

Supreme Court Clerk's Office - Keller, Heather

From: Ann Gilmore <gilpete@msn.com>
Sent: Wednesday, December 28, 2016 2:16 PM
To: (SUP) Clerk of Court Office
Subject: Petition to Permit Temporary Provision of Legal Services

Ms. Penny Miller, Clerk
North Dakota Supreme Court
600 E. Boulevard Ave.
Bismarck, ND 58505-0530
supclerkofcourt@ndcourts.gov

Re: Petition to Permit Temporary Provision of Legal Services by Qualified Attorneys from Outside North Dakota – Supreme Court No. 20160436

Dear Ms. Miller:

I am a retired lawyer living in Boston, Massachusetts. A situation has come to my attention which I feel very strongly about. I am writing in full and unqualified support of the *Petition to Permit Temporary Provision of Legal Services* that was filed on December 14, 2016. It makes a compelling argument for the need and the Court's ability to permit out of state, qualified defense attorneys to practice temporarily in North Dakota. The North Dakota judicial system is taxed beyond what is reasonable due to the hundreds of criminal cases stemming from the events at Standing Rock. The governor has already declared a state of emergency to activate the Emergency Management Assistance Compact (EMAC) to utilize personnel from other states. It is consistent with his declaration for the North Dakota Supreme Court to take similar emergency measures to ensure that the rights guaranteed by the North Dakota state and US federal constitutions are upheld. This is not possible unless the Court intervenes swiftly and robustly to utilize lawyers from other states.

I understand that over forty cases are scheduled for January 5, 2017 and there are scores of defendants both indigent and not indigent who have been unable to obtain legal counsel in North Dakota. The right of all defendants to adequate and effective counsel undergirds the guarantees of a fair and speedy trial, due process and equal protection that constitute the cornerstones of the rule of law. I urge the Court to grant permission for legal services to be provided by qualified attorneys from outside North Dakota as soon as possible. Thank you for your attention to this matter,

Ann M. Gilmore
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Jamaica Plain, Massachusetts 02130