

**Miller, Penny**

FILED

**From:** (SUP) Clerk of Court Office  
**Sent:** Friday, December 16, 2016 3:13 PM  
**To:** Miller, Penny  
**Subject:** FW: Comment on Petition to Permit Temporary Provision of Legal Services

IN THE OFFICE OF THE  
 CLERK OF SUPREME COURT  
 DECEMBER 16, 2016  
 STATE OF NORTH DAKOTA

**Heather Keller**

Deputy Clerk | North Dakota Supreme Court

**From:** kathy swanson [<mailto:kathswa@gmail.com>]  
**Sent:** Friday, December 16, 2016 3:11 PM  
**To:** (SUP) Clerk of Court Office  
**Subject:** Comment on Petition to Permit Temporary Provision of Legal Services

Dear Ms. Miller,

I am writing you to urge the North Dakota Supreme Court to grant the Temporary Petition to Allow out-of-state Lawyers to represent the No Dakota Access Pipeline (NODAPL) arrestees and to permit out-of-state attorneys to be admitted without the regular requirements.

I am a recently retired Illinois attorney who volunteered in North Dakota, and at Standing Rock, from November 7-November 14, 2016. I learned of the 100s of arrests of the peaceful protesters. I have believed my all of adult life that everyone appearing in criminal court should be represented by competent counsel. I also know that persons charged with crimes who are unrepresented by competent counsel often are unable to present coherent defenses for themselves and generally fare worse than those with representation. I know several of the attorneys from Illinois who are experienced criminal trial attorneys who willing and able to represent persons charged with crimes associated with the pipeline protests.

I have read and agree with the Petition. I urge this Court to waive its standard procedure regarding the admission of out of state lawyers due to the urgent need for additional attorneys to assist in the representation of the over 500 protestors, many of whom still do not have an attorney. We all want to ensure that the arrestees' constitutional right to an attorney is not violated. I suggest that the most efficient way to ensure adherence to the constitutional rights of the arrestees is to allow out of state attorneys to represent the arrestees.

Thank you very much for considering this Petition.

Sincerely,

Kathleen Swanson