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SUPREME COURT DEC 22 2016

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December 17, 2016

Hon. Gerald W. Vandewalle  
Hon. Dale Sandstorm  
Hon. Carol Ronning Kapsner  
Hon. Daniel J. Crothers  
Hon. Lisa Fair McEvers  
Justices of the Supreme Court of North Dakota  
600 East Boulevard Ave.  
Bismarck, N.D. 58505-0530

Re: Matter of a Petition to Permit Temporary Provision  
Of Legal Services by Qualified Attorneys from  
Outside North Dakota  
No.2016040436

Honorable Justices;

I write in support of the Petitioners in the above captioned matter. I am a retired Onondaga County Court Judge and Acting New York State Supreme Court Justice.

During my nineteen years on the bench, I presided over several thousand felony level criminal cases and have a complete understanding of the need for defendants charged with those serious offenses to have the undivided, individual attention of an attorney to represent them during these criminal proceedings.

The arrest of 575 protesters would overwhelm any particular court having jurisdiction over this many cases and the inability of the local bar to undertake representation of this many individual defendants would only cause further chaos.

I have reviewed the rules of your Court concerning *Pro Hac Vice* admission together with the facts set out in the petition enumerating many instances of out-of-state counsel's inability to obtain local counsel to associate with them and believe that a 5<sup>th</sup> and 6<sup>th</sup> Amendment crisis is in the making.

The Petitioners have set forth a compelling argument for this Court to relax the standard for admission to practice in this instance and I urge the Court to grant the relief sought therein.

Very truly yours,

A handwritten signature in black ink, appearing to read "Joseph E. Fahey". The signature is written in a cursive style with a large initial "J" and a long, sweeping tail.

Joseph E. Fahey