A new federal rule effective May 1, 2011 will limit creditors’ ability to garnish bank accounts that contain Social Security, Supplemental Security Income (SSI), VA, and certain other federal benefits. Federal law makes these funds immune from seizure by creditors. But in practice, when a bank receives a garnishment order, it typically freezes the entire bank account up to the amount of the debt, even when the account contains protected funds. A beneficiary may be unable to access urgently needed funds for weeks or months. Often, the paperwork and procedures needed to end an illegal freeze prove too daunting for a recipient, so that bank turns over supposedly “untouchable” funds to a creditor.

The new rule prohibits the practice of denying beneficiaries access to these essential funds in bank accounts. It requires all banks to determine whether certain exempt federal benefits have been electronically deposited within the preceding two months. If yes, the bank must protect whatever amount was deposited during that period. To protect funds deposited before the two-month window, or funds which have been transferred between accounts, the recipient will have to use state procedures.

The new rule applies to state and federal banks and credit unions and any other entity chartered under federal or state law to engage in the business of banking. Upon receipt of a garnishment order against an account holder, the bank must review all accounts owned by that individual to determine whether any of the specified federal benefits were electronically deposited during the preceding two months (the “lookback period”). (The benefit-paying agencies are adding new electronic markers that banks will be permitted to rely on to determine whether an electronic deposit is an exempt benefit.) If yes, then the bank must calculate the “protected amount.” The “protected amount” is the lesser of the sum of all exempt benefits electronically deposited into the debtor’s account during the lookback period, or the balance of the account on the day the review is conducted.

If the account contains a protected amount, the bank cannot freeze or otherwise restrict the account holder’s “full and customary” access to that amount. The bank must give the beneficiary the same degree of access that was provided before the bank received the garnishment order.

(Continued on page 3)
As any business student can tell you, the basics for succeeding in a for-profit business include: produce a high-quality product, market it well, increase your revenue/sales each year, and manage your finances wisely.

Operating a non-profit corporation is a whole different ball game – especially in the early part of 2011. Non-profits operate primarily on grants, contracts and donations. Legal Services of North Dakota is no different. While we receive funds from a wide variety of sources including the Internal Revenue Service, Otto Bremer Foundation, Native American Rights Fund, State of North Dakota, North Dakota Bar Foundation/IOLTA, and United Way agencies, roughly half of our annual funding comes from the federal Legal Services Corporation (LSC).

For years the Legal Services Corporation has awarded funds to civil legal aid programs throughout the United States. They make the awards in December of the previous year based upon the funding provided to them by Congress in an annual appropriation. As I recall, there are 136 current LSC grantees, one of which is Legal Services of North Dakota (LSND).

This year was totally different! Following the surprising election results in November of 2010, Congress did not pass an annual appropriation to fund the government for 2011. They passed a short-term continuing resolution funding the government until early March of 2011. The intent was to let the new Congress make the 2011 funding decisions. As you might recollect, they had some difficulty doing that.

It started with H.R. 1, a continuing resolution passed by the House of Representatives cutting $61 billion in domestic discretionary spending (translating to over $220,000 from Legal Services of North Dakota’s 2011 budget). While H.R. 1 passed the House, it died an immediate death in the Senate. That lead to a series of very short-term continuing resolutions and a lot of partisan political posturing by both Democrats and Republicans. Finally, on April 15th President Obama signed into law the compromise reached by the Senate and House to fund the government for the remainder of the fiscal year. Our final cut here at LSND is just under $75,000.

For the non-profit CEO (me), the first three and one-half months of 2011 (winter) were obviously not a lot of fun. How big will our cut end up being? When can we actually make some decisions? How many of our outstanding staff are we going to have to lay off? Which ones? Should we let them know now and kill their confidence? Should we take it down to the wire and risk very little notice? How many cases are we going to have to reject because we may not have enough staff to complete them? Should we put a numerical cap on the number of cases we have open? Or should we eliminate types of cases? These are just a few of the questions we struggled with this winter like hundreds of managers of non-profits throughout the United States. Plus, here in North Dakota, the winter that would not stop snowing didn’t help anyone’s coping mechanisms.

Now that it is over, I can actually identify a few positives:
1. A $75,000 cut is a lot easier to deal with than $225,000.
2. We can put layoff decisions away until another day.

(Continued on page 5)
Upon determining that the account contains a protected amount, the bank must send the account holder a notice describing what the bank has done and giving some basic information about how to protect exempt benefits that exceed the protected amount. The rule protects the bank from contempt citations or similar penalties, and from any liability to the creditor, for preserving the debtor’s access to the protected amount.

The account review is not required and there is no automatic protection of any amount, however, if either the federal government or a state IV-D child support agency issued the garnishment order. In these cases, the debtor can still assert exemptions, but must do so through the usual state procedures. The problem that the new rule is designed to address is the temporary freeze of a debtor’s bank account while the bank, the parties, and the court system sort out the question of whether funds are exempt. But the effect of the rule is much more sweeping.

In some states, courts have held that exempt funds lose their protected status whenever they are commingled with non-exempt funds. The new rule’s protections apply whether or not the protected funds have been commingled with other funds: as long as the specified federal benefits were electronically deposited into the account during the look-back period, they are protected regardless of what other funds might be in the account.

Nor does it make any difference if there is a co-owner on the account. Whatever amount of benefits was deposited during the look-back period is exempt, even if it was deposited in the name of the non-debtor co-owner. The rule does not contain any cap on the amount of benefits that are protected. If the beneficiary received a lump-sum payment by electronic deposit within the two-month look-back period, it is protected regardless of its amount. However, a lump-sum payment that remains unspent in an account will lose the rule’s automatic protection after two months. If a garnishment order arrives, the beneficiary will need to invoke whatever state procedures are available to protect the remainder of the lump-sum payment.

Also, if the exempt funds were electronically deposited into one account and then transferred into another account the funds are not protected. The “protected amount” under the rule is limited to funds that were electronically deposited into each account the bank holds in the name of the debtor.

In addition to Social Security, SSI, and VA benefits, the rule protects federal Railroad Retirement, federal Railroad Unemployment and Sickness, federal Civil Service Retirement System, and federal Employee Retirement System benefits. The rule does not protect military retirement payments or other military benefits, but in announcing the rule, the agencies stated that its framework could be expanded in the future to protect these and other federal payments that are intended to be immune from garnishment.

The new rule does not protect state benefit payments, such as state employee retirement benefits, workers compensation benefits, and unemployment compensation. For more information, please view the NCLC Reports Debt Collection and Repossessions Edition 2011, Volume 29, January/February 2011 issue.
A look at……

POST-FLOOD SUGGESTIONS

By: Edward B. Reinhardt, Jr., LSND Senior Attorney

If you suffered flood damage to your house or property, here are a few post-flood suggestions on possible legal problems that might arise.

Insurance Claims
If you have flood insurance, here’s what you should do to file a claim:

- Call the agent who handles your flood insurance to file a claim. You should have the following information with you: (1) the name of your insurance company (in case your agent writes policies for more than one company), (2) your policy number, and (3) a telephone number or e-mail address where you can be reached.
- Make a list of damaged property. List the age and value of the property, if possible. If the damaged items must be thrown out, keep swatches from carpets, chairs, and so forth.
- Take pictures of any water in the house and damaged property. The insurance adjuster will need evidence of the damage or damaged items to prepare your repair estimate.

Homeowner’s insurance generally does not cover damage from flood waters or loss from sewage backup or sump pump failure or seepage. Some companies provide endorsements that cover a limited amount of damage from sewage backup or sump pump failure. Even with such an endorsement, if the backup or failure was caused directly or indirectly by a flood, the loss will not be covered under some endorsements.

Replacing Lost Documents
- Driver’s licenses, vehicle registrations and titles. Contact the nearest office of the North Dakota Department of Transportation. A list of locations is available at www.dot.nd.gov.
- Birth certificates, death certificates, marriage licenses, and divorce decrees. Birth and death certificates (from North Dakota) can be obtained from the North Dakota Department of Health Division of Vital Records. Information needed for a request for a birth or death certificate, as well as identification requirements, is available at the Vital Records website: http://ndhealth.gov/vital.

Copies of marriage licenses must be obtained in the county where the marriage took place. In most counties, the clerk of court or recorder has marriage records. In Cass County, the county treasurer issues marriage licenses, and in Williams County, it is the county auditor. Divorce decrees must be obtained from the clerk of court or recorder in the county where the marriage or divorce took place. The Vital Records website gives a list of where to obtain marriage and divorce decrees.

Of course, if the birth, death, marriage, or divorce took place in another state, you need to contact the appropriate authorities in that state.

- Deeds, Mortgages, and other real estate records. Copies can be obtained at the county recorder’s office in the county where the real property is located.
- Medicare/Social Security Cards. You need to fill out an SS-5 form (Application for a Social Security Card), and take or mail the form, along with identification information, to the nearest Social Security office. More details are available at www.ssa.gov.

(Continued on page 5)
**DID YOU KNOW...**

You can donate to Legal Services of North Dakota!

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.

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**(Flood Suggestions, Continued from Page 4)**

- **Medicaid Cards.** You should contact your case worker for a replacement.

- **Tax Returns.** Contact the Internal Revenue Service for copies of federal tax returns, at 1-800-829-1040 or www.irs.gov. Contact the North Dakota Tax Commissioner for copies of state tax returns, at 1-877-328-7088 or go to www.nd.gov/tax.

- **Wills and Powers of Attorney.** Normally, wills and powers of attorney are not enforceable unless you have the original executed documents. If these documents were lost or destroyed, you will need to obtain and execute a new one. If these documents were created by an attorney, the attorney may have copies of wills in his or her files, or provided copies of powers of attorney to agents. If the originals are gone, however, you will need to replace them with new original documents.

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**(A View From the Top, Continued from page 2)**

3. We can start taking additional cases and hire some summer law students.

4. I also learned that there is an outstanding reporter named Felicia Sonmez who works for the Washington Post. Ms. Sonmez covered the budget/funding battle for the Post. I gained a tremendous amount of knowledge from going on the Internet daily to read her articles. I have to admit that her articles were right up there with my daughters’ text messages on my priority reading list this winter.

5. My respect for our staff increased again as I saw them continue to perform high-quality work for our low-income and elderly clients despite the personal uncertainty with which they were faced.

The Twins and Red Sox are losing and the Cleveland Indians are winning?? We could be in for a strange summer as well!
During the past few months I have had several people ask me my thoughts about the Cobell and Keepseagle class action lawsuits. Both of the cases have significant impact on Native Americans.

The Cobell case is an attempt to ‘undo’ a historic wrong by our Government - the failure to keep accurate and timely records of lands held in trust for Native Americans. The class involves present and past landholders who had/have IIM accounts. Let me explain. Trust land is land held in trust by the Federal Government for the benefit of the individual Indian landholder. If there is income derived from the land such as a lease for grazing, riparian, timber, coal, gas, or oil, the Federal Government would take the monies received from the leases and place it into a landholder’s individual account. The individual account is kind of like a savings account but there are no banks involved. Instead, each account is managed by the Federal Government. The record keeping of the IMM accounts is also done by the Federal Government. The Cobell case targets the historical inefficiency of the Government’s record keeping.

The Cobell action has resulted in very protracted litigation, with the parties arguing as to how far back the mismanagement of the accounts go. Unfortunately, the recording keeping was so convoluted the parties could not agree on a set amount of damages. After many trips to the Courts a settlement was reached. Unlike a typical lawsuit where the Defendant would need to pay any damages, the Cobell settlement required an appropriation from Congress before any award could be paid. After some wrangling, Congress stepped up and agreed to an amount to fund the settlement. Unfortunately, the class distribution is still being discussed as the lead attorney is still seeking additional compensation and Congress is refusing. Many people who I talk to about this case are still wary what the settlement will actually bring, and more importantly, whether our government will ensure more efficient accounting of trust land income.

Having actively practiced law in Indian Country for well over a decade I have witnessed the frustration of dealing with ownership and values of trust land. It’s an archaic system with its roots dating back over a century, and unfortunately it’s the system that the Government has chosen to utilize. The problem, as pointed out in Cobell, is the Government’s distribution of income from the lands was at best inefficient for an extended period of time.

My primary concern regarding Trust land is watching valuable income producing land getting bogged down in the Bureau of Indian Affairs system, especially during probate proceedings. One of the few advantages of the Cobell suit is that it spawned some reform by Congress in the form of AIPRA (American Indian Probate Reform Act). It is now up to the Tribes to implement their own Probate Codes to fully realize the advantages of AIPRA.

Legal Services of North Dakota (LSND) has been doing AIPRA wills for low-income Native Americans for a while and we are learning the complexity of these wills basically requires the use of a lawyer. There are very few, if any, attorneys in North Dakota willing to do AIPRA wills or are even aware of them. It would be great to see more private attorneys doing these wills, and LSND would be more than happy to assist.

(Continued on page 9)
The Legislature has passed and Governor Dalrymple has signed SB 2160 which offers new tax credits for gifts to qualified North Dakota Endowment Funds. This law enhances existing law which already allowed a 40% ND income tax credit for businesses which give to qualified ND Endowment Funds and also a ND income tax credit for individuals who establish a qualified deferred gift with a ND charitable organization.

SB 2160 enhances existing law by including financial institutions which were inadvertently left out of the original legislation. Since financial institutions have their own section in the ND Century Code, they are unique and needed to be addressed specifically. SB 2160 allows ND financial institutions the same ND income tax credit as other businesses.

Also included in the new law is a provision that allows a ND income tax credit of 40% of the gift up to a $10,000 credit per taxpayer for gifts by individuals to qualified ND endowment funds. The individual must give at least $5,000 in a tax year to a single endowment fund in order to qualify for the credit.

LSND has an endowment fund that qualifies for this credit. The John D. Kelly Memorial Fund was established as a component fund of the North Dakota Community Foundation in 2005 to support the work of Legal Services of North Dakota in representing clients who meet their criteria. Grants from the John D. Kelly Memorial Fund are currently used to support interns who work at LSND.

Your gift of $5,000 to the John D. Kelly Memorial Fund is not only tax deductible on your federal income tax return, it should also qualify for a 40% or $2,000 credit against your ND income tax liability. If you are in the 30% federal income tax bracket, the net cost of your $5,000 gift could be as low as $1,500 after taking the federal and ND income tax benefits into account. If you cannot use all of your ND income tax credit in one year, you may carry it forward for an additional 3 years.

As the above illustrates, this new law creates wonderful incentives for North Dakota taxpayers to give back to qualified ND charitable endowment funds. Please contact me or Keith Engbrecht at LSND to discuss how you can support our work.
On March 2, 2011, the United States Supreme Court voted 8-1 that protesting at military funerals is protected under the First Amendment’s freedom of speech clause. In *Snyder v. Phelps*, the Court ruled on the constitutionality of a fine imposed on the Westboro Baptist Church for the “intentional infliction of emotional distress” after members of the church protested at the funeral of Marine Lance Corporal Matthew Snyder.

The Westboro Baptist Church, an independent Baptist church known for its extreme stance against homosexuality, pickets military funerals of servicemembers whether the servicemember is homosexual or not. The church believes military deaths represent God’s punishment for America’s tolerance of homosexuality. Its members also picket events related to homosexual people, and other celebrity funerals that are likely to get media attention. Though the church describes itself as following Primitive Baptist and Calvinist principles, mainstream Primitive Baptists reject the organization and its leaders.

Marine Lance Corporal Matthew Snyder was killed in the line of duty in Iraq in 2006. His funeral was picketed by Westboro with church members holding signs reading, “Thank God for 9/11,” “Thank God for dead soldiers,” and “You are going to Hell.” Additionally, the church published information about the Snyder family on the internet, stating Snyder was “raised for the Devil” and denouncing his Catholic upbringing. Snyder’s father brought a civil action against the church in federal district court and was awarded $10.9 million in compensatory and punitive damages.

On appeal, the Fourth Circuit reversed, reasoning the church’s speech was constitutionally protected unless a reasonable person would understand it to be communicating objectively verifiable facts about Snyder. The court noted that, though some of the signs used could be interpreted by a reasonable reader as referring specifically to Snyder, whether an individual is “Going to Hell” or whether God approves of someone’s character could not possibly be subject to objective verification.

The United States Supreme Court granted certiorari in March 2010. Senate Majority Leader Harry Reid, along with 42 other Senators, filed an amicus brief in support of Snyder. Kansas’ Attorney General filed a separate brief supporting Snyder which was joined by the Attorneys General of 47 other states and the District of Columbia. Only the Attorneys General of Maine and Virginia did not join.

According to the Supreme Court’s opinion, the fine imposed on the Church overstepped constitutional bounds by punishing speech protected by the First Amendment. Writing for the majority, Chief Justice John Roberts explained, “What Westboro said, in the whole context of how and where it chose to say it, is entitled to ‘special protection’ under the First Amendment and that protection cannot be overcome by a jury finding that the picketing was outrageous.” The lone dissenter, Justice Samuel Alito, wrote, “Our profound national commitment to free and open debate is not a license for the vicious verbal assault that occurred in this case.”

The opinion has been widely criticized. Many people believe that with the rights guaranteed by the Constitution come responsibilities, and possession of a right doesn’t always justify its unlimited

*(Continued on page 9)*
(U.S. Supreme Ct Ruling, Continued from page 8)

exercise. Some people have compared this opinion to the Supreme Court’s opinion in Chaplinsky v. New Hampshire, where the Court stated lewd and obscene words, or “fighting words,” neither contributed to the expression of ideas nor possessed any social value in the search for truth. Others, however, feel the opinion correctly holds that the First Amendment protects speech, even offensive speech, and the protection of offensive speech is a great stamp of our Constitutional order safeguarding a longstanding tradition of religious liberty.

(Prairie Perspective, Continued from page 6)

Keepseagle ... I had the privilege of attending a forum at United Tribes Technical College where the plaintiffs’ attorneys presented news of the settlement. This matter involves a much smaller class of individuals in Indian Country who were turned down for certain federal loans for their farm and ranch operations. Unlike a typical agricultural operation that can put its land up for collateral, a Native American farmer/rancher on trust land cannot, making it much more difficult to obtain the necessary operating loans. The Keepseagle matter addressed the historical pattern of denying operating loans to Indian farmers/ranchers. The resolution allowed for some financial relief and compensation and more importantly, future reforms.

Keepseagle has an extremely complex method for payment to the class members. At the meeting at UTTC there was a request by the class attorneys for assistance in helping affected class members determine which part of the settlement they would be eligible for. It would be great to see some private attorneys step up and assist class members in determining their eligibility.

The North Dakota Legislature, during the 2011 Legislative Assembly, passed a bill amendment that would keep protesters at least 1,000 feet away from a funeral in North Dakota, instead of the previous 300 feet requirement. Governor Jack Dalrymple signed the bill on April, 25, 2011.

The good news is these two class actions are resolved with the promise of reform and compensation. A great number of Indian people may be eligible for benefits under either or both of these settlements. If you think there is even a remote possibility you are eligible, check it out.
InfoPass is a free service that lets you schedule an appointment with a U.S. Citizenship and Immigration Services (USCIS) Officer if you have an immigration issue that you have questions about or problems with a pending application. Anyone who lives in North Dakota or Minnesota can schedule an InfoPass Appointment at the Bloomington, MN USCIS office. The address is 2901 Metro Drive, Suite 100, Bloomington, MN 55425.

Benefits of using InfoPass:

It’s Free
It’s Easy: You make the appointment through the Internet on the USCIS website home page at www.uscis.gov. Go to the left side and under the word “INFOPASS” click on “Schedule an Appointment.” It will take you to a page where you can schedule the appointment:

1. Choose a language by clicking on “language”
2. Click “Select an Appointment”
3. Choose the type of appointment you want from the list
4. Type in your:
   - Name
   - Date of Birth
   - ZIP code #
   - Telephone/cell #

Choose a date and time - if you cannot find a date that works, try again in a couple of days. New choices appear every week day.

Print out the “Appointment information” when it appears. You must take the appointment paper with you to your InfoPass appointment.

Documents you must have for the appointment:

* The InfoPass appointment paper you printed
* A Government issued identification:
  - State Photo ID card
  - Passport
  - Valid drivers license
  - Green Card or Employment Authorization Card
  - Form I-94, Arrival-Departure Record with photo
* All immigration papers you have about your problem, such as forms; approval or denial papers; receipt notices like 797 documents; and required translations of documents and original documents about the problem, in addition to USCIS papers.

To CANCEL or RESCHEDULE an appointment: If you cannot keep your appointment, use the numbers at the bottom of the appointment paper you printed out to cancel the appointment and reschedule another appointment. You can cancel the appointment by going to www.uscis.gov and following the same steps you used to make the appointment. When you get to the actual appointment screen you will have a choice to “cancel an appointment” or “schedule an appointment.” When you cancel the appointment, be sure to go back to InfoPass and schedule a new appointment.
Cobell vs. Salazar, or the Cobell case for short, has been a long-running class action lawsuit against the United States.

A class action is a lawsuit where one or a few people bring a lawsuit on behalf of many others with the same claim. The idea is that it is more efficient for the court system for a few people to represent thousands than it is for thousands of people to bring thousands of lawsuits that all have the same claim.

In the Cobell case, Elouise Cobell and four other people represented Indians who had trust land. They alleged the United States had not properly kept records of income from trust land, and had not properly distributed the income to land owners. Thousands of Indians in the United States who have trust land interests could make a similar claim against the government. Rather than have thousands of lawsuits by thousands of landowners in courts all over the country, it was more efficient for Ms. Cobell and the others to sue on behalf of everyone. They brought a single lawsuit in the U.S. District Court of the District of Columbia.

After battling in the courts for years, the Cobell class representatives and the government finally agreed to settle the case. When a class action is resolved, members of the class are bound by the settlement. Just as the class representatives assert claims on behalf of class members, they also accept resolution of the case on behalf of class members. Class members are stuck with whatever resolution the class representatives get, unless the court lets them “opt out.” Opting out means a class member does not want to accept the results of the class action.

In the Cobell case, class members had a chance to “opt out,” but the time to opt out expired on April 20. It’s too late now to opt out of the Cobell class.

In the settlement agreement, Congress appropriated $3.4 billion. About $1.5 billion of this will be paid to class members. Most of the rest will be used to buy small trust land interests, with a little (by government standards) set aside for college scholarships for Indians.

In the settlement, class members are divided into two groups. They are the Historical Accounting Class Members, and the Trust Administration Class Members. Each group has its own requirements for membership. If a person is in either group, or both groups, they are class members who will share in the settlement. A person can be a member of both groups, or of either group by itself.

The requirements for group membership are listed at www.IndianTrust.com. If you meet the requirements for group membership, you are a class member and do not have to do anything else. If you think you might be in either or both groups, and have not been receiving IIM account statements, you should submit a claim form. The website has a claim form to fill out. The form can be submitted either on the internet, or mailed in.

The deadline to file a claim is 45 days after court approval of the settlement, or at a later date set by the court. There is a court hearing set for June 20, 2011, in Washington, D.C., where the court will consider whether to approve the settlement. There is still time to submit claim forms, but you should submit claim forms as soon as you can.

For more information about the Cobell settlement, go to www.IndianTrust.com, or call 1-800-961-6109, or write to: Indian Trust Settlement, P.O. Box 9577, Dublin, Ohio 43017-4877.
How To Get Your Free Credit Report

Under a federal law which took effect in North Dakota on March 1, 2005, a consumer is entitled to one free credit report each year from each of the three major credit reporting bureaus - Experian, TransUnion or Equifax - for a total of three free reports each year. A consumer can choose to order these free credit reports all at the same time, or order a different credit bureau's free report every few months (but only one time per year).

The free credit reports must be ordered through the national central clearing house. Consumers who request a credit report directly from one of the three national credit reporting bureaus will be charged for that information.

In order to receive a free report, a consumer must provide personal information such as a social security number, date of birth and address.

Whether consumers choose to receive a report from one of the credit reporting agencies, Experian, TransUnion or Equifax, or all three, the online process takes the consumer to the special webpage for the selected credit reporting agency.

The credit agencies also offer several additional options to choose from, including getting a credit score, but these options are not free. Consumers do not have to buy any of the additional services to get the free credit report.

Order your free credit reports through the Annual Credit Report clearing house online at: www.annualcreditreport.com.

“Do Not Call” List

Are you fed up with having your evenings interrupted by calls from telemarketers? Now you can do something about it ...

... You can stop almost all telemarketing calls by registering on the North Dakota Attorney General's "Do Not Call" list.

Registering is free and easy!

* You can register your home and cell phone numbers.
* Your numbers will stay on the list until you remove them.
* North Dakota's "Do Not Call" registrations will be shared with the FTC. You only need to sign up once.
* The "Do Not Call" law took effect on August 1, 2003. It is a violation for a telemarketer to call you more than 30 days after you have registered on the list.
* Although several “warnings” have circulated via e-mail, at this time no cellular telephone provider is selling a list of its customers to telemarketers. However, under North Dakota law, (701) area code cellular telephone numbers can be added to the Do Not Call list.

TO REGISTER BY TELEPHONE: Toll free 1-888-382-1222 (TTY: 1-866-290-4236) or for more information and to access a “Do Not Call Complaint Form” visit: www.ag.nd.gov or contact the:

Office of Attorney General, Consumer Protection Division
www.ag.nd.gov
**Back Row:** Mikayla Jablonski, Anna Stenson, Stacey Fetzer, Meredith Vukelic, Kiley Hermanson, Kelsee Macintosh-Ellig, Beth Brown, Vickie Fox, Willa Rhoads, Linda Catalano, Keith Engbrecht, Clarine DeGroot, Tom Masa, Kelli Moe, Gale Coleman, Sarah Flores, Ed Reinhardt, Brad Peterson

**Front Row:** Paulette Throntveit, Audrey Solheim, Jim Fitzsimmons

Beth Brown & Willa Rhoads (Bismarck)

Jim Fitzsimmons (Bismarck)
Kiley Hermanson (Fargo)

Clarine DeGroot (New Town)

**Back Row:** Tom Masa (Minot)
Paulette Throntveit (Fargo)
Clarine DeGroot (New Town)
Kiley Hermanson (Fargo)
Gale Coleman (Minot)

**Front Row:** Rhonda Belgarde (Belcourt)
Stacey Fetzer (Bismarck)
In a joint venture with the Internal Revenue Service, Legal Services of North Dakota operates VITA sites for low-income taxpayers on the Fort Berthold and Turtle Mountain Indian reservations with regular outreach visits to the Spirit Lake Indian reservation.

The program is designed to provide free tax preparation and free e-filing of federal and state income tax returns.

For the 2011 filing season, LSND was able to obtain approximately $1.1 million in tax refunds and earned income credits for clients who utilized the services.

According to LSND Executive Director Jim Fitzsimmons, “This effort runs from late January until the middle of April and requires a lot of time and commitment from the staff involved in the project. The results are remarkable. Keep in mind the $1,100,000 that was returned to the tax filers goes right back into the businesses on the reservation and in the nearby cities and towns.”

LSND employees Vickie Fox, Clarine DeGroot and Rhonda Belgarde are the key staff in this project. A small VITA grant helped LSND hire Rita Langer for the tax season in the Belcourt office. The Three Affiliated Tribes and Turtle Mountain Chippewa Tribe also contributed to the effort by providing volunteers Martina Turner and Eva Peltier, respectively, to help prepare taxes.

In addition to regular office hours in New Town and Belcourt, LSND staff were able to provide on-site tax preparation in the Fort Totten, White Shield and Twin Buttes communities periodically during the 2011 filing season.

With the federal funding situation a little bit clearer for the rest of 2011, LSND will be utilizing three law students as summer law clerks again this summer.

**Lora Lettenmaier** will be in our Fargo Law Office this summer. She is a third year law student at the University of North Dakota. This position is jointly funded by the State Bar Association of North Dakota (SBAND) and LSND.

The Minot office will host UND Law School third year student, **Breezy Schmidt**. Breezy will work under the supervision of Litigation Director Richard LeMay, and will be involved in LSND’s Central Intake efforts along with other projects. Breezy’s position is partially funded by the Judge John D. Kelly Memorial Fund.

**Diane Lautt** from the Washburn University School of Law, Topeka, Kansas, will be working with the New Town and Belcourt offices of LSND. She will be working under the supervision of Senior Attorney, Ed Reinhardt. Her work will focus primarily on the preparation of American Indian Probate Reform Act wills. The position is funded in large part by a grant from the Native American Rights Fund.
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.

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<th>Location</th>
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<tr>
<td>Fargo</td>
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<td>Fort Totten</td>
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