



SPIRIT LAKE TRIBE

Myra Pearson
Chairperson
Cell: 701-230-4975

20160436

September 29, 2017

Penny Miller
ND Supreme Court Clerk
600 East Boulevard Avenue
Bismarck, ND 58505-0530

FILED
IN THE OFFICE OF THE
CLERK OF THE SUPREME COURT
SEPTEMBER 29, 2017
STATE OF NORTH DAKOTA

SUBMITTED VIA EMAIL supclerkofcourt@ndcourts.gov

Re: Special Provisions for out-of-state attorneys to represent Water Protectors

Distinguished Justices of the North Dakota Supreme Court,

I write to you today to request that North Dakota Supreme Court deny a Petition to Terminate the Special Provisions of Legal Services by Qualified Attorneys from Outside North Dakota. As you will recall the purpose for the initial request was to ensure that there was a sufficient number of attorneys available to provide legal representation to Water Protector Defendants in civil and criminal cases. The volume of court cases involving Water Protectors far exceeded the available time that local attorneys had to offer legal assistance.

Although many cases have been resolved there remain a very high volume of cases and we urge the North Dakota Supreme Court to continue the Special Provisions until such time as all pending disputes and cases are fully resolved. To discontinue the Special Provisions at this juncture would do a great disservice to justice as it would undoubtedly result in disruption of legal representation in active cases and higher rates of unrepresented individuals. It is imperative that the North Dakota Supreme Court not act in a manner that would unfairly and negatively impact due process and constitutionally guaranteed rights to legal counsel and speedy trial.

The Special Provisions have clearly been beneficial to the speedy resolution of these legal cases and it is important to those defendants whose cases have not been resolved that legal counsel be provided in a timely and expedient manner by attorneys with the necessary legal expertise to provide effective assistance of counsel. As the Chairwoman for the Spirit Lake Tribe I have seen too many instances wherein legal counsel has been inaccessible for members of my tribe and it is important that not continue. The Special Provisions authorized by the North Dakota Supreme Court has been an important step in assuring that the Water Protectors will be afforded full and fair adjudication of these cases. Thank you for your consideration of the foregoing comments and request for denial of the pending Petition.

Sincerely,

A handwritten signature in blue ink that reads "Myra Pearson".

Myra M. Pearson
Chairwoman
Spirit Lake Tribe