The Spring 2018 meeting was opened by President Laurel Forsberg.

Present: Wade Enget, Laurel Forsberg, Mary Kae Kelsch, Lenora Kutz, Tracy Laaveg, Rob Manly, Paul Murphy, Gary Ramsey, Lisa Tomlinson, Bob Woods

Absent: Shanice Lambert (Jim Wang’s official appointment is pending)


There were two corrections noted in the November 2017 minutes. The legal research company referred to should have been WestLaw, not Lexis-Nexis and the spelling of the State Bar Executive Director should have been Weiler. Motion to accept the minutes with those two corrections was made by Wade Enget, second by Lenora Kutz, motion approved unanimously.

Audrey reported that there had been no legislative/administrative activity reported nor had there been any activity regarding non priority emergency cases.

Rich reported that Regulation 1611 on client eligibility had been adopted by LSC and Aging Services and he requested the board adopt the new regulation dollar amounts. These are poverty guidelines which are used by both LSC and Title III Aging Services. Mary Kae Kelsch made a motion to accept these guidelines, Tracy Laaveg seconded the motion; motion was voted on by roll call vote and passed unanimously.

Kim gave the Budget to Actual financial report for December 2017 and discussed some of the line items that were over budget and explained why. Overall LSND was within budget except for the line items discussed. She then reviewed the Budget to Actual financial report for February 2018, which also was within budget.

Brady, Martz and Associates have been working on LSND’s annual audit since March 5th. The completed audit is due to LSC April 30.
Kim presented a grant update to the board. She received notice from our LSC Program Counsel the day before that indicated that LSND may receive an increase in funding for both Base and Native American.

A grant received since our November meeting includes the CDBG Bismarck grant.

Rich discussed writing a grant for the Fredrikson and Byron Foundation and they sent LSND $10,000. He also discussed a grant that Breezy wrote for United Way Souris Valley (Minot) which granted LSND $8,000 for year 2018.

Pending grants include: (1) the LSC competitive RFP for 2019, 2020, and 2021. This is a comprehensive grant and it will be due end of May, (2) STOP Grant application is due in June, (3) Otto Bremer Foundation Grant has a deadline of June 29 and (4) VITA is due the end of May.

Rich discussed whether or not we will apply for the VITA grant again. This is the acronym for Volunteer Income Tax Assistance program. So far this program has helped people receive $700,000 earned income tax credit. This means we are helping people who really need help. VITA is concerned we might not continue with the program. Discussion took place on a few of the issues with continuing the funding which included the dollar for dollar match requirement.

Laurie inquired about the LSC carryover percentage and whether we need to get approval. Kim stated that there is no carryover in LSC Base and that NA will have some carryover. We are required to obtain approval for 10% or more and LSND will have about 3% carryover for 2017.

Kim stated that she will be amending the 2018 budget and presenting the Amended Budget at the June 2018 meeting.
The updated Accounting Manual was submitted to LSC by December 31, 2017 as required. There has been no indication of any revisions needed at this time.

Kim asked the board to approve the revised Accounting Manual with the understanding that there may be revisions by LSC in the following months. Wade Enget moved the adoption of the revised manual. Second to the motion was made by Mary Kae Kelsch, following a roll call vote, motion was adopted.

Kim reminded the Audit and Finance Committee would need to review the draft audit with the chief auditor, Pat Brown, prior to its submission to LSC and that she would keep them informed on the audit progress. The Committee Members agreed to the meeting.

A letter was sent to Tony Weiler, Executive Director of the State Bar Association for submission to the Board of Governors for reappointment of board members Wade Enget, Laurel Forsberg, Mary Kae Kelsch and Gary Ramsey as well as the appointment of James Wang to the LSND Board. SBAND cannot find the letter, though we have a copy in our files that it was signed by Rich LeMay and sent on the 18th of October. Numerous contacts have been made with them in the meantime. The Board of Governors will not meet again until the end of April. Current members continue until they are replaced, but the new member is not able to serve as a board member until that official appointment is made. This leaves us one board member short and puts LSND out of compliance with our bylaws, a fact that must be reported to LSC.

Board Chair Forsberg made the following appointments to the Board committees. New members are underscored:

**Audit and Finance Committee**

**Attorney Members**

Mary Kae Kelsch, Chair
Laurel Forsberg
Jim Wang

**Client Members**

Lenora Kutz
Shanice Lambert

**Planning and Bylaws Committee**

Gary Ramsey, Chair
Paul Murphy
Tracy Laaveg

Lisa Tomlinson
Bob Woods
Board of Directors Meeting
Webinar 11:30 a.m. – 1 p.m.
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**Personnel Committee**
Rob Manly, Chair
Jim Wang
Paul Murphy
Lisa Tomlinson

**Public Relations Committee (appointed in Nov)**
Mary Kae Kelsch, Chair
Wade Enget
Tracy Laaveg
Lenora Kutz
Bob Woods

**Executive Committee**
Laurel Forsberg, Chair
Wade Enget, Vice Chair
Mary Kae Kelsch, Secretary/Treasurer
Bob Woods, At Large Member

Bylaws Committee
Gary Ramsey had no report. Strategic Planning will be handled later in the meeting.

Public Relations –
Mary Kae Kelsch had no report, as the committee has not met.

**Strategic Planning Progress**
Rich reported there have been a couple of meetings with Carter and Teri McNamara providing input on the Strategic Planning. This plan needs board approval. Strategic Planning is a process and changes can be made as needed.

Rich is in the process of creating a workplan template. Each office will be responsible for creating such a workplan using the template of the MLO; however each office will have a unique workplan. It will begin with stats in their region. Then after providing some thought, the offices will identify how they plan to work on the various areas identified.

This plan will be something we will be working with all the time. The first plan will be a 6 month workplan, and then a full year plan starting in 2019. We need to grow into this process and stay with it. It requires the cooperation and involvement of all staff members.

Question was asked regarding the Fund Raising Committee that is referred to in the Strategic Plan? Would the board be willing to establish a fund raising committee? Rich indicated in the next couple years we will be doing a number of things that are considered bold initiatives. It would be nice for him to have people
to bounce ideas off, ideas that would make progress in obtaining substantial sums of money.

Perhaps this could be done by having one of the current committees include this responsibility in their committee.

This type of effort needs to be driven by staff, but Mary Kae agreed that it is good to have somebody to bounce ideas off. If we determine at that time an idea needs a committee we could create it then.

Wade agreed and said “we could always look at ad hoc committees and that Rich talked about going to the legislature to raise our funding. All the board members will do all we can to help you, Rich.”

Tracy talked about using an oversight committee. She noted the need for somebody to steer the ship that could, lean on Rich and the executive committee. Fundraising efforts should come through the director and staff.

Wade move to approve the Strategic Plan 2018 and the Operation Plan 2018, second was made by Gary. Roll call vote indicated unanimous approval.

Deputy Director Report

Adele indicated the Annual Report should be ready by the end of March. Only the executive director’s page remains. The report goes to a broad segment of our population and is an excellent public relations tool.

Medical Legal Practice (MLP) attorney Shanda Fisher is a great addition to the team. She has good contacts and is very busy.

We received $200K from Bush Foundation in the form of a 2 year grant to start this project. We need to think about the future of this program as well. The VA has approached us regarding additional funds and we will pursue this avenue.

Adele provided an update to the board on the Hansen v. State of North Dakota et al law suit that she opined it likely will be dismissed.
We received information from LSC on CLE accreditation for the Regs training in September, so this will be sent to SBAND for their approval.

**Rich's Fundraising Plan - for next couple of years.**

**Phase 1** Proposal to SBAND for consideration at the April meeting for vote at the June Annual meeting. This proposal would request the addition of a mandatory $100 requirement to the current license fee that would be paid directly to LSND.

This would provide a high return for effort and would be easy to maintain. There are 2900 attorneys licensed to practice in North Dakota. Half of these attorneys do not live in North Dakota but they would also share in this requirement.

Currently the Bar License fees are capped at $400 in State of North Dakota by statute, so following the adoption of this plan we would need to go to the legislature to request an increase to that cap. $380 is the current highest bar fee, so that would allow us $20 per license until that cap is lifted by legislative action.

**Phase 2** Request that the Court filing fees be raised to increase the Surcharge filing fee received by LSND. This would also require removal of the cap of these fees.

**Phase 3** Go the legislature asking for money from general fund. In doing this we would need to prepare information to show legislature how much we improve the quality of living for North Dakota residents. We need to be bold and ask for money.

If these items all were approved, this could easily make us a $3 million program.

Why are we doing this, you ask – our funding has not been solid in the past years. LSC will give us an increase but it is not enough to do what we need. Salaries are low and we need to increase them. Young attorneys are going elsewhere once they are trained on-the-job with us. This takes time and effort only to be repeated time and again.

First we need to get the attorneys to buy into this, when that step is done it will make it easier to go to the legislature. This would show a commitment by ND attorneys; we also need the support of our
board. We will need to identify people who are willing to testify on our behalf for what we need.

Tracy asked – do we get a percentage of pro hac vice fees as well? The answer is “no” we don’t, but some states do that.

Paul said that for most attorneys, a half hour of time equals $100. He worried that this may cause a shift away from pro bono work.

Gary said “I think these are all good ideas; our board is behind you, Rich 100%!”

Adjourn

Paul Murphy moved the meeting be adjourned, Gary Ramsey seconded the motion, and the meeting was adjourned.

Mary Kae Kelsch, Secretary/Treasurer