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STATE OF NORTH DAKOTA

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September 25, 2017

The Honorable Gerald W. VandeWalle, Chief Justice,
and the Honorable Justices of the Supreme Court of North Dakota
600 E. Boulevard Avenue
Bismarck, ND 58505

Re: *Petition to Terminate the Special Provision of Legal
Services by Qualified Attorneys from Outside North Dakota*

Dear Chief Justice VandeWalle and Justices of the Supreme Court:

I am writing to urge you to maintain the program allowing qualified attorneys from outside North Dakota to provide limited legal services in North Dakota in the representation of persons arrested in protests of the Dakota Access Pipeline. As a participant in this program, I believe that it has and continues to have a positive impact on the representation of individuals appearing before the criminal courts of North Dakota.

I am a 1970 graduate of Berkeley Law and a member of the bars of the United States Supreme Court and the California Supreme Court. I have tried over 130 cases to jury verdict. I have handled many cases of persons arrested in connection with protest activities. I believe that it is important that attorneys who represent people charged with criminal offenses be able to establish strong relationships of trust and confidence with their clients, and that this type of relationship is particularly important in representing people arrested in connection with protest activities.

Early this year I volunteered to assist in providing legal assistance to criminal defendants charged as a result of protests held regarding the Dakota Access Pipeline. I have taken on eight cases, one of which is resolved. I currently have cases set for trial beginning on October 3, 2017, through February 22, 2018.

As a result of my involvement in these cases I have had the pleasure of working with several North Dakota attorneys who are strong, skilled, and committed advocates for their clients. I have also had the experience of working with clients who were unhappy with their

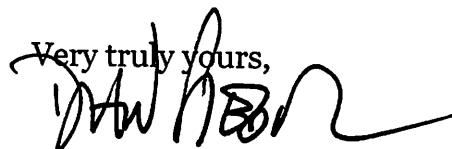


appointed counsel because those attorneys did not appear committed to their cases or their cause. A few complained that their appointed attorneys refused to communicate with them about case-related issues such as potential dispositions of their cases.

I recently learned that over 150 people facing criminal charges as a result of the protests lack counsel. These defendants include both persons eligible for court-appointed counsel as well as persons ineligible for court-appointed counsel who cannot afford to retain counsel. I am willing to assist in a number of these cases and will do so absent this Court's decision to terminate the program effective September 11, 2017.

I am concerned that termination of the program will have the effect of denying effective and compatible counsel to persons facing charges. I urge this Court to allow the program to continue until the cases arising from the Dakota Access Pipeline protests have been concluded, a finite period that is unlikely to extend past late 2018. I believe strongly that continuation of the program is in the public interest, both because it assists in achieving the goal of providing competent and committed counsel to persons accused of crimes and because it will assist the State of North Dakota in the conservation of its resources.

Thank you for your consideration.

Very truly yours,

DAN SIEGEL