

2025 SENATE WORKFORCE DEVELOPMENT

SB 2211

2025 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

SB 2211
1/31/2025

Relating to the attorney recruitment and retention program.

9:59 a.m. Chairman Wobbema called the meeting to order.

Members Present: Chairman Wobbema, Senator Boschee, Senator Larson, Senator Powers. Members Absent: Vice-Chairman Axtman.

Discussion Topics:

- Attorney availability
- Judiciary budget appropriation
- Recruitment efforts
- Data source and methodology
- Legal representation in small communities

9:59 a.m. Senator Brad Bekkedhal introduced the bill and submitted testimony #31311.

10:03 a.m. Scott Johnson, Deputy State Court Administrator for ND Court Systems, testified in favor and submitted testimony #32655.

10:10 a.m. Tony Weiler, Executive Director for State Bar Association of ND, testified in favor and submitted testimony #33050.

Additional written testimony:

Ashley Lies, Executive Director of ND State's Attorneys' Association, submitted testimony in favor #32883.

Oliver Bromke, State's Attorney with Wells County State's Attorney's Office, submitted testimony in favor #33019.

10:17 a.m. Chairman Wobbema closed the hearing.

Andrew Ficek, Committee Clerk



North Dakota Senate

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Senator Brad Bekkedahl

District 1
P.O. Box 2443
Williston, ND 58802-2443
bbekkedahl@ndlegis.gov

COMMITTEES:
Appropriations (Chair)

January 31, 2025

Senate Bill 2211 Testimony

Senate Workforce Development Committee

Hon. Senator Wobbema, Chairman

Chairman Wobbema and Committee Members,

I'm Senator Brad Bekkedahl and I am here to introduce Senate Bill 2211, a bill to revise the current Attorney Recruitment program. This program started two sessions ago with a bill to provide incentives for up to four attorneys to practice in rural counties and communities that had a lack of professionals. Last session the program was so successful that it was expanded to eight attorney positions. As you can see, the program involves financial participation by the Judicial Branch, the local jurisdiction (County or City), and the State Bar Association. At the request of the State Bar Association and the Judicial Branch, this bill seeks to add a Retention component to the program. The number of attorneys eligible for these incentives remains at up to eight with this change. This is a successful program that has yielded positive benefits to the area's most in need of these service providers. I will let the other partners in this program testify and answer questions if needed. I respectfully request a Do Pass on SB 2211 and stand now for any questions.

SB 2211
Senate Workforce Development Committee
January 31, 2025
Testimony of Scott Johnson

Chair Wobbema and members of the committee, for the record, my name is Scott Johnson. I am the deputy state court administrator.

SB 2211 is before you today to authorize the supreme court to look at both recruitment and retention of attorneys who may seek to participate in the rural attorney recruitment program. Additionally, the bill authorizes to the supreme court to look at counties in light of the total number of attorneys available (five or fewer) instead of the population (currently limited to 16,000). This change could focus the program more on where there are "legal deserts" in the state. There are currently 36 counties that meet the definition of five or less attorneys (map attached).

The rural attorney recruitment program was created by the legislature in 2021 to provide a monetary incentive for attorneys to live and work in rural communities. To be eligible for the program an attorney must be licensed in ND and in good standing with the ND Board of Bar Examiners and if so, are automatically eligible to participate in the program upon receipt of their application.

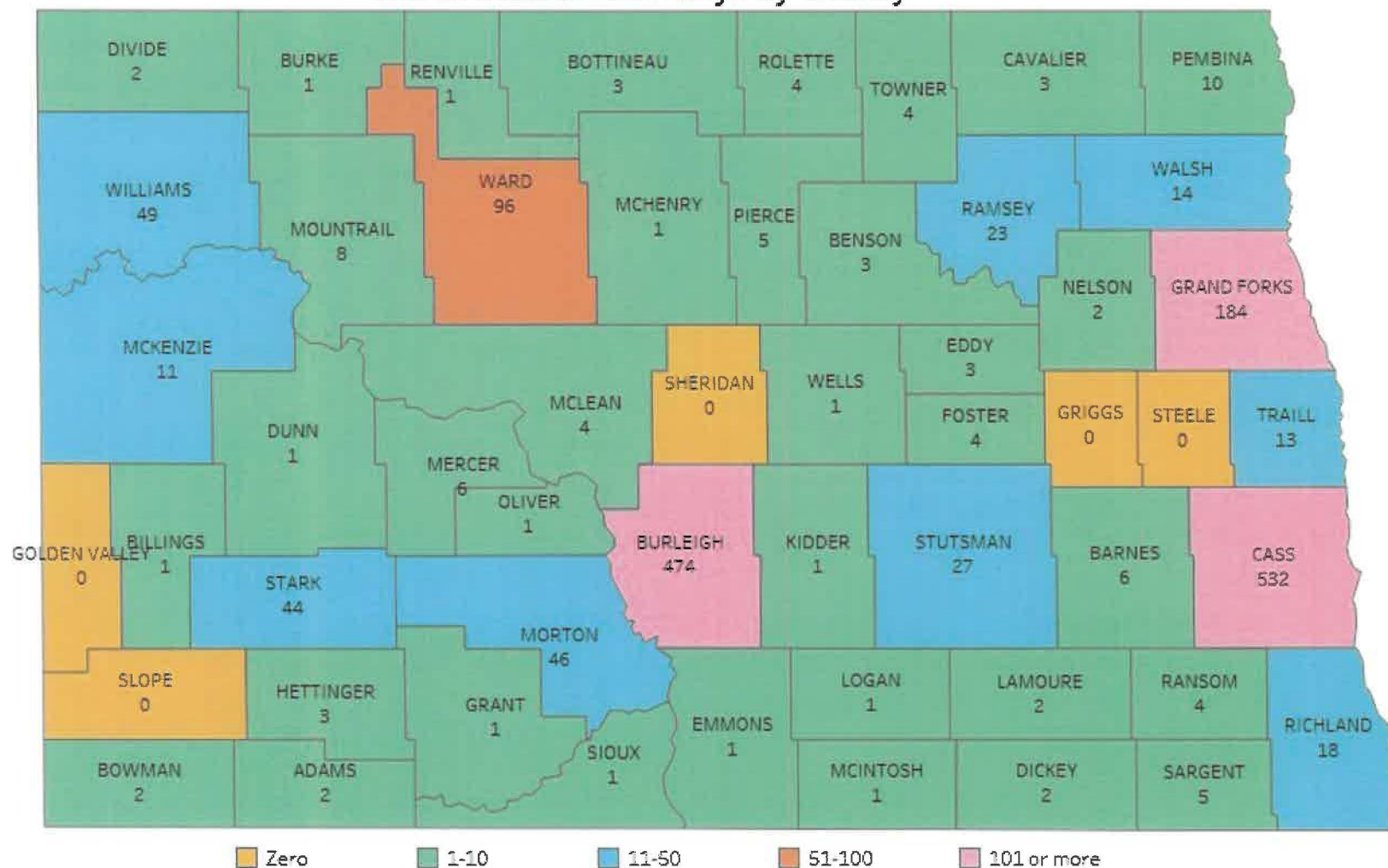
For a community to eligible to participate they must have a population of 5,000 or less and as I noted a county must have a population of 16,000 or less. Their applications are reviewed by an adhoc committee appointed by the Chief Justice (currently chaired by Judge Michael Hurly of the NEJD). They make recommendations to the supreme court which either approves or denies the application.

The cost of the program is split between the state (50%), participating community (35%) and the State Bar Association (15%). The incentive payment totals \$45,000 to be paid in five equal annual installments.

Since the program started, we have had four recruitment efforts. We have nine communities/counties that have been approved for participation and eight attorneys. We current have six attorney/community matches. Four of the matches are in Walsh County (three with the city Grafton), one in Rolette County and one in Bowman County. Additionally, at its most recent meeting -- the ad hoc committee has recommended that the supreme court approve an application made by Wells County. If that recommendation is approved by the supreme court, there will be one match left on the cap on the number of participants that has been authorized at eight.

I urge a do pass on SB 2211 and am available for your questions.

North Dakota Attorneys by County



North Dakota State's Attorneys' Association

January 27, 2025

To: Senate Workforce Development Committee
Hon. Chairman Wobbema
Hon. Vice-Chair Axtman
Members of the Committee

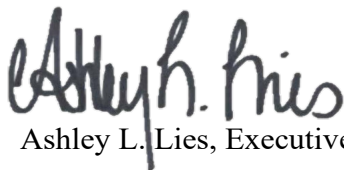
RE: Senate Bill No. 2211

Chairman Wobbema, Vice-Chair Axtman, and Members of the Senate Workforce Development Committee:

The North Dakota State's Attorneys' Association (NDSAA) is submitting this letter requesting a **DO PASS** to Senate Bill 2211, while bringing up one concern with it as currently presented.

While we absolutely support the recruitment and retention of attorneys in rural counties, we understand that as currently operated, the rural attorney recruitment program does not apply to elected or appointed state's attorneys. We are not sure if that was intentional by the legislator as there is no indication that there was, but at least one of our rural attorneys who sought to apply for this program was denied as they were an appointed state's attorney. If your intent is to disqualify us, we would appreciate that discussion be had as to why and that any such ban be provided in the text of the statute so our prosecutors aren't surprised when they try to apply.

On behalf of the North Dakota State's Attorneys:

A handwritten signature in dark ink, appearing to read "Ashley L. Lies". The signature is written in a cursive, flowing style.

Ashley L. Lies, Executive Director

OFFICE of the WELLS COUNTY STATE'S ATTORNEY

OLIVER W. BROMKE, ATTORNEY AT LAW
ND BAR ID# 09786

700 RAILWAY STREET NORTH #325
FESSENDEN, ND 58438-0325
bromkeoliver@nd.gov
(701) 547-3885

January 30, 2025

TO: Senate Workforce Development Committee
Hon. Senator Wobbema, Chairman
Hon. Sen. Axtman, Vice Chair

RE: Senate Bill 2211

Chairman Wobbema, Vice Chair Axtman, and committee members:

I submit this letter to urge a DO PASS on Senate Bill 2211 while requesting an amendment to the proposed language for N.D.C.C. § 27-02.2-04 regarding attorney eligibility.

To summarize my situation:

- I was appointed the full-time Wells County State's Attorney in July 2024 to serve out the remainder of the unexpired 2023-2026 term of office.
- I intend to stand for election to the position in 2026.
- My wife is a first-year law student at the University of North Dakota School of Law.
- Both of us intend to remain, and practice law, in North Dakota after she graduates.
- I purchased a building in Harvey (see attached photo) with the intent to turn it into a home and law office for my soon-to-be family of three (see attached ultrasound).

In my opinion, we are the exact demographic that this program was designed to entice. My plan was to reinvest 100% of the funds I would receive from the program back into the community by renovating what is currently an eyesore on Harvey's main street.

With the support of my county's board of commissioners, I applied for participation in the Rural Attorney Recruitment Program on behalf of the community of Wells County and in my capacity as its appointed state's attorney. However, the State Court Administrator informed me that the Supreme Court does not believe elected state's attorneys meet the program's goal of recruitment or retention (see attached email). By contrast, multiple rural judicial officers, including the presiding judge of the Southeast Judicial District (whose written assent was required to start Wells County's application process, see attached letter) and the district judge who chairs the application review committee, have expressed their support for my application *on the basis* of my position as the county state's attorney. At the time of writing, these applications are still pending.

Even if the Supreme Court's policy allows admittance to the program for *appointed* rather than *elected* state's attorneys (and this point is not clear), if I am elected in 2026, that would prevent me from continuing to participate. To do so, I would need to initiate the process by which the position may be made appointive rather than elective. I refuse to do that, both because it would be unethical self-dealing and because I believe the citizens of Wells County should have the right to choose their state's attorney by vote.

In my individual capacity, I echo the NDSAA's request to clarify the legislative intent as to whether elected officials are meant to be included in or excluded from the program. If the latter, as a member of the law enforcement community, I also have concerns about a public policy decision which would exclusively forbid a class of prosecutors from participating.

Very respectfully,

/s/ Oliver W. Bromke

Oliver W. Bromke
Wells County State's Attorney



(FUTURE OFFICE, BROMKE LAW FIRM)



(FUTURE ATTORNEY BROMKE)



RE: Rural Attorney Recruitment Program

From Holewa, Sally [REDACTED]
Date Thu 10/31/2024 5:01 PM
To Bromke, Oliver <bromkeoliver@nd.gov>
Cc Johnson, Scott [REDACTED]

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Thank you. Yes, we can accept the community application by email. It can be sent to Scott Johnson at [REDACTED]. You are correct that there is no application form. A letter containing all of the required elements is sufficient.

I don't know if this applies to your current situation, but the supreme court has determined that elected officials do not qualify for the program since by virtual of their election they don't meet the program goal for recruitment or retention.

From: Bromke, Oliver <bromkeoliver@nd.gov>
Sent: Thursday, October 31, 2024 4:49 PM
To: Holewa, Sally [REDACTED]
Subject: Rural Attorney Recruitment Program

Ms. Holewa:

I'm writing to let State Court Administration know that Wells County and I will be separately filing community and attorney applications for joint consideration. I have already submitted my individual application, although I'm not sure whether I should direct inquiries about it to you or someone else. The Supreme Court has received the required letter from Southeast District Judge Narum in support of the community's inclusion (see attached) and I will be sending a completed community application to you once I have received a list of Wells County's economic development programs from the Harvey Chamber of Commerce and the city's Job Development Authority.

Can you accept the community application by email, or do you prefer hard copies? Also—I don't see that there are any forms for this application, so I planned to simply write a letter incorporating the required information under the Century Code along with some affidavits and exhibits. Please let me know if you need something different.

Best,

Oliver W. Bromke
Wells County State's Attorney
700 Railway St N #325
Fessenden, ND 58438
bromkeoliver@nd.gov
(701) 547-3885
ND Bar ID# 09786

**State of North Dakota
Chambers of
The District Court**

DANIEL D. NARUM
DISTRICT JUDGE
SOUTHEAST JUDICIAL DISTRICT
October 9, 2024

LAUREL ALBER
JUDICIAL SECRETARY
COURT RECORDER

Chief Justice Jensen and members of the North Dakota Supreme Court
Judicial Wing, 1st Floor
600 East Boulevard Avenue
Bismarck, ND 58505-0530

Dear Chief Justice Jensen and members of the North Dakota Supreme Court,

I am writing in support of Wells County's inclusion in the Rural Attorney Recruitment Program.

Wells County qualifies for the Rural Attorney Recruitment Program by population and due to the fact that it is without a resident attorney to serve in a position of state's attorney.

Fortunately, the appointed state's attorney intends on making Wells County his permanent residence, and his spouse is currently a law student. It is my hope that you recognize the significance of this opportunity to bring two young attorneys to Wells County, North Dakota.

Wells County is the largest and busiest county in what I call the "north counties" in the Southeast Judicial District; Eddy, Foster, Wells and Griggs. Those counties are typically covered by Judge Hovey, but I am familiar with the dockets and legal climate in those counties and, in particular, Wells County.

The former Wells County State's Attorney relocated to Bismarck and now works for the Attorney General's office. There were no willing or available resident attorneys at the time of her resignation to take on the role of State's Attorney.

For the last 25 years, I have been an advocate for rural law practice. The citizens of rural North Dakota and, in this case, of Wells County deserve to be able to elect a resident attorney as their state's attorney and be served by someone who answers to the voters. The Attorney Recruitment Program is an appropriate avenue to assist in providing that important community component.

I recommend Wells County for inclusion in the Rural Attorney Recruitment Program. I do so with no reservations whatsoever.

If I can provide any further information, please do not hesitate to contact me.

Thank you.

Sincerely,

**State of North Dakota
Chambers of
The District Court**

Daniel D. Narum

Honorable Daniel D. Narum
District Judge

PC: Wells County Commission, 700 Railway St. N., Fessenden, ND 58438
Wells County State's Attorney, 700 Railway St. N., Dept. 325, Fessenden, ND 58438

SB 2211**Senate Workforce Development Committee****Senator Mike Wobbema, Chair**

Senator Wobbema and members of the Committee. For the Record, my name is Tony Weiler and I am the Executive Director of the State Bar Association of North Dakota (SBAND). SBAND is the professional association of nearly 3,000 licensed North Dakota lawyers.

SBAND supports SB2211 and asks for a Do Pass Recommendation.

2025 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

SB 2211
2/6/2025

Relating to the attorney recruitment and retention program.

9:00 a.m. Chairman Wobbema called the meeting to order.

Members Present: Chairman Wobbema, Vice-Chairman Axtman, Senator Boschee, Senator Larson, Senator Powers.

Discussion Topics:

- Recruitment and retention
- Appointed and elected attorneys
- Judiciary's budget

9:02 a.m. Chairman Wobbema opened the discussion.

9:11 a.m. Senator Axtman moved Do Pass.

9:11 a.m. Senator Larson seconded the motion.

Senators	Vote
Senator Mike Wobbema	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Diane Larson	Y
Senator Michelle Powers	Y

Motion passed 5-0-0.

Senator Larson will carry the bill.

9:13 a.m. Chairman Wobbema closed the hearing.

Andrew Ficek, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2211 ([25.0941.01000](#))

Workforce Development Committee (Sen. Wobbema, Chairman) recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2211 was placed on the Eleventh order on the calendar. This bill affects workforce development.

2025 HOUSE POLITICAL SUBDIVISIONS

SB 2211

2025 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

SB 2211
3/6/2025

Relating to the attorney recruitment and retention program.

2:29 p.m. Chairman Longmuir opened the hearing.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Bolinske, Hager, Hatlestad, Heilman, Klemin, Motschenbacher, Ostlie, Warrey

Members Absent: Representatives Davis, Toman

Discussion Topics:

- North Dakota towns with attorney shortages
- Qualifications for the recruitment and retention program
- Similar programs for other professions

2:30 p.m. Senator Brad Bekkedahl, North Dakota Senator for District 1, introduced the bill and provided testimony #38803.

2:36 p.m. Michael Hurly, District Judge for the North Dakota Court System, testified in favor and provided testimony #38662.

2:51 p.m. Jonathan Byers, North Dakota State's Attorneys Association, testified in favor.

2:54 p.m. Representative Klemin moved a Do Pass.

2:55 p.m. Representative Bolinske seconded the motion.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	A
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nathan Toman	A
Representative Jonathan Warrey	Y

2:56 p.m. Motion passed 11-0-2

2:56 p.m. Representative Klemin will carry the bill.

2:57 p.m. Chairman Longmuir closed the hearing.

Wyatt Armstrong, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2211 ([25.0941.01000](#))

Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). SB 2211 was placed on the Fourteenth order on the calendar.

SB 2211
House Political Subdivisions
March 6, 2025
Testimony of District Judge Michael Hurly

Chair Longmuir and members of the committee, for the record, my name is Michael Hurly. I am a district judge within the Northeast Judicial District and am chambered in Rugby. Additionally, the reason that I am before you today is that I serve as the Chair of the Supreme Court's Ad Hoc Committee for the Rural Attorney Recruitment Program.

SB 2211 is before you today to authorize the supreme court to look at both recruitment and retention of attorneys who may seek to participate in the rural attorney recruitment program. Additionally, the bill authorizes to the supreme court to look at counties in light of the total number of attorneys available (five or fewer) instead of the population (currently limited to 16,000). This change could focus the program more on where there are "legal deserts" in the state. There are currently 36 counties that meet the definition of five or less attorneys (map attached).

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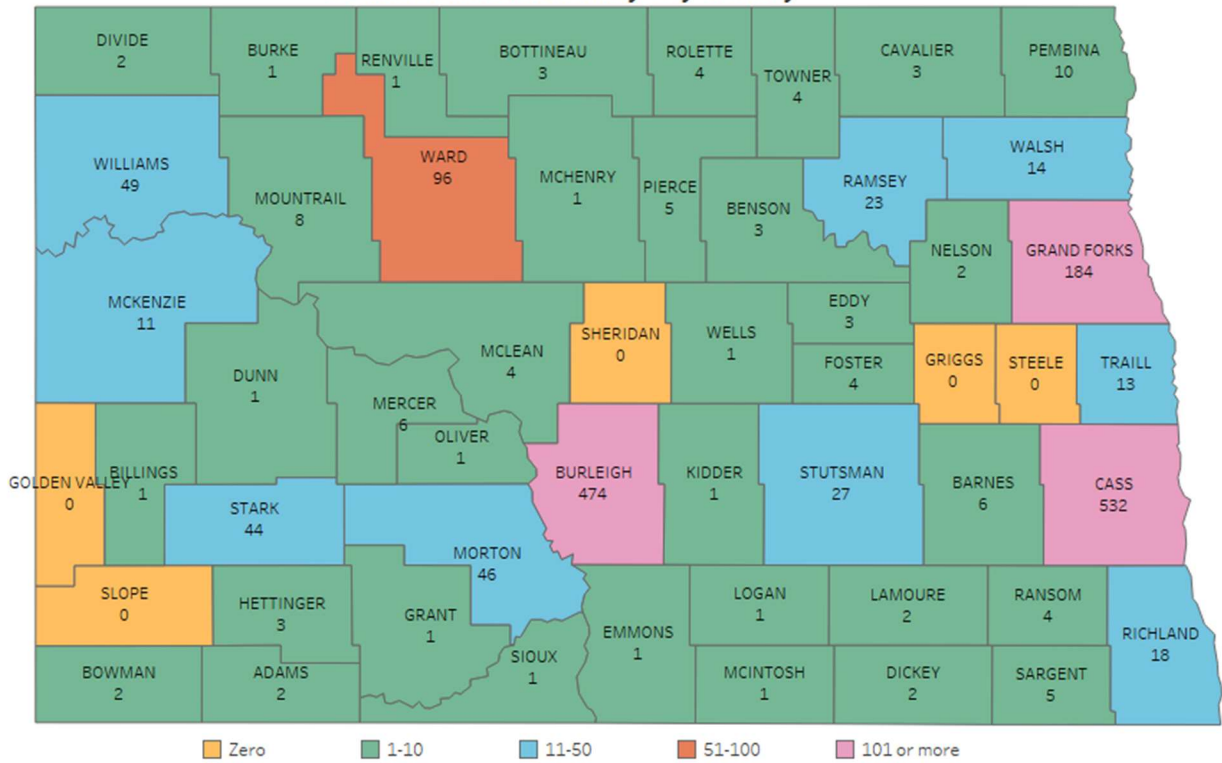
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I urge a do pass on SB 2211 and am available for your questions.

North Dakota Attorneys by County





North Dakota Senate

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Senator Brad Bekkedahl

District 1
P.O. Box 2443
Williston, ND 58802-2443
bbekkedahl@ndlegis.gov

COMMITTEES:
Appropriations (Chair)

March 6, 2025

Senate Bill 2211 Testimony

House Political Subdivisions Committee

Hon. Donald Longmuir, Chairman

Chairman Longmuir and Committee Members,

I'm Senator Brad Bekkedahl and I am here to introduce Senate Bill 2211, a bill to revise the current Attorney Recruitment program. This program started two sessions ago with a bill to provide incentives for up to four attorneys to practice in rural counties and communities that had a lack of professionals. Last session the program was so successful that it was expanded to eight attorney positions. As you can see, the program involves financial participation by the Judicial Branch, the local jurisdiction (County or City), and the State Bar Association. At the request of the State Bar Association and the Judicial Branch, this bill seeks to add a Retention component to the program. The number of attorneys eligible for these incentives remains at up to eight with this change. This is a successful program that has yielded positive benefits to the area's most in need of these service providers. I will let the other partners in this program testify and answer questions if needed. I respectfully request a Do Pass on SB 2211 and stand now for any questions.