

State Bar of South Dakota

March 2020
NEWSLETTER



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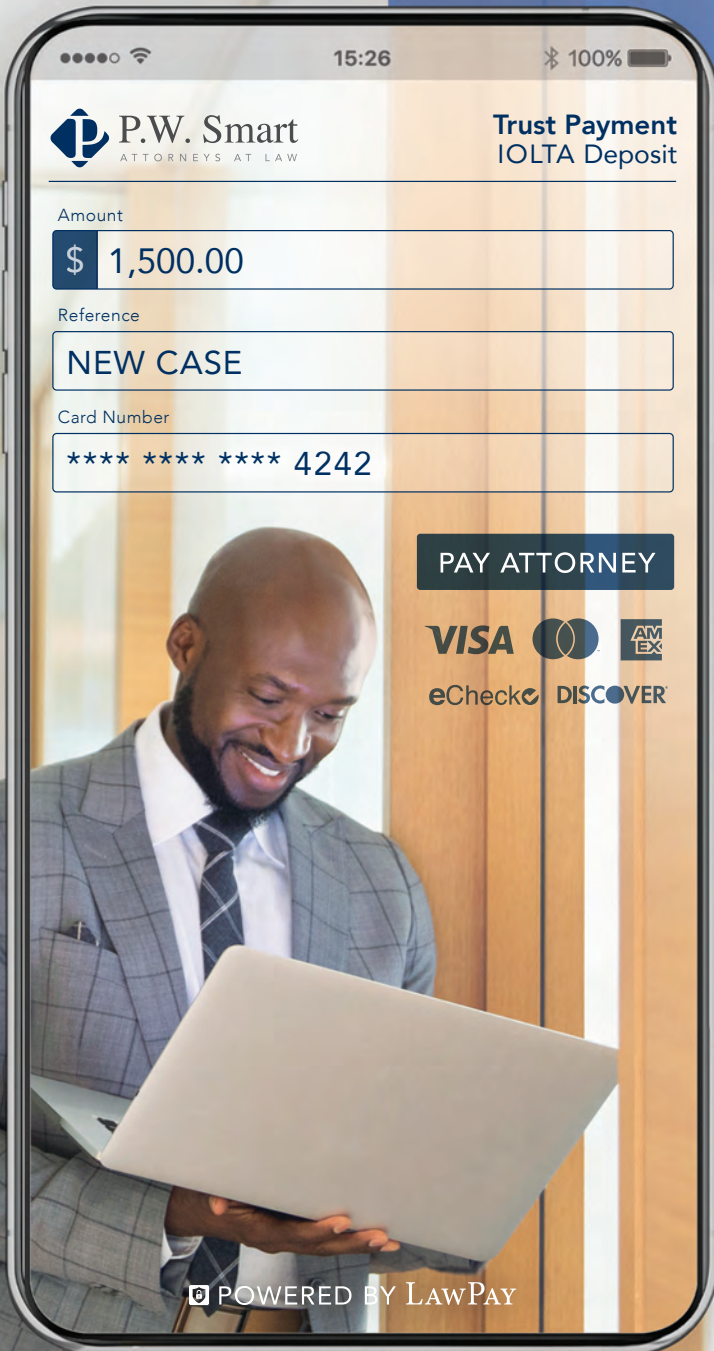
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State Bar of South Dakota

March 2020

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President's Corner

Steven K. Huff

The Huff Clan and the Practice of Law

Based on last month's positive response to the content contained in the President's Corner, I elected to continue down that road and attack an even more ambitious topic from a personal perspective. While chatting with several bar members who contacted me about last month's content, the conversation then evolved into two basic topics: (1) how is the family; and (2) how do you find the time? Well, why not merge both of those into this month's edition.

Tracy a/k/a the Saint

As almost anyone who knows me and my wife Tracy, one thing is clear: she is destined for sainthood. She shares my Huffian rants, my ridiculous schedule, my constant ability to massacre names and all my other peccadilloes. Her retired Navy training is well suited to the task but challenged on a daily basis. She also is the mama bear for our two kids, Nathan and Abby.

Recently, my wife kindly suggested that we have been doing many law and bar activities over the years and perhaps it might be time to do things that we put off and were of interest to her. One of those activities is called Dancing with the Stars, a fundraiser for our local domestic violence shelter here in Yankton.

To be blunt, I have few real talents, and dancing is most certainly not one of them. My office has had a no Steve Huff dance or singing policy in place since I was an associate (circa. 1999). So, I had typically used the upcoming case or client meeting excuse over and over to fend off this request. Now, facing the challenge of being the state bar president, it struck me that now was the time to finally give up the ghost and run to the light.

Nathan and Abby - a/k/a Partners in life and dance/drama crime

The news that we would be dancing this year to raise funds was music to my musically inclined young adults. Nathan, 18, is about to graduate and is likely to enter Wayne State College honors program and pursue secondary education. His goal is to return to our area and teach high school kids math and humanities. Abby, 16, is a sophomore, who just began her first automotive class which complements her interests in welding and high tech manufacturing.

Both Abby and Nathan are very into two other joint pursuits: music and drama. Both play for the high school orchestra (Nathan string and electric bass; Abby viola). Both also have been in several plays. Consequently, without knowing what I was stepping into, the Dancing with the Stars became a family event where we all worked together to minimize dad's bad moves and distract from them with costumes and song selection only kids with good music and drama taste could select.

There were several challenges along the way. The theme was disco and the bell bottoms were not well suited for short statured folks like us. Even worse, the kids and Tracy decided we needed instruments, which



turned into a tambourine and triangle and those were not the easiest to work into a routine. Finally, we both decided that the week before the main event would be the best time to contract Type A flu which made for some interesting rehearsal challenges.

Ultimately, the family rallied, the show went on, and the performance was pretty decent, mostly due to the fact my wife can actually dance and my kids know what they are doing. We raised some good funds for a good cause at the tail end of a blizzard, actually conning over 300 people to attend and donate to our carnival like performance.



So, the long way to answer the two questions posed by my colleagues – How is the family? They are doing well despite all the various time commitments from all different directions. How do you find the time? We don't really, we just cram it in and get after it the best we can. But, in the end, we seem to make it work, just like most of my overworked readership.

HOW IS THE FAMILY?

“THEY ARE DOING WELL DESPITE ALL THE VARIOUS TIME COMMITMENTS FROM ALL DIFFERENT DIRECTIONS.”

HOW DO YOU FIND THE TIME?

“WE DON'T REALLY, WE JUST CRAM IT IN AND GET AFTER IT THE BEST WE CAN. BUT, IN THE END, WE SEEM TO MAKE IT WORK, JUST LIKE MOST OF MY OVERWORKED READERSHIP.”

– STEVE HUFF



STATE BAR OF SOUTH DAKOTA YOUNG LAWYERS SECTION

by: Nathan Chicoine
YLS President



I was inspired by our State Bar President's column in last month's newsletter. Oftentimes, we lawyers only talk shop. It's a breath of fresh air to discuss ways in which we can relate outside our profession. That said, the better half of the state needs some talking points, too. The Southeast sector has great dining, and the Southwest sector has great recreation. After a long week of drafting or hearings, nothing brings me back to center like getting outdoors. As Badger Clark said, "Custer State Park [and the Black Hills] is a place where one can still be an unworried and unregimented individual and wear any old clothes and sit on a log and get their sanity back again." Here are my suggestions for activities:

You'll find some of the best hiking in Custer State Park. Little Devil's Tower with a trailhead just past Sylvan Lake is shorter than hiking up to Black Elk Peak but offers panoramic views of the entire Black Hills. Some amateur bouldering is required. Lucky hikers might spot a mountain goat, also bouldering in the nearby granite formations. Lover's Leap is another favorite. A sharp ascent starts from the State Game Lodge pavilion then follows the ridge before calmly looping back along a creek. Cyclists can enjoy the nearby Grace Coolidge Creek walk in fishing area. The trail crosses the creek many times on the way to Center Lake. Your feet will get wet. It's a unique ride.

The Osprey Trail located at the Pactola campground is not the most strenuous but offers great views of the lake. You will likely spot an osprey or perhaps a bald eagle. The shoulder season is best when you don't have to park among occupied campsites. Another perk is its central location in the hills. A daily or annual

forest service fee may be required. Rapid Creek has a couple of good hikes on either side of the lake. The Deerfield trail at Silver City takes hikers up the creek with steep canyon walls on either side. Below the dam, the Tamarack Gulch trailhead of the Centennial trail is the other book end. If you're looking for a creek side hike, the Flume trail spur at Spring Creek is excellent. Huge timbers help keep you dry for the few crossings, if they're in place. Views of Sheridan Lake from the dam are a nice reward.

In Spearfish Canyon, try the '76 trail just outside the Spearfish Canyon Lodge. Like any good strenuous hike it offers tremendous views at the summit. If you aren't feeling up to a climb, meander down to Spearfish falls. This new trail is scenic and suitable for anyone.

If you're in Rapid City on business, you'll find Buzzard's Roost only a few minutes west of town. This vast network of trails meets all skill levels and is great for bikes or boots. The drawbacks are the popularity and sloppy trails in wet conditions. Grand views at the top make the long winding or short steep ascent worthwhile. If you're playing tourist at Mt. Rushmore, Horsethief Lake has a trail into Black Elk Wilderness that offers a bit of everything. Take it as far as you like.

Too many of us travel to and from West River and bypass the Badlands. If you have time, take the scenic drive through the park, especially if weather rains on your plans. The formations' splendor is highlighted when wet. In dry conditions, short boardwalks or steep canyons give you options to stretch your legs.

If you need help with directions to any of the foregoing, please reach out. I closed last month promoting a CLE as a great way to spend a Friday. An outdoor adventure is a great way to spend a Saturday.



YOUNG LAWYERS SECTION STATE BAR OF SOUTH DAKOTA

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THE YOUNG LAWYERS SECTION SEEKS NOMINATIONS FOR THE YOUNG LAWYER OF THE YEAR AWARD

Members of the South Dakota Bar Association are invited to submit nominations for the 2020 South Dakota Young Lawyer of the Year. The Young Lawyer of the Year Award will be presented at the State Bar Convention in June. Please consider nominating a South Dakota Young Lawyer for this award.

In order to be considered for the award, the nominee must be a member of the State Bar of South Dakota in good standing and must not have (1) reached the age of 36 years by June 19, 2019, or (2) been admitted to practice in SD or any other state(s) for more than 10 years. Past recipients of the award and lawyers currently serving on the Young Lawyers Board are ineligible for consideration. Nominees should exemplify the following characteristics:

1. *Professional excellence;*
2. *Dedication to serving the legal profession and the Bar;*
3. *Service to their community; and*
4. *A reputation that advances legal ethics and professional responsibility.*

Nominating attorneys should submit a brief letter in support of their nominee to Caroline Srstka at Caroline.Srstka@state.sd.us by Friday, May 29, 2020. The letter should detail the reason(s) for the nomination and how the nominee meets the above-mentioned characteristics. We sincerely look forward to receiving your submissions. Thank you in advance.

February 25, 2020

Fellows of the South Dakota Bar Foundation

Many South Dakota lawyers have risen to the challenge of making the SD Bar Foundation a favorite charity. Such generosity deserves public acknowledgement. Therefore, the Bar Foundation Board of Directors has created a “Fellows” program to not only make such acknowledgement, but also to provide an opportunity for more of our members to participate and determine their personal level of professional philanthropy. Participation can be on an annual basis or by pledge with payments over a period of time. All contributions made to the “Fellows” program will be deposited in the Foundation’s endowment account managed by the SD Community Foundation – famous for low management fees and excellent investment returns. Donations to the endowment are tax deductible and a perpetual gift to our profession and the educational and charities the Foundation supports.

Thank you!

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★★ Patrick G. Goetzinger ★★ Stephanie E. Pochop
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Fellows of the South Dakota Bar Foundation

Foundation funds go to very important projects, including: Legal Services Programs in SD, Rural Lawyer Recruitment, SD Public Broadcasting of Legislative Sessions, SD Guardianship Program, Teen Court, Ask-A-Lawyer and Educational videos on aging, substance abuse and mental health issues.

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City _____ State _____ Zip Code _____

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- Life Fellow – \$25,000 or more, cumulative.
- Diamond Fellow – over \$10,000, cumulative.
- Platinum Fellow – \$10,000, cumulative.
- Gold Fellow – \$5,000, cumulative.
- Silver Fellow – \$1,000 per year.
- Fellow – \$500 per year.

In Memoriam

Donations in memory of a lawyer or judge may be made and will be deposited in the endowment fund. Such donations will be combined to qualify the deceased lawyer/judge as a fellow.

Today I am sending \$_____ (amount) to begin my gift.

Mail payment to:

State Bar of South Dakota
111 W Capitol Ave. #1
Pierre, SD 57501

Or you can email this form to:

tracie.bradford@sdbar.net or call 605-224-7554 to set up a payment.

Donations to the endowment are tax deductible and a perpetual gift to our profession and the education and charities the Foundation supports.

Dean's List: News from the Law School



by: *Neil Fulton*
Dean
USD School of Law

We have a proud tradition of co-curricular activity at the Law School. The USD Law Review, Moot Court, Trial Team, and ADR Boards have helped generations of students develop skills to take out into the world. Having graduates be “practice ready” is important and all the co-curricular programs help do that. In these programs students develop their skills of oral and written advocacy, leadership and management, and balance of professional responsibilities. In competitions across the country USD Law students effectively compete with larger schools from across the country. And they not only compete, they excel as the competition results from this year show.

To highlight the work of these boards this year, I’ve invited representatives each to tell you a little bit about their program. They are doing exciting things; I hope you enjoy hearing a little bit more about them. Also, if you are interested in helping any of the boards, they’ve provided information about how to be in touch. I am happy to personally invite you to come home and help these amazing students. It is a great experience.

Trial Team – Edward Swiontek

The USD Law Trial Team gives students an opportunity to put their trial advocacy skills to the test against other law schools. The trial team is composed of squads containing four to six members. Five to six weeks before the competition each squad receives a fact pattern to prepare. This semester, members will compete at the National Trial Competition in Cedar Rapids, Iowa; Capital City Challenge in Washington, D.C.; American Association for Justice competition in Des Moines, Iowa; National Criminal Justice Competition in Chicago, Illinois; and the South Texas Mock Trial Challenge in Houston, Texas. Each member spends 80-100 hours preparing for each competition, enabling them to take their trial advocacy and evidence skills

to a new level and better prepare them to step into the courtroom after graduation.

In the semesters to come, the trial team plans to continue to participate in at least five competitions each semester. The team will also be sending out information to the South Dakota Trial Lawyers Association, South Dakota Defense Lawyers Association, and American Board of Trial Advocate about opportunities for members to serve as mock judges for the trial team before each competition. SDTLA and SDDLA will be a valuable resource for the trial team as it continues to grow and remain competitive in the coming years. The trial team always welcomes involvement from practicing lawyers to provide students with the best learning experience.

Alternative Dispute Resolution – Lori Rensink

The Alternative Dispute Resolution Board at USD School of Law has been working hard to continue the success of the past several years. We are grateful for all the alumni and friends of USD law who have given their time and talent to help us prepare for competitions and judge at our annual negotiation and client counseling competitions. Our success would not be possible without your continued support.

In October three of our board members competed in the National Mediator Competition. Cody Miller and Erica Reber advanced to semi-finals. Cody advanced to the final round and won after finishing second last year. Erica barely missed the finals, finishing third overall after losing a tiebreaker. John Nelson placed fifth.

In November Lori Rensink, Alex Braun, Joseph Mattson, and Natalie Gronlund competed in the ABA Regional Arbitration Competition. The team won their first round and received many compliments from the judges on their excellent advocacy skills. Garrett Keegan, Andy Grocott, Shanya Burt, and Bryton Syverson competed in the ABA Regional Negotiation Competition. Garrett and Andy narrowly missed making the semi-final round.

In February, Natalie Gronlund, Erica Reber, John Nelson, Bryton Syverson, Shanya Burt, and Andy Grocott competed at the ABA Regional Client Counseling Competition. Four of them advanced to

the semi-finals with John and Bryton advancing to finals and placing second overall.

Joseph Mattson and Cody Miller will compete in the ABA Regional Mediation competition this spring. Lori Rensink, Austin Schaefer, Alex Braun, and Garrett Keegan will compete in the Thomas Jefferson School of Law National Sports Law Negotiation competition in March.

Next fall, the ADR Board will be hosting the interscholastic ABA Regional Arbitration competition. The ADR Board will host the ABA Arbitration competition in addition to the annual 1L Negotiation and Client Counseling Competitions held at the law school every year. If you are interested being a judge for any upcoming competitions, or assisting the ADR Board in any other fashion, please reach out to Lori Rensink, ADR Board president, at Lori.Rensink@coyotes.usd.edu.

Law Review – Thad Titze

This year marks the 65th Volume of the South Dakota Law Review. The volume is jointly dedicated to Justice Steven Zinter and Professor Emeritus Frank Pommersheim. Dedication essays written by their friends and colleagues will appear in Issue I. These essays are a treasure of stories and a testament to the excellence, friendship, and legacy of two of South Dakota's legal giants. In addition to lead articles written by external authors, Issues I and II will feature scholarship by USD Law faculty members Hannah Haksgaard, Wendy Hess, Tom Simmons, and Jon Van Patten. The board of editors is especially proud of the six student authors who will be published throughout Volume 65: Kristin Derenge and Elle Onisciuc (Issue I), Sam Briese and Ashley Flood (Issue II), and Steve Gemar and Mike Mabee (Issue III).

Highlights of the year were opportunities for the South Dakota Law Review to engage with members of the bar. In September we honored Linda Lea Viken with the Distinguished Alumna Award at the annual Wine Review. Judge Viken, Justice Kern, Cathy Piersol, and Dean Fulton paid tribute to her exemplary work as an advocate and renowned family law expert. In November, the Law Review partnered with Dakota State University to host the Cybersecurity, Law, Education,

and Applied Research (CLEAR) Conference. Issue III features the work of many of the presenters from the conference and is a unique combination of traditional legal scholarship and technical papers solicited by DSU. This was an innovative collaboration that we very proud of.

Editors have been selected for Volume 66: Mike Mabee, Editor-in-Chief; Shelby Webb, Managing Editor; Connor Donohoe, Lead Articles Editor; Danie Rang, Notes and Comments Editor; Cate Dougherty, Symposium Editor; Ashley Flood, Copy Editor; David Levine, Copy Editor; Sam Briese, Production Editor; Jessica McKnight, Production Editor; Jenika Arens, Associate Editor; Chris Mathieu, Associate Editor.

To subscribe to the South Dakota Law Review, please email lawrev.subscriptions@usd.edu.

Moot Court – Bijan Bewley

The Moot Court Board had a successful fall semester as it competed around the nation. Kyle Beauchamp, Tanner Anderson, and Michael Ewald brought home a "Best Brief" award for the Elon Law Moot Court Tournament. Morgan Erickson won "Best Oralist" at the NY City Bar Regional Tournament in Minneapolis. Additionally, the Board had several teams advance to the quarterfinal rounds in their respective tournaments. We are extremely proud of all the hard work the Board has put in this past semester.

Coming up in the spring the Board will send teams to four tournaments. Two teams will compete at the Mitchell Hamline Civil Rights Tournament in February. In March, the board will send one team to the University of West Virginia National Energy and Sustainability Tournament and one team to the UNLV Gaming Law Tournament. The Board will cap its season with its final team traveling to Brooklyn for the Brooklyn Law Evidence Tournament. We hope to bring home hardware over the next coming months.

On a final note, the annual Sam Masten Moot Court Tournament will be here before we know it and the Board is always looking for willing attorneys to come and help judge. Anyone interested in helping should contact Andrew.hurd@coyotes.usd.edu.

A2J JUSTICE SQUAD

Thank you to the following attorneys for accepting a pro bono or reduced rate case from Access to Justice, Inc., this month! You are now a member of the the A2J Justice Squad - an elite group of South Dakota lawyers who accept the responsibility to defend justice, uphold their oath and provide legal representation to those who need it.

- **PAUL ANDREWS***
- **RONDA MILLER***
- **ROB MEADORS**
- **DWIGHT GUBBRUD**
- **JUSTIN DIBONA**
- **JOAN POWELL**

*Accepted TWO cases this month

AND MUCH THANKS TO:

Scott Moses
Kyle Krause
Beth Baloun
Tom Simmons
Brandy Rhead
Sarah Bouwman
Joseph Hogue

FOR THEIR HELP ON
SD FREE LEGAL ANSWERS!

Are you interested in becoming a legal superhero
and member of the A2J Justice Squad?

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“
UNLESS
SOMEONE
LIKE YOU
CARES A
WHOLE
AWFUL
LOT,
NOTHING
IS GOING
TO GET
BETTER.
IT'S
NOT.”

- DR. SEUSS

TRIVIA: March 2nd is
Dr. Seuss's Birthday



State Bar of South Dakota

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Dear State Bar of South Dakota Members:

As President-Elect, it is my privilege to fill vacancies on State Bar Standing and Special Committees for the 2020-2021 Association year. To assist our Appointments Committee with this important process, please complete the following survey to indicate your desire to *join or retain* your appointment to our State Bar Committees.

This survey also provides you the opportunity to join Sections of the Bar. State Bar Sections are self-governing and do not require presidential appointment but indicating your desire to join the Sections through this survey provides us with the information we need in order to add you to the Section's community on the State Bar website and notify Section leadership of your affiliation with the Section.

Requests for appointment should be made electronically, beginning on **March 1, 2020** at:

<https://www.surveymonkey.com/r/36KB9PP>

Requests must be received by **April 15, 2020** for consideration. In addition to your request, we hope that you will encourage any other interested members to fill out the electronic application.

Thank you in advance for your assistance. Although there are a limited number of vacancies to fill, I will give each application thorough consideration. If you would like to discuss this process or application process, please feel free to contact Elizabeth Overmoe at (605) 929-5980, or elizabeth.overmoe@sdbar.net.

The Appointments Committee and I look forward to hearing from you and thank you for your assistance in this important process for our State Bar.

Sincerely,

Terry

Terry Westergaard
President-Elect
State Bar of South Dakota

Members of the Bar:

At its meeting on January 10, 2020, the Board of Bar Commissioners voted to discontinue printing and mailing the State Bar of South Dakota Membership Directory. However, the State Bar will continue to make the Directory available in a PDF format to download and print from the membership side of the State Bar's Website at your convenience. To make available the most up-to-date product for download, the Bar will need members to provide changes to their contact information on or before March 20, 2020. Name, address, email, telephone, and fax number changes may be emailed to Tracie Bradford at tracie.bradford@sdbar.net.

The decision to stop printing the directory was not made in haste. The topic has been under discussion for several years. After thoughtful consideration, the Bar Commission made the decision to discontinue printing the membership directory to more productively use the resources it took to produce and mail it. In recent years, the cost to print and mail each member a copy of the directory was \$25,000.00 to \$30,000.00. Since the State Bar's website has a searchable membership directory for members' use and a downloadable PDF, the Commission felt those dollars could be better used in other areas such as member wellness.

The Commission and Bar Staff understand that this change may not be pleasant for some; therefore, if you prefer using a paper directory and find yourself having difficulty finding, downloading, or printing the PDF file please contact the Bar office. We will be happy to assist you.

Andrew L. Fergel
Executive Director
State Bar of South Dakota

Membership Directory Updates

can be emailed to

tracie.bradford@sdbar.net

The subject of your email should be "Directory Updates" and include:

- Firm Name
- Address
- City
- State
- Zip Code
- Phone
- Fax
- Public Email

MARCH

DUE BY

20th

ANNOUNCEMENTS

Redstone Law Firm LLP
is pleased to announce that

Meghann M. Joyce

has joined the firm as a partner,
effective January 15, 2020.

Redstone Law Firm LLP
101 North Phillips Avenue, Suite 402
Sioux Falls, SD 57104

Telephone: (605) 331-2975
Facsimile: (605) 331-6473

meghann@redstonelawfirm.com

www.redstonelawfirm.com

Oxner Law Office, LLC

is excited to announce the opening
of a second location in Vermillion.

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119 E. Main Street
Vermillion, SD 57069

Telephone: (605) 624-0245

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5000 S. Minnesota Ave., Ste. 300
Sioux Falls, SD 57108

Telephone: (605) 271-1220

austin@oxnerlaw.com

oxnerlaw.com

2020 CHILDREN'S JUSTICE CONFERENCE

**RAPID CITY, SD
MAY 14, 2020**

The Unified Judicial System is hosting the 2020 Children's Justice Conference. The conference is free to all attendees and will focus on advocacy for victims of child sexual abuse. The agenda can be found on page 22-23.

Register at: [HTTPS://UJSCJC.SD.GOV/DEFAULT](https://ujscjc.sd.gov/default)



YOU'RE INVITED

Statewide Swearing-In Ceremony

The State Bar of South Dakota Young Lawyers Section requests the honor of your presence at the Statewide Swearing-In Ceremony for new South Dakota attorneys

3:00 P.M.
Friday, October 23



Capitol Rotunda
Pierre, South Dakota

Please **RSVP** by October 9th to
Caroline.Srstka@state.sd.us
Or (605) 367-5883

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WHAT A TREAT!
March 2019
Law for Lunch

March 19th, 2020 - 12:30PM-1:30PM

Back to Basics:
The Workers
Compensation Process

Presented By:
James Marsh
JE Marsh Consulting

**JOIN US.
March 6 & 7, 2020
Sioux Falls & Brookings**

Dear South Dakota Bar Member:

The University of South Dakota School of Law Veterans Legal Education Group is holding a two-day drop-in legal clinic for veterans on the east side of the state. On March 6, 2020, VLEG will be in Sioux Falls, SD at the DAV (1519 West 51st Street). The time of the clinic will be from 9:00AM to 3:00PM. We hope to reach nearly 50 veterans on this day.

The second day of the legal clinic, March 7, 2020, will be in Brookings, SD at the VFW (520 Main Avenue). The time of this clinic will also be from 9:00AM to 3:00PM. We hope to reach an additional 20 veterans.

Law students will be in attendance and will assist in completing intakes with the veterans prior to the veterans sitting down with an attorney.

We are currently in need of attorneys for both days.

If you would like to volunteer or have questions about the clinics, please reach out to Levi Mitchell at Levi.Mitchell@coyotes.usd.edu.

We continue to appreciate all of the support from the State Bar of South Dakota Veterans Committee, Young Lawyers Section, and our volunteer attorneys. This project would not be possible without you.

**Sincerely,
Levi Mitchell
President, Veterans Legal Education Group**

USD SCHOOL OF LAW VETERANS LEGAL EDUCATION GROUP

volunteer



*USD VETERAN LEGAL EDUCATION GROUP INVITES YOU TO PARTICIPATE IN A **NO-CHARGE***

DROP-IN LEGAL SERVICE FOR VETERANS

**WILLS/BENEFITS/INCOME TAXES/ESTATE PLANNING
EMPLOYMENT ISSUES/DEBT COLLECTION
TENANT RIGHTS/DISABILITY RIGHTS**

MARCH 6, 2020, Friday
9AM-3PM
DAV-Sioux Falls Chapter
1519 W 51st St
Sioux Falls, SD

MARCH 7, 2020, Saturday
9AM-3PM
VFW-Brookings
520 Main Ave
Brookings, SD

Licensed attorneys, USD law students, USD Federal Tax Clinic, and VITA (*student assistance does not constitute legal advice*), will be available throughout the day to assist Veterans with questions, legal forms, and counsel.

This program is funded, in part, by the State Bar of South Dakota Veterans Committee and Young Lawyers Section

For more information contact:

USD Veterans' Legal Education Group (VLEG)
Tel: 605-658-3530
Email: VLEG@usd.edu

STUDENT BAR ASSOCIATION

University of South Dakota School of Law
414 East Clark St.
Vermillion, SD 57069



Members of the State Bar of South Dakota,

Marshall M. McKusick, who served the legal profession and the University of South Dakota School of Law for nearly six decades, truly made a lasting impact. The resources he has provided have been of great benefit and value to law students, past and present, and will continue to have a positive impact on those entering into the legal profession for generations to come.

Each year, in honor and celebration of Marshall McKusick's dedication and service to the legal community in South Dakota, the Student Bar Association recognizes an outstanding member of the South Dakota Bar for their contribution to the profession. The McKusick Award will be presented at the State Bar Convention this June.

Nominations are now open for the 2019 McKusick Award. Please consider submitting a nomination. Nominations can be submitted via e-mail to whitney.reed@coyotes.usd.edu, or addressed to Whitney Reed c/o Student Bar Association, University of South Dakota School of Law, 414 East Clark Street, Vermillion, South Dakota 57069.

We look forward to receiving your nominations prior to the due date of May 7, 2019.

Respectfully,

Whitney Reed
President, USD Law Student Bar Association

Northern Plains Weather Services

Dr. Matthew Bunkers of Northern Plains Weather Services is a certified consulting meteorologist (CCM) and forensic meteorologist with over 25 years of weather analysis and forecasting experience. He can provide reports, depositions, and testimony in the areas of weather and forecasting, severe summer and winter storms, rain and snow estimates, fire weather, flooding, applied climatology and meteorology, agriculture meteorology, and statistics. More information is provided at <http://npweather.com>. Contact Matt at rrnplnsweather@gmail.com or 605.390.7243.



Lawyer, Coe I. Crawford to be honored on the Trail of Governors

Since its creation in 2010, the Trail of Governors project in Pierre has become a principle attraction in the Capital city and is nearing completion with 25 full size bronze statues honoring South Dakota's 31 former chief executives installed to date. On June 12, 2020, three additional former Governors will be honored, including former Governor Coe I. Crawford (1907-1908).



A graduate of the University of Iowa Law School, Crawford moved to Dakota Territory in 1883, establishing a practice in Pierre. He served as Hughes County State's Attorney, State Senator and Attorney General before his election as Governor and thereafter in the U.S. Senate before returning to

establish a practice in Huron.

The statue of Governor Crawford will be among the last of the 15 lawyers who have to date served as Governor of South Dakota to be included on the Trail. As such, the State Bar and the owner of the historic Hyde Block building in which the new Bar headquarters is located, suggested that Governor Crawford's statue be placed nearby at the corner of Pierre Street and Capitol Avenue. The building is also home to the offices of Senator Mike Rounds, the Office of the Federal Public Defender and the local office of the Gunderson, Palmer Nelson & Ashmore law



firm and located in close proximity to the Capitol and the Hughes County Courthouse.

To assist in the funding of the Crawford statue, the Trail Foundation feels it would be fitting for members of the Bar to consider tax deductible donations to the Trail. Those individuals, firms or organizations contributing \$18,000 or more to the \$72,000 cost of the statue will, as Sponsors, have their names included on the accompanying bronze plaque. Contributions may be made as memorials or in honor of legacy partners. Should the collective non Sponsor contributions of State Bar members exceed the one-quarter funding level, reference to "Members of the State Bar of South Dakota" will also be included on the plaque, allowing the Bar to join the many statewide business and professional organizations as a Trail Sponsor. The generous contributions of all donors, regardless of amount, are also recognized on the Trail of Governors website.

Donations may be forwarded to the State Bar of South Dakota, 111 W Capitol Ave., #1, Pierre, SD 57501 or the South Dakota Community Foundation, 1714 N. Lincoln, Pierre, SD 57501. Please note that the donation is to "Trail of Governors/Crawford". Information about the Trail is available on the Trail website: www.TrailofGovernors.com. State Bar Members are also encouraged to attend the unveiling of the 2020 class of Governors on June 12, 2020 in the Capitol Rotunda and to visit the Trail in conjunction with the State Bar Annual Meeting in Pierre, June 17-19, 2020.

If questions or for further information please contact Pierre lawyer and Bar member, Chuck Schroyer who serves as a member of the Trail of Governors Board at (605) 280-2623.

- Chuck Schroyer

Children's Justice Conference
May 14, 2020
Ramkota Convention Center
Rapid City, SD

8:00 – 8:15: Welcome – Housekeeping

8:15 – 8:30: Opening Remarks – Chief Justice Gilbertson

8:30 – 10:00: Corey Jewell Jensen

Sex Offenders: What Judges, Lawyers, Investigators and Child Advocates Should Know

All members of the criminal justice and child welfare systems should be familiar the theories related to the etiology of pedophilia and development of pro-offending attitudes, plus the more typical patterns of sexual offending committed by both juvenile and adult sex offenders. This presentation will highlight (via video taped interviews with various sex offenders) some of the more common pathways to developing deviant sexual interests and criminal sexual behavior patterns. In addition, the presenter will review various studies that examined the number of detected vs. undetected offenses occurring in our communities, the true rate of false allegations and the average degree of "cross-over" or "crime switching" behavior sex offenders engage in that go undetected. Participants will also briefly examine (via film clips of interviews with various types of sex offenders) some of the specific strategies offenders report using to target, seduce and exploit children and adults. The misconceptions about "re-offense" and "recidivism" rates and the expected outcomes for sex offender treatment will also be reviewed.

10:00 – 10:15: Break

10:15 – 11:45: Corey Jewell Jensen

They Come with the Territory: Sex Offenders in Youth Serving Organizations

This presentation will examine the sub group of child molesters who prey on youth service organizations such as schools, churches, boys and girls clubs, and athletic organizations. Typical case scenarios, offender "MOs" and "grooming" tactics will be covered. Workshop information was collected from approximately 50 sex offenders whose offenses occurred via private and public institutions and resulted in referral to long-term sex offender treatment. Witness statements from children, co-workers, administrators and investigators will also be used to illustrate some of the more common "onlooker" experiences to these crimes. Specialized prevention and "staff development" training programs for employees, volunteers and parents will also be discussed.

11:45 – 12:00: Luncheon – Agency Updates

12:00 – 12:15: Break

12:15 – 1:45: Chad Ratigan

"Understanding Adoption through a Child's Eyes"

Understanding Adoption through a Child's Eyes is a journey through one child's adoption story. The audience will learn about attachment disorders, fears children have, healthy tips for foster parents, and many other topics. The goal of this presentation is show that foster kids don't always have a "bad" ending, give the audience a better understanding of what kids go through, and to lift their spirits in the work they are doing". Essentially, it's a motivational presentation on how the work they do every day makes a HUGE impact in the lives of the children they serve, even if they don't get to see it.

1:45 – 3:15: Dave Zellmer

Justice, Through Another's Eyes

3:15 – 3:30: Break

3:30 – 5:00: Francoise Mathieu

Stronger together: How Can We Stay Well When We are Overloaded? Lessons from the trenches

Chronic stress and busyness seem to have become the norm – many of us are juggling competing demands both at home and at work and everyone seems to want or need our time and attention. In addition, working in high-trauma exposed fields such as judicial services, forensic interviewing, law enforcement, child welfare, child exploitation and related areas can cause added pressure on service providers and increase workplace conflict and tensions. This presentation will offer Five secondary trauma-informed tools for professionals who want to stay healthy and connected to their work and to their colleagues.

5:00: Closing Remarks

2020 ABA Annual Meeting Report

By South Dakota Young Lawyer Tamara P. Nash

This year, the 2020 ABA Annual Meeting was held in Austin, Texas. The meeting brought together hundreds of members of the ABA's various Sections, Divisions, and Forums. Including the ABA Young Lawyers Division (YLD). During the meeting, the YLD hosted its own programming, Assembly, networking events, and governance meetings. Below is a summary of the events attended by South Dakota young lawyer Tamara Nash.

Tamara P. Nash

Tamara serves within the Division in several capacities. She serves as the Diversity and Inclusion Director. She is also appointed to serve on LORAPLAB (the YLD's long-range planning board). Due to her various roles within the YLD, Tamara holds a seat on Council and Cabinet. Tamara also served as a South Dakota Delegate in the YLD Assembly.

This meeting, Tamara attended all governance events as well as programming. Conference highlights for Tamara include:

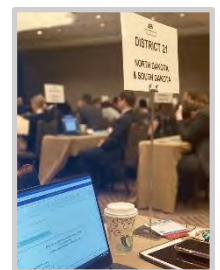
- **G.O.O.D. Guys: Accelerating Progress** - This program engaged in a discussion about the rewards of diversity and inclusion as well as leaning about the "Next Gen' G.O.O.D Guys and how they use their leadership to accelerate progress. This was an event presented by the National Conference of Women's Bar Associations and the ABA YLD. Tamara assisted in the planning of this event.
- **Present and Powerful Speaker Series: Vote, Run, Lead: 100 Years of Women in Politics** – This program was inspired by the 100th anniversary of the passage of the 19th Amendment, which guaranteed and protected women's constitutional right to vote. This event featured a panel of women leaders dedicated to encouraging women to run for elected office. The panel explored how the gift of yesterday's brave Suffragists – an empowering heritage of pride, momentum and purpose – is carried on in spirit by American women today running for elected office. This event was hosted by a plethora of ABA entities.
- **ABA YLD Candidates Forum**- This event was an open town hall-style forum highlighting those seeking election to the positions of ABA YLD Secretary (which ascends to Chair) and ABA YLD Clerk (which ascends to Speaker).
- **Men in the Mix: How to Engage Men on Issues Related to Gender in the Profession**- This event revealed early results of the ABA's Commission of Women In the Profession's newest research project – Men in the Mix – which utilized focus groups and qualitative research to better understand why and when men engage on issues traditionally considered "women's issues" in the law. Following a presentation of some initial results, a panel of experts discussed strategies they deploy to get everyone engaged in advancing all attorneys in our profession. This event was hosted by the ABA's Commission to Women in the Profession and the ABA YLD. Tamara assisted in the planning of this event.



- **2020 Diversity Dialogue Breakfast, "A Frank Conversation on Diversity and Inclusion: Moving Beyond Lip Service"**- This event was a fireside chat, which engaged with industry leader, Don Prophete, regarding diversity and inclusion efforts within the legal profession. During this conversation, Prophete discussed the importance of the legal industry's commitment to genuine diversity and inclusion efforts. Prophete is a trial lawyer and partner at Constangy, Brooks, Smith, and Prophete LLP based in Kansas City, MO. Prophete is the first and only black lawyer who is a named partner in an Am. 250 law firm. This event was planned and implemented by Tamara with assistance from her team.

YLD Council

The ABA YLD Council is the advisory body for the YLD Assembly. The Council convenes, per Bylaws, four times a bar year. Council is comprised of approximately 70 young lawyer representatives who serve in several capacities. Tamara serves in her capacity as the Diversity and Inclusion Director (there are 15 director seats in the ABA YLD). During Council at ABA Midyear, the Council received several reports, including a report from Chair-elect Chris Brown. Who highlighted what to expect from the 2020-2021 bar year. There will be the creation of a new director role, a wellness director. Additionally, the theme for the 2020 Fall Conference will be civility. Finally, the YLD 2020 Fall Conference will be held in Columbus, OH and the 2021 Spring Conference will be held in Toronto, Canada. Further, in our meeting, we learned more about the composition of our Assembly delegates. The youngest is 26 years old, the oldest is 50 years old, and the average age is 33. Council also considered two



action items: (1) a Bylaw change to potentially adjust the number of conference meetings, this item was tabled; and (2) An amendment to our Mission statement due to our recent Bylaw change redefining a young lawyer, this item was tabled.

YLD Assembly

The ABA Young Lawyers Division Assembly (“Assembly”) is the principal policy-making body of the ABA YLD. Per YLD Bylaws, Assembly convenes during the ABA’s Midyear and Annual meetings. During Assembly, young lawyer issues and resolutions are debated and voted upon. This Assembly, there were five Resolutions on the Debate Calendar and six resolutions on the Consent Calendar. No items were removed from the Consent Calendar. Note: No ABA YLD Resolutions were debated at the ABA House of Delegates (HOD) this Midyear.

The following Resolutions were debated by YLD Assembly delegates, comprised of 165 young lawyer delegates from across the nation:

YLD Resolution 20-3YL	This resolution discouraged the use of mandatory arbitration clauses in contracts with employees and consumers by law firms, legal service providers and other employers in the legal community.	Passed 79- yes 43- no
HOD Resolution 115	Encouraging State Experimentation of [MRPC] 5.4 (Submitted by the Center of Innovation, Standing Committee on the Delivery of Legal Services, Standing Committee on Ethics and Professional Responsibility, Standing Committee on Professional Regulation, & Standing Committee on Public Protection in the Provision of Legal Services): This resolution urges U.S. jurisdictions to consider adoption of regulatory innovation approaches to address the access to justice crisis in the United States.	Passed 83-yes 53-no <i>*This Resolution was later adopted by the ABA HOD</i>
YLD Resolution 20-4YL	This resolution urges state and federal courts to increase meaningful young lawyer participation before the bench, and adopt local rules which 1) allow any motion be set for oral hearing when said motion is to be argued by a young lawyer; and 2) preferentially sets any case for trial which a young lawyer is sitting first chair.	Failed 36- yes 99-no
Constitutional Amendment 11-5	This Resolution amends the ABA YLD’s Bylaws such that all gender binary language (she/her/hers & he/him/his) is changed to gender nonbinary terms (they/them/theirs), to help effectuate Goal III of the ABA Diversity Plan. Changing gender binary language promotes sexual orientation & gender identity diversity in ABA membership by making the Bylaws nonexclusionary and more welcoming to gender nonbinary persons. Some other minor grammatical changes will also be necessary when amending the Bylaws to they/them/their.	Unanimously Passed by voice vote <i>*As a constitutional amendment this Resolution required a simple majority</i>
YLD Resolution 20-5YL	This resolution urges all employers in the legal profession to implement, maintain, and encourage the use of paid family leave policies for the birth or adoption of a child.	Unanimously Passed by voice vote

Thank you to the SD Young Lawyers Section and State Bar of South Dakota for your continued support as we learn and grow through our involvement in the ABA YLD!

If you have interest in becoming involved in the ABA YLD or the South Dakota State Bar Young Lawyers Section, please feel free to contact the Section President Nate Chicoine (nathan@demjen.com) or President- elect Carrie Srstka (Caroline.Srstka@state.sd.us).

THE CONFERENCES FOR THE REMAINDER OF THE 2019-2020 BAR YEAR ARE:

YLD Spring Conference (April 30-May 2, 2020) Nashville, TN

ABA Annual Meeting (July 30-August 1, 2020) Chicago, IL

**Don’t forget to check out what the #SDYLS is up to on social media!*

On Facebook search the Young Lawyers—South Dakota State Bar. On Instagram search the handle sd_yls.

The SDYLS will begin accepting Young Lawyer of the Year nominations soon!

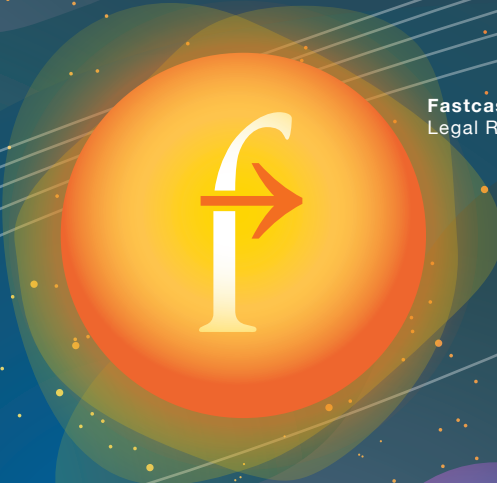
To learn more about the award criteria, please check out the state bar newsletter. You can submit your nominations to President-elect, Carrie Srstka (Caroline.Srstka@state.sd.us).

A WORLD OF DIFFERENCE

Law Street Media
Legal News



Fastcase
Legal Research



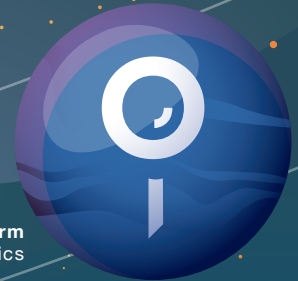
AI Sandbox
Legal Data Analysis



Full Court Press
Expert Treatises



Docket Alarm
Pleadings + Analytics



NextChapter
Bankruptcy Petitions + Filing



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Purchasing law practice management software is a significant decision for any law firm. Our law firms recently went through a search for new practice management software. Here is what we learned during that process that hopefully can benefit other practitioners in similar situations.



1. Identify Firm Needs. Before you can pick new software, you need to identify the firm’s primary needs. Staff may have different priorities than attorneys, so be sure to include them in your identification process. While not an exhaustive list, some notable items that practice management software can provide are (1) calendaring; (2) billing and timekeeping; (3) automatic document creation; (4) task and activity management; (5) workflows for cases; (6) email tracking and integration, (7) conflicts checking, and (8) document management. Prioritize “must haves” versus “wants” so that you can evaluate the various programs according to what features the firm must have.

2. Take a Test Drive. Identify two or three companies that you think may meet your needs and take their software for a test drive. Have both attorneys and staff thoroughly evaluate the product based on the needs you have identified. For example, if you want your billing invoices to look a certain way, make sure the software can accommodate your needs. If you are looking for a calendaring option, make sure the calendaring option works with the software you are currently using and works consistently. We somehow missed that the software we choose automatically charges sales tax to expenses, but not to attorney fees, precisely the opposite of what we need. Your test drive of the software should allow you to learn its limitations as well as its advantages. We have not yet found practice management software that can actually write a brief or draft pleadings, so you need to have realistic expectations.

3. Talk to Technical Support. Sales staff want you to buy their product, and may make promises about the software that are, shall we say, inaccurate. Make sure and have someone from your firm -- whether it is your IT staff or a managing attorney – talk with technical support to make sure that the needs you have identified can actually be met by the software. You also need to be sure you have the correct equipment to run the software. Talking with technical support staff prior to purchasing can also help you understand the actual process for getting the software installed, as well as the data migration process. You may want to consider working with a consulting firm and you should determine if it would be worthwhile to hire a firm to implement the software.

4. Know How You Can Discontinue the Software. As a corollary to item #3, be sure you (or at least your IT professional) know what the process for migrating data will be if you discontinue the use of the software. Make sure you can get your data out of the software so you are not stuck paying for that software indefinitely in order to access your data.

Authors:

Sara Show is a co-chair of the Law Practice Management Committee and practices in all areas of civil litigation including insurance law, bad faith, trust and estate, personal injury - plaintiff, and professional malpractice law. Sara is a partner at the Sioux Falls firm of Johnson, Janklow, Abdallah, & Reiter LLP.

Sheila Woodward is a member of the Law Practice Management Committee. She has been a partner at Marlow, Woodward, & Huff, LLP in Yankton since 2002. Her practice includes estate planning, business formation and operation, and real estate.

1st Annual Diversity and Inclusion Award

Sponsored by: The Lawyers Committee on Diversity and Inclusion

On behalf of the State Bar of South Dakota's Lawyer's Committee on Diversity and Inclusion (LCDI), nominations are being sought for the first annual Diversity and Inclusion Award.

Purpose

The Diversity and Inclusion Award serves to recognize members of the State Bar of South Dakota who actively promote diversity and inclusion in the legal profession. Recipients of the award contribute to and enhance the environment of inclusion in the legal profession, particularly in South Dakota.

Eligibility Criteria

To be eligible to receive the Diversity and Inclusion Award, an individual must be a member in good standing of the State Bar of South Dakota and must demonstrate an exceptional understanding of diversity and inclusion beyond the call of duty as represented by the following criteria:

- Enhances inclusion through positive communication between persons of different backgrounds
- Demonstrates a commitment to the values of diversity and inclusion through documented efforts that are above and beyond the routine expectations
- Develops innovative methods for increasing and valuing diversity through wide-ranging activities
- Demonstrates outstanding efforts to promote an environment free from bias and discrimination
- Organizes, creates, and facilitates various professional or community events promoting diversity, respect, and inclusion
- Shows efforts to recruit and retain individuals who increase the diversity of the State Bar of South Dakota
- Promotes the sponsorship of, or active participation in, programs, initiatives, or projects in the area of diversity and inclusion

Nomination Criteria

Individuals may nominate a member of the State Bar of South Dakota by submitting a Nomination Form.

Completed Nomination Forms, and attachments thereto, may be emailed to access.to.justice@sdbar.net or mailed to:

Diversity & Inclusion Award Committee
C/O Access to Justice, Inc.
111 W. Capitol Ave. #1
Pierre, SD 57501

Deadline: Nominations must be received by **Tuesday, March 31, 2020.**

For further information, please contact Denise Langley, Access to Justice, Inc., at access.to.justice@sdbar.net or by phone at 855-287-3510.

Nomination Process and Presentation of Award

Every year in the spring, the Lawyers Committee on Diversity and Inclusion (LCDI) will publish an invitation in the South Dakota State Bar Newsletter soliciting nominations for the Award. To be considered, nominations must be received by LCDI no later than March 31. Each nomination should include a brief synopsis of the nominee's commitment to diversity, inclusion, and equal participation in the legal profession. Each nominee's materials will then be reviewed by a subcommittee of the LCDI. The LCDI will then, by a majority vote, select one or more recipients who best exemplify the eligibility criteria. All recipients of the Award will be notified no later than May. The Award will be presented during the State Bar annual meeting in June. The Awards will be presented by a representative of the LCDI.

**2020 Diversity and Inclusion Award
Nomination Form**

1. Nominee Information

Name: _____

Address: _____

Phone: _____ Email: _____

2. Nominator's Information:

Name: _____

Address: _____

Phone: _____ Email: _____

How do you know the Nominee: _____

3. Synopsis

A one-page synopsis must be attached to this nomination form. The synopsis should clearly identify the qualifications & attributes of the nominee.

Completed nomination forms, and attachments thereto, are to be emailed to:

access.to.justice@sdbar.net

Or mailed to:

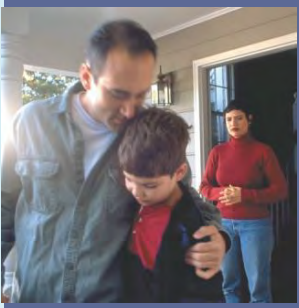
Diversity & Inclusion Award Committee
C/O Access to Justice, Inc.
111 W. Capitol Ave. #1
Pierre, SD 57501

Deadline: Nominations must be received by Tuesday, March 31, 2020.

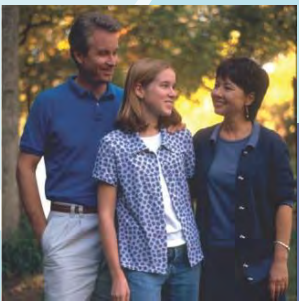
CROSSROADS OF PARENTING & DIVORCE™



Divorce may be the most significant event in your child's life. However, it's not the event of divorce itself that has the greatest impact on your child; it's the way in which you choose to respond to divorce. What you do during and after divorce will make the difference between your child thriving and your child bearing the scars of divorce for years to come.



Crossroads of Parenting & Divorce is a five-step seminar designed to prevent divorce abuse—a specific type of emotional abuse that divorcing parents inflict when, in their anger and bitterness, they lose sight of their child's needs.



The *Crossroads* seminar employs video, discussion, small group interaction, skill practice, and other proven techniques to provide guidance for a successful journey through divorce for both you and your child. It will help you become aware of how your actions may inadvertently harm your child while providing you with the skills to maintain a child-focused relationship with your co-parent and minimize poor choices amidst conflict and loss.

You will learn 5 Steps:

- STEP 1** Keep Your Child Out of the Middle
- STEP 2** Allow Your Child to Love Both Parents
- STEP 3** Work On Your Own Recovery
- STEP 4** Develop New Communication Patterns
- STEP 5** Create a New Relationship as Co-Parents

Crossroads: Your child needs this from you now more than ever—and you do, too.

SIGN UP NOW!

Offered Every 3 Months at the Sioux Falls Seminary

NEXT CLASS IS FRIDAY, APRIL 3, 2020 from 9:00 AM to 4:00 PM

Register Online at www.crossroads.eventzilla.net

Cost: \$100.00 per participant

Questions: Call 370-4871 or 680-5066

Or Email shanna@sdresolutions.com / melanievanderpolbailey@gmail.com

BOARD OF BAR COMMISSIONERS

Minutes, January 10, 2020
Ramkota, Lake Sharpe Room
Pierre, South Dakota

President Steve Huff called the meeting to order at 9:00 a.m. Central Time on Friday, January 10, 2020, in Pierre, South Dakota. Present at the meeting were Huff, President Elect Westergaard, and Commissioners Aasen, Ginsbach (by telephone), Hruska, Pilcher, Trefz, Tobin, Willert (by telephone) Williams, and Zea, and Executive Director/Secretary-Treasurer Andrew Fergel. Also, present during all or part of the meeting were Strategic Plan Coordinator Elizabeth Overmoe, Assistant Executive Director Nicole Ogan, Access to Justice, Inc. Co-Coordinator Denise Langley, and Lawyers Assistance Program Director Rebecca Porter.

Minutes of December 19, 2019 Meeting by Teleconference: President Elect Westergaard moved to approve the minutes of the December 19, 2019 meeting held by teleconference. Commissioner Zea seconded the motion. Motion passed.

Financial Report: Fergel presented a financial report to the Commission that included information about fund balances in all the operational accounts for the State Bar of South Dakota, SD CLE, Inc., and Access to Justice, Inc. After the financial report, requests were made to supplement the budgets of the Ethics Committee, the Education Committee, and the Law School Committee. A motion was made by Commissioner Tobin to supplement the budget of the Ethics Committee in the amount of \$208.31. The motion was seconded by President Elect Terry Westergaard. Motion passed.

Thereafter, a motion was made by Commissioner Hruska to supplement the budget of the Education Committee in the amount of \$500.00 and supplement the budget of the Law School Committee in the amount of \$2,000.00. The motion was seconded by Commissioner Aasen. Motion passed.

Strategic Plan Progress Report: Strategic Plan Coordinator Overmoe presented a progress report on implementation of the State Bar's 2019-2022 strategic plan. Ms. Overmoe's report was supplemented with an updated progress chart that set forth the tasks to be achieved, timeframes for implementation, progress status, who is responsible for task, and key performance indicators.

Lawyer Referral Service Update: Executive Director Fergel updated the Commission on the Bar's on-line Lawyer Referral Service Program. The update included the current number of attorneys that are signed up to participate in the program and the number that are active under the program's current rules. The report generated discussion by the Commission about whether changes were needed

in the program to make it successful. After discussion, Commissioner Zea and Ms. Overmoe volunteered to take the thoughts and ideas discussed by the Commission to the LRS Committee.

Mid-year Committee/Section Reports: Strategic Plan Coordinator Overmoe reported on the highlights in the mid-year reports she received from the Committee and Section chairpersons.

Update on “Life Above the Bar” Pilot Project: Lawyers Assistance Program Director Rebecca Porter provided the Commission with an extensive oral report concerning her work for the Life Above the Bar Pilot Project. Ms. Porter’s report again demonstrated the need for wellness services for members of the Bar and law students. At the conclusion of her report, Ms. Porter stated that she believes that the position needs to be full time in the future and that the workload demands it. The Commission was then informed that there has been some preliminary work on what a full-time position in this area would look like and what type of budget it would demand. The Commission was informed that the goal was to have a proposal ready for the Commission’s consideration at the April meeting.

New Location of State Bar Office: Executive Director Fergel reported that move to the new office location at 111 West Capitol Avenue, Suite #1, Pierre, SD 57501, was complete and that Bar staff had been working from the new location since late December. An open house for the public to visit the new office was discussed and it was decided that a good time to host such an event would be Thursday afternoon/evening during this year’s annual meeting in Pierre.

Print Version of State Bar Membership Directory: At the request of the Commission, Executive Director Fergel and Bar staff presented various options for eliminating the print version of the State Bar of South Dakota Membership Directory. After the options were discussed, a motion was made by President Elect Westergaard to discontinue printing and mailing the State Bar of South Dakota Membership Directory but continue to produce it in PDF format for download by individual members from the Bar’s website. The motion was seconded by Commissioner Trefz. Motion passed.

2020 Legislative Session: Executive Director Fergel updated the Commission on work being done for the upcoming Legislative Session. Fergel specifically informed the Commission about the lobby team’s efforts in finding sponsors for the State Bar’s bills.

Association Health Care Plans: President Elect Westergaard provided the Commission with information about how the State Bar might be able to establish an association health care plan for use by law firms to provide health insurance to firm members and employees. After Westergaard shared the information he had about

association health care plans it was the consensus of the Commission that the Bar continue to explore the possibility in the manner suggested by Westergaard.

Executive Session: Terry Westergaard made a motion to go into executive session. The motion was seconded and passed. The Commission went into executive session at 1:00 p.m. and declared out of executive session at 2:00 p.m.

There being no further business, President Huff adjourned the meeting.

Respectfully submitted,

Andrew L. Fergel
Executive Director/Secretary-Treasurer

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NMLS # 1507454

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Morgan Stanley Smith Barney LLC. Member SIPC. CRC2509327 04/19

ATTORNEYS - OATH OF ATTORNEY

I do solemnly swear, or affirm, that:

I will support the Constitution of the United States and the Constitution of the State of South Dakota;

I will maintain the respect due to courts of justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land;

I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law;

I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with a client's business except from that client or with the client's knowledge or approval;

I will abstain from all offensive personality, and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged;

I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any person's cause for lucre or malice.

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Passive Management: Is Anyone Actually Steering the Ship?

Mark Bassingthwaite, Esq.
Risk Manager, ALPS
mbass@alpsnet.com

I have worked with over one thousand law firms over the years and it certainly seems to me that a number of smaller law firms around the country are being passively managed. Is this a problem? Well yes, it very well could be.

Now I define passive management as reactive decision making or making decisions only when absolutely necessary. Often in such firms the managing partner is serving on a part-time basis without compensation and their primary responsibility is to address staff related issues and administrative functions when deemed necessary. The reality is that in a firm being passively managed no true firm leadership exists. From a business perspective, no one is steering the ship.

This seems to be particularly true in smaller firms for any number of reasons. The managing partner may have concerns over how his or her actions may be perceived by the other partners. Such concerns might be a fear of be perceived as playing favorites, as being overly protective, or unduly harsh. Other managers avoid tough decisions altogether perhaps with the naïve hope that the problem will eventually go away if it is ignored long enough. Heaven forbid anyone ever question the propriety of a decision! Sometimes the underlying problem may be as simple as a fear of jeopardizing the partner-to-partner friendships that originally brought the group together. Of course there will always be those few who simply have no idea what to do with the problem at hand. Worse yet are those situations where the entire group of attorneys decides to manage by consensus. This is the ultimate when it comes to the lack of a ship's captain because in these firms decisions are made at the speed of molasses if they are made at all.

There is a downside to passive management due to associated malpractice concerns and this is where the problem lies. Consider a situation where a

partner is seriously depressed as a result of going through a difficult divorce. As this divorce drags on financial pressures mount and the attorney begins to demonstrate a growing reliance on alcohol. Now personal friendships and even loyalty come into play and this attorney, who may be developing a true impairment, receives support from his peers at the firm. Although personally supporting this attorney through a personal crisis is admirable and quite appropriate, if the professional side of this personal crisis is not also responsibly managed malpractice claims can and will arise. For example, should this attorney's files be reviewed or his calendar checked once any warning signs start to appear? That would seem prudent given that impaired attorneys often end up neglecting client matters; but this often won't happen in a passively managed firm.

As the above demonstrates, one real risk of passive management is in a firm often failing to proactively address the professional side of any developing crisis. Yes, when faced with a malpractice claim most of these firms respond by having management in whatever form it exists step in; however it is often too little, too late. The unfortunate outcome ends up being a change in the makeup of the firm and this change is not always limited to the firm divorcing itself from the problem attorney. Accountability for the situation naturally falls on the managing partner, which can result in a firm split or dissolution.

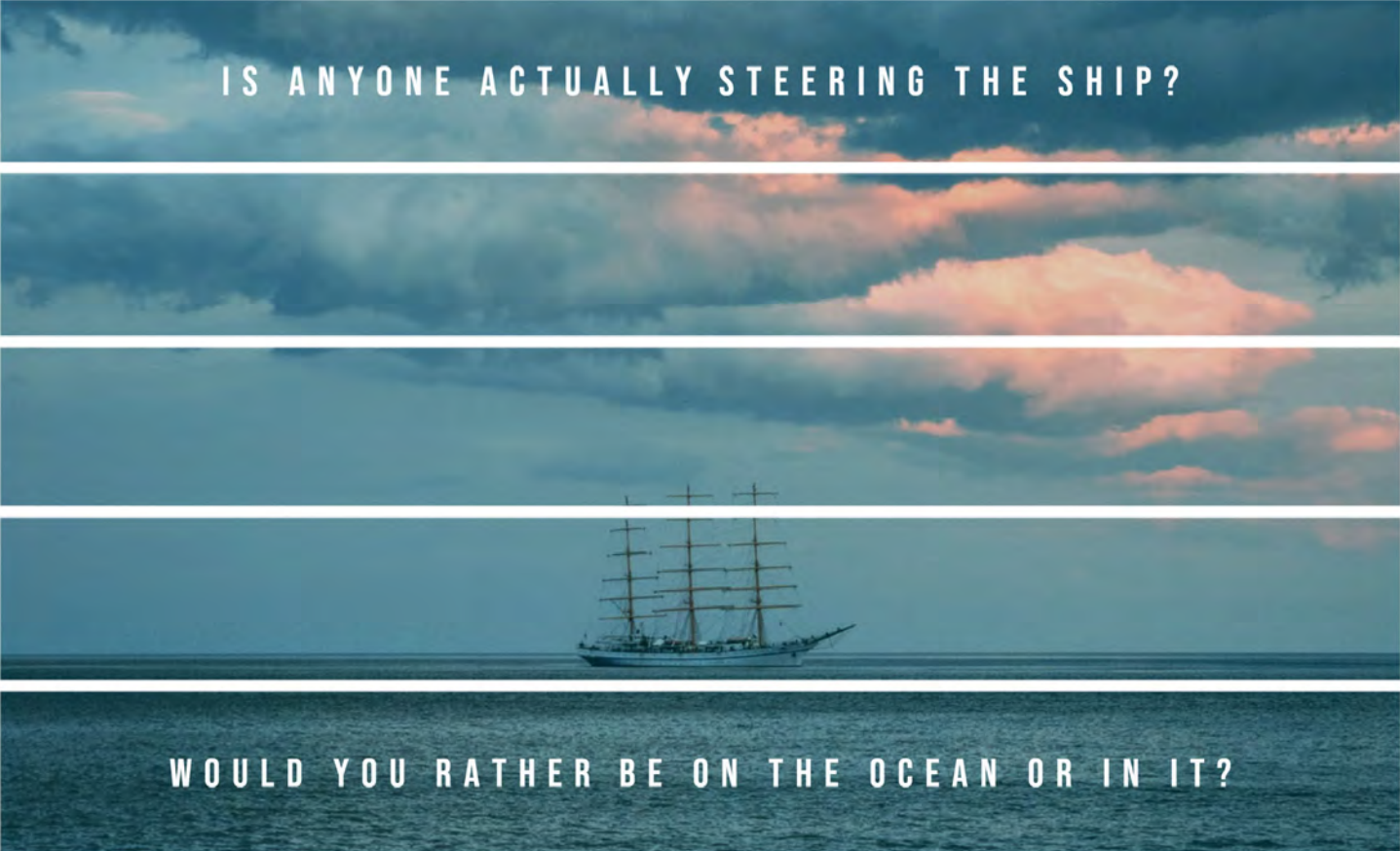
In contrast to this, actively managed firms are proactive and they take additional steps in an attempt to prevent possible claims from arising. In response to the situation described above an actively managed firm might conduct file review at the first sign of trouble, perhaps assign a mentor, or the attorney of concern could be granted a temporary reduction in workload until he gets his life back on track. These ideas are reflective of methods that would professionally support an attorney who is struggling. If substance abuse, as an example of a full-blown impairment, becomes a known and legitimate concern, additional steps such as requiring successful completion of an addiction treatment program as a necessary condition of remaining with the firm become essential. Certainly this is a more difficult road to go down; however the hoped for outcome

would be to maintain the overall integrity of the firm coupled with the eventual recovery and retention of a valuable firm asset, the subject attorney himself.

If certain aspects of a passive management style exist at your firm, consider strengthening your firm's management and leadership capabilities. Steps that might be taken include formalizing a management position by creating a job description and having an open and honest discussion about the degree of authority that will be given to this individual. As part of this process also make certain everyone agrees to respect that authority whenever it is exercised. A firm should always recognize the importance and value of the management position, whether full time or part time, with an appropriate level of compensation. Consider management training if no one at the firm has a complete set of management skills. There are resources available at a variety of price ranges from well-written books to intensive off site courses that last several weeks. If no attorney at the firm has an

interest in managing the firm, consider hiring an experienced manager and, again, make certain to give this individual the necessary level of authority to fulfill his or her duties otherwise it's just going to be wasted time, energy, and money.

I am a firm believer in having strong leadership and effective management within organizations. Within the law firm setting not only will this contribute in lowering exposure to malpractice claims, but I also believe that it will significantly impact any firm's financial bottom line in the most positive of ways. That said, remember this. According to our ethical rules we are our partner's keepers and when it comes to the success or failure of the business, firm attorneys will sink or swim together. Isn't the better option to have someone actually in charge of steering the ship if for no other reason than to try and avoid ever having to sink or swim together? Personally, I'd rather be on the ocean than in it. How about you?



IS ANYONE ACTUALLY STEERING THE SHIP?

WOULD YOU RATHER BE ON THE OCEAN OR IN IT?

It's All In The Approach

Which Approach is Most Appropriate?

There are three approaches to value a business, including the income, market and asset approaches of which there are several variations of each approach. When beginning an appraisal, we must determine which valuation approach to employ. There is no one single answer, except... it depends because there is no business that is "just like" another business. For profitable companies, we generally apply an income approach where we scrutinize a company's historical cash flows to help determine what the future holds. In many appraisals we may compare the subject company to one or several publicly traded companies to determine value. And to make things more convoluted, sometimes it is appropriate to weight two or three approaches to determine the most reasonable value. So, while the answer may be "it depends," we have the knowledge and experience needed to fully analyze your business to employ the appropriate valuation approach and methodology.




Ericka Heiser,
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Paul Thorstenson,
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Ketel Thorstenson, LLP

Certified Public Accountants/Business & Personal Consultants

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STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of
South Dakota, hereby certify that the within instrument is a true
and correct copy of the original thereof as the same appears
on record in my office. In witness whereof, I have hereunto set
my hand and affixed the seal of said court at Pierre, S.D. this

19th day of Feb, 2020
[Signature]
Clerk of Supreme Court
Deputy

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 19 2020

[Signature]
Clerk

* * * *

In the Matter of
the Discipline of
SCOTT R. SWIER,
as an Attorney at Law

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ORDER OF SUSPENSION

#29156

WHEREAS, on October 23, 2019, the Disciplinary Board of the State Bar of South Dakota, pursuant to the provisions of SDCL 16-19-67, filed its findings of fact, conclusions of law, recommendation, and formal accusation against respondent Scott R. Swier. An amended recommendation was filed on November 6, 2019, and

WHEREAS, a response to the formal accusation was filed by respondent on November 26, 2019, and

WHEREAS, the matter was brought on for hearing on January 15, 2020, and

WHEREAS, the findings of fact, conclusions of law, recommendation, formal accusation, amended recommendation of the Disciplinary Board, respondent's answer and oral presentation were thoroughly considered by the Court, now, therefore, it is

ORDERED that Scott R. Swier be suspended from the practice of law for a period of one year. Should respondent pay back \$144,000 to the Shirley Hickey Estate and Trust, the period of suspension from the practice of law shall be reduced to six months. Respondent must comply with the requirements of SDCL 16-19-77 through SDCL 16-19-80 regarding a suspended attorney's duties to wind up business, give notice to office clients of suspension, give notice to counsel and clients involved in litigation and administrative proceedings, and file an affidavit of compliance with this Court.

IT IS FURTHER ORDERED that pursuant to SDCL 16-19-77 said suspension shall become effective March 20, 2020.

#29156, Order of Suspension

IT IS FURTHER ORDERED before respondent may petition for reinstatement, SDCL 16-19-83, he must:

1. Pass the Multistate Professional Responsibility Examination;
2. Successfully complete a law office management course approved by this Court, and;
3. Reimburse the State Bar of South Dakota and the Unified Judicial System expenses allowed under SDCL 16-19-70.2.

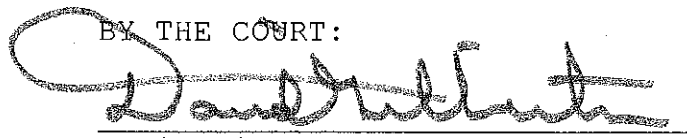
Furthermore, Scott R. Swier must submit an affidavit to this Court stating under oath that:

1. He has reviewed the Oath of Attorney and the Rules of Professional Conduct;
2. He fully recognizes that his conduct violated the Rules of Professional Conduct by which he is bound;
3. He pledges to devote every effort in his future practice to fully abide by the Rules of Professional Conduct and Oath of Attorney, and;
4. Upon reinstatement, he will maintain professional malpractice insurance along with proof thereof.

IT IS FURTHER ORDERED that Scott R. Swier shall on or before March 20, 2020, pay to the State Bar of South Dakota allowable costs and expenses to be forwarded by the Disciplinary Board as reimbursement of its itemized statement allowed under SDCL 16-19-70.2, proof of said payment to be filed with the Clerk of this Court on or before April 20, 2020.

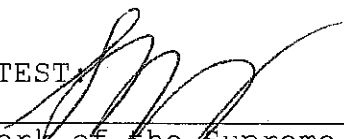
DATED at Pierre, South Dakota, this 19th day of February, 2020.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST



Clerk of the Supreme Court
(SEAL)

(Justices Janine M. Kern and Patricia J. DeVaney disqualified)

PARTICIPATING: Chief Justice David Gilbertson and Justices Steven R. Jensen, Mark E. Salter and Circuit Judges Susan Sabers and Carmen Means.

STATE OF SOUTH DAKOTA
In the Supreme Court

I, Shirley A. Jameson-Fergal, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this

24th day of Feb, 2020

[Signature]
Clerk of Supreme Court

Deputy

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

* * * *

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 24 2020

[Signature]
Clerk

In the Matter of
The Discipline of
RENA M. HYMANS,
as an Attorney at Law.

)
)
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)
)
)

JUDGMENT OF DISBARMENT

#29244

The Disciplinary Board of the State Bar having filed with the Court a resignation executed by respondent Rena M. Hymans, consenting to disbarment pursuant to the provisions of SDCL 16-19-65, now, therefore, in compliance with the provisions of SDCL 16-19-66, it is

ORDERED that Rena M. Hymans be and he is hereby disbarred from practicing as an attorney and counselor at law in all of the courts of this state, and the license to practice law heretofore granted by this Court to said attorney is hereby canceled and revoked and the Clerk of the Court is authorized and directed to strike the name of Rena M. Hymans from the roll of licensed attorneys and counselors at law on file in the office of the Clerk.

IT IS FURTHER ORDERED that respondent shall comply with the provisions of SDCL 16-19-77 through 16-19-81 and that noncompliance shall constitute contempt. SDCL 16-19-82.

IT IS FURTHER ORDERED that pursuant to SDCL 16-19-77, the disbarment of respondent shall become effective as of the date of this judgment.

DATED at Pierre, South Dakota, this 24th day of February, 2020.

BY THE COURT:

[Signature]

David Gilbertson, Chief Justice

ATTEST:

[Signature]

Clerk of the Supreme Court

(SEAL)

PARTICIPATING: Chief Justice David Gilbertson, Justices Janine M. Kern, Steven R. Jensen, Mark E. Salter and Patricia J. DeVaney.

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

In the Matter of the)	JUDGMENT OF DISBARMENT
Discipline of)	
JANET L. KROTTER CHVALA,)	#29187
as an Attorney at Law.)	
)	

WHEREAS on December 4, 2019, Janet L. Krotter Chvala filed a letter with this Court advising of her disbarment from the practice of law in the State of Nebraska as a result of a decision of the Nebraska Supreme Court issued November 22, 2019, in *State of Nebraska, ex rel., Counsel for Discipline v. Chvala*, Case No. S-17-773, and

WHEREAS on a certified copy of said decision was filed with this Court on December 13, 2019, and

WHEREAS by order of January 3, 2020, respondent was ordered to show cause pursuant to the provisions of SDCL 16-19-72 and 16-19-74 why identical discipline or such other discipline as the Court would deem appropriate should not be imposed in the State of South Dakota, and

WHEREAS respondent by and through counsel, David A. Domina, submitted a letter informing the Court that Ms. Janet L. Krotter Chvala respectfully declines to make a submission to this Court, filed on January 17, 2020, and

WHEREAS the Court has considered the decision of the Supreme Court of Nebraska and letter referenced above, and

#29187, Judgment of Disbarment

WHEREAS the Court has determined that identical discipline should be imposed, now, therefore, it is

ORDERED, ADJUDGED and DECREED that Janet L. Krotter Chvala be and she is hereby disbarred from the practice of law in all of the courts of the State of South Dakota.

IT IS FURTHER ORDERED that said disbarment shall become effective March 2, 2020.

IT IS FURTHER ORDERED that respondent comply with the provisions and requirements of SDCL 16-19-78 through 16-19-81.

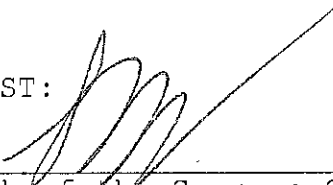
DATED at Pierre, South Dakota, this 31st day of January, 2020.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:

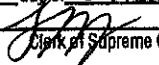


Clerk of the Supreme Court
(SEAL)

PARTICIPATING: Chief Justice David Gilbertson, Justices Janine M. Kern, Steven R. Jensen, Mark E. Salter and Patricia J. DeVaney.

STATE OF SOUTH DAKOTA
In the Supreme Court

I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this

31st day of January, 2020

Clerk of Supreme Court

Deputy

SUPREME COURT
STATE OF SOUTH DAKOTA
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JAN 31 2020


Clerk

STATE OF SOUTH DAKOTA
In the Supreme Court

I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this

24th day of Feb, 2020

Shirley A. Jameson-Fergel
Clerk of Supreme Court
Deputy

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 24 2020

Shirley A. Jameson-Fergel
Clerk

* * * *

In the Matter of
the Discipline of
CHAD W. SWENSON,
as an Attorney at Law.

JUDGMENT OF CONDITIONAL
REINSTATEMENT

#27965

WHEREAS Chad W. Swenson was disbarred from the practice of law in all of the Courts of the State of South Dakota by Judgment of June 14, 2007, (#24443), and

WHEREAS the Court entered its Order Approving Application to Serve as a Legal Assistant on February 8, 2013, (#26552) and

WHEREAS pursuant to the provisions of SDCL 16-19-84 petitioner filed a petition for reinstatement to the practice of law with the Disciplinary Board of the State Bar of South Dakota on May 13, 2016, and

WHEREAS pursuant to the provisions of SDCL 16-19-86 the Disciplinary Board filed its findings and recommendations concerning the petition for reinstatement with this Court on August 31, 2016, and

WHEREAS the Court considered the findings and recommendations of the Disciplinary Board and

WHEREAS the Court remanded the matter to the Disciplinary Board on September 27, 2016, for further proceedings to determine that Swenson has successfully passed the bar examination and that his counselor finds him fit to resume the practice of law, and for the Board to thereupon file its findings with the Court.

#27965, Judgment of Conditional Reinstatement

WHEREAS pursuant to the provisions of SDCL 16-19-86 the Disciplinary Board filed its findings of fact and recommendations concerning the Court's Order of Remand relating to Swenson's petition for reinstatement with this Court on January 24, 2020, and

WHEREAS the findings of the Disciplinary Board have been thoroughly considered by the Court and the Court has determined the findings support the recommendation for conditional reinstatement of petitioner, and

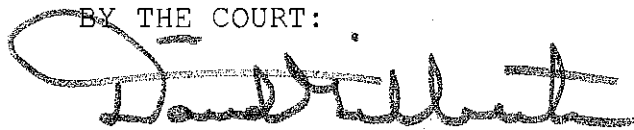
WHEREAS the Court finds that petitioner has fully complied with the conditions imposed upon him in its judgment of disbarment (#24443) entered on June 14, 2007, now, therefore, it is

ORDERED, ADJUDGED and DECREED that Chad W. Swenson be and he is hereby conditionally reinstated to the practice of law in all the Courts of the State of South Dakota, provided, however, that Swenson only practice under the guidance of a supervising attorney or as house counsel in an in-house setting.

IT IS FURTHER ORDERED that petitioner's conditional reinstatement to the practice of law in all the Courts of the State of South Dakota shall become effective as of the date of this judgment.

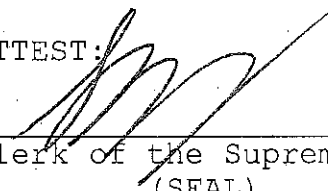
DATED at Pierre, South Dakota, this 24th day of February, 2020.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:



Clerk of the Supreme Court
(SEAL)

PARTICIPATING: Chief Justice David Gilbertson, Justices Janine M. Kern, Steven R. Jensen, Mark E. Salter and Patricia J. DeVaney.

STATE OF SOUTH DAKOTA

In the Supreme Court

I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this

24th day of Feb, 2020

Shirley A. Jameson-Fergel
Clerk of Supreme Court

Deputy

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

* * * *

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 24 2020

Shirley A. Jameson-Fergel
Clerk

IN THE MATTER OF THE AMENDMENT)
SDCL 15-12-33)

RULE 20-01

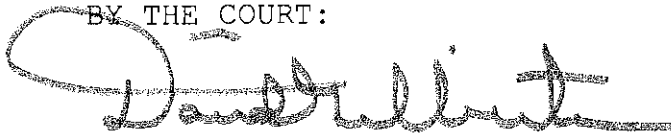
A hearing was held on February 11, 2020, at Pierre, South Dakota, relating to the amendment of SDCL 15-12-33 and the Court having considered the proposed amendment, and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-12-33 be and it is hereby amended to read in its entirety as follows:

SDCL 15-12-33. Transmittal of copies of order to substitute judge or magistrate and counsel. When an order appointing a substitute judge or magistrate has been filed with the clerk of the circuit court, that clerk shall notify the appointed judge or magistrate of ~~his~~ the appointment by electronic mailing or by personally delivering ~~to him~~ a ~~certified~~ copy of such order of appointment and a statement of the case if one has been prepared or requested by the said substitute, and shall provide via electronic or first-class mail a certified copy of such order of appointment to all parties or to their attorneys of record in the action involved.

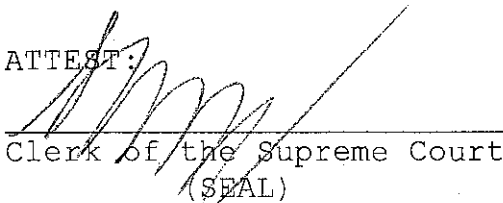
DATED at Pierre, South Dakota, this 24th day of February, 2020.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:


Clerk of the Supreme Court
(SEAL)

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT) RULE 20-02
SDCL 15-15-4)

A hearing was held on February 11, 2020, at Pierre, South Dakota, relating to the amendment of SDCL 15-15-4 and the Court having considered the proposed amendment, and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 15-15-4 be and it is hereby amended to read in its entirety as follows:

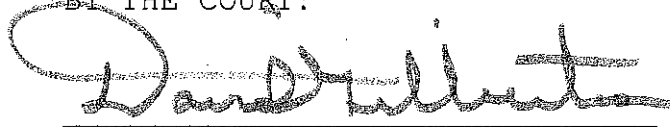
SDCL 15-15-4. Sale or destruction of exhibits if not collected when judgment final--Retention of necessary copies--Fee. Whenever the decision or judgment of the court has become final, the clerk of courts shall give notice to the attorneys or parties of record by electronic or first-class registered or certified mail that the exhibits in the possession of the clerk, if not collected within thirty days, shall upon order of the court be destroyed or sold at sale under chapter 15-19. However, upon proper application to the court, the exhibit may be preserved as a part of the permanent record in the files. If an exhibit is a necessary part of the judgment or consists of a written instrument establishing the liability of a party against whom judgment has been rendered, a copy of it shall be made and

Rule 20-02

retained by the clerk and the original canceled by endorsement across its face before being returned to the person entitled thereto as determined by the court. Unless the person entitled thereto as determined by the court shall furnish a true copy of such exhibit, he shall pay the fee of the clerk for making such copy.

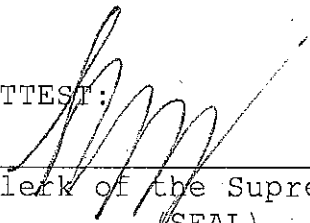
DATED at Pierre, South Dakota, this 24th day of February, 2020.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:


Clerk of the Supreme Court
(SEAL)

STATE OF SOUTH DAKOTA
In the Supreme Court

I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this

24th day of Feb, 2020


Clerk of Supreme Court
Deputy

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 24 2020


Clerk



To: All Members of
The State Bar of South Dakota
From: The State Bar of South Dakota

We all have problems. And, most often, we manage to solve them ourselves, but sometimes we can't handle them alone. Recognizing that attorneys can develop personal problems that may jeopardize their health, family structure or employment, the State Bar of South Dakota provides members with the Sand Creek Member Assistance Program.

Sand Creek is a confidential telephonic counseling service that can help members solve personal and work related problems before they grow into serious and costly crises.

Employee Assistance Services (EAP) are provided by a staff of professional counselors, clinical psychologists, and social workers skilled at helping you identify and hand handle problems such as marital and family issues, chemical dependency, mental and emotional disorders and educational or career problems.

Free confidential telephonic services provided to you by Sand Creek include: problem assessment, action planning, and follow up along with 24-hour crisis telephone services. To access these services - see the box to your right.

The Sand Creek website, www.sandcreekeap.com, is a useful resource designed to help make your life easier. On the website you will find: Child care and elder care referrals; hundreds of articles on important mental and emotional health issues; work-related resources to help manage stress, cope with job changes or deal with a difficult boss; wellness resources including a comprehensive exercise, nutrition and healthy living portal that has hundreds of articles, recipes and tips for healthy living.

Confidentiality is the bedrock of a Member Assistance Program. All discussions and services are kept strictly confidential. The State Bar of South Dakota will not know that you are using the services. We encourage you to use this valuable benefit.

Sand Creek is a HIPPA compliant service.

Go to www.sandcreekeap.com
Click the Work Life Wellness Login Link
Our Company ID is sbsd1
Or call 800-632-7643
Monday-Friday, 7:30am-5pm CT

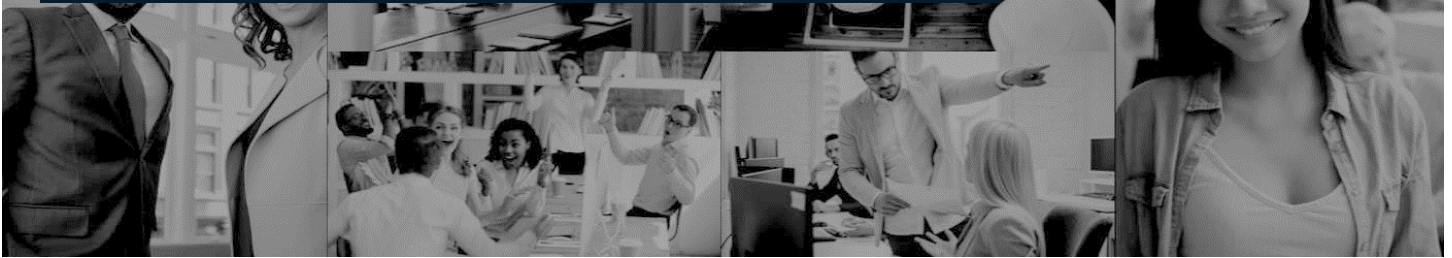
Immediate, Confidential Support
24 hours a day/7 days a week:
888-243-5744

All discussions and services are kept strictly confidential.



THE STATE BAR OF SOUTH DAKOTA WILL NOT KNOW YOU ARE USING THE SERVICE. THESE SERVICES ARE FREE. YOU ARE ENCOURAGED TO USE THIS VALUABLE BENEFIT.

FRONTLINE SUPERVISOR



OPIOID ABUSE IN THE WORKPLACE

Q. With all the talk about opioid abuse, I don't know anyone who has ever abused them. What workplaces are most likely to experience opioid abuse by their workers?

A. A study conducted by the Center for Drug Use and HIV/HCV Research at NYU College of Global Public Health found that construction workers are more likely than those of other professions to misuse prescription opioids. The findings rely on data

gathered from 293,492 participants between 2005 and 2014. Overall, construction workers are 75% more likely than employees in other work disciplines. In Ohio & Massachusetts, recent studies show that construction workers were 6 to 7 times more likely than other workers to die from an opioid overdose. Construction workers are also twice as likely to use cocaine.

IN THIS ISSUE:

- ***Opioid Abuse in the Workplace – p1***
- ***Are Supervisors Promoting EAP? –p1***
- ***Influencing Work Culture – p2***
- ***Supervisor Burnout - p2***

ARE SUPERVISORS PROMOTING EAP?

Q. What are the missteps of supportive supervisors who, although they really believe in the EAP, unwittingly send a message to employees in an organization that the EAP is not a safe source of help?

A. An EAP is designed to attract employees with its greatest asset being confidentiality. Employee-clients should have no doubts about it. Supervisor conduct that misaligns with these critical features can undermine the program. For example, an EAP is not a disciplinary program, but can be viewed as such if a supervisor's referral of an employee is perceived attitudinally as a punitive step in correcting performance. Supervisors who discuss the referral of an employee with others who have no need to know about it can damage the fragile nature of an EAP's perception of its being a safe place that maintains confidentiality. Another misstep includes making an improper and indelible record in some manner of an employee's participation that others in the organization will discover. The bottom line is this: Employees will always have a collective opinion about the nature of EAP confidentiality. This word-of-mouth marketing crucial, and supervisors must understand how vulnerable it is to being influenced for better or worse by what supervisors say and do.





INFLUENCING WORK CULTURE

Q. I am a new manager. I want to be a leader who can influence change within the work culture (or at least within my department) so people become more respectful and positive toward each other. Where do I begin?

A. A positive workplace has roots in an institutional mindset that flows from the top down. So, start by focusing on yourself and develop a keen self-awareness for how you engage with employees. Spend a week or so understanding what individual employees are trying to achieve and what they think about the work unit. In these interactions, are you being authentic and vulnerable, which means “being yourself” rather than cool and distant? Your communication style is one key piece in helping produce the work environment you desire (or undermining it) because

it is amplified by your role. It is also modeled. Some people mistakenly believe a positive workplace is a matter of good luck. They point to it being the result of the type of work, a sunny office, or a few strong and cheery personalities who are role models for others to follow. Consult with the EAP to help you develop the communication style and engagement skills you need in order to reach your goal of creating an energized office that matches your vision.



SANDCREEK EAP
An AllOne Health Company

SYMPTOMS OF SUPERVISOR BURNOUT?

Q. Employees and supervisors can both experience burnout. But what symptoms of burnout are generally more experienced with supervisory personnel?

Supervisor burnout and employee burnout have similar causes but can include different symptoms because of individuals’ respective roles. Do you experience a loss of enthusiasm in the role of leader for employees you supervise? Do you find your employees more annoying or unlikable than ever before? Do you resent or feel cynical toward employees who love their work? Do you find that you’re growing angrier with upper management, administration, and your supervisor peers? Do your supervisor peers mention or joke that you are too cynical? Do you remain behind a closed office door more often, unable to be reached by employees? Answering yes to questions like these indicates the danger of experiencing burnout, and you need to take proactive steps to rebound before your condition worsens. The EAP can help.

In Memoriam



Dallas Brost

Dallas Brost, 85, of Presho, South Dakota, passed away

on Friday, February 14, 2020.

Services honoring Dallas' life are planned for Saturday, February 22. Visitation will begin at noon at the United Methodist Church in Presho, followed by funeral services at 1:00 p.m. Burial will take place at the Murdo Cemetery at 3:30 p.m.

Dallas Edward Brost was born in Alliance, Nebraska, on May 17, 1934, to Adolph and Clare Brost. His first home was on a ranch near Wanblee, South Dakota. Dallas began his education at country school in Jones County. He later went to school in Murdo and then Alliance, graduating from Alliance High School in 1952. After a brief enrollment at Chadron State College, he enlisted in the United States Navy, where he served as a Machinist Mate aboard a supply ship during the Korean War.

After being discharged from the military, Dallas returned to Murdo where he met his future wife, Judith Iverson. The couple was married on August 27, 1959. They have three children: Bryan, Erin and Kristin.

Dallas earned his law degree from the University of South Dakota in 1964. He worked as an attorney in Buffalo, South Dakota, before returning to Murdo where he established a private practice and served as Jones County States Attorney. In 1970, he joined his cousin Frank Brost at the Brost Law Office in Presho. In addition to his work in private practices, Dallas served as Lyman County States Attorney for

nearly 30 years and worked as a tribal judge for the Rosebud Sioux Tribe.

In his free time, Dallas enjoyed hunting, fishing, horseback riding, and spending time with friends and family. He was a member of Post 89 of the American Legion, the South Dakota Bar Association, and the West River Buckaroos.

Dallas is survived by his wife, Judy; his children Bryan (Jamie) Brost of Sioux Falls, Erin (Mark) Heupel of Sioux Falls, and Kristin Brost (Hadly Eisenbeisz) of Pierre; 10 grandchildren; 2 great-grandchildren; brothers David (Linda) Brost and Bob (Suzanne) Brost; and sisters, Faye (Merle) Bartlett, Ellen (Paul) Nix, and Lynn (John) Miles; and numerous nieces and nephews.

He was preceded in death by his parents and brother Dolph (Forestine) Brost.





Mike Jackley
January 5, 1942 -
February 4, 2020

Mike was born January 5, 1942, at New Underwood, SD, to Martin and Helen (Kingsbury) Jackley.

Mike graduated from Sturgis Brown High School in 1960. In 1964, he graduated from the University of South Dakota with a political science degree and in 1965 with a master's degree. He taught political science at Black Hills State from 1965 to 1977. He graduated from the University of South Dakota Law School in 1979.

Mike and classmate, Bryce Flint, established Jackley and Flint Law Firm in 1979, retiring in 2008. He also served as the Meade County State's Attorney for 12 years.

He married JoAnn (Mastel) of Rapid City, SD, in 1968. He was active in the Sturgis community, serving on the City Council, Saint Francis of Assisi Parish Council, and Ft. Meade Museum Board and was a member of the Knights of Columbus and Jaycees of Sturgis. His other interests included restoring and showing vintage cars, traveling, farming, politics, and hunting and fishing.

Michael A. Jackley, 78, Sturgis, SD, died February 4, 2020, at Sturgis Hospice.

Survivors include his wife, JoAnn, Sturgis; his son, Marty, Pierre; his daughter, Jocelyn (Jason) Hafner, Rapid City; and his grandchildren, Michael, Isabella, Jacob and Emma.

He was preceded in death by his parents. Services will be held at 10:00 am Friday, February 7, at Saint Francis of Assisi Catholic Church, Sturgis. Visitation will be 5:00 pm to 7:00 pm Thursday, February 6, and Rosary at 7:00 pm at the church. A memorial has been established to the Ft. Meade Museum and the St. Francis of Assisi Knights of Columbus, Sturgis.



William Davis Kenyon

William Davis Kenyon, age 87, died peacefully on Thursday evening, January 30, 2020, at Mercy Hospital in Moose Lake, MN.

Bill was born and raised in St. Paul, MN. He served in the U.S. Marine Corps from 1951-1954 - playing trumpet in the Marine Band. In 1954 he married the love of his life, Grace Marie Chapin. Bill & Grace had three boys: Mark, Greg and David.

Bill graduated from Hamline University. He worked at the Social Security Administration while attending William Mitchell College of Law. Bill & Grace moved their family to Sioux Falls, South Dakota in 1967 where he enjoyed a successful private law practice for 17 years. In 1984 Bill and Grace retired to Willow River, Minnesota. Bill spent the last four years of his life with the wonderful people at Augustana Care Moose Lake and Rehabilitation.

Bill was preceded in death by his wife of 60 years, Grace Marie Kenyon (nee Chapin); his son Mark (Carol); and his sister Martha (Bruce) Oldfield.

Bill is survived by his son Greg (Michelle) of Willow River, MN; his son David (Lisa) of St. Louis, MO; 12 grandchildren; 8 great grandchildren; his sister-in-law Phyllis Forstrom (nee Chapin) of Fridley, MN; numerous nieces and nephews; and many long-time friends, notably - his brother-in-law Denny Forstrom, of Fridley, MN, who routinely made the trip to Moose Lake to visit with Bill, play golf together, and argue over who had the best order at Poor Gary's Pizza; and Tia Grutkoski of Moose Lake, MN, who met Bill in the capacity of being his financial advisor, but became a genuine and trusted friend.

PUBLIC NOTICE

REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current appointment of Magistrate Judge Sara Pokela is due to expire on August 15, 2020. Magistrate Judge Sara Pokela serves in the Second Judicial Circuit.

The duties of a magistrate judge include conducting preliminary hearings in all criminal cases, acting as committing magistrate for all purposes and conducting misdemeanor trials. Magistrate judges may also perform marriages, receive depositions, decide temporary protection orders and hear civil cases within their jurisdictional limit.

Pursuant to UJS policy members of the bar and the public are invited to comment as to whether Magistrate Judge Sara Pokela should be reappointed to another four-year term. Written comments should be directed to:

Chief Justice David Gilbertson
Supreme Court
500 East Capitol
Pierre, SD 57501

Comments must be received by May 17, 2020

PUBLIC NOTICE
REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current appointment of Magistrate Judge Scott Bogue is due to expire on July 2, 2020. Magistrate Judge Scott Bogue serves in the Seventh Judicial Circuit.

The duties of a magistrate judge include conducting preliminary hearings in all criminal cases, acting as committing magistrate for all purposes and conducting misdemeanor trials. Magistrate judges may also perform marriages, receive depositions, decide temporary protection orders and hear civil cases within their jurisdictional limit.

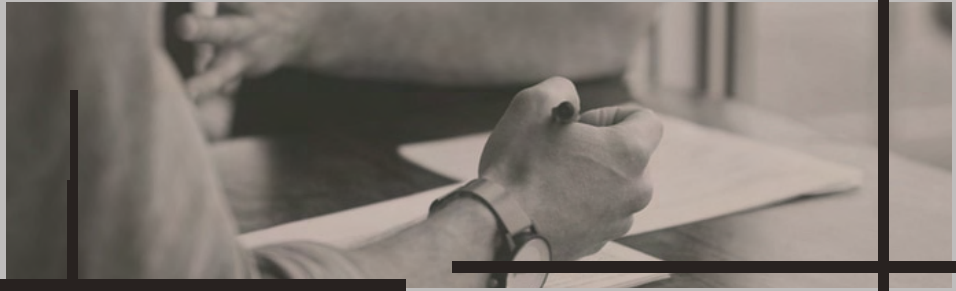
Pursuant to UJS policy members of the bar and the public are invited to comment as to whether Magistrate Judge Scott Bogue should be reappointed to another four-year term.

Written comments should be directed to:

Chief Justice David Gilbertson
Supreme Court
500 East Capitol
Pierre, SD 57501

Comments must be received by May 4, 2020

Career Center



STATE BAR OF SOUTH DAKOTA CLASSIFIEDS

Email your employment announcement to tracie.bradford@sdbar.net by March 26th to have it included in the April Newsletter. Please be sure to include a closing date. To see more jobs listings, visit www.statebarofsouthdakota.com

Staff Attorney - Sioux Falls

East River Legal Services (ERLS) is seeking to fill one of its five Staff Attorney positions in our Sioux Falls, South Dakota office. We are a non-profit law firm serving low-income individuals in the 33 counties of Eastern South Dakota. ERLS exists to better the lives of the over 52,000 people living in poverty in Eastern South Dakota. We offer free legal services to our community's Veterans, Older Americans (60+), Disabled, Victims of Violence, and all those facing financial insecurity. Applicants will also be considered for several new staff attorney positions opening later this spring or early summer. These positions are grant dependent.

Summary of Position:

The staff attorney position requires the representation of low-income individuals in all areas of poverty law including housing, family law, protection orders, landlord/tenant disputes, evictions, utilities, public benefits, consumer, and other civil matters. The types of services provided include legal advice, brief service or extended representation. Aside from direct services, the staff attorney position requires preparing and delivering client training and other community education; conducting intake and outreach; appearing in administrative and judicial forums; active bar participation; and special legal and community projects impacting low-income clients. The Staff Attorney shall perform any other responsibilities under the supervision of the Executive Director as may be necessary for the day-to-day operation of the Program.

Moderate travel will be involved.

Qualifications:

Applicants must be licensed to practice law in South Dakota or be eligible for admission by motion. Previous experience in poverty law is preferred, but not required. Demonstrable awareness and sensitivity to the needs of the populations we serve are necessary. Strong organizational skills, ability to work independently, excellent written and communication skills, ability to work constructively with others, ability and willingness to work hard, are all necessary qualifications for this position. Bilingual candidates are strongly encouraged to apply.

To apply please send a cover letter and resume with references, to:

Brent Thompson
Executive Director
East River Legal Services
335 North Main Avenue, Suite 200
Sioux Falls, SD 57104
brent@erlservices.org

Submission deadline:

March 6, 2020

Deputy State's Attorney - Lincoln County

Lincoln County State's Attorney's Office
Lincoln County invites applications for a Deputy State's Attorney. The Deputy State's Attorney performs routine professional legal work in the prosecution of civil and criminal crimes, juvenile crimes, and juvenile abuse and neglect cases in Lincoln County.

Minimum Qualifications: Graduation from a college of law, attainment of a Juris Doctorate degree from an accredited law school, and admission by the Supreme Court of South Dakota to practice law in the state of South Dakota or be licensed to practice law in any other state and able to take the next available South Dakota bar examination or be a recent or imminent law school graduate, eligible to sit for the next available South Dakota bar examination. Comparable combination of education and experience may be considered. \$2,840.00 - \$3,135.20 bi-weekly. To view a full listing of qualifications and to apply visit: <http://www.lincolncountysd.org> then click on the Employment tab. Application deadline: March 9th. Contact Human Resources with questions at 605-764-6609. Equal Opportunity Employer.

Associate Attorneys - Sioux Falls

Boyce Law Firm, LLP, a top-rated 20+ lawyer firm located in Sioux Falls, is accepting applications for ASSOCIATE ATTORNEYS in the firm's litigation section. Applicants must be self-starters with a strong desire to learn. Superior written and verbal communication skills are of utmost importance. Visit our website at www.boycelaw.com to learn more about the firm, our history, and our people.

All applicants are welcome to apply. Preference will be given to applicants in the top 1/3 of their class, to those who have prior work experience, and to those currently licensed to practice in South Dakota.

Start Date: Upon hiring.

Benefits include generous 401K match, profit sharing, health insurance, annual CLE tuition, professional dues and memberships, and numerous incidental benefits.

Direct resume, cover letter, and law school transcript to Michele Benson, Boyce Law Firm, LLP, PO Box 5015, Sioux Falls, SD 57117-5015 or to mlbenson@boycelaw.com.

Deputy State's Attorney - Butte County

DEPUTY STATE'S ATTORNEY with the Butte County State's Attorney's Office. Full-time salaried position to start in January 2020; Salary: DOE. Closing Date: open until filled. Job description: Successful applicant will represent Butte County in all stages of court, with a primary focus on magistrate court. Position requires strong oral and written communication skills, the ability to work with minimum direction, the ability

to work as part of a team, and the ability to organize and prioritize. Duties shall include working with law enforcement as well as members of the community in the preparation of criminal cases, legal research and writing, motion preparation, and litigating cases in court. Successful applicant must be willing to continue education to further enhance litigation skills. Qualifications for employment: Juris Doctorate degree and admitted to practice law in the State of South Dakota. No experience required. Interested individuals are encouraged to apply by submitting a resume and cover letter to Cassie J. Wendt, Butte County State's Attorney, 839 Fifth Avenue, Belle Fourche, South Dakota, 57717, phone (605) 892-3337, fax (605) 892-6768, email: bcsa@buttesd.org Butte County is an equal opportunity, affirmative action employer.

Attorney - Lesterville

Town of Lesterville seeks new Town Lawyer.

Area of practice - administrative law.

Duties - attend monthly town meetings and any special meetings as scheduled, provide legal advice as to ordinances, writing ordinance enforcement tickets, advice to the Board of Trustees.

Rate - negotiable.

All applicants please contact Janelle Munkvold by phone at (605) 760-3284 or by email at jmunkvold29@gmail.com.

Attorney - Pipestone, MN

Full-time attorney position with the Pipestone County Attorney's Office and O'Neill, O'Neill & Barduson law firm. This is a dual government-private practice position; the attorney will be employed by both the Pipestone County Attorney's Office and O'Neill, O'Neill & Barduson.

As Assistant Pipestone County Attorney, duties will include prosecution of adult criminal cases and juvenile delinquency cases, handling child protection cases, civil commitments, and child support matters.

As associate attorney with the law firm, the attorney will be practicing in the areas of estate planning and real estate. This is a unique opportunity to gain government courtroom experience while simultaneously gaining valuable private practice experience with potential rapid advancement. We are looking for someone who wants to live in Southwest Minnesota, just 50 miles from Sioux Falls, SD. Email resume and references to ooblaw@iw.net.

STAFF ATTORNEY – SIOUX FALLS

DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Staff Attorney position in our Sioux Falls, South Dakota, office. The Sioux Falls office serves primarily Native Americans in the vicinity of Sioux Falls and in the eastern half of South Dakota. This job requires at least two days of travel every week.

QUALIFICATIONS/RESPONSIBILITIES:

Applicants must have a JD degree and be licensed to practice, or by reciprocity be able to obtain a license to practice, in South Dakota, or be qualified to take the next South Dakota Bar Exam; must be a bright, motivated, self-starter; must have the tenacity to assume immediate practice responsibilities, including handling a significant caseload touching on many different areas of law with regular appearances in court; and must demonstrate an interest in poverty law and working with Native American and low income clients.

SALARY: Competitive, depending on experience. DPLS has excellent fringe benefits, including generous leave benefits and employee insurance coverage (medical, dental, life, disability).

CLOSING DATE: Open until filled.

APPLICATION INFORMATION: Please submit a letter of interest and resume to: Thomas S. Mortland, Executive Director, Dakota Plains Legal Services, 1000 Northwest Ave Suite 250, Sioux Falls, SD 57104, (605) 301-8060, dpls@venturecomm.net.

STAFF ATTORNEY - PINE RIDGE

DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Staff Attorney position in our Pine Ridge, South Dakota, branch office. The Pine Ridge office serves the Pine Ridge Indian Reservation in South Dakota and Oglala Lakota, Jackson and Bennett counties in South Dakota.

QUALIFICATIONS/RESPONSIBILITIES:

Applicants must have a JD degree and be licensed to practice, or by reciprocity be able to obtain a license to practice, in South Dakota, or be

qualified to take the next South Dakota Bar Exam; must be a bright, motivated, self-starter; must have the tenacity to assume immediate practice responsibilities, including handling a significant caseload touching on many different areas of law with regular appearances in court; must demonstrate an interest in poverty law and working with Native American and low income clients. Applicant must have at least one-year experience in the practice of poverty law or Indian law, with trial and appellate experience in state and federal courts or two years' experience in the general practice of law.

SALARY: Competitive, depending on experience. DPLS has an excellent fringe benefits package including generous leave benefits and employee insurance coverage (medical, dental, life, disability).

CLOSING DATE: Open until filled.

APPLICATION INFORMATION: Please submit a letter of interest and resume to: Thomas S. Mortland, Executive Director, Dakota Plains Legal Services, PO Box 727, Mission, SD 57555, (605) 856-4444, dpls@venturecomm.net.

Request for Proposal - Attorney Services for DSS - Division of Child Support

The South Dakota Department of Social Services' Division of Child Support is soliciting proposals for an attorney or law firm to provide legal services within the State of South Dakota. The legal services include representing the Division of Child Support in civil and/or criminal court proceedings to establish paternity and child support orders, and the enforcement of support orders within Butte, Meade and Lawrence counties.

The RFP for this procurement will be published in February 2020. Those interested may obtain a copy of the RFP through the Office of Procurement Management's Mercury Commerce System at <https://www.mercurycommerce.com/app/jumppage/esmsvendorlogin.aspx> or on the Department of Social Services website at <http://dss.sd.gov/keyresources/rfp.aspx> upon publication.

STAFF ATTORNEY - MISSION

DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Staff Attorney position in our Mission, South Dakota, office. The Mission office serves the Rosebud Sioux Indian Reservation and Gregory, Jones, Mellette, Todd and Tripp counties in South Dakota.

QUALIFICATIONS/RESPONSIBILITIES:

Applicants must have a JD degree and be licensed to practice, or by reciprocity be able to obtain a license to practice, in South Dakota, or be qualified to take the next South Dakota Bar Exam; must be a bright, motivated, self-starter; must have the tenacity to assume immediate practice responsibilities, including handling a significant caseload touching on many different areas of

law with regular appearances in court; and must demonstrate an interest in poverty law and working with Native American and low income clients.

SALARY: Competitive, depending on experience. DPLS has excellent fringe benefits, including generous leave benefits and employee insurance coverage (medical, dental, life, disability).

CLOSING DATE: Open until filled.

APPLICATION INFORMATION: Please submit a letter of interest and resume to: Thomas S. Mortland, Executive Director, Dakota Plains Legal Services, PO Box 727, Mission, SD 57555, (605) 856-4444, dpls@venturecomm.net.

Native Americans, Women and Minorities are encouraged to apply. Dakota Plains Legal Services is an Equal Opportunity Employer.



Job ID: 13683

Agency: Unified Judicial System, Supreme Court

Location: Pierre

Salary: \$71,952.48 to \$75,543.84 annually, depending on experience

For more information on the Unified Judicial System, please visit <http://ujls.sd.gov>.

Position Purpose: This position provides extensive legal research, analysis, and advice to the Supreme Court on matters arising before them in regard to various procedural and substantive contexts including appeals, motions, original proceedings, proceedings for special relief, and certain administrative matters. Duties may include:

- screening appeals for jurisdictional error to ensure timeliness of appeals and that the Supreme Court has jurisdiction over appeals;
- reviewing pro se submissions to determine appropriate procedures when documents are procedurally inappropriate or unclear as to grounds or authority for relief;
- providing assistance to the Chief Justice, Justices, Circuit Judges, and Court Clerks by providing legal research and analysis regarding legal matters;
- reviewing petitions to the Supreme Court for certificates of probable cause in habeas corpus actions and recommending their grant or denial to the Court;
- drafting research memoranda and court opinions in death penalty cases, per curiam cases, pro se cases, and abuse and neglect cases to ensure application of pertinent legal authorities and standards to cases involved;
- drafting research memoranda and court opinions in expedited appeals and in original and special proceedings on issues which may affect the state as a whole or in disputes drawing particular public opinion;
- assisting in preparations for the bar examination and proctoring; and
- performing other work as assigned.

Minimum Qualifications:

Graduation from an accredited law school and membership in the State Bar of South Dakota (or successful completion of the first South Dakota bar examination following employment with the Supreme Court). Experience is not necessary but is highly preferred.

Successful completion of a criminal background investigation is required for employment.

Knowledge, Skills and Abilities:

Knowledge of:

- the law and South Dakota law;
- functions of the Court;
- court and judicial systems;
- appellate rules of practice and procedure.

Skill in:

- use of the law library and other legal research resources and software;
- use of computer resources;
- legal writing, editing, and proofreading.

Ability to:

- interpret and apply legal principles to appellate jurisdictional and substantive legal issues;
- conduct necessary legal research;
- review facts and legal issues in appellate cases each month and recommend the necessity of oral argument or disposition through written briefs and record;
- identify related or common legal issues in a set of cases;
- formulate and draft legal memoranda in a clear, concise, and coherent manner;
- present and communicate complex topics effectively in oral consultations with supervisory and decision-making authorities;
- analyze rule proposals and draft amendments and rules.

Apply at: <http://bhr.sd.gov/workforus>
Unified Judicial System
500 East Capitol Avenue
Pierre, SD 57501-5070
Phone: (605) 773-4867 Fax: (605) 773-8437
"An Equal Opportunity Employer"



MARCH 2020

Disciplinary Board	April 2-3, 2020	Hotel on Phillips, SF
Bar Commission Meeting	April 30, 2020	The Lodge at Deadwood
Strategic Planning Retreat	May 1, 2020	The Lodge at Deadwood
May Family Law/Criminal Law CLE	May 8, 2020	Ramkota, Sioux Falls
Bar Commission Teleconference	May 21, 2020	
Jackrabbit Bar Meeting	June 11-13, 2020	Sandpoint, ID
Annual Meeting	June 17-19, 2020	Ramkota Hotel, Pierre
Disciplinary Board	June 15-16 2020	Red Rossa, Pierre