

# STATE BAR OF SOUTH DAKOTA

*March 2025  
Newsletter*



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# REMINDER

Membership Directory Updates Are Due By

**MARCH 8, 2025**

Please email your updates to  
[tailynn.bradford@sdbar.net](mailto:tailynn.bradford@sdbar.net) with “Directory  
Updates” as your subject

# State Bar of South Dakota

March 2025

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# PRESIDENT'S CORNER

Sarah Sharp Theophilus



It has been a pleasure serving as the State Bar President this past month. One of the highlights was attending the National Conference of Bar Presidents Midyear meeting in Phoenix, AZ. This year's keynote speakers focused on AI and how bar leaders can drive AI change, compliance, and competence within our bar associations. Another main topic was alternative pathways to lawyer licensure. Bar leaders discussed alternative pathways being explored in other jurisdictions in light of nationwide scrutiny of the UBE and other bar exams. I think we can all agree that it is important to ensure the integrity of our profession, access to justice in rural areas, and diversity remain front and center as new attorneys enter our profession.

Another opportunity was being able to attend and help judge the 1L intraschool Negotiation Competition put on by the ADR Board at the Knudson School of Law. They had a great turnout of contestants with a very talented group of students. Getting to hang out with the other volunteer judges for the day was a bonus. The picture below shows this year's winners.

March is Women's History Month and provides a time

for the individual and collective acknowledgement of women's contributions, past and present. Thanks to the efforts of historians, activists, and women's organizations across the country, each March since 1995 has been designated by Presidential proclamation as a time to honor, acknowledge, and study women's accomplishments throughout American history.

Within our Bar, here are a few firsts:

- Cynthia Eloise Cleveland, the first woman admitted to the bar in the Dakota Territory in 1883.
- Katie Rockford, the first woman to take the exam before the South Dakota Supreme Court in 1897.
- Marjorie Breeden, the first woman to graduate from the University of South Dakota School of Law in 1907.
- Blanche Colman, the first woman admitted to the State Bar of South Dakota in 1911.
- Dorothy Rehfeld, the first woman to practice before South Dakota's federal courts.
- The Honorable Mildred Ramynke, the first woman to be appointed as a state judge in South Dakota in 1958.
- Shelley M. Stump, the first woman on Law Review at the University of South Dakota School of Law in 1973.
- The Honorable Karen Schreier, the first woman to be appointed as the United States Attorney in South



Dakota in 1993 and the first woman to be appointed as a federal judge in South Dakota in 1999.

- Darla Rogers, first woman to be elected as the President of the State Bar of South Dakota, serving 1998-99.
- The Honorable Judith Meierhenry, the first woman appointed to the South Dakota Supreme Court in 2002.

Every year of my legal career, the Program for the State Bar of South Dakota Annual Convention & Business Meeting would hit my desk and feature such impressive, impactful attorneys on the cover. They were prestigious in their practice and our Bar. Earlier in my career, when I received the annual Program, the cover featured then-President Elect Stephanie Pochop. She was a woman

from a small town. Just like me. Not to mention, she was blonde, and I was blonde then, too! There she was, President Elect of the State Bar of South Dakota. In that moment, I remember saying to myself, “I think I could do that!”

Not long after that, Stephanie became an inspiring mentor to me, encouraging me to get involved in the Bar, to take risks, and to step out of my comfort zone, which gave me the confidence to run for President. I will always appreciate her mentorship, and more importantly, her friendship.

As we celebrate Women’s History Month, I wanted to share photos from last year’s State Bar Convention of the female Presidents who paved the way before me and who I have been lucky enough to call mentors and friends.



*Past Presidents Heather Lammers Bogard, Darla Rogers, Sarah Sharp Theophilus, and Lisa Marso*



*Past Presidents Roxanne Giedd, Sarah Sharp Theophilus, Heather Lammers Bogard, Lisa Marso, Pamela Reiter, Stephanie Pochop, & Darla Rogers*

# State Bar of South Dakota

YOUNG LAWYERS SECTION



*Chelsea Wenzel*  
President

Spring is just around the corner! The weather last week was all the proof/encouragement needed to know that warmer weather is on the horizon. Hopefully everyone was able to get outside and enjoy the sunshine.

## ABA Young Lawyer Division Midyear Assembly Update

As promised, we have an update about Cole Romey's involvement at the ABA Young Lawyer Division's Midyear Assembly Meeting in Phoenix. Cole was kind enough to draft a letter for the Board and the following highlights may be of interest to the larger State Bar membership:

- First, I would encourage every young lawyer to have an ABA membership due to the resources available to you. The resources are vast and valuable compared to the cost for young lawyers. This is especially so given that after the Spring Conference this year, every ABA member will be eligible for a free \$100,000 life insurance policy and other benefits through the American Bar Endowment (ABE) insurance offerings. I would encourage all of you to take advantage of this new offering to ABA members. More information about ABA memberships can be found at <https://www.americanbar.org/> and more information about the ABE be found at <https://abendowment.org/>.
- Secondly, many important topics were discussed at the meeting such as: (1) providing alternative

pathways for licensure other than the bar exam, (2) accrediting fully online law schools, (3) increasing experiential learning in law school, (4) changing the law school admissions testing requirements (such as accepting the GRE), (5) increasing regional events for affiliate bar associations (this is particularly exciting as the ABA will sponsor up to \$3,000 grants toward regional events), and (6) training offered to state bar leaders in Chicago during Saint Patrick's day.

- Finally, nine total resolutions were brought forward and all passed with no or very little disagreement except one. While I abstained from most as they did not impact the practice of law—in my humble opinion—in the Dakotas, I did vote no on the one resolution that was a contested vote. In my own words, HOD 609 sought to encourage jurisdictions' character and fitness examinations to consider limiting the inquiry into an applicant's prior criminal history to only recent crimes of dishonesty. I did vote no, but the motion carried by a majority. This matter will now move onto the House of Delegates for consideration.

Thank you, Cole, for representing South Dakota and taking the time to keep us updated!

## Young Lawyer of the Year

If you know a stellar young lawyer who deserves recognition, please consider nominating them for the

YLS Young Lawyer of the Year Award. I am constantly impressed with the nominations we receive for this award. We are fortunate to be part of a State Bar that has so many hard-working and brilliant young attorneys and attorneys who are willing to take the time to recommend the deserving candidates.

The nominee must be a member of the State Bar of South Dakota, in good standing, and must not have reached the age of 36 years by June 14, 2025, or been admitted to practice in any jurisdiction for more than ten years.

Nominees should exemplify the following characteristics:

- Professional excellence
- Dedication to serving the legal profession and the Bar
- Service to their community
- A reputation that advances legal ethics and professional responsibility

Nominating attorneys should submit a brief letter in support of their nominee to [Chelsea.Wenzel@state.sd.us](mailto:Chelsea.Wenzel@state.sd.us) no later than ***Friday, March 28, 2025***. The nominating attorney should detail how the nominee meets the above-referenced characteristics.

### **YLS Spring Bootcamp**

The YLS is hosting its annual Spring Bootcamp CLE on Friday, April 11, at the CNA Building in Sioux Falls. The CLE will begin at 9:30 AM and include topics related to transactional law; dealing with client “red flags,” and “red flags” relative to transactional attorneys with Jeff G. Hurd; and primers of appellate advocacy with Justice Mark Salter. Lunch will be provided. Keep an eye on the South Dakota YLS Facebook page for updates related to the Bootcamp and other YLS events!

As always, if anyone has questions, concerns, or ideas for the YLS Board, please feel free to reach out to me at [Chelsea.Wenzel@state.sd.us](mailto:Chelsea.Wenzel@state.sd.us) or any of the YLS Board Members (contact information available on the State Bar website).



Meet your  
YOUNG LAWYERS SECTION  
Board Members

*Stephen Gemar  
6th Circuit  
Representative*

1. **Where you grew up:** Mobridge, South Dakota.
2. **Where you work:** South Dakota Attorney General's Office.
3. **Practice area:** Criminal appeals & lobbying. Starting in March, I will be the Director of Medicaid Fraud and Abuse and Neglect at the AG's Office, which includes criminal and civil litigation.
4. **Favorite band/song:** My favorite band is the Beatles. They have a wide range of songs for any occasion. My favorite song is "Take It Easy" by the Eagles. It's always a good reminder to slow down and not let the world drive you crazy.
5. **Tell us about your family.** I have a family of four: my dad, Ron, my mom, Bonnie, and my sister, Stephanie. We are a close-knit family. In addition, I am also close with extended family.
6. **What is an interesting fact about you most people don't know?** An interesting fact about myself is that I've ran a half-marathon. I enjoy running and plan on running another half-marathon this year.
7. **How did you start getting involved with YLS?** I originally got involved with YLS through their outreach to the law school, as well as their events at the State Bar Convention. Our current YLS President (and good friend) Chelsea helped me to get involved in my current role with the board. I've enjoyed every minute of being able to serve on the YLS board
8. **What is some advice you wish you had 5 years ago?** It is called the practice of law for a reason. You won't know everything right away. Don't be afraid to always be learning new things.
9. **Do you have any advice for experienced attorneys?** Be understanding and helpful to younger attorneys. We all remember how we felt when we

started to practice law. Helping younger attorneys and mentoring them will make a difference to young attorneys as they begin their practice of law. As other members of the YLS board have said, being a mentor can make a big difference!

**10. Advice for newer attorneys?** Be open to listening and learning from more experienced attorneys. Also, be open to attending the State Bar, in addition to other social events (especially the YLS section events!). It is important to expand your network as a young attorney.

**11. Who has been your most influential mentor so far?** This is a hard question for me. I've had great mentors through my time as both a law clerk and an Assistant Attorney General. In picking a couple to highlight, they are Judge Bridget Mayer and our own YLS President Chelsea Wenzel. As a law clerk, Judge Mayer was always willing to sit down with me

and answer any question I had. When I started with the AG's Office, Chelsea helped me a lot in getting used to my new job and in discussing legal topics. Finally, both have pushed me to be a better attorney and person.

**12. Interests/hobbies outside the law?** One of my biggest hobbies is golf – you can always find me on the course during the spring/fall months. Some other hobbies I have are running, working out, and reading.

**13. What is your dream vacation?** My dream vacation will always be to Yellowstone National Park. I vacation there regularly. It's my favorite vacation spot. I enjoy taking trips to other destinations (and there's a lot of places I'd like to go!) but Yellowstone will always be my favorite spot to visit.

## MEMBERSHIP DIRECTORY UPDATES ARE DUE BY MARCH 7, 2025

PLEASE EMAIL YOUR UPDATES TO  
TAILYNN.BRADFORD@SDBAR.NET  
WITH "DIRECTORY UPDATES" AS YOUR  
SUBJECT

### INCLUDE:

- FIRM NAME
- ADDRESS
- CITY
- STATE
- ZIP CODE
- PHONE
- FAX
- PUBLIC EMAIL







## PLEASE NOTE:

The State Bar is providing expanded wellness member benefits through our EAP provider, Sand Creek.

These benefits are available to ALL State Bar members and their household family members, and to USD Law students and their household family members.

Please take advantage of these expanded wellness benefits.



# LAW FOR LUNCH REGISTER HERE!



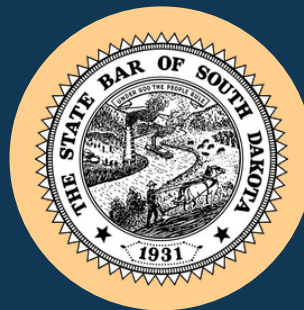
March 18, 2025



12:30 - 1:30 CST

Topic:

**How To Get Involved With  
The State Bar**



**Chair:**

*Tamara Nash*

# 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.**

# Fellows of the South Dakota Bar Foundation

## *Sustaining Life Fellow - \$50,000 plus*

Fred & Luella Cozad

## *Diamond Fellows - \$10,000 plus*

Thomas C. Barnett, Jr.  
Robert E. Hayes  
Scott N. Heidepriem  
Andrew J. Knutson  
David L. Knudson  
Robert A. Martin  
Kimberley A. Mortenson

## *Platinum Fellows - \$10,000*

Hon. Richard H. Battey  
Melissa Nicholson Breit  
P. Daniel Donohue  
Chet Groseclose  
Hon. John B. Jones  
Jerome B. Lammers  
Scott C. Moses  
Charles L. Riter  
William Spiry  
Hon. Jack R. Von Wald

## *Gold Fellows - \$5,000*

Renee H. Christensen  
Richard A. Cutler  
William F. Day, Jr.  
Dana J. Frohling  
David J. King  
Richard L. Kolker  
Kimberley A. Mortenson  
Timothy J. Rensch  
Michael Sharp

## *Silver Fellows - \$1,000 (per year)*

Neil Fulton  
Hon. Bobbi J. Rank  
Timothy J. Rensch  
Lori D. Skibbie

## *Life Fellow - \$25,000 plus*

Frank L. Farrar  
Gregory A. Yates

## *Presidential Fellows - \$10,000*

John P. Blackburn  
Heather Lammers Bogard  
Richard D. Casey  
Hon. Michael Day  
Robert B. Frieberg  
Thomas H. Frieberg  
William C. Garry  
David A. Gerdes  
Hon. David R. Gienapp  
Patrick G. Goetzinger  
G. Verne Goodsell  
Robert E. Hayes  
Terry L. Hofer  
Carleton R. "Tex" Hoy  
Steven K. Huff  
Hon. Charles B. Kornmann  
Lisa Hansen Marso  
Bob Morris  
Thomas J. Nicholson  
Gary J. Pashby  
Stephanie E. Pochop  
Reed A. Rasmussen  
Pamela R. Reiter  
Robert C. Riter, Jr.  
Eric C. Schulte  
Jeffrey T. Sveen  
Charles M. Thompson  
Richard L. Travis  
Thomas J. Welk  
Terry G. Westergaard

## *Fellows - \$500 (per year)*

Hon. John Bastian	Craig A. Kennedy
Hon. John L. Brown	Denise Langley
Mary Jane Cleary	Hon. Judith K. Meierhenry
Paul L. Cremer	Hon. Robert A. Miller
Andrew L. Fergel	Robert C. Riter, Jr.
Michael S. Fischer	Jason R.F. Sutton
Tom E. Geu	Lea Wroblewski

*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

The year 2026 will mark the 125th Anniversary of the Law School's founding in 1901. While our anniversary year is more than ten months away, preparations to celebrate this milestone are beginning. Accordingly, I wanted to share some initial insights into what this year of celebration will look like.

Everyone at the Law School wants to make the 125th Anniversary celebration as broadly accessible as we can to alumni and friends of the Law School from near and far. Ideas of what makes up the celebration should come from everyone connected to the Law School, not just from Vermillion. The first goal is therefore to generate broad awareness and extensive points of contact for the upcoming year. Please reach out if you have ideas or interest in helping celebrate 125 years in a way that is significant for you or your community.

To begin building connections and making plans, I have asked a group of alumni to serve as a Steering Committee for the upcoming year. A special thanks goes out to Cynthia Mickelson, Cash Anderson, and Pat Goetzinger who have agreed to serve as co-chairs of that committee. A list of all committee members is included below. The members of the committee are each assigned to subcommittees organized around the areas of marketing and events, history, facilities, and development. Let me share a little about what each subcommittee will focus on.

Marketing and events will collaborate with alumni and local bar associations to arrange and publicize celebrations among the legal community across South

Dakota and beyond. We hope to have many regional celebrations and a grand gala open to all, tentatively in connection with the 2026 State Bar Convention in Sioux Falls. We are currently working on those logistics and hope to have a save the date announcement out soon.

Professor Patrick Garry is leading our history committee. That group is assembling documentation of our history in several formats. We plan to have a collectable book which includes photos and stories from the history of the Law School. We also hope to develop a platform for personal history and remembrances of the law school and an updated contact list to share with alumni.

The facilities group will look at our newly refreshed Law School building as our multi-year renovation projects come to completion during the 125th Anniversary year. They will provide recommendations about the furnishings and art within the law school to make sure we have a vibrant and welcoming space for years to come.

Finally, the development committee will work on achieving an audacious fundraising goal to help secure the law school's mission for the next 125 years.

125 years is an amazing milestone. We are excited to have an amazing celebration of that over the course of 2026. Please watch for more announcements of opportunities to engage, please share your thoughts and requests of important and interesting ways to celebrate, and please join the entire Law School community as we celebrate 125 years of excellence, service, and leadership!

# 125<sup>th</sup> Anniversary Steering Committee

## Co-Chairs:

Cash Anderson  
Pat Goetzinger  
Cynthia Mickelson

## Development

Janel Dressen  
Trent Arlint  
Tove Hoff-Bormes  
Jeff Roby  
Kevin Spencer

## Facilities

Cortni Bowman  
Judith Meierhenry  
Judge Eric Schulte  
Conrad Tanyi  
Art Rusch

## Events/Marketing

Katey Ulrich  
Judge Camela Theeler  
Paul Cremer  
Lindsey Riter-Rapp  
Jack Hieb  
Cassidy Stalley

## History

AJ Franken  
Professor Patrick Garry  
Sarah Kammer  
Lori Wilbur  
Chief Justice Steven Jensen

# YOU ARE INVITED TO JOIN!

## Fellows of the South Dakota Bar Foundation

---

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

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Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

I would like to contribute:

in Lump Sum    Annually    Semi-Annually    Quarterly    Monthly

- Life Patron Fellow – \$100,000 or more, cumulative.
- Sustaining Life Fellow – \$50,000 or more, cumulative.
- Life Fellow – \$25,000 or more, cumulative.
- Diamond Fellow – over \$10,000, cumulative.
- Platinum Fellow – \$10,000, cumulative.
- Gold Fellow – \$5,000, cumulative.
- Silver Fellow – \$1,000 per year.
- Fellow – \$500 per year.

In Memoriam

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

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

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

Or you can email this form to:

[tracie.bradford@sdbar.net](mailto:tracie.bradford@sdbar.net) or call 605-224-7554 to set up a payment.

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

*Raising the Bar*  
Our Profession. Our Responsibility.

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- ✓ Qualified Stenographers are able to provide **realtime text streams** to parties on site and worldwide.
- ✓ Qualified stenographers are able to provide **immediate** rough drafts, same-day/next-day certified final transcripts.
- ✓ Qualified stenographers use **state-of-the-art technology**, along with the **irreplaceable human element to ensure every spoken word is captured and preserved.**
- ✓ By using a qualified stenographer you will have **confidence** that your transcript is **certified and admissible in court.**



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[WWW.PROTECTYOURRECORDPROJECT.COM](http://WWW.PROTECTYOURRECORDPROJECT.COM)

Joint

FAMILY/CRIMINAL  
LAW CLE

Program Chairs:

Alecia Fuller

Jeff Tronvold

Tom Keller

xxxx



xxxx

REGISTER

Here

MAY 9, 2025

RAMKOTA HOTEL & CONVENTION CENTER

SIOUX FALLS

MORE INFORMATION TO COME!

Save  
The Date!

Hope to see  
you there!

The SD YLS is hosting its annual Spring Bootcamp CLE!

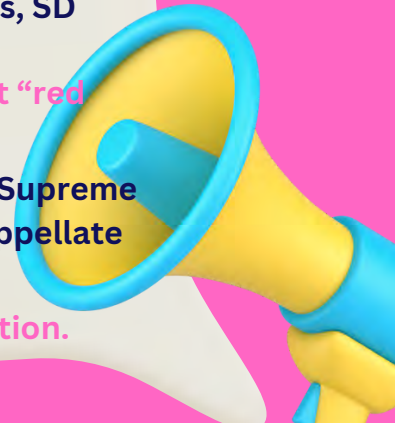
When: Friday, April 11, 2025, starting at 9:30 a.m., and continuing into the afternoon.

Where: the CNA Building in Sioux Falls. 101 S Reid St., Sioux Falls, SD 57103

Addressing: Relevant topic (s) relating to transactional law, client "red flags," and "red flags" relative to transactional attorneys.

A brief lunch will be had at 12:30 p.m. At 1:00 p.m., South Dakota Supreme Court Justice Mark Salter will lead a CLE regarding a primer on appellate advocacy.

A social hour will commence following Justice Salter's presentation.







# 2025 SBSD Committee Selection

Attention, legal masterminds!

We're seeking volunteers for our committees. If you're ready to bring your skills and insights to the table, we need you! Please fill out the 2025 SBSD Committee Selection survey to sign up for bar committees. All are welcome to join a committee.

<https://www.surveymonkey.com/r/2025SBSDCommittees>



## SAVE THE DATE

### Spring On-Campus Interviews Dates:

- Feb 6-7 On-Campus Interviews Round I. [Register Here.](#)
- Feb 24 Spring Career Fair
- March 20-21 On-Campus Interviews Round II

Accessible and affordable housing is a common barrier to student placements. If you are a bar member willing to host an intern, please fill out [this form](#).



**JUSTICE  
SQUAD**

**THANK YOU TO THE FOLLOWING ATTORNEYS THAT ACCEPTED A PRO BONO OR REDUCED RATE CASE IN FEBRUARY FROM ACCESS TO JUSTICE, INC.! YOU ARE NOW A MEMBER OF THE A2J JUSTICE SQUAD - AN ELITE GROUP OF SOUTH DAKOTA LAWYERS WHO ACCEPT**

**THE RESPONSIBILITY TO DEFEND JUSTICE, UPHOLD THEIR OATH AND PROVIDE LEGAL REPRESENTATION TO THOSE WHO NEED IT.**

**ATTENTION SOUTH DAKOTA ATTORNEYS:  
How to sign up as an attorney volunteer  
through the [sd.freelegalanswers.org](http://sd.freelegalanswers.org) website**



1. Click on the ATTORNEY REGISTRATION tab.
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.

**CARLA GLYNN  
BRIANA GERAETS  
OLIVIA EDOFF  
DICK ERICSSON  
PAUL ANDREWS**

**Special Thanks to:**

**JOSEPH HOGUE  
KYLE KRAUSE  
JAMES TAYLOR  
MARWIN SMITH  
STEVE HUFF  
DYLAN MILLER**

**THANK YOU TO ALL OF THE ATTORNEYS THAT VOLUNTEERED THROUGH ACCESS TO JUSTICE AND SOUTH DAKOTA FREE LEGAL ANSWERS IN FEBRUARY!**

**VOLUNTEER**

**For Your Help on  
SDFLA!**

**ARE YOU INTERESTED IN BECOMING A LEGAL SUPERHERO  
AND MEMBER OF THE A2J JUSTICE SQUAD?**

**PLEASE SEND A MESSAGE TO [ACCESS.TO.JUSICE@SDBAR.NET](mailto:ACCESS.TO.JUSICE@SDBAR.NET)**



# A2J

## HERO



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



# ANNOUNCEMENTS

Costello, Porter, Hill, Heisterkamp, Bushnell &  
Carpenter, LLP  
is pleased to announce

*Reece R. Weber*

has become a junior partner in the firm.

Costello Porter Law Firm  
704 St. Joseph St.  
Rapid City, SD 57709

Telephone: (605) 343-2410

Email: [rweber@costelloporter.com](mailto:rweber@costelloporter.com)

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

Reiter Law Firm, LLC  
is pleased to announce

*Kirsten Taggart*

has become a partner in the firm.

Reiter Law Firm, LLC  
5032 S Bur Oak Place, Suite 205  
Sioux Falls, SD 57108

Telephone: (605) 705-2900

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

The South Dakota Office of Indigent Legal Services  
is pleased to announce

*Matthew Mirabella and Derek Donald Friese*

as Appellate Defenders.

South Dakota Office of Indigent Legal Services  
PO Box 88237  
Sioux Falls, SD 57109

Telephone: (605) 789-4741

Email: [Matthew.Mirabella@state.sd.us](mailto:Matthew.Mirabella@state.sd.us)

Telephone: (605) 773-5047

Email: [Derek.Friese@state.sd.us](mailto:Derek.Friese@state.sd.us)

Effective January 1, 2025, Buchheit Law, PLC debuts its name as

## *Buchheit & Ehrich Law, PLLC*

Attorneys Lindsey Buchheit and John C. "Jack" Ehrich

Buchheit & Ehrich Law, PLC  
633 1st Street  
PO Box 533  
Sergeant Bluff, IA 51054

Telephone: (712) 823-1024  
Fax: (402) 412-2082

Buchheit & Ehrich Law, PLC  
1419 Dakota Avenue  
PO Box 215  
South Sioux City, NE 68776

Telephone: (402) 412-2080  
Fax: (402) 412-2082

[www.buchheit-ehrich.com](http://www.buchheit-ehrich.com)

Waeckerle Law, Prof. LLC is thrilled to welcome

*Ryan W. Walno*  
to its team.



Ryan practices primarily criminal defense. He was recently recognized for his achievements in this area by Super Lawyers when, in 2024, he was selected as a Rising Star. The Rising Star award is a peer-reviewed process that invites lawyers in each state to nominate the top attorneys they've personally observed in action. No more than 2.5 percent of young lawyers (lawyers under the age of 40 or in practice for 10 years or less) are named to the Rising Stars list.

Ryan brings strong advocacy and tenacity to the Waeckerle Law, Prof. LLC team. Whether a case is in magistrate court or before the South Dakota Supreme Court, Ryan has the resolve and dedication to earn his clients the best possible result.

Welcome, Ryan!

## THE HAGEMANN-MORRIS YOUNG LAWYER MENTORSHIP COIN PROGRAM THE STATE BAR OF SOUTH DAKOTA YOUNG LAWYERS SECTION

### I. PROGRAM OBJECTIVE

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The Hagemann-Morris Young Lawyer Mentorship Coin Program strives to foster mentorship within the State Bar by pairing members of the Young Lawyers Section with Mentors who can provide candid and insightful guidance to Young Lawyers as they navigate the beginning stages of their legal career. The Program hopes to:

- Foster the development of the Young Lawyers practical skills and their knowledge of legal customs;
- Create a sense of pride and integrity in the legal profession;
- Promote collegial relationships among legal professionals;
- Improve legal ability and professional judgment; and
- Encourage the use of best practices and highest ideals in the practice of law.

*State Bar members are members of the Young Lawyers Section until they reach age 40 or have practiced law for ten years, whichever occurs later.*

### II. HOW IT WORKS

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1. Young Lawyers and Mentors sign up with the State Bar by completing the online forms linked below.
2. The YLS Board establishes a compatible mentorship pair.
  - The YLS Board creates mentorship pairs using the information provided in the applications and reaching out to attorneys believed to be a good fit for the Young Lawyer.
  - Young Lawyers may also request specific mentors or request Mentor Coins for an already-established mentorship.
3. The YLS Board will send the Young Lawyer and Mentor an informational packet with suggested conversations and activities. The Young Lawyer will also receive Mentor Coins.
4. The Young Lawyer may present a Mentor Coin to their Mentor as an invitation for mentorship and acknowledge their trust in such Mentor.

JOIN THE PROGRAM



<https://statebar.typeform.com/mentorship>

# Court



## Improvement Program

# Training



### TRAUMA-INFORMED COURT SYSTEM

The Center for the Prevention of Child Maltreatment and the South Dakota Unified Judicial System are hosting monthly trainings on best practices and unique approaches to working with children and families for attorneys, judges, and other multidisciplinary professionals.

These trainings are supported by the [UJS Court Improvement Program](#) which assesses and improves handling of court proceedings related to child abuse and neglect in South Dakota.

### LEARNING MORE CAN KEEP KIDS SAFE

Trainings are held the last Wednesday of the month, with some variation based on holidays and other events, from 12-1 CST via Zoom.




### UPCOMING TRAININGS

- Wed Feb 26: [Understanding Trauma's Impact on the Brain and De-Escalation Techniques](#)
- Wed Mar 26: [Identifying and Managing Common Mental Health Disorders in Maltreated Children](#)
- Wed Apr 30: [Understanding the Impact of Maltreatment on Child Development](#)

For more information or to suggest future training topics, email [cpcm@usd.edu](mailto:cpcm@usd.edu) or visit [www.sdcpcm.com/ciptraining](http://www.sdcpcm.com/ciptraining)

# 4th Annual *Legal* Workshop



-  April 3, 2025 • 9am to 4:30pm CST
-  USD MUC Ballroom, Vermillion
-  Registration required:  
<https://sdcpcm.com/legalworkshop>

This FREE workshop is intended for law students, legal professionals, and others interested in better understanding child welfare related law. Light breakfast & lunch are provided.



**Welcome**  
Chief Justice Jensen

**ICWA:**  
**The History and a**  
**South Dakota**  
**Perspective**  
Dan Lewerns

**Representation**  
**of Immigrants and**  
**Refugees**  
Taneeza Islam

**Closing**  
Dean Neil Fulton





# ATTORNEY OF THE YEAR

## PURPOSE

- The Public Sector Attorney of the Year Award recognizes the public servants of the State Bar of South Dakota who have had a distinct impact on the law, governmental entities, or the legal profession in South Dakota in the past year.

## ELIGIBILITY

- An individual must be a member in good standing of the State Bar of South Dakota.

## NOMINATIONS

- Nominations and any supporting materials (i.e., letters) should be submitted to Public Sector President John Richter ([John.Richter@state.sd.us](mailto:John.Richter@state.sd.us)) no later than April 25, 2025. At a minimum, each nomination should include a brief synopsis of the impact made by the nominee on the law, governmental entities, or the legal profession in South Dakota during the past year. The criteria for this award are intentionally broad. The attorney's credentials aren't the focus here; we're most interested in what they did in the past year to leave a mark. Materials received on behalf of a nominee will be reviewed by a subcommittee of the Public Sector Section, and an award recipient will be chosen.
- The award recipient will be announced at the June 2025 Bar Convention and State Bar Newsletter.



# BANKRUPTCY ROUNDTABLE DISCUSSIONS

UNITED STATES COURTHOUSE  
GRAND JURY ROOM  
400 S. PHILLIPS AVENUE  
SIOUX FALLS, SOUTH DAKOTA

FRIDAY, MARCH 21, 2025  
3:30-4:30 P.M.

This event will consist of five introductory level discussions related to the basics of bankruptcy law. Prior knowledge of bankruptcy law is not required. Each rotation will include a seven-minute briefing concerning the topic listed below, along with time for questions. The roundtable format is designed to create an opportunity for attendees of all backgrounds to engage with experienced bankruptcy practitioners to encourage interest in bankruptcy law.

The USD Knudson School of Law Debtor-Creditor Club will host an optional happy hour to follow at Fernson from 4:45-6:00 p.m.

## *Discussion Topics*

### THOMAS BLAKE

CHAPTER 7 VERSUS  
CHAPTER 13,  
INTAKE BASICS,  
RED FLAGS &  
GETTING PAID

### CLAIR GERRY

STARTING IN BUSINESS  
FILINGS, RESTRUCTURING  
THROUGH CHAPTER 11  
INCLUDING SUBCHAPTER V  
& CHAPTER 12 ADVANTAGES

### ANTHONY HOHN

THE AUTOMATIC  
STAY & AVOIDING  
VIOLATIONS OF  
11 U.S.C. §362

### JORDAN FEIST

HOW TO REVIEW,  
DOCUMENT &  
FILE CREDITOR  
CLAIMS

### ROBERT MEADORS

TRUSTEE'S DUTIES,  
WHAT IS A §341  
MEETING & HOW  
TO PREPARE

RSVPs are encouraged.  
Please email Rick at [rick\\_entwistle@sdb.uscourts.gov](mailto:rick_entwistle@sdb.uscourts.gov) by March 17, 2025 to RSVP.

IF YOU ARE A PERSON WITH A DISABILITY AND REQUIRE SPECIAL ACCOMMODATION TO PARTICIPATE,  
PLEASE CONTACT THE BANKRUPTCY CLERK'S OFFICE AT 605-357-2400.

# BOARD OF BAR COMMISSIONERS

Meeting Minutes, December 18, 2024, Via Teams

President Sarah Sharp Theophilus called the meeting to order at 9:00 AM CST on December 18, 2024. Present for all or part of the meeting were President Sharp Theophilus, President Elect John Richter, and Commissioners Tyler Matson, David Strait, Kim Kinney, Jerry McCabe, Justin Bell, Erika Olson, Teramie Hill, Amber Mulder, Sarah Covington, Stacy Johnson, Kristen Edwards, and Steve Blair. Also present were Executive Director/Secretary-Treasurer Paul Cremer, Director of Operations Tracie Bradford, Strategic Plan Coordinator Carrie Sanderson, Lawyer's Assistance Program Director Becky Porter, Access to Justice Inc. Coordinator Denise Langley, Member Services Coordinator Tailyann Bradford, and Administrative Assistant Mandy Fergen.

**Approve minutes of September 27, 2024, Meeting:** Commissioner Blair moved to approve the minutes of the September 27, 2024, Bar Commission meeting. Commissioner Bell seconded the motion. Motion carried.

**Approve minutes of November 20, 2024, Meeting:** Commissioner Johnson moved to approve the minutes of the November 20, 2024, Bar Commission meeting. Commissioner Blair seconded the motion. Motion carried.

## **Bar Services Coordinator Update:**

Bar staff are concentrating on processing member fees and payments and training new staff, and Bar staff are continuing with the hiring process for this position.

## **State Bar technology upgrades - ad hoc committee:**

Commissioner Hill said that the committee members and Bar staff met with staff from the Iowa Judicial Branch Office of Professional Regulation to view a demonstration of the Iowa member management system. Iowa OPR staff has offered to provide assistance to the State Bar of South Dakota with member management system matters. The committee and Bar staff have also viewed demonstrations of other member management systems. The committee and Bar staff will continue their work.

## **State Bar Convention program app:**

Commissioner Covington has taken the lead in developing an online application that would contain program information to supplement the printed program brochures for the Annual Meeting to be held June 18-20, 2025, in Rapid City. Commissioners and staff thanked Covington for her work to provide another platform that would allow members to access information. Covington will continue to work with staff and more information will be provided.

### **Strategic Plan Update:**

Strategic Plan Coordinator Carrie Sanderson provided information about strategic plan implementation. Strategic Plan Goal 1 is to strengthen State Bar operations and infrastructure. State Bar staff held an all-staff meeting on December 11 to train new staff, discuss staff assignments, implement standard operating procedures, and to re-assign yearly work calendar tasks. Staff are planning to gather information for use in a staff time study.

Strategic Plan Goal 2 is to foster a legal community that exemplifies professional excellence, well-being, and civility. Staff and volunteers continue to work on CLE topics, including the potential implementation of mandatory CLE.

### **Strategic Plan contract:**

The Commission discussed the history of the Strategic Planning Committee vision for a Legal Pathways program to attract and recruit students of all ages to consider careers in the justice system. This vision led to State Bar member volunteer efforts to create a separate nonprofit entity called Dakota Destinations Legal Careers (DDLCC). State Bar staff will work with DDLCC on areas of common interest.

### **Executive Director Contract:**

Commissioner Bell moved to go into executive session to discuss personnel matters. Commissioner Matson seconded the motion. Motion carried. The Commission entered executive session at 9:49 AM.

Present for all or part of the executive session were President Sharp Theophilus, President Elect John Richter, and Commissioners Tyler Matson, David Strait, Kim Kinney, Jerry McCabe, Justin Bell, Erika Olson, Teramie Hill, Amber Mulder, Sarah Covington, Stacy Johnson, Kristen Edwards, and Steve Blair. The Commissioners adjourned executive session at 10:25 AM.

The Commission then resumed regular session. Bar staff returned to the meeting. Commissioner Bell made a motion to offer a draft contract, including some revisions to a previous draft. Commissioner Blair seconded the motion. Motion carried.

Later in the meeting, Commissioner Bell made a motion to approve the purchase of a disability insurance policy for the Executive Director, pursuant to paragraph 3.5 of both the existing and draft Executive Director contracts. Commissioner Blair seconded the motion. Motion carried.

### **Public Service Pathway pilot program update**

The Commissioners discussed a public report titled “Public Service Pathway to Bar Admission Proposal” which was issued by the South Dakota Bar Licensure Implementation Committee in December 2024, and associated draft rules. President Elect Richter is a member of that committee and he provided further background. The report discusses options to create a five-year pilot program involving an experiential learning program within the law school and a public service pathway to Bar admission for a limited number of USD Knudson School of Law students.

### **President’s Comments:**

President Sharp Theophilus noted that the Bar Commission and Bar staff have been very busy dealing with various matters, and she thanked them for their time and consideration.

### **Miscellaneous:**

Cremer reminded the Commissioners that the Supreme Court will hold a Rules hearing on February 18, 2025, to consider various proposed rules, including a proposed rule from the Ethics Committee regarding rule 1.8(e), and a proposed rule from the Practice Rules Revision Committee regarding the submission of orders. Both of the proposed rules were approved by Bar members on June 14, 2024, at the Annual Business Meeting.

The Commission briefly discussed Certificates of Compliance and potential changes to allow members to submit their certificates via the online member management system.

### **Next Meeting:**

The next Bar Commission meeting is scheduled for January 15, 2025, at 3:00 pm CST, online (quarterly meeting).

**Adjourn:** Commissioner Johnson moved to adjourn the meeting. Commissioner Edwards seconded the motion. Motion carried.

Respectfully submitted,  
Paul Cremer  
Executive Director/Secretary-Treasurer

Save the Date!

2025

A2J ANNUAL  
STATE BAR CONVENTION  
GOLF TOURNAMENT

THURSDAY | JUNE 19, 2025 | RAPID CITY



Stay Tuned!

# TRIAL SKILLS

# Academy

*The SD Chapter of ABOTA, the State Bar of South Dakota, and the University of South Dakota Knudson School of Law are proud to sponsor the 2025 South Dakota Trial Skills Academy, to be held at the USD Knudson Law School starting at 2 pm (CT) Monday, July 14 and ending at noon on Friday, July 18. This course is for South Dakota lawyers, and it is taught by experienced, respected South Dakota trial lawyers who represent a variety of different practice perspectives. Faculty includes Prof. Laura Rose, Robert Anderson, Mike Bornitz, John Burke, Melanie Carpenter, Steve Landon, Pamela Reiter, and Robbie Rohl.*

*This immersive program is designed to re-enforce basic trial skills, instill self-confidence, and assure each participant a real-time opportunity to practice the most important skills necessary to first chair a trial. Formerly designed for lawyers under 5 years in practice, this year's class is open to any lawyer who wants to learn best courtroom practices, or to update their courtroom skills. Featuring a "lecture + practice" format, the Academy offers small and large group sessions designed to help lawyers with issue spotting, jury selection, open statements, common courtroom evidentiary issues, effective direct and cross techniques, and the art of closing argument. Participants will have the opportunity to get direct and supportive feedback about building career credibility and civility, cost-effective litigation techniques, and effective client communications.*

*Tuition is \$1,500. A \$500 deposit is required to reserve your position in this limited enrollment program. A block of rooms at the Vermillion Holiday Inn Express has been reserved for Trial Academy participants, at the cost of \$107.00 per night plus sales tax. In addition to the hotel's complimentary breakfast, the program will provide lunch and snacks during program workdays, and the program includes two optional evening networking events. Scholarships to cover tuition are available for lawyers with financial need.*

*Please consider taking less than a full work week out of your office to make your time in the courtroom more valuable for your clients and more comfortable for yourself. If you have any questions about the program, contact Heather L. Bogard at [Hbogard@Costelloporter.com](mailto:Hbogard@Costelloporter.com); Melanie Carpenter at [melanie.carpenter@Woodsfuller.com](mailto:melanie.carpenter@Woodsfuller.com); Jeff Hurd at [jhurd@Bangsmccullen.com](mailto:jhurd@Bangsmccullen.com); Stephanie Pochop at [Stephanie@Rosebudlawyers.com](mailto:Stephanie@Rosebudlawyers.com); or Clint Sargent at [Meierhenrylaw.com](http://Meierhenrylaw.com).*

**SOUTH DAKOTA TRIAL SKILLS ACADEMY REGISTRATION**

**JULY 14 – 18, 2025**

**USD KNUDSON SCHOOL OF LAW, VERMILLION, SD**

**SPONSORED BY THE STATE BAR OF SOUTH DAKOTA, THE SOUTH DAKOTA CHAPTER OF ABOTA  
AND THE UNIVERSITY OF SOUTH DAKOTA KNUDSON SCHOOL OF LAW**

Name: \_\_\_\_\_

Firm or Organization: \_\_\_\_\_

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

Phone: \_\_\_\_\_

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

Date: \_\_\_\_\_

**The full tuition amount to attend the South Dakota Trial Skills Academy is \$1,500.00, which is due on or before July 1, 2025. Receipt of this application with a \$500.00 deposit before April 1 will reserve a space for you in the 2025 South Dakota Trial Skills Academy. Classes begin on Monday, July 14 at 2 pm (CT) and end on Friday, July 18 at noon.**

**Submit this completed application form and your tuition payment or deposit, made payable to "ABOTA Trial Skills Academy 2025", to Heather Bogard at Costello Porter Hill Heisterkamp Bushnell & Carpenter LLP, 704 St. Joseph St., Rapid City, SD 57701. You may email your application form to Ms. Bogard at [hbogard@costelloporter.com](mailto:hbogard@costelloporter.com). Your payment of the deposit and/or full tuition may be made by check or by credit card with a \$10.00 additional fee for processing expenses for each transaction).**

There is a 24-participant limit for the class. Priority for attendance will be given to applicants who have made a full payment of their tuition. If the class is full, applicants who are not selected to attend but have submitted a deposit or full tuition payment will receive a full refund.

The South Dakota Trial Skills focuses on teaching or renewing trial skills for lawyers who do not have recent jury trial experience. Please complete the summary of your professional experience to assist the Academy faculty in streamlining the Academy program to participant experience. Your information will be used for no other purpose, and will not be shared with any other entity.

Brief description of your current practice: \_\_\_\_\_

Size of law firm or organization: \_\_\_\_\_

Years admitted to practice: \_\_\_\_\_

Identify any public service or Project Rural Practice experience: \_\_\_\_\_

Number of court trials completed as first chair: \_\_\_\_\_

Number of court trials completed as second chair: \_\_\_\_\_

Number of jury trials completed as first chair: \_\_\_\_\_

Number of jury trials completed as second chair: \_\_\_\_\_



**SOUTH DAKOTA TRIAL SKILLS ACADEMY**

**SCHOLARSHIP APPLICATION**

**JULY 14 – 18, 2025**

**USD KNUDSON SCHOOL OF LAW, VERMILLION, SD**

The undersigned is submitting this form to apply for a scholarship to the ABOTA Trial Skills Academy to be held from July 14-18, 2025. This scholarship, if awarded, will be used toward the \$1,500.00 Academy tuition costs. Scholarship funds will be credited toward tuition: no scholarship funds will be directly paid to scholarship recipients.

Qualification for the scholarship is based upon financial need, with public service, solo, small firm or rural law practice experience given preference. ABOTA has sole discretion about the number of scholarships to be awarded, and no person is guaranteed a scholarship. Priority is granted to Project Rural Practice attorneys.

For the sole purpose of assisting the scholarship committee of your financial need and your professional demographic information, please complete the following confidential form:

Name: \_\_\_\_\_

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

Phone: \_\_\_\_\_

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

\_ Years as a Lawyer: \_\_\_\_\_ Size of firm: \_\_\_\_\_

#Number of civil jury trials : \_\_\_\_\_ Number of criminal jury trials : \_\_\_\_\_

Brief description of your practice focus and experience: \_\_\_\_\_

**Attach a letter setting forth the reasons you are requesting and feel you will benefit if you are awarded this scholarship. This application and your letter of support will be kept confidential and will be used solely by the committee to award the scholarship.**

Signed: \_\_\_\_\_

Printed name: \_\_\_\_\_

Dated: \_\_\_\_\_

**Email or mail your completed scholarship application and your letter to:**

**"ABOTA TRIAL SKILLS ACADEMY 2025"**  
**C/O Heather L. Bogart**  
COSTELLO PORTER HILL HEISTERKAMP BUSHNELL & CARPENTER, LLP  
704 St. Joseph St.  
Rapid City, SD 57701.  
hbogard@costelloporter.com



## Reduce Anxiety in Your Practice

Lawyering is widely recognized as one of the most stressful professions. The demands for our time and attention are never-ending. And while a little anxiety might be okay, when anxiety starts to hang over our heads like a black cloud, it interferes with our effectiveness as a lawyer.

When we feel the loss of control over our physical surroundings, our schedules, and even our relationships, it fuels the anxiety. Concentration and productivity decline, procrastination sets in, and together they all intensify the problems, with burnout looming on the horizon.

One cause of anxiety is clutter, and attorneys are notorious for accumulating papers, books, messages, and all sorts of materials in stacks around their offices. It's literally not healthy. Clutter causes anxiety in four primary ways:

1. Clutter can be overwhelming – it takes an enormous effort to tackle;
2. Clutter is a distraction and time-waster – it creates frustration over lost items;
3. Clutter can trigger guilty feelings – we berate ourselves for not being better; and
4. Clutter dampens creativity and productivity.<sup>1</sup>

If you can identify with any of these symptoms of anxiety, there's good news. You can regain control over your physical environment by decluttering. Learning to manage that stress – even just a slice of it – will restore more calmness and predictability to your work life. And that will put you on the path to far less anxiety.

Clutter messes with the brain's ability to focus, according to Erika Penney, Clinical Psychologist. She researches the causal link between messy environments how that triggers stress and anxiety.<sup>2</sup> Whether it's stacks of papers, unrelenting caseloads, unreturned phone calls, or exhibits and research littering your office space, it will lead to cognitive overload which causes the brain to struggle and can impair your memory.

Effective decluttering of your office requires a commitment to do the work it takes, a clear vision of how you want to conduct your business, and a simple plan. First, set aside

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<sup>1</sup> Piedmont Healthcare, "Four Ways Clutter Can Cause Anxiety," <https://www.piedmont.org/living-real-change/4-ways-clutter-causes-anxiety>.

<sup>2</sup> See, e.g., "Psychological Perceptions Matter: Developing the reactions to the physical work environment scale," Elizabeth J. Sander, et al., *Building and Environment*, Vol 148, January 15, 2019, pages 338-347, <https://www.sciencedirect.com/science/article/abs/pii/S0360132318307157>.

time every week to get rid of the random papers and books in your office and pare things down to only essential materials. Set an appointment on your calendar for at least an hour (2 or 3, if possible) each week AND set a reminder so you don't let it slide. Second, get a clear vision of how you want to conduct your business. One attorney I worked with said she didn't want to spend the rest of her career dreading coming into her office every morning – she wanted a relaxed and organized working space where she could consult with clients and colleagues and get her work done in peace. What would your ideal office space and workflow look like if you could have anything you wanted? Let that be the goal that incentivizes you to declutter every week!

Next, create a plan with realistic goals to restore order. Start small such as going through the papers and files that are covering the horizontal surfaces. Just focus on papers. Get them sorted by client or matter. Start small. That's your first step.

Then, after you've sorted all the paper and scanned/shredded anything you don't absolutely need, you can move to each individual matter. Go through each file and make sure the correspondence, pleadings, discovery, and related materials are organized within the file (whether electronic or physical).

Once that's accomplished, make sure that everything is in its designated space. Having a designated space for your active client files and supporting materials is essential to keeping your workspace in order. AND if you return each item to its designated space when you're done using it (even if you'll be working on it tomorrow), you will prevent the clutter from overtaking your space and cognitive functions. After client files are behind you, move to your administrative work and do the same for that.

The reality of clutter is that it's distracting you from your job and it's not really about the stuff. It's about confronting the reasons you let things get out of control and then developing and maintaining new habits to keep clutter at bay. The good news is, these aren't particularly difficult habits to create. The toughest part is changing your thinking patterns and realizing that taking the time to put files away when you've finished with them takes less time than waiting until you have a mountain to dig out from under.

This is the path to reducing your anxiety and achieving your dream practice. Your future self will thank you when you walk into your tidy office each morning.

*Written by Mrg Simon, who is a South Dakota lawyer, Professional Organizer and KonMari Certified Consultant.*

## **MARK YOUR CALENDARS!**

**April 17, 2025, at noon CST (11 a.m. MST)**

**TOPIC:**  
**HOW TO HANDLE DIFFICULT AND/OR MENTALLY IMPAIRED**  
**CLIENTS (something we all are, or will be, dealing with).**

**COFFEE BREAK GUEST**  
**SPEAKER:**

**Federal Bankruptcy Court Judge**  
**Laura Kulm Ask**

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

IN THE MATTER OF THE ADOPTION OF )	RULE 25-01
A NEW CHAPTER 16-16A RELATING TO )	
THE PUBLIC SERVICE PATHWAY PROGRAM )	RULE 25-02
THE AMENDMENTS TO SDCL 16-16-6; )	
SDCL 16-18-2.1 and SDCL 16-18-2.9 )	RULE 25-03
REGULATIONS TO COMPRISE THE )	
APPENDIX TO SDCL CHAPTER 16-16A )	RULE 25-04
)	
)	RULE 25-05

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A hearing was held on February 18, 2025, at Pierre, South Dakota, relating to the adoption of new rules relating to the Public Service Pathway and Regulations to Comprise the Appendix to SDCL Chapter 16-16A and amendments to SDCL 16-16-6, SDCL 16-18-2.1 and SDCL 16-18-2.9, and the Court having considered the proposed adoptions and amendments and written and oral presentation relating thereto, now, therefore, it is

ORDERED that the adoption of a new rule relating to creating the Public Service Pathway is hereby adopted to read in its entirety as follows:

**Rule 25-01**

**1. Adoption as a New Chapter 16-16A - Public Service Pathway Program**

16-16A-1. Definitions

Terms used in this chapter mean:

1. Board - the South Dakota Board of Bar Examiners;
2. Law school - the University of South Dakota Knudson School of Law;
3. NCBE - the National Conference of Bar Examiners;
4. Public service - full-time employment within South Dakota with any federal, state, local, or tribal government, Dakota Plains Legal Services, or East River Legal Services; and
5. Supervising attorney - an attorney who meets the requirements of § 16-18-2.9 and agrees to undertake the

supervision of a participant in accordance with the provisions of §§ 16-18-2.1 to 16-18-2.10, inclusive.

16-16A-2.

An individual may be admitted to the public service pathway program if the student:

1. Is currently enrolled at the law school;
2. Completes an application for participation and is approved by the dean of the law school and the hiring authority of the host public service entity with whom the participant will be placed;
3. Satisfactorily completed all required 1L curriculum;
4. Satisfactorily completed all required 2L curriculum;
5. Satisfactorily completed the Professional Responsibility class;
6. Successfully completed four semesters towards the individual's degree with the law school;
7. Is registered to take or has taken the Multistate Professional Responsibility Exam by November of the participant's 3L year;
8. Has never taken a bar examination or been admitted to the practice of law in another jurisdiction; and
9. Agrees to work full time with a host public service entity approved by the dean of the law school and the board as outlined in § 16-16A-3.

An individual is not required to meet these requirements at the time of application but must satisfy the eligibility requirements by the commencement of the program. The student must complete the application on a form provided by the dean of the law school. Notice of the application period shall be given in the same way internships and externships are noticed within the law school. The dean of the law school shall review applications and select program participants. No more than ten students may be admitted to the program from one law school class.

16-16A-3.

A participant in the public service pathway program shall complete a minimum of 500 hours of work experience as a legal extern with a host public service entity approved by the dean of the law school. The host public service entity shall offer a

variety of experiences and opportunities for each participant to demonstrate competence in the law and shall provide enough supervising attorneys necessary to effectively mentor and assist each participant. The law school shall provide training to each supervising attorney regarding relevant rules, regulations, and policies.

16-16A-4.

Notwithstanding § 16-16-6, an applicant may obtain admission to practice as an attorney in this state through the public service pathway program if the applicant:

1. Meets the requirements set forth in § 16-16-2;
2. Complies with the criminal background investigation as required by § 16-16-2.6;
3. Provides evidence of graduation from the law school;
4. Provides evidence of successful completion of the public service pathway bar admission program through the law school;
5. Provides a portfolio of work demonstrating minimum competence to the satisfaction of the board;
6. Demonstrates competence in Indian law either through successful completion of a board-approved Indian law course at the law school with the testing option or successful completion of a one-question examination on Indian law offered by the board following an applicant's successful completion of the program;
7. Achieves a score of 85 or higher on the Multistate Professional Responsibility Exam; and
8. Commits to providing at least two years of public service.

16-16A-5.

On or before October 1 during the semester of placement with a host public service entity, participants seeking admission to practice as an attorney in this state through the public service pathway program shall submit to the board:

1. An application on the form provided by the board;
2. An application fee prescribed by the Supreme Court;

3. A photograph taken within six months of the date of application;
4. A current law school transcript;
5. Completed South Dakota Division of Criminal Investigation and United States Federal Bureau of Investigation fingerprint cards;
6. The required fingerprinting fee; and
7. A copy of the request for preparation of a character report and accompanying submissions to the NCBE with proof of payment of the fee prescribed by the NCBE.

An application is not complete until each of these items is received.

16-16A-6

Upon completion of the public service pathway program and the board's character and fitness investigation, the board shall make a recommendation regarding the participant's admission to practice as an attorney in this state to the Supreme Court for its consideration and order.

16-16A-7.

Upon admission to the practice of law through the public service pathway program, a participant shall complete two years of public service. The two-year commitment must be completed within three years of the date of admission to practice as an attorney in this state. The time a participant serves in a state or federal judicial clerkship may not count toward the two-year requirement but the three-year period to complete the public service requirement is tolled during service in a state or federal judicial clerkship.

16-16A-8.

A participant seeking a waiver or extension of time to complete the public service requirement must submit a written request for waiver or extension to the secretary of the board as soon as practicable. Upon receiving a waiver or extension of time to complete the public service requirement, the board shall conduct a hearing. The board may also initiate an investigation and hearing upon belief that a participant has not, or will not, complete the two-year public service commitment. To qualify for a waiver or extension, the participant must demonstrate, by a preponderance of the evidence, extraordinary circumstances, personal hardship, or that the public service employment was terminated for reasons

beyond the control of the participant and the participant is unable to secure new employment in public service.

The board may take testimony and compel, by subpoena, the attendance of witnesses and the production of documents. Any member of the board may administer an oath or issue a subpoena. Upon conclusion of its investigation and hearing, the board shall issue a recommendation to the Supreme Court for its consideration and order. The board may recommend to extend the deadline to complete the public service, to waive the remainder of the term of public service, or to deny the request and revoke the participant's license to practice law in this state.

16-16A-9.

Each participant shall report to the secretary of the board the participant's place of employment until completion of the public service requirement. The participant shall file with the secretary of the board an affidavit upon a form provided by the board attesting to the completion of the public service requirement.

16-16A-10.

The Supreme Court shall appoint an oversight committee to monitor the public service pathway program and suggest changes. The committee must include one member from the law school, one from the board, and one from the Supreme Court.

16-16A-11.

Each participant shall comply with the South Dakota Rules of Professional Responsibility. Failure to do so may result in denial of admission to practice law as an attorney in this state and referral to the Disciplinary Board. The board may refer a participant to the Disciplinary Board for any violation of the Rules of Professional Responsibility. Failure to furnish information or answer truthfully the inquiries of the board pertinent to the participant's application may also result in denial of admission to practice law.

In any application for waiver or extension pursuant to § 16-16A-8, a participant shall disclose to the board any allegation of misconduct involving the participant.

16-16A-12.

The provisions of this chapter are effective for five years from the date of the order adopting these rules. The oversight committee shall make a recommendation to the Supreme Court whether the program should continue or be amended.

16-16A-13.

The board is authorized to promulgate policies and regulations necessary to implement this program.



16-16A-14.

The application for admission to practice law as an attorney in this state and all accompanying materials, including investigative reports and transcripts but not including portfolio submissions, are confidential and for the use of the board, the Supreme Court, and its staff in determining admission to the practice of law in the state. This rule does not prohibit the board from furnishing relevant information to the Disciplinary Board when the Disciplinary Board is conducting an investigation. The information and records may be released to the applicant or, with the applicant's consent, to another jurisdiction for purposes of admission to the practice of law.

-----  
**Rule 25-02**

**2. SDCL 16-16-6. Examination required of applicants to practice law--Educational requirements.**

All applicants for admission, except those applying pursuant to §§ 16-16-7.6, 16-16-12.1, ~~or §§ 16-16-12.3, and 16-16-12.4,~~ or chapter 16-16A shall be required to pass satisfactorily an examination conducted by the Board of Bar Examiners. An applicant for permission to take an examination, in addition to the general qualifications prescribed in § 16-16-2, must furnish satisfactory evidence that he graduated from a law school accredited by the American Bar Association with a J.D. or LL.B. degree or that he will so graduate prior to the examination, or that he has successfully completed all of the requirements for graduation prior to the examination.

An applicant for admission who is a graduate of a foreign law school, not accredited by the American Bar Association, may apply for permission to take the South Dakota bar examination upon good cause shown if the graduate has passed the bar examination in another state and is a member in good standing of the bar of that state.

-----  
**Rule 25-03**

**3. SDCL 16-18-2.1  
SDCL 16-18-2.1. Legal assistance by law students--Purpose of provisions.**

The bench and the bar are primarily responsible for providing competent legal services for all persons including those unable to pay for these services. As one means of providing assistance to lawyers and to encourage law schools to provide field placement instruction in legal work of varying kinds, §§ 16-18-2.2 to 16-18-2.10, inclusive, are adopted. For the purposes of §§ 16-18-2.1 to 16-18-2.10, "extern" means a student in a field placement program for academic credit offered by a school of law in accordance with the American Bar Association Standards for Approval of Law Schools,

including a participant in the public service pathway program pursuant to chapter 16-16A, and "intern" means any other student providing legal assistance under the supervising lawyer.

-----  
**Rule 25-04**

**4. SDCL 16-18-2.9. Qualifications of supervising lawyer--  
Professional responsibility.**

A supervising lawyer under whose supervision a legal intern or extern does any of the things permitted by §§ 16-18-2.4 to 16-18-2.7, inclusive, shall be a lawyer authorized to practice law in this state, and:

- (1) ~~Shall be approved by the dean of the school of law of the University of South Dakota or by the director of the externship program of the school of law; and such approval by the dean or the director may be general, may have time, scope, or case limitations, or may be on an ad hoc case by case basis; all such as the dean or the director shall from time to time determine. The approval may be modified or withdrawn by the dean or the director at any time without notice or hearing and without any showing of cause. Such approval shall be in writing except that at the option of the dean or the director the approval may be oral for all matters relating to the externship program.~~  
Shall be a member of the South Dakota bar, in good standing, and shall certify such in writing; and
- (2) Shall assume personal professional responsibility for the conduct of the legal intern or extern.

-----  
**RULE 25-05**

**5. Regulations to Comprise the Appendix to SDCL Chapter 16-16A.  
Regulation 1.**

Each participant must prepare and submit a portfolio of work product. By May 31 of the year of placement, the board shall publish the requirements of the portfolio.

Regulation 2.

After each court appearance, each participant shall complete a form provided by the board detailing the case name and number, the subject matter of the litigation, the purpose of the appearance, and the feedback received from the supervising attorney, and, if any, the feedback received from the court or adjudicator. If the court appearance is for a block of cases, the participant shall so indicate on the form and, in lieu of providing details on each case, the participant shall report only the most significant case. The participant shall provide this form to the secretary of the board each week, or as otherwise ordered by the board, and provide a copy to the supervising attorney. The supervising attorney shall

review the form and complete a section pertaining to the accuracy of the form and submit the form via email to the secretary of the board.

Regulation 3.

Each participant shall complete the daily time and activity form provided by the board, which must detail the title of the legal matter, the date, the scope of the activity, the time spent in 15-minute increments, and what was observed. Additionally, in a separate word document attached to the form, the participant shall also provide a short synopsis of what the participant learned if the activity involved observation or, if the activity required participation, what the participant did correctly and what the participant could have done differently and why. The participant shall submit the daily time and activity form and attachment to the secretary every week or as otherwise ordered by the board.

Regulation 4.

A participant shall inform the secretary of the board of any hearings or trials which would provide an opportunity for observation of the participant actively engaging before the court or adjudicator. It is preferable that notice of three days or more be given of such events.

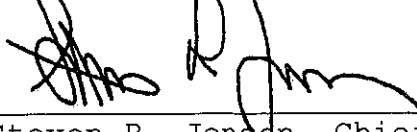
Regulation 5.

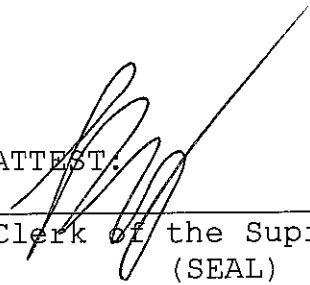
The board will regularly assess each participant. The board shall apprise each participant of the participant's progress by November 15 of the year of placement. The board's assessment pursuant to this regulation is preliminary and non-binding. The assessment does not constitute a waiver of the consideration of facts or conduct that are either later discovered or occur after the board's assessment under this regulation.

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

DATED at Pierre, South Dakota, this 21st day of February, 2025.

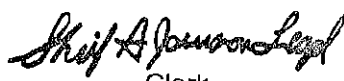
BY THE COURT:

  
\_\_\_\_\_  
Steven R. Jensen, Chief Justice

ATTEST:  
  
\_\_\_\_\_  
Clerk of the Supreme Court  
(SEAL)

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

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Clerk

# Attorney Health & Wellness Resources

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- *USD Law Students & their household family members*

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## **5<sup>th</sup> Annual Diversity and Inclusion Award**

***Sponsored by: The Lawyers Committee on Diversity and Inclusion***

On behalf of the Lawyer's Committee on Diversity and Inclusion (LCDI), nominations are being sought for the 5<sup>th</sup> annual Diversity and Inclusion Award.

### **Purpose**

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

### **Eligibility Criteria**

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

- Enhances inclusion through positive communication between persons of different backgrounds.
- Demonstrates a commitment to the values of diversity and inclusion through documented efforts that are above and beyond routine expectations.
- Develops innovative methods for increasing and valuing diversity through wide-ranging activities.
- Demonstrates outstanding efforts to promote an environment free from bias and discrimination.
- Organizes, creates, and facilitates various professional or community events promoting diversity, respect, and inclusion.
- Shows efforts to recruit and retain individuals who increase the diversity of the State Bar of South Dakota
- Promotes the sponsorship of, or active participation in, programs, initiatives, or projects in the area of diversity and inclusion.
- *ELIGIBILITY RESTRICTION:* The individual being nominated cannot be a current member of the State Bar of South Dakota's Lawyer's Committee on Diversity and Inclusion.

### **Nomination Criteria**

Individuals may nominate a member of the State Bar of South Dakota by submitting a Nomination Form. Completed Nomination Forms, and attachments thereto, may be emailed to [info@sdbar.net](mailto:info@sdbar.net) or mailed to:

**Diversity & Inclusion Award Committee**  
**111 W. Capitol Ave. #1**  
**Pierre, SD 57501**

**Deadline:** Nominations must be received by **Monday, March 31, 2025.**

### **Nomination Process and Presentation of Award**

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

**2025 Diversity and Inclusion Award  
Nomination Form**

**1. Nominee Information**

Name: \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

**2. Nominator's Information:**

Name: \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

*How do you know the Nominee:* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**3. Synopsis**

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

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

[info@sdbar.net](mailto:info@sdbar.net)

Or mailed to:

**Diversity & Inclusion Award Committee**

**111 W. Capitol Ave. #1**

**Pierre, SD 57501**

**Deadline: Nominations must be received by Monday, March 31, 2025.**



# State Bar of South Dakota Association

Avera Healthcare Plans

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State Bar Association Health Plan.

## EASTERN SOUTH DAKOTA

### Office Location

Mitchell & Yankton Area  
Aberdeen Area  
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.

Life comes with challenges.

# Your Assistance Program is here to help.

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:

### **Mental Health Sessions**

Manage stress, anxiety, and depression, resolve conflict, improve relationships, and address any personal issues. Choose from in-person sessions, video counseling, or telephonic counseling.

### **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.

### **Personal Assistant**

Save time with referrals for travel and entertainment, seeking professional services, cleaning services, home food delivery, and managing everyday tasks.

### **Medical Advocacy**

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

### **Member Portal**

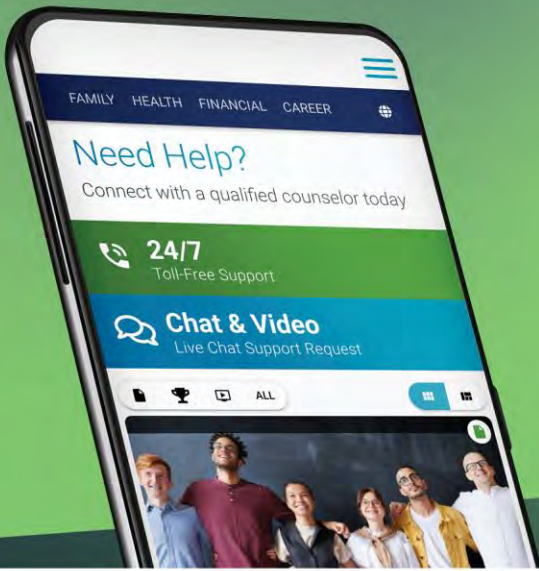
Access your benefits 24/7/365 through your member portal with online requests and chat options. Explore thousands of self-help tools and resources including articles, assessments, podcasts, and resource locators.



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Visit: [www.sandcreekeap.com](http://www.sandcreekeap.com)  
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## Explore Thousands of Self-Care Articles & Resources

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1. Visit [www.sandcreekeap.com](http://www.sandcreekeap.com) and click on "Sign Up" below the login form
2. To create an account and sign in, enter your email address and company code: **sdhelp**
3. For login assistance, select "Email Support"

*\* You can always call to access services, without needing to create an account or log in to the portal.*



Contact AllOne Health  
Call: 888-243-5744  
Visit: [www.sandcreekeap.com](http://www.sandcreekeap.com)  
Code: **sdhelp**



# In Memoriam



Keith Strange  
September 7, 1947 –  
January 26, 2025

Keith Strange, 77, passed away Sunday, Jan. 26, 2025 at his apartment in Kansas City. His Celebration of Life is 5-8 p.m. on Saturday, Mar. 22 at The Social in Sioux Falls, S.D., with a 6 p.m. program.

Keith Redding Strange was born Sept. 7, 1947 in Sioux Falls, South Dakota, to Ruth Elaine (Koller) Strange and George Carlton Strange. He graduated from Washington Senior High School, earned a B.A. from Augustana College and a J.D. from the University of South Dakota. He specialized in tax and estate law and was a member of the El Riad Shrine Oriental Band. In 1988, Keith moved to Kansas City and launched a 30-year career as a restaurant professional. Keith was a lifelong fan of music, sports, hunting, and fishing. His loved ones are grateful for memorable times spent together at the family property on the Missouri River and around many tables.

Keith is survived by brother Sidney (Diane) of Sioux Falls, sister Kathleen of Kansas City, eight nieces and nephews, Ten grandnieces and nephews, and numerous cousins.

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[Register for this Webinar](#)



26 MAR  
Preventing Burnout: Refreshing Your Perspective

March 26, 2025  
12:00 pm EDT - 12:45 pm EDT  
[Register for this Webinar](#)



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## Pickleball anyone?

This notice is being posted to see if there is any interest in having an organized pickleball event during the State Bar Convention in Rapid City.

If you, or your spouse, are interested in playing pickleball sometime during the afternoon of Thursday, June 19, please send an email to Jeff Clapper at [jeff.clapper@ujs.state.sd.us](mailto:jeff.clapper@ujs.state.sd.us) by March 25 and provide the following information:

- Name, age, skill level (beginner, intermediate, advanced).

If there is enough interest, efforts will be made to reserve courts.



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[HeiserValuation.com](http://HeiserValuation.com)

**Ericka Heiser, MBA, CVA**  
Certified in Business Appraisals

# True Stories & Tips for Law Firm Splits, Dissolutions, and Attorney Departures

I have three stories to share, but first a reminder of what tail coverage is and isn't. Sometimes after hearing good things about ALPS, a lawyer will call in saying they are about to retire or leave their firm; and while their current insurance coverage is with another provider, they would like to buy a tail policy from us. Our answer is always the same: a tail isn't a separate policy, it's an endorsement to a policy. Their current insurer is the only one who can help them.

The word "tail" is a common term for an extended reporting endorsement (ERE). Extended Reporting Endorsements (EREs) are specific to a claims-made and reported insurance policy, like your malpractice policy, because a lawyer requires ongoing insurance protection for professional services provided until the final malpractice policy expires. This ensures protection against any subsequent claims related to those services. So, all an ERE does is extend the time within which a claim may be reported under the terms and conditions of the final policy the ERE attaches to. An ERE is not a new policy, and it doesn't bring any additional coverage with it. With this out of the way, time for the stories:

After practicing together for years, a husband and wife needed to make some changes because they were in the process of getting a divorce. The husband left the firm and purchased a new malpractice policy with no prior acts. The wife then invited their son to join the firm, planning to eventually pass it on to him upon her retirement, which was expected to occur within the next year or so. Their son was excited about the opportunity to have his own firm eventually, but should he be?

The husband wasn't concerned about prior acts coverage because he was comfortable relying on former attorney language under the policy the couple had in place when they practiced together; and since the wife, and eventually their son, will maintain continuous coverage with the firm the husband left, he wasn't worried. Here's the rub. Their son doesn't realize that his parents weren't doing him any favors from a coverage perspective. Again, understand that the wife and son will maintain continuous coverage, so the son will eventually be left with the liability and related premium costs for all the prior acts of his parents. Had the parents taken the

time to come up to speed on the coverage issues and then really think this through, a better decision might have been to wind up their practice and purchase a firm ERE so mother and son could start fresh.

Another situation involved a two-attorney firm split. Someone told these two that after they split, they would both need to make sure they get predecessor coverage, which would provide coverage for any acts, errors, or omission that occurred at their now prior firm. Both agreed to do so. Shortly thereafter one of the attorneys applied for individual coverage with us. He asked for and received predecessor coverage after stating that he had acquired 51% or more of the assets and liabilities of the prior firm. Shortly thereafter, the other attorney applied for individual coverage also hoping to purchase predecessor coverage. Unfortunately, we couldn't offer that coverage because there can only be one successor firm. Here again, there was a misunderstanding of how coverage works. The attorney who received predecessor coverage didn't realize that he would be accepting the liability of all former attorneys and staff onto his new solo policy. This also meant the other partner didn't have to pay to cover his prior acts on his new policy. This is when they both realized that what they should have done was to ask for separate prior acts coverage for each of them or purchase a firm ERE.

And finally, a small firm had a few partners retire in recent years. As a result, a few more of the remaining partners decided they too should retire which forced the rest who were not ready to retire to begin looking for opportunities elsewhere. A dissolution by default was coming into play. Unfortunately, no one was in agreement as to what to do about tail coverage, in part due to the reality that no one had a thorough understanding of what tail coverage is and how it works. Some thought they could purchase their own individual tail policy. Others thought they could pick the amount of tail coverage they wanted, individually or as a firm. Some were thinking about buying individual tails of varying lengths while others wanted a firm tail. It seemed that everyone had a different opinion based upon how much they thought their individual cost would end up being. Making matters worse, several firm attorneys actually made lateral moves without giving any serious thought to their

prior acts exposure, apparently believing this was something that could be taken care of whenever they got around to it. In the end, the dissolution process dragged on much longer than it needed to, relationships were unnecessarily strained, and the partners who retired prior to all this happening were not even aware that decisions were being made, decisions that could have serious consequences.

For me, the common thread in these stories is this. In light of an impending firm split, dissolution, or attorney departure all the attorneys were making decisions without fully understanding the consequences of the decisions being made. They got ahead of themselves, and unintended consequences quickly followed. With this in mind, I share the following tips to help you avoid similar problems in your future.

- 1) When a firm split, dissolution, or attorney departure is on the horizon, contact your carrier early on to learn about and discuss your options. For example, while predecessor coverage is the answer sometimes with firm splits, at other times separate prior acts policies or a firm ERE coupled with a policy that has no prior acts coverage is the answer.
- 2) The cost of an ERE can be expensive, particularly for a firm that's been in existence for decades; and understand that payment is typically due in full at the time of purchase. Plan well in advance and save for this eventual necessary expense to avoid ultimately having to make significant decisions based upon financial limitations.
- 3) Don't allow your malpractice policy limits to drop if your firm downsizes in the last few years of its life. Remember that the remaining limits of the final policy the ERE will attach to need to be enough to take care of everyone who's covered under the ERE for the duration of the ERE. Stated another way, the limits of an ERE don't renew every year. It's a once and done kind of thing.
- 4) Never run with any assumptions. Because the window of opportunity to purchase an ERE is short, often 30 days or

less. Prior to leaving a firm, think carefully before making the common decision to rely on former attorney language to take care of your tail exposure. A decision to do so may be fine if the firm you are leaving maintains continuous coverage for at least the next five to ten years. If there's a chance the firm may not do so, perhaps due to an unexpected firm merger or a not so unexpected dissolution, consider purchasing an individual tail as you're departing because the opportunity to do so will pass quickly and sometimes the decisions firms make months to a few years after you depart can end up leaving you bare on your tail exposure. This can even happen to you after you've made a lateral move if the firm you moved to didn't pick up your prior acts.

- 5) If your firm is dissolving and you plan to continue to practice on your own, don't assume that you need to go out and buy a new policy that includes prior acts coverage. Check with the firm to see if it will be purchasing a firm ERE. If so, you don't need to add prior acts coverage to your new policy, the firm ERE will take care of that exposure.
- 6) When you retire, remember that an ERE provides no new coverage. All it does is extend the time you can report a claim that arises out of any covered work done up to the date your final policy expired. If you happen to do a little work in retirement and a claim arises out of that work, well, all I can say is this one's on you.
- 7) Decisions made during firm splits and dissolutions could leave previously departed attorneys without coverage for their prior acts if they left with a belief that they could rely on former attorney language to take care of their tail exposure. In these situations, the cleanest choice would be to purchase a firm ERE. Not only will this ensure that everyone's tail exposure is covered, but any attorney who will remain in practice post firm split or dissolution can also move forward without having to worry about procuring their own prior acts coverage. I see that as a win/win.



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.

# Career Center

STATE BAR OF SOUTH DAKOTA CLASSIFIEDS

Email your employment announcement to [tracie.bradford@sdbar.net](mailto: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](http://www.statebarofsouthdakota.com)



## Compliance Specialist - (SDTC)

### Job description

Founded in 2002, South Dakota Trust Company LLC (SDTC), a company, provides pure trust administration services. With trust assets currently totaling USD \$155 billion, SDTC works with whomever the client wishes regarding investments, insurance and custody of the trust assets, and it also administers trusts holding all types of non-financial assets globally.

South Dakota Trust Company (SDTC) has a great opportunity for a Compliance Specialist in its Sioux Falls office.

### What we do:

SDTC's business is designed to accommodate the needs and desires of wealthy clients, both domestically and internationally, providing "flexible, cost-effective, service-oriented trust administration" in the #1 rated domestic trust jurisdiction. SDTC's core focus is to serve families' individual goals, while preserving family wealth in perpetuity.

### About the position:

We are seeking an experienced Compliance Specialist to assist our Private/Public Trust Company (PTC) Services group with trust company compliance services. The successful candidate will play a crucial role in supporting our PTC clients with corporate support services, regulatory guidance, and ongoing support.

- Prepare regulatory applications and filings for new and existing PTC clients.
- Draft, implement, and revise written policies and procedures for various PTC clients.

- Prepare and disseminate meeting materials, and compliance related matters.
- Work with regulatory agencies and auditing firms on behalf of PTC clients.
- Attend meetings with PTC clients and present compliance-related materials.

### Qualifications:

- Bachelor's Degree in a relevant field, or an equivalent combination of education and applicable experience.
- 5+ years of relevant trust company compliance, auditing, regulatory, bank compliance, or similar experience.
- Strong organizational, research, and analytical skills.
- Excellent attention to detail, communication skills, writing ability, and interpersonal skills.
- Preferred: Possession of a professional designation such as Certified Fiduciary & Investment Risk Specialist (CIFRS), Certified Anti-Money Laundering Specialist (CAMS), Certified Regulatory compliance Manager (CRCM), or similar certification, or a willingness to complete one or more of the certification processes.

Job Type: Full-time

## Family Law Attorney

Ver Beek Law, Prof. L.L.C., a top-rated family law practice in the Sioux Falls area is seeking a **FAMILY LAW ATTORNEY**, with a minimum of two years of experience. The qualified candidate will be invited into the firm's foundation of success. You will experience a

team approach with a commitment to collaboration, excellence and integrity. We are looking for an individual with strong communication, research and writing skills. We offer competitive compensation and benefits with a unique culture found only at Ver Beek Law. Interested applications may send their cover letter and resume to [kelsey@verbeeklaw.com](mailto:kelsey@verbeeklaw.com).



## Chief Executive Officer

### The SDSMA is:

A physician organization that works to advance the medical profession and serve the public. The SDSMA serves physicians, residents, medical students, and honorary lifetime members.

Our mission is to promote the art and science of medicine, protect and improve the health of the public, advocate for the well-being of patients and the best environment for physicians to advance quality health care.

The Chief Executive Officer reports to: the Board of Directors of the South Dakota State Medical Association.

### The Job:

The Chief Executive Officer is responsible to:

- Lead and manage the day-to-day operations and administration of the SDSMA. Oversee staff of less than 5. Recommend and participate in the formulation of new policies and programs.
- Make decisions within existing policies approved by the Policy Council and Board of Directors. Plan, organize, direct, and coordinate staff, programs, and activities of the Association to assure that objectives are attained, plans are fulfilled, and members' needs are met.
- Maintain effective internal and external relationships.
- Manage the budget, assure value for expenditures made, and develop forward-looking programming and constructive growth of the Association.

- Participate in the management of the SDSMA family of organizations including SDSMA PAC, the Foundation and management services contracts.

### Skills and Strengths:

The best candidate for this job will be one who has strong leadership, communications, and interpersonal relationship skills. This person should have the ability to plan, perform effectively in complex and difficult environments, and achieve success through others. Other key attributes of this person include the ability to take calculated risks, manage change, deliver results, implement vision, and share power. This person should be biased toward thoughtful action, constructively tough minded, an efficient reader of people, and pragmatically inclusive. Knowledge of organizational management, financial management, human resources, administrative law, federal and state advocacy, media relations, and the medical field are necessary for this job.

### Educational Requirements:

Juris Doctor or master's degree in business administration (MBA), public health (MPH), public administration (MPA), or a related field or equal experience and training.

### Contact:

Barbara Smith at [bsmith@sdsma.org](mailto:bsmith@sdsma.org)

## Term Law Clerk to U.S. Bankruptcy Judge Laura L. Kulm Ask

### **LOCATION:**

Sioux Falls, South Dakota

### **TYPE OF APPOINTMENT:**

Full-time, One-year Appointment (August 2026 – August 2027) with the possibility of renewal or appointment to a Career Law Clerk position as described below

### **SALARY:**

\$73,939 - \$105,383 (JSP 11/1-13/1) (based upon qualifications)

### **JOB ANNOUNCEMENT:**

25-01



**CLOSING DATE:**

May 31, 2025, or until filled

**POSITION OVERVIEW:**

The position is for a Term Law Clerk for the Honorable Laura L. Kulm Ask, United States Bankruptcy Judge for the District of South Dakota. The successful candidate will serve as one of two law clerks supporting the work of the Judge and the Court. The position may be a one-year term, beginning August 2026, with the possibility of renewal or appointment to a Career Law Clerk position (based solely on the Judge's discretion).

**REPRESENTATIVE DUTIES INCLUDE:**

- Reviewing pleadings filed with the Court to determine the issues involved and the basis for relief;
- Reviewing dockets and monitoring the progress of matters;
- Reviewing and potentially screening motions and drafting orders for the Judge's review;
- Drafting bench memorandums for the Judge's consideration;
- Performing extensive legal research, proofreading orders and opinions while verifying citations, and preparing legal documents such as draft orders, memorandums, and opinions;
- Assisting with case management responsibilities, including preparation for conferences and general docket management tasks;
- Attending court hearings and trials, and assisting the Judge during these proceedings;
- Maintaining liaison between the Court and litigants, including communicating with counsel;
- Keeping abreast of changes in the law and briefing the Judge on them; and
- Performing miscellaneous administrative duties and other duties as assigned.

**MINIMUM QUALIFICATIONS:**

The candidate must be a U.S. citizen or eligible to work in the United States, a graduate from a law school of recognized standing by the American Bar Association or the Association of American Law Schools, and have one or more of the following attributes:

- Standing within the upper one-third of the candidate's law school class;
- Experience writing for a law review or on a moot court, externship or clinical program; or
- Demonstrated proficiency in legal studies which, in the opinion of the Judge, is equivalent to one

of the above. The determination of an acceptable equivalence rests solely with the Judge.

**PREFERRED QUALIFICATIONS:**

- An academic background in bankruptcy or secured transactions coursework;
- Excellent legal research and writing skills;
- Ability to effectively communicate, both orally and in writing;
- Good organizational, computer, and word processing skills;
- Ability to work effectively and well with others in a team-based environment;
- Ability to maintain confidentiality, uphold the Court's ethical rules and exhibit good judgment, maturity, dependability, and responsibility; and
- Ability to manage time and prioritize tasks to meet deadlines.

**BACKGROUND CHECK:**

The selected candidate will be required to undergo a fingerprint check through the FBI's Criminal Justice Information Services Division. The successful candidate for this position is subject to a full National Crime Information Center (NCIC) background records check.

**BENEFITS:**

The position falls within the Judicial Branch of the United States Government and includes most federal benefits. A Term Law Clerk is not eligible to participate in the Federal Employee Retirement System or the Thrift Savings Plan. A Term Law Clerk is not classified under Civil Service but are entitled to similar benefits as other federal employees. These benefits include:

- 11 paid holidays; and
- Optional participation in choice of health plans, dental and vision insurance programs, group life insurance program, long-term care insurance, and pre-tax flexible spending account plan for certain expenses.

**HOW TO APPLY:**

Persons interested in this position should submit the following application materials in PDF format to [SDB\\_Jobs@sdb.uscourts.gov](mailto:SDB_Jobs@sdb.uscourts.gov):

- Completed Application for Judicial Branch Federal Employment, Form AO-78 (available at Application for Judicial Branch Federal Employment | United States Courts ([uscourts.gov](https://uscourts.gov)));

- Cover letter;
  - Detailed resume;
  - Writing sample; and
  - Law school transcript.
- Applicants selected for an interview may also be asked to provide a list of references prior to the interview.

**DISCLOSURES:**

- This is an in-person position, so the selected candidate will be required to work in the Sioux Falls, South Dakota, courthouse.
- Only qualified applicants will be considered for this position.
- Interview and relocation travel expenses will not be reimbursed.
- Electronic direct deposit of salary payments is mandatory.
- All employees of the Court are at-will employees, and therefore an appointee may be removed from this position at any time.
- Travel will be required for the position.
- The Court reserves the right to modify the conditions of this job announcement or to withdraw the job announcement without any prior notice.
- A Term Law Clerk must adhere to a Code of Ethics and Conduct for United States Judges as applicable to judiciary employees, which is available to applicants for review upon request, and must agree to confidentiality and IT policies.
- The United States Bankruptcy Court is an Equal Opportunity Employer.

**Term Law Clerk to U.S. Bankruptcy Judge  
Laura L. Kulm Ask**

**LOCATION:**

Sioux Falls, South Dakota

**TYPE OF APPOINTMENT:**

Full-time, Two-year Appointment (August 2026 – August 2028) with the possibility of renewal or appointment to a Career Law Clerk position as described below

**SALARY:**

\$73,939 - \$105,383 (JSP 11/1-13/1) (based upon qualifications)

**JOB ANNOUNCEMENT:**

25-02

**CLOSING DATE:**

May 31, 2025, or until filled

**POSITION OVERVIEW:**

The position is for a Term Law Clerk for the Honorable Laura L. Kulm Ask, United States Bankruptcy Judge for the District of South Dakota. The successful candidate will serve as one of two law clerks supporting the work of the Judge and the Court. The position may be a two-year term, beginning August 2026, with the possibility of renewal or appointment to a Career Law Clerk position (based solely on the Judge’s discretion).

**REPRESENTATIVE DUTIES INCLUDE:**

Reviewing pleadings filed with the Court to determine the issues involved and the basis for relief;  
Reviewing dockets and monitoring the progress of matters;

- Reviewing and potentially screening motions and drafting orders for the Judge’s review;
- Drafting bench memorandums for the Judge’s consideration;
- Performing extensive legal research, proofreading orders and opinions while verifying citations, and preparing legal documents such as draft orders, memorandums, and opinions;
- Assisting with case management responsibilities, including preparation for conferences and general docket management tasks;
- Attending court hearings and trials, and assisting the Judge during these proceedings;
- Maintaining liaison between the Court and litigants, including communicating with counsel;
- Keeping abreast of changes in the law and briefing the Judge on them; and
- Performing miscellaneous administrative duties and other duties as assigned.

**MINIMUM QUALIFICATIONS:**

The candidate must be a U.S. citizen or eligible to work in the United States, a graduate from a law school of recognized standing by the American Bar Association or the Association of American Law Schools, and have one or more of the following attributes:

- Standing within the upper one-third of the candidate’s law school class;
- Experience writing for a law review or on a moot

court, externship or clinical program; or

- Demonstrated proficiency in legal studies which, in the opinion of the Judge, is equivalent to one of the above. The determination of an acceptable equivalence rests solely with the Judge.

#### PREFERRED QUALIFICATIONS:

An academic background in bankruptcy or secured transactions coursework;

- Excellent legal research and writing skills;
- Ability to effectively communicate, both orally and in writing;
- Good organizational, computer, and word processing skills;
- Ability to work effectively and well with others in a team-based environment;
- Ability to maintain confidentiality, uphold the Court's ethical rules and exhibit good judgment, maturity, dependability, and responsibility; and
- Ability to manage time and prioritize tasks to meet deadlines.

#### BACKGROUND CHECK:

The selected candidate will be required to undergo a fingerprint check through the FBI's Criminal Justice Information Services Division. The successful candidate for this position is subject to a full National Crime Information Center (NCIC) background records check.

#### BENEFITS:

The position falls within the Judicial Branch of the United States Government and includes most federal benefits. A Term Law Clerk is not eligible to participate in the Federal Employee Retirement System or the Thrift Savings Plan. A Term Law Clerk is not classified under Civil Service but are entitled to similar benefits as other federal employees. These benefits include:

- 11 paid holidays; and
- Optional participation in choice of health plans, dental and vision insurance programs, group life insurance program, long-term care insurance, and pre-tax flexible spending account plan for certain expenses.

#### HOW TO APPLY:

Persons interested in this position should submit the following application materials in PDF format to [SDB\\_Jobs@sdb.uscourts.gov](mailto:SDB_Jobs@sdb.uscourts.gov):

- Completed Application for Judicial Branch Federal Employment, Form AO-78 (available at Application

for Judicial Branch Federal Employment | United States Courts ([uscourts.gov](https://uscourts.gov)));

- Cover letter;
- Detailed resume;
- Writing sample; and
- Law school transcript.
- Applicants selected for an interview may also be asked to provide a list of references prior to the interview.

#### DISCLOSURES:

- This is an in-person position, so the selected candidate will be required to work in the Sioux Falls, South Dakota, courthouse.
- Only qualified applicants will be considered for this position.
- Interview and relocation travel expenses will not be reimbursed.
- Electronic direct deposit of salary payments is mandatory.
- All employees of the Court are at-will employees, and therefore an appointee may be removed from this position at any time.
- Travel will be required for the position.
- The Court reserves the right to modify the conditions of this job announcement or to withdraw the job announcement without any prior notice.
- A Term Law Clerk must adhere to a Code of Ethics and Conduct for United States Judges as applicable to judiciary employees, which is available to applicants for review upon request, and must agree to confidentiality and IT policies.
- The United States Bankruptcy Court is an Equal Opportunity Employer.

### **Request for Proposals: City Attorney Services**

The City of Brookings, a Home Rule Municipality, submits this Request for Proposals (RFP) to qualified law firms or individual attorneys to provide legal services, including acting as City Attorney, on a contracted basis. Proposals must address the qualifications, experience, and approach to fulfilling the City's legal needs. To be considered, proposals must address each of the points requested in the supporting document (located at: <https://www.cityofbrookings-sd.gov/Bids.aspx>), including rates and fees. Rates and fees will be considered based on qualifications after initial consideration.

The person serving as City Attorney must be a licensed, practicing attorney in good standing of the State Bar of South Dakota and a member of the South Dakota Municipal Attorneys Association. The City Attorney may be associated with a firm. However, one individual will be identified for this position or to oversee this position and will be accountable for the scope of services, notwithstanding the delegation of responsibilities within a firm.

Questions regarding this RFP should be directed to Paul Briseno, City Manager or Steve Britzman, City Attorney, at 605-692-6281 or [pbriseno@cityofbrookings-sd.gov](mailto:pbriseno@cityofbrookings-sd.gov) and [britzmanlaw@brookings.net](mailto:britzmanlaw@brookings.net).

Submit proposals electronically or by hard copy by 4:00 p.m. on March 13, 2025, to: City Manager Paul Briseno  
City of Brookings  
520 3rd Street, Suite 230  
Brookings, SD 57006  
Email: [pbriseno@cityofbrookings-sd.gov](mailto:pbriseno@cityofbrookings-sd.gov)

## Workers Compensation Attorney

Baylor Evnen Wolfe & Tannehill, LLP is looking to add a Workers Compensation Attorney to the team. Baylor Evnen Wolfe & Tannehill, LLP has been rooted in the heart of Lincoln, NE since 1896. Though life has changed dramatically since 1896, our core values have not. Our longevity, success and growth are due to our representation of clients throughout Nebraska and the Midwest, based on trust, integrity, and excellence, complimented by our commitment to community and country.

**OVERVIEW OF POSITION.** The Workers Compensation Attorney is a key position responsible for providing legal support in the Workers Compensation Practice group. This role prepares cases, conducts research, gathers evidence, and devises legal strategies. The Workers Compensation Attorney will represent clients in court. Beyond courtroom advocacy, this position will engage in settlement negotiations, provide strategic counsel, and draft legal documents.

**REPORTING STRUCTURE.** The Workers Compensation Attorney works on the Workers Compensation team. However, an individual in this

position will report directly to the Managing Partner of the Firm.

**HOURS AND STATUS.** The Workers Compensation Attorney position is a full-time position generally working approximately forty to fifty (40 - 50) hours per week. However, some additional hours may be needed to meet Firm operational needs.

**ESSENTIAL FUNCTIONS.** The Workers Compensation Attorney is responsible for the following essential duties:

- Provide legal counsel to clients on all aspects of workers compensation cases, including evaluating the merits of a workers compensation case, providing guidance and counsel through effective communication, medical review, and negotiating, settling, and litigating cases.
- Draft pleadings, motions, and briefs.
- Effectively communicate with clients and the managing attorney(s) to understand and effectuate the client's goals.
- Negotiate settlements with opposing counsel.
- Analyze, evaluate, synthesize, and research case law, statutes, regulations, and documents impacting the firm's clients.
- Communicate clearly and logically (orally and in writing) with regulatory agencies, courts, counsel, clients, and managing attorneys.
- Handle complex problems utilizing initiative, creativity, and sound professional judgment.
- Work both independently and as a contributing team member.
- Manage a caseload and applicable deadlines.
- Manage and develop relationships with clients.
- Mentor support staff.

While the Firm provides this job description in an effort to define the essential functions and responsibilities of the Workers Compensation Attorney, this description is a summary representative of the duties and responsibilities required of this position and may not include non-essential duties. Duties or responsibilities may be added or modified at the discretion of the Operations Manager in accordance with the business needs of the Firm. An individual in this position may be asked to perform duties assigned to others if coverage is necessary.

## CORE COMPETENCIES.

- Extremely detail oriented and demonstrated ability to multitask.
- Strong organizational, communication, delegation and relationship-building skills.
- Excellent oral and written communications skills.
- Ability to prioritize while meeting all deadlines and demonstrating a high level of reliability and efficiency.
- Ability to work in a very fast-paced environment and adapt to changes.
- Proficient in Microsoft Office Suite (Outlook, Word, Excel, PowerPoint).
- Must work well in a team-oriented environment.
- Desire to always be learning and improving.
- Timely and efficient work product while setting tasks/goals and following through to achieve the highest level of completion.
- Enter time contemporaneously
- Ability to manage caseload and work independently

## PHYSICAL AND MENTAL DEMANDS OF POSITION.

### 1. Physical Demands.

- Ability to regularly utilize a computer keyboard, monitor and other electronic equipment to prepare reports, communicate and perform other duties.
- Ability to endure a sedentary type of work requiring a great deal of sitting at a computer.
- Ability to work at least forty (40) hours a week.
- Ability to read and interpret legal documents.
- Ability to maintain regular and reliable attendance, meet deadlines and perform work duties in a timely manner.

### 2. Mental Demands.

- Ability to work effectively and efficiently and remain poised in high stress and conflict situations.
- Ability to simultaneously address multiple complex problems.
- Ability to multitask without loss of efficiency or accuracy.
- Ability to sustain attention with or without distractions.
- Ability to interact and communicate professionally and appropriately with a variety of individuals.
- Ability to meet time sensitive deadlines.
- Ability to maintain regular and reliable attendance, meet deadlines and perform work duties in a timely manner.

## QUALIFICATIONS FOR POSITION.

### 1. Qualifying Education.

- Juris Doctorate from an accredited Law School

### 2. Qualifying Experience.

- 3+ years Litigation experience preferred

While the Firm seeks these qualifications for this position, the Firm reserves the right to consider experience in lieu of education and to determine the best combination of education and experience appropriate for the position.

## Legal Assistant/Paralegal

Thornton, Dolan, Bowen, Klecker & Burkhammer, P.A.  
– Alexandria, Minnesota

Apply Now - - Send resume via email to: [ekappmeyer@thorntonlawoffice.com](mailto:ekappmeyer@thorntonlawoffice.com)

- Education or experience in legal administrative assistant work preferred, although administrative assistant experience will be considered; we are willing to train for legal assistant responsibilities;
- Salary commensurate with experience;
- Responsibilities include: working closely with primary attorney in a busy law firm, typing and drafting legal documents and correspondence, filing documents with the court, answering calls from clients and attorneys, scheduling appointments, witnessing/notarizing legal documents, and generating monthly billing invoices;
- Full-time position (Mon-Fri 8:00 AM-4:30 PM);
- Full benefits, including health insurance and 401(k)/profit-sharing plan.

Job Type: Full-time

Pay: \$22.00 - \$25.00 per hour

Expected hours: 37.5 per week

Benefits:

- Profit Sharing and 401(k) matching with 15% max employer contribution
- Health insurance
- Health savings account
- Opportunities for advancement
- Paid sick time
- Paid time off

Schedule:

- Monday to Friday

Work Location: In person

## Staff Attorney - Pierre/Eagle Butte

*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 non-profit legal services program, has an opening for a Staff Attorney position in our Eagle Butte, South Dakota office. The Eagle Butte office serves the counties of Dewey, Haakon, Hughes, Potter, Sully, Stanley and Ziebach along with the Cheyenne River Reservation. **This position follows a hybrid schedule, working in office and remotely.**

**SALARY/BENEFITS:** 70,000+ starting salary for attorneys with 2 or more years of experience. DPLS has an excellent fringe benefits package including generous leave benefits of 6 weeks paid leave, and 15 paid holidays. Employer paid employee insurance coverage (medical, dental, life, disability). DPLS observes a 34 hour 4-day work week and offers matching 401(k).

**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. Some same day travel is required.

**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](mailto:tmortland@dpls.org).

**CLOSING DATE:** Open until filled.

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

## Managing Attorney

East River Legal Services (ERLS) is hiring a Managing Attorney for our Sioux Falls office, with experience supervising attorneys and support staff and building a cohesive team. Additionally, prior experience in one or more areas (Family, Housing, Consumer, Public Benefits) in which ERLS provides representation is highly sought after. ERLS is a non-profit law firm serving low-income individuals in the 33 eastern South Dakota counties. East River Legal Services exists to better the lives of the over 52,000 people living in poverty in eastern South Dakota. We prioritize services to our most vulnerable citizens, including our community's Veterans, older Americans (60+), people with disabilities, victims of crime, and all those facing financial insecurity.

Under the supervision of the Executive Director, the Managing Attorney provides high quality legal services to low-income individuals. The Managing Attorney will supervise, evaluate, and handle personnel-related matters for staff in the legal department. They also manage and monitor progress on implementing the program's mission, priorities, principles of advocacy, and various work plans. The Managing Attorney also maintains an active caseload and/or other advocacy.

### **Duties and Responsibilities:**

#### *Client Representation and Advocacy:*

- Provide and ensure high quality legal representation to individuals and groups in accordance with East River Legal Services (ERLS) standards of practice and supervision and the Rules of Professional Conduct. This includes interviewing clients, conducting research, performing factual investigation, preparing pleadings, negotiating case resolutions, executing discovery and motion practice, and representing clients in court and administrative hearings;
- Provide counseling, advice, and other brief services and referrals, as appropriate;
- Co-counsel with other Attorneys and work with Paralegals;
- Represent clients and client groups in litigation, administrative advocacy, and other advocacy forums;
- Engage in appellate work, complex and major litigation, and other special projects;
- Develop and implement litigation and/or advocacy

strategies to address systemic legal problems;

- Analyze and comment on pending legislation and regulations consistent with the requirements of all funding sources.

#### *Leadership:*

- Manage legal work in the office, including monitoring and regulating workloads;
- Supervise employees with ongoing feedback and performance reviews;
- Manage office systems such as conflict checks, filing, and workflow;
- Foster positive work relationships and promote cooperation within the program;
- Monitor case work of Attorneys to ensure that staff are operating efficiently and producing quality legal work;
- Monitor the balance of time spent by Attorneys on cases involving direct services to individual clients and to cases involving law reform, policy advocacy, or other legal work benefiting the larger population of low-income clients;
- Participate in management and administrative decision-making at ERLS involving personnel issues and program policy and help to implement such decisions;
- Provide supervision and evaluation of support staff assigned to the legal department, in coordination with the Executive Director;
- Supervise and enforce ERLS policies and procedures;
- Convey staff concerns about relevant office issues to management staff;
- Keep program staff apprised of important issues and new developments in the community;
- Keep program staff apprised of new developments within the substantive legal areas in which the Attorney practices (updates via written communication and/or training);
- Engage in local, state, regional and/or national legal services and the advocacy community.

#### *Community Work:*

- Participate in other activities related to poverty law including community education, outreach, writing of publishable materials, and permissible legislative and administrative advocacy, in accordance with Legal Aid policy and applicable laws and regulations;
- Participate in Legal Aid and state-wide task forces and work groups;
- Participate in bar activities and establish effective

working relationships with the bar;

- Ensure Legal Aid develops and maintains relationships with partner organizations, including the private bar and judiciary, other non-profits, grass roots organizations, government agencies and elected officials.

#### *Other:*

- Compliance with LSC, VOCA, and other funding agencies' rules and regulations;
- Participate in training activities as trainee or trainer for professional growth;
- Report to Legal Aid management any bar association grievances, disciplinary proceedings, or malpractice claims involving their practice and cooperation with Legal Aid's liability insurers;
- Attend program meetings and ensure office meetings are efficient and productive.

#### **Knowledge, Skills, & Abilities:**

- Juris Doctor (JD);
- License to practice law in South Dakota;
- Experience in a legal services/non-profit environment is preferred, but not required;
- Working knowledge of recent developments in state and federal cases, statutory, and regulatory law related to the interests of Legal Aid's clients;
- Excellent organizational, cross-cultural communication skills;
- Proficient at the use of technology including, but not limited to: word processing, spreadsheets, internet-based programs, and computer-based legal research;
- Excellent written and communication skills;
- Ability to work constructively with others;
- Excellent management and leadership skills;
- Ability to work effectively as part of a team and independently;
- Able to establish effective working relationships with a variety of individuals;
- Organized, able to prioritize work, plan and problem-solve, meet deadlines, and work well under pressure;
- Skills and experience in interacting with persons of various social, racial, cultural, economic, and educational backgrounds;
- The ability to speak more than one language is a plus, but not required.

**Classification:**

Classified as an exempt employee.

**Salary:**

Starting at \$75,582.72 to 111,670.09, depending on experience.

Benefits include 14 paid holidays plus a birthday holiday, vacation leave, sick leave, health insurance, dental insurance, vision insurance, life insurance, AD&D Insurance, IRA, and travel reimbursement.

ERLS' Sioux Falls office is open Monday-Friday from 8am-5pm. We close from 12:00pm-1:00pm for lunch.

**To Apply:**

Please send a cover letter, resume, and references to:

Melissa Frericks  
Director of Operations  
East River Legal Services  
335 North Main Avenue, Suite #200  
Sioux Falls, SD 57104  
[Melissa@erlservices.org](mailto:Melissa@erlservices.org)

**Submission Deadline:**

Open until filled

South Dakota offers reciprocity for the following surrounding states: Minnesota, Iowa, Nebraska, North Dakota, Missouri, Kansas, Wisconsin, and Colorado. Want to relocate to South Dakota for this position? We would love to have you! Check to see if South Dakota offers reciprocity for your state at: <https://barreciprocity.com/south-dakota-bar-reciprocity/>

**East River Legal Services is an Equal Opportunity Employer. Persons of color, veterans, persons with disabilities, and persons from other traditionally underrepresented communities are strongly encouraged to apply.**

**Staff Attorney**

Richardson Law Firm is expanding and seeking to add additional attorneys. Applicants must be licensed to practice law in South Dakota and in good standing with the State Bar. We are interested in candidates with as little as two years' experience practicing law in South Dakota or those with more experience who are interested in a lateral move. Candidates are welcome

to choose the area of law that best suits them. We offer competitive pay and 401k contributions in a casual work environment.

We are a full-service law firm and offer our clients representation in a variety of areas. To learn more about the firm and our practice area, please visit our firm website at [rwwsh.com](http://rwwsh.com).

Confidential inquiries can be sent to Christi Weideman at [cweideman@rwwsh.com](mailto:cweideman@rwwsh.com) or P.O. Box 1030, Aberdeen, SD 57402.

**Butte County Deputy State's Attorney**

Closing Date: February 28, 2025

Salary: \$78,000 to \$89,000 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:**

Tim Barnaud  
Butte County State's Attorney  
839 Fifth Avenue  
Belle Fourche, SD 57717  
[tim.barnaud@buttesd.org](mailto:tim.barnaud@buttesd.org)  
605-892-3337 FAX: 605-892-6768

## **Associate Attorney - Business**

**Company:** Halbach|Szwarc Law Firm

**Location:** Hybrid Position based in Sioux City, IA

**Position Type:** Full-time

**About Halbach|Szwarc Law Firm:** Halbach|Szwarc Law Firm is South Dakota and Iowa's newest full-service law firm, built on a hybrid platform with physical offices in downtown Sioux Falls, SD, and downtown Sioux City, IA. We are committed to delivering exceptional legal services across the United States and beyond. Guided by our core values of responsiveness, quality, integrity, and professionalism, our experienced team of attorneys and paralegals provides comprehensive legal solutions across various practice areas as a hybrid team.

**Job Overview:** We are seeking a talented and motivated attorney to join our business law team. The ideal candidate will have 3+ years of experience in business and corporate law, including entity formation, contract drafting, mergers and acquisitions, and related areas. This position offers the opportunity to work closely

with a diverse range of clients, from entrepreneurs to established businesses, providing legal guidance to support their growth and success.

Applicants must be licensed in Iowa and able to obtain licensure in South Dakota and Nebraska. Candidates with an existing client base are encouraged to apply, though a willingness to develop business and build client relationships is equally important. Halbach|Szwarc attorneys are licensed across South Dakota, Minnesota, Iowa, Nebraska, and Wyoming and serve clients across the U.S. and internationally.

### **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.
- 2.Business Document Preparation:** Draft and review various agreements, including purchase agreements, lease agreements, asset and real estate purchase agreements and related agreements.
- 3.Mergers and Acquisitions.** Assist clients with structuring, negotiating, and closing mergers, acquisitions, and sales of businesses or assets, with an emphasis on small and closely-held family businesses.
- 4.Client Interaction:** Provide exceptional client communication and service and maintain strong client relationships.
- 5.Business Development.** Engage in efforts to develop new client relationships, build your network, and contribute to the firm's growth.
- 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+ years of experience practicing law with an emphasis on business law.
4. Strong understanding of business law and tax.
5. Excellent drafting and negotiation skills.
6. Strong self-starter with an ability to work independently and remotely, managing a caseload

effectively and efficiently.

7. Willingness to engage in business development and foster long-term client relationships.

#### **Benefits:**

- Competitive salary commensurate with experience.
- Unlimited PTO.
- 13 paid holidays.
- 100% firm paid health insurance.
- 100% firm paid vision insurance.
- Monthly technology stipend with firm provided remote technology solutions.
- Bonus eligibility based upon performance.
- Competitive 401(k) and profit sharing.
- Paid continuing education expenses.
- Collaborative and positive work environment.

**How to Apply:** If you are a motivated, detailed oriented, and personable individual with a commitment to excellence and client service, we invite you to apply for the Business 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](mailto:alexh@halbachlawfirm.com) and Stefan Szwarc at [stefans@halbachlawfirm.com](mailto:stefans@halbachlawfirm.com).

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

### **Associate Attorney - Criminal Defense**

**Company:** Halbach|Szwarc Law Firm

**Location:** Hybrid Position based in Sioux City, IA

**Position Type:** Full-time

**About Halbach|Szwarc Law Firm:** Halbach|Szwarc Law Firm is South Dakota and Iowa's newest full-service law firm, built on a hybrid platform with physical offices in downtown Sioux Falls, SD, and downtown Sioux City, IA. We are committed to delivering exceptional legal services across the United States and beyond. Guided by our core values of responsiveness, quality, integrity, and professionalism, our experienced team of attorneys and paralegals provides comprehensive legal solutions across various practice areas as a hybrid team.

**Job Overview:** We are currently seeking a skilled and dedicated criminal defense attorney to join our team that can lead our criminal defense practice group. The ideal candidate will have 3+ years of experience handling

criminal cases at the state and federal levels, including misdemeanor and felony cases. This individual will play a key role in advocating for clients' rights and achieving favorable outcomes, whether through negotiation, litigation, or trial and will play a key role in developing and implementing our criminal defense practice strategy.

Applicants must be licensed in Iowa and able to obtain licensure in South Dakota and Nebraska. While candidates with an established client base are encouraged to apply, a willingness to develop business and foster new client relationships is equally important. Halbach|Szwarc attorneys are licensed across South Dakota, Minnesota, Iowa, Nebraska, and Wyoming and serve clients across the U.S. and internationally.

#### **Responsibilities:**

**1. Client Representation:** Represent clients in criminal cases, including conducting initial consultations, negotiating plea agreements, preparing for hearings, and providing defense during trials.

**2. Case Management:** Handle all aspects of a criminal case, including pretrial motions, discovery, plea negotiations, and trial strategy.

**3. Court Appearances:** Advocate for clients in state and federal courts during arraignments, hearings, trials, and sentencing.

**4. Legal Research & Writing:** Conduct thorough legal research and draft compelling motions, briefs, and memoranda.

**5. Client Advocacy:** Maintain strong communication with clients, keeping them informed and empowered throughout their case.

**6. Business Development:** Contribute to the firm's growth through networking, fostering client relationships, and developing new business opportunities.

**7. Collaboration:** Work collaboratively with other attorneys, paralegals, and support staff in a hybrid/remote work environment.

**8. Stay Informed:** Keep current on changes in laws and court rulings that could affect client cases or litigation strategy.

#### **Qualifications:**

1. Juris Doctor (JD) degree from an accredited law school.

2. 3+ years of experience in criminal defense, including trial experience.

- 3.Strong leadership skills and the ability to build and mentor a team effectively
- 4.Excellent courtroom advocacy, negotiation, and communication skills.
- 5.Self-starter with the ability to work independently, manage multiple matters, and meet deadlines effectively in a hybrid work environment.
- 6.Willingness to engage in business development activities and foster client relationships.

**Benefits:**

Competitive salary commensurate with experience.

- Unlimited PTO.
- 13 paid holidays.
- 100% firm paid health insurance.
- 100% firm paid vision insurance.
- Monthly technology stipend with firm provided remote technology solutions.
- Bonus eligibility based upon performance.
- Competitive 401(k) and profit sharing.
- Paid continuing education expenses.
- Collaborative and positive work environment

**How to Apply:** If you are a motivated, detailed oriented, and personable individual with a commitment to excellence and client service, we invite you to apply for the Criminal Defense 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](mailto:alexh@halbachlawfirm.com) and Stefan Szwarc at [stefans@halbachlawfirm.com](mailto:stefans@halbachlawfirm.com).

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

### **Associate Attorney - Estate Planning**

**Company:** Halbach|Szwarc Law Firm

**Location:** Hybrid Position based in Sioux City, IA

**Position Type:** Full-time

**About Halbach|Szwarc Law Firm:** Halbach|Szwarc Law Firm is South Dakota and Iowa's newest full-service law firm, built on a hybrid platform with physical offices in downtown Sioux Falls, SD, and downtown Sioux City, IA. We are committed to delivering exceptional legal services across the United States and beyond. Guided by our core values of responsiveness, quality, integrity, and professionalism, our experienced team of attorneys

and paralegals provides comprehensive legal solutions across various practice areas as a hybrid team.

**Job Overview:** We are currently seeking a talented and experienced estate planning attorney to join our team. The ideal candidate will have 3+ years of experience in estate planning, probate, and trust administration, including drafting wills, trusts, and other estate planning documents. This individual will work closely with clients to develop tailored estate planning strategies, ensure smooth administration of estates, and help clients achieve their financial and personal legacy goals.

Applicants must be licensed in Iowa and able to obtain licensure in South Dakota and Nebraska. While candidates with an established client base are encouraged to apply, a willingness to develop business and foster new client relationships is equally important. Halbach|Szwarc attorneys are licensed across South Dakota, Minnesota, Iowa, Nebraska, and Wyoming and serve clients across the U.S. and internationally.

**Responsibilities:**

1.**Estate Planning:** Draft wills, trusts, powers of attorney, and other estate planning documents tailored to meet clients' needs.

2.**Probate & Trust Administration:** Guide clients through the probate process and assist with trust administration, including filings, asset management, and distributions.

3.**Client Counseling:** Meet with clients to discuss their estate planning objectives, explain legal options, and provide clear and responsive communication throughout the process.

4.**Tax & Asset Strategies:** Advise clients on tax planning, charitable giving, business succession planning, and strategies to minimize estate and gift taxes.

5.**Business Development:** Contribute to the firm's growth through networking, fostering client relationships, and developing new business opportunities.

6.**Collaboration:** Work collaboratively with other attorneys, paralegals, and support staff in a hybrid/remote work environment.

7.**Stay Informed:** Keep current on changes in laws and court rulings that could affect client cases or litigation strategy.

**Qualifications:**

1. Juris Doctor (JD) degree from an accredited law

school.

2. 3+ years of experience in estate planning, probate, and trust administration.

3. Strong drafting skills and attention to detail in preparing estate planning documents.

4. Knowledge of estate and gift tax laws, as well as trust and probate administration procedures.

5. Self-starter with the ability to work independently, manage multiple matters, and meet deadlines effectively in a hybrid work environment.

6. Willingness to engage in business development activities and foster client relationships.

#### **Benefits:**

- Competitive salary commensurate with experience.
- Unlimited PTO.
- 13 paid holidays.
- 100% firm paid health insurance.
- 100% firm paid vision insurance.
- Monthly technology stipend with firm provided remote technology solutions.
- Bonus eligibility based upon performance.
- Competitive 401(k) and profit sharing.
- Paid continuing education expenses.
- Collaborative and positive work environment.

**How to Apply:** If you are a motivated, detailed oriented, and personable individual with a commitment to excellence and client service, we invite you to apply for the Estate Planning 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](mailto:alexh@halbachlawfirm.com) and Stefan Szwarc at [stefans@halbachlawfirm.com](mailto:stefans@halbachlawfirm.com).

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

### **Associate Attorney - Litigation**

**Company:** Halbach|Szwarc Law Firm

**Location:** Hybrid Position based in Sioux City, IA

**Position Type:** Full-time

**About Halbach|Szwarc Law Firm:** Halbach|Szwarc Law Firm is South Dakota and Iowa's newest full-service law firm, built on a hybrid platform with physical offices in downtown Sioux Falls, SD, and downtown Sioux City, IA. We are committed to delivering exceptional legal

services across the United States and beyond. Guided by our core values of responsiveness, quality, integrity, and professionalism, our experienced team of attorneys and paralegals provides comprehensive legal solutions across various practice areas as a hybrid team.

**Job Overview:** We are currently seeking a talented and experienced civil litigation attorney to join our team. The ideal candidate will have 3+ years of experience handling civil litigation matters, including business disputes, employment litigation, contract disputes, construction claims, and similar cases. This individual will play a key role in representing clients through all phases of litigation, including pleadings, discovery, motion practice, mediation, trial, and appeal. Applicants must be licensed in Iowa and able to obtain licensure in South Dakota and Nebraska.

While candidates with an established client base are preferred, a willingness to develop business and foster new client relationships is encouraged. Halbach|Szwarc attorneys are licensed across South Dakota, Minnesota, Iowa, Nebraska, and Wyoming and serve clients across the U.S. and internationally.

#### **Responsibilities:**

1. **Case Management:** Handle all aspects of civil litigation, including drafting pleadings, conducting discovery, attending court hearings, and representing clients in depositions, mediations, and trials, with an emphasis on creative solutions.
2. **Legal Research & Writing:** Conduct in-depth legal research and prepare persuasive briefs, motions, and legal memoranda.
3. **Client Communication:** Provide responsive, clear, and professional communication with clients to build and maintain strong relationships.
4. **Business Development:** Contribute to the firm's growth through networking, fostering client relationships, and developing new business opportunities.
5. **Collaboration:** Work collaboratively with other attorneys, paralegals, and support staff in a hybrid/remote work environment.
6. **Stay Informed:** Keep current on changes in laws and court rulings that could affect client cases or litigation strategy

#### **Qualifications:**

1. Juris Doctor (JD) degree from an accredited law

school.

2. 3+ years of experience in civil litigation.
3. Proven trial and courtroom experience, including depositions, motion and hearings and trial preparation
4. Exceptional legal writing, analytical, and research skills.
5. Self-starter with the ability to work independently, manage multiple cases, and meet deadlines effectively in a hybrid work environment.
6. Willingness to engage in business development activities and foster client relationships.

#### **Benefits:**

- Competitive salary commensurate with experience.
- Unlimited PTO.
- 13 paid holidays.
- 100% firm paid health insurance.
- 100% firm paid vision insurance.
- Monthly technology stipend with firm provided remote technology solutions.
- Bonus eligibility based upon performance.
- Competitive 401(k) and profit sharing.
- Paid continuing education expenses.
- Collaborative and positive work environment.

**How to Apply:** If you are a motivated, detailed oriented, and personable individual with a commitment to excellence and client service, we invite you to apply for the Civil Litigation 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](mailto:alexh@halbachlawfirm.com) and Stefan Szwarc at [stefans@halbachlawfirm.com](mailto:stefans@halbachlawfirm.com).

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

### **Associate Attorney - Litigation**

**Company:** Halbach|Szwarc Law Firm

**Location:** Hybrid Position based in Sioux Falls, SD

**Position Type:** Full-time

**About Halbach|Szwarc Law Firm:** Halbach|Szwarc Law Firm is South Dakota and Iowa's newest full-service law firm, built on a hybrid platform with physical offices in downtown Sioux Falls, SD, and downtown Sioux City, IA. We are committed to delivering exceptional legal services across the United States and beyond. Guided

by our core values of responsiveness, quality, integrity, and professionalism, our experienced team of attorneys and paralegals provides comprehensive legal solutions across various practice areas as a hybrid team.

**Job Overview:** We are currently seeking a talented and experienced civil litigation attorney to join our team. The ideal candidate will have 3+ years of experience handling civil litigation matters, including business disputes, employment litigation, contract disputes, construction claims, and similar cases. This individual will play a key role in representing clients through all phases of litigation, including pleadings, discovery, motion practice, mediation, trial, and appeal. Applicants must be licensed in Iowa and able to obtain licensure in South Dakota and Nebraska.

While candidates with an established client base are preferred, a willingness to develop business and foster new client relationships is encouraged. Halbach|Szwarc attorneys are licensed across South Dakota, Minnesota, Iowa, Nebraska, and Wyoming and serve clients across the U.S. and internationally.

#### **Responsibilities:**

1. **Case Management:** Handle all aspects of civil litigation, including drafting pleadings, conducting discovery, attending court hearings, and representing clients in depositions, mediations, and trials, with an emphasis on creative solutions.
2. **Legal Research & Writing:** Conduct in-depth legal research and prepare persuasive briefs, motions, and legal memoranda.
3. **Client Communication:** Provide responsive, clear, and professional communication with clients to build and maintain strong relationships.
4. **Business Development:** Contribute to the firm's growth through networking, fostering client relationships, and developing new business opportunities.
5. **Collaboration:** Work collaboratively with other attorneys, paralegals, and support staff in a hybrid/remote work environment.
6. **Stay Informed:** Keep current on changes in laws and court rulings that could affect client cases or litigation strategy.

#### **Qualifications:**

1. Juris Doctor (JD) degree from an accredited law school.

2. 3+ years of experience in civil litigation.
3. Proven trial and courtroom experience, including depositions, motion and hearings and trial preparation
4. Exceptional legal writing, analytical, and research skills.
5. Self-starter with the ability to work independently, manage multiple cases, and meet deadlines effectively in a hybrid work environment.
6. Willingness to engage in business development activities and foster client relationships.

#### **Benefits:**

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- Competitive 401(k) and profit sharing.
- Paid continuing education expenses.
- Collaborative and positive work environment.

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### **Associate Attorney - Business**

**Company:** Halbach|Szwarc Law Firm

**Location:** Hybrid Position based in Sioux Falls, SD

**Position Type:** Full-time

**About Halbach|Szwarc Law Firm:** Halbach|Szwarc Law Firm is South Dakota and Iowa's newest full-service law firm, built on a hybrid platform with physical offices in downtown Sioux Falls, SD, and downtown Sioux City, IA. We are committed to delivering exceptional legal services across the United States and beyond. Guided by our core values of responsiveness, quality, integrity,

and professionalism, our experienced team of attorneys and paralegals provides comprehensive legal solutions across various practice areas as a hybrid team.

**Job Overview:** We are seeking a talented and motivated attorney to join our business law team. The ideal candidate will have 3+ years of experience in business and corporate law, including entity formation, contract drafting, mergers and acquisitions, and related areas. This position offers the opportunity to work closely with a diverse range of clients, from entrepreneurs to established businesses, providing legal guidance to support their growth and success.

Applicants must be licensed in South Dakota and able to obtain licensure in Iowa and Nebraska. Candidates with an existing client base are encouraged to apply, though a willingness to develop business and build client relationships is equally important. Halbach|Szwarc attorneys are licensed across South Dakota, Minnesota, Iowa, Nebraska, and Wyoming and serve clients across the U.S. and internationally.

#### **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.

**2. Business Document Preparation:** Draft and review various agreements, including purchase agreements, lease agreements, asset and real estate purchase agreements and related agreements.

**3. Mergers and Acquisitions.** Assist clients with structuring, negotiating, and closing mergers, acquisitions, and sales of businesses or assets, with an emphasis on small and closely-held family businesses.

**4. Client Interaction:** Provide exceptional client communication and service and maintain strong client relationships.

**5. Business Development.** Engage in efforts to develop new client relationships, build your network, and contribute to the firm's growth.

**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+ years of experience practicing law with an emphasis on business law.
4. Strong understanding of business law and tax.
5. Excellent drafting and negotiation skills.
6. Strong self-starter with an ability to work independently and remotely, managing a caseload effectively and efficiently.
7. Willingness to engage in business development and foster long-term client relationships.

## Benefits:

- Competitive salary commensurate with experience.
- Unlimited PTO.
- 13 paid holidays.
- 100% firm paid health insurance.
- 100% firm paid vision insurance.
- Monthly technology stipend with firm provided remote technology solutions.
- Bonus eligibility based upon performance.
- Competitive 401(k) and profit sharing.
- Paid continuing education expenses.
- Collaborative and positive work environment.

**How to Apply:** If you are a motivated, detailed oriented, and personable individual with a commitment to excellence and client service, we invite you to apply for the Business 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](mailto:alexh@halbachlawfirm.com) and Stefan Szwarc at [stefans@halbachlawfirm.com](mailto:stefans@halbachlawfirm.com).

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

## Office Coordinator

**Company:** Halbach|Szwarc Law Firm

**Location:** In-Person Position | Sioux City, IA

**Position Type:** Full-time

**About Halbach|Szwarc Law Firm:** Halbach|Szwarc Law Firm is South Dakota and Iowa's newest full-service law firm, built on a hybrid platform with physical offices

in downtown Sioux Falls, SD, and downtown Sioux City, IA. We are committed to delivering exceptional legal services across the United States and beyond. Guided by our core values of responsiveness, quality, integrity, and professionalism, our experienced team of attorneys and paralegals provides comprehensive legal solutions across various practice areas as a hybrid team.

**Job Overview:** We are seeking a professional, personable, and highly organized Office Coordinator to join our Sioux City, IA office. This is a fully in-office role and is essential to ensuring seamless daily operations and a welcoming client experience.

As the first face-to-face point of contact for clients, visitors, and callers, the Office Coordinator plays a crucial role in creating a professional, positive, and welcoming atmosphere at the firm. The ideal candidate will have excellent communication skills, a friendly demeanor, and strong attention to detail, while also handling various administrative and operational tasks efficiently.

## Responsibilities:

1. Front Desk & Office Management
  - o Greet and welcome clients, visitors, and colleagues with a warm, professional attitude.
  - o Answer and direct incoming calls in a courteous and timely manner.
  - o Maintain a tidy, organized, and professional office environment.
  - o Accept and process incoming and outgoing packages, correspondence, and deliveries.

## 2. Client & Attorney Support

- o Assist clients with general inquiries and direct them to the appropriate personnel.
- o Coordinate and schedule client meetings and appointments for multiple attorneys and support staff.
- o Notify staff of client arrivals and appointments.
- o Assist with office event and meeting coordination.

## 3. Administrative & Office Operations

- o Provide administrative support, including photocopying, filing, and data entry.
- o Assist attorneys and staff with basic document preparation and office logistics.
- o Manage office supplies and coordinate with vendors for necessary office maintenance.

- o Handle mail distribution and ensure documents are routed appropriately.
- o Run office-related errands as needed (e.g., post office deliveries, courthouse filings, etc.).

#### **4. Technology & Communication**

- o Utilize phones, copiers, and teleconferencing (video) equipment proficiently.
- o Maintain familiarity with relevant software applications for scheduling and communication.
- o Perform basic IT troubleshooting when needed.

#### **Qualifications:**

1. High school diploma or equivalent (additional education or certification in office administration is a plus).
2. Proven experience as a receptionist, office coordinator, or in a customer-facing administrative role.
3. Exceptional interpersonal and communication skills.
4. Strong organizational abilities and attention to detail.
5. Proficiency in Microsoft Office Suite and general office equipment.
6. Reliable vehicle and ability to run office-related errands as needed.

#### **Benefits:**

- Competitive salary based on experience.
- Unlimited PTO.
- 13 paid holidays.
- 100% firm-paid health insurance.
- 100% firm-paid vision insurance.
- Monthly technology stipend with firm-provided remote technology solutions.
- Bonus eligibility based on performance.
- Competitive 401(k) and profit sharing.
- Paid professional development opportunities.
- Collaborative and positive work environment.

**How to Apply:** If you are a highly organized, detail-oriented, and proactive professional looking to contribute to a growing law firm, we invite you to apply. Please submit your resume and a cover letter outlining your relevant experience to Alex Halbach at [alexh@halbachlawfirm.com](mailto:alexh@halbachlawfirm.com) and Stefan Szwarc at [stefans@halbachlawfirm.com](mailto:stefans@halbachlawfirm.com).

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

## **Estate Planning Paralegal**

**Company:** Halbach|Szwarc Law Firm

**Location:** Hybrid Position based in Sioux City, IA

**Position Type:** Full-time

**About Halbach|Szwarc Law Firm:** Halbach|Szwarc Law Firm is South Dakota and Iowa's newest full-service law firm, built on a hybrid platform with physical offices in downtown Sioux Falls, SD, and downtown Sioux City, IA. We are committed to delivering exceptional legal services across the United States and beyond. Guided by our core values of responsiveness, quality, integrity, and professionalism, our experienced team of attorneys and paralegals provides comprehensive legal solutions across various practice areas as a hybrid team.

**Job Overview:** We are seeking a skilled and detail-oriented Estate Planning Paralegal to join our team. The ideal candidate will have experience supporting attorneys in estate planning, probate, and trust administration. This individual will play a vital role in drafting legal documents, managing case files, and maintaining strong client communication. The role requires strong organizational skills, attention to detail, and the ability to work both independently and collaboratively in a hybrid work setting.

#### **Responsibilities:**

1. Document Preparation: Draft wills, trusts, powers of attorney, healthcare directives, and other estate planning documents.
2. Trust Funding: Prepare documentation for and assist clients with funding of trusts, including financial account funding, deed work, company assignments, and assignments of personal property
3. Probate & Trust Administration: Assist with the administration of estates and trusts, including preparing probate filings, asset inventories, and distribution schedules.
4. Client Communication: Maintain regular communication with clients, providing updates and gathering necessary information to facilitate estate planning and administration processes.
5. Case Management: Organize and manage case files, track deadlines, and ensure timely completion of tasks related to estate planning and probate matters.
6. Legal Research: Conduct research on estate, trust, and probate laws, as needed, to support attorneys in case preparation.



7. Collaboration: Work closely with attorneys and other team members in a hybrid environment, utilizing modern technology to facilitate seamless remote collaboration.

8. General Support: Assist attorneys with correspondence, client intake, and other administrative tasks as needed.

### **Qualifications:**

1. Associate's or Bachelor's degree, or a Paralegal Certificate from an ABA-approved program.
2. 3+ years of experience as a paralegal, preferably in estate planning, probate, or trust administration.
3. Strong understanding of estate planning concepts, including wills, trusts, funding, and powers of attorney.
4. Excellent drafting and proofreading skills with high attention to detail.
5. Ability to manage multiple tasks efficiently and meet deadlines in a fast-paced environment.
6. Proficiency in Microsoft Office and legal case management software.
7. Strong interpersonal and communication skills, with a client-centered approach.
8. Ability to work independently and collaboratively in a hybrid work setting.

### **Benefits:**

- Competitive salary based on experience.
- Unlimited PTO.
- 13 paid holidays.
- 100% firm-paid health insurance.
- 100% firm-paid vision insurance.
- Monthly technology stipend with firm-provided remote technology solutions.
- Bonus eligibility based on performance.
- Competitive 401(k) and profit sharing.
- Paid continuing education expenses.
- Collaborative and positive work environment.

**How to Apply:** If you are a motivated, detail-oriented, and client-focused paralegal looking to join a dynamic and growing law firm, we invite you to apply. Please submit your resume and a cover letter outlining your relevant experience to Alex Halbach at [alexh@halbachlawfirm.com](mailto:alexh@halbachlawfirm.com) and Stefan Szwarc at [stefans@halbachlawfirm.com](mailto:stefans@halbachlawfirm.com).

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

## **Staff Attorney - East River Legal Services**

Under the supervision of the Senior Attorney, the Staff Attorney will represent clients in all areas of law including housing, family law, protection orders, landlord/tenant disputes, evictions, utilities, public benefits, consumer, and other civil matters. The types of services provided include legal advice, brief service, and direct representation. Aside from direct representation, the Staff Attorney may also, from time to time, prepare and deliver client and community education, appear in administrative and judicial forums, and contribute to special legal and community projects.

### *Duties and Responsibilities:*

1. Conduct and oversee client interviews, investigation, field investigations, and fact gathering;
2. Provide high-quality legal representation or advice to clients on housing, family law, protection orders, guardianships, and other related matters in state court and administrative proceedings;
3. Handle a full range of litigation activities including drafting pleadings, conducting depositions, completing discovery, negotiations, motions practice, and representation of ERLS clients at trial;
4. Stay well-informed of the applicable laws and case laws as they develop and change to ensure that East River Legal Services is applying new laws properly;
5. Keep accurate records of case activities and provide the necessary information to meet reporting requirements;
6. Participate in meetings as part of East River Legal Services and the Legal Team;
7. Comply with all regulations, grant requirements, and internal operating and personnel policies;
8. Provide education and outreach to members of the community, service providers, and community organizations;
9. Work in collaboration with community organizations that provide rental assistance, domestic violence support, and other services available to assist our clients;
10. Perform other duties, which may be assigned from time to time by the Senior Attorney or Executive

Director.

*Knowledge, Skills, & Abilities:*

1. JD admitted to practice in South Dakota or be eligible for admission to the South Dakota State Bar;
2. Ability to spot legal issues in cases while providing real-time counsel, comfort, and advice;
3. Excellent communication skills, both verbal **and** written;
4. Ability to prioritize and manage multiple clients and responsibilities;
5. Proficient at the use of technology including, but not limited to: word processing, spreadsheets, internet-based programs, database systems, and computer-based legal research;
6. Must be detail-oriented, organized, and self-motivated;
7. Ability to work effectively as part of a team and independently;
8. Ability to handle numerous tasks concurrently;
9. Skills and experience in interacting with persons of various social, racial, cultural, economic, and educational backgrounds;
10. Being bilingual is preferred but not required.

Classification:

Classified as an exempt employee

Salary:

Starting at \$60,000, depending on experience

Benefits include 14 paid holidays plus a birthday holiday, vacation leave, sick leave, health insurance, dental insurance, vision insurance, life insurance, AD&D Insurance, IRA, and travel reimbursement

ERLS' Sioux Falls office is open Monday-Friday from 8am-5pm. We close from 12:00pm-1:00pm for lunch.

To Apply:

Please send a cover letter, resume, and references to:

Melissa Frericks

Director of Operations  
East River Legal Services  
335 North Main Avenue, Suite #200  
Sioux Falls, SD 57104  
[Melissa@erlservices.org](mailto:Melissa@erlservices.org)

Submission Deadline:

Open until filled

East River Legal Services is an Equal Opportunity Employer. Persons of color, Veterans, persons with disabilities, and persons from other traditionally underrepresented communities are strongly encouraged to apply.

### Associate Attorney

Johnson, Janklow & Abdallah, LLP is seeking to hire an associate attorney for its civil litigation practice. This position requires strong writing and advocacy skills. Two-plus years of experience is preferred, but not required. Competitive salary plus health insurance and retirement benefits. Confidential inquiries can be sent to Jami Bishop via email at [jami@janklowabdallah.com](mailto:jami@janklowabdallah.com) or mailed to 101 S. Main Ave., Suite 100, Sioux Falls, SD 57104.

### Child Support Referee

Location: 7th Judicial Circuit  
Type: Independent Contractor  
Category: Unified Judicial System  
Close Date: March 31, 2025  
Post Date: 2/28/2025  
No. of Positions Available: 1

**Position Description:** This position is that of an independent contractor with the Unified Judicial System as a child support referee. The qualifications and duties of the referees are generally described in South Dakota Codified Law including SDCL 25-7A-6 and 25-7A-22. Candidates for appointment as child support referees are recommended to the Supreme Court for appointment by the State Court Administrator. The referee will primarily serve the 7th Judicial Circuit; however, cases could sometimes be assigned from other circuits statewide. After approval by the Supreme Court, a contract will be entered between the referee and the UJS. As of July 1, 2024, the flat-fee compensation for work as a child

support referee is \$324 per case, as long as the contract requirements are met. The referee must provide their own equipment, schedule their own hearings, and draft the necessary documents. Space may be provided, if necessary, in the local Courthouse.

To be considered for the child support referee position, the applicant must be:

- A licensed attorney in the State of South Dakota & is a member in good standing of the State Bar Association;
- Familiar with family law and the child support referee process;
- Organized in scheduling hearings and managing the associated paperwork;
- Able manage time & priorities;
- Able to facilitate and maintain good working relationships with a wide variety of sources including the public, clerks, Judges, and DSS;
- Able to remain neutral and objective while assisting the public with the child support referee process;
- Able to manage stress and work with difficult people;
- An effective communicator via telephone and e-mail;
- Detail-oriented;
- Able to meet strict deadlines;
- •Able to maintain a professional demeanor at all times;
- Able to comply with the requirements of UJS.

A letter of interest as well as a complete resume may be submitted by 5:00 p.m. on March 31, 2025, to the following address:

Caroline A. Srstka  
Staff Attorney  
State Court Administrator's Office  
4101 W. 38th Street, Ste 102  
Sioux Falls, SD 57106  
[Caroline.Srstka@ujs.state.sd.us](mailto:Caroline.Srstka@ujs.state.sd.us)

The candidate recommended for approval to the Supreme Court will be subject to a background check.

## Child Support Referee

Location: 1st Judicial Circuit  
Type: Independent Contractor  
Category: Unified Judicial System  
Close Date: March 31, 2025  
Post Date: 2/28/2025  
No. of Positions Available: 1

**Position Description:** This position is that of an independent contractor with the Unified Judicial System as a child support referee. The qualifications and duties of the referees are generally described in South Dakota Codified Law including SDCL 25-7A-6 and 25-7A-22. Candidates for appointment as child support referees are recommended to the Supreme Court for appointment by the State Court Administrator. The referee will primarily serve the 1st Judicial Circuit; however, cases could sometimes be assigned from other circuits state-wide. After approval by the Supreme Court, a contract will be entered between the referee and the UJS. As of July 1, 2024, the flat-fee compensation for work as a child support referee is \$324 per case, as long as the contract requirements are met. The referee must provide their own equipment, schedule their own hearings, and draft the necessary documents. Space may be provided, if necessary, in the local Courthouse.

To be considered for the child support referee position, the applicant must be:

- A licensed attorney in the State of South Dakota & is a member in good standing of the State Bar Association;
- Familiar with family law and the child support referee process;
- Organized in scheduling hearings and managing the associated paperwork;
- Able manage time & priorities;
- Able to facilitate and maintain good working relationships with a wide variety of sources including the public, clerks, Judges, and DSS;
- Able to remain neutral and objective while assisting the public with the child support referee process;
- Able to manage stress and work with difficult people;
- An effective communicator via telephone and e-mail;
- Detail-oriented;
- Able to meet strict deadlines;
- Able to maintain a professional demeanor at all times;

- Able to comply with the requirements of UJS.

A letter of interest as well as a complete resume may be submitted by 5:00 p.m. on March 31, 2025, to the following address:

Caroline A. Srstka  
 Staff Attorney  
 State Court Administrator's Office  
 4101 W. 38th Street, Ste 102  
 Sioux Falls, SD 57106  
[Caroline.Srstka@uj.s.state.sd.us](mailto:Caroline.Srstka@uj.s.state.sd.us)

The candidate recommended for approval to the Supreme Court will be subject to a background check.

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[derouche.agconsulting@triotel.net](mailto:derouche.agconsulting@triotel.net)

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 4 years of Ag Lending  
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