

**Supreme Court Clerk's Office - Keller, Heather**

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**From:** Steven Bhardwaj <stevenbhardwaj@gmail.com>  
**Sent:** Thursday, December 22, 2016 11:15 AM  
**To:** (SUP) Clerk of Court Office  
**Subject:** Public Comment in Support of the Petition to Permit Temporary Provision of Legal Services by Qualified Attorneys From Outside North Dakota

To:  
Penny Miller, Clerk  
North Dakota Supreme Court

The following is a comment in support of the Petition to Permit Temporary Provision of Legal Services by Qualified Attorneys From Outside North Dakota.

The need for attorneys to represent DAPL protestors is enormous. The number of charges is overwhelming the local defense bar. The need is likely to increase.

Neither the Pro Hac vice Process, nor the Reciprocity Process is an adequate solution. It is within the powers of this court to provide a remedy.

If this court does not provide a remedy, defendants' Constitutional Rights will be jeopardized. Unavailability or excessive workloads of public counsel preclude effective assistance.

The inability of foreign counsel to associate for Pro Hac Vice purposes preclude defendants from obtaining counsel of their choice.

Original Jurisdiction of the North Dakota Supreme Court is available in situations, such as the situation here, where the question is Publici Juris.

The fallout from the DAPL protests is unprecedented in North Dakota. The sheer scale presents a legal crisis in providing quality representation to all defendants. North Dakota has historically led the nation in its protection of the rights of the accused. It should continue to do so, by granting the relief requested here.

Reference link to petition: <http://www.ndcourts.gov/court/Notices/20160436/petition.pdf>

Respectfully Submitted,  
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