

State Bar of South Dakota

Newsletter · April 2025



Family Law/Criminal Law CLE

May 9, 2025

Time: 9:00 AM

Sioux Falls Ramkota & Convention Center

May Law for Lunch

May 20, 2025

12:30 PM- 1:30 PM CST

Zoom

SAVE THE DAY AND YOUR TIME

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MAY LAW LUNCH *for*

May 20, 2025
12:30PM - 1:30PM CST
Zoom

Topic: South Dakota Legislative Session Update

Chair: Anthony Sutton

Presenters: Julie Johnson & Steve Siegel

**CLICK HERE
TO REGISTER**

State Bar of South Dakota

April 2025

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PRESIDENT'S **CORNER**

Sarah Sharp Theophilus



April is recognized as National Internship Awareness Month, highlighting the value of internships in career development. For our profession, this is a great opportunity to promote law student internships, clerkships, and mentorship programs that help bridge the gap between legal education and practice. This month, the University of South Dakota Knudson School of Law Public Interest Network hosted their annual Auction to raise money to support USD law students who take unpaid public interest internships. Once again this event was well attended and supported by generous members of our Bar.

An opportunity for mentorship is of course the Hagemann-Morris Young Lawyer Mentorship Coin Program run by the South Dakota Young Lawyer's Section. This link takes you to the Mentorship Guidebook. <https://growthzonecmsprodeastus.azureedge.net/sites/1386/2025/01/Mentorship-Guidebook.pdf>

Switching gears, this past month has been busy for our Bar office. As many of you know, our Bar has been discussing the pros and cons of Mandatory Continuing Legal Education. Despite the absence of mandatory CLE, many of you already engage in voluntary continuing education, realizing that participating in seminars, workshops, webinars, and other educational activities can help you stay updated on legal developments, enhance your professional skills, and better serve your clients. The

State Bar of South Dakota supports such professional development by allocating your \$125 CLE program fee to Continuing Legal Education, allowing you to attend various CLE programs without additional charges. We have a robust CLE Committee that provides fantastic programming for us.

At the request of UJS Leadership, Past President Lammers Bogard formed a Committee to look at the issue. The Committee emailed a survey to State Bar members, with a response rate of 43% of all members. After many meetings and discussion at the 2024 State Bar Annual meeting, the Committee ultimately voted to recommend the adoption of mandatory CLE requirements. The Summary of Mandatory CLE Study Committee Work Product later in the Newsletter will have the details. Members are scheduled to vote at the June 20th State Bar Annual Business Meeting in Rapid City, so please plan on attending to cast your ballot. We want to hear from you!

Another topic this year has been the Bar Exam. When I meet attorneys from around the country, a topic of discussion is that many states are moving away from the traditional bar exam. Oregon, for example, has embraced a supervised practice approach. This works exactly how it sounds, where an ABA-accredited law school graduate works a 675-hour paid apprenticeship under a qualified supervising state-licensed lawyer instead of taking the bar exam.

Here in South Dakota, the Supreme Court recently adopted the rules for the public service pathway to bar admission. This pilot program, administered through the cooperation of the University of South Dakota Knudson School of Law and the South Dakota Board of Bar Examiners, incorporates a supervised practice program with the current character and fitness review process. If all requirements are met to the Board's satisfaction and the participants commit to a term of public service, the participants would be admitted into practice.

Thank you to all firms, organizations and solo practitioners who are offering internships, mentorships and guidance to law students and those newly practicing attorneys. Your commitment to nurturing young legal talent strengthens our profession and ensures a bright future for the practice of law.



Joint

FAMILY/CRIMINAL LAW CLE

Program Chairs:

Alecia Fuller

Jeff Tronvold

Tom Keller

**MAY 9, 2025
9:00 AM**

**RAMKOTA HOTEL & CONVENTION CENTER
SIOUX FALLS**

xxxx

xxxx

REGISTER

Here

State Bar of South Dakota

YOUNG LAWYERS SECTION



Chelsea Wenzel
President

Meet your

YOUNG LAWYERS SECTION

Board Members



Olivia Edoff
7th Circuit
Representative

1. Where you grew up:

I grew up on a ranch near Scenic, South Dakota, and attended a rural country school through eighth grade before transferring to New Underwood High School.

2. Where you work:

After law school, I completed a two-year judicial clerkship with the Seventh Judicial Circuit of South Dakota. I then joined Bangs McCullen Law Firm in Rapid City, SD.

3. Practice areas:

Criminal defense, family law, and civil litigation

4. Tell us about your background:

As a teenager, I developed an interest in criminal law and family dynamics and attended the University of

South Dakota to pursue those interests. There, I obtained a double major in criminal justice and psychology, graduating Summa Cum Laude and with a Law Honors Scholar designation.

Next, I attended the University of Nebraska College of Law on a full tuition scholarship. I competed in various skills classes and competitions including criminal clinic, client counseling competition, and trial team. Throughout my law school experience, I secured internships with the Pennington County States Attorney, the University of Nebraska's general counsel, and general counsel for the Scoular Company.

In my free time, I volunteered with HETRA, a therapeutic equine riding organization, and served as a Court-Appointed Special Advocate (CASA).

5. How did you start getting involved with YLS?

I became involved with Young Lawyers when current secretary/treasurer, Lora Waeckerle, asked me to run for a board seat.

6. Advice for newer attorneys?

I would encourage young attorneys to take advantage of every networking opportunity available. Law school and experience teaches us a lot, but good mentors teach us equally valuable lessons.

7. Who has been your most influential mentor so far?

I consider myself fortunate to have had many influential mentors throughout my educational and professional

career. In undergrad, Professor Sandy McKeown and Professor Mike Roach were invaluable resources that encouraged me to apply for opportunities like studying abroad in New Zealand and applying to multiple law schools to obtain beneficial scholarship opportunities.

In law school, Professor Steve Schmidt taught me invaluable trial skills through trial advocacy class and trial team.

While clerking, I was able to work with the 7th Circuit judges, all of whom taught me the value of objectivity

and hard work in litigation. Lastly, Greg Erlandson, Eric Pickar, and all the attorneys at Bangs have been wonderful resources for me in the first months of working with their firm.

8. Interests/hobbies outside the law:

I enjoy living in the Rapid City area where I can be close to family and be involved in my community. In my free time, I enjoy spending time on my family's ranch, helping neighboring ranchers, and attending local concerts.

2nd Annual State Bar Awards Luncheon

JUNE 18, 2025

11:30 AM

RAMKOTA HOTEL, RAPID CITY

Women In Law Award

Presidents Pro Bono Award

Bill Day Award

Young Lawyer of the Year Award

Barbara Anderson Lewis Special Commemoration

Save The Date

REGISTRATION IS REQUIRED AND INCLUDED IN
THE ANNUAL CONVENTION REGISTRATION LINK

Fellows of the South Dakota Bar Foundation

Sustaining Life Fellow - \$50,000 plus

Fred & Luella Cozad

Life Fellow - \$25,000 plus

Frank L. Farrar
Gregory A. Yates

Diamond Fellows - \$10,000 plus

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

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

Platinum Fellows - \$10,000

Hon. Richard H. Battey
Melissa Nicholson Breit
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

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.

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.

Full Name _____

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 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.

Mark Haigh



To the South Dakota State Bar Members:

Last fall, I announced my candidacy for President Elect of the State Bar of South Dakota for June 2025. I would appreciate your support.

For those of you who do not know me, I am a proud graduate of T.F. Riggs High School in Pierre. I graduated from the University of South Dakota in 1986 and from the University of Minnesota School of Law in 1990. After law school I clerked for The Honorable Donald J. Porter, Chief Judge for the Federal District of South Dakota. I spent two years at a large Minneapolis firm but decided to return home to South Dakota in 1993. I have practiced in Sioux Falls since 1993 and am now a partner at the law firm of Evans, Haigh & Arndt, L.L.P. in Sioux Falls.

I recently completed two terms on the Judicial Qualifications Commission (Chairman 2020-2024). I was also appointed to and currently serve on the South Dakota Commission on Access to the Courts. I was a member of the South Dakota Pattern Jury Instruction Committee (2005-2016) and the South Dakota Federal Practice Committee (2014-2021). I am a Fellow of the American College of Trial Lawyers (State Chair 2017-2019). I am a member of the American Board of Trial Advocates (State President 2012-2013), and a Fellow of the International Academy of Trial Lawyers.

I would be honored to serve as your Bar President Elect in 2025-2026 and your President in 2026-2027. We have a tremendous Bar Association, and I look forward to working with you, the Bar Commission, and our Bar administration to maintain our status as one of the best Bar Associations in the country.

I look forward to seeing you at the Annual Meeting in Rapid City and hope you can join me in my hospitality room.



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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>



UNIVERSITY OF
SOUTH DAKOTA
KNUDSON SCHOOL OF LAW



DEAN'S LIST: NEWS FROM THE LAW SCHOOL



Neil Fulton
Dean, School of Law

As the semester nears its end, the Class of 2027 is hardly new anymore. They have grown tremendously since Orientation in August began their journey through law school. It is exciting to watch.

While they are wrapping up their 1L year, most of you have not had a chance to meet the Class of 2027 yet. While I cannot introduce all of them to you, I invited a few members of the class to introduce themselves to you. Enjoy getting know a few members of the 1L class.

HANNAH ANDERSON



My name is Hannah Anderson, and I am a 1L at the University of South Dakota. I began my undergraduate studies at Creighton University but transferred to USD after my first year. I have not looked back since. I love it here in Vermillion and I was extremely excited to

continue my education at the Knudson School of Law. I am proud to be a born and raised South Dakotan and I do not plan to leave. USD Knudson School of Law has been the perfect place for me to continue my education and pursue a career in law.

A typical day in law school varies for each person, but for me, I find my best work done when I get out of the

building after class and find a change of scenery. Some afternoons, I spend studying at coffee shops, while others I spend at home studying by my new puppy. The biggest challenge of my first year has been learning how to read like a lawyer. They warn you about the challenge and they were not wrong. However, I feel I have established a solid foundation in this area during my first year. I have thoroughly enjoyed my first year here and I cannot wait to see what the next two years bring.

This summer, I am looking forward to interning with Rachelle Norberg at Gunvordahl Gunvordahl & Norberg Prof. L.L.C. in Burke, South Dakota.

AVERY NORDBYE



My name is Avery Nordbye. I'm from Baltic, SD, and I graduated from Dakota Wesleyan University with a bachelor's degree in communication and criminal justice, along with a minor in political science. I had originally planned to attend the University of South

Dakota for my undergraduate studies, but a change in circumstances led me elsewhere. Given that, when I decided to continue my studies in law, there was no better choice than USD Knudson School of Law. Not only was it close enough to home, but it also embodied my ideals of strong student and faculty relations. This

past year I have embraced the challenges presented and continue to grow from the incredible experiences I have had. I am extremely appreciative of the faculty I have had the chance to interact with, as they have been incredibly approachable, insightful, and supportive. The professors have made the learning process enjoyable and pushed me to discover new interests in the many types of law. With these newfound interests, I am seeking internships this summer working for South Dakota Congressional delegation or the South Dakota Department of Corrections. As I enter the field of law, my goal is to continue to bridge the divide between legal complexities and those with limited knowledge or access, ensuring that everyone can understand their rights and navigate the legal system with confidence.

CONNER SIDES



My name is Conner Sides, and I am from Manassas, Virginia. I was inspired to pursue law school by my father and brother's military service, which instilled in me a deep appreciation for duty, sacrifice, and the importance of serving others. Additionally, my experience as a legal intern further

reinforced my understanding of the significant role lawyers play in upholding justice in our communities. Witnessing firsthand how legal professionals advocate for individuals in need motivated me to pursue a legal career where I could make a meaningful impact.

I chose the University of South Dakota Knudson School of Law for its commitment to excellence and community. The school's dedication to preparing students for service-driven legal careers aligned with my aspirations, making it the ideal place to develop my skills and grow as a future attorney.

Law school has been both the most challenging and rewarding experience of my life. The rigorous coursework and demanding expectations have pushed me to grow academically and personally. Through these challenges, I have gained confidence in my abilities and developed a stronger sense of resilience.

This summer, I will be interning at the Pennington County Public Defender's Office in Rapid City, where I hope to gain hands-on experience in criminal defense. I am excited to apply what I have learned in my first year and further develop my legal skills while working to serve those in need.

CHRISTIAN SKUNK



My name is Christian Skunk I am first year law student at the University of South Dakota Knudson School of Law. I was raised on the Lower Brule Reservation in central South Dakota. Following my graduation from high school, I earned both a Bachelor of Science in Political Science

and a Master of Public Administration from the University of South Dakota.

After completing my degrees, I returned to my community to serve the people, ultimately spending two years on both the Lower Brule Tribal Council and the Lyman County Commission. It was during this time that I recognized the critical need for attorneys in rural South Dakota—a realization that inspired my pursuit of a law degree at USD.

The transition from public servant to law student has presented challenges, particularly during my first semester as a 1L. However, drawing on my experience with demanding schedules, I continue to adapt my study habits to ensure success in a program I view as vital not just for myself, but for my entire community. I am active in the Native American Law Student Association and First-Generation Law Society, continuing my dedication to service and representation.

This summer, I will be working for the Attorney General's Office in Pierre, further advancing my commitment to public service and the legal needs of South Dakota. I hope to eventually use my law degree to address the legal needs that remain critically underserved in rural and tribal communities throughout South Dakota.



JUSTICE
SQUAD

Congratulations to the top five SDFLA attorney volunteers in 2024!



Joseph Hogue
Steve Huff
Dylan Miller
Marwin Smith
James D. Taylor

These five attorney volunteers will each receive the coveted SDFLA Legal Superhero Lap Desk!

Congratulations to Marwin Smith for being recognized by the ABA Standing Committee on Pro Bono and Public Service, as a 2024 Pro Bono Leader for Free Legal Answers.



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

Please send a message to access.to.justice@sdbar.net

2025 A2J ANNUAL STATE BAR CONVENTION GOLF TOURNAMENT FUNDRAISER

ONLINE REGISTRATION ONLY

Must register & pay for all 4 players during registration

ENTRY FEE IS \$150/PLAYER(\$600/TEAM)

LIMITED TO 18 4-PERSON TEAMS

ONE SHOTGUN START AT 8:00 AM

There will only be a morning session due to course availability – no afternoon session this year.

*Register
Here*

Tournament open to
all bar members
including judiciary,
spouse/partners,
court reporters, and
law students.

THURSDAY | JUNE 19, 2025 | THE GOLF CLUB AT RED ROCKS | RAPID CITY

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.

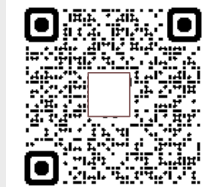
If you, or your spouse, are interested in playing pickleball sometime during the afternoon of Thursday, June 19, please send an email to Jeff Clapper at jeff.clapper@ujs.state.sd.us by March 25 and provide the following information:

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

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



USD Knudson School of Law 2025-26 Career Events



UNIVERSITY OF
SOUTH DAKOTA

Fall Events:

Aug 27-29

Fall On-Campus Interview Round 1

Sept 19

Stay in SD Career Fair

Oct 23-24

Fall On-Campus Interview Round 2

Spring Events:

Feb 5-6

Spring On-Campus Interview Round 1

TBA

Spring Career Fair

March 19-20

Spring On-Campus Interview Round 2

- Scan the QR code above or [visit HERE](#) to register for any OCI. Watch [THIS VIDEO](#) for help. All fall and spring OCIs will take place at the ID Weeks Library due to renovations.
- Email Teramic.Hill@usd.edu with any questions.

Cheers to our Veterans!

The tradition of honoring members of the State Bar who have reached the remarkable milestones of Fifty and Sixty years since their admission to practice law in South Dakota continues. This ceremony remains a cherished highlight of our Annual Convention, celebrating the dedication and legacy of our longstanding members.

50 Year Veterans

*L. Don Andrews
Gary Blue
Donald Breit
Steven Christensen
Bruce Ellison
James Elsing
Doyle Estes
Edwin Evans
Dennis Evenson
Dale Froehlich
James Fry*

*Honorable David Gilbertson
Janice Godtland
Vance Goldammer
Joel Hagen
Charles Haugland
David Hottmann
David Knudson
Paul Lerdal
Mary Ellen McEldowney
John Meyer
Mark Moderow*

*James Myers
Jane Nelson
Phillip Peterson
Donald Porter
Honorable Glen Severson
Haven Stuck
Shelley Stump
Stuart Tiede
Thomas Welk
Rod Woodruff*

60 Year Veterans

*Gerald Baldwin
Frank Brost
James Haar*

*Honorable Lawrence Piersol
John Shaeffer*

»————«
*The following State Bar members are eligible to
receive the award Wednesday evening during the
State Bar Social & Awards Reception*
»————«



SDYLS BOOTCAMP

APRIL 11, 2025

Itinerary

EVENT INFO

Sioux Falls Location:

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

Note:



Lunch Provided

Rapid City Location:

Bangs McCullen Law Firm, 333 West Blvd., 100 Rapid City, SD 57701

Note:



- Event in Central Time Zone
- Lunch Provided
- Social Mixer at Dakota Point Brewing: 405 Canal St Ste 1200, Rapid City, SD 57701

[Click Here & Reserve Your Spot!](#)

RSVP DEADLINE: APRIL 7, 2025

Streaming Link:

Link will be provided at later date

9:30 AM
CST

"Nuts and Bolts" of Employment Law

JENNIFER FRANK

10:30 AM
CST

Evolution of 8 Circuit Caselaw

NICHOLE MOHNING

11:00 AM
CST

Client "Red Flags" and handling "Red Flags" for Transactional Attorneys

JEFFREY HURD

12:00 PM
CST

30 Minute Lunch

1:00 PM
CST

Primer on Appellate Advocacy

JUSTICE MARK SALTER

2:30 PM
CST

Social Hour at Remedy Brewing Company, Sioux Falls

401 E 8TH ST STE 120, SIOUX FALLS, SD 57103



Nooney & Solay, LLP
is pleased to announce

Cassidy M. Stalley
has become an attorney at the firm.

Nooney & Solay, LLP
326 Founders Park Drive
Rapid City, SD 57709

Telephone: (605) 721-5846

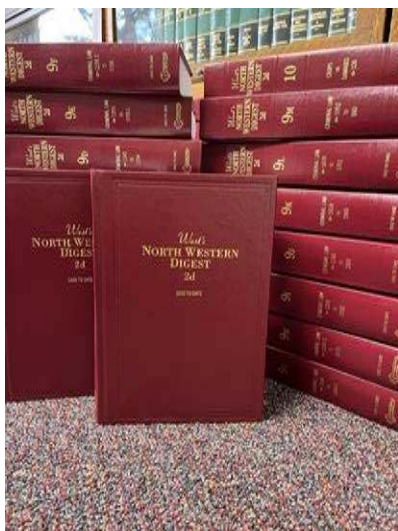
Email: Cassidy@nooneysolay.com

LEGAL SERVICES CORPORATION Notice of Grant Funds Available for Calendar Year 2026

The Legal Services Corporation (LSC) announces the availability of grant funds to provide civil legal services to eligible clients during calendar year 2026. In accordance with LSC's multiyear funding policy, grants are available for only specified service areas. The list of service areas (and their descriptions) where grant opportunities are open are available at <https://www.lsc.gov/grants/basic-field-grant/lsc-service-areas/2026-service-areas-subject-competition>. The Request for Proposals (RFP), which includes instructions for preparing the grant proposal, will be published at <https://www.lsc.gov/grants-grantee-resources/our-grant-programs/basic-field-grant> on or around April 15, 2025. Applicants must file a Pre-Application and the grant application through GrantEase: LSC's grants management system.

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

For Sale! A set of West's North Western Digest 2d, 1932 to date. It is approximately 245 volumes. The last year the pocket parts were updated was 2020. Pickup in Plankinton, SD. For inquiries or to make an offer, please contact Rachel at 942-7725 or email rachel@mairoseandsteele.com



Mark Your Calendars for our Coffee Break Guest Speaker!

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



Join

FEDERAL BANKRUPTCY COURT JUDGE LAURA KULM ASK

Learn how to handle difficult and/or clients under such significant and increasing stress due to involvement in a court proceeding that will likely negatively impact their finances or might even seriously aggravate an existing medical or related condition.

Any attendee may choose to remain anonymous (should you choose please turn off your webcam and enter the name, "Participant" when you enter the Zoom meeting).

[Join Zoom Meeting HERE](#)

*This event is independent of the State Bar. We only ask that what is discussed here stays here.

PLEASE JOIN MARK HAIGH

CANDIDATE
FOR 2026
BAR
PRESIDENT
ELECT

◆ —◆
RAPID CITY
RAMKOTA HOTEL
HOSPITALITY ROOM
◆ —◆

WEDNESDAY
JUNE 18TH

9:00 pm - 11:00 pm

&

THURSDAY
JUNE 19TH

9:00 pm - 11:00 pm



 EVANS • HAIGH & ARNDT_{LLP}

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- Expert witness on agricultural issues
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BACK TO BASICS

2025 STATE BAR OF SOUTH DAKOTA ANNUAL CONVENTION AND BUSINESS MEETING

Join the State Bar of South Dakota for the 2025 Annual Meeting as we go Back to Basics! This year's meeting will focus on fundamental principles essential to legal practice, including well-being, civility and professionalism, and reviewing key substantive topics. Programming will also explore the many benefits of bar involvement and how active participation can enhance your career and the legal profession. Whether you're looking to sharpen your legal skills, connect with colleagues, or deepen your engagement with the bar, you will not want to miss the 2025 meeting!

Save the Date:

June 18-20, 2025
Ramkota Hotel
Rapid City, SD

REGISTER HERE
TODAY!



SCHEDULE PREVIEW

(More information to come. Details subject to change)

WEDNESDAY JUNE 18TH

11:30am: Honor Roll: State Bar Awards Luncheon **

1pm-2pm: CLE #1 (Sexual Harassment & Abuse Prevention Training for Bar Members)

2pm-4:00pm: CLE Program #2A (Jurisdictional Issues Across Forums: From Small Claims to Supreme Court)

2pm-4:40pm: CLE Program #2B (TBD)

4:30-5:30pm: Study Hall (YLS Speed Networking)

5:30-6pm: YLS Pre-Trial Conference

6pm: The State Bar Social and Awards Reception

9pm-11pm: Recess (Mark Haigh, Candidate for 2026 Bar President-Elect Hospitality Rm.)

6:30am-7:30am: CLE Program #3 (Early Bird)

6:30am: Gym Class (YLS Yoga Session) +

8:00am: Access to Justice Golf Tournament - Golf Course at Red Rocks (shotgun start) **

8:30am-11:30am: CLE Program #4A (TBD)

8:30am-11:30am: CLE Program #4B (Navigating Modern Electronic Discovery: A Lawyer's Overview of the Digital Landscape)

1pm-4pm: CLE Program #5 (Legal Year in Review (Key Updates))

4pm-5pm: The 45th Anniversary of the U.S. Supreme Court decision, Black Hills of the United States v. Sioux Nation of Indians (*Presented by the Indian Law Committee*)

5pm-6pm: Bench/Bar Social (*Sponsored by the South Dakota Bar Foundation, Community Foundation, & the USD Foundation*)

6pm: Field Trip (Arts, Beverages, & Comedy at the Dahl Arts Center) **

9pm-11pm: Recess (Mark Haigh, Candidate for 2026 Bar President-Elect Hospitality Rm.)

THURSDAY JUNE 19TH

TBD: 93rd Annual Business Meeting

FRIDAY JUNE 20TH

**** INDICATES REGISTRATION REQUIRED!**

**Lawyers in South Dakota
are charging an average
of **\$245 per hour.****

Are you keeping up?

Gain insights on legal billing, AI,
technology and more from the
Legal Trends Report to stay ahead.



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

I. PROGRAM OBJECTIVE

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

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

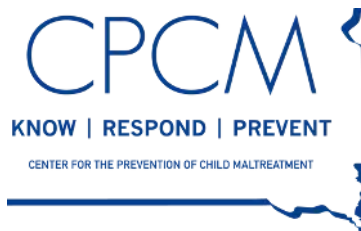


<https://statebar.typeform.com/mentorship>

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 or visit 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>

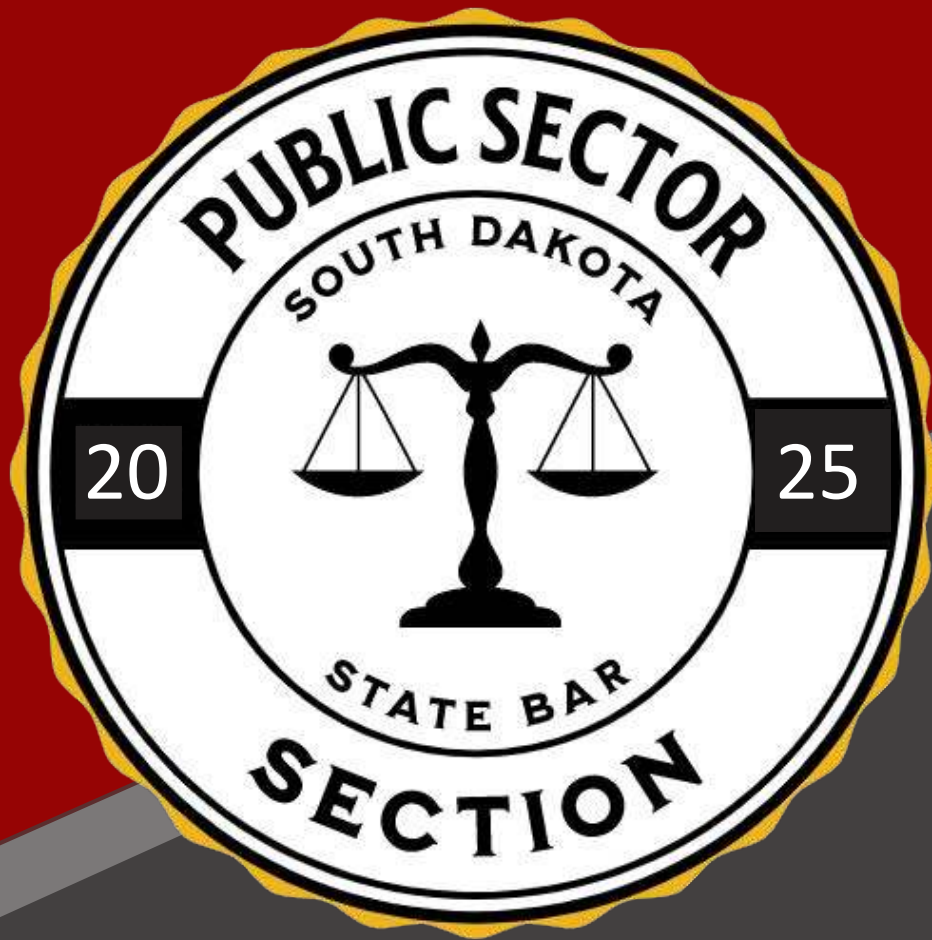
This FREE workshop is intended for law students, legal professionals, and others interested in better understanding child welfare related law.
Light breakfast & lunch are provided.

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) 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.

PUBLIC NOTICE

REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current appointment of Magistrate Judge Chad Callahan is due to expire on July 9, 2025. Magistrate Judge Callahan serves in the Fourth Judicial Circuit.

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

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

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

Comments must be received by April 10, 2025.

May 15, 2024

REECE M. ALMOND
Telephone No. 605-357-1251
E-mail: RAlmond@dehs.com

CHRISTOPHER CHRISTIANSON
Telephone No. 605-858-6136
E-Mail: christopherc@bhfcu.net

*Via Email Only (Carrie Sanderson <reply-nzv3jgl7@statebarofsouthdakota.growthzoneapp.com;
nicole.ogan@sdbar.net; paul.cremer@sdbar.net)*

Paul L. Cremer
Secretary-Treasurer
The State Bar of South Dakota
111 West Capitol Avenue #1
Pierre, SD 57501

RE: 2024 Ask-A-Lawyer Committee Report

Dear Mr. Cremer:

The following is a summary of the 2024 Ask-A-Lawyer program held on April 30 and May 1, 2024.

REPORT ON 2024 ASK-A-LAWYER PROGRAM

The primary activity of the Ask-A-Lawyer Committee is to ensure the Ask-A-Lawyer program is implemented in Sioux Falls and Rapid City each spring. This public service function began in 1986.

Approximately 217 callers received free legal advice from lawyers volunteering their time and expertise during the 2024 State Bar of South Dakota's Ask-A-Lawyer program held April 30 and May 1, 2024. The program ran on the two evenings simultaneously from 7:00 to 10:00 p.m. East River and 6:00 to 9:00 p.m. West River. Twenty telephone lines were answered by the volunteers, with ten lines at the calling center at the Minnehaha County Courthouse in Sioux Falls and ten lines at the Comfort Inn and Suites in Rapid City. During the two nights 30 volunteers in Sioux Falls answered 125 calls and 30 volunteers in Rapid City answered 92 calls. This is despite a technological issue from our phone providers that prohibited callers in Sioux Falls from calling in for approximately 1 ½ hours on April 30 and Rapid City for the entirety of April 30. Most of the volunteers worked 1½ hour shifts; however, some attorneys worked multiple shifts. Many of the volunteers look forward to this program each year and make this event a part of their commitment to public service.

The 2024 event Co-Chairs were Reece Almond and Christopher Christianson, and Brooke Schmidt and Aidan Goetzinger acted as Vice Chairs. Brooke and Aidan will be taking over as Co-Chairs for the 2025 event.

The topics covered during the program and the number of calls answered on each topic include:

| | |
|------------------------------|----|
| Adoption | 0 |
| Bankruptcy | 0 |
| Civil Rights | 1 |
| Collection | 9 |
| Contracts | 6 |
| Corporate and Business Law | 12 |
| Criminal | 16 |
| Domestic / Family | 35 |
| Employment / Discrimination | 3 |
| Estates, Trusts and Wills | 55 |
| Immigration / Naturalization | 0 |
| Labor Relations | 2 |

| | |
|-----------------------|----|
| Landlord / Tenant | 10 |
| Legal Malpractice | 2 |
| Medical Malpractice | 10 |
| Municipal Law | 2 |
| Real Estate | 22 |
| Social Security | 1 |
| Taxation | 3 |
| Tort | 8 |
| Traffic | |
| Workers' Compensation | 1 |
| Zoning | 1 |
| Other | 18 |

Advertising spots were again purchased on several television stations and through streaming music platforms. Press releases were also sent to media outlets. We are starting to get more callers indicating they heard about the program through social media. Also, each year a surprising number of callers learn about the program by word of mouth.

If you would like to participate in the Ask-A-Lawyer program in the future, please contact the State Bar Ask-A-Lawyer Committee.


If you have any questions regarding the Annual Report, please contact either of us. A list of the volunteers who participated at each location is attached for your information.

Best regards.

Sincerely,

REECE M. ALMOND
Co-Chair

CHRISTOPHER A. CHRISTIANSON
Co-Chair



To all the volunteers that participated
in the Ask-A-Lawyer Program!

THANK YOU!

Sioux Falls

| | |
|----------------|----------------|
| Delia Druley | Anthony Hohn |
| Kalen Peterson | Tim Billion |
| Tom Simmons | Andy Fick |
| Alex Hoffman | Anthony Sutton |
| Joseph Hogue | Barry Sackett |
| Jami Bishop | Beth Roesler |
| Traci Smith | Joel Rische |
| Drew Hurd | Matthew Murphy |
| Scott Carlson | Nicole Tupman |
| Lane Haskell | Elliot Knuths |
| Sarah Larson | Mark Krogstad |
| Dennis Duncan | Ashley Brost |
| Josey Blare | Brooke Schmidt |
| David Hieb | Reece Almond |
| Thad Titze | |

Rapid City

| | |
|----------------------|------------------------|
| Nathan Chicoine | Matt McIntosh |
| Catherine Chicoine | Bruce Ellison |
| Hollie Smith | Murl Woods |
| George Nelson | Heather Lammers Bogard |
| Paula McInerney-Hall | Frank Bettmann |
| Garrett Keegan | Ken Barker |
| Mali Oyen | Tyler Wetering |
| Mike Loos | Jacob Stewart |
| Carla Cushman | Arman Zeljkovic |
| 1Ty Daly | John Burke |
| Frank Driscoll | Jeff Collins |
| Carla Cushman | Leah Ceranski |
| Lillian Gaither | Eliot Bloom |
| Martha Rossiter | Connor Donahue |
| Margo Julius | Martha Rossiter |
| John Haraldson | Brian Utzman |
| Aidan Goetzinger | Chris Christianson |

**DEMERSSEMAN JENSEN
TELLINGHUISEN & HUFFMAN, LLP**

L A W Y E R S

P.O. BOX 1820, RAPID CITY SD 57709-1820
516 FIFTH STREET, RAPID CITY SD 57701-2703
TELEPHONE 605-342-2814 FAX 605-342-0732

MICHAEL B. DEMERSSEMAN
CURTIS S. JENSEN
ROGER A. TELLINGHUISEN
RICHARD E. HUFFMAN

MICHAEL V. WHEELER
GREGORY G. STROMMEN
NATHAN R. CHICOINE
ELLIE BASTIAN

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

Re: State Bar Delegate report on American Bar Association Midyear Meeting

Dear Executive Director Cremer:

The American Bar Association recently held its midyear meeting in Phoenix. Hot topics included non-lawyer legal services, judicial security, DEI, the Rule of Law, and ABA governance.

ABA Midyear offers numerous speakers, CLEs, and forums. Arizona is a laboratory among states testing access to legal services through non-lawyers, and the topic was explored thoroughly. Other states have established programs for limited license legal technicians who can assist with divorce, estate planning, or misdemeanor criminal charges, and Arizona has modeled its program after CNPs providing medical services to underserved communities. Arizona also explores conditional admittance on apprenticeship for low-scoring law grads and permits non-lawyers to share firm ownership upon approval. Many are tracking accounting firm KPMG's request to practice law in Arizona. With these initiatives, we await results to show whether such efforts effectively increase access to legal services.

In addition to educational discussions, the ABA House of Delegates made policy declarations relating to the judiciary and the role of lawyers in a changing society. A resolution was adopted urging the SCOTUS to adopt a binding code of ethics. Several resolutions attempted to promote courthouse security and judge safety. Diversity, equity, and inclusion continue to be strongly encouraged practice for law schools and law firms. ABA President Bill Bay reminded us that the ABA should be the home for all lawyers to meet the challenges of today. "The ABA believes in excellence, and excellence demands diversity." With attention on the transition to President Trump's administration, Bill emphasized that the rule of law is a core principal that must be adhered to during change. The Midyear meeting closed with Bill's comments.

Since, the ABA has recently released statements urging governments to follow the rule of law and protect due process. Specifically, the ABA condemned remarks that question the legitimacy of judicial review and call for impeachment of judges based on their rulings. The American Bar Association will likely become especially vocal if it feels the rule of law and judicial independence are compromised. I invite bar members to share their thoughts with me.

The annual meeting will be held Aug 6-12 in Toronto (yes, the American Bar will meet in Canada). Our State Bar's positions can be advanced at that time if desired. I would gladly explain further or answer questions you may have.

Sincerely,



Nathan R. Chicoine
DEMERSSEMAN JENSEN
TELLINGHUISEN & HUFFMAN, LLP

NRC/nrc

NOTICE:
Summary of
Mandatory CLE Study Committee
Work Product

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

The Mandatory CLE Study Committee emailed a survey to State Bar members on February 20, 2024.

1122 State Bar members responded to the survey, which constitutes a response rate of 43% of all members, or 56% of active members.

Approximately 47% of respondents disfavor MCLE implementation, while 53% are neutral or favor requiring CLEs in South Dakota.

The Committee reviewed the survey results, member comments, and research provided by the USD Knudson School of Law.

On June 14, 2024, the Committee discussed comments and concerns with members at the State Bar Convention Business Meeting in Pierre.

Committee members noted that only five jurisdictions (the District of Columbia, Maryland, Massachusetts, Michigan, and South Dakota) have no mandatory CLE requirements. Of those five, Maryland completed a study and issued a written report that recommends that Maryland implement mandatory CLE requirements.

Committee members also noted that the vast majority of other professions and occupations in South Dakota have statutory and administrative requirements regarding continuing education. The lack of mandatory continuing education requirements for South Dakota attorneys may affect public perception of our Bar.

The Committee continued their work over the next several months and provided updates to the Bar Commission, as noted in Bar Commission Meeting Minutes.

The Committee held a meeting on February 7, 2025, and voted to recommend the adoption of mandatory CLE requirements with these draft general principles that are subject to change:

Members should receive 20 hours of CLE every two years.

The State Bar will continue to provide free CLE classes to allow members to obtain required CLE hours with limited or no additional costs.

Members will track CLE hours and provide documentation showing attendance upon request.

State Bar staff will work with our member management system provider, GrowthZone, to provide assistance to members with CLE recordkeeping.

Members will be allowed to obtain CLE credits via online resources, and from sources other than State Bar CLEs.

The requirements should allow members to easily track compliance and allow for compliance at no cost, or very low cost.

Potential implementation of mandatory CLE requirements should occur no earlier than 2027.

The South Dakota Supreme Court holds the authority to regulate and oversee the legal profession through its rule-making power. This includes decisions regarding the potential adoption of mandatory CLE requirements.

The potential adoption of mandatory CLE requirements aligns with the State Bar Strategic Plan, which states:

Goal 2 - Foster a legal community that exemplifies professional excellence, wellbeing and civility - To achieve this, we will: Strategy 1: Provide high-quality continuing legal education and professional development programs.

The Committee will provide a written report and recommendations for consideration by members in the coming weeks.

Members are scheduled to vote at the June 20, 2025, State Bar Convention Business Meeting at the Rapid City Ramkota regarding mandatory CLE proposals.

Please plan to attend the June 20, 2025, Business Meeting for a vote regarding proposals from the Mandatory CLE Study Committee. Thank you.

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.**

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; Melanie Carpenter at melanie.carpenter@Woodsfuller.com; Jeff Hurd at jhurd@Bangsmccullen.com; Stephanie Pochop at Stephanie@Rosebudlawyers.com; or Clint Sargent at 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. 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

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT)
TO RULE 1.8(e) OF THE RULES OF)
PROFESSIONAL CONDUCT)
)

A hearing was held on February 18, 2025, at Pierre, South Dakota, relating to the amendment of the Rules of Professional Conduct Rule 1.8 - Conflict of Interest: Current Clients, Specific Rules, Rule 1.8(e), and the Court having considered the proposed amendment and written and oral presentation relating thereto, now, therefore, it is

ORDERED that Rule 1.8(e), be amended to read in its entirety as follows:

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

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

(1) A lawyer may advance court costs and expenses of litigation, the repayment of which may be contingent on the outcome of the matter; and

(2) A lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client; and

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

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

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

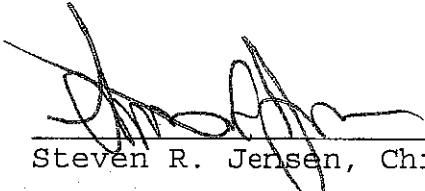
(iii) May not publicize or advertise a willingness to provide such gifts to prospective clients.

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

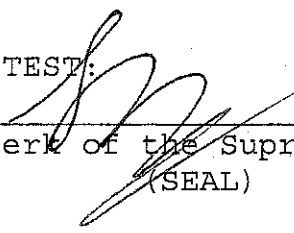
IT IS FURTHER ORDERED that this rule shall become effective immediately.

DATED at Pierre, South Dakota, this 5th day of March, 2025.

BY THE COURT:


Steven R. Jensen, Chief Justice

ATTEST:

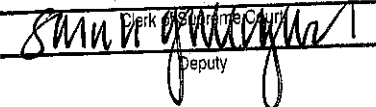

Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR - 5 2025


Clerk

STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, SD, this 5 day of MARCH, 2025.


Deputy

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE ADOPTION) RULE 25-07
OF A NEW RULE TO BE PART OF)
SDCL 15-6-58)
)

A hearing was held on February 18, 2025, at Pierre, South Dakota, relating to the adoption of a new rule to be part of SDCL 15-6-58, and the Court having considered the proposed adoption and written and oral presentation relating thereto, now, therefore, it is

ORDERED that an adoption of a new rule to be part of SDCL 15-6-58 be adopted in its entirety as follows:

A party directed by the court to prepare an order or Judgment without findings of fact and conclusions of law shall prepare a proposed order or judgment and provide it to all parties within five days of being directed.

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

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

This procedure may be modified by the court.

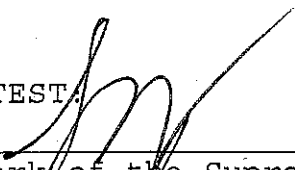
Rule 25-07

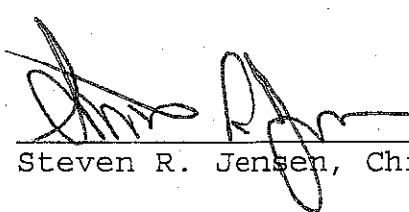
IT IS FURTHER ORDERED that this rule shall become effective April 1, 2025.

DATED at Pierre, South Dakota, this 5th day of March, 2025.

BY THE COURT:

ATTEST


Clerk of the Supreme Court
(SEAL)

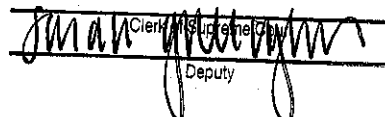

Steven R. Jensen, Chief Justice

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR - 5 2025


Clerk

STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this 5 day of MARCH, 2025.


Deputy

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

| | | |
|--------------------------------|---|-------------------------------------|
| IN THE MATTER OF THE REPEAL OF |) | RULE 25-08 |
| SDCL 16-3-5.1 |) | |
| IN THE MATTER OF THE ADOPTION |) | RULE 25-09; RULE 25-10; RULE 25-11; |
| OF NEW RULES AT SDCL 16-3-5.2; |) | |
| SDCL 16-3-5.3; SDCL 16-3-5.4; |) | RULE 25-12; RULE 25-13; RULE 25-14; |
| SDCL 16-3-5.5; SDCL 16-3-5.6; |) | |
| SDCL 16-3-5.7; SDCL 16-3-5.8; |) | RULE 25-15; RULE 25-16 |
| SDCL 16-3-5.9 |) | |
| |) | |

A hearing was held on February 18, 2025, at Pierre, South Dakota, relating to the repeal of SDCL 16-3-5.1 and the adoption of new rules at SDCL 16-3-5.2; SDCL 16-3-5.3; SDCL 16-3-5.4; SDCL 16-3-5.5; SDCL 16-3-5.6; SDCL 16-3-5.7; SDCL 16-3-5.8 and SDCL 16-3-5.9, and the Court having considered the proposed repeal and the adoption of new rules and written and oral presentation relating thereto, now, therefore, it is

ORDERED that the repeal of SDCL 16-3-5.1 and the adoption of new rules at SDCL 16-3-5.2; SDCL 16-3-5.3; SDCL 16-3-5.4; SDCL 16-3-5.5; SDCL 16-3-5.6; SDCL 16-3-5.7; SDCL 16-3-5.8 and SDCL 16-3-5.9 be approved as follows:

Rule 25-08

~~Repeal of SDCL 16-3-5.1. Court rules Filing of notice of rule changes proposed by Supreme Court Publication hearing Combined notices Rules governing internal operation effective on filing.~~

~~Any new rule, amendment, or repeal of existing rules or statutes relating to the administration of the courts, the number and composition of circuits and judges assigned to the circuits, to pleading, practice, or procedure, or to the admission, disbarment, discipline, and reinstatement of attorneys to practice the profession of law may be adopted by the Supreme Court.~~

~~A proposed new rule, amendment, or repeal shall be filed in the office of the clerk of the Supreme Court with deletions shown by strike throughs and additions shown by underscore. The proposed new rule, amendment, or repeal shall include a discussion of the proposed change and:~~

- ~~(1) The identity of the proponent or proponents of the change;~~
- ~~(2) A detailed explanation of the change and the reasons for the change;~~

- ~~(3) An analysis of the state or federal rule or statute that the change is based upon, if any;~~
- ~~(4) A comparison of the change with federal rules or local federal rules on the same subject, if any, and an explanation of any differences, if any, and;~~
- ~~(5) An analysis of how the change affects existing rules or statutes.~~

~~The clerk of the Supreme Court shall give thirty days' notice of an intention to adopt, amend, or repeal rules by electronic mail notification to members of the State Bar of South Dakota, by posting notice at the Unified Judicial System's website at <http://www.ujls.sd.gov/> or at the State Bar of South Dakota's website at <http://www.sdbar.org/>, or such other notice as the Court may order. Notice shall include a copy of the proposed rule and the explanation of proposal described above in (1) (5). Any member of the State Bar of South Dakota may request notification of an intention to adopt, amend, or repeal rules through first class mail by contacting the clerk of the Supreme Court. The notice shall fix a time and place when any person interested may appear and be heard with reference to the adoption, amendment, or repeal of rules.~~

~~Notice of adoption of several rules, amendments, or repeals of rules may be given at one time and in one notice.~~

~~All other rules adopted by the Supreme Court concerning its internal operations under its constitutional or statutory rule-making power shall be filed with the clerk of the Supreme Court and unless otherwise ordered shall become effective when so filed without further notice.~~

Rule 25-09

SDCL 16-3-5.2. Notice request for Supreme Court rule proposal - Court discretion to decline to consider proposal.

At the direction of the Supreme Court, the clerk of the Supreme Court shall issue a notice requesting any proposal for a new rule, amendment, or repeal of an existing rule pursuant to the Court's rule making authority in S.D. Const., Art. V, §12 to include but not limited to the administration of the courts, the number and composition of circuits and judges assigned to the circuits, to pleading, practice, or procedure, or to the admission, disbarment, discipline, and reinstatement of attorneys to the practice of law. The clerk shall post the notice at the Unified Judicial System's website at ujls.sd.gov or at the State Bar of South Dakota's website at statebarofsouthdakota.com, or such other posting as the Court may direct.

The notice must fix a time by which such proposal must be received in the office of the clerk to be considered by the Court.

The Court may, in its discretion, decline to consider any rule received pursuant to this section.

Rule 25-10

SDCL 16-3-5.3. Rule proposal requirements.

Any proposal for a new rule, amendment, or repeal of an existing Supreme Court rule must show deletions by strikethroughs and additions shown by underscore. The proposal must include a discussion of the proposed change and:

- (1) The identity of the proponent or proponents of the change;
- (2) A detailed explanation of the change and the reasons for the change;
- (3) An analysis of the state or federal rule or statute that the change is based upon, if any;
- (4) A comparison of the change with federal rules or local federal rules on the same subject, if any, and an explanation of any differences, if any; and
- (5) An analysis of how the change affects existing rules or statutes.

Rule 25-11

SDCL 16-3-5.4. Review of rule proposal for form, style, and clarity.

Upon receipt of a proposal submitted pursuant to § 16-3-5.2, the clerk of the Supreme Court shall immediately forward the proposal to the chief of legal research. The chief shall review each proposal for form, style, and clarity in compliance with the rule drafting standards established by the Court and posted at the Unified Judicial System's website at ujs.sd.gov. Within twenty days of receipt of the proposal in the office of the clerk, the clerk shall return the chief's form, style, and clarity suggestions to the proponent.

For purposes of this section and §§ 16-3-5.5, 16-3-5.7, and 16-3-5.9, the term, chief of legal research, means an officer of the court designated to manage the work of staff attorneys employed by the Supreme Court.

Rule 25-12

SDCL 16-3-5.5. Proponent response to suggestions—Proponent fails to timely respond to suggestions —No suggestions.

The proponent may accept or reject the chief of legal research's suggestions provided pursuant to § 16-3-5.4. Within ten workdays of service of the suggestions, the proponent shall submit a final proposal to the clerk of the Supreme Court meeting the requirements of § 16-3-5.3. If the proponent fails to submit a final proposal within ten workdays of service of the chief's suggestions, the clerk shall provide notice to the proponent that a final draft was not timely submitted, and that the proposal received pursuant to § 16-3-5.2 is considered final.

If the chief does not recommend any form, style, or clarity suggestions, the clerk shall provide notice to the proponent that no changes were recommended, and that the proposal received pursuant to § 16-3-5.2 is considered final.

Rule 25-13

SDCL 16-3-5.6. Notice and hearing of final rule proposals.

Following the procedure established in §§ 16-3-5.2 to 16-3-5.5, inclusive, the clerk of the Supreme Court shall give thirty days' notice of an intention to adopt, amend, or repeal rules by electronic mail notification to members of the State Bar of South Dakota, by posting notice at the Unified Judicial System's website at ujs.sd.gov or at the State Bar of South Dakota's website at statebarofsouthdakota.com, or such other posting as the Court may direct.

The notice must include a copy of the final proposal pursuant to § 16-3-5.5. The notice must fix a time and place when any person interested may appear and be heard with reference to the adoption, amendment, or repeal of rules. Notice of adoption of several rules, amendments, or repeals may be given at one time and in one notice.

Rule 25-14

SDCL 16-3-5.7. Court to receive copies of initial proposal, chief's suggestions, and final proposals prior to hearing.

Prior to the hearing set by § 16-3-5.6, the clerk of the Supreme Court shall provide the Supreme Court a copy of each proposal submitted pursuant to § 16-3-5.2, the chief of legal research's suggestions for each proposal pursuant to § 16-3-5.4, and each final proposal as established by § 16-3-5.5.

Rule 25-15

SDCL 16-3-5.8. Rules governing internal operation effective on filing.

All rules adopted by the Supreme Court concerning its internal operations under its constitutional or statutory rule-making power must be filed with the clerk of the Supreme Court and become effective when filed without further notice, unless otherwise ordered.

Rule 25-16

SDCL 16-3-5.9. Court may issue notice of hearing on proposed rules changes without issuing notice requesting rules proposal.

The Supreme Court may, in its discretion, direct the clerk of the Supreme Court to give thirty days' notice of an intention to adopt, amend, or repeal rules by electronic mail notification to members of the State Bar of South Dakota, by posting notice at the Unified Judicial System's website at ujs.sd.gov or at the State Bar of South

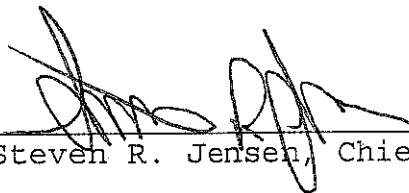
Dakota's website at statebarofsouthdakota.com, or such other posting as the Court may direct without issuing the notice requesting proposal provided by § 16-3-5.2.

The notice must include a copy of the proposal in the form required by § 16-3-5.3. The notice must fix a time and place when any person interested may appear and be heard with reference to the adoption, amendment, or repeal of rules. Notice of adoption of several rules, amendments, or repeals may be given at one time and in one notice. Prior to issuing notice pursuant to this section, the proposal may be reviewed for form, style, and clarity by the chief of legal research within a time directed by the Court.

IT IS FURTHER ORDERED that the repeal and adoption of new rules set out above shall become effective immediately.

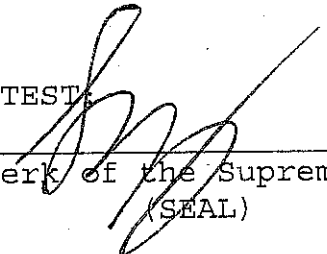
DATED at Pierre, South Dakota, this 5th day of March, 2025.

BY THE COURT:



Steven R. Jensen, Chief Justice

ATTEST:



Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

MAR - 5 2025

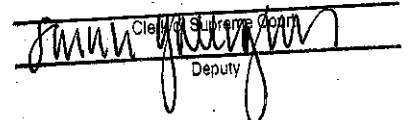


Clerk

STATE OF SOUTH DAKOTA
In the Supreme Court

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

5 day of March, 2025



Deputy

Barbara Anderson Lewis Community Award



The Barbara Anderson Lewis Community Award recognizes Professionalism and Service within the legal community. This award is presented to a nominated member of the South Dakota Bar Association who has demonstrated exceptional professionalism within the legal community through daily interactions with other lawyers and who regularly fosters civility in the practice of the law. Additionally, this individual has devoted time and energy to their community through sustained volunteer work with nonprofit organizations that strive to make their community a better place to live and work. Part of this award is a monetary donation to the designated nonprofit organization in recognition of that service.

An open letter of nomination can be submitted to the following email address (Craigpfeifle@gmail.com). It should be submitted not later than May 15 to be considered. Up to two additional letters of support can be submitted along with the nomination letter. The nomination letter must show how the nominated individual demonstrates professionalism and civility in the practice of law. Examples of these actions will provide how that is demonstrated. The Community portion of the nomination should include a description of the organization the nominated individual supports and in what roles. The nomination should also include the organization's name and address and a point of contact for an award presentation for the award winner.

Barbara Anderson Lewis graduated from the University of South Dakota School of Law in 1984 and was the first female attorney hired by Woods, Fuller, Shultz, and Smith in Sioux Falls, later becoming the first woman to be named a partner. Following law practice in Fargo, ND, Barbara joined Lynn, Jackson, Shultz, and Lebrun in Rapid City. Barbara was known for her professionalism and was a tenacious but fair opponent. She was impeccable in her choice of words and methods to be especially effective when dealing with her colleges and opponents alike. Barbara was an active member of professional and community organizations throughout her life. She focused on mentoring younger attorneys to help them grow in their careers. Barbara Anderson Lewis passed away in July 2024 after being diagnosed with ALS.

ABOTA supports statement of Chief Justice Roberts in rejecting calls for judicial impeachment

DALLAS, March 19, 2025 — The American Board of Trial Advocates endorses the rare statement issued by United States Supreme Court Chief Justice John Roberts rebuking the calls for impeachment of judges who have ruled against the orders of the current administration. His succinct statement was as follows:

"For more than two centuries, it has been established that impeachment is not an appropriate response to disagreement concerning a judicial decision. The normal appellate review process exists for that purpose."

Comprised of members who are committed to the rule of law and judicial independence, ABOTA stands in solidarity with the judges who work tirelessly to promote and defend the Constitution of the United States.

About the American Board of Trial Advocates

ABOTA is the premier, invitation-only national association of highly experienced trial lawyers and judges dedicated to the preservation and promotion of the Seventh Amendment of the United States Constitution, which guarantees the right to civil jury trials. With over 7,000 members across all 50 States, ABOTA ensures justice is delivered in civil courtrooms across America. ABOTA's core missions are to educate the American public about the history and value of the right to trial by jury in civil cases, to preserve a fair and independent judiciary, and to uphold the Rule of Law. ABOTA is dedicated to elevating the standards of professionalism, integrity, honor, civility and courtesy in the legal profession. Allegiance to this calling requires enduring vigilance, unyielding resolve, and voicing these principles in the public forum. ABOTA will continue to support preserving the quality and independence of the judiciary in the United States. See [Preserving a Fair, Impartial and Independent Judiciary](#) .

UJS Sites for Attorneys

There are five sites that SD licensed Attorneys will access and use on a regular basis, File & Serve, Attorney Notification, eCourts, Court Calendar, and SD UJS Civil Judgment Query

1 File & Serve - <https://southdakota.tylertech.cloud/ofsweb/home>

- File & Serve is used to submit documents for electronic filing and the option to electronically serve documents
- If your firm already has an account, your Firm Admin will need to provide you a link to join the firm
- When you receive the link to join
 - Fill out the information to join the firm
 - The Firm Admin will add you as a Firm Service Contact
 - If your firm does not have an existing account, you will need to create a new account

1.1 FIRM/FILER USER GUIDE

- The Firm/Filer user guide can be found at http://uj.s.sd.gov/media/odyssey/file_serve_Filer_Instructions.pdf

1.2 TRAINING

- If you would like to attend a webinar training for File & Serve, please register at <https://www.surveymonkey.com/r/X7NR5L6>

Please email ujsesupport@uj.s.state.sd.us if you have any questions.

2 UJS Attorney Notification System - <https://uj.sattorney.sd.gov>

- The Attorney Notification System will send out email notifications at the top of the hour to registered Attorneys based on the subscription selections
- The email will include a list of Events or Hearings filed in cases
- The Attorney must be added as the Attorney of record in Odyssey
- Users **MUST** select the events or hearing types they wish to be notified on
- Attorneys of record can view open case types and documents in eCourts located at <https://ecourts.sd.gov>

2.1 REGISTERING

If you have not requested to be added to the UJS Case Management system (Odyssey), please notify UJS eSupport at UJSESupport@uj.s.state.sd.us prior to registering.

2.2 USER MANUAL

The Attorney Notification User Manual can be found at <https://uj.sattorney.sd.gov> and click the Help hyperlink

Please email ujsesupport@uj.s.state.sd.us if you have any questions.

3 eCOURTS - [HTTPS://ECOURTS.SD.GOV](https://ecourts.sd.gov)

eCourts enables you to view open security case data and open security documents. If you are the attorney of record, there is no charge for the documents. If you are not the attorney of record, there is a small fee to obtain copies of documents.

3.1 USER MANUAL AND FAQ

The User Manual and FAQ documents can be found at <https://ecourts.sd.gov/Help.aspx>

3.2 TRAINING

If you would like to attend a webinar training for eCourts, please register at <https://www.surveymonkey.com/r/eCourtsWebinar>

4 COURT CALENDAR - [HTTPS://UJSFINDCOURTDATE.SD.GOV](https://UJSFINDCOURTDATE.SD.GOV)

Starting on May 1st, 2024, you will be able to run a Court Calendar from the Find a Court Date site under the Public Access Calendar tab.

Beginning June 1st, 2024, the Clerks will adhere to the court's directive and will no longer supply Calendars to non-UJS users who have access to this site.

To run the calendar, select the parameters:

- County: click the dropdown and start typing or scroll and select a single county
- Date: select the date you want (today or one of the next 4 weekdays)
- Case Types: select All, Criminal or Non-Criminal
- Primary Sort:
 - Case Number, will be sorted in case number order only
 - Time, will be sorted by hearing time with secondary sort of case number
- Email Address: must be a valid email address, this is where your calendar will be delivered
- Format: PDF or CSV format
- CSV format allows for easy filtering/sorting

After you select your parameters, click Submit button and if there are hearings for the parameters you selected you will receive an email with either the PDF or CSV file attached.

Please email ujseCourtsSupport@ujs.state.sd.us if you have any questions

5 SD UJS CIVIL JUDGMENT QUERY - [HTTPS://UJSJUDGMENTQUERY.SD.GOV](https://UJSJUDGMENTQUERY.SD.GOV)

The SD UJS Civil Judgment Query offers access to money judgment searches and judgment docket cards for a fee. May be beneficial for collections attorneys or those that do title work. Anyone is able to register for the site, including the general public. Most users will register as Pay As You Go and will pay \$4 for a name/business search or a date range search; then, an additional \$1 to view specific judgment docket cards. If you have any questions about the site, please email ujsesupport@ujs.state.sd.us.

EMAIL ADDRESS CHANGE

6 State Bar - [HTTPS://WWW.STATEBAROFSOUTHDAKOTA.COM](https://www.statebarofsouthdakota.com)

- Contact the State Bar to update name, address, phone number and bar number
- You must do this step prior to notify UJS

7 UJS CASE MANAGEMENT SYSTEM - ODYSSEY

- Contact ujseSupport@uj.s.state.sd.us
- Provide your name, address, phone number, bar number and email address
- Provide the updates needed to your account

8 eCourts - [HTTPS://ECOURTS.SD.GOV](https://ecourts.sd.gov)

- Notify ujseCourtsSupport@uj.s.state.sd.us that your email has changed. Provide your new email address, any changes in your address and bar number
- eCourts Support will disable your old account
- eCourts Support will notify you when your information has been updated and you will then re-register with your new email address

9 Attorney Notification System - [HTTPS://UJSATTORNEY.SD.GOV/LOGIN.ASPX](https://ujssattorney.sd.gov/login.aspx)

- Contact ujseSupport@uj.s.state.sd.us to update your email address
- UJS eSupport will notify you when your account has been updated

10 File & Serve - [HTTPS://SOUTHDAKOTA.TYLERTECH.CLOUD/OFSWEB/HOME](https://southdakota.tylertech.cloud/ofsweb/home)

- If only your email address has changed
 - Your User and Service Contact information needs to be updated by the **Firm Admin**
 - For User Information
 - Click on Actions Dropdown
 - Select Users
 - Click on your name
 - Update your email address
 - Click Save Changes
 - For Service Contact
 - Click on Actions Dropdown
 - Click on Service Contact
 - Select User from the list
 - Update your email address
 - Click Save Changes
 - If only your firm address has changed
- *This will also update the Public List for the Service Contact only

- Firm Admin updates your information under Actions>Contact Information
- If you have joined a new existing firm
 - Firm Admin of the new firm will need to send you a link to join the firm
 - The new firm must also add you as a Service Contact and mark it to display on the Public List
- If you are creating a new firm
 - Register your new firm and new email account
 - Add yourself as a Service Contact and mark it to display on the Public List
 - Add yourself as an attorney
- If you are listed on the Public List with an incorrect email
 - Contact the firm and ask them to remove you as a Service Contact/User
 - If the firm no longer exists, contact ujseSupport@uj.s.state.sd.us

10.1 REMOVE/REPLACE USERS

- Instructions found at https://uj.s.sd.gov/media/odyssey/remove_Firm_Users.pdf

Attorney Health & Wellness Resources

It's okay to ask for help



A CONFIDENTIAL
LAWYERS CONCERNED FOR LAWYERS

INDEPENDENT RESOURCE
(605) 391-5191

rebecca.porter@sdlawyersconcerned.org

FREE & CONFIDENTIAL

- *SD Bar Members & household family members*
- *USD Law Students & their household family members*

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HEALTH

1 - 888 - 243 - 5744

AVAILABLE 24 / 7



State Bar of South Dakota Association

Avera Healthcare Plans

The following agents or agencies that are authorized to sell the
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.





Introducing Your Member Portal

Browse benefits. Request services.
Enjoy 24/7/365 access.

Your Assistance Program offers a wide range of benefits to help improve mental health, reduce stress and make life easier—all easily accessible through your member portal.

Request a Mental Health Session

Request counseling by submitting an online form or live chat. Choose from in-person or virtual counseling options to meet your needs.

Request Referrals & Resources

Submit a request for family care and lifestyle support including childcare and eldercare referrals, legal referrals and financial consultation, personal assistant referrals and medical advocacy consultation.

Explore Thousands of Self-Care Articles & Resources

Health and lifestyle assessments, interactive checklists, soft skills courses, podcasts, resource locators, exclusive discounts, and expansive articles on whole health and well-being.

Visit Your Online Financial Center

Featuring worksheets, calculators, and a wide range of financial resources and tools to help reach personal goals and build financial wellness.

Getting Started Is Easy

1. Visit 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
Code: sdhelp





Save the Date

2025
Annual Convention & Business Meeting


| | | |
|----------------------|------------------------|-------------------|
| <i>Ramkota Hotel</i> | <i>June 18-20 2025</i> | <i>Rapid City</i> |
|----------------------|------------------------|-------------------|

More

UPCOMING LIVE WEBINARS

Discover a whole new approach to well-being.


9 APR



Eating Right on the Run and on a Budget

April 9, 2025
1:30 pm EDT - 2:30 pm EDT
[Register for this Webinar](#)

23 APR



Respect at Work

April 23, 2025
12:00 pm EDT - 12:45 pm EDT
[Register for this Webinar](#)

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HEALTH

Relief Isn't Always Spelled R-O-L-A-I-D-S. Sometimes, It's Spelled D-E-L-E-G-A-T-E!

**AUTHORED BY: MARK
BASSINGTHWAIGHTE, RISK
MANAGER**

Years ago, an extended family member didn't file his personal tax return yet again. Don't misunderstand me, every year a tax return is prepared. He just never took the time to review the work of the tax preparers he had hired, so for several years in a row the darn things were never signed and returned. There finally came a time when I couldn't help but ask what the heck was going on. His response was he didn't trust anyone else to do the work correctly and he didn't have the time to do it himself. I followed up with the obvious question, which was why pay someone else to do your taxes if you have no intention of ever filing what they prepared. He looked at me as if I was a bother and replied that he trusted their work enough to provide him with the information he needed to pay an estimate and file an extension but that was it. In short, in his mind he used their work to buy him time until he could eventually get to it. Of course, he never did, and the expected consequences of his approach eventually played out.

During my law firm consulting years, I would occasionally come across a solo or small firm practice that was run in a fashion very similar to how this extended family member handled his taxes. Whenever that happened, I either tried to address it or just sat back and observed. Regardless of the specifics of any given situation, I always walked away with the same feeling. The trust piece mentioned above was so often the problem. While the lawyer understood that he or she didn't have the time to get to something, this always seemed to be counterbalanced by an inability to trust anyone else to take care of it, even if that other person was more competent or proficient at the given task than the lawyer.

When circumstances permitted a discussion with these lawyers, I would often hear some version of the competency excuse; but I never bought into any of them. Even my extended family member didn't believe the tax preparers were incompetent. No, as I saw it, most of the

time what seemed to be going on was the lawyer had a need to be in total control, was unable or unwilling to acknowledge that he didn't have the skill set to complete the task, was afraid to admit to himself or others that he could use some help, or he didn't want others to know how far behind he was. But none of that really matters to me. The point here is not to do a differential diagnosis. The point is to shine some light on the real problem, which is an inability or unwillingness to delegate work for whatever reason.

Before going any further, however, one quick aside. If you struggle with delegating work because you have concerns about competency, all I can say is this. If you truly feel you are surrounded by incompetent staff who cannot be trusted to complete their work to an acceptable level then stop the bleeding, fire the lot, and hire competent help. Life's too short as it is.

Why do I care about all this? Because as a risk manager I know that failing to delegate work and allowing one's workload to build to unmanageable levels will always result in the normal and expected consequences playing out. Of course, while the failure to delegate work won't result in the IRS knocking at your door, it could easily lead to problematic attorney-client relationships, the loss of competent but underutilized staff or associates, reputational damage, being fired by one or more dissatisfied clients, having a disciplinary complaint filed for failure to communicate or neglecting a client matter, or even having to deal with a malpractice claim due to a missed deadline.

So, to those of you who are unable or unwilling to delegate work, stop making excuses. Put the Roloids away and learn to delegate. Start by trying to take your feelings of distrust of others out of the picture and perhaps some of the fear of what might happen if you give up a little control and just start to delegate. Sign and file that return, if you will. Take that leap of faith. It

will be ok in the end. The real challenge is going to be in how to get there. While there will be different answers for different folk, here are a few ideas that might prove useful.

Work on changing your perspective. I assume you trust yourself, so why not trust your judgment in hiring who you hired and let those folks do the work you hired them to do? If you need to start small by delegating less critical tasks to enable you to build trust, so be it. If you are concerned that they are not properly trained for what you ultimately need to turn over to them, prioritize finding the time to provide the necessary training because you must come to trust their skill set.

Next, look at how you might manage accountability and then follow through with it. Consider developing customized check lists that can be used to ensure staff are doing all that needs to be done on various types of matters. This will also enable you to quickly check up on their progress. You might establish appropriate completion dates for various tasks or assignments and determine how those completion dates will be monitored. As you think about this, I strongly encourage you to also think about levels of priority with various types of work, and then share your conclusions with everyone. Staff need to understand how to prioritize work in accordance with your thinking when multiple matters are being handled or if and when unforeseen interruptions arise because they are not mind readers!

Make certain that staff are given sufficient time and the appropriate tech tools to complete their assignments. It's not their fault if they can't complete something to your level of satisfaction when you finally had no other option but to delegate at the eleventh hour because you allowed too many other things to hit a crisis point. You must come to accept that delegation isn't about putting out fires; it's about fire prevention. You might also have a weekly Monday morning meeting with all lawyers and staff where the week's priorities are established for all

based upon what was accomplished the prior week and what's coming up in the next few weeks.

Finally, as you discover that delegation can lead to increased efficiencies without sacrificing quality of work product, share praise publicly where appropriate. While doing so can work wonders for morale, I am really suggesting you do this for you. By publicly acknowledging that something is working (i.e., your willingness to delegate), you will begin to build a personal comfort level with the process, thus ensuring its continuance. This is important because what I've been discussing here isn't just about learning a new managerial skill. This is about taking your practice to the next level which will not only help ensure the long-term success of your practice, but it will also give you the opportunity to prioritize your personal health and wellness.

If you remain unconvinced that learning to delegate work will be worth the effort, here's one other way to think about it. Every person I have ever met who had a problem delegating work, presented as having a disheveled and stress filled professional life. For me, it's a lot like watching a juggler try to keep more and more pins in the air. While I have seen a lot of fantastic jugglers in my day, I have yet to see one individual keep eight or more pins up for an extended amount of time. Eventually, something always gets dropped.

Of course, wonderful things start to happen when a solo juggler all of a sudden has someone else step into the act and a few pins are delegated to that second individual. I'm always impressed by that. Not only do the two calmly keep all the pins up, but they remain so even as they add additional pins to the act. Although they make it look easy, the reality is that by trusting each other with part of the task they very effectively demonstrate that two can competently handle far more than either could alone. I find that most interesting.



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.

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Staff Attorney - Rapid City

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DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Staff Attorney position in our Rapid City, South Dakota office.

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.

CLOSING DATE: Open until filled

DPLS is committed to equal employment opportunities for all workers, regardless of race, gender, disability or other protected class status. DPLS is committed to compliance with all federal, state, and local anti-discrimination laws and regulations. all interested applicants are encouraged to apply.

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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.

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Staff Attorney - Rapid City

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DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Legal Secretary position in our Rapid City, South Dakota, office. The Rapid City office serves Butte, Custer, Fall River, Harding, Lawrence, Meade, Pennington and Perkins counties in South Dakota.

QUALIFICATIONS/RESPONSIBILITIES: Applicants must have a high school diploma. The legal secretary provides secretarial services attorneys and paralegals and also performs administrative duties as directed by the Managing Attorney of the Branch Office. The legal secretary prepares legal pleadings, correspondence and other documents at the direction of an attorney or paralegal and assists applicants with the application and intake process. Must have familiarity and experience with widely used word processing software and

other data management programs; must have a good attitude and ability to work with the general public in a professional manner and an appreciation and a basic understanding of client confidentiality; and must have two years of experience working in a law firm or a similar office environment.

SALARY: Based on experience. DPLS has an excellent fringe benefits package including generous leave benefits and employee insurance coverage (medical, dental, life, disability). DPLS observes a four-day work week.

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APPLICATION PROCESS AND DEADLINE DATE: Interested persons should send a resume containing three references, a writing sample, and a letter describing their qualifications by April 21, 2025, to the following:

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