



STATE BAR OF SOUTH DAKOTA

NEWSLETTER

MAY 2024

Notice of Annual Business Meeting of the State Bar of South Dakota

NOTICE IS HEREBY GIVEN that the Annual Business Meeting of the State Bar of South Dakota will be held at the Ramkota Convention Center and Hotel in Pierre, South Dakota, on June 14, 2024, commencing at the hour of 8 o'clock a.m.

This notice is given pursuant to Article IV, Section 4.4.b of the Bylaws of the State Bar of South Dakota to all Active and Inactive members thereof.

Dated at Pierre, South Dakota, this 29th day of April, 2024.

State Bar of South Dakota

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2024 ANNUAL CONVENTION

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Ramkota Hotel & Convention Center
Pierre, South Dakota

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State Bar of South Dakota

May 2024

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PRESIDENT'S CORNER



Heather Lammers Bogard

As May is Mental Health Awareness Month, I am dedicating this article to Becky Porter, the Director of the South Dakota Lawyers Assistance Program. She spends endless hours providing services to our members in the areas of mental health and addiction. She and Mike McKnight host virtual wellness coffee breaks every two weeks for lawyers and law students who can attend anonymously. Becky also chairs Lawyers Concerned for Lawyers, a confidential and independent resource for lawyers, law students, and families. You are welcome to call 605-391-5191 with your concerns; your call will be answered by lawyers—either Becky or one of the 40+ volunteers. The State Bar also provides three free sessions with a counselor for lawyers, law students, and their families through Sand Creek. For more information, please visit sdlawyerwellness.com. There are also links to more information concerning intellectual, social, emotional, physical, financial, and occupational health.

In observance of Mental Health Awareness Month, please reflect on your well-being, as well as those around us, particularly in the legal profession. We all know that the legal profession is demanding, requires long hours, involves high stakes, and includes intense competition. These factors take a toll on our mental health, requiring us to manage our health and prioritize our mental well-being. Make time for self-care, practice mindfulness, and reach out for help, whether through the Bar or otherwise.

This month is also an opportunity to initiate important conversations about mental health, reduce the stigma surrounding mental illness, and encourage a culture of openness and support within our legal community.

Recently, I attended the Western States Bar Conference. One of the speakers described her state's establishment of a well-being committee, playing a role to foster health and well-being in her legal community. There was also a discussion about promoting education within the Bar on stress, attorney burnout, and self-care. I concluded that thanks to Becky, Mike, and others, our State Bar is ahead of the rest with our assistance to members concerning mental health and addiction.

Also, at the Western States Bar Conference, Sarah Sharp Theophilus, Paul Cremer, and I attended conferences relating to society's excessive smartphone use, leadership, artificial intelligence, and access to justice. I learned that I am as bad as my "kids" with my reliance on my phone. I further learned that, while AI is improving, there is still invalid output, resulting in mistakes and even misrepresentations by lawyers. Even so, we have an obligation to educate ourselves in AI and understand how it may assist us with representing our clients. The discussion on AI also led to lawyers' responsibility to be up to date with technology in general, including when responding to discovery requests and producing clients' data.

Last, I note that South Dakota has already implemented many of the recommendations heard at the Conference to improve access to justice, particularly in rural areas. However, there are still many gains to be made. To that end, I was fortunate to be appointed to serve on the Commission on Indigent Legal Services, passed by the Legislature and signed by the Governor during the 2024 legislative session. Our current system places the financial burden on counties to provide indigent legal defense without oversight or training for the

criminal defense lawyers. The Commission will oversee the strategic work needed in indigent defense and be responsible for future development of an enhanced and coordinated indigent defense model for SD. The Commission will appoint a state public defender with staff that will initially handle criminal appellate work, as well as abuse and neglect and habeas appeals from counties statewide. The state public defender office will provide training and support for court-appointed counsel and could later expand to include felony trial level appointments. As always, I invite input from our members concerning indigent defense, as your insight is appreciated.

Continue enjoying Spring, and remember that Becky and her team are available should you need assistance with mental health or addiction.



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USD Knudson School of Law Save the Date: 2024- 25



Aug 29-30	Fall OCI Round 1
Sept 27	Stay in South Dakota Career Fair
Oct 24-25	Fall OCI Round 2
Nov 13	Black Hills Virtual Networking Event
Feb 6-7	Spring OCI Round 1
Feb 28	Spring Career Fair
March 20-21	Spring OCI Round 2



STATE BAR OF SOUTH DAKOTA
Young Lawyers Section

Kelsey Blair
YLS President

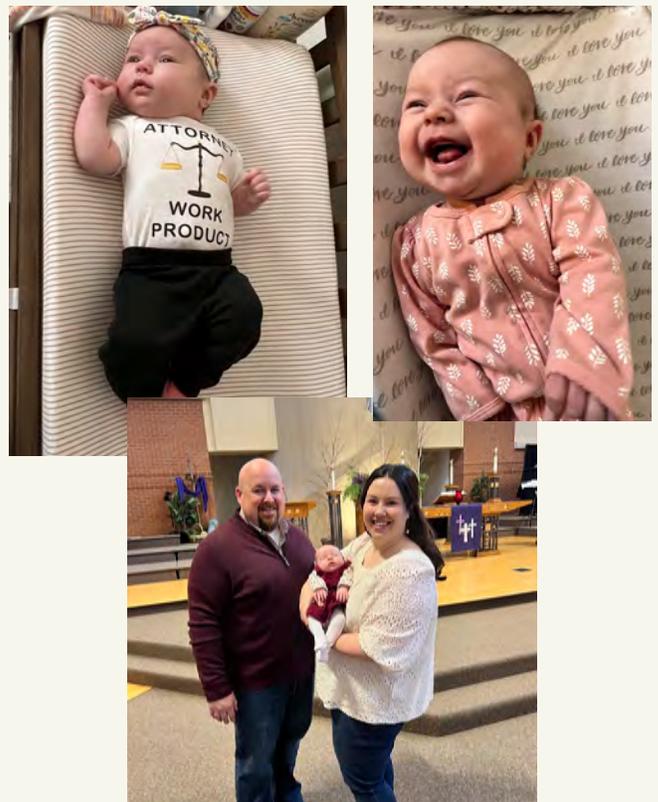


As I sit here writing this month's newsletter, I am overwhelmed with gratitude. I want to recognize the hard work, support, and kindness I have received from all the members of the Young Lawyers Board and the State Bar Office while I've been out on maternity leave. First and foremost, President-Elect Chelsea Wenzel, who has stepped up in my absence to lead meetings, navigate end of the year board duties, and graciously written this article for the last 3 months. It is clear to see the YLS Board will be in great hands next year, and I can't wait to see all they accomplish under her leadership! I also want to shout out to Lora Waeckerle, Spencer Prosen, Brooke Schmidt, and Rebecca Ronayne, who led the charge of this year's YLS Bootcamp, which was a resounding success. Of course, none of our programming would be possible without the incredible support of the State Bar Office. And finally, to the many members of the Bar who have reached out with words of encouragement, tips and tricks for newborns, or simply a "congratulations" – it is truly amazing to be part of such a wonderful community.

I am so grateful to have had the ability to focus on these fleeting precious moments with my daughter. In her, I have found a renewed sense of purpose, perspective, and a commitment to serve.

Look for more substantive content next month on the events the Young Lawyers Section will have at the State

Bar Convention, but for now, I will leave you with some pictures of my daughter, Vivian (I've been told a mom never passes up a chance to share pictures of their kids, and I have a captive audience).



Vivian

Notice

Mandatory CLE Study Committee Presentation

State Bar Business Meeting

June 14, 2024

UJS leadership met with the Bar Commission on November 1, 2023, and requested the State Bar to consider whether South Dakota should implement mandatory CLE requirements. State Bar President Heather Lammers Bogard formed a committee consisting of the Hon. Mark Salter, Hon. Julie Dvorak, Hon. Craig Pfeifle, Heather Lammers Bogard, Kristen Edwards, Dean Neil Fulton, Rory King, Jessica Larson, Pamela Reiter, Carrie Sanderson, Sarah Sharp Theophilus, Jamie Simko, Jason Sutton, Colleen Zea, and Paul Cremer.

The Mandatory CLE Study Committee met on February 5, 2024, and drafted a survey that was disseminated to State Bar members via email dated February 20, 2024.

1122 State Bar members responded to the survey, which constitutes a response rate of 43% of all members, or 56% of active members. The Committee reviewed the survey results, member comments, and research that has been provided by the USD Knudson School of Law. ([Please click here to view the Mandatory CLE Questionnaire results, and click here to view a summary of information](#))

The Committee will discuss comments and concerns raised by survey respondents at the State Bar Business Meeting on June 14, 2024, at the Ramkota in Pierre. ([Register Here](#)) Please note that members will not be asked to vote on mandatory CLE issues at this meeting. This is an informational presentation only. The Committee will continue to review mandatory CLE issues and the Committee is planning to draft recommendations in August or September 2024. If the Committee recommends the implementation of mandatory CLE requirements, then more specific proposals will be drafted. State Bar members will likely have the opportunity to vote on specific proposals at the Business Meeting scheduled for June 2025 in Rapid City.

Please plan to attend the June 14, 2024, Business Meeting to learn more about the work of the Mandatory CLE Study Committee. Thank you.

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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- 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.

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Pierre, SD 57501

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

Raising the Bar
Our Profession. Our Responsibility.



UNIVERSITY OF
SOUTH DAKOTA
KNUDSON SCHOOL OF LAW



DEAN'S LIST: NEWS FROM THE LAW SCHOOL



Neil Fulton
Dean, School of Law

As spring arrives at the Law School, the Class of 2024 prepares to depart. No moment generates more mixed emotions around here than graduation. There is enormous pride and excitement about the achievements and potential of the graduating class. At the same time, there is enormous sadness to see another group of talented young lawyers leave our community to make their way into the world. There is unavoidably both enthusiasm and trepidation about what comes next. The Class of 2024 has had a brilliant three years in law school and has a bright future ahead of them. I am happy to devote this month's column to sharing a little bit about them.

The Class of 2024 will include seventy-three graduates. They came from more than twenty South Dakota communities. A slight majority of the class came from outside South Dakota.

The Class of 2024 has bright employment prospects. 84 percent of the Class of 2024 has already accepted full-time legal employment after graduation. That number typically climbs for almost a year after graduation, as some students and employers do not look hard at hiring until after graduation or even bar passage. Most of these jobs are in South Dakota, meaning we convinced some students from out of state to stick around and begin their careers. Those students leaving South Dakota for work are overwhelmingly headed home.

Most of the South Dakota jobs are in and around Sioux Falls. However, more than ten South Dakota communities will host members of the Class of 2024, including two participants in Project Rural Practice. Seventeen students are beginning their careers in judicial clerkships. Nine students have accepted other public sector placements, while thirty-four are headed to private firms. The Class of 2024 is off to a great start professionally, with diverse and rewarding opportunities in hand. Thanks to everyone who hires our graduates!

The Class of 2024 achieved a lot while in law school. Four members of the Class of 2024 published their own scholarship in the South Dakota Law Review. Law Review staff worked collectively on a symposium considering the ten-year anniversary of Project Rural Practice, a special issue collecting articles about the first impeachment proceedings conducted by the South Dakota Legislature, and a dedication to Tom Geu for his decades of service to the Law School. Members of the Native American Law Students Association hosted a symposium considering the current and future trends in Indian law in the United States. Members of the Class of 2024 competed successfully across the country in trial team, ADR, and moot court. They took down schools like Harvard in competition, obtained perfect scores in advocacy rounds, were recognized for exceptional written and oral advocacy, and did all these things

while sustaining a reputation as highly prepared and ethical lawyers.

The Class of 2024 also demonstrated the critical ability to respond to adversity. They faced the ongoing impacts of a global pandemic in their first year. Their beloved mentor and instructor, Professor Tom Horton, died suddenly and unexpectedly in their second year. Individual members of the Class of 2024 have endured setbacks, both professional

and personal, but continued to work undeterred to achieve their goals. Perhaps nothing about the Class of 2024 is more important than their demonstrated ability to persevere.

Hooping and graduation are special days at the Law School. Bittersweet as it is, everyone here is proud of the Class of 2024, congratulates them on their success, and cannot wait to see what comes next for them!

University of South Dakota
Knudson School of Law

Class of 2024

THE UNIVERSITY OF SOUTH DAKOTA
VERITAS
1862

Natasha Allen	Taylor Anderson	William Barton	Alyssa Blasius	Kylee Boomma	Taylor Bushelle	Trevor Case	Riley Connor	Carissa Crockett	Angelica Cruz	Tessa Dalberg	Andrew DeMers	David Donaldson	Shon Dougherty	Bryce Drapeaux		
Kali Driscoll	Austin Edahl	Isabella Erickson	Andrew Falcone	Jennie Fuerst	Briana Geraci	Brendan Goetzinger	Madison Gooch	Cynthia Hardman	Katelyn Hemmesch	Alexis Heinrichs	Connor Hickman	Marcus Huchy	Hannah Hyatt	Robert J. Hyatt		
Alysh Jackson	Lilli Jasper												Joseph Joyce	Muharak Kadir		
Andy Keyes	Madelyn Kline												Jack Knoblauch	Veronica Kintson		
Kaleigh Koch	Megan Labat	Emilee Larson-Stadenga	Anthony Leonardi										Tyler Lahr	Brooklyn Malley	Sara Mangun	Erica Martinez
James McCormack	Mary Merxhauser	Anthony Metzgar	Steven Meyer										Shanell Nieuwendorp	Dylan Novak	Allison Pauley	Michelle Perrett
Matthew Pesicka	Peter Petraso	Anthony Pozorski Jr.	Alec Prokopowich										Morgan Raes	Pierce Richardson	Jenna Riedel	Kendall Roeder
Abigail Ruda	Stephanie Sadoun	Jacob Samp	Carter Scott	Kortney Smith	Allison Somody	Natalia Stys	Emma Thomas	Kali Tree Top	Shantay Werdel	Will West						



JUSTICE SQUAD

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2. Answer the questions to register and create your account.
3. Once the SDFLA administrator has approved your registration, you may log on to the website and choose the questions you would like to answer.

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Special Thanks to:

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**REGISTRATION CLOSES
MAY 20, 2024!!**

2024

A2J ANNUAL STATE BAR CONVENTION GOLF TOURNAMENT



**DUNES GOLF COURSE
Ft. PIERRE
THURSDAY, JUNE 13, 2024
TWO SHOT GUN STARTS
08:30AM & 01:30PM CST**

REGISTRATION:

- **ONLINE REGISTRATION ONLY**
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ANNOUNCEMENTS

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Jelena Djordjevic
has joined the firm as an associate attorney.

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Telephone: (605) 271-0115

jelena@grieselawfirm.com

Lockwood & Zahrbock Kool Law Office
is pleased to announce that

Morgan Erickson
has joined the firm as an attorney.

Lockwood & Zahrbock Kool Law Office
121 S. Franklin Avenue, Ste. 1
Sioux Falls, SD 57103

Telephone: (605) 331-3643

morgan@lockwoodlaw.com

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Foley & Foley Law Office, P.C.
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Foley & Foley Law Office, P.C.
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Program at 6:30

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If interested, please call either
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Brad Gordon (605-716-3040)
Margo Julius (605-721-7337)

May Law for Lunch 2024 Legislative Updates

Tuesday, May 21, 2024
12:30 PM - 1:30 PM (CDT)
Zoom

Presenter:
Julie Johnson

Catch-up on what happened during the 2024 South Dakota Legislative Session and find out how new bills could impact you or the business you represent.

During this program, you will:

- (1) Learn updates regarding important legislation passed during the 2024 South Dakota Legislative Session.
- (2) Understand how new bills could impact you or the clients you represent.

[REGISTER HERE](#)

2024 ANNUAL CONVENTION

CLE TENTATIVE AGENDA:

Wednesday - June 12

1:00 PM

Generative A.I. - Ethically Navigating
This Brave New World

Thursday AM - June 13

6:30 AM

Early Brd

Legal Potpourri - Track 1

9:00 AM

Civility and Collegiality

10:00 AM

Employment Law Potpourri

11:00 AM

60 Years of the Civil Rights Act: Where
We've Come and Where We're Going

Legal Potpourri - Track 2 Elder Law

8:30 AM

Medicaid Benefits & Asset Protection

9:30 AM

Guardianship Controversies

10:30 AM

Ethics in Trusts & Estate Planning

Thursday PM - June 13

1:00 PM

Public Sector/Government CLE

1:00 PM

Indian Law CLE

4:00 PM

Bar Exam Study Educational Campaign



PROPOSALS / RESOLUTIONS TO BE CONSIDERED AT THE STATE BAR
ANNUAL BUSINESS MEETING ON FRIDAY, JUNE 14, 2024
RAMKOTA CONVENTION CENTER & HOTEL, PIERRE, SOUTH DAKOTA

Proposal 1, from the State Bar of South Dakota Ethics Committee:

The ABA modified Rule 1.8(e) of the ABA Model Rules of Professional Conduct to add a third exception to the general rule that a lawyer shall not provide financial assistance to a client.

The State Bar of South Dakota Ethics Committee agrees with the ABA modifications, and the Ethics Committee also recommends some additional variations from the ABA modification - the State Bar of South Dakota Ethics Committee variations are highlighted in gray, below. The additional modifications clarify that the permitted financial assistance should be limited to only that which facilitates the representation to avoid ongoing financial or personal entanglement between the lawyer and the client.

Thus, the State Bar of South Dakota Ethics Committee is recommending that the proposed amendments to Rule 1.8(e) of the South Dakota Rules of Professional Conduct, below, be approved by a vote of the State Bar membership, and if so approved, that the amendments be presented to the South Dakota Supreme Court for their consideration and potential adoption via the Supreme Court rules process.

The South Dakota Rules of Professional Conduct currently state:

Rule 1.8. Conflict of Interest: Current Clients, Specific Rules

....

(e) A lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, except that:

- (1) a lawyer may advance court costs and expenses of litigation, the repayment of which may be contingent on the outcome of the matter; and
- (2) a lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client.

The proposed amendments to the South Dakota Rules of Professional Conduct are as follows:

Rule 1.8. Conflict of Interest: Current Clients, Specific Rules

....

(e) A lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, except that:

- (1) a lawyer may advance court costs and expenses of litigation, the repayment of which may be contingent on the outcome of the matter; ~~and~~
- (2) a lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client; and

(3) a lawyer representing an indigent client pro bono, a lawyer representing an indigent client pro bono through a nonprofit legal services or public interest organization and a lawyer representing an indigent client pro bono through a law school clinical or pro bono program may provide modest gifts to the client for food, rent, lodging, transportation, medicine and other basic living expenses and other expenses incidental to the representation. The lawyer:

(i) may not promise, assure or imply the availability of such gifts prior to retention or as an inducement to continue the client-lawyer relationship after retention;

(ii) may not seek or accept reimbursement from the client, a relative of the client or anyone affiliated with the client; and

(iii) may not publicize or advertise a willingness to provide such gifts to prospective clients.

Financial assistance under this Rule may be provided even if the representation is eligible for fees under a fee-shifting statute.

Comments:

[11] Paragraph (e)(3) provides another exception. A lawyer representing an indigent client without fee, a lawyer representing an indigent client pro bono through a nonprofit legal services or public interest organization and a lawyer representing an indigent client pro bono through a law school clinical or pro bono program may give the client modest gifts. Gifts permitted under paragraph (e)(3) include modest contributions for food, rent, lodging, transportation, medicine and similar basic necessities of life and other expenses incidental to the representation. If the gift may have consequences for the client, including, e.g., for receipt of government benefits, social services, or tax liability, the lawyer should consult with the client about these. See Rule 1.4.

[12] The paragraph (e)(3) exception is narrow. Modest gifts are allowed in specific circumstances where it is unlikely to create conflicts of interest or invite abuse. Paragraph (e)(3) prohibits the lawyer from (i) promising, assuring or implying the availability of financial assistance prior to retention or as an inducement to continue the client-lawyer relationship after retention; (ii) seeking or accepting reimbursement from the client, a relative of the client or anyone affiliated with the client; and (iii) publicizing or advertising a willingness to provide

gifts to prospective to clients beyond court costs and expenses of litigation in connection with contemplated or pending litigation or administrative proceedings.

[13] Financial assistance, including modest gifts pursuant to paragraph (e)(3), may be provided even if the representation is eligible for fees under a fee-shifting statute. However, paragraph (e)(3) does not permit lawyers to provide assistance in other contemplated or pending litigation in which the lawyer may eventually recover a fee, such as contingent-fee personal injury cases or cases in which fees may be available under a contractual fee-shifting provision, even if the lawyer does not eventually receive a fee.

Proposal 2, from the State Bar of South Dakota Practice Rules Revision Committee:

The State Bar of South Dakota Practice Rules Revision Committee is proposing a new Rule regarding the submission of Orders and Judgments.

The Practice Rules Revision Committee recommends that the new Rule be placed in SDCL Chapter 15-6, as part of SDCL 15-6-58, which concerns the entry of Judgments and Orders. The Committee further recommends that the existing Rule found at SDCL 15-6-58 be renumbered as SDCL 15-6-58(a), and this new Rule be labeled SDCL 15-6-58(b).

Thus, the Practice Rules Revision Committee is recommending that the proposed new Rule, below, be approved by a vote of the State Bar membership, and if so approved, that the new Rule be presented to the South Dakota Supreme Court for their consideration and potential adoption via the Supreme Court rules process.

SDCL 15-6-58 currently states:

15-6-58. Entry of judgment and orders--Effective date.

Subject to the provisions of § 15-6-54(b), judgment upon the jury verdict or upon the decision of the court, shall be promptly rendered. Every judgment shall be set forth on a separate document. A judgment or an order becomes complete and effective when reduced to writing, signed by the court or judge, attested by the clerk and filed in the clerk's office. The clerk, immediately after the filing of any judgment, shall docket the same as provided by law. Judgments of divorce pursuant to chapter 25-4 and judgments of foreclosure pursuant to chapter 21-47 or chapter 21-48 shall be docketed by the notation "see file." Entry of the judgment shall not be delayed for the taxing of costs.

The text of the proposed new Rule is as follows:

A party directed by the court to prepare an order or judgment shall prepare a proposed order or judgment and provide it to all parties within five days of being directed.

Thereafter, the parties shall have five days in which to confer in an effort to agree upon the form of the proposed order or judgment. If all parties agree as to the form of the proposed order or judgment, or if no objection to the form of the order or judgment is timely received from any opposing party, then the party preparing the proposed order or judgment shall insert “NO OBJECTION AS TO FORM BY COUNSEL” in the lower left-hand corner of the final page of the proposed order or judgment. If any party timely objects to the form of the order or judgment and the parties are unable to reach an agreement as to form during such five-day period, then each party shall submit a proposed order or judgment to the court within two days after the expiration of the five-day confer period.

Any objections as to form are waived by a party’s failure to timely submit a proposed order or judgment to the court as provided in this rule, unless the party’s failure is excused by the court for good cause shown.

This procedure may be modified by the court.

CLASS OF 1999 25 YEAR REUNION

June 12, 2024

S.D. State Bar Convention

Ramkota Hotel

Pierre SD



**5:00 p.m. meet in River Run Bar
(bar inside the Ramkota)**

**6:00 p.m. gather at the State Bar’s official Wednesday night
social gathering “Not a Black Tie Affair“ in the Ramkota.**

The Class of 1999 will have our own reserved space within this event.

**You must RSVP for “Not a Black Tie Affair“ when registration
opens for the 2024 Bar Convention.**



GENERATIVE AI:

THE FUTURE IS HERE. ETHICALLY NAVIGATING THIS BRAVE NEW WORLD

Generative Artificial Intelligence (AI) refers to the ability of machines to mimic functions normally associated with humans. The technology can be used to write compelling content, answer questions, and fulfill commands instantly. Advances like ChatGPT, Harvey AI, and the technology's recent passage of the bar exam have raised massive concerns about its potential impact on the legal profession. While there is still much to understand about the full implications of generative AI, one thing is clear: the future is here. As we embark on this new wave of innovation, how will you adapt? This program features demonstrations on how AI is used, an hour of ethics on how attorneys can use AI consistent with our ethical obligations, and a panel discussion on how to implement AI in your practice and advise your clients on the legal pitfalls of using AI.

SPEAKERS:

- **Professor KC Santosh**, Chair of University of South Dakota Computer Science/Associate Professor
The Future is Here (How Will You Adapt to A.I.?)
AI Demonstration
- **Professor Blake Klinker**, Associate Professor at University of North Dakota School of Law
Be Careful Where You Put Your Data (Ethics)
- **Panel Presentation: AI in the Law**
 - Nicole Tupman, Senior Legal Counsel for CNH Industrial
 - Prof. KC Santosh, Chair of University of South Dakota Computer Science/Associate Professor
 - Joel Engel III, Woods, Fuller, Schultz & Smith
 - Dean Neil Fulton, Dean of University of South Dakota Knudson School of Law
 - Mark Bassingthwaite, Esq, Risk Manager with ALPS
 - Tamara P. Nash, Moderator, University of South Dakota Knudson School of Law

 Wednesday | June 12, 2024 | 1:00 PM - 4:00 PM
Ramkota Hotel | Pierre, South Dakota
Chairs: Tamara Nash & Nicole Tupman

**REGISTER
HERE!**

Join Us For Our Annual

"NOT" A BLACK TIE AFFAIR

A NIGHT OF FUN AND CELEBRATION!

Wednesday, June 12th

6:00 PM CST

Ramkota Hotel & Convention Center

Pierre, South Dakota

Join us as we celebrate some amazing accomplishments and milestones. Heavy Hors d'oeuvres will be provided!

JUNE 13 2024 STATE BAR CONVENTION RAMKOTA HOTEL-PIERRE SD

Thursday Night **BEATS & BITES** *Bash*

Join us for

**LIVE MUSIC FROM THE
SIDEHACKERS!**

**A VARIETY OF FOOD
TRUCKS!**

**COLD DRINKS &
MUCH MORE!**



BYOC

Bring Your Own Chair



Cheers to 50 years!

The tradition of honoring members of the State Bar who have reached the remarkable fifty-year milestone since admission to practice law in South Dakota, inaugurated in 1974, continues. This ceremony remains a cherished highlight of our Annual Convention celebrating our long standing members.

»—————«
The following State Bar members are eligible to receive the award Wednesday evening during the “Not a Black-Tie Affair” Social
»—————«

<i>James Abbott</i>	<i>David Gross</i>	<i>Warren Neufeld</i>
<i>William Bowen</i>	<i>Craig Grotenhouse</i>	<i>J. Crisman Palmer</i>
<i>Harry Christianson</i>	<i>Carl Haberstick</i>	<i>John Porter</i>
<i>Randal Connelly</i>	<i>James Hurley</i>	<i>Michael Roche</i>
<i>P. Daniel Donohue</i>	<i>Timothy Johns</i>	<i>Steven Sanford</i>
<i>Charles Dorothy</i>	<i>Warren Johnson</i>	<i>Robert Thomas</i>
<i>William Ellingson</i>	<i>Hon. John Konenkamp</i>	<i>Marc Tobias</i>
<i>Richard Ericsson</i>	<i>Jay Leibel</i>	<i>Robert Wichser</i>
<i>Rodney Freeman Jr.</i>	<i>Peter Lieberman</i>	<i>Derald Wiehl</i>
<i>Lonald Gellhaus</i>	<i>Eric Marzluf</i>	<i>Roy Wise</i>
<i>G. Verne Goodsell</i>	<i>James McCurdy</i>	

Cheers to 60 years!

New this year!

The State Bar of South Dakota proudly announces the introduction of awards honoring members who have achieved sixty years of distinguished service since their admission in 1964 to practice law in the State of South Dakota. This prestigious recognition will be a cornerstone of our Annual Convention, celebrating our longstanding members.

»—————«
The following State Bar members are eligible to receive the award Wednesday evening during the “Not a Black-Tie Affair” Social
»—————«

Judith Atkinson

Gene Bushnell

Roger Haugo

Kenneth Heisterkamp

Robert Houck

Frank Stickney

Paul Van Buren

James Wosepka

STATE BAR ANNOUNCEMENT

Dear Members of the State Bar of South Dakota,

I wanted to take a moment and introduce myself. My name is John Richter, and I am an attorney who has spent my entire career in public service. I graduated from the University of Maryland's R.H. Smith School of Business in 2002 with a degree in accounting and received a J.D. from the USD School of Law in 2006. I began my career as an attorney for the South Dakota Department of Revenue handling tax litigation and now split my time between the South Dakota Department of Revenue and the South Dakota Investment Council.



In approaching any endeavor, I ask myself two things: (1) Can I make a positive impact in the position? and (2) in the words of Matt Michels, "is it fun?" When it comes to serving the Bar, my answer to both these questions is a resounding, "Yes." You only have so much time, and you want to make it count!

My past experiences demonstrate that I will be able to positively impact the State Bar and advance the profession. Such work includes my involvement in the Public Servant Spotlights, Public Sector Awards, the Epic Leadership Conference, the Administrative Law Guide, the annual Opportunities in Administrative Law presentation and Mock Administrative Hearing at the Law School, and the Mount Rushmore Excursion. The commonality between these projects is a focus on increasing communication, providing professional development opportunities, and strengthening our relationships with internal and external stakeholders (particularly the law school). If elected as the Bar President-Elect (2024-2025) to later move to the President's position (2025-2026), I would continue to seek out and develop innovative solutions, like these, that advance the Bar.

I firmly believe that a creative, collaborative, and forward-thinking approach is essential to the continued success of our State Bar. Having served in various capacities within the State Bar, including a Bar Commissioner, the Public Sector Section President, and the Administrative Law Committee Chair, I would without a doubt, want to carry forward the lessons I've learned and the friendships that I've developed in my legal journey to serve as the State Bar's President-Elect/President.

With your support, I am confident that we will be able to add value and positively impact everyone's legal experience. It is with immense gratitude to so many that I announce my desire to serve as the State Bar President Elect, then President the following year.

Thank you to all the State Bar members for your consideration of me to serve in these roles and I look forward to visiting!!

Sincerely,

John Richter

2024 YLD JOINT SPRING CONFERENCE



EMPOWERING EXCELLENCE: BRIDGING EXPERIENCE

THURSDAY
MAY

16

- (12-4 p.m.) YLD Council Meeting
- (4-5 p.m.) Opening Plenary: A Fireside Chat with the Chief Justices of the Supreme Courts of Iowa, Nebraska, and South Dakota
- (5:30-8 p.m.) Welcome Reception at [The Omaha Henry Doorly Zoo](#)

FRIDAY
MAY

17

- (7-8 a.m.) Omelet 5K
- (7:30-8 a.m.) Morning Meditation
- (8-9 a.m.) Networking Breakfast
- Concurrent Programming (see next page)
- (1-2:30 p.m.) What Do Lawyers Do Program
- (3:30-4:30 p.m.) YLD Affiliate Campfire
- Pop-up Public Service Project
- (7-10 p.m.) Dinner Dance at [The Durham Museum](#). Theme: "All that Glitters is Gold."

SATURDAY
MAY

18

- (7:30-8:30 a.m.) Networking Breakfast
- (7:45-8:45 a.m.) Sunrise Yoga at [Gene Leahy Mall at the Riverfront](#)
- Concurrent Programming (see next page)
- Pop-up Public Service Project
- (10:30-11:30 a.m.) Closing Plenary: Chief Standing Bear's Journey for Justice with Joe Starita
- (12-1 p.m.) Welcome Home Cookout

***This schedule reflects the YLD schedule and joint events only*

Early Bird Registration Rates

GP Solo: \$200

Law Practice: \$200

YLD: \$200

Law Student: \$50

Non-ABA Member: \$300

Local Attorney: \$100

LEARN MORE



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AMERICAN BAR ASSOCIATION

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#ABASPRING2024

#ABAYLDSERVES

LAW PRACTICE DIVISION | SOLO, SMALL FIRM, AND GENERAL PRACTICE DIVISION | YOUNG LAWYERS DIVISION

PROGRAMMING/CLE SCHEDULE:

FRIDAY

MAY

17

- Indian Law Potpourri: Examining the Tapestry of Native American and Indigenous People Law in Today's Practice (CLE)
- Lawyers as Leaders: Following Your Professional Heart
- KPIs for Lawyers at all Levels of Experience
- Using Microsoft CoPilot (CLE)
- Litigation Basics, Jury Selection, and Technology: Tips and Tricks
- Leveraging Technology to Enhance Your Wellness (CLE)
- How the Practice of Gratitude Bolsters your Duty of Competency (CLE)
- Power Tips Every Lawyer Should Know for Using Word and Excel (CLE)

SATURDAY

MAY

18

- Saving Democracy and the Rule of Law – Why Lawyers Need to Engage or Saving Democracy and the Rule of Law – A Discussion About Why Lawyers Need to Engage (CLE)
- Access to Justice in America's Heartland: Defining the Problem and Developing Solutions (Part 1)
- Leadership that Inspires Diversity, Equity, Inclusion, and Belonging (CLE)
- Access to Justice in America's Heartland: Defining the Problem and Developing Solutions (Part 2)

[READ MORE](#)

Conference Location

Omaha Marriott Downtown at the Capitol District
222 North 10th Street, Omaha NE
Booking Deadline: April 24, 2024

SPONSORSHIP OPPORTUNITIES

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*See you
in person soon!*



Tamara Nash
Chair of the ABA
Young Lawyers Division



LAW PRACTICE DIVISION | SOLO, SMALL FIRM, AND GENERAL PRACTICE DIVISION | YOUNG LAWYERS DIVISION

How to Avoid

Common Co-Counsel Relationship Missteps



Co-counsel relationships are sometimes formed “on the fly,” meaning no thorough discussion as to who will be responsible for what ever occurs. This can be disastrous if both attorneys assume the other will meet a critical deadline and then neither actually files suit. Oops! It can get even messier if one of those two attorneys happens to be uninsured. Heaven forbid if the one who is uninsured is an out-of-state attorney who got you involved solely to act as local counsel. And here you thought you were just along for the ride with your assumed duties limited to serving as the mail drop. This is just one example of the hazards that can arise in co-counsel relationships.

Here’s another example. Local counsel had worked with an out-of-state firm on a number of matters over the years and the work done by this out-of-state firm was consistently stellar. As a result, local counsel became less and less vigilant in staying on top of any active matter being handled by the out-of-state firm, eventually getting to the point where he just signed documents or appeared with out-of-state counsel when necessary. Eventually one of these matters ended up going to trial and when the judge entered the courtroom, he unexpectedly informed the out-of-state attorney that

certain documents were not in order. As a result, the out-of-state attorney was not going to be able to try the case. The judge then turned to local counsel and said, “you’re up.” Due to his total dependence on the efforts of the out-of-state firm, local counsel was completely unprepared; but with no other options available to him he had to step up and try the case. It was apparent to everyone in the courtroom, including the client, just what had happened. While the local attorney reported that this experience was the most horrific experience of his career, he was able to acknowledge that his own assumptions helped create that nightmare.

Perhaps there was a time when, out of professional courtesy, we could assume that everything would be fine and that our professional colleagues were all competent. Sadly, those days are long gone. Consider that in an ABA report released in 2020, 51.9% of all malpractice claims during the period of 2016-2019 were the result of a substantive legal error.* Running with assumptions about the competency or reliability of any attorney you are about to co-counsel with can lead to serious malpractice and ethical trouble should something go terribly wrong. Understand you and your co-counsel share joint responsibility and are splitting the fee on the

joint matter. You both owe undivided loyalty to your mutual client. This means your client will look to hold you both accountable for anything that goes wrong. With this in mind, here are a few practice pointers that can significantly reduce your exposure to such hazards if taken to heart.

- When considering entering into a co-counsel relationship with an attorney about whom little is known, investigate the attorney before committing to the relationship. At a minimum, confirm the lawyer is admitted to practice in the jurisdiction and conduct an Internet search of the attorney's name. You might also ask for recommendations or references, conduct a background check, interview the attorney, and/or contact area judges or attorneys who practice in the same field in order to ask about prospective co-counsel's qualifications and reliability.
- Have a formal written co-counsel agreement that documents the roles and responsibilities of each attorney. This agreement should address issues such as who will do what, how disagreements will be resolved, who gets paid what and when, who will hold client funds, who will bill the client, how expenses will be paid, who discusses expense decisions with the client, how monies will be split if the client only partially pays, etc. How the negotiation over this agreement proceeds may even help you determine if the two of you will be able to work well together as co-counsel.
- Consider also documenting your roles and responsibilities with all joint clients if for no other reason than to avoid having assumptions in play; and written documentation of roles should always be given to a client if one of you is going to have a very limited role in the matter.

- Commit to tracking all critical deadline dates on all co-counsel matters regardless of your level of involvement and follow up with your co-counsel to either confirm you will meet your specific deadline or to make certain your co-counsel will meet hers. This is particularly important on those matters where your involvement is going to be limited to nothing more than your serving as a local contact who will eventually receive some type of referral fee. Again, remember that as co-counsel you are jointly responsible and liable for the client's matter. There really isn't any halfway here. If the lead co-counsel misses a deadline, you've got a problem. This is why attorneys who decide to exit a co-counsel relationship, exit completely to include forfeiting any referral fee. Responsibility and liability do come with the money.
- Finally, make certain your prospective co-counsel is adequately insured and don't just accept a verbal assurance. I have had attorneys tell me they will say they are insured to get work when in fact they are practicing without any coverage. Financial pressures in competitive markets can result in certain attorneys being forced to take financial risks. This means you should ask for written verification of coverage. A simple swap of a copy of the declaration pages to each other's malpractice policy would suffice. If you find it hard to have this conversation, place the responsibility on your malpractice carrier. A request framed as "my malpractice carrier has advised I always obtain written verification of coverage prior to entering into any co-counsel relationship" may help.

*Profile of Legal Malpractice Claims 2016-2019, ABA Standing Committee on Lawyer's Professional Liability 2020



Authored by: Mark Bassingthwaighte, ALPS Risk Manager

Since 1998, Mark Bassingthwaighte, Esq. has been a Risk Manager with ALPS, an attorney's professional liability insurance carrier. In his tenure with the company, Mr. Bassingthwaighte has conducted over 1200 law firm risk management assessment visits, presented over 400 continuing legal education seminars throughout the United States, and written extensively on risk management, ethics, and technology. Mr. Bassingthwaighte is a member of the State Bar of Montana as well as the American Bar Association where he currently sits on the ABA Center for Professional Responsibility's Conference Planning Committee. He received his J.D. from Drake University Law School.

EARLY BIRD CLE

THURSDAY | JUNE 12, 2024
6:30 AM - 7:30 AM
RAMKOTA, PIERRE

REGISTER
HERE

→ **6:30 AM**

What Judges can see on Odyssey and
What they cannot see
- Presenter: Judge Christina Klinger

→ **6:40 AM**

Electronic Recorder Demonstration
-Presenter: Judge Bobbi Rank

→ **6:50 AM**

FTC Rule Regarding Employee
Non-Competes
- Presenter: Nichole Mohning

→ **7:00 AM**

Supreme Court Updates
- Presenter: Meghann Joyce

→ **7:10 AM**

Legal Services Update (A2J, DPLS, ERLS)
- Presenters: Denise Langley, Thomas
Mortland and Lea Wroblewski

JASON SUTTON
PROGRAM CHAIR



Legal Potpourri

Thursday, June 13, 2024
Ramkota, Pierre

Track 1

8:30 AM - 11:30 PM

Meghann Joyce
PROGRAM CHAIR

8:30 AM

Civility and Collegiality

- Presenters: Judge Craig Pfeifle, Bill Garry, Eric Pickar, and Eric Witcher

9:30 AM

Employment Law Potpourri

- Pregnant Workers Fairness Act - Updates Final Regulations, and Impact on Employees
 - Presenter: Lisa Cagle
- National Labor Relations Act - General Overview and effects on Employers
 - Presenter: Brooke Schmidt
- Important Employment Law Updates - What Every Practitioner Needs to know Now!!
 - Presenter: Lisa Marso

10:30 AM

60 Years of Civil Rights Act: Where We've Come and Where We're Going

- Presenters: Thad Titzke, Amber Mulder, Jennifer Frank, and Jessica Filler

Track 2

8:30 AM - 11:30 PM

Melissa Neville
PROGRAM CHAIR

8:30 AM

Medicaid Benefits & Asset Protection

- Presenters: Prof. Tom Simmons

9:30 AM

Guardianship Controversies

- Presenters: Judge Marshall Lovrien and Judge Jane Wipf Pfeifle

10:30 AM

Ethics in Trusts & Estate Planning

- Presenters: Mark Krogstad and Matt Van Heuvelen

REGISTER
HERE



INDIAN LAW CLE

Thursday | June 13, 2024

1:00PM - 4:00PM

Ramkota Hotel, Pierre

DEAN NEIL FULTON

Program Chair

- 1:00 PM The Supreme Court's Evolving Indian Law Jurisprudence
Presenter: Dani McQuillen
- 2:00 PM The Future of ICWA
Moderator: Renee Gallagher
Shirley Bad Wound and Professor Hannah Haksgaard
- 3:00 PM Doing Business in Indian Country
Moderator: Tim Engel
Steve Kost, Michael Houdyshell and Seth Pearman

REGISTER
HERE

PUBLIC SECTOR/GOVERNMENT CLE

1:00PM | Thursday | June 13, 2024

Ramkota Hotel | Pierre

Holly Farris
PROGRAM CHAIR

1:00PM Administrative Law at a Crossroads: *Loper Bright/Relentless* and the Future of Agency Deference
Presenter: Kara Rollins, Litigation Counsel
New Civil Liberties Alliance

Presentation of Public Sector Section Attorney of the Year Award

2:30PM "Who Is Your Client?"
Presenter: Wendy Kloepner
Lake County State's Attorney

Soft Skills for Government Attorneys

3:15PM Breaking Down Complex Legal Topics for Clients and Non-Lawyers
Presenter: Kristen Edwards
Public Utilities Commission

3:30PM Working in a Small or Solo Legal Office
Presenter: Ashley McDonald, City Attorney
City of Spearfish

3:45PM Tips for Difficult Conversations
Presenter: Katie Cook
Gunderson Palmer

REGISTER
HERE

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about switching
your law firm
to the cloud?
Our guide
has answers.**



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South Dakota young lawyer and American Bar Association Young Lawyers Division Chair, Tamara Nash, attended the 2024 ABA Day in April

ABA Day is the Association's largest lobbying effort, bringing together leaders of the ABA and state and local bar leaders from across the country to advocate on the Hill on issues of importance to the legal profession. This year, priority issues were: advocating for full funding for the Legal Services Corporation (LSC); full funding for federal public defenders; support for attorney-client confidentiality over prison system email; and reauthorization of the Higher Education Act/action on student loan debt relief.

Chair Nash participated in a robust schedule of events! Including, attending the Legal Services Corporation's 50th Anniversary Gala, which featured remarks by U.S Supreme Court Chief Justice Roberts and U.S Attorney General Merrick Garland. She also attended remarks by Representative Kelly Armstrong (R-ND), who received the ABA's 2024 Justice Award, and Representative Mary Gay Scanlon (D-PA) on the Hill.

Next year's ABA Day is scheduled for April 9-10, 2025.



U.S Supreme Court Chief Justice Roberts delivering remarks at the Legal Services Corporation's 50th Anniversary Gala



U.S Attorney General Garland delivering remarks at the Legal Services Corporation's 50th Anniversary Gala



Tamara Nash with other ABA YLD members on the Hill



Chair Nash attending the Legal Services Corporation's 50th Anniversary Gala



Chair Nash with ABA President, Mary Smith on the Hill



Chair Nash with members of ABA Leadership (left to right) Jonathan Cole, ABA House of Delegates Chair-Elect Nominee; Bill Bay, ABA President-Elect; Mary Smith, ABA President; Barb Howard, ABA Day Chair; Michelle Behnke, ABA President-Elect Nominee; Gene Vance, ABA Chair of the House of Delegates; Tamara Nash, ABA YLD Chair; and Alpha Brady, ABA Executive Director

Legal Services Corporation's 50th Anniversary Gala

BOARD OF BAR COMMISSIONERS

Minutes, March 20, 2024

Via Zoom

President Heather Lammers Bogard called the meeting to order at 9:00 a.m. CDT on March 20, 2024. Present for all or part of the meeting were President Lammers Bogard, President Elect Sarah Sharp Theophilus, and Commissioners Tyler Matson, David Strait, Jerry McCabe, Justin Bell, Erika Olson, Rory King, Nick Moser, Amber Mulder, and John Richter. Executive Director/Secretary-Treasurer Paul Cremer was also present.

Commissioner Matson made a motion to go into executive session to discuss personnel matters, and Commissioner King seconded the motion. Motion carried and the board moved into executive session. Present for the executive session were the Commissioners and Cremer, who answered questions and provided information. Commissioner Bell made a motion to adjourn the executive session, and Commissioner King seconded the motion. Motion carried. The Commission returned to regular business at 9:12 a.m. CDT.

Present for all or part of the regular business meeting were President Lammers Bogard, President Elect Sarah Sharp Theophilus, and Commissioners Tyler Matson, David Strait, Kimberly Kinney, Jerry McCabe, Justin Bell, Erika Olson, Rory King, Nick Moser, Amber Mulder, and John Richter. Also present: Executive Director/Secretary-Treasurer Paul Cremer, Assistant Executive Director Nicole Ogan, Communications/Membership Director Tracie Bradford, Administrative Assistant Kylee Alfrey, Lawyer's Assistance Program Director Becky Porter, Access to Justice Inc. Coordinator Denise Langley, and Strategic Plan Coordinator Carrie Gonsor Sanderson.

Pay adjustments for Bar staff: The Commissioners memorialized discussions held during the executive session. Commissioner King made a motion to approve a one-time pay adjustment to Bar staff to compensate them for handling extra duties necessitated by the strategic plan coordinator vacancy. Commissioner Bell seconded the motion. Motion carried. State Bar funds totaling \$9000 will be distributed among Assistant Executive Director Nicole Ogan, Communications Director Tracie Bradford, Administrative Assistant Kylee Alfrey, Access to Justice Coordinator Denise Langley, and Lawyers Assistance Program Director Becky Porter. The \$9000 will come from surplus funds that are available because the strategic plan coordinator position has been vacant since December 15, 2023, and salary and benefits normally paid to that position are not being paid.

Approve minutes of January 30, 2024, February 21, 2024, and February 28, 2024, Meetings: Commissioner Bell moved to approve the minutes of the Bar Commission meetings. Commissioner King seconded the motion. Motion carried.

Welcome New Strategic Plan Coordinator: President Lammers Bogard welcomed Carrie Gonsor Sanderson as the State Bar Strategic Plan Coordinator and thanked her for her willingness to serve. Sanderson thanked the Bar Commission and provided details regarding her outreach efforts and upcoming meetings.

JQC Appointments: President Lammers Bogard and the Commission thanked current State Bar appointees Mark Haigh and Becky Porter for serving two four-year terms on the Commission on Judicial Qualifications/Judicial Qualifications Commission. The Commission also thanked Bob Morris for serving one four-year term and noted that Morris is eligible to serve a second four-year term. President Lammers Bogard thanked the ten State Bar members who applied to fill the upcoming vacancies on the JQC in response to her notice in the March Newsletter. The Commission noted the excellent quality of the ten applicants.

The Commission discussed a selection procedure to fill the JQC vacancies as per SDCL 16-1A-2. Commissioner Matson made a motion to approve the suggested selection procedure, and Commissioner Mulder seconded the motion. Motion carried.

President Lammers Bogard nominated all ten applicants for consideration by the Bar Commission. The Commission discussed the JQC and the applicants. Commissioner Bell moved to reappoint Bob Morris to a second four-year term. Commissioner Richter seconded the motion. Motion carried.

The Commission then voted via ballots containing all ten applicants and selected Raleigh Hansman and Eric DeNure to fill the JQC vacancies.

Mandatory Sexual Harassment Prevention Training Update: The Commission discussed member compliance with mandatory sexual harassment prevention training. The Commission thanked State Bar staff for the extra hours and work they provided to assist members to ensure compliance. The imposition of mandatory member requirements necessitates increased staff resources to track and ensure compliance. SDCL 16-18-1.1 states that failure to complete required training will result in the member being placed on inactive status and may be grounds for disciplinary action.

Mandatory CLE Update: President Lammers Bogard thanked State Bar members for completing a survey regarding a potential mandatory CLE requirement, and she noted that more than 1100 members responded to the survey, which is a very high response rate. Approximately 46% of members strongly or slightly disfavor a mandatory CLE requirement, 20% are neutral, and 34% strongly or slightly favor a mandatory CLE requirement. The mandatory CLE Committee is scheduled to meet again on April 16, 2024.

Legislative Update and Keller Discussion: Cremer provided an update on the legislative session. The State Bar supported a bill brought by UJS (HB 1057) to establish the Commission on Indigent Legal Services and Office of Indigent Legal Services, and the bill was enacted. Other noteworthy legislation includes bills regarding the UCC, notarization, and legal notices. The Commission discussed other legislative matters, including Keller restrictions. A SCOTUS decision in 2018 (Janus) sparked a wave of litigation involving challenges to mandatory State Bars. Courts have issued recent decisions involving State Bars in Texas, Louisiana, and Oklahoma. Similar cases are proceeding in other states. The State Bar of South Dakota will continue to monitor these cases and comply with Keller restrictions.

Annual Meeting Update: The State Bar is planning to host an awards luncheon on Wednesday, June 12, 2024, which will likely include the following award presentations: Public Sector Attorney of the Year, Young Lawyer of the Year, Bill Day Award, President's Pro Bono Award, Women in Law Attorney of the Year, and Lawyers Committee on Diversity and Inclusion (LCDI) award. The McKusick Award and 50-Year Awards are currently scheduled for Wednesday, June 12 in the evening.

Pathways Update: The Pathways project was created to encourage students and others to consider careers in the justice system. The Pathways Committee is continuing to explore options regarding the Pathways coordinator position.

President's Comments: President Lammers Bogard, President Elect Sharp Theophilus, and State Bar staff spoke with 2L and 3L students at the USD Knudson School of Law on March 7, 2024, and provided information about civility and the transition from law school to State Bar membership. Lammers Bogard thanked the law school and the students for hosting and attending the presentation.

Miscellaneous: President Elect Sharp Theophilus attended the Bar Leadership Institute in Chicago on March 15 and participated in excellent training sessions. Tamara Nash led Young Lawyer Division activities as Chair of the Division.

Adjourn: President Lammers Bogard adjourned the meeting at 10:34 AM CST.

Respectfully submitted,
Paul Cremer
Executive Director/Secretary-Treasurer

ACCESS TO JUSTICE BOARD OF DIRECTORS

Minutes, March 20, 2024
Via Zoom

President Heather Lammers Bogard called the meeting to order at 10:34 a.m. CDT on February 21, 2024. Present for all or part of the meeting were President Lammers Bogard, President Elect Sarah Sharp Theophilus, and Directors David Strait, Kimberly Kinney, Jerry McCabe, Justin Bell, Erika Olson, Nick Moser, Amber Mulder, Rory King, and John Richter. Also present at the meeting were Executive Director/Secretary-Treasurer Paul Cremer, Assistant Executive Director Nicole Ogan, Communications/Membership Director Tracie Bradford, Administrative Assistant Kylee Alfrey, Strategic Plan Coordinator Carrie Sanderson, Lawyer's Assistance Program Director Becky Porter, and Access to Justice Inc. Coordinator Denise Langley.

Approve minutes of July 14, 2023, Meeting: Director King moved to approve the minutes of the July 14, 2023, A2J meeting. Director Strait seconded the motion. Motion carried.

Approval of FY 2023 Form 990s: Director Olson moved to approve the FY 2023 Form 990s. Director Bell seconded the motion. Motion carried.

Adjourn: President Lammers Bogard adjourned the meeting at 10:35 a.m. CDT.

Respectfully submitted,
Paul Cremer
Executive Director/Secretary-Treasurer

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 <p>8 MAY</p>	 <p>22 MAY</p>	 <p>23 MAY</p>
<p>Handling a Family Crisis May 8, 2024 1:30 pm EDT - 2:30 pm EDT Register for this Webinar</p>	<p>Opening Up About Mental Health May 22, 2024 1:30 pm EDT - 2:30 pm EDT Register for this Webinar</p>	<p>Mental Health – Support for Others in Distress May 23, 2024 12:00 pm EDT - 12:45 pm EDT Register for this Webinar</p>

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**JUDICIAL QUALIFICATIONS COMMISSION
STATE OF SOUTH DAKOTA**

500 East Capitol Avenue

Pierre, SD 57101

Telephone 605-773-2099

Fax 605-773-8437

Robert L. Morris, Chair
Rebecca A. Porter, Vice Chair
Hon. Robert Gusinsky, Secretary
Mark Haigh
Timothy M. Engel
Rory King
Hon. Cheryle Gering

Lori Grode, Executive Assistant
Email: Lori.Grode@ujs.state.sd.us

March 27, 2024

Notice of Judicial Vacancies

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

FROM: Robert Gusinsky, Secretary, Judicial Qualifications Commission

In anticipation of the Supreme Court amending its rules to allow for fourteen (14) judges in the Second Circuit, (Positions M and N), the Judicial Qualifications Commission is now taking applications for these positions. The duty station for these positions may be either Lincoln or Minnehaha County as determined by the Presiding Judge. As of July 1, 2023, the salary for a circuit court judge position in South Dakota is \$174,448.36. In addition, circuit court judges and their dependents are eligible to participate in the State of South Dakota's health insurance plan; circuit court judges participate in the State's defined benefit retirement plan.

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 May 10, 2024**. Applicants should make sure the application submitted is the 2018 version. Unless otherwise indicated by the applicant, the Commission will consider all applications submitted to be applications for both Position M and Position N.

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 Second Circuit is comprised of the following counties: Minnehaha and Lincoln.



USAO Academy – Summer Law Camp

The **USAO Academy – Summer Law Camp** is an opportunity for high school students interested in pursuing a career in law and/or criminal justice to learn about local opportunities available to them in various professions. Led by federal prosecutors in the U.S. Attorney's Office, students attending this interactive program will be introduced to the American Justice System, including criminal, civil, and appellate law; will have the opportunity to meet and interact with federal law enforcement agents; and will participate in a mock trial at the Federal Courthouse.

The Camp will be held at the United States Attorney's Office in Sioux Falls, South Dakota, June 24-26, from 8:30 a.m. to 1:00 p.m. each day.

The Camp is free of charge and space is limited. To apply, please download and complete the application form found via the following link.

<https://www.justice.gov/usao-sd/media/1349841/dl?inline>

Completed applications may be emailed to: USASD.SummerLawCamp@usdoj.gov

The deadline to apply is May 13, 2024.

Additional information and logistics, including pick-up, drop-off, and parking locations will be provided to students upon acceptance to the program.

Frequently Asked Questions

Camp Dates: June 24 to June 26, 2024; 8:30 a.m. to 1:00 p.m.

Application Deadline: May 13, 2024

How to Register: Apply online: <https://www.justice.gov/usao-sd/media/1349841/dl?inline>

Completed applications should be emailed to the following by the deadline:

USASD.SummerLawCamp@usdoj.gov

Camp Location:

U.S. Attorney's Office
325 S. First Avenue, Suite 300
Sioux Falls, SD 57108

If you have additional questions, please send an email to:

USASD.SummerLawCamp@usdoj.gov

HIGHLIGHTS**May 2024**2023-2024 OfficersJohn Richter
*President*Nolan Welker
*Vice President*Kinsley Groote
*Secretary/Treasurer*Megan Borchert
*Board*Carla Cushman
*Board*Lisa Marso
*Board*Dave Pfeifle
*Board***Providing for the Future!**

Law Day is looking to be a phenomenal success!! Through their efforts, **Kristen Edwards, Teramie Hill, and Sarah Thorne** have taken our Law Day project to the next level. As of now, we have a number of teachers and administrators signed up and ready to participate. **More importantly, we anticipate being able to reach over 800 students!!** Thank you, Kristen, Teramie, and Sarah!

For those unfamiliar with this project, the Public Sector of the State Bar of South Dakota is collaborating with K-12 school districts across the state for Law Day. Law Day, observed annually on May 1st, is a national day set aside to celebrate our legal system and the legal profession in general. In South Dakota, it is organized by the Public Sector Section of the State Bar of South Dakota and is designed to excite the next generation about our system and provide information on possible career paths. This year's theme is "Voices of Democracy."

We will have more information next month! In the meantime, thank you in advance to all those who are stepping up to promote the profession!

AWESOME!!**Active! Engaged! Leaders!**



UNIVERSITY OF
SOUTH DAKOTA
KNUDSON SCHOOL OF LAW

USD Knudson School of Law is conducting a survey to better understand generative AI usage among the bench and bar of South Dakota. Generative AI is a new, powerful area of technology that heavily affects legal research and writing, and we need your help in better understanding the South Dakota legal community's usage of AI, concerns about AI, and needs for further training. Your responses are valuable because they will help us predict employment trends and could influence future curriculum and policy decisions at the School of Law. Answers cannot be traced back to individuals, so please provide candid responses.

[CLICK HERE TO
START THE SURVEY](#)

PUBLIC NOTICE

REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current appointment of Magistrate Judge Sara Pokela is due to expire on August 15, 2024. Magistrate Judge Sara Pokela serves in the Second Judicial Circuit.

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

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

Chief Justice Steven R. Jensen
Supreme Court
500 East Capitol
Pierre, SD 57501

Comments must be received by May 17, 2024.

In Memoriam



Donald Leon Heck

Donald Leon Heck came into this world on January 19, 1932. Born in the Mitchell hospital to Leo and Ann Heck, he grew up in Kimball, South Dakota.

As a child Don honed his early skills of fixing and making things. He was one of those children who took things apart and put them back together just to see what made them work. Oh, and he liked animals, early on he raised chickens. These early enjoyments followed him into later life. Don had a life-long love for sports. In high school he excelled on the football and basketball teams. Being a good player afforded him opportunity to play on the varsity teams as an underclassman.

In grade school he met Freddie Brooks. While in high school they became good friends and sweethearts. After high school they were engaged and were married on August 30, 1953.

Don achieved exceptional grades throughout his schooling. He and his older brother Bob would often vie to see who could get the better grades. While Don's aptitude was for engineering, his father insisted that he follow in his footsteps and attend USD for a law degree. A stint in the Army interrupted his studies. As a Lieutenant he was stationed at Fort Benning, Georgia as well as Fort Carson, Colorado. During his enlistment he used his mechanical skills to help train soldiers. Once back in school, Don obtained his law degree in 1958.

Answering a call from citizens in Kadoka, South Dakota, Don moved his family there in 1958 and began work as state's attorney. After 16 years in that position, Don decided to run for circuit court judge. He won the election and for the next 16 years he sat on the bench judging cases in the surrounding communities.

While Don dealt with decisions in his law office and on the bench as a judge, the most important decision he ever made was committing his life to Jesus Christ. That decision forever impacted his marriage, his family, his

profession, his priorities and his passions.

In his free time from his law practice Don continued his passion for building. Several of his many accomplishments included putting in considerable sweat equity into the family home, a law office and a ranch house patterned after homes he saw while vacationing in Germany. Though he had a certain fear of water, he planned and constructed a swimming pool in the back yard of the Heck home. He also built a family cabin in the Black Hills, securing a small parcel of land in 1971. It was a family project, with Don as chief architect and engineer. He and Freddie worked on it every time they visited the Black Hills. The cabin was a wonderful getaway for so many family friends and was used a ministry for the gospel to everyone who visited.

From the beginning, the Heck home was filled with music. Don played slide trombone in high school. But with his carpentry skills he made beautiful stereo cabinets, plus a special cabinet for sheet music. He sang solos in church as well as being a regular member of the choir. Later he became the choir director. He even took his family on vacation to Bemidji, Minnesota, where he attended a summer conductors' conference. He further used his music skills in forming a community youth choir called The Joyful Noise. The choir sang in neighboring communities, traveling in an old yellow school bus that Don reconditioned.

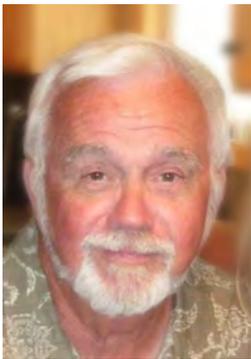
In his retirement Don stayed very busy. He and Freddie traveled far and wide visiting and blessing grandchildren every chance they had. Don also served on the boards of Crisis Pregnancy Center in Rapid City and Victory Bible Center Camp near Ft. Pierre, SD. He also worked steadily on his special projects, including ongoing work on the cabin, and upkeep of the ranch with a small herd of cattle, quarter horses, and at times chickens and pheasants. He also loved to fish at the larger ranch dam.

Don was preceded in death by his wife, Freddie, older brother, Robert Heck and his younger sister, Leanne Rolfe. He is survived by son, Douglas and his wife Debbie, daughter Lyndee Orr and her husband Brent, daughter, Sue Thune and husband Tim. He is survived by his beloved grandchildren, grandson Chris Heck, wife Katie, great-grandson Caleb, granddaughter Noelle Beug, husband Joe, great-grandchildren, Arianna and husband Kevin, Trinity, Justice, Gavin, Elora, grandson, Gabriel Orr and wife Katie, great-grandchildren, Hallie

and Millie, grandson, Luke Orr and wife Nichelle, great-grandchildren, Asher and Jax, grandson, Joel Orr and wife Alyssa, grandson, Aaron Orr and wife Mariah, and great-grandchildren, Hezekiah, Lily and Manna, grandson, Nick Thune and wife Isabel, great-grandchildren, Alma and Naomi, grandson, Logan Thune and wife Zoie and great-grandchildren, Shepherd, Lucy, Charles and Claire, and grandson, Jett Thune.

Don's three kids, his nine grandkids and nineteen great-grandkids are grateful for the way he loved them, provided for them and for his commitment to his Lord and Savior Jesus Christ.

A graveside service will be held at 2:00 pm, Mountain time, May 25, 2024 in Kadoka, SD.



William David Matheson
September 10, 1943 -
April 3, 2024

William David Matheson (Bill) was born on September 10, 1943 to Carroll and Helen Matheson in Lawton, Oklahoma.

Bill primarily grew up in Sioux Falls, SD attending Washington High School and upon graduation in 1961 enrolled at the University of South Dakota. It was in Vermillion that he met his future wife, Mary Ireland, whom he married in 1965.

After graduation, Bill and Mary moved to Toledo, Iowa where Bill taught High School Government and coached tennis. Eventually in 1969, the family moved back to Vermillion so Bill could enroll in USD's law school. The Matheson family grew to four around this time and they made a move to Irene, SD while waiting for Bill to earn his law degree.

Around 1971, the Matheson family moved to Rapid City, SD where Bill worked for the Black Hills Legal Defense and then as one of South Dakota's first Public Defenders. Mary taught wherever the family would go and around 1975 the family would go to Salem, SD so Bill could begin his private practice, with a little

storefront on Main Street next to the bakery and down the street from the Benjamin Franklin.

While in Salem, Bill was asked to act as a fill-in temp judge in Mitchell, SD ruling on cases and getting to wield the gavel and wear the robe. Bill enjoyed this so when a full time position opened up in his home town, he was very proud to be appointed to serve as Sioux Falls' newest magistrate judge in 1979.

The move to Sioux Falls was made and Bill served on the bench for a number of years, with Mary teaching at West Central and his growing children periodically testing the limits of his patience while enjoying the benefits of being related to Judge Matheson.

After retiring from the bench, Bill would continue to practice law on occasion and in his later years he began officiating weddings. He took this role very seriously and it gave him great pleasure to be part of a couple's big day.

In 2003, Bill began spending his winters in Sun City West, AZ furthering his passion for golfing with friends, searching out first edition books and meeting their authors at book signings.

Bill loved sharing his children's and grandchildren's passions whether they be books, pottery, sports or food. He enjoyed seeing others enjoy the things that made them happy. He tried to be the best at everything he did and without a doubt he succeeded when it came to being a husband, father and grandfather. He was a friend to many and a good man to all. He will be missed.

Bill was preceded in death by his parents, Carroll and Helen Matheson. He is survived by his wife of 58 years, Mary, along with his son Chris Matheson and daughter Jolene Godschalk. Their spouses Carolyn and Ed. His grandchildren Madison, Jackson and Anderson Godschalk. Zoe, Macy and Sam Matheson.

A memorial visitation will be held on Thursday, April 25, 2024, from 4:00-6:00 pm at Miller Southside Chapel, 7400 S. Minnesota Avenue (81st and Minnesota Ave) in Sioux Falls.

Memorials may be directed to the Alzheimer's Association South Dakota Chapter, 5915 S Remington Pl #110, Sioux Falls, SD 57108.

Attorney Health & Wellness Resources

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Your Assistance Program can help you reduce stress, improve mental health, and make life easier by connecting you to the right information, resources, and referrals.

All services are free, confidential, and available to you and your family members. This includes access to short-term counseling and the wide range of services listed below:

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Life Coaching

Reach personal and professional goals, manage life transitions, overcome obstacles, strengthen relationships, and achieve greater balance.

Financial Consultation

Build financial wellness related to budgeting, buying a home, paying off debt, resolving general tax questions, preventing identity theft, and saving for retirement or tuition.

Legal Referrals

Receive referrals for personal legal matters including estate planning, wills, real estate, bankruptcy, divorce, custody, and more.

Work-Life Resources and Referrals

Obtain information and referrals when seeking childcare, adoption, special needs support, eldercare, housing, transportation, education, and pet care.

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Medical Advocacy

Get help navigating insurance, obtaining doctor referrals, securing medical equipment, and planning for transitional care and discharge.

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Access your benefits 24/7/365 through your member portal with online requests and chat options. Explore thousands of self-help tools and resources including articles, assessments, podcasts, and resource locators.



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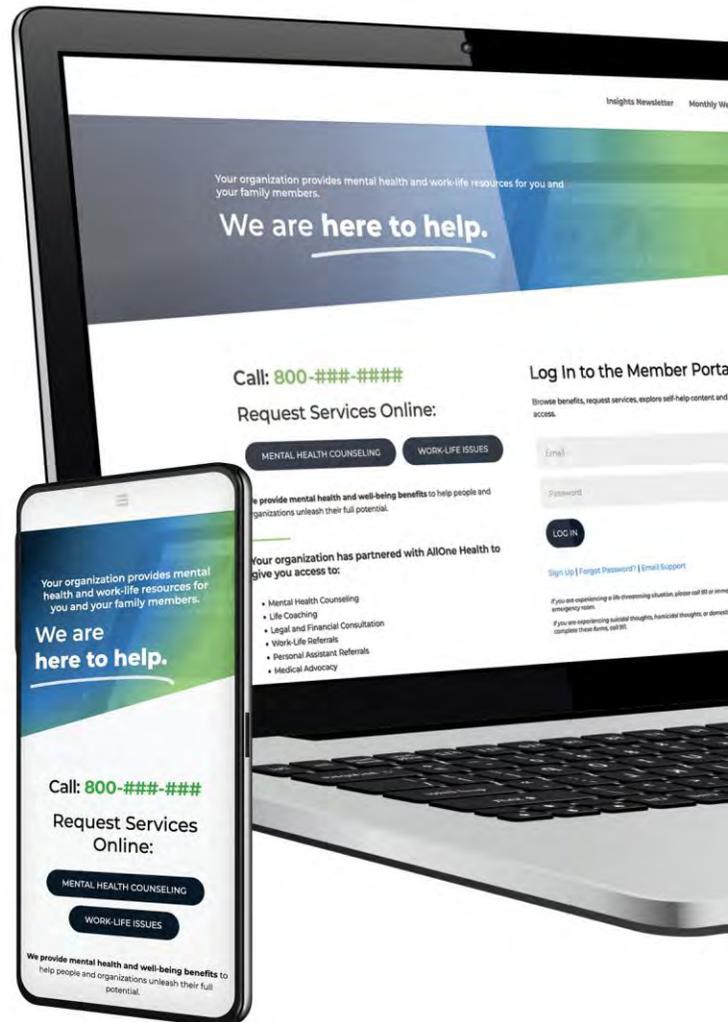
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State Bar of South Dakota Association

Avera Healthcare Plans

The following agents or agencies that are authorized to sell the
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Office Location

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Sioux Falls Area
Sioux Falls & Brookings Area
Pierre, Mitchell & Sioux Falls Area
Watertown Area

Agency

Dice Financial
Mark Mehlhoff
Midwest Employee Benefits
McGreevy & Associates
Fisher Rounds & Associates
Freimark & Associates

Contact

Jacquelyn Johnson
Mark Mehlhoff
Dawn Knutson
John Lawler
Josh Gilkerson
Todd Freimark

WESTERN SOUTH DAKOTA

Office Location

West River

Agency

Black Hills Insurance Agency
Black Hills Insurance Agency
Carver Insurance

Contact

Dan Maguire
Everett Strong
Lisa Knutson

Questions on Eligibility, Rates, and Services?

Please contact the agency listed above based on your office location within
the state for questions related to the Association Healthcare Plan.

Career Center

STATE BAR OF SOUTH DAKOTA CLASSIFIEDS

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



In House Counsel – Sioux Falls

Position Overview: Aladdin is seeking an attorney to join our team. The successful candidate will be responsible for providing legal advice and guidance to the company in matters related to factoring, leasing and equipment, commercial lending, commercial finance transactions and litigation, asset-based lending, lending compliance, and DOT compliance/safety. You will be expected to ensure that the company always operates within the law, and that all legal risks are identified and addressed.

Responsibilities:

- Advise the company on legal matters related to factoring, leasing and equipment, and compliance/safety.
- Hard collections and small claims court filings.
- Ensure compliance with applicable laws and regulations in the transportation industry.
- Draft and review contracts, agreements, and other legal documents related to the company's operations.
- Conduct legal research to stay up to date on changes in laws and regulations that may impact the company's operations.
- Work collaboratively with other members of the executive team and other departments within the company.
- Manage outside counsel when necessary.
- Advise senior management on legal issues and provide strategic guidance.

Qualifications:

- Juris Doctor degree from an accredited law school.

- Admission to the bar in South Dakota
- Strong written and verbal communication skills.
- Ability to work independently and manage multiple priorities.
- Strong analytical and problem-solving skills.
- Ability to work collaboratively with other departments and stakeholders within the company.

We offer a competitive salary and benefits package, as well as opportunities for professional development and growth. If you are a talented and motivated lawyer with a passion for the transportation industry and fintech, we encourage you to apply for this exciting opportunity.

Why work for Aladdin?

- **Environment:** Be part of a growing, tight-knit, employee-centric company
- **Stability:** Consistent growth since 2010
- **Culture:** A work hard, play harder, family-first culture. Be proud of where you go to work & who you work with.
- **Pride:** a well-respected company in Sioux Falls, with active leadership involvement.
- **Perks:** Snacks, drinks, Great Shots pass, and Premier Center box seats

Benefits:

- Medical, Dental, Vision, Life, Short, and Long-term disability insurance offered
- Health Savings Account
- 401(K) plan with employer match
- PTO and 6 paid holidays

Litigation 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 a litigation associate attorney at the Rapid City location. The ideal candidate will have a minimum three years of litigation experience. Must be a member of South Dakota State Bar or have to ability to become member. Must possess a strong business sense and strategic decision-making skills.

The firm offers a comprehensive benefits plan, competitive salary structure and the opportunity for professional development. You can learn more about our firm by visiting our website at gpna.com or our Facebook page at [Facebook.com/GPNAlawfirm/](https://www.facebook.com/GPNAlawfirm/).

All inquiries will be kept confidential. Please send your cover letter, resume, curriculum vitae and references to our firm's Legal Administrator, Kate Ackerson at kackerson@gpna.com or by coming into our office at 506 6th Street, Rapid City, SD 57701.

Construction Litigation 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 a construction litigation associate attorney at the Rapid City location to assist in this growing practice area. The ideal candidate will have a minimum three years of litigation experience and an interest in learning construction law. The firm is willing to train the right person for this practice area. Must be a member of South Dakota State Bar or have to ability to become member. Must possess a strong business sense and strategic decision-making skills.

The firm offers a comprehensive benefits plan, competitive salary structure and the opportunity for professional development. You can learn more about our firm by visiting our website at gpna.com or our Facebook page at [Facebook.com/GPNAlawfirm/](https://www.facebook.com/GPNAlawfirm/).

All inquiries will be kept confidential. Please send your cover letter, resume, curriculum vitae and references to our firm's Legal Administrator, Kate Ackerson at kackerson@gpna.com or by coming into our office at 506 6th Street, Rapid City, SD 57701.

Law Clerk Applicants

The South Dakota Supreme Court and seven Circuit Courts are recruiting for 2025-2026 Law Clerk applicants. If you are aware of any law students, either in-state or out-of-state, who may be interested in a one-year law clerk opening, please have them view the law clerk announcements online at <https://ujs.sd.gov/Careers/WorkForUs.aspx>. There are currently law clerk openings in various locations, such as Pierre, Sioux Falls, Mitchell, Aberdeen, Brookings, Deadwood, and Rapid City.

- Supreme Court Law Clerk application deadline: June 7, 2023
- Circuit Court Law Clerk application deadline: July 5, 2023

This is a great opportunity to work for the South Dakota Supreme Court or South Dakota Circuit Courts. If you have any questions, please contact the Unified Judicial System Human Resources Office at 605-773-4884.

Deputy/Senior Deputy State's Attorney - Sioux Falls

The Minnehaha County State's Attorney's Office is accepting applications for a Deputy/Senior Deputy State's Attorney to join our team of prosecutors. 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, 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.

The hiring range is \$3,492.00 - \$3,949.60/biweekly with full earning potential up to \$4,810.40/biweekly. Minnehaha County offers a competitive benefits package including health, dental, vision, and life insurance, a generous paid time off program, extended sick leave, retirement, and an employee assistance program. For a full list of qualifications and to apply visit: <http://jobs.minnehahacounty.gov>. Review of applications begins on May 3, 2024. EO/AA Employer. Contact HR with questions at 605-367-4337.

Attorney - Location Negotiable

Agency: Department of Labor & Regulation - Labor & Management Division

Location: Statewide - Location Negotiable and has the option to be remote

Salary: \$74,165.76 - \$89,679.19, depending on experience

Pay Grade: L1 or L2, depending on qualifications

Closing Date: Open Until Filled

The South Dakota Department of Labor and Regulation is hiring an Attorney to join their team!

The Department of Labor and Regulation is seeking to fill an attorney position that will serve as an administrative law judge and assist with the Department's boards and commission. The attorney will handle a mixed caseload including serving as an administrative law judge for workers' compensation hearings, representing the department's professional licensing boards and commissions in disciplinary complaints, advising and representing the reemployment assistance division in tax appeals and investigations, and providing additional legal services to department agencies on an as-needed basis. Additional duties may include, but are not limited to, advising department agencies on administrative rulemaking and/or legislative bill drafting.

Why choose our team?

As part of the State of South Dakota, the Department offers a comprehensive benefits package, including multiple insurance coverage options (health, vision, dental, life) and access to SDRS Retirement and supplemental retirement plans. Learn more about State benefits: <https://bhr.sd.gov/benefits/>. This position offers an opportunity for rewarding, public service work with the benefit of a work-life balance. Newly admitted attorneys or candidates sitting for the July bar exam may be considered, depending on qualifications.

This is a Full-Time 40 Hour Weekly position with the Department of Labor & Regulation, Labor and Management Division. For more information on the Department of Labor & Regulation, please visit <https://dlr.sd.gov/>.

Licenses and Certifications:

Current admission to practice with the State Bar of South Dakota or ability to obtain admission within six months of start date.

The Ideal Candidate Will Have:

A strong work ethic, self-starter, and experience in administrative hearings, administrative law, and/or criminal prosecution.

Knowledge, Skills, and Abilities in:

- state and federal workers' compensation laws and case rulings;
- statutes applicable to administrative hearings, procedures, and due process;
- rules of evidence and procedure;
- preparing and analyzing legal documents and writing;
- making sound judgments;
- communicating and interacting clearly and fairly with other parties;
- identifying and applying legal principles; and
- expressing oneself clearly and concisely, orally and in writing.

Additional Requirements: To be considered, please attach your resume.

This position is exempt from the Civil Service Act.

The State of South Dakota does not sponsor work visas for new or existing employees. All persons hired will be required to verify identity and eligibility to work in the United States and complete an Employment Eligibility Verification, Form I-9. The State of South Dakota as an employer will be using E-Verify to complete employment eligibility verification upon hire.

The State of South Dakota offers employer paid health insurance plus eleven paid holidays, generous vacation and sick leave accrual, dental, vision, and other insurance options, and retirement benefits. You can view our benefits information at <https://bhr.sd.gov/job-seekers/work-for-state-government/>. This position is a member of Class A retirement under SDRS.

Must apply online: <https://sodakprod-lm01.cloud.infor.com:1443/lmg/hr/xmlhttp/shorturl.do?key=PI5>

You must apply online, emailed resumes or submissions will not be accepted.

South Dakota Bureau of Human Resources

Telephone: 605.773.3148

Email: careers@state.sd.us

<http://bhr.sd.gov/workforus>

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Assisted State's Attorney - Peoria County

The Peoria County State's Attorney's Office is seeking an energetic attorney for the position of Assistant State's Attorney. This office wants a lawyer with a passion for justice and the desire to make a meaningful difference in the lives of those in their community. This person will gain strong courtroom experience. Duties include meeting with law enforcement, witnesses, negotiating and prosecuting all types of cases from initial filing to bench and jury trials. Salary commensurate with experience; paid 711 license positions while in law school or studying for the bar. Benefits include Loan Forgiveness Program, health, dental and life insurance, IMRF retirement, Deferred Compensation program, paid holidays, vacation, and sick leave, and paid ARDC dues. Please send cover letter and resume to Linda Hood, Office Administrator, at lhood@peoriacounty.org.

Staff Attorney – Sisseton

Are you passionate about racial justice and holistic legal advocacy? Join our team, and make a long-term impact!

DAKOTA PLAINS LEGAL SERVICES (DPLS), a nonprofit legal services program, has an opening for a Staff Attorney position in our Sisseton, South Dakota office. The Sisseton office serves the counties of Grant and Roberts, along with the Sisseton Wahpeton Tribal Courts.

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 an emphasis on family law. Additionally, the applicant should expect to make regular appearances in state and tribal court. Applicants must demonstrate an interest in poverty law and working with Native American and low income clients.

SALARY: Starting at \$60,000 plus, depending on experience. Staff work a 4-day work week, and DPLS has an excellent fringe benefits package including generous leave benefits and employee insurance coverage (medical, dental, life, disability).

CLOSING DATE: Open until filled.

APPLICATION INFORMATION: Please submit a letter of interest and resume to: Thomas S. Mortland, Executive Director, Dakota Plains Legal Services, PO Box 489, Mission, SD 57555, (605) 856- 4444, tmortland@dpls.org.

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

Staff Attorney – Mission

Are you passionate about racial justice and holistic legal advocacy? Join our team, and make a long-term impact!

DAKOTA PLAINS LEGAL SERVICES (DPLS), a nonprofit legal services program, has an opening for a Staff Attorney position in our Mission, South Dakota, branch office. The Mission office serves the counties of Gregory, Jones, Mellette, Todd and Tripp along with the Rosebud Reservation.

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: Starting at \$60,000 plus, depending on experience. Staff work a 4-day work week, and DPLS has an excellent fringe benefits package including generous leave benefits and employee insurance coverage (medical, dental, life, disability).

CLOSING DATE: Open until filled.

APPLICATION INFORMATION: Please submit a letter of interest and resume to: Thomas S. Mortland, Executive Director, Dakota Plains Legal Services, PO Box 489, Mission, SD 57555, (605) 856-4444, tmortland@dpls.org.

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

General Counsel – Location Negotiable

The SDEA is seeking qualified applicants for the position of General Counsel. The SDEA is a professional organization representing public educators in the state of South Dakota. The General Counsel provides legal services in a variety of employment-related matters including contract negotiations and enforcement, public employee union matters, disciplinary matters such as suspension, termination and nonrenewal of employment contracts, teacher licensure certification matters, and complaints regarding teacher ethics. Additionally, the position works with SDEA leadership to provide support to the organization's elected governing officers including its Board of Directors and to the Executive Director.

Position Details

Posting Date: April 16, 2024

Open Until Filled: Yes

First Consideration Date: May 16, 2024

Advertised Salary: \$70,000 - \$95,000

Location: Headquartered in Pierre, remote location within South Dakota negotiable

Who We Want

- An attorney interested in practicing in the areas of school law, employment law, and labor law.
- A highly motivated attorney with a passion for service and a desire to make a difference in the lives of educators.
- An individual who can analyze the complex intersectionality of the enforcement of labor law and the supports necessary for strong local organizations affiliated with the SDEA.
- A dedicated individual willing to develop a broad and comprehensive understanding of the functions of the organization and its interplay with state agencies and local school boards and who will demonstrate leadership skills in the execution of their duties.

What You Will Do

- Represent local affiliates and their members before the South Dakota courts, administrative agencies, and school boards.
- Provide legal review, advice and counsel, and written opinions to staff and members regarding pertinent legal issues and legislative activity.
- Assist regional direct advocacy representatives in examining fact sensitive situations in local

affiliates to make determinations on potential violations of labor law, employment law, and contract law as well as prescribing potential resolutions or courses of action.

- Develop and present training and materials on issues affecting staff and members.
- Serve as the legal counsel to the SDEA Executive Officers, the SDEA Board of Directors, and operate as staff liaison for SDEA commissions and committees.
- Provide legal assistance to the SDEA Executive Director regarding organizational strategy, state and federal regulations, and internal employment matters.
- Serve as a member of the SDEA legislative lobby team.

What You Need

- J.D. from accredited law school
- License to practice law in South Dakota
- Experience in presenting cases in administrative proceedings and/or state court preferable.
- Knowledge of litigation, practices and strategies preferable.
- Skills and experience writing clearly and concisely for all types of audiences including legal pleadings and briefs; assessments and opinions; letters and messages; policy, legislative and contract provisions, and articles or stories.
- Skills and experience counseling, advising, persuading, and dealing with individuals and local associations.
- Skills and experience with all types of oral communication for various audiences including legal argument, advocacy and representation, training or explaining, and lobbying.
- Familiarity and interest in public education, collective bargaining, other labor matters, employment, benefits and retirement, organizing and politics, and general legal matters affecting SDEA members, leaders, and affiliates preferable.
- Experience managing or supervising staff members preferable.

The position will require travel to School Districts across the state of South Dakota. The amount and frequency of the travel is fully dependent on the amount and level of severity of issues occurring in local affiliates. SDEA employs five advocacy representatives

(UniServ Directors) across the state who work with the General Counsel to determine whether an advocacy issue necessitates the in-person presence of the General Counsel. The General Counsel will also be required to attend SDEA Board of Directors meetings and other occasional staff-related meetings in Pierre.

Compensation and Benefits

The salary for this position is negotiable based on experience within the range of \$70,000 - \$95,000. Fringe benefits include a robust leave package which includes vacation, sick, personal, and bereavement leaves in addition to 13 observed federal holidays and paid time off between Christmas and New Year's Day. SDEA provides a generous health plan with employer contributions to a Health Savings Account as well as Dental and Vision insurance. Each employee participates in a defined benefit pension plan with substantial employer contributions. The position also receives a life insurance policy as well as an accidental death policy.

Application Procedure

Interested applicants should submit a cover letter, current resume, writing sample, and at least three references to SDEA's Executive Director, Ryan Rolfs.

Electronic submissions may be sent to Ryan.Rolfs@sdea.org

Questions regarding the position can be directed to the email above, or directed to 605-222-4291.

Deputy State's Attorney - Hughes County

Full-time permanent position now open for a Deputy State's Attorney in the Hughes County Office of the State's Attorney in Pierre, South Dakota.

The Hughes County State's Attorney's Office is looking for a criminal attorney to handle lower-level felony and juvenile cases, present those cases for legal proceedings, perform legal research, and prepare, draft and file legal documents and correspondence. Additional responsibilities include but are not limited to: covering other felony and misdemeanor hearings when required, advising local law enforcement agencies, dealing with juvenile justice issues, providing information to victims and witnesses and helping to fulfill the statutory responsibilities of the office.

Applicants must be able to: manage a large case volume and respond quickly and effectively to changing circumstances; speak and write effectively; establish and maintain effective working relationships with coworkers, other agencies, and the public; maintain professional appearance and demeanor.

Minimum Qualifications: Applicants must possess a J.D. and be an active member in good standing of the State Bar of South Dakota or be admitted within one year of hiring.

Preferred Qualifications: One or more years' experience in criminal law is highly preferred but will consider all applicants.

Hughes County offers a comprehensive benefits package for employees including health and dental insurance, participation in the SD Retirement System, and paid time off. Salary range is \$72,580.31 to \$92,069.17 and is determined in part based on years of professional experience.

Please send a resume and cover letter to Casey Jo Deibert, Hughes County State's Attorney, 104 E. Capitol, Pierre, SD 57501. Resumes and cover letters will also be accepted via email at casey.deibert@co.hughes.sd.us.

Posting to remain open until the position is filled. All inquiries are confidential. Hughes County is an Equal Opportunity Employer.

Legal Assistant - Sioux Falls

Lockwood & Zahrbock Kool Law office is looking for a career minded individual to join our team as a legal assistant. The position includes various clerical tasks; including but not limited to, managing client intake process/creating files, email communications with clients and attorneys, forwarding legal documents, answering phones, maintaining appointment schedules, greeting clients, etc. A comprehensive knowledge of Microsoft word and Excel would be preferred but not required.

If you are interested in joining the LZK team, please submit your resume/curriculum vitae to: rhonda@lockwoodlaw.com, tressa@lockwoodlaw.com or camie@lockwoodlaw.com

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.

Deputy State's Attorney - Butte County

Job Title: Butte County Deputy State's Attorney

Opening Date: February 28, 2024

Closing Date: When Filled

Salary: \$75,000 to \$86,000 Depending on Experience

Position Summary:

The Deputy State's Attorney performs routine professional legal work in the prosecution of civil and criminal cases, juvenile crimes, and juvenile abuse and neglect cases in Butte County, South Dakota. Actual responsibilities of the Deputy State's Attorney may vary depending on need but may include working with law enforcement in the investigation of criminal cases, reviewing offenses and evidence to make charging decisions in criminal and juvenile cases, reviewing requests for petitions and determining appropriate courses of action, making recommendations for child custody and parental rights, and attending legal proceedings. Duties may also include advising County elected and appointed officials on various civil law issues, to include contracts, labor law, taxation, and other civil matters.

Position Requirements:

- Applicants must be a graduate of an accredited College of Law with a Juris Doctorate degree. Applicants must also be:
- licensed to practice law by the Supreme Court of South Dakota, or
- licensed in any other state and able to take the next available South Dakota Bar
- Examination, or
- a recent or imminent law school graduate, eligible to take the next available South
- Dakota Bar Examination

Applicants must also successfully complete a pre-employment background process.

Preferred Qualifications:

Strong research and writing skills, strong oral advocacy skills, ability to work well in a group, and ability to use a computer in a standard office setting.

Knowledge, Skills, and Abilities:

A successful applicant will have a working knowledge of criminal and civil law, to include criminal and civil procedure, court pleadings, and rules of evidence. A successful applicant will also be able to review, research, and prosecute criminal and juvenile cases, and communicate effectively in writing and orally. A successful applicant will also be able to maintain effective working relationships with coworkers, other agencies and the public. Finally, a successful applicant will be able to maintain a professional appearance and demeanor.

Apply by submitting a resume and cover letter to:

LeEllen McCartney

Butte County State's Attorney

839 Fifth Avenue

Belle Fourche, SD 57717

Leellen.mccartney@buttesd.org

605-892-3337 FAX: 605-892-6768

Attorney - Rapid City or Pierre

OFFICE OF ATTORNEY GENERAL
CRIMINAL LITIGATION

DETAILS: The Office of Attorney General seeks an experience 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: The preferred working station for this position will be Rapid City or Pierre.

STARTING SALARY: Starting salary is \$82,000.00 or more, depending on 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.

Email: Ernest.Thompson@state.sd.us

OR Mail to:

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

Associate Attorney - Remote

Job Title: Associate Attorney
Company: Halbach|Szwarc Law Firm
Location: Remote Position with limited travel to Sioux Falls, South Dakota
Position Type: Full-time

About Halbach|Szwarc Law Firm: South Dakota's newest full-service law firm built on a fully-remote platform with an office in the historic Cathedral Neighborhood in downtown Sioux Falls, Halbach|Szwarc Law Firm is committed to delivering exceptional legal services across the United States and beyond. With a focus on integrity, professionalism, and client satisfaction, our group of experienced attorneys and paralegals provides comprehensive legal solutions across various practice areas as a hybrid and fully-remote team.

Job Overview: We are currently seeking a talented and experienced business and estate planning attorney to join our team. The Ideal candidate will have at least 3-5 years of experience in business and corporate law, real estate, will and trust planning, and estate and trust administration, and related areas, including mergers and acquisitions. This individual will play a key role in advising clients on a wide range of legal matters, including business formation, contract drafting, succession planning, estate planning, trust and estate

administration, and more. Halbach|Szwarc Law Firm attorneys are licensed to practice in South Dakota, Minnesota, Iowa, Nebraska, and Wyoming, but work with estate and business clients located around the world.

Responsibilities:

1. Entity Selection and Formation. Provide legal counsel to clients on business formation, including selecting the appropriate legal structure, drafting formation and related governing documents. Familiarity with Corporate Transparency Act requirements preferred, but not required.
2. Business Document Preparation: Draft and review various agreements, including purchase agreements, lease agreements, asset and real estate purchase agreements and related agreements.
3. Estate Planning. Provide legal counsel to clients to assist them to establish and update their estate plans, including drafting wills, testamentary trusts, powers of attorney, living wills, revocable trust, and irrevocable trusts.
4. Estate and Trust Administration. Assist clients to manage and administer estates, both through formal and informal probate. Provide legal counsel to clients regarding the proper administration of various revocable and irrevocable trusts.
5. Client Interaction: Provide exceptional client communication and service and maintain strong client relationships.
6. Remote Collaboration. Work remotely and collaboratively using modern technology to meaningfully engage with clients and team members.
7. Stay Informed: Stay abreast of changes in relevant laws, regulations, and legal trends affecting business and estate planning law.

Qualifications:

1. Juris Doctor (JD) degree from an accredited law school.
2. Undergraduate degree in business, economics, finance or accounting preferred, but not required.
3. 3-5 years of experience practicing law with an emphasis on business and estate planning.
4. Strong understanding of business law, estate

planning principles, and related areas.

5. Excellent drafting and negotiation skills.
6. Strong self-starter with an ability to work independently and remotely, managing a caseload effectively and efficiently.

Benefits:

- Competitive salary commensurate with experience.
- Unlimited PTO.
- Paid Holidays.
- Monthly Health Insurance Stipend.
- Monthly Technology Stipend.
- Bonus eligible based upon performance.
- Competitive 401(k) and Profit Sharing.
- Paid Continuing Education Expenses.
- Collaborative and positive work environment.

If you are a motivated, detailed oriented, and personable individual with a commitment to excellent work product and responsive client service, we invite you to apply for the Associate Attorney position at Halbach|Szwarc Law Firm. Please submit your resume and a cover letter outlining your relevant experience to Alex Halbach at alexh@halbachlawfirm.com and Stefan Szwarc at stefans@halbachlawfirm.com. Applications will be accepted until May 15.

Halbach|Szwarc Law Firm is an equal opportunity employer and values diversity in the workplace. We encourage all qualified individuals to apply.

Attorney - Sioux Falls

South Dakota Voices for Peace (SDVFP) seeks an Unaccompanied Children's Project (UCP) Staff Attorney to carry out direct legal services to children in immigration court, living in South Dakota, including state civil court proceedings as it relates to representation of children in immigration court. The UCP Staff Attorney will work on a team with other attorneys, paralegals, Community Health Workers, interns, interpreters and will be supervised by the CEO, an immigration attorney. The UCP Staff Attorney must be a self-motivated advocate with a passion for justice and equity and experienced in working with multilingual, vulnerable clients. The UCP Staff Attorney will represent children and families through the immigration process, including immigration court work. Immigration Court is in Fort Snelling, MN. This position is based in Sioux

Falls, SD.

Primary Responsibilities:

- Conduct intakes, legal research, fact development, work with multilingual clients, work with children, draft and file immigration filings, affidavits, briefs, prepare clients for interviews and court proceedings.
- Attend Continuing Legal Education (CLE) opportunities as it pertains to children in immigration court and family law issues.
- Explain family law, immigration law, and procedures to children and their families.
- Represent clients through immigration court proceedings and understand EOIR practices and procedures.
- Represent clients through administrative agency proceedings including but not limited to USCIS (United States Citizenship and Immigration Services.)
- Represent guardians and custodians in SD state court as it relates to a child's immigration law proceedings.
- Stay abreast of all federal and state immigration policies and rule changes in immigration law and state laws related to guardianships, conservatorships, and custody.
- Represent SDVFP at regional roundtables and committees pertaining to immigration law and our practice area.
- Work with legal team to develop sound strategies in case management and track data for grant requirements.
- Work with SDVFP team to develop public education materials, Know Your Rights materials, and communication strategies.
- Work with SD Voices for Justice lobbyists to advance the goals of SD Voices for Peace and coalition partners on legislation impacting undocumented, immigrant and refugee populations. Support legislative advocacy with legal and policy analysis.
- Demonstrate a commitment to diversity, equity and inclusion in the workplace using a personal approach that values all individuals and respects differences in race, ethnicity, age, gender identity and expression, sexual orientation, religion, ability, and socio-economic circumstance.
- Commit to work collaboratively and respectfully toward resolving obstacles and/or conflicts.

- Travel as required.

Qualifications:

- Demonstrated commitment to the mission and goals of SD Voices for Peace and SD Voices for Justice.
- J.D. degree from an A.B.A accredited law school and 1-3 year experience in the legal field.
- Licensed to practice law in any U.S. jurisdiction with the ability to join the South Dakota Bar (willing to take the next bar examination or waive in) or eligible to take the next SD Bar Examination.
- Passionate commitment to and familiarity with immigrants' rights, racial and social justice, and state issues impacting immigrant communities.
- Demonstrated ability to work with vulnerable clients.
- Demonstrated ability to work with multilingual clients and interpreters.
- Demonstrated ability to work with multicultural team.
- Fluency in Spanish (written and spoken) preferred but not necessary.
- Proven ability to work independently as well as within a team.
- Excellent interpersonal, conflict resolution, and verbal communication skills.

To Apply:

This is a full-time position funded through Acacia Center for Justice Justice grant. Competitive salary starting at \$55,000 and commensurate with experience. Health benefits; generous paid holidays; generous PTO; quarterly wellness days; optional flexible schedule; student loan repayment; professional membership dues, malpractice insurance, and SD Bar dues included. Applications will be accepted until the position is filled. Email the following in one PDF file named yourinitialsUCPAttny to CEO, Taneeza Islam taneeza@sdvfpeace.org :

- o A one-page cover letter with salary requirements;
- o Resume (2 pages only);
- o One writing sample (1000 word max); and
- o 3 references including Name, Title, phone # and email.

Corporate Counsel- Sioux City, IA

This position offers the option of a hybrid work schedule, with three days working in the office and two days working remotely.

Are you an attorney looking to advance your career with an in-house role at a stable company? Are you seeking a challenging and fulfilling legal career that also offers you the healthy work-life balance necessary to juggle the demands of your busy life? Would you like to make a direct impact on a company with your work? We are hiring a Corporate Counsel to join our corporate legal team.

In this position, you will monitor and provide strategic guidance, consultation, and support to the various departments of Great West Casualty Company, Joe Morten & Son, Inc., and Old Republic Insurance Group affiliates in an effort to ensure conformity with legal requirements and to facilitate communication and coordination that fosters consistent, efficient, and appropriate practices in support of overall company business objectives. You will handle multiple jurisdiction issues unique to the insurance industry and corporate governance risks in addition to staying in compliance with multiple state requirements. Part of your responsibilities will include finding trustworthy outside counsel within multiple jurisdictions and effectively working with a diverse group of supervisors/managers and employees at various locations.

Qualifications:

- J.D. required. Must be licensed to practice law in at least one state and ability to register as an in-house counsel in the state of Nebraska.
- Experience in litigation, research, regulatory compliance, and/or administrative law. Insurance law experience preferred, including insurance regulation, litigation, or bad faith defense.
- Strong attention to detail with above-average multi-tasking skills and the ability to adapt quickly to situations that require an immediate transition.
- The ability to read and analyze a policy and apply to a fact scenario while confidently laying out your reasoning and rationale.
- Excellent communication and public speaking skills.

High-performing attorneys in our office are:

- Adaptable: We are a billion-dollar company with offices across the United States. We need someone who can quickly acclimate to and accept change in their environment as we grow.
- Courageous: We need someone who has the courage to ask the hard questions while diplomatically navigating office politics.
- Eager to learn: We expect our legal professionals to stay abreast of changes in the industry, and we financially support the pursuit of CLEs, continuing education, and industry certifications.

Who we are:

For over 65 years, Great West Casualty Company has provided premier insurance products and services to thousands of truck drivers and trucking companies across America. We have regional offices located around the country, and nearly 1,000 professionals are proud to call us an employer of choice. We are dedicated to the success, happiness, and wellness of our employees. If you are looking for a company where your contributions are valued, your continued learning is financially supported, and customer service is a priority, we want to talk to you. Apply today and join one of America's largest insurers of trucking companies as we help keep the nation's economy moving forward one mile at a time.

Why work for us?

We offer you a challenging career with a competitive compensation and benefits package, including:

- A 37.5 hour work week.
- A formal Management Development Program.
- Paid study materials, exam fees, study day, and monetary awards for professional development.
- Paid vacation and sick leave.
- Opportunities to impact the organization through participation in committees (Green Team, Fun Committee, etc.).
- Support of a healthy lifestyle through a wellness program and gym subsidy.

This position qualifies for relocation assistance. To learn more about Great West and our office locations, please visit our website www.gwccnet.com.

Lateral Attorney's - Cedar Rapids, IA

Simmons Perrine Moyer Bergman PLC is always seeking to expand its team with exceptional, client-focused lateral attorneys.

A HISTORY OF SUCCESS

Simmons Perrine Moyer Bergman PLC has a rich history dating back to 1916. It is home to 58 attorneys and 64 additional legal and business professionals. SPMB is a full-service firm serving clients in 30+ practice areas and strives to achieve the highest standards of performance and client service. SPMB is proud to be one of Iowa's largest and most respected law firms.

CAREER MENTORING AND DEVELOPMENT

Simmons Perrine Moyer Bergman PLC offers a respectful, supportive, and collaborative work environment focused on professional development and success. Attorneys are provided the opportunity to work on challenging and sophisticated projects as they gain experience and develop their own personal practice. The firm offers an associate training and multilevel mentorship program to help promote personal and professional success.

SPMB offers a competitive salary and benefits package.

OPEN POSITIONS

POSITION: Banking/Finance Attorney

LOCATION: Cedar Rapids

SUMMARY: Seeking a litigation attorney to join the banking and finance group. Preferred candidates will have experience assisting financial institutions through all aspects of commercial loan workouts, including any associated litigation and/or the drafting of any forbearance agreements, loan restructuring documents, and other related documentation. Candidates should be experienced in the drafting of motions, discovery, and the taking and defending of depositions. Candidates should also have the ability to work directly with lenders and other counsel with minimal supervision.

Required: Strong academic background; J.D. from an ABA-Accredited Law School; Active attorney license in at least one U.S. jurisdiction and the ability to promptly obtain admission in the State of Iowa; 3+ years of experience.

POSITION: Corporate/Transactional Attorney

LOCATION: Cedar Rapids

SUMMARY: Seeking a lateral attorney to join our corporate/transactional law group.

Required: Strong academic background; J.D. from an ABA-Accredited Law School; Active attorney license in at least one U.S. jurisdiction and the ability to promptly obtain admission in the State of Iowa; 2-6 years of experience.

POSITION: Corporate/Transactional Senior Level Attorney

LOCATION: Cedar Rapids

SUMMARY: Seeking a senior level lateral attorney to join our corporate/transactional law group.

Required: Strong academic background; J.D. from an ABA-Accredited Law School; Active attorney license in at least one U.S. jurisdiction and the ability to promptly obtain admission in the State of Iowa; 7+ years of experience.

POSITION: Family Law Attorney

LOCATION: Cedar Rapids/Iowa City

SUMMARY: Seeking a lateral attorney with substantial experience, who will have the opportunity to assist our family law practice in all aspects of family law, including, but not limited to, traditional representation, limited representation, mediation, collaborative law, and appellate advocacy. Attorney will be provided opportunities to handle a wide variety of cases and issues, including premarital agreements, separation, divorce, child custody and visitation, child support, adoption, termination of parental rights, guardianships and conservatorships.

Required: Strong academic background; J.D. from an ABA-Accredited law school; active attorney license in at least one U.S. jurisdiction and the ability to promptly obtain admission in the State of Iowa; 3+ years of experience. Mediation and collaborative law training and experience helpful, but not required.

POSITION: Litigation Attorney

LOCATION: Cedar Rapids

SUMMARY: Seeking a lateral attorney with substantial involvement in litigation activities to join our litigation group. Responsible for all aspects of investigation, written discovery, depositions, briefing, motion practice and trial in a wide variety of subject matter litigation.

Required: Strong academic background; J.D. from an ABA-Accredited law school; active attorney license in

at least one U.S. jurisdiction and the ability to promptly obtain admission in the State of Iowa; 3+ years of experience.

POSITION: Real Estate Transactional Attorney

LOCATION: Cedar Rapids/Iowa City

SUMMARY: Seeking lateral attorney to join real estate group. Experience assisting clients acquiring and disposing of NNN industrial, commercial, retail and medical properties, drafting and negotiating commercial leases, facilitating closings, familiarity with tax increment financing and property tax abatement procedures, ability and willingness to handle transactions from start to finish and a desire to grow a book of business.

Required: Strong academic background; J.D. from an ABA-Accredited law school; active attorney license in at least one U.S. jurisdiction and the ability to promptly obtain admission in the State of Iowa; 3+ years of experience.

CAREER CONTACTS

If you are interested in applying, please email your resume, transcript, writing sample, and statement of interest to:

Carrie L. Thompson at cthompson@spmbllaw.com or

Rae M. Kinkead at rkinkead@spmbllaw.com

Simmons Perrine Moyer Bergman PLC

115 3rd Street SE, Ste 1200

Cedar Rapids, Iowa 52401

Law Clerk - Mankato, MN

The Honorable Terry Vajgrt, chambered in Luverne, MN, seeks a FT law clerk. Work directly with a Minnesota Judicial District Judge at the Trail Court level with the focus on the administration of justice.

Utilize your legal research and writing skills in a multi-faceted caseload drafting legal documents, correspondence and orders.

To view the full job description and to apply online visit: <https://www.governmentjobs.com/careers/mncourts/jobs/4477526/law-clerk-luverne-mn>

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 INVIOLEATE 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.**

UPCOMING EVENTS

MAY 2, 2024

FAMILY LAW CLE

The Box Event Center, Box Elder

MAY 2, 2024

CRIMINAL LAW CLE

The Box Event Center, Box Elder

MAY 21, 2024

MAY LAW FOR LUNCH

Zoom

JUNE 12-14, 2024

ANNUAL CONVENTION

Ramkota Hotel & Convention Center, Pierre

***TO REGISTER FOR THE ANNUAL CONVENTION,
[CLICK HERE.](#)***