One need not look very far to see that the challenges of accessing justice are increasing daily. More and more people are appearing in court without a lawyer, largely because they cannot afford one. The gap between rich and poor has widened, the law has become increasingly complex and severe budget cuts have had a dramatic impact on the availability of legal aid. Social service and community organizations that have traditionally assisted those with limited means are finding their resources stretched to the limit. The challenges of gaining equal access to justice are real.

Lawyers hold a unique place within the justice system and are well positioned to respond to the urgent need that exists in our communities. Canada, Australia, the United States and Britain are just some of the countries around the world where the legal profession itself has taken a leadership role in finding ways to promote lawyers’ participation in pro bono work.

The responsibility to do pro bono work is premised on the proposition that no one should be denied access to justice because of poverty. In a modern democracy that is dedicated to the rule of law, the justice system should be accessible to everyone.

It is Pro Bono Law of BC’s strongly held view that government has the primary responsibility to provide adequate legal aid to ensure equal access to justice. The legal profession does, however, play a fundamental role in ensuring the proper administration of justice. Even with a properly funded legal aid system, there have always been those who lack the means to obtain legal advice or assistance. Lawyers who believe they have a moral or professional duty to break down the barriers that prevent full access to justice represent many of these people for free. These pro bono activities in the public interest are an important aspect of professionalism and the practice of law:

The lawyer’s function is grounded in role morality, the idea that special obligations attach to certain roles, in this case, to render justice. Lawyers claim autonomy to perform their functions as a consequence of specialized knowledge and skill. The state grants autonomy, an effective monopoly, in exchange for lawyers, as officers of the court, discharging their duty to further equality before the law. After all, the very reason the state conferred such a monopoly was so that justice could best be served, a notion that surely means that even those unable to pay or those pursuing an unpopular cause can expect legal representation. A lawyer’s duty

(Continued on page 4)
A View From the Top
By: Jim Fitzsimmons, Executive Director

The Constitution does not just protect those whose views we share; it also protects those with whose views we disagree. — Edward Kennedy

Senator Ted Kennedy of Massachusetts was diagnosed with a malignant brain tumor. The media ran wild with the story back in May. The stories correctly included how effective a legislator he has been for over 45 years in office and praise from his most conservative opponents. For me, it brought back memories of the 1960’s and his brothers, John and Robert, or as America called them back then, “Jack” and “Bobby.”

In 1960, Jack Kennedy was elected the first Catholic President in the history of the United States. Chicago made the news due to the unusually large number of “dead” people who voted for the then Massachusetts Senator.

Kennedy’s short presidency was filled with numerous highlights, but the one I recall best was the Cuban missile crisis. When Kennedy ordered the naval blockade of Cuba to halt the Russian missile buildup on Cuban soil, he took the world to the brink of all out nuclear war. But Russia backed down and Kennedy’s legend grew.

History books tell us that John F. Kennedy was killed in the streets of Dallas, Texas, on November 22, 1963. But for Americans who were old enough to recall, it was much more tragic than just a page in a history book. Talk to anyone born before 1955 and they can tell you exactly what they were doing that fateful November morning when they heard the news.

I was sitting in the gymnasium at St. Joseph’s Elementary School in Mandan, watching a movie with my 5th grade classmates. Suddenly the movie stopped and the principal, Sister Hugo (yes, that was her real name), stood in front of us with tears running down her face and announced, “The President of the United States has been shot! Go home to your families and pray for our country.” We were all in shock. Sister Hugo did not cry! She did not dismiss school early for any reason! We went home that morning in fear and confusion and sat in front of a black and white television for the next three and one-half days as history played out before our eyes.

The “New Frontier” and the American dream came crashing down. Lyndon Johnson took over as President, and our involvement in the Vietnam “conflict” escalated dramatically. By 1968 Vietnam was dividing a nation. President Johnson announced he would not seek re-election. The Democratic race came down to three candidates in the summer of 1968 – Hubert Humphrey, a Senator from Minnesota; Eugene McCarthy, who at one time taught at Mandan High School; and Jack Kennedy’s younger brother, Bobby.

As a sophomore in high school, having just moved to Dickinson, ND, I didn’t know anyone there. I basically took driver’s education and followed the presidential primaries during the summer of 1968.

As you watched TV day after day (which I did), you could see the momentum building for Senator Robert Kennedy. It seemed like there was a potential for a new beginning. The promise for this country, that many felt died on the streets of Dallas back in ‘63, was reawakened. People, especially young people, were getting involved!

And then – it happened again! After winning the California Democratic primary, Senator Robert F. Kennedy was killed on his way to the victory celebration in a Los Angeles hotel. Our nation was again in shock.

The youngest brother, Ted, now became the sole heir of Camelot. Over the next 40 years, he guided his brothers’ families, made his share of mistakes, was responsible for more legislation than anyone in the past century (other than Franklin

(Continued on page 3)
Roosevelt), and has lived his life in a public spotlight reserved for rock stars and sports heroes. A champion of the elderly and low-income, he is a significant leader in providing federal funding for civil legal services to the poor.

Senator Ted Kennedy is now facing his toughest challenge in a lifetime filled with them. Most of us who develop a life-threatening disease can battle it in private with the support of our family, friends and God. He will not be so fortunate. This is a battle he will have to wage in front of all of America – thanks to the ever present media.

Millions of thoughts and prayers are with Senator Kennedy at this difficult time. Not just for an American legend, who I am afraid will not be granted the privacy he deserves, but also for all that goes with the Kennedy name and legacy. Someone once called it “America’s unfulfilled promise.”

NEW!
LSND Native American Brochure

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**LEGAL HELP FOR ELDERLY**

**Fort Berthold, Turtle Mountain, Spirit Lake and Standing Rock Reservations**

Special emphasis on:
- Health, Housing, Public Benefits
- Income Tax Controversies
- Indian Child Welfare Act
- Selected Tribal/Indian Law Issues
- Indian Trust and Wills
- American Indian Probate Reform Act

LSND also prepares, distributes and presents information about the legal rights of disadvantaged elderly and low-income people.

Please contact LSND at 701-222-2110 to request a presentation on topics of interest.

Individuals applying for legal services will not be subjected to discrimination.
to serve those unable to afford to pay is thus not an act of charity or benevolence, but rather one of professional responsibility, reinforced by the terms under which the state has granted to the profession effective control of the legal system.


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Pro Bono

Why We Do What We Do

*By Marta-Ann Schnabel, Past-President of the Louisiana State Bar Association*

Many felt that as a small firm lawyer I was foolish to think I could serve as president of the Louisiana State Bar Association and keep up with clients. Yet I emerged without resorting to bankruptcy court, and reflecting six months later on why I embarked on such a path, the answer is simple: I still believe that what we do is a special calling.

Not all law students hear that call, so in an effort to “enhance” the hearing of those entering Louisiana’s law schools, I participated in the “Law School Orientation Professionalism Program” for first-year students in which the dean, a Supreme Court Justice, and a representative of the bar spoke to students, faculty, and volunteer lawyers about the awesome privilege and responsibility inherent in being a lawyer. We then dispersed into smaller discussion groups where one big question arose: “Why do lawyers do pro bono work?”

Few discussion leaders had an answer beyond “because Rules of Professional Conduct say that we should.” This was not persuasive to many and one student observed: “If I owned a hardware store, I wouldn’t even consider sending one of my employees down the street to work for 50 hours on my nickel at another hardware store. Why would there be a rule telling a lawyer that he should aspire to do such a thing? I mean, charity is good and all, but business is business.”

We small and solo practitioners know that we didn’t go to law school to become purveyors of hardware, though some days it would be nice to be just about business. But the privilege of being a lawyer encompasses a great deal more. A lawyer stands at the gate of the court system and holds the key to access it. We do pro bono work because we respect and honor the people who have put their trust in us to guard that gate. We do pro bono work as partial repayment for the opportunities made available to us. We do pro bono work to ensure that our democratic society in which we believe and upon which our livelihood depends continues to survive. We do pro bono work because we believe in justice.
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 the 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.

Mother's Day

Fun Facts

~Mother's Day is now celebrated in many countries around the world, not in the same way or on the same day as the United States but all have special celebrations to honor Mothers.

~The National Retail Foundation predicts Mother's Day is a $14 Billion industry.

~Florists see their highest sales in May.

~US restaurants claim that it is the busiest day of the year.

~Retailers report it as the second highest gift giving day of the year behind Christmas.

Memorial Day

Fun Facts

~Memorial Day was originally known as "Decoration Day" because it was a time set aside to honor the nation's Civil War dead by decorating their graves. It was instituted in 1868 to commemorate the sacrifices of Civil War soldiers and has since grown to honor all those who have given their lives in services to their country.

~Memorial Day was officially proclaimed on May 5, 1868 by General John Logan and was first observed on May 30, 1868, when flowers were placed on the graves of Union and Confederate soldiers at Arlington National Cemetery. The first state to officially recognize the holiday was New York in 1873. By 1890 it was recognized by all of the northern states.
Dear Kelsey:

I have some questions

I am a victim of domestic violence and my landlord is threatening to evict me because the police have been called to my apartment so many times due to the domestic violence. As a victim of domestic violence, do I have any special protections under landlord/tenant law in North Dakota?

Unfortunately, NO, if you are living in private housing and not receiving any kind of federal subsidy. Unlike some other states, North Dakota law does not provide special provisions regarding landlord/tenant law for victims of domestic violence. It may help to explain your situation to your landlord.

The answer is YES, however, if you are living in federally funded public housing or using a federal housing voucher, which is more commonly called a “Section 8” voucher. Under the federal Violence Against Women Act (VAWA) of 2005, victims of domestic violence, sexual assault, and stalking are protected from being evicted because of the violence and are protected from being denied access to public housing or to a voucher based on being a victim. Further, victims and their immediate family members are protected from being evicted or “cut off” from voucher assistance based on incidents of domestic violence. The federal law states incidents of domestic violence may not be considered “serious or repeated violation of the lease” or “good cause” for evicting or ending voucher assistance. Similarly, criminal activity which directly relates to the violence also cannot be the basis of an eviction. It should be noted that this is an exception to the “one-strike” rule which generally applies to those living in public housing.

I am a landlord and one of my tenants is a victim of domestic violence. She recently obtained a Domestic Violence Protection Order which ordered her spouse out of the apartment. Is there anything I as her landlord can do to help her or others in my building who may be victims?

YES. Below is a list of suggestions:

• Be accommodating when asked to change locks on a tenant’s apartment for his/her safety and the safety of others in the building.

• Call law enforcement if you suspect or hear domestic violence occurring in your building or see the spouse on the premises.

• Encourage other tenants to call law enforcement if they hear or see domestic violence because there is a tendency by people to not want to get involved, but it is a safety matter for everyone in the building.

• Be accommodating if the victim has trouble getting her rent paid on time, especially right after her spouse is ordered out of the apartment. The victim is adjusting to living on one income and a little leeway can be much appreciated. You can also encourage the victim to seek further housing assistance or county assistance if they continue to have difficulty meeting their financial obligations.

• Encourage victims to seek help at a local domestic violence program.

(Continued on page 7)
I am a landlord and one of my tenants is a victim of domestic violence and on a Section 8 voucher. I know that under federal law I cannot evict her because of the domestic violence, but now she is smoking in her apartment, which is a violation of her lease. Am I prevented from evicting her because of the smoking since she is a victim of domestic violence?

NO. VAWA’s protections for victims of domestic violence does not mean that a victim of domestic violence may never be evicted. If the victim commits a crime or violates the lease, and the violation is unrelated to the domestic violence, the victim may be evicted as long as the landlord does not hold the victim to a higher standard than other tenants. Further, victims of domestic violence may be evicted for matters related to the domestic violence if the landlord is able to prove that allowing the victim to remain living in the building would pose an "actual and imminent threat" to other people living there.

VAWA also provides additional protections for landlords. For example, landlords may ask a victim claiming protection under VAWA to provide certification of the violence. A victim may “prove” the violence by providing documentation from a court record, police report, statement from a victim service provider, a medical professional, or a lawyer who has represented the victim in a matter relating to the violence.

If a landlord asks the victim for certification, the victim must be given a least 14 business days to provide the documentation. If the victim does not provide the documentation within the 14 days, then the landlord may bring an eviction action.

(Sources: Violence Against Women Act of 2005; Legal Momentum: Housing Rights for Survivors of Domestic Violence Living in Public Housing or Using Vouchers.)

(Disclaimer: This information should not be construed as legal advice. If you have a specific legal problem, you should consult an attorney for individualized advice regarding your rights and options.)

Did you know...

Improvements continue at Courthouses across the State:

Courthouse renovation projects in 22 counties were funded in January through Court Facilities Improvement Grants Totaling $300,730.

This is the fourth round of grants that have been awarded since the program began, and the following illustrate the scope of the projects awarded:

- $97,643 for Eddy County, to install aluminum clad wood windows in the courtroom, court offices and court bathroom.
- $83,025 for Ramsey County, for courtroom renovations that include bench and witness box modifications, new wiring and microphone jacks, and new carpet, and juvenile court office renovations.
- $22,551 for Dickey County, to restore the courtroom mural, decorate the courtroom ceilings, add courtroom carpet, replace electrical piping and install new courtroom lights.
- $5,899 for Logan County to replace courtroom and jury room carpeting, provide a new top for the library table, and re-finish pews and benches.
- $3,104 for Foster County, to install ductless air conditioning in the clerk’s office.
- $1,200 for Nelson County, to paint the main floor judge’s office and the third floor judge’s chambers, and install new furniture.
- $566 for Rolette County, to remodel the clerk’s office.

The grants are funded from court administration fees from criminal cases. Legislation passed during the 2003 legislative sessions required that $100 of the court administration fee assessed to those found guilty in criminal cases go to a fund that supports indigent defense and court facilities improvement and maintenance.

The projects require a 25 percent match in funds by each county, and county commissioners and judicial officers work together to develop the proposals.
Everyone has heard about “constitutional rights.” Probably the best known constitutional right is “You have the right to remain silent....” The police say that all the time in the movies and on TV. (They say it in real life, too.) Most people have heard of the Bill of Rights. But what exactly is a constitution? Where’s the Bill of Rights and what does it say?

A constitution is the basic laws and principles of a nation that determine the powers and duties of the government. The United States Constitution was written because the Founding Fathers (like James Madison, George Washington, and Benjamin Franklin, among others) decided the country needed a better national government. So they (and about 50 others) sat down together and wrote the U.S. Constitution.

The U.S. Constitution sets up the national government and divides it into 3 parts (the legislative, executive, and judicial branches). It also describes the powers and duties of each branch of government. The United States Constitution was the first written national constitution in the world. It is also the oldest written national constitution in the world.

The Bill of Rights is the first 10 amendments to the U.S. Constitution. They weren’t included in the original Constitution. They were added to limit the power of the national government.

The Bill of Rights is basically a list of rights that cannot be taken away by the federal government. It includes things like free speech, free press, freedom of religion, trial by jury, freedom from unreasonable search and seizure, and the right against self-incrimination. When people think of “constitutional rights,” they’re usually thinking of the Bill of Rights.

The Bill of Rights was originally meant to apply only to the federal government. Over the years, the U.S. Supreme Court has interpreted the 14th Amendment to say the state governments must follow most (but not all) of the Bill of Rights. Congress has said Indian tribal governments must also follow most (but not all) of the Bill of Rights.

When Thomas Jefferson first saw a copy of the U.S. Constitution, he generally approved of it, especially the separation of powers. However, he wrote to James Madison that he did not like “the omission of a bill of rights providing clearly ... for freedom of religion, freedom of the press, protection against standing armies ... and trial by jury.” Jefferson wrote a “Bill of Rights is what the people are entitled to against every government on earth” and was something “no just government should refuse.”

Many people agreed with Jefferson, and James Madison wrote the constitutional amendments that became the Bill of Rights. Thomas Jefferson realized some rights had to be spelled out, or the government could take them away. Thanks to him and James Madison, the Bill of Rights, and the freedoms it guarantees, became part of the U.S. Constitution.

Did You Know?

-The U.S. Constitution is not the oldest written constitution. It’s the oldest written national constitution. The state of Massachusetts actually has the oldest written constitution. It’s about 8 years older than the U.S. Constitution, but it’s a state, not a national, constitution.

-The original Bill of Rights consisted of 12 amendments to the Constitution. Amendments 3 through 12 became today’s Bill of Rights. The original first amendment hasn’t been ratified yet. It deals with the size of congressional districts. The original second amendment talks about when pay raises for members of congress become effective. It was ratified in 1992, over 200 years after it was first proposed. It is now the 27th Amendment.

-The only part of the Bill of Rights that has not been the subject of a federal court case is the Third Amendment. It says the government cannot force people to have soldiers live in their houses in peacetime.
State law defines a Vulnerable Adult as:

.....any person older than age 18, or emancipated by marriage who has a substantial mental or functional impairment

ND Century Code 50-25.2-03 states that any person who reasonably believes that a vulnerable adult has been subjected to abuse or neglect or observes conditions or circumstances that reasonably would result in abuse or neglect, may report the information to the N.D. Department of Human Services or to an appropriate law enforcement agency.

The law gives the Department the right to assess and to provide or arrange the provision of adult protective services if the vulnerable adult consents to and accepts the services. The Department may pursue administrative, legal, or other remedies authorized by law, which are necessary and appropriate under the circumstances to protect a vulnerable adult who cannot give consent, and to prevent further abuse or neglect.

North Dakota Department of Human Services, Vulnerable Adult Protective Services, January, 2008

Father’s Day

Fun Facts

-Father’s Day always falls on the third Sunday in June.

-Father’s Day originated in America.

-The First Father’s Day was Celebrated on June 19, 1910 in Spokane, Washington USA.

-In 1966 President Lyndon Johnson declared the 3rd Sunday of June as Father’s Day with a presidential proclamation.

-Roses are the Father’s Day flowers: red to be worn for a living father and white if the father is no longer living.

4th of July Fun Facts

*Independence Day commemorates the Continental Congress approval of the Declaration of Independence on the 4th of July, 1776. However, it was not declared a legal holiday until 1941. It’s considered to be the most important national holiday in the United States.

*In 1776 there were 2.5 million people in the 13 colonies of America. On the 4th of July 2007, there were 302 million people in 50 states.

*The first celebration took place in Philadelphia on July 8, 1776, four days after the Declaration of Independence was adopted. On that day the declaration was read aloud, city bells rang, and bands played.
Legal aid services in South Dakota in past years have been forced to turn away more and more clients as demand grows and funding sources dwindle.

The issue has caught the attention of the State Bar Association, which is working to connect volunteer lawyers with clients. Next month, a legislative committee will begin studying the issue, though a push last session to establish permanent funding in the state failed.

South Dakota is one of only three states that does not give money to legal aid programs, leaving thousands of poor people each year without a lawyer in civil matters.

Federal legal aid money, meanwhile, is at half the level it was in 1982 after adjusting for inflation.

The money shortage has forced South Dakota legal aid agencies to reduce staff and turn away more clients. A 2005 study found 50 percent of eligible applicants nationwide were turned away; for East River Legal Services in Sioux Falls, 77 percent of eligible applicants were rejected during the same period.

"We can't fulfill our obligations with the funding and staff we have," said Doug Cummings, who directs East River, one of two federally funded agencies that serve the poor in civil matters.

Cummings has watched his staff shrink from 12 lawyers in five cities to only five lawyers in Sioux Falls, including a Benedictine sister who works for free.

"You can't cover 33 counties ... with five lawyers," he said.

The issue has received attention in recent years from the State Bar Association, which this year provided 10 percent of East River's budget.

The bar encourages University of South Dakota law students to help with pro-bono cases, and since January has offered reduced dues and free malpractice insurance for retired lawyers who are willing to do only volunteer work.

In February 2006, the bar created Access to Justice, which lines up volunteer lawyers with prospective clients. Previously, there was no formal way for lawyers to find pro-bono work.

The program has signed up 183 lawyers and taken 460 cases, but many of those people are on a long waiting list.

Cheryl Hanna, who directs Access to Justice from her Mission office, says many volunteer lawyers refuse to work the most common case types. About 85 percent of her clients want help with family matters, such as divorce and child custody, she said.

"Most of those lawyers don't want to do family law cases, and I don't blame them because they're often messy," Hanna said.

Many of those family cases, then, fall to the paid staff at the two legal services.

The elderly poor and victims of domestic violence have benefited from grants in recent years, but a wide variety of would-be clients go without representation.

(Continued on page 14)
Q: Why is expedited processing available for SSI beneficiaries?

A: U.S. Citizenship and Immigration Services (USCIS) recently entered into a settlement agreement in a national class action, Kaplan, et al. v. Chertoff, et al., CV 06-5304. The suit was brought by non-U.S. citizens who had lost or who were about to lose their eligibility for Supplemental Security Income (SSI) based on a statutory seven-year limit, and who were unable to become naturalized U.S. citizens before the loss of SSI benefits. Under the settlement agreement USCIS will expedite I-485 (Application to Register Permanent Residence or Adjust Status) – commonly referred to as ‘green card’ applications – and N-400 (Application for Naturalization) of current or former Supplemental Security Income (SSI) beneficiaries if the application has been pending with USCIS for more than six months.

Q: What is expedited processing under the Kaplan Settlement?

A: Expedited processing includes USCIS requesting an accelerated FBI Name Check and prioritizing any USCIS internal actions, such as scheduling an interview. USCIS will work with the Social Security Administration (SSA) to identify people who have lost or who will lose their SSI benefits within the next year and who already have an I-485 or N-400 pending with USCIS. USCIS will then expedite those cases even if the applicant has not yet requested expedited processing and if the application has not been pending for six months. Information on the Kaplan Settlement is available at www.uscis.gov/kaplan.

Q: What if I am a non-citizen who has lost my SSI benefits and am waiting for my N-400 or I-485 to be processed?

A: If you are a non-citizen who has lost eligibility for SSI benefits based on a statutory seven-year limit, and you have filed an I-485 or N-400 with USCIS, you may request expedited processing of your pending application at any time, regardless of when you lost SSI benefits. USCIS is working with SSA to identify people who have lost or who will lose their SSI benefits within the next year and who already have an I-485 or N-400 pending with USCIS. USCIS will then expedite those cases even if the applicant has not yet requested expedited processing and the application has not been pending for six months.

Q: How will USCIS contact non-citizen SSI beneficiaries with pending applications who have lost their SSI benefits?

A: USCIS and SSA will mail a blue letter to people who have lost their SSI benefits due to the seven-year statutory limit. The letter will explain that they need to do the following:

- File an I-485 or N-400, if eligible
- Be aware of the fee waiver application process
- For those who already have a pending application, how to request expedited processing

Q: What should I include with my I-485 or N-400 form?

A: If you receive a blue letter from USCIS about your eligibility for expedited processing, you should include that letter when you mail your form to USCIS. If you do not receive a blue letter from USCIS about the Kaplan settlement, you should include any other documents showing proof that that you are receiving or have received SSI benefits.
Audrey Wingerter

Audrey grew up on her family’s farm near Center, along with two older brothers. She attended a country school for eight years and then attended Priory High School and graduated in 1968 in the last graduating class. She will be celebrating her 40th class reunion in July and is on the planning committee.

After graduation she attended Bismarck Junior College (now known as Bismarck State College) and completed the 2-year Secretarial course. After graduating from college she worked full time for five years at Woolworth’s until her first daughter was born. Then she became a stay at home mom and raised vegetables in her garden to sell at different stores in the area. After two years she had her second daughter.

In November of 1978, the family moved to Grand Forks. After two years of being a stay at home mom, her career as a legal secretary began. She worked in a law firm as a legal secretary and held that position for five years.

In 1985, the family moved back to Bismarck and she obtained a job working in a law firm as a legal secretary. In May of 1986, she started working for the Bismarck Office of Legal Assistance of North Dakota (LAND) (now known as Legal Services of North Dakota) as a legal secretary.

While working at LAND, she became a member of the Legal Secretaries Association and was their past President and Vice-President. She attended the National Legal Secretaries Assoc. Convention in California as one of the delegates from North Dakota. She has attended various trainings to improve her skills as a legal secretary.

Audrey’s favorite pasttime is her love of flowers and gardening. When driving past her home in Bismarck, you will notice her beautiful yard. She has three grandchildren that keep her busy during her spare time. If she isn’t taking care of the grandchildren, she has three dachshund dogs that occupy her time and a 91 year-old father whom she “checks in” with every morning.

“Ms. Wingerter brings a lot to the table when it comes to reaching out to and working with low-income clients. We are very fortunate to have her as part of our team.” - LSND Executive Director, Jim Fitzsimmons
Summer Law Clerks:
LSND is fortunate to have three summer law clerks in 2008.
Sarah Palm, a recent UND Law School graduate who will be taking the Montana Bar in July, is helping out in Belcourt between Study Sessions. Sarah is a helping us with trust land wills and Community Education. Good Luck on the Montana Bar, Sarah!
Jean Lengowski, a second year UND law student, is based in our Bismarck Law Office. Jean worked for us last summer under the Judge Kelly Memorial Fellowship. This summer Jean will be working primarily in juvenile court as well as handling outreach and community education from the Bismarck Law Office.
Luke Turner, is our Judge Kelly Memorial Fellowship Intern in the Summer of 2008. This position is shared by the State Bar Association of North Dakota and LSND (please note, the “Judge Kelly Memorial Fellowship Fund” will be discussed in detail in the next newsletter). Luke will work in both our Minot and Bismarck offices and his major focus will be legal research.

LSND Income Tax Project:
As you are probably aware, our New Town and Belcourt offices handle income tax preparation for low income people on the Fort Berthold and Turtle Mountain Indian Reservations. This year our staff were able to prepare 485 federal returns that generated $513,671 in refunds, including $261,500 in earned income credits (EIC). These figures do not include all of the Stimulus Only returns or the better than 100 state tax returns prepared by our staff.

LSND Lawyer Overview:

Board Member Passes:
LSND Board Member, Edna Schultz passed away on March 18, 2008. Edna was from Steele and was appointed to the LSND board by the AARP and served from April 2004 until her passing. Our thoughts and prayers are with her family during this difficult time.
Q: How do I contact USCIS to request expedited processing based on my eligibility as a non-citizen beneficiary of SSI?

A: There are several ways you can contact USCIS to request expedited processing:

Call the USCIS National Customer Service Center at 1-800-375-5283.

Make an InfoPass appointment at www.infopass.uscis.gov and come to your local USCIS Field Office in person. Our website, www.uscis.gov, has a list of all field office locations.

Include a written request for expedited processing when you submit your application.

Mail a request for expedited processing to the office where your I-485 or N-400 is pending once you receive a USCIS receipt notice for your application. To find out where your application is pending, please call 1-800-375-5283.

Whichever option you choose, please let USCIS know that you are requesting expedited processing based on your SSI status.

Q: If I am a non-citizen receiving SSI benefits and I just submitted an N-400 or I-485, can I apply for expediting processing now or must I wait until my application has been pending for over six months?

A: Customers may request expediting processing at any time, but USCIS will not start the expedite process until the application has been pending for over six months.

To cope, the court system has begun pushing people to represent themselves, Cummings said, but many don't have the ability to navigate the courts on their own.

Cummings said he rarely accepts a client who is bringing an action against someone else, and his typical cases require immediate attention: a single mother whose ex has served her with child-custody papers; a tenant who is being evicted the next day; or a food-stamp recipient who is about to lose that benefit.

"We're like a triage: We do emergency services," he said.

Dakota Plains is in better financial shape. It gets $7 for every $2 that go to East River, largely because it serves Native Americans, a priority for the federal government.

With 13 lawyers in seven locations serving just 54 percent of the state's poor, Dakota Plains serves more clients than it turns away, Executive Director Pat Donovan said.

Reach Josh Verges at 605-331-2335.
jverges@argusleader.com
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</tr>
<tr>
<td>Bismarck</td>
<td>Senior Center</td>
<td>2:30 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. MT</td>
<td>2nd Monday</td>
</tr>
<tr>
<td>Devils Lake</td>
<td>Senior Center</td>
<td>10:00 a.m. – 2:00 p.m. CT</td>
<td>2nd Thursday</td>
</tr>
<tr>
<td>Fargo</td>
<td>YWCA Shelter</td>
<td>2:00 p.m. – 5:00 p.m. CT</td>
<td>2nd and 4th Wednesday</td>
</tr>
<tr>
<td>Fort Totten</td>
<td>Spirit Lake Tribal Courthouse</td>
<td>10:00 a.m. – 2 p.m. CT</td>
<td>Every other Friday</td>
</tr>
<tr>
<td>Glen Ullin</td>
<td>City Hall</td>
<td>9:00 a.m. – 11:00 a.m. CT</td>
<td>Last 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 Center</td>
<td>10:30 p.m. – 2:30 p.m. CT</td>
<td>3rd Thursday</td>
</tr>
<tr>
<td>Mandan</td>
<td>Golden Age Senior Center</td>
<td>2:00 p.m. – 4:00 p.m. CT</td>
<td>3rd Tuesday</td>
</tr>
<tr>
<td>Minot</td>
<td>All Saints Episcopal Church</td>
<td>11:30 a.m. – 12:30 p.m. CT</td>
<td>3rd Thursday</td>
</tr>
<tr>
<td>Minot</td>
<td>Christ Lutheran Church</td>
<td>11:30 a.m. – 12:30 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>3rd Thursday</td>
</tr>
<tr>
<td>Minot</td>
<td>Faith United Methodist Church</td>
<td>11:30 a.m. – 12:30 p.m. CT</td>
<td>1st Monday</td>
</tr>
<tr>
<td>Minot</td>
<td>First Lutheran Church</td>
<td>11:30 a.m. – 12:30 p.m. CT</td>
<td>1st Friday</td>
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<tr>
<td>Minot</td>
<td>Immanuel Baptist Church</td>
<td>11:30 a.m. – 12:30 p.m. CT</td>
<td>1st Wednesday</td>
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<tr>
<td>Minot</td>
<td>Milton Young Towers</td>
<td>1:00 p.m. – 2:00 p.m. CT</td>
<td>4th Wednesday</td>
</tr>
<tr>
<td>Moorhead</td>
<td>Immigration Law Center</td>
<td>10:30 a.m. – 2:30 p.m. CT</td>
<td>4th Tuesday</td>
</tr>
<tr>
<td>Mott</td>
<td>City Hall</td>
<td>12:30 p.m. – 2:30 p.m. MT</td>
<td>2nd Tuesday</td>
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<tr>
<td>St. Michael</td>
<td>Senior Center</td>
<td>10:00 a.m. – 11:00 a.m. CT</td>
<td>2nd Friday</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>Watford City</td>
<td>McKenzie Co Social Services</td>
<td>11:15 a.m. – 12:00 p.m. CT</td>
<td>Quarterly</td>
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<tr>
<td>Watford City</td>
<td>Good Shepherd Home</td>
<td>1:00 p.m. – 1:30 p.m. CT</td>
<td>Quarterly</td>
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<tr>
<td>White Shield</td>
<td>White Shield Complex Bldg</td>
<td>3:00 p.m. – 4:30 p.m. CT</td>
<td>3rd Wednesday</td>
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<tr>
<td>Williston</td>
<td>Heritage Center</td>
<td>1:00 p.m. – 2:30 p.m. CT</td>
<td>1st Thursday</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>
</tbody>
</table>

*Outreach involves our attorneys and paralegals going into the rural areas of our state to provide needed legal help and community education*
LSND Paralegals:
Tom Masa, Minot
Stacey Fetzer, Bismarck
Vickie Fox, New Town
Rhonda Belgarde, Belcourt
Paulette Throntveit, Fargo

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Audrey Solheim, Bismarck
Audrey Wingerter, Bismarck
Kiley Hart, Fargo

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Jean Lengowski, Bismarck
Luke Turner, Minot

LSND Attorneys:
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Jennifer Nelson, Bismarck/Minot
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Ed Reinhardt, Minot
Jim Fitzsimmons, Bismarck
Bob Will, New Town
Linda Catalano, Fargo
Sheree Weisz, Fargo
Kelsee Macintosh, Fargo

LSND Other:
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Lois Luchsinger, Intake, Minot
Amy Zeitz, Intake, Minot
Keith Engbrecht, Finances, Bismarck
Willa Rhoads, PAI, Bismarck
Clarine DeGroot, Office Mgr., New Town