Under North Dakota law, a Health Care Directive (or as they use to be called Health Care Powers of Attorney) is a document that legally helps family, friends, physicians, clergy and others better understand what you want done when you are unable to communicate with them and carry out your wishes. Automobile accidents, strokes, heart attacks, aneurisms and hunting accidents are just some examples of situations that leave a person, young, middle aged or elderly, in a position where they cannot communicate their health care wishes at a critical time. Health Care Directives can accomplish a lot. They are only effective when a doctor declares you cannot make your own decisions.

Two major benefits of a Health Care Directive are:

1. It allows you to name someone you trust to make health care decisions when you cannot.
2. It allows you to predetermine what kinds of medical treatment you want or do not want.

Let’s take a look at some frequently asked questions and answers regarding health care directives in North Dakota.

**What is a Durable Power of Attorney For Health Care?**

It is a document in which you (the principal) appoint someone (the agent) to make health care decisions for you. It contains your wishes on the medical treatment you do or do not want to receive.

(Continued on page 7)
As we move further into the 21st Century, technology becomes more and more an integral part of our lives. I am not a “techie” – not close. I struggle with even the most basic concepts of office technology. When computers first became popular in offices and homes, I knew my life was going to change and my hair got grayer.

It was more than 10 years ago when I first got involved with computers, first at work and later at home. At the law office in New Town, whenever I couldn’t figure something out with the computer (which was daily), I would call, “Clarine, help!” At home near Van Hook, when I got stumped on the computer, I hollered, “Help, Kylene!” Occasionally I confused the names. Fortunately, my secretary and my daughter were incredibly patient with me and darn good with computers. After a significant period of time (years) and hundreds of cries for help, I achieved my novice in computer usage merit badge.

One thing that has fascinated me throughout this long, difficult journey is websites. As much as I struggled to achieve novice status on a computer, I always appreciated multi-featured websites. They were, and still are, incredible sources of knowledge, information and education at our fingertips. They have supplanted encyclopedias, law books, sports reports, television, radio, newspapers, magazines and so much more. Now that I can actually navigate them, I have reviewed literally hundreds of websites.

Unlike me, Richard LeMay, our Litigation Director and the #2 guy in Legal Services of North Dakota, is as technologically advanced as any attorney I know in North Dakota. Rich has always had a deep appreciation for and comprehension of multiple forms of technology and how to best utilize it in our continuing efforts to provide legal services to low-income and elderly North Dakotans. Rich’s vision was responsible for the old Legal Assistance of North Dakota (LAND) program’s development and maintenance of a quality website early on with only a shoestring budget. After we merged with LAND in 2004, the LAND website became the new Legal Services of North Dakota website.

As the CEO of Legal Services, I have been guilty of not directing sufficient resources towards the website to take it to the next level. Despite my neglect, Rich and his staff saw to it that the LSND website continued to survive and improve.

This spring a North Dakota attorney (who insisted on anonymity) contacted me and said he would make a significant donation to our 501(c)(3) organization if we would use a portion of it to upgrade our website. Over the last couple of months, our staff rebuilt the LSND website under the direction of a Bismarck area website consultant, Tanya Kraft. Take a few minutes and go to www.legalassist.org and check it out. Cool - eh?

The website provides information about our program, allows folks to apply for legal services online, provides information on our regular outreach

(Continued on page 3)
visits to nine North Dakota communities, and much more. It also provides over 50 short legal summaries on areas from collection to landlord tenant issues to various public benefits programs. These summaries can be viewed online or printed out in brochure format for you and/or your organization. This is still very much a work in progress. We will be adding additional information to the website regarding our immigration law project, Low Income Taxpayer Clinic (LITC), reservation delivery efforts, senior legal help efforts and more.

Any suggestions you have for additions, information, changes or corrections will be greatly appreciated. You can call me at 701-222-2110. I could also give you my email address, but since I’m still technologically challenged, I don’t check it as often as I should.

Enjoy what’s left of fall and Happy Halloween.

~Pumpkins have inhabited the planet for thousands of years. They originated in Central America. They were used then (and now) as a food crop. Over the course of centuries, pumpkins spread their vines across all of North and South America. When Europeans arrived in the New World, they found pumpkins plentiful and used in cooking by Native Americans. They took seeds back to Europe where they quickly became popular.

Did you Know? There are no words in the dictionary that rhyme with orange? Hard to believe for such an important color? The same is true for the colors purple and silver. But, who cares about silver and purple...they are not pumpkin colors!

~Growing big pumpkins is a big time hobby. And, serious at that. Top prize money for the biggest giant pumpkin is as much as $25,000 dollars at fall festivals. The current world record for giant pumpkins is 1446 pounds. Now that's a lot of pumpkin pies!
On April 30, 2009, Governor John Hoeven was joined by legislators to sign Senate Bill 2199, a $400 million, broad-based tax relief package for the people of North Dakota. The package includes a $295 million property tax relief, a $90 million reduction in state individual taxes, and a $10 million reduction in corporate income taxes.

Senate Bill 2199 provides property tax relief by supplying money to school districts on a dollar-for-dollar basis to fund a reduction in the local mill levy (the mill levy is the number of dollars a taxpayer must pay for every $1,000 of assessed value). This amounts to a 15 percent to 18 percent reduction in property taxes for tax years 2010 and 2011 for homeowners, farmers, ranchers, and commercial businesses. In addition, the bill sets aside another $295 million from the Permanent Oil Trust Fund to keep the property tax reduction in effect for the following 2011-2013 biennium.

The individual income tax relief will reduce individual rates from 2.1 percent to 1.84 percent in the lowest tax bracket, and from 5.54 percent to 4.86 percent in the highest, an overall 12 percent reduction for North Dakota taxpayers. The corporate income tax relief simplifies the tax code by eliminating two of the state’s top corporate income tax brackets from five to three. The lowest rate is reduced from 2.6 percent to 2.1 percent, a 20 percent reduction to help smaller companies. The top rate is reduced to 6.4 percent.

Governor Hoeven said, “This historic legislation both reforms and reduces property taxes, and brings us to the long-sought goal of having the state provide 70 percent of the cost of education and reducing the local share to 30 percent.” Senate minority Leader David O’Connell said of the legislation, “We’re proud to have passed real tax relief for hard-working North Dakotans. Our citizens deserve a break.”

A separate tax relief provisions for seniors and people with disabilities, Senate Bill 2402, was also passed. This bill expands eligibility and increases funding for the Homestead Tax Credit program. Tax Commissioner Cory Fong said, “The Homestead Tax Credit is an important program that helps our low-income seniors and disabled homeowners stay in their homes.” It is available to homeowners who are 65 years of age or older, and to those who are permanently and totally disabled. Qualified applicants receive a reduction in the property taxes on their primary residence.

The legislation expands the Homestead Tax Credit to $10 million to help reduce the burden of taxes on seniors and people with disabilities who own homes or rent. The bill increased the maximum amount of income allowed to $26,000 in order to qualify for the property tax credit. The old income limit was $17,500. Other changes to the program include raising the maximum value of the primary residence that may be exempted, as well as increasing the value of assets allowed.
The American Recovery and Reinvestment Act of 2009 (ARRA) provides billions of dollars intended to stimulate the U.S. economy. The AARA also includes changes to the federal income tax laws. Following are some brief highlights of the tax provisions of AARA that may benefit and help you prepare for the upcoming income tax filing season:

Expansion of Earned Income Credit (EIC) and Additional Child Tax Credit. The EIC is a refundable credit for some workers with moderate incomes. AARA temporarily increases the number of qualifying children for the maximum EIC from two to three, and increases the maximum amount of EIC to $5,657 in 2009. It also increases the income levels at which the credit phases out for married couples who file joint returns. For married filing joint taxpayers with no children, the credit begins to phase out at $12,470 and phases out completely at $18,440. For married filing joint taxpayers with children, the credit begins to phase out at $21,420. The credit completely phases out at $40,463 for one child, $45,295 for two children, and $48,279 for three or more children. The Additional Child Tax Credit is another refundable credit and AARA changes the way the credit is calculated. This means that more families will now be eligible.

Making Work Pay Tax Credit. This is a refundable tax credit for working taxpayers in 2009 and 2010. It can be up to $400 for individuals and $800 for married couples who file jointly. If you are an employee, you should already be receiving the credit. It is automatically adjusted through your payroll by a reduction in the amount of federal tax withheld. If you work and do not receive the full credit, perhaps because you are self-employed, you will still be able to claim the credit when you file your 2009 federal income tax return. There is a reduction in the credit if you earn $75,000 (individual) or $150,000 for married couples who file jointly. Some taxpayers are not eligible for the Making Work Pay Tax Credit or they may only be eligible for a partial credit. If you receive a pension and do not work, if you do not have a valid social security number, or if you can be claimed as a dependent, or you have multiple jobs, you may need to adjust your federal withholding so that you do not end up owing federal tax. You can check to see if you have sufficient tax withheld by using the “withholding calculator on the IRS website at www.irs.gov.

First $2,400 in Unemployment Benefits Tax Free in 2009. Usually unemployment benefits are taxable, however, the first $2,400 in benefits that a person receives in 2009 will be tax-free.

Expansion of Educational Credits. In 2009 and 2010, the new educational credit is the American Opportunity Credit. It is intended to help more parents and students with their college expenses. It expands previous credits by adding required course materials as qualifying expenses, increases the maximum amount of the credit to $2500, and it can be claimed for four rather than just two post-secondary education years. It also increases the modified adjusted gross income levels before phase out to $80,000 for individuals and $160,000 for married couples filing jointly.

If a student is located within a federally declared “disaster” area, there are increased credit amounts for the Hope and Lifetime Learning credits. This may affect many North Dakota college students. In some instances, it may be more beneficial to use the increased Hope Credit rather than the American Opportunity Credit.

(Continued on page 11)
What are no contact orders and do they provide protection for victims of domestic violence?

Many times words like “protection order,” “restraining orders,” and “no contact orders” are interchanged within a conversation. Each of these orders however, is distinctly different and allow for different levels of protection. The answer to the question around “no contact orders” is yes, they do provide some protection, but there are more effective options for victims of domestic violence.

The North Dakota domestic violence protection order statute says courts can make orders that restrain “any party” in the protection order case from “having contact” with any other party. The domestic violence statute doesn’t use the exact term “no contact,” but it allows courts to tell the parties not to interact with each other.

A no contact order is a court order that says one person cannot interact with another person.

No contact orders are used in other ways in North Dakota. One fairly common way is for a condition of probation. For example, a court can tell the defendant (the person convicted of a crime) to have no contact with the victim. If the defendant contacts the victim, that’s a probation violation, and the defendant could be sent to jail. Juvenile courts have also issued no contact orders. An example would be when a juvenile is ordered to have no contact with adults who might influence the juvenile’s testimony.

The phrase “no contact” actually appears in the Disorderly Conduct Restraining Order statute (Chapter 12.1-31.2 of the North Dakota Century Code). That statute says that a court may grant a disorderly conduct restraining order that either tells someone to stop disorderly conduct, or to have no contact with the person requesting the order.

Disorderly contact is “intrusive or unwanted acts, words, or gestures that are intended to adversely affect the safety, security, or privacy of another person.” However, disorderly conduct does not include “constitutionally protected activity.” Constitutionally protected activity, for purposes of disorderly conduct restraining orders, more or less means speech or gestures.

A new section added to the disorderly conduct restraining order statute (as of August 1, 2009) says that when someone is charged or arrested for certain crimes and is released from jail before going to court, the court may issue an order prohibiting contact with the victim - in other words, a no contact order. This applies only to crimes prohibiting contact with the victim - in other words, a no contact order. This applies only to crimes prohibiting contact with the victim - in other words, a no contact order. This applies only to crimes prohibiting contact with the victim - in other words, a no contact order. This applies only to crimes prohibiting contact with the victim - in other words, a no contact order. This applies only to crimes prohibiting contact with the victim - in other words, a no contact order. This applies only to crimes prohibiting contact with the victim - in other words, a no contact order. This applies only to crimes prohibiting contact with the victim - in other words, a no contact order.

To sum up, no contact orders may not be the best way to protect victims of domestic violence. Due to the temporary nature of the “no contact” order and the lack of supportive reliefs that can be requested, the Domestic Violence Protection Order is a better way to insure that victims of domestic violence are protected. A protection order can provide the restraint for unwanted contact but also offers more supportive relief, stricter enforcement, and immediate penalty for violation. A victim of domestic violence may best be served by obtaining a protection order which can be sought with the help of an advocate located at any one of the 21 crisis centers located throughout the state.
(Health Care Directives, Continued from page 1)

What Health Care Decisions Can Your Agent Make?
Your agent can make all health care decisions including the withholding of life support systems, sub-
ject to any limitations you place on the agent.
Your agent can only make decisions when you are
unable to make your own decisions. This is deter-
mained by your doctor and must be in writing.

What Are My Agent’s Responsibilities In Carrying
Out My Wishes?
Your agent must follow your wishes as stated orally,
and in the Health Care Directive.
If your wishes are unknown, the agent must make
health care decisions with your interests in mind.

Are There Any Health Care Decisions the Agent
Cannot Make?
The agent cannot consent to psychosurgery, abor-
tion, or sterilization, unless approved by a court.
The agent cannot place you in a mental health facil-
ity or state institution for more than 45 days, without
a mental health proceeding or court order.

Who Should I Appoint As My Agent?
You should appoint someone whom you trust to
carry out your wishes.

You can also appoint an alternate agent. An alter-
ate agent can carry our your wishes if your agent
cannot act, or withdraws and you cannot appoint an-
other agent.

Is There Anyone I Cannot Appoint As My Agent or
Alternate Agent?
You cannot appoint your health care provider your
long-term care provider, or a non-relative employee
of these providers.

What Do I Do With My Health Care Directive?
Make copies and give the Health Care Directive to
all your health care providers (hospitals, clinics,
etc.).

How Do I Know That My Doctor Or Health Care
Provider Will Follow My Agent’s Decisions?
Your doctor or any other health care provider must
follow the directives of your agent.
If they will not follow the directive, they must in-
form you, if possible, and your agent.
The provider must then transfer your care to another
provider who is willing to follow the directive.

When Does A Health Care Directive End?
It ends when you die or when you revoke it. It does
not remain in effect after your death for any purpose.

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 and send 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.
The U.S. Court of Appeals for the District of Columbia Circuit wrote one more chapter in the saga of the long-running Cobell case on July 24, 2009.

For those of you who came in late, here’s the story so far: Beginning in the late 1880s, the United States gave out or allotted tracts of land to individual Indians. Eventually, the government took over managing allotted land for the individuals, instead of the Indians doing it themselves. When the government began managing Indian land, it collected money from pasture and farm leases, oil leases, timber sales, and so forth.

These payments were placed in an Individual Indian Monies account for each landowner, and usually paid out to the owner. Over the years, the job of keeping track of income and payments for individuals has become more and more complex. This is partly because, after the original owners died, each parcel of land was divided among children or other relatives. After several generations, each parcel of land has many individual owners. The government’s record keeping for individual Indian accounts has been sharply criticized over the years. The main problem was that landowners were allegedly receiving less than they should.

In 1994, Congress passed the American Indian Trust Fund Management Reform Act. It said the government had to account for the funds in Individual Indian Monies accounts. Elouise Cobell and other Indians felt that the government was not accounting for Indian funds like it should, so they sued government officials in 1996.

In 2005, the federal district court in the District of Columbia issued an injunction that said the government had to do a historical accounting of Indian trust funds. The government was basically ordered to account for the funds in every landowner’s account going back to the 1880s. Later in 2005, the Court of Appeals for the District of Columbia reversed the injunction. It sent the case back to the district court to figure out how to do an accounting with the funds provided by Congress.

The district court issued two opinions in 2008. One said that it was impossible for the government to do an accurate historical accounting with the limited funds given by Congress. The second said, since it was impossible to do a historical accounting, the court would decide on its own if the Indians were owed anything, and how much. The court decided the government owed the Indians about $455.6 million. Both the government and Cobell appealed to the U.S. Court of Appeals for the District of Columbia.

The Court of Appeals balanced the Trust Fund Management Reform Act’s directive for an accounting with the funds appropriated by Congress with the time an accounting would take. The government had estimated a historical accounting would cost $12-13 billion and would take 200 years. The Court of Appeals rejected such a result when it said “it would indeed be nuts to spend billions to recover millions,” and “we must not allow the theoretically perfect to render impossible the achievable good.”

(Continued on page 10)
Figuring out how good your credit is feels like looking into a dressing room mirror: seeing yourself in harsh and unflattering fluorescent lights may not be easy but at the end of the day, the mirror probably doesn’t lie.

Taking a look at your financial picture isn’t always fun either, but it can guide you toward better decision making and may save your credit score from damage. If you apply for a credit card you aren’t qualified for, it can ding your credit.

During the country’s economic recovery, many expect that new credit will be more difficult to obtain for people with damaged credit. To ensure that you will have access to credit when you need it, improve your credit by paying your bills on time and only carrying balances on your accounts when necessary.

Before you apply for a new card, look realistically at your credit history. Make a list of money coming in and out each month to judge how much new credit you can comfortably afford.

Make categories for outstanding balances (credit cards, retail cards) and loans (mortgage, car loan, student loan), as well as collections or defaults, if any.

If you’ve missed or been late on any payments in the past two years, it will negatively affect your credit. Consult the chart below to get some idea of your current credit standing.

One issuer, Capital One, offers potential consumers a way to determine the cards for which they are best suited before they apply. These “self select” offers are organized by general credit categories, such as excellent, good, average, bad or no credit, and allow you to browse cards you’re likely to be eligible for.

A credit level chart lets you grade yourself to avoid applying for a credit card you won’t qualify for, which can hurt your credit score.

Remember, you’ll need good to excellent credit to get a low-rate card.

You can also check your score at www.annualcreditreport.com before you apply.

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**What’s your credit level?**

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<th>Excellent/good</th>
<th>Good/Average</th>
<th>Bad/no credit</th>
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<td>Little to no debt, or your debt is relatively small compared to your income. No late or missed payments on your credit report.</td>
<td>Debt is somewhat high compared to your income. One to several late payments but no failures to pay.</td>
<td>High debt, little to no income, defaults on payments, past or present bankruptcy. No history of credit being taken out or used.</td>
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The Court of Appeals said the district court was wrong when it said the government didn’t have to do an accounting. The Court of Appeals said that, because the Trust Fund Management Reform Act said there had to be an accounting, the government had to do an accounting. The problem with the district court’s decision that the Indians were owed $455 million was that “without an accounting, it is impossible to know who is owed what.” $455 million may be fair to the landowners as a whole, but “it would be inaccurate and unfair to an unknown number” of individual landowners.

The Court of Appeals said the government’s accounting did not have to be a historical accounting of every landowner going back to the 1880s. The government should do the best job it can, given the funding provided by Congress. The government should use “its limited resources in rough proportion to the estimated dollar value of payments due to class members.” The controlling factor is “whether the cost to account will exceed the amount recovered.”

The Court of Appeals gave some suggestions to the district court on what to do next. The government does not have to do an accounting for anyone who died before 1994, when the Trust Fund Management Reform Act was passed. The Court of Appeals said the Act meant the government is only required to examine accounts that were open when the Act was passed.

The government can also use statistical sampling. Statistical sampling is where some accounts are examined and the results applied to a larger number of similar accounts. The government had already proposed to study about 0.3% of the roughly 25 million transactions under $500. The Court of Appeals told the district court to “extend this reasoning to the rest of the accounting.”

So now the case is back at district court. The court must figure out a way for the government to do an accounting of Individual Indian Monies accounts that will be reasonably accurate with the funds available, and that won’t take too long. The Cobell case has now lasted 13 years. Will this case be resolved sometime in the next 187 years? We’ll have to wait and see.
Did you know... U.S. Supreme Court Criminal Procedure Issues in the 2009-2010 Term

Florida v. Powell: [Miranda] Does the failure to expressly advise a suspect of the specific right to have counsel present during custodial questioning render the Miranda warning ineffective?

Maryland v. Shatzer: [Miranda] Whether the Edwards v. Arizona bar against police-initiated waiver of Miranda rights, following an invocation of the Miranda right to counsel, can expire due to the passage of time.

Padilla v. Kentucky: [Guilty Plea Advice] Whether counsel’s incorrect advice regarding the collateral consequence of deportation can constitute a ground for setting aside a guilty plea that was induced by that faulty advice.

Sullivan v. Florida and Graham v. Florida: [LWOP for Juveniles] Whether life without parole for a nonhomicide offense violated the Eight Amendment’s ban on cruel and unusual punishment as applied to a 13-year-old (Sullivan) or as applied to any juvenile (Graham).

Pottawattamie County v. McGhee: [Prosecutor Misconduct] Whether a prosecutor can be subjected to a civil trial and potential damages for a wrongful conviction resulting from false testimony procured by the prosecutor during a criminal investigation.

(Tax Highlights, Continued from page 5)

First Time Homebuyer Credit. ARRA expands the first-time homebuyer credit for home purchases in 2009 before December 1, 2009. The credit cannot be claimed before the closing date of the purchase and the credit is increased to $8000. The 2009 credit under ARRA does not have to be re-paid unless the home ceases to be the taxpayers main residence within 3 years after the home purchase.

The first-time homebuyer credit that was available in tax year 2008 was up to $7500 and was established by the Housing and Economic Recovery Act of 2008. It was similar to a no-interest loan and it must be re-paid in 15 equal annual installments beginning with tax year 2010. (If you did not claim the credit in 2008, but were eligible, you can still file a 1040X amended return to claim the credit.)

Energy Efficiency Credits. AARA created numerous tax credits in tax years 2009 and 2010 for taxpayers who invest in energy efficiency in both their homes and vehicles. Credits can be claimed for energy efficient improvements to existing homes; such as adding insulation, and installation of exterior windows and heating and air conditioning systems, as well as for installation of alternative energy equipment such as solar hot water heaters, geothermal heat pumps and wind turbines. With new and higher standards of “energy efficiency,” taxpayers will need to make sure that manufacturer certifications meet the new standards. Several credits relating to purchases of electric vehicles and costs of kits used to convert a vehicle to electric drive are also available in 2009 and 2010. The credits vary depending on the type of credit taken.

Sales Tax Credit for New Vehicle Purchases. If you purchased a new vehicle(s) between February 17, 2009 and December 31, 2009, you may be able to take a deduction on your 2009 federal income tax return for all or part of the state and local sales and excise taxes paid. You do not have to itemize deductions to take the credit. Although not related to the sales tax credit, if you received a cash rebate through the “cash for clunkers” program, the rebate is not taxable.

These are only some highlights of income tax changes under AARA, so if you need specific tax information, you should visit the Internal Revenue Service’s website at www.irs.gov.
In the Spotlight

Various LSND Staff

Left to Right, Back to Front - Meredith Vukelic, Vickie Fox, Kelsee Macintosh, Tom Jackson, Stacey Fetzer, Jim Fitzsimmons, Brad Peterson, Keith Engbrecht, Willa Rhoads, Audrey Wingerter, Audrey Solheim, Jennifer Nelson, Mikayla Jablonski, Jean Lengowski

Ed Reinhardt

Lois Luchsinger

Crystal, Davis Wolfrum

Vickie Fox and June Rahn
Farewell to Bismarck Employee:
Tom Jackson, who worked as a staff attorney in our Bismarck office between March 2004 and August 2009, is now working at the Bismarck law firm Larson, Latham and Huettl. While at LSND Tom worked primarily in the family law area. We wish Tom all the best and thank him for the 5 ½ years of dedicated hard work at LSND.

New Bismarck office employee:
The Bismarck office of Legal Services of North Dakota has a new part-time secretary. Beth Brown started with us in September. Beth states, “I currently reside here in Bismarck with my husband and son and a little orphan mutt “Annie”. I initially moved here 14 years ago from Miami, FL. I’ve been CEO of our household for the last umpteen years. It’s time to take a lesser role in the position and I am thrilled to have the opportunity to work for LSND.” We welcome her aboard and look forward to the future.

 Deepest Sympathies:
The board and staff of Legal Services of North Dakota extend their sincere sympathy to the family of the late Ralph Vinje. Ralph was a Bismarck attorney from 1977 until his passing October 1, 2009. Ralph provided high quality legal representation to thousands of North Dakotans over 32 years, irregardless of their income or status in life. Our legal system was very fortunate to have had Ralph’s participation over the past three decades. We could use a few more like him.

 In memory of Senator Edward M. Kennedy

“There have been 17 children besides your own—Bobby's, Pat's, Jack's and mine, for whom you have always been there. Every graduation, every big decision, every trouble, every sad and even every happy day. On you, the carefree youngest brother, fell a burden a hero would beg to be spared. Sick parents, lost children, desolate wives. You are a hero. Everyone is going to make it, because you are always there with your love.”

~ Jackie Kennedy, 1986

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LSND BOARD OF DIRECTORS:
Are you fed up with having your evening 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 “Do Not Call” list.

Registering is free and easy!

You can register your home and cell phone numbers and your numbers will stay on the list until you remove them. All the 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 “warning” 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.

IMPORTANT - Please read the following before continuing.

NORTH DAKOTA “DO NOT CALL” Information:

Telemarketers:
- Can’t call anyone who has registered on the “do not call” list.
- Can’t use paid professional fundraisers to call you.
- Can’t call before 8:00 a.m. or after 9:00 p.m. local time.
- Can’t block your Caller ID service.
- Can’t use an automatic dialing device unless it disconnects within ten seconds after you hang up.
- Can’t use pre-recorded messages or “synthesized” voice messages unless a live operator comes on the line first to get your express permission. The operator must tell you what company is calling, what is promoting and whether it intends to solicit money from you.

Telemarketers:
- Must state at the beginning of the call, the caller’s name, location and the business.

“Do Not Call” Exceptions:

Even after you have registered you may still receive some calls, permitted by law. These are:

- Calls by a volunteer or an employee of a charitable organization.
- Calls by or on behalf of a political party, candidate or other group with a political purpose.
- Calls made to you with your prior written request, consent, invitation or permission.
- Calls by or on your behalf of persons or companies with whom you have had an established business or personal relationship within the past 24 months.
- Calls by an individual who intends to complete a sales presentation at a later face-to-face meeting.
- Calls for which the exclusive purpose is to poll or solicit the expression of ideas, opinions or votes.

The Attorney General’s Consumer Protection Division will enforce the law. Telemarketers who violate the law may face prosecution and/or fines; AND YOU can sue in a private legal action any telemarketer who violates the law.

TO REGISTER BY TELEPHONE:
Toll free 1-888-382-1222 (TTY: 1-866-290-4236)

Office of Attorney General, consumer Protection Division
4205 State Street, Bismarck ND 58503
Website: www.ag.nd.gov
*Outreach Calendar

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<th>City</th>
<th>Location</th>
<th>Time</th>
<th>Day of Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belcourt</td>
<td>Legal Services Office</td>
<td>8:30 a.m. – 5:00 p.m. CT</td>
<td>Monday thru Thursday</td>
</tr>
<tr>
<td>Belcourt</td>
<td>Retirement Home</td>
<td>10:00 a.m. – 11:00 a.m. CT</td>
<td>Every Monday</td>
</tr>
<tr>
<td>Bismarck</td>
<td>Burleigh County Senior Center</td>
<td>2:00 p.m. – 4:30 p.m. CT</td>
<td>2nd Wednesday</td>
</tr>
<tr>
<td>Dickinson</td>
<td>Sunset Senior Center</td>
<td>1:00 p.m. – 3:00 p.m. CT</td>
<td>4th Wednesday</td>
</tr>
<tr>
<td>Devils Lake</td>
<td>Senior Center</td>
<td>10:00 a.m. – 12:00 p.m. CT</td>
<td>3rd Thursday</td>
</tr>
<tr>
<td>Devils Lake</td>
<td>Dakota Prairie Community Action</td>
<td>1:00 p.m. – 2:30 p.m. CT</td>
<td>3rd Thursday</td>
</tr>
<tr>
<td>Fargo</td>
<td>YMCA Shelter</td>
<td>2:00 p.m. – 5:00 p.m. CT</td>
<td>2nd and 4th Wednesday</td>
</tr>
<tr>
<td>Fargo</td>
<td>Gladys Ray Shelter</td>
<td>7:00 p.m. – 8:00 p.m. CT</td>
<td>2nd Tuesday</td>
</tr>
<tr>
<td>Fort Totten</td>
<td>Spirit Lake Courthouse</td>
<td>8:00 a.m. – 11:00 a.m. CT</td>
<td>1st, 3rd &amp; 4th Friday</td>
</tr>
<tr>
<td>Fort Yates</td>
<td>Sitting Bull College</td>
<td>4:00 p.m. – 5:00 p.m. CT</td>
<td>3rd Wednesday</td>
</tr>
<tr>
<td>Grand Forks</td>
<td>Red River Community Action</td>
<td>11:00 a.m. – 2:00 p.m. CT</td>
<td>1st and 3rd Thursday</td>
</tr>
<tr>
<td>Jamestown</td>
<td>James River Senior Citizen Center</td>
<td>10:30 a.m. – 2:30 p.m. CT</td>
<td>3rd Thursday</td>
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<tr>
<td>Mandan</td>
<td>Golden Age Services Senior Center</td>
<td>2:00 p.m. – 4:00 p.m. CT</td>
<td>3rd Tuesday</td>
</tr>
<tr>
<td>Minot</td>
<td>Commission on Aging</td>
<td>1:00 p.m. – 2:00 p.m. CT</td>
<td>4th Thursday</td>
</tr>
<tr>
<td>Minot</td>
<td>Milton Young Towers</td>
<td>1:00 p.m. – 2:00 p.m. CT</td>
<td>2nd Thursday</td>
</tr>
<tr>
<td>New Town</td>
<td>Legal Services Office</td>
<td>9:30 a.m. – 4:00 p.m. CT</td>
<td>Monday thru Thursday</td>
</tr>
<tr>
<td>Valley City</td>
<td>South Central Senior Services</td>
<td>10:00 a.m. – 3:00 p.m. CT</td>
<td>3rd Friday</td>
</tr>
<tr>
<td>Wahpeton</td>
<td>Senior Center</td>
<td>10:00 a.m. – 11:30 a.m. CT</td>
<td>4th Tuesday</td>
</tr>
<tr>
<td>Wahpeton</td>
<td>Community Center</td>
<td>12:15 p.m. – 1:45 p.m. CT</td>
<td>4th Tuesday</td>
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<tr>
<td>White Shield</td>
<td>White Shield Complex Building</td>
<td>3:00 p.m. – 4:30 p.m. CT</td>
<td>3rd Wednesday</td>
</tr>
<tr>
<td>Williston</td>
<td>Williams Co. Courthouse</td>
<td>10:00 a.m. – 12:00 p.m. CT</td>
<td>1st Thursday</td>
</tr>
<tr>
<td>Williston</td>
<td>Heritage Center</td>
<td>1:00 p.m. – 2:30 p.m. CT</td>
<td>1st Thursday</td>
</tr>
</tbody>
</table>

*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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Bismarck ND 58502-1893

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Kelli Moe, Minot

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Rhonda Belgarde, Belcourt