

Good morning, Chairman Larson, and members of the Senate Judiciary Committee. My name is Taylor Olson and I am an attorney in Williston ND. I have worked in private practice in Williston since 2011. I want to thank you for considering this bill and allowing me to present testimony regarding the benefits this bill can bring to the state of ND.

The concept of this bill is not new to the state of ND. My colleague Judge Hurly has been envisioning bringing a program such as this to ND for many years. As a judge in rural ND, he can tell you the many needs of rural counties.

I am a practitioner in Williston. During my time here, I have worked as a contract attorney for many jurisdictions. I know firsthand what the need is in rural communities. In 2013, I contracted with McKenzie County to act as their State's Attorney while they searched for a permanent solution. In 2014 I contracted with Divide County in the same capacity for 11 months. I currently serve as a city attorney for many jurisdictions and a tribal judge and municipal judge.

Our program is modeled after a similar program in South Dakota. In 2013, a bill was introduced in the SD legislature to provide 16 attorneys to rural communities. The project was so popular that it expanded to 32 practitioners shortly after. SD currently operates their program with 32 participants at once. There are currently programs in North Dakota to support rural practitioners in many medical professions.

The program we have proposed is for a "pilot program" which would begin with one practitioner per year up to four. The individual would apply to the committee and be placed in a corresponding county or city who has also applied to the program to receive a participant. The individual would sign a five-year contract to work in that jurisdiction. The individual would receive a grant, payable over the five years of the equivalent of 90% of 3 years of tuition at UND Law as of the date of the approved funds from the state. They would be paid their grant funds in 5 equal installments. If they quit the program early, they are required to repay the funds.

We have five counties in North Dakota with no attorneys. We have 35 counties with fewer than 10 attorneys. 62% of the licensed attorneys in North Dakota work in Fargo and Bismarck/Mandan. The number per

county also includes individuals either not practicing, retired but still licensed, those working as corporate counsel, and judges. Once you take out those individuals, the numbers are quite low in most counties.

The most staggering percentage is the percentage of attorneys left after removing the more populous counties. If you add up the number of attorneys from Williams, Ward, Grand Forks, Cass, Stark, and Burleigh/Morton, those seven counties make up almost 87% of the attorneys in North Dakota. That means the other 46 counties contain the other 13%.

The services attorneys can provide ensure a stronger and more effective legal system. They are a key component of a highly functional judicial system. The effect of having the bulk of attorneys in more urban counties is more cost to the client and less access to justice. Jobs such as city and county attorneys, both prosecuting and defense counsel, are left unfilled. The costs to the counties and cities of travelling attorneys are passed on to the taxpayer in some instances and to the client in others. Often times, attorneys have to travel long distances to provide constitutionally guaranteed services to citizens. Pat Weir will tell you about his “break” from retirement to prosecute in Billings County because they could not fill the position.

Lastly, attorneys provide many necessary services in communities other than the professional skills they bring that community. Attorneys are great community members, often times participating in community events and serving on community boards. Attorneys provide pro bono services to non-profits and engage in the communities they live in.

We have received support for the bill from many groups, and for that, we are very thankful. The North Dakota Supreme Court, ND Association of Counties, ND Commission on Legal Counsel for Indigents, ND Bar Foundation, ND State Bar Association Board of Governors, University of North Dakota School of Law and many practitioners in private practice have all provided their support. We believe this is a great bill and has the potential to positively affect the lives of many North Dakotans. Thank you so much for your consideration.