

Rural Attorney Recruitment Program - Guidelines

1. Communities that qualify for the Rural Attorney Recruitment Program
 - a. Must be a county with a population of 16,000 or fewer; or
 - b. Must be a municipality with a population of 5,000 or fewer
2. Review and Assessment of applications
 - a. Applications will be solicited on or around February 1 in the first year of the program and on or around October 1 of each subsequent year. The solicitation period will allow up to 60 days to submit the completed application. The fall application period is used to coincide with local governments budgeting cycle and the Courts Facility Improvement Grant cycle.
 - b. The chief justice will appoint an ad hoc committee of 3 members to review applications. The committee will consist of a district court judge, an attorney, and a court administrator.
 - c. The committee's review is not limited to the application but may include whatever outside research it considers appropriate.
 - d. The committee may not consider an incomplete application **OR** the committee may return an incomplete application and request the applicant include missing information.
 - e. The committee may not consider an application that is post-marked or transmitted electronically after the deadline for submission has passed. The committee may consider an application that is post-marked or transmitted electronically within the deadline for submission but received late due to postal service or technical issues.
 - f. Committee decisions must be in writing and forwarded to the Supreme Court within 60 days after the closing of the application period.
 - g. The Supreme Court may revise the committee's assessment of an application or may appoint a new temporary committee to conduct a new assessment.
 - h. No more than 4 attorneys may participate in the program at any given time.
3. Factors the ad hoc committee must consider in evaluating county or municipality application
 - a. Information provided in the application;
 - b. Recommendation of the presiding judge of the judicial district in which the applicant resides;
 - c. Geographical dispersal of participating communities; and
 - d. Any prior participation in the rural attorney recruitment program.
4. Eligibility requirements for attorneys
 - a. Must be a U.S. citizen, U.S. National or permanent resident of the United States;
 - b. Must be licensed to practice law in North Dakota and be in good standing;
 - c. Must be willing to locate their law office in the participating county or municipality;

- d. Must agree to live in close proximity to the participating county or municipality;
 - e. Must agree to practice law full-time in the participating community for at least 5 consecutive years; and
 - f. Must carry malpractice insurance.
5. Selection of attorneys for participation. There will be a continuous application period for attorneys to apply for the program. Applications will be submitted electronically through the court's applicant management system.

Any attorney licensed to practice law in North Dakota is presumptively eligible to participate in the program, provided the attorney completes an application and submits:

- a. Proof of U.S. citizenship (a birth certificate issued by a U.S. state or by the U.S. State Department or a U.S. passport or Certificate of Citizenship or a Naturalization Certification) or proof of permanent resident status (Permanent Residence Card I-551);
- b. Their law school transcript;
- c. Information about any current or past participation in any scholarship, loan repayment or tuition reimbursement program that obligated the applicant to provide attorney services within an underserved area;
- d. Information about any investigation or disciplinary action by a bar association; and
- e. Criminal history information including any felony or misdemeanor convictions or an equivalent offense in another jurisdiction.

6. Factors making an attorney ineligible for the program

- a. An attorney may only participate in the Rural Attorney Recruitment Program once. Previous participation in this program, whether successfully completed or not, renders the attorney ineligible for further participation.
- b. An attorney who has previously or is currently participating in any other state or federal scholarship, loan repayment, or tuition reimbursement program requiring the individual to provide services in an underserved area is not eligible to participate in this program.
- c. An attorney who is currently the subject of an investigation by the Judicial Conduct Commission and Disciplinary Board, or equivalent board in another jurisdiction, may not be considered for the program until the complaint has been resolved.

ON-GOING OBLIGATIONS AND EXPECTATIONS

Participating County or Municipality

- Prior to July 1 each year - Deposit required funds into Attorney Recruitment Fund or provide proof that required fee has been paid to participating attorney within the timeframe established by the contract with an attorney
- Notify supreme court if concerns about participating attorney's service or residence

Participating Bar Association

- Prior to July 1 of each year - Deposit required funds into Attorney Recruitment Fund or provide proof that required fee has been paid to participating attorney within the timeframe established by the contract with an attorney

State Bar Association

- Prior to July 1 of each year - Deposit required funds into Attorney Recruitment Fund or provide proof that required fee has been paid to participating attorney within the timeframe established by the contract with an attorney

Eligible Attorney - active participant

- Promptly advise office of the state court administrator of any change of address;
- By February 1 of each year, submit a declaration to the office of the state court administrator confirming their continued practice in the participating community and residence within close proximity to the participating community as well as compliance with all other terms of the contract

Eligible Attorney - inactive participant

- By February 1 of each year, submit a statement of continuing interest in the program to the office of the state court administrator and affirm that in all material respects the details in the original application have not changed
- Promptly submit a new application for the program if there has been a material change in the details contained in the original application
- At any time, an eligible attorney may submit a written request to the office of the state court administrator to request removal from the roster of eligible attorneys

Office of the State Court Administrator

- Before July 1 of each year, submit a report to legislative management on the status of the program;
- On an annual basis, solicit applications from counties and municipalities;
- Maintain a continuous application process for attorneys;
- Provide staff support to Ad Hoc Committee;
- Maintain a list of counties and municipalities that have been assessed and selected for the program;

- Maintain a list of attorneys who have submitted applications and been deemed eligible for the program;
- Inform the state bar association when a county or city has been selected for participation in the program;
- Inform all parties to a contract if one of the entities responsible for payment fails to deposit their share of the funding or fails to provide proof that the required funding has been paid directly to the participating attorney.