

PROCEEDINGS OF THE ONE HUNDRED AND TWENTY-
FIFTH ANNUAL MEETING OF THE STATE BAR
ASSOCIATION OF NORTH DAKOTA

GENERAL ASSEMBLY

TRANSCRIPT OF PROCEEDINGS

Taken before: State Bar Association of North Dakota

Taken at: Delta Hotel, Fargo, North Dakota

Taken by: Erin Jostad, Transcriber

MS. OLSON: Is this ready? Okay everybody, good morning. We are going to call the 125th annual meeting of the State Bar Association of North Dakota to order. And I'm going to welcome Sylvia up here to sing the National Anthem for us.

(National Anthem is sung)

MS. OLSON: Thank you, Sylvia, so much, that was amazing. Okay, so the next item is labeled President's Address. And I, I didn't really plan anything or what I was going to talk about today, so, I'm just going to say a few things about the last year. I want to thank everybody for coming and thank everybody for coming to the annual meeting. I think it's been a really good annual meeting. I've been to quite a few of them, and I've really enjoyed the content here, so, I hope everybody feels the same.

You know, I don't, I don't really know how to summarize everything that I've done in the last year in this position, so I just thought I would highlight a couple of things that I think have been really important. But one thing I would say that comes to mind is, when you travel as the SBAND President you go around, and you meet people from all sorts of other Bar associations. Some of them are mandatory, some of them are voluntary, some of them are local Bars, some of them are state Bars, and one thing that I've found is that I think all of the things that we have that are issues here in North Dakota, are common throughout the country.

We've spent, Tony and I have spent a lot of time talking to other Bar presidents and executive directors about all of the things that we have all talked about here in North Dakota. Legal deserts, you know, how do we get more young people into law school? How do we get more people engaged in the practice of law? And I would tell you that this is an issue no matter where you are; big city, little city, rural state, populous state, everybody kind of has the same issues. But the one thing that stands out to me when it comes to our state is how much gratitude I think that I learned that I have for the state that we all live in.

North Dakota is such a wonderful place to live, and I just think that our Bar Association, our board of governors, our law school, our judiciary, everything, we all work really, really hard to come up with solutions to some of these issues that we have in our state, and I can tell you that I don't think that that's the same everywhere. So, I have so much gratitude, right? You know, from going out around and meeting people and being involved in all these conferences, I think what I really, really took away was just how wonderful it is to live in North Dakota and be a lawyer in North Dakota.

And so, with that, I just want to thank some people. I want to thank my Board, there's a bunch of them, but if you guys want to stand up because I don't think that people realize how much time all of these people put into considering everything that we do for the state of North Dakota and the lawyers in North Dakota, so I think that we should all give them a round of applause. (Applause) These people are all my favorite and I would honestly tell you I think that I've formed really good friendships with all the people on the Board, and they're all just really, really wonderful people.

I want to thank Tony for dragging me along with him to all of these conferences and meetings, and teaching me, and whispering to me who was who and letting me figure all of that out. Again, when it comes back to gratitude, I learned a lot about Tony when I was traveling with him. Tony is so well-respected. When you go to a conference with him, everybody knows Tony. They're all like, "oh where are you from?" And you say, "I'm from North Dakota." "Oh, Tony Weiler," and they all have a story to tell you, and everywhere that you go, somebody's trying to get to him to ask him a question or get some advice on something. And I don't think I really knew that, you know everybody knows Tony, right? But I don't think I really knew how much everybody needs him until I started traveling with him. And I've just had a lot of fun this year, and I just want to thank Tony for everything, so. (Applause)

And then, I don't know if they're in here but Jen and Carrie, are they in here? No. Well, if you guys see Jen and Carrie, you know, tell them thank you. Those ladies work their [tails] off just for this conference and every day in general for all of the rest of us and probably don't get very much credit for it, but they are wonderful, but they do so much to keep us all in line, me especially, and I want to thank those two.

And then my husband and my kids. They're not here, but I want to thank them. My husband for holding down the fort at home and at the office when I'm gone on all these trips, and then my kiddos for letting me be the Bar President and a mommy at the same time. Okay. So, now I'm going to call Justice Tufte up for his update from the court.

(Applause)

JUSTICE TUFTE: Good morning, everyone. On behalf of the Chief Justice and the rest of the court, I want to thank you, the members of our Bar for what you do and your service to [this] state and what all of our lawyers do to carry on our system of justice. I want to just give you a brief update on where the courts are and some of the things that we're looking forward to in the next year or so.

In terms of, you know, how we're doing deciding cases, we are remarkably current in timely deciding cases, both in the district courts and in the [S]upreme [C]ourt. And I'm not going to give you all the statistics that you're used to hearing from the Chief Justice when he stands up, but I wanted to just touch on how well-functioning we are given the challenges that we've had, and so, you know our docket currency is our standard benchmark by which we measure whether cases are getting done on time and we're more than 95% current. Our cases, when they get beyond standard, you have to go to the presiding judge and then to the Chief Justice to get an exception to those standards. We have about a dozen a year that have to go to a presiding judge and maybe two that have to go to the Chief Justice.

So, when the case falls a little bit behind, it's a bankruptcy; it's a complicating circumstance; it's a request of a party to have a little bit different schedule, little bit delayed schedule. But our courts are keeping up with all the business that you as members of our Bar are bringing to us. I th[a]nk our district judges also when they take a case under advisement, that means when it's fully briefed and ready for decision, they're getting those cases decided incredibly timely as well. Our court, the Supreme Court, on our last report we had 31

cases pending decision. I've been on the court seven years now, little over seven years now, that's probably as current as we've ever been at this time of year. Our caseload is pretty average according to the ten-year average. And so, partly due to technology which I want to touch on a little bit, partly due to keeping up with our processes.

Of those 31, I think 11 have been pending for more than six weeks, two for more than 90 days. I hope you're not sitting around having to explain to your clients, why isn't my case decided yet? I don't think any client has ever asked a lawyer, you know, did they decide my case too soon? Why did we get an answer only three weeks after the hearing. I think that keeps your clients happy; that keeps our litigants and self-represented folks happy as well.

So, just briefly on technology and on our special dockets which are two areas that I spend a fair bit of time on on the court with our committee work and such. You know, technology can be a challenge for courts, but I think we all appreciate both as lawyers and as judges that we have an obligation to the people we serve to keep up with things, to stay efficient and effective and to take care of their business. We don't want new judges that come on to the bench to have to take a big step backwards in terms of technology and processes, when they leave private practice which traditionally has been more innovative, to come on to a court that's not up to date. And so, we're constantly trying to keep track of new and better ways of doing things. I've had colleagues, you all have probably had colleagues and friends that they'd just like you to wait for that new computer system until they retire and that's going to be pretty soon, so if you could just hold off on that, some of you may be those people. It's hard, but we all have to climb that learning curve, take advice from each other, encourage each other, understand that sometimes we're going to have a few challenges.

So, our court has a small, but really quite capable IT department that's just recently finished a new case management system for the Supreme Court and you probably, if you use our website, if you file appeals or you do appellate work, you would've noticed a few changes. And not everything goes completely smoothly, I think, you know my perspective I use a certain piece of that. I don't use the filing and serve and some of the things that lawyers and litigants would use so my perspective may have some gaps, but I think there are a number of things that I want to highlight that are really efficiency drivers for our clerk's office. This new system, the focus is really the filing and the docketing and the internal processes of the court to make that work better. Our old system was home built over many years. The person who built it

retired, was no longer serving that system, and so we were left with a custom-built by mostly one person, custom system, that the software wasn't supported anymore, the underlying systems were tied to old versions you've probably been in law firms or private employers where I hope you're still not on Windows 95 or something like that, but people get stuck on a certain way of doing things. And so, our clerk's office, we have dashboards and better searches and statistics and e-filing directly into cases and a lot of things that are already coming together. I think as lawyers you should be seeing some improvements as well with e-filing and paying filing fees electronically and a variety of things that probably were an adjustment in certain respects, but I hope you see as improvements, and I hope you continue to give us some feedback on where there's maybe still points of friction that you'd like to see us push for improvement. We're tied to vendors; we can't always since it's not a home-built system, just respond to what features that folks would like, but so far, I think that system's gone really quite well.

A couple other technology things we've done recently, you've, I hope noticed, we have YouTube streaming of almost all of our court committee meetings now, so if they're not in-person only, which a few of them are, you'd have an opportunity if you're only interested in one agenda item, from your office to just tune in and see what the discussion at that committee is. If you're reluctant to take Tony's calls because you're afraid he's going to ask you to volunteer for a committee, check out what those committees do, see what it's like if you've not attended those, and maybe you'll see that that might be a fun way to participate and contribute to the Bar.

So, our self-help center on the Supreme Court website has a new feature that may be a benefit to you or to your clients. You can subscribe to a digital, a district court case, and any time something new is filed in that case, you can get an email alert that says there's a new filing. It won't attach it like you might find most convenient, but members of the press, members of the public that are following a case, maybe some of your clients that want to have instant notification of something that happens in their case, just go to our self-help website, and you'll see the subscription page for that.

Briefly, what are we looking at going forward on technology? We've had some requests for digital evidence storage and management, the video files and the extensive medical records and other things are, have been for a number of years, a bit of a challenge to manage and store and retrieve and to make sure that the clerk's office system can handle some of those other types of documents. I think we're still sticking thumb drives into files and using

DVDs and such and other ways and there are better ways to do it and we're looking at some of those, we're looking at some improvements on file and serve and the difficulty some of you have had with making that work. It's not quite as user-friendly as many of you would like.

I hope some of you went to the Artificial Intelligence sessions yesterday. It was kind of an entry-level presentation, at least the one I did, that really gave you some interesting, really hands-on practical ideas for things that you can try. But within the court, we're looking and, in this year, according to the Chief so hold him to it but not me, but other jurisdictions are using some of these AI tools to help filing process. You can understand our clerk's office. Hopefully you haven't had too many things rejected for filing, but they have a checklist that they go through to make sure filings are compliant and to make sure all the rules, or many of the rules are satisfied. Machines can do checklists, and they can do them a lot faster and uniformly formatted and well-structured documents can be automatically, almost automatically approved for filing by a machine, and then anything that's a little bit irregular can be passed on or flagged for human review.

And so, my understanding is probably in one district sometime this year we'll be able to do some testing and piloting of that kind of functionality to help us. Because many of our districts, we've been short of clerks for quite some time. We have a hard time hiring into some of those positions. And so, of necessity, not because we want to have fewer people on our team, but of necessity in order to get the work done, we have to be looking to those things.

Something else we're looking forward to in the near future is moving towards, it would require rule changes and other things but making digital audio the official record for some proceedings and leveraging the machine generated transcripts that are probably already more accurate than human generated transcripts, but more importantly, perhaps, are much faster and much, much cheaper for the litigants and for the court. So, that's something we're looking to try out and hopefully to move in that direction soon.

So, then I'll just briefly conclude on some topics on special dockets. Treatment courts, drug courts, DUI courts, some of those things that we have. I'm on a committee that approves or recommends approval to the court when there's a new one proposed, and then we monitor those for performance and making sure that they're achieving the aims that they're intended to achieve. We have 130 active adult drug court participants in our five drug courts across the state and 36 juvenile drug court participants in those programs, and

that number's a little bit below trend because we've had some graduations and some restructurings in a couple of those recently. We've got a Veteran's Court up in Grand Forks that has eight participants right now; and a Richland County treatment court that Judge Cruff is running down in Wahpeton that has seven.

So, those are all ultimately the decision maker's still the district judge, they're an additional job that a judge who feels passionately about working in that area takes on, and so it's more of a team approach if you're not familiar with it. Both probation officers and defense attorneys and prosecutors and treatment providers that all work together, but ultimately still the judge that decides.

And I wanted to kind of close with a little bit of a cautionary note because the courts are getting asked to take on more of a role with guardians, supervising and training and disciplining guardians and expanding and changing certain aspects to juvenile court; things that in other states are done by the executive branch. Drug courts are like that, they feel like they're sort of a blurred line between executive branch functions and judicial functions. And so, you know, courts may still be, I hope, one of the last parts of government that still commands some respect from the public and that we haven't gotten quite the bad reputation that many of our public officials have, some quite undeservedly.

But we want to be cautious about layering on additional responsibilities. We're keeping up quite well, and we're happy to do what the policy makers ask us to do in the courts, but I hope you'll help us keep an eye on what we do well and that we continue to do as a team between the bench and the bar, continuing to do that stuff well without having the legislature layer on too many things that probably ought to be handled somewhere else. So, I really enjoy being a part of this small state, small Bar, collegiality and professionalism that we see amongst those lawyers who come and practice before our courts and who we get to meet socially at events like this. We've been welcoming, we've welcomed new people moving into the state from other states, some of whom I've met here this week, we welcome our new graduates who come into the profession, we're working hard to try to encourage more people to join our profession and continue to serve our people in this state and thank you for all you do.

(Applause)

MS. OLSON: Thank you for that report and that update. Next, I'll have Tony come up and give his executive director report.

MR. WEILER: Thank you, Madam President. Thanks, Justice Tufte, for what you do, and I've known you a long time, and I appreciate more and more what you do for the state judiciary, so thank you, appreciate you. Your contributions are, I think they go unnoticed some times. People do a lot of work that people don't know about but, thank you. I want to say thank you to all of you for being here. Thank you for your continued support of the annual meeting, thank you for your continued support of SBAND, and that ultimately is your support of me and for what I do.

Taylor, thank you for your year and thank you for your kind words, I appreciate you. As a way to thank Taylor, I think you should all give her a hug on her way out. Kind of an inside joke. Taylor does not like to be touched or hugged, so don't do that. Just give her a fist bump maybe. But we send a lot of cactus emojis back and forth to each other, so.

I do serve with, I work for a board of 15, hardworking board, I know they already stood up earlier, but I want to say thank you to them for what you do, the service that you provide to the Bar and ultimately the service that you provide to our members and to me. I feel very supported by you and very appreciated by you, so thank you, and that goes to every board member I've worked with over my time. It's hard to believe this is my twelfth annual meeting as your executive director, I've had this job for 11 years and I really continue to enjoy the work. I think that's because of what I appreciate of what our bench and Bar have, the relationships we have with each other, and I really do appreciate our judges and justices that attend the annual meeting every year and that just do the work that we do and support us in the work that we do. And I appreciate lawyers, I still, I mean I am a lawyer, and I appreciate lawyers, and I appreciate what you do for your clients, I appreciate what you do for society, no matter if people call us liars, we'll defend the rule of law, and we will defend the practice of law and the work that all of you do serving your clients and serving the citizens of our great state, so thank you for being a lawyer.

Just a couple of things I'll point out to you that you may see coming down the road. I'm on a lawyer licensing task force that's being chaired by Justice Tufte. Oh, I want to, Jen's in the back now. Where's Carrie? Is Carrie in here too? She's out there. I want to thank Jen and Carrie for all the work they do for the annual meeting and just, I think that people don't, you might get a

sense, but these things are so much work and there's so much effort that goes into it, and we're kind of like, you know the duck under water, on top it looks calm and it looks like everything's good but we're just paddling away and so, Jen Hauge is a member of the Bar as well and she serves as staff attorney for SBAND, and I just appreciate you so much, thank you. Yeah. (Applause) It's nice to have another lawyer in the office to correct me all the time. She's actually a really smart lawyer so it's kind of fun.

But so, lawyer-licensing task force. Justice Tufte's chairing it, and this came out of a potential study resolution last legislative session that had been started as a, to study a diploma privilege for admission to the Bar in North Dakota, and we didn't support that. The Dean of the law school, I don't think the Dean's here this morning, but I wanted to thank Brian, too, Dean Pappas for all of his work and all of his support. And of course, Mike McGinnis[s] always helps us, Juli[a] Ernst is a big supporter, so I appreciate their contributions to SBAND very much.

But the lawyer licensing task force is taking a look at all things, really looking at admission, licensing, and where are our shortages? People say, you always say that we need more lawyers in North Dakota. How do you know that? And I don't have any evidence to support that, it's all anecdotal, 'cause all of you tell me you need more lawyers, you have too much work to do, you know, I, doing this 11 years, no one's ever said to me, stop letting more lawyers into North Dakota. So, Justice Tufte, and there are several, somebody from the Board of Law Examiners, ICE, I'm on the task force, two legislators, I'm probably going to forget someone, that's not the important part.

But the important part is, Justice Tufte and the court are gathering information, this task force is looking at all things, looking at licensing in North Dakota, looking at the practice of law, looking at where our shortages are but also looking at, I think, that are there legal needs, are there legal services that can be provided by people who are not lawyers. And I think the answer to that is yes. When I started this job 11 years ago, if you talked about licensed legal technicians or paraprofessionals or somebody else doing legal work for people who really can't afford to pay any of you in this room, that was looked at as anti-lawyer, it was looked at as anti-you know, legal professional, and I just don't think that's the case anymore; I think that's changed. And so, Justice Tufte, I appreciate your efforts there. I appreciate that you have a staff attorney that can do a lot of the work, 'cause I don't have that. Well, unless Jen wants more on her plate. But so that's taking a look at everything looking at licensing, I think we'll provide a report probably to the court here soon,

that will probably become something that's presented to the legislature. I don't know that we'll come up with any solutions, but I'm really glad that we're gathering the data and gathering the information, and I appreciate being a part of that.

The other thing that came out of the last legislative session, and it's probably been a three-session push that licensing agencies and licensing boards are a detriment to workforce development in North Dakota. And everything is workforce development; need more workforce, need more workforce development, and that's simply not true. If you know the people that license lawyers in this state, they are great, and it's not that hard to become a lawyer in North Dakota, and it's really not that hard to become another professional, but we still have to maintain the integrity of the profession, or the integrity of any profession. And so, there was a suggestion that CLE disappear, that you no longer have to take CLE. And we don't agree with that, but what we're going to look at doing is suggesting to the CLE commission and then ultimately the court to reduce the number of CLE hours from 45 to 36. And that hopefully will appease some legislators.

And then finally, personal note, sort of professional, in talking about what I do nationally, I'm part of a group called NABE; the National Association for Bar Professionals, and it's a national organization that do what I do or people on Bar staffs, and I was slated as the vice president of that organization, so in two years I'll become the president of NABE. I'll be the second North Dakotan ever to have that role, which I'm pretty proud of. And the first person, whose name was Alfred Schultz, and he was the first full-time executive director. Some of you in the room probably know him, but he was, he became executive director of SBAND in 1969, which is the year I was born. And so, in the 80 plus-year history of that organization, I'll be the second North Dakotan. And I looked at, I didn't know much about Mr. Schultz, so I looked up his obituary, and in his obituary he said that serving as executive director of SBAND was a real highlight of his life and being the president of NABE was the real pinnacle, and I think someday my obituary will probably say the same thing because I'm going to continue to do this job as long as you want me to do it. I really enjoy the work, and I just want to thank you all very much.

(Applause)

MS. OLSON: Thank you, Tony. Next up we have Rob Manly, the treasurer, to give his financial report.

MR. MANLY: Good morning, everyone; thanks for getting up early for our annual meeting. It's my privilege to bring you this year's financial update for the State Bar Association of North Dakota. In other words when Rob tries to read numbers, which isn't that easy, as I will shortly show you, if anybody needs to get coffee, this is a good time. All the numbers that I'm going to go over with you right now are all on the State Bar Association website. So, feel free to take a look at it. If you have questions, you can certainly call Tony and his very capable staff.

But with that being said, I'm going to try to run through the numbers the best that I can here for 2024. I can assure you the State of North Dakota's Bar Association's finances are strong. The 2023 audit that was recently completed, reflects total year-end liabilities and net assets of \$2,978,332, compared to \$2,974,147 in 2022. This includes \$1,497,517 in restricted cash assets and \$1,309,661 in unrestricted assets, including \$15,442 in equipment, an inventory of \$6,938. Net assets were \$2,807,000 and a hundred, excuse me, I told you it was tough. \$2,807,000 compared to \$2,752,669 in 2022. As far as revenues are concerned, the association's 2023 total revenue was \$1,613,000 compared to \$1,489,000 in 2022. Forty-eight percent of total revenue, or \$773, about \$773,000 was from license fees, available for SBAND's general operations, and 16% is legislatively mandated for operation of the disciplinary system.

As far as expenditures; our total expenditures for 2023 amounted to \$1,558,000 compared to \$1,489,000 in 2022. This includes total disciplinary expenses of \$227,000 and general and administrative expenses of \$1,115,000. As far as future budget, all association expenses are closely monitored by the Board of Governors to guarantee the membership receives the best value for the dollar. The Board tracks all spending through detailed monthly financial reports, to ensure that the association continues to provide the quality services and programs our members have come to expect. As mentioned previously, should you have any questions about any of this, Tony and his wonderful staff are more than happy to take your calls, explain things, go through things. We have a great investment committee that's dealing with a portion of our budget as well, so it's again, a privilege to work with this group, and I appreciate your attention and thanks for hanging in through the financial report. Have a great morning.

(Applause)

JUSTICE TUFTE: Thanks, Rob. You get to see me, just briefly again. I want to give the report for the North Dakota Bar Foundation. The Foundation is obviously our charitable arm, our non-profit organization. I'll tell you something interesting about the foundation, is that most of our, well not most of our revenue, but a lot of our revenue's derived from the IOLTA accounts. The IOLTA accounts comes into SBAND, usually budget about \$40,000 a year, which is what we get off the IOLTA accounts. And in 2023, that amount was \$275,000, from generally about 40. So, it's pretty amazing what interest rates going from you know .02% to 5 or 6% can do. And so, your Bar Foundation board four years ago made a decision to grant \$50,000 a year for four years. We did 50,000 three years ago, 50,000 the year before, and then last year we did 65,000 and now with the money that we have, they have decided to grant \$100,000 in '24.

So, if you know an organization, if you know someone who could benefit as a grantee, please have them reach out to me or have them look for the grant process. I'll just tell you what we do in support. We support our law school, we continue to appreciate our relationship with our one law school, most of us went there, we also are supporting many grantees. The other thing is our rural attorney recruitment program. We fund 15% of each one of the now eight lawyers that are in that program. If you want to know more about that, let me know. We support our high school mock trial, and pro bono funds as well. And a lot of our money also goes to Legal Services of North Dakota. I want to keep it brief; the Foundation is doing a lot of good things, we appreciate your support of the Foundation, and I'll leave it at that. Madam President.

(Applause)

JUDGE SANDBERG: Good morning, everyone, we have two resolutions to go over today, they're not particularly lengthy, and I wanted to propose those resolutions to the body. Resolution number one, is an appreciation, and it reads as follows: whereas President Taylor Olson and her family having 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 President Taylor Olson and her family for their dedicated efforts. Thank you, Taylor.

(Applause)

JUDGE SANDBERG: Second resolution is also for appreciation, and it reads as follows: whereas the businesses and organizations that gratefully, graciously, sponsor portions of the 2024 annual meeting and those that participated as sponsors and exhibitors are and they are listed here, I'll list them for you: Larson King, LLP, North Dakota CLE Commission, North Dakota Lawyer's Assistance Program, Sand Law, PLLC, and the Vogel Law Firm; those would be the platinum sponsors. The gold sponsors: ABST Law, First International Bank and Trust, Fredrikson, Maring Williams Law Office, Mobile Pro, Nilles Law Firm, Ohnstad Twichell, and the Serkland Law Firm. At the silver level was Alps, A-L-P-S, Brady Martz, Crowley Fleck, Eide Bailly, Starion Bank, The Title Team. At the bronze level of support was the Cass County Bar Association, The GA Group, P.C. And then at the partner level: Arvig Media, Attorney's Title Guarantee Fund, Clearwater Communications, Farmers National Company, Image Printing Incorporated, Intrepid Forensic Healthcare Consulting, Legal Services of North Dakota, The North Dakota Attorney General's Office, The North Dakota Community Foundation, North Dakota Protection and Advocacy Project, Pifer's Auction and Realty Land Management, Red River Valley Law, P.A., the UND School of Law, and Vlex Fast Case. Whereas without their participation and financial support in the 2024 annual meeting of the State Bar 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. And we do thank them all, thank you very much.

(Applause)

MS. OLSON: Okay, the next item is the memorials. I'm not sure if they're going to be listed up there. Okay. So, up on the screen here are the attorneys that we have lost in the last year. And I'm not going to read them all, but we can flip through them, and you can look through those.

The next item is an election of the Young Lawyers section. Prior to the annual meeting, several individuals stated their intention to run for election. Pursuant to our bylaws, when there is an uncontested election, those individuals are automatically elected. The elected Secretary-Treasurer is Katie Winbauer, and the Board of Governors Representative is Erica Skogen Hovey. The ABA Representative position is also uncontested but is subject to approval of the SBAND general assembly. Logan Caldwell has stated his intention to run for this position and Logan is here today, maybe if you want to just, there we are, you can introduce yourself. And so, do I have a motion to elect Logan Caldwell as the Young Lawyers Section Representative?

JUDGE SANDBERG: Motion.

MS. LIES: Second.

MS. OLSON: Okay, we have a motion and a second. All those in favor?

(Ayes)

MS. OLSON: All those opposed? Motion carries. The next item is the election of the ABA Representative. Under the SBAND constitution found specifically in article 4.7, a candidate for president elect or ABA representative, shall be nominated by a petition signed by at least five other members of the association and received by SBAND, 50 days prior to the general assembly meeting. The only candidate to do so for ABA Representative is Zach Pelham. Notice was previously published in *The Gavel* and online in February, so at this time, Zach is here. Zach, there we are. At this time, do I have a motion to elect Zach Pelham as ABA representative?

JUSTICE TUFTE: Motion.

MS. OLSON: Okay, we have a motion. Do we have a second?

MR. MCGINN[I]SS: Second.

MS. OLSON: We have a motion and a second, all those in favor say aye.

(Ayes)

MS. OLSON: All those opposed? Okay, motion carries. And finally, under the SBAND constitution found specifically in article 4.7, candidates for president elect or ABA Representative are nominated by a petition signed by at least five other members of the association and received by SBAND 50 days prior to the general assembly meeting. The only candidate to do so for President Elect is Deb Hoffarth. Notice was previously published in *The Gavel* and online in February. Deb, say hi to everybody. There we are. At this time, do I have a motion to elect Deb as president elect?

MR. LEE: Motion.

MS. OLSON: And do I have a second?

MR. WEILER: Second.

MS. OLSON: All those in favor signify by saying aye.

(Ayes)

MS. OLSON: Motion carries. Congratulations to all of our new representatives.

(Applause)

MS. OLSON: And at this time, I'd ask Ted to come back up to say a few words.

JUDGE SANDBERG: Well, good morning once again everyone. I'm taking on the reigns of presidency I suppose right at this very moment, as Taylor has left the stage, and I've taken the stage. I hope to be as, even partially as competent and dedicated as Taylor has been for the last year. It's an interesting thing to see, the amount of administrative and dedicated work that goes on behind the scenes to support the practice of law in North Dakota and the amount of inter-agency working between the bench and the Bar, between our Bar and other states' Bars; it's a significant amount of work and effort done by a lot of very dedicated people of which I will hope over the next year to just be able to add my own two cents and my own sweat and labor to this process, which has really created what Taylor and others have said up here, a really phenomenal Bar.

I cannot emphasize enough when you travel around a little, and I have as president elect, and you talk to people from similarly situated states, places like Montana, or South Dakota, or Wyoming, and things of that nature. The turmoil that some of these states deal with almost on a daily basis, certainly on a yearly basis, would seem almost absurd in North Dakota. And it would be absurd in North Dakota because of the way we all work together and that we're all dedicated to presenting the practice of law for the people of North Dakota, and that focus never changes, and we never get sidetracked, and we never forget that ultimately a lawyer's job is to serve the clients. And from the very top of the [S]upreme [C]ourt all the way down to the lowly Bar president, that focus generally does not change, and that is why our Bar is successful. That is why these annual meetings are so well attended. That is why yesterday it would be difficult to find a seat in any of the sessions, that's

why yesterday we had amazing vendors setting up literally a hallway to get in touch with our lawyers. That is why our silent auction is successful. All of these things are a result of all of you.

And with all of that said, I do want to then return the spotlight back to Taylor Olson, one last time in her role as president. The amount of work, effort, and care that Taylor had done, not just as president, that's merely but the peak of the iceberg of the years that she has spent on the [B]oard of [G]overnors, that the time she spent as president elect and now as president, so with all of that, I'd like to invite Taylor up here for a whole series of wonderful gifts that have been put together to mark your incredible term.

First and foremost, Mr. Weiler, Tony, has presented Taylor with a golf bag that actually has her name emblazoned all over it. And I think whoever got her name emblazoned on that really, really went the extra mile, thank you, Tony, thank you. And I hope you enjoy that. I'm told that golf clubs go in there, but.

MR. WEILER: In all her free time.

JUDGE SANDBERG: All the free time, you'll get around to it in about 15 years I suspect. And also, Taylor, on behalf of the entire State Bar of North Dakota, and especially on behalf of those of us who have been working in the Board of Governors for many years, your leadership, both before and during your presidency have been unmatched by anyone on the Bar, and I mean that quite seriously and just another example of why North Dakota works where so many other places do not, is people like Taylor Olson. Taylor, I present you with this very attractive gavel that has your name and a little plaque, thank you very much.

(Applause)

JUDGE SANDBERG: If there's nothing further, my very first act of president is to actually end the meeting, so, we're adjourned. Thank you all very much.

(Applause)

TRANSCRIBER'S CERTIFICATE:

I, Erin Jostad, CERTIFY that I transcribed the foregoing transcript from the digital recording provided to me. I further state that I was not present during these recorded proceedings, and I am only the transcriber of the digital-recorded hearing. I FURTHER CERTIFY that the foregoing and attached typewritten pages contain an accurate transcription of the proceedings, to the best of my ability, then and there taken.

Erin Jostad

Dated this 11th day of July, 2024