



State Bar of South Dakota

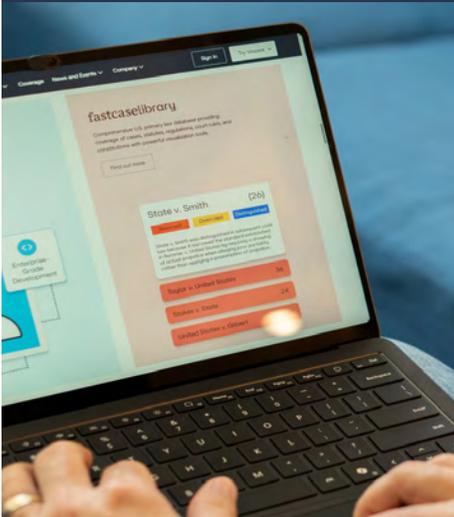
March 2026 Newsletter

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Questions?

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

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: John Burke, jburke@tb3law.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

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President's CORNER

John T. Richter

Strengthening Leadership, Engagement, and Connection: March Reflections from the President

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

Dear Members of the State Bar,

As we enter March, I've been reflecting on the Whole Attorney and how the Bar can support Our profession through strong relationships, thoughtful leadership, and a culture that values purpose, civility, and well-being. Each of the developments I share below reinforces that broader vision.

Supporting Leadership Transition and Welcoming President-Elect John Burke

This past month, the Bar Commission selected John Burke to serve as our next President-Elect. With Mark Haigh's departure, John Burke is stepping into this role on a shorter-than-usual timeline. I want to acknowledge and thank him for the energy, time, and professionalism he has already committed to ensuring a smooth transition.

John Burke's long history of service to the Bar, spanning the Disciplinary Board, multiple rules and practice committees, and his leadership as Chair of the Practice Rules Revision Committee, speaks to both his competence and his deep respect for the profession. His background as a rural South Dakotan, a USD Law graduate, and a practitioner who has spent decades in courthouses across the state gives him a grounded

understanding of the wide range of experiences our members navigate every day.

What has impressed me most in these early weeks is his willingness to roll up his sleeves, travel where needed, and ask questions. He has been intentional about getting up to speed quickly while remaining thoughtful and collaborative. That combination of commitment and humility is exactly what we need in a moment of transition.

Members will have the opportunity to visit with him at our next mixer in Rapid City this April (details forthcoming). I hope you'll take a moment to welcome him and share your perspective as he prepares for the year ahead.

Looking Ahead to Our Spring Mixer in Rapid City

Our next Bar mixer will take place in April in Rapid City, with the date and location to be announced soon. As with our previous gatherings, this event is designed to foster genuine connection, which remains essential to the health of our profession.

We are honored that several prominent judicial leaders will join us as guests of honor. Their participation underscores the value of the bench-bar relationship and reinforces the mutual respect that strengthens our professional culture.

These mixers remain an accessible way for members to build community, decompress, and form relationships

that support personal and professional well-being. I look forward to seeing many of you there as we continue this work to build a more connected and supportive Bar.

Engaging with Members on the Remote Voting Survey

Over the past week and a half, more than 300 of our members took the time to respond to our survey on whether members unable to attend the annual business meeting in person should still be able to vote on matters affecting the entire Bar. Over one-third also shared written comments. The level of engagement, from those in favor of remote voting to those with strong reservations, was exceptional.

Your responses showed not only a clear interest in the issue but also a deep commitment to how our Bar makes decisions and ensures every member's voice is heard. This is exactly why your input is so important. A strong, responsive Bar depends on active participation, honest feedback, and a willingness to engage in conversations about our shared future. We are committed to continuing that dialogue.

For the remainder of the year, the Board and I will continue to seek your views on issues that shape the profession in South Dakota, including governance, member services, CLE, access to justice, and the structure and purpose of the annual convention itself.

Your experiences, challenges, and ideas must guide this work. So I would like to ask you directly: What issues affect your practice, your community, or your engagement with the Bar?

Thank you again for your remarkable participation in this process and for your continued dedication to the profession and to one another.

Reflecting on our Year and Getting Involved

As I look back on the conversations we have had so

far this year, one theme keeps returning to me: the importance of direct, open communication between Bar leadership and our membership. For years, I have hoped for clearer, two-way conversations in which questions, concerns, and good ideas flow freely and reliably reach those in a position to act.

What encourages me is that we are moving in that direction together. The engagement we have seen, whether through surveys, outreach, committee work, or simple one-on-one conversations, shows a profession that cares deeply about its future and about one another.

I also want to offer sincere encouragement: please consider stepping into a leadership role within the Bar. Leadership here is not about titles. It is about helping shape the culture, services, and decisions that affect all of us. If you have ever thought, "someone should fix that," or "we could do this better," you may be the exact voice we need. Our Bar is strongest when its leadership reflects the diversity of experiences, practices, and perspectives across South Dakota.

Meaningful, lasting improvements happen when members who care about this profession decide to get involved. Whether through committees, task forces, section leadership, or future service on the Board, your participation truly matters.

Thank you for the privilege of serving as your President.



John Richter
President, State Bar of South Dakota



See you in Deadwood!

We could not be more excited for our upcoming annual Spring Bootcamp to be held in Deadwood on Friday, March 13th. My favorite things about our Spring Bootcamp:

- Amazing speaker lineup!
- Free CLEs!
- Making connections with lawyers and judges from across the state!
- Catching up with friends in Deadwood!

The Bootcamp is open to all SD Bar members. Check out the event flier in this month's newsletter and register on the State Bar website.

American Bar Association Young Lawyers Division

This month, we'd like to introduce the South Dakota young lawyers serving in positions within the American Bar Association (ABA) Young Lawyers Division (YLD). The YLD "is the national home for the new and young attorney, providing members tools to navigate the early years of a career." Our South Dakota Young Lawyers Section supports participation in the ABA YLD and selects members to serve as delegates and representatives in the national organization. We encourage all young lawyers to join the ABA and utilize the national organizations' tools and resources to further their professional development. You may join the ABA and learn more about the benefits of membership [here](#).



Renee Stellagher

Position and Position Description: I am South Dakota's Young Lawyer's Division (YLD) Representative to the ABA House of Delegates.

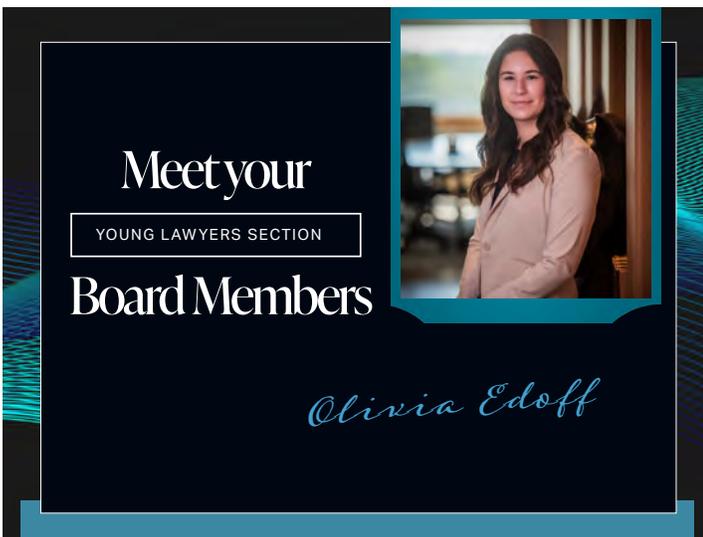
My role includes reviewing, analyzing, and voting on policy resolutions at the House sessions at the ABA Annual and Midyear Meetings. I also serve as the liaison between the ABA and young lawyers in South Dakota.

Describe yourself and your practice: I grew up in Pierre, SD. I attended the University of South Dakota for both undergrad and law school. After law school, I clerked for Judge Daneta Wollman for two years. I am now an Assistant Attorney General for South Dakota's Office of the Attorney General. My hobbies include open water swimming, hiking, Zumba, and doing puzzles!

Why you wanted to get involved in the ABA: During Law School, I was the student liaison between USD and the ABA. During that time, I saw how beneficial membership in the ABA was.

Being part of the ABA offers a lot of practical and professional advantages, especially for a young lawyer. One of the biggest perks is networking with legal professionals from across the country. Another benefit is the huge library of CLE, many of which are included in membership.

What are your favorite benefits of being involved in the ABA: I enjoy being the South Dakota YLD Representative as I have the ability to advocate and influence issues that are germane to the practice of law. Attending the Midyear Meeting in San Antonio, Texas was a great experience to network and attend CLEs on a variety of topics.



Olivia Edoff

Position and Position Description: I am the Young Lawyers Division District 21 Representative. My primary role is to serve as a conduit for communication between the Division (and the ABA at-large) and the state and local young lawyer affiliates. District representatives have seven primary responsibilities: (1) serving as a member of the ABA YLD Council during the Annual and Midyear Meetings and the Division's Fall and Spring Conferences, (2) facilitating communication between the state and local Affiliates and the Division, including utilizing the Affiliate Assistance Team members, (3) providing hands-on assistance to Affiliates in the planning and implementation of YLD programs

and projects, (4) submitting periodic written reports to the Division and to Affiliates within your District as to matters occurring within each organization, (5) coordinating Disaster Legal Services programs within your District in partnership with the Federal Emergency Management Agency (FEMA), (6) providing input and voting on recommendations urging the adoption of policy positions by the YLD and the ABA, and (7) providing input on YLD planning and development issues.

Describe yourself and your practice: I grew up on a ranch near Scenic, SD. I attended a rural school through eighth grade before going to New Underwood, SD for high school. I attained my bachelor's degrees in psychology and criminal justice from the University of South Dakota before going to law school at the University of Nebraska – Lincoln. After law school, I clerked for the South Dakota Seventh Judicial Circuit for two years. I am now a litigation associate at Bangs McCullen in Rapid City, SD.

Why you wanted to get involved in the ABA: I spoke with other attorneys who served in ABA roles prior to accepting the position. They all described that their service was a positive and rewarding experience. I felt that becoming involved in the ABA would be a wonderful opportunity to make connections with young lawyers across the country and give my district a voice at ABA meetings.

What are your favorite benefits of being involved in the ABA: One of my responsibilities is to attend midyear and annual ABA meetings. In 2026, the midyear meeting was held in San Antonio, Texas in February. The annual meeting is in August in Chicago. Traveling to the meetings is a great benefit of this position. At these meetings, I get to attend informative CLEs, network with attorneys from across the nation, and represent my district.

How can other lawyers get involved in the ABA: First and foremost, become a member! The ABA has great CLEs and other resources for attorneys at all stages of practice. When delegate or representative positions become available, apply! You can always reach out to any of the delegates or representatives and ask us about our ABA experience if you're interested.



**JUSTICE
SQUAD**

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

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

**ATTENTION SOUTH DAKOTA ATTORNEYS:
How to sign up as an attorney volunteer
through the sd.freelegalanswers.org website**



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

**STEVE HUFF
AARON DAVIS
RICK RAMSTAD
RALEIGH HANSMAN**



**RENEE STELLAGHER
STEVE HUFF
KYLE KRAUSE
MARWIN SMITH
JAMES TAYLOR
DENISE LANGLEY**

**For Your Help on
SDFLA!**

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

VOLUNTEER

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

PLEASE SEND A MESSAGE TO ACCESS.TO.JUSICE@SDBAR.NET

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Sustaining Life Fellow - \$50,000 plus

Fred & Luella Cozad

Diamond Fellows - \$10,000 plus

Thomas C. Barnett, Jr.
P. Daniel Donohue
Dale E. Froehlick
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Andrew J. Knutson
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Robert A. Martin
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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

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

Life Fellow - \$25,000 plus

Frank L. Farrar
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Heather Lammers Bogard
Richard D. Casey
Hon. Michael Day
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Thomas G. Fritz
William C. Garry
David A. Gerdes
Hon. David R. Gienapp
Patrick G. Goetzinger
G. Verne Goodsell
Robert E. Hayes
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Hon. Charles B. Kornmann
Lisa Hansen Marso
Bob Morris
Thomas J. Nicholson
Gary J. Pashby
Stephanie E. Pochop
Reed A. Rasmussen
Pamela R. Reiter
Robert C. Riter, Jr.
Eric C. Schulte
Jeffrey T. Sveen
Charles M. Thompson
Richard L. Travis
Thomas J. Welk
Terry G. Westergaard

Fellows - \$500 (per year)

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Hon. John L. Brown	Hon. Judith K. Meierhenry
Mary Jane Cleary	Hon. Robert A. Miller
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Michael S. Fischer	Rodrick L. Tobin
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Raising the Bar: Our Profession. Our Responsibility.



UNIVERSITY OF
SOUTH DAKOTA
KNUDSON SCHOOL OF LAW



DEAN'S LIST: NEWS FROM THE LAW SCHOOL



Neil Fulton
Dean, School of Law

This month's column includes more show than tell. As you likely know from earlier columns and social media posts, the Law School has been undergoing staged renovations over the last several summers. The "new" Law School building opened in 1981 and had not undergone significant renovation since then. It was time for a refresh. At the end of this column, I have attached a link so you can see the product of that work for yourself, but let me set the stage a bit.

Those efforts began in the summer of 2020 with renovation of the main level bathrooms and student commons. All that space was updated with carpet and paint, a portion of the lockers were enclosed for new offices, and the student kitchen reoriented for better traffic flow.

We updated classrooms the next summer. Each classroom got new AV equipment, carpet, tables and seats, and modern whiteboards. This dramatically improved the functionality and appeal of the most important rooms in any educational building.

We then started working on the library and faculty spaces after that. The famed lower-level library "dungeon" of 1L lore was dramatically refreshed. New lights, collapsible shelving for books, and new carrels created a brighter and more accessible space with seating for many more students. In what I considered a great complement to the renovation, earlier generations of 1L's said the current crop was "going soft" because of the improvements. It is a successful renovation when a little schadenfreude is among the biggest problems.

During the same phase of renovations, we updated the faculty suite. This included new windows, doors, and expanded bathrooms. We enclosed part of the faculty lounge to create two new offices that get used daily. We are fortunate to have a functional, appealing place for faculty to work and gather.

Next, we attacked the main level of the library. New carrels, new paint, new windows that allow more light and suddenly this has become a featured space as you enter the Law School. There is a lot more student traffic and hanging out as well.

We have just completed renovation of the administrative suite upstairs. That space has been completely reconstructed to add offices, an additional classroom, and completely revitalized space. We also updated the courtroom with new seats, new carpet, and an adjustable podium, giving our most important ceremonial space the gravity and functionality it deserves.

We do have two more summer phases yet to come. This summer we will replace the skylights in the main hallway which are delaminating. Hopefully the summer after that, we will update our HVAC system—a less visually notable, but no less important update.

I need to thank some people for all this wonderful progress. We would not be here without the vision of President Gestring to maintain and repair campus academic buildings. The tremendous work of USD Facilities, led by Brian Limoges and Jordynne Mart has been critical. Lastly, all our contractors have been great

partners in every respect. They are the people that made this reality. Thank you.

Let me end with an invitation. As you hopefully know, 2026 is our 125th Anniversary. I invite everyone to come home and take a look at our renovated space. It is fun to share our exciting developments with you. If you cannot make it down, or cannot wait until you do, the

link below will take you to a collection of photographs showing our progress. But there is nothing like seeing for yourself, so please find time to come and visit a fully refreshed Law School. We will be excited to show you around!

Here is the link for the renovation photos: https://libguides.law.usd.edu/lawschool_renovations

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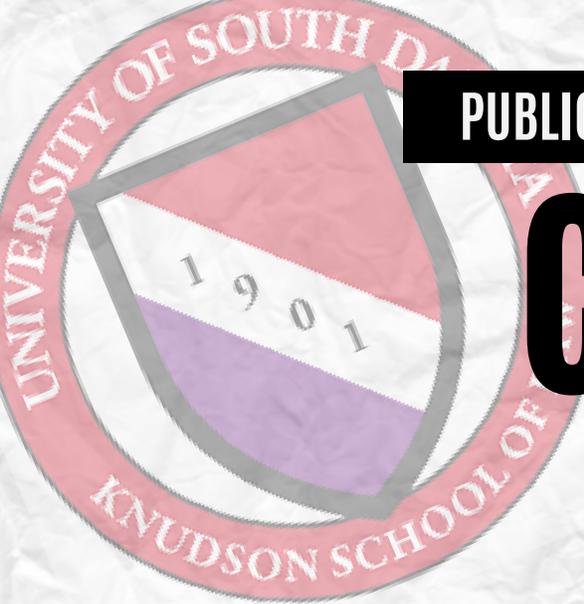
Barbara Anderson Lewis Community Award



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

An open letter of nomination can be submitted to the following email address (Janepfeifle@gmail.com). It should be submitted not later than April 30 to be considered. Up to two additional letters of support can be submitted along with the nomination letter. The nomination letter must show how the nominated individual demonstrates professionalism and civility in the practice of law. Examples of these actions will provide how that is demonstrated. The Community portion of the nomination should include a description of the organization the nominated individual supports and in what roles. The nomination should also include the organization's name and address and a point of contact for an award presentation for the award winner.

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



PUBLIC INTEREST NETWORK - KNUDSON SCHOOL OF LAW

CALL FOR PIN DONATIONS

Dear Members of the South Dakota Bar,

My name is Tia Vlasman and I am the President of the Public Interest Network (PIN) at the Knudson School of Law. PIN is a student-led organization that supports law students' public interest work in the legal community.

PIN hosts an annual auction to raise money for stipends offered to students who commit to volunteer their time working unpaid summer internships with public interest organizations. These positions may include: government agencies, nonprofit organizations, prosecutor offices, and public defender offices. This year, the auction will be held in Vermillion on Thursday, March 26, at the Old Lumber Company.

The auction is open to anyone who would like to attend. Additionally, if you feel inclined to donate an item or become a sponsor, please contact me at Tia.Vlasman@coyotes.usd.edu, or faculty advisor Wendy Hess at Wendy.Hess@usd.edu. Sponsor amounts are listed below, but any involvement or donation is extremely appreciated.

Silver: \$50

Gold: \$100

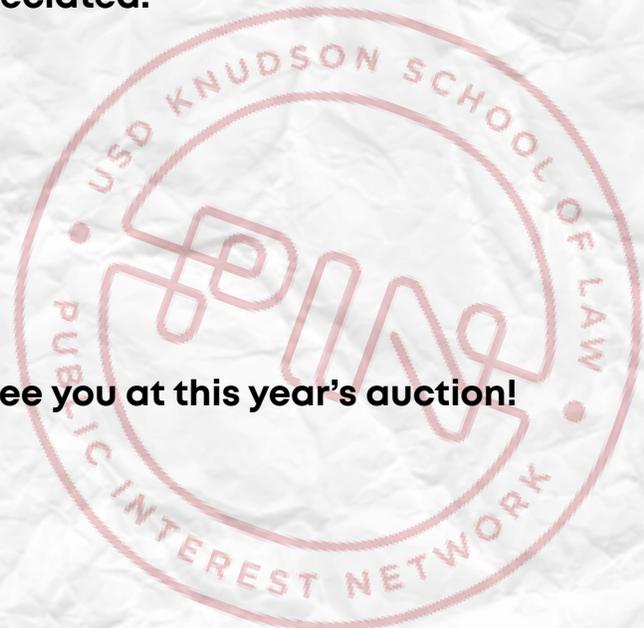
Solid Gold: \$200

Platinum: \$300

Diamond: \$500

Thank you for your consideration. We hope to see you at this year's auction!

**Best,
Tia Vlasman**



6th Annual Diversity and Inclusion Award

Sponsored by: Diversity and Inclusion Committee

The State Bar of South Dakota's Diversity and Inclusion Committee seeks nominations for the 6th Annual Diversity and Inclusion Award.

Purpose

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

Eligibility Criteria

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

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

Nomination Criteria

Individuals may nominate a member of the State Bar of South Dakota by submitting a completed Nomination Form by email or mail as instructed.

Deadline

Nominations must be received by **Friday, April 3, 2026.**

Nomination Process and Presentation of Award

Each spring, the Diversity and Inclusion Committee will publish an invitation in the South Dakota State Bar Newsletter soliciting nominations for the Award. To be considered, nominations must be received no later than the published deadline. Each nomination should include a brief synopsis of the nominee’s commitment to diversity, inclusion, and equal participation in the legal profession. A subcommittee of the Diversity and Inclusion Committee will then review each nominee’s materials. The Committee will select, by majority vote, one or more recipients who best exemplify the eligibility criteria. All recipients of the Award will be notified in May. The Award will be presented during the annual State Bar Convention in June.

2026 Diversity and Inclusion Award Nomination Form

1. **Nominee Information**

Name: _____
Address: _____
Phone: _____
Email: _____

2. **Nominator’s Information:**

Name: _____
Address: _____
Phone: _____
Email: _____

How do you know the Nominee: _____

3. **Please attach a one-page synopsis of the nominee’s qualifications and attributes.**

Completed forms with synopses attached must be submitted to jsmith@ctnativelaw.com or

**Diversity & Inclusion Award Committee
C/O Jillian Smith
Cedar Tree Native Law
929 Kansas City St
Rapid City, South Dakota 57701**

by **April 3, 2026.**



CALL FOR NOMINATIONS 2026 PUBLIC SECTOR

ATTORNEY OF THE YEAR AWARD

Purpose

Recognizing a public sector attorney who has made a **distinct and meaningful impact** on the law, governmental entities, and/or the legal profession in South Dakota during the past year.

Eligibility:

- ✓ Member in good standing of the State Bar of South Dakota

Nominate By:

 **April 30, 2026**

Submit to:

Kinsley Groote

Public Sector Section President

kinsley.groote@rcgov.org

Nomination Should Include:

- Brief synopsis of nominee's impact (past year)
 - On the law
 - Governmental entities
 - Legal profession in SD



Recipient Announced at the
2026 Bar Convention &
in the State Bar Newsletter!



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



UNIVERSITY OF
SOUTH DAKOTA

Fall Events:

Aug 27-29

* Fall On-Campus Interview Round 1

Sept 19

Stay in SD Career Fair

Oct 23-24

* Fall On-Campus Interview Round 2

Spring Events:

Feb 5-6

* Spring On-Campus Interview Round 1

TBA

Spring Career Fair

March 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 Teramic.Hill@usd.edu with any questions.



“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

PO Box 3528 | Sioux City IA 51102 | 605-390-4611
Ericka@HeiserValuation.com | HeiserValuation.com



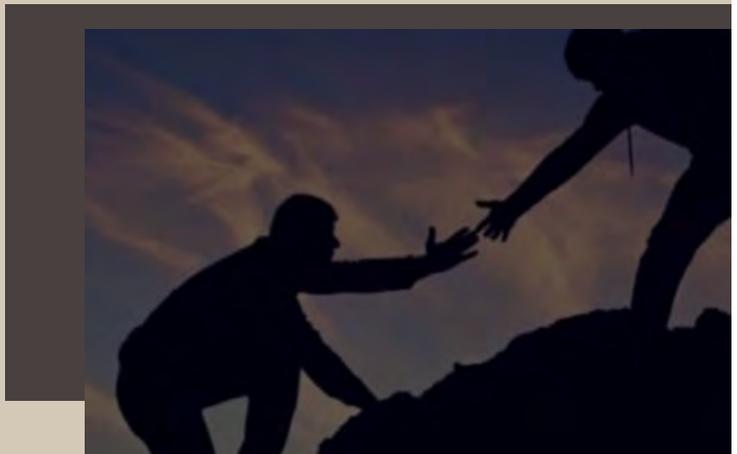
Ericka Heiser, MBA, CVA
Certified in Business Appraisals

ATTORNEY HEALTH & WELLNESS SOUTH DAKOTA LAWYERS 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!



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INCONSISTENT DOCUMENTATION
STRENGTHS AND WEAKNESSES IN CARE



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SONYACONELEY@OUTLOOK.COM

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How to Communicate Effectively

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



Avoiding Burnout in the Workplace: A Four-Part Approach to Sustainable Success

March 18, 2026
12:00 pm EDT - 12:45 pm EDT
[Register for this Webinar](#)



Strengthening Team Communication and Engagement in Uncertain Times

March 24, 2026
12:00 pm EDT - 1:00 pm EDT
[Register for this Webinar](#)





ANNOUNCEMENTS

Davenport, Evans, Hurwitz & Smith, LLP
is pleased to announce

*Alayna A. Holmstrom,
Elliot J. Knuths, and
Lori M. Rensink*
have become partners in the firm.

Davenport, Evans, Hurwitz & Smith, LLP
206 West 14th Street,
P.O. Box 1030
Sioux Falls, SD 57101-1030

Phone: (605) 336-2800
Fax: (605) 335-3639

Email: aholmstrom@dehs.com
eknuths@dehs.com
lrensink@dehs.com

www.dehs.com

Davenport, Evans, Hurwitz & Smith, LLP
is pleased to announce

Braiden H. Petersen
as an associate attorney.

Davenport, Evans, Hurwitz & Smith, LLP
206 West 14th Street,
P.O. Box 1030
Sioux Falls, SD 57101-1030

Phone: (605) 357-1241

Email: bpetersen@dehs.com

www.dehs.com

Law office suite for rent

Downtown Rapid City, 703 Main Street
Three offices with shared reception and conference
room

Email: Debra.Watson0282@gmail.com



Heidman Law Firm located in Sioux City, Iowa is pleased to announce Diane Murphy Smith as Partner of the Firm as of January 2026.

Diane specializes in the areas of divorce/dissolution of marriage, custody, adoption, guardianship/conservatorship, and the Indian Child Welfare Act. Her practice also includes criminal defense work and other litigation matters. She is a member of the American Bar Association, Iowa Bar Association, Woodbury County Bar Association, the Iowa Association for Justice, National Association for Criminal Defense Lawyers and National and the National College for DUI Defense.

She is admitted to practice in Iowa, Nebraska, and South Dakota, as well as U.S. District Court for the Northern District of Iowa.

For more information, visit us at www.heidmanlaw.com

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!



**REGISTRATION
DEADLINE:
MARCH 5TH**

2026 SDYLS SPRING BOOTCAMP

MARCH 13, 2026

Deadwood Mountain Grand Hotel

8:00 -5:00 pm

1906 Deadwood Mountain Drive
Deadwood, South Dakota 57732



DEADWOOD, S.D.

EXCLUSIVE SPEAKERS

STATE BAR OF SOUTH DAKOTA



YOUNG LAWYERS SECTION

PROGRAM OVERVIEW

Kick off the Bootcamp with a fireside chat featuring Justice Kern and Justice Gusinsky.

Sessions include Judge Day sharing 43 years of courtroom insight; Jennifer Williams on persuasive legal writing and advocacy; AI-powered legal research tools from Westlaw and LexisNexis representatives; Tim Rensch on criminal law; and "Wish List from a Court Reporter" with Lynnel and Annie.

Wrap up the day with a fun social, great conversation, and meaningful connections. Stay for St. Patrick's Day weekend. 🍀

Justice Kern (Ret.)



Justice Gusinsky



Judge Day



Jennifer Williams



Tim Rensch



Lynnel Bruemmer



Annie Burnett-Anderson



Featuring:

Lexis Nexis Rep
Westlaw Rep
22

REGISTER



**Itinerary and speakers are subject to change*

**South Dakota Bar
Young Lawyers Section
Spring Bootcamp Agenda**

Time:	Topic:	Speaker:
8:45 a.m.	Welcome & Opening Remarks.	
8:50 – 9:50 a.m.	From Year One Lawyer to Presiding Judge; 43 Years of Observation.	<p style="text-align: center;">Judge Day</p> <p>Join Judge Day for an insightful conversation reflecting on more than four decades in the legal profession. From the challenges and triumph of his first year in practice to the responsibilities of serving as Presiding Judge, Judge Day will share lessons learned, courtroom observations, and the professional habits that distinguish effective advocates from the rest. This session offers young lawyers a rare opportunity to gain perspective from someone who has seen the evolution of both the bar and the bench — and who understands firsthand the challenges and opportunities facing lawyers at every stage of their careers.</p>
9:50 – 10:50 a.m.	Legal Writing and Persuasive Advocacy	<p style="text-align: center;">Jennifer Williams</p> <p>Drawing on two decades of experience reviewing thousands of briefs and writing for the South Dakota Supreme Court and the U.S. District Court for the District of South Dakota, Jennifer Williams will focus on how to craft arguments that truly resonate with judges and withstand close scrutiny. She will identify common mistakes that undermine effectiveness and offer practical strategies for strengthening clarity, structure, and persuasion.</p>
10:50 – 11:00 a.m.	Morning Break.	
11:00 a.m. – 11:45 p.m.	Maximizing Legal Research with AI Tools, featuring	<p style="text-align: center;">Ripley Piedrasanta of LexisNexis</p> <p>This program on Maximizing Legal Research with AI Tools will provide practical guidance on using modern research platforms to work smarter and more efficiently. Attendees will learn effective search strategies, how to leverage AI-assisted research features, and techniques for refining results to improve accuracy and depth. The session will focus on helping practitioners obtain better, faster results while maintaining confidence in the reliability of their legal research.</p>
11:45 a.m. – 12:15 p.m.	Lunch	
12:15 p.m.– 1:00 p.m.	Maximizing Legal Research with AI Tools	<p style="text-align: center;">Claudine Horowitz of WestLaw</p> <p>This program on Maximizing Legal Research with AI Tools will provide practical guidance on using modern research platforms to work smarter and more efficiently. Attendees will learn effective search strategies, how to leverage AI-assisted research features, and</p>

		techniques for refining results to improve accuracy and depth. The session will focus on helping practitioners obtain better, faster results while maintaining confidence in the reliability of their legal research.
1:00 – 2:00 p.m.	Criminal Law	Tim Rensch This session on Criminal Law and Federal Criminal Practice will highlight key recent developments shaping the federal landscape. The presentation will explore important strategic considerations for practitioners navigating investigations, charging decisions, and trial preparation. Attendees will also gain practical litigation insights drawn from real-world practice to strengthen their advocacy in criminal matters.
2:00 p.m.– 2:15 p.m.	Afternoon Break	
2:15 – 3:00 p.m.	Wish List from a Court Reporter	Lynnel Bruemmer and Annie Burnett-Anderson Two stellar court reporters offer a behind-the-scenes look at what truly makes a clean record—and what can quietly undermine one. From speaking clearly and avoiding overlapping dialogue to properly identifying exhibits and ensuring objections are fully stated, this session will provide practical guidance on how to preserve issues for appeal and protect your client’s rights.
3:00 p.m. – 4:15 p.m.	Judicial Insights Panel (Q&A Format)	Justice Kern (Ret.) and Justice Gusinsky Justice Kern will reflect on ten years of service on the Supreme Court, while Justice Gusinsky will share wisdom he obtained from twelve years on the Circuit Court bench— including his time as Presiding Judge. Together, they will discuss the qualifications and characteristics that define an effective judge, from preparation to fairness. The presentation will be guided by an audience-guided question-and-answer session, providing attendees a unique opportunity to engage directly with both members of the judiciary.
4:15 p.m.	Social	

MARCH
LAW FOR LUNCH

FINCEN REPORTING: FOLLOW-UP QUESTIONS

FinCEN Real Estate Reporting

This is your chance to submit questions that you have regarding the new FinCEN rules for non-financed residential real estate transactions that go into on March 1, 2026. Please send questions to Eric@dakotahomestead.com in advance for presenter review.

Featured Speaker:

Brad Hoeschen,
VP for Old Republic Title Insurance Company

**MARCH 18, 2026
12:30-1:30 P.M. CT**



REGISTER NOW

SDTLA Spring Seminar
Friday, April 17, 2026
12:30-4:00 P.M.

Chef Dominique's Banquet Facility (Shriver's Square)
230 S. Phillips Ave. LOWER LEVEL
Sioux Falls, SD 57104

Join us for three hours of CLE and light refreshments.
Social event & networking to follow at PAve.

1:00 – 2:00 PM

“Mediation Essentials for Trial Lawyers”

Presenter: Lon J. Kouri, May & Johnson (Sioux Falls, SD)

2:00 – 3:00 PM

“Cybersecurity & Strategy for Trial Lawyers in the AI Era” *

Presenters: Kasey L. Olivier & Sean S. Porter, Vioris (Sioux Falls, SD)

3:00 – 4:00 PM

“The Value of Case Workshops / Preparing for Retrials” *

Presenter: George Johnson, Johnson Pochop & Bartling Law Office, LLP (Gregory, SD)

REGISTRATION FEES:

_____ \$75.00 SDTLA Sustaining Member

_____ \$125.00 SDTLA Member

_____ \$175.00 Non-member

_____ \$ 25.00 Requested out of state credit

Please photocopy and use a separate registration form for each registrant. Return this form to:
SDTLA, 214 Marina Dell Ave., Yankton, SD 57078. Questions, call (605) 660-5064.

NAME _____ **EMAIL** _____

REGISTER ON-LINE by sending an email message with the above information to
sdtriallawyers@gmail.com.



BANKRUPTCY ROUNDTABLE DISCUSSIONS

UNITED STATES COURTHOUSE
COURTROOM 3
515 NINTH STREET
RAPID CITY, SOUTH DAKOTA

THURSDAY, APRIL 23, 2026

11:30 A.M. - 12:30 P.M. (Mountain)

Light Lunch & Refreshments at 11:00 A.M. (Mountain)

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

Discussion Topics

STAN ANKER

INTAKE AND ANALYZING
FINANCIAL SITUATIONS
FOR RESTRUCTURING
THROUGH CHAPTER 11
INCLUDING SUBCHAPTER V
AND CHAPTER 12 FOR A
FAMILY FARM OR RANCH

DAVE CLAGGETT

OVERVIEW OF CHAPTER 7,
INCLUDING INTAKE, COMMON
EXEMPTION ISSUES, CREDIT
COUNSELING REQUIREMENT,
REAFFIRMATION AGREEMENTS,
AND 341 MEETING PREPARATION

DAN PAHLKE

CHAPTER 7 VERSUS
CHAPTER 13 AND
BENEFITS OF FILING
CHAPTER 13 WHEN
DEBTOR MAY
QUALIFY FOR BOTH

MICHAEL GIESEKE

PURPOSE, FUNCTIONS AND
SERVICES OF THE TRUSTEE'S OFFICE,
BENEFITS OF CHAPTER 12/13, TIPS
FOR WORKING WITH THE TRUSTEE

NATHAN CHICOINE

CREDITOR'S PERSPECTIVE ON
NAVIGATING THE STAY, PROOF OF
CLAIMS, MEETING OF CREDITORS,
OBJECTIONS, AND RELATED ISSUES

RSVPs are encouraged.
Please email Rick at rick_entwistle@sdb.uscourts.gov by **April 13, 2026** to RSVP.

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

ANNUAL COMMITTEE & SECTION REPORTS

**DEADLINE:
APRIL 30, 2026**

**This report is drafted and submitted by
committee & section chairs*

SUBMIT

Questions? Contact Alyssa Blasius at
Alyssa.Blasius@sdbar.net



Celebrating 125 Years of USD Knudson School of Law!

GRAND GALA
June 26, 2026
5:00 - 9:00 p.m.
Sioux Falls, SD

**Grand Gala Information &
Tickets:**



A hosted social hour will begin at 5:00 p.m.
with dinner and programming to follow.

REUNION BRUNCH
June 27, 2026
10:00 a.m. - 12:00 p.m.
Vermillion, SD

**Reunion Brunch
Information & RSVP:**



Enjoy brunch and a tour of the newly-remodeled law school! A conversation with Dean Fulton about the next 125 years of the Knudson School of Law will be held at 11 a.m. in the Courtroom.

2026 Joint

FAMILY/CRIMINAL LAW CLE

Program Chairs:

Alecia Fuller
Tom Keller

Amanda Miiller
Renee Stellagher

Family Law Topics

- **Legislative Update 2026** – Kyle Krause, Rapid City
- **Child Support Commission Report & 2026 Changes** – Christi Weideman, Aberdeen
- **There's an App for That** – Kylie Riggins, Rapid City
- **Immigration & Family Law Issues** – Ilisja Duffy, Rapid City

Criminal Law Topics:

- **Beyond Evidence: Understanding the Medical-Forensic Exam After Sexual Assault** – Jennifer Canton, Sioux Falls
- **South Dakota Forensic Lab: Capabilities, Reliability and Case Impact**– Kristina Fryer, South Dakota

May 8, 2026

DoubleTree by Hilton, Downtown Convention Center | Rapid City

REGISTER NOW



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**

**FINAL
CALL**

MARCH 15 DEADLINE

2026³¹-2027

STATE BAR OF SOUTH DAKOTA

ASK-A-LAWYER



APRIL 15-16, 2026
7-10 PM (6-9 PM MST)

FOR MORE INFORMATION OR TO SIGN UP, CONTACT
BROOKE SCHMIDT AT BSCHMIDT@DEHS.COM (**EAST RIVER**) OR
AIDAN GOETZINGER AT AGOETZINGER@GPNA.COM (**WEST RIVER**)

2026 BANKRUPTCY & DEBTOR-CREDITOR

CLE

Friday, September 18, 2026

9:00 am - 5:00 pm



Hilton Garden Inn Downtown
201 East 8th St., Sioux Falls, SD



SAVE THE DATE



INVESTING IN OUR

Next

125 YEARS

Fostering the next generation of lawyer leaders for South Dakota is the heart of USD Knudson School of Law's mission. Since its founding in 1901, USD Knudson School of Law has proven itself the leader in producing public servants in law, business and politics. As we begin our next 125 years, the importance of ongoing investment in that mission has never been greater.

By choosing how you give, you help shape the next generation of legal leaders and invest in the future of South Dakota and the nation.



Learn more about the following funds

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STERLING FUND
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and give today by visiting usdalumni.com/125-law-school or by scanning the QR code.



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.

Treatment Court Representatives Visit the Capitol!

Thank you

to the May Adam Law Firm and the South Dakota Association of Criminal Defense Lawyers for sponsoring a breakfast for the event.

Third Circuit Court Judge Carmen Means, Terra Larson of the May Adam firm, and Fifth Circuit Magistrate Judge Cullen McNeece



Fourth Circuit Magistrate Judge Francy Foral meets with Representative Rebecca Reimer



South Dakota Treatment Court team members visited about the work of the courts with legislators at the State Capitol on Feb. 25, 2026. Displays in the Senate and House lobbies showcased the achievements, impact and success of treatment courts across South Dakota. Learn more about the state's treatment courts at <https://uj.s.sd.gov/programs-services/treatment-courts>.

**STAY
TUNED**

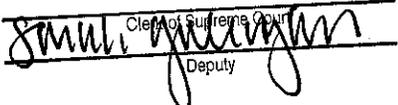


A2J Annual
State Bar Convention
Golf Tournament

**MORE DETAILS
COMING SOON!**



STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of
South Dakota, hereby certify that the within instrument is a true
and correct copy of the original thereof as the same appears
on record in my office. In witness whereof, I have hereunto set
my hand and affixed the seal of said court at Pierre, S.D. this
25 day of Feb, 2026.


Clerk of Supreme Court
Deputy

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 25 2026


Clerk

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENT)
TO SDCL 15-39-55)

RULE 26-01

A hearing was held on February 11, 2026, at Pierre,
South Dakota, relating to the amendment of SDCL 15-39-55, and the
Court having considered the proposed amendment and oral presentation
relating thereto, now, therefore, it is

ORDERED that SDCL 15-39-55 be amended to read in its
entirety as follows:

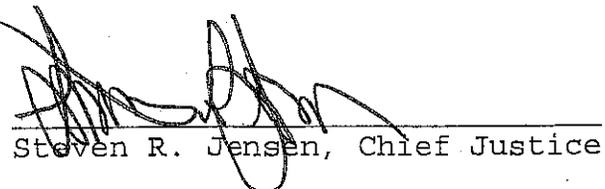
~~SDCL 15-39-55. Notice valid though refused by defendant~~
Further notice on failure of delivery.

~~Notice shall be valid although refused by the defendant and,~~
~~therefore, not delivered.~~ If the notice by certified or registered
mail is returned undelivered, without refusal by the defendant, or
if in any other way it appears that notice has not reached the
defendant, the clerk shall issue, at the request of the plaintiff
and at the expense of the plaintiff, such other or further notice
as the court may order. If plaintiff elects not to pursue further
notification of the defendant or if the further notification is
unsuccessful after ninety days, the clerk may dismiss the action
without prejudice.

IT IS FURTHER ORDERED that this rule shall become
effective July 1, 2026.

DATED at Pierre, South Dakota, this 25th day of
February, 2026.

BY THE COURT:


Steven R. Jensen, Chief Justice

ATTEST:


Clerk of the Supreme Court
(SEAL)

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE AMENDMENTS) RULE 26-02
TO SDCL 15-15A-8)
AND SDCL 15-15A-9)

A hearing was held on February 11, 2026, at Pierre, South Dakota, relating to amendment of SDCL sections 15-15A-8 and 15-15A-9, and the Court having considered the proposed amendments and written and oral presentation relating thereto, now, therefore, it is

ORDERED that SDCL sections 15-15A-8 and 15-15A-9 be amended to read in their entirety as follows:

SDCL 15-15A-8. Confidential numbers, financial documents, and name of child ~~victim~~ excluded from public access.

The following information in a court record is not accessible to the public:

- (1) Social security numbers, employer or taxpayer identification numbers, and financial or medical account numbers of an individual;
- (2) Financial documents such as income tax returns, W-2's and schedules, wage stubs, credit card statements, financial institution statements, check registers, and other financial information; and
- (3) The name of any minor child, that is not a defendant, ~~alleged to be a victim of a crime~~ in any adult criminal proceeding.

SDCL 15-15A-9. Filing confidential numbers, financial documents, and name of child ~~victim~~ in court record.

The following procedures apply to the filing of confidential information in court records:

- (1) Social security numbers, employer or taxpayer identification numbers, and financial or medical account numbers of an individual where required to be filed with the court ~~shall~~ must be submitted on a separate Confidential Information Form, appended to these rules, and filed with the pleading or other document required to be filed. The Confidential Information Form is not accessible to the public;
- (2) Financial documents named in subdivision 15-15A-8(2) that are required to be filed with the court ~~shall~~ must be submitted as a confidential document and designated as such to the clerk upon filing. The Confidential Financial Documents Information Form appended³⁹ to these rules ~~shall~~ must be attached to financial documents being filed with the court.

The Confidential Financial Documents Information Form is not accessible to the public. The confidential financial documents will not be publicly accessible, even if admitted as a trial or hearing exhibit, unless the court permits access pursuant to § 15-15A-10. The court may, on its own motion, protect financial documents that have been submitted without the Confidential Financial Documents Information Form-;

(3) Names of any child under eighteen years of age, that is not a defendant, ~~alleged to be the victim of a crime in any adult criminal proceeding shall~~ must appear as ~~initials only~~ "minor" or "minor family member" followed by a numerical identifier. The names shall must be provided on a separate Confidential Information Form-;

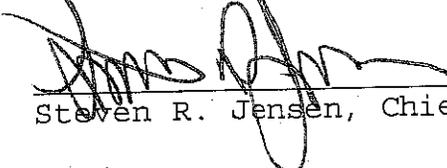
(4) Court records in which a child under eighteen years of age is identified as the petitioner or respondent in a protection order proceeding shall must be treated as confidential and excluded from public access-; and

(5) Parties with cases filed prior to the effective date of this rule, or the court on its own, may, by motion, protect the privacy of confidential information as defined in § 15-15A-8. Parties filing this motion will submit a completed Confidential Information Form or Confidential Financial Documents Information Form as appropriate.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2026.

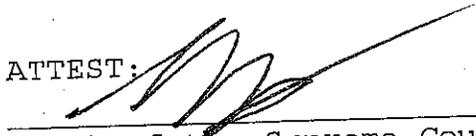
DATED at Pierre, South Dakota, this 25th day of February, 2026.

BY THE COURT:



Steven R. Jensen, Chief Justice

ATTEST:



Clerk of the Supreme Court
(SEAL)

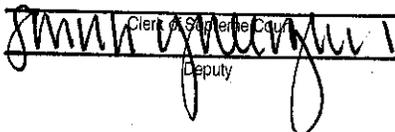
SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 25 2026


Clerk

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

25 day of Feb, 2026.


Deputy

(2) Original or duplicate deposit slips, credit card receipts, and, in the case of currency or coin, an additional cash receipts book, clearly identifying:

(a) The date and source of all trust funds received; and

(b) The client or matter for which the funds were received.

(3) Original cancelled checks, or copies of both sides of the original checks produced through truncation or check imaging, or the equivalent, all of which must be numbered consecutively. If electronic disbursements or transfers are made, a record of all electronic disbursements or transfers, including for each disbursement or transfer, the date of the transaction, the amount of each transaction, the name of the client to whom the transaction pertains, the recipient of the funds involved in the transaction, the purpose of the transaction, and the signature of the attorney authorizing the transaction. A separate transaction must be completed for each electronic disbursement or transfer from a trust account.

(4) Other documentary support for all disbursements and transfers from the trust account.

(5) A separate trust accounts receipts and disbursements journal, including columns for receipts, disbursements, transfers, and the account balance, and containing at least:

(a) The identification of the client or matter for which the funds were received, disbursed, or transferred;

(b) The date on which all trust funds were received, disbursed, or transferred;

(c) The check number, electronic confirmation number, or other documentation for all transfers or disbursements; and

(d) The reason, such as "settlement," "closing" or "retainer," for which all trust funds were received, disbursed, or transferred.

(6) A separate individual client or matter file, ledger or computer file with an individual card, page or computer document for each client or matter, showing all individual receipts, disbursements, or transfers and any unexpended balance for the client or matter, and containing:

(a) The identification of the client or matter for which trust funds were received, disbursed, or transferred;

(b) The date on which all trust funds were received, disbursed, or transferred;

(c) The check number, electronic confirmation number or other documentation for all disbursements or transfers; and

(d) The reason, such as "settlement," "closing" or "retainer," for which all trust funds were received, disbursed, or transferred. The billing or invoice number for each disbursement or transfer paying attorney's fees earned or costs advanced from funds held in trust for the client.

(7) All bank or credit union savings and loan association statements for all trust accounts.

MINIMUM TRUST ACCOUNTING PROCEDURES

The minimum trust accounting procedures which shall be followed by all attorneys practicing in South Dakota who receive or disburse trust money or property are:

- (1) The lawyer shall cause to be made monthly:
 - (a) Reconciliations of all trust bank or credit union savings and loan association accounts, disclosing the balance per bank or credit union, deposits in transit, outstanding checks or electronic disbursements or transfers identified by date and check number or electronic confirmation number, and any other items necessary to reconcile the balance per bank with the balance per the checkbook and the cash receipts and disbursements journal; and
 - (b) A comparison between the total of the reconciled balances of all trust accounts and the total of the individual client trust ledger cards, pages, or computer documents, together with specific descriptions of any difference between the two totals and reasons therefore.
- (2) At least annually, a detailed listing identifying the balance of the unexpended trust money held for each client or matter.
- (3) The above reconciliations, comparisons, and listing shall be retained for at least six years.
- (4) The lawyer shall file with the State Bar of South Dakota a trust accounting certificate showing compliance with these rules annually, which certificate shall be filed annually between December 1 and January 31 on a form approved by the Disciplinary Board

AUDITS

The following shall be cause for the Disciplinary Board to order an audit of a lawyer's or law firm's trust accounts:

- (1) Failure to file the trust account certificate required by this rule;
- (2) A trust account check is returned for insufficient funds or for uncollected funds, absent bank error;
- (3) A petition for creditor relief is filed on behalf of an attorney;
- (4) Felony charges are filed against an attorney;
- (5) An attorney is adjudged insane or mentally incompetent;
- (6) A claim against the attorney is filed with the Clients' Security Fund;
- (7) When authorized by statute or court rule;
- (8) Pursuant to an investigation by the Disciplinary Board; or
- (9 &) Upon court order.

COST OF AUDIT

Audits conducted in any of the circumstances enumerated above shall be at the cost of the attorney audited only when the audit reveals that the attorney was not in substantial compliance with the trust accounting requirements or when the audit was precipitated by the failure to file the trust account compliance report. It shall be the obligation of any attorney who is being audited to produce all records and papers concerning property and funds held in trust and to provide such explanations as may be required for the audit. Records of general accounts are not required to be produced except to verify that trust money has not been deposited thereto. If it has been determined that trust money has been deposited into a general account, all of the transactions pertaining to any firm account will be subject to audit.

CERTIFICATE OF COMPLIANCE

INSURANCE DISCLOSURE

TO: The Secretary-Treasurer The State Bar of South Dakota 111 W. Capitol Ave. #1 Pierre, South Dakota 57501

Dear Sir:

I (We), _____, a member(s) of the State Bar of South Dakota certify that during the twelve-month period preceding the date of this report: (check the following items where applicable and/or fill in the blanks)

1. I 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 nonmember 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 (we) 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 _____, 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.

(Signature)

(Print or type the following information)

Full Name _____

Business Address _____

Date _____

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

6. During the fiscal period ended _____ to the best of my knowledge I, 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:

Yes or No

(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." _____

*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. _____

(c) Original cancelled checks or copies of both sides of the original checks produced through truncation or check imaging, or the equivalent, for all trust disbursements. _____

(d) Other documentary support for all disbursements and transfers from the trust account. _____

(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. _____

(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. _____

(g) All bank statements for trust accounts. _____

(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.

____ 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.

____ 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) G *The undersigned lawyer(s) do not have professional liability insurance; or

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

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 Responding Lawyers Signatures:

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 Lawyers Signatures:

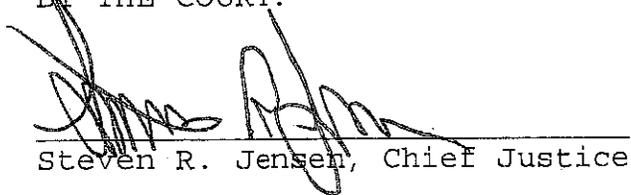
Date: _____

*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.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2026.

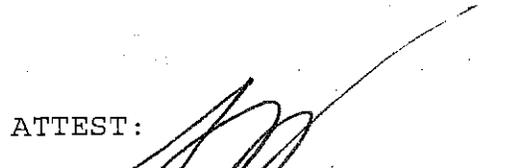
DATED at Pierre, South Dakota, this 25th day of February, 2026.

BY THE COURT:



Steven R. Jensen, Chief Justice

ATTEST:



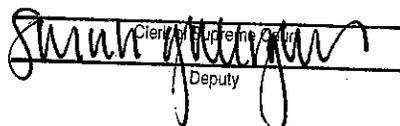
Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 25 2026


Clerk

STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this
25 day of Feb, 2026.



Deputy

STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jameson-Fergal, Clerk of the Supreme Court of
South Dakota, hereby certify that the within instrument is a true
and correct copy of the original thereof as the same appears
on record in my office. In witness whereof, I have hereunto set
my hand and affixed the seal of said court at Pierre, S.D. this
25 day of Feb, 2026.

Shirley A. Jameson-Fergal
Clerk of Supreme Court
Deputy

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 25 2026

Shirley A. Jameson-Fergal
Clerk

* * * *

IN THE MATTER OF THE AMENDMENT)
TO SDCL 19-19-702)

RULE 26-04

A hearing was held on February 11, 2026, at Pierre,
South Dakota, relating to the amendment of SDCL 19-19-702, and the
Court having considered the proposed amendment and oral presentation
relating thereto, now, therefore, it is

ORDERED that SDCL 19-19-702 be amended to read in its
entirety as follows:

SDCL 19-19-702 Testimony by expert. A witness who is
qualified as an expert by knowledge, skill, experience, training,
or education may testify in the form of an opinion or otherwise if
the proponent demonstrates to the court that it is more likely than
not:

- (a) The expert's scientific, technical, or other specialized
knowledge will help the trier of fact to understand the evidence or
to determine a fact in issue;
- (b) The testimony is based on sufficient facts or data;
- (c) The testimony is the product of reliable principles and
methods; and
- (d) The expert has reliably applied expert's opinion reflects a
reliable application of the principles and methods to the facts of
the case.

IT IS FURTHER ORDERED that this rule shall become
effective March 31, 2026.

DATED at Pierre, South Dakota, this 25th day of
February, 2026.

BY THE COURT:

Steven R. Jensen
Steven R. Jensen, Chief Justice

ATTEST

Shirley A. Jameson-Fergal
Clerk of the Supreme Court
(SEAL)

STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of
South Dakota, hereby certify that the within instrument is a true
and correct copy of the original thereof as the same appears
on record in my office. In witness whereof, I have hereunto set
my hand and affixed the seal of said court at Pierre, S.D. this
25 day of Feb, 2026.

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 25 2026

Shirley A. Jameson-Fergel
Clerk of Supreme Court
Deputy

Shirley A. Jameson-Fergel
Clerk

* * * *

IN THE MATTER OF THE ADOPTION OF)
A NEW RULE TO PROVIDE FOR THE)
DISCHARGE OF FINANCIAL OBLIGATIONS) RULE 26-05
THREE YEARS FOLLOWING NOTICE OF)
DEATH OF A DEFENDANT)

A hearing was held on February 11, 2026, at Pierre,
South Dakota, relating to the adoption of a new rule to provide
for the discharge of financial obligations three years following
notice of death of a defendant, and the Court having considered
the proposed adoption and oral presentation relating thereto, now,
therefore, it is

ORDERED that a new rule be adopted to read in its entirety as
follows:

Any court-ordered financial obligation due and owing in a
criminal proceeding, habeas corpus or abuse and neglect case, must
be terminated three years following notice of death of the party
owing the court-ordered financial obligation unless the court
orders otherwise upon motion of the parties or victim. The Unified
Judicial System shall provide the state's attorney, county auditor
and victim, if applicable, notice of the date of death when that
information is received.

IT IS FURTHER ORDERED that this rule shall become
effective July 1, 2026.

DATED at Pierre, South Dakota, this 25th day of
February, 2026.

BY THE COURT:

Steven R. Jensen
Steven R. Jensen, Chief Justice

ATTEST:

Shirley A. Jameson-Fergel
Clerk of the Supreme Court
(SEAL)

STATE OF SOUTH DAKOTA
In the Supreme Court
I, Shirley A. Jameson-Fergal, Clerk of the Supreme Court of
South Dakota, hereby certify that the within instrument is a true
and correct copy of the original thereof as the same appears
on record in my office. In witness whereof, I have hereunto set
my hand and affixed the seal of said court at Pierre, S.D. this
20 day of Feb, 2026.

Shirley A. Jameson-Fergal
Clerk of the Supreme Court
Deputy

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 26 2026

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

Shirley A. Jameson-Fergal
Clerk

* * * *

IN THE MATTER OF THE ADOPTION OF A)
NEW RULE TO PROVIDE REMOTE ACCESS)
TO TRUST DOCUMENTS FOR ATTORNEYS)
OF RECORD)

CORRECTED
RULE 26-06

A hearing was held on February 11, 2026, at Pierre,
South Dakota, relating to the adoption of a new rule to provide
remote access to trust documents for attorneys of record, and the
Court having considered the proposed adoption and oral presentation
relating thereto, now, therefore, it is

ORDERED that a new rule to be placed in SDCL chapter 21-22 be
adopted in its entirety as follows:

The Unified Judicial System shall provide remote online access
to the court file to the attorney of record for a court trust or
other trust, as indicated in the court record, through a secured
online portal.

IT IS FURTHER ORDERED that this rule shall become
effective July 1, 2026.

DATED at Pierre, South Dakota, this 26th day of
February, 2026.

BY THE COURT:

Steven R. Jensen
Steven R. Jensen, Chief Justice

ATTEST:

Shirley A. Jameson-Fergal
Clerk of the Supreme Court
(SEAL)

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE ADOPTION OF A)
NEW RULE ESTABLISHING MINIMUM) RULE 26-07
QUALIFICATIONS OF CHILD CUSTODY)
EVALUATORS AND MINIMUM REQUIREMENTS)
OF REPORTS SETTING FORTH EVALUATOR'S)
FINDINGS AND RECOMMENDATIONS TO)
COURTS TO BE ADDED TO SDCL CHAPTER)
25-4A CUSTODY AND VISITATION RIGHTS)

A hearing was held on February 11, 2026, at Pierre, South Dakota, relating to the adoption of a new rule establishing minimum qualifications of child custody evaluators and minimum requirements of reports setting forth evaluator's findings and recommendations to courts to be added to SDCL chapter 25-4A Custody and Visitation Rights, and the Court having considered the proposed adoption and oral presentation relating thereto, now, therefore, it is

ORDERED that a new rule to be placed in SDCL chapter 25-4A be adopted in its entirety as follows:

Section 1. Custody and Parenting Time Disputes - Appointment of Custody Evaluator.

In any custody or visitation dispute between parents, the court may appoint a custody evaluator to assist the court in determining the best interests of the child.

Section 2. Custody Evaluator Appointment at Party Request or on Court's Own Motion.

At the request of either party, or on the court's own motion, a custody evaluator may be appointed in any custody or parenting time proceeding. The parties may agree to use a custody evaluator, subject to approval by the court, or the court may designate a custody evaluator for the parties to use.

Section 3. Definitions.

The terms used in Sections 1 through 6 mean:

- (1) Custody evaluation: An evaluation based on personal interviews, interactions and observations of the parties and minor children that makes a recommendation to the court as to custody and parenting time for minors.
- (2) Custody evaluator: A person who meets the minimum qualifications set forth in Section 4 to perform custody evaluations.

Section 4. Qualifications of Custody Evaluator.

A custody evaluator must satisfy the following minimum qualifications:

- (1) File an approved application on the prescribed form with the presiding judge for the circuit in which the evaluator will provide custody and parenting time evaluation services;
- (2) Have a general knowledge of the South Dakota court system and its procedures in family matters;
- (3) Have a general knowledge of South Dakota family law, especially as applied to custody and parenting time issues;
- (4) Have a minimum of four hours of domestic violence training focusing upon the impact it has on parents and children exposed to violence;
- (5) Have a minimum of forty hours custody evaluation training with competence in the following areas:
 - (a) Definition of the purpose and roles of the child custody evaluator;
 - (b) Child development and the impact of parenting practices and other influences on children's development;
 - (c) The impact of parental separation, divorce, family restructuring, and interparent conflict on children, adults, and families;
 - (d) Family violence patterns and coercive controlling behaviors, the connection between intimate partner violence and child maltreatment, and the effects of exposure to family violence and coercively controlling behaviors on children;

- (e) Parent-child contact problems and resist-refuse dynamics, including parental alienating behaviors, compromised parenting and child maltreatment;
- (f) Child and adult psycho-pathology, including mental health disorders, learning disorders, and developmental disorders;
- (g) Child maltreatment, including child neglect and physical, psychological, and sexual child abuse, the connection between child maltreatment and other adverse childhood experiences, and factors associated with resiliency from trauma and adversity;
- (h) Impact of relocation on children, adults, and families;
- (i) Resources available in the state to which the parties and the children can be referred for assistance;
- (j) Review of cultural considerations, bias, and ethical issues;
- (k) Utilization of psychological testing;
- (l) Updates on the current research;
- (m) Developmentally appropriate and empirically informed parenting plans, long distance parenting plans, methods of facilitating transitions between homes, and communication and information exchange;
- (n) Interviewing, record keeping, use of technology and problem-solving techniques applicable to the family setting;
- (o) Evidence-informed methods for interviewing adults and children, observing parent-child interactions, applying balanced procedures, maintaining objectivity, and interpreting data;
- (p) Recognizing the limits of reliability and validity of various sources of information; and
- (q) Best practices for report writing and testifying.

- (6) Committed to, and participate in, at least forty hours of continuing education courses focused on the areas outlined in subdivision 5 of this section every two years;
- (7) Be an attorney who is licensed to practice law in South Dakota; a psychologist who is licensed to practice in South Dakota; a psychiatrist who is licensed to practice in South Dakota; or any other South Dakota-licensed or certified professional with a master's degree or higher in social work, psychology, child development, counseling or behavioral sciences or a closely related field relevant to the duties of a custody evaluator; and
- (8) Have at least twenty-four months of professional experience working with families as outlined in subsection 7.

Section 5. Appointment Upon Consent of Parties.

Any person not meeting the educational requirements of subdivision 4(5) may be appointed as a custody evaluator upon consent of the parties, and order approving the same at the court's discretion. The person is still required to comply with the training requirements of subdivisions 4(2), (3) and (4).

Section 6. Form for Custody Evaluations.

The purpose of a custody evaluation is to provide the court with information it may consider in making decisions regarding custody and parenting time arrangements that are in the child's best interest. A custody evaluator shall consider and respond to the factors as set forth by the court in §§ 25-4A-24, 25-4-45 and sections set forth above.

A custody evaluator shall:

- (1) Use interview, assessment, and testing procedures that are consistent with generally accepted clinical, forensic, scientific, diagnostic, or medical standards;
- (2) Complete a fact-finding investigation;
- (3) Interview service providers and other collateral sources (teachers, psychologists, psychiatrists, doctors, nurses, neighbors, and others) who are knowledgeable about the child and family; and

- (4) Administer or obtain psychological evaluations only upon receiving a court order or an agreement between the parties. Psychological evaluations must only be administered and interpreted by a licensed expert.

Every custody evaluation report must contain the following:

- (1) The procedures employed during the evaluation;
- (2) The data collected as permitted by professional standards;
- (3) Testing results;
- (4) An explanation of any limitations in the evaluation or any reservations of the professional regarding the resulting recommendations;
- (5) Verification of each statement of material fact upon which the evaluator relied and the sources of verification, or alternatively, the inability to verify material facts and reasons therefore;
- (6) The amount of time spent with each party and child; and
- (7) Application and discussion of each of the factors set forth in § 25-4A-24.

Upon receiving notice of an appointment by the court, the evaluator shall provide their anticipated timeline for commencement to the parties and to the court. Following receipt of the anticipated commencement date, either party may request the assignment of a different evaluator. After commencement of the evaluation, a report must be completed within 120 days after appointment by a court order. If the evaluation will not be completed within 120 days, upon the motion by either party, the court may expand the timeline. The evaluator shall send a status update to the parties at least once every 30 days outlining what needs to be completed or provided by each party.

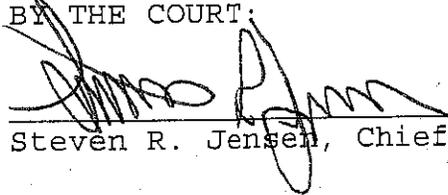
Upon completion of the report, the evaluator shall provide the written report to the parties and file a copy of the report with the court.

Evaluators shall retain all documents and notes used during their custody evaluation process for at least three years after completion of the report.

IT IS FURTHER ORDERED that this rule shall become effective July 1, 2026.

DATED at Pierre, South Dakota, this 25th day of February, 2026.

BY THE COURT:

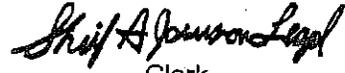

Steven R. Jensen, Chief Justice

ATTEST:


Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

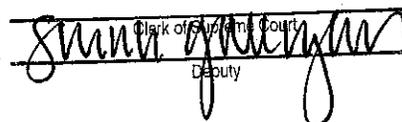
FEB 25 2026


Clerk

STATE OF SOUTH DAKOTA
In the Supreme Court

I, Shirley A. Jameson-Fergal, 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

25 day of Feb, 2026.


Deputy

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

25 day of Feb, 2026

Shirley A. Jameson-Fergel
Clerk of the Supreme Court
Deputy

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE PROPOSED)
AMENDMENT TO THE APPENDIX TO)
SDCL CH. 25-4A CUSTODY AND)
VISITATION RIGHTS)

RULE 26-08

A hearing was held on February 11, 2026, at Pierre, South Dakota, relating to the amendments to the Appendix of SDCL Ch. 25-4A, and the Court having considered the proposed amendments and oral and written presentation relating thereto, now, therefore, it is ORDERED that the amendments to the Appendix of SDCL Ch. 25-4A be adopted to read in its entirety as follows:

Enforcement

These guidelines are required to be served with the Summons and Complaint in a divorce, paternity action, or any other custody action or proceeding.

See <https://ujslawhelp.sd.gov/onlineforms.aspx>
<https://uj.s.sd.gov/self-help/family-law-help/> under divorce or paternity actions for instructions on how to initiate an action (service of summons).

~~If the parents are able to agree to a schedule other than the guidelines, these Guidelines should be used as a **minimum** direction in creating the parenting time plan. Parents should agree to parenting times that they find reasonable and in the best interest of their children and the Parenting Guidelines are not intended to prevent such agreements.~~

Parental Agreements Encouraged:

Parents are both allowed and encouraged to work together and create a parenting plan for their child(ren) after giving meaningful consideration of the needs and abilities of the child(ren) and parents involved in their specific situation. These guidelines are intended to provide guidance regarding the **minimum** parenting time children should have with parents in order to ensure meaningful contact and allow for the parent/child relationship. Parents should agree to parenting time they find reasonable and in the best interests of their children. These Parenting Guidelines are intended to provide guidance and fill in the gaps when parents are unable to reach an agreement and are not intended to prevent agreements.

If the parents are unable to agree on a parenting plan, these Guidelines become a mandatory initial parenting plan and are enforceable as a court order upon commencement of a divorce or court action involving custody. SDCL 25-4A-11. ~~If you disagree with the use of these Guidelines as your parenting time plan, either parent has the right to object. Your written objection shall be filed with the Clerk. After it is filed, a hearing will be held and the Judge will determine your parenting time schedule. Instructions and this objection form can be found at <https://ujslawhelp.sd.gov/defendants.aspx>. This is a court order that will remain in place until further order of the court or until the parents agree otherwise.~~

Objection:

If either parent disagrees with the use of these guidelines as the initial parenting time plan, that parent has a right to object. A written objection shall be filed with the clerk. A form for the objection (form 372) can be found here: <https://uj.s.sd.gov/media/od3jgnnd/uj-s-372-objection-to-order-implementing-guidelines-9-2022.pdf>. Upon filing of the objection, a hearing will be scheduled within 30 days. Following the hearing, the court will issue an order for temporary custody. To assist the Court in formulating an interim order, parents should be prepared to concisely convey the degree of each parent's participation in the child's life and provide information regarding the provisions set forth in SDCL 25-4-45.

When constructing an interim parenting time schedule the Court will work to maximize the time each parent has with the child consistent with each parent's demonstrated participation in the child's life and ensuring the child's welfare. When constructing a parenting plan, the Court may consider these guidelines, as guidance regarding the **minimum** exposure recommended for children with parents in order to ensure meaningful contact and allow for the maintenance of the parent/child relationship. SDCL 25-4A-13.

Instructions and forms regarding enforcement can be found at:

<https://ujslawhelp.sd.gov/enforcement.aspx> <https://uj.s.sd.gov/self-help/family-law-help/> under Shared Parenting Guidelines & Plans.

Guideline 1. For Parents Who Have Children Under Age 5.

1.1. Children Under Age 5 Generally.

- 0 Newborns (birth to 3 months) and infants (3 - 6 months) have a great need for continuous contact with their primary caregiver, but also frequent

contact with both parents who provide a sense of security, nurturing, and predictability.

- O ~~Generally, overnights for very young children is not recommended unless the parents are both very closely attached to the children, are able to personally provide primary care, the children are adaptable, and the parents are cooperative.~~
- O Overnights with very young children can establish and maintain meaningful bonds between the child and both parents and should occur when both parents can provide nurturing and routine within a stable environment. The schedule should be adjusted as needed to support the child's comfort and development.
- O Older children are able to tolerate more and longer separations from one parent or the other.

The following Guidelines for children under age 5 are designed to take into account childhood developmental milestones. Since children mature at different rates, these may need to be adjusted to fit the children's individual circumstances.

1.2. Birth until 3 Months. Recognizing the amount of time each parent spent with the children prior to the parents' separation and/or since that time, alternative parenting plans are recommended:

(1) Three, 2-hour parenting time periods per week and one weekend parenting time period for 6 hours; or

(2) In situations where both parents have been engaged in an ongoing caregiving routine with a nursing child, overnights are allowed to continue as much as possible to provide the same caregiving arrangement to the child and maintain stability for the child. If applicable, breastfeeding shall be accommodated, but the parents must cooperate in working out alternatives. See 1.8 below.

1.3. 3 - 6 Months. Recognizing the amount of time each parent spent with the children prior to the parents' separation

and/or since that time, alternative parenting plans are recommended:

- (1) Three, 3-hour custodial periods per week and one weekend day for 6 hours. If applicable, breast feeding shall be

accommodated but the parents must cooperate in working out alternatives; or

- (2) Three, 3-hour custodial periods per week and one overnight on a weekend not to exceed ~~18~~ 24 hours, if the parent is capable of personally providing primary care. See exceptions in Section 1.8 below; or
- (3) In situations where both parents have been engaged in an ongoing caregiving routine with a child, overnights are allowed to continue as much as possible to provide the same caregiving arrangement to the children and maintain stability for the children.

1.4. 6 - 12 Months. Recognizing the amount of time each parent spent with the children prior to the parents' separation and/or since that time, alternative parenting times are recommended:

- (1) Three, 4-hour parenting time periods per week and one weekend day for 6 hours; or
- (2) Three, 4-hour parenting time periods per week and one overnight on a weekend not to exceed ~~18~~ 24 hours, ~~if the child is not breastfeeding and the parent is capable of personally providing primary care;~~ or
- (3) Children spend time in alternate homes, but spend significantly more time in one parent's home and no more than 1-2 overnights spaced regularly throughout the week at the other parent's home; or
- (4) In situations where both parents have been engaged in an ongoing caregiving routine with a child, overnights are allowed to continue as much as possible to provide the same caregiving arrangement to the children and maintain stability for the children.

1.5. 12 - 36 Months. Recognizing the amount of time each parent spent with the children prior to the parents' separation and/or since that time, alternative parenting times are recommended:

- (1) Three, 8-hour parenting time periods per week on a predictable schedule; or
- (2) Three, 8-hour parenting time periods per week on a predictable schedule and one overnight per week not to

exceed ~~18~~ 24 hours; or

- (3) Children spend time in alternate homes, but with significantly more time in one parent's home with 1-2 overnights spaced regularly throughout the week. This arrangement requires adaptable children; or
- (4) In situations where both parents have been engaged in an ongoing caregiving routine with the children (~~nursing or otherwise~~), overnights are allowed to continue as much as possible to provide the same caregiving arrangement to the children and maintain stability for the children.

1.6. 3 Years - 5 Years. Recognizing the amount of time each parent spent with the children prior to the parents' separation and/or since that time, alternative parenting times are recommended:

- (1) One overnight parenting time period not to exceed 24 hours and two additional 8-hour parenting time periods each week, separate from the overnight, with the children returning to the other parent's home at least 1 hour before bedtime; or
- (2) Two to three overnights at one home, spaced throughout the week, the remaining time at the other parent's home. This arrangement requires adaptable children; or
- (3) In situations where both parents have been engaged in an ongoing caregiving routine with the children, overnights are allowed to continue as much as possible to provide the same caregiving arrangement to the children and maintain stability for the children.

If the parents cannot agree on which provision applies in sections 1.2 through 1.6, the parties shall use option 1 until further order of the court. Absent special circumstances as determined by the court, parenting time shall not decrease from one age category to the next.

1.7. Children in Day Care. In families where children are in day care before and/or after parental separation, the children may be able to tolerate more time with each parent earlier than their specific age group indicates above because the children are accustomed to separations from both parents.

1.8. Breastfeeding Children. - Parents must be sensitive to the special needs of breastfeeding children. Children's basic

sleeping, feeding, and waking cycles should be maintained to limit disruption in the children's routine. Forcibly changing these routines due to the upheaval of parental disagreement is detrimental to the physical health and emotional well-being of the children. On the other hand, it is important that the children be able to bond with both parents.

- a. For children being exclusively breastfed, the nursing child can still have frequent parenting time with the other parent. The amount of time will be guided by/subject to infant's feeding schedule, progressing to more time as the child grows older. Both parents should be mindful that a feeding may occur, and the child may return to time with the other parent after the feeding.
- b. Where both parents have been engaged in an ongoing caregiving routine with a nursing child, the same caregiving arrangement should be continued as much as possible to maintain stability for the children.
- c. If the other parent has been caring for the children overnight or for ~~twenty-four~~ 24-hour periods while the nursing mother sleeps or works, that arrangement ~~should~~/shall continue.
- d. A mother may not use breastfeeding to deprive the other parent of time with the children. If, for example, a nursing mother uses day care or a babysitter for the children, the same accommodations (i.e., bottle feeding with breast milk or formula, or increased time between breast feeding sessions) used with the day care provider or babysitter will be used with the other parent, if the other parent is capable of personally providing the same caregiving.

1.9. Holidays. For children aged 0-5 years, when the parents live and/or celebrate the holiday in the same or a nearby community, the parents shall alternate the following holidays in the chart below. Prior to a child's 5th birthday, holiday parenting time shall not exceed the longest period of parenting time currently being exercised and shall be scheduled by the parent exercising

holiday time. If the parents cannot otherwise agree, the holiday time shall be exercised within the time frames provided in the chart below not to exceed the longest period of parenting time currently being exercised. It is recommended that the parents communicate two weeks in advance about who is exercising what

time period for the holidays set forth below. Parenting time, however, shall not be withheld solely for failure to abide by this two-week recommendation.

Holiday	Details	Even-Numbered Years	Odd-Numbered Years
Martin Luther King, Jr. Day weekend	5:00 p.m. Friday - 8:00 a.m. Tuesday	Parent 2	Parent 1
President's Day weekend	5:00 p.m. Friday - 8:00 a.m. Tuesday	Parent 1	Parent 2
Easter weekend	8:00 a.m. Friday - 8:00 a.m. Monday	Parent 2	Parent 1
Mother's Day	8:00 a.m. - 8:00 a.m. the following day	Parent 1 <u>Mother</u>	Parent 1 <u>Mother</u>
Memorial Day	5:00 p.m. Friday - 8:00 a.m. Tuesday	Parent 2	Parent 1
Juneteenth (6/19)	<u>Starts at 8:00 a.m. on 6/19 and ends 8:00 a.m. the following day on 6/20. (In the event that Juneteenth and Father's Day lands on the same day, Father's Day prevails).</u>	Parent 1	Parent 2
Father's Day	8:00 a.m. - 8:00 a.m. the following day	Parent 2 <u>Father</u>	Parent 2 <u>Father</u>
4th of July	5:00 p.m. July 3rd - 5:00 p.m. July 5th	Parent 1	Parent 2
Labor Day	5:00 p.m. Friday - 8:00 a.m. Tuesday	Parent 1	Parent 2
Native American Day	5:00 p.m. Friday - 8:00 a.m. Tuesday	Parent 2	Parent 1
Halloween	3:00 p.m. - 8:00 p.m.	Parent 1	Parent 2
Thanksgiving	8:00 a.m. Thursday - 5:00 p.m. Sunday	Parent 2	Parent 1
Christmas Eve	8:00 a.m. Christmas Eve - 8:00 a.m. Christmas Day	Parent 2	Parent 1
Christmas Day	8:00 a.m. Christmas Day - 8:00 a.m. December 26th	Parent 1	Parent 2

Child's Birthday	Ages 0-3 = 4 hours Ages 3-5 = 8 a.m. on date of birthday - 8:00 a.m. the next day (If the birthday falls on a holiday, <u>the holiday takes precedence and the parenting time</u>)	Parent 2	Parent 1
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	for the birthday shall take place the day before)		
Parent 2's Birthday	Ages 0-3 = 4 hours Ages 3-5 = 8 a.m. on date of birthday - 8:00 a.m. the next day (If the birthday falls on a holiday, <u>the holiday takes precedence and the parenting time for the birthday shall take place the day before)</u>)	Parent 2	Parent 2
Parent 1's Birthday	Ages 0-3 = 4 hours Ages 3-5 = 8 a.m. on date of birthday - 8:00 a.m. the next day (If the birthday falls on a holiday, <u>the holiday takes precedence and the parenting time for the birthday shall take place the day before)</u>)	Parent 1	Parent 1

1.10 Vacation With Children 3 - 5 Years Old. Upon 30 days advance written notice (by mail, email or text message), each parent is entitled to two separate periods of uninterrupted time for up to 5 days each with their children each year, not to conflict with the other parent's holiday parenting time. Parents are encouraged to coordinate vacation plans. The parents shall consider extending the 5-day time periods to 7 days if the children are adaptable and accustomed to spending time with both parents. In the event there is a dispute, the mother gets priority in choosing her vacation periods first in even-numbered years and the father gets priority in choosing his vacation periods first in odd-numbered years.

1.11 Long-Distance Parenting. When substantial distance between the parents exists, the ability to exercise these Guidelines is compromised. The parents will need to create a developmentally appropriate parenting plan for their unique situation. When parenting time is unable to be frequent, parents are encouraged to use video/audio contact to build and/or maintain the bond between the children and parent who lives afar.

Guideline 2. For Parents Who Have Children Age 5 and Older And Reside No More Less Than 200 Miles Apart.

2.1. Weekends. In most cases, it is a positive experience for the children to have both parents involved in taking the children to and from school. Parenting time shall consist of alternate weekends starting Friday upon the release of school ~~or 3:15 p.m., whichever is applicable,~~ for the week, and continuing until the return to school ~~Monday or 8:00 a.m., whichever is applicable~~ the following week. Parenting time shall be an equivalent period of time if a parent is unavailable on weekends and the children do not miss school. Holiday time takes precedence over weekends.

2.2. Mid-Week. If time and distance allow, parenting time shall include one mid-week overnight every week, in addition to the weekends in 2.1 above, with the children. If the parents cannot otherwise agree, this mid-week time shall be on Wednesdays and shall start when the children are released from school or at 3:15 p.m. ~~whichever is applicable~~ if no school is in session, and concludes when the children are returned to school the next day or at 8:00 a.m., ~~whichever is applicable.~~ All transportation for the midweek parenting time is the responsibility of the parent exercising the parenting time.

2.3. Summer Break. The children shall be with each parent for one-half of the school summer break. Summer break begins the day after school is released and ends the day before school commences. The parent with whom the children reside the majority of the time during the school year has priority to have the children the week before school resumes, which counts as part of that parent's summer break. At the option of the other parent, his/her parenting time during summer break may be consecutive or it may be split into 2 or more blocks of time. This parent shall provide a minimum of 30 days advance notice of the dates selected.

If the children go to summer school and it is impossible for a parent to schedule time other than during summer school, the parent may elect to take the time when the children are in summer school and transport the children to the summer school sessions at the children's school or an equivalent summer school session in that parent's community.

The parent with whom the children reside for the majority of the school year shall have the weekend before the beginning and the weekend after the end of the other parent's summer period, regardless of whose weekend it may be. This weekend time will not be made up.

During any summer vacation parenting times of three or more consecutive weeks, the parent exercising parenting time shall arrange for a mutually convenient 48-hour continuous period of time for the other parent to spend with the children.

2.4. Holidays. The following chart shows the allocation of the holidays between parents. School breaks and release times may be different from school to school and district to district. The school calendar is published on your children's school's website before each school year starts. It is important to know these dates / times as they pertain to your children.

Holiday / Special Event	Details /Times	Even- Numbered Years	Odd- Numbered Years
Martin Luther King Jr. Day weekend	Starts when school is released on Friday or 3:15 p.m., whichever is applicable for the week and ends when the children are returned to school on Tuesday or at 8:00 a.m., whichever is applicable returned to school the following week.	Parent 2	Parent 1
President's Day weekend	Starts when school is released on Friday or 3:15 p.m., whichever is applicable for the week and ends when the children are returned to school on Tuesday or at 8:00 a.m., whichever is applicable returned to school the following week.	Parent 1	Parent 2
Easter weekend	Starts when school is released on Friday or 3:15 p.m., whichever is applicable for the week and ends when the children are returned to school on Tuesday or at 8:00 a.m., whichever is applicable returned to school the following week.	Parent 2	Parent 1
Spring Break, if one is designated separately from Easter	Starts when school is released for Spring Break and ends at 8:00 a.m. on the day school begins after the break. Starts when school is released for the week and ends when the children are returned to school the following week. If a spring break is not granted by the school, this	Parent 1	Parent 2

	provision would not apply. Also, if the spring break is combined with Easter, this provision would not apply.		
Mother's Day	Starts at 8:00 a.m. on Mother's Day and ends at 8:00 a.m. on Monday; one overnight.	Parent 1 <u>Mother</u>	Parent 1 <u>Mother</u>
Memorial Day weekend	Starts when school is released on Friday or 3:15 p.m., whichever is applicable for the week and ends when the children are returned to school on Tuesday or at 8:00 a.m., whichever is applicable returned to school the following week. If school is not in session, the holiday will be 5:00 p.m. Friday to 8:00 a.m. Tuesday.	Parent 2	Parent 1
Juneteenth	Starts at 8:00 a.m. on 6/19 and ends at 8:00 a.m. on 6/20. (In the event that Juneteenth and Father's Day lands on the same day, Father's Day prevails)	Parent 1	Parent 2
Father's Day	Starts at 8:00 a.m. on Father's Day and ends at 8:00 a.m. on Monday; one overnight.	Parent 2 <u>Father</u>	Parent 2 <u>Father</u>
4th of July	Begins July 3 at 5:00 p.m. and ends July 5 at 5:00 p.m.	Parent 1	Parent 2

Labor Day weekend	Starts when school is released on Friday or 3:15 p.m., whichever is applicable for the week and ends when the children are returned to school on Tuesday or at 8:00 a.m., whichever is applicable returned to school the following week. If school is not in session, the holiday will be 5:00 p.m. Friday to 8:00 a.m. Tuesday.	Parent 1	Parent 2
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Native American Day weekend	Starts when school is released on Friday or 3:15 p.m., whichever is applicable <u>for the week</u> and ends when the children are returned to school on Tuesday or at 8:00 a.m., whichever is applicable <u>returned to school the following week.</u>	Parent 2	Parent 1
Halloween	Starts on 10/31 when school releases for the day or 3:00 p.m. if no school or 3:15 p.m., whichever is applicable, and concludes on 11/01 when school resumes or at 8:00 a.m. whichever is applicable <u>the children are returned to school or 8:00 a.m. if there is no school.</u>	Parent 1	Parent 2
Thanksgiving weekend	Starts when school releases on Wednesday or 3:15 p.m., whichever is applicable, and ends Monday at 8:00 a.m. <u>is released for the week and ends when the children are returned to school the following week.</u>	Parent 2	Parent 1
Christmas Eve	Starts on 12/23 at 8:00 a.m. and concludes on 12/25 at 8:00 a.m.	Parent 2	Parent 1
Christmas Day	Starts on 12/25 at 8:00 a.m. and concludes on 12/27 at 8:00 a.m.	Parent 1	Parent 2
1st half of winter break	The winter break starts the day the children are released from school for the break and continues to the morning of the day the children return to school. The 48-hour parenting times for each Christmas Eve and Christmas Day are not included in the division of the winter break.	Parent 1	Parent 2
2nd half of winter break, including New Year's holiday	The winter break starts the day the children are released from school for the break and continues to the morning of the day the children return to school. The 48-hour parenting times for each Christmas Eve and Christmas Day are not included in the division of the winter break.	Parent 2	Parent 1

Children's Birthdays	Starts 8:00 a.m. on date of birthday - 8:00 a.m. the next day (If the birthday falls on a holiday, the parenting time for the birthday shall take place the day before); parenting time shall be with all of the children not just the one who has the birthday.	Parent 2	Parent 1
Parent 2's Birthday	Starts 8:00 a.m. on date of birthday - 8:00 a.m. the next day (If the birthday falls on a holiday, <u>the holiday takes precedence</u> and the parenting time for the birthday shall take place the day before).	Parent 2	Parent 2
Parent 1's Birthday	Starts 8:00 a.m. on date of birthday - 8:00 a.m. the next day (If the birthday falls on a holiday, <u>the holiday takes precedence</u> and the parenting time for the birthday shall take place the day before).	Parent 1	Parent 1

2.5. Conflicts Between Regular and Holiday Weekends. When there is a conflict between a holiday weekend and the regularly scheduled weekend time, the holiday takes precedence. Unless mutually agreed in writing, there will be no makeup parenting time in conflicts between holiday weekend and the regularly scheduled weekend time. This may result in one parent having the children for three weekends in a row; however, neither parent shall have the children for more than 3 weekends in a row.

2.6. Parent's Vacation with Children Age 5 and Older. Each parent is entitled to a vacation with the children totaling up to 14 days, with 7 days being the most that may be exercised at one time. When possible, each parent shall provide the other with 30 days advance notice of their intent to utilize their vacation time. Parents are encouraged to coordinate vacation plans. In the event there is a dispute, the mother gets priority in choosing her vacation periods first in even-numbered years and the father gets priority in choosing his vacation periods first in odd-numbered years.

2.8. Precedence. The allocation of holidays listed in the above

chart shall take precedence over vacations. In other words, a parent cannot exercise their vacation with the children when it

is the other parent's holiday. But vacations shall take precedence over the regular parenting time schedule.

2.9. Notice of Canceled Time With the Children. Whenever possible, each parent shall give a minimum of three days' notice of intent not to exercise all or part of the scheduled time with the children. When such notice is not reasonably possible, the maximum notice permitted by the circumstances, and the explanation, shall be provided to the other parent.

2.10. Pick Up and Return of Children. When the parents live in the same area/community, the responsibility for picking up and returning the children shall be shared. The parent who receives the children for his/her parenting time will pick the children up from the other parent. Both parents have an obligation to be punctual and to arrive at the agreed upon time, not substantially earlier or later. Repeated, unjustified violations of this provision may subject the offender to court sanctions.

Guideline 3. For Parents Who Have Children Age 5 and Older and Reside More Than 200 Miles Apart.

3.1. Holidays. Parents who reside more than 200 miles apart shall exercise the following holidays as follows:

Holiday	Details	Even-Numbered Years	Odd-Numbered Years
Easter weekend	Starts when school is released for the holiday weekend and ends at 8:00 a.m. on the day school recommences after the holiday weekend. <u>Starts when school is released for the week and ends when the children are returned to school the following week.</u>	Parent 2	Parent 1
Spring Break, if one is designated separately from	Starts when school is released for Spring Break and ends at 8:00 a.m. on the day school begins after the break. <u>Starts when school is released for the week and ends when the children are</u>	Parent 1	Parent 2

Easter	returned to school the following week. If a spring break is not granted by the school, this provision would not apply. Also, if the spring break is combined with Easter, this provision would not apply.		
Thanksgiving	Starts when school releases on Wednesday or 3:15 p.m., whichever is applicable, and ends Monday at 8:00 a.m. Starts when school is released for the week and ends when the children are returned to school the following week.	Parent 2	Parent 1
Winter Break	The winter break starts when the day the children are released from school for the break and continues to the morning of the day the children return to school.	Parent 1	Parent 2

3.2. Summer Break. The parent with whom the children do not reside during the school year shall have the children for the children's summer break as follows: summer break begins 3 days after school is released and ends 7 days before school recommences. This allows 10 days of parenting time during the summer with the parent with whom the children reside during the school year. Additionally, the parent with whom the children reside during the school year shall be entitled to exercise a 48-hour period of parenting time with the children every three weeks during the summer break to be exercised at the sole expense of the parent with whom the children reside during the school year.

3.3. Priority of Summer Time With Parent. Parenting time in the summer with the parent who lives more than 200 miles away takes precedence over summer activities (such as sports) when the parent's time cannot be reasonably scheduled around such events. Even so, the conscientious parent will often be able to enroll the children in a similar activity in the parent's community. When each child reaches an age and maturity where activities are very important to them, the parents should reach an agreement that works best for the child.

3.4. Notice. At least ~~sixty (60)~~ 60 days' notice (recommended to be by mail, email, or text message) shall be given by the

parent who lives more than 200 miles away from the children of the date for commencing extended summer parenting time with the children so that the most efficient means of transportation may be obtained and the parents and the children may arrange their schedules. Failure to give the precise number of days' notice does not entitle the parent with primary residence of the children the right to deny the other parent parenting time with the children.

3.5. Additional Time With the Parent Who Lives More Than 200

Miles Away. The parent who resides more than 200 miles away from the children shall have the following parenting time:

- o If the parent who lives more than 200 miles away wants to travel, at his/her sole expense, to visit with his/her children, this parenting time shall be accommodated for a reasonable time period of no less than 48 hours. However, this is not intended to be exercised more than every other weekend;
- o Where distance and finances permit, additional parenting time for the parent residing more than 200 miles away from the children, such as holiday weekends or special events, is encouraged. Parents are encouraged to reference the holiday schedules set forth in Section 2.4 when determining the allocation and duration of other holidays; and
- o When the parent who lives 200 miles away is in the area where the children reside, or the children are in the area where this parent resides, liberal time with the children based on the circumstances must be allowed. Circumstances will vary and may only allow for a quick visit or may allow for overnight parenting time.

The children may miss some school to spend time with the parent who lives 200 miles away, so long as it does not substantially impair the children's academic progress. However, additional time with the parent who lives more than 200 miles away from the child shall not interfere with the alternating holiday schedule set forth in Section 3.1 herein.

Parents are encouraged to communicate with each other and cooperate in creating additional parenting times for the children. If the additional parenting time exceeds 4 hours, the parent who lives more than 200 miles away shall provide as much advance notice as possible, preferably 30 days. Failure to provide notice

shall not be the sole reason for denial of additional parenting time.

Guideline 4. General Rules Applicable to All Parents

4.1. Rules of Conduct. A parent shall always avoid speaking negatively about the other parent and must firmly discourage such conduct by relatives or friends. Each parent should speak in positive terms about the other parent in the presence of the children. Each parent shall encourage the children to respect the other parent. Children should never be used by one parent to spy or report on the other parent.

4.2. Relatives. Children will usually benefit from continued contact with all relatives on both sides of the family. Such relationships should be protected and encouraged. But relatives, like parents, need to avoid being critical of either parent in front of the children. Parents should have their children maintain ties with both the maternal and paternal relatives. Usually the children will visit the paternal relatives during times when the children are with their father and the maternal relatives during times when they are with their mother. This may include allowing the children to spend time with these relatives even when the parent is not present.

4.3. Relocation. Relocation is governed by South Dakota state law and permission from the court may be required. See SDCL 25-4A-17. Instructions and forms on how to comply with the requirements surrounding relocation, ~~as well as how to object to a parent's notice of relocation,~~ can be found at www.ujslawhelp.sd.gov <https://ujs.sd.gov/self-help/family-law-help/> under Relocate with Minor Child.

4.4. Communication between Parents. Parents must always keep each other advised of their home and work addresses and telephone numbers. Whenever possible and unless otherwise stated herein, all communication concerning the children must be conducted directly between the parents (i.e., in person, by telephone, email, text message, communication notebook, a designated third party or co-parenting tool). Absent an emergency, communication should not occur at a parent's place of employment.

4.5. School and Medical Information. Both parents shall keep the other parent informed with the name, address and telephone number of the school where each of their children attends and each parent is authorized to communicate concerning the children

directly with the school and with the children's doctors and other professionals, outside the presence of the other parent. Each parent has an obligation to contact the school to ensure receipt of class schedules, school report cards, notices, etc. so that they can remain involved with their children's education. Both parents shall be listed as a parent and emergency contact on all of the children's records, forms, registrations, etc. Attendance at academic or disciplinary meetings pertaining to the minor children shall be limited to the parents and the respective school professional(s). Others may not attend such meetings without advance mutual parental agreement or court order.

Each parent shall immediately notify the other parent of any medical emergencies or serious illnesses of the children. Access to records and information pertaining to minor children, including, but not limited to, medical, dental, therapy, counseling, orthodontia and similar health care and school records must be made equally available to both parents. The parents must make reasonable efforts to ensure that the name and address of the other parent is listed on all such records. If children are taking medications, both parents shall have access to a sufficient amount for their parenting time as well as the instructions.

The parent who has medical insurance coverage on the children shall supply to the other parent an insurance card or copy thereof and, as applicable, insurance forms and a list of insurer-approved or HMO-qualified health care providers in the area where the other parent is residing. Except in emergencies, the parent taking the children to a doctor, dentist, or other provider not so approved or qualified may be required to pay the additional cost for that provider. However, when there is a change in insurance, which requires a change in medical care providers and a child has a chronic illness, thoughtful consideration shall be given by the parents to what is more important, i.e., allowing the child to remain with the original provider or the economic consequences of changing carriers. When there is an obligation to pay medical expenses, the parent responsible for paying shall be promptly furnished with the bill, and where applicable, the explanation of benefits, by the other parent. The parents shall cooperate in submitting bills to the appropriate insurance carrier. Thereafter, the parent responsible for paying the balance of the bill shall make arrangements unless previously paid by the other parent. Insurance refunds shall be promptly turned over to the parent who paid the bill for which the refund was received.

4.6. Extracurricular Activities. Both parents shall consult the other parent prior to enrolling the children in any event that may affect the other parent's parenting time. Both parents shall be listed as a parent and emergency contact on all of the children's records, forms, registrations, etc. Both parents shall be provided access to the name of the coach, director, and organization providing the activity for each child along with their contact information. Both parents shall have the obligation to contact the activity director to ensure receipt of information such as practice schedules, games, parental participation, etc.

4.7. Clothing. In situations where the children reside primarily with one parent, that parent shall send an appropriate supply of children's clothing with the children for the other parent's parenting time. At the conclusion of his/her parenting time, this clothing shall be returned clean (when reasonably possible). Parents must advise, as far in advance as possible, of any special activities so that appropriate clothing for the children may be sent. It is recommended that both parents have some basic clothing available in their home to ensure that all of the children's basic needs are met.

4.8. Withholding Support or Time with the Children. Neither time with the children nor child support is to be withheld because of either parent's failure to comply with a court order. Only the court may enter sanctions for non-compliance. Children generally have a right both to support and, time with both parents, neither of which is dependent upon the other. In other words, if the parent ordered to pay child support fails to do so, he/she is still entitled to their parenting time. Likewise, if one parent denies the other parent parenting time, child support payments must still be made.

Forms and instructions on how to enforce your parenting time can be found on the South Dakota Legal Self-Help Center at
<https://ujslawhelp.sd.gov/onlineforms.aspx>
[https://ujl.sd.gov/self-help/family-law-help/under Shared Parenting Guidelines & Plans.](https://ujl.sd.gov/self-help/family-law-help/under-Shared-Parenting-Guidelines-&Plans)

4.9 Adjustments in Parenting Plan. Parents are expected to fairly modify the parenting plan as family necessities, illnesses, weather, or commitments reasonably so require. The parents must work together in good faith to get any missed

parenting time rescheduled to occur within a reasonable period of time, usually within 30 days. When possible, each parent must timely advise the other when scheduled parenting time with the children cannot be exercised.

4.10 Children of Different Ages. It usually makes sense for all the children to share the same schedule of parenting time. Having brothers or sisters along can be an important support for children. Because it is intended that parenting time with the children be a shared experience between siblings and, unless these Guidelines or a court order provides otherwise, all the children shall enjoy parenting time together. Parents shall consider the children's best interests when scheduling parenting time especially for newborns and infants who may have developmental needs that may prevent them from immediately experiencing the same schedule as their older siblings. Additionally, older teenagers' special needs for peer involvement and for some control of their own lives may place them on different schedules from their younger brothers and sisters.

4.11 Communication with Children. Unless prohibited by a court order, either parent may mail, call, text, email, FaceTime or skype (or use similar technology) to communicate with the children at reasonable times and with reasonable frequency during those periods the children are with the other parent. The children may, of course, mail, call, text, email, FaceTime or skype (or use similar technology) to communicate with either parent, at reasonable hours or with reasonable frequency.

- Parents are cautioned that communication between the parent and the children should not be so excessive as to interfere with the other parent's time, nor used to undermine the other parent's authority.
- During long vacations, the parent with whom the children are on vacation is required to make the children available for telephone calls with the other parent at least every three days.
- At all other times, the parent the children are with must not refuse to answer the other parents telephone calls or turn off their telephone in order to deny the other parent telephone contact.
- If a parent uses an answering machine or cell phone voicemail, messages left should be returned to that person as soon as possible.
- Parents should agree on a specified time for calls to the children so that the children will be made available no less than three days a week.
- Either parent may provide the children with a cell phone

subject to each parent's ability to set restrictions in their home. A parent shall not prohibit contact between the children and the other parent; nor shall they impede the children's ability to contact the other parent during reasonable times and at a reasonable frequency.

- Communication between a parent and the children must not be censored, recorded, or monitored, absent a court order.
- Each parent shall have an unrestricted right to send cards, letters and/or packages to their children. The children shall also have the same right to receive and send items to their parents.

4.12 Social Media. Each parent shall have full access to monitor the social media accounts of the children, but neither shall open or read communications between the children and the other parent.

4.13 Privacy of Residence. A parent shall not enter the residence of the other parent except by express invitation, regardless of whether a parent retains a property interest in the residence. Unless otherwise indicated herein, the children shall be picked up and returned to the front entrance of the other parent's residence. The parent dropping off the children shall not leave until the children are safely inside the other parent's residence. Parents must refrain from surprise visits to the other parent's home.

4.14 Refusal / Hesitation by Children. Parents should always encourage the children to attend parenting time with the other parent absent circumstances outlined in the "Scope of Application" provision on page 3. Parents shall not deny parenting time with the other parent solely based on the refusal of the children.

4.15 Special Considerations for Adolescents. While children never get to choose where they live, the parents should honestly and fairly consider their teenager's wishes regarding time with a parent. Neither parent shall attempt to influence their teenager's wishes on parenting time. Teenagers should explain the reason for their wishes directly to the affected parent, without intervention by the other parent.

4.16 Daycare Providers. When parents reside in the same community, they should use the same day care provider. To the extent feasible, the parents should rely on each other to care for the children when the other parent is unavailable.

4.17 Parents in the Armed Services. When one or both parents are serving in the military, it is important to create a parenting time schedule that focuses on sharing the children when the parents live close to each other and allowing for temporary duty assignment (TDY) possibilities. Military families should also consider what parenting time would look like if TDY's or overseas commitments were engaged requiring one parent to live more than 200 miles from the children. The residential parent shall support the children's relationship with the other parent by having a consistent plan of communication with the military parent.

Legal Notice

These Guidelines do not provide legal opinions or legal advice and are not intended to serve as a substitute for the advice of licensed, legal professionals.

Laws and interpretations of laws change frequently, and the material contained in these Guidelines have important legal consequences. In using these Guidelines, parents are responsible for determining the applicability of any information contained in this document to their situation and are strongly encouraged to seek professional legal and other expert assistance in resolving their parenting time issues. Parents will often benefit from getting advice from mediators, counselors, therapists, parenting coordinators and lawyers to help them make a parenting time schedule.

Definitions

Any custody proceeding involving children is going to involve a determination of both legal and physical custody.

"Legal Custody" refers to the legal authority to make major decisions for your children. There are 2 options when it comes to legal custody:

Joint Legal Custody - "[B]oth parents retain full parental rights and responsibilities with respect to their child[ren] and so that both parents must confer on, and participate in, major decisions affecting the welfare of the child[ren]." See SDCL 25-5-7.1.

Sole Legal Custody - one parent shall have the right and responsibility to make the decisions related to health, education and welfare of the children.

"Physical Custody" refers to how parenting time is divided between 2 parties. Parents may agree on the amount of time the children spend with each parent. If parents do not agree, the

parenting time schedule set forth herein shall remain in place until a court orders otherwise.

Shared Parenting

These Guidelines do not address shared parenting, which is defined as "a detailed shared parenting plan which provides that the children will reside no less than 180 nights per calendar year in each parent's home and that the parents will share the duties and responsibilities of parenting the children and the expenses of the children in proportion to their incomes[.]" SDCL 25-7-6.27. If you are interested in this arrangement, you are strongly encouraged to consult with an attorney of your choosing. More information and sample schedules can be found at <https://ujslawhelp.sd.gov/> <https://ujlsd.gov/self-help/family-law-help/shared-parenting-guidelines-plans/> under Shared Parenting Plans.

Scope of Application

General. These Guidelines are applicable to all custody situations, including divorces with minor children, paternity actions and cases involving joint legal custody where one parent has primary physical custody. These Guidelines are not applicable to situations where the court reasonably believes the children's physical health or safety is in danger or the children's emotional development could be significantly impaired. These situations may include, but are not limited to, the following:

- Family Violence (physical, verbal or otherwise);
- Substance Abuse;
- Mental Illness of Parent or Child;
- Risk of Flight with Children;
- Long Interruption of Contact Between Parent and Children;
- A Parent's New Relationship;
- Religious & Cultural Holidays; or
- An Incarcerated Parent.

In such cases one or both parents may have legal, psychological, substance abuse or emotional problems that may need to be addressed before these Guidelines can be used. The type of help that is needed in such cases is beyond the scope of these Guidelines.

A parent who believes one or more of the above situations exists should file an Objection to the Implementation of the South Dakota Parenting Guidelines (UJS Form 372). This form can be found at

<https://ujslawhelp.sd.gov/defendants.aspx>
<https://uj.s.sd.gov/media/od3jgnnd/ujs-372-objection-to-order-implementing-guidelines-9-2022.pdf>. The opposing parent should also file a response to this Objection and should appear at the hearing.

Existing Parenting Time Orders. Existing parenting time orders on the date of adoption of these revised Guidelines shall be enforced according to the parenting time guidelines that were in effect on the date the parenting time order was issued. Changes to the South Dakota Parenting Time Guidelines do not alone constitute good cause for modifying an existing parenting time order; however, a court or parties to a proceeding may refer to these Guidelines in requesting changes to their parenting time order after the effective date of the Guidelines.

Protection Orders. If a protection order has been established regarding the minor children, that order would prevail over these Guidelines, until a court specifically orders otherwise. If an active protection order prohibits contact between the parents or between one parent and the children, parents are cautioned that the parent who is the subject of the protection order will violate the order if he/she has contact with the other parent and makes agreements as suggested in these Guidelines without permission for contact from the court that issued the protection order.

Additional Resources

There are several resources available to parents who need help in creating, enforcing or improving their parenting plan. Visit <https://ujslawhelp.sd.gov/> (under the "Parenting" tab) <https://uj.s.sd.gov/programs-services/> for additional information on mediators, parenting coordinators, co-parenting tools and counseling options.

Mediation is another opportunity for parents to meet and confer regarding parenting plans with the assistance with a professional. Mediation can be voluntary or court ordered. Approved court appointed mediators can be found at <https://uj.s.sd.gov/programs-services/> under Mediators.

Additional tips that parents should consider in order to keep the children the focus of the parenting time arrangements can be found in **Appendix A.**

A powerful cause of stress, suffering, and maladjustment in children of divorce or separation is not simply the divorce or separation itself, but rather continuing conflict between their parents before, during and after the divorce and/or separation. To minimize harm to the children, parents must agree on some basic rules to keep the children the focus of their parenting time arrangement.

Parents need to keep in mind that it is generally accepted that in most cases of divorce or separation:

1. Children of separated parents do best in both the short-term and the long-run when they feel loved and cared for by both parents;
2. Children generally do better when both parents have stable and meaningful involvement in their children's lives;
3. The strength of a parent's relationship to a child is affected more by parental commitment, warmth and the ability to meet the child's needs than it is by time spent with the child (i.e. quality vs. quantity);
4. Each parent has different and valuable contributions to make to their children's development;
5. Children should have structured routine time (such as bedtime and doing homework) with each parent, as well as unstructured time (such as playing in the park);
6. Parents should help their children maintain positive existing relationships, routines and activities;
7. Children may find security in personal possessions, like a favorite stuffed animal or blanket. Children should be permitted to bring personal possessions back and forth between homes, regardless of which parent purchased them; and

8. Parenting plans may need to be adjusted over time as the needs and circumstances of parents and children change.

Children are harmed by exposure to conflict between their parents. High conflict between parents increases children's anxiety and negatively impacts healthy child development. The following are guidelines to help you navigate your role in co-parenting your children:

1. Children shall not be put in a position to "choose" between the parents. Children must not be made to feel guilty about having a good time with the other parent;
2. Each parent should strive to show respect for the other parent;
3. Each parent must support the child's relationship with the other parent and encourage them to enjoy themselves with the other parent;
4. Children shall not be expected to communicate messages between parents, regarding parenting time, financial matters or issues about which parents disagree;
5. Parents should exchange the children in a respectful manner;
6. A parent should consider allowing their children to attend important family celebrations and events with both sides of their family, even when the events occur on the other parent's parenting time;
7. Differences between the parent's homes may occur (i.e. daily routines, activities, and diet). Parents should remember these are merely "differences" and are not necessarily a "better" or "worse" practice;
8. Children need consistency in both homes (i.e. bed times, meal times, medications etc.);

9. If one parent has been significantly more involved with the care of the child before separation, that parent may need to help the other parent gain the skills and knowledge to care appropriately for the child and support the development of a positive relationship between the child and the other parent, unless there are legitimate concerns about the other parent's capacity to care for their child. Both parents will need to approach this transition in a cooperative manner.

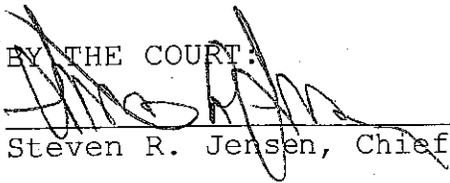
Parenting plans made for infants and young children may need to change as children get older and start to attend school. Parenting plans designed to accommodate a parent's employment may need to be modified if parents change their employment or work schedule. It is important for parents to communicate effectively, discuss changes that they observe in their children with one another and be prepared to modify the plans consistent with the best interests of the children.

Each family needs to consider the age, temperament, previous caretaking arrangements and the child's relationship with each parent, as well as whether the child has special needs. It is important that parents are able to communicate about their children on a regular basis, whether that communication is written or verbal. Parents shall share information so that a child's experience, as he/she transitions between parents, is as smooth as possible.

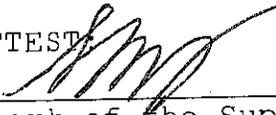
IT is FURTHER ORDERED that this rule shall become effective July 1, 2026.

DATED at Pierre, South Dakota, this 25th day of February, 2026.

BY THE COURT:

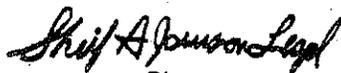

Steven R. Jensen, Chief Justice

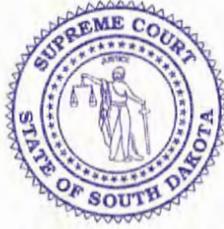
ATTEST


Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 25 2026


Clerk



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.

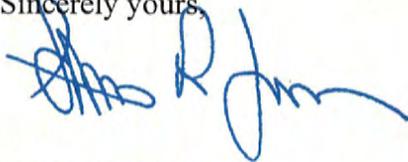
As the regulatory body for the legal profession in South Dakota, the Supreme Court is ultimately responsible for the decision on mandatory CLE, as well as the elements of such a program. Given the significant change mandatory CLE would represent, the members of the Court believe it is important that 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,



Steven R. Jensen
Chief Justice

**JUDICIAL QUALIFICATIONS COMMISSION
STATE OF SOUTH DAKOTA**

500 East Capitol Avenue
Pierre, SD 57501
Telephone 605-773-2099

Robert Morris, Chair
Raleigh Hansman, Vice Chair
Hon. Cheryle Gering, Secretary
Rory King
Hon. Bobbi J. Rank
Eric DeNure
Paul Bachand

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

February 24, 2026

Notice of 7th Circuit Judicial Vacancy – Readvertisement

TO: All Active Members of the State Bar of South Dakota
FROM: Cheryle Gering, Secretary, Judicial Qualifications Commission

With the appointment of the Hon. Robert Gusinsky to the South Dakota Supreme Court, this created a vacancy for a Circuit Court Judge (Position G) in the Seventh Judicial Circuit. The duty station for this position shall be located in Rapid City, SD. As of July 1, 2025, the salary for a circuit court judge position in South Dakota is \$183,694.13. In addition, circuit court judges and their dependents are eligible to participate in the State of South Dakota's health insurance plan; circuit court judges participate in the State's defined benefit retirement plan. The Judicial Qualifications Commission is now readvertising for applications for this position.

All lawyers and judges interested in applying should obtain the application form at <http://ujs.sd.gov/>, or contact Lori Grode at the State Court Administrator's Office. The application must be returned to the Administrator's Office and must be postmarked, **using USPS Priority Mail**, no later than **5:00 PM on Monday, March 30, 2026**.

You may also obtain the application form by writing or telephoning:

Lori Grode
State Court Administrator's Office
500 East Capitol Avenue
Pierre, SD 57501
Telephone: 605-773-3474
Email: lori.grode@ujs.state.sd.us

or, visit <http://ujs.sd.gov/> for current job openings.

The Seventh Circuit is comprised of the following counties: Pennington, Custer, Fall River and Oglala Lakota.

Law Day 2026



The Rule of Law and the American Dream

Destination Dakota Legal Careers and the Public Sector Section of the State Bar of South Dakota are partnering for Law Day 2026. We invite K-12 teachers and administrators to join us in promoting the legal profession, exploring career pathways, and inspiring the next generation of lawyers and judges.

Last year, more than two dozen attorneys reached over 1,500 students.

School classroom registration form: <https://shorturl.at/2Nubf>

Attorney volunteer registration form: <https://shorturl.at/XJCPx>

Volunteer speakers can present on the Law Day theme, the judiciary, legal career paths, or a topic of your choice. Schools may also request an age-appropriate mock trial or interactive activity for larger groups.

For more information about the organizations that facilitate classroom outreach, visit the websites below.



State Bar Website, Public Sector Section

<https://www.statebarofsouthdakota.com/members-only/public-sector-section/>



Destination Dakota Legal Careers

<https://sd-ddlc.org/>



BAR STAR

SERIES

- Family Law Committee
- Project Rural Practice Committee
- Solo & Small Firm Committee

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

Members of the Family Law, Project Rural Practice, and Solo & Small Firm Committees are recognized for their collaboration and dedication in developing the *South Dakota Family Law Forms Book*. Through significant time and organization, they created a practical resource to support attorneys statewide. The University of South Dakota Knudson School of Law shared the Forms Book, with credit also to Karisa Laubach, USD law student, for her contributions.

ACCESS FORMS HERE 

***By using these templates, attorneys acknowledge responsibility for careful review, necessary revisions, and the use of professional judgment.

What legacy do you want to leave through your service?



@Statebarofsouthdakota_1931



BAR STAR

SERIES

A new way to highlight attorneys, committees, and members for their outstanding service and impact in the Bar and the community. Keep an eye out — you might be next!

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Nominations Here:**

SUBMIT



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BAR STAR

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State Bar of South Dakota

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The AllOne Health App and Member Portal— 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 and member portal—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

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.

Family Care and Lifestyle Support Referrals

Request referrals for childcare, eldercare, legal, financial consultation, personal assistant and medical advocacy.

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](#) or visit allonehealth.com/portal.
2. **Sign Up** using your member portal and app code. The email address and password used to create your account will work for both the app and the member portal.
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: 800-451-1834

Visit: allonehealth.com/portal

Member Portal and App Code: sdhelp

Why All Lawyers (Even Solos) Need to Take Deepfakes Seriously

- and What You Can Do About Them

Let's start by defining the word deepfake. A deepfake is a hyper-realistic image, video, or audio forgery that was edited or generated using artificial intelligence. These synthetic media can convincingly mimic real people saying or doing things they never did; can portray events, people, or things that are not real; and are difficult if not impossible for humans to reliably distinguish from the real thing. Making matters worse, deepfake technology is rapidly advancing; is widely available to the masses; and with tools like Synthesia, DeepFaceLab, and Resemble AI, it's easy for bad actors to fabricate content with minimal technical skill.

Why Should Lawyers Care?

Given the above, the implications are profound. The concerns that come immediately to mind include evidence tampering, social engineering scams, impersonation, reputational attacks, and malpractice exposure. For example:

- **Fabricated Evidence** – What if an opponent or malicious third party were to produce doctored audio or video that purports to show a witness or a client making a statement or engaging in conduct that never occurred? Even if you can eventually prove it's a fake, trying to recover from any short-term reputational, tactical, or judicial damage may prove insurmountable. And even more concerning is this. As deepfakes continue to proliferate (which they most surely will), will courts and jurors grow ever more skeptical of genuine video and audio thus eroding the evidentiary value of what used to be “trustworthy” evidence?
- Fabricated evidence has been a problem for far longer than deepfakes have been around. Deepfakes just make the challenge of identifying fabricated evidence more complex and expensive.
- **Social Engineering Scams** – What if a cybercriminal were to create a deepfake audio of you or a client in an attempt to commit wire fraud? Do you think the person at your firm who is to be the target of this scam would question the veracity of the instructions? Would you if a “client” were to call you and authorize a wire transfer? This example isn't just hypothetical. Millions upon millions have been stolen worldwide as a result of scams just like this.
- **Impersonation** – What if someone were to create a deepfake of your client in an attempt to settle a matter under more favorable terms, communicate with third parties, or negatively impact your attorney-client relationship? What if someone creates a deepfake of you in an attempt to turn your client against you, communicate with third parties, or communicate with opposing counsel? If you think something like this could never happen, think again, because it already has.

- **Reputational Attacks** – What if an opposing party in a contested divorce were to create a deepfake of you making racist remarks, touching someone in an inappropriate way, or threatening someone and the video goes viral? Your reputation that took years to build could be gone in an instant. You and I both know that attacks on reputations have been going on for years. Deepfakes just make the chances of this type of attack succeeding a heck of a lot better.
- **Malpractice Exposure** - What if you fail to recognize or challenge evidence that was not authentic? What if you rely on synthetic media without proper verification and it turns out the media is a deepfake? What if deepfakes are used in a disinformation or defamation campaign against a client and you fail to properly advise the client on how to respond? Missteps like these can all too easily lead to disciplinary complaints and malpractice claims.

What Can and Should You Do Now?

I do understand how tempting it is to hope that deepfakes will prove to be something you will never have to deal with in your practice. All I can say is when it comes to deepfakes, running your practice on a wing and a prayer isn't going to get you very far in terms of responsibly managing this risk. You must be proactive. Here are a few ideas on where to start:

- **Education and Training** – Start with the basics. Make sure everyone at your firm knows what a deepfake is and how easy they are to create. Train them to spot common red flags such as lip sync errors, weird eye blinking, mismatched reflections, unnatural pauses, inconsistent shadows, and the list goes on. Start to treat digital media with skepticism. Practice asking “Is this authentic,” particularly with evidence that looks to be too good or too damaging to be true. Always consider requiring proof before relying on it.
- **Conduct Mandatory Ongoing Social Engineering Awareness Training** – Over time this training should cover all the various tactics utilized in social engineering attacks. Include current deepfake examples in order to demonstrate how these attacks “look and feel.” Note that mandatory means no exceptions; all lawyers and staff must participate. And if you happen to be a true solo with no staff, you should at least seek out and review relevant educational materials (e.g., you could subscribe to the KnowBe4.com Blog).
- **Mandate the use of an out-of-band communication process** to verify the legitimacy of every request to transfer funds, regardless of who the person making the request is and the communication

channel the requestor is using. To clarify, an out-of-band communication is a method of challenge and response to the requestor of a transfer, payment, or delivery of funds using a communication method that is separate and distinct from the communication method the requestor originally used. For example, if the instructions come in the form of a video call, you might try to verify the veracity of the instructions by seeking to confirm them via a text message or phone call using a previously verified number.

- **Maintain Strong Chain of Custody and Metadata Preservation** - When you receive any digital media from clients or third parties, treat it as evidence from the get-go. Require and preserve the original files and metadata, use secure platforms for evidence exchange, and document chain of custody meticulously because courts will look to provenance and reliable chain of custody to assess authenticity.
- **Partner With Experts** - While there are products and services that apply forensic analysis, metadata scrutiny, AI-based flagging, and anomaly detection to identify manipulated media, they are not foolproof. If you decide to use such tools, treat the result as suggestive, not conclusive. Given this, it's important that you build relationships with credible digital forensics consultants who have experience in deepfake detection and litigation support and use them as your budget allows.
- **Include a Digital Evidence Integrity and Deepfake Risk Provision in Your Engagement Agreements** - Clients may not realize how costly or complex it can be to prove what is real and what is not. Given that the authenticity of digital evidence is increasingly under threat, a provision such as this can help protect clients from surprise costs, prepare them for possible attacks on their credibility, and help ensure that their own evidence can withstand scrutiny. I had Microsoft's Copilot draft the following sample provision:

Client Acknowledgment of Digital Manipulation Risks:

Client understands and acknowledges that advances in artificial intelligence and digital editing technologies—including but not limited to “deepfake” audio, video, and image generation—pose a growing risk to the authenticity and reliability of electronically stored information (ESI) and multimedia evidence.

These technologies may be used to fabricate or alter content in ways that are difficult to detect without expert analysis.

Preservation and Authentication of Client Evidence:

To safeguard against potential challenges to the integrity of Client's own evidence, Client agrees to cooperate in preserving original files, metadata, and chain-of-custody documentation for any digital materials relevant to the matter. Upon request, the Firm may recommend or engage forensic professionals to assist in authenticating Client-provided evidence. The cost of such services shall be borne by the Client unless otherwise agreed in writing.

Responding to Potentially Manipulated Evidence from Opposing Parties:

If the Firm reasonably suspects that evidence submitted by an opposing party has been digitally manipulated or generated using deepfake technologies, the Firm may advise Client on the feasibility and cost of challenging such evidence. This may include retaining forensic experts, conducting authenticity analyses, and filing appropriate motions. Client understands that these efforts may involve significant time and expense, which are not included in standard engagement fees.

Limitation of Firm Responsibility:

While the Firm will exercise reasonable diligence in evaluating the authenticity of evidence, it cannot guarantee the detection of all forms of manipulation or fabrication. The Firm's role does not include forensic analysis unless expressly agreed upon in a separate writing.

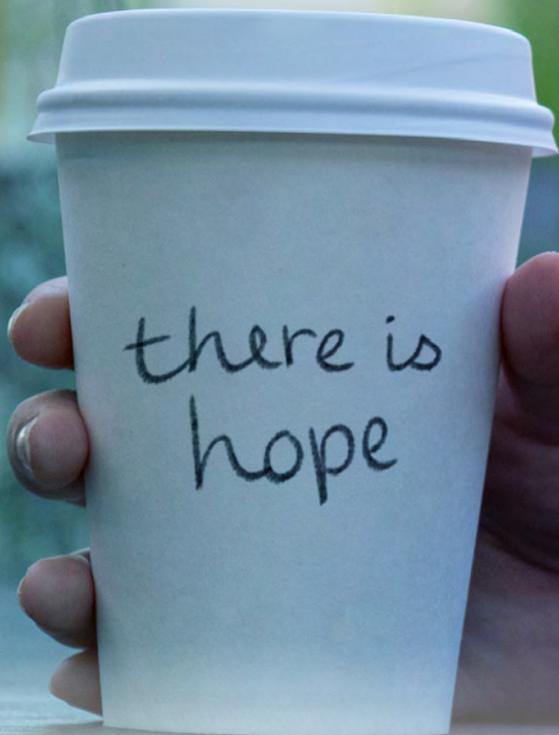
A Final Thought

Deepfakes have the potential to undermine one of the core foundations of law, which is the ability to present trustworthy evidence that holds people accountable. As much as I do wish otherwise, deepfakes are not going to be a passing novelty. They are best viewed as an emerging and very real threat. That said, there is some good news. With prudent education and preparation paired with the development of responsive procedures and finding the right partners, you can competently manage the risks they bring to your practice. Just realize that the time to start is now.



Authored by: Mark Bassingthwaighte, ALPS Risk Manager

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



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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



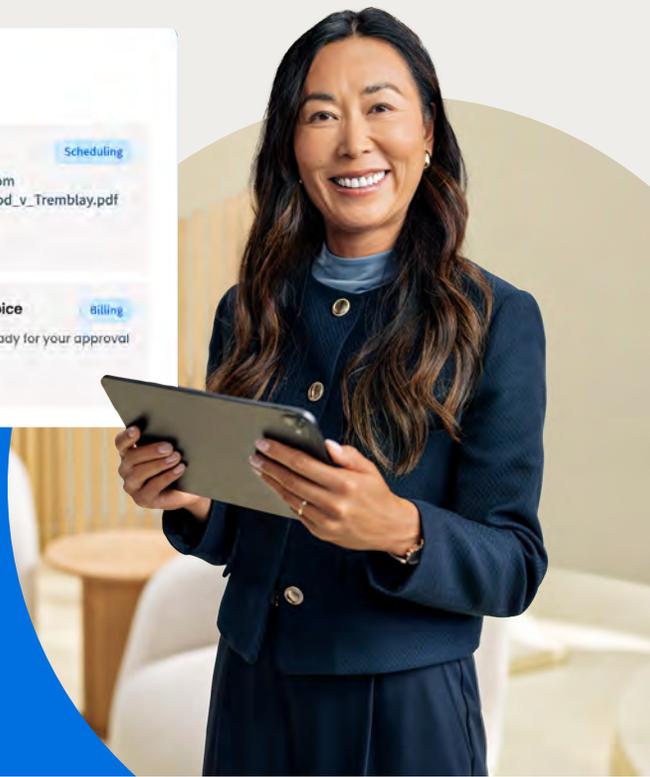
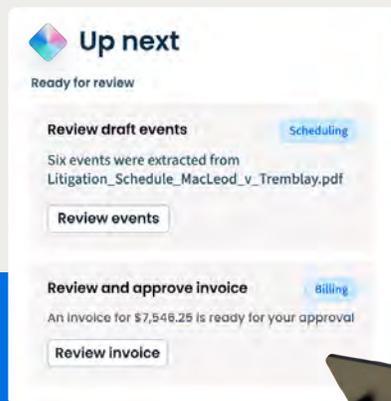
<https://statebar.typeform.com/mentorship>



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OATH OF ATTORNEY



I DO SOLEMNLY SWEAR, OR AFFIRM, THAT:

**I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES AND THE
CONSTITUTION OF THE STATE OF SOUTH DAKOTA;**

**I WILL MAINTAIN THE RESPECT DUE TO COURTS OF JUSTICE AND
JUDICIAL OFFICERS;**

**I WILL NOT COUNSEL OR MAINTAIN ANY SUIT OR PROCEEDING WHICH
SHALL APPEAR TO ME TO BE UNJUST, NOR ANY DEFENSE EXCEPT
SUCH AS I BELIEVE TO BE HONESTLY DEBATABLE UNDER THE LAW OF
THE LAND;**

**I WILL EMPLOY FOR THE PURPOSE OF MAINTAINING THE CAUSES
CONFIDED TO ME SUCH MEANS ONLY AS ARE CONSISTENT WITH
TRUTH AND HONOR, AND WILL NEVER SEEK TO MISLEAD THE JUDGE
OR JURY BY ANY ARTIFICE OR FALSE STATEMENT OF FACT OR LAW;**

**I WILL MAINTAIN THE CONFIDENCE AND PRESERVE INVIOLEATE THE
SECRETS OF MY CLIENT, AND WILL ACCEPT NO COMPENSATION IN
CONNECTION WITH A CLIENT'S BUSINESS EXCEPT FROM THAT CLIENT
OR WITH THE CLIENT'S KNOWLEDGE OR APPROVAL;**

**I WILL ABSTAIN FROM ALL OFFENSIVE PERSONALITY, AND ADVANCE
NO FACT PREJUDICIAL TO THE HONOR OR REPUTATION OF A PARTY
OR WITNESS, UNLESS REQUIRED BY THE JUSTICE OF THE CAUSE WITH
WHICH I AM CHARGED;**

**I WILL NEVER REJECT, FROM ANY CONSIDERATION PERSONAL TO
MYSELF, THE CAUSE OF THE DEFENSELESS OR OPPRESSED, OR DELAY
ANY PERSON'S CAUSE FOR LUCRE OR MALICE.**

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@averahealthplans.org



Avera 
Health Plans



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.



Receive Lifestyle Support with Personal Assistant Referrals

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
- Transportation, car maintenance and repair
- Travel research, planning and itineraries
- 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

In Memoriam



A. William Spiry (Bill)
January 26, 1937 –
February 6, 2026

A. William Spiry (Bill) was born on January 26, 1937 to Dr. A.W. and Erna Spiry in Mobridge, South Dakota. Bill attended Mobridge Public Schools and graduated in 1955. He was active in most sports. After graduation, he attended the University of South Dakota, where he played baseball and football. He graduated from the University Law School in 1962. In 1959 he married Patty Miller. They have 3 children, Bill Jr., Lori, and Chad.

He became a law and business partner of Governor Frank Farrar in Britton, SD following law school graduation. He was Marshall County States Attorney for 8 years when he also was a member of the Board of Directors of South Dakota States Attorney Association. He served

as Britton City attorney until 1979. He was President of Young Lawyers of South Dakota and also President of South Dakota Trial Lawyers Association. He was active in the cattle business and served as the attorney for the American Simmental Association for 20 years. In 1997 he became attorney for Tharaldson Hotel Company in Fargo, ND until he retired from practicing law in 2012.

Bill was an active real estate owner and developer in South Dakota and North Dakota. Included in his holding are Record Keepers LLC, 25th Street Market and agriculture land.

Bill was an avid golfer which gave him the opportunity to spend time with his friends. He also loved his daily morning routine with his friends at Caribou Coffee.

He was preceded in death by his parents and sister. Survivors are his wife, Patty; sons, Bill Jr. (Jenn), Chad Spiry (Rena); and daughter, Lori Raun (Greg); 6 grandchildren and 1 great grandchild.

In lieu of flowers, please make donations to the American Stroke Foundation and HIA Hospice.

NOW HIRING

LEGAL DIRECTOR

Are you energized by the chance to effect real change in our state?
The ACLU of South Dakota is looking for our next legal director.

This is a rare opportunity for an entrepreneurial attorney who's ready to build a civil rights legal program from the ground up and shape the future of civil liberties in the tri-state region of South Dakota, North Dakota, and Wyoming.

The ideal candidate will be a skilled constitutional rights litigator, an inspiring leader, an experienced and visionary manager, and will have executed litigation as part of a multidisciplinary team.



Apply today! Scan the QR code or go to
www.aclusd.org/jobs

ACLU

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



Associate Attorney

Ver Beek Law, Prof. LLC is a well-established and growing law firm dedicated to providing compassionate, strategic, and results-driven representation. We are seeking a versatile Associate Attorney to manage a diverse caseload involving family law, criminal law and estate/probate administration, while providing strategic counsel to clients and maintaining high standards of litigation and document preparation. The ideal candidate is a proactive advocate who can transition seamlessly between sensitive domestic negotiations, rigorous criminal defense, and meticulous estate administration. We pride ourselves on a collaborative work environment and commitment to client service. The ideal candidate has strong legal writing, research, and advocacy skills as well as excellent organizational and time-management skills. Two or more years of experience in family law, criminal law and/or probate and estate administration are preferred, but all attorneys with relevant experience are encouraged to apply. We offer competitive compensation and benefits. Interested applicants may send their cover letter and resume to kelsey@verbeeklaw.com.

Office of Attorney General - Criminal, Civil, and Appellate Divisions

The South Dakota Attorney General's Office is seeking highly motivated attorneys to join our team. We offer opportunities across three major divisions—Civil, Criminal Litigation, and Appellate—and are currently accepting resumes for all areas.

Civil Division attorneys are responsible for prosecuting and defending cases implicating the state's interests. Division attorneys practice in both state and federal courts and are involved in a multitude of litigation topics including constitutional, natural resource, Indian, and contract

law. The Civil Division also provides legal advice to state officials, agencies, boards, and commissions.

Criminal Litigation Division attorneys prosecute cases on behalf of the State involving statewide interests, complex legal issues, and public-integrity concerns. This trial-focused role is ideal for attorneys seeking significant courtroom experience while exercising sound prosecutorial judgment in public service.

Appellate Division attorneys represent the State and its officials in criminal appeals and habeas corpus cases. These attorneys primarily research and write appellate briefs and orally argue before the South Dakota Supreme Court and federal courts. Appellate attorneys also serve as prosecutors for various state licensing boards.

The work of our office is challenging, consequential, and mission driven. These positions are well suited to talented attorneys at varying experience levels and are guided by core office principles: fairness, integrity, professionalism, all while doing the right work, the right way, for the right reasons.

PRIMARY RESPONSIBILITIES

Depending on assignment, attorneys participate in all stages of litigation or appellate practice. All positions require excellent written and verbal communication skills; the ability to collaborate with attorneys and client agencies; strong legal research, drafting, and advocacy skills; openness to training and mentorship; and the ability to appear in court as required.

MENTORSHIP AND PROFESSIONAL DEVELOPMENT

The office is committed to developing top-notch attorneys. Attorneys in these positions receive hands-on trial experience, direct mentoring from senior attorneys, occasions to work on diverse and evolving caseloads, paid training opportunities, and exposure to complex legal and

evidentiary issues.

LOCATION

The duty stations for these positions are Pierre and Sioux Falls.

SALARY AND BENEFITS

Salaries for these positions range from \$82,000 to \$115,000, depending on experience, qualifications, and responsibilities. The State of South Dakota has an exceptional benefit package including retirement, health insurance, and paid leave.

MINIMUM QUALIFICATIONS

Applicants must have a juris doctorate, be licensed to practice law in South Dakota or can promptly obtain licensure, and have excellent writing, research, and oral advocacy skills. Assistant Attorneys General must uphold the highest degrees of professionalism, integrity, and sound judgment.

APPLICATION PROCESS

Interested persons should send a cover letter, resume containing three references, and a writing sample. Persons interested in the Civil Litigation or Civil Administrative positions should send their documents to the attention of Amanda Miiller. Those interested in the Criminal Litigation position should send theirs to Ernest Thompson. Those interested in the Appellate position should send theirs to Sarah Thorne. Applicants desiring to apply for more than one opening should note this preference on their cover letter.

Amanda Miiller, Deputy Attorney General, Civil Division
Email: Amanda.Miiller@state.sd.us

Ernest Thompson, Deputy Attorney General, Criminal Litigation
Email: Ernest.Thompson@state.sd.us

Sarah Thorne, Deputy Attorney General, Appellate Division
Email: Sarah.Thorne@state.sd.us

These positions will remain open until filled.

The South Dakota Attorney General's Office is an equal opportunity employer.

US Probation & Pretrial Services Officer District of South Dakota

Vacancy No.: 02-26

Number of Vacancies: 2+

Locations: Rapid City and Sioux Falls

Salary: CL 25-28 \$49,361 - \$116,394
commensurate with qualifications

Employment: Permanent, Full-time

Closing Date: Open until filled, priority given to applications received by February 27, 2026.

BENEFITS

- Paid Annual & Sick Leave
- Paid Paternal Leave
- 11 Paid Holidays
- Employer Subsidized Health Insurance
- Group Life Insurance
- Supplemental Vision/Dental Insurance
- Retirement Benefits Plan (FERS)
- Thrift Savings Plan (TSP)
- Flexible Spending Accounts
- Pre-tax benefit programs
- Employee Assistance Program (EAP)

ABOUT THE COURT

The U.S. District Court for the District of South Dakota was established in 1889 when the Dakota Territory was divided into North and South Dakota. The Court handles issues pertaining to federal law within the state of South Dakota and has courthouses in Sioux Falls, Rapid City, Pierre, and Aberdeen. Additionally, U.S. Probation has satellite offices in Eagle Butte, Kyle, McLaughlin, Mission, and Winner. The U.S. District Court consists of federal court chambers, a clerk's office, and a probation and pretrial services office. The district has three Article III district judges, two senior district judges, and three full-time magistrate judges.

ABOUT THE POSITION

The U.S. District Court for the District of South Dakota is seeking full-time Probation & Pretrial Services Officers in Rapid City and Sioux Falls. U.S. Probation and Pretrial Services Officers play an integral role in the administration of justice, community safety, conduct objective investigations, supervise defendants and persons under supervision, interact with collateral agencies, prepare reports, maintain a detailed written record of case activity, and present recommendations to the Court. Officers investigate and prepare bail and presentence reports for the Court and/or supervise defendants and persons under supervision to reduce risk to the community and foster lawful self-management.

POSITION DUTIES AND RESPONSIBILITIES

- Establishes a working alliance with persons under supervision by developing a genuine helping relationship and providing unconditional positive regard, empathy, and a shared agreement on goals.
- Conducts investigations and prepares reports for the Court to assist with detention and sentencing decisions.
- Provides accurate, thorough, and objective information along with best judgment to the Court for the issuance of individualized, fair, and equitable court orders.
- Implements and uses behavioral-based change work methods to achieve the goals of the case plan.
- Interacts with defendants and people under supervision using values such as affirmation, non-judgment, openness, care, and respect.
- Assesses and identifies general risk, risk to do harm, needs, strengths, level of motivation, and imminence for defendants and people under supervision.
- Collaborates with community resources utilizing referrals when necessary.
- Monitors a person's compliance with the conditions of release and/or supervision and reports to the Court any allegations of non-compliance.
- Develops collaborative strategies and/or interventions to promote lawful self-management.
- Communicates clearly and effectively, both orally and in writing.
- Documents and maintains detailed written records of meetings and case activity.
- Participates in annual safety training and adheres to the district's safety policy.
- Embraces diversity among colleagues and communities served.
- At times, extensive travel to other locations within the district may be required.
- May be requested to perform additional duties and/or projects as assigned.

PERSONAL CHARACTERISTIC REQUIREMENTS

- Exercise sound judgment, maintain confidentiality, adhere to high ethical standards, and demonstrate integrity in fulfilling the district's vision, mission, values, and strategic plan.
- Prioritize competing demands while maintaining a positive and professional demeanor.
- Exercise impartiality and discretion with defendants, persons under supervision, courts, justice partners, and communities.
- Ability to work a flexible schedule if needed, including nights, weekends, or holidays.
- Promote and maintain a positive work environment which encourages integrity, respect, individual and

organizational growth, and a fulfilling work life.

KNOWLEDGE, SKILLS, AND EDUCATION REQUIREMENTS

Minimum Education Requirement

Applicants must possess a completed bachelor's degree from an accredited college or university. The degree must be from a field of academic study related to human relations and where knowledge was gained in understanding the legal requirements necessary to succeed as a probation officer.

In addition to the minimum required education, classification levels are determined based upon additional education or specialized experience* as indicated below:

Level CL 25

Minimum Additional Education and/or Experience

Completion of a bachelor's degree from an accredited college or university and one of the following academic achievement requirements:

- An overall "B" grade point average equaling 2.90 or better of a possible 4.0;
- Standing in the upper third of the class;
- "3.5" average or better in the major field of study, such as business or public administration, human resource management, industrial relations, or psychology;
- or
- Election to membership in one of the National Honorary Scholastic Societies meeting the minimum requirements of the Association of College Honor Societies, other than Freshman Honor Societies or
- Completion of one academic year (30 semester credits of 45 quarter hours) of graduate work in a field of study closely related to the position.

Level CL 27

Two years of specialized experience* or completion of a master's degree in a field of study closely related to the position, or a Juris Doctor (JD) degree.

Level CL 28

Two years of specialized experience.

*Specialized experience is defined as progressively responsible experience in fields such as probation, pretrial services, mental health, substance abuse, social work, criminal law, parole, corrections, criminal investigations, public administration, or human relations. **Experience as a police, custodial, or security officer, other than criminal investigative experience, does not qualify.**

CONDITIONS OF EMPLOYMENT

- Applicants must be a U.S. citizen or eligible to work in the United States.
- Judiciary employees must adhere to the Code of Conduct for Judicial Employees at all times.
- Employees of the United States District Court are hired under excepted appointments, are not covered by the Civil Service System, and are considered “at will” employees.
- The candidate hired for this position will be subject to a full background record check.
- This position is subject to mandatory electronic funds transfer participation for payment of net pay (direct deposit).
- The U.S. District Court for the District of South Dakota reserves the right to amend or withdraw any vacancy announcement with or without written notice to applicants. If a subsequent vacancy of the same position becomes available within a reasonable amount of time after the original announcement has closed, the Court Unit Executive reserves the right to select a candidate from the original applicant pool of the previous vacancy announcement.
- More than one position in each location may be filled by this posting.

Maximum Entry Age Limit

First time appointees to positions covered under federal law enforcement officer retirement provisions must not have reached their 37th birthday by the time of appointment. Applicants 37 years old and older who have previous law enforcement experience covered under the Federal Employees’ Retirement System (FERS) who have either a subsequent break in service or intervening service in a non-law enforcement officer position may be able to have previous federal experience deducted from current age to determine eligibility.

LEO Training Requirement

A 6-week training program at the Probation and Pretrial Training Academy in Charleston, South Carolina is required within the first year of employment for all law enforcement officer positions.

Medical Requirements and Background Checks

Prior to appointment and after an accepted offer, candidates must undergo a medical examination and drug screen. Upon successful completion, the candidate will be appointed under a provisional status, pending the outcome of a favorable background investigation. As a condition of employment, officers will be subject to ongoing random drug screens, updated background investigations every 5-7 years or as deemed necessary and may be subject to subsequent fitness-for-duty evaluations. Officers must

possess, with or without corrective lenses, good distance vision in at least one eye with the ability to read normal size print. Normal hearing ability, with or without hearing aid(s), is also required. Any severe health problems, such as physical defects, disease, or deformities that constitute employment hazards to the candidate or others, may disqualify an individual from eligibility. See www.uscourts.gov for additional medical requirement information.

JUDICIARY BENEFIT DETAILS

Employer Contributions

- FERS eligible employees receive judiciary-paid Basic Benefit contributions each pay period
- Optional Thrift Savings Plan (TSP) enrollment for pre- or post-tax (Roth) withholdings
- Optional TSP catch-up contribution for employees age 50+
- Participating TSP employees receive 100% match for first 3% contributed to the plan and \$.50 per dollar on the next 2%
- TSP eligible employees also receive an automatic 1% contribution to their TSP plan each pay period
- Social Security benefits contributed at 6.2% of employee earnings up to annual SS Wage Base
- On average, 72% of an employee’s total health insurance premium is paid by the judiciary with enrollment choices of Employee, Employee +1, and Family coverage
- Over 20 different FEHB plan options available with varying deductible and co-pay limits
- Judiciary pays 1/3 of the cost for employee’s Basic Life Insurance
- Free Employee Assistance Program (EAP) available to employees, spouse, and/or dependents 24/7

Time Off

- Annual leave
 - 0-3 years of service accrue 4 hours/pay period
 - 3-15 years of service accrue 6 hours/pay period
 - 15+ years of service accrue 8 hours/pay period
- Sick leave: accrue 4 hours/pay period with no limit cap
- Bereavement Leave: up to 104 hours of paid bereavement leave per year paid from sick leave bank
- Paid Parental Leave: up to 12 weeks of paid leave for childbirth or adoption (eligibility conditions apply)
- Bereavement Parental Leave: up to 2 weeks paid for loss of child
- Compensation time earned based upon employee classification level
- Administrative Leave: discretionary leave granted for voting, emergency closures, etc.
- Paid Holidays – minimum of 11 paid holidays per year: New Year’s Day, Martin Luther King Jr. Day, President’s

Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas Day

Other Judiciary Benefits

- 10 different vision insurance plans
- 16 different dental insurance plans
- Flexible benefit health care reimbursement
- Flexible benefit dependent care reimbursement
- Paid employee parking
- Supplemental life insurance for spouse and children
- Accidental Death & Dismemberment (AD&D) insurance coverage
- Long-term care insurance
- Disability insurance
- Disability retirement (eligibility conditions apply)
- Professional liability insurance reimbursement
- Employee referral bonus
- Flexible scheduling/telework opportunities (eligibility conditions apply)
- National Leave Transfer Program - donated paid time off for employees needing extended leave due to medical complications, childbirth, or other emergencies
- Continuing education and local/national training and informational opportunities:
 - Judiciary Online University virtual learning + monthly benefit webinars

In Retirement

- Full continuation of health insurance for employee and spouse with continuation of judiciary-paid premiums (eligibility conditions apply)
- If FERS-eligible, receive a monthly paid Basic Benefit annuity with survivor annuity option
- Monthly-paid FERS annuity supplement ("social security bridge") paid by OPM if retiring under age 62
- TSP participant withdrawal options via monthly, annual, or as needed basis with additional options to purchase TSP annuities
- Optional continuation of life insurance coverage (eligibility conditions apply)
- Fully paid out unused annual leave hours
- Unused sick leave hours are converted and added to service credit time increasing monthly FERS payment
- See the Total Compensation Estimator to see how the judiciary contributes to the benefits of every employee.

How to Apply

Please submit the following:

- Completed AO78 Application for Judicial Branch Federal Employment
- A current resume that includes three (3) professional references.

- An unofficial copy of your college transcript(s).
- A cover letter that specifically addresses the qualifications and relevant experience you possess which make you a good candidate for this position; include your knowledge, skills, and ability to facilitate behavior change.
- Mission critical value statement: Select one of the 4 values listed below and describe how that value has shaped who you are today and how you would demonstrate this value as a U.S. Probation Officer.
- (Optional) **A completed AO78B Voluntary Race/Ethnicity, Gender, & Disability Identification form.**

All documents must be emailed in pdf format with "Vacancy 02-26" in the subject line to:

recruitment@sdd.uscourts.gov

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 General Counsel, Pierre SD

The South Dakota Department of Education is seeking a full-time attorney to provide legal services to department staff and associated boards and commissions. This position reports to the General Counsel and is supported by a legal assistant. Responsibilities include: representing the department as a Special Assistant Attorney General in administrative proceedings and litigation in State and federal court; providing legal advice and representation to the South Dakota Board of Education Standards, teacher and administrator ethics commissions, and other department boards; coordinating investigations regarding teacher and administrator ethics issues; providing legal advice and counsel to department staff regarding interpretation and application of State and federal laws related to education, schools, and public agencies; responding to legal inquiries from school districts and the public; drafting statutes and administrative rules; reviewing contracts, joint powers agreements, and related documents; and other duties as assigned. Minimal travel required.

Must apply online: <https://gen-stateofsouthdako-trn.inforcloudsuite.com/hcm/xmlhttp/shorturl.do?key=3GR>

Intake Attorney

East River Legal Services (ERLS) is hiring an Intake Attorney for our Sioux Falls office. This is a role for someone ready to step into leadership with an already well-established team. ERLS is a non-profit law firm serving low-income individuals in the 33 eastern South Dakota counties. East River Legal Services exists to better the lives of the over 56,000 people living in poverty in South Dakota. We prioritize services to our most vulnerable citizens, including our community's Veterans, older Americans (60+), people with disabilities, victims of crime, and all those facing

financial insecurity.

General Responsibilities:

Reporting to the Executive Director, the Intake Attorney is responsible for managing the intake team, rendering legal support services including, but not limited to: meeting with clients (in-person or on the phone), creating advice letter templates on each new legal issue that arises, keeping letter templates up to date with changing laws or new discoveries, drafting pro se templates for civil actions that are not available from UJS, developing scripts for intake staff as well as performing other duties as assigned. The Intake Attorney does not maintain an active caseload beyond brief services.

Duties and Responsibilities:

1. Oversees online and in person applications for legal assistance.
2. Advises Intake Specialists regarding conflicts of interest and duplicate applications.
3. Screens completed intakes to confirm appropriate advice and level of service.
4. Handles emergency eviction cases as brief service by helping clients with answers as well as simple negotiations for mutual termination of lease without eviction.
5. Notify Managing Attorney of all other emergency cases to be reviewed for immediate assignment.
6. Occasional brief service drafting documents for clients to file on their own.
7. Drafts advice letters.
8. Assigns simple advice letters to intake staff to set up with client information and case facts.
9. Provides legal advice by phone call to clients that need more than basic information and legal advice.
10. Supervises UJS Pro Se Forms Clinics using staff and volunteers.
11. Trains and coaches intake team through ongoing performance feedback, legal update and process training, and annual reviews.

Qualifications:

1. Applicants must be licensed to practice law in South Dakota or be eligible for admission by motion.
2. At least two (2) years of supervisor experience.
3. Previous experience in poverty law or with crime victims is preferred, but not required.
4. Demonstrable awareness and sensitivity to the needs of the populations we serve is necessary.
5. Organized, able to prioritize work, plan and problem-solve, meet deadlines and work well under pressure.
6. Excellent management and leadership skills.
7. Demonstrated ability to work independently and with a team.
8. Excellent communication skills (oral and written).
9. Proficient at the use of technology, including, but not

limited to: word processing, spreadsheets, internet-based programs, and computer-based legal research.

10. Must be dependable and reliable.

11. Ability to travel, occasionally overnight.

12. The ability to speak more than one language is a plus.

13. This position requires an in-office presence during office hours, with the opportunity to request remote work pursuant to the ERLS Remote Work Policy.

Salary:

\$71,733.60 to \$105,983.20/year, depending on experience. Benefits include 14 paid holidays plus a birthday holiday, vacation leave, sick leave, health insurance, dental insurance, vision insurance, life insurance, AD&D Insurance, IRA, and travel reimbursement.

To Apply:

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

Lea Wroblewski

Executive Director

East River Legal Services

335 North Main Avenue, Suite #200

Sioux Falls, SD 57104

lea@erlservices.org

Submission Deadline:

Open until filled

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

Assistant United States Attorney

Hiring Organization

USAO District of South Dakota

Hiring Office

Sioux Falls

Attorney Appointment Type

Attorney Permanent

Job ID

26-SD-12889974-AUSA

Location:

325 S 1st Avenue

Suite 300

Sioux Falls, SD 57104 - United States

Application Deadline:

Friday, March 20, 2026

About the Office

The United States Attorney's Office, District of South Dakota's mission is to impartially enforce and uphold the laws of the United States. We are committed to improving public safety, protecting the financial interests of the nation, and ensuring equal justice for all.

The district's main office is located in Sioux Falls, South Dakota, with two branch offices located in Pierre and Rapid City. **This position is located in Sioux Falls, SD.**

More information about the U.S. Attorney's Office, South Dakota, can be found at: <http://www.justice.gov/usao/sd/>

Job Description

The U.S. Attorney's Office for the District of South Dakota is seeking an Assistant U.S. Attorney to work in the Civil Division's litigation unit with an emphasis on defending the federal government in cases involving torts, employment discrimination, immigration, prisoner litigation, and federal program litigation. Other civil matters may also be assigned as the Civil Division has responsibility for a wide variety of affirmative cases, including civil rights enforcement and financial litigation. The attorney will be responsible for handling a large and active caseload. Good written and oral communication skills are required, as AUSAs routinely draft and file pleadings and briefs in federal court and regularly work with a variety of federal employees and agencies.

Responsibilities will increase and assignments will become more complex as your training and experience progress.

Qualifications

The USAO seeks to hire lawyers with a wide range of exceptional skills and experience, unified by intelligence, professionalism, and a sincere commitment to public service. Financial litigation experience, superior academic record, excellent writing skills, impeccable character, demonstrated interest in public service, comfortable courtroom presence, and the ability to work with and relate to a wide variety of people are all considered.

- Applicant must be a United States Citizen or National.
- Initial appointment is conditioned upon a satisfactory preemployment adjudication. This includes fingerprints, credit and tax checks, and drug testing. Continued employment is subject to a favorable adjudication of a background investigation.
- Applicant must be registered for Selective Service, if applicable.
- Applicant must possess a J.D. degree, be an active

member of a bar (any U.S. jurisdiction), and have at least one year of post-J.D. legal or other relevant experience.

- Applicant must be a member, or be eligible to become a member, of the federal district court bar.
 - Note: The U.S. District Court for the District of South Dakota requires that all Assistant U.S. Attorneys be admitted to the State Bar of South Dakota within 12 months from the date of an attorney's oath of office for the position in South Dakota. See Local Rule (Criminal) 44.1(F)(1) (b). Accordingly, if the successful candidate is not a member of the South Dakota Bar, he/she must become a member within one year from entry on duty.
- Applicant must reside in the district to which he/she is appointed or within 25 miles thereof. See U.S.C. § 545 for district specific information.
- Applicant must be capable of traveling on occasion.
- Applicants must meet all qualification requirements upon the closing date of this announcement.

Application Process

The complete application package must be submitted by 11:59 PM (ET) on 03/20/2026 to receive consideration.

The occupational questionnaire and documentation included in the announcement must be complete, including a federal resume that **does not exceed 2 pages in length**. It is recommended to thoroughly review required documents before applying. Please use the following to get started:

<https://www.usajobs.gov/job/857887600>

1. To begin, click Apply Online to create a USAJOBS account or log in to your existing account. Follow the prompts to select your USAJOBS resume and/or other supporting documents and complete the occupational questionnaire.
2. Click the Submit My Answers button to submit your application package. **(It is your responsibility to ensure your responses and appropriate documentation are submitted prior to the closing date.)**
3. To verify your application is complete, log into your USAJOBS account, <https://my.usajobs.gov/Account/Login>, select the Application Status link and then select the more information link for this position. The Details page will display the status of your application, the documentation received and processed, and any correspondence the agency has sent related to this application. Your uploaded documents may take several hours to clear the virus scan process.

To return to an incomplete application, log into your USAJOBS account and click Update Application in the vacancy announcement. You must re-select your resume and/or other documents from your USAJOBS account or your application will be incomplete.

You are encouraged to apply online. Applying online will allow you to review and track the status of your application. However, should you not be able to apply online, please contact District of South Dakota at 605-357-2305 or email at KAILENE.FREY@USDOJ.GOV, prior to the closing date of this announcement to request an alternate method of applying.

Applicants should familiarize themselves and comply with the relevant rules of professional conduct regarding any possible conflicts of interest in connection with their applications. In particular, please notify this Office if you currently represent clients or adjudicate matters in which this Office is involved and/or you have a family member who is representing clients or adjudicating matters in which this Office is involved so that we can evaluate any potential conflicts of interest or disqualification issues that may need to be addressed under those circumstances.

Salary

Assistant United States Attorney's pay is administratively determined based, in part, on the number of years of professional attorney experience. The range of basic pay is **\$76,748 to \$197,100 which includes 17.06% locality pay.**

Number of Positions

1

Travel

Employment will require occasional travel to court at designated sites within and outside the District of South Dakota. Travel is also required for witness interviews, preparation for court hearings, and training, including at the Department of Justice's

Relocation Expenses

Relocation expenses are not authorized.

Assistant United States Attorney

Hiring Organization

USAO District of South Dakota

Hiring Office

Pierre, SD

Job ID

26-SD-12875868-AUSA

Location:

225 South Pierre Street
Pierre, SD 57501 - United States

Application Deadline:

Tuesday, March 13, 2026

About the Office

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More information about the U.S. Attorney's Office, South Dakota, can be found at: <http://www.justice.gov/usao/sd/>

Job Description

The U.S. Attorney's Office for the District of South Dakota is seeking an experienced attorney to fill an Assistant United States Attorney (AUSA) position in the Criminal Division. AUSAs in the Criminal Division advise federal law enforcement agents on criminal investigations, present criminal cases to the grand jury, prepare and argue a broad range of motions, try criminal cases before the United States District Court, conduct research, and write briefs and present oral arguments to the Eighth Circuit Court of Appeals. Candidates should be capable of handling significant and complex criminal prosecutions involving Major Crimes Act violations in Indian Country such as murder, child sex abuse, rape, and more. Candidates should also be capable of handling cases involving a variety of violations of federal laws related to firearms, narcotics, white collar fraud, child pornography, and immigration crimes.

Responsibilities will increase, and assignments will become more complex as training and expertise progress.

Qualifications

- Applicant must be a United States Citizen or National.
- Appointment is conditioned upon a satisfactory preemployment adjudication. This includes fingerprints, credit and tax checks, and drug testing. Continued employment is subject to a favorable adjudication of a background investigation.
- Applicant must be registered for Selective Service, if applicable.
- Applicant must possess a J.D. degree, be an active member of a bar (any U.S. jurisdiction), and have at least one year of post-J.D. legal or other relevant

experience.

- Applicant must be a member, or be eligible to become a member, of the federal district court bar.
 - Note: The U.S. District Court for the District of South Dakota requires that all Assistant U.S. Attorneys be admitted to the State Bar of South Dakota within 12 months from the date of an attorney's oath of office for the position in South Dakota. See Local Rule (Criminal) 44.1(F)(1)(b). Accordingly, if the successful candidate is not a member of the South Dakota Bar, he/she must become a member within one year from entry on duty.
- Applicant must reside in the district to which he/she is appointed or within 25 miles thereof. See U.S.C. § 545 for district specific information.
- Applicant must be capable of traveling on occasion.

Applicants must meet all qualification requirements upon the closing date of this announcement.

Preferred Qualifications: Applicants must demonstrate superior analytical ability; possess strong research, writing and courtroom skills; exercise fair and sound judgment; follow all Department of Justice and United States Attorney's Office policies; exhibit the ability to work collaboratively in a supportive and professional manner with other attorneys, support staff, and law enforcement agencies; demonstrate superior communication skills; handle matters in court persuasively and justly on behalf of the United States of America; be devoted to excellence; and demonstrate a commitment to public service.

Application Process

The complete application package please use the link below to get started:

<https://www.usajobs.gov/job/855897900>

1. To begin, click Apply Online to create a USAJOBS account or log in to your existing account. Follow the prompts to select your USAJOBS resume and/or other supporting documents and complete the occupational questionnaire.
2. Click the Submit My Answers button to submit your application package. **(It is your responsibility to ensure your responses and appropriate documentation are submitted prior to the closing date.)**
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Salary

Assistant United States Attorneys pay is administratively determined based, in part, on the number of years of professional experience. The range of starting pay, including a 17.06% locality payment, is \$76,748 to \$197,100.

Number of Positions

1

Travel

Employment will require occasional travel to court at designated sites within and outside the District of South Dakota. Travel is also required for witness interviews, preparation for court hearings, and training, including at the Department of Justice's National Advocacy Center in Columbia, SC.

Relocation Expenses

Relocation expenses are not authorized.

This and other vacancy announcements can be found under Attorney Vacancies and Volunteer Legal Internships. The Department of Justice cannot control further dissemination

and/or posting of information contained in this vacancy announcement. Such posting and/or dissemination is not an endorsement by the Department of the organization or group disseminating and/or posting the information.

Meade County Deputy State's Attorney

Department: State's Attorney

Posting: #26-01

Posting Type: Internal & Open Announcement

Closing Date: Open Until Filled

Starting Wage: \$85,513.17

Wage Grade 22

Full-time position with Benefit Package

JOB SUMMARY

This position is responsible for the prosecution of criminal cases and for representing the State of South Dakota in court. An incumbent in this position may be designated "Senior Deputy State's Attorney"

MAJOR DUTIES

- Reviews law enforcement reports, search warrants, and related documents.
- Reviews law enforcement dispatch logs, videos, and documentary and testimonial evidence.
- Makes charging decisions; prepares, reviews, and files charging documents.
- Reviews and submits requests for warrants and summons.
- Represents the State of South Dakota before the grand jury.
- Represents the State of South Dakota at all stages of criminal prosecution in Meade County.
- Makes oral arguments and prepares motions, responses, and supporting legal briefs
- Manages caseload of misdemeanor and felony offenses as assigned.
- Coordinates with other agencies in the prosecution of felony and misdemeanor related matters.
- Makes bond arguments and sentencing recommendations.
- Conducts legal research, writing, and motions preparation.
- Complies with Marsy's Law and assists victims through the criminal justice system
- Prepares law enforcement officers, witnesses, and victims for testimony.
- Updates and trains law enforcement officers on relevant areas of the law.
- Handles appeals to the Circuit Court and state Supreme Court as needed.
- Performs related duties.

KNOWLEDGE REQUIRED BY THE POSITION

- Knowledge of local, state, and federal law.
- Knowledge of investigative tools and techniques.
- Knowledge of trial proceedings.
- Knowledge of computers and job-related software programs.
- Skill in the completion of legal research.
- Skill in producing persuasive legal arguments.
- Skill in the analysis of problems and the development and implementation of solutions
- Skill in training and supervising personnel.
- Skill in oral and written communication.

SUPERVISORY CONTROLS

The State's Attorney assigns work in terms of department goals and objectives. The supervisor reviews work through conferences, reports, and observation of department activities.

GUIDELINES

Guidelines include rules of professional conduct, rules of ethics, South Dakota Supreme Court rules, South Dakota codified laws, rules of evidence, and county and department policies and procedure. These guidelines require judgment, selection, and interpretation in application.

COMPLEXITY/SCOPE OF WORK

- The work consists of varied legal duties. The variety of tasks to be performed contributes to the complexity of the position.
- The purpose of this position is to participate in the prosecution of criminal cases. Success in this position
- contributes to the successful prosecution of criminal cases.

CONTACTS

- Contacts are typically with co-workers, other county employees, other attorneys, law enforcement personnel, judges, victims, witnesses, defendants, and members of the general public.
- Contacts are typically to provide services; to give or exchange information; to resolve problems; to motivate or influence persons; or to justify, defend or negotiate matters.

PHYSICAL DEMANDS/ WORK ENVIRONMENT

- The work is typically performed while sitting at a desk or table or while intermittently sitting, standing, bending, crouching, or stooping. The employee frequently lifts light and heavy objects, uses tools or equipment requiring a high degree of dexterity, distinguishes between shades of color, and utilizes the sense of smell.
- The work is typically performed in an office or

courtroom.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY

This position may supervise assigned personnel.

MINIMUM QUALIFICATIONS

- Graduation from an accredited school of law.
- Sufficient experience to understand the basic principles relevant to the major duties of the position, usually associated with the completion of an apprenticeship/ internship or having had a similar position for one to two years.
- Current membership in the State Bar of South Dakota.

Deputy/Senior Public Advocate

This position is located in Sioux Falls, South Dakota.

Why Join Our Team

The Minnehaha County Public Advocate's Office is seeking a Deputy/Senior Deputy Public Advocate with excellent advocacy skills and who is committed to ensuring justice, humanity, and equality to indigent clients within the criminal justice system. Our attorneys prepare and manage a caseload of misdemeanor, felony, abuse and neglect, and mental health cases.

Consider a rewarding career with us 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 attach a cover letter to the online application.*****

For a full list of qualifications and to apply visit: <http://jobs.minnehahacounty.gov>. Please include both a cover letter and resume with online application. Contact Human Resources with questions at 605-367-4337.

**Posting to remain open until the position is filled.
Application review begins on February 17, 2026.**

SALARY: \$3,780.00 - \$4,376.00/Biweekly

CLOSE DATE: Continuous

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.



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 Opportunity

DEPUTY CLERK DISTRICT OF SOUTH DAKOTA



Vacancy No.: 04-26

Number of Vacancies: 1

Location: Pierre

Salary: CL 25 – 27

\$49,361 - \$97,098

commensurate with experience

Employment: Permanent, full-time

Closing Date: March 23, 2026

BENEFITS

- Paid Annual & Sick Leave
- Paid Paternal Leave
- 11 Paid Holidays
- Employer Subsidized Health Insurance
- Group Life Insurance
- Supplemental Vision/Dental Insurance
- Retirement Benefits Plan (FERS)
- Thrift Savings Plan (TSP)
- Flexible Spending Accounts
- Pre-tax benefit programs
- Employee Assistance Program (EAP)
- Telework opportunities

www.sdd.uscourts.gov

ABOUT THE COURT

The U.S. District Court for District of South Dakota was established in 1889 when the Dakota Territory was divided into North and South Dakota. The Court handles issues pertaining to federal law within the State of South Dakota and has courthouses in Sioux Falls, Rapid City, Pierre, and Aberdeen.

The U.S. District Court consists of federal court chambers, a clerk's office, and a probation and pretrial services office. The district has three Article III district judges, two senior district judges, and three full-time magistrate judges. Additionally, U.S. Probation has satellite offices in Eagle Butte, Kyle, McLaughlin, Mission, and Winner.

ABOUT THE POSITION

The U.S. District Court for the District of South Dakota is seeking a full-time deputy clerk in the Pierre office. The deputy clerk maintains accurate court records through the entirety of criminal and civil court cases through the court's electronic case management system (CM/ECF), handles cashiering duties with the public, provides a high level of customer service at all times, provides jury operations support, and courtroom support. This position reports to a member of the clerk's office management team.

POSITION DUTIES AND RESPONSIBILITIES

- Perform complex case management transactions such as opening and closing cases while ensuring the appropriate statistical data.
- Prepare and process appeals, warrants, subpoenas, notices, and form orders.
- Answer inquiries from attorneys as well as the public regarding case status and procedural rules.
- Act as a courtroom deputy for civil and criminal case proceedings. Assist with the orderly flow of proceedings including setting up the courtroom, assuring the presence of all necessary participants, and operating all courtroom technology equipment. Take notes of proceedings and rulings and prepare and docket minute entries.
- Communicate with outside agencies, counsel, and the public to facilitate orderly case management and case progression.
- Coordinate the presence of court reporters and court interpreters when needed.
- Serve as backup for magistrate judge scheduling by coordinating with various outside government agencies.
- Process attorney admission applications, prepare certificates, attend admission ceremonies, and maintain record of admitted attorneys.
- Assist with jury administration by processing juror summonses and assisting with jury selection/empnelment.



How to Apply

Please submit the following:

- Cover letter that supports your work experience as it relates to this position
- Resume that includes three (3) professional references
- Completed AO 78 Application for Judicial Branch Federal Employment
[Forms | United States Courts \(uscourts.gov\)](#)
- (Optional) A completed [AO78B Voluntary Race/Ethnicity, Gender & Disability Identification Form](#).

All documents must be emailed in PDF format with "Vacancy 04-24" in the subject line to recruitment@sdd.uscourts.gov.

Visit our employment site



www.sdd.uscourts.gov

POSITION DUTIES AND RESPONSIBILITIES CONTINUED

- Organize and arrange naturalization ceremonies. Representative duties include preparing programs, sending press releases, and attending ceremonies to assist as needed.
- Perform records management duties including requesting, maintaining, and returning records to the Federal Records Center, and filing and archiving documents using electronic imaging.
- Perform cashier functions as outlined in the Internal Control Manual.
- Communicate clearly and effectively, both orally and in writing.
- Travel to other locations within the district as required.
- Other duties as assigned.

MINIMUM QUALIFICATION REQUIREMENTS

- Applicants must be a high school graduate (or equivalent) and possess at least two years of general experience.
 - To qualify at a CL 25 – CL 26, applicants must possess the education and general experience stated above, plus a minimum of one-year specialized experience.
 - To qualify at a CL 27, applicants must possess the education and general experience stated above, plus a minimum of two years specialized experience.
- General experience is considered progressively responsible clerical, office, or administrative work that provided an opportunity to gain specific knowledge and skills related to the functions of a deputy clerk.
- Specialized experience is defined as progressively responsible clerical or administrative experience which includes regularly applying rules, regulations, directives, or laws in the workplace and routinely utilizing specialized terminology and automated software systems or equipment for word processing, data entry, and report generation. Such experience is typically found in law firms, legal counsel offices, banks, credit firms, educational institutions, social service organizations, insurance companies, real estate firms, or title companies.
- Excellent customer service and problem-solving skills with a high level of technical and computer aptitude is required. Able to communicate effectively (orally and in writing).
- Experience and knowledge with electronic case management systems and basic knowledge of federal and local guidelines is required.

EDUCATIONAL SUBSTITUTION

- Education above the high school level may be substituted for required general experience on the basis of one academic year (30 semester or 45 quarter hours) equals one year of general experience.



SELECTION PROCESS

The most qualified applicants will be invited to one (or more) personal interview with the court. Applicants selected for interview(s) must travel at their own expense and relocation expenses will not be reimbursed.

Prior to appointment, the person selected for this position will be required to undergo an FBI fingerprint check as a condition of employment and may be subject to periodic updates. Employment is considered provisional until the background check is successfully completed.

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CONDITIONS OF EMPLOYMENT

- Applicants must be a U.S. citizen or eligible to work in the United States.
- Judiciary employees must adhere to the *Code of Conduct for Judicial Employees*.
- Employees of the United States District Court are hired under excepted appointments and are considered “at will” employees.
- The candidate hired for this position will be subject to an FBI fingerprint record check.
- This position is subject to mandatory electronic funds transfer participation for payment of net pay (direct deposit).
- The U.S. District Court reserves the right to amend or withdraw any vacancy announcement with or without written notice to applicants. If a subsequent vacancy of the same position becomes available within a reasonable amount of time after the original announcement has closed, the Court has the right to select a candidate from the original applicant pool of the original vacancy announcement.

**THE DISTRICT OF SOUTH DAKOTA IS AN EQUAL OPPORTUNITY EMPLOYER
AND COMPLIES WITH THE FAIR CHANCE TO COMPETE ACT**

JUDICIARY BENEFIT DETAILS

Employer Contributions

- o FERS eligible employees receive judiciary-paid Basic Benefit contributions each pay period
- o Optional Thrift Savings Plan (TSP) enrollment for pre- or post-tax (Roth) withholdings
- o Optional TSP catch-up contribution for employees age 50+
- o Participating TSP employees receive 100% match for first 3% contributed to the plan and \$.50 per dollar on the next 2%
- o TSP eligible employees also receive an automatic 1% contribution to their TSP plan each pay period
- o Social Security benefits contributed at 6.2% of employee earnings up to annual SS Wage Base
- o On average, 72% of an employee's total health insurance premium is paid by the judiciary with enrollment choices of Employee, Employee +1, and Family coverage
 - Over 20 different FEHB plan options available with varying deductible and co-pay limits
- o Judiciary pays 1/3 of the cost for employee's Basic Life Insurance
- o Free Employee Assistance Program (EAP) available to employees, spouse, and/or dependents 24/7

Time Off

- o Annual leave
 - 0-3 years of service accrue 4 hours/pay period
 - 3-15 years of service accrue 6 hours/pay period
 - 15+ years of service accrue 8 hours/pay period
- o Sick leave: accrue 4 hours/pay period with no limit cap
- o Bereavement Leave: up to 104 hours of paid bereavement leave per year paid from sick leave bank
- o Paid Parental Leave: up to 12 weeks of paid leave for childbirth or adoption (eligibility conditions apply)
- o Bereavement Parental Leave: up to 2 weeks paid for loss of child
- o Compensation time earned based upon employee classification level
- o Administrative Leave: discretionary leave granted for voting, emergency closures, etc.
- o Paid Holidays – minimum of 11 paid holidays per year: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas Day

Other Judiciary Benefits

- o 10 different vision insurance plans
- o 16 different dental insurance plans
- o Flexible benefit health care reimbursement
- o Flexible benefit dependent care reimbursement
- o Paid employee parking
- o Supplemental life insurance for spouse and children
- o Accidental Death & Dismemberment (AD&D) insurance coverage
- o Long-term care insurance
- o Disability insurance
- o Disability retirement (eligibility conditions apply)
- o Professional liability insurance reimbursement
- o Employee referral bonus
- o Flexible scheduling/telework opportunities (eligibility conditions apply)
- o National Leave Transfer Program - donated paid time off for employees needing extended leave due to medical complications, childbirth, or other emergencies
- o Continuing education and local/national training and informational opportunities:
 - Judiciary Online University virtual learning + monthly benefit webinars

In Retirement

- o Full continuation of health insurance for employee and spouse with continuation of judiciary-paid premiums (eligibility conditions apply)
- o If FERS-eligible, receive a monthly paid Basic Benefit annuity with survivor annuity option
- o Monthly-paid FERS annuity supplement ("social security bridge") paid by OPM if retiring under age 62
- o TSP participant withdrawal options via monthly, annual, or as needed basis with additional options to purchase TSP annuities
- o Optional continuation of life insurance coverage (eligibility conditions apply)
- o Fully paid out unused annual leave hours
- o Unused sick leave hours are converted and added to service credit time increasing monthly FERS payment

See the [Total Compensation Estimator](#) to see how the judiciary contributes to the benefits of every employee.

Career Opportunity

SUPERVISORY DEPUTY CLERK DISTRICT OF SOUTH DAKOTA



Vacancy No.: 03-26

Number of Vacancies: 1

Location: Pierre

Salary: CL 28 - \$71,583-\$116,394
commensurate with experience

Employment: Permanent, full-time

Closing Date: March 23, 2026

ABOUT THE COURT

The U.S. District Court for District of South Dakota was established in 1889 when the Dakota Territory was divided into North and South Dakota. The Court handles issues pertaining to federal law within the state of South Dakota and has courthouses in Sioux Falls, Rapid City, Pierre, and Aberdeen.

The U.S. District Court consists of federal court chambers, a clerk's office, and a probation and pretrial services office. The district has three Article III district judges, two senior district judges, and three full-time magistrate judges. Additionally, U.S. Probation has satellite offices in Eagle Butte, Kyle, McLaughlin, Mission, and Winner.

ABOUT THE POSITION

The U.S. District Court for the District of South Dakota is accepting applications for a supervisory deputy clerk in the Pierre office. The supervisory deputy clerk is accountable for the administration and supervision of the day-to-day operations of the clerk's office in Pierre. The position performs the same day-to-day duties and assignments as a deputy clerk but has the added responsibility of managing their work and schedules. The position serves as a member of the management team and is involved with district-wide planning, to include, but is not limited to, process analysis and performance management. The position reports to one of the deputies in charge.

POSITION DUTIES AND RESPONSIBILITIES

- Schedule, prioritize, and set deadlines for completion of work assignments; coordinate works schedules for deputy clerks and court reporters.
- Recommend and implement personnel actions and evaluate performance of deputy clerks.
- Assist in recruitment, screening, and interviewing candidates when vacancies occur; make hiring recommendations.
- Manage staff training; coach and promote career development.
- Study the quantity and quality of work and recommend necessary actions in work processing and resource allocation.
- Coordinate staff schedules in Pierre and work with supervisors in Rapid City and Sioux Falls for district-wide staffing if inter-district travel is needed.

BENEFITS

- Paid Annual & Sick Leave
- Paid Paternal Leave
- 11 Paid Holidays
- Employer Subsidized Health Insurance
- Group Life Insurance
- Supplemental Vision/Dental Insurance
- Retirement Benefits Plan (FERS)
- Thrift Savings Plan (TSP)
- Flexible Spending Accounts
- Pre-tax benefit programs
- Employee Assistance Program (EAP)
- Telework opportunities

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- Completed AO 78 Application for Judicial Branch Federal Employment Forms | [United States Courts \(uscourts.gov\)](https://uscourts.gov)
- (Optional) A completed [AO78B Voluntary Race/Ethnicity, Gender & Disability Identification Form](#)

All documents must be emailed in PDF format with "Vacancy 03-26" in the subject line to recruitment@sdd.uscourts.gov.

Visit our employment site



www.sdd.uscourts.gov

POSITION DUTIES AND RESPONSIBILITIES CONTINUED

- Maintain responsibility for the receipt, handling, preparation, maintenance, storage, and control of all official and quasi-official records and materials received in, created by, or processed through the clerk's office.
- Certify and process internal administrative records related to leave, payroll, travel, per diem, and other fiscal records relating to operations of the district.
- Responsible for the reporting and accounting of all money received in and processed through the Pierre office.
- Advise attorneys on procedural matters related to the filing of documents.

QUALIFICATION REQUIREMENTS

Applicants must have at least three years of progressively responsible administrative, technical, professional, supervisory or managerial experience that provided an opportunity to gain skills in developing interpersonal work relationships needed to lead a team of employees; the ability to exercise mature judgment; knowledge of the basic concepts, principles, and theories of management; and the ability to understand the managerial policies applicable to the Court.

The successful applicant should be a highly motivated self-starter, mature, organized, demonstrate initiative, possess tact and good judgement, and always maintain a professional appearance and demeanor. Applicants must have the ability to meet the public, work harmoniously with others in a team-based organization, and communicate effectively, both orally and in writing. The applicant must also work effectively in a fast-paced atmosphere dealing with numerous time-sensitive issues.

PERSONAL CHARACTERISTIC REQUIREMENTS

- Ability to exercise sound judgment, maintain confidentiality, adhere to high ethical standards, and demonstrate integrity in fulfilling the district's vision, mission, values, and strategic plan.
- Ability to prioritize competing demands while maintaining a positive and professional demeanor.
- Ability to exercise impartiality and discretion.
- Ability to promote and maintain a positive work environment which encourages integrity, respect, individual and organizational growth, and a fulfilling work life.



SELECTION PROCESS

The most qualified applicants will be invited to one (or more) personal interview with the Court. Applicants selected for an interview(s) must travel at their own expense and relocation expenses will not be reimbursed.

Prior to appointment, the person selected for this position will be required to undergo an FBI fingerprint check as a condition of employment and may be subject to periodic updates. Employment is considered provisional until the fingerprint check is successfully completed.

www.sdd.uscourts.gov

CONDITIONS OF EMPLOYMENT

- Applicants must be U.S. citizens or eligible to work in the United States
- Judiciary employees must adhere to the Code of Conduct for Judicial Employees.
- Employees of the United States District Court are hired under excepted appointments and are considered "at will" employees.
- This position is subject to mandatory electronic funds transfer participation of net pay (direct deposit).
- The U.S. District Court reserves the right to amend or withdraw any vacancy announcement without written notice to applicants. If a subsequent vacancy of the same position becomes available within a reasonable amount of time after the original announcement has closed, the Court has the right to select a candidate from the applicant pool from the original vacancy announcement.

**THE DISTRICT OF SOUTH DAKOTA IS AN EQUAL OPPORTUNITY EMPLOYER
AND COMPLIES WITH THE FAIR CHANCE TO COMPETE ACT**

JUDICIARY BENEFIT DETAILS

Employer Contributions

- o FERS eligible employees receive judiciary-paid Basic Benefit contributions each pay period
- o Optional Thrift Savings Plan (TSP) enrollment for pre- or post-tax (Roth) withholdings
- o Optional TSP catch-up contribution for employees age 50+
- o Participating TSP employees receive 100% match for first 3% contributed to the plan and \$.50 per dollar on the next 2%
- o TSP eligible employees also receive an automatic 1% contribution to their TSP plan each pay period
- o Social Security benefits contributed at 6.2% of employee earnings up to annual SS Wage Base
- o On average, 72% of an employee's total health insurance premium is paid by the judiciary with enrollment choices of Employee, Employee +1, and Family coverage
 - Over 20 different FEHB plan options available with varying deductible and co-pay limits
- o Judiciary pays 1/3 of the cost for employee's Basic Life Insurance
- o Free Employee Assistance Program (EAP) available to employees, spouse, and/or dependents 24/7

Time Off

- o Annual leave
 - 0-3 years of service accrue 4 hours/pay period
 - 3-15 years of service accrue 6 hours/pay period
 - 15+ years of service accrue 8 hours/pay period
- o Sick leave: accrue 4 hours/pay period with no limit cap
- o Bereavement Leave: up to 104 hours of paid bereavement leave per year paid from sick leave bank
- o Paid Parental Leave: up to 12 weeks of paid leave for childbirth or adoption (eligibility conditions apply)
- o Bereavement Parental Leave: up to 2 weeks paid for loss of child
- o Compensation time earned based upon employee classification level
- o Administrative Leave: discretionary leave granted for voting, emergency closures, etc.
- o Paid Holidays – minimum of 11 paid holidays per year: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas Day

Other Judiciary Benefits

- o 10 different vision insurance plans
- o 16 different dental insurance plans
- o Flexible benefit health care reimbursement
- o Flexible benefit dependent care reimbursement
- o Paid employee parking
- o Supplemental life insurance for spouse and children
- o Accidental Death & Dismemberment (AD&D) insurance coverage
- o Long-term care insurance
- o Disability insurance
- o Disability retirement (eligibility conditions apply)
- o Professional liability insurance reimbursement
- o Employee referral bonus
- o Flexible scheduling/telework opportunities (eligibility conditions apply)
- o National Leave Transfer Program - donated paid time off for employees needing extended leave due to medical complications, childbirth, or other emergencies
- o Continuing education and local/national training and informational opportunities:
 - Judiciary Online University virtual learning + monthly benefit webinars

In Retirement

- o Full continuation of health insurance for employee and spouse with continuation of judiciary-paid premiums (eligibility conditions apply)
- o If FERS-eligible, receive a monthly paid Basic Benefit annuity with survivor annuity option
- o Monthly-paid FERS annuity supplement ("social security bridge") paid by OPM if retiring under age 62
- o TSP participant withdrawal options via monthly, annual, or as needed basis with additional options to purchase TSP annuities
- o Optional continuation of life insurance coverage (eligibility conditions apply)
- o Fully paid out unused annual leave hours
- o Unused sick leave hours are converted and added to service credit time increasing monthly FERS payment

See the [Total Compensation Estimator](#) to see how the judiciary contributes to the benefits of every employee.

UPCOMING EVENTS

DON'T MISS OUT!

2026



SDYLS SPRING BOOTCAMP -DEADWOOD

8:30 am - 5:00 pm



MARCH LAW FOR LUNCH

FinCen Reporting: Follow-Up Questions

12:30 pm - 1:30 pm



BANKRUPTCY ROUNDTABLE DISCUSSIONS

11:30 am - 12:30 pm (MDT)

Location: US Courthouse - Courtroom 3, Rapid City



MAY JOINT FAMILY/CRIMINAL LAW CLE

8:00 am - 5:00 pm

Location: DoubleTree, Rapid City

For more details and updates about these events, please visit
our website.

<https://www.statebarofsouthdakota.com/>