

Hulm, Petra

From: Gary M <mager.gary@gmail.com>
Sent: Wednesday, December 28, 2016 8:30 PM
To: (SUP) Clerk of Court Office
Cc: WaterProtectorLegal@protonmail.com
Subject: Petition to Permit Temporary Provision of Legal Services by Qualified Attorneys from Outside North Dakota – Supreme Court No. 20160436

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:

Ms. Penny Miller, Clerk

North Dakota Supreme Court

600 E. Boulevard Ave.

Bismarck, ND 58505-0530

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

As an attorney licensed to practice in Washington State, I urge the North Dakota Supreme Court to allow qualified attorneys admitted in other jurisdictions to practice temporarily in North Dakota in order to protect the constitutional rights of those arrested in connection with their opposition to the Dakota Access Pipeline (“DAPL”). To this end, I support the Petition to Permit Temporary Provision of Legal Services filed on December 14, 2016, by attorneys licensed in North Dakota.

I understand that hundreds of defendants remain unrepresented. It is evident that the number of criminal defense attorneys licensed in North Dakota and available to represent these defendants is inadequate, and that this problem cannot be rectified by the existing rules governing *pro hac vice* representation or reciprocity-based admission.

I am concerned that under these circumstances the rights guaranteed the defendants by the state and federal constitutions cannot be upheld. The right of both indigent and non-indigent 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. Timely intervention by this Court could protect these foundational principles and preclude the time and expense of years of subsequent litigation should these defendants be denied their constitutional rights.

For these reasons I support the above referenced Petition and urge you to ensure that all persons arrested and charged in North Dakota have access to adequate and effective legal representation.

Thank you,

Gary Mager, J.D. (Washington State)