

Mr Chairman my Name is Lori VanWinkle and I represent the great people of District 3 in Minot.

HB 1409 is before you today creating and enacting a new section to judicial remedies in CH 32-01 of Century Code.

The reason for the bill is because there is a recognizable need in ND for a broader approach for our citizens to be allowed representation when their rights are also at stake in a case. Most people already struggle to be able to afford an attorney representation, and with shortages and struggles with concern that a citizen's case may not be well represented, this bill create an avenue for a citizen to use representation that they believe is willing to uphold their rights and is more affordable than an attorney, because that person has an equitable or legal interest in doing so.

We need to make sure our citizens are allowed due process of law are not restricted or hindered in their ability to retain counsel that they believe will put their interests as priority in their legal matter. This gives citizens more options if they take the path of pro se litigation and may give them more confidence for their defense and it would no longer limit them to the narrow restrictions of only being able to stand alone, or hire an attorney, when they may believe someone else with equitable or legal interest in their civil or criminal action may be better qualified and competent to represent their interest than an attorney.

You will see the bill is relatively short and is not complicated.

Interest is defined right there within the bill on line 7 and line 8, and states it is to be liberally interpreted and a party able to represent someone can do so with either a legal interest in a matter or an equitable interest.

I have testimony following who will more broadly explain the implications of what an equitable and legal interest mean in practical senses.

Thank you Mr. Chairman I stand for questions.