



# State Bar of South Dakota

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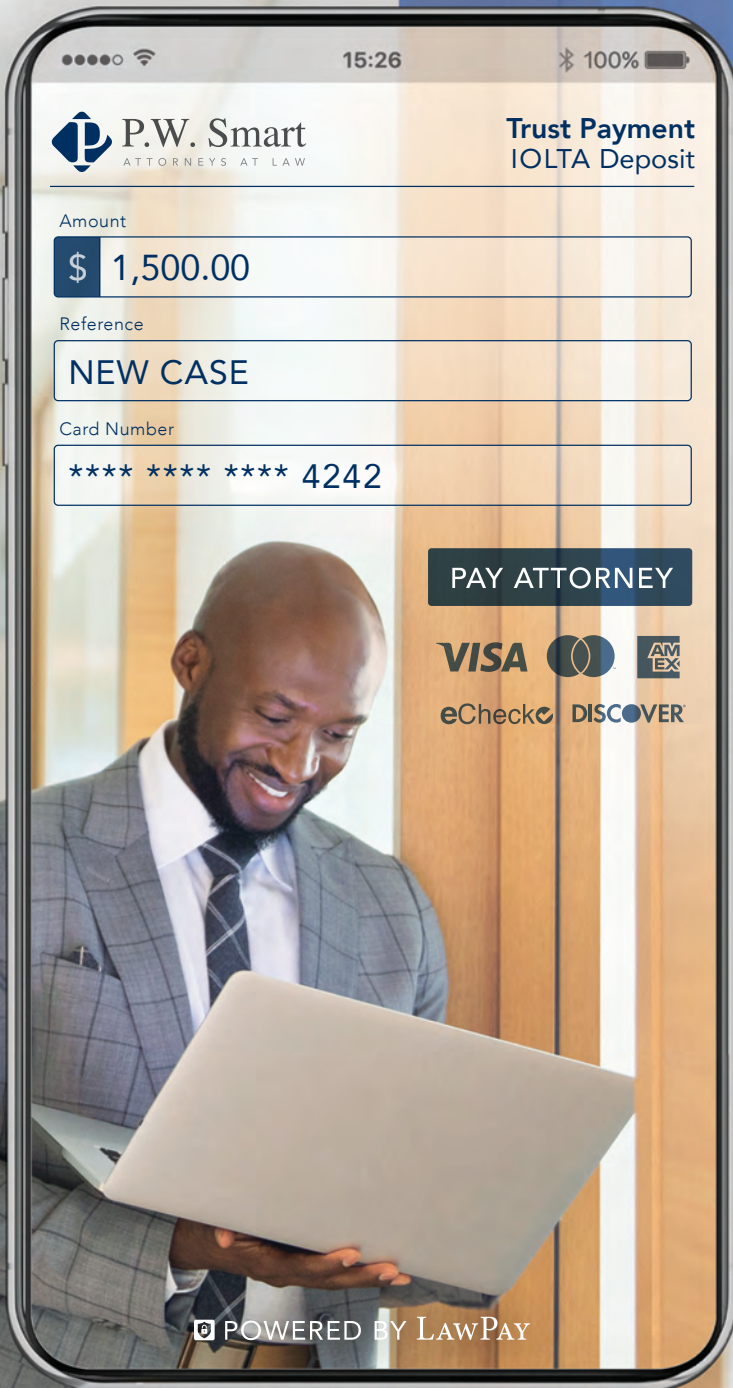
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State Bar of South Dakota

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# State Bar of South Dakota

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## President's Corner

*Terry G. Westergaard*

**W**hat does the future of the practice of law look like? What are the

opportunities presented by COVID-19? How can bar associations facilitate lawyers in the changing legal economy? How can the State Bar assist the law school to prepare law graduates to serve the legal needs of South Dakota residents? These are just some of the questions considered by the Strategic Planning Committee at its recent strategic planning Zoom meeting.

A common theme is that the practice of law is changing rapidly. Just look at the last few months. Taking depositions or trying a case by Zoom was almost unheard of. It's now normal practice. COVID-19 accelerated change. It is how lawyers practice law. Client meetings are now the exception. Will we embrace or resist change? Based on the

discussions at the planning meeting, I am confident that we will embrace change and the State Bar can be the catalyst for our members.

Law graduates are coming out of law school with increasing debt loads. That debt limits opportunities and creates long term financial distress. For a short primer on understanding your options regarding debt take a look at [3 Student Loan Mistakes New Lawyers Should Avoid](#). The State Bar needs to assist the law school to ensure that students understand the economic realities of the practice of law.

The demands of a law practice are causing young lawyers to leave at an increasing rate. Employers want to hire new lawyers with some practical experience. The State Bar through the Strategic Plan is working with the law school on these issues. COVID-19 has changed the way law schools are teaching and how lawyers are practicing. Let's look at this as an opportunity and work together to improve the delivery of legal services. For an interesting look at how COVID-19 changed the practice of law and how the practice may need to change check out [COVID-19 And the Reformation of Legal Culture](#).

Get involved in the State Bar and assist in being part of the change.

# YOU'RE INVITED

## Statewide Swearing-In Ceremony

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

3:00 P.M.  
Friday, November 6



Capitol Rotunda  
Pierre, South Dakota

Please **RSVP** by October 23rd to  
Caroline.Srstka@state.sd.us  
Or (605) 367-5883

Reception to  
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**COMING SOON!**

A New  
Member  
Benefit!



# STATE BAR OF SD NEWSSTAND

A daily newsfeed with practice-specific news, curated in partnership with Lexology.

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STATE BAR OF SOUTH DAKOTA  
YOUNG LAWYERS SECTION



by: Caroline A Srstka  
YLS President

As bar exam results were issued this past month, I was pleased to see posts on social media of those passing the bar and being sworn in. This of course led me to reminisce about when I received my bar exam results, and when beginning the practice of law, how invaluable mentorship was (and still is!) for me. One of the Young Lawyers Section's primary purposes is to unify our bar by connecting young lawyers and veteran lawyers. The Young Lawyers Section is proud to connect lawyers through its Hagemann-Morris mentorship coin program.

The mentorship program was created a little over a decade ago to elevate the competence, professionalism, and success of young lawyers through positive mentoring relationships and to foster lawyering skills, activities, and experiences for young lawyers and mentors. Mentors can share experiences and strategies and pass on knowledge of legal customs. They can impart what brings them a sense of vocation and integrity in the profession. The program symbolizes affiliation among members of the bar. Participation is commemorated by a specially minted coin that represents the knowledge and friendship shared between a mentor and mentee. The mentee is not a client to whom mentors give legal advice, and the mentor does not take on the mentee's clients as his or her own. The mentor and mentee are not associates or a referral source. Although the relationship should be discreet and respectful, it does not create a confidential or privileged relationship between the two. The goal of mentorship is a teaching relationship.

No matter if you decided once you received your bar results to hang up a shingle, or whether you have joined a larger law firm, all young lawyers can

benefit from a mentor. On the flip side, mentors may also benefit from having a mentee without even realizing. Mentorship can come in many different forms, and each can determine the parameters of their relationship. Mentors and mentees can achieve the goals of the program by lunch outings, coffee, periodic phone calls, emails, or to simply check in and offer friendship. However you want to participate, if you are committed to excellent lawyering and service to the profession and your community, you can be a mentor.

If you are interested in any form of mentorship, please see our state bar page, or email me at [Caroline.Srstka@state.sd.us](mailto:Caroline.Srstka@state.sd.us). We look forward to connecting you!

- President – Carrie Srstka (Sioux Falls)
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- At Large Representative – Arman Zeljkovic (Rapid City)
- Law Student Representative – Lexi Baca (Vermillion)



## John R. Justice Student Loan Repayment Program 2020

The John R. Justice (JRJ) Grant Program provides student loan repayment assistance for local, state and federal public defenders and local and state prosecutors who commit to extended service in those roles. Applications are being accepted until December 31st, 2020, for the 2020 John R. Justice Student Loan Repayment Program. All Applications and a Service Agreement along with a recent loan statement must be received or postmarked on or before this day. You can find the link for the forms on our website at <https://atg.sd.gov/OurOffice/JohnJusticeProgram.aspx>.

### [2020 John R. Justice Grant Application](#)

### [2020 John R. Justice Grant Service Agreements Please select one of the 3 agreements that best fits your situation.](#)

**Prosecutor** a full-time employee of a state or local government (including tribal government) who is continually licensed to practice law and prosecutes criminal or juvenile delinquency cases at the state or local government level (including supervision, education, or training of other persons prosecuting such cases) (34 U.S.C. 10671(b)(1)). Prosecutors who are employees of the federal government are not eligible.

**Public Defender** an attorney who is continually licensed to practice law and is a full-time employee of a state or local government (including tribal government) who provides legal representation to indigent persons in criminal or juvenile delinquency cases, including supervision, education, or training of other persons providing such representation; is a fulltime employee of a nonprofit organization operating under a contract with a state or local government who devotes substantially all of their full-time employment to providing legal representation to indigent persons in criminal or juvenile delinquency cases, including supervision, education, or training of other persons providing such representation; or employed as a full-time federal defender attorney in a defender organization pursuant to Subsection(g) of section 3006A of Title 18, United States Code, that provides legal representation to indigent persons in criminal or juvenile delinquency cases (34 U.S.C. 10671(b)(2)).

BJA, in its discretion, has determined that policy and ethical considerations preclude elected officials from being eligible.

**Application with original signatures must be submitted to the address below. A recent loan STATEMENT must be included that provides the following: (1) account number; (2) your name on the account; and (3) bank payment mailing address.**

Lynell Erickson  
Office of Attorney General  
1302 E. Hwy 14 Suite 1  
Pierre, SD 57501





# Fellows of the South Dakota Bar Foundation

## Presidential Fellows - \$10,000

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- \* Hon. Michael Day
- \* Robert B. Frieberg
- \* Thomas H. Frieberg
- \* William C. Garry
- \* David A. Gerdes
- \* Hon. David R. Gienapp
- \* Patrick G. Goetzinger
- \* G. Verne Goodsell
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- \* Robert C. Riter, Jr.
- \* Eric C. Schulte
- \* Jeffrey T. Sveen
- \* Charles M. Thompson
- \* Richard L. Travis
- \* Thomas J. Welk
- \* Terry G. Westergard

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## Fellows - \$500 (per year)

- \* Hon. John Bastian
- \* Mary Jane Cleary
- \* Andrew L. Fergel
- \* Craig A. Kennedy
- \* Hon. Bobbi Rank
- \* Robert C. Riter, Jr.
- \* Thomas Eugene Simmons
- \* Jason R.F. Sutton
- \* Barry R. Vickrey



Our Profession. Our Responsibility.

# YOU ARE INVITED TO JOIN!

## Fellows of the South Dakota Bar Foundation

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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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I would like to contribute:

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- Sustaining Life Fellow – \$50,000 or more, cumulative.
- Life Fellow – \$25,000 or more, cumulative.
- Diamond Fellow – over \$10,000, cumulative.
- Platinum Fellow – \$10,000, cumulative.
- Gold Fellow – \$5,000, cumulative.
- Silver Fellow – \$1,000 per year.
- Fellow – \$500 per year.

### In Memoriam

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

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

Mail payment to:

State Bar of South Dakota

111 W Capitol Ave. #1

Pierre, SD 57501

Or you can email this form to:

[tracie.bradford@sdbar.net](mailto: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.*

## 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.*

**NEW  
UPDATES**

**2020-2021**

**COMMITTEE ASSIGNMENTS**



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## Dean's List: News from the Law School



by: *Neil Fulton*  
*Dean*  
*USD School of Law*

October is a month packed with many interesting and fun things. In fact, I think October is in the running for the best month in South Dakota, but I love fall weather, activities, and traditions. October is also the month when results usually have come out for the South Dakota bar exam and I can write about them in my column. That October tradition holds true again this year.

Like most things, 2020 was an interesting year for the bar exam. The uncertainty of COVID-19 caused some jurisdictions to delay administration of the bar exam, a few to administer it online (with very mixed results), and all to sort out how to provide an exam safely while meeting the needs of applicants and employers. The South Dakota Board of Bar Examiners and Sheridan Anderson deserve a huge tip of the cap for their response to the situation. Early on they worked with the Supreme Court to extend the window for student practice, provide an alternative of an essay only exam if NCBE did not offer the multistate exam, and to provide clarity to examinees about how the exam would be administered with proper social distance and other safety protocols in place. Seeing the uncertainty and lack of communication in other jurisdictions was a reminder of how well we usually communicate in South Dakota. Thank you to the Board and to Sheri for all their work for South Dakota, this year and every year.

I also must give a tip of the cap to Professor Timothy Peterkin and the rest of the faculty at the law school. Professor Peterkin continues to find innovative ways to support USD students in their bar preparation efforts. He is continuing to refine how the entire curriculum advances bar preparation. Our bar preparation classes continue to incorporate feedback from students, NCBE, and others to make them an effective bridge

from law school to bar exam and to practice. He has worked with the faculty to incorporate MBE style multiple choice questions into formative assessments, to produce video lectures so students hear familiar voices refresh key topics, and to pair faculty with students for guidance and support during exam prep. He has expanded orientation to include four one-hour sessions on key skills of legal analysis and adopted a voluntary video “law school boot camp” for students who want to jump start their preparation. These efforts help create an unbroken line of preparation for practice beginning at admission and running all the way through sitting for the bar exam and going into practice. I firmly believe that these efforts will make more practice ready graduates and produce better bar exam results.

Lastly, I want to thank the USD Knudson Law School Class of 2020. A COVID-19 bar exam presented a unique challenge. They worked hard on their preparation. They were persistent and adaptable. As you all recognize, those are traits that will serve them well in practice. Thank you, Class of 2020.

On to the results. The pass rate in South Dakota for USD graduates taking the exam for the first time was 76%. A bit lower than last year, but still in line with our upward trend over the last several years. We are waiting for results from other states, some of whom delayed the exam in light of COVID-19. Our first-time pass rate for ABA reporting purposes will not be final until those additional results come in, but that is where we stand in South Dakota.

As important as first-time rates are, what matters most to students and for ABA accreditation is our ultimate pass rate. Not everyone passes on their first attempt, and we have had several students in the last couple years who passed a portion of the bar exam in their first attempt and successfully passed the other in a second or subsequent attempt. Those numbers are a better measure of our real bar exam performance. At this point, 86% of the Class of 2018 who took a bar exam passed it. The Class of 2019 sits at 88%. These are good numbers that match or exceed other schools. I fully expect the pass rate to climb for the Class of 2020 as some students retake the portion of the exam that they did not pass in their first attempt.

Our goal remains to help every graduate who wants to take the bar exam to pass the bar exam. We are doing this for our students and their employers to produce graduates ready to go to work in South Dakota and the surrounding world. If you have any questions about bar results or our work to prepare students for the bar exam, please get in touch. I'd love to talk about it.

Finally, I would like to address the idea of diploma privilege. In response to the COVID-19 disruption, many people began to discuss offering "diploma privilege." What many of them were technically talking about was supervised practice pending bar exam results. South Dakota already offered that and expanded the period in which graduates could utilize it to accommodate those unable or uncomfortable to take a bar exam in the COVID-19 environment. The discussion eventually expanded to true "diploma privilege" that allows graduates of certain law schools to have automatic admission to a state bar pending character and fitness review. Only Wisconsin currently offers this option. Personally, I do not support returning to diploma privilege.

While the Law School works hard to prepare graduates for practices, I do not believe that is a substitute for the Bar Examiners and the Supreme Court assessing the competence, character, and fitness of lawyers seeking admission to the bar. Remember that not all applicants in South Dakota graduate from the Law School. Having a bar exam process presents a level playing field to applicants from all law schools, including South Dakota kids that leave for their education and come home to practice. I also think the exam provides a way to assess the competence for practice that assessments in legal education are not specifically tailored to. Not all our graduates want to practice law. As much as we work to provide a practical education we cannot, and should not, build our curriculum and assessments solely around competence for practice. They overlap, but not perfectly. The bar exam can be tailored to exactly that question.

Please do not take this as my endorsement of the bar exam as perfect. It is not. I doubt anyone would tell you it is. We need to reassess how well it measures competence for practice. We should make sure that

it is fair and free of implicit bias. The NCBE's Testing Task Force is engaged in a multi-year analysis of the exam and how it can be updated to address concerns like these. That is important to make sure that the bar exam is appropriately connected to legal education and to minimum competence for practice. We need to continue to have examiners, legal educators, the bar, and the judiciary offer observations, concerns, and priorities for an effective bar exam. There are changes and improvements for the bar examination process to be sure. I do not believe that a return to diploma privilege is one of them, however. Some may disagree, and they should say so. Having conversations about bar admissions is imperative for us all.

Preparation for the bar exam and practice remains one of the most important things we do at the Law School. We continue to work to improve our program and help everyone understand our approach. I truly hope that anyone with questions, concerns, or suggestions will get in touch. I would be happy to talk about this with anyone because we all have a role in making it a success.



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# 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.

- **GARRETT HORN\***
- **LAURA KULM ASK**
- **DEBRA WATSON**

**\*Indicates two cases accepted**

AND MUCH THANKS TO:

**SCOTT MOSES**

FOR HIS CONTINUED WORK WITH  
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Are you in private practice? Are you able to take on ONE pro bono case with Access to Justice? Are you able to answers questions anonymously online?

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[ACCESS.TO.JUSTICE@SDBAR.NET](mailto:ACCESS.TO.JUSTICE@SDBAR.NET)

And let her know you will answer the call to be an a2j legal superhero!



“  
Lawyers have an obligation to provide legal services to those without the wherewithal to pay, to respond to needs outside themselves, to help repair tears in their communities.”

“  
- HON. RUTH BADER GINSBURG

TRIVIA: October 25-31,  
2020 is National Celebrate  
Pro Bono Week





# A2J

## HERO



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

# ANNOUNCEMENTS

Gunderson Palmer Nelson Ashmore LLP  
is pleased to announce that

*Catherine A. Seeley*

has joined the firm as associate attorney.

Gunderson Palmer Nelson Ashmore LLP  
111 W. Capitol Ave, Suite 230  
Pierre, SD 57501

Telephone: (605) 494-0105

[cseeley@gpna.com](mailto:cseeley@gpna.com)

[www.gpna.com](http://www.gpna.com)

*Redstone Law Firm LLP*

will be moving to a new location  
effective October 19, 2020.

Redstone Law Firm LLP  
1300 W. 57th Street, Suite 101  
Sioux Falls, SD 57108

Telephone: (605) 331-2975

Facsimile: (605) 331-6473

[www.redstonelawfirm.com](http://www.redstonelawfirm.com)

Helsper, McCarty & Rasmussen, P.C. is  
pleased to announce that

*Stacia Jackson*

joined the firm as an Associate effective  
September 28, 2020.

Helsper, McCarty & Rasmussen, P.C.  
1441 Sixth Street, Suite #200  
Brookings, SD 57006

Telephone: (605) 692-7775

Facsimile: (605) 692-4611

[staciajackson@lawinsd.com](mailto:staciajackson@lawinsd.com)

Marlow, Woodward & Huff, Prof. LLC  
is pleased to announce that

*Morgan Carol Erickson*  
&  
*Stephanie R. Otto*

have joined the firm as associate attorneys.

P.O. Box 667  
200 West Third Street  
Yankton, SD 57078

Telephone: (605) 665-5009

[morgan@mwhlawyers.com](mailto:morgan@mwhlawyers.com)

[stephanie@mwhlawyers.com](mailto:stephanie@mwhlawyers.com)

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Do you have all the assets documented? How do you know if a party is hiding assets? What are some red flags? We will discuss hidden assets and their use in litigation. Specifically, we will go over situations involving hidden assets, red flags to be aware of, and analyses and resources used to uncover these assets.

**PRESENTER: Eric Hansen**

Eric Hansen is a Forensic Accounting Senior Manager with Eide Bailly LLP's Fraud & Forensic Advisory Division in their Sioux Falls office. He has numerous years of experience conducting accounting and financial investigations and providing testimony in civil and criminal courts.

He is a Certified Fraud Examiner, Certified Financial Crimes Investigator, Certified Forensic Interviewer, and former Certified Law Enforcement Officer. He has worked on all sizes of cases including a 60 million dollar federal lawsuit and everything ranging from shareholder disputes to murder and suicide matters.

**PRESENTER: Trent Leavitt**

Since 2005, Trent has been providing computer forensics, cell phone forensics and eDiscovery solutions to his clients. Whether he's investigating intellectual property theft, assisting a law enforcement agency or sifting through cell phone data in a family law case, Trent's goal is to uncover the truth for his clients.

Trent also uses his knowledge as an adjunct instructor at Utah Valley University and has lectured at Brigham Young University and University of Utah law school.

**DATE AND TIME: OCTOBER 15TH, 2020**  
**12:30PM-1:30PM (CST)**

**REGISTER HERE**





# Semi-Annual Meeting & Seminar

Friday, October 9, 2020 ~ via GoToMeeting

## AGENDA

6 NALA CLE CREDITS\*

(1 Ethics • 4 Substantive • 1 Non-Substantive)

~Times listed are CDT~

8:00 – 9:00am	<b>DIVORCE/FAMILY LAW</b> ..... Attorney Amber J. Eggert <i>Same Sex Marriage &amp; Custody in South Dakota</i>
9:20 – 10:20am	<b>eCOURTS and ODYSSEY FILE &amp; SERVE</b> ..... Kent Grode & Jill Marlow, <i>Training, Tips &amp; Tricks</i> IT Business Analysts
10:30 – 11:30am	<b>PUBLIC SECTOR</b> ..... Attorney Brad Schreiber <i>Contracts and Contractors: What to Know When Hiring</i>
11:40am – 12:00pm	<b>SDPA Semi-Annual Meeting</b> ..... Executive Committee
1:00 – 2:00pm	<b>PERSONAL INJURY</b> ..... Attorney John Burke <i>Navigating Your Injury When Workers Compensation is Involved</i> (tentative--speaker and topic subject to change)
2:10 – 3:10pm	<b>ETHICS</b> ..... Attorney Eric Schulte <i>Attorney Malpractice</i>
3:20 – 4:20pm	<b>ENVIRONMENTAL LAW</b> ..... Attorney David Ganje <i>Knowing Your Rights When You're Impacted by Environmental Situations Outside Your Control</i>
4:20 – 4:30pm	<b>Thank You &amp; Recognition</b> ..... Education Committee

## Registration Form

**\*\*NOTE: Please include the e-mail with which you can be reached if we experience technical difficulties\*\***

Email: \_\_\_\_\_

Webinar Fee Enclosed: \_\_\_\_\_ Member \$45 \_\_\_\_\_ Non-Member \$65 \_\_\_\_\_ Student \$20

Name: \_\_\_\_\_ Designation: (CP / ACP / RP / PLS / PP) \_\_\_\_\_

Firm/Organization: \_\_\_\_\_


Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Send registration form and payment to Courtney Vanden Berg, CP, 1305 East 67<sup>th</sup> Street North, Sioux Falls, SD 57104 **by Friday, October 2, 2020**. Make checks payable to **SDPA**. To cancel your registration, please contact Courtney Vanden Berg at (605) 339-4500 or at [Courtlyn@hotmail.com](mailto:Courtlyn@hotmail.com) / [Courtney@StrangeLaw.com](mailto:Courtney@StrangeLaw.com). Cancellations received on or before September 25, 2020, will receive a full refund.

**\* 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.**

**DISCLAIMER:** The seminars and meeting will be broadcast via GoToMeeting. We continue to work hard to ensure the best experience possible via livestream; however, audio, visual, and other technical difficulties may be outside our control. We highly recommend testing your equipment with GoToMeeting prior to the seminar.



**SD CLE, INC.,  
IN PARTNERSHIP WITH SDSU  
NESS SCHOOL OF  
MANAGEMENT AND  
ECONOMICS, PRESENTS**

## **A Real Estate CLE Series**

**November 6, 2020  
12PM-1PM (CST)**

### **Electronic Real Estate Documents & Remote Notarization**

Eric Hanson from Dakota Homestead Title Insurance Company will be going over the current state of electronic real estate documents and remote notarization in South Dakota, what is allowed and what is prohibited, and discussing potential changes in light of national trends. Members from lending, reality, and other related fields will be participating and giving feedback on what standards make the most sense for South Dakota.

**[CLICK HERE TO REGISTER  
FOR THE 11/6 WEBINAR](#)**

**November 13, 2020  
12PM-1PM (CST)**

### **Statutory Assessment Methods & Proposed Changes**

Dr. Matthew Elliot will be discussing the statutory assessment methods used in South Dakota. Dr. Elliott will be going over the current system as well as the proposed changes that have been worked on for several years that will be proposed as part of the upcoming Legislative Session.

**[CLICK HERE TO REGISTER  
FOR THE 11/13 WEBINAR](#)**





## Mike Bornitz named South Dakota Trial Lawyer of the Year.

SIOUX FALLS -Mike Bornitz, of the Cutler Law Firm, has been selected as the South Dakota Trial Lawyer of the Year for 2020 by the South Dakota Trial Lawyers Association. The annual honor is reserved exclusively for the most respected trial lawyers who demonstrate high ethical standards, a commitment to upholding and maintaining the jury trial system, make active contributions to the organization, and have achieved success in litigation.

Mike was raised to be a hard worker and stand up for people who need help. He has built a practice representing people and small businesses who have been injured and mistreated. He focuses on litigation in the areas of personal injury, insurance bad faith, products liability, wrongful death, worker's compensation, and in business and estate litigation. He has tried nearly 50 cases in state and federal courts and administrative agencies in South Dakota, Minnesota, Iowa and Nebraska, and argued cases before the South Dakota Supreme Court and the Eighth Circuit Court of Appeals. Mike is an aggressive and tireless advocate for his clients. He has obtained substantial settlements and judgments, recovering millions of dollars for his clients by helping to enforce safety rules and holding those who break them accountable.

Mike's achievements on behalf of his clients are impressive to say the least. Significantly, he received an outcome exceeding \$4 million followed by two outcomes exceeding \$2 million and \$1 million on four other occasions.

Mike is a native of Yankton, South Dakota. He graduated with honors from the University of South Dakota with degrees in history and political science in 1992. Mike received a Master of Public Administration degree in 1994, and he graduated from the University of South Dakota School of Law in 1996. During law school, Mike served as a teaching assistant and was a member of the law school's Moot Court Board.

Following law school, Mike served as a law clerk in Aberdeen, South Dakota. He then practiced law in Yankton before joining Cutler Law Firm, LLP in 2000. Mike and his wife, Carri, live in Sioux Falls, with their two children, Anya and Rylan.

Mike is licensed to practice in state and federal courts in South Dakota and Nebraska and in the United States Court of Appeals for the Eighth Circuit. He is a member of the American Bar Association, the American Association for Justice, the South Dakota Trial Lawyers Association, and the Second Circuit Bar Association. Mike serves on the South Dakota State Bar's Civil Pattern Jury Instructions Committee and is a director of the State Bar's Tort, Insurance and Trial Law Section and the Worker's Compensation Section. Mike is also involved with a number of charitable organizations in the Sioux Falls community. Because of his numerous recoveries of more than \$1 million, Mike has become a member of the Multi-Million Dollar Advocates Forum®. Mike also has an AV® Preeminent™ peer review and client review rating from Martindale-Hubbell, the highest rating an attorney can receive.



*Mike Bornitz named South Dakota Trial Lawyer of the Year.*





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Angelique Eagle Woman, Wilmot

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Wendy Hess, Vermillion

## State Bar Of South Dakota Diversity and Inclusion Committee

October 1, 2020

The Diversity and Inclusion Committee  
is pleased to announce its inaugural  
Diversity and Inclusion award winner as  
**Mark Vargo.**

We invite everyone to join us in the  
presentation of the award to Mr. Vargo at  
the 2021 Annual State Bar meeting in  
Sioux Falls.

**Congratulations Mark!**

# NUTS & BOLTS

*Brought to you by The State Bar of SD, The Young Lawyers Section, The Diversity and Inclusion Committee & The Continuing Legal Education Committee.*

When: Friday, November 6, 2020

Where: Ramkota Event Center in Pierre AND Zoom

- State Bar Members may attend over Zoom and can register [here](#). Please register by November 4th.
- New admittees attending the State-Wide Swearing in Ceremony may attend in person and can register [here](#). Please register by October 30th.

Schedule:

Morning Session- 9:00AM-11:00AM:

**"Preserving Your Record for Appellate Review" with South Dakota Supreme Court Justices Janine Kern and Patty DeVaney**

Working lunch for New Admittees- 11:00AM-12:00PM:

**"What to Know as a New Admittee" with Elizabeth Overmoe**

Afternoon Session- 12:00PM-2:00PM:

**"A Cultural Competency Primer for the South Dakota Lawyer"**

*Face masks are strongly encouraged.*

Swearing In Ceremony: 3 pm – Capitol Rotunda

If you have questions, please contact Chelsea Wenzel at [Chelsea.Wenzel@state.sd.us](mailto:Chelsea.Wenzel@state.sd.us)

SOUTH DAKOTA YOUNG LAWYERS SECTION  
&  
DIVERSITY & INCLUSION COMMITTEE PRESENT:

*Cultural  
Competency Primer*  
**FOR THE SOUTH  
DAKOTA LAWYER**

**Cultural Competency is the ability to interact effectively with people of different cultures. It encompasses a set of attitudes, behaviors, and policies that combines cultural knowledge into practices and standards, which aim to improve the quality of services to diverse groups.**

**In our growing and changing society, cultural competency is increasingly important for legal professionals to create effective relationships with clients and adequately address their needs. Cultural competency, similar to other skills used within the profession, requires a disciplined approach to viewing the world from different perspectives. As such, cultural competency is an essential skillset for any attorney who seeks to deliver effective advocacy and serve justice.**

**This program will provide a brief overview of what cultural competency is, what it means to be culturally competent, and how culturally competency impacts the legal profession. Program attendees will be provided with tangible tips to implement and utilize in the pursuit of being culturally competent.**

**NOVEMBER 6, 2020 | 12 NOON -1:45PM**

**BEST WESTERN RAMKOTA (PIERRE, SD)**

**STATE BAR MEMBERS MAY ALSO ATTEND BY ZOOM  
PLEASE RSVP TO CHELSEA WENZEL  
CHELSEA.WENZEL@STATE.SD.US**



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# Attorney Health & Wellness Resources



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**SANDCREEK EAP**

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AVAILABLE 24/7

**LAWYERS CONCERNED FOR LAWYERS**

A CONFIDENTIAL &  
INDEPENDENT RESOURCE

# Be gentle to yourself

This is all new.

Your feelings are valid.

We're in this together.

Support is available.

This won't last forever.

You can do this.

YOU'VE

GOT

THIS



## *The False Sense of Security that Comes with Redundant Calendaring Systems*

Mark Bassingthwaighe, Esq.  
Risk Manager, ALPS  
[mbass@alpsnet.com](mailto:mbass@alpsnet.com)

In my experience, almost all lawyers have redundant calendars in place. Often there is a primary master calendar and some sort of backup, which could be anything from a digital backup to a secretary's paper calendar. Some attorneys go even further. For example, in addition to a primary master calendar and some sort of backup, there may be a secretary's paper calendar, a card-based tickler system for critical deadlines, and a calendar kept in reception. Here's the problem, if your various redundant calendars are all created by copying everything from the primary master calendar, it's a false sense of security because mistakes happen.

As backups, redundant calendars certainly have their place; however, their real value can only be realized when they are created independently from the primary master calendar. Understand that calendaring errors are behind a significant percentage of malpractice claims across the country and data entry errors, be they an incorrectly entered date or a date that never made it into the calendar are common.

With the above in mind, ask yourself the following. If you or a member of your staff ever happened to incorrectly enter a date on the primary master calendar or failed to glean an important deadline from a document, are you confident either misstep would be caught? If your answer is no, adjustments need to be made.

While there is no one right way to catch calendaring errors, there are two common approaches that can work for any lawyer other than one who is a true solo with no staff. One approach is to assign calendaring responsibilities to two separate individuals. This could be you and a staff member or two separate staff members. Regardless, both individuals need to be responsible for independently maintaining separate calendaring systems. For example, you could choose to be responsible for maintaining your primary master calendar in Outlook and your secretary would be

responsible for maintaining a separate paper calendar. Both individuals would need to see and work from original documents. In other words, there is to be no copying of critical deadlines off the other's calendar.

The second approach is to have a second set of eyes independently review the accuracy of all calendared entries placed in the primary master calendar by the person responsible for maintaining that system. As above, the second set of eyes would need to have in hand all original documents in order to make sure every important date was properly gleaned and accurately entered. By way of example, you might assign calendaring responsibilities to your paralegal. Once his work is completed, all original documents are given to you so you can double-check the accuracy of his calendaring efforts. Now one caution here. Perhaps it's been eighteen months and as the second set of eyes you have yet to come across a data entry error so you decide that you no longer need to continue reviewing his work because he knows what he's doing. Resist the temptation to stop the review process for this reason because this process is about quality control, not competency. Again, mistakes happen.

Hopefully, you now appreciate the significant difference between redundant calendaring systems and independent yet redundant calendaring systems. With two people involved, the odds that both will make the same calendaring misstep are quite low. At the end of the day, it's all about trying to catch the occasional data entry error in order to avoid having a critical deadline pass without your knowledge.

Now, one final thought for those of you who are true solos with no staff. I wish I could offer a third approach that might be of use to you. Unfortunately, I have yet to come up with one. The best I can do is to encourage you to prioritize the process. Create some sort of backup of your primary calendar because redundancy still has its place. Try not to calendar piecemeal throughout the day. Set time aside so you can focus on this critically important task and take your time. And last, but not least, double check that you have correctly identified and accurately entered all critical deadlines, preferably after allowing a little time to pass. You want to see it with fresh eyes.



## 5 Ways Law Firms Can Get Ahead of COVID-19

By Stacey Smith,  
Senior Claims Attorney at ALPS

An ounce of prevention is worth a pound of cure. We talk a lot about risk management here at ALPS, but what we're really talking about is prevention — systems and practices that your firm can put into place to help catch human error before the mistake causes harm to a client's case. We all know that preventative medicine is the most effective medicine and that's the angle we're coming from as it relates to COVID-19.

We have all been inundated with information about the virus, from cautions to concessions to cancellations. Thankfully at ALPS, we have not received any reports from lawyers of claims arising from COVID-19 issues as of now. However, there are some basic systems that we would recommend law

firms put in place to mitigate risk in this unknown time:

1. Ensure that lawyers and staff are set up to work remotely and can still e-file, etc. from their home office to address deadlines.
2. As always, ensure communication and documentation systems are in place to keep clients up-to-date and informed as to how their case may be affected.
3. Lawyers should be extra diligent in confirming with staff and other attorneys that may have been assigned tasks to confirm that those tasks were completed in case of an unexpected absence.
4. Be aware of the most up-to-date notices from the courts regarding appearances and deadlines and stay in communication with opposing parties (and document that communication!).
5. Be smart. Use common sense. Prioritize your health. Stress can lead to a weakened immune system. Take care of yourself so you'll be equipped to take care of your clients.

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▶ Thomas J. Welk, Boyce Law Firm, Sioux Falls, SD

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Learn more about how ALPS can benefit your firm at

[www.alpsinsurance.com/sdlawyer](http://www.alpsinsurance.com/sdlawyer)

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**JOIN US.  
November 13th, 2020  
VIA ZOOM**

**Dear South Dakota Bar Member:**

The University of South Dakota School of Law Veterans Legal Education Group is holding a virtual legal clinic for veterans on the west side of the state on November 13, 2020, VLEG will be utilizing ZOOM for this virtual clinic and can work with volunteer attorneys all over the state who would like to participate. The time of the clinic will be from 9:00AM to 3:00PM. We hope to reach nearly 50 veterans on this day.

Law students will be completing intake prior to the day of the clinic and scheduling appointments with clients and volunteer attorneys for November 13th. Law students will also attend the sessions with the volunteer attorneys and assist with managing ZOOM and observing the meeting.

**WE NEED VOLUNTEER ATTORNEYS FOR THE  
VIRTUAL CLINIC.**

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

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

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

**volunteer**

USD SCHOOL OF LAW VETERANS LEGAL EDUCATION GROUP

# Free Virtual Legal Clinic



UNIVERSITY OF  
SOUTH DAKOTA  
KNUDSON SCHOOL OF LAW



State Bar of *South Dakota*

## JOIN US ON ZOOM:

**November 13 from 9 a.m. to 5 p.m.**

To reserve an hour time slot please contact the University of South Dakota Knudson School of Law Veterans Legal Education Group via phone or email.

**Phone: 605-658-3530**

**Email: [vleg@usd.edu](mailto:vleg@usd.edu)**

The Veterans Legal Education Group and the South Dakota Low Income Taxpayer Clinic are hosting a FREE VIRTUAL LEGAL CLINIC. Legal professionals, along with student attorneys, will be available to address and support the military community and their families with any legal questions and needs.

***FREE FOR ALL SERVICE MEMBERS, THEIR FAMILIES, AND VETERANS!***

### **EVENT CONTACT:**

USD Knudson School of Law  
Veterans Legal Education Group

**Phone:** 605-658-3530

**Email:** [VLEG@usd.edu](mailto:VLEG@usd.edu)

### **SUPPORTED BY:**

State Bar of South Dakota  
and  
Veterans Committee and Young  
Lawyers Section



# *In Memoriam*



Jonathan Henry Schafer

Jonathan Henry Schafer, 59, of Signal Mountain died in Signal Mountain, TN on August 18, 2020, when his motorcycle

went off the road and down into a rocky creek bed. Jonathan was born and raised in Vermillion, SD. He has also lived in California, Washington DC, Texas, Missouri, Wisconsin, and Tennessee. Jonathan earned degrees in Law, practicing as a patent attorney; Electrical Engineering; and a Doctorate in Medicine, specializing in Family Medicine.

He was an avid reader with a passion for learning as much as possible about history. He delighted in reading about various wars and biographies about historical leaders. Jonathan was an outstanding athlete. He enjoyed running, swimming, hiking, and road biking. He loved riding his motorcycle and the freedom it gave him. He loved just being out in nature. He was passionate about singing. He would practice at home singing to the music he selected on his computer. Then we would go out and he would sing the songs to me at Karaoke. We ended up at some of the most interesting places just so he could sing. The beach was his happy place where he could relax and unwind. He had a great appreciation for art and architecture. He had a very curious and analytical mind and was constantly learning new skills. He would put these skills to use whether it was rebuilding a carburetor or remolding the house. Jonathan was so vibrant, positive, and full of life. He truly embraced life with enthusiasm and touched so many lives.

Jonathan is preceded in death by his father Henry Gerald (Jerry) and brother Charles. He is survived by his wife Victoria; five children Gabriella, Anna,

Kevin, Erik, and Ashlyn; mother Donna; three sisters Mary (Jeff), Cathy (Tom), Cindy (Dennis), and sister-in-law, Cynthia; seven nephews Rory (Kelly), Reece, Tanner (Kailey), Heath, Tim (Nina), Seth, Henry; six nieces Trisha (Andy), Ashley (Chris), Emma (Matt), Sophie (Moises), Madeline, and Lillie; and 12 grand nieces and nephews.

For those who desire to donate, you may donate to the charity of your choice Jonathan's Children's college fund.



Arthur R. (Bud) Olson

After an extraordinary life, Arthur R. (Bud) Olson, age 84, left us unexpectedly while hiking in Pine, Arizona with his wife, June.

He was born in Council Bluffs, Iowa, on January 2, 1936, to Arthur R. and Eva L. Olson. Bud attended school in Sioux Falls, South Dakota, graduating from Washington High School in 1954. In 1960, he graduated with a Juris Doctor degree from the University of South Dakota School of Law.

Bud married his grade school sweetheart, Helen Elaine Eggers, on June 15, 1957, in Sioux Falls, SD. After graduation, Bud began a lifelong career in the Trust Industry beginning as a Trust Officer in 1960 with Norwest Bank in Sioux Falls, SD. He was promoted to President of Norwest Bank North Dakota Trust Operations in 1979 and moved to Fargo, ND. In 1986, Bud accepted a position as Executive VP at Harris Trust Bank in Scottsdale, AZ. Bud spent the last years of his business career as a Trust Sales Officer with Colonial Trust in Phoenix, AZ before he retired in 1999.

Bud and Helen were blessed with three children: Jennifer, Christopher, and Michael. He actively participated in several social and professional

organizations during his life including President of the YMCA in Fargo in the early 1980's. Bud's love in life was playing and participating in many sports including golf, skiing, racquetball, football, and basketball. He excelled at the game of golf. His happy place was participating in any sport that he could play with his family and friends. Whether coaching his kids, competing himself, or watching his grandkids play, his enthusiasm was infectious and his "atta boys" encouraged everyone to try their hardest and do their best. He was a tremendous role model for many people.

After his retirement, Bud pursued painting landscapes in oil and making metal sculptures. In 2007, Bud lost his wife, Helen, after 50 years of marriage. Later, Bud was introduced to June Frederiksen by a mutual friend and they were married in May of 2008. In 2015 they bought a cabin in Pine, AZ, where they spent their summers. In the cool pines, they found peace and calm and continued to enjoy many physical activities like hiking, golfing, working out and playing pickle ball. June was a very positive influence in Bud's life, and they enjoyed many years of happiness together. Bud was an immensely happy person who had an infectious smile and he touched so many lives in a very positive way. Bud was passionate about EVERYTHING in life and lived every day to the fullest extent possible.

He is survived by his wife, June, and his three children, daughter Jennifer Ralls (Garry), son Christopher Olson (Rachel) and their children, Taylor, Lauren, and Luke, and son Michael Olson (Stephanie) and their children, Jack, Brock, Amanda, and Emma, and June's son, Paul Morrison (Robin) and their daughters Annika and Carina. Bud is also survived by a remarkable group of lifelong friends whom he treasured every single day.

In lieu of flowers, donations can be made to the American Heart Association [[www.heart.org/en](http://www.heart.org/en)] in Bud's name or the Pine Strawberry Fuel Reduction, Inc. [[psfuelreduction.org](http://psfuelreduction.org) - a forest fire prevention organization in Pine, AZ] or a charity of your choice.



Timothy William Johnson

Timothy William Johnson, age 67, passed away on September 9, 2020, at his home in Atlanta, GA, after a long illness.

Tim was born in Sioux Falls, SD, to Clare Murry and George Osva Johnson on October 16, 1952, the second of their six sons. Tim graduated from O'Gorman High School in 1970 and enrolled at the University of South Dakota, from which he graduated cum laude, Phi Beta Kappa, with a BS in political science in 1974. Tim graduated from the University of Texas Law School in 1977 and joined the Atlanta law firm of Smith, Currie & Hancock, where he became a partner. Tim was admitted to practice before the US Supreme Court in 1983. Tim opened his own specialized labor and employment law firms: Crenshaw & Johnson and Johnson, Matte & Hobgood. Later he joined Coca-Cola Enterprises as Vice President of Labor Relations until his retirement in 2007. Tim returned to Smith Currie in an "of counsel" role until his illness forced him to fully retire in 2015. Tim was a frequent speaker at legal seminars and known for his thoughtful analysis, engaging presentations, and exceptional writing. After all, he was South Dakota's 6th grade spelling bee champion.

In all of Tim's endeavors, he strived to be a leader and mentor. He was student body president at O'Gorman, one of the select "Farber Boys" at USD, and a Teaching Quizmaster at UT law school. He was an active member at Holy Spirit Catholic Church, The Lawyers Club of Atlanta, The Touchdown Club of Atlanta, Atlanta Country Club, USD Farber Fund, and various other business, civic and social groups.

Tim was a devoted son, husband, father, and friend. He was very social and tremendously enjoyed spending time with his extended family, church, legal partners, and many other friends that he made along

the way. Tim was always ready to meet for breakfast (especially at Dunkin' Donuts), lunch, dinner, or drinks to discuss sports, family, career, or important world problems. He loved conquering golf courses, pheasant hunting in South Dakota, watching ball games, discovering hole-in-the-wall BBQ joints, enjoying a movie with popcorn or ice cream, and entertaining with his knowledge and wit. On the numerous memorable road trips with his family from Georgia to his beloved South Dakota, he would find someone or something interesting for his family to see. Most trips by car, plane, or train were loosely planned so he could "play it by ear," as his family often heard him say.

Tim married Ann Neal Morris in 1982 in Atlanta. He is survived by his wife, Ann; daughters, Clare

and Amanda; son, George; his parents George and Clare Johnson; brothers Stephen, David, Daniel, Paul and Philip; and many nieces, nephews, cousins, and in-laws who will miss his beautiful blue eyes, keen attention, and sense of humor at family gatherings. His family is grateful for the loving care Tim received from Nathaniel McDaniel as well as other special caregivers.

Because of the Covid-19 pandemic, a funeral Mass has not yet been scheduled. A private family burial will be held later at Holy Spirit Catholic Church in the memory garden. In lieu of flowers, donations can be made to Holy Spirit Catholic Church, The Association for Frontotemporal Degeneration or the Farber Fund at University of South Dakota.

**"Thanks again, you did a great job today!" ~ Clair Gerry**

**Patrick Burns, mediator/arbitrator**

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# BOARD OF BAR COMMISSIONERS

Minutes, July 24, 2020

Springhill Inn & Suites, Roosevelt Room  
Deadwood, South Dakota

President Terry Westergaard called the meeting to order at 8:30 a.m. Mountain Time on Friday, July 24, 2020, in Deadwood, South Dakota. Present at the meeting were Westergaard, President Elect Bill Garry, Commissioners Aasen, Christensen (by telephone), Dougherty, Ginsbach, Hruska, Kempema, Pickar, Pilcher, Roby (by telephone), Skjoldal, Trefz, and Wurgler (by telephone). Also, present during all or part of the meeting were Executive Director/Secretary-Treasurer Andrew Fergel, Strategic Plan Coordinator Elizabeth Overmoe, Assistant Executive Director Nicole Ogan, Communications Director Tracie Bradford, Access to Justice, Inc. Co-Coordinator Denise Langley (by telephone), LAP Director Rebecca Porter (by telephone), Young Lawyer Section President Caroline Srstka (by telephone), Young Lawyer Section President Elect Ole Olesen (by Telephone), Reece Almond (by telephone), and Chris Christianson (by telephone).

Minutes of May 21, 2020 Meeting by Teleconference: Commissioner Kempema moved to approve the minutes of the May 21, 2020 meeting held by teleconference. Commissioner Trefz seconded the motion. Motion passed.

2020 Annual Meeting Minutes: President Westergaard and Executive Director Fergel gave a short report on the 2020 Annual Business Meeting held on June 18, 2020 via Zoom. After the report, Commissioner Ginsbach made a motion to approve the minutes of the 2020 Annual Business Meeting. The motion was seconded by Commissioner Pickar. Motion passed.

Minutes of June 18, 2020 Bar Commission Meeting: Commissioner Aasen moved to approve the minutes of the June 18, 2020 Bar Commission meeting. Commissioner Pickar seconded the motion. Motion passed.

Young Lawyers Section Report: Carrie Srstka, President of the Young Lawyers Section reported on the section's planned activities for the coming fiscal year. After the report President Westergaard thanked Ms. Srstka and the Young Lawyers Section for all the work they do for the Bar.

Strategic Plan Update: Strategic Plan Coordinator Overmoe presented the Commission with the progress that has been made under the current strategic plan. Ms. Overmoe reported that many things under the plan had to be postponed or pivots had to be made since March due to the pandemic and she gave the Commission an overview of what was postponed and how committees, sections, and staff pivoted to continue to meet the needs of members. Ms. Overmoe also reported

that the planned Strategic Plan Retreat will now be held virtually via Zoom on September 25<sup>th</sup> and the purpose of the retreat will be to further define the State Bar's role in supporting USD School of Law to recruit and prepare law students for a successful transition into the legal profession and to more effectively help State Bar members meet the legal needs of South Dakota.

A Bar Leaders Guide to Embracing Risk: At 9:30 a.m. Molly Flood with the ABA Division of Bar Services gave a presentation via Zoom to the Commission entitled "A Bar Leaders Guide to Embracing Risk".

Lawyers Assistance Program Report: LAP Director Rebecca Porter provided a quarterly report to the Commission on her activities as Director. Ms. Porter specially noted a significant increase in the volume of calls and referrals she has received since the beginning of the COVID-19 pandemic and particularly in the month preceding the meeting. After Ms. Porter completed her report, President Westergaard thanked her for the work she was doing and the service she is providing members.

Financial Report: Fergel and Ogan presented a financial report to the Commission that included information about fund balances in all the operational accounts for the State Bar of South Dakota, SD CLE, Inc., and Access to Justice, Inc.

FY 2020-2021 State Bar General Budget: Fergel and Ogan presented the proposed FY 2020-2021 State Bar General Budget for approval. Commissioner Pickar made a motion to approve the FY 2020-2021 State Bar General Budget as presented. President Elect Garry seconded the motion. Motion passed.

Executive Session: At 11:00 a.m., Commissioner Hruska made a motion to go into executive session. The motion was seconded by Commissioner Ginsbach. Motion passed. The Commission came out of executive session at 11:30 a.m.

Contract Lobbyists for 2021 Legislative Session: Fergel asked the Commission to authorize him to enter into a lobbyist retention agreement with the Riter Rogers Law Office, for the 2021 legislative session with compensation terms up to what was authorized in the 2020 agreement. Commissioner Hruska made a motion to authorize the Executive Director to execute a lobbyist retention agreement with the Riter Rogers Law Office for the 2021 legislative session that may include compensation terms up to what was included in the agreement for 2020. The motion was seconded by President Elect Garry. Motion passed.

Monthly Meetings by Teleconference: President Westergaard informed the Commission that it was his intention to continue to have monthly meetings by teleconference in those months that the Commission does not have an in-person quarterly meeting scheduled. The meetings will be held on the third Thursday at

9:00 a.m. Central Time in the months of August, September, October, December, February, March, and May for FY 2020-21. If there is no business to discuss in a specific month the meeting will be cancelled in advance.

Contract for State Bar to Provide Services to South Dakota Bar Foundation: A contract was presented to the Commission for the State Bar to provide services to the South Dakota Bar Foundation for a nominal fee. A motion was made by Commissioner Trefz to have President Westergaard execute the contract, as presented, on behalf of the State Bar of South Dakota to be effective August 1, 2020 for FY 2020-2021. The motion was seconded by Commissioner Ginsbach. Motion passed.

Member Services Provider Agreement with Infotech Solutions, LLC: Fergel presented a Member Services Provider Agreement to the Commission that would make Infotech Solutions, LLC (“Infotech”) an endorsed provider of the State Bar of South Dakota. As an endorsed provider, Infotech, an information technology services company, would provide managed firewall services at a rate of \$50.00 per month less than its standard rate to members of the State Bar of South Dakota. A motion was made by Commissioner Aasen to authorize Executive Director Fergel to execute the Member Services Provider Agreement with Infotech. The motion was seconded by Commissioner Trefz. Motion passed.

Member Benefits and Sponsorship Committee: President Westergaard announced that he was creating a Bar committee that would work on cultivating and obtaining member benefits and sponsorships. President Westergaard appointed Commissioner Pickar to chair the committee and stated additional committee appointments will be made in the future.

Commission’s Finance and Audit Committee: President Westergaard appointed Commissioners Dougherty, Roby, and Trefz to the Commission’s Finance and Audit Committee.

Compensation Committee: President Westergaard informed the Commission that overall staff compensation has not been formally looked at by the Commission for some time; therefore, he was appointing a Committee of Commissioners to review staff compensation. President Westergaard appointed Commissioners Aasen, Christensen, and Kempema to the Compensation Committee.

Appointment of South Dakota State Bar Representative to ABA House of Delegates: President Westergaard stated that it was again time to appoint a State Bar Representative to the ABA House of Delegates. President Westergaard informed the Commission that Sarah Sharp Theophilus has been serving in that capacity and is eligible for reappointment. President Westergaard’s recommendation was to reappoint Ms. Theophilus. Thereafter, a motion was made by Commissioner Trefz to



appoint Sarah Sharp Theophilus as the South Dakota Representative to the ABA House of Delegates for a two-year term. The motion was seconded by Commissioner Pickar. Motion Passed.

State Bar of South Dakota 2018 Membership Survey: Executive Director Fergel informed the Board that the Commission had never formally authorized publishing the 2018 Membership Survey to the Bar membership and requested a motion from the Commission to publish the survey on the membership side of the State Bar's website in light of the work that is being done by the Commission on Sexual Harassment that was formed by the South Dakota Supreme Court. After a short discussion, a motion was made by Commissioner Hruska to publish the 2018 Membership Survey on the membership side of the Bar's website with the understanding that any personal identifying information contained in the report would be redacted. The motion was seconded by Commissioner Aasen. Motion passed.

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

Respectfully submitted,

Andrew L. Fergel  
Executive Director/Secretary-Treasurer

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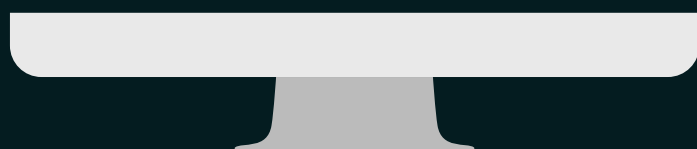
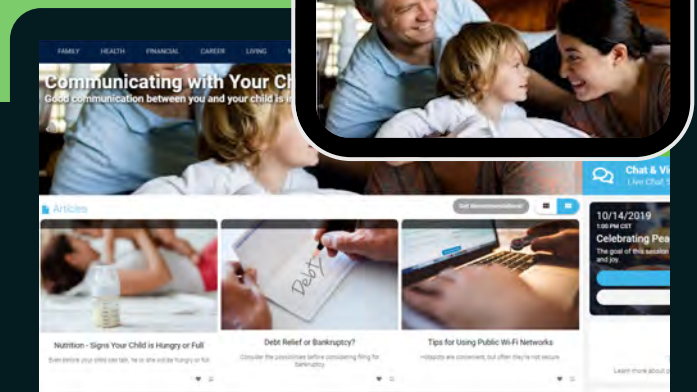
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SAND CREEK EAP PRESENTS:

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CHANGING THE  
GAME IN  
EMPLOYEE  
WELLNESS







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## YOUR STATE BAR MEMBER ASSISTANCE PROGRAM

### WE HELP WITH EVERYDAY LIFE STRUGGLES SUCH AS:

- Family Conflict
- Couples/Relationships
- Substance Abuse
- Anxiety
- Depression
- Household Errands
- Adoption/Elder Care
- Wellness
- Divorce/Custody
- Budgeting
- Estate Planning
- Bankruptcy
- *Any other life struggle you may face*

### OUR SOLUTIONS INCLUDE:

- Mental Health Counseling
- Work/Life Resources
- Legal/Financial Resources
- Medical Advocacy
- Life/Wellness Coaching
- Personal Assistant

This service is always **PRIVATE, CONFIDENTIAL &, AT NO COST TO YOU** and your household members. Your participation with your EAP is voluntary, we do not report back to your employer about the things you discuss.

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*FEEL CONNECTED & SUPPORTED 24/7/365*

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You can call our toll-free number or download the app to the home screen of your mobile device without even visiting an app store, by simply visiting [mylifeexpert.com](http://mylifeexpert.com) or scanning the **QR code** at the bottom of this page.

#### TO LOGIN:

- Click "create a new account with your company code"
- Insert your access code
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#29379, Order of Suspension

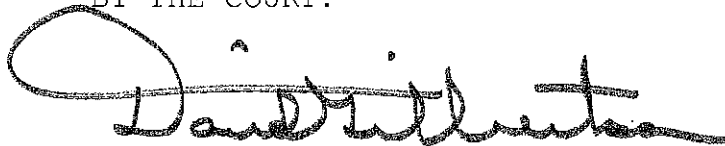
Furthermore, Joan E. Powell must submit an affidavit to this Court stating under oath that:

1. She has reviewed the Oath of Attorney and the Rules of Professional Conduct;
2. She fully recognizes that her conduct violated the Rules of Professional Conduct by which she is bound;
3. She pledges to devote every effort in her future practice to fully abide by the Rules of Professional Conduct and Oath of Attorney, and;

IT IS FURTHER ORDERED that Joan E. Powell shall on or before October 22, 2020, pay to the State Bar of South Dakota allowable costs and expenses in the amount of \$5,118.78 as reimbursement of its itemized costs and expenses allowed under SDCL 16-19-70.2, proof of said payment to be filed with the Clerk of this Court on or before November 23, 2020.

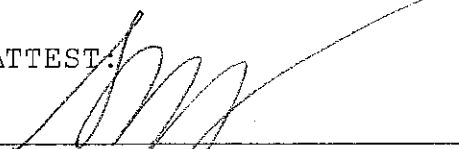
DATED at Pierre, South Dakota, this 22nd day of September, 2020.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST

  
Clerk of the Supreme Court  
(SEAL)

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

STATE OF SOUTH DAKOTA  
In the Supreme Court

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

22nd day of Sept, 2020

  
Deputy

Deputy

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

SEP 22 2020

  
Clerk

# Career Center



## STATE BAR OF SOUTH DAKOTA CLASSIFIEDS

Email your employment announcement to [tracie.bradford@sdbar.net](mailto:tracie.bradford@sdbar.net) by October 26th to have it included in the November Newsletter. Please be sure to include a closing date. To see more jobs listings, visit [www.statebarofsouthdakota.com](http://www.statebarofsouthdakota.com)

### ATTORNEY

#### Associate Attorney - Sioux Falls

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

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

Start Date: Upon hiring.

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

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

#### Estate Planning Attorney - Rapid City

Lynn, Jackson, Shultz & Lebrun, PC, is a highly-rated and forward-thinking law firm with three offices in South Dakota, serving clients locally, regionally, and nationally. Our Rapid City office is seeking to add an attorney to its flourishing and expanding Estate Planning/Trust group. Our Firm's estate planning and trust attorneys draft wills, trusts, powers of attorney, asset protection plans and transition plans for businesses. In addition, attorneys in our Estate Planning group assist clients with guardianships, conservatorships, probates, and trust administration. As part of our Trust group, our attorneys assist clients in creating, modifying and reforming a variety of trusts.

The ideal candidate for this position need not have experience in these areas, but must be self-motivated, a problem solver, and detail-oriented, and must possess a willingness to learn quickly, take direction, and talk with and counsel clients. Candidates for this position must possess excellent written and verbal communication skills, and must be licensed in South Dakota or be willing to sit for the next South Dakota bar exam. Lynn Jackson offers a competitive salary, as well as an excellent benefit package, and our attorneys are provided with the latest in technology and continuing education to assist in their practice area. All applications will be confidential and should be directed by mail to Jeff Collins, Managing Director, 909 St. Joseph Street, Suite 800, Rapid City, South Dakota, 57701, or by email to [jcollins@lynnjackson.com](mailto:jcollins@lynnjackson.com).



## Attorney - Mitchell

James D. Taylor, P.C. is a small, but very busy, county seat general practice law firm. 35+ years in Mitchell. Generally a two person firm; in 2012 one of the long-term principals became a full-time State's Attorney; two associates since then have both gone on into full-time government legal work. Apparently this office is good at starting lawyers in public service careers.

Once again I'm down to myself and things work better with two of us. I need an intelligent, self-starter. Experienced or inexperienced. Old or new. In the latter cases you may need some guidance and have a learning curve. In either case you need to be able to think, communicate, and be willing to challenge yourself by immediately stepping into a steady general practice caseload of civil, administrative, government and municipal corporation work, and the opportunity for criminal defense outside of Davison County, SD. Why that last limitation? The firm serves as a contracted Deputy State's Attorney for Davison County advising elected and appointed officers and handling all manner of county civil proceedings.

You need to be prepared to live in Mitchell. Despite being the 8th largest city in South Dakota this is a small town of 15,000. To succeed you have to be willing to be part of the community and do your share to keep whole the fabric of civic organizations, clubs, schools, churches, etc.

Look at the first page of my website – [www.tmlawsd.com](http://www.tmlawsd.com) – and you'll glean a good idea of what motivates this practice. We can talk about salary and revenue sharing arrangements if things appear to be able to move in the right direction.

### How to Apply:

James D. Taylor; James D. Taylor, P.C.; P.O. Box 6; Mitchell, SD 57301-0006

Email [preferred]: [taylor@tmlawsd.com](mailto:taylor@tmlawsd.com)

Phone: 605-996-3882

Location: 520 North Lawler Street, Suite 100, Mitchell, SD

That's immediately southeast of the World's Only Corn Palace.

Send a cover letter that has some personality to it, a resume, and a writing sample.

## Deputy/Senior Deputy State's Attorney - Sioux Falls

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.

Minnehaha County prosecutors are an integral part of the criminal justice system closely collaborating with law enforcement, probation, parole, juvenile justice centers, and numerous community agencies. With a high volume caseload in a fast-paced environment, our office provides an intriguing challenge for attorneys who want to make a difference in their community by helping victims of crime and ensuring due process for the accused. Even our new attorneys experience the excitement of a job regularly engaged in hands-on courtroom trial work.

Attorneys who work in the Minnehaha County State's Attorney's office have had impressive accomplishments! Three of our former attorneys have been appointed as magistrate judges and another served as a circuit court judge. Since 2002, six of our prosecutors have been named South Dakota State's Attorney's Association's **Prosecutor of the Year**. To be considered for this extraordinary opportunity, submit your application today. Contact us for more information, or with questions, at 605-367-4337.

\*\*\*Please include cover letter and resume with online application.

Posting to remain open until positions are filled.

Application review begins on September 25, 2020.

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. (Click on the job titles for complete job descriptions and a list of qualifications.)

Compensation for appointment as a Deputy State's Attorney will be between \$2,681.60 - \$2,747.20/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 \$2,817.60 - \$3,881.60/bi-weekly dependent upon qualifications. Full earning potential

for position is \$3,881.60/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](mailto:jobs@minnehahacounty.org)

Job #20-69

Minnehaha County is an Equal Opportunity Employer and does not discriminate on the basis of race, color, creed, religion, national origin, citizenship, ancestry, gender, gender identity, sexual orientation, marital status, pregnancy, age, disability, veteran's status, genetic information, or any other protected group in accordance with state and federal law. Arrangements for accommodations required by disabilities can be made by contacting Human Resources at (605) 367-4337.

### **Associate Attorney – Sioux Falls**

Thompson Law, PLLC is seeking to hire an Associate Attorney who wishes to practice in the areas of estate planning, trust administration, and business law. Although experience in transactional law is preferred, training and mentorship will be provided. Both new attorneys and those with experience will be considered. Thompson Law provides a strong benefit package and competitive compensation. We pride ourselves on a family oriented and flexible workplace. Thompson Law has opportunity for those who wish to excel.

Please send your resume and cover letter to [joan@cathompsonlaw.com](mailto:joan@cathompsonlaw.com).

### **Office of Attorney General Criminal Litigation - Pierre**

DETAILS: The Office of Attorney General seeks an attorney for a position with the Criminal Litigation Division. The attorney will prosecute major criminal cases in state court and accordingly litigation experience is preferred. The individual must have

strong research and writing capabilities. Must be able to communicate well to clients and the courts and must have strong legal advocacy skills.

OFFICE LOCATION: This position will be stationed in Pierre.

STARTING SALARY: Entry level salary is \$68,000 annually or greater, depending upon experience. The State of South Dakota has an excellent benefit package including retirement, employee insurance coverage and paid leave.

QUALIFICATIONS: Applicants must have a JD degree and be licensed to practice law in South Dakota. The person eligible for this position must be a motivated self-starter, have strong research and writing capabilities, be able to communicate well to clients and the courts, and have strong legal advocacy skills. Prior litigation experience is preferred but not required.

APPLICATION PROCESS AND DEADLINE DATE: Interested persons should send a resume containing three references, a writing sample and a letter describing their qualifications to the address below. The position will be opened until filled.

JASON RAVNSBORG, OFFICE OF ATTORNEY GENERAL, 1302 E. HIGHWAY 14, SUITE 1, PIERRE, SOUTH DAKOTA 57501.

### **Assistant General Counsel - Brookings**

South Dakota State University is seeking applicants for the position of an Assistant General Counsel. Under, and at the direction of, the SDSU Vice President and General Counsel, the SDSU Assistant General Counsel – Litigation and Employment supports the SDSU Vice President and General Counsel by: attending and representing the University in assigned administrative and legal proceedings, serving as lead or supporting litigation counsel as assigned; interfacing with clients and keeping them advised of developments and status of all matters regarding assigned pre-litigation and litigation matters; handling subpoenas, public records, and other document requests; providing guidance to SDSU Human Resources on labor and employment matters, including grievance support on behalf of SDSU as the employer; supporting the SDSU General Counsel interaction with EEOC, DOL, DOJ, including

response and defense of inquiries and investigations; developing legal and factual research, analysis, and writing including but not limited to legal and factual research and analysis; drafting accurate and succinct contracts, legal, and non-legal documents; gathering, organizing, reviewing, and preparing materials related to legal services and proceedings; assisting with and/or performing assigned interviews and investigations; drafting and maintaining policies and procedures; and performing other duties as assigned. For a summary of the minimum and preferred qualifications, the application deadline, contact information for questions on position, and to apply, visit <https://YourFuture.sdbor.edu>, search for the position, and follow the electronic application process. For questions on the electronic employment process, contact SDSU Human Resources at (605) 688-4128. SDSU is an AA/EEO employer. SDSU actively seeks to increase social and intellectual diversity among its faculty and staff. Women, minorities, veterans, and persons with disabilities are especially encouraged to apply.

### **Assistant City Attorney - City of Sioux Falls**

Hiring Range DOQ: \$2,872.00 - \$4,001.60 bi-weekly  
Deadline for Filing: Friday, October 9, 2020

The City is currently looking for an attorney to advise the Public Works Department. The legal work in this area includes working on a wide array of projects supporting all divisions within Public Works including Public Works Administration, Engineering, Streets, Water, Water Reclamation, Environmental, Light and Power, and the Sanitary Landfill. The projects include drafting and reviewing contracts, litigation, bid issues, contractor issues, collections, environmental issues, regulatory and compliance issues, drafting and enforcing ordinances and other duties as assigned. The projects are dynamic and require an energetic attorney with multi-faceted experience to address the numerous complex issues faced by the Public Works Department and, in the process, advise the senior and elected leaders of the City of Sioux Falls in those areas.

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](http://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](mailto:recruiter@siouxfalls.org).

### **Corson County Public Defender**

The Corson County Board of County Commissioners is accepting applications for an independent contractor position as Public Defender for the remainder of 2020. The Contract offered is \$ 3,000.00 per month, no benefits, renewable on the last day of each month and ends December 31, 2020. The Public Defender contract will require representation in all felony and misdemeanor adult and juvenile criminal cases as well as Abuse and Neglect, CHINS and other juvenile actions. Applicants must be licensed to practice in South Dakota and criminal defense experience is required.

Please direct all applications to the Corson County Auditor's Office at  
PO Box 255, McIntosh, SD 57641 or email:  
[corsonauditor@sdplains.com](mailto:corsonauditor@sdplains.com), or my office email:  
[corsoncosa@faithsd.com](mailto:corsoncosa@faithsd.com).  
Cheryl Laurenz-Bogue  
PO Box 250  
Faith, SD 57626  
[corsoncosa@faithsd.com](mailto:corsoncosa@faithsd.com)

### **Attorney Position – Sioux Falls**

Legacy Law Firm, P.C. is seeking a business law and estate planning attorney to add to our team. One or more years of experience is preferred, along with strong academic credentials and excellent communication skills. Qualified applicants interested in this opportunity should send a cover letter and resume to Felan Link at [felan@legacylawfirmpc.com](mailto:felan@legacylawfirmpc.com). All applications will be kept confidential. For more information about our firm, visit our website [www.LegacyLawFirmPC.com](http://www.LegacyLawFirmPC.com).



### **Associate Attorney - Rapid City**

Gunderson, Palmer, Nelson & Ashmore, LLP, an AV-Rated, 20+ lawyer firm located in Rapid City and Pierre, South Dakota, is looking for an associate attorney in the firm's litigation section at our Rapid City location. The ideal candidate must be in good standing with the South Dakota State Bar and have strong legal research and writing skills. Class ranking of top 1/3 is required.

The firm offers a comprehensive benefit plan, a competitive salary structure and the opportunity for professional development in the legal business work environment. You can learn more about our firm by visiting our website at [gpna.com](http://gpna.com).

All inquiries will be kept confidential. Please send your cover letter, resume, unofficial transcript and references to [solsen@gpna.com](mailto:solsen@gpna.com) or 506 6th Street, Rapid City, SD 57701.

### **Litigation Associate - Sioux Falls**

Donahoe Law Firm P.C. is seeking an associate attorney with 1-3 years of experience. Work will primarily be in litigation, including appeals, with some estate planning and business law/commercial matters. The position requires research and brief writing, trial preparation and participation in client representation for agricultural, intellectual property, construction and railroad law and complex litigation before public bodies or agencies, and the state and federal courts in South Dakota, Minnesota and Iowa (preferably licensed in South Dakota). Candidates should possess excellent research and writing skills, ideally with some trial experience and a desire to learn unique or new areas of the law. All applications will be held confidential.

Please send a cover letter and resume to:  
Donahoe Law Firm, P.C., 401 East 8th Street, Suite 215,  
Sioux Falls, SD, 57103.

### **Associate General Counsel - Fergus Fall, MN**

This position provides advice on legal, regulatory, and business issues related to Otter Tail Power Company in order to meet business objectives and mitigate risks to include negotiating and drafting documents that reflect business decisions, meeting with business partners,

and representing the company in various forms. This position also provides advice to management on State and Federal regulatory statutes, administrative rules, Commission orders and tariff requirements. In coordination with the Regulatory Department, manage briefs, replies and other advocacy filings. Coordinates with Asset Management on transmission-and construction-related agreements and coordination. Advise management on franchise and transmission-related agreements and negotiate the same. Advise and work with Customer Service in territorial disputes, utility franchise, customer service matters and tribal affairs. This position will participate in other activities to include facilitating discovery responses, depositions, preparation of motion papers and preparation for trial. Supervise and direct the activities of outside counsel to ensure Otter Tail Power Company receives responsive, cost effective and valuable legal services.

#### Essential Responsibilities

- Interpret laws, prepare legal documents, negotiate, advise management, and represent the company in business-related matters to include contracts, ownership agreements, real property, construction and procurement agreements, environmental and other regulatory matters
- Participates in filings and legal advocacy on behalf of Otter Tail Power Company at the Minnesota Public Utilities Commission, North Dakota Public Service Commission, the South Dakota Public Utilities Commission, and the Federal Energy Regulatory Commission on rate, compliance, (including NERC/MRO), investigatory and siting matters.
- Represent the utility in right-of-way, third-party and company siting/use and other local governmental matters.
- Review documentation, investigate, interview, identify risks and determine how to proceed and mitigate risk. Manage activities related to litigation and regulatory matters and provide direction to outside counsel to ensure the company's interests are protected and optimized. This position will participate in other activities to include facilitating discovery responses, depositions, preparation of motion papers and preparation for trial.
- Advise and work with other company stakeholders on environmental issues.
- Manage the activities of outside counsel to ensure the company receives cost effective and valuable legal services.

Required for Associate General Counsel

- J.D. degree from an American Bar Association (ABA) accredited law school
- Must be licensed to practice in any of the states of Minnesota, North Dakota, or South Dakota
- Five (5) years' experience relative to the position
- Experience in and demonstrated knowledge of federal and state regulatory models, regulation of business, economics of regulated (monopoly) industries, energy industry, utility rates and operations, broad understanding of stakeholder and other industry processes combined with an appreciation of the wider political, regulatory and industry environment
- Superior excellent technical and legal writing and oral skills, strong research, leadership, negotiation, presentation, and interpersonal skills
- Demonstrated ability for developing and interpreting legal and regulatory contracts and orders, with ability to identify critical and priority issues and define appropriate action
- Ability to manage time and priorities under unexpected or difficult deadlines, and the ability to skillfully represent Otter Tail Power Company in a congenial and constructive manner
- Normal day hours; Minimal travel required; Some overnight

We offer a competitive wage and benefit package. To apply, visit our careers page at [www.otpc.com](http://www.otpc.com). Applications accepted through October 16, 2020.

## PARALEGAL

### Paralegal or Legal Assistant Position – Sioux Falls

Legacy Law Firm, P.C. is seeking a paralegal or legal assistant to add to our team. One or more years of experience is preferred, along with strong academic credentials and excellent communication skills.

Qualified applicants interested in this opportunity should send a cover letter and resume to Felan Link at [felan@legacylawfirmnpc.com](mailto:felan@legacylawfirmnpc.com). All applications will be kept confidential. For more information about our firm, visit our website [www.LegacyLawFirmPC.com](http://www.LegacyLawFirmPC.com).

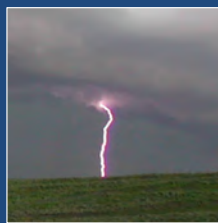


**DO YOU HAVE A JOB ANNOUNCEMENT?**

Send it to  
[tracie.bradford@sdbar.net](mailto:tracie.bradford@sdbar.net)

## Northern Plains Weather Services

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



# OCT♥OBER

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## UPCOMING EVENTS

DATE	EVENT	LOCATION
10.15.2020	Intellectual Property CLE Show Me The Money CLE Bar Commission Meeting	Webinar Webinar Teleconference
11.6.2020	Nuts & Bolts CLE Swearing-In Ceremony Bar Commission Meeting Remote Notarization CLE	Zoom & Ramkota, Pierre Capitol Rotunda, Pierre Ramkota, Pierre Webinar
11.13.2020	Assessment Methods CLE	Webinar
12.16.2020	Small Business Valuations & Discovery CLE	Webinar
12.17.2020	Bar Commission Meeting	Teleconference
2.18.2021	Bar Commission Meeting	TBA
3.18.2021	Bar Commission Meeting	TBA

For all upcoming webinars, check out the calendar on the State Bar website at [www.statebarofsouthdakota.com](http://www.statebarofsouthdakota.com).