

STATE BAR OF SOUTH DAKOTA

JANUARY 2026
NEWSLETTER

"Start your day the legislative way" JANUARY 14, 2026

East River Legal Services, Dakota Plains Legal Services, Access to Justice, and the State Bar of South Dakota are pleased to jointly host morning refreshments in the Senate and House Lobbies at the State Capitol prior to the State of the Judiciary presentation on January 14, 2026.

Please join your fellow State Bar members, Legislators, Lobbyists, and members of the public for coffee and donuts.

What: Coffee, donuts and conversation

Where: Senate Lobby and House Lobby, SD Capitol in Pierre, SD

When: January 14, 2026, 7:30 AM – 10:00 AM CT

Thank you to Boyce Law Firm, LLP, and May Adam Gerdes & Thompson, LLP, for sponsoring Coffee and Donuts with the Legislature.

We appreciate their generosity!



STATE BAR MEMBERS

You are invited to provide ideas or concerns to

State Bar Officers & Commissioners

President: John Richter, John.Richter@state.sd.us

President Elect: Mark Haigh, mhaigh@ehalawyers.com

Commissioners: 1st Cir- Justin Johnson, jjohnson@cityofmitchell.org

2nd Cir- Emily Maurice, emilym@halbachlawfirm.com

3rd Cir- Anthony Teesdale, tony@teesdalelaw.com

4th Cir- Kimberly Kinney, kim@kinney-law.com

5th Cir- Gerald McCabe, jerry.mccabe@state.sd.us

6th Cir- Ellie Bailey, e.bailey@riterlaw.com

7th Cir- Matthew Naasz, mnaasz@gpna.com

At Large: 1st Cir- Teramie Hill, teramie.hill@usd.edu

2nd Cir- Amber Mulder, amber.mulder@siouxfalls.gov

4th Cir- Sarah Covington, sarah.covington@westriverlawandmediation.com

5th Cir- Stacy Johnson, sjohnson@rwwsh.com

6th Cir- Kristen Edwards, kristen.edwards@state.sd.us

7th Cir- Steven Blair, steven.blair@state.sd.us

State Bar of South Dakota

January 2026

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President's CORNER

John T. Richter

Building Momentum: A New Year of Service and Growth

From John Richter, President of the State Bar of South Dakota

Dear Members of the State Bar,

Happy New Year! As we step into 2026, I want to thank each of you for the energy, ideas, and commitment you brought to our Bar in 2025. Last year was defined by **Connection** - between colleagues, committees, and the next generation of lawyers. This year, we build on that foundation with a renewed focus on **Service and Leadership**.

The Importance of Serving as a Bar Commissioner

Stepping into a leadership role within our bar association is more than a title; it's an opportunity to shape the future of our profession. As a Bar Commissioner, you have a direct voice in decisions that impact lawyers, clients, and the justice system in our State.

However, what makes the Commission most effective is when leadership reflects the breadth of experiences, practice areas, geographic regions, and viewpoints within our membership. Every Commissioner brings a unique lens to the table, and that lens is what drives innovation and helps us serve all members.

Why should you consider serving?

- **Influence and Impact:** Help set policy, guide initiatives, and strengthen the integrity of our legal community.

- **Professional Growth:** Leadership experience enhances your skills in governance, collaboration, and strategic thinking.
- **Personal Growth:** Build lasting relationships with peers, judges, and leaders across the State.
- **Service and Legacy:** Contribute to projects that expand access to justice, support our membership, and develop the next generation of lawyers.

Your perspective matters. Whether you're a solo practitioner, a large-firm attorney, a government lawyer, in-house counsel, or somewhere in between, your voice adds value. Our profession thrives when committed attorneys step forward to lead. If you've ever thought about making a difference beyond your practice, now is the time.

Interested? Feel free to contact me, any of our current or past Commissioners, or Bar staff. We'd be happy to share our personal experiences, talk about the impact this role has had on our professional and personal growth, and explain why so many of us have found it to be so rewarding.

Welcoming Law Students into the Profession from Day One

I'm excited to share that law students will now receive a complimentary law student membership automatically. This initiative is more than a policy change. It is a meaningful invitation for students to join our professional community at the very first step of their law school journey.

Traditionally, many students only begin engaging with the Bar when they start searching for employment or preparing for graduation. By offering membership at the outset of law school, we are transforming that experience. Students will now have a clear and intentional path to building relationships with practicing attorneys, mentors, and leaders from the beginning of their education. This early connection fosters a sense of belonging, provides access to resources, and creates opportunities to participate in events and committees that shape their future.

For the Bar, this initiative strengthens our pipeline of future leaders and reinforces our commitment to inclusion and mentorship. Complimentary law student membership is an investment in the long-term health and vitality of our profession.

A special thank you to **Tracie Bradford, Brooklyn Drewes, and Teramie Hill** for their coordination, responsiveness, and commitment to student engagement. Your efforts have made a real and lasting impact. Please join me in thanking them for helping bring this initiative to life.

Resolutions for a Stronger Year Ahead

As we begin 2026, it's a great time to reflect on how we can strengthen our practice and our well-being. Rather than a long list, I want to highlight three resolutions that can make a meaningful difference this year:

- **Enhance Your Tech Skills.** Technology is no longer

optional in legal practice. Staying current in this area positions you to serve clients better and adapt to a rapidly evolving profession.

- **Invest in Continuing Education.** Go beyond the minimum CLE requirements. Explore emerging areas (e.g., artificial intelligence in law, data privacy, etc.) and consider how developments there are reshaping traditional areas of practice. Understanding these impacts will help you anticipate change and advise clients effectively.
- **Prioritize Well-Being and Balance.** Our profession demands a great deal, and burnout is a genuine concern. Make time for family, hobbies, and rest. Protect your mental health through mindfulness, exercise, or counseling. A healthy lawyer is a better lawyer. Prioritizing well-being is essential for long-term success.

Start small and stay consistent. Every step you take toward growth and balance strengthens not only your practice but also our profession as a whole. Let's make 2026 a year defined by **Connection, Service, and Leadership**.

Thank you for the privilege of serving as your President.



John Richter

TO VIEW THE UPDATED COMMITTEE
ASSIGNMENTS

[CLICK HERE!](#)





We are thrilled to start off this month's newsletter by congratulating Gavin Pochop and Young Lawyer Section President, Mae Pochop, on the birth of their beautiful baby girl, Rita. We are so excited to see a fifth-generation Pochop attorney-to-be and fourth generation Meierhenry attorney (or justice?) -to-be enter the world! She has big shoes to fill, but with those genes we are certain she will accomplish great things.

That being said, this month's article is brought to you by Lora Waeckerle, president elect for the YLS, and Rebecca Ronayne, current YLS secretary/treasurer while Mae is at home enjoying her first days of motherhood.

With the hustle and bustle of the season upon us, the YLS has been busier than ever—wrapping up our fall mixers while planning exciting events for the spring ahead. **One event you will not want to miss is the YLS Bootcamp, scheduled for March 13, 2026, at the Deadwood Mountain Grand in Deadwood, South Dakota.** This highly anticipated program will offer an outstanding opportunity to learn, connect, and engage with lawyers from across the state. While this is an event sponsored by YLS, it is open to **all attorneys**, and we would love you see you there! The State Bar has secured a block of rooms for Thursday, March 12, 2026, and Friday, March 13, 2026. Be sure to book early before rooms fill up.

Speaking of time passing, it seems the holidays become increasingly busy each year. Between ensuring the perfect gift arrives on time and fitting in hearings, meetings, and completing those year-end transactions

your clients forgot about until December..., the final months of the year seem to fly by faster than ever. As the holiday season arrives, however, it also provides a natural opportunity to slow down, reflect, and express gratitude.

In that spirit, I would like to thank the many members of the South Dakota Bar who have prioritized mentoring young lawyers over the past year—whether by speaking at YLS events, participating in the Hagemann-Morris Young Lawyer Mentorship Coin Program, or simply taking a call from a young lawyer in need of friendly guidance.

Mentorship is often discussed in broad terms, but its impact is deeply personal. For young lawyers, having someone willing to answer questions, offer perspective, or simply listen can make the difference between feeling overwhelmed and feeling supported. The practice of law is often demanding, and no one truly learns it alone. The guidance of experienced attorneys and judges helps young lawyers navigate not only substantive legal issues, but also professionalism, ethics, and the ongoing challenge of balancing career and life.

Just as importantly, mentorship strengthens our profession as a whole. When seasoned attorneys invest their time and wisdom in the next generation, they help preserve the integrity, collegiality, and excellence of the South Dakota Bar. These relationships build confidence, encourage growth, and remind young lawyers that they are part of something larger than themselves.

As we move into the new year, the YLS looks forward to continuing to promote meaningful mentorship opportunities and building connections across all stages of practice. To those who have already given their time

and support—thank you. Your willingness to mentor does not go unnoticed, and its impact will be felt for years to come. ChristmasHappy Holidays and a Happy New Year from the YLS Board!



You are cordially invited to attend
the Investiture of the
**Honorable
Robert Gusinsky**

as the
Fifty-Fourth Justice of the
South Dakota Supreme Court

Friday, January 9, 2026
4:00 P.M.

in the Rotunda of the
Pennington County Courthouse
Rapid City, South Dakota

*Reception to follow at The Rushmore Hotel
445 Mount Rushmore Road, Rapid City, SD 57701*

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

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David L. Knudson
Robert A. Martin
Kimberley A. Mortenson

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Richard D. Casey
Hon. Michael Day
Robert B. Frieberg
Thomas H. Frieberg
Thomas G. Fritz
William C. Garry
David A. Gerdes
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Patrick G. Goetzinger
G. Verne Goodsell
Robert E. Hayes
Terry L. Hofer
Carleton R. "Tex" Hoy
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Hon. Charles B. Kornmann
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Bob Morris
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Jeffrey T. Sveen
Charles M. Thompson
Richard L. Travis
Thomas J. Welk
Terry G. Westergaard

Platinum Fellows - \$10,000

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Melissa Nicholson Breit
Dana J. Frohling
Chet Groseclose
Hon. John B. Jones
Jerome B. Lammers
Scott C. Moses
Charles L. Riter
William Spiry
Hon. Jack R. Von Wald

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

Fellows - \$500 (per year)

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

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

Hon. John Bastian
Hon. John L. Brown
Mary Jane Cleary
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Andrew L. Fergel
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Hon. Judith K. Meierhenry
Hon. Robert A. Miller
Robert C. Riter, Jr.
Jason R.F. Sutton
Rodrick L. Tobin
Lea Wroblewski

Raising the Bar: Our Profession. Our Responsibility.

ALL Members:

Certificate of Compliance
Due January 31, 2026

**DID YOU
KNOW**

you can send in your certificate of
compliance electronically?



Email your completed form to:

Tailynn.bradford@sdbar.net



Certificate of
Compliance form



UNIVERSITY OF
SOUTH DAKOTA
KNUDSON SCHOOL OF LAW



DEAN'S LIST: NEWS FROM THE LAW SCHOOL



Neil Fulton

Dean, School of Law

Happy 2026! The arrival of the new year always provides opportunity to take stock of the past and make plans for the future. That is particularly true for the Law School as the Year 2026 begins. Throughout this year we will celebrate the 125th Anniversary of our founding in 1901 by Senator Thomas Stirling and Ambassador Bartlett Tripp. We look forward to marking this important milestone with all of you, looking back at all that we have achieved as a community in the last 125 years and all the challenge and opportunity that lies ahead.

Looking back is important at significant moments like this. Our most tangible means of doing so for the Law School will be publication of *A Legal Legacy*. This book traces the history of our first 125 years through historical essays, personal memoirs, and photographs. I must express a profound thank you to Professor Patrick Garry, Assistant Dean Sarah Kammer, and Maddie Smith for their excellent work in assembling this manuscript. We look forward to sharing the book with you later this spring. The History subcommittee of our 125th Anniversary Steering Committee is also working on ways to more broadly distribute and display Law School photographs and historic artifacts. It is a crucial time to connect to our history as a community, and I appreciate all the work to document and celebrate our first 125 years.

We likewise look forward in several ways. One is completion of the comprehensive renovation of the Law School building. This is the first column written in my office within an updated administrative suite of office. I am excited to begin showing the updated space to

everyone when you visit. We will host a "grand opening" and ribbon-cutting at Dakota Days this fall. Watch for more details in coming months and please come home to look around.

Beyond the building renovation, our Facilities subcommittee has also done significant work. They have catalogued the art and décor at the Law School. This provided a foundation for some initial recommendations to update our decoration to offer a livable and lovely space. It is always wise to live in a space a bit before making big decisions, so this work will continue throughout the course of the year as we get the feel of a renovated law school.

Looking forward is also facilitated by spending time in community. We hope to see everyone at our Grand Gala in Sioux Falls on Friday, June 26th. Information about tickets will be available soon. We welcome all alumni and friends of the Law School alike, and hope that many of you make the trip back or stick around at the end of the Bar Convention to reconnect with old friends, make new ones, and celebrate our profession and 125 years of the Law School's contributions to it.

We also plan to go on the road to celebrate the Law School community during the year. Visits to local bar associations and alumni outside South Dakota are on the agenda. Please reach out if there are gatherings in your community that we could attend with no agenda other than to celebrate and share ideas.

Building for our next 125 years will require investment

of time, talent, and treasure from all of us. Just as we have invested in Law School place with a building renovation, we need to invest in its people with ongoing support for students and faculty. Throughout the year, our Development subcommittee, our Development Officer (and proud alumna) Tove Hoff Bormes, and I will be reaching us to ask for your support. It is undeniable that investment in students and faculty has changed the trajectory of the law school. Ongoing investment is crucial to continue that momentum and provide the foundation for the next 125 years. To support that, we have created the 1901 Fund and Sterling Fund. Both are endowed funds for student scholarships and faculty support, respectively. Both funds allow anyone to make a permanent investment in any amount in the key people who sustain the Law School. All gifts to these funds provide perpetual for students and faculty, that the people who truly have authored our history and will author our future.

Finally, as we think about our first 125 years and the next 125 years to come, it important to recall our “why” as a community. In 1901, Sterling and Tripp recognized

that any state thought hoped to flourish and grow needed lawyers to lead it. They also recognized that it was important to build those lawyer-leaders here at home. Accordingly, they founded the Law School to do just that. Over the last 125 years, we have been guided by their vision, giving it life as a community of excellence, service, and leadership. Those values guided us in 1901, guide us today, and will guide us in the years to come. They have been lived out in the actions of our students, alumni, staff, faculty, and friends. They have shaped communities large and small, in South Dakota and beyond, through the work that all of you, all of your predecessors, and all the successors yet to come, do to make the rule of law and pursuit of justice reality, not simply ideals.

The connection of community. The habit of excellence. The sacrifice of service. The courage of leadership. I cannot better summarize the last 125 years of Law School history, nor more hopefully describe what I hope for the years to come. Happy 2026 and Happy 125th Anniversary!



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IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

In the Matter of the Discipline of BRIAN J. DONAHOE, as an Attorney at Law.)	JUDGMENT OF DISBARMENT
)	#30246
)	
)	

The Disciplinary Board of the State Bar of South Dakota served and filed on February 8, 2023 a petition for suspension pending final hearing. The Board filed and served a supplement to the petition on February 13, 2023. Respondent Brian J. Donahoe served and filed on March 28, 2023, a response to the petition and supplemented petition. The Board served and filed a request to hold the petition for temporary suspension in abeyance on April 6, 2023. The Court by order of April 14, 2023, issued its order of abeyance and required the Board to serve and file a status report of the matter no later than June 13, 2023.

On May 12, 2023, the Board served and filed a supplemental and renewed petition for temporary suspension. The Court issued its order of temporary suspension on June 6, 2023.

On June 8, 2023, the Board filed a petition and consent to transfer to medical inactive status. By Court order of August 10, 2023, Respondent was transferred to medical inactive status and was temporarily suspended from the practice of law.

On February 10, 2025, the Board and Respondent jointly moved the Court for an order authorizing the Board to resume its disciplinary investigation. On March 4, 2025, the Court entered an order authorizing the Board to resume its investigation.

The Board prepared a report of its findings of fact, conclusions of law and recommendation that was served and filed on

May 8, 2025. Respondent served and filed a denial on May 27, 2025. The Court appointed a referee to hear testimony and submit findings of fact, conclusions of law and a recommendation to the Court on June 17, 2025. On July 10, 2025, a hearing before the referee was noticed for October 22, 2025.

On October 22, 2025, the Board filed with the Court a resignation executed by Respondent on October 8, 2025, attached hereto, consenting to disbarment pursuant to the provisions of SDCL 16-19-65, now, therefore, in compliance with the provisions of SDCL 16-19-66, it is

ORDERED that Brian J. Donahoe is disbarred from practicing as an attorney and counselor at law in all of the courts of this state, and the license to practice law granted by this Court to said attorney is canceled and revoked and the Supreme Court Clerk is authorized and directed to strike the name of Brian J. Donahoe from the roll of licensed attorneys and counselors at law on file in the office of the Clerk.

IT IS FURTHER ORDERED that Respondent shall comply with the provisions of SDCL 16-19-77 through 16-19-81 and that noncompliance shall constitute contempt pursuant to SDCL 16-19-82.

IT IS FURTHER ORDERED that pursuant to SDCL 16-19-77, the disbarment of Respondent shall become effective as of the date of this judgment.

IT IS FURTHER ORDERED that the Supreme Court Clerk shall forward a copy of this judgment of disbarment to all state and federal judges in South Dakota, all other courts and state bar associations Respondent is authorized to practice within, and to the American Bar Association National Lawyer Regulatory Data Bank.

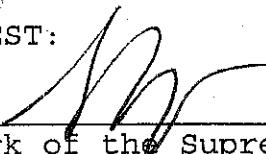
IT IS FURTHER ORDERED that pursuant to SDCL 16-19-70.2 and 16-19-70.3 that Brian J. Donahoe shall on or before January 20, 2026 pay to the State Bar of South Dakota \$11,428.12 as reimbursement of its itemized costs and expenses for these proceedings allowed under

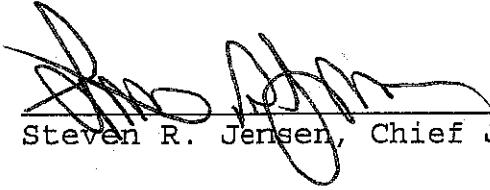
SDCL 16-19-70.2, proof of said payment to be filed with the Clerk of this Court on or before February 20, 2026.

DATED at Pierre, South Dakota, this 19th day of December, 2025.

BY THE COURT:

ATTEST:


Clerk of the Supreme Court
(SEAL)

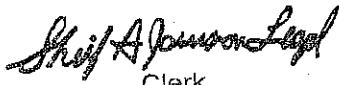

Steven R. Jensen, Chief Justice

Justice Mark E. Salter disqualifed.

PARTICIPATING: Chief Justice Steven R. Jensen and Justices Patricia J. DeVaney, Scott P. Myren, and Retired Justice Janine M. Kern.

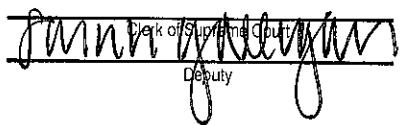
SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

DEC 19 2025


Shirley A. Jameson-Fergel
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

19 day of Dec, 20 25.


Shirley A. Jameson-Fergel
Clerk of Supreme Court
Deputy

More

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Creating an Annual Well-Being Plan

January 14, 2026
1:30 pm EST - 2:30 pm EST
[Register for this Webinar](#)



Establishing Boundaries in the Workplace

January 21, 2026
12:00 pm EST - 12:45 pm EST
[Register for this Webinar](#)



The Power of Kindness in Trying Times

February 11, 2026
1:30 pm EST - 2:30 pm EST
[Register for this Webinar](#)



Help is 3 Numbers Away



211 maintains a comprehensive database of community resources and provides information and referrals for essential needs like:

- Food
- Housing and Shelter
- Utility Assistance
- Healthcare Services
- Government Services

Call for
Information and
Community Resources
211

211 also can connect people with information and referrals for:

- Transportation
- Legal Services
- Support Groups
- Disaster Aftercare

988 provides crisis support for:

- Mental Health and Substance Use Response
- Suicide Prevention and Crisis De-escalation
- Linkage to Local Care and Treatment Resources

Call for Support for
Emotional Distress,
Suicidal Thoughts
and Substance Use

988

Whole
Person
Care

Call for
Emergencies
Needing Medical,
Fire and Police

911

911 provides first responder dispatch for:

- Medical Emergency
- Fire
- Crime in Progress
- Life Threatening Situation



JUSTICE SQUAD

THANK YOU TO THE FOLLOWING LEGAL SUPERHEROES THAT VOLUNTEERED THROUGH ACCESS TO JUSTICE AND/OR SOUTH DAKOTA FREE LEGAL ANSWERS IN 2025!

AARON DAVIS	ERIKA OLSON	KALEB PAULSON	ROB MEADORS
AARON PILCHER	GABBY SAYALOUNE	KATIE JOHNSON	ROBIN ZEPHIER
ADAM ALTMAN	GARY BLUE	KELLY SANDERSON	RUSS JANKLOW
ALEX HOFFMAN	GAVIN POCHOP	KEN BERTSCH	RYAN KOLBECK
ALISON RAMSDEL	GEORGE BOOS	KENDRA MULDER-MEWS	SHANTAY WERDEL
ANGELA COLBATH	GEORGE JOHNSON	KIERA LEDDY	SHEILA WOODWARD
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BRENDA ASK	JANET OLSON	MALLORY SCHULTE	STEVE HUFF
BRIAN UTZMAN	JASON SUTTON	MARWIN SMITH	STEVE MEYER
BRIANA GERAETS	JEFF BECK	MARY AKKERMAN	TERRA LARSON
BRUCE BAUER	JEFF BREKKE	MARY ASH	THOMAS BLAKE
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ELIZABETH OVERMOE	JOSEY BLARE	RENEE STELLAGHER	
EMILY MAURICE	JUSTIN DIBONA	RICHARD ERICSSON	

Application for Pro Bono Emeritus Status

I, _____, an active member of the State Bar of South Dakota, do hereby apply for Pro Bono Emeritus Status, for the year 2026.

I understand that if approved, rather than pay regular dues for the year 2026, I will only be required to tender the sum of \$125 (same as inactive dues) but I will be entitled to all the rights and privileges of an active member of the State Bar.

Further, I recognize that this status means that I will be requested from time to time to take a referral from East River Legal Services, Dakota Plains Legal Services, or Access to Justice, and I am willing to accept at least one referral in the year 2026.

Finally, I acknowledge that pursuant to the Pro Bono Emeritus Status, I have retired from the active practice of law and I cannot accept private clients, cases for friends or relatives (even if no fee is charged) and that my practice is limited to such referral cases as I accept from the Legal Services Programs, Access to Justice or a non-profit specifically approved by the State Bar. In the event that I decide to accept cases other than those referred to me and which I accept, that I will tender regular active dues and withdraw from the Pro Bono Emeritus Status Program.

Dated this _____ day of _____, 20____

Signature_____

Printed Name_____

Address_____

City, State, Zip Code_____

Phone_____ Email_____



“As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.”
- John F. Kennedy



HEISER VALUATION

Know the Value



Ericka Heiser, MBA, CVA
Certified in Business Appraisals

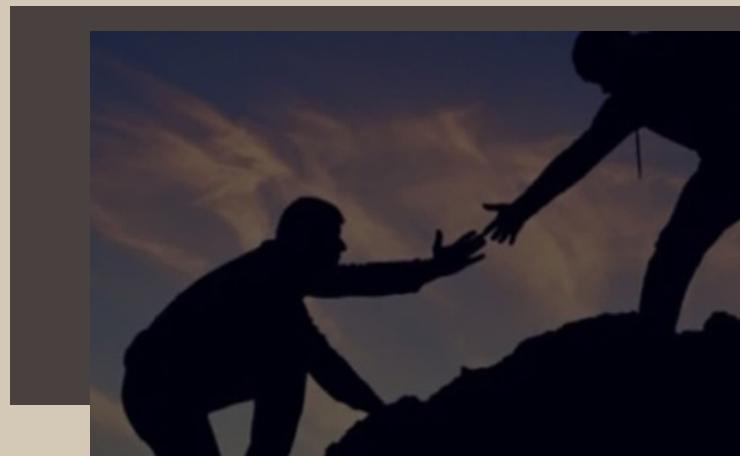
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Ericka@HeiserValuation.com | HeiserValuation.com

ATTORNEY HEALTH & WELLNESS SOUTH DAKOTA LAWERS ASSISTANCE

Almost everyone, even lawyers and law students have experienced a time when a personal problem or crisis affected their life. Recognizing this, your State Bar, over the past several years, has instituted a variety of ways to support our members when they may need it most.

Go to <https://www.sdlawyerwellness.com/>, which is dedicated to providing you with the information you need about the programs and resources available to the members of our South Dakota legal community and their families.

Get Help Now!



January

Law for Lunch TAX UPDATE



**January 20, 2026
12:30 P.M. -1:30 P.M.**

ONE BIG BEAUTIFUL BILL

Details

Whether you're a tax pro, litigator, young lawyer, paralegal, firm leader, or in financial services, this program is for you. Learn how the One Big Beautiful Bill and other new laws will impact your practice, your business, and your clients.

Join us and stay informed.

Speakers

Carrie Christensen, CPA, MBA,
Partner at Ketel Thorstensen
CPA's and Advisors

Hannah Sheffield, CPA, Manager
- Tax Expertise,
Ketel Thorstensen CPA's and
Advisors

Program Chair

Stanton Anker, Anker
Law Group, Rapid City

REGISTER HERE





ANNOUNCEMENTS

Siegel Barnett & Schutz LLP
is pleased to announce

Kylee M. Boomsma
as an associate attorney.

Siegel Barnett & Schutz LLP
415 S. Main Street, Suite 400
PO Box 490
Aberdeen, SD 57402

Phone: (605) 225-5420

Email: Kboomsma@sbslaw.net

Siegel Barnett & Schutz LLP
is pleased to announce

Wade H. Schutz
as an associate attorney.

Siegel Barnett & Schutz LLP
415 S. Main Street, Suite 400
PO Box 490
Aberdeen, SD 57402

Phone: (605) 225-5420

Email: wschutz@sbslaw.net

NOTICE TO MEMBERS & STAKEHOLDERS ADMINISTRATIVE LAW COMMITTEE REVIEW OF SDCL Chapter 1-26 Administrative Procedures Act

The State Bar Administrative Law Committee is reviewing SDCL Chapter 1-26. The Committee may suggest changes to current statutes and may also consider model APA language.

The Committee is providing notice of this review to allow State Bar members and other stakeholders to provide input and make suggestions regarding the APA.

State Bar members or other stakeholders may contact Kody Kyriss, the Chair of the Administrative Law Committee, to provide input - Kody.Kyriss@state.sd.us

The first meeting will be scheduled online in late March 2026.

Please provide your contact information and email to Kody to receive notice of the meeting.

Thank you.

Woods, Fuller, Shultz and Smith, P.C
is pleased to announce
Jacquelyn A. Bouwman
& Jacob R. Schneider
have been named shareholders at the firm.

Woods, Fuller, Shultz and Smith, P.C.
300 S. Phillips Avenue, Ste 300
Sioux Falls, SD 57104

Phone: (605) 336-3890

www.woodsfuller.com

Notice

Effective January 1, 2025,
the law office of Zieser, Rothschild & Monger,
PLLC will dissolve.

Thereafter, the office will be known as

Zieser & Rothschild Law Office.

There will be no changes to the address or phone
number.

Marshall County Clerk of Courts address change:

MARSHALL COUNTY CLERK OF COURTS
911 VANDER HORCK
BRITTON, SD 57430

FOR SALE

Zieser & Rothschild Law Office is for sale. The
practice was started in 1955 by R. James Zieser.
Small town general practice law office located at
1711 Main Street, Tyndall, SD 57066.

Contact information:

Lisa Z. Rothschild
605-589-3333 or
lazrlaw@hcinet.net

NEW FEATURE AVAILABLE!

Members can now indicate on
their profile if they would like to
serve as a **mentor**.

If you're interested in
supporting and guiding other
members, simply update your
profile to let us know!



Thank You!

The State Bar of South Dakota extends our appreciation to all legislators for their public service.

We are fortunate to have several attorneys serving in our Legislature, including Lieutenant Governor and President of the Senate Tony Venhuizen, Sen. Amber Hulse, and House members Jon Hansen, John Hughes, Will Mortenson, Scott Odenbach, Matt Roby, Bethany Soye, and Mike Stevens.

The State Bar also thanks our members who offer guidance and assistance to our lawmakers.

The State Bar of South Dakota encourages its members to engage in civics education efforts and legislative advocacy in accordance with the Preamble to the South Dakota Rules of Professional Conduct, which states:

“A lawyer should cultivate knowledge of the law beyond its use for clients, employ that knowledge in reform of the law, and work to strengthen legal education. In addition, a lawyer should further the public's understanding of and confidence in the rule of law and the justice system because legal institutions in a constitutional democracy depend on popular participation and support to maintain their authority.”

The State Bar continues to conduct legislative activities that are germane to our core functions of regulating the legal profession and improving the availability and quality of legal services. These activities comply with the standards established in *Keller v. State Bar of California*.

This anecdote was submitted for publication in the newsletter by Past President John Blackburn of Yankton. Thank you, John.

HISTORY (part 1) 12/10/25

This happened years ago.

I was court-appointed for a fellow about 19 or 20 years of age. Police had his house surrounded. It was very cold with a foot of snow on the ground. The Police asked me to "talk him out." He was holed up in the basement with a gun, refusing to give up.

At the request of law enforcement, I went into the house and announced myself. I stood at the top of the basement stairs talking to him. He did not threaten to shoot me. It was about 5:30 p.m., so it was dark out. He wanted to call his girlfriend and would give himself up at 7 p.m. The police agreed. I left.

The police waited in their cars with heaters on because of the bitter cold. The defendant opened a side window of the house, slithered out in the deep snow, and escaped! I don't think he was ever caught or punished. He was in my office in November 2025, and we talked about his escape. He is now retired. He smiled as we both recalled the memory.

-John Blackburn

State Bar members are encouraged to submit items for potential publication in the State Bar newsletter by emailing Tailynn Bradford at tailynn.bradford@sdbar.net

Congratulations Justice Kern!

The State Bar of South Dakota congratulates
Justice Janine M. Kern
on her retirement from the South Dakota Supreme Court.
We thank Justice Kern for her years of distinguished public service
to our citizens and our Bar.
We wish her the best in her next chapter.

Justice Kern Retirement

A special thank you to Bob Mercer and KELOLAND Media Group for their cooperation in allowing us to republish this article.

PIERRE, S.D. (KELO) — Janine Kern was five years old when she knew she wanted to be a lawyer.

She did that, and much more, eventually rising to serve as one of five justices on the South Dakota Supreme Court.

Justice Kern became the third woman to serve on the state's high court when she was appointed in 2014. She announced in June that she would retire this year. That triggered a process established in the state constitution. The South Dakota Judicial Qualifications Commission took applications, conducted interviews and forwarded to the governor at least two names as candidates to succeed her.

On November 4, Governor Larry Rhoden announced he had chosen Circuit Judge Robert Gusinsky of Rapid City.

Kern speaks highly of her successor. People who have worked with Justice Kern during her legal career turned out for a ceremony honoring her on December 4, 2025. The gathering took place in the South Dakota Capitol's Supreme Court chamber, where the justices hear cases. Supreme Court Chief Justice Steven Jensen was among those who spoke in praise of her.

Gusinsky later took the oath as the South Dakota Supreme Court's newest justice. Swearing him in: Justice Kern.

Afterward, the Supreme Court issued an official statement about the ceremony, which was held in Rapid City: "Justice Kern administered the oath of office to Robert Gusinsky today at noon MST. Her term will end tonight at midnight. Justice Gusinsky will begin his duties thereafter. A ceremonial investiture will be held in the Rotunda of the Pennington County Courthouse on January 9, 2026, at 4:00 p.m. MST, with a reception to follow at the Rushmore Hotel."

Women as justices

It had taken more than a century for any woman to reach the South Dakota Supreme Court.

The first, Justice Judith Meierhenry, was appointed in 2002 by then-Gov. Bill Janklow. Meierhenry succeeded Justice Robert Amundson and served until her retirement in 2011.

The next woman to serve, Justice Lori Wilbur, was appointed in 2011 by then-Gov. Dennis Daugaard. Wilbur succeeded Meierhenry and served until 2017, when she retired.

The third, Justice Kern, was appointed in 2014 by then-Gov. Daugaard. She succeeded Justice John Konenkamp, who had retired. Kern's appointment meant that, for more than a decade, two of the court's five chairs were held by women.

The fourth woman to be named to the Supreme Court, Justice Patricia DeVaney, was appointed in 2019 by then-Gov. Kristi Noem. DeVaney succeeded Justice Steven Zinter, who had died in October 2018.

Kern's retirement means that DeVaney will be the lone female justice remaining.

Justice Kern sat for an interview with KELOLAND News on Friday in her office at the Capitol. She spoke highly of the state's court system, the Supreme Court justices with whom she had served, and the lawyers who have argued cases before her.

Growing up

Her grandfather, Paul Albert Kern, and her father, Paul James Kern, were lawyers in Lake Andes. Janine recalled going to their offices as a young girl and watching as they helped clients.

"They had a door between them, but they faced each other. And one's office looked like this and one was piled with papers. And so as soon as I got out of school, elementary school, I would rush to the office and sit in the waiting room. And it was in one of these old beautiful bank buildings in the small towns.

"And I'd sit in the waiting room and I'd watch the farmers and the ranchers and their friends come in and out with their boxes of tax records or with their problems. And I sat there as long as I was permitted in the law offices and watched them engage with the people that were their friends and serve them in the community.

"And by the time I was five, my grandpa had asked me,

what do you want to do when you grow up? And I told him, well, I want to be a lawyer, and I want to write for a newspaper. Maybe I'll start my own newspaper, and I'm going to call it the Bad Newser. And so they laughed about that for years. So that's really what led me into the law."

Kern also spoke with admiration about her mother, Patricia, who taught Janine to read before she was five. "Public service involves the entire family. I owe a great debt of gratitude to her and my father and my entire family," Kern said.

"She's a remarkable woman in her own right, having served as the assistant director of a healthcare facility for years, more than 20 years, where she really nurtured the members of our community with great love and attention like they were her own parents and family.

"And that spoke a lot to me. So I'm grateful."

A family tradition

In addition to her father and her grandfather being lawyers, her great-grandfather on her father's side was a county sheriff, as was her mother's grandfather. Her father was appointed a circuit judge in 1974 and served for two decades.

Janine received a bachelor of science degree from Arizona State University in 1982 and her juris doctor from the University of Minnesota Law School in 1985. She returned to South Dakota and was hired that year as a lawyer in the state Office of Attorney General. The attorney general at the time was Mark Meierhenry, who was married to the future Supreme Court justice.

"And Mark mentored me as he did so many other young lawyers. He was just a remarkable man," Kern said.

Her first work for the AG's office focused on appellate cases. She argued 10 cases before the Supreme Court.

"I can tell you it's now, looking back, it's easier to be on this side of the bench than that one, which is why I have great compassion for the preparation, the skill, the diligence, and the integrity of the lawyers that appear in front of us. It's a lot of work, and they do a great job," Kern said.

Appointment as circuit Judge Roger Tellinghuisen

was elected attorney general in 1986. "He started the DARE program, and we became worried about methamphetamine trafficking, and we started the drug unit. Later, by '93, I became the director of the criminal litigation unit and started trying homicide cases. and other high-profile cases, which I did for three years. And at that time, Justice Devaney had also joined the Attorney General's office and was also in the litigation division," Kern said.

Janklow, a long-time friend of the Meierhenrys, had been attorney general before he was elected governor in 1978. Kern applied for a circuit judge vacancy and Janklow, who in 1994 had won a third term as governor, appointed her in October 1996. Her father, Circuit Judge Kern, administered her oath.

Based in Rapid City, Circuit Judge Janine Kern served the western counties of Pennington, Oglala Lakota, Fall River and Custer for 18 years.

"And during those years, I saw pretty immediately the needs of the people appearing before the court in the family law arena and in the juvenile justice arena. And so I threw my efforts into working on behalf of the juvenile justice cases that were coming in front of the court," she said.

South Dakota at the time was not in compliance with the federal Juvenile Justice and Delinquency Prevention Act. Susan Randall from South Dakota Voices for Children was working on the issue with Judge Kern and others.

Assisted by funding from the federal Office of Juvenile Justice Delinquency Prevention, and with collaboration from the state courts, officially known as the Unified Judicial System, and the administrations of Governor Mike Rounds and then Governor Daugaard, South Dakota eventually came into compliance. South Dakota was the second to last state to do so.

Kern said she focused on juvenile issues during her time as a circuit judge.

Kern said she also worked "a very active trial docket" during that time, presiding over 175 jury trials and "hundreds and hundreds" of court cases.

"I loved those years. I loved engaging with the lawyers

and watching them exhibit their great skill and dedication on behalf of their clients. It's a very active criminal docket there," she said.

Succeeding Justice Konenkamp

In 1994, Gov. Walter Dale Miller had appointed Circuit Judge John Konenkamp of Rapid City to the Supreme Court. Justice Konenkamp served 20 years and stepped down in 2015 after reaching the mandatory retirement age of 70 set in state law.

As Justice Konenkamp's successor, Gov. Daugaard chose Judge Kern. She spoke highly of her predecessor.

"He left enormous shoes to fill, and made enormous contributions to this court, both in his scholarship and his collegiality and in his leadership," Kern said.

Once again, her father, now a retired circuit judge, administered the oath to the new justice.

Asked to identify notable cases in which she had participated as a justice, Kern declined. She said every citizen or party who loses in circuit court has the right to appeal to the South Dakota Supreme Court. Every case that goes before the Supreme Court receives great attention to detail, according to Kern.

"We treat them all with the same degree of care and exactitude in determining the law that applies to the case. So I hesitate to talk about individual case names, but it's the types of cases that are heard at this level that are so important to the law and to the people of the state," she said.

Changes on the bench

Kern has served during a time that has seen the rise of women as lawyers and as judges in South Dakota.

"I owe a debt of gratitude to the women jurists who came before me. When I started practicing law in 1985, there was not one woman circuit court judge on the bench," Kern recalled.

At the time, the state's first woman circuit judge, Mildred Ramynke, was preparing to retire in 1986.

"Today there are 19," Kern said.

There are seven circuits, and four of them have women serving as the circuit's presiding judge. They are Cheryle Gering in Yankton, Robin Jacobson Houwman of Sioux

Falls, Christina Klinger of Pierre, and Heidi Lingren of Rapid City.

"Her service was so exemplary," Kern said about Judge Ramynke. "She was the first woman circuit court judge and the first to sit on cases with the Supreme Court."

Judy Meierhenry was the next woman, in 1988, to be appointed a circuit judge after Ramynke. Next came Kathy Caldwell of Sioux Falls in 1993 and Kathleen Trandahl of Winner in 1994.

Meierhenry went on to the Supreme Court. "And she was really a pioneer in many ways," Kern said.

During Kern's nearly 11 years as a justice, the Supreme Court's five seats have completely turned over. Justice Jensen succeeded Justice Wilbur in 2017.

Justice Mark Salter succeeded Justice Glen Severson in 2018. Justice DeVaney succeeded the late Justice Zinter in 2019.

And Justice Scott Myren succeeded Chief Justice David Gilbertson in 2021, opening the way for a new chief, Justice Jensen. Kern departs the high court as its senior member.

What's next

Kern is retiring several years ahead of the mandatory 70.

"Well, I have been in state government for 40 years, actually 40 and a half. And unfortunately, time stops for no man or woman. And my good husband (Greg Biegler) is a few years older than I am, and I have other family members, and particularly my mother and other family members who I would enjoy spending more time with," Kern explained.

"And this is a very demanding job," she continued. "It's all-consuming to do it right. You really need to pour your strength, your efforts, your time, your attention, your scholarship into studying the law. This is a scholastic court, a dedicated, hardworking court of friends who are very serious about the work and about doing an excellent job on behalf of the people. So I look forward to, I want to continue to serve in some other capacity." Kern said she will be available to sit on Supreme Court cases when a current justice has a conflict of interest.

She stands confident in the Supreme Court's direction.

"This has been an enormous privilege to serve the people of this great state that I love. It's been the greatest privilege of my professional life. My replacement, who's been selected by the governor, Robert Gusinsky, will do an excellent job. He's a very competent lawyer and circuit judge, and the people of the state are in good hands with this court, which is a court of friends, a collegial court, a hardworking court, and under great leadership with the chief justice.

"And I say the greatest privilege of my professional life because the greatest privilege of my personal life is being married to my good husband," Kern said.



Newly appointed Supreme Court Justice Robert Gusinsky and Justice Janine M. Kern (Ret.)



Justice Kern's husband Greg Biegler, Justice Kern, and Justice Patricia J. DeVaney



Circuit Court Judge M. Bridget Mayer hugs Justice Kern



Justice Kern at her retirement ceremony on December 4, 2025, in Pierre

YOU ARE INVITED TO THE



Retirement Party
HONORING
Justice Janine M. Kern

THURSDAY

22

JANUARY

2026

5:00 to 7:30 p.m. MST

Program at 6:00 p.m. MST

DoubleTree by Hilton

505 N. Fifth St., Rapid City, SD 57701

Heavy Hor d'oeuvres Provided
Hosted by Pennington County Bar & Justice Kern

Retirement Party

HONORING

Justice Janine M. Kern

RSVPs Greatly Appreciated



Scan the QR code to RSVP

If the QR code does not work,

use the following URL

<https://forms.gle/HBZ1gTTKe9iGZj497>

Cards may be sent to
PO Box 58, Rapid City, S.D. 57709

CERTIFICATE OF COMPLIANCE

INSTRUCTIONS

The certificate of compliance for calendar year 2025 must be submitted to the State Bar of South Dakota by **January 31, 2026**.

IMPORTANT INFORMATION concerning compliance with trust accounting records and procedures, including the reporting form, appear immediately following this notice. All attorneys who were "ACTIVE members" of the State Bar of South Dakota in 2025 must file the compliance form with the State Bar no later than January 31, 2026. This rule includes retired lawyers, lawyers engaged in teaching, banking, insurance, full-time government employees, etc. This reporting requirement does NOT include those who were "inactive members" in 2025, nor does it include Judges (Federal or Unified Judicial System) who are full time and did not have private clients. Thank you.

State Bar of South Dakota

TRUST ACCOUNT COMPLIANCE FORM INSTRUCTIONS

Immediately following these instructions, a model form has been reproduced. The form may be modified to accommodate multiple signatures where a number of or all partners in a law firm utilize a single trust account. Please type the name of the sole practitioner or, if using a common firm trust account, the names of all lawyers utilizing the trust account. For the balance of the form, fill in the blanks, check the spaces, or leave blank or mark n/a where appropriate.

- 1 - check (a), (b), or (c) if applicable
- 2 - self explanatory (usually appropriate for inactive or retired members)
- 3 - self explanatory (usually exclusive or full-time corporate, legal aid, or public sector lawyer. Please identify the employer.)
- 3(a)- self explanatory (usually appropriate for part-time Bankruptcy trustees)
- 4 - self explanatory (usually appropriate for the employee or associate of a law firm who does not have trust account writing authority.) At this point, inactive, retired, full-time corporate, legal aid, or public sector lawyers, and associates without trust account check writing authority may sign the form and stop.

All others should have trust accounts and must provide the following information:

- 5 - state the name, address, and account number of trust account financial institution.
- 6 - the blanks should be completed with the most recent monthly trust account reconciliation.

Keep in mind monthly reconciliations are required. For example, if this form were completed on 1-15-25, you would insert the closing date of the most recent bank statement (i.e. 12-31-24).

6(a)-(h), and 7 - type or print yes or no in space provided. If you can answer "yes" to each of these questions, you are in compliance with SDCL 16-18-20.2. If you must answer any of these in the negative, you need to make changes in your trust accounting system. A negative answer will result in further inquiry.

8 - This question merely requires you to confirm that a monthly reconciliation was performed and if there were errors/inconsistencies in the reconciliation, to explain the same. It is not too late to perform monthly reconciliations through the date of completion of this form and monthly reconciliations must be performed prospectively.

Occasionally, trust accounts have an odd amount, such as \$4.54, which has been in the account for years and the client has disappeared. The compliance report should so note the amount and reason (lawyer unable to disperse the sum of \$4.54 belonging to a client because the client is not able to be located).

Thereafter, if the amount remains constant (\$4.54 as in this example), no further explanation is necessary in subsequent compliance forms.

The rule does not require, nor do we want, the amounts held in trust, the identities of clients, or any other confidential information. If all partners in a law firm use a common trust account, one form may be submitted provided all partners sign the form. Please type your name under your signature. This will avoid phone calls or letters trying to ascertain who signed the forms.

All lawyers must submit the compliance form no later than January 31, 2026. **Please submit compliance forms after reviewing your December bank statements.** If you have questions, please give us a call. Thank you.

2025 CERTIFICATE OF COMPLIANCE

TO: The Secretary-Treasurer, **The State Bar of South Dakota, 111 West Capitol Avenue, Suite 1, Pierre, SD 57501**

Dear Sir: I/we (Please list all persons signing the form here) _____

member(s) of the State Bar of South Dakota certify that during the 12-month period preceding the date of this report:
(Check the following items where applicable and/or fill in the blanks.)

1. I (we) have engaged in the private practice of law in South Dakota as:

(a) a sole practitioner;
 (b) a partner or shareholder of a firm practicing under the name of _____;
 (c) an associate of a sole practitioner or of a firm, as the case may be, practicing under the name of _____;

and I maintain separate books, records, and accounts showing all legal business performed by me.

2. I have not engaged in the practice of law in South Dakota, and I have neither handled nor been responsible for either clients' trust funds or clients' trust property in South Dakota.

3. I have practiced law in South Dakota exclusively as an employee of (designate name of government agency, corporation, or other non-member of the Bar) _____
and I do not handle or become responsible for money or property in a lawyer-client relationship, other than money or property received in the course of official duties and disposed of in accordance with regulations and practices of (designate name of government agency).

a. I have served as a trustee in one or more cases under Title 11 of the United States Code, and I am accountable for all funds I handled in connection therewith to the Office of the United States Trustee, which office is statutorily charged with the responsibility for reviewing and supervising my trust operations; therefore, my handling of such funds is not separately accounted for herein in connection with my private practice of law, and I further certify that I am in compliance with all such accounting requirements of said Office.

4. I have engaged in the practice of law in South Dakota as an employee or as an associate of a sole practitioner or of a firm, as the case may be, practicing under the name of _____
and to the best of my knowledge all legal business performed by me is shown in the books, records and accounts of such sole practitioner or firm.

(Only lawyers checking categories 2, 3, 3a, or 4 may sign below. See instructions.)

(Signature)

Full Name (Print or Type)

Business Address

City, State, Zip

Date _____, 2026

Please state the total number of hours of pro bono service, as defined by the South Dakota Rules of Professional Conduct 6.1, that you (or the whole firm) provided in 2025. Enter 0 if none. Total Hours: _____.

Rule 6.1. Voluntary Pro Bono Public Service

A lawyer should render public interest legal service.

A lawyer may discharge this responsibility by: (a) providing professional services at no fee or a reduced fee to persons of limited means or to public service or charitable groups or organizations; or (b) by service without compensation in public interest activities that improve the law, the legal system or the legal profession; or (c) by financial support for organizations that provide legal services to persons of limited means.

(Attorneys checking categories 1a, 1b, or 1c must answer the following questions. See instructions.)

5. My (our) trust account(s) or the trust account(s) of the firm or association of which I am a partner or shareholder is (are) at the (name and address of banking institution) _____

(and bears the following name(s) and number(s))

6. During the fiscal period ended December 31, 2025, to the best of my (our) knowledge I (we), or the firm of which I am a member, as the case may be, maintained books, records and accounts to record all money and trust property received and disbursed in connection with my/our practice, and as a minimum I/we maintained:

- a. A separate bank account or accounts located in South Dakota, in the name of the lawyer or law firm and clearly labeled and designated a "trust account." _____ (Yes or No) (*An out of state member may strike "South Dakota" and insert the state where his/her trust account is located.*)
- b. Original or duplicate deposit slips and, in the case of currency or coin, an additional cash receipts book, clearly identifying the date and source of all trust funds received, and specific identification of the client or matter for whom the funds were received. _____ (Yes or No)
- c. Original canceled checks or copies of both sides of the original checks produced through truncation or check imaging or the equivalent, for all trust disbursements. _____ (Yes or No)
- d. Other documentary support for all disbursements and transfers from the trust account. _____ (Yes or No)
- e. A separate trust account receipts and disbursements journal, including columns for receipts, disbursements, and the account balance, disclosing the client, check number, and reason for which the funds were received, disbursed or transferred. _____ (Yes or No)
- f. A separate file or ledger, with an individual card or page for each client and matter, showing all individual receipts, disbursements and any unexpended balance. _____ (Yes or No)
- g. All bank statements for all trust accounts. _____ (Yes or No)
- h. Complete records of all funds, securities and other properties of a client coming into my/our possession, and rendered appropriate accounts to my/our clients regarding them. _____ (Yes or No)

7. During the same fiscal period identified in section 6 above, I, or the firm of which I am a member, complied with the required trust accounting procedures, and as a minimum I/we prepared monthly trust comparisons, including bank reconciliations and an annual detailed listing identifying the balance of the unexpended trust money held for each client or matter. _____ (Yes or No)

8. In connection with section 7 above, I or the firm of which I am a member, have completed the following procedures during the fiscal period herein: compared each month the total of trust liabilities and the total of each trust bank reconciliation, and there were (check one of the following)

- _____ no differences between the totals, excepting those determined to be the result of bank error;
- _____ differences. (Give full particulars below, identifying the months in which there were differences, the amounts involved, and the reason for each item contributing to a difference. Attach additional pages if necessary.)

9. a. _____ The undersigned lawyer(s) do not have professional liability insurance; (***If you checked box 9(A), you must attach a representative copy of the letterhead you used to disclose the lack of insurance to your clients.***) or

b. _____ The undersigned lawyer(s) have professional liability insurance, the name of the insurance carrier, policy number and limits are as follows: _____

10. If you are a solo practitioner, have you made arrangements with another lawyer to secure your files and trust account and protect your clients in the event of your death or disability? Yes _____ No _____

(This is not currently a requirement, but very much encouraged. Please check out the state bar website for checklists and forms for solo practitioners planning for unexpected death or disability.)

I am a member of the State Bar of South Dakota filing this report, and to the best of my knowledge and belief the facts as reported herein are accurate, and I certify that I have at all material times been in compliance with Rule 1.15 of the Rules of Professional Conduct entitled Safekeeping Property and SDCL 16-18-20.1 and 16-18-20.2.

(All partners, shareholders, or associates checking categories 1a, 1b, or 1c must sign here. Attach additional signature pages if necessary.)

(Signatures)

(Printed Name)

2026

Date

Additional signature and attachment is needed if responding lawyer checked box 9(A) : The undersigned lawyer(s) not having insurance, do hereby certify that pursuant to Rule 1.4(c), I have advised my clients of the lack of professional liability insurance during the reporting period and I have attached hereto a copy of my law office letterhead disclosing the lack of insurance, in the required format, pursuant to Rule 7.5 of the Rules of Professional Responsibility.

All Responding Lawyer Signatures:

2026

Date



BAR STAR

SERIES

Turner J. Blasius

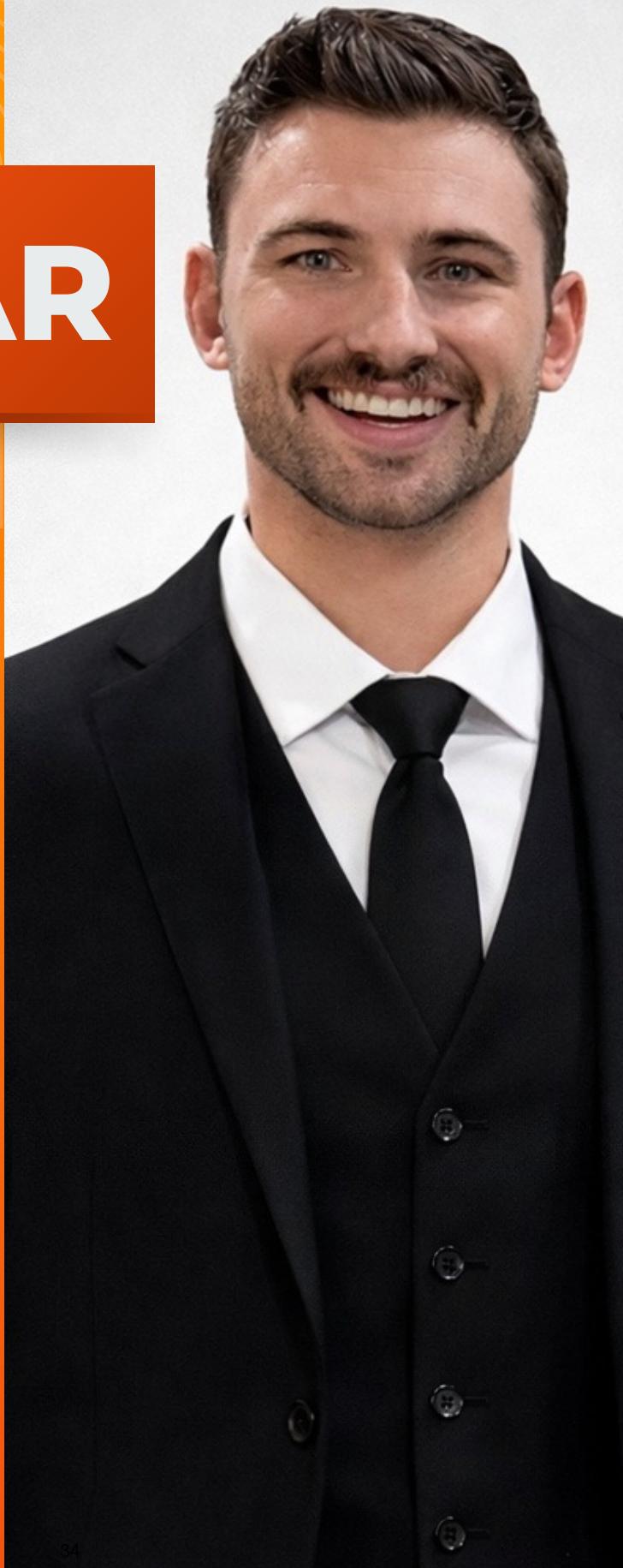
This month's Bar Star is honored for their dedication and impact in the profession and community:

Turner held an Agriculture Seminar on December 4, 2025, on how the One Big Beautiful Bill impacts the agriculture industry. The seminar covered farm programs, crop insurance, disaster relief, tax expensing, biofuels, farmland succession, and more. He focuses his practice mainly on general litigation at GPNA, LLP in Pierre. In addition to being a new member of the Agricultural Law and Project Rural Practice Committees, he volunteers in his community as a high school wrestling coach.

What legacy do you want to leave through your service?



@Statebarofsouthdakota_1931



TURNER J. BLASIUS

Congratulations 2ND CIRCUIT LAW CLERKS



KELSEY MILFORD (LEFT)

PEYTON GARBER (RIGHT)

LIVE

COMMITTEE APPOINTMENTS WILL BE MADE IN APRIL
PLEASE SUBMIT YOUR COMMITTEE PREFERENCES BY MARCH 15, 2026

State Bar of South Dakota

COMMITTEE PREFERENCE

Form



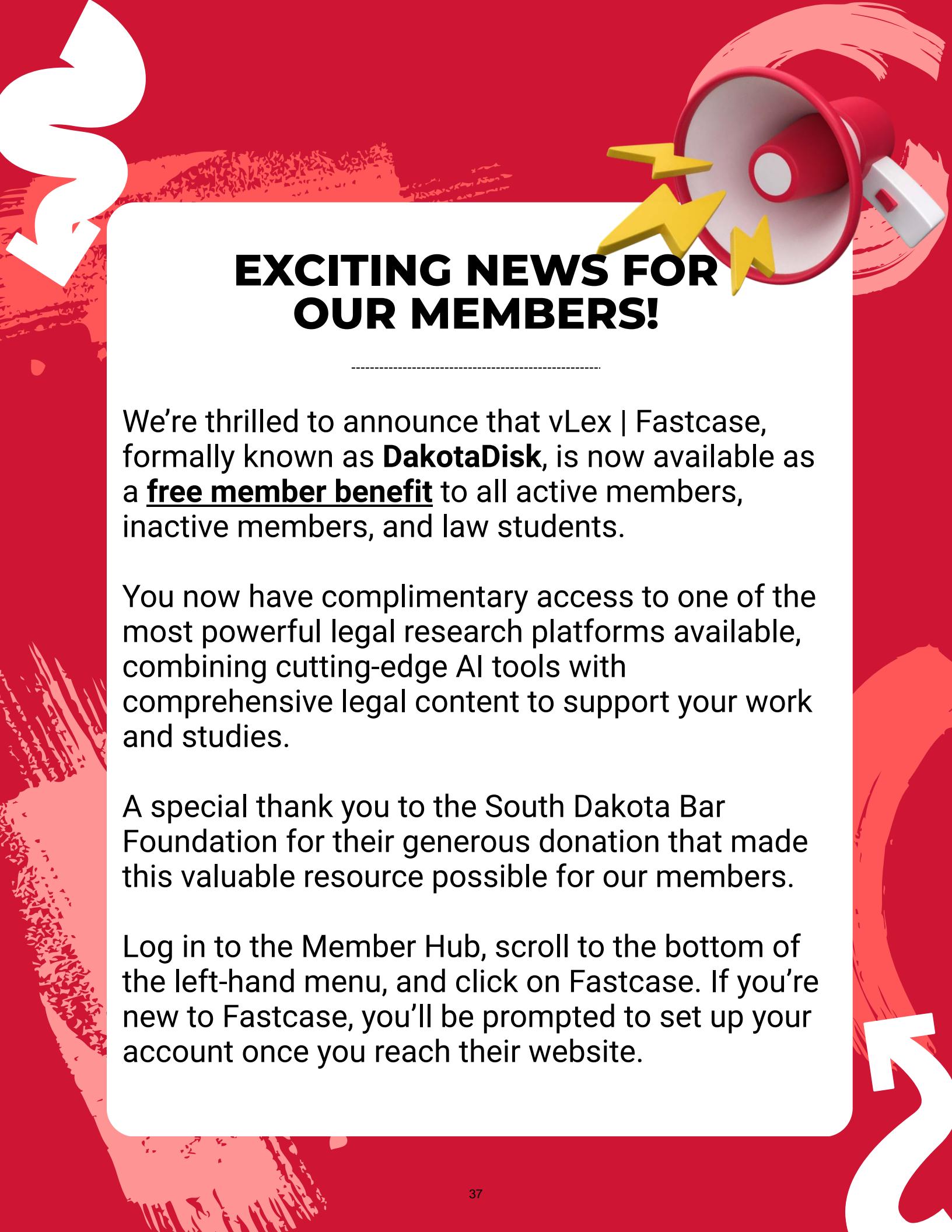
TO ACCESS THE
PREFERENCE FORM

**CLICK
HERE**

Get involved!

New and returning members
welcome.

January–March
2026



EXCITING NEWS FOR OUR MEMBERS!

We're thrilled to announce that vLex | Fastcase, formally known as **DakotaDisk**, is now available as a **free member benefit** to all active members, inactive members, and law students.

You now have complimentary access to one of the most powerful legal research platforms available, combining cutting-edge AI tools with comprehensive legal content to support your work and studies.

A special thank you to the South Dakota Bar Foundation for their generous donation that made this valuable resource possible for our members.

Log in to the Member Hub, scroll to the bottom of the left-hand menu, and click on Fastcase. If you're new to Fastcase, you'll be prompted to set up your account once you reach their website.

PUBLIC NOTICE

REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current appointment of Magistrate Judge N. Bob Pesall is due to expire on April 19, 2026. Magistrate Judge Pesall serves in the Third 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 N. Bob Pesall 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 January 18, 2026.

PUBLIC NOTICE

REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current appointment of Magistrate Judge Janki Sharma is due to expire on June 10, 2026.

Magistrate Judge Janki Sharma serves in the Seventh 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 Janki Sharma 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: March 10, 2026

USD Knudson School of Law

2025-26 Career Events



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

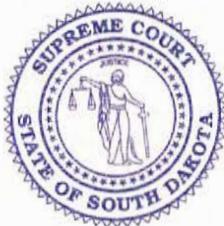
Spring Events:

Feb 5-6 * Spring On-Campus Interview Round 1

TBA Spring Career Fair

March 12-13 * Spring On-Campus Interview Round 2

- All fall and spring OCIs will take place at the ID Weeks Library due to renovations. Scan the QR code above or [visit HERE](#) to register for any OCI. You may need to create an account first. Watch [THIS VIDEO](#) to help you post your position(s).
- Email Teramie.Hill@usd.edu with any questions.



Supreme Court

STATE OF SOUTH DAKOTA

Steven R. Jensen
CHIEF JUSTICE

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

To All Members of the State Bar:

In February 2025, the Mandatory CLE Study Committee recommended a proposal for CLE requirements for the South Dakota Bar. The Committee's recommendations included the following:

1. Members should receive 20 hours every two years.
2. The State Bar will continue to provide free CLE classes to allow members to obtain required CLE hours with limited or no additional costs.
3. Members will track their CLE hours and provide documentation showing attendance upon request.
4. State Bar staff will work with our member management system provider, GrowthZone, to provide assistance to members with CLE recordkeeping.
5. Members will be allowed to obtain CLE credits via online resources, and from sources other than State Bar CLEs.
6. The requirements should allow members to easily track compliance and allow for compliance at no cost, or very low cost.
7. Potential implementation of mandatory CLE requirements should occur no earlier than 2027.

The Committee's recommendations were considered by membership at the Annual State Bar Meeting in June, and following robust discussion of the issue, the majority of members in attendance voted to approve the recommendations.

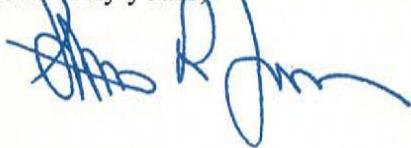
As the regulatory body for the legal profession in South Dakota, the Supreme Court is ultimately responsible for the decision on mandatory CLE, as well as the elements of such a program. Given the significant change mandatory CLE would represent, the members of the Court believe it is important that our consideration of mandatory CLE and the rules for such a program be transparent and that the Bar be given opportunities for ongoing comment and input. Toward that end, I have worked with the State Bar to appoint a committee to begin the process of drafting rules for the Bar, and ultimately the Court to consider. The members of the MCLE Rule Drafting Committee are:

- Justice Mark Salter, Chair
- Judge Craig Pfeifle, Retired
- Judge Julie Dvorak
- Rory King
- Dennis Duncan
- Jamie Simko
- Paul Bachand
- Justin Johnson
- Kristen Edwards
- Tamara Nash
- Rachelle Norberg
- Dean Neil Fulton, Ex-officio

We anticipate that the Rule Drafting Committee will develop proposed rules for mandatory CLE that will be available for comment and discussion at the June 2026 State Bar Convention in Sioux Falls. During this process, I would encourage you to reach out to the Committee members with questions or input. The Court does not at this time have a timeline in mind for considering whether to proceed with mandatory CLE or the rules for such a program, but any such program would not go into effect until at least 2027. I certainly intend to update the Bar on any timeline for the Court as this process moves forward.

I want to thank the members of the Rule Drafting Committee for agreeing to take on this project. We look forward to continued discussion and input from the Bar throughout the process.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "S. R. Jensen".

Steven R. Jensen
Chief Justice



State of South Dakota Unified Judicial System



Office of the State Court Administrator

Telephone: (605) 773-3474
FAX: (605) 773-8437

500 East Capitol Avenue
Pierre, SD 57501-5070

November 19, 2025

Mr. Paul Cremer
State Bar of South Dakota
111 W. Capitol Avenue, #1
Pierre, South Dakota 57501

RE: 2026 Court-Appointed Attorney Fees and Mileage

Dear Mr. Cremer:

Please publish the following announcement in the December 2025 issue of the State Bar Newsletter:

“Court-appointed attorney fees for 2026 will be \$122 per hour pursuant to UJS policy which provides that these fees increase in an amount equal to any cost of living increase approved for state employees by the Legislature. Mileage for court-appointed attorneys will be paid at the rate of \$1.00 per mile.”

Note: This is for trial level services but should be utilized for appellate work as well pending adoption of rules promulgated by the Commission on Indigent Legal Services.

If you have any additional questions, please feel free to contact me.

Sincerely,

Greg Sattizahn
State Court Administrator

Our Mission: Justice for All

Our Vision: We are stewards of an open, effective, and accessible court system, worthy of the Public's trust and confidence.



Save the Date

GRAND GALA

June 26, 2026 | Sioux Falls, SD

Social Hour & Dinner to follow the State Bar Annual Convention

125TH ANNIVERSARY STEERING COMMITTEE

Cash Anderson
Pat Goetzinger
Cynthia Mickelson
Janel Dressen
Trent Arlint
Tove Hoff-Bormes
Jeff Roby
Kevin Spencer

Katey Ulrich
Judge Camela Theeler
Paul Cremer
Lindsey Riter-Rapp
Jack Hieb
Cassidy Stalley
Cortni Bowman
Judith Meierhenry

Judge Eric Schulte
Conrad Tanyi
Art Rusch
AJ Franken
Professor Patrick Garry
Sarah Kammer
Lori Wilbur
Chief Justice Steven Jensen



2026 SDYLS SPRING BOOTCAMP

MARCH 13, 2026



Deadwood Mountain Grand Hotel

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MORE INFORMATION TO FOLLOW

REGISTER



PRESENTATIONS
BY EXCLUSIVE
SPEAKERS

STATE BAR OF SOUTH DAKOTA



YOUNG LAWYERS SECTION

The AllOne Health App— Instant Access to Your Assistance Program

Taking care of your mental health should be simple, supportive, and always within reach. That's why we created the AllOne Health App—to make it easier than ever for you to access the care you need, when you need it.

Whether you're navigating life's challenges, looking for resources, or just need someone to talk to, we're here to help.

WHAT YOU'LL FIND INSIDE THE APP

Virtual Counseling Made Easy

Self-schedule virtual counseling sessions directly through the app.

Izzy, Your AI Mental Health Navigator

Receive guidance and personalized support in real time.

On-Demand Self-Help Resources

Explore self-guided therapy (iCBT), articles, videos, assessments, and tools.

Real Human Support

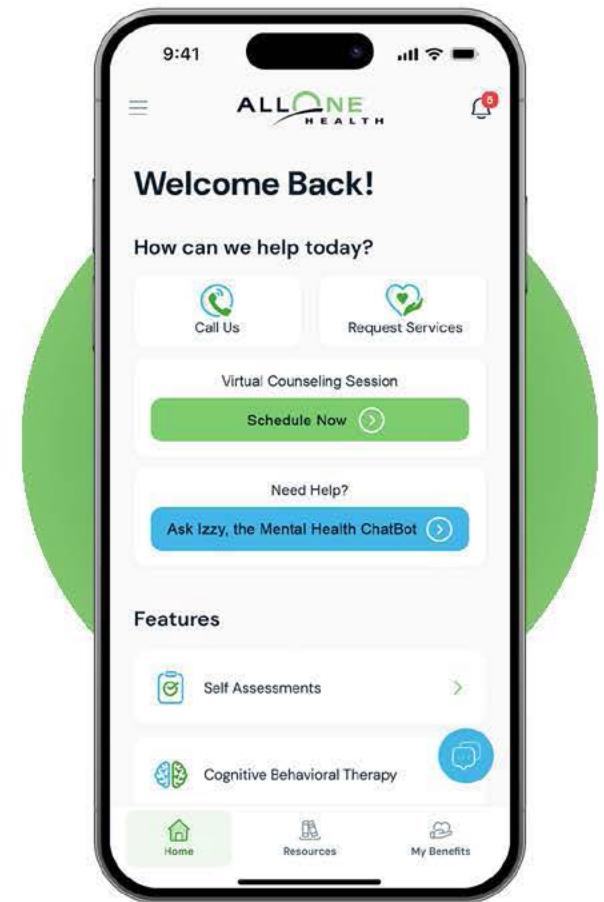
24/7 live assistance is always just a tap away when you want to speak to someone.

HOW IT WORKS

1. **Download the AllOne Health App** from the [Apple App Store](#) or [Google Play Store](#).
2. **Sign Up** using your existing member portal access code. You'll still have access to the member portal. However, the new AllOne Health App makes accessing care and requesting support easier and more convenient.
3. **Start Exploring** – Book sessions, chat with Izzy, and discover resources that support your whole health.

Download the App and Take the First Step

No matter where you are in your journey, support is here—because your mental health deserves care that's easy to access, always available, and built around you.



Contact AllOne Health

Call: (888) 243-5744

Visit: www.sandcreekeap.com

Code: sdhelp



A Risk Management Checklist for Lawyers Who Wish to Share Office Space

Entering into an office sharing arrangement can be quite beneficial for all involved, particularly if all the associated ethical, malpractice, and insurance coverage concerns are responsibly addressed up front. Here's one reason why. Malpractice policies typically exclude coverage for all claims that arise out of or in connection with any act, error, or omission committed by an attorney with whom an insured shares office space and who is not an insured under the insured's policy. Stated another way, if your independent office mate gets sued for malpractice and you are named in that suit and were not involved with or even aware of the client who filed that suit, your policy would provide no coverage for this claim. Unfortunately, this is one of the risks that just comes with a decision to share office space. The good news is the risk of having to deal with something like an uncovered claim can be mitigated. The following checklist can help you get there.

Review applicable state bar ethics opinions on office sharing to make certain the arrangement and all internal policies and procedures are compliant with your ethical obligations.

Focus on Clear Indicia of Separation to Avoid Becoming a "Firm by Estoppel"

- No common advertising or shared branding! All signage, letterhead, business cards, directory listings, websites, and any other advertising should never make it appear that the lawyers in the shared

space are practicing together. This means terms such as "association," "affiliated," or "of counsel" should not be used unless those wanting to use such terms intend to hold themselves out as a firm.

- Each separate practice should have a distinct firm name, email domain, logo, phone number (where possible), and web presence.
- Mandate the use of engagement agreements by all that clearly state each lawyer in the shared space operates as an independent law practice.
- Maintain separate trust accounts and operating accounts.

Prioritize Confidentiality and Information Security

Physical Premises

- Maintain separate lockable offices, file cabinets, and storage spaces.

Internal Policies and Procedures

- Prohibit common staff personnel from opening mail, taking detailed messages, receiving or sending faxes and substantive email or text messages in order to avoid the loss of attorney-client privilege.
- Ensure clients cannot overhear privileged discussions by establishing an office wide policy that prohibits the following:
 - Talking about client matters near or in any public space to include the reception area,

conference rooms, and hallways;

- Leaving client file materials in any shared space such as a conference room, kitchen, or breakroom;
- Leaving client file materials in places like an unlocked shredding bin, common garbage can, or a shared fax machine;
- Leaving office doors open when visiting with a client in person or on the phone.

• Prohibit separate practitioners from taking on common clients absent a formal co-counsel agreement.

• Establish a process for conflict checks and prohibit separate practitioners from taking on adverse parties absent client consent obtained in advance and in writing.

Technology & Digital Security

- Password protect all computers and mobile devices in accordance with the provisions of a strong password policy.
- No shared networks absent network segmentation, firewalls, and strict access controls.
- Maintain separate email systems, case-management software, cloud storage, and backups.

Reception & Support Staff

- Require signed confidentiality agreements with all staff.
- Train staff on how to avoid cross-disclosure of information and appropriately handle misdirected calls, mail, or other client communications.
- Ensure that shared staff never open mail or have access to any confidential or privileged information.

- Ensure that reception staff never introduce the lawyers as being “with the same firm.”

Have a Written Office Sharing Agreement

- Risk Management Issues Worth Addressing Include:

- Establishing who has a say in deciding who can practice in the shared space and under what conditions and who will handle the administrative responsibilities of any shared staff.
- Establishing who will be responsible for the purchase, maintenance, repair, and replacement of shared office equipment and furnishings.
- Setting forth dispute resolution procedures, termination rights, notice periods, and exit obligations.
- Requiring that everyone purchase and maintain an appropriate level of malpractice coverage.



Authored by: Mark Bassingthwaigte, ALPS Risk Manager



Since 1998, Mark Bassingthwaigte, Esq. has been a Risk Manager with ALPS, an attorney's professional liability insurance carrier. In his tenure with the company, Mr. Bassingthwaigte 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. Bassingthwaigte 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.



988 | SUICIDE & CRISIS
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- ...about depression or anxiety
- ...if you're concerned about a loved one
- ...if you need resources for substance use or mental health
- ...if you're having thoughts of suicide

Counselors at the Helpline Center answer the 988 Lifeline for South Dakota. 988 provides support, connections and hope during a mental health or substance use crisis. People can call, text or chat 988 for themselves or if they are worried about a loved one who may need support. **Available 24/7.**



helplinecenter.org/9-8-8



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

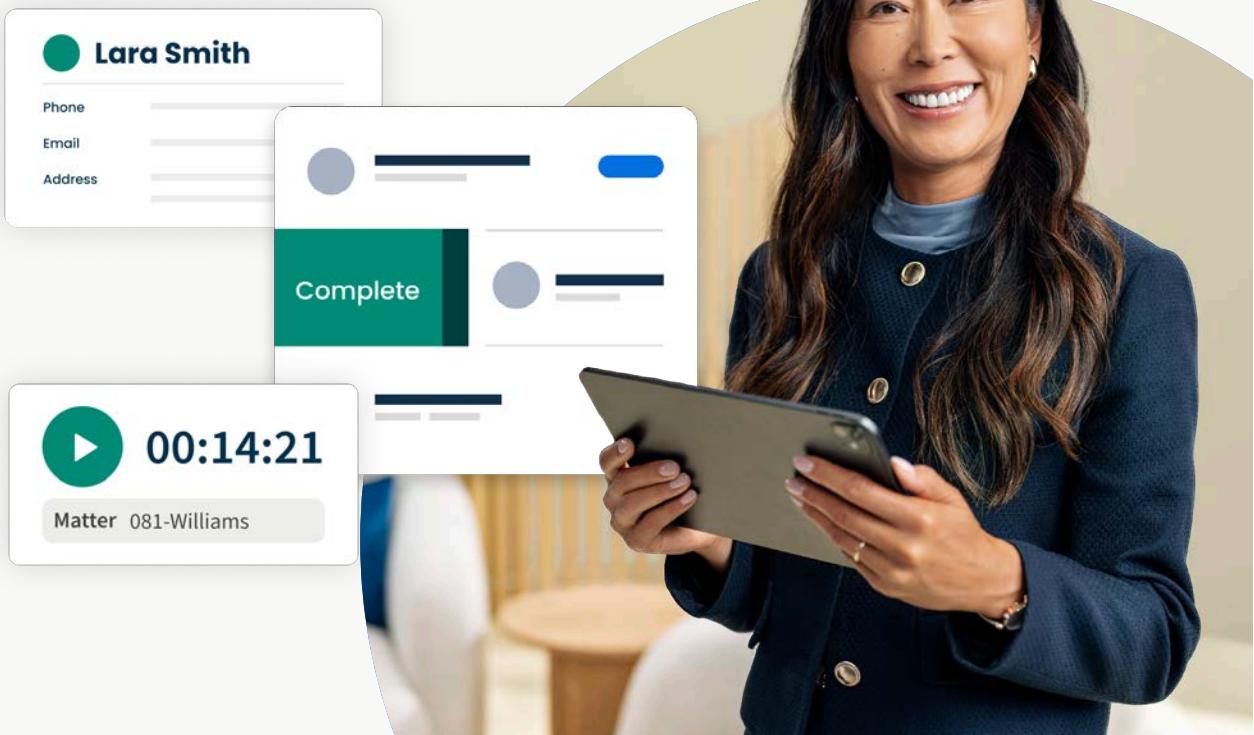


<https://statebar.typeform.com/mentorship>



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[Book a Demo](#)

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 DEBATEABLE 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 INVIOLENTE 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.

CREED OF PROFESSIONALISM AND CIVILITY

Preamble

A lawyer should demonstrate civility, personal courtesy, dignity, respect and professional integrity when interacting with the public and participating in the legal system. As we vigorously represent our clients, we must honor our obligations to the administration of justice, resolving disputes in a rational, diplomatic, and efficient manner. We must remain committed to the rule of law as the foundation for a fair and peaceful society.

While our State's Rules of Professional Conduct are instructive, they cannot address all of the various circumstances and conflicts that arise. The following standards are designed as a guide for lawyers and judges when interacting with each other, with litigants and with the public. Lawyers are expected to adhere to these standards as a commitment to justice and the rule of law.

Creed

As lawyers licensed to practice in South Dakota, admitted to the State Bar of South Dakota and/or admitted pro hac vice to appear in a matter before any Court in South Dakota, we will at all times adhere to the following:

1. We will treat participants of the legal system with civility, dignity and courtesy in court, as well as in all communication.
2. We will refrain from using hostile, demeaning or humiliating words in written and oral communications with adversaries.
3. We will continue to prioritize the inclusion and active participation of lawyers (and law students) from all backgrounds, identities and circumstances.
4. We will avoid impermissible *ex parte* communications with the court.
5. We will not intentionally mislead the court in oral or written communications.
6. In court, we will be punctual and prepared. We will not engage in conduct that is disorderly or disruptive and will instruct our clients and witnesses to act accordingly.
7. We will consult with other counsel concerning scheduling and deadlines prior to bringing such issues to the court. We will not unilaterally schedule hearings, depositions or similar matters.
8. We will not assert improper conduct on the part of other counsel without good cause and an adequate factual basis.
9. When agreements are reached, we will adhere to the agreement and accurately and in good faith memorialize the agreement in writing.
10. We will draft orders that accurately and completely reflect the court's ruling.
11. We will not time the filing or service of motions or pleadings with an attempt to unfairly limit another party's ability to respond.
12. We will explain to our clients that cooperation, civility and fair dealing are expected in the legal system.
13. We will advise our clients that we reserve the right to grant accommodations to other counsel in matters not directly affecting the merits of the case or prejudicing their rights.
14. Discovery requests will be drafted without harassment or placing undue burden on the other party. Further, we will instruct our clients that they must fully and honestly respond to discovery requests.
15. When there is a potential for settlement, we will timely confer with our client and other counsel and not purposefully delay negotiations.
16. We will in good faith stipulate to undisputed matters.
17. We will strive to abide by previously scheduled dates for trials, hearings, depositions, meetings and conferences.



State Bar of South Dakota: Association Group Health Plan

The South Dakota Bar Association offers a special group insurance plan for bar members and their employees through Avera Health Plans.

Who Qualifies?

Organizations with employees who are active members of the South Dakota Bar Association qualify.

Available Network Options

The following networks are available:

- Standard Network – Avera and other independent providers across South Dakota and northwest Iowa
- Direct Network – Avera-owned, -managed and -leased providers. Available to employers headquartered in Brown, Lincoln and Minnehaha counties.
- Extended Network – Along with our Standard network, members can take advantage of a Nationwide PPO network that offers access to a range of health care providers and facilities like Mayo Clinic.

Why Enroll?

The plan offers the following benefits:

- Lower premiums
- Options not available on small group plans, such as the more comprehensive “Ultra” plans
- The Nationwide PPO network provides access to a broad range of services at lower costs than out-of-network options.

Additional Details

- The SD Bar Association plan does not include pediatric dental and vision. If you have questions about how to get these benefits, an Avera Health Plans representative can explain your options.
- The Bar Association health plan renews annually on Sept. 1, but benefits follow a calendar year (January–December). If you enroll on April 1, your plan will follow 2024-2025 pricing until the next renewal on Sept. 1. If a member signs up for the plan mid-year, they will receive a credit for deductible and out-of-pocket expenses to cover them until the renewal date (Sept. 1).
- Prices and benefits are subject to change.

Learn More by Reaching Out

Josh Gilkerson
605-224-9223
JGilkerson@Acrisure.com

Or inquire with Avera Health Plans at
sales@averahhealthplans.org



Avera
Health Plans



It's a new day for your practice

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Now under a new name. Introducing 8am.

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Supported by experts you can trust

From onboarding to live support, our team is
here to help you—every step of the way

One platform, many possibilities

Powerful solutions built to support every part
of your business and simplify your day



State Bar of South Dakota

Learn more at
8am.com/sbsd



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.

Attorney Health & Wellness Resources

It's okay to ask for help



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(605) 391-5191

rebecca.porter@sdlawyersconcerned.org

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- *USD Law Students & their household family members*



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Life is often busy, and responsibilities can feel overwhelming. Your Assistance Program is here to help save time and clear your mind with personal assistant referrals.

Our personal assistant team listens to your requests, conducts research, and provides comprehensive referrals, resources, and information to help with your needs. **Personal Assistant** referrals can include:

- Home care, renovation, and repair services
- Grocery and meal delivery services
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- Self-care, spas, gyms, and local services
- Theatre, concerts, and sporting events referrals
- Children's sports, programs, and activities
- Donations and volunteer opportunities

*Personal Assistant referrals are non-transactional.
Your Assistance Program is free to use, confidential, and open to family members.*

Contact AllOne Health
Call: 888-243-5744
Visit: sandcreekeap.com

ALLONE
HEALTH

In Memoriam



Kenneth L. Heisterkamp
September 1, 1940 –
December 4, 2025

Kenneth L. Heisterkamp, 85, of Rapid City, died December 4, 2025, at the Monument Health Hospice House.

Ken was born September 1, 1940, in Breda, IA, to Leo A. Heisterkamp and Leonella (Wess) Heisterkamp. He graduated from St. Bernard Grade and High School in Breda. He then attended college at the University of South Dakota and received his bachelor's degree in 1962 and his law degree in 1964.

He married Marlene Tiefenthaler at St. Bernard's Church in Breda, IA, in 1962, and together they had three children, Sheri Manderle, Brian Heisterkamp, and Tracie Heisterkamp; five grandchildren, Brandon, Luke, and Logan Manderle, and Joshua and Isabella Heisterkamp; and three great-grandchildren, Jackson, Emmalyn, and Melanie Manderle.

Ken was a law clerk to federal judges Mickelson and Beck, and upon completing his clerkship joined the Hanley, Costello, Porter law firm in 1965 (the firm now known as Costello, Porter, Hill, Heisterkamp, Bushnell & Carpenter). Ken retired from the firm as a fulltime partner in January 2001 but continued on as of council

to the firm for several years thereafter. Ken was past president of the Pennington County Bar Association, a member of the South Dakota Code Commission, and of the South Dakota Bar Commissioners.

He enjoyed golf but he always said he knew how to play the game better than he played it. He also enjoyed cooking which he once said may explain any rumor that he may have died from food poisoning. He will be remembered for his sense of humor and he thoroughly enjoyed a good laugh. He enjoyed reading, especially biographies and books on famous war battles and also watching and watching and watching the movie *Patton*.

Ken is survived by his wife, Marlene, their three children: daughter Sheri Manderle (her husband Jim and their three children Brandon, Luke, and Logan, great-grandson Jackson and great-granddaughters Emmalyn and Melanie), son Brian Heisterkamp (his partner Auturo Cabello and their children Joshua and Isabella), and daughter Tracie Heisterkamp. Also surviving are his siblings Jayne Koster and Shirley Longacre.

Preceding him in death are his parents, brother Howard (Butch) Heisterkamp, and sister Bonnie Henrich.

A visitation will be hosted at Osheim & Schmidt Funeral Home on Monday, December 8, 2025, from 5:00 p.m. to 6:00 p.m. with a Vigil Service at 6:00 p.m. A Christian Funeral Mass will be held at Blessed Sacrament Catholic Church on Tuesday, December 9, 2025, at 10:00 a.m. with burial to follow at Mt. Calvary Cemetery.

HIRING?

Find out how you can post
your open positions here!

Email: tailynn.bradford@sdbar.net

Lawyers Assistance Program Leadership Transition Announcement

We are pleased to share an important update regarding the future of the State Bar Lawyers Assistance Program (LAP).

As part of our ongoing commitment to supporting the well-being, resilience, and professional success of our members, the State Bar will soon begin the search for new leadership of the Lawyers Assistance Program.

This search reflects our dedication to ensuring the continued strength and sustainability of the work and services provided by our current LAP Director, Becky Porter.

Becky plans to continue to serve in her role during the transition and will play an integral role in mentoring and training.

This thoughtful, collaborative transition plan is designed to maintain continuity of services, program stability, and the high standard of care that Becky has provided to members over the years.

With Becky's continued leadership through the transition, we are confident that the Lawyers Assistance Program will remain a strong and trusted resource for those seeking support and guidance.

We extend our sincere appreciation to Becky for her ongoing dedication and for helping to ensure a smooth and successful transition.

Additional updates will be shared in the coming weeks.

State Bar of South Dakota

Career Center

STATE BAR OF SOUTH DAKOTA CLASSIFIEDS

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



Deputy State's Attorney Position, Hughes County

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

The Hughes County State's Attorney's Office is looking for an attorney to handle all juvenile matters including delinquency proceedings, CHINS petitions, and abuse and neglect matters, present those cases for legal proceedings, perform legal research, and prepare, draft and file legal documents and correspondence. Additional responsibilities include but are not limited to: covering felony and misdemeanor hearings when required, advising local law enforcement agencies and working with DSS, dealing with juvenile justice issues, providing information to victims and witnesses and helping to fulfill the statutory responsibilities of the office.

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

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

Preferred Qualifications: One or more years' experience is highly preferred. The ideal candidate would have 2 to 5 years' experience in the abuse and neglect area but will consider all applicants with a strong desire to work on behalf of and ensure the safety of children.

Hughes County offers a comprehensive benefits package

for employees including health and dental insurance, participation in the SD Retirement System, and paid time off. Salary range is \$72,580.31 to \$90,255.04 and is determined in part based on years of professional experience.

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

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

Deputy or Senior Deputy County Attorney

Yellowstone County Attorney's Office, Billings, MT

We are seeking criminal prosecutors who value integrity and community safety. In this role, you'll analyze evidence, build cases, and guide matters from charging decisions through trial with accuracy and fairness. As part of the justice process, you'll carry real responsibility and make a meaningful impact. If you're ready to use your skills in service of justice, we invite you to apply.

Starting pay is \$87,500 with no experience and up to \$100,218 based on years of relevant experience. To apply and view the pay band showing starting pay and annual increases, read to the end of the job description at <https://www.governmentjobs.com/careers/yellowstonecountymt>.

Responsibilities

- Evaluate evidence and determine appropriate charges.
- Prepare and present cases in court, from arraignment through trial.

- Work closely with law enforcement, victims, and witnesses to build strong cases.
- Negotiate plea agreements when appropriate, balancing efficiency with justice.
- Maintain the highest ethical standards in every aspect of prosecution.

Deputy County Attorneys handle misdemeanor prosecutions, gaining practical courtroom experience and building a strong foundation in criminal law.

Deputy Qualifications

- Graduation with a Juris Doctor from an accredited law school.
- Membership in the Montana State Bar, or passage of the Bar Exam within the six-month probationary period.
- Successful completion of a CJIN/NCIC criminal background check and a valid driver's license.

Senior Deputy County Attorneys are responsible for developing, preparing, and presenting cases before judicial, legislative, and administrative bodies. This position requires the ability to manage a heavy caseload and exercise sound legal judgment. Senior Deputies are expected to demonstrate advanced trial skills and provide leadership in the prosecution of criminal matters.

Senior Deputy Qualifications

- Graduation with a Juris Doctor from an accredited law school.
- At least two years of criminal prosecution and trial experience as a Deputy County Attorney; or two years of legal practice in civil litigation, criminal litigation, or local government law; or a combination of education and experience equivalent to six years.
- Proven ability to litigate cases and manage a demanding caseload effectively.
- Membership in the Montana State Bar;
- Successful completion of a CJIN/NCIC criminal background check and a valid driver's license.

Appointment will be based on the candidate's experience level. Advancement to the Senior Deputy pay band is expected within three years of employment, contingent upon performance and qualifications.

What We Offer

- Flexible workweek scheduling.
- Remote work opportunities.
- Possible student loan assistance.
- A collaborative, team-based environment.
- Ongoing professional training opportunities.
- A generous leave policy, including three weeks of vacation, twelve days of sick leave, and ten paid holidays

per year.

- Employer paid traditional and HDHP health insurance plans including dental and pharmacy benefits, optional vision plan coverage, flexible spending accounts, health savings accounts, and dependent care accounts.
- Employer paid life insurance, supplemental life insurance, and short- and long-term disability benefits.
- An Employee Assistance Program (EAP).
- Defined Benefit and Defined Contribution retirement benefits through the Montana Public Employees' Retirement System (PERS).
- Optional ROTH and 457(b) deferred compensation plans.
- Teamsters union representation and optional membership.

Applications will be reviewed on a rolling basis and accepted until positions are filled. Early applications are encouraged.

Senior Trust and Estate Planning Officer

Department: Personal Wealth

Location: Sioux Falls, SD

Position Summary:

The Senior Personal Trust and Estate Planning Officer is responsible for the independent administration of accounts in which The First National Bank in Sioux Falls is named in a fiduciary capacity. This role maintains close communication with clients, professionals, and beneficiaries to achieve the goals and objectives of each account relationship. The officer mentors and trains Personal Trust teammates, contributing to their career growth, skill development, and overall success. Serving as the relationship manager, this position coordinates with all areas of the Bank to meet client needs while providing expert guidance on estate planning strategies. The Senior Personal Trust and Estate Planning Officer is also active in the community and represents The First National Bank in Sioux Falls in a professional manner at all times.

In addition, our FIRST Values apply to all teammates without exception.

FIRST Values

- **Family** – We support, trust, and respect each other, our customers, and our shareholders.
- **Independence & Innovation** – We embrace change as vital to our success.
- **Relationships** – We build relationships that are based on strong character, mutual loyalty, trust, and respect.
- **Stewardship** – We take care of ourselves so we can take care of others.

- **Teamwork** – We help each other grow and succeed.

Who we are:

The First National Bank in Sioux Falls began its long-term commitment to the Sioux Falls area in 1885. The oldest bank in Sioux Falls owes its longevity to a combination of service, stability, innovation, and family involvement. Over the past 140 years, The First National Bank in Sioux Falls has worked diligently to promote the growth and vitality of our city and the surrounding area. The Bank strives to continually be recognized as a community leader by reinvesting financial resources back into the communities it serves and encouraging active employee involvement in community volunteer organizations.

The First National Bank Way, which is a blend of our Mission Statement and FIRST Values, serves as the foundation of our culture. It is a gift that has been passed down to us and is the legacy that we will protect and preserve. Nothing is more important to us – it is the cornerstone of our success.

Our culture is driven by integrity, service, and strong values; nothing has shaped it more than our FIRST Values.

Our FIRST Values are not just words; they are truly felt by our employees, customers, shareholders, and communities. They tell us who we are as a business and guide our behaviors and decisions as we move forward and build successful relationships.

Although banking has evolved over the years, our mission and values have not and will not change.

What will you do:

Accountabilities

Leadership Management Accountability

Lead with clear direction, providing the necessary tools to delegate and elevate for growth and development of teammates.

- Lead, motivate, and empower teammates to turn strategic initiatives into actionable and accountable behaviors and results. Hold regular one-on-ones, quarterly conversations, and identify rocks for each teammate for each quarter.
- Establish high-quality teammate relationships consistent with the culture of FNB and in alignment with our FIRST Values.
- Provide coaching and mentorship by facilitating the personal and professional development of teammates to meet business objectives and strategy.
- Ensure teammate compliance with regulations and

established policies.

- Inspire team to strive for the best outcomes. Utilize empathy and active listening skills.
- Ensure that performance issues are addressed in an effective and meaningful manner.
- Assist the WM Department with inquiries from attorneys and clients that require mapping out Trust strategies and the resulting impact on estate size and asset inheritance.
- Challenge and engage teammates. Seek input and consider feedback when considering new initiatives for creating efficiencies and streamlining processes.

Client Relationship Management

Monitor client needs by establishing and managing relationships. Deliver exceptional client experience to ensure client retention, additions, and referrals. Facilitate ongoing and effective communication with internal and external stakeholders.

- Responsible for owning a larger number and/or more complex relationships, potentially working with High Net Worth and Ultra High Net Worth families.
- Work closely with new clients to guide them through the onboarding process by explaining our services, executing account opening paperwork, and setting expectations for the relationship as their new account is funded.
- Advise clients and their advisors on estate planning strategies, tax implications, and wealth transfer options.
- Participate in the development and implementation of estate plans, ensuring alignment with client goals and legal requirements.
- Utilize Customer Relationship Management tool (FSC) to log client interactions and to contact clients at designated intervals.
- Conduct meetings with clients, co-creating meeting Agenda with Client and Portfolio Manager in advance, to encourage account reviews that present meaningful recommendations based on clients' financial situations and goals.
- Communicate through various methods with both the client and external resources (lawyers, CPAs, etc.) to work collaboratively to research and resolve issues.
- Review Daily Transaction History report and monitor cash balances in all accounts.
- Approve monthly fees within established guidelines.
- Complete annual Administrative Reviews within established guidelines, including Enhanced Due Diligence reports when necessary.
- Report on and resolve any client complaints.
- Monitor annual tax preparation processes to ensure tax filing deadlines are met.
- Process and distribute closing accounts in a timely manner.

Growth Mindset

Drive continuous growth by actively seeking learning opportunities to advance skillset, embrace a culture of continuous improvement and collaboration for department success, while enthusiastically pursuing ways to achieve defined growth goals.

- Stay current on changes to trust and tax law providing training to wealth management teammates when updates are made.
- Build relationships with Bank teammates at various branch locations (business bankers, personal bankers, ag bankers, tellers).
- Attend monthly Business Development meetings and report on progress regarding Leads and Opportunities. Utilize FSC to track Leads and Opportunities
- Provide a superior client experience that leads to client retention, additions to accounts, and client referrals.
- Regularly contribute ideas for process improvements.
- Volunteer for new tasks or projects that enhance skillsets and provide additional value to the department.
- Provide mentoring for other Wealth Management teammates.
- Serve as a subject matter expert on estate planning trends, tax law changes, and wealth transfer best practices.
- Meet with trust, advisory, and family office clients and prospects to engage in trust planning when changes and updates to estate plans are desired.
- Maintain a results-oriented mindset, setting goals and holding self accountable for reaching them.
- Solicit, welcome, and implement feedback from leaders, peers, COIs, and clients as a means to remain coachable, recognizing there is always room for growth and improvement.
- Maintain continual self-development as a leader, coach, mentor, and manager.
- Empower teammates to take initiative on problem-solving and actively participate in developing solutions that align with department goals.
- Apply for membership in financial planning, investments, or estate planning group, attend meetings to foster professional network with attorneys, accountants, and others in the trust industry.

Qualifications

Advanced degree such as a Juris Doctor (JD) preferred. Seven or more years of relevant work experience in trust administration or legal practice, with a background in estate planning, or a combination of education/experience that would enable incumbent to meet accountabilities and required competencies of the position. Professional Certification (CFP, CTFA, or CFIRS) preferred upon hire.

Skills and Abilities

- Ability to work as a facilitator, coach and/or mentor to others.
- Ability to conduct relationships in a manner that ensures cooperation and positive results.
- Demonstrate a high degree of concern for professional and innovative client service.
- Deep knowledge of trust and estate law, taxation, and fiduciary principles.
- Excellent verbal and written communication skills
- Ability to explain complex estate planning concepts to clients and colleagues.
- Excellent interpersonal and conflict resolution skills.
- Excellent organizational skills and attention to detail. High degree of accuracy required.
- Excellent time management skills with a proven ability to meet deadlines.
- Ability to adapt to the needs of the organization and teammates.

What's in it for you?

- Health Insurance
- Dental & Vision Insurance
- Profit Sharing
- Paid Vacation & Holidays
- Company paid short and long term disability
- Tuition Reimbursement Program
- Employee Banking Perks
- Community Volunteer time
- And More!

Start your application by clicking the link below.

<https://fnbsf.clearcompany.com/careers/jobs/3553a422-975f-c735-3f07-82d15ef9d86b/apply?source=3502912-CJB-0>

Office of Attorney General Appellate Position

DETAILS: The Office of Attorney General has an immediate opening for an Assistant Attorney General in our appellate position. This position presents an unmatched opportunity to brief and argue cases before the South Dakota Supreme Court, United States District Court, and Eighth Circuit Court of Appeals. The attorney chosen for this spot will represent the state in criminal appeals, habeas cases, and as a prosecutor for various state licensing boards. The position's primary duties include researching for and writing appellate briefs and orally arguing cases.

AAGs in South Dakota have diverse opportunities you won't find elsewhere, including appellate practice, civil and criminal trial litigation, administrative law, and consumer protection, all under one roof, without the stress of billable

hours, and with the benefit of a collaborative, friendly work environment.

OFFICE LOCATION: The appellate division is headquartered in Pierre—the “best place to live” in South Dakota according to USA Today in 2018. Pierre is a safe, tight-knit community with over 350 acres of parks, serene landscapes, highly rated restaurants, water and dog parks, friendly people, daily commercial flights in and out of a hassle-free airport, and an affordable cost of living. The right applicant may have the possibility to work from a branch office location.

STARTING SALARY: Salary for this position is \$80,000 annually or greater, depending on experience. The State of South Dakota has an exceptional benefit package including retirement, health insurance, paid leave, and paid training opportunities.

QUALIFICATIONS: Applicants must have a juris doctorate, be licensed to practice law in South Dakota, and have excellent writing, research, and communication skills.

APPLICATION PROCESS AND DEADLINE DATE:

Interested persons should send a cover letter, resume containing three references, and a writing sample by January 25, 2026, to:

SARAH THORNE, OFFICE OF ATTORNEY GENERAL,
1302 E. HIGHWAY 1889, SUITE 1, PIERRE, SOUTH
DAKOTA 57501, or via email to Sarah.Thorne@state.sd.us

Civil Deputy/Senior Deputy State's Attorney

Why Join Our Team

The Minnehaha County State's Attorney's Office is accepting applications for a Civil Deputy/Senior Deputy State's Attorney. This position plays a pivotal role in supporting the Highway Department and other county operations. This is an opportunity to collaborate with elected officials, department heads, and public boards, ensuring county projects, contracts, and policies are legally sound and strategically executed.

Consider a rewarding career with us in a fast-paced office and enjoy a comprehensive benefits package including paid holidays; health, dental, vision, and life insurance; generous PTO program; extended sick leave program; inclusion into the South Dakota Retirement System (SDRS); and a deferred compensation plan!

Please include cover letter and resume with online application.

This position will remain open until filled. Application review begins on December 29, 2025.

SALARY: \$3,780.00 - \$4,376.00/biweekly.

CLOSING DATE: Continuous

How You Will Make an Impact

- Conduct legal research and provide written and oral opinions to County officials, department heads, and the Highway Department on a wide range of civil and infrastructure-related matters.
- Identify, assess, and mitigate legal risk tied to transportation projects, public works, land acquisition, and county operations.
- Prepare and prosecute civil complaints on behalf of the County.
- Represent Minnehaha County at meetings of the Board of County Commissioners, Planning & Zoning Commission, Conservation District, and other public bodies.
- Negotiate, draft, and review contracts—including purchase agreements, intergovernmental agreements, and public construction documents.
- Provide legal assistance on RFP and bidding process and other procurement issues.
- Draft resolutions, ordinances, requests for proposals (RFPs), bid solicitations, and responses under the Open Records Act.
- Manage real estate-related legal work, including right-of-way matters, property acquisition, and related documentation.
- Provide legal assistance in developing policies and procedures that ensure compliance with federal, state, and local law.
- Offer legal guidance to the Human Resources Department on employment law matters when needed.
- Coordinate the defense of habeas corpus petitions, including drafting motions, preparing briefs, and participating in evidentiary hearings.

What You Need to Succeed in this Role

Graduation from a college of law. Attainment of a Juris Doctor degree from an accredited law school. Admission by the Supreme Court of South Dakota to practice law in the State of South Dakota or be licensed to practice law in any other state and able to take the next available South Dakota bar examination. Comparable combination of education and experience may be considered. Must successfully complete pre-employment background process. Consideration for appointment as a Senior Civil Deputy State's Attorney requires a minimum of two years of relevant work experience.

Working knowledge of **civil law** principles, methods, materials and practices utilized in **legal research**; and **general law** and **established precedents**. Ability to **prosecute cases**. Ability to speak and write effectively in the preparation and presentation of legal matters. Ability to establish and maintain effective working relationships with coworkers, other agencies and the public. Ability to maintain professional appearance and demeanor.

Other Helpful Experience

Four or more years of legal experience. Two or more years of legal experience as in-house corporate counsel or in the public sector representing a state or local governmental entity. Jury trial experience. Prior experience in the following subject areas: civil litigation, procurement, real estate, public records law, land use law, employment law, collective bargaining, and other laws affecting county government.

EEO Statement

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

Legal Director

The ACLU's **National Chapter of South Dakota, North Dakota, and Wyoming** seeks applicants for the full-time position of **Legal Director in Sioux Falls, SD or Fargo, ND** (with flexibility to consider other locations within the states). This is a **hybrid role** that has in-office requirements of two (2) days per week or eight (8) days per month.

We are taking our organization to the next level by strengthening our legal firepower, building legislative strength, expanding communications methods, and creating winning issue campaigns. To meet these objectives, the ACLU of South Dakota, North Dakota, and Wyoming has adopted a "campaign" approach for its work. Work is focused on pursuing specific integrated advocacy campaigns to achieve measurable goals that will expand civil liberties and civil rights while building the long-term power of the ACLU and the civil liberties' movement.

WHAT YOU'LL DO

Reporting to the **Executive Director** of the Dakotas/Wyoming Chapter, the **Legal Director** will lead and expand the ACLU legal program across South Dakota, North

Dakota, and Wyoming, including developing and litigating high-impact cases and managing the legal department. At the direction of the Executive Director, the Legal Director will be responsible for crafting and executing legal strategy that advances the ACLU of SD/ND/WY mission, as well as handling the day-to-day management of legal staff and cooperating attorneys. As a critical member of the office's senior leadership team, the Legal Director will provide strategic leadership on both litigation and non-litigation legal advocacy in priority areas of criminal justice, immigrants' rights, Indigenous justice, LGBTQ and Two Spirit equality, reproductive rights, and voting rights, as well as other areas including First Amendment rights.

YOUR DAY TO DAY

We are seeking a dynamic and strategic Legal Director who will lead all aspects of litigation and serve as a key senior leader within our Chapter. The ideal candidate will demonstrate a strong commitment to legal advocacy and strategic leadership, contributing significantly to the Chapter's culture, management, and overall direction. Key responsibilities and qualifications include:

- **Strategic Leadership:** Provide leadership in both litigation and non-litigation legal advocacy, playing a crucial role in shaping the Chapter's legal strategies and broader organizational goals
- **Team Management and Collaboration:** Proven ability to manage and inspire high-performing legal staff and teams. Coordinate effectively with advocacy, communications, and development teams to ensure cohesive, cross-functional success
 - Manage, supervise, and direct a staff attorney and occasionally law student and undergraduate interns; handle recruiting and hiring of additional legal staff (budget permitting); and foster an organizational culture within the legal program that encourages staff development through internal and external resources
 - Coordinate and collaborate with other ACLU SD/ND/WY departments on cross-departmental projects, ensuring integrated – and maximally effective – outcomes. Serve as a resource on legal matters for staff, partners, and other ACLU of SD/ND/WY constituents
- **Direct Litigation Expertise:** Engage in direct litigation efforts and manage cases demonstrating self-sufficiency and expertise in legal proceedings
 - Maintain and continue to develop our impact litigation and advocacy docket, which advances the ACLU of SD/ND/WY strategic priorities and responds to civil rights and civil liberties threats
 - Manage all aspects of the litigation program, including coordinating the selection of cases, overseeing the investigation and development of cases before commencing litigation; building litigation teams with in-house lawyers, private lawyers, and nonprofit

- partners; directly engaging in litigation in federal and state court; and overseeing ongoing litigation
 - Maintain an individual caseload of developing and active litigation and amicus briefs, including overseeing and directing pre-litigation investigations, discovery, motion practice, brief writing, hearings and trials, and appellate work
 - Work with staff attorneys, cooperating attorneys, and co-counsel (including but not limited to attorneys from the ACLU's National Legal Department) on all work within the ACLU SD/ND/WY legal program
- Community Engagement:** Develop and nurture strong relationships with community leaders, members, and organizations, both within legal circles and the broader community
 - Broaden and deepen relationships with volunteer attorneys and other lawyers in the community to ensure the visibility of the ACLU SD/ND/WY in the legal community (and beyond) and to help build our legal docket, including by engaging lawyers in pre-litigation investigations, amicus briefs, litigation, and other ACLU SD/ND/WY activities
 - Develop relationships with stakeholders such as community members, allied organizations, coalitions, and community leaders in SD/ND/WY who may be impacted by current and future litigation
- Public Representation:** Act as a prominent spokesperson for the Chapter, representing the organization in media appearances, strategic public forums, community events, donor briefings, and other public engagements

FUTURE ACLU'ERS WILL

- Be committed to advancing the mission of the ACLU
- Center and embed the principles of equity, inclusion and belonging in their work by demonstrating commitment to diversity with an approach that respects and values multiple perspectives
- Be committed to work collaboratively and respectfully toward resolving obstacles and conflicts

WHAT YOU'LL BRING

- Significant years of trial and appellate litigation experience in state and federal courts, including class actions, with a strong interest and experience in constitutional law and civil rights
- Proven ability to effectively manage legal staff, run diverse and high-performing teams, and savviness in both direct and indirect people leadership with the ability to work effectively in coordination with non-legal teams engaged in advocacy, communications, and development
- Admitted to the South Dakota, North Dakota, or Wyoming Bar or eligible for admission on motion

- Excellent organizational skills and a creative and strategic approach to problem-solving and litigation
- Creative, persuasive, results-oriented, self-starting, persevering, and willing to learn
- Ability to engage in litigation with minimal support staff
- High ethical standards and genuine interest in developing authentic relationships
- Team player who inspires collaboration, lifts the work of others, and maintains balance and perspective with patience

COMPENSATION

The ACLU is committed to equity, transparency, and clarity in pay. Consistent with our compensation philosophy, there is a set salary for each role based on geographic work location. The annual salary for this position is \$141,612 (Level D), reflecting the salary of a position based in Sioux Falls, SD. Salaries are subject to a regional pay adjustment if authorization is granted to work outside of the location listed in this posting.

For details on our pay structure, please visit: https://www.aclu.org/careers/ACLU_Geographic_Pay_Structure-July_2024.pdf

WHY THE ACLU

For over 100 years, the ACLU has worked to defend and preserve the individual rights and liberties guaranteed by the Constitution and laws of the United States. Whether it's ending mass incarceration, achieving full equality for the LGBTQ+ community, establishing new privacy protections for our digital age, or preserving the right to vote or the right to have an abortion, the ACLU takes up the toughest civil liberties cases and issues to defend all people.

We know that great people make a great organization. We value our people and know that what we offer is essential not just their work, but to their overall well-being.

At the ACLU, we offer a broad range of benefits, which include:

- Time away to focus on the things that matter with a generous paid time-off policy
- Focus on your well-being with comprehensive healthcare benefits (including medical, dental and vision coverage, parental leave, gender affirming care & fertility treatment)
- Plan for your retirement with 401k plan and employer match
- We support employee growth and development through annual professional development funds, internal professional development programs and workshops

OUR COMMITMENT TO ACCESSIBILITY, EQUITY, DIVERSITY & INCLUSION

Accessibility, equity, diversity and inclusion are core values of the ACLU and central to our work to advance liberty, equality, and justice for all. For us diversity, equity, accessibility, and inclusion are not just check-the-box activities, but a chance for us to make long-term meaningful change. We are a community committed to learning and growth, humility and grace, transparency and accountability. We believe in a collective responsibility to create a culture of belonging for all people within our organization – one that respects and embraces difference; treats everyone equitably; and empowers our colleagues to do the best work possible. We are as committed to anti-oppression, anti-ableism, and anti-racism internally as we are externally. Because whether we're in the courts or in the office, we believe 'We the People' means all of us.

With this commitment in mind, we strongly encourage applications from all qualified individuals without regard to race, color, religion, gender, sexual orientation, gender identity or expression, age, national origin, marital status, citizenship, disability, veteran status and record of arrest or conviction, or any other characteristic protected by applicable law.

The ACLU is committed to providing reasonable accommodation to individuals with disabilities. If you are a qualified individual with a disability and need assistance applying online, please email benefits.hrdept@aclu.org. If you are selected for an interview, you will receive additional information regarding how to request an accommodation for the interview process.

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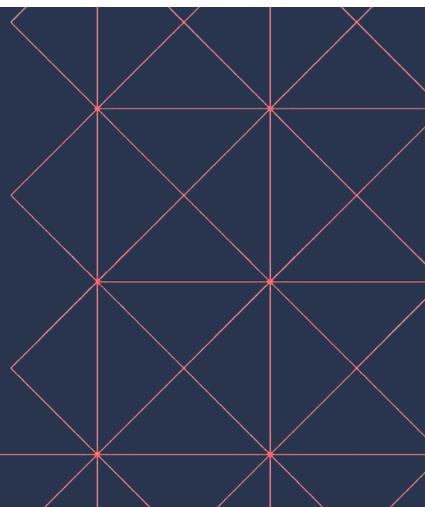
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Access Fastcase:

Log in to the Member Hub at statebarofsouthdakota.com, scroll to the bottom of the left-hand menu, and click on Fastcase.

Questions?

Contact the State Bar office at (605) 224-7554 or info@sdbar.net



UPCOMING

Events

20
JAN

**LAW FOR LUNCH | TAX UPDATE: ONE
BIG BEAUTIFUL BILL**

11:30 PM – 1:30 PM

13
MAR

**SDYLS SPRING BOOTCAMP –
DEADWOOD**

8:30 am – 5:00 PM

MAR

**MARCH LAW FOR LUNCH TOPIC:
PATHWAY PROGRAMS**

More information to come!

8
MAY

**2026 MAY JOINT FAMILY/CRIMINAL
LAW CLE | RAPID CITY**

8:00 AM – 5:00 PM

For more details and updates about these events, please visit
our website.
<https://www.statebarofsouthdakota.com/>