

**Miller, Penny**FILED  
IN THE OFFICE OF THE  
CLERK OF SUPREME COURT  
DECEMBER 16, 2016  
STATE OF NORTH DAKOTA

**From:** Curt Olson <olson4426@rtc.coop>  
**Sent:** Friday, December 16, 2016 12:34 PM  
**To:** (SUP) Clerk of Court Office  
**Subject:** Comment on Petition to Permit Temporary Provision of Legal Services by Qualified Attorneys From Outside North Dakota

Having read Mr. Tilton's affidavit and proposed order I feel the need to comment on this issue.

I have lived in North Dakota for 49 of the 50 years I've been alive. 32 of those years I've served as a law enforcement officer. I have worked numerous overtime hours at the DAPL protests.

The rights of defendants are important to me. They have a right to be represented by counsel at each and every stage of a criminal proceeding.

I am aware that those practicing and providing defense services to the indigent are quite taxed in their duties, even prior to this incident.

While I don't object to out of state attorney's, licensed and in good standing in another jurisdiction, representing defendants, I do however think that Mr. Tilton's proposed order is a bit too broad. Granting a "blanket" temporary license during an "emergency" in my eyes would be a slippery slope.

I personally feel that to ensure professional standards, that an out of state attorney should work minimally under a corroborative agreement with an attorney licensed in the State of North Dakota. I wouldn't see the need for both to appear in criminal proceedings, however the North Dakota attorney should be available for consultation and/or review of the out of state attorney's cases. The North Dakota attorney should be required to maintain a copy of any case files that would be required.

This incident is unprecedented in all facets of the criminal justice system in North Dakota. I would urge the Court to employ due diligence in making a decision on this request.

Curt Olson  
Garrison, ND