The United States Supreme Court Rules on Police Cellphone Searches

By Ed Reinhardt, Senior Attorney

In *Riley v. California*, decided June 25, 2014, the U.S. Supreme Court examined the question of whether the police need a search warrant to look at data on cell phones. Two lower courts had issued conflicting decisions. The Court reached this question partly to reconcile the conflicting decisions, and partly because cell phones are so common that a “visitor from Mars might conclude they were an important feature of human anatomy.”

The Supreme Court held, in a unanimous decision, that police “must generally secure a [search] warrant” before searching data on cell phones.

*Riley* was a combination of two cases. One was Riley’s case from California and the other was *U.S. v. Wurie* from Massachusetts. Riley and Wurie got arrested, and the police found a cell phone on each of them.

Riley had a smartphone, which the police took when they searched him. The police looked at the contents of Riley’s phone and found words, videos, and photos that linked Riley to gang activity and a shooting. He asked the trial court to throw out any evidence found on his smartphone, because it was an illegal search. The trial court denied his motion, and Riley was convicted. He was sentenced to 15 years to life in prison, which was enhanced because of his gang connection. When he appealed, California state courts upheld the search of his smartphone, and affirmed his conviction.

Wurie had a flip phone. The police noticed he was getting calls from a source identified as “my house.” They pressed various buttons and got the number associated with “my house.” They used an internet phone directory to get the address associated with “my house.” They went to the address, saw Wurie’s name on the mailbox, and noticed a woman who looked like a woman who was on the phone’s wallpaper. The police got a search warrant for the apartment, where they found drugs, firearms, ammunition, and cash. Wurie asked the court to suppress the search of his cell phone. The trial court denied his motion. He was convicted, and was sentenced to 21 years in prison. On appeal, the First Circuit Court of Appeals said the search of his cell phone was illegal, and reversed his conviction.

A reasonable search under the 4th Amendment means police generally must get a search warrant first. There are exceptions, though. One exception is a search incident to an arrest. When a person is arrested, the police can search

<table>
<thead>
<tr>
<th>Inside this Issue</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Supreme Court Cases</td>
<td>1</td>
</tr>
<tr>
<td>A View From the Top</td>
<td>2</td>
</tr>
<tr>
<td>FAQ Labor</td>
<td>3</td>
</tr>
<tr>
<td>Tribal Government Payments</td>
<td>5</td>
</tr>
<tr>
<td>Social Security Adm</td>
<td>6</td>
</tr>
<tr>
<td>Law Students</td>
<td>7</td>
</tr>
<tr>
<td>Tenants Rights</td>
<td>8</td>
</tr>
<tr>
<td>Scam Artists</td>
<td>9</td>
</tr>
<tr>
<td>Photos</td>
<td>11</td>
</tr>
<tr>
<td>Justices</td>
<td>12</td>
</tr>
<tr>
<td>Grandparent Wire Scam</td>
<td>13</td>
</tr>
<tr>
<td>ND Legal Self Help and SSD</td>
<td>14</td>
</tr>
<tr>
<td>Outreach</td>
<td>15</td>
</tr>
</tbody>
</table>

Continued on page 10
“I don’t know why Brian hasn’t gotten that field planted yet. His family knows how to farm – he should too.”

“I don’t know what Mary sees in that Stangane boy. He hasn’t been to college and his dad couldn’t hold down a job.”

“Did you see that ridiculous letter Jennifer wrote to the editor? Is she bored?”

**Or more recently:**

“Why did those fools in Mandan cancel the 4th of July parade? They disappointed thousands of kids. All they’d have to do is check the radar and delay it a couple of hours.”

“What the hell is wrong with law enforcement out in Dickinson? Someone torches an iconic school and they can’t get a conviction?”

We North Dakotans have many good traits – loyalty, strong work ethic, we’re friendly and much more. As a life-long resident of this state, spanning parts of seven decades, I have noticed we have a few flaws as well. One of the most prominent ones is our tendency to criticize the actions of others before we have all the facts.

Don’t get me wrong; I’m not saying something wasn’t done wrong in Dickinson, or that I agree with the decision to cancel the Mandan parade. I just think we should have enough respect for our fellow citizens to get the facts before we’re so quick to criticize their actions. People tend to make monumental leaps to conclusions without knowing the motivation, extenuating circumstances and all of the facts.

President Obama’s June visit to North Dakota is a classic example. People criticized the Standing Rock location he chose. Why not Fort Berthold with all of its oil? People criticized the short period of time he spent there. They criticized the limited number of people who got to see him.

I can’t fathom the complexity of providing security for a United States President in the post 9/11 world in which we all live. But I’d be willing to bet a couple of bucks that a lot of those decisions that were criticized were highly influenced by the Secret Service and security issues, particularly the reservation and locations visited.

I find it incredibly positive that the President of a country that has broken literally thousands of promises to Indian tribes, took a few minutes out of his busy schedule to come to a remote reservation in my home state to visit with some Native American children. Sure, maybe there was some politics involved, some PR involved and sure, it cost money. But for one afternoon in June, some Native American kids from a remote Indian community in North Dakota got to meet the President of the United States of America.

That’s what America is all about – that’s why we celebrated the 4th of July – even if they cancelled the parade.

*Walt Disney*
From the North Dakota Department of Labor
Frequently Asked Questions

The following are answers to some of the questions most commonly asked at the Department of Labor and Human Rights. If you would like additional information on any of these topics, please contact the North Dakota Department of Labor at 1-800-582-8032.

Check Stubs

Question: Is my employer supposed to give me a check stub?
Answer: Yes. Each time an employee is paid, the employer must provide a statement or check stub listing the rate of pay, hours worked, and all deductions from earnings. An employer may use an electronic version so long as the employee has access and the ability to print the information.

Child Labor

Question: What is the youngest age to begin employment in North Dakota?
Answer: Generally, age 14. In addition, most employees ages 14 and 15 must file an Employment and Age Certificate with the North Dakota Department of Labor and Human Rights, and are subject to restricted working hours and job duties. For more information, see the Youth Employment in ND brochure.

Deductions From Pay

Question: What can be deducted from my wages?
Answer: Except for those amounts that are required under state or federal law to be withheld from employee compensation or where a court has ordered the employer to withhold compensation, an employer only may withhold from the compensation due employees:

1. Advances paid to employees, other than undocumented cash.
2. A recurring deduction authorized in writing.
3. A nonrecurring deduction authorized in writing, when the source of the deduction is cited specifically.
4. A nonrecurring deduction for damage, breakage, shortage, or negligence must be authorized by the employee at the time of the deduction.

Last Paychecks

Question: When does my employer have to pay me after I've quit or been fired? Can my employer hold my paycheck?
Answer: A separated employee's wages become due and payable at the regular payday(s) established in advance by the employer for the period(s) worked by the employee. In other words, payroll should simply follow its normal course. Employers may not hold an employee's paycheck.

Minimum Wage

Question: What is the minimum wage? Does North Dakota have a training wage?
Answer: The minimum wage in North Dakota is currently $7.25 per hour. North Dakota does not have a training wage.

Continued on page 4
Vacation

**Question:** Am I entitled to my unused vacation when I quit or am fired?

**Answer:** In most instances, once earned (available for the employee’s use), vacation constitutes a wage and is due with the employee’s final paycheck. However, if an employee separates from employment voluntarily, a private employer may withhold payment for accrued paid time off, if:

1. At the time of hiring, the employer provided the employee written notice of the limitation on payment of accrued paid time off;

2. The employee has been employed by the employer for less than one year; and

3. The employee gave the employer less than five days written or verbal notice.

Tips (gratuities)

**Question:** I receive tips. Can my employer pay me less than minimum wage?

**Answer:** Maybe. An employee who customarily and regularly receives more than $30 per month in tips may be paid a minimum direct wage of $4.86 per hour, subject to some requirements. However, the tips earned plus the direct wage paid by the employer must equal the full minimum wage of $7.25 per hour for all hours worked. Employers are required to maintain written records verifying that tipped employees receive at least the full minimum wage for all hours worked when the direct wage and tips are combined.

Reasonable Accommodation

**Question:** I am a qualified individual with a disability but my employer refuses to accommodate my disability and change my schedule. Does he have to?

**Answer:** Possibly. An employer has the right to review medical documentation related to your request for an accommodation to determine if it is reasonable. You and the employer should determine and implement a reasonable accommodation that does not create an undue hardship on the employer’s business.

Sexual Harassment

**Question:** I complained to my boss about sexual harassment, but nothing was done about it. What can I do now?

**Answer:** An employer is responsible for taking immediate and corrective action in harassment and hostile environment situations related to anti-discrimination laws. If your employer has not corrected the situation after notification, you may contact the North Dakota Department of Labor and Human Rights for further information or to file a charge of discrimination.
The Internal Revenue Service recently issued guidelines about when tribal government payments to individuals are and are not taxable.

The Internal Revenue Code says that gross income means “all income from whatever source derived.” Gross income includes money, services, meals, accommodations, and other property or in-kind benefits.

Payments made by tribal governments to individuals for the promotion of the general welfare are not included in gross income. That is the “general welfare” exclusion. To qualify under the general welfare exclusion, a payment:

1. must be made under a governmental program,
2. that is based on need, and
3. is not payment for services.

Not all payments by tribal governments to individuals fall under the general welfare exclusion. For example, salaries of tribal employees are taxable income, because they are payment for services. Another taxable example is per capita payments of tribal gaming revenues under the Indian Gaming Regulatory Act.

To fall under the general welfare exclusion, a payment from a tribal government to an individual must meet the following requirements:

- The benefit must be paid under a specific tribal government program;
- The program must have written guidelines about how to qualify for the benefit;
- The benefit is available to any tribal member, qualified non-member, or identified group (like veterans) of members or qualified non-members (qualified non-members are generally spouses, ex-spouses, children, ancestors, or descendants);
- Distribution of benefits does not discriminate in favor of members of the tribe’s governing body (like the tribal council);
- The benefit is not payment for services; and
- The benefit is not lavish or extravagant.

Examples of payments that could meet these requirements are:

- Housing programs that pay mortgage or rent payments, enhancing livability by remedying things like water, sewer, heating or cooling problems, providing basic rehabilitation or repairs (like a new roof), and paying utility bills;
- Education programs that pay for things like transportation, supplies, tuition, child care, job counseling and training;
- Elder and disabled programs, which includes things like meal delivery, home care assistance, local transportation assistance, and things like ramps and grab bars for houses;
- Programs that pay for transportation to and from essential services, payments for emergency situations, payments to people displaced from their homes, payments for transportation emergencies, and
Social Security touches the lives of nearly every American, often during times of personal hardship, transition, and uncertainty. Our programs serve as vital financial protection for working men and women, children, the disabled, and the elderly.

We administer the largest disability program in the nation. Unfortunately, there are some common misconceptions about our program. We want to ensure that the American public understands this important program and has a clear picture of the individuals living with severe disabilities assisted by our program. Therefore, I am pleased to announce the launch of our new national communications campaign, The Faces and Facts of Disability. The campaign’s goal is to increase public awareness of the Social Security Disability Insurance (SSDI) program.

The campaign will provide facts about the program and personal stories about those who benefit the most.

I encourage you to play an active role in The Faces and Facts of Disability campaign. Please learn the facts about our program; watch the stories about our beneficiaries, then, share this important information with others.

Together, we can work to ensure that the SSDI program remains a viable resource for the severely disabled in our country. Thank you for your support.

Supplemental Security Income Helps People for 40 Years

The Supplemental Security Income (SSI) program may seem like Social Security's kid brother, but—believe it or not—it has been providing benefits for those who need it for 40 years.

SSI provides income support to eligible people who are age 65 or older, blind or disabled adults, and blind or disabled children who have low income and few resources. Eligibility requirements and federal payment standards are nationally uniform, although some states add a supplement to the federal payment. SSI replaced the former federal/state adult assistance programs in the 50 states and the District of Columbia.

When SSI began in January 1974, about 3.2 million people received much-needed help from the new program. By December 1974, we were assisting nearly 4 million people who otherwise had nowhere to turn. As of December 2012, more than 8 million people are receiving much needed benefits thanks to SSI—often meaning the difference between survival and homelessness.

SSI is a lifeline for people who need it. If you know someone who might benefit from SSI, have them visit www.socialsecurity.gov/ssi.
Legal Services of North Dakota is again hosting summer law clerks, two in Fargo and one in Bismarck.

Barbara Olds and Annique Lockard are based in our Fargo office this summer working under the direction of Attorneys Adele Page and Steve Simonson. Their positions are supported by the North Dakota Bar Foundation and private donor support through the UND School of Law. Both Annique and Barb are UND law students.

Annique has completed one year of law school at UND and expects to graduate in the spring of 2016. She completed her undergraduate work at Minot State University in May of 2013 in Criminal Justice.

Annique’s background includes having worked for the ND Legislative Council, Nazarene Bible College and various positions in South Africa between 2006 and 2008.

Barbara Olds hails from Minnesota and graduated from Minnesota State University in Moorhead, MN with a degree in Criminal Justice in 2009. She has completed one year of law school. Her background includes working as a child protection case manager at White Earth, MN and working as an administrative legal assistant at the Becker County Attorney’s Office in Detroit Lakes, MN.

Ashley Bailey will begin her third and last year of law school at the University of Oregon School of Law this fall. She is working in our Bismarck office this summer under the supervision of Attorney Mikayla Jablonski Jahner. Her position is supported by the John D. Kelly Memorial Fund.

Ashley grew up on a ranch near Colstrip, Montana. She completed undergraduate work at the University of Montana (Missoula) in 2009 with a B.A. in Communication Studies.

Ashley’s background includes working as Operations Coordinator/Trip Planner organizing trips to Latin America. She has volunteered at Missoula’s Children’s Museum and traveled to Central and South America, and Italy.

We welcome the opportunity to work with law students in the summer months to help further their legal education and expose them to legal aid and poverty law work. We encourage private attorneys, government attorneys and judges to do the same.

LSND is now on Facebook!
Follow us and we’ll keep you up-to-date with our news and information. It is a chance for you to let us know what you think, too. We always appreciate your comments.
If you are already set up with a Facebook account, simply head to our Facebook page (Legal Services of North Dakota), and click the ‘like’ button. If you don’t have a Facebook account yet, you can sign up for a free account and then follow the directions above.
Almost everyone rents living space at some time in their life, but not everyone knows their rights and responsibilities as a tenant. What can make it more confusing is that the law can be changed by the terms of the lease. This includes general information about tenant rights and responsibilities in North Dakota.

Moving In
Before putting any money down, inspect the rental property. The landlord is required by law to provide a prospective tenant with a checklist describing the current condition of the property. Make sure to mark existing damage or problems on the checklist. To reduce disputes later, both the prospective tenant and the landlord should sign the completed checklist.

Security Deposit
The landlord can require a tenant to pay a security deposit of up to one month’s rent. If the tenant has a pet, the landlord may require an extra “pet” deposit. The landlord can use the deposit to repair any damages the tenant or the tenant’s guests cause to the property, for unpaid rent, or to pay the costs of cleaning the property after the tenant leaves. The security deposit and an itemized list of any deductions must be returned to the former tenant within 30 days of terminating the lease. The landlord cannot withhold money for “normal wear and tear” to the property. Interest on the deposit must be paid if the landlord holds the deposit for more than nine months. If the property is leased by more than one person, a landlord may hold the full security deposit until the lease terminates, even if one tenant vacates the property before that time.

Rent
If the property is rented with others, each tenant is responsible for paying the entire amount of rent. If one person moves out, the remaining tenants are still responsible for paying the full monthly rent. The same applies to any monthly utility or other bills due under the terms of the lease.

Rent Increases
If the tenant has a month-to-month lease, the landlord may raise the rent by any amount by providing written notice at least 30 days in advance. The tenant then can give a 25-day notice to terminate the lease at the end of the month. The tenant can only use this 25-day provision if the landlord changes a provision of the lease. For lease periods longer than a month (such as a 1 year lease), generally the landlord cannot raise the rent until the end of that lease period.

Late Fees
If a tenant is late paying the rent, the landlord may charge a late fee. However, this late fee must be a provision set out in the lease. The lease must state how much the late fee will be, and when it will be effective.

Making Repairs
A tenant should promptly notify the landlord when repairs are needed. The landlord must be given a “reasonable” amount of time to make the repair. If the landlord does not make a repair, the tenant can take care of it and deduct the expense from the rent, but should first notify the landlord in writing that the tenant intends to do this. A tenant may also sue the landlord for repairs and other expenses in Small Claims Court. As a last resort, the tenant can terminate the lease and move out—but this should be done only if serious repair problems or code violations exist.
SCAM ARTISTS POSING AS BURLEIGH COUNTY SHERIFF TO EXTRACT MONEY FOR BOGUS JURY DUTY CLAIMS

Attorney General Wayne Stenehjem is warning area residents of a jury duty scam. The area is seeing a rash of con artists calling Bismarck area residents, claiming they are with the Burleigh County Sheriff’s Office, and threatening people with false accusations that they did not appear in court for jury duty and now will go to jail, if they don't pay fines. The victims typically are told to obtain two separate Green Dot Money Pak cards from CVS Pharmacies in amounts less than $500 each.

The Burleigh County Sheriff and the Attorney General’s Office have received many calls from concerned citizens. According to Stenehjem, there has been at least one elderly victim who paid $1,000.

“The Burleigh County Sheriff or any other law enforcement agency would never call our citizens and threaten them with arrest for missing jury duty, or attempt to extract fines from them,” Stenehjem said. “While the individuals contacted have not missed jury duty, even if they did the Court would always allow an opportunity to explain any missed jury date and would never use these heavy-handed tactics of claims of jail and fines.”

According to Parrell Grossman, Director of the Consumer Protection Division, consumers should not focus on calls from the Burleigh County Sheriff. “This is a common scam and while today the calls reference Burleigh County, next week the fraudulent calls just as likely will claim to come from Cass, Grand Forks, Ward, or any other county.”

Consumers do not need to report these calls to the Burleigh County Sheriff or the Attorney General, if they have not lost money as a victim. However, if consumers have questions about this scam or other scams they should contact the Attorney General’s Consumer Protection Division at 701-328-3404 or toll-free at 1-800-472-2600.

LSND Senior Legal Hotline Number

1-866-621-9886
Cellular Phones - Continued from page 1
the person and the area within the person’s immediate control. The reason is to check for weapons (for police safety) and to prevent destruction of evidence.

Supreme Court decisions establish that if police want to search a trunk or a house, they must get a warrant. Smartphones can store millions of documents or thousands of photos, along with internet browsing histories and other personal details. A Smartphone can hold a trunkful or a houseful of information. Since the volume of data held on a cell phone resembles the volume of data contained in a trunk or a house, the Court held the police must get a warrant to search the data on a cell phone.

The police can still take cell phones from someone in a search incident to an arrest. They can take a phone, and remove it from its case, for example, to check for a razor that might be hidden inside. A cell phone can be taken so the defendant cannot erase data. But if the police want to examine or analyze the data or information stored on the phone, they must generally obtain a warrant.

The Court did not absolutely forbid warrantless searches of cell phone data. There are other situations where police can search without a warrant. Exigent circumstances (basically an emergency) is one. The Court said that exception could apply to cell phones. Exigent circumstances were not present in either Riley’s or Wurie’s cases, so the Court left any exceptions for cell phone searches for another time.

Taxes - Continued from page 5
payments for nonprescription drugs (including traditional Indian medicines);

- Cultural and religious programs, including paying expenses to attend or participate in a tribe’s cultural, social, religious or community activities, paying the cost of receiving instruction about a tribe’s culture, history, and traditions, and funeral and burial costs.

The IRS stresses that these examples are not exclusive – any payment from a tribal government to an individual that meets the requirements listed above would not be counted under the general welfare exclusion.

The IRS also states that small payments made to religious or spiritual officials or leaders (such as medicine men, medicine women, and shamans) to recognize their participation in cultural, religious, and social events are conclusively presumed to be based on need, and are not payment for services.


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
| Chief Justice John G. Roberts  
U.S. Supreme Court | Chief Justice Gerald VandeWalle  
North Dakota Supreme Court |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>John Roberts is the current Chief Justice of the United States Supreme Court. Chief Justice Roberts was nominated for the position in 2005 by President George W. Bush. Here is a brief look at Chief Justice Roberts’ background. John G. Roberts, Jr., Chief Justice of the United States, was born in Buffalo, New York, January 27, 1955. He married Jane Marie Sullivan in 1996 and they have two children - Josephine and John. He received an A.B. from Harvard College in 1976 and a J.D. from Harvard Law School in 1979. He served as a law clerk for Judge Henry J. Friendly of the United States Court of Appeals for the Second Circuit from 1979–1980 and as a law clerk for then-Associate Justice William H. Rehnquist of the Supreme Court of the United States during the 1980 Term. He was Special Assistant to the Attorney General, U.S. Department of Justice from 1981–1982, Associate Counsel to President Ronald Reagan, White House Counsel's Office from 1982–1986, and Principal Deputy Solicitor General, U.S. Department of Justice from 1989–1993. From 1986–1989 and 1993–2003, he practiced law in Washington, D.C. He was appointed to the United States Court of Appeals for the District of Columbia Circuit in 2003.</td>
<td>Gerald VandeWalle is the current Chief Justice of the North Dakota Supreme Court. He was first elected Chief Justice January 1, 1993. Here is a brief look at his background. Justice VandeWalle was born on August 15, 1933, and raised in Noonan, North Dakota. He attended the University of North Dakota and in 1958 he received a juris doctor degree magna cum laude from the University of North Dakota School of Law. He was admitted to the State Bar of North Dakota in July 1958 and accepted an appointment as Special Assistant Attorney General. In January 1975 he was appointed First Assistant Attorney General. During his twenty years in the Attorney General’s office, Justice VandeWalle held several portfolios. On August 15, 1978, he was appointed to the Supreme Court. In November 1978 he was elected to serve an unexpired term, and was reelected to ten-year terms in 1984, 1994 and 2004. From July 1985 to July 1987, he served as the first chair of the North Dakota Judicial Conference. He has served on the North Dakota Supreme Court for nearly 36 years. He is past chair co-chair of the ABA Bar Admissions Committee and past chair of the Federal-State Tribal Relations Committee of the Conference of Chief Justices.</td>
</tr>
</tbody>
</table>
“Grandma? I’m in terrible trouble. They won’t let me come home until this is sorted out. Can you help me?” “Is that you, Sam? Are you okay?” “Yes, it’s Sam. I’m in jail in Canada. I had a car accident and they arrested me. Now I need money to get out of jail. Please don’t tell mom and dad, I want to tell them myself when I get home. Can you help me?”

Telephone calls like this are happening right here in North Dakota. Imposters call, hoping for a senior citizen to pick up the phone. The imposter then pretends to be a grandchild and claims to have been involved in an emergency situation in a foreign country.

If the grandparent does not immediately “recognize” the caller’s voice, the fake grandchild often claims to have a cold, or a sore throat, or starts crying. This often prompts the grandparent to guess the identity of the caller or provide other information that the scam artist then uses to gain the grandparent’s trust. Once the grandparent has been convinced that the caller is legitimate, the scam begins.

The con artist asks the grandparent to wire money outside the country for legal fees or fines or, in one variation, for medical bills that the alleged grandchild has to pay to be released from jail or allowed to leave the foreign country.

The victim is instructed to go to the nearest Western Union or Money Gram location and wire money to the authorities in the foreign country. There are numerous variations of the scam involving different reasons for the supposed emergency and different locations. In one variation, the grandchild hands the phone to an “official,” who urges the grandparent to wire the money immediately to avoid any additional legal problems for the grandchild.

Here are tips to help you avoid this scam:

♦ Do not fill in the blanks for the caller. They are relying on you to provide that information. Ask them to give their name to you. If you do not provide them any information, they will likely hang up.

♦ If you think a family member might be in trouble, verify the information by calling other family members directly. Do not use phone numbers provided by the caller.

♦ With many sources of public information at their fingertips, these con artists can easily find out basic information about people and use it to their advantage. They may read obituaries, go into social networking sites on the Internet, or use other sources to find out just enough details to pull off the scam.

♦ DON’T give out bank account or credit card information.

♦ NEVER wire money. Once the money is sent there is no way to get it back. US authorities have no jurisdiction to pursue the matter. You worked hard for your money - don’t let a stranger steal it from you.
Phone: 701-328-1852  
E-Mail: NDSelfHelp@ndcourts.gov  
Open: Generally from 8 – 5 Monday – Friday (excluding holidays)  

If you have chosen to represent yourself or cannot access an attorney, the ND Legal Self Help Center can help you to understand the legal process involved at no charge.  

**The Self Help Center can:**  
- Answer questions about court processes, court rules, court forms and legal terms  
- Explain the legal process  
- Provide available approved forms, some instruction and explanations about how to complete forms or required paperwork (forms are not available for all legal problems)  
- Provide information about mediation services, the State Bar Association's volunteer and reduced fee lawyer programs and Legal Services of North Dakota.  
- Provide information about federal, state or county agencies or non-profit organizations that may offer additional information or services  
- Provide neutral and impartial service equally to all court users  
- Tell you how to find state laws, rules and regulations  

**The Self Help Center cannot:**  
- Give you legal advice  
- Tell you if you have a good case  
- Tell you how case law or statutes apply to your situation  
- Tell you what to do or help you decide the best option for your situation  
- Tell you what strategy to follow  
- Tell you what words to put on a form or fill out the forms for you  
- Tell you what to say in court  
- Predict what any judge or court may do, say or decide  
- File any documents for you  
- Assist in criminal matters  
- Explain a judicial decision  

---  

**Test your Disability Program Knowledge**  

1. Your chances of being struck by lightning in the United States in any one year are one in 775,000. What are the chances of a 20-year-old becoming disabled before reaching retirement age?  
   *The correct answer is 1 in 4*  

2. To qualify for Social Security disability benefits, a person's disability must be expected to last:  
   *The correct answer is at least 12 months or to result in death*  

3. Which statement describes the Social Security Disability Insurance (SSDI) program?  
   A. Workers earn SSDI coverage by paying taxes  
   B. SSDI is the largest disability insurance program in the United States  
   C. SSDI provides cash benefits to disabled workers  
   D. SSDI provides cash benefits to the dependents of disabled workers  
   *The correct answer is all of the above*  

4. Under the Social Security Compassionate Allowances program, we pay expedited benefits to severely disabled individuals. How many conditions are on the list?  
   *The correct answer is 225*  

5. For every dollar paid in Social Security taxes, how much does the agency spend to administer the program (cost of running the agency)?  
   *The correct answer is 1 cent*  

6. A yearly income of $11,490 or less puts you in the poverty category according to U.S. guidelines. What is the average yearly amount of Social Security disability benefits for an individual?  
   *The correct answer is $13,752*  

7. In 2012, how much money did our aggressive program to prevent disability fraud save the Social Security Administration?  
   *The correct answer is $340 million*  

8. Only 31 percent of people have private sector long-term disability insurance. What percent of workers does Social Security Disability Insurance cover?  
   *The correct answer is 90%*
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](http://www.legalassist.org), under the Legal Outreach Calendar you will find a current schedule complete with dates and times.

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

<table>
<thead>
<tr>
<th>City</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belcourt</td>
<td>Legal Services Office</td>
</tr>
<tr>
<td>Belcourt</td>
<td>Retirement Home</td>
</tr>
<tr>
<td>Bismarck</td>
<td>Burleigh County Senior Center</td>
</tr>
<tr>
<td>Dickinson</td>
<td>Sunset Senior Center</td>
</tr>
<tr>
<td>Devils Lake</td>
<td>Senior Center</td>
</tr>
<tr>
<td>Devils Lake</td>
<td>Dakota Prairie Community Action</td>
</tr>
<tr>
<td>Fargo</td>
<td>YWCA Shelter</td>
</tr>
<tr>
<td>Grand Forks</td>
<td>Senior Center</td>
</tr>
<tr>
<td>Grand Forks</td>
<td>Red River Community Action</td>
</tr>
<tr>
<td>Jamestown</td>
<td>James River Senior Citizens Center</td>
</tr>
<tr>
<td>Mandan</td>
<td>Golden Age Services Senior Center</td>
</tr>
<tr>
<td>Minot</td>
<td>Commission on Aging</td>
</tr>
<tr>
<td>Minot</td>
<td>Milton Young Towers</td>
</tr>
<tr>
<td>New Town</td>
<td>Legal Services Office</td>
</tr>
<tr>
<td>Spirit Lake</td>
<td>Cankdeska Cikana Comm. College</td>
</tr>
<tr>
<td>Valley City</td>
<td>South Central Senior Center</td>
</tr>
<tr>
<td>Wahpeton</td>
<td>Community Center</td>
</tr>
<tr>
<td>White Shield</td>
<td>White Shield Senior Citizens Center</td>
</tr>
<tr>
<td>Williston</td>
<td>Community Action</td>
</tr>
<tr>
<td>Williston</td>
<td>Heritage Center</td>
</tr>
</tbody>
</table>

---

**LSND**

**BOARD OF DIRECTORS:**

Wade Enget, President
Stanley, ND

Lisa Tomlinson, Vice President
Benedict, ND

Mary Kae Kelsch, Secretary/Treasurer
Bismarck, ND

Jodi Colling, Mandan, ND
Al Lerberg, Bismarck, ND
Robert Manly, Fargo, ND

Veronica Kirkaldie, New Town, ND
Paul Murphy, Carrington, ND
Gary Ramsey, Dickinson, ND

Laurel Forsberg, Williston, ND
Clyde Houle, Belcourt, ND