



State Bar of South Dakota

2019 ANNUAL MEETING

*Ramkota
Hotel*

*June
19-21
2019*

*Rapid
City*



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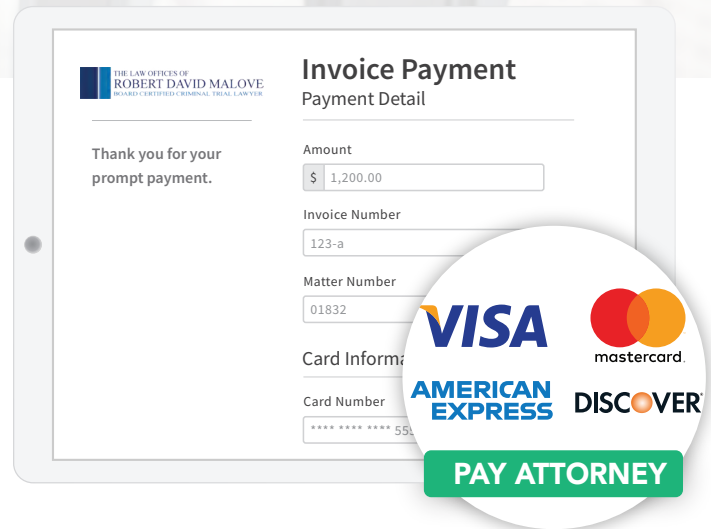
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State Bar of South Dakota

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President's Corner Reed A. Rasmussen



One of the most taxing parts of being the Bar President is coming up with subjects to address for the column in the monthly Newsletter. After this month, I will only have one to go. I will not miss having to do this.

Andy Fergel, Pamela Reiter and I recently attended the Western States Bar Conference. This is an organization made up of the states of Nevada, Arizona, Washington, Hawaii, Utah, Texas, Wyoming, Idaho, Alaska, North Dakota, Montana, Oregon, New Mexico and South Dakota. South Dakota has been a member of the organization since the mid-90's. Yearly conferences allow Bar leaders from the various states to get together to discuss issues affecting each other. All the Bars involved in the Western States Bar Association are mandatory Bars. Therefore, one of the main subjects of discussion at the conference was the North Dakota lawsuit currently pending before the Eighth Circuit which seeks to do away with North Dakota's mandatory Bar. That situation is being watched closely by a number of State Bars.

Pamela Reiter was the President of the organization this year and helped to plan the conference which focused on wellness. This is a significant issue.

Statistics indicate that an inordinate number of attorneys suffer from problems with addiction, depression and anxiety. All of the State Bars represented at the Western States Conference have programs in place to address wellness issues. This includes South Dakota.

Each month's Newsletter has information regarding services available to South Dakota Bar members. This includes a Sand Creek Member Assistance Program, which is a confidential telephonic counseling service. Assistance for Bar members is also available through the website. Through the generosity of ALPS and the South Dakota Bar Foundation, counseling sessions are available for members who are uninsured and lack the financial resources to pay for help. Lawyers in Sioux Falls and Rapid City can participate in the Caribou Coffee Club where help can be sought for depression, anxiety and similar issues. The Bar's Lawyers Assistance Committee and Lawyers Concerns for Lawyers, which is not affiliated with the Bar, can also provide assistance. Starting July 1, 2018 the Bar has been under contract with Disability Rights South Dakota which can be contacted to seek referrals for anonymous assistance.

In last month's Newsletter, an article authored by Bob Burns appeared which discussed his issues with mental health. It is expected that other members will be authoring similar articles.

None of these programs can help if they are not accessed. If you are experiencing any sort of mental health or addiction problems, please reach out for assistance. If you have a partner or close

friend in the legal profession that you believe needs help, please talk to them and encourage them to seek assistance. There is no reason for people to suffer with these problems long term when help is available.

This is to remind everyone that the Bar Convention is scheduled for June 19-21 in Rapid City. We hope to have a good turn out.

A Deposition Academy is going to be held in Vermillion on July 18 and 19. This will be a particularly valuable seminar for young attorneys who anticipate getting involved in the taking of depositions. An outstanding faculty has been assembled.

The State Bar has approved Law Pay as a member benefit. An ad for Law Pay appears in the Newsletter. My firm signed up with Law Pay several months ago and has been extremely happy with the service we have received.

Being this is graduation month, this month's picture is of me on the day I graduated from Law School. I was among those fortunate lawyers who were immediately sworn in after graduating due to the diploma privilege. I spoke to the first year Law School class last fall. One of the students thought it would be a great idea to reinstitute that practice. I am afraid, however, that is probably not going to happen.

Reed Rasmussen
rasmussen@sbslaw.net
605-225-5420



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by: Tamara Nash, YLS President

This month I would like to focus my message on what you can expect from the #SDYLS at the 2019 Annual Meeting. Annual meeting is one of my favorite times of year! Aside from the opportunity to grow professionally, I truly look forward for the opportunity to fellowship with all of you! This year is no exception. The #SDYLS has some exciting events planned for the membership. Please remember these events are open to everyone, young and veteran alike. Please join the #SDYLS for these exciting events:

Welcome Reception/Speed Networking Event (Wednesday, June 19, 2019 (12 noon). As always, it is a priority for the #SDYLS that everyone feels welcome and included, the annual meeting is no exception. We will again host our first-time attendees/welcome reception for law students and first time attendees. However, this year we will be adding a twist, speed networking! All those who have never attended annual meeting and those who did not attend USD Law are encouraged to attend! What should you expect? I am glad you asked. The Board will provide a brief introduction to who we are and then the fun will begin! We have identified numerous Bar leaders who have graciously volunteered to host this event. Attendees will get the opportunity to get to know their hosts better. Don't get too comfortable! Every three minutes you will meet a new person. You will not want to miss this high-energy opportunity to meet fellow Bar members!

Legalpalooza (Wednesday, June 19, 2019 (5:30p.m.) We will again be pairing up with the South Dakota

Trial Lawyers Association and South Dakota Defense Lawyers Association to host the annual Legalpalooza event, which takes place just prior to the Banquet Wednesday evening. Do not miss this opportunity for fun and fellowship with other Bar members. Also during Legalpalooza, the #SDYLS will announce the 2019 Young Lawyer of the Year Award. As you know, this prestigious award recognizes one young lawyer each year, whom exemplifies: (1) professional excellence; (2) dedication to serving the legal profession and the Bar; (3) service to the community; and (4) maintains a reputation that advances legal ethics and professional responsibility.

Road Race (Friday, June 21, 2019 (7:30a.m.). Prior to the annual meeting, the #SDYLS will assist the USD Law Student Bar Association (SBA) in implementing the annual Road Race. Runners take your mark, because this year's event will be one for the record books! Before the race, we will take a moment to mediate with a yoga session.

Business Meeting (Friday, June 21, 2019 (10:00a.m.). This year #SDYLS will hold elections for its odd circuits. The 1st, 3rd, 5th, and 7th circuit representative spots are up for election. In addition, the positions of secretary/treasurer and president-elect are open for election. Also during annual meeting, I will announce the inaugural President's Appreciation Award. This award seeks to recognize a person who has exemplified outstanding contributions to the #SDYLS by demonstrating:

(1) professional excellence; (2) commitment to the mission and values of the #SDYLS; and (3) who has a robust contribution to the development of young lawyers.

As you can see, the #SDYLS plans to stay busy for the annual meeting! Please join us for these events, we have worked hard planning with you in mind. As always, annual meeting provides a great opportunity for us to network with other members from around the state; to gain knowledge; and to

enrich our mutual experience as South Dakota lawyers. I ask that you make the best of our time in Rapid City, take the time to meet someone you do not know, learn something new, and volunteer your time or services.

As always, we encourage you to reach out to any of our Board members to voice your concerns and ideas. It is important to us that we provide you with quality programming and opportunities. Your 2018-2019 Board of Directors are:

- President- Tamara Nash (Sioux Falls)
- Vice-President – Nathan Chicoine (Rapid City)
- Secretary/Treasurer – Carrie Srstka (Pierre)
- 1st Circuit Representative – Justin Johnson (Mitchell)
- 2nd Circuit Representative – Anthony Sutton (Sioux Falls)
- 3rd Circuit Representative – Brittany McKnight (Brookings)
- 4th Circuit Representative – Nicholas Peterson (Spearfish)
- 5th Circuit Representative – Ryan Dell (Aberdeen)
- 6th Circuit Representative – Holly Farris (Pierre)
- 7th Circuit Representative – Kassie Shiffermiller (Rapid City)
- At Large Representative – Kelsey Knoer (Sioux Falls)
- Law Student Representative – Jenna Schweiss (Vermillion)

See you in Rapid City,
Tamara Nash

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.

Fellows of the South Dakota Bar Foundation

Many South Dakota lawyers have risen to the challenge of making SD Bar Foundation a favorite charity. Such generosity deserves public acknowledgement. Therefore, the Bar of Directors has created a "Fellows" program to not only make such acknowledgement, but also to provide 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.

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Cumulative, including Pledges & Testamentary Gifts

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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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- 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
222 E. Capitol Ave., #3
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.

Bar Commissioners Spotlight

Colleen Zea

My name is Colleen Zea. I serve as the At-Large Commissioner from the 2nd Circuit, with my term expiring in 2020. My current service to the Bar also includes: Chair of the Website Committee, Member of the Lawyer Referral Committee, and Member of the Law Practice Management Committee.



Originally from Sioux Falls, I obtained my undergraduate degree and was a student-athlete at the University of Texas at Austin. After a few years, I returned to South Dakota and graduated from the USD School of Law.

Currently, I am an in-house attorney and consultant at Computer Forensic Resources, Inc. (<https://sdforensics.com>). Shortly after joining CFR, I began the process and became a Certified eDiscovery Specialist (CEDS) through the Association of Certified eDiscovery Specialists (ACEDS). Over the course of the last eight years, I have had the pleasure of working with many fellow members of the Bar on a variety of criminal and civil cases that have involved technology, digital forensics, and electronic discovery.

Outside my career, I serve on the Board of Directors for Sesdac, Inc. located in Vermillion, South Dakota (<https://www.sesdac.org/>). Unfortunately, I am slated to term out of that position in two months. If any Member lives in or

around Vermillion and is interested in serving as a Board Member for a remarkable organization that promotes independent living for individuals with disabilities by fostering social and job skills, please contact me directly (colleen.zea@sdforensics.com).

My family is comprised of my wonderful husband, Ronnie, our 6-month old daughter Ryann, and our three pets, Odell (dog), Rigby (cat), and Shiner (cat). Unfortunately, the fur-members of the family weren't able to join our Old Time Family photo.

During the last ten years, my relationship with the State Bar of South Dakota has been complex. I have reaped the benefits, witnessed selfless acts of volunteerism, volunteered my time, and encouraged change. I have also been frustrated with procedure, aired my grievances, received constructive criticism, and grown more professionally than I ever could have imagined.

To illustrate, I am including some of my experiences over the years in hopes to inspire and encourage the Membership to participate, in one way or another. In July 2009, almost fortuitously, I was offered a scholarship to participate in the South Dakota Trial Academy. Despite not practicing law at the time, I had the opportunity to learn from some of the most well-respected and seasoned trial attorneys of the Bar. It was because of this experience and specific encouragement from various instructors that I decided to reevaluate my chosen career path and consider practicing law.

In January 2010, I had recently opened my solo practice in Vermillion. The problem, however, was that I had no idea what I was doing. Enter: the Hagemann-Morris Young Lawyer Mentorship Coin Program. The application process was easy and I was quickly paired with Sioux Falls Attorney and solo-practitioner, Tom Keller. With open arms, Tom took me under his wing. He was integral in helping me gain confidence and navigate the practice of law. Although I no longer practice in the traditional sense, our friendship endures. I am thankful for Tom's continued support and guidance.

I was first approached to join a committee at the Bar Banquet at the Annual Meeting in 2012. Because of my background in technology, Past-President Pat Goetzinger asked me to become a member of the inaugural Social Media Committee. I have since joined other committees over the years to provide a technological perspective and help where I can be of service. If you have a niche

practice or a specialized skill set, I challenge you to offer your expertise where you see that you can assist. You do not have to be asked to join a committee – you can always request to join.

I have had the opportunity to present various topics at the Annual Meeting as well as for the Law for Lunch Webinar Series. These presentations have stemmed both from my professional background as well as work performed as part of a committee. If you are abreast of timely topics that you want to learn more about or have the ability to educate, reach out to the CLE Committee.

As a committee chair and member of the Young Lawyer Section (YLS), I applied and was offered the opportunity to attend the ABA Young Lawyer’s Division Spring Meeting in 2015. Having the opportunity to represent the South Dakota Bar at the national level is one that I will never forget. The SD YLS is an extremely active group tackling some of the most amazing initiatives. If you have less than 10 years experience or are under the age of 36, you are already a member. Check out their Facebook page to see how you can contribute and how they can help you navigate your early years in practice.

Finally, my path to becoming a Bar Commissioner emerged out of frustration, the main one being the functionality and organization of the State Bar Website. Without belaboring the subject, I found that other Members were also frustrated with similar issues. Not being one to complain without offering a solution, I chose to run for a seat on the Commission in order to advocate for those Members having similar concerns. Being a Commissioner has been challenging, fulfilling,

and inspiring. I assure you; the Commission does not take its role lightly. When faced with a contested issue, all angles are considered and fully vetted. I am proud of the work that we have accomplished but the work is never complete. Just as the legal profession continues to evolve, so does our Bar. If you have the desire, consider circulating and filing a petition to be considered. Young, Old, Male, Female, whatever – I can guarantee that you have knowledge, experience, and expertise that would be helpful in governing our Bar.

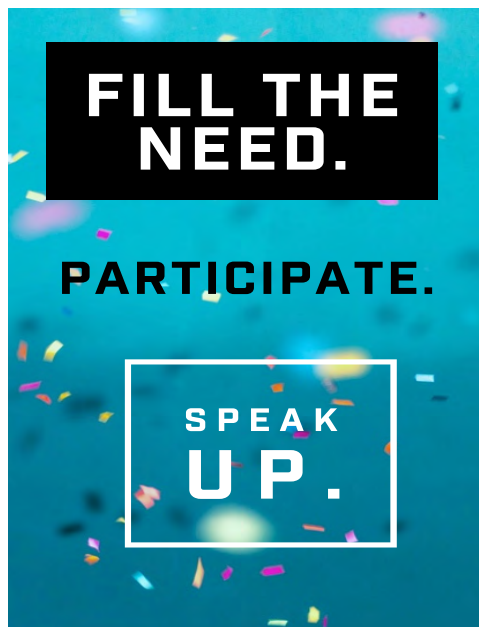
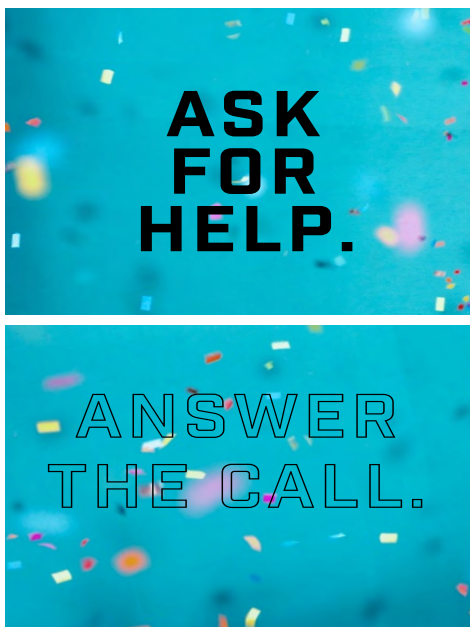
There are countless other ways to receive help, volunteer your time, and interact with your fellow Members. Go on the Bar Website (www.sdbar.org) and take a look around. If you need help navigating, drop me a line. And, as always, if you have suggestions for improvement – I’m all ears.

In sum, over the last ten years, I have had come to realize:

- The Bar is ever-evolving.
- The Bar is made up some of the most fascinating and talented people I will ever have the good fortune to work with and along-side.
- The Bar Membership is selfless.
- The Bar Office works tirelessly.
- The Bar is what I make of it.

Be the Mentee. Be the Mentor. Ask for help. Answer the call. Fill the need. Participate. Speak up.

I look forward to continuing to serve the Bar alongside each of you for many years to come.





Dear South Dakota Young Lawyer:

The South Dakota Young Lawyers Section is accepting nominations for President-Elect, Secretary-Treasurer, all odd-numbered circuits, and the Fourth Circuit to the SD YLS Board of Directors. Elections will be held during the State Bar Convention in Rapid City, June 19-21, 2019, and elected officers will be announced during the Annual Meeting of the State Bar on June 21, 2019. Interested candidates should submit their name along with a letter of interest to Tamara Nash, SD YLS Board President, by **May 17th, 2019**.

Please send your letter of interest to: Tamara.Nash@state.sd.us.

The SD YLS Board of Directors also would like to invite all attorneys to participate in our events at the State Bar Convention, June 20-22, 2018, including:

- **Speed Networking Reception** where first-time Annual Meeting attendees and non-USD alumni can socialize and visit with YLS Board Members and other attorneys about what to expect at their first Bar Convention, held on Wednesday at noon.
- **Legalpalooza** and the announcement of the **SD Young Lawyer of the Year** recipient, held on Wednesday evening before the Banquet.**
- **Board of Directors Elections** where the Section will elect its new officers and odd circuit representatives. This event will be held at the Friday business meeting.

Look forward to more details on these events in the State Bar newsletter and the State Bar Meeting program.

If you have any questions regarding the election process or positions on the SD YLS Board of Directors, feel free to contact any member of the Board of Directors.

Thank you!

The SD Young Lawyers Section Board of Directors:

President- Tamara Nash (Sioux Falls)
Vice-President – Nathan Chicoine (Rapid City)
Secretary/Treasurer – Carrie Srstka (Pierre)
1st Circuit Representative – Justin Johnson (Mitchell)
2nd Circuit Representative – Anthony Sutton (Sioux Falls)
3rd Circuit Representative – Brittany McKnight (Brookings)
4th Circuit Representative – Nicholas Peterson (Spearfish)
5th Circuit Representative – Ryan Dell (Aberdeen)
6th Circuit Representative – Holly Farris (Pierre)
7th Circuit Representative – Kassie Shiffermiller (Rapid City)
At Large Representative – Kelsey Knoer (Sioux Falls)
Law Student Representative – Jenna Schweiss (Vermillion)

**This event is co-sponsored with the South Dakota Trials Lawyers Association and the South Dakota Defense Lawyers Association.

STATE BAR OF SOUTH DAKOTA



YOUNG LAWYERS SECTION

cordially invites you to...

**A
WELCOME RECEPTION FOR NON-USD
LAW SCHOOL GRADUATES &
SPEED NETWORKING EVENT**

**6.19.2019
NOON
WASHINGTON ROOM
RAMKOTA HOTEL
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EVENT HOSTED BY:

REECE ALMOND

TIM BILLION

KELLY HERRMANN

ALISON RAMSDELL

JASON SUTTON

NICOLE TUPMAN

CLAIRE WILKA

JUDGE JONATHON KOBES

JUDGE CHARLES KORNMANN

JUDGE ROBERTO LANGE

JUDGE KAREN SCHREIER

MAGISTRATE JUDGE VERONICA DUFFY

MAGISTRATE JUDGE MARK MORENO

MAGISTRATE JUDGE FRANCY FORAL

JUSTICE JANINE KERN

JUSTICE PATTY DEVANEY

JUDGE CHERYLE GERING

JUDGE ROBERT MANDEL

JUDGE SCOTT MYREN

ANDY FERGEL

BRENDAN JOHNSON



YOUNG LAWYERS SECTION STATE BAR OF SOUTH DAKOTA

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CARRIE SRSTKA
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Caroline.Srstka@state.sd.us

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2nd Circuit
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5th Circuit
RYAN DELL
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6th Circuit
HOLLY FARRIS
Pierre

7th Circuit
KASSIE SHIFFERMILLER
Rapid City

At Large
KELSEY KNOER
Sioux Falls

Law Student
JENNA SCHWEISS
Vermillion

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 2019 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 Nathan Chicoine at Nathan@demjen.com by Friday, May 24, 2019. 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.



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FINALLY
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TRUTH,
THAT A
HERO
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YOU.**

- Mariah Carey

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.

- Michael D. Stevens
- Robert Pasqalucci*
- Lorie Melone**
- Kelsey Knoer
- Stanton Anker
- Stan Anker
- Katie Johnson

*Mentor attorney

**Accepted case and mentor attorney

**AND MUCH THANKS TO
SCOTT MOSES
FOR HIS ASSISTANCE ON SD FREE LEGAL
ANSWERS THIS MONTH!**

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

Please send a message to Denise Langley at:
access.to.justice@sdbar.net.



HERO

a person who is admired
or idealized for courage,
outstanding achievements,
or noble qualities

JOIN US



**JUNE 21, 2019
SDPA ANNUAL SEMINAR**

Please join us -- Open to all legal staff!

To be held in conjunction with the State Bar convention at the Ramkota Hotel in Rapid City.

FIND THE REGISTRATION FORM INSIDE THIS ISSUE!

Calling all legal assistants!

Membership in the South Dakota Paralegal Association includes:

- **Two educational seminars per year**
CLE eligible!
Ethics included!
Open to all legal staff!
- **NALA certification study groups**
Scholarships and reimbursement awards!
- **Quarterly newsletters**
- **360° Leadership Academy**
- **Social events**
- **Community volunteer projects**
- **Job listings**
- *And much more!*

Visit our website for more info!
www.SDParalegals.com

**Red Mass*

OUR LADY OF PERPETUAL HELP CATHEDRAL
OUR LADY'S CHAPEL
5:30 P.M., THURSDAY, JUNE 20, 2019

The Red Mass dates from the Middle Ages—as early as 1307, during the reign of Edward I of England. Its purpose, then as now, is to invoke divine guidance and strength for lawyers, judges, and civic leaders. During the Middle Ages, the English legal year was divided into four terms of court, each of which was celebrated with a Red Mass. In time, the custom evolved into one of such celebration held traditionally near Michaelmas (September 29), the season at which the courts, Parliament and universities all began their official activities of the year.

Ecclesiastical traditions called for red vestments to be worn by the priests celebrating the mass, described as a Votive Mass of the Holy Spirit. In the time of Edward I, twelve judges of the High Court sat at the King's Bench at Westminster. As befit their position and academic station, they too wore scarlet robes. Rounding out the assembly were the university professors, with the doctors among them wearing red academic gowns. Thus was born the name "Red Mass."

After the first Red Mass in the United States was celebrated in New York City in 1928, the practice spread to Boston, Chicago, New Orleans, and San Francisco. Perhaps the most well-known celebration in this country is held in Washington, D.C., where it is attended by the President of the United States, the Chief Justice of the Supreme Court, members of Congress, judges, diplomats, and lawyers.

**This function is not sponsored by the State Bar.*

ANNOUNCEMENTS

Thomas Braun Bernard & Burke, LLP is
pleased to announce that

Kimberly S. Pehrson
has joined the firm as an associate attorney.

Thomas Braun Bernard & Burke, LLP
4200 Beach Drive – Suite 1
Rapid City, SD 57702

Telephone: (605) 348-7516

kpehrson@tb3law.com
www.tb3law.com

Evans Haigh & Hinton LLP is
pleased to announce that

Mark J. Arndt, JD
has become partner with the firm.

Evans Haigh & Hinton LLP
101 North Main Avenue, Ste. 213
PO Box 2790
Sioux Falls, SD. 57101

Telephone: (605) 275-9599
Facsimile: (605) 275-9602

www.ehhlawyers.com

Wiles & Rylance is
pleased to announce that

Lindsay A. Martin
has joined the firm as an associate attorney &

John R. Delzer
has joined the firm as of counsel.

Wiles & Rylance
3 East Kemp, Suite 200
P.O. Box 227
Watertown, SD 57201

Telephone: (605) 886-5881
Facsimile: (605) 886-3934

www.wilesandrylance.com



You are cordially invited to attend
the Investiture of the

**Honorable
Patricia Jean DeVaney**

as Justice
of the South Dakota Supreme Court
on Thursday, May 23, 2019
at 4:00 p.m.

In the Capitol Rotunda
Pierre, South Dakota
Reception following in the Rotunda

The golf tournament will be held on Thursday, June 20, 2019 at the Golf Club at Red Rock in Rapid City. The format is a four-person scramble. The golfers will be handicapped by tee placement as has been done in the past. Participants need not have established handicap and all are welcome to play. This tournament is open to all members (which includes the judiciary), spouses/companions, court reporters and law students. This tournament is a charitable fundraiser for the Law School. Winners receive shirts and bragging rights. Entry is \$125.00 per person (\$500.00 for the team). This entry fee includes (per team) green fees, golf cart, range balls, two mulligans (per person), and entry into a skins game. The tournament will have two shotgun starts—8:30 am and 2 pm. Teams may select which time they tee off. Participants who are not attending Thursday morning meetings are urged to reserve the 8:30 am start time. Checks should be made payable to the ALPS/USD Foundation Golf Tournament. Please submit your tournament registration form and entry fee by June 7, 2019. After June 7, late entries will be accepted on an “as available” basis. Mulligans and a skins game will be offered onsite. This tournament is once again made possible by the generous donation of \$1,000 from ALPS.

WHEN

Thursday, June 20, 2019 from 08:30 am to 02:00 pm

WHERE

Golf Club at Red Rock at 6520 Birkdale Rd.

Rapid City, SD, USA, 57702

COST

\$500

Buy Tickets

CONTACT

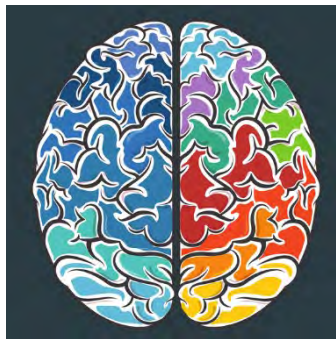
State Bar Of South Dakota

605.224.7554

GOLF CLUB at Red Rocks

*ALPS/Law
School Golf
Tournament*

Present:



MAKING THE CONNECTION: UNDERSTANDING THE INTERSECTIONALITY OF SUBSTANCE USE AND COURT SYSTEMS

Tara Adamski & Jennifer Williams
Co-Chairs

June 19, 2019
1:00 p.m. – 4:00 p.m.

Ramkota Hotel
Rapid City, SD

HOW DOES SUBSTANCE USE AFFECT THE BRAIN? HOW DOES SUBSTANCE USE BY CLIENTS AFFECT YOUR PRACTICE OF LAW, NO MATTER WHAT TYPE OF LAW YOU PRACTICE?

Diedre R. Fleming is a Dual-Diagnosis Therapist in Ashtabula, Ohio. She has received her Master of Science in Criminology from the University of Cincinnati and has presented at the Ohio Supreme Court Drug Court conference and numerous other speaking engagements related to substance use disorder, specialty dockets, and reentry programming.

Through this presentation, you will learn about current trends and topics pertaining to:

- Neurobiology of Substance Use Disorder
- Behavioral Manifestations of Substance Use/Mental Health Disorders
- Specialty Dockets Overview (Best Practices)

Diedre R. Fleming, MS, LCDC III; Dual-Diagnosis Therapist, Community Counseling Center, Ashtabula, Ohio. Ms. Fleming is an active treatment team member on the Municipal Recovery Court and Family Drug Court in Ohio, as well as an adjunct team member for the Ashtabula Common Pleas Mental Health Court and Drug Court in Ohio. Ms. Fleming also likes Pina colodas and getting caught in the rain, she's not really into yoga and feels she has half a brain.

Pre-Registration for this CLE is part of the annual meeting registration!

www.statebarofsouthdakota.com

Present:

ALPS/ETHICS

June 19, 2019
1:00 – 4:00 pm

Ramkota Hotel
Rapid City, SD

Robert W. Minto, Jr. has served as President and CEO and Director of ALPS Corporation since 1987 and as of May 2013 serves as Executive Board Chair and Director. Mr. Minto also serves as President and CEO of Lawyers Reinsurance Company (Vermont).

Mr. Minto received his B.A. degree in Business Administration from the University of Washington in 1969 and his J.D. from the University of Montana School of Law in 1973. He served as an Associate (1973-1977), a Principal (1978-1991) and Of Counsel (1991-2000) with the law firm of Worden Thane in Missoula, Montana.

Mr. Minto has significant experience in mediation and arbitration having represented numerous parties during his law practice from 1973 to 1991 and has served as a facilitator mediator or arbitrator for the not-for-profit sector. He has experience as an arbitrator in insurance/reinsurance disputes dating back to 2003.

Chris L. Newbold, is Executive Vice President of ALPS Corporation and ALPS Property & Casualty Company. In his role as Executive Vice President, Mr. Newbold oversees bar association relations, strategic and operational planning, risk management activities amongst policyholders, human resources, and non-risk related subsidiary units. Internally at ALPS, Mr. Newbold has developed leading conceptual models for strategic planning which have driven proven results, ensured board and staff accountability, focused organizational energies, embraced change, integrated budgeting and human resource functions into the process and enabled a common vision for principal stakeholders. Externally, Mr. Newbold is a nationally-recognized strategic planning facilitator in the bar association and bar foundations worlds, conducts risk management seminars on best practices in law practice management and is well-versed in captive insurance associations and other insurance-related operations.

Mr. Newbold received his law degree from the University of Montana School of Law in 2001, and holds a bachelor's degree from the University of Wisconsin-Madison. Following his graduation from law school, he served one year as a law clerk for the Honorable Terry N. Trieweiler of the Montana Supreme Court. He began his career at ALPS as President and Principal Consultant of ALPS Foundation Services, a non-profit fundraising and philanthropic management consulting firm. Mr. Newbold is currently a member of the State Bar of Montana, the American Bar Association, and is involved in a variety of charitable activities. Mr. Newbold resides in Missoula, Montana, with his wife, Jennifer, and their three children, Cameron (10), Mallory (8) and Lauren (4).



Pre-Registration for this CLE is part of the annual meeting registration!

www.statebarofsouthdakota.com

June 20th

THE EARLY BIRD CATCHES THE WORM!



6:30-7:30 am

How does the First Step Act Apply
to South Dakota Defendants -
Ryan Kolbeck



Project Rural Practice -
Bob Morris

Elder Law Update -
Aaron Eiesland



2018 POWER ACT - Providing Legal Assistance to
Victims of Domestic Violence - Judge Karen Schreier



2019 Legislative Update
- Robert Riter, Jr.



Supreme Court Update
- Meghan Joyce



**ERIC HANSON, ROD
TOBIN, AND
CHAD HANSEN WILL
PRESENT ON:**

- **WHAT TO EXPECT
FROM NEW ALTA
TITLE INSURANCE
POLICIES**
- **INDUSTRY CHANGES
IN SOUTH DAKOTA
AND NATIONWIDE**
- **COMMON (AND
PREVENTABLE)
DRAFTING AND
CLOSING MISTAKES**

**REAL
PROPERTY
—
COMING
CHANGES
AND
COMMON
ISSUES**

**JUNE 20TH
8-9 AM**



Unwinding Irrevocable Trusts

with
Professor
Tom Simmons

Adventure Track 1

**June 20th
9-10 A.M.**

JUNE 20, 2019
10-11 AM
ADVENTURE TRACK 1

Why Your Digital Footprint Should Matter to You and other matters related to Internet Safety

**THIS SESSION WILL COVER CURRENT
TRENDS PERTAINING TO:**

- ② **INTERNET CRIMES AGAINST CHILDREN,**
- ② **THE DYNAMICS OF DIGITAL FOOTPRINTS
FOR PROFESSIONALS, AND**
- ② **THE DANGERS TO PROFESSIONALS
REGARDING DOXING AND CYBER-SECURITY.**

SPEAKERS:

**HOLLY STRAND; COMPUTER FORENSIC EXAMINER,
INTERNET CRIMES AGAINST CHILDREN, PENNINGTON
COUNTY SHERIFF'S OFFICE, RAPID CITY, SOUTH
DAKOTA**

**BRENT GROMER; SUPERVISORY SPECIAL AGENT,
SOUTH DAKOTA DIVISION OF CRIMINAL INVESTIGATION,
INTERNET CRIMES AGAINST CHILDREN COMMANDER,
RAPID CITY, SOUTH DAKOTA**

EVERYONE IS

WELCOME

**ADVENTURE
TRACK 1**

**COMMON ISSUES/CONCERNS
WHEN IMMIGRATION ISSUES
SHOW UP IN FAMILY LAW CASES**

**20
JUNE**

**11 A.M. -
12 P.M.**



Q+A

IMPLICIT BIAS: ITS IMPACT AND HOW TO COMBAT IT

Adventure Track 2

SYBIL WILL IDENTIFY
WAYS TO RECOGNIZE
BIAS, DISCUSS ITS
IMPLICATIONS, AND
SHARE BEST PRACTICES
FOR CREATING AN
INCLUSIVE LEGAL
COMMUNITY.

Sybil L. Dunlop
GREEN ESPEL pllp
Minneapolis, MN

June
20th
8-9 am

Affordable Technology for the Solo and Small Firm



Wise use of technology can make the difference for the solo or small firm in remaining viable and competitive.

This session will cover affordable essential technology for the solo/small firm. The session will also discuss options available to move beyond basic technology and be a technologically savvy small law firm by offering collaboration tools, client portals, and using data to improve services and profitability.

9 am - 10 am

June 20th

AdventureTrack 2

A graphic for 'AdventureTrack 2' featuring a mouse cursor icon and a network diagram icon.

AN EXPERIENCED LITIGATOR WILL OFFER PRACTICAL TIPS ON LITIGATION, UNDUE INFLUENCE AND TESTAMENTARY CAPACITY CLAIMS, AN EXPERIENCED ESTATE PLANNER WILL OFFER TIPS ON STEPS TO TAKE TO ENSURE THAT AN ESTATE PLAN IS NOT LATER ENSNARLED IN AN UNDUE INFLUENCE OR TESTAMENTARY CAPACITY CLAIM, AND A PHYSICIAN WITH EXPERIENCE IN EVALUATING ELDERLY FOLKS FOR PURPOSES OF DETERMINING WHETHER THEY POSSESS THE REQUISITE CAPACITY WILL BE SPEAKING!

LITIGATING UNDUE INFLUENCE **AND LACK OF CAPACITY CLAIMS**

ADVENTURE TRACK 2

JUNE 20, 2019



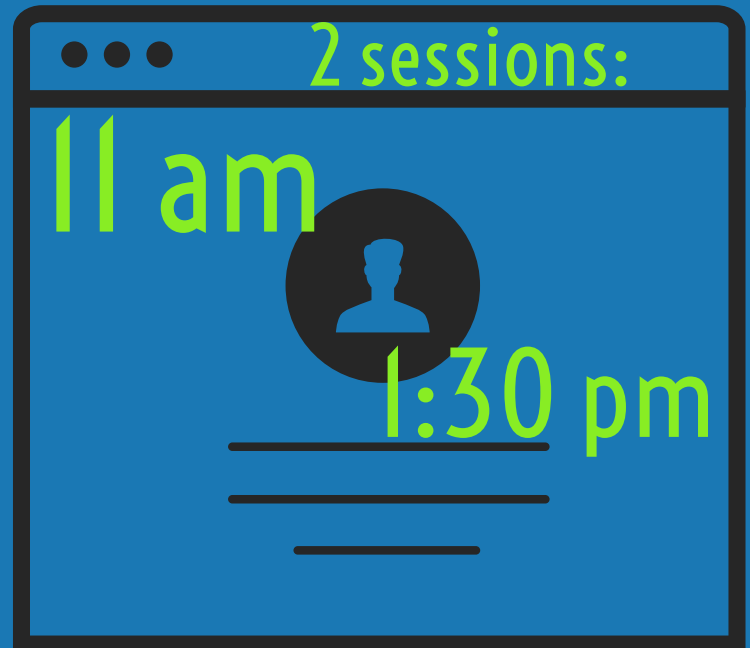
10-11 AM

In the Know:

STATE BAR RESOURCES THAT
HELP YOU STAY CONNECTED

Speakers:

*Colleen Zea and
Elizabeth Overmoe*



This program is dedicated to any member who wants to learn more about how the State Bar website can be used to help you stay connected and be informed. Colleen and Beth will navigate through the website to show attendees where specific information can be found and also demonstrate how to get the most from community pages. Other State Bar resources will be highlighted during the program for State Bar leadership, committee and section chairs and members.

ADVENTURE TRACK 2

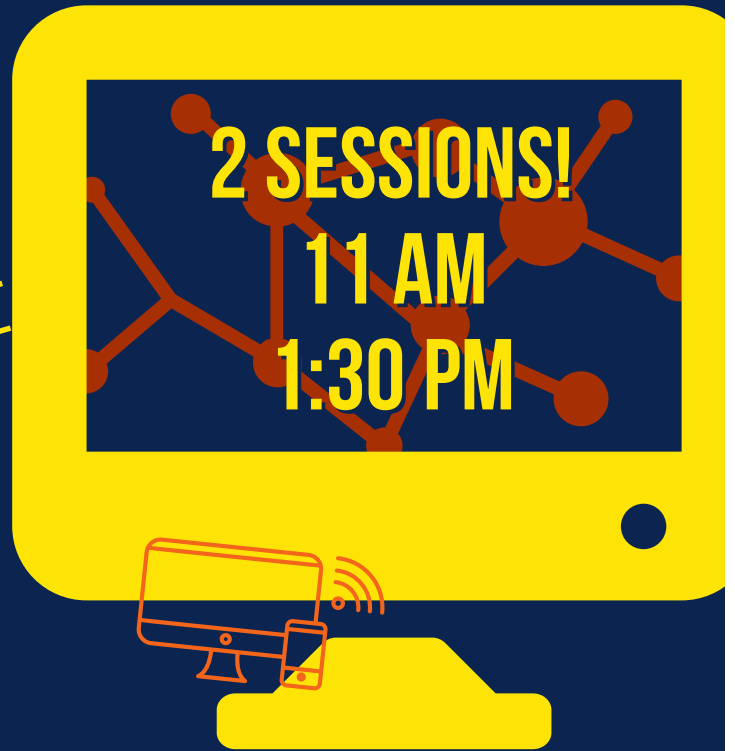


eCourts UJS Odyssey

eAccess Solution Training

June
20th

Join UJS
for important
training!



Save The Date!

RURAL ATTORNEY RECRUITMENT ANNUAL CONFERENCE

FRIDAY, MAY 17 FROM 10:00 AM
TO 5:00 PM

RedRossa Italian Grille
808 West Sioux Avenue
Pierre, SD 57501

Dean's List: News from the Law School



by: *Neil Fulton*
Dean
USD School of Law

Hello folks! Welcome to a new column that will hopefully keep you more connected with what is going on at the Law School. Great things are going on at USD Law School. In coming months, I want to use this column to share information with you myself, but also to feature the voices of students, faculty, and alumni. Let me start by inviting you all to come visit or to get in touch about any way you think the Law School can help you.

As I write this column, I am finishing my time as Federal Public Defender for North Dakota and South Dakota. Molly, the boys, and I are excited to join the USD community and I look forward to talking to and working with all of you for the future of the Law School. USD has an exceptional tradition of excellence, service, and leadership. There are great opportunities ahead.

In this first column, it is only right to talk about the service of Dean Tom Geu. Tom deserves a hearty thank you from all of us who care about the Law School. He has given his adult life to USD in his scholarship, teaching, and service. The last decade has been tumultuous for legal education across America. Applications have plummeted, public and private financial resources have been increasingly scarce, and the demands on law schools to produce practice ready lawyers are ever expanding. Dean Geu has been a steady captain on these stormy seas. USD Law admissions are trending up, a scholarship program to help compete for great students has begun, there is a strong and vibrant faculty in place, and there is excitement in the building. Thank you Dean Geu; USD Law School would not be where we are without your service.

I also want to say thank you and good luck to those students who, as you read this, have just become the most recent graduates of USD Law School. Their time at USD has been marked by a lot of change and uncertainty. However, to a person, those members of

the Class of 2019 I've gotten to meet believe they got a great education at USD, are well prepared to go out and make a difference in their communities, and are energized and ready to go to work. Congratulations and good luck Class of 2019! Get ready members of the South Dakota Bar, these young lawyers are a jolt of positive energy headed your way.

Let me wrap up by inviting everyone who will be at the Bar Convention to come say hello. I look forward to talking with as many of you as I can. Alisa Rosales, our new placement professional, will also be there. Alisa has a great track record in law placement and a lot of great ideas. If she can continue to put faces to names it will help her help make great connections between USD Law graduates and employers so please take time to visit with her. The Law School is here to be a resource, please let us know ways we can help.

Lastly, I'll say to all of us what I said to some soon to be 1L's recently: it is a GREAT day to be a South Dakota lawyer—let's take advantage of it together.

A black and white poster for the Class of 2019 20 Year Reunion. The text is in a bold, distressed, sans-serif font. The top line reads "CLASS OF", followed by two large "99" characters. Below that is "20 YEAR REUNION". A horizontal line separates this from the event details: "THURSDAY, JUNE 20TH", "6 - 9 MINERVA'S BAR", and "PARTY ROOM".

CLASS OF
99
20 YEAR REUNION

THURSDAY, JUNE 20TH
6 - 9 MINERVA'S BAR
PARTY ROOM

Awards for Half Century of Service



The practice of issuing awards to those members of the State Bar who have reached the fifty-year milestone since admission to practice law in the State of South Dakota, inaugurated in 1969, is being continued in 2019. The ceremony has become one of the highlights of our Annual Meeting.

The following State Bar members are eligible to receive the award at the annual meeting in June:

50 years - Everett E. Hoyt, Rapid City; Ronald P. Johnsen, Rapid City; Ralph A. Kemnitz, Philip; William J. Klimisch, Surprise, AZ; Marlin M. Lessmann, Sioux City, IA; Ronald K. Miller, Plankinton; Charles P. Schroyer, Pierre; Ronald L. Schultz, Batesland; William L. Severns, Spearfish; H. Bruce Shreves, New Orleans, LA; Charles M. Thompson, Pierre

There may be others who should be included in this list. It will be most helpful if you will scrutinize the foregoing list, and if omissions or corrections occur to you, please notify Andrew Fergel at State Bar Headquarters.

**BOB MARTIN AND
TOM NICHOLSON
(BOB & TOM)
WOULD LIKE TO
ANNOUNCE THAT THE
CLASS OF 1979
WILL BE HOLDING THEIR
40 YEAR(!)
CLASS REUNION**

**DURING
THE
BAR
CONVENTION**

**WEDNESDAY
6.19.19**

**CLASS
OF**

1979

WE WILL HAVE A TABLE RESERVED AT THE BANQUET AND GATHER AFTERWARDS FOR MORE FUN AND STORY-TELLING! IF YOU WOULD LIKE TO JOIN US – PLEASE EMAIL BOB [RAM@ROBERTMARTINPC.COM] AND TOM [TOM@NICHOLSONANDNICHOLSON.COM]. WE WILL HAVE MORE INFORMATION ABOUT REGISTERING FOR THE BANQUET IN THE UPCOMING MONTHS!

6.19

BOOK YOUR ROOMS NOW!

Ramkota Hotel, Rapid City

2019 ANNUAL
MEETING

6.20

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, flooding, applied climatology and meteorology, agriculture meteorology, and statistics. More information is provided at <http://npweather.com>, and you can contact Matt at nrnplsweather@gmail.com or 605.390.7243.



South Dakota Paralegal Association, Inc.

Founded in 1989

SEMI-ANNUAL MEETING & SEMINAR
 FRIDAY, JUNE 21, 2019
 RAMKOTA HOTEL
 2111 N. LaCrosse Street
 Rapid City, SD 57701

<i>Time</i>	<i>Agenda</i>	<i>Speakers</i>
7:30-8:00 AM	Registration & Breakfast	
8:00-9:00 AM	Employment Law: #MeToo Training & Investigations	Attorney Jennifer Frank, Lynn Jackson Shultz & Lebrun, P.C.
9:00-9:10 AM	Break	
9:10-10:10 AM	Estate Law: Estate Planning Baseline	Attorney Stephen J. Wesolick, Aspen Legacy Planning / Wesolick Law Firm
10:10-10:15 AM	Break	
10:15-11:15 AM	Open Forum: Paralegals Preparing the Client	Certified Paralegal Vicki Blake
11:15 -12:15 PM	SDPA Annual Meeting	<i>SDPA Executive Committee</i>
12:15-1:15 PM	Lunch	
1:15-2:15 PM	Criminal/Family Law: TPOs and Divorce Proceedings	Attorney James G. Sword, Sword Law Office, P.C.
2:15-2:25 PM	Break	
2:25-3:25 PM	Ethics: Client Diversity	Attorney George Grassby, Whiting Hagg Hagg Dorsey & Hagg, LLP
3:25-3:35 PM	Break	
3:35-4:35 PM	Civil Litigation: Evaluating and Choosing Expert Witnesses	Attorney Lonnie R. Braun, Thomas Braun Bernard & Burke, LLP

REGISTRATION FORM

****NOTE: If planning to attend via webinar, please include the e-mail with which you can be reached if we experience technical difficulties**** Email: _____

Seminar Fee enclosed (includes luncheon): _____ Member \$65 _____ Non-Member \$85 _____ Student \$30

Webinar Fee Enclosed: _____ Member \$65 _____ Non-Member \$85 _____ Student \$30

Name: _____ Designation (CP/ACP/RP/PLS/PP) _____

Firm: _____ Email: _____

Address: _____

Telephone: _____ **Thursday Social:** ___ Yes ___ No ___ Maybe

Send registration form and payment to Vicki Blake, c/o The Duncan Law Firm, LLP, 515 W. Landscape Place, Ste. 101, Sioux Falls, SD 57108 **by Friday, June 7, 2019**. Make checks payable to **SDPA**. To cancel your registration, please contact Vicki Blake at (605) 361-9840 or at vicki@ddlawsd.com. Cancellations received on or before June 7, 2019, will receive a full refund. There is a block of rooms available at the venue, the Ramkota Hotel (605-343-8550), under the SDPA, \$130.99 per night for a room with 2 queen beds or one king bed. The deadline to reserve your room is **Wednesday, May 22, 2019**.

Continuing legal education credit from NALA has been requested as follows: 6 hours of CLE credit to include 1 hour of ethics credit and 1 hour non-substantive credit.

The SD Young Lawyers Section and
USD Student Bar Association Present:

ROAD RACE

ONE MILE OR 5K

Friday, June 21, 2019
7:30 AM Check-in
4181 Jackson Blvd
Canyon Lake Park

YOGA SESSION

30 minute session will begin at 7AM
(just prior to race). Taught by Kelsey
Parker, SOL VIBE (Rapid City).

RSVP to Whitney Petersen at: whitney.reed@coyotes.usd.edu



**The Young Lawyers Section and USD Student Bar Association
Present
The State Bar Convention Annual Road Race**



**Friday, June 21nd, 2019
Rapid City, SD
4181 Jackson Blvd.**



Eligible Entrants: All members of the State Bar of South Dakota including relatives and dates, law students, court reporters, and employees of the Unified Judicial System

Full Name: _____ **Date:** _____
Last First M.I.

Address: _____
Street Address Apartment/Unit #

City State ZIP Code

Circle Age 12& under, 13-19, 20-29, 30-39,
Group: 40-49, 50-59, 60-69, 70-79, 80-89 **Event Desired:** One Mile 5K

Please CHECK IN at Canyon Lake Park at the Registration table at entrance of the park near Viken Law Firm no later than 7:30a.m. – the race will begin at 7:45a.m.

In consideration of your acceptance of this entry I, intending to be legally bound, for myself, my heirs, executors, and administrators, waive and release The State Bar of South Dakota, the Young Lawyers Section of the State Bar of South Dakota, any individuals participating the organization and conduct of this road race, their representative, successors and assigns from any and all rights any claims for damages I may have, arising out of any injuries and illnesses suffered by me in this event including those which may be attributed to weather conditions. I attest and verify that I will participate in this event as a foot race entrant, that I am physically fit and have sufficiently trained for the competition of this event and my physical condition has been verified by a licensed medical doctor.

Signature: _____ **Date:** _____

**Please e-mail this completed application by June 19, 2019 to:
Whitney Petersen, SBA President
Whitney.reed@coyotes.usd.edu**



Alisa M. Rosales joined the University of South Dakota School of Law as Director of Career Services in October 2018. Most recently, she served as Director of Public Interest at Indiana University Maurer School of Law in Bloomington. She advocates for students and recent graduates not only as they seek new opportunities, but also for developing healthy lifestyles that they can take into their professional careers. A graduate of the University of Nebraska (B.A. and J.D.) and DePaul University (M.S.), she is an active member of NALP, participates in Wyoming Free Legal Answers, and is slowly becoming a runner again. Alisa is licensed to practice in Nebraska, Wyoming, and Missouri. Originally from Ralston, Nebraska, she is excited to be just upriver from her family again.

Our special thanks to Alisa for making time to answer some questions about her role as the Director of Career Services at USD School of Law

and things we can look forward to in the next year:

SBSD: *What do you do in your role as Director of Career Services at USD School of Law?*

Alisa Rosales: Every day, I'm advising students and recent graduates on next steps in their careers. It is a balancing act of the concrete things like revising resumes and cover letters while working on short-term job searches for the next summer while considering how to build experience for longer-term job prospects. I'm also interacting with employers to help them maximize their ability to connect with candidates, also with a view on short-term and long-term goals. I also assist students with typical student affairs issues such as bar application questions, stress management, student organization questions, and programming. I also attend as many bar association meetings as I can, and am excited to head to the State Bar Convention in Rapid City this year.

SBSD: *What are some items our State Bar members and employers should be looking forward to from your office over the next year?*

AR: We are looking at expanding the opportunities for employers to interact with students as early as first semester of law school. Today's candidates are looking for signals that their employers are invested in their success, personally and professionally, and we want to help everyone begin those interactions earlier in the process. While that investment will look different for each employer and candidate, spending time connecting is essential. Students also need to be sold on where they will be living after law school so we'll be working with local bar groups to collaborate more on "selling" their towns and regions.

SBSD: *Can you provide prospective employers with an overview of the fall On Campus Interview process for 2019? When does it start? How does it unfold? Are there changes we should keep in mind?*

AR: The biggest change is that On Campus Interviews (OCI) will begin before classes, with the first round being August 14/15. As the pressures of hiring on the coasts pushes 2L Summer hiring timelines into July in the Minneapolis, Omaha, and Denver markets, we need to make our students available to local employers at the same time. We'll also be holding multiple rounds, with additional dates September 5/6 and October 3/4. These last dates lead into Dakota Days and will include opportunities to begin to get to know the 1Ls by volunteering to conduct mock interviews and a networking reception. This last spring, we expanded OCI to two rounds, and we will expand it to three rounds this coming year.

Another change already implemented last fall was a new Employer Recruiting Policy. There has been a great deal of change around offer timing norms in my industry in the past six months, and there will continue to be a great deal of change going forward. Except for immediate hiring (as in begin working for the employer that semester), all offers should be left open for a minimum of ten business days. This

allows candidates to access me as their career advisor, release offers they know they don't intend to accept in a more timely manner so that employers can manage their offer yields, and for employers to decide if they would like to conduct callback interviews or a formal office visit. Many offers will be accepted by candidates before the ten day window expires but adopting policies like this has seen results in fewer reneged offers and greater candidate satisfaction due to the additional time investment made.

SBSD: *What are the statistics like for our recent graduates? Where are they finding employment, what do salaries for recent graduates look like?*

AR: The Class of 2018 has 83.3% of the class employed or enrolled in a full-time degree program. One of the most important indicators for us though is that 75% of that class has positions in which Bar Admission is Required OR a JD was an Advantage in securing the position. Most of our graduates are staying in South Dakota though Iowa and Minnesota have a few graduates each as well. While the largest group of graduates ends up in private practice, nearly as many students also accepted judicial clerkships. Our graduates in government are nearly equal to those accepting judicial clerkships. The rest take positions in the business sector, notably banking (compliance and trusts) and health care (compliance). The Class of 2019 will have more students entering public interest than past classes, but that group ends being fairly small given the size of those employers in South Dakota.

New graduate salaries are ranging from \$50,000-\$70,000 locally in South Dakota, with most in private practice falling in the \$55,000-\$60,000 range. There are a handful of employers paying less than that in public interest positions, but given the debt that we're seeing graduates come out with, there seems to be a psychological barrier to recent graduates accepting anything less than \$50,000.

For law firms, when discussing salary, this is a great time to think about how to invest candidates in your organization by being willing to talk about your business practices a bit more in the first year of practice. Give me a call and we can talk about what this looks like for your firm.

SBSD: *How has the environment for JD graduates changed in the last decade?*

In some ways, we're closer to what was happening in the '90s when we'd say "you can do anything with a law degree" with the new opportunities that are opening up in trust management, compliance, legal operations and technology for recent graduates. We're also seeing how BigLaw salaries at \$180,000 in New York and Chicago are creating more midsize regional law firm salaries in the range of \$80,000-\$120,000 in Omaha, Des Moines, and Minneapolis, which creates pressure downward in smaller markets when law school class sizes will likely only increase incrementally.

SBSD: *Are there opportunities for state bar members to get involved beyond hiring and offer support to your office and the current students at the law school? What does that look like?*

AR: I've already mentioned the mock interviews above, but I'm looking to partner more closely with the student organizations as they plan their programming and would love to bring you to campus to do that. I'm always happy to share what is concerning candidates so you can address those as you're working with students, whether individually or in groups. We'll be inviting our alumni and friends back to campus more often so I encourage you to join us whenever that works best in your schedules.

SBSD: *Do you have any advice for prospective employers who are looking to post jobs or internships with your office?*

AR: Please give me a call, even if we've already met! I'd like to hear more about what you consider a successful candidate so when I'm helping students craft cover letters, they can be more responsive to your organization's culture and expectations.

INNOVATION COMES STANDARD

FASTCASE IS ONE OF THE PLANET'S MOST
INNOVATIVE LEGAL RESEARCH SERVICES,
AND IT'S AVAILABLE FREE TO MEMBERS OF
THE STATE BAR OF SOUTH DAKOTA.

LEARN MORE AT

www.statebarofsouthdakota.com

 **fastcase**
Smarter legal research.



SOUTH DAKOTA DEPOSITION ACADEMY

TO ALL MEMBERS OF THE STATE BAR OF SOUTH DAKOTA

The purpose of this notice is to give the membership of the State Bar an explanation of the second Deposition Academy to be held this summer at the USD Law School on July 18 & 19. The first Deposition Academy was held during the summer of 2014.

Initially, a deposition program was included in the Trial Academy Program but later abandoned to devote more available time to the jury trial. Yet a key component of a successful trial practice includes training in the taking of depositions.

We were again able to partner with National Institute of Trial Advocacy (NITA) to assemble an intensive two-day program which combines instruction with student involvement in the deposition process utilizing a hypothetical fact pattern. Participants are assigned to either the plaintiff or defense side. The student involvement will be critiqued and evaluated by faculty members.

Those attending the program will master NITA's proven Funnel Technique, which provides a process to learn everything the deponent knows about a subject. In addition, participants will learn to apply various forms of questioning to gather information, gain admissions, and test theories. The program also works with participants on ways to appropriately defend a deposition, including making appropriate objections and instructions not to answer.

The South Dakota faculty has yet to be selected but, as in the past, there will be some of our best practitioners selected from plaintiffs and defense lawyers from small and large firms in the State. The USD Law School is again providing the logistic support for the program. Without the faculty and Law School, this program could not be offered.

In addition, we are fortunate to have Peter Hoffman again assisting us in the Deposition Academy. Mr. Hoffman will be giving the majority of the instructive lectures and will assist the other faculty members in their teaching duties. Mr. Hoffman has an impressive resume. Peter is a longtime law school faculty member and practicing attorney. He is also the co-author of the largest selling book on deposition practice. The combination of a national instructor and local knowledge of how depositions in South Dakota are conducted by our faculty promises a rewarding experience to participants.

The cost of the Deposition Academy is \$1,000. The Academy will be limited to 24 so the sooner you cement your spot in this year's Academy the better.

Depositions have evolved to be such an important and intricate part of a successful trial practice. The importance has increased with the evolution of more mediations and fewer trials. Learning effective deposition techniques can only increase a litigator's advantage in the practice of law. Registration requires completion and submission of an application form found in the State Bar Newsletter.

SOUTH DAKOTA STATE BAR TRIAL ACADEMY COMMITTEE

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Chairperson

David R. Gienapp
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Thomas J. Welk
David R. Gienapp
Richard Casey
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Deposition Academy Registration

Sponsored by the State Bar of South Dakota and the National Institute for Trial Advocacy
July 18 to 19, 2019
USD School of Law, Vermillion, SD

Name: _____
Address: _____

Phone: _____
Email: _____
Date: _____

Please register me for the Deposition Academy. I enclose a deposit of \$500 (made payable to SD CLE, Inc.) toward the tuition cost of \$1000. I acknowledge that the deposit, should I be accepted and subsequently am not able to attend, is non-refundable unless a replacement is found. If I am not accepted, I understand that my deposit will be returned to me. I understand that no interest will be payable on returned deposit. I further understand that I will be responsible for motel and meal costs. If I am accepted, I will tender the balance of \$500 no later than July 1, 2019.

I acknowledge that there may be more applicants than available participant slots and that the Deposition Academy is primarily intended for lawyers with limited litigation experience who desire to further develop his or her skills. The following professional information relative to my professional experience will be used by the admissions committee solely to determine whether I will be accepted for the Deposition Academy and the information will be used for no other purpose nor shared with any other entity. In the event that there are more applicants than available space, I recognize that the admissions committee will accept the earlier application with deposit for similarly situated applicants.

Size of law firm: _____

Years of practice: _____

of depositions taken (estimated): _____

Brief description of your current law practice:

Mail this registration form, together with a check in the sum of \$500, payable to SD CLE, Inc. to:

State Bar of South Dakota
222 E. Capitol Ave.
Pierre, SD 57501

YOU ARE INVITED TO ATTEND:

LEGALPALOOZA

Hosted by:

SD Defense Lawyers
SD Trial Lawyers
SD Young Lawyers Board

WEDNESDAY, JUNE 19, 2019

5:30 PM

GAZEBO COURTYARD

Please join us for fellowship and
fun prior to the Banquet

The 2019 Young Lawyer of the Year
will be announced during this event!

All State Bar attendees and guests
are invited to attend

A SPECIAL THANKS

*USD School of Law, along with Dean Thomas Geu, Dean Tiffany Graham, Advisor Thomas Welk,
Professor Ramon Ortiz & Adjunct Coordinator Marilyn Trefz*

Extend a Special Thanks to the

2019 USD SCHOOL OF LAW

LEGAL PRACTICE DRAFTING COURSE PROCTORS & PANELISTS

for sharing their time, knowledge and expertise with the USD Law Students.

Administrative Law, Thomas Welk
Real Estate Transactions, Eric Hanson
Family Law, Nichole Carper
Criminal Prosecution, Amy Bartling-Jacobsen
Business Entity Formation, John Archer
Estate Planning, Sheila Woodward

Law Practice Management, Tom Frieburg
Alternative Dispute Resolution, Michael McKnight
Civil Pre-trial Practice, Pamela Reiter
Criminal Defense, Raleigh Hansman
Business Entity Sale, Jennifer Larsen
Estate Administration, Lindsay Hovden

*Proctors shared practice overviews, sample fact patterns with responsive documents,
drafting assignments and individual student feedback.*

In House Counsel Panel

Eric DeNure
Kristina Schaefer
David Zimbeck

Judges' Panel

Justice Steven R. Jensen
Judge Patrick J. Smith
Judge Camela C. Theeler

ALL OF YOUR EFFORTS & SERVICE ARE VERY APPRECIATED!

Here is what a few of this year's students had to say...

"It can be hard to craft a class schedule that allows you to take all the courses you need. The Law Practice Drafting course has provided a strong foundation in a wide variety of legal topics to help us once we get out into practice as young attorneys. The drafting assignments have been very practical, and we've gotten some great practice tips from some of South Dakota's best attorneys. I highly recommend this course to future 3Ls at USD Law."
~Olivia Siglin

"Thank you for having this class, I learned a lot of valuable information that will help me in the years to come."
~Austin Printz

"I think this class is awesome and it should actually be a requirement for all students. Practical skills are always needed. Thanks again!"
~Victoria Left Hand

"This course was extremely valuable and beneficial. If I could only take one upper-level class it would be SD Drafting & Practice. The information, skills, documents, and confidence that it gives us is invaluable. My only regret is that there isn't a part one and part two offered two different semesters, where we could either cover more or dive deeper. Thanks for helping to make this class a great experience."
~Austin Oxner



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Senior Portfolio Manager
Financial Advisor
NMLS # 1507454

Morgan Stanley Smith Barney LLC ("Morgan Stanley"), its affiliates and Morgan Stanley Financial Advisors or Private Wealth Advisors do not provide tax or legal advice. Clients should consult their tax advisor for matters involving taxation and tax planning and their attorney for matters involving trust and estate planning and other legal matters.
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JE Marsh Consulting



I retired from the state with 30 years' experience as an administrative law judge and director, advising people about workers' compensation, employment discrimination, fair labor standards, unemployment compensation, and public collective bargaining issues. I can serve you with consultation, mediation, arbitration, and expert witness services at an affordable price. Contact me for more information:

JE Marsh Consulting, PO Box 188, Tripp, SD 57376
605-505-1401 | email: jamesmarshadr@gmail.com
www.jemarshconsulting.com



Which Case Management Software is Right for Your Firm? by: Sara Show, Jan Olson, and Beth Baloun



LAW PRACTICE NEWS

An article series by the Law Practice Management Committee dedicated to bringing current information and trends in the industry to South Dakota Lawyers.

Many firms and organizations are looking for software that can assist with management and organization in their business. The task of finding the right software can be overwhelming. Oftentimes, attorneys do not know where to start. One of the best ways to begin the search for firm management software is to make a list of all of the features that are most important to your firm or organization. Some items to think about are the following features offered by many different firm management software companies and should be considered when purchasing such software:

- **Cloud-based versus Server-based Software:** Many software companies offer either cloud-based or server-based software and sometimes both. Cloud-based software means that files and other data input into the software will be held “in the cloud” and not on a server on the premises. Cloud-based is preferable to server-based for ease of access off-site, however, security should be evaluated with any option that allows users to access files through the internet.
- **Firm Management versus Case Management:** Some software offers integration with programs for accounting and billing in addition to case management. These programs can offer a snapshot of how a firm is doing financially, how many hours are being worked at what rate on contingency cases, each employee’s productivity, and expenses versus revenue on each case. Case management software is typically geared toward organizing case files for each client and automating certain processes to save time.
- **Integration:** Some case management programs will integrate with other programs. Before buying case management software, you should always check and make certain that programs you want to integrate will do so. One of the most important integration programs for most firms and organizations is email and calendar integration, which allows emails to be saved in client files and integration of calendars with cases to allow a user to maintain one central calendar.
- **Conflicts Check System:** Many programs offer varying types of conflicts check systems which can aid in avoiding conflicts of interest when taking on new cases. These programs work by searching databases within the software where names and information about case witnesses, parties, and experts are kept and highlighting areas where a conflict may exist.
- **Intake Forms, Document Forms, and Work Flows:** Intake forms and work flows allow firms to use case management software to save substantial time in generating documents. Clients or other staff can fill out intake forms, providing certain information about each client or potential client, which then can be used to automatically generate documents from pre-established forms. This saves time typing in the party names into a pleading, letters, or other documents. Work flows allow the organization to immediately create a check list of items to do and generate documents by simply telling the program what kind of case or matter is involved. This can save time and prevent missing steps required in a case.
- **Client Portal:** Client portals allow clients to upload documents to the firm database remotely. Always evaluate the security of the software before utilizing a client portal to make certain that information is kept secure.
- **Cost:** Cost is an important factor when deciding on a case management program that is right for your law firm or organization. Costs can range from hundreds of dollars per month to thousands of dollars per month depending upon the number of users and features requested.
- **Compatibility:** Compatibility is also important. While a majority of organizations typically work in a Windows based environment, if your organization uses Macs, compatibility is an important factor that must be considered before purchasing case management software.

- **Mobile Applications:** Many case management programs offer mobile applications, which can allow users to access case files from their phones or other mobile devices. This is helpful when working from the road or remotely from home.
- **Security and Encryption:** It is important to understand and evaluate each program's security and encryption capabilities in order to prevent client data from being stolen or breached. This should be a top priority when evaluating any case management or firm management software.

Not every program is right for each firm or organization. There are many case management programs with multiple different features. After deciding what features are important for your organization or firm, an internet search will reveal many options for your consideration. The individual websites usually give an overview of the features they provide so you can determine if their program is right for you. Many of these companies offer a free demo and trial period. They also offer numerous trainings through webinars and telephonic meetings to help you learn how to use their programs. Though the cost of some of these case management programs is significant, they offer a way to streamline case management, accounting, and client communication using one program instead of multiple programs, which could save the firm or organization money. Case management programs are not right for every organization or firm. The most important part of choosing a case management program is not to rush to purchase the first program offered but to take the time necessary to ensure that the program your firm or organization purchases is a good fit.

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LEGAL SERVICES CORPORATION Notice of Availability of Grant Funds for Calendar Year 2020

The Legal Services Corporation (LSC) announces the availability of grant funds to provide civil legal services to eligible clients during calendar year 2020. The Request for Proposals (RFP), which includes instructions for preparing the grant proposal, will be available at <http://www.lsc.gov/grants-grantee-resources/grantee-login> during the week of April 8, 2019. In accordance with LSC's multiyear funding policy, grants are available for only specified service areas. On or around the week of March 11, 2019, LSC will publish the list of service areas for which grants are available and the service area descriptions at <https://www.lsc.gov/grants-grantee-resources/our-grant-programs/basic-field-grant/lsc-service-areas>. Applicants must file a Notice of Intent to Compete (NIC) and the grant proposal through LSC's online application system in order to participate in the grants process. The online application system will be available at https://lscgrants.lsc.gov/EasyGrants_Web_LSC/Implementation/Modules/Login/LoginModuleContent.aspx?Config=LoginModuleConfig&Page=Login during the week of April 8, 2019.

Please visit <https://www.lsc.gov/grants-grantee-resources/our-grant-programs/basic-field-grant> for filing dates, applicant eligibility, submission requirements, and updates regarding the LSC grants process. Please email inquiries pertaining to the LSC grants process to LSCGrants@lsc.gov.

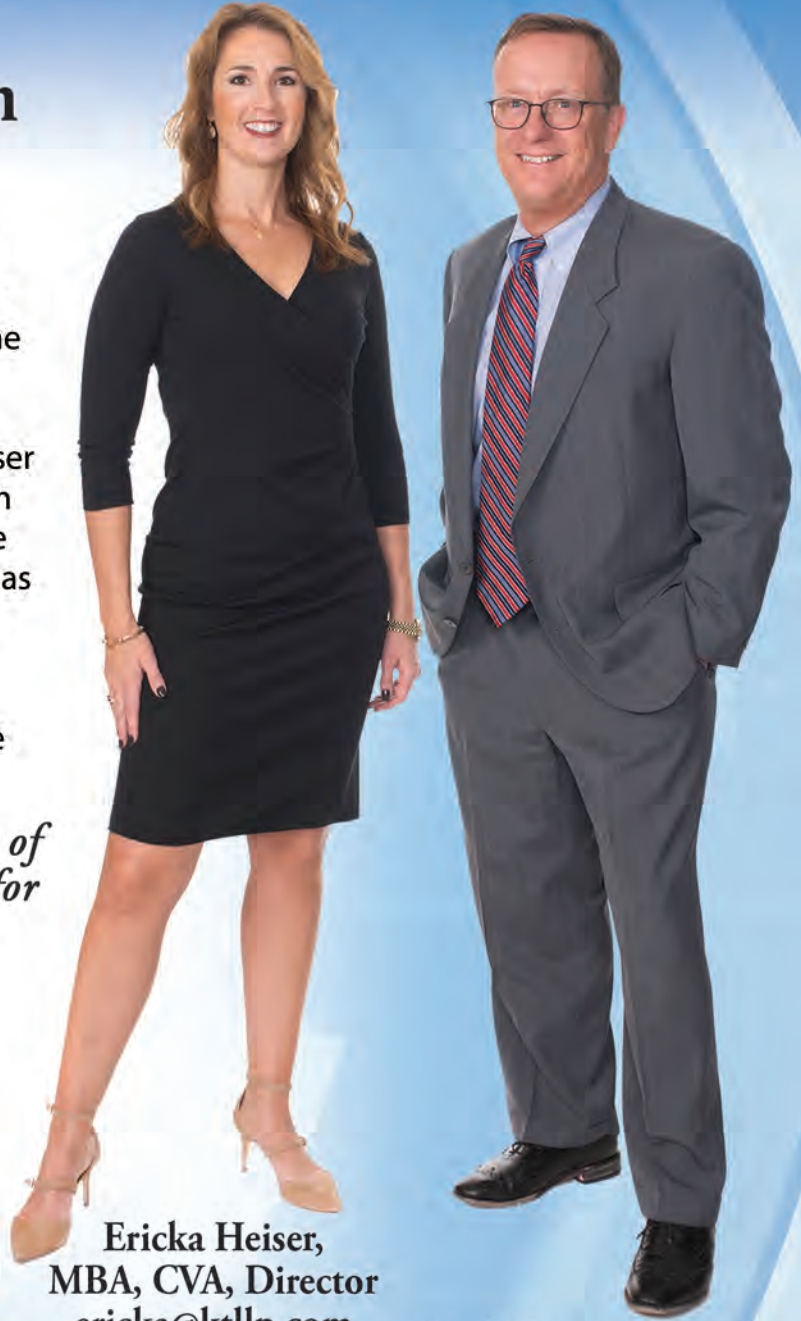
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If you work with clients in the agriculture industry, you understand that the cash flows generated from even a well-managed farm or ranch are very low in relation to the value of the underlying ground itself. Therefore, when appraising a minority interest in a farm/ranch operating entity, it makes sense for the appraiser to weight the value derived by the entity's cash flow with the highest and best use value of the underlying ground. This weighted approach has been upheld by the US Tax Court in *Estate of Andrews v. Commissioner* (79 T.C. 945) and *Estate of Helen J. Smith v. Commissioner* (99 T.C. 368). The valuation adjustments can be dramatic, but they are real.

If your clients need to know the value of their minority interest, please call us for valuation services.



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Ketel Thorstenson, LLP

Certified Public Accountants/Business & Personal Consultants

ktllp.com

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123 East Jackson Boulevard, Suite 2 | Spearfish | 642-7676  305 S. Garner Lake Rd., Ste. A | Gillette | 307-685-4433

In Memoriam



Daryl Lynn Hecht, 66, of Sloan, passed away at his home on April 3, 2019, surrounded by loved ones.

Memorial services will be 4 p.m. Thursday, April 11, at First Congregational Church, U.C.C. in Whiting, Iowa, with the Rev. Nea Stepp officiating. A celebration of Daryl's life

will be 10 a.m. Saturday, April 13, in the rotunda of the Iowa Judicial Branch Building in Des Moines. Friends and colleagues will have an opportunity to share memories and thoughts about Daryl. Arrangements are under the direction of Rush Family Care Service in Onawa, Iowa. Condolences may be left online for the family at www.rushfamilycareservice.com.

Daryl was born on June 25, 1952, in Sac City, Iowa, to parents, Eldon and Darlene (Rubendall) Hecht. He grew up on a farm near Lytton, Iowa, where he developed his work ethic.

Daryl had a lifelong passion for learning. He loved reading and was nick-named "the walking dictionary" in his childhood. Daryl communicated with precision, respected the power of language, and deeply appreciated the art of writing.

Daryl graduated from Lytton High School. He earned his bachelor of arts degree in history and political science from Morningside College in 1974. Daryl earned his Juris Doctor degree from the University of South Dakota and was admitted to the Iowa bar in 1977. He practiced plaintiffs' civil litigation at Crary Huff Law Firm for 22 years. Daryl felt honored to be appointed to the Iowa Court of Appeals bench in 1999. He earned a master of laws degree from the University of Virginia Law School in 2004. Daryl was elevated to the Iowa Supreme Court in 2006, where he served until his retirement in December 2018.

Daryl's passion for and devotion to justice shaped his life and touched the lives of many more. Friends and colleagues on the Iowa Supreme Court offered warm remembrances of him, including:

"Daryl passionately protected the constitutional rights

of the citizens of this state. He believed that no matter what social station or personal background a person had, each individual was entitled to equal treatment under the law."

"Justice Hecht was one of the most thoughtful, caring, and conscientious judges to grace the Iowa bench. He linked wisdom with mercy, analysis with compassion, discipline with humor, detail with perspective, and the demands of the past with the hopes of the future."

Daryl was a humble man with a wonderful sense of humor and a warm smile. He was deeply beloved by family and friends, colleagues, and congregants. Daryl took much pleasure in following politics and his favorite sports teams, but he carried music in his soul.

Daryl loved to sing, and a good acoustic guitar was his friend. He sang as a child to make chores more enjoyable. He continued to sing throughout his life, participating in high school, college, and church choirs. He particularly enjoyed making music with his four brothers, sister, in-laws, daughter and church choir. He often provided special music at his church, First Congregational U.C.C. in Whiting.

Daryl devoted tremendous energy to service, both in his personal and professional life. Yet, perhaps even more than the body of his jurisprudence and other contributions to his community, Daryl's enduring legacy is the way he embodied integrity, humility, civility, equanimity, and kindness in all of his days, and the grace and dignity with which he faced his battle with melanoma.

Daryl is survived by his wife, Sandy; daughters, Erica (Kyle) Kehrberg, and Lindsay (Karl) Strosche; three grandchildren, Elaine Kehrberg, Liesl Strosche, and Josef Strosche; mother-in-law, Elaine Bubke; and siblings, Larry (Linda) Hecht, Evan (Colleen) Hecht, Rick (Norma) Hecht, Dale (Stefanie) Hecht, and Lori Kooser.

In consultation with Daryl's widow, Sandy, you're encouraged to direct memorial gifts to the University of South Dakota Foundation, which has created a memorial fund in general support of law school scholarships. **Your tax-deductible contributions may be mailed to: USD Foundation, 1110 N. Dakota St., Vermillion, SD 57069. Please note the purpose of your gift.**

STRESS and DEPRESSION HELP

Contact information for the regional mental health centers in South Dakota is located at www.statebarofsouthdakota.com ("For SDBAR Members" Under the Health & Wellness tab, click on the Stress/Depression/Addiction link. We have reached an understanding with all these centers and all will honor our agreement. If you are stressed out or you believe that you may be suffering from depression, the State Bar encourages you to seek a professional evaluation. If you don't have insurance or otherwise lack the financial resources, the State Bar project, funded by ALPS and the SD Bar Foundation, will cover the evaluation and several follow-up counseling sessions if indicated. You need only schedule the appointment and show them your 2018 active membership card. This is a confidential project. Counseling records are not, repeat, are not made available to the State Bar. We just pay the bill for those who can't afford it, up to the limit of \$500 per lawyer.

If you have a law partner or lawyer friend that you believe may be suffering from stress and depression, visit with them. Encourage this lawyer to consider having an evaluation. Depression caught at the early stages prior to becoming chronic is much, much easier to address. In just a few counseling sessions, you/your friend can learn techniques to deal with the stress more effectively in our lives, whether personal or professional.



SOLACE PROGRAM

If you are aware of anyone within in the South Dakota Legal Community (lawyers, law office personnel, judges, courthouse employees, or law students) who have suffered a sudden and/or catastrophic loss due to an unexpected event, illness, or injury, the South Dakota SOLACE Program may be able to assist. Please contact solace@sdbar.net if you, or someone you know, could benefit from this program.

We have a statewide (and beyond) network of generous South Dakota attorneys willing to get involved and help. We do not solicit cash but can assist with contributions of clothing, housing, transportation, medical community contacts, and a myriad of other possible solutions through the thousands of contacts available through the State Bar of South Dakota and its membership.

May 2019

Official Publication of the State Bar of South Dakota

If you wish to advertise in our publication or post job opportunities, please contact:
Tracie at tracie.bradford@sdbar.net.

The deadline for submissions in the newsletter is the 26th of each month, excluding December and February when it is the 23rd of the month. If the deadline falls on a weekend, the deadline is the Friday prior.

Address Changes:

email tracie.bradford@sdbar.net or log in to your profile at www.statebarofsouthdakota.com

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LAWYERS CONCERNED FOR LAWYERS LAWYERS ASSISTANCE COMMITTEE

Your Bar Leadership has been concerned that members needing help with chemical dependency or mental health issues may be reluctant to call State Bar Headquarters to inquire where to seek help. Phone calls seeking help for themselves or a loved one or a partner have always and will continue to be kept strictly confidential. That said, Bar Leadership has determined that a referral agency independent of the State Bar staff may reduce any reluctance to call. Thus, beginning July 1st, we have entered into a contract with Disability Rights South Dakota. Both LCL and LAC committees have provided names and contact information for referrals. You will be provided with the names and phone numbers and proceed to call whomever you select from the appropriate list.

Disability Rights South Dakota: 605-224-8294 or
toll free 800-658-4782

Phone calls to Disability Rights of SD are kept strictly confidential.

Caribou Coffee Club

A group of Sioux Falls and Rapid City area attorneys are holding informal peer-led meetings of lawyers who have faced or are dealing with depression, anxiety and/or similar issues.

Attendance is limited to lawyers.

The groups generally meet twice a month and have confidentiality policies.

For more information or to receive blind copies of group announcements, send an email to:
cariboucoffeclub@gmail.com



**The Caribou Coffee Club is not affiliated with The State Bar of South Dakota, the Second Circuit Bar Association, or the Pennington County Bar Association.

Sand Creek

WORKPLACE WELLNESS

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

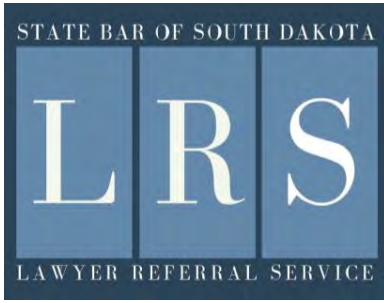
Immediate, Confidential Support

24 hours a day/7 days a week:

888-243-5744

All discussions and services are kept strictly confidential.





South Dakota Lawyer Referral Service ENROLLMENT AGREEMENT

Mail completed form and payment to:
State Bar of South Dakota - SDLRS
222 East Capitol Avenue, #3
Pierre, SD 57501

Or pay online at: www.findalawyerinsd.com

If you pay online, scan and email this completed form to: findalawyer@sdbar.net

1. I am an active member in good standing of the State Bar of South Dakota.
2. I wish to be a member of the South Dakota Lawyer Referral Service ("SDLRS") and agree to pay a \$50 service fee on an annual basis.
3. Once I receive notice that my payment to SDLRS was received and processed, I will create my referral profile at www.findalawyerinsd.com.
4. The service fee is invoiced to participating attorneys in August. I understand that failure to pay the \$50 fee within 30 days will result in a suspension of referrals until the fee is received.
5. In the event I am suspended from the SDLRS for nonpayment of the invoiced amount, I agree that in order to be reinstated to the SDLRS I will pay the balance owed.
6. My practice is covered by Errors and Omissions Insurance totaling at least \$100,000/\$300,000. My policy is issued through:
Name: _____
Dates of coverage: _____
Limits of coverage: \$ _____ \$ _____
I will maintain such insurance at all times while participating in SDLRS. (You will be required to upload a pdf copy of your insurance declaration page to the SDLRS website to begin receiving referrals.)
7. I will promptly inform the State Bar of South Dakota Bar of any change in my address or phone number.
8. Enclosed is the total amount of \$50, to cover the registration fee for the following Practice Panels:
 1. _____
 2. _____
 3. _____
9. I would like to add the following Practice Panels at the rate of an additional \$20 per panel:
 1. _____ (add \$20)
 2. _____ (add \$20)
 3. _____ (add \$20)
10. If any of the following occur, I hereby agree to a suspension of referrals until final resolution of the matter:
 - a. My license to practice law is suspended for any reason;
 - b. I transfer to inactive status for any reason;
 - c. Formal disciplinary proceedings are initiated against me; or
 - d. A criminal complaint is filed or an indictment returned against me alleging a serious crime as defined in SDCL 16-19-37.
11. In the event I receive a referral through the SDLRS that results in attorney fees, I understand it is strongly encouraged I contribute 7% of those fees to the SD Bar Foundation.

I have read the foregoing and hereby certify that the answers are complete and true to the best of my knowledge.

Name: _____
(Signature) (Print or Type)

Date: _____ Member No.: _____ Amount Enclosed: _____



South Dakota Lawyer Referral Service **PANEL & SUB-PANEL LIST**

BANKRUPTCY

- Business Bankruptcy(Creditor)
- Business Bankruptcy (Debtor)
- Personal Bankruptcy (Creditor)
- Personal Bankruptcy (Debtor)

BENEFITS & ADMINISTRATION

- Medicaid/Medicare
- Municipal or Local Government
- Professional Licensing
- Social Security
- State Government
- Unemployment
- Utilities
- Veterans Benefits

BUSINESS

- Antitrust litigation
- Business dissolution
- Business formation
- Business litigation or dispute
- Buy-sell agreements
- Compliance
- Contracts
- Franchise Agreements or purchase of franchise
- Gaming Law
- Non-profit formation
- Online business law
- Partnership agreements
- Securities
- Trade regulation
- Business mediation

CONSUMER & DEBT

- Collection Practices & Creditor Harassment
- Car repair/lemon law
- Credit Reports
- Debt Collections (Creditor)
- Debt Collection (Debtor)
- Identity Theft
- Predatory Lending Practices
- Small Claims Court
- Unfair and Deceptive Sales and Practices

CRIMINAL

- Appeals
- Criminal Record
- DWI/DUI
- Drugs
- Federal Criminal Defense
- Felony (non-homicide)
- Homicide
- Juvenile Delinquency
- Misdemeanor
- Probation Violation
- Property Forfeiture
- Traffic

DISPUTE RESOLUTION

- Arbitration
- Mediation

EDUCATION

- Academics
- Access (including bilingual and testing)
- Bullying
- Discipline (including Expulsion and Suspension)
- Special Education & Learning Disabilities
- Teachers and Other Educational Professionals

EMPLOYMENT

- Civil Service
- Employee Benefits
- Employer Representation
- Employment Contracts
- Employment Discrimination
- Medical Leave
- Non-compete/Non-disclosure Agreements
- Professional Licensing
- Safe Working Conditions
- Separation Agreement
- Sexual Harassment
- Wage and Labor Standards
- Whistleblower
- Wrongful Termination

FAMILY

- Adoption
- Alimony/Marital Support
- Annulment
- Child Abuse and Neglect
- Child Support and Custody
- Divorce (complex/contested)
- Divorce (simple/uncontested)
- Domestic Violence/Protection Order (Petitioner)
- Domestic Violence/Protection Order (respondent)
- Emancipation
- Family Mediation
- Guardianship
- Conservatorship
- Interstate/International
- Name Change
- Parental Rights Termination
- Paternity
- Post-nuptial Agreement
- Pre-nuptial Agreement
- Separation
- Visitation

HOUSING & APARTMENT

- Home Construction/Improvement
- Housing Discrimination
- Landlord Representation
- Mortgage Foreclosures (Not Predatory Lending)
- Predatory Mortgage Lending Practices
- Tenant Representation

IMMIGRATION

- Asylum
- Consular Practices
- Criminal Issues
- Employer Sanctions
- Employment-based immigration
- Family-based immigration
- Investors
- Naturalization
- Juvenile Status
- Removal Defense

INDIAN LAW

- Business
- Family Law
- Federal Government
- Housing
- Land
- Probate/Will
- Tribal Court
- Tribal Enrollment/Status
- Tribal Government

INSURANCE

- Automobile/Property Insurance
- Bad Faith
- Employer-provided insurance (disability, health, life, accident)
- Health Insurance
- Homeowner Insurance
- Life Insurance

INTELLECTUAL PROPERTY

- Copyrights
- Patents
- Trademarks

LOBBYING

- Federal
- State

PERSONAL INJURY & RIGHTS VIOLATIONS

- Accountant Malpractice (Defendant)
- Accountant Malpractice (Plaintiff)
- Animals
- Assault and Battery (Defendant)
- Assault and Battery (Plaintiff)
- Auto Collision (Defendant)
- Auto Collision (Plaintiff)
- Civil Rights
- Discrimination
- False Arrest/false imprisonment
- Jail/Prison Injuries
- Legal Malpractice (Defendant)
- Legal Malpractice (Plaintiff)
- Libel, Slander, or harassment (Defendant)
- Libel, Slander, or harassment (Plaintiff)
- Medical Malpractice (Defendant)
- Medical Malpractice (Plaintiff)
- Negligence (Defendant)
- Negligence (Plaintiff)
- Police misconduct
- Product liability (Defendant)
- Product liability (Plaintiff)
- Property Damage (Defendant)
- Property Damage (Plaintiff)
- Slip, trip and fall (Defendant)
- Slip, trip and fall (Plaintiff)
- Toxic tort (Defendant)
- Toxic tort (Plaintiff)
- Wrongful death or catastrophic injuries (Defendant)
- Wrongful death or catastrophic injuries (Plaintiff)

REAL ESTATE

- Commercial real estate litigation
- Commercial real estate transactions
- Condemnation, eminent domain & annexation
- Land Use & Zoning
- Natural Resources
- Neighborhood, Coop & Condominium Associations
- Residential real estate litigation
- Residential real estate transactions

TAX

- Business
- Personal
- Estate Tax
- Tax Litigation/Audits

WILLS, TRUSTS, ELDER

- Conservatorship
- Elder Abuse/Neglect
- Estate Administration
- Estate Court/Probate
- Estate Planning
- Estate Tax
- Guardianship
- Living Will/Advanced Directive
- Medicaid/Medicare/Nursing Home Planning
- Power of Attorney
- Simple Will
- Specialty Trusts
- Estate Dispute (Petitioner)
- Estate Dispute (Respondent)
- Trust Dispute (Petitioner)
- Trust Dispute (Respondent)

WORKERS COMPENSATION

- Federal Employee
- Private Employee
- Private Employer
- State Employee

IS THE LAWYER REFERRAL SERVICE RIGHT FOR ME?

LRS Committee

Are you looking for new clients? If so, the Lawyer Referral Service is right for you! The Lawyer Referral Service is not a free or reduced-fee legal service program. We are simply the right website for clients to find the right lawyer.

In the past, potential clients seeking legal representation were encouraged to call the State Bar Office for a referral. We have replaced that outdated system. Now, potential clients will be directed to our new website at www.findalawyerinsd.com.

Since launching the website in late June, thirty-two lawyers have enrolled. And while we have not yet released our public media campaign (this is coming soon), potential clients are already using our website and have been matched with enrolled lawyers in their area.

Ready to give it a try? Enrolling is easy:

- Send your completed enrollment form to the State Bar Office along with a \$50 payment for the annual service fee
- Create your referral profile on our website at www.findalawyerinsd.com
- Choose up to three practice panels, and an unlimited number of subpanels within your practice panel group (additional practice panels may be added for \$20 per panel)
- Begin receiving matches in your area

Enrollment in the Lawyer Referral Service is a great way to grow your practice, help potential clients seeking legal representation, and support the mission of the State Bar.



www.findalawyerinsd.com

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE ADOPTION OF) RULE 19-13
A RULE CONCERNING THE ADMISSIBILITY)
OF STATEMENTS MADE DURING A JAIL)
MENTAL HEALTH SCREEN TO BE)
DESIGNATED AT SDCL CH. 24-11)

A hearing was held on February 20, 2019, at Pierre, South Dakota, relating to the adoption of a rule concerning the admissibility of statements made during a jail mental health screen to be designated at SDCL Ch. 24-11 and the Court having considered the proposed adoption and being fully advised in the premises, now, therefore, it is

ORDERED that the proposed adoption of a rule concerning the admissibility of statements made during a jail mental health screen to be designated at SDCL Ch. 24-11 be and it is hereby adopted to read in its entirety as follows:

The admissibility of statements made during a jail mental health screen to Be Designated at SDCL Ch. 24-11.

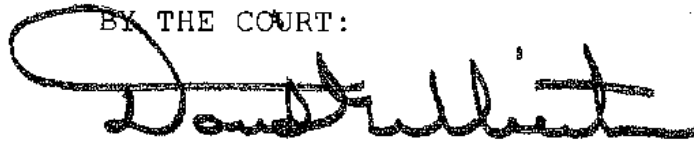
Any statement made by a defendant in response to a question administered during a jail mental or physical health screening is not admissible against the defendant in the state's case in chief during any evidentiary proceeding related to the reason the defendant was confined in jail.

The screen shall be filed with the committing court and may be used in preparation of a presentence report and at sentencing. Prior to sentencing, the screen shall only be made available to the defendant, defendant's attorney, prosecuting attorney, court services, and any mental health provider ordered to provide an assessment of the defendant as a condition of bond.

IT IS FURTHER ORDERED that this rule shall become effective immediately.

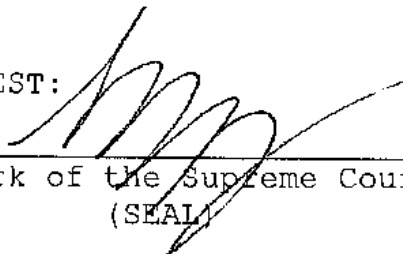
DATED at Pierre, South Dakota, this 2nd day of April, 2019.

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-Fargel, 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

2nd day of April, 2019


Deputy

Deputy

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

APR - 2 2019


Clerk

CAREER CENTER

Employment Opportunity:

South Dakota Code Counsel

South Dakota Legislative Research Council, Pierre, South Dakota

The Legislative Research Council (LRC), the nonpartisan research and support staff to the South Dakota Legislature, is accepting applications for the position of Code Counsel. The Code Counsel position was created in 1970 when the Revisor of Statutes was transferred from the Supreme Court to the Legislative Branch. The Code Counsel is appointed directly by the Executive Board of the LRC, in the same manner as the LRC Director, and serves as a key member of the LRC's senior staff team.

Duties and Responsibilities: Significant duties and responsibilities of the Code Counsel include the following:

- 1) Provides staff support to the South Dakota Code Commission;
- 2) Edits South Dakota Codified Laws, including catchlines, assigning statute numbers, resolving conflicts between statutes, and writing Code Commission notes to explain how conflicts are resolved and how nonstatutory material may affect the Code;
- 3) Works with a team of editorial professionals at the publisher of South Dakota Codified Laws (Thomson West) to edit and publish the Code;
- 4) Edits Session Laws, including writing short titles to bills, the subject index, assigning chapter numbers, and preparing the Session Laws for publication;
- 5) The LRC Director has delegated to the Code Counsel the statutory administrative rules review function, which entails coordinating with other LRC staff and executive branch staff on the review and editing of administrative rules for legality, coherence, style, and form, and coordinating with LRC support staff on the publication of the South Dakota Register and the Administrative Rules;
- 6) Takes primary responsibility for review and editing of all administrative rules filed during the legislative session, thereby allowing other LRC staff to focus fully on legislative session responsibilities;
- 7) Principal legal counsel to the LRC Director;
- 8) Functions as a Legislative Attorney as time permits, providing staff support to legislative committees, drafting legislation, researching legal and general questions, and advising on legislative processes.

Minimum Qualifications:

- 1) Admitted to the practice of law in the State of South Dakota or eligible to and becomes so admitted within one year after employment;
- 2) A law degree from an accredited postsecondary institution;

Preferred Qualifications:

- 1) Familiarity with all areas of state law, including state and federal court opinions, Attorney General opinions, and collateral references such as legal encyclopedias and uniform laws;
- 2) The ability to communicate, both orally and in writing, in a manner which can clearly and efficiently convey information to legislators and the public;
- 3) Proficiency in word processing; and
- 4) The ability to work under tight deadlines and extended hours during the legislative session.

Salary Range: The Code Counsel salary range is \$92,403 to \$138,604, with an expected starting salary of \$103,550.

Application Process: This position will remain open until Friday, May 24, 2019. Applications (consisting of a letter of interest and resume) should be submitted via hard copy or e-mail to:

Jason Hancock, Director
South Dakota Legislative Research Council
500 East Capitol Avenue, Pierre, SD 57501
E-Mail: Legis.Resume@sdlegislature.gov | Phone: 605-773-3251

**Judicial Qualifications Commission
State of South Dakota**

500 East Capitol Avenue

Pierre, SD 57501

Telephone: (605) 773-2099

Fax: (605) 773-8437

Email: lori.grode@ujs.state.sd.us

Kimberley A. Mortenson, Chair

Mark S. Roby, Vice Chair

Hon. Robin J. Houwman

Mark Haigh

Hon. Bruce V. Anderson, Secretary

Timothy M. Engel

Rebecca A. Porter

Lori Grode, Executive Assistant

Notice of Judicial Vacancy

TO: All Active Members of the State Bar of South Dakota

FROM: Bruce V. Anderson, Secretary, Judicial Qualifications Commission

Due to the recent appointment of Hon. Patricia DeVaney to the Supreme Court, a vacancy will be created for a Circuit Court Judge position, (Position B), in the Sixth Judicial Circuit Court for the State of South Dakota. The duty station for this position shall be located in Pierre, SD. The Judicial Qualifications Commission is now taking applications for this position.

All lawyers and judges interested in applying should obtain the application form at <http://ujs.sd.gov/>, or contact Lori Grode at the State Court Administrator's Office. The application must be returned to the Administrator's Office and must be postmarked no later than **5:00 PM on June 7, 2019**.

Applicants should make sure the application submitted is the 2018 revision.

You may also obtain the application form by writing or telephoning:

Lori Grode
State Court Administrator's Office
500 East Capitol Avenue
Pierre, SD 57501
Telephone: 605-773-2099
Email: lori.grode@ujs.state.sd.us

Or, visit <http://ujs.sd.gov/> for current job openings.

The Sixth Circuit is comprised of the following counties: Potter, Sully, Hyde, Hughes, Stanley, Haakon, Lyman, Jones, Jackson, Mellette, Gregory, Tripp, Todd and Bennett.

CAREER CENTER

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

ATTORNEYS

Litigation Attorney - Rapid City

Bangs McCullen Law Firm has an immediate opening for a LITIGATION ATTORNEY in its Rapid City office. Candidates should have three to five years of legal experience. Excellent academic credentials and writing skills are required. Confidential inquires, including a resume and cover letter should be directed to Barb Dreyer, Bangs McCullen Law Firm, P.O. Box 2670, Rapid City, SD 57709 or bdreyer@bangsmccullen.com. We offer a competitive salary and benefit package. For more information please visit www.bangsmccullen.com.

Assistant City Attorney - Sioux Falls

City of Sioux Falls Assistant City Attorney
Hiring Range DOQ: \$2,788.00 - \$3,416.80 bi-weekly
Deadline for Filing: Wednesday, May 15, 2019
Perform legal advice, counsel to, and representation of City government, elected officials, officers, and employees. This position will be primarily responsible for legal assistance to Public Works.
Graduation from an accredited school of law and a minimum of three (3) years' experience in the practice of law, preferably in public sector law, regulatory compliance work experience, or diversified program management experience including conducting research and/or investigations and analyzing data; or any such combination of education, experience, and training as may be acceptable to the hiring authority.
Admission in good standing to the State Bar of South Dakota.
Apply online at www.siouxfalls.org/careers. Most qualified will be invited for testing. If an ADA accommodation is needed please contact, 72 hours prior to closing date, 605-367-8740 or recruiter@siouxfalls.org.

Federal Public Defender - Districts of North & South Dakota

The U.S. Court of Appeals for the Eighth Circuit is accepting applications [under authority of 18 U.S.C. ' 3006A(g)(2)(A)] from all qualified persons for the position of Federal Public Defender for the Districts of North and South Dakota headquartered in Pierre. The term of appointment is four years; annual salary at an amount not to exceed the salary of the U.S. Attorney for the district, currently \$166,500. The Federal Public Defender provides federal criminal defense services to individuals unable to afford counsel. An applicant must be/have been: (1) admitted to practice before the highest court of at least one state; (2) a member in good standing of every other state bar of which he/she is a member; (3) a minimum of five years= criminal practice, preferably with significant criminal trial experience; (4) administrative expertise; (5) reputation for integrity; and (6) a commitment to the representation of those unable to afford counsel. Federal Public Defenders may not engage in the private practice of law and are subject to judiciary financial disclosure requirements. A background investigation is required.

Application forms may be obtained on line or in hard copy from the Clerk of the U.S. District Court in the District of North Dakota at www.ndd.uscourts.gov, Clerk of the U.S. District Court in the District of South Dakota at www.sdd.uscourts.gov, or Circuit Executive=s Office in St. Louis, Missouri by e-mail at CE8employment@ca8.uscourts.gov or by phone 314-244-2600. Applications should be submitted only by the applicant personally and should indicate the applicant's willingness to serve if selected. Applications should be submitted to Ms. Millie B. Adams, Circuit Executive, 111 South 10th Street, Suite 26.325, St. Louis, Missouri 63102-1116, and must be received by July 1, 2019. The U.S. Courts are equal opportunity employers.

Deputy State's Attorney Position - Beadle County

Full-Time Deputy State's Attorney Position Beadle County

The Beadle County State's Attorney's Office has an opening for a full-time Deputy State's Attorney. The office consists of the state's attorney, deputy state's attorney, regional prosecutor, two legal assistants and a victim witness coordinator. This position will serve as the Deputy State's Attorney in Beadle County and will be responsible for the prosecution of criminal, juvenile and abuse and neglect cases.

Duties: The deputy state's attorney will be responsible for the prosecution of both felony and misdemeanor cases in Beadle County as well as juvenile and abuse and neglect cases. The deputy is expected to conduct preliminary hearings, grand jury proceedings, court trials and jury trials.

Qualifications: Applicants must possess a J.D. degree and be an active member of the SD State Bar or preparing to take the July 2019 bar exam. 3rd year law students are encouraged to apply, start date will be after bar exam. Applicants must demonstrate analytical ability, good judgment, and excellent communication and courtroom skills. Excellent writing and research skills are also a must. Applicants must exhibit the ability to work in a supportive and professional manner with other attorneys, support staff, and client agencies.

Travel: Limited travel will be required.

Salary Information: Deputy State's Attorney pay will start on the County Wage scale at Grade 13 Step 1 (\$65,058 annually) plus county benefits to include health insurance and SDRS.

Application Process and Deadline Date: Interested persons should send or email a cover letter, detailed resume, law school transcript, writing sample and references to:

Michael R. Moore
Beadle County State's Attorney
450 Third Street SW, Suite 108
Huron, SD 57350
mmoore@bcsa.us

Deadline for applications is May 15, 2019. Interviews will be held as applications are received. Start date will be on or before August 1, 2019.

Staff Attorney/Senior Staff Attorney - St. Paul, MN

The Public Health Law Center, a dynamic, public interest affiliate of Mitchell Hamline School of Law in Saint Paul, Minnesota, has immediate openings for four full-time Staff Attorneys/Senior Staff Attorneys who have a passion for working for the social good and who share our commitment to continued learning on issues related to racial and social justice, including the social determinants of health, implicit bias, and systemic oppression. We offer a pleasant campus work environment and competitive benefits.

The Center, one of America's preeminent centers of expertise in public health law, strives to improve health through the power of law and policy. The Center empowers its partners to transform their environments by eliminating commercial tobacco, promoting healthy food, and encouraging active lifestyles. The attorneys hired for these positions will provide technical assistance to public health advocates, state and local health officials, and government attorneys working to advance health equity by strengthening laws and policies that eliminate the use of commercial tobacco products. Minimum qualifications include admission to the bar and excellent legal research, writing, and public speaking skills. We are looking for candidates with a demonstrated ability to work in partnership with diverse populations and social identities, and with those most affected by systemic health problems. The Staff Attorney position requires three years' experience in the practice of law, the Senior Staff Attorney position requires at least five years of public health law experience and the demonstrated ability to work with substantial independence in furtherance of the Center's mission.

Preference will be given to attorneys who are fluent in a second language, who are admitted to the California bar, and/or who have relevant experience in public health law, Tribal law, federal Indian law, housing law, municipal law, land use planning, or administrative law. Candidates with experience drafting, implementing, or enforcing local, state, or Tribal laws are also preferred. Occasional out-of-state travel is required.

To apply please send resume, writing sample, and cover letter, including salary requirements, by e-mail to phlcjobs@mitchellhamline.edu; by fax to (651) 290-8645; or by mail to Human Resources, Mitchell Hamline School of Law, 875 Summit Avenue, St.

Paul, MN 55105. For best consideration, applications should be received no later than May 2, 2019. Mitchell Hamline School of Law is an Equal Employment Opportunity and Affirmative Action employer. We do not discriminate based on race, color, creed, religion, national origin, sex, marital status, veteran/military status, disability or handicap, age, sexual orientation, status with regard to public assistance, or any other protected class status. Members of marginalized and underrepresented groups are strongly encouraged to apply.

Litigation Attorney - Rapid City

Swier Law Firm, Prof. LLC is seeking a LITIGATION ATTORNEY in Rapid City with a minimum 2 years of experience. Candidates must possess outstanding oral and written skill and a desire to excel. Attracting and retaining top talent is the key to Swier Law Firm's success. Our compensation structure rewards contributions to our clients and reflects the competitiveness of the legal market. This is an opportunity for a top candidate to become part of a growing law firm with a state, regional, and national client base. Please send a resume and cover letter to Executive Director Sara Travis at sara@swierlaw.com. All inquiries will remain confidential.

Deputy/Senior Deputy State's Attorney: Minnehaha County

Family Law Attorney: Sioux Falls

All applications must be submitted by 5:00 p.m. on the date the position closes.

SALARY: \$2,603.20 - \$3,093.60

GENERAL INFORMATION:

The Minnehaha County State's Attorney's Office is accepting applications for attorneys to join our top performing team of prosecutors. Supported by experienced investigators, victim/witness assistants, paralegals, and legal office assistants, our attorneys enjoy a strong sense of camaraderie working in a think tank of legal minds.

To be considered for this extraordinary opportunity, submit your application today. Contact us for more information, or with questions, at 605-367-4337.

Posting to remain open until positions are filled. Application review begins on April 18th, 2019.

Vacancies will be filled at either a Deputy State's Attorney or a Senior Deputy State's Attorney level, depending on our selected candidate's level of experience.

Compensation for appointment as a Deputy State's Attorney will be between \$2,603.20 - \$2,667.20/bi-weekly. Consideration for appointment as a Senior Deputy State's Attorney requires a minimum of two years of relevant work experience, and compensation will be between \$2,735.20 - \$3,093.60/bi-weekly dependent upon qualifications. Full earning potential for position is \$3,768.80/bi-weekly.

We also offer a comprehensive benefits package including paid holidays; health, dental, vision, and life insurance; generous PTO program; extended sick leave program; inclusion into the South Dakota Retirement System (SDRS); and an optional deferred compensation plan. Our insurance rates for single, E+1, & family are highly competitive! (Contact HR for more information at 605-367-4337.)

APPLICATIONS MAY BE FILED ONLINE AT: <http://jobs.minnehahacounty.org>

OUR OFFICE IS LOCATED AT: 415 N Dakota Avenue, Sioux Falls, SD 57104

605-367-4337 jobs@minnehahacounty.org

Family Law Attorney - Sioux Falls

Ver Beek Law, Prof. L.L.C. is seeking a family law attorney for our Sioux Falls office. We are looking for candidates with experience levels ranging from newly licensed lawyers to those with several years of experience. Only candidates seeking a long-term employment opportunity will be considered. The position offers competitive salary. Interested applicants should send their cover letter and resume to kelsey@verbeeklaw.com.

Family Law Attorney - Sioux Falls

Swier Law Firm, Prof. LLC is seeking a FAMILY LAW ATTORNEY in Sioux Falls with a minimum 2 years of experience. Candidates must possess outstanding oral and written skill and a desire to excel. Attracting and retaining top talent is the key to Swier Law Firm's success. Our compensation structure rewards contributions to our clients and reflects the competitiveness of the legal market. This is an opportunity for a top candidate to become part of a growing law firm with a state, regional, and national client base. Please send a resume and cover letter to Executive Director Sara Travis at sara@swierlaw.com. All inquiries will remain confidential.

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: John J. Buchy, Executive Director, Dakota Plains Legal Services, PO Box 727, Mission, SD 57555, (605) 856-4444, dpls1@gwtc.net.

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

MANAGING ATTORNEY: EAGLE BUTTE

DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Managing Attorney position in our Eagle Butte, South Dakota, branch office. The Eagle Butte office serves Cheyenne River Indian Reservation in South Dakota and Dewey, Haakon, Potter and Ziebach 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's 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. If Applicant does not possess this experience we would consider Applicant for a staff attorney position until qualified to be a Managing Attorney.

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: John J. Buchy, Executive Director, Dakota Plains Legal Services, PO Box 727, Mission, SD 57555, (605) 856-4444, dpls1@gwtc.net

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

MANAGING ATTORNEY - PINE RIDGE

DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Managing 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, Interim 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.

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: May 31, 2019.

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.

COMPLIANCE MANAGER

Operations/Compliance Manager - Pierre

Reports to: Chief Financial Officer

The Operations/Compliance Manager is a newly created position responsible for the policies, systems, and practices that drive the work of the Foundation. Leading the Foundation's administrative practices and compliance protocols while challenging the Foundation to complete continuing systems improvement requires high attention to detail and an ability to zoom out to see and apply best practices in the industry. This individual must be comfortable working in a fast-paced environment and possess the ability to be proactive in managing competing priorities. The successful candidate will have excellent interpersonal skills and a high level of integrity and professionalism.

Compliance

- Provide structure and oversight to fund administration ensuring accuracy is maintained and donor intent is followed
- Ensure funds are administered in accordance with fund agreements
- Ensure the expenditure of funds complies with the terms of the gift instrument, applicable legal and accounting standards, and Foundation policy
- Review and approve all fund agreements prior to execution
- Review and approve changes to existing fund agreements
- Maintain endowment and gift documentation and its accessibility to end users
- Promote best practices that result in greatest utilization of gift funds consistent with applicable legal standards and foundation policies
- Provide interpretations of donor intent as matters arise
- Coordinate with development team on periodic stewardship reports as needed
- Provide oversight of fee structure for funds

Systems Management

- Oversee administrative processes and ensure efficient operating systems
- Construct and monitor reliable risk management systems including disaster preparedness
- Create, monitor, and refine policies and procedures to provide responsive customer service within control structure and applicable laws and regulations
- Ensure key processes and timelines are documented

in all departments

- Act as an advisor to SDCF's business operations
- Assist with internal control processes to ensure adequate control environment
- Maintain official records of SDCF and ensure directors have resources and information required to fulfill fiduciary duty
- Monitor administrative policies and procedures in human resources
- Oversee maintenance and updating of employee policies and handbook
- Lead in assuring physical plant, technology, and capital equipment plan are keeping pace with Foundation growth

Program Administration

- Provide input, structure, and process for Foundation grantmaking programs, including Nonprofit Savings Account (NSA) and, Community Savings Account (CSA) programs to help ensure efficient and successful programs
- Assist with ad hoc reporting required by third party funding agencies, fundholders, and other constituent groups
- Ensure that SDCF remains in compliance with national standards for community foundations

Desired Education and Experience

- Minimum Bachelors level degree, masters preferred
- At least five years of progressive professional work experience
- Legal, business, finance, project management, philanthropy or related field with demonstrated experience in policy, procedures, practices, and systems improvement applications is desired



**DeRouchey Agriculture
Legal Consulting**

Roger DeRouchey
700 Broad St. Alexandria, SD 57311
605-770-8080
derouchey.agconsulting@triotel.net

- 34 years Farm Business Instructor at Mitchell Tech
- 3 years of Ag Lending
- 9 years Researching, Deposition, Testifying
- Expert witness on agriculture issues

www.deroucheyagriculturealllegalconsulting.com/services.html

Professional Liability Insurance for Attorneys

RhodesAnderson Insurance proudly offers the Attorney Protective program:

- \$25,000 of claims expenses paid in every covered claim before the deductible applies
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Ask A Lawyer.....	April 30-May2.....	
Strategic Planning Meeting.....	May 9-10.....	Sioux Falls
2019 Jackrabbit Bar Conference.....	May 30-June 1.....	Butte, MT
Disciplinary Board.....	June 17-18.....	Ramkota, Rapid City
2019 Annual Meeting.....	June 19-21.....	Ramkota, Rapid City
Bar Commission.....	July 11-12.....	Pierre