Senior citizens can make attractive targets to some criminals. Seniors often own their own house, have a good credit rating, and have money in the bank. Many seniors were taught to be polite and generally trust others. Some criminals take advantage of seniors’ trust to take their property. These are the scammers or con artists.

Scams can take many different forms. Some seem obvious, but others can be disguised as legitimate transactions. A few examples of common scams against the elderly include:

**Telemarketing fraud**
These scams often promise something like a vacation or cruise, an investment that’s “guaranteed” to make money, or a prize.

- If the vacation even exists, it may be overpriced or does not include things like air fare or hotel costs. The caller will probably want a credit card number to pay for the vacation.
- Any investment has some degree of risk. You should check with someone you trust before you decide to invest. Any caller who says “you must act now” should make you suspicious. The caller’s investment opportunity may be extremely risky, or the caller may charge a large fee or a commission for arranging the investment. Carefully check the investment before sending any money.
- To claim a prize, which may be low quality or worthless, the caller may want a “shipping and handling” fee charged to a credit card.

*(continued on page 5)*
A View From the Top
By: Jim Fitzsimmons, Executive Director

“To err is human - - - to blame it on someone else is even more human.” ~ John Nadeau

I was talking on the phone to my great aunt in upstate New York the other day. At some point in the conversation she commented, “It’s been a very unusual summer.” Man, was she right. I’m closer to sixty than fifty and as I look back, I don’t remember a summer quite like this.

The weather, flooding, politics, sports – you name it – it’s been out of whack. I won’t dwell on the negative, but I think I’ll start there.

In June I was in Minot for the funeral of an outstanding trial lawyer and law school classmate, Kip Flagstad. As I was going into the church, people were asking me about the Missouri flooding issues in Bismarck, the huge sandbag effort, and what the summer had in store for the Bismarck-Mandan area. As we exited the church an hour later, sirens were going off and the Rafferty Dam and Mouse River had taken center stage. And that was just the beginning.

The debt ceiling crisis with Congress and the President playing, “Who is going to blink first?” occupied the national media throughout the summer until a deal was cut in early August. And then the stock market went south anyhow!

The National Football League spent the summer in strike/lockout mode, and the NBA followed suit. In baseball, the Pittsburgh Pirates and Cleveland Indians were actually still in the pennant race in August. In hockey, they relocated a team from Atlanta to Winnipeg (that sort of makes sense in a sea of chaos).

Add to it the fiasco surrounding the University of North Dakota’s nickname, no State Fair, destruction of roads in northwestern North Dakota due to the oil boom and lack of infrastructure, as well as the ever growing problem of water, water and more water in the Devils Lake-Tolna region of our state. It truly has been “a very unusual summer.”

I promised not to dwell on the negative, so let’s shift to the positive.

I want to commend attorneys Richard LeMay and Ed Reinhardt, as well as our Minot Law Office support staff, on the outstanding job they are doing with flood/disaster legal help lines this summer. In addition to legal help they are providing our low-income and elderly clients, these folks are operating the intake for the ABA Young Lawyers and State Bar Association of North Dakota who are providing legal help and advice to those disaster victims who don’t fall within LSND grant guidelines. A special thanks goes to SBAND Executive Director Bill Neumann and Young Lawyers leaders Erica Shively and Kara Johnson for their hard work and leadership in this important effort. This truly has been a well-coordinated effort intended to help all victims of the 2011 North Dakota flooding.

Another positive I’d like to address is the PRO BONO FUND developed by the State Bar Association of North Dakota and the North Dakota Bar Foundation.

(continued on page 3)
The legal profession is one of very few, if not the only, professions that carries with it an ethical duty to provide help to those who cannot afford to pay for services. As we move deeper into the 21st Century, the practice of law becomes more specialized and more complex. Many lawyers have jobs or areas of practice that do not mesh well with pro bono client needs.

Most pro bono clients need help with family law, landlord/tenant issues, public benefit appeals and the like. Today we have lawyers who specialize in water law, oil and gas, media, real estate, patents, utilities regulation and much, much more. We also have lawyers who are judges, public officials, and federal or state employees who are in positions where it is difficult to do pro bono cases (especially if it is a contested matter involving another North Dakota citizen).

The leadership of SBAND deserves a great deal of credit for the unique way they’ve addressed this issue. The PRO BONO FUND was created as something North Dakota lawyers can contribute to in lieu of actually taking pro bono cases. It was designed to address the concerns I outlined earlier in this column, but any lawyer can contribute financially to the PRO BONO FUND (even those who already do pro bono cases).

Proceeds from the fund will be used by the North Dakota Bar Foundation to expand pro bono services in the state of North Dakota. One of the ways will be with grants to LSND and other legal aid providers who have Private Attorney Involvement (PAI) programs.

LSND’s PAI program contracts with private attorneys, at greatly reduced rates, who have experience and expertise in legal areas like divorce, custody, landlord/tenant, public benefits, etc. to handle individual cases for low-income North Dakotans who are in need of legal help. With the current and projected cuts in government funding, the PRO BONO FUND will provide a very practical supplement to legal aid.

The more money that is available, the more reduced-fee cases can be handled. LSND only contracts as many cases as we have funds for.

A lot of Bar leaders were instrumental in setting the wheels in motion to get this project off the ground – too many to mention here (and I’d forget someone for sure). But three who deserve a great deal of credit and recognition are Past Presidents Sandi Tabor and David Maring, as well as Executive Director Bill Neumann. The benefits the PRO BONO FUND provides are greatly appreciated.

Amidst the flurry of pandemonium that has recently invaded North Dakota, I was still able to tell my great aunt in New York that we are pushing through and keeping our heads above water (literally and figuratively). Concentrating on the positive is easier to do when you see hard-working people like our Minot staff, the Young Lawyers and State Bar leaders taking great strides to improve less-than-ideal situations. Keep up the good work, folks.
The number of North Dakotans with veteran and/or military service member status is constantly increasing in our state. While the numbers are on the rise, so is the potential they will encounter legal issues for which they will need our assistance.

Army OneSource, an organization whose goal is to improve the lives of military families, has asked the State Bar Association for names of North Dakota attorneys who will help address legal concerns for our local service members and their families. Army OneSource has found that legal concerns are second only to career and mission issues as top stressors among service members.

All that is asked of you is your willingness to be placed on a directory of Attorneys in North Dakota who can be contacted for assistance. The directory will list your name, city, contact information, and area(s) of law you practice in or can help with. You will not be listed as providing services pro bono or on a reduced-fee status. The idea is simply to have an easily accessible directory of attorneys who are knowledgeable in specific areas of law and are willing to work rapidly with veterans, service members, or their families. The directory will be placed on Army OneSource’s North Dakota Legal Resources website, as well as with Legal Services of North Dakota and the North Dakota State Bar Association.

Attorneys are needed who can assist in the following areas of law:

* Last tax return (survivors)
* Estate (survivors)
* Powers of Attorney
* Contracts and leases
* Domestic violence
* Property damage
* Insurance claims
* Criminal cases, including DUI
* Financial support
  (alimony, child support, housing/rent increases or wounded warrior on limited income)

If you are willing to be placed on the directory, please send your name, contact information, and area(s) of law to:

Meredith Vukelic
mvukelic@legalassist.org
701-258-4270

Thank you in advance for your commitment to North Dakota’s military service members and their families.
Charities
Many legitimate charities make phone calls to raise funds. However, some others use names that are very similar to well-known charities or they put “police” or “firefighter” or “veteran” in their name to sound more trustworthy. Fraudulent charities can spring up following natural disasters.

You should always check to see if a charity is legitimate before contributing. Guidestar at (www.guidestar.org) and the Better Business Bureau Wise Giving Alliance (bbb.org/charity) are two resources to help evaluate charities.

Sometimes a caller will thank you for a previous donation. If you don’t remember making that previous donation, check your records!

Foreign Lotteries
It is illegal under U.S. law to buy tickets in a foreign lottery over the phone or through the mail. Foreign lotteries (even legitimate ones) are breaking the law if they try to get you to buy tickets over the phone or by mail or e-mail. That’s why any phone call or letter that tries to have you participate in a foreign lottery is a scam.

Another variation of this is to send “checks” to lottery “winners” to cover the costs of taxes, attorney fees, and so forth. The “winner” deposits the check in his or her bank account and then wires the fee money to a third party, often in a foreign country. The check is no good, and the “winner” must repay the bank for the bad check. But by then, the money wired to the third party is gone and cannot be recovered. If you get a phone call saying you’ve won a foreign lottery, hang up immediately. If you get an e-mail, delete it. If you get a letter, notify the postal inspector. Whatever you do, DON’T send money.

Home repair
The scammer will offer to perform some repair, like install a new roof, or repair the driveway with extra material left over from a nearby job he has just finished. There may be no written contract, or you may be pressured into signing a contract. When the work turns out to be of poor quality, the scammer has already disappeared.

You should get a written estimate, along with estimates from other local contractors. You should make sure the contractor is licensed and bonded. If there is a problem with the quality of the work, you can make a claim against the bond. To make sure the contractor is licensed and bonded, check with the North Dakota Secretary of State at 1-800-352-0867 or at www.nd.gov/sos/licensing.

If you are solicited at home, the contractor must also have a Transient Merchant’s License issued by the Attorney General’s Licensing division. You can check with the Attorney General’s office at 701-328-2329, or www.ag.nd.gov/Licensing/Licensing.htm (on the “License Holders” link).

If you are over 65, the cost of the repair is $50 or more, and you were contacted at home, North Dakota law says you must be given a written notice that you have 15 business days to cancel.

In the Minot and Ward County areas in particular, many repair and construction companies have come to help with flood repair. If you hire someone to repair your flood damaged house, you should check that they have a One Stop Center photo identification card. That indicates the contractor has met North Dakota contractor licensing and bonding requirements.

No matter what, you should not give your credit card or bank account numbers to someone who contacts you. Some scammers will claim they need to “verify” your account information. Once they have your credit card number, they can buy things for themselves and you are stuck with the bill. You should not give out your credit card numbers over the phone unless you initiated the call.
Addressing the Justice Gap

NY Times Editorial, August 23, 2011*

Most low-income Americans cannot afford a lawyer to defend their legal interests, no matter how urgent the issue. Unless they are in a criminal case, most have no access to help from government-financed lawyers either.

In civil proceedings like divorces, child support cases, home foreclosures, bankruptcies and landlord-tenant disputes, the number of people representing themselves in court has soared since the economy soured. Experts estimate that four-fifths of low-income people have no access to a lawyer when they need one. Research shows that litigants representing themselves often fare less well than those with lawyers. This “justice gap” falls heavily on the poor, particularly in overburdened state courts.

There is plenty the government, the legal profession and others can do to improve this shameful state of affairs. With the economic downturn, only around two-thirds of law school graduates in 2010 got jobs for which a law degree is required, the lowest rate since 1996. That leaves the other third — close to 15,000 lawyers — who, with financial support from government and the legal profession, could be using their legal expertise to help some of those who need representation.

While the Constitution requires that defendants in criminal cases be provided a lawyer, there is no such guarantee in civil cases. The Legal Services Corporation, created by Congress, gives out federal grants that provide the bulk of support for legal aid to the poor. Over the decades, that budget has shrunk — it was $404 million in 2011, about one-third less than it was 15 years ago, adjusted for inflation. The House Appropriations Committee has proposed reducing that to $300 million for 2012. The cut would be devastating; the budget should, instead, be increased.

Half of the people who seek help from legal aid offices are already turned away. Some offices are so understaffed that they must engage in triage, so that in, say, domestic abuse cases, they will only assist someone seeking a restraining order against a violent partner if that person is in immediate danger of being hurt again.

State bar associations could help address these needs by requiring lawyers to report their pro bono service — such disclosure would likely increase many lawyers’ service to the recommended 3 percent to 5 percent of their paid work. Another step is to allow nonlawyers into the mix. The American Bar Association has insisted that only lawyers can provide legal services, but there are many things nonlawyers should be able to handle, like processing uncontested divorces.

Legal education must also change. The Carnegie Foundation recommends that all law students be given experience in public advocacy, of which providing legal services is one kind. At the same time, law schools should expand loan forgiveness programs for legal services lawyers. A few have such programs, but most schools do not — and not enough schools view tuition as a source to help support future legal-services lawyers.

The justice gap is widening. Government, law schools and the profession need to work together to redesign and fortify the grossly deficient legal services system.

*A guest editorial is not necessarily the opinion of staff or management but provided as a discussion piece for readers.
As the flood water in Minot recedes, scam artists are moving in swiftly to cash in on the disaster, warns Attorney General Wayne Stenehjem.

A rash of text messages appear to be the most recent attempt to scam flood victims. According to officials at the disaster recovery center numerous individuals report having received a suspicious text message. The messages, which are being sent to telephone prefixes assigned to the Minot area, suggest that if the recipient’s home or business was damaged by flood, the recipient can avoid delays and be placed immediately on a list simply by texting “flood” back to the sender. If the recipient is not a flood victim, the instruction is to reply with a text stating “no.”

“The most important thing to remember is to not respond to these text messages,” said Stenehjem. “In past text message scams, it appears any response goes to a server and the unsuspecting victims are automatically registered for various offers they were not aware of and did not agree to, as well as expensive premium text messaging subscriptions.”

Unfortunately, the scam artists have “spoofed” a legitimate telephone number belonging to an innocent Minot resident, so the telephone number displayed on the recipient’s phone is not the actual number being used. This has resulted in some angry calls to the legitimate owner of the phone number, who did not send the bogus text messages. Although prohibited by law, scam artists frequently resort to spoofing a real telephone number because it makes it harder for authorities to track them down.

“Today it’s a false text message to get ahead on a waiting list. Tomorrow, it might be a bogus inspector at a flood-damaged home,” said Stenehjem.

Parrell Grossman, director of the Attorney General’s Consumer Protection Division, cautioned the public that over the next few months he expects to see scam artists taking advantage of flood recovery efforts across the state. “This is just one of what we expect may be a deluge of flood-related scams over the next few months. The text scammer may even be ‘setting the hook’ for a later scam. My staff and I will be vigilantly watching for new scams so we can alert the public,” Grossman said.

Anyone receiving a suspicious flood-related text message, e-mail, or telephone call can contact the Consumer Protection Division toll-free at 1-800-472-2600.

Office of Attorney General, Consumer Protection Division
4205 State Street, Bismarck ND 58503
Website: www.ag.nd.gov
One of the special projects of Legal Services of North Dakota is the Low-Income Taxpayer Clinic (LITC) which assists low-income taxpayers with tax problems. These services are provided in part by a grant provided by the Internal Revenue Service (IRS), however the LITC is not part of the IRS. One of the most frequent taxpayer problems we see at our clinic involves self-employment tax issues. The following information only briefly highlights tax information for the self-employed and is directed toward individuals such as Independent Contractors or Sole Proprietors, not Partnerships or LLC’s.

What is self-employment? Self-employed individuals are those who earn income by working for themselves rather than as an employee of a business or another individual. If you are an individual who enters into a verbal or written contract to provide a service for a price, you are probably an Independent Contractor. If you are the sole owner of your own business, you are probably a Sole Proprietor.

Sometimes individuals may not realize that income they are receiving is considered self-employment income and may be taxable. For instance, an individual who receives “payment” from the state to provide childcare for a relative is self-employed. Similarly, an individual who receives payment from the state to care for a disabled spouse in order to keep them in their home instead of a nursing home, is also self-employed. Even individuals who sell items that are products of their hobbies to earn just a little extra income, are self-employed and that income may be subject to self-employment tax.

What is self-employment tax? Self-employment (SE) tax is Social Security and Medicare taxes paid by individuals who work for themselves.

When you work as an employee, your employer pays half of your Social Security and Medicare taxes and you pay the other half through withholding from your payroll. However, if you are self-employed, it is up to you to pay all of the SE tax. The current rate of SE tax is 12.4% of your net earnings for the Social Security portion and 2.9% for the Medicare portion (for a total of 15.3%). In other words, you have to pay $15.30 in SE tax for every $100 of your net earnings.

SE tax is not the same thing as federal income tax. Income tax is based on all of your income; wages, dividends, interest, etc. and it is reported on a federal tax return. In some circumstances, you could owe no federal income tax, but still owe some SE tax.

How is self-employment tax paid? Generally, if you owed less than $1000 in tax for the previous tax year, you may be able to pay your SE tax along with your federal income tax when you file your federal return. If you owed more than $1000 in tax the previous tax year, or expect to owe more than $1000 in the current tax year, you may be required to make quarterly Estimated Tax Payments. There is a worksheet, form1040-ES, Estimated Tax, that you can use to find out if you are required to make quarterly estimated tax payments. You can find the form and instructions on the IRS website at
(Self-Employment Taxes, continued from page 8)

www.irs.gov. The form 1040-ES also includes vouchers that you can use to send along with your payments and provides the mailing address.

As indicated previously, your SE tax is determined by the amount of your net earnings or net profit after expenses. Therefore, it is extremely important to keep good records of both the income earned and the business expenses (See IRS Publication 535, Business Expenses for allowable expenses and Publication 583, Starting a Business and Keeping Records). Good records make it easier to prepare your annual tax return and accurately calculate any taxes owed and/or paid.

How is self-employment income and tax reported? If your net self-employment earnings are more than $400, you must file a federal tax return. You would need the following IRS forms: Form1040 (Federal Tax Return), Schedule C (Net Profit from Business) to report your self-employment income and expenses, and Schedule SE (Self-Employment Tax) to calculate your SE tax. If your business expenses are less than $5,000, you may be able to use a shorter version of the Schedule C which is the Schedule CEZ.

If you made quarterly estimated tax payments, these are also reported on the federal tax return, so it is important to keep a record and verification of those payments.

Where can I find more tax information on self-employment? The Internal Revenue Service has numerous materials, publications and information available on their website at: www.irs.gov. You can also call IRS toll-free at 1-800-829-1040.

The Low-Income Taxpayer Clinic of Legal Services of North Dakota provides services in the following areas of North Dakota: Ft. Berthold, Turtle Mountain, and Spirit Lake Indian reservations and the counties of Benson, Dunn, McKenzie, McLean, Mercer, Mountrail, Ramsey, and Rolette. For more information, you can contact one of our following outreach offices:

LSND New Town Office
(701) 627-4719 locally, or 1-877-639-8695
Monday through Friday, 8:30 a.m. to 5:00 p.m.

LSND Belcourt Office,
(701) 477-3710
Monday through Thursday, 8:30 a.m. to 5:00 p.m.

LSND Central Intake Office
1-800-634-5263
Monday through Thursday, 9:00 a.m. to 3:00 p.m.

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**ND FUN FACTS**

- North Dakota has recently been ranked the friendliest state in the U.S., according to Cambridge University.
- A vacation here is called the most affordable of any state by AAA.
- North Dakota ranks #1 as the safest state to live in.
- North Dakota ranks #1 for high school completion rates.
- ND produces enough soybeans to make 212 billion crayons each year.
- ND produces enough sugar beets that produce enough sugar to sweeten 27 billion gallons of Kool-Aid.
- The world's largest french fry feed is held every year in Grand Forks, during Potato Bowl USA. In 2006, a new world's record was set with 4,620 pounds of french fries that were served at the French Fry Frenzy. Around 10,000 people were served. About 113 gallons of ketchup were used as well.
Empowering Youth to Become Leaders in Their Communities

As I clung to the rubber chicken, I stood there panicking. I was trying to remember what I was supposed to do. There I stood, one of a handful of adults, with some of the brightest youths I’ve met and I was second guessing myself. One of my teammates turned around and began encouraging me. I quickly passed the chicken over my head and handed it to the person in back of me. Each member, in a line with the rest of their team, passed the chicken over one person’s head, under the next person’s legs, and so it went – over, under, over, under – all the way to the end of the line. Then the whole team yelled, “Done!” Meanwhile, the other team (the team without the chicken) huddled and all ran to pick up the chicken that was just tossed and did what the first team had done – over, under, over, under. The game went on for ten minutes. Both teams continued to encourage one another and quickly found ways to get the chicken moving faster. For those who have never tried this activity, it may seem silly; but for me who attempted it with youth, it was amazing to see the leadership that evolved.

There is no doubt tribal communities face unique challenges. In the Turtle Mountain Band of Chippewa community, the challenges are no different. It’s understanding those challenges that requires time and thought. And recognizing the importance of youth leadership is essential. That is exactly what the people of the Turtle Mountain community are doing. By facing their challenges and advancing their youth leadership, they are securing a bright future for friends, families, and neighbors. It is with that dedication and understanding that they are building a better community by working together.

In their community, young people are involved with youth councils. The object of a youth council is to bring leadership and achievement into various community programs. The programs have been developed and implemented to encourage young people to have a voice. Involvement in the youth councils provides an opportunity for youth leaders to work together to help solve community problems. While solving problems, the youth grow through achievement and in the knowledge that they are making a real contribution to their community. The youth councils work in collaboration with these other community programs to help build self-esteem, job skills, leadership skills, responsibility roles, cultural awareness, and assistance in organized events. The youth who participate then serve as role models and leaders for other community adolescents.

In recent months, I have had the pleasure of learning about, and getting involved in, various programs that are youth-driven. There are numerous programs that offer wonderful services to the youth. One of these is the Turtle Mountain Youth Build. This is a program that offers youth an opportunity to improve themselves through peer support groups, counseling, job placement, and leadership training, all while getting involved in the community.

Another community resource that offers a wide variety of programs is the Anishinabe Learning, Cultural & Wellness Center. The Center is located near Belcourt Lake and consists of 102.5 acres of pure natural beauty. Some programs it provides are the National Youth Sports Program (NYSP) summer sports camp, as well as various Turtle Mountain youth leadership programs.
As a nonprofit organization, Legal Services of North Dakota (LSND) relies on contributions to continue providing free legal services to low-income persons and our many advocacy projects. Any donation, large or small, supports the vital role we play in the struggle for equal justice.

LSND is a 501 (c)(3) organization, meaning that all contributions are fully tax deductible. You can make checks payable to Legal Services of North Dakota which can be sent to us at:

Legal Services of North Dakota
PO Box 1893
Bismarck, ND 58502

Your support will help LSND promote dignity, self-sufficiency and justice through civil legal aid for those with no place else to turn. Legal assistance stabilizes families and communities, saves taxpayers money, helps prevent legal problems that would otherwise further clog the courts, and helps people become self-sufficient and participate effectively in society. LSND works with other providers to remove the barriers that may prevent people from participation in programs designed to assist them. If you have any questions regarding donations, please contact Keith Engbrecht at kengbrecht@legalassist.org or call (701)222-2110.

DID YOU KNOW...

You can donate to Legal Services of North Dakota!

(Empowering Youth, continued from page 10)

The Young Life Turtle Mountain program is another organization that provides services to youth in the area. Throughout the year, functions are open to the youth. Some of the functions that have been held are community picnics, club nights, youth leadership trainings, Young Life castaway clubs and, most recently, the grand opening of Œgimaa Giizhig. Overall, this organization provides a comfortable atmosphere where youth can be themselves and connect with their peers.

As you can see, the youth of the Turtle Mountain Band of Chippewa have ample opportunity to get involved in building a better community. They are able to do so because of programs, like those just mentioned, that are willing to continue the advancement of youth leadership. As I witnessed during my chicken-passing activity, the evolution of youth leadership is an amazing sight to see. We should all make an effort to encourage the youth in our communities so they can continue to thrive and make a difference.
Insurance fraud is an increasing problem in North Dakota and across the country. It's estimated that about 10% of all claims paid out by insurance companies are fraudulent.

In addition, one of the most prevalent types of insurance fraud is health insurance fraud, characterized sometimes by doctors charging for a more expensive procedure than the one that was actually performed.

It is important to remember that insurance fraud affects all of us—consumers and insurance companies alike. It is estimated that fraud costs consumers between $200 and $300 per year in increased home and auto insurance premiums.

For years, many people have believed that defrauding an insurance company is okay. Lots of people think that it's all right to pad a legitimate claim to recoup the deductible or make up for insurance premiums paid over the years when no claims were made.

Some of the latest consumer attitudes research, conducted by the Insurance Research Council (IRC), show that 33 percent of US adults think exaggerating an insurance claim is fine. The report was based on telephone and in-person interviews of 3,504 U.S. adult men and women, conducted largely by the Roper polling organization.

The bottom line is that fraud is not fine—it's illegal and punishable by law. In North Dakota, insurance fraud is a Class C Felony if the value of any property or services retained exceeds $5,000 and a Class A misdemeanor in all other cases. It may be punishable by up to five years in prison and up to $5,000 in fines and may include restitution and court costs.

For more information contact:
North Dakota Insurance Department
State Capitol 5th Floor, Bismarck ND 58505-0320
701.328.2440 or www.nd.gov/ndins

**TYPES OF FRAUD**

**Auto insurance fraud:**
* Staged accidents, where one or more criminals cause intentional collisions in order to get undeserved payments for health care costs for alleged injuries or vehicle damage
* Providing false information to an insurance company about a car's mileage or use
* Phony injury claims, when people lie about the injuries they have sustained in an accident
* Inflated damage claims, in which criminals falsify the extent of damage or the true cost of repairs to their vehicles
* Phony thefts, where the owner simply abandons a vehicle and then claims it was stolen (known as an "owner give-up")
* Falsely claiming a one-car accident was a "hit and run"
* Inventing injuries to people who were not in a vehicle at the time of the accident (people known as "jump-ins")

**Homeowners' insurance fraud:**
* Staging a phony burglary or vehicle break-in and faking a loss
* Overstating the value of stolen items after an actual burglary of a home or vehicle
* Lying about the extent, cause, date or location of legitimate damage
* Intentionally damaging property
* Making a second claim for a loss that was already paid for by another insurer or through a prior claim
* Asking a repairman to "cover your deductible" within their estimate
* Fabricating supporting evidence—often in collusion with a crooked contractor, plumber, repairman or insurance adjuster

**Health insurance fraud:**
* Doctors billing insurers for a more costly service than the one performed (also called upcoding)
* Providing services such as tests, surgeries or other procedures that are not medically necessary to get additional payment
* Billing for services not actually rendered (often using genuine patient names to fabricate entire claims)
* Billing each stage in a procedure as if it were a separate procedure (known as "unbundling")
* Accepting kickbacks for referrals
* Patients forging receipts to get unwarranted reimbursement from an insurance company
* Patients embellishing, adding to or just plain lying about services received
* Patients who ask their doctors to falsify a report to an insurer to cover a non-covered procedure
* Patients who ask a doctor to waive their copayments
In the Spotlight

LSND Attorneys Mikayla Jablonski and Brad Peterson with the South Central Judicial District Drug Court Team and Senator John Hoeven

Willa Rhoads and Audrey Wingerter

Jim Fitzsimmons, Mary Kae Kelsch and Jack McDonald
Legal Services of North Dakota was fortunate to have five law students working as law clerks this summer. Four of the students were from the University of North Dakota School of Law and one via Washburn University School of Law in Topeka, Kansas.

Brittney Blake Meyer, who will be a second year law student at UND this fall, worked in our Bismarck office under the supervision of Mikayla Jablonski. Brittney’s position was funded by the Judge John D. Kelly Endowment Fund. Brittney worked primarily in the areas of family law and legal research.

Our Minot office clerks this summer were Diane Lautt and Breezy Schmidt. Breezy is a third year law student at UND this fall and she worked under the supervision of Litigation Director Richard LeMay. Breezy worked on family law cases, assisted staff with the Central Intake helplines, and did legal research in a variety of areas. Breezy will serve as President of the UND School of Law’s Public Interest Law Students Association this year.

Diane Lautt will be a third year law student at Washburn University. Her position was funded through a grant with the Native American Rights Fund (NARF). She worked for Ed Reinhardt in the area of federal Indian law and worked extensively with our Fort Berthold and Turtle Mountain office staff on drafting American Indian Probate Reform Act wills.

Our Fargo office had two law clerks from UND, Rachel Hoffman, a third year law student and Lora Lettenmaier, a second year law student. Ms. Lettenmaier was partially funded by the State Bar Association of North Dakota while Ms. Hoffman was a summer fellow through the Equal Justice Works organization from Washington, DC.

According to LSND Executive Director Jim Fitzsimmons, “We had some outstanding law students this summer. I had the opportunity to work with all five of them at different times this summer and was very impressed with their commitment and work ethic.”

Due primarily to funding issues the Immigration Law Project (ILP) operated out of our Fargo Law Office since August of 2005, will cease operations on September 30, 2011.

We’d like to express our gratitude to the many people and organizations who supported and assisted us in this effort over the years. We’d particularly like to thank Linda Catalano who was the founder and spirit behind this venture.

It is incredibly important that New Americans have the opportunity to learn their legal rights and responsibilities shortly after arriving in this country. We at LSND regret that we will not be able to take as active a role as we have in the past.
Listed below are the cities and locations where Legal Services of ND conducts legal outreach. The dates and times vary; however, if you check our web site at www.legalassist.org, under the Legal Outreach Calendar you will find a current schedule complete with dates and times.

*Outreach involves our attorneys and paralegals going into the rural areas of our state to provide needed legal help and community education.

<table>
<thead>
<tr>
<th>City</th>
<th>Location</th>
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<tbody>
<tr>
<td>Belcourt</td>
<td>Legal Services Office</td>
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<tr>
<td>Belcourt</td>
<td>Retirement Home</td>
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<td>Bismarck</td>
<td>Burleigh County Senior Center</td>
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<tr>
<td>Dickinson</td>
<td>Sunset Senior Center</td>
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<tr>
<td>Devils Lake</td>
<td>Senior Center</td>
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<td>Devils Lake</td>
<td>Dakota Prairie Community Action</td>
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<tr>
<td>Fargo</td>
<td>YWCA Shelter</td>
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<td>Fargo</td>
<td>Gladys Ray Shelter</td>
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<td>Fort Totten</td>
<td>Spirit Lake Courthouse</td>
</tr>
<tr>
<td>Grand Forks</td>
<td>Senior Center</td>
</tr>
<tr>
<td>Grand Forks</td>
<td>Red River Community Action</td>
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<table>
<thead>
<tr>
<th>City</th>
<th>Location</th>
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<tbody>
<tr>
<td>Jamestown</td>
<td>James River Senior Citizen Center</td>
</tr>
<tr>
<td>Mandan</td>
<td>Golden Age Services Senior Center</td>
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<tr>
<td>Minot</td>
<td>Commission on Aging</td>
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<td>Minot</td>
<td>Milton Young Towers</td>
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<td>New Town</td>
<td>Legal Services Office</td>
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<td>South Central Senior Services</td>
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<td>Wahpeton</td>
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<td>Wahpeton</td>
<td>Community Center</td>
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<tr>
<td>White Shield</td>
<td>White Shield Senior Citizens Center</td>
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<tr>
<td>Williston</td>
<td>Williams County Courthouse</td>
</tr>
<tr>
<td>Williston</td>
<td>Heritage Center</td>
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1025 N 3rd Street
PO Box 1893
Bismarck ND 58502-1893
701.222.2110
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