
SUMMONS

A QUARTERLY PUBLICATION FOR THE LEGAL PROFESSIONAL

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WDALA

PRESIDENT'S MESSAGE

As we move into another quarter, I am reminded of the importance of continuing to learn, grow, and connect with one another as professionals. The paralegal profession continues to evolve, and with that comes new challenges, new opportunities, and new ways for us to strengthen the work we do every day.

One of the best ways we can invest in ourselves and our profession is through continuing education. Our upcoming Fall Seminar and Annual Meeting is a wonderful opportunity to step away from the day-to-day routine, gain valuable knowledge, hear from knowledgeable speakers, and connect with fellow paralegals who understand the unique role we play in the legal profession.

I encourage each of you to make professional development a priority. Whether you attend a session that expands your legal knowledge, learn about a new area of practice, or simply have a conversation with another member that gives you a fresh perspective, every opportunity to learn has value.

Our association is more than meetings and continuing education - it is a community. The strength of our organization comes from the members who participate, share their experience, support one another, and continue to push our profession forward.

I hope you will consider coming to the Fall Seminar September 10-11th at the North Dakota Heritage Center in Bismarck. Come with your questions, come with your willingness to learn, and come with an open mind to be part of something more.

Thank you for your continued membership, involvement, and commitment to the paralegal profession. I look forward to seeing many of you at our upcoming seminar and continuing to grow together as an association.

Keep learning. Keep connecting. Keep advancing our profession forward!

Anna Jellesed



SAVE ^{THE} DATE

SEPTEMBER

10–11, 2026

FALL SEMINAR &
ANNUAL MEETING

N.D. Heritage Center
Bismarck, ND

First Vice President/Education Report

Plans are well underway for the WDALA Fall Seminar, scheduled for September 10–11, 2026, at the Heritage Center in Bismarck, North Dakota. The seminar will offer WDALA members and legal professionals two full days of timely, practical, and engaging education. Registration brochures have been distributed, and early registrations began arriving shortly thereafter. We look forward to continued registration as members make plans to attend this important educational opportunity.



Fall Seminar Speaker and Topic Lineup

The lineup reflects a broad range of topics relevant to legal support professionals, including unauthorized practice of law, criminal practice, tribal court civil matters, guardianship and conservatorship, forensic science, constitutional law, and DUI practice.



Thursday, September 10, 2026

Time	Speaker/Topic/Activity
9:00 a.m. – 9:30 a.m.	Registration and Breakfast
9:30 a.m. – 10:30 a.m.	Keynote: Mark Hardy – Kratom Overview
10:30 a.m. – 10:45 a.m.	Break
10:45 a.m. – 12:15 p.m.	Sheldon Standish – Three Affiliated Tribes Court: Civil Matters
12:15 p.m. – 1:30 p.m.	Lunch on Your Own
1:30 p.m. – 3:00 p.m.	Oliver Bromke – Filing on Someone's Behalf: The Criminal Line Between Assistance and Practice
3:00 p.m. – 3:15 p.m.	Break
3:15 p.m. – 4:45 p.m.	Janelle Portscheller – State Crime Lab Overview & Roadside Oral Fluid Drug Screen Pilot Project

Friday, September 11, 2026

Time	Speaker/Topic/Activity
9:00 a.m. – 9:30 a.m.	Registration and Breakfast
9:30 a.m. – 11:00 a.m.	Rachel Sinness – Office of Guardianship & Conservatorship
11:00 a.m. – 12:00 p.m.	Annual Meeting
12:00 p.m. – 1:00 p.m.	Lunch Provided and Included in Registration
1:15 p.m. – 2:45 p.m.	John Birmingham – The Ninth Amendment to the Constitution: Protecting Individual Rights & Limiting Powers of the Federal Government
2:45 p.m. – 3:00 p.m.	Break
3:00 p.m. – 4:30 p.m.	Justin Vinje – DUI from A to Z: Administrative and Criminal Practice Pointers

CONTINUED

On a personal note, after a great deal of reflection, I have decided not to run again next year for First Vice President. Serving in this role has been a meaningful and rewarding experience, and I am truly grateful for the opportunity to support WDALA's educational programming and work alongside so many dedicated, generous, and talented members. This role has given me the privilege of helping bring people together to learn, share ideas, and strengthen our professional community. While it is not easy to step back from work that has meant so much to me, I believe the time is right to create space for others to step forward, bring fresh energy, and continue building on the strong foundation we have created together. I warmly encourage anyone who feels called to contribute to WDALA's educational mission to consider running for First Vice President or volunteering with the Education Committee.

I would also like to extend my heartfelt appreciation to the members of the Education Committee—Andrea Johnson; Melissa Klimpel, ACP; Ashley Miller, ACP; Kimberly Perkuhn, CP; and Anna Jellesed. Their hard work, thoughtful input, steady support, and willingness to give their time have meant more than I can adequately express. Our educational programming is stronger because of their commitment, and I am deeply grateful for the care and dedication each of them has brought to this work over the past year.

I would especially like to recognize Ashley Miller, ACP, for her exceptional dedication in managing our technology needs throughout the year. Even while navigating challenging circumstances, Ashley remained committed, prepared, and dependable. Her quiet consistency, problem-solving, and willingness to help made a meaningful difference to the success of our seminars, and I am especially thankful for the grace and professionalism she brought to that responsibility.

I look forward to a successful Fall Seminar and am sincerely grateful for everyone's continued support of WDALA's educational programming. It has been an honor to contribute to this work, and I am excited to see how WDALA's educational efforts continue to grow in the years ahead.

Melissa Hamilton, ACP

The Annual Meeting Book was sent out via email on August 26, 2026.



**WESTERN DAKOTA
ASSOCIATION
OF LEGAL ASSISTANTS**

AN ASSOCIATION FOR PARALEGALS/LEGAL ASSISTANTS

42ND ANNUAL MEETING

SEPTEMBER 11, 2026

NORTH DAKOTA HERITAGE CENTER

BISMARCK, NORTH DAKOTA

WESTERN DAKOTA ASSOCIATION OF LEGAL ASSISTANTS

42nd Annual Meeting

Friday, September 11, 2026 at 11:00 a.m.

North Dakota Heritage Center, Bismarck, North Dakota

NOTICE AND AGENDA

1. Opening Ceremonies
 NALA Code of Ethics and Professional Responsibility
 NALA Model Standards and Guidelines for Utilization Paralegals
 2. Introduction of Officers and Board Members (Roll Call)Dehan Schwan, CP
 3. Report of Credentials ChairDehan Schwan, CP
 4. Adoption of Rules of Annual Meeting & Voting Instructions
 5. Approval of Minutes of 2025 Annual Membership Meeting
 6. Annual Report of President..... Anna Jellesed
 7. Annual Report of First Vice-President Melissa Hamilton, ACP
 8. Annual Report of Second Vice-President..... Trisha Kinnischitzke
 9. Annual Report of Board of Directors/Secretary's Report.....Dehan Schwan, CP
 10. Annual Report of Treasurer Cassy Clark, ACP
 11. Audit Report Statement..... ReBecka Wohl, ACP
 12. Annual Report of NALA Liaison Ashley Miller, ACP
 13. Annual Report of Education Committee (See Report of First VP) Melissa Hamilton, ACP
 14. Annual Report of Parliamentarian Anna Jellesed
 15. Annual Reports of Board of Directors
 - a. Region I: Holly A. Radke, ACP
 - b. Region II: Andrea Johnson & Afton Basden, CP
 - c. Region III: Megan Klym
 - d. Region IV: ((unfilled))
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- 16. Public Relations ReportHolly Radke, ACP & Anna Jellesed
 - 17. Report of Nominations Committee..... Andrea Johnson & Dehan Schwan
 - 18. Report of Legal Assistant Day Committee ..Ashley Miller, ACP & Melissa Klimpel, ACP
 - 19. Business:

- A. Presentation and Adoption of 2027 Budget

- B. Bylaw Amendments

- C. Member Recognition

- 1. New Members

- i. Molly Busch – Bormann, Myerchen, Espeseth & Edison LLP, Bismarck
- ii. Brittany Dahl – Legacy Design Strategies, Minot
- iii. Miranda Franck – Weinberger Law and Quick Law, Bismarck
- iv. Rebekkah Hintz – City of Minot Attorney’s Office, Minot
- v. Deyan Junker - ND Office of Guardianship and Conservatorship, Bismarck
- vi. Tierra Schiermeister – Legal Services of ND, Bismarck
- vii. Valerie Stammen – Mountrail County States Attorney, Stanley
- viii. Hollie Zink – Yunker Law, Devils Lake

- 2. NALA Affiliate Award: Ashley Miller, ACP

- 3. Years of Service

- i. 5 years:
 - a. Cassy Clark, ACP
 - b. Stephanie Howe
- ii. 40 years:
 - a. Vicki Kunz

- D. Election of Officers for 2026-2027

- Candidates:

- President..... Anna Jellesed
- First Vice-President
- Second Vice-President Trisha Kinnischitzke
- Secretary
- Treasurer Cassy Clark, ACP
- NALA Liaison Ashley Miller, ACP

- E. Regional Discussion/Election of Regional Directors

- F. Proposed 2026-2027 Meetings & Seminars

- I. January 2027 – Board Meeting

II. May 2027 – Board Meeting, Member Meeting, & Spring Seminar

III. July 2027 – Board Meeting

IV. September 2027 – Board Meeting, Annual Meeting, & Fall Seminar

G. Special Recognition

1. Officers, Board of Directors, and Committee Members

2. Annual Sponsors

i. Olympic Level

1. Smith Porsborg Schweigert Armstrong Moldenhauer & Smith, Bismarck
2. Dickson Law Office P.C. Bismarck
3. Revive Law Group, Mandan

ii. Gold Level

1. Knoll Leibel, LLP, Bismarck
2. Lori Hauge, Williston
3. Mulloy Law, Bismarck
4. Kalil Law Firm, Williston

iii. Silver Level

1. Wheeler Wolf LLP, Bismarck
2. Vinje Law Firm P.C., Bismarck
3. Emineth & Associates, Bismarck
4. McGee, Hankla & Backes PC, Minot

iv. Bronze Level

1. Yunker Law, P.C., Devils Lake

H. Other business, which may become before the assembly

21. ADJOURN

**HOPE TO SEE YOU ALL AT THE
ANNUAL MEETING!**

2nd Vice President's Report

As of today, our membership stands at 45 members: 38 Active, 1 Associate, 1 Sustaining, and 5 Emeritus.

It's that time of year again—time to renew your membership for 2026-2027! A renewal form is attached. Please complete the form and return it to me by September 1, 2026, with a check made payable to WDALA and mailed to:

WDALA
P.O. Box 371
Bismarck, ND 58502-0371

If anyone needs to contact me or has any questions regarding membership, you can email me at tkinnischtzke@ndcourts.gov.



Trisha Kinnischtzke

Treasurer's Report

As of August 20, 2026, I'm happy to report that the Western Dakota Association of Legal Assistants account balance stands at \$8,378.41. I want to send a big thank you to each of you for your help with our fundraising efforts and your enthusiasm to keep our community thriving!



Cassy Clarke, CP

Renewal Time! Check your inbox for an email from Trisha Kinnischtzke sent on August 12, 2026!

WESTERN DAKOTA ASSOCIATION OF LEGAL ASSISTANTS MEMBERSHIP RENEWAL AND DIRECTORY INFORMATION

September 2026 to September 2027

NAME: _____ HOME PHONE: _____

HOME ADDRESS: _____

FIRM NAME: _____

FIRM ADDRESS: _____

OFFICE PHONE: _____

E-MAIL ADDRESS: _____ DOB: Month _____ Day _____

AREAS OF EXPERTISE: _____

CLA ____ CP ____ ACP ____ /Area of ACP _____

NALA Member: ____ Y ____ N

Current WDALA Membership Status: ____ Active ____ Associate ____ Sustaining ____ Student
____ Emeritus (form below)

I will volunteer for the following Committees:

- ☐ Audit
- ☐ Education
- ☐ Ethics/Professional Development
- ☐ Historian
- ☐ Legal Assistant Day
- ☐ Library
- ☐ Nominations & Elections
- ☐ State Bar/NDTLA Liaison
- ☐ Student Liaison
- ☐ Public Relations

Please return this form with your check for annual dues made payable to "WDALA."
Renewals are due and payable by *September 1, 2026*.

(Any dues not received by October 1st will require a \$10.00 reinstatement fee.)

Active Member	—	\$50.00
Associate Member	—	\$45.00
Sustaining Member	—	\$45.00
Student Member	—	\$25.00

Send to: WDALA
P.O. Box 371
Bismarck, ND 58502-0371

Two Candidates Vie for North Dakota Supreme Court Seat

North Dakota voters will have a choice between two candidates for a 10-year seat on the North Dakota Supreme Court when they head to the polls on November 3, 2026. Incumbent Justice Jerod E. Tufte is seeking reelection and is being challenged by Ariston E. Johnson, a Watford City attorney. The race is nonpartisan.

The election is one of two Supreme Court races appearing on the 2026 general-election ballot. Justice Douglas Bahr is running unopposed for an unexpired eight-year term, while the Tufte-Johnson contest is for the full 10-year term.

The North Dakota Supreme Court plays a critical role in shaping our legal system, and this election will determine who serves in this important position for the next decade.

With the November 3, 2026, General Election approaching, we wanted to feature a Candidate Q&A in the August Summons to help our members learn more about each candidate before casting their vote.

WDALA extends its sincere appreciation to both candidates, Justice Jerod E. Tufte and Ariston E. Johnson, for taking the time to participate in this Q&A and for sharing their perspectives with our members as they consider the candidates in the upcoming election.



Ariston Johnson

Q: What role should precedent play in your decision-making, and under what circumstances should a prior decision be reconsidered?

A: Stability and predictability in the law are important. Stare decisis is the balance between correcting the Court's mistakes and giving lawyers and citizens a predictable rulebook. For me, the balance depends on the question. I generally sort them into three categories:

For procedural issues, the question is whether you get a decision on the merits of your case or not. This is where stare decisis should provide the most restraint. There are procedures to amend the procedural rules: the Supreme Court's rulemaking authority for judicial rules and the Legislature's authority to amend statutes that tell people how to present their cases. All lawyers and litigants should be able to follow the same procedure to get a decision in their cases. The Court should exercise extreme caution before deciding, in a case rather than rules committee, that its prior interpretation of a procedural rule was wrong, because doing so creates surprise roadblocks to justice.

When the Court has to interpret an ambiguous statute, there is always the chance that it gets the wrong answer. Who says the answer is wrong? The people, through their elected legislators. If the Legislative Assembly has had multiple sessions to clarify the statute without touching it, it is fair to conclude that the Court's answer was actually correct, even if judges later think it was wrong.

The last category is that rare question of what the constitution means, and it is where stare decisis is actually at its weakest, for two reasons. First, the constitution is the hardest thing for the people to change if the Court makes a mistake. Second, our state constitution requires 4 of the justices to agree to overturn an unconstitutional statute. That means that we can have 3-2 decisions where the majority of the Court says what the constitution means but the minority votes keep the statute on the books. This can muddy the waters about what the constitution means, and the Court should do its best to give clear answers.

Q: What experiences in your legal career have best prepared you to serve on the North Dakota Supreme Court?

A: My career has been broad both in geography and in subject matter. I have gone to court (and avoided going there) for a wide variety of people with a wide variety of issues over the past 19 years. Clients from most, if not all, of the 50 states and several foreign countries. Co-counsel from every corner of America. At least one civil case in every judicial district. Working with people to protect their rights, from mineral rights to civil rights and everything in between.

All of this experience has taught me that expertise in any area of law is unavoidably limited. I will ask questions and listen to answers from colleagues and counsel. I value learning new things over the illusion of already knowing them. Genuine curiosity is better than unearned certainty.

Q: What types of cases have had the greatest impact on your development as a lawyer or judge?

A: This is a very easy question: the losses. It's easy to celebrate a win, but they don't always come with useful lessons. When you lose a case, you also lose sleep over why. Even when the answer is obvious, you study how you missed it or how you could have handled it better. Defeat teaches lessons that victory can't.

Q: How has your experience representing clients or serving as a judge influenced your view of the justice system?

A: My experience representing clients has been humbling. Very few attorney-client relationships begin with the client paying a lawyer to help celebrate the best day of his life. When you're a litigator, most people you meet have problems that are hard to explain.

This directs my approach to the courtroom. I often see litigants, with or without counsel, struggling to reach judges. A great judge truly hears everyone and respects their reality rather than dismissing it. If a case were easy to understand, the parties wouldn't need the Supreme Court's help to resolve it.

Q: What do you see as the biggest challenges currently facing North Dakota's judicial system?

A: The two biggest challenges I see are access to lawyers and allocation of technology resources. As a rural, general-practice lawyer, I don't have all the answers about how to ensure a mineral owner in Trenton can get his lease reviewed or a farmer outside Hoople can get help with his crop insurance claim. But my experience practicing and learning the law in the rural setting will be a valuable part of the discussion.

Most of the time, hard problems are solved with a creative approach and attention to detail. We don't just need fresh lawyers and legal assistants to move to our small towns, we need the experienced practitioners to stay there. We don't need more law students to take a one-semester course on oil and gas law, we need more opportunities to hand down the hard-earned lessons from practicing it.

With technology, I often speak about the problem: The people who make decisions about technology often do not have to use it. All court systems, from e-filing portals to formatting rules, should be designed to meet the real needs of the people who use them: lawyers, litigants, and staff.

Both challenges arise from the same fundamental question: When you have limited resources, how do you decide where to use them? My experience practicing law in North Dakota will help me spot the good ideas, the bad ones, and the areas for improving both.

Q: What do you hope your legacy on the Court would be?

A: I hope that people will enjoy reading my opinions because my writing is clear and approachable, not abstruse or arrogant. I hope that the judges whose decisions I reverse and the lawyers whose wins I deflate--because both of those are unavoidable parts of the job--will see in my opinions the respect that I have for their work. I hope that people I run into will still approach me warmly to talk about life, not turn away because they see me as detached or aloof.

And I hope that, at the end of my service to the Court, when you ask me this question again, I can smile and reflect on the cases I've heard, the citizens I've served, and the people I've served with along the way.

Q: What strengths would you bring that are not currently represented on the Court?

A: I am campaigning on the platform that our Supreme Court is at its best when it has a broad perspective to understand every case from every angle before making a decision. That isn't just about the areas of law I practice. I don't think any of our current Justices litigated a Pugh clause for a mineral owner or a prescriptive easement for a landowner. But I also doubt they called a Clerk of Court to ask which of their hundred documents had the speck of color that led to the e-filing rejection, sifted through 50,000 pages of waterlogged papers to organize them for discovery responses, spent a day trudging through an industrial-scale septic drain field to figure out if the lawnmower caused the leak, or frantically adjusted the paragraph numbers in a Table of Authorities to get the brief filed on the deadline.

My experience as a rural general practitioner will help the Court understand both the legal issues and the practical challenges that people go through on the road to a final court judgment.



Q: What legal issues do you believe will most significantly affect North Dakota over the next decade?

A: According to Mark Twain, “history doesn’t repeat itself, but it often rhymes.” In the next decade, I think that we will see similar legal issues come up with new twists.

I predict that the current AI boom will see our courts tasked with answering the same kinds of questions we saw arise from the Bakken oil boom: state vs. local jurisdiction, property rights vs. regulation, economic growth that can fund better roads and schools vs. that endless prairie landscape every North Dakotan enjoys. These questions will inevitably reach the Court during my term and beyond.

I believe that the Court will make better decisions and better explain their decisions by understanding those cases with my added point of view, even when my opinion is a dissent. Like most people, I don’t mind being told I’m wrong by someone who took the time to really understand me first.



Jerod Tufte

Q: What role should precedent play in your decision-making, and under what circumstances should a prior decision be reconsidered?

A: Stability is essential for our courts' credibility and integrity. People build businesses, contracts, and families around what courts have said the law is, and they rely on it. My default is to leave a prior decision alone when its reasoning and grounding are sound. That default decides most cases.

But honoring precedent is not the same as refusing to look at a mistake. The court should take a second look when a decision rests on a clear misreading of the text, especially where the briefing in that case failed to engage with the words. The court should also be willing to reconsider a decision in which an earlier court reached past the judicial role to settle a question the constitution leaves to the legislature or to the people.

In either situation, leaving the decision in place is not restraint. It compounds the earlier error. A court that treats every past overreach as beyond review is not restraining itself; it is protecting the moment when an earlier court failed to restrain itself. When a court does correct itself it should say so plainly and explain why.

Q: What experiences in your legal career have best prepared you to serve on the North Dakota Supreme Court?

A: Four things, in the order I got them.

I began my career as a law clerk with the United States Court of Appeals for the Eighth Circuit. A year spent watching appellate judges decide real cases — reading records, testing arguments, and rewriting until the reasoning holds — is the closest thing there is to an apprenticeship for this job.

Representing paying clients in private practice. First at a large firm doing patent litigation, later, after moving back to North Dakota, on my own. Solo practice teaches you what litigation costs a client in money and in time, and that has stayed with me.

Judge Advocate service in the North Dakota Army National Guard, including a deployment to Kosovo advising the command on the rules of engagement and the law of war. Practicing law inside an institution with a defined chain of command makes you think hard about the limits of your own role.

Trying cases to North Dakota juries as State's Attorney in Kidder County, then presiding over them as district judge in the Southeast Judicial District. The trial bench is where you learn that a record gets made once, under time pressure, by people doing their best in real time. An appellate court gets only a limited picture by reading the cold transcript.

Q: What types of cases have had the greatest impact on your development as a lawyer or judge?

A: The ones where the text is clear and the result is hard.

It is easy to follow a statute when the statute produces the outcome you would have chosen anyway. The cases that shaped me are the ones where it did not. A costs statute that said "defendant" and meant it, though reading it as "plaintiff" would have made for better policy. An at-will employment statute, unchanged since the 1877 territorial code, that left a sympathetic employee without a remedy. A DUI statute the State wanted to work around by invoking the Fourth Amendment, where applying the statute as written left the State with no lawful way to admit its evidence.

Those are the cases where a judge finds out whether his method is consistent with the rule of law. If you apply the text only when you like where it lands, you do not have a method. You have preferences with citations attached.

Q: How has your experience representing clients or serving as a judge influenced your view of the justice system?

A: The hardest problem is not getting the law right. It is that too many North Dakotans cannot practically use the system.

In solo practice I watched people forgo valid claims because pursuing them was unaffordable. As a rural State's Attorney, and the only lawyer in my county, I saw what it means when there simply are not enough lawyers. As a trial judge, I saw people appear without counsel and try to navigate rules written by lawyers for lawyers.

None of that is a reason to bend the law for a sympathetic party. That trades one kind of unfairness for another, and future litigants pay for it with loss of certainty and trust. It is a reason to work hard on the parts of the system a court actually controls: rules, procedure, technology, and the pathways into the profession. A justice system that is legally correct but practically out of reach fails too many of our neighbors.

Q: What do you see as the biggest challenges currently facing North Dakota's judicial system?

A: Access. In much of North Dakota, unmet legal need is common. Too often, finding a lawyer is genuinely hard. That is why the Supreme Court has a Task Force on Lawyer Licensing and Alternative Legal Practice, which I chair, and why we are doing serious work on paraprofessional licensure — including with paralegals serving on the task force. I am not going to prejudge where that task force comes out. It is still doing its work, any proposal has to come back to the Court, and some of it would go to the Legislature.

The everyday machinery. Electronic filing, records access, docket systems. I have worked on court technology for a decade. The people who use these systems every day know more about their limitations than the people who approve them. Paralegals are in these systems more hours than most lawyers and judges. Some of what needs fixing sits with our vendors, and the way we move a vendor is with specifics from the people using the system. General complaints do not move anything. Yours would.

Volume, and what is about to happen to it. AI tools have made it cheap and easy to generate filings. The number of pages arriving at trial courts is going to rise faster than the number of judges. The rapid improvement in AI tools is already being seen in more filings from lawyers and more filings by self-represented litigants that pass initial screening and reach the judge's desk. Being ready for increasing volumes means we need staff and tools to help direct the judges' attention to the facts and the issues that decide a case.

Q: What do you hope your legacy on the Court would be?

A: I would want a lawyer or a paralegal ten years from now to pull any opinion with my name on it, in any area of law, and find the same approach: start with the words, give them the meaning they carried when they were enacted, apply them as written, and leave the policy choices to the people elected to make them. Not the same results — results should vary with the law and the record. The same method, explained in published opinions so anyone can check.

The other half is administrative and much less visible. If the licensing and access-to-justice work now under way leaves North Dakota with more ways for qualified people to serve communities that do not have enough lawyers, that will outlast anything I have written.



Q: Looking back at your time on the Court, what decision or accomplishment are you most proud of?

A: On the decision side, Legislative Assembly v. Burgum, 2018 ND 189. The Governor had used the partial veto to change what a bill did rather than to strike parts of it. The case carried no partisan charge; it was about which branch gets to do what. The line that stuck was that the veto power “is an eraser, not a pencil. The Governor may strike words or numbers in a bill, but he may not insert them.” Separation of powers stays abstract until a case makes it concrete.

On the accomplishment side, Administrative Rules 41 and 41.1, which implement the constitutional open records and open meetings provisions for the judicial branch by exercising the Court’s own authority to manage judicial branch records and meetings. Courts apply statutes that require the rest of government to operate in the open. In our management of the judicial branch we should provide for similar transparency.

Q: What legal issues do you believe will most significantly affect North Dakota over the next decade?

A: Three institutional questions look unavoidable.

Who may deliver legal services, and under what supervision. Every state is working on this. North Dakota’s rural setting presents a sharper version of the question than most states face.

What courts do about AI-assisted legal work: absorbing increased filing volume, and regulating the legal profession so that human judgment remains central as these tools increase in capability.

How much of the court record the public gets, and in what form. Open records facilitate trustworthy and accountable courts but sometimes result in a loss of some personal privacy. The tradeoffs change as records become easy to search at scale.

None of those gets settled by a single case. They get settled by court rules, by legislation, and by a great deal of unglamorous committee work by dedicated professionals who believe in our system of government and feel a duty to our fellow citizens. As your members know better than most, that is where much of the system actually gets built.





NALA Liaison's Report



I would like to start by congratulating Dehan Schwan, CP and Kimberly Perkuhn, CP for passing the NALA CP exam this year. They both worked very hard and it paid off. Receiving the CP designation demonstrates your high level of professional achievement. Great job ladies!

For those of you who are studying for the CP exam, NALA has a webinar to help you prepare for the skills portion of the CP exam. It is the IRAC method by Leanne the Lawyer. If you are studying for the exam, please watch this presentation on YouTube. I watched this several times prior to sitting for the exam and I believe it was the key to my success in the Skills Exam. If you have any questions about the CP exam or the ACP courses, please reach out to me.

NALA Conference and Expo 2026 was held July 16-18, in Denver, Colorado. This year, I was able to visit with several paralegals who own their own family law practices and are thriving. It was very exciting to learn more about how other states have implemented paraprofessional licensures. I am looking forward to continuing to work with our local task force on making this a possibility in North Dakota.

Thank you, WDALA, for nominating me for the NALA Affiliate Award this year. I truly love working behind the scenes and encouraging others to gain their certification. It has been an honor serving you all in this position and representing our association at the conference as our liaison. I'm looking forward to attending the next conference July 22-24, 2026, in Indian Wells, California.

Ashley Miller, ACP



NALACON 2026

NALA Conference and Expo 2026 was held July 16 – 18, in Denver, Colorado. This was the fourth in-person conference I attended. It was great visiting paralegals from all over the states and learning about the different jobs they held. I saw some familiar faces and met even more new ones. There were several paralegals attending that were proud to share about how they own their own family law practices. It was exciting to pick their brains and find out what tips they have for North Dakota while working towards a paraprofessional licensure program.

The Keynote speaker this year was Michael Houlberg of the Institute for the Advancement of the American Legal System (IAALS). He provided information about how the legal needs of Americans are going unmet. There is a huge gap for the middle class where they earn too much income to receive assistance but also do not have access to thousands of dollars to retain an attorney. Allied legal professionals hold the key to bringing more accessible and affordable legal help where it is needed most. He provided numbers that were shocking. Nearly half of Americans experience legal problems for which they can't find a solution and about 70% of civil and family disputes include at least one side that doesn't have an attorney.

The seminars NALA offered at this conference were amazing as always. My absolute favorite was "I Spy: The Legal Ethics Edition". The speaker was Thomas Pokladowski. Who would have thought that an ethics course would be the most memorable? He was entertaining, engaging, and turned a boring topic into a fun conversation. Thomas Pokladowski did a great job discussing situations we encounter everyday and the different ways to handle them appropriately.

A couple other CLE's I enjoyed were "Legal Reform in Action: ALPs and Justice Workers" presented by Alicia Mitchell-Mercer and Michael Houlberg. The wealth of information they shared about how the different states are tackling the access to justice crisis was exciting. I also attended their second session, "Reimagining Access to Justice: A Regulatory Reform Design Lab", where we broke out into smaller groups and discussed how to implement these programs in our own states. I was lucky to be in a group with three Licensed Legal Paraprofessionals from Colorado who shared their insights and tips.

The Annual meeting and the Affiliated Associations meetings were some of my favorite events. I enjoy recognizing paralegals from across the country for the great work they are doing in their communities. Peonca Grier, CP is NALA's new President, and Debby Sawyer, ACP is NALA's Vice President. Vicki Kasper, ACP, who is proud of her North Dakota roots, was elected Secretary for NALA. Nita Serrano, ACP was elected to be our Affiliated Associations Director, and Kristina Schiraldi, ACP, FRP, was appointed Affiliated Associations Secretary. These NALA members are truly amazing and inspiring. This year NALA created an Award Program, recognizing all award recipients. I was truly honored to receive the "Affiliates Award" this year for the work I do for our local affiliation, WDALA. I am very fortunate to be a member of WDALA and have the opportunity to serve in different roles to help benefit our association and paralegals in our great state. Thank you, WDALA, for nominating me!

Attending the expo and the Affiliate Showcase was a ton of fun. One association even brought cowboy hats and bandanas for their Colorado swag. I somehow managed to get the hat all the way back home. The booths were clever, as always, and so much fun. Everyone was smiling while visiting the booths and enjoying the amazing view of the mountains.

The charity NALA sponsored this year was the Institute for the Advancement of the American Legal System (IAALS). They are doing amazing work and will be a great resource for our state as we navigate the desperate need for more access to justice. One of their main projects involves supporting the Allied Legal Professional (ALP) program model which fosters the enhancement of the legal role paralegals can play in states who participate. North Dakota is working on a program model that will be truly unique for North Dakota.

I hope you all get a chance to attend a NALA Conference or our WDALA Fall Conference in-person someday. It is worth the trip if you take the time to visit other paralegals and learn about how versatile and integral we are to the legal profession. Our opportunities continue to grow. The annual conference always gives me a boost and enhances my drive. I am so proud of our organization and am grateful I had the opportunity to represent WDALA at the NALA Conference this year.

Ashley Miller, ACP



AWARDS PROGRAM

HONORING EXCELLENCE
CELEBRATING SERVICE

DENVER, CO | JULY 16-18

NORTH DAKOTA

ASHLEY MILLER, ACP

Western Dakota Association of Legal Assistants



Ashley demonstrates leadership in WDALA with her consistent service, not only as NALA Liaison on the Board, but also in her willingness to help with seminar brochures and technology. Ashley also plays a pivotal role as a member of the Task Force on Lawyer Licensing and Alternate Legal Practice, leading the way for all North Dakota paralegals to expand their engagement in the courtroom. Her commitment to going above and beyond her formal responsibilities has had a direct and lasting impact on WDALA. Ashley exemplifies a spirit of service.

SAVE THE DATE

INDIAN WELLS
CALIFORNIA

The 2027 NALA Conference & Expo will be here before you know it! Join us in California from July 22-24 at the Grand Hyatt Indian Wells Resort & Villa for an unforgettable experience, complete with professional development, networking, and fun. Keep an eye on our website and follow us on social media for information about Award Program nominations and the latest conference updates. In the meantime, check out www.cityofindianwells.org for all you need to know about this desert oasis. We cannot wait to see you there!



2027 NALA CONFERENCE & EXPO IS COMING TO CALIFORNIA, JULY 22-24

Legal Assistant/Paralegal Day Committee Report for Annual Meeting

Governor Kelly Armstrong declared June 25, 2026, as Legal Assistant/Paralegal Day in North Dakota. Deyan Junker, Trisha Kinnischtzke, Megan Klym, Anna Jellesed, Melissa Hamilton, Melissa Klimpel, Ashley Miller, and Erica Norris met with Governor Kelly Armstrong and Attorney General Drew Wrigley at the State Capitol to commemorate the signing of the Proclamation and to take photos with both.

Respectfully submitted,

Ashley Miller, ACP & Melissa Klimpel, ACP

Legal Assistant/Paralegal Day Committee Members



Deyan Junker, Trisha Kinnischtzke, Megan Klym, Anna Jellesed, Governor Kelly Armstrong, Melissa Hamilton, Melissa Klimpel, Ashley Miller, and Erica Norris



Deyan Junker, Trisha Kinnischtzke, Megan Klym, Anna Jellesed, Attorney General Drew Wrigley, Melissa Hamilton, Melissa Klimpel, Ashley Miller, and Erica Norris

STATE OF NORTH DAKOTA

PROCLAMATION

LEGAL ASSISTANT/PARALEGAL DAY

JUNE 25, 2026

WHEREAS, legal assistants, also known as paralegals, use their skills and expertise to make vital contributions to the quality of legal services offered to North Dakota's citizens; and

WHEREAS, with a wide variety of roles and responsibilities, legal assistants/paralegals improve the efficiency and capacity of their organizations in both the public and private sectors; and

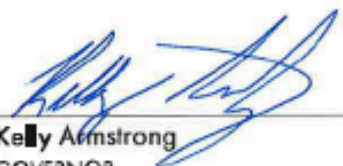
WHEREAS, there are currently two professional legal assistant/paralegal associations in North Dakota: the Western Dakota Association of Legal Assistants and the Red River Valley Paralegal Association; and

WHEREAS, both associations are affiliates of the National Association of Legal Assistants — NALA — the Paralegal Association, which is celebrating 51 years of service to legal assistants/paralegals and the legal community nationwide; and

WHEREAS, legal assistants/paralegals are making important contributions to their profession and workplace, and North Dakotans are encouraged to recognize the significant role they play in the legal process of our state and nation.

NOW, THEREFORE, as Governor of the State of North Dakota, I do hereby proclaim
June 25, 2026, LEGAL ASSISTANT/PARALEGAL DAY in the State of North Dakota.




Kelly Armstrong
GOVERNOR

ATTEST: 
Michael Howe
SECRETARY OF STATE

NATIONAL PARALEGAL DAY

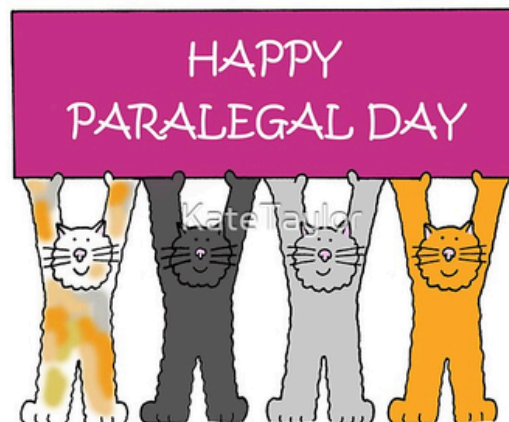


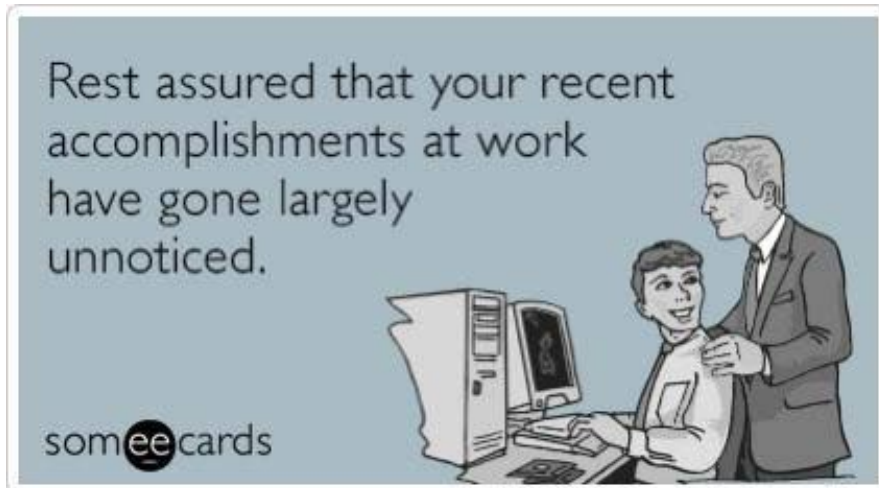
Check out the National Paralegal Day Web page on NALA!

Link: <https://nala.org/paralegal-info/national-paralegal-day/>

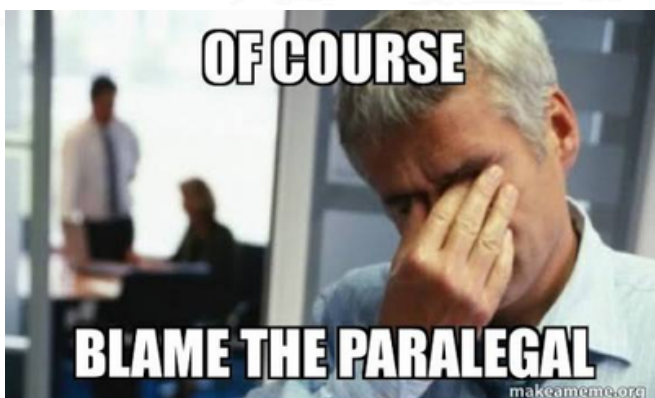
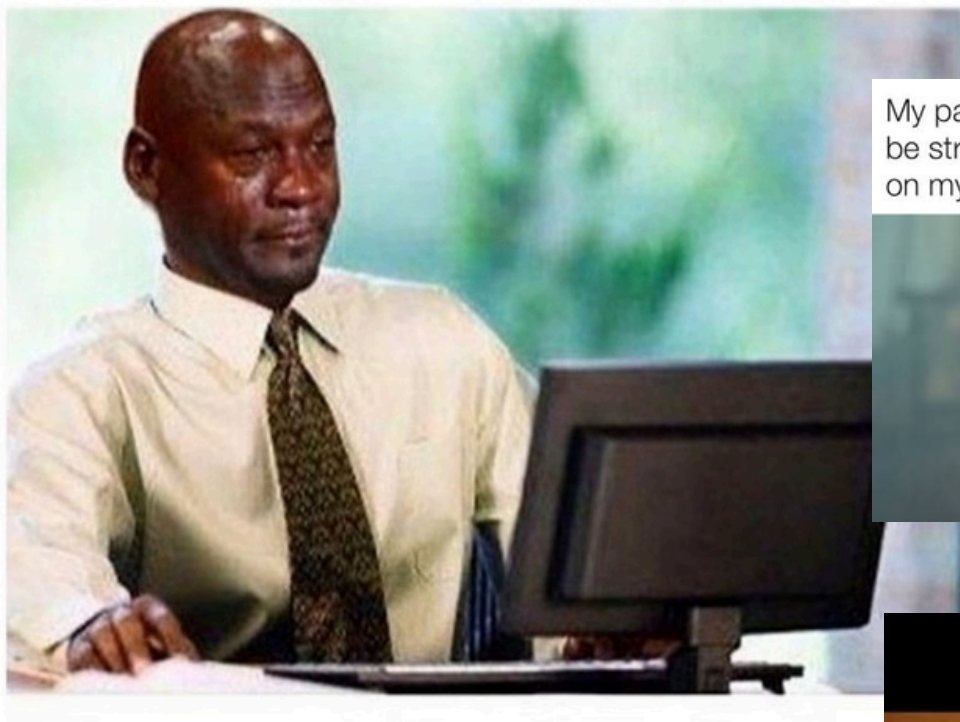
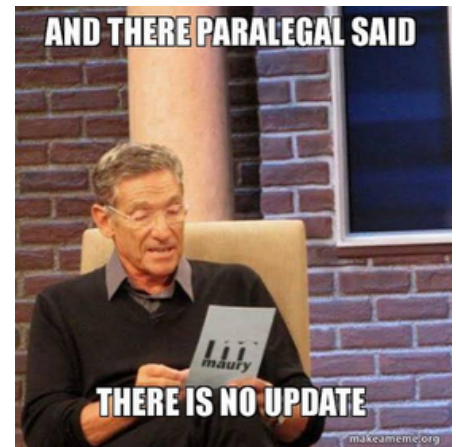
It is official! August 6th is National Paralegal Day (NPD), now recognized in the Congressional Record. This achievement was made possible through a collaborative effort by the American Association for Paralegal Education (AAfPE), NALA – The Paralegal Association, National Association for Legal Support Professionals (NALS), and National Federation of Paralegal Associations (NFPA). Click the links below to learn more, sign our virtual support letter, and view our resources.

Paralegals are the quiet powerhouses of the legal profession: researchers, organizers, and problem solvers who keep cases moving and justice within reach. On August 6, we join the legal community in celebrating National Paralegal Day, a moment set aside to honor paralegals' invaluable contributions. This blog from TypeLaw explores the history of National Paralegal Day, highlights the organizations that helped make it possible, and recognizes the essential role paralegals play in the legal profession every single day.





me realizing none of today was billable



Judge Jay A. Schmitz to Retire

Southeast Judicial District Court Judge Jay A. Schmitz has announced he will retire October 3, 2026.

In a letter dated August 31, 2026 to Chief Justice Lisa Fair McEvers, Governor Kelly Armstrong noted that Judge Schmitz had notified him in a letter dated August 28, 2026 of his intent to retire on October 3, 2026.

Judge Schmitz was first elected in 2010 as District Court Judge for the Southeast Judicial District #6, located in Valley City, North Dakota. Born in 1962 in Pierre, South Dakota, Judge Schmitz was raised on a cattle ranch near Verona, North Dakota. He graduated from Oakes High School in 1980 and received his Bachelor of Administration in Political Science from Moorhead State University in 1985. He received his Juris Doctor from Southwestern University School of Law in Los Angeles, California, in 1989 and was admitted to the North Dakota State Bar on May 1, 2000.

After graduation, Judge Schmitz worked in private legal practice in Los Angeles, CA from 1989-1995. After moving back to North Dakota, he worked in private legal practice in Oakes, N.D. from 2000-2002. He served as the Stutsman County Chief Assistant State's Attorney in Jamestown, N.D. from 2003-2010.

THANK YOU
JUDGE
SCHMITZ!!!



August 31, 2026

Honorable Lisa K. Fair McEvers, Chief Justice
North Dakota Supreme Court
State Capitol
600 E. Boulevard Ave.
Bismarck, ND 58505-0530

Dear Chief Justice Fair McEvers:

By mail dated August 28, 2026, the Honorable Jay A. Schmitz submitted his notice of intent to retire, effective October 3, 2026.

Judge Schmitz's retirement will create a vacancy in Judgeship No. 6, Southeast Judicial District. Please consider this letter as notice of a vacancy under North Dakota Century Code § 27-05-02.1.

Upon his retirement, Judge Schmitz will have served the State of North Dakota and the legal profession with dedication and professionalism for 37 years.

I look forward to working with you to appoint a successor.

Best Regards,

Kelly Armstrong
Governor

C: Tony Weiler, Executive Director
State Bar Association of North Dakota

COURT REMINDS CITIZENS TO BE AWARE OF JURY SCAMS

North Dakota Courts reminds citizens to remain vigilant and aware of scams targeting potential jurors. Scammers often call or text individuals alleging they failed to appear for jury service. Some scammers impersonate law enforcement agencies and threaten arrest if court fines are not paid for the alleged failure to appear. Scammers can be aggressive and demanding.

State courts, federal courts, and law enforcement agencies will never call and threaten an individual or demand immediate payment—either over the telephone or money wire service—for fines or for not responding to a jury summons.

Be aware of any caller demanding immediate payment of alleged court fines or threatening arrest. To check on such claims, hang up and contact the Clerk of Court's office in your area.

If you receive a call or text demanding payment of a fine for missing jury service:

- Do not give out credit card information or make a payment.
 - Do not share any personal information, such as your social security number.
 - Report the call to your local law enforcement agency.
-

Justice Tufte presents to the Big Muddy Bar Association



Justice Jerod Tufte, above, presented August 27 to the Big Muddy Bar Association on how the North Dakota Supreme Court views artificial intelligence in legal practice, and how the Court uses it in its own work. The session discussed *City of Dickinson v. Helgeson*, 2026 ND 34, in which a unanimous Court sanctioned a self-represented filer \$500 for citing five fictitious cases, while stating that it does "encourage and embrace the use of technology to improve the work product of all litigants" subject to "careful use and scrupulous verification." He also discussed Administrative Order 36, effective May 18, 2026, which authorizes the court system's own use of generative AI, within limits tied to a tool's data-retention terms and the sensitivity of the information shared with the tool.

North Dakota Court System

June 1, 2026

Public Notice on the Use of Artificial Intelligence (AI)

Purpose

The North Dakota Court System recognizes that artificial intelligence (AI) tools are increasingly used by attorneys, self-represented litigants, and the public to assist with legal research, drafting, organization, and communication. This notice is intended to provide transparency and guidance regarding the permissible use of AI in court filings and proceedings, while reaffirming the fundamental principles of fairness, accuracy, accountability, and public trust in the judicial process.

General Statement

The use of AI tools is not prohibited in matters before the North Dakota courts. However, AI is a tool only. The responsibility for all court filings, arguments, representations, and other work product rests entirely with the attorney or self-represented litigant who submits them.

AI does not replace the professional judgment, ethical obligations, or legal responsibilities of individuals appearing before the court.

Responsibility for Work Product

Any document, filing, or communication submitted to a North Dakota court - whether or not AI was used in its preparation - must comply with the requirements of N.D.R.Civ.P. 11 and: (1) Be accurate and truthful; (2) Be grounded in existing law or a good-faith argument for the extension, modification, or reversal of existing law; (3) Properly cite legal authority and the record; and (4) Comply with all applicable court rules, statutes, and ethical obligations.

Attorneys and self-represented litigants are fully accountable for the final content of all submissions, including any errors, omissions, misstatements of law or fact, or fabricated citations generated by AI tools.

No Delegation of Legal Judgment

AI tools may not be relied upon to make legal judgments, factual determinations, or discretionary decisions. Courts expect that: (1) Legal analysis reflects the independent judgment of the attorney or litigant; (2) Factual representations are verified against the record; (3) Citations to statutes, rules, and case law are independently confirmed; and (4) Arguments are tailored to the specific facts and law of the case.

The use of AI does not excuse violations of Rule 1.1 of the North Dakota Rules of Professional Conduct, or any other applicable legal or ethical standard.

Confidentiality and Data Security

An individual using AI must exercise caution when using AI tools to ensure that confidential, sealed, or protected information is not disclosed. AI tools should not be used in a manner that compromises: (1) Confidential communications; (2) Personal identifying information (PII); (3) Protected health information (PHI); (4) Juvenile, sealed, or restricted records; or (5) Any information protected by law or court rule.

The responsibility to safeguard confidential information remains with the individual using AI.

Disclosure of AI Use

At this time, the North Dakota courts do not require disclosure of AI use in court filings solely because AI was used. Nevertheless, disclosure may be required or appropriate under existing rules or orders in specific circumstances.

Court Authority

The court retains the authority under N.D.R.Ct. 11.5 to: (1) Reject or strike filings that are inaccurate, misleading, or noncompliant; (2) Impose sanctions where appropriate; (3) Require corrections or additional verification; and (4) Take any other action authorized by law or rule to protect the integrity of proceedings.

Ethical Considerations

The duty of competence (N.D.R.Prof.Conduct 1.1) requires attorneys to understand how AI tools function, including their limitations and potential for error. The duty of candor (Rule 3.3) obligates attorneys to personally verify that every cited authority exists, is accurate, and supports the intended argument.

The duty of supervision (N.D.R.Prof.Conduct 5.1 and 5.3) requires senior attorneys to ensure that staff and subordinate attorneys using AI tools are doing so ethically and responsibly. The duty to make meritorious claims (N.D.R.Prof.Conduct 3.1) requires attorneys to conduct a reasonable inquiry that what is being filed has a good-faith basis in law and fact.

Ongoing Review

The North Dakota Court System acknowledges that AI technologies are rapidly evolving. This notice may be updated as necessary to address emerging risks, benefits, and best practices, with the goal of preserving public confidence in the administration of justice while allowing responsible innovation.

WDALA SPONSORS



*The Western Dakota Association of Legal Assistants
gratefully acknowledges the following sponsors for their
generous support of WDALA throughout 2026.*

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MOLDENHAUER & SMITH | Bismarck
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Revive Law Group | Mandan

GOLD LEVEL

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**WESTERN DAKOTA ASSOCIATION OF LEGAL ASSISTANTS
2025-2026**

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President..... Anna Jellesed
 First Vice President Melissa Hamilton, ACP
 Second Vice President..... Trisha Kinnischitzke
 Secretary..... Dehan Schwan
 Treasurer.....Cassy Clark, CP
 Parliamentarian ((Unfilled))
 NALA LiaisonAshley Miller, CP

BOARD OF DIRECTORS

Region I..... Holly Radke, ACP
 Region II..... Andrea Johnson; Afton Basden, CP
 Region III..... Megan Klym
 Region IV ((Unfilled))

COMMITTEES

Education Melissa Hamilton, ACP (Chair);
Andrea Johnson; Melissa Klimpel ACP;
 Ashley Miller, ACP; Kimberly Perkuhn

 Membership Trisha Kinnischitzke (Chair);
 Anna Jellesed;

 Finance/Budget.....Cassy Clark, CP (Chair)

CLA Chairman.....	Ashley Miller, ACP
Nominations/Elections.....	Andrea Johnson; Dehan Schwan
Auditing (Fiscal Year 2025)	ReBecka Wohl, ACP
Legal Assistant Day.....	Ashley Miller, ACP; Melissa Klimpel, ACP
Ethics/Professional Development	Melissa Hamilton, ACP
State Bar/NDTLA Liaison	Ashley Miller, ACP
Historian.....	Laurie Guenther, ACP
Sponsorship	Cassy Clark, CP; Anna Jellesed
Student Liaison.....	Ashley Miller, ACP
Public Relations.....	((Unfilled)) (<i>Summons</i> Editor in Chief);
.....	Anna Jellesed (Facebook & Website)



Happy Birthdays

JANUARY

4 Valerie Stammen
17 Deyan Junker

FEBRUARY

16 Laurie Guenther
18 Noni Geer
23 Megan Ryan
27 Holly Radke

MARCH

5 Anna Jellesed
10 Molly R. Busch
25 Andrea Johnson
27 Nicki Wek fka Behm
31 Megan Klym

APRIL

7 Alice Johnson
8 ReBecka Wohl
11 Afton Basden
16 Trisha Kinnischtzke
18 Shannon Barth
27 Melissa Klimpel

MAY

22 Melissa Hamilton
22 James Hagen
25 Tierra Schiermeister

JUNE

14 Carmen G. Dukeman
28 Stephanie Howe
29 Megan Ontis

JULY

2 Becky Kocourek
20 Vicki Kunz
25 Molly Guy

AUGUST

9 Dianne Taix
11 Nathaniel Henjum
18 Tera Skaar
27 Tami Hulm
28 Rebekkah Hintz

SEPTEMBER

4 Candace Schafer

OCTOBER

9 Dehan Schwan
15 Lindsey Lewis
22 Madison McPherson

NOVEMBER

18 Erica Norris
22 Michelle Kessler
27 Linda K. Hagen Mathern
30 Miranda Franck

DECEMBER

5 Cassy Clark
11 Brittany Dahl
14 Ashley Miller
19 Hollie Zink
22 Shari L. Erdman
29 Kimberly Perkuhn

Thank you to all of
our members! YOU
are what makes
WDALA great!

