, so I really want to thank you for that support.

We're continuing to be mindful, too, that we have to serve those who cannot afford our services. There is a need for pro bono.

We recently launched North Dakota Free Legal Answers, which is a website, in conjunction with the ABA, where you can sign up and you can take a question from a client and help somebody who needs that help.

And there's a lot of information on our website. There's information, we have some brochures here, but it is a simpler way, we think, to help those who have questions that aren't being answered.

Counsel wellness. Wellness is very important to us. We don't want to just preach wellness. I think one of Doug's goals this year was to make sure we're mindful of lawyer wellness.

And, as he said, in 2021 and even the first part of '22, we've done a lot of seminars, we've done a lot of CLEs that focus on lawyer wellness, lawyer well-being.

And that is—it's not always easy to find, but it's something that we're very committed to.

And if you have anyone you know who's struggling, who needs help, please contact me and reach out to our Lawyer Assistance Program.

Our Lawyer Assistance Program is there to help lawyers who need it. And it's not just addiction, it's not just mental health, it could be practice management.

Right now, in my time with The Bar, we've never had more people in the Lawyer Assistance Program.

And some might say that's a bad thing, "Well, what's going on?"

I said, "No, it's a good thing because we're helping people."

And we will continue to do that.

Our Sections. Also, we're looking to move into communities. Communities for all of our Sections.

So, if you're a Section Member, you'll be able to ask questions of other Section Members, post Section information. And that's something that we've been working on for a while, technology takes some time and so we're working on that.

And then I'm going to wrap up with an award.

In the past we've given a Chair award, a Chair of Honor to one of our committees or Sections an award. And we hadn't done it for a while. But this year I want to give an award to one of our Chairs.

And this one is personal for me because I was an undergraduate at UND and through chance and happenstance I got to work in a law firm for Ward Johnson. I think Ward is here this morning.

And Ward let me go to depositions with him, he let me go to court with him.

He also—their office needs a lot of pop. I went to the grocery store all the time and bought pop it seemed like. And I built shelves.

And Ward's law firm at the time was—they were in an old morgue in Grand Forks.

And I don't know, for some reason I was building shelves late one night, because that was my job, and I got a little scared because it was, I mean, this old morgue. And there was noises, it was creepy. But it was great.

And so Ward, Ward Johnson is Chair of the Ethics Committee. And the Ethics Committee is also something that many lawyers avail themselves to, but Ward is always able to answer questions, he's always able to help.

If someone on the committee doesn't answer questions, Ward just takes it.

And so I'm just going to wrap with the Chair of the Year is my good friend Ward Johnson, Chair of the Ethics Committee, so, Ward, if you'd come forward.

**WARD K. JOHNSON, III:** Thank you, Tony, really appreciate it, thanks.

**EXECUTIVE DIRECTOR TONY WEILER:** So that's it, no more for me. I think we have—oh, thank you.

Thank you. I love my job. And so as long as people on the Board and all of you want me to keep doing it, I'm going to keep doing it. So, thank you very much.

I think we have Mr. Manly to give the treasurer's report.

**TREASURER ROBERT MANLY:** Good morning, everyone.

I've been asked to present the Financial Report for the 2021 year. I'll try to keep this concise and short. All the financial data, to the extent you want more detail, will be on the SBAND website shortly, but for now I know the caffeine's still kicking in, I'll try to move things along and give you a brief overview of how we're sitting here with SBAND's finances.

I am pleased to report that the financial status at SBAND is very strong.

The 2021 audit that was recently completed shows liabilities and net assets for the organization at about 2.9 million.

This is compared to approximately 2.7 million in 2020.

This includes about 1.4 million in restricted cash assets and 1.3 million in unrestricted assets, including about \$14,000 in equipment. Inventory is listed at zero.

The net assets for the organization were 2.75 million, compared to 2.6 million in 2020.

As for revenues, the Association's 2021 revenue was approximately \$1.5 million, as compared to \$1.4 million in 2020.

51 percent of the total revenue is from license fees.

The other 17 percent, or 17 percent, I should say, of the revenue is legislatively mandated for operation of the disciplinary system.

As for expenditures, our total expenditures in 2021 amounted to approximately \$1.3 million compared to \$1.2 million in 2020. This includes total disciplinary expenses of \$198,000 and general and administrative expenses of \$941,000.

As for future budgets and planning, 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 statements to ensure that the Association continues to provide quality services and programs that our members have come to expect.

As for any questions you might have, as Justice Crothers deferred, I've got to defer as well. All questions can go to Tony and the very capable staff at SBAND office.

I appreciate your attention this morning, I wish everyone a wonderful weekend.

I'm going to turn it over to Taylor for a report from The Bar Foundation. Thank you.

**TAYLOR OLSON:** Good morning, I'll make mine pretty brief.

I'm here to talk about the North Dakota Bar Foundation.

The Bar Foundation is a nonprofit organization that fulfills two roles and is guided by its mission.

One role is to administer the income from the IOLTA program, which collects funds from lawyer trust accounts and uses the funds to provide programs for civil legal purposes to those who cannot afford it, for public education about the law and for the improvement of the administration of justice.

The Bar Foundation's second role provides a more public service function. We use the money that we raise from our own membership contributions, raised during our annual silent auction and other fundraising, to support public service programs.

Just a few things that The Bar Foundation has done over the past year. In 2021, they gave a grant to Legal Services in the amount of \$30,000.

They provide funding for the Law School in honor of Professor Randy Lee. In addition, scholarships have been approved for Law Review Case and Note Comment awards, homecoming scholarships for the top first-year law students, and a grant to the UND School of Law for a public interest law internship program.

In September of 2019, the Board approved a pledge from The Foundation of \$50,000 to the UND Foundation in support of the Law School that will be distributed \$10,000 a year for five years.

In September of '20 the Board voted to dedicate \$200,000 of investment funds with Edward Jones to be distributed over the next four years, so '21, '22, '23 and '24, to organizations who best suit the mission of The Foundation.

In 2021, contribution/membership fees totaled almost \$20,000. In additional income from interest, dividends, capital gains was around \$48,000.

Just in general, since 2010 The Foundation has distributed over \$208,000 to Legal Services of North Dakota.

That about concludes my report.

Just like with everybody else, sorry I'm not even actually a member of The Foundation, but filled in for Carrie this morning, so I really cannot answer a single question, but Mr. DeMakis is the Chair of the committee and I'm sure you could reach out to him or to Tony.

So thank you very much.

**PRESIDENT DOUGLAS BAHR:** Thank you for those reports.

I want to identify, this year's recipients for the Justice for All awards. Additional information about this will be in the upcoming *Gavel* and they will receive the actual awards later, so: Brady S. Pelton, Deborah Hedger, Michael Nobis, Mark Privratsky, Anita Sunde, Tracy Laaveg, Robert Keogh, Emily Rouse and Grant Walker.

So appreciate the service that they provide to all.

And now I'm going to have President-Elect Jeni Albaugh come up and read two resolutions.

**PRESIDENT-ELECT JENNIFER ALBAUGH:** I felt like it was a little bit like Groundhog's Day this morning because I walked in and Judge Bahr politely told me that I was reading again today.

So I think next year I'll actually look at the binder Tony gives me the morning before so I'm a little bit more prepared.

In any event, thankfully they're very short and there doesn't appear to be any typos today, so we should all be safe.

The very first one is Resolution No. 1, Appreciation; whereas, President Doug Bahr and his family have served the State Bar Association of North Dakota during the past year at a 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.

Now, therefore, be it resolved that the State Bar Association of North Dakota commend, commend President Doug Bahr and family for their dedicated efforts.

I'd like to personally thank Judge Bahr, too, it's been a pleasure getting to know him on a more personal level, rather than just having him rule on my family law cases from the bench and getting to know his wife, Laura, because I admit it's been a true pleasure and he's done an amazing job as President.

So I'll read Resolution No. 2, also entitled Appreciation; whereas, the businesses and organizations that graciously sponsored portions of the 2022 Annual Meeting and those that participated as sponsors and exhibitors are, our Platinum sponsors are: North Dakota CLE Commission, North Dakota Lawyers Assistance Program, Vogel Law Firm; our Gold sponsors are: ABST Law, ALPS, Clio, First International Bank & Trust, Fredrikson & Byron, Maring Williams Law Office, Mobile Pro, Nilles Law Firm, Serkland Law Firm; our Silver sponsors are: Brady Martz & Associates, Crowley Fleck, Eide Bailly, Fargo-Moorhead CVB, LawPay, The Title Team, Starion Bank; our Bronze sponsors are: Farmers National Company and Sanford Health; our Partner sponsors are: Agency MABU.

Is that right?

**PRESIDENT DOUGLAS BAHR:** Yes.

**PRESIDENT-ELECT JENNIFER ALBAUGH:** Perfect. The geck. Clearwater Communications, Pifer's Auction and Realty and the UND School of Law; whereas, without their participation and financial support, the 2022 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.

**PRESIDENT DOUGLAS BAHR:** We will now take a moment to remember and honor the members of our Association who have passed away during the last year.

Lynn W. Aas, Benjamin Randolph Allen, Dwight S. Cuffe, Janice Martha DeRemer, Dennis D. Dockter, Lawrence A. Dopson, Sidney J. Hertz Fiergola, Paul C. Germolus, F. Gene Gruber, Raymond M. Hagen, Robert Lisle Hale, R. Lee Hamilton, Tom M. Henning, William "Bill" G. Heth, Kenneth F. Johannson, Dennis Edward Johnson, Eddie G. Kopperud, Ilene H. Lee, Neil A. McEwen, Justice Beryl J. Levine, Richard H. McGee, II, your Honorable Michael O. McGuire, Roderick "Rod" B. McLarnan, Donald J. Olson, William "Bill" P. Pearce, Ronald A. Reichert, Gregory Ian Runge, David M. Saxowsky, John Charles Skowronek, Wayne O. Solberg, Wayne

K. Stenehjem, Gregory B. Sites, Senator John “Jack” T. Traynor and Kraig Allen Wilson.

It is now time for the elections.

We will first elect the young lawyer ABA representative. Is there a nomination?

Yes.

**FROM THE FLOOR:** I nominate Zach Eiken.

**PRESIDENT DOUGLAS BAHR:** Is there a second?

**HONORABLE JAMES HILL:** Second.

**PRESIDENT DOUGLAS BAHR:** Any other further nominations?

(No response.)

**PRESIDENT DOUGLAS BAHR:** All in favor, please so indicate.

(Responses of “aye”.)

**PRESIDENT DOUGLAS BAHR:** There’s no one else to vote for, so I don’t—I’m not going to ask for oppositions. And now we’ll elect the ABA delegate. Is there a nomination?

Judge Hill.

**HONORABLE JAMES HILL:** I’m coming up.

**PRESIDENT DOUGLAS BAHR:** Oh, boy. I—well, come on up.

**HONORABLE JAMES HILL:** You never deny me a microphone.

I take personal pleasure in making this nomination for Dan Traynor.

He has served with me, I’m a state delegate for North Dakota of the ABA and I’m a former SBAND President and it’s been really a joy to work with Dan these past years. And I hope that you do agree that he should continue.

I’m going to be going on the Board of Governors of the ABA. And I’ve watched Dan work himself through the power structure of the ABA.

Give—North Dakota has a unique seat at the table of the ABA. We’re small, but we are very vocal.

Dan Traynor has put himself in a position where he has a great deal of influence with the leadership of the ABA. We call the ABA President, President-Elect good friends.

And I know that if you do elect him again, which I hope you do, he brings a lifelong of judicial service, but, more importantly, he’s a trial lawyer at heart. There’s where he started, that’s where he is. He’s known as a trial lawyer and he brings to the table all of the positive things of professionalism, ethics and legal education, which are at the heart of what we’re doing.

So I, with great pleasure, nominate Dan Traynor as the SBAND representative of American Bar Association.

**PRESIDENT DOUGLAS BAHR:** Thank you, Judge Hill.

Is there a second?

**FROM THE FLOOR:** Second.

**PRESIDENT DOUGLAS BAHR:** Any further nominations?

(No response.)

**PRESIDENT DOUGLAS BAHR:** All in favor, please so indicate.

(Responses of “aye”.)

**PRESIDENT DOUGLAS BAHR:** And now we’ll elect the President-Elect. Is there a nomination?

**DEBRA HOFFARTH:** I nominate Taylor Olson.

**PRESIDENT DOUGLAS BAHR:** Is there a second?

**PRESIDENT-ELECT JENNIFER ALBAUGH:** I would second.

**PRESIDENT DOUGLAS BAHR:** Any further nominations?

(No response.)

**PRESIDENT DOUGLAS BAHR:** All in favor of the nomination of Taylor Olson, please so indicate.

(Responses of “aye”.)

**PRESIDENT DOUGLAS BAHR:** Any opposed?

(No response.)

**PRESIDENT DOUGLAS BAHR:** And congratulations to those who have been nominated.

I’d like to have President-Elect Jeni Albaugh come up.

At this point it is my privilege to turn the gavel over and the rest of the meeting to Jeni as the new SBAND President.

**PRESIDENT JENNIFER ALBAUGH:** Thank you, Judge.

Judge Bahr is clearly much taller than I am.

I am absolutely thankful for the opportunity to serve as the President of the State Bar Association of North Dakota and look forward to being intimately involved in its progress this next year.

Our 2023 Annual Meeting will be in Bismarck, and I look forward to seeing all of you, and hopefully more people there.

So, with that I would adjourn the Annual Business Meeting.

(Whereupon, the proceedings were concluded at 8:47 o’clock a.m.)

## COURT REPORTER'S CERTIFICATE

I, Joy Filipski, a general shorthand (Stenograph) reporter, 2100 South Columbia Road, Suite 204, Grand Forks, North Dakota, do hereby certify that the foregoing 40 pages of typewritten material constitutes a full, true and correct transcript of my original Stenograph notes, as they purport to contain, of the transcript of the proceedings reported by me at the time and place hereinbefore mentioned.

Joy Filipski

Dated this 24th day of June, 2022.