

DECEMBER 30, 2016

STATE OF NORTH DAKOTA

Hulm, Petra

From: Barbara Ferris <barbarajferris@me.com>
Sent: Thursday, December 29, 2016 3:39 PM
To: (SUP) Clerk of Court Office
Subject: Public Comment: Water Protectors Need Effective Assistance of Counsel

Dear Ms Miller, Clerk of the Supreme Court:

Please deliver the following correspondence to the Justices of the North Dakota Supreme Court, for their consideration of whether to allow out-of-state attorneys to represent criminal defendants charged with crimes at Standing Rock.

Thank you,
Barbara O'Neill Ferris
Attorney at Law

To the Justices of the North Dakota Supreme Court:

I am a member of the Bar in the State of California. I am writing to urge that you temporarily allow out-of-state attorneys to represent criminal defendants charged with crimes at Standing Rock. The need is dire; lack of sufficient criminal defense counsel is seriously affecting the ability of these defendants to avail themselves of the judicial system and to meet deadlines while having counsel.

This Court possesses inherent authority to admit new attorneys for the purpose of ensuring adequate protection of the constitutional rights of criminal defendants in the present situation. This Court must fulfill the state's obligation, imposed under the Fifth and Sixth Amendments to the United States Constitution, as applied to the States under the Fourteenth Amendment, to provide effective assistance of counsel. It is also critical for this Court to uphold the obligations imposed under North Dakota's own Constitution of the right to counsel protections.

I urge you to allow out-of-state lawyers to represent those charged at Standing Rock's DAPL protests.

Sincerely,
Barbara O'Neill Ferris
Attorney at Law

barbarajferris@me.com