

State Bar of South Dakota

September 2026 Newsletter



September CLE's

September 18 -
Bankruptcy CLE

September 25 -
Nuts & Bolts

Statewide Swearing-in Ceremony to follow.



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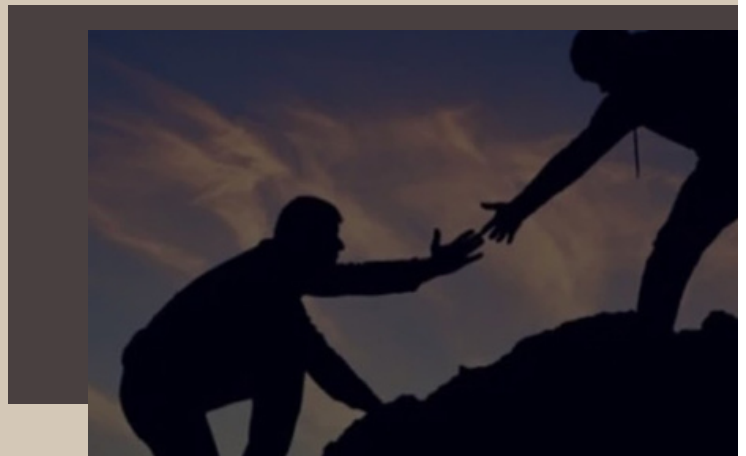


ATTORNEY HEALTH & WELLNESS SOUTH DAKOTA LAWYERS ASSISTANCE

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!



State Bar of South Dakota

September 2026

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President's CORNER

John W. Burke

Well, Labor Day weekend is here. We all know what that means. Sadly, summer is coming to an end; kids are heading back to school; and the mornings are a little less bright and a bit more brisk.

As you may have noticed, the State Bar recently circulated a notice inviting applications for the position of Executive Director. In light of that announcement, I thought that it would be helpful to provide an update on the State Bar's search for a new Executive Director.

The initial step was to form an Executive Director Search Committee that will shoulder the laboring oar in the process. The Committee includes the following individuals:

Justice Scott Myren
Justice Janine Kern (Ret.) (Chair)
Judge Bobbi Rank
Paul Bachand (Pierre) (Interim Executive Director)
Steve Blair (Rapid City)
Olivia Edoff (Rapid City)
Pat Goetzinger (Rapid City)
Steve Huff (Yankton)
Stacy Johnson (Aberdeen)
Emily Maurice (Sioux Falls)
Reed Rasmussen (Aberdeen)
Pamela Reiter (Sioux Falls) (Vice Chair)
Don McCarty (Brookings) (President Elect)
Tony Teesdale (Brookings)

When selecting the members of the Committee, the goal was demographic diversity, including the following: members of the judiciary; attorneys who participated in previous Executive Director searches; attorneys with different practice areas; attorneys from small, mid-size, and large law firms; attorneys with differing years of experience; attorneys from different parts of the State;

and past State Bar Presidents. We will be well served by this outstanding Committee. Before continuing, I want to take this opportunity to thank each of the Committee members for their willingness to serve. As is readily apparent, the selection of our State Bar's next Executive Director is critically important to the State Bar's stability and long-term success.

As for the process, here is a general overview. The deadline to submit applications is October 15, 2026. Prior to that date, the Committee will reach out to certain stakeholders for their perspectives and insights, including the Dean of the University of South Dakota Knudson School of Law, Neil Fulton, and State Bar staff. Once the applications are received, they will be provided to the Committee and to the Bar Commissioners. The Committee will review the applications as part of a preliminary vetting and then advise the Bar Commissioners which applicants the Committee intends to interview. In the meantime, the Bar Commissioners will also review the applications to identify applicants they would like to be interviewed. This will ensure that the Committee also interviews applicants that the Bar Commissioners feel should be interviewed but were not on the Committee's list. After the Committee completes its interviews, it will provide recommendations to the Bar Commissioners. Thereafter, the Bar Commission will conduct its own interviews and make its decision.

So, what does the Executive Director's role entail? According to Article VI, Section 6.1 of the State Bar's *Bylaws*, "[t]he Executive Director will have general charge and control of day-to-day State Bar affairs subject to Bar Commission and State Bar Officer direction and Supreme Court rule." The *Bylaws* go on to identify the following duties of the Executive Director:

a. Carry out and oversee the State Bar strategic plan;

- b.** Advocate the State Bar's agenda with South Dakota's legislative and executive branches of government;
- c.** Work with the Supreme Court to create appropriate rules regulating the State Bar and its Members;
- d.** Serve notice of all Member and Bar Commission meetings;
- e.** Keep the minutes of Member and Bar Commission meetings and authenticate State Bar records as necessary;
- f.** Maintain the State Bar's books, papers, and records and provide for their inspection for any proper purpose at any reasonable time;
- g.** Maintain a current register of the names and post office addresses of all Members and include other information provided by the Members;
- h.** Participate in national conferences and forums approved by the Bar Commission;
- i.** Approve bills for payment, subject to limits prescribed by the Bar Commission;
- j.** Execute all contracts and instruments of conveyance in the State Bar's name as authorized by the Bar Commission;
- k.** Have custody, and keep proper account of all State Bar funds;
- l.** Sign checks, drafts, and notes on behalf of the State Bar;
- m.** Endorse checks, notes, and other obligations payable to the State Bar and deposit them in the State Bar account determined by the Bar Commission;
- n.** Pay all normal and ordinary State Bar bills in the ordinary course of business and seek Bar Commission approval before paying any extraordinary bill;
- o.** Submit State Bar books and records for a Board approved independent audit;
- p.** Deliver a financial report at each regular Bar Commission meeting and deliver an annual financial report to the Members at the Annual Meeting;
- q.** Propose policies to ensure proper functioning of the State Bar;
- r.** Hire, supervise, and, if necessary, terminate State Bar employees and determine State Bar employees' salary and benefits subject to Bar Commission approval;
- s.** Deliver a report to the Board at each regular Board meeting and to the Members at their Annual Meeting and prepare other reports as requested by the Bar Commission;
- t.** Call Member and Bar Commission Special Meetings, as provided for in these Bylaws; and
- u.** Perform all other duties usually incident to the chief operations officer and corporate secretary/treasurer along with any other duties assigned by the Board and President.

Under our *Bylaws*, the Executive Director simultaneously serves as the State Bar's Secretary/Treasurer. According to the State Bar Policies, in that role, the individual "is the chief administrative officer and responsible for the overall management of the operations of the Association under the direction of the Board of Bar Commissioners and the officers." *The State Bar Policies* then go on to identify other categories of responsibilities, including, among others, assisting the President and Continuing Legal Education (CLE) oversight.

While the *Bylaws* and *State Bar Policies* are fairly detailed, it goes without saying that they do not—and practically cannot—identify each and every duty of the Executive Director/Secretary Treasurer. Indeed, in my view, that is why Article VI of the *Bylaws* begins with the overarching mandate that "[t]he Executive Director will have general charge and control of day-to-day State Bar affairs . . .," and subpart u. adds that he or she will also "[p]erform all other duties usually incident to the chief operations officer and corporate secretary/treasurer . . ."

The Executive Director has a critical role in the success and long-term stability of our State Bar. In my mind, under the guidance of the Bar Commission, the Executive Director essentially runs the State Bar. I envision the Executive Director as the "face" of the State Bar for our members and the public. I see him or her building personal relationships with members of the State Bar; attending State Bar functions; encouraging participation in State Bar committees and sections; working with Dean Fulton at the Law School; frequently conferring with members of the judiciary; building relationships with legislators and various executive agencies; fostering the public's understanding and confidence in the rule of law and the justice system; being in the Capitol daily during session; aiding not only in the implementation of the Strategic Plan, but being the "go to" person for day-to-day issues which arise; and periodically traveling to rural communities to sit down and talk with attorneys (or other folks if there is no longer an attorney practicing there) in an effort to work toward ensuring access to attorneys in our less populated areas.

While the job carries significant responsibility, it could also be incredibly rewarding. If you know someone that might make a good fit for the position, please encourage them to apply. Also, if you have any questions about the search process or the position generally, please do not hesitate to reach out to me. Thank you, and enjoy the last long weekend of the summer.



Lora Waeckerle

President



Goodbye Summer: Hello New Opportunities

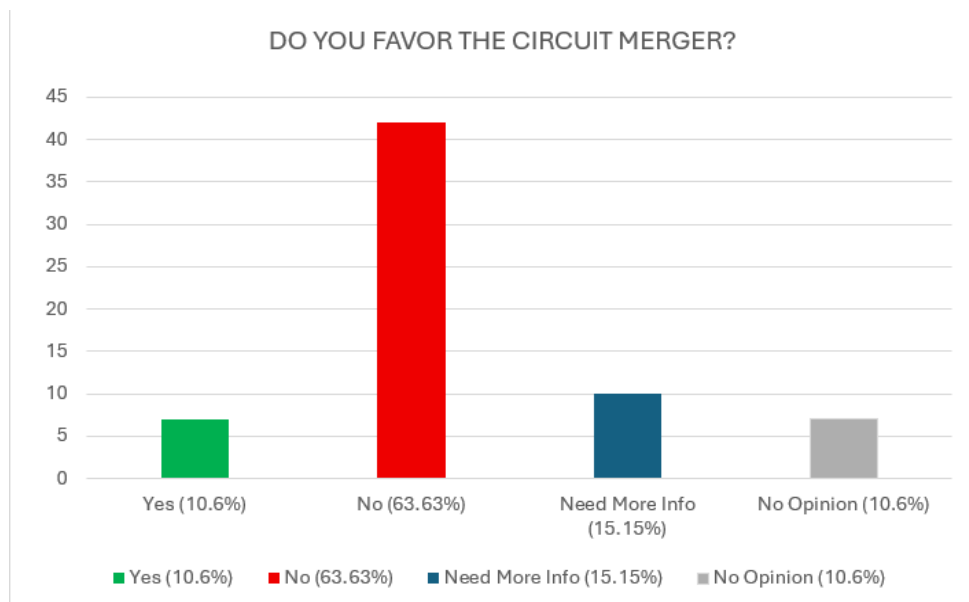
In July, the Bar Commissioners approved the first budget increase the Young Lawyer's Board has seen since 2018—and I would submit that 2018 was a good vintage, considering it was the year I and several other compatriots I know were admitted to the practice. We thank the Bar Commissioners sincerely and appreciate your support of our contribution to the Bar. We are launching forward with enthusiasm.

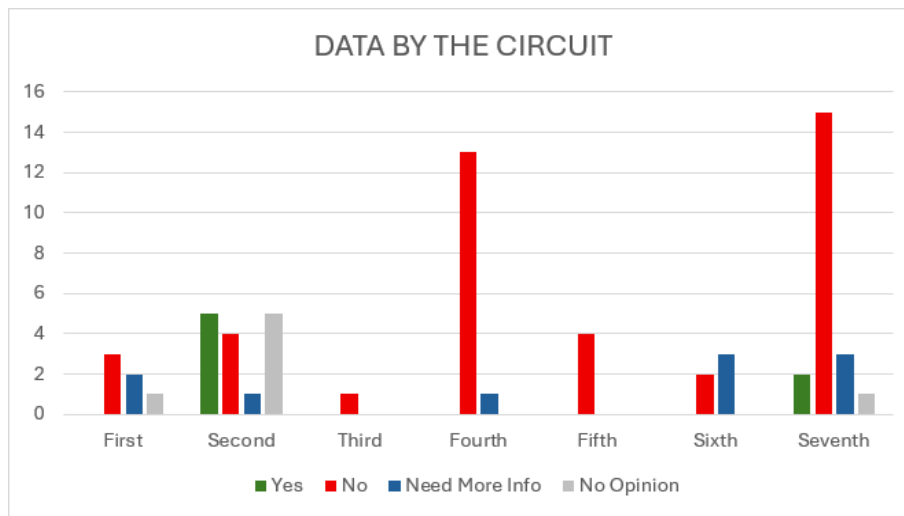
What We Learned: 4th Circuit and 7th Circuit Merger Initiative

For those unaware, the merger proposal would combine the Fourth and Seventh Circuits, with the proposal to centralize administration in Rapid City. The Fourth Circuit currently includes Butte, Corson, Dewey, Harding, Lawrence, Meade, Perkins, and Ziebach Counties, while the Seventh Circuit encompasses Custer, Fall River, Oglala Lakota, and Pennington Counties.

In last month's newsletter, I mentioned that the Young Lawyer's Board would be conducting a confidential survey regarding the proposal. We conducted the survey in August 2026, and 66 young lawyers from across South Dakota participated. I thank all the individuals who responded. In addition to the survey, on August 26, 2026, numerous judges, court personnel, attorneys and members of the public gathered in Rapid City, Sturgis, and Lemmon to discuss the matter at public comment sessions. I attended each session, and the room was packed at all three locations. Given the responses to the Young Lawyer Section's survey, it is important that this month's newsletter briefly summarize the information learned from the survey and public comment sessions.

The two graphs below reflect responses to survey questions by young lawyers.





As for the public sessions, I noticed two universal sentiments at each meeting location: (1) a general understanding of the desire to improve the system, but (2) unanimous skepticism that merging the circuits would have the intended effect. From Rapid City to Lemmon, all attendees either raised concerns to explore the matter further or voiced disagreement of the initiative on the basis that it may exacerbate problems, including that it could ineffectively address the legitimate needs of the bigger communities, while at the same time, lose the voices of the smaller, northern communities.

The concern for rural justice was consistent even in populated areas. To start, multiple attendees in all three locations expressed that the merger would make it difficult for rural judicial candidates to compete with candidates in the higher populated areas of the newly merged circuit. Another thought expressed was whether the merger would resolve the potential issue about diversifying existing caseloads and resources, and whether the currently compiled data was an accurate reflection of the workload facing each area given the criticisms of using weighted workload models to analyze the capacity of staff. Along those lines, as one attendee noted, the judiciary faces elevated caseloads in all areas, rural and urban. In fact, as the judiciary currently exists, if cases are divided by the judge, judges in the Fourth Circuit have approximately the same caseload as judges in the Seventh Circuit. This is because although the Fourth Circuit carries about half the caseload of the Seventh Circuit, it operates with half the number of judges and services a massive geographic area—bigger than some U.S. states and even some foreign countries.

Also related to rural justice, in Lemmon, attendees shared the unique position of their rural community

and expressed apprehension that their needs will become unmet with the merger despite paying taxes for the services. As an example, an attorney that routinely appears in court in both North Dakota and South Dakota voiced concern that the merger risks diminishing local and in-person justice—something he has experienced in North Dakota following its administrative centralization. He explained that he is now conducting evidentiary hearings via Zoom due to urban judges struggling to travel to rural locations. Along these same lines, law enforcement in Lemmon expressed that the quality of justice in the rural communities will be diminished under the plan and that the needs and priorities of the northern towns could potentially be overshadowed by those of larger communities.

At each location, there was a widespread call to explore less intrusive administrative solutions. One frequent suggestion included developing plans to share or allocate work among the Clerks of Court in the Fourth and Seventh Circuits without a merger. Regardless, given the large attendance at all three public comment sessions and the overwhelming concerns expressed, should the August 26 meetings be the beginning of public comment rather than the end of it? I ask this question because as attorneys in South Dakota, it is critical that we support all those in our justice system that are in need, and that we improve the system for the people we serve in all of our communities.

As it stands, the tentative timeline involves a rules hearing in November 2026 and possible implementation as soon as January 1, 2027.

If you have questions, would like any information, or

want to share comments confidentially, contact myself or your circuit representatives, listed below:

President: Lora Waeckerle

Vice President: Stephen Gemar

Secretary/Treasurer: John Noyes

First Circuit: Natasha Allen

Second Circuit: Erin Ballard

Third Circuit: Jacob Dawson

Fourth Circuit: Garrett Keegan

Fifth Circuit: Alex Stange-Weig

Sixth Circuit: Catherine Seeley

Seventh Circuit: Olivia Edoff

At Large: Callie Pospishil

Law School Liaison: Aftyn Heitkamp

Your YLS Board members are here to serve the membership, and specifically those within its section. Please do not hesitate to engage with the group. We would love to hear from you!

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South Dakota Paralegal Association

What is a Paralegal?

Paralegals are key members of the legal team, providing essential support to attorneys, agencies, and legal departments. With specialized education, training, and/or experience, they handle substantive legal tasks delegated by an attorney, who remains ultimately responsible for their work. Experienced paralegals can efficiently complete many legal tasks performed by attorneys, sharing the workload at a lower cost to the office.

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- Manage costs more effectively
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- Improve case management, preparation, and follow-through
- Increase specialization and expertise
- Enhance client satisfaction
- Allows attorneys to devote more time to high-level legal work
- Generates income with a billable rate



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SQUAD**

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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.

**BRENDA ASK
SHELLY MUNSON
JODI BROWN
CARLA GLYNN**

**Special
Thanks to:**

**RENEE STELLAGHER
JAMES TAYLOR
MARWIN SMITH
JOSEPH HOGUE
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
AUGUST!**

VOLUNTEER

**ARE YOU INTERESTED IN BECOMING A LEGAL SUPERHERO
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Al Arendt

Sustaining Life Fellow - \$50,000 plus

Fred & Luella Cozad

Diamond Fellows - \$10,000 plus

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Dale E. Froehlick
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Kimberley A. Mortenson

Platinum Fellows - \$10,000

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Charles M. Thompson
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Thomas J. Welk
Terry G. Westergaard

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Michael S. Fischer	Jason R.F. Sutton
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Craig A. Kennedy	Lea Wroblewski
Denise Langley	

Raising the Bar: Our Profession. Our Responsibility.



UNIVERSITY OF
SOUTH DAKOTA
KNUDSON SCHOOL OF LAW



DEAN'S LIST: NEWS FROM THE LAW SCHOOL



Neil Fulton
Dean, School of Law

The year 2026 marks the 125th anniversary of the Law School's founding. It has been an eventful and exciting year of commemorative events. There remains more to come.

The biggest event took place on Friday evening during the Bar Convention. More than 300 people gathered for our Grand Gala. It was a joy to see so many old friends reconnect and celebrate the Law School's history and dream of the future. I have included links at the end of this column for those who could not be there or want to remember the evening that will let you view photos and a video from the event.

The next morning, we hosted brunch at the law school with tours and a question-and-answer session. It was great to show off a renovated Law School to so many of you. If you have not yet been home to check out our renovations, please join us on Friday, October 2nd for a ceremonial ribbon-cutting at 2:30 P.M. A reception will follow in honor of Rachelle Norberg and Pierce McDowell III who are being honored that evening at USD's Unleash Your Legacy alumni event. Information and tickets for the alumni event can be found here: <https://www.usdalumni.com/events/unleash-your-legacy-alumni-achievement-awards>

I am also excited about the publication of *A Legal Legacy*, a history book of the Law School. Assembling this book was the work of many hands, led by Professor Patrick Garry, Assistant Dean Sarah Kammer, and my assistant Maddie Smith. There are copies available if you would like one. Rather than selling the book, we

are asking folks to consider a contribution of \$20 or any amount to the 1901 Fund or Sterling Fund. If you'd like a copy, you can fill out the *A Legal Legacy Request*, online: <https://www.usdalumni.com/125-law-school>

The work of renovating the Law School is ongoing. With guidance by Amy Fill, curator of USD's art galleries, we have transformed our décor. We have installed gallery railing that will host rotating art displays near our new classroom upstairs, display of the most recent class composite photos around the main hall, and South Dakota landscape photographs across the Law School. These changes are interjecting vibrance into the Law School that is equal to the energy of the faculty, staff, and students working here. We make our home in a wonderful building; I do hope that many of you can make your way home to see it this fall.

The final focus of this anniversary year has been fundraising. At the Gala, I announced a \$12.5 million fundraising campaign to commemorate our anniversary. The focus is on student scholarships in the 1901 Fund and faculty support in the Sterling Fund. We have already surpassed \$4 million in our pursuit of that goal. I think it is important to devote a few words to reminding ourselves why these investments are so important.

If you recall the middle of last decade, law schools across the country faced dramatic decreases in enrollment, entering student credentials, bar passage, and placement rates. USD was able to successfully respond to this downturn through a major investment

in student scholarship support, driven by the vision and action of President Abbott and Dean Geu. Expanding our scholarship offerings has been critical to achieving increases in class size, entering credentials, and positive student outcomes in recent years. The work is unfinished, however. As undergraduate enrollment nationwide began to decline last year, the dangers of the demographic cliff will be present for the next decade and beyond. As one clear presentation of the problem, there will be 1.5 million fewer 18 years olds in three years than today. The reality of fewer students available to go to law school will only increase the competition for law students and the need for scholarships to attract excellent students.

With announcement of the McDowell, King, and South Dakota Trust Company Chair in Trust and Estate Law this spring, our first endowed faculty chair, we have also turned effort to endowing support for exceptional faculty. Funds for faculty support help us recruit and retain talented faculty who shape the next generation of lawyer leaders. Additionally, these endowments can fill the gap of tuition and general fund dollars as enrollments begin to decline nationwide and state budget dollars are tight. Some law schools instead respond by raising tuition or lowering admission standards to expand class sizes. It is important to avoid both of those bad choices. We have enjoyed increased enrollment in recent years, but the downward demographic trends mean that what goes up will come back down (at least somewhat).

Our anniversary campaign is focused on these two critical areas because they have the greatest impact on success at the Law School and for our profession by extension. We created the 1901 Fund and Sterling Fund

so that anyone could make a gift in any amount that will support student scholarships and faculty excellence in perpetuity. As we celebrate our 125th anniversary. I hope that everyone will consider giving forward with an investment in one of these funds. The QR code below provides a link to do so. Both Tove Hoff Bormes (our Law School development representative) and I would be happy to talk to you as well.

Our first 125 years have been marvelous. There is much to celebrate and much celebration ahead of us before the year ends. As 2027 arrives in a few months, I look forward to working with all of you to start building our next 125 years!

Gala Photos Link: <https://ehaglundcollc.pixieset.com/usdlawgala/>

Gala Video Link: <https://www.youtube.com/watch?v=dM1Vq5cWItU>



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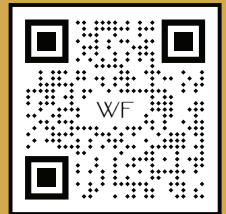
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2026 SOUTH DAKOTA BANKRUPTCY LAW

CLE

Friday, September 18, 2026
9:00 am - 4:15 pm



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

For the schedule of events and registration, please click [HERE](#).

Registration opens at 8:30 am.

Please note that registration is required!

SOUTH DAKOTA BANKRUPTCY LAW CLE

SEPTEMBER 18, 2026

TIME	PROGRAM	SPEAKERS
8:30-9:00	Registration	
9:00-9:10	Welcome Remarks	• Anthony Sutton (CLE Committee Co-Chair) • The Honorable Laura Kulm Ask
9:10-9:30	A View from the Court: Rules, Reminders & Resources	• Rick Entwistle (Bankruptcy Clerk) • Vicky Reinhard (Chief Deputy) • Shan Stroup (Courtroom Deputy) • Danielle Bohman (Case Administrator) • Erica Ertz (Case Administrator) • Jaymie Lillestol (Case Administrator) • Taly Bialostocki (Judicial Law Clerk) • Ryan Kroger (Judicial Law Clerk)
9:30-10:30	Exploring Options Outside of Bankruptcy	• Sander Morehead (Woods Fuller) • Steve Huff (Marlow, Woodward & Huff)
10:30-10:45	Networking Break	
10:45-11:15	Client Management & Filing Hygiene in Bankruptcy Cases	• Julie Anacker (Gerry Law Firm) • Halle Meadors (Meadors Law Firm)
11:15-11:30	Networking Break	
11:30-12:15	Ethics in the Trenches: Conflicts, Fee Disgorgement, and the Rise of AI in Bankruptcy Practice	• Professor Robert Miller (USD Knudson School of Law) • Alex Dugan (Bradley Arant Boult Cummings)
12:15-12:30	Up & Coming Bankruptcy Stars in South Dakota	• Victoria Mendoza (USD Knudson School of Law) • Karena Verbitsky (USD Knudson School of Law)
12:30-1:15	Networking Lunch	
1:15-1:45	Legislative Update	• Jenna Weir Riedel (Gerry Law Firm)
1:45-2:15	Case Law Update	• The Honorable Charles Nail
2:15-2:30	Networking Break	
2:30-3:00	When the United States is a Creditor	• Yvette Lafrentz (Assistant US Attorney) • Stephanie Bengford (Assistant US Attorney)
3:00-3:30	Crypto Currency as Collateral: Liens, Perfection, & Bankruptcy	• Keith Gauer (Davenport Evans)
3:30-4:15	Issues and Defaults Post-Confirmation	• Jordan Feist (Woods Fuller) • Anthony Hohn (Davenport Evans)
4:30	Happy Hour/Reception	Location TBD



ANNOUNCEMENTS

Johnson, Janklow & Abdallah, LLP
is pleased to announce that

Taylor J. Anderson
has joined the firm as an associate attorney.

Johnson, Janklow & Abdallah, LLP
101 S. Main Ave., Suite 100
Sioux Falls, SD 57104

Phone: (605) 338-4304

Email: taylor@janklowabdallah.com

Siegel, Barnett & Schutz, LLP
is pleased to announce that

Sarah J.R. Malsom
has joined the firm as an associate attorney.

Siegel, Barnett & Schutz, LLP
J415 S. Main Street, Suite 400
PO Box 490
Aberdeen, SD 57402

Phone: (605) 225-5420

Email: smalsom@sbslaw.net

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

Nathaniel G. Nielsen
has joined the firm as an associate attorney.

Davenport, Evans, Hurwitz & Smith, LLP
206 West 14th Street
P.O. Box 1030
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*John Sparks &
Aaron J. Sternhagen*
have joined the firm as attorneys.

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Spearfish, SD 57701

Phone: (605) 340-1340

Email: Aaron@schlimgenlawfirm.com
john@schlimgenlawfirm.com

Bangs, McCullen, Butler, Foye & Simmons, L.L.P.
is pleased to announce that

Nathan Mantei
as an associate attorney in Rapid City.

Bangs, McCullen, Butler, Foye & Simmons, L.L.P.
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333 West Boulevard
Suite 400
P.O. Box 2670
Rapid City, SD 57709-2670

Phone: (605) 343-1040

Fax: (605) 343-1503

Email: nmantei@bangsmccullen.com
www.bangsmccullen.com

Reiter Law Firm, LLC
is pleased to announce that

Tyler Arend
has joined the firm as an associate attorney.

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

Phone: (605) 949-3739

Email: tyler@reiterlawfirmsd.com

Reiter Law Firm, LLC
is pleased to announce that

Tory Shafer
has joined the firm as an associate attorney.

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Sioux Falls, SD 57108

Phone: (605) 705-2900

Email: tory@reiterlawfirmsd.com



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RIGHT-OF-WAY

SDTLA Fall Seminar

Thursday, September 17 & Friday, September 18, 2026,

1:00 - 4:00 P.M. / 9:00 A.M. – Noon (MT)

Deadwood Mountain Grand, Deadwood, South Dakota

Join us for six hours of CLE.

POKER RUN & SILVERADO BUFFET – Thursday Evening

Thursday, September 17, 2026

1:00 – 3:00pm “Focus Groups & Case Framing”

Presenter: Saul Gruber, Gruber Trial Consulting (Miami Beach, FL)

3:00 – 3:15pm SPONSOR UPDATE: Colin Wein, Compass Consulting Engineers (Westminster, CO)

3:20 – 4:20pm “Making a Clean Record”

Presenter: David Barari, Federal Public Defenders Office (Rapid City, SD)

Friday, September 18, 2026

9:00 – 10:30am MT

“How to Keep Trial Lawyers from Becoming Extinct” & “Handling the Expert Witness”

Presenter: Lee Schoenbeck, Schoenbeck & Erickson, P.C. (Watertown, SD)

10:30 – 12:00pm “Vetted Case Intake Strategies: Civil, Criminal & Family Law”

Presenters: Brad J. Lee, Beardsley, Jensen & Lee, Prof. L.L.C. (Rapid City, SD); Ellery Grey, Grey &

Eisenbraun, Prof. L.L.C. (Rapid City, SD); Melissa Nicholson Breit, Nicholson Law (Sioux Falls, SD)

REGISTRATION FEES:

_____ \$75.00 SDTLA Sustaining Members Includes Poker Run - PAC Fundraiser

_____ \$125.00 SDTLA Members Includes Poker Run - PAC Fundraiser

_____ \$175.00 Nonmembers Includes Poker Run - PAC Fundraiser

_____ \$25.00 CLE credit in this state: _____

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

NAME _____ EMAIL _____

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

The Crossover of Secondary Trauma and the Criminal Law Profession



Join us in Courtroom C2 of the Pennington County Courthouse on September 25th at 3:00 p.m. for a presentation by guest visitor Mary Laidlaw (CSW-PIP) and a discussion panel comprised of current and former judges from the 7th Circuit:

**Presiding Judge Heidi Linngren, Magistrate Court
Judges Sarah Morrison and Janki Sharma, and
Supreme Court Justice Robert Gusinsky.**

All in the legal profession are welcome!

Questions?

Please reach out to Becky Porter at
rebecca.porter@sdlawyersconcerned.org or
Breanna Pecenka at Breanna.Pecenka@penncosd.gov

Nuts & Bolts

CLE



September 25th



Drifters, Fort Pierre

- Schedule -

- 8:00-8:25 - Registration
- 8:25-8:30: - Opening Remarks - Lora, YLS President
- 8:30-9:45 - Appellate Advocacy - Justice DeVaney
- 9:45-10:00 - Break
- 10:00-10:45 - Administrative Proceedings - Frank Marnell
- 10:45-11:00 - Lawyers Concerned for Lawyers - Becky Porter
- 11:00-11:15 - Break - Lunch Provided
- 11:15-11:30 - Introduction to A2J - Denise Langley
- 11:30-12:30 - Civility in the Profession/ Advocating for Yourself - Ernest Thompson
- 12:30-12:25 - Closing Remarks - Lora, YLS President
- 12:45-2:00 - Tour of the South Dakota Supreme Court - Justice Myren

Register Here!

SAVE THE DATE

Statewide Swearing-In Ceremony

25th

SEPTEMBER

3:00 PM

FRIDAY

State Capitol
Rotunda
Pierre, SD

PUBLIC NOTICE

**REAPPOINTMENT OF INCUMBENT MAGISTRATE
JUDGE**

The current appointment of Magistrate Judge Sarah Morrison is due to expire on January 2, 2027. Magistrate Judge Morrison 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 Sarah Morrison 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 October 4, 2026.



State Bar of South Dakota Committee Assignments 2026-2027

1

ADMINISTRATIVE LAW

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Kelsey Blair, Rapid City
Steven Blair, Rapid City
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Meghan Borchert, Sioux Falls
Scott Carlson, Sioux Falls
Niclas Dahlvang, Wessington Springs
Kristen Edwards, Pierre
Amanda Engel, Sioux Falls
Jennie Fuerst, Pierre
Emily Greco, Pierre
Brett Koenecke, Pierre
Kody Kyriss, CH Pierre
Amanda LaCroix, Pierre
Tamara Lee, Pierre
Gregory Litton, Rapid City
Frank Marnell, Pierre
Gerald McCabe, Claremont
Amber Mulder, Sioux Falls
John Richter, Pierre
Ali Schaefbauer, Rapid City
Gregory Tishkoff, Pierre
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Benjamin Hummel, Sioux Falls
Katie Johnson, Beresford
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Corey Quinton, Rapid City
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Elizabeth Rosenbaum, Sioux City, IA
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Joshua Clark, Sioux Falls
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James Cremer, Aberdeen
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Justin DiBona, Rapid City
Matthew Dorothy, Sioux Falls
Amanda Engel, Sioux Falls
T. Cale Fierro, Rapid City
Vincent Foley, Watertown
Keith Gauer, Sioux Falls
Tom Geu, Vermillion
Patrick Goetzinger, Rapid City
Eric Hanson, Sioux Falls

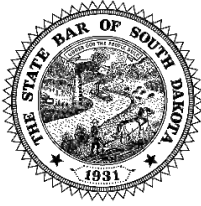
Brooke Harms, Sioux Falls
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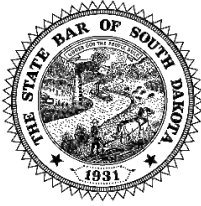
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Lindsay Harris, Sioux Falls
Lane Haskell, Sioux Falls

**Italacized = new committee member*

Last Update: 8/26/2026



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3

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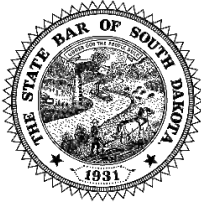
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Tyler Matson, Yankton
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Melissa Nicholson Breit, Sioux Falls
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Kaleb Paulsen, Sioux Falls
Rachel Preheim, Sioux Falls
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Kylie Riggins, Rapid City
Elizabeth Rosenbaum, Sioux City, IA
Jill Swanson, Sioux Falls
Michael Tobin, Sioux Falls
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Brett Waltner, Sioux Falls
Christi Weideman, Aberdeen
Mindy Werder, Sioux Falls
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Murl Woods, Rapid City
Joshua Zellmer, Sioux Falls

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Diana Boni, Okaton
Jonathan Chapman, Sioux Falls
Caitlin Collier, Vermillion
Jacob Dempsey, Pierre
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Casey Eekhoff, Sioux Falls
Margaret Egan, Rapid City
Henry Evans, Sioux Falls
Janice Godtland, Sioux Falls
Sandi Haeuszer, Sioux Falls
Pradeep Jayaraman, Sioux Falls
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Mali Oyen, Rapid City
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4

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Josey Blare, Sioux Falls
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Aisha Carr, Valentine
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Leonika Charging-Davison, Omaha
Kyle Chase, Sioux Falls
Raegan Chavez, North Sioux City
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Mali Oyen, Rapid City
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Matt Rappold, Rapid City
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Laura Rowe, Pierre
Thomas Simmons, Vermillion
Jillian Yellow Horse, Rapid City
Lori Stanford, Sioux Falls
Anthony Sutton, Sioux Falls
Michael Thompson, Sioux Falls
Thad Titze, Sioux Falls
Ann Tweedy, Vermillion
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Hon. Marya Tellinghuisen, Fort Pierre
Caleb Vukovich, Pierre
Joshua Zellmer, Sioux Falls
Ex-Officio:
Lora Waeckerle, YLS President

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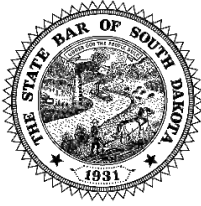
Susan Anderson, Rapid City
Mallori Barnett, Pierre
Mariah Bloom-McNeece, Aberdeen
Brock Brown, Sioux Falls
Catherine Cano, Omaha, NE
Jonathan Chapman, Sioux Falls
Carla Cushman, Rapid City
Kimberly Dorsett, Aberdeen
Jennifer Doubledee, Sioux Falls
Jennifer Frank, Rapid City
Travis Hindt, Sioux Falls
Sarah Baron Houy, Sioux Falls
Julie Johnson, Ipswitch
Lisa Marso, CH, Sioux Falls
Jerry McCabe, Claremont

Kimberly McNulty, Omaha, NE

Nichole Mohning, Sioux Falls
Amber Mulder, Sioux Falls
Beth Roesler, Sioux Falls
Brooke Schmidt, Sioux Falls
Britni Summers, Omaha NE
Amy Thompson Sunderland, Omaha NE
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Edwin Evans, Sioux Falls
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Thomas Frieberg, Beresford
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Dylan Kirchmeier, Wilmot
Anna Limoges, Sioux Falls
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Bob Morris, Belle Fourche
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Pamela Reiter, Sioux Falls
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Caroline Srstka, Sioux Falls
Kristen Taggart, Colman
Tony Teesdale, Brookings
Sarah Theophilus, Sioux Falls
Mary Thorstenson, Rapid City



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5

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Paul Tschetter, CH, Sioux Falls
Kiira Weber, Sioux Falls

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Thomas Clayton, Sioux Falls
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Henry Evans, Sioux Falls
Dan Fritz, Sioux Falls
Gregg Greenfield, Sioux Falls
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Scott Hoy, Co-CH Sioux Falls
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Jessica Larson, Rapid City
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Danny Ellis, Sioux Falls
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Kathy Hoskins, Sioux Falls
Kim Lanham, Sioux Falls
Jolene Nasser, Sioux Falls
Erica Ramsey, Sioux Falls
Noah Reeves, Sioux Falls
Robert Rohl, Rapid City
Erin Schoenbeck Byre, Sioux Falls
Wade Schutz, Aberdeen
Roger Sudbeck, Sioux Falls
Heidi Thoennes, Sioux Falls
Brett Waltner, Sioux Falls
Bram Weidenaar, Sioux Falls
Mark Welter, Sioux Falls

PJI - CIVIL

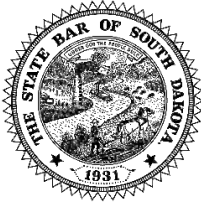
Erin Ballard, Sioux Falls
Hon. John Bastian, Belle Fourche
Gregory Bernard, Rapid City
Josey Blare, Sioux Falls
Michael Bornitz, Sioux Falls
John Burke, Rapid City
Delia Druley, Sioux Falls
Joe Erickson, Watertown
Abigale Farley, Sioux Falls
Aidan Goetzinger, Rapid City
Pete Heidepriem, Sioux Falls
David Hieb, Sioux Falls
Hon. Douglas Hoffman, Sioux Falls
Benjamin Hummel, Sioux Falls
Andrew Hurd, Sioux Falls
Jeffrey Hurd, CH, Rapid City
Anna Limoges, Sioux Falls
Ashley McDonald, Rapid City
Steven Morgans, Sioux Falls
Rebekkah Mouw, Sioux Falls
Erica Ramsey, Sioux Falls
Sara Show, Sioux Falls
Thad Titze, Sioux Falls
Nancy Turbak Berry, Watertown
Matthew Tysdal, Sioux Falls
Shane Vogt, Sioux Falls
Lora Waeckerle, Rapid City
Jennifer Wosje, Sioux Falls

PJI - CRIMINAL

Jason Adams, Sioux Falls
Hon. Tara Adamski, Fort Pierre
Kirk Albertson, Pierre
Alison Bakken, Watertown
Kyle Beauchamp, Rapid City
Kylie Beck, Sioux Falls
Hon. Tami Bern, Yankton
Robert Bolger, Sioux Falls
Michele Bordewyk, Sturgis
Amanda Eden, Canton
Koln Fink, Sioux Falls
Danielle Foiles, Sioux Falls
Stephen Gemar, Pierre
Nicole Griesse, Sioux Falls
Stacy Hegge, Pierre
Roland Henry, Sioux Falls
Jennifer Hynek, Sioux Falls

**Italacized = new committee member*

Last Update: 8/26/2026



State Bar of South Dakota Committee Assignments 2026-2027

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Christian Jensen, Sioux Falls
Derrick Johnson, Brookings
Mathew Laidlaw, Rapid City
Hon. Jennifer Mammenga, Co-CH, SF
Seth Klentz, Beresford
Wendy Kloeppner, Sioux Falls
Cullen McNeece, Pierre
Alexa Moeller, Rapid City
Hon. Sarah Morrison, Rapid City
Gina Nelson, Rapid City
Katie O'Leary, Sioux Falls
Lindsey Quasney, Sioux Falls
Cody Raterman, Sioux Falls
Kristopher Reed, Canton
Jason Rumpca, Pierre
James Sadkovich, Sioux Falls
Hon. Janki Sharma, Rapid City
Olivia Siglin, Rapid City
Michael Smith, Vermillion
Hon. Richard Sommers, Aberdeen
Carrie Srstka, Sioux Falls
Caleb Vukovich, Pierre
Nolan Welker, Pierre
Nicholas Walter, Sioux Falls
Chelsea Wenzel, Co-CH, Pierre

PRACTICE RULES REVISION

John Burke, Rapid City
Ed Carpenter, Rapid City
Jeff Collins, Rapid City
Delia Druley, Sioux Falls
Aaron Eiesland, Rapid City
Danny Ellis, Signal Mountain
Gregory Erlandson, Rapid City
Shannon Falon, Sioux Falls
Abigale Farley, Sioux Falls
Gregory Grajczyk, Milbank
Hannah Haksgaard, Vermillion
Hon. Sandra Hanson, Sioux Falls
Jeffrey Hurd, Rapid City
Hon. Jon Sogn, Sioux Falls
Ashley McDonald, Rapid City
Kimberly McNulty, Omaha, NE
Sander Morehead, Sioux Falls
Jason Sutton, Sioux Falls
Matthew Tysdal, CH, Sioux Falls
Lora Waeckerle, Rapid City
Chelsea Wenzel, Pierre

Jennifer Wosje, Sioux Falls
Colleen Zea, Sioux Falls
Ex-Officio:
Shirley Jameson-Fergel, Pierre

PROJECT RURAL PRACTICE

Ashley Anson, White Lake
Amy Bartling, Gregory
Alyssa Blasius, Pierre
Turner Blasius, Pierre
Aisha Carr, Valentine NE
Ryan Cwach, Bloomfield, NE
Dennis Duncan, Sioux Falls
Kristian Ellendorf, Howard
Roxanne Erickson, Flandreau
Dennis Evenson, Clear Lake
Danielle Foiles, Sioux Falls
Thomas Frieberg, Beresford
Dusty Ginsbach, Buffalo
Patrick Goetzinger, Co-CH, Rapid City
Hannah Haksgaard, Vermillion
Teramie Hill, Vermillion
Austin Hoffman, Eureka
William Hustead, Hot Springs
Amy Jo Janssen, Kennebec
Derrick Johnson, Scotland
Mason Juracek, Winner
Dylan Kirchmeier, Sisseton
Kristen Kochejian, Redfield
Kirby Krogman, White River
Denise Langley, Pierre
David Larson, Chamberlain
Cheryl Laurenz-Bogue, Sioux Falls
Rachel Mairose, Plankinton
Cody Miller, Madison
Lorrie Miner, Ft. Thompson
Bob Morris, Belle Fourche
Thomas Mortland, Mission
Rachelle Norberg, Co-CH, Burke
Zach Pahlke, Winner
Shane Penfield, Lemmon
Hon. Bob Pesall, Flandreau
Scott Peterson, Valentine, NE
Aaron Pilcher, Huron
Victor Rapkoch, Britton
Austin Schaefer, Hot Springs
Jackson Schwandt, Milbank
Danny Smeins, Britton

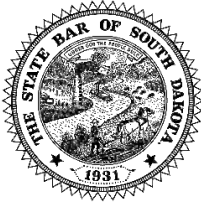
Caroline Srstka, Sioux Falls
Kelsey Stock, Ortonville, MN
Kelsea Sutton, Burke
James Taylor, Mitchell
Sarah Sharp Theophilus, Sioux Falls
Sarah Thorne, Pierre
Stephanie Trask, Phillip
Jeff Tronvold, Pierre
Daniel Van Gorp, Kadoka
Cassie Wendt, Phillip
Amanda Work, Pierre

SOLO AND SMALL FIRM

Corey Bruning, Flandreau
Erika Campbell, Northfield, MN
Lisa Carrico, Watertown
Nathan Chicoine, Co-CH, Rapid City
Olin Clyne, Sioux Falls
Sarah Covington, Summerset
James Craig, Sioux Falls
Kristian Ellendorf, Howard
Henry Evans, Sioux Falls
Vincent Foley, Watertown
Gregory Grajczyk, Milbank
Nicole Hanson, Sioux Falls
Richard Johnson, Sioux Falls
Katie Johnson, Co-CH, Beresford
Thomas Keller, Sioux Falls
Kristen Kochejian, Redfield
Scott Kuck, Aberdeen
David Larson, Chamberlain
Rachel Mairose, Plankinton
Chris McClure, Sioux Falls
George Nelson, Rapid City
Langu Okall, Sioux Falls
Katie O'Leary, Sioux Falls
Aaron Pilcher, Huron
Michael Porter, Spearfish
Elise Rasmussen, Sioux Falls
Mallory Schulte, Yankton
Mrg Simon, Glen Rose, TX
Danny Smeins, Britton
Tony Teesdale, Brookings
Katie Thompson, Pierre
Shane Vogt, Sioux Falls
Joseph Williams, Hill City
Terri Williams, Rapid City
Sheila Woodward, Yankton

**Italacized = new committee member*

Last Update: 8/26/2026



State Bar of South Dakota Committee Assignments 2026-2027

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STRATEGIC PLAN

Richard Casey, Co-CH, Sioux Falls

Hon. Francy Foral, Sturgis
Thomas Frieberg, Beresford
Patrick Goetzinger, Rapid City
Taneeza Islam, Sioux Falls
Hon. Janine Kern, Rapid City
Samuel Kerr, Rapid City
Emily Maurice, Sioux Falls
Melissa Neville, Aberdeen
Alison Ramsdell, Sioux Falls
Pamela Reiter, Sioux Falls
Rod Tobin, Aberdeen

Jennifer Williams, Co-CH, Rapid City

Colleen Zea, Sioux Falls

Ex-Officio:

Ellie Bailey, BC Rep.
Paul Bachand, Interim Executive Director
Neil Fulton, USD Law Dean
Donald McCarty, 26-27' President Elect
Stacy Johnson, BC Rep.
John Burke, SBSB President
Carrie Sanderson, SPC
Tony Teesdale, BC Rep.
Stephen Gemar, YLS President-Elect

VETERANS COMMITTEE

Kirk Albertson, Pierre
Leslie Bryson, Sturgis
Craig Evenson, Clear Lake

Travis Hindt, Co-CH, Sioux Falls

Edward Hruska, Pierre
Christian Jensen, Sioux Falls
Darrell Jesse, Dakota Dunes
Amanda Kippely, Sioux Falls
Karla MacArthur-Harris, Rapid City
Jonathon McCoy, Rapid City
Bob Morris, Belle Fourche
David Natvig, Enterprise, AL
Jonathan Olson, Sioux Falls

Kaleb Paulsen, Co-CH, Sioux Falls

Matthew Powers, Sioux Falls
Alice Rokahr, Sioux Falls
Tracye Sherrill, Sioux Falls
Melissa Sommers, Sioux Falls
James Sword, Hot Springs
John Taylor, Sioux Falls
Sarah Sharp Theophilus, Sioux Falls

Kellen Willert, Belle Fourche

WOMEN IN LAW

Robin Aden, Sioux Falls
Jenn Albertson, Rapid City
Taylor Anderson, Sioux Falls
Ellie Bailey, Pierre
Micayla Bamberg, Mitchell
Deborah Birgen, Sioux Falls
Kelsey Blair, Rapid City
Diana Boni, Okaton
Megan Borchert, Sioux Falls
Ruth Burns, Agency Village
Erika Campbell, Northfield, MN
Jessica Carmichael, Belle Fourche
Leah Ceranski, Rapid City
Ashlee Christensen, Sioux Falls
Jenna Christensen, Omaha NE
Amber Cook, Rapid City
Karen Cremer, Pierre
Hon. Natalie Damgaard, Sioux Falls
Tracey Dollison Decker, Rapid City
Caitlyn Dommer, Vermillion
Elizabeth Duffy, Sioux Falls
Shaun Eastman, Eden
Emily Easton, Pierre
Abigale Farley, Sioux Falls
Hon. Sandra Hanson, Sioux Falls
Nicole Hanson, Sioux Falls
Stacy Hegge, Pierre
Laura Hofer, Sioux Falls
Ann Hoffman, Sioux Falls
Alayna Holmstrom, Sioux Falls
Aleesa Jansick, Sioux Falls
Suzanne Jones Pranger, Sioux Falls
Wendy Kloeppner, Sioux Falls
Amy Koenig, Rapid City
Laura Korson, Hermosa
Amanda LaCroix, Pierre
Yvette Lafrentz, Sioux Falls
Jessica LaMie, Pierre
Candice Lucklum, Rapid City
KyLee Manthei, Sioux Falls
Wendy McGowan, Rapid City
Brittany McKnight, Brookings
Sarah Morrison, Rapid City
Amber Mulder, Sioux Falls
Gina Nelson, Rapid City

Paige Petersen, CH, Sioux Falls

Kalen Peterson, Sioux Falls
Mae Pochop, Sioux Falls
Stephanie Pochop, Gregory
Alison Ramsdell, Flandreau
Erica Ramsey, Sioux Falls
Lara Roetzel, Rapid City
Gabriele Sayaloune, Rapid City
Kristina Schaefer, Sioux Falls
Erin Schoenbeck Byre, Sioux Falls
Mallory Schulte, Yankton
Traci Sherman, Hendricks, MN
Renee Stellagher, Pierre
Kelsey Stock, Ortonville MN
Kiira Weber, Sioux Falls
Christi Weideman, Aberdeen
Anne Weyer, Sioux Falls
Sarah Weyrich, Rapid City
Claire Wilka, Sioux Falls
Murl Woods, Rapid City
Amanda Work, Pierre
Lea Wroblewski, Sioux Falls
Rosa Yaeger, Pierre

WORKERS COMPENSATION

Jami Bishop, CH, Sioux Falls

Jenna Christensen, Omaha NE
Kerri Cook Huber, Rapid City
Zach Flood, Mitchell
Kristi Holm, Sioux Falls
Julie Johnson, Mina
Margo Julius, Rapid City
Charles Larson, Sioux Falls
James Leach, Rapid City
Brad Lee, Rapid City
Rebecca Mann, Rapid City
James Marsh, Tripp
Gerald McCabe, Aberdeen
John McCoy, Rapid City
Jolene Nasser, Sioux Falls
Tracye Sherrill, Sioux Falls
Jeff Shultz, Sioux Falls
Justin Smith, Sioux Falls
Matthew Tysdal, Sioux Falls
Bram Weidenaar, Sioux Falls
Jennifer Wosje, Sioux Falls

**Italacized = new committee member*

Last Update: 8/26/2026

For questions or concerns, please email committees@sdbar.net.

State Bar of South Dakota: Executive Director Posting

The State Bar of South Dakota is seeking an experienced and visionary leader to serve as its next Executive Director.

About the Organization

The State Bar of South Dakota is the statewide professional organization representing approximately 2,700 attorneys. Established under South Dakota law, the State Bar serves both the legal profession and the public. The State Bar is governed by a Bar Commission elected by the member-attorneys and works in partnership with the South Dakota Supreme Court, the Unified Judicial System, the University of South Dakota Knudson School of Law, the South Dakota Bar Foundation, Access to Justice, Inc., and other legal organizations.

The State Bar promotes professional responsibility, strengthens the legal profession, and supports the fair administration of justice. Through education, advocacy, and member services, the State Bar advances lawyer competence and well-being, improves access to justice, and provides a unified voice for the profession.

The Opportunity

This is an exceptional opportunity to have a role in shaping the future of South Dakota's legal profession.

The Executive Director will have general charge and control of day-to-day State Bar affairs subject to Bar Commission and State Bar Officer direction and Supreme Court rule. The Executive Director serves as the State Bar's chief administrative officer who oversees a broad portfolio of operational, financial, and administrative responsibilities while implementing the Bar Commission's strategic direction and advancing the mission of the State Bar.

This position combines strategic leadership with operational excellence. In addition to directing the day-to-day operations, the Executive Director manages a multi-million-dollar budget, manages staff in the State Bar's office, and oversees the administration of affiliated organizations, programs, and contractual partnerships. Success requires balancing long-term vision with sound management while simultaneously building strong relationships with volunteer leaders, the judiciary, attorneys, legislators, and community partners.

Primary Responsibilities

The duties of the Executive Director are detailed in the State Bar's By-Laws (found in the Appendix to SDCL Chapter 16-17), they generally include the following;

Organizational Leadership

- Direct the day-to-day operations of the State Bar.
- Recruit, hire, train, direct, supervise, and evaluate State Bar staff, while fostering a collaborative, high-performing workplace.

- Develop organizational policies, procedures, and administrative systems that promote operational success.
- Oversee technology, communications, facilities, and operational systems that support members and volunteers.
- Serve as Executive Director for affiliated entities, including S.D. Continuing Legal Education, Inc., Access to Justice, Inc., the South Dakota Bar Foundation, Lawyers Concerned for Lawyers and supervise the State Bar's administrative support of the affiliated agencies.
- In-state travel required as necessary to fulfill duties as well as intermittent out-of-state travel.

Strategic Leadership

- Advise and support the Bar Commission in establishing organizational priorities, policies, and long-term goals.
- Lead implementation of the State Bar's Strategic Plan and provide vision for the future direction of the organization. Identify emerging issues affecting the legal profession and develop proactive strategies that strengthen the practice of law in South Dakota.
- Foster innovation, while preserving the traditions and values of the legal profession.
- Promote initiatives that improve access to justice, lawyer well-being, professionalism, and public confidence in the legal system.

Governance and Member Services

- Serve as the primary advisor to the Bar Commission and support the work of committees, sections, and volunteer leaders.
- Prepare agendas, reports, recommendations, and supporting materials for the Bar Commission and affiliated agencies.
- Ensure effective communication between State Bar leadership, staff, committees, section, and members.
- Oversee annual meetings, continuing legal education, member services, publications, and other State Bar programs.
- Work to strengthen member engagement and communicate the value of participation in the State Bar.

Government Relations and External Affairs

- Serve as the State Bar's principal representative with the South Dakota Supreme Court, Unified Judicial System, Legislature, executive agencies, legal

organizations, and numerous other organizations.

- Monitor legislation and public policy affecting the legal profession and administration of justice.
- Coordinate legislative priorities as directed by the Bar Commission.
- Maintain and support collaborative relationships with judges, attorneys, legislators, educators, community leaders, and national organizations.
- Represent the State Bar at local, state, and national meetings.

Financial Stewardship

- Serve as the Secretary/Treasurer of the Bar Commission. This is an ex officio role without voting authority.
- Prepare and administer the annual budget.
- Oversee the State Bar, its affiliates, and State Bar administered programs' finances, audits, investments, contracts, financial reporting, and internal controls.
- Safeguard the assets of the State Bar and ensure compliance with applicable laws, policies, and regulations.
- Identify opportunities to strengthen the State Bar and otherwise ensure its long-term financial health through sound fiscal management and strategic investment.

Qualifications

The ideal candidate will possess:

- Juris Doctor from an accredited law school and admission to practice law preferred.
 - Alternatively, a minimum of a master's degree in business administration, communications, public relations, public administration, or a related field and a minimum of five years of work experience focused on organizational management, financial oversight, non-profit management, business, or membership services.
- Strong financial and operational management skills.
- Demonstrated executive leadership and ability to successfully manage people, projects, and processes.
- Experience in budgeting, strategic planning, and organizational management.
- Experience working with governing boards and volunteer leadership.
- Excellent written and verbal communication skills.

- Experience with legal profession, legislative, governmental, and/or public policy processes.

Location

The principal office of the State Bar is located in Pierre, South Dakota. As such, a strong preference will be given to candidates who reside in, or are willing to relocate to, Pierre. Candidates residing elsewhere in South Dakota may also be considered, however, the candidate would be required to maintain a regular presence in Pierre in order to effectively lead the organization, particularly during legislative session.

Compensation

The compensation for this position is a salary in the range of \$140,000 to \$180,000, commensurate with experience, plus a competitive employee benefits package, including health insurance.

How to Apply

Please submit a cover letter to the State Bar of South Dakota and your resume/Curriculum Vitae by e-mail to jburke@tb3law.com. Applications will be held in strict confidence; references provided will not be contacted without prior knowledge and approval of the candidate. The deadline to apply is October 15, 2026.

The poster features a green background with a subtle pattern of small white stars. On the left, there is a circular inset showing a close-up of tall grass silhouettes against a warm, orange and yellow sunset sky. In the top right corner, a gold ribbon banner displays the year '2026' vertically. The title 'RURAL ATTORNEY CONFERENCE' is written in a large, bold, black serif font. Below the title, the event details are listed in a clean, sans-serif font. The date and time are highlighted in gold. The location is in black. The sessions and RSVP information are in black. The stipend information is in black and bold. Decorative elements include a wavy line with three stars in the top right and stylized leaf motifs in the top left and bottom right.

RURAL ATTORNEY CONFERENCE

2026

Join rural attorneys for an afternoon focused on the issues that matter to small-town and rural practice.

THURSDAY, SEPTEMBER 24

12:00 PM CT

Red Rossa Restaurant
808 W. Sioux Ave., Pierre, SD

Sessions include AI ethics for small/solo firms, emergency preparedness, farm and ranch estate planning, starting your own practice, and a rural attorney roundtable.

Please RSVP to Caroline.Srstka@uds.state.sd.us

STIPENDS ARE AVAILABLE TO HELP COVER:
TRAVEL • LODGING • MEALS

The South Dakota Law Review and the United States District Court for the District of South Dakota are co-hosting a symposium in Sioux Falls on Friday, September 25. Panels and presentations will cover court history with a particular focus on notable cases decided by the court. The symposium will be held at the University of Sioux Falls at the Salsbury Science Center, at 120 Zbornik Hall and Lobby from approximately 8 a.m. to 5 p.m. While the symposium is free and open to the public, pre-registration is required to receive the provided lunch.

A flyer with the day-of schedule is attached, and you can find more information and the registration form here: <https://www.usd.edu/Academics/Colleges-and-Schools/knudson-school-of-law/Law-Student-Opportunities/South-Dakota-Law-Review/South-Dakota-Law-Review-Symposium>

The Law Review editors are actively seeking CLE approval in MN, IA, and NE. As we receive approval, we will update the website.

If you have questions about CLEs or other matters, you can contact the symposium editor Karena Verbitsky at karena.verbitsky@coyotes.usd.edu.



University of South Dakota
**SOUTH DAKOTA
LAW REVIEW**

Presents Fall 2026 Symposium



**HISTORY OF THE DISTRICT
OF SOUTH DAKOTA**

September 25, 2026 - USF, Salsbury Science
Center, 120 Zbornik Hall and Lobby



UNIVERSITY OF
SOUTH DAKOTA
KNUDSON SCHOOL OF LAW

MORNING SESSION

8:30-9:00 AM:

Introduction; Brief History

9:00-9:20 AM:

Ex Parte Crow Dog - Limits
on Tribal Sovereignty

9:30 - 10:20 AM:

U.S. v. Arlo Looking Cloud
and other AIM Cases

10:30-11:20 AM:

Rosenbrahn v. Daugaard -
Same-Sex Marriage

11:30 AM-12:00 PM:

South Dakota v. Dole -
Federal Spending Power

12:00-1:15 PM:

Lunch and Poster Session

AFTERNOON SESSION

1:15-2:00 PM:

Rhines v. Weber - Mixed
Petitions for Habeas Corpus

2:00-2:30 PM:

U.S. v. Kornmann - WWI
Free Speech

2:45-3:30 PM:

Farm Crisis and Bankruptcy

3:30-3:45 PM:

The Trial of Jack McCall

3:45-4:30 PM:

Pam's Purple Door -
Deadwood Brothels

4:30-4:45 PM:

Closing Remarks and Door
Prize



If you are a person with a disability and need a special accommodation to fully participate, please contact the Office of Accessibility at least 48 hours before an event. Students and the public can contact the Office of Accessibility at 605-658-3745 or accessibility@usd.edu. Faculty and staff should contact Human Resources at 605-658-3660. Please contact Karena for questions about the event at karena.verbitsky@coyotes.usd.edu.

**RSVP
HERE**

I WON THE WAR, BUT THE BAR EXAM TOOK A PART OF ME - By Jenna Riedel

I failed my MBE by 3 points. TWICE.

It's still hard for me to talk about the bar exam without tearing up—two years later. However, I do think stories like mine can provide valuable insight. Pass the bar and never think about it again, right? Easier said than done for some. Each season, all the "I passed the bar" posts give me mixed feelings and a pain in my own heart I can't quite shake.

The bar exam was a long-term barrier for me... a devastating blow to my confidence for the last year after the pure relief and joy of graduating law school (at the age of 35) back in May 2024. I was lucky enough to only have applied for one post-law school job. I landed a coveted federal clerkship with the U.S. Bankruptcy Court for the District of South Dakota. I never felt like I was law clerk material in this industry, but I was always all-in for bankruptcy.

Prior to law school, I spent several years working as a bankruptcy paralegal and working in real estate. My interest in bankruptcy led me down a non-traditional (and surprising) path towards law school at 33 years old. I thrived in law school, even though my undergraduate degree was in fine arts, ceramics to be specific. I learned quickly how to study and found creative ways to enjoy the content I needed to learn. I received the highest grades in three classes during law school, founded the Debtor-Creditor Club, wrote a published article, pitched laws in legislature, and was nominated for a national award by the American College of Bankruptcy.

I sincerely cared about my classmates and was proud to always be a great hype-girl for others. You could find me running errands for classmates in Sioux Falls, showing out of state classmates the best thrift stores, or hauling my sewing machine to Vermillion to hem my classmate's dress last minute for a wedding. If someone needed a favor, I was there. I graduated in the top half of my class and was so happy to begin working in bankruptcy. I was thrilled to be working for a female judge with debtor-based experience, and a USD alum.

I was devastated when I watched all my cohorts of law clerks pass the first bar exam. There are no words to explain the utter embarrassment that comes with being among the highest performing law students, now law

clerks, and failing such a monumental exam. People assumed I passed, I was too embarrassed to correct them. Still, I was a former art major... I thought, okay, maybe I just "wasn't a good test taker" and prepared myself to take the bar a second time. It quickly became apparent how taxing it is to study for the bar exam, have a full-time job, and a spouse/family. I found myself frustrated, exhausted, depressed, and agitated. I was doing multiple choice bar questions during lunch breaks and every night after work, but I did the time, and I did the work.

When I failed my second attempt at the MBE by 3 points again, it broke me in the worst kind of way.

I needed time to breathe and heal. I felt like I disappointed everyone... myself, my judge, my friends, my family. I was tired, but also, I thought maybe I was just stupid? Perhaps the universe was telling me I should not be a lawyer. I resigned from my federal clerkship in April with 14 months remaining in my term. My judge was understanding, but with that heartache, we both wanted me to be a part of the South Dakota bar.

My family was concerned about me after I quit my job. I cried, I sulked, I did all the things before I could stomach any more studying. My mom helped get me to a medical professional.

In April, after some testing, I found out I had an undiagnosed learning disability that results from low working memory (20th percentile) related to ADHD. I am 36 years old, and I unknowingly struggled with distinguishing similar words, memorization, and categorization. I've been swimming in cloudy water, where I thought everyone's water looked like this. The bar examiners and my doctors helped me get the testing conditions and medication I needed for my July 2025 exam.

I didn't just pass my July 2025 bar exam with the 3 points I desperately needed... I passed my third attempt at the bar exam with a 21-point increase, scoring a 151, where the national average was 140.

I still feel grateful for everyone who tried to bring me back up from the disappointment and embarrassment that comes with failing the bar exam. I still remember

seeing my passing results. I could physically feel a weight off my chest and for the first time in a year, I could breathe—after I finished sobbing.

I was fortunate to have never had to apply to a new job or explain leaving my clerkship early or not passing the bar exam. I went back to my former firm where I worked part-time during law school, working for the legend himself: Clair Gerry. I feel incredibly grateful to work at a firm that has always valued me for more than a passing score.

I'm not going to be ashamed anymore of the work I put in to pass the MBE. I'm proud I didn't give up. I took all the steps necessary to create my own success story.

I've said it a million times: I won the war, but the bar exam took a part of me.

If you passed on the first try, you are lucky. The bar exam killed my confidence; I am still recovering even years later.

Perseverance prevailed here. You cannot celebrate the highs without acknowledging the lows. The point is: If you failed the bar exam and you take it again, **YOU ARE TOUGHER THAN THE BAR EXAM.** That is worth something. I do not mind if the entirety of the South Dakota legal community knows that I took the bar three times. I'm pretty tough, don't forget it.

To my bar examinees: Do not feel ashamed or alone. I will continue to advocate for more thorough post-bar exam support from our law community. There is no universal solution, but having accessible support is so important when these young professionals' careers depend on this. We all deserve support when we need it. If you or someone you know is struggling with the bar exam, call or email me. You aren't alone. I can be reached at riedel@sgsllc.com, or at 605-376-5296. – Jenna Riedel, Gerry Law Firm, Prof. LLC.



The Emotional Cost of Carrying the Weight of Others - By Traci Smith

The legal profession has long rewarded endurance over sustainability. We praise the attorney who never takes a vacation, works the longest hours, and has the emotional capacity to absorb the intense weight of their clients' lives without complaint. Resilience, sacrifice, and grit are often treated as badges of honor. But rarely do we ask: at what cost?

This was the culture when I began my legal career. I had my first child during my third year of law school and returned to class just three days after a C-section. That same child spent her first Christmas hospitalized with RSV, and I was praised for my dedication because I still came to work while she was sick.

Over time, I realized that our profession too often mistakes self-sacrifice for professionalism. We celebrate pushing through at the expense of our own health, our families, and our well-being, as though those sacrifices are badges of honor. I eventually recognized that this mindset was neither healthy nor sustainable if I wanted a long and meaningful career in the law.

As attorneys, we routinely work in emotionally charged environments where the stakes are deeply personal and often life changing. In indigent defense, we encounter addiction, mental illness, trauma, abuse, poverty, grief, violence, and loss daily. These pressures are not unique to criminal law. Prosecutors also carry the emotional burden of violent crime as well as victim advocacy. Family law attorneys navigate abuse allegations and custody disputes. Civil practitioners represent individuals facing catastrophic injuries, financial ruin, or career-ending consequences. Tribal court practitioners often witness generational trauma and instability. Judges and court staff absorb these realities from every direction.

Over time, this work becomes more than a profession. It becomes who we are. Sometimes the sense of duty is so consuming that our well-being gradually takes a back seat. We become so focused on meeting the needs of our clients, our colleagues, and the justice system that we often fail to recognize the personal cost.

Fortunately, in recent years, conversations around attorney wellness have become more common. More lawyers are openly discussing burnout, anxiety, compassion fatigue, depression, strained relationships, and substance abuse. As attorneys, we carry extraordinary responsibilities while being expected to remain composed, professional, and emotionally steady at all times.

Unfortunately, many lawyers still embrace the belief that constant stress and self-sacrifice are simply part of the job. That mindset often sounds like this:

- “If I take time off, everything will fall apart.”
- “I can’t ask for a continuance, even though my child is sick.”
- “If I can’t save this client, it’s my fault.”
- “Everyone else seems to be handling it, so I should too.”
- “Sacrifice is just part of the profession.”
- “If I can’t make it here, I won’t make it anywhere.”

At first, these thoughts can seem like signs of dedication. Over time, however, they become impossible expectations. The practice of law stops being something we do and becomes who we believe we are. Boundaries begin to feel selfish. Saying no feels unethical. Rest feels like something that has to be earned rather than a basic human need.

Eventually, these unrealistic expectations don’t just shape how we treat ourselves—they shape how we judge others. We become frustrated when colleagues establish boundaries that we never allowed ourselves to have. We resent those who leave work on time, take vacations, or decline additional responsibilities because they aren’t living up to the same impossible standard we have imposed on ourselves. In that way, an unhealthy culture perpetuates itself, one lawyer at a time.

This dynamic is especially dangerous in indigent defense because the stakes are often so high. Our clients may be facing lengthy prison sentences, addiction, mental illness, or homelessness. We review disturbing evidence, sit with grieving families, and shoulder the constant fear that a mistake could change the course of someone’s life. It is easy to begin carrying responsibility for problems that extend far beyond the courtroom.

Many who enter this profession do so because they believe deeply in constitutional rights, fairness, and the

importance of advocating for those whose voices might otherwise go unheard. That sense of purpose is one of the profession’s greatest strengths. Without healthy boundaries, however, it can also become one of its greatest risks.

Repeated exposure to trauma, conflict, and human suffering has consequences. Secondary traumatic stress, compassion fatigue, anxiety, depression, burnout, and substance use are realities within the legal profession, even when they are not openly acknowledged. Too often, the culture of law reinforces that silence. We are trained to project competence, confidence, and control. Asking for help can feel like weakness. Taking time away from work may produce guilt instead of recovery. Over time, many attorneys become so accustomed to functioning under chronic stress that exhaustion begins to feel normal.

But there is an important difference between dedication and self-destruction.

I wish I had learned that earlier in my career. Sustainable advocacy requires healthy advocates. Burnout does not make us better lawyers. Chronic stress does not sharpen judgment—it erodes it. It contributes to mistakes, forgetfulness, impatience, and emotional exhaustion. Rest is not incompatible with professionalism; it is essential to it. Patience, sound judgment, creativity, and empathy are strengthened—not diminished—when we care for our own well-being and extend that same grace to our colleagues.

When lawyers become depleted, the consequences extend far beyond our personal lives. They affect the quality of representation we provide, the decisions we make, the relationships we build, and ultimately the public’s confidence in the justice system. Our clients deserve advocates who are fully present, thoughtful, and capable of carrying the immense responsibilities this work demands.

For that reason, the legal profession must continue moving toward a healthier understanding of attorney wellness. Wellness is not a luxury or a personal indulgence—it is an ethical and professional necessity.

That means creating workplaces where:

- Attorneys can discuss stress without stigma.
- Supervisors model healthy boundaries.

- Taking leave is encouraged rather than quietly discouraged.
- Mental health support is normalized.
- Workload concerns are addressed honestly.
- Collegiality and mentorship are prioritized.
- Attorneys are reminded that their worth is not measured solely by productivity.

Clients deserve thoughtful, capable, and empathetic lawyers. Communities benefit from attorneys who can sustain long and meaningful careers without sacrificing their physical or emotional well-being in the process.

Perhaps the most important thing we can do for one another as members of the bar is to reject the false choice between wellness and excellent representation. The two are inseparable. Protecting our own humanity allows us to better protect the rights and dignity of those we serve.

We should also remember that none of us has to

navigate this profession alone. Support is available through organizations such as Lawyers Concerned for Lawyers and through the confidential assistance and wellness resources offered by the South Dakota State Bar. Whether someone is struggling with stress, burnout, compassion fatigue, mental health concerns, substance use, or simply the weight of practicing law, help is available.

Seeking support is not a sign of weakness—it is an acknowledgment of the realities of a demanding profession and an investment in becoming the best lawyer, colleague, and person we can be. None of us are immune from needing help at some point in our careers. By caring for our own well-being, we not only sustain ourselves, but also strengthen our ability to serve our clients, support our colleagues, and uphold the ideals of justice that brought us to this profession in the first place.

Traci Smith

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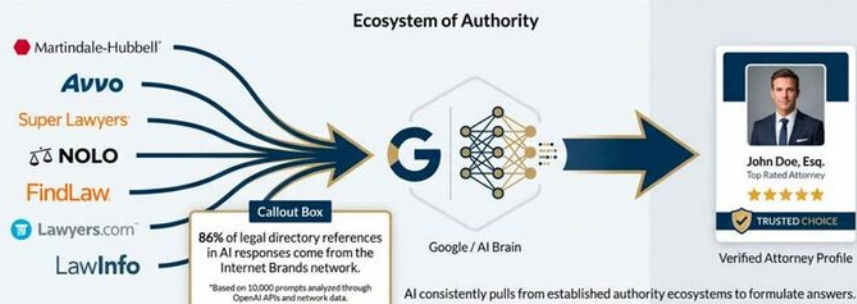
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- mirrored 3-panel room divider – 66”W x 88”H
- round glass end table – 26” dia. x 25”H
- gold clock
- (3) metal decorations – 17”W x 22”H
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Beyond Websites: Getting Clients in the DIY Era of *Gemini, ChatGPT and AI Summaries*

The future of legal marketing stands at a pivotal crossroads. While some in the field proclaim the death of search engine optimization (SEO) in the age of artificial intelligence (AI), the reality is not that simple. Google's integration of generative AI features into search results has not rendered traditional SEO obsolete – it has simply raised the stakes and changed the playing field.

The attorneys who will thrive in this new landscape understand a fundamental truth: AI-powered search results still need authoritative sources to generate answers. When potential clients ask Google's AI about finding a personal injury lawyer, navigating a divorce, or understanding their rights after an arrest, the technology pulls information from somewhere. The question your firm must answer is simple: Who will be that source – you or your competitor?



The Trick to Increase Visibility on Google and in AI-Generated Answers

Research has found that strategic SEO practices, combined with the use of legal directories, create a powerful dual approach to establishing your firm as the authoritative voice in your practice area. It is important to highlight that research continues to debunk the "SEO is dead" myth. Not only is SEO still relevant, but AI features actually amplify the importance of traditional ranking factors as well.

The authoritative signals that are bedrock to SEO are bleeding through to the AI models in multiple ways: The large language models (LLMs) feed their training data on websites that rank high in search engines, go to the same ranked websites when performing real-time web searches to capture recency data, and lean into the same authority signals to back up their own recommendations as those that drive consumer engagement and SEO (i.e. ratings, reviews, awards, consistent information about the business). Some messaging wants to claim that AI tools have overtaken the entire journey, but Google search usage increases every year. Thus far in 2026, Google has reported the following:



More than 5 trillion global searches every year; that's
5.9 million
searches every minute



Over 5 billion users so far this year, which translates to
84.3%
of all internet users



Over
16.4 billion
search queries every day worldwide



Almost
90%
of the global search market in 2026

AI tools have not replaced search engines. They are simply new supplemental tools in the digital ecosystem of information gathering. The journey to find counsel may start or end with an AI tool, just as it could start or end with a paid digital ad or a social media video. Or, it may not be part of the consumer journey at all. It is important to learn, understand and respond to when and where AI tools are being used, especially for your business, your industry and, ultimately, for your personal brand presence.

There Is
No-One-Size-Fits-All
Answer

The future of legal marketing belongs to those who adapt without abandoning proven principles. Let us explore how your firm can harness both innovation and authority to help better ensure that you remain visible, credible and profitable.



Ryan Tauer
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- Pulling relevant statutes and case law
- Cross-referencing similar matters
- Mapping key events

✓ **Examination complete**



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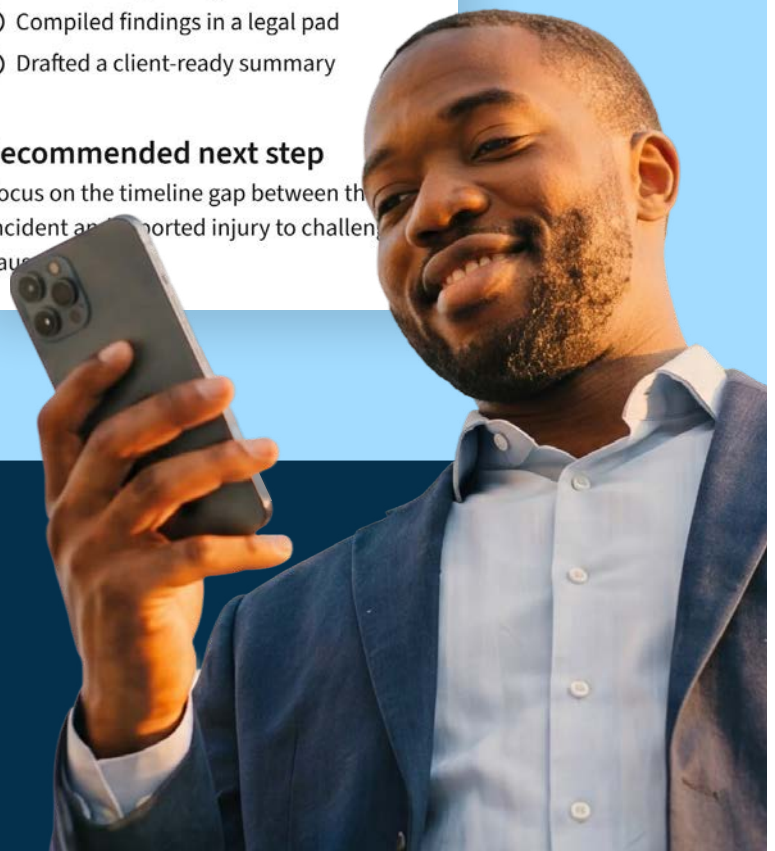
- ✓ Examined deposition transcripts
- ✓ Built a timeline of key events
- ✓ Surfaced supporting case law
- ✓ Compiled findings in a legal pad
- ✓ Drafted a client-ready summary

Recommended next step

Focus on the timeline gap between the
incident and reported injury to challenge
causation.



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South Dakota's Potentially Counter-Intuitive Rule 1.6(b)(1): A Guide

Thomas E. Simmons

South Dakota Rule of Professional Conduct 1.6 restricts attorneys from revealing information relating to the representation of a client – a broad prohibition indeed.¹ Information relating to the representation must be kept confidential by the lawyer.² The broad swath of Rule 1.6 protects all such information as “confidential information.” This extends far beyond merely privileged communications between attorney and client.

The rule also contains eight exceptions.³ The first two exceptions authorize disclosure with either the express or implied informed consent of the client.⁴ The next six exceptions are numbered in subpart (b) of the rule.⁵ We are concerned here with the first of those numbered exceptions, the one contained within Rule 1.6(b)(1).

Under the aforesaid exception to confidentiality, a lawyer is permitted to “reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:”

To prevent the client from committing a criminal act that the lawyer believes is likely to result in imminent death or substantial bodily harm;

S.D. Rule of Professional Conduct 1.6(b)(1).⁶ This text departs from the recommended text in the American Bar Association’s (ABA) current version of the rule, which permits a lawyer to reveal information relating to the representation of a client:

to prevent reasonably certain death or substantial bodily harm;

Model Rule 1.6(b)(1).⁷ The difference in wording between the ABA version and the South Dakota version is significant. There are two additional elements in South Dakota’s version which must be satisfied compared to the Model Rule’s text: (1) crime; and (2) client, elements omitted in the current ABA version. Let’s examine the latter element (preventing “the *client* from committing”) first.

Consider the following hypothetical example: Client tells lawyer that his son has planted a powerful bomb in a janitorial closet of the local high school which will detonate in one hour’s time just when students are heading into the lunchroom. The client presents credible support for his allegation, but when the lawyer asks for her client’s consent to disclose the imminent threat to the authorities, the client declines and exits her lawyer’s office in tears.

May the lawyer notify anyone of the bomb?

Under the ABA’s Model Rule, the answer is yes. The lawyer may disclose the information “to the extent the lawyer reasonably believes necessary” in order “to prevent reasonably certain death or substantial bodily harm.” Thus, the lawyer may disclose the threat.

It bears emphasis that the lawyer should only disclose that there is a bomb at the high school timed to explode an hour. Perhaps the location of the bomb should also be disclosed in the interest of the safety of the bomb squad and/or janitorial staff.

The lawyer need not (and may not) disclose the source of the information or the suspected culprit's identity unless the authorities refuse to take her seriously without additional information. Remember: the lawyer may disclose confidential information only *to the extent necessary* to prevent the death and/or substantial bodily harm to the high schoolers. Even when disclosing confidential information pursuant to an exception, no more information than is reasonably necessary should be revealed. A lawyer should disclose as little as possible, but disclosure of the bomb threat under the ABA version of 1.6(b)(1) is permitted.

What about disclosure of the client's son's bomb under South Dakota's version?

Under South Dakota's Rule of Professional Conduct 1.6(b)(1), the result is different. The lawyer may not notify the authorities of the explosive ordinance. Why? Because it's not "the client" who will be prevented from committing the criminal act which will result in death and substantial bodily harm; it's the client's son. Since the client's son is not the lawyer's client, South Dakota's 1.6(b)(1) does not permit disclosure.

This outcome seems counterintuitive. The rule dilutes confidentiality protections for crimes contemplated by the client but not for the crimes of a non-client (to whom the attorney owes little or no duty of loyalty). Weirdly, had the client disclosed that it was he that had planted the bomb at the high school, the lawyer would have been permitted to warn the authorities. But because it was not the client who was committing (or about to commit) the crime, the lawyer could not.

Observe that it sounds as if the client's disclosures to his lawyer in the hypothetical outlined above were conveyed in a privileged communication, but as underscored below, it is not necessary that the privilege attach in order for 1.6 to insist upon confidentiality. Rule 1.6 protects all information relating to the representation of a client. Not just privileged communications.⁸

Thus, for example, if it was the client's friend who accompanied the client to the office conference and articulated the bomb threat details, the communication would not be privileged since it was not an attorney-client communication, yet it nevertheless represents information relating to the representation. Therefore, it must be maintained as confidential unless an exception to confidentiality applies. Under South Dakota's version of 1.6(b)(1), disclosure of the bomb threat posed by a non-client would not be authorized – whether or not the communication was privileged.⁹

Privileged communications are a rule of evidence. Securing information related to the representation of a client is an ethical obligation.

Now let's turn to the second element contained in South Dakota's version of 1.6(b)(1) which is absent from the ABA's current version: that of "crime." The South Dakota version of Rule 1.6(b)(1) requires – as an element of permissive disclosure – that what will result in death or

substantial bodily harm be a crime. A well-reasoned opinion by the South Dakota Bar's Ethics Committee illustrates the "crime" element of South Dakota's rule.¹⁰

Recently, a South Dakota attorney encountered a client contemplating suicide and the attorney reasonably believed it to be more than an idle threat. Assuming that the client was not suffering from diminished capacity,¹¹ a South Dakota lawyer is prohibited from disclosing the client's likelihood of harming themselves against the client's wishes. Why? Because suicide is not a crime.¹²

The South Dakota Ethics Opinion on point is nuanced, thoughtful, and sensitive. It's also textually correct and merits a careful read. While some ethics authorities in other jurisdictions have read in a non-textual "humane" exception to those versions of Rule 1.6(b)(1) (like South Dakota's) which contain the "crime" element and therefore authorize disclosure of a client's contemplated suicide, the reasoning they employ disregards the plain text of the "crime" element.¹³ South Dakota's Ethics Committee correctly rejected those lines of reasoning because they contravene the text adopted by the South Dakota Supreme Court.

Two final points:

First, the ABA version of the Rule – while in some ways (as illustrated *supra*) more permissive in terms of authorizing disclosure than South Dakota's version, it is – in other respects – more restrictive.

To wit: South Dakota permits disclosure of confidential information when death of substantial bodily harm is only "likely." But the current ABA version requires the harm to be "reasonably certain." Greater certainty that the threat will actually manifest itself is required under the ABA version. Thus, South Dakota's rule is more forgiving regarding the level certainty connected to the contemplated crime than current ABA text.

Second, disclosure under Rule 1.6 – in both the South Dakota and ABA versions – is always permissive, not mandatory.¹⁴ The attorney "may" disclose. And "may" does not mean "shall."

Stated another way, the attorney who decides against disclosure cannot face discipline under 1.6.¹⁵ Non-disclosure of confidential information (even a bomb threat), from a disciplinary perspective (although not necessarily from an ethical one), is the safer bet.

Tom Simmons is a professor at the University of South Dakota's Knudson School of Law and a member of the South Dakota Bar's Ethics Committee, but his opinions and views articulated above are merely his own as a private citizen and not as a representative or member of any organization. He lacks any authority to speak on behalf of the South Dakota Board of Regents.

¹ Rule 1.6 prohibits lawyers from making any disclosures that could *lead* to the discovery of confidential information as well. "This prohibition also applies to disclosures by a lawyer that do not in themselves reveal

protected information but could reasonably lead to the discovery of such information by a third person.” Model Rule of Professional Conduct 1.6 cmt. [4].

² Rule 1.6 applies during the representation of a client. Other rules apply pre- and post-representation:

See Rule 1.18 for the lawyer's duties with respect to information provided to the lawyer by a prospective client, Rule 1.9(c)(2) for the lawyer's duty not to reveal information relating to the lawyer's prior representation of a former client and Rules 1.8(b) and 1.9(c)(1) for the lawyer's duties with respect to the use of such information to the disadvantage of clients and former clients.

Model Rule of Professional Conduct 1.6 cmt. [1].

³ Additional exceptions to confidentiality can be found in Rules 1.13(c)(2) (corporate clients), 1.14(c) (clients with diminished capacity), and 3.3(c) (candor toward tribunal).

⁴ S.D. Rule of Professional Conduct 1.6(a).

⁵ S.D. Rule of Professional Conduct 1.6(b)(1)-(6). The current ABA Model Rule 1.6(b) contains seven numbered exceptions. ABA Model Rule of Professional Conduct 1.6(b)(1)-(7).

⁶ Compare R3D OF THE LAW GOVERNING LAWYERS § 66(1) (authorizing the disclosure of confidential information **“when “necessary to prevent reasonably certain death or serious bodily harm to a person.”**). Thus, the Restatement – like the ABA – omits the elements of “crime” or “client.” *Id.*

A threat within Subsection (1) need not be the product of a client act; an act of a nonclient threatening life or personal safety is also included, as is a threat created through accident or natural causes. It follows that if such a threat is created by a person, whether a client or a nonclient, there is no requirement that the act be criminal or otherwise unlawful.

Id. cmt. [c]. Interestingly, the Restatement proposes disciplinary immunity for both compliance and noncompliance with this obligation. See R3D OF THE LAW GOVERNING LAWYERS § 66(3) (providing that any **“lawyer who takes action or decides not to take action permitted under this Section is not, solely by reason of such action or inaction, subject to professional discipline”**).

⁷ The ABA amended Rule 1.6(b)(1) in 2001 as part of the Ethics 2000 Commission. Report of the Commission on Evaluation of the Rules of Professional Conduct, 118:2 A.B.A. Before the ABA's adoption of the amendment in 2001, its Model Rule 1.6(b)(1) read: “to prevent the client from committing a criminal act that the lawyer believes is likely to result in imminent death or substantial bodily harm.” Michael S. Ariens, *“Playing Chicken: An Instant History of the Battle over Exceptions to Client Confidentiality*, 33 J. LEGAL PROF. 239 (2008-09).

⁸ “The confidentiality rule ... applies not only to matters communicated in confidence by the client but also to all information relating to the representation, whatever its source.” Model Rule of Professional Conduct 1.6 cmt. [3].

⁹ Admittedly, privilege matters in some contexts. Thus, for example, if the bomb detonates, the malefactor is indicted, the attorney is subpoenaed to testify, and is asked what the client's friend told the lawyer, the lawyer could answer the question pursuant to South Dakota Rule of Professional Conduct 16(b)(5) (compliance with a court order). But if the attorney is asked what the client told the attorney (and the communications were confidential (i.e., the friend was not present)), the attorney would be expected to assert the privilege and refuse to answer the question. See Model Rule of Professional Conduct 1.6 cmt. [15] (explaining that in the absence of client consent to disclose, a “lawyer should assert on behalf of the client all nonfrivolous claims that the order is not authorized by other law or that the information sought is protected against disclosure by the attorney-client privilege or other applicable law.”).

¹⁰ S.D. Ethics Op. 2023-7 (available at <https://www.statebarofsouthdakota.com/ethics-opinions/>).

¹¹ See S.D. Rule of Professional Conduct 1.14. “In determining whether the Client truly has ‘diminished capacity’ to act in the Client’s best interest, the Lawyer may consider the Client’s expressed intention to commit suicide as evidence of diminished capacity but must also consider whether the specific facts or circumstances of the situation render the Client’s proposed course of action a rational one.” S.D. Ethics Op. 2023-7. See also *id.* (quoting Conn. Bar Ass’n Formal Op. 49 (quoting Rule 1.14(b)) (reasoning: “In counseling and acting on behalf of a suicidal client we think the lawyer should focus on and be respectful of the client and substitute his judgment for that of the client ‘only when the lawyer reasonably believes that the client lacks the capacity to act in his own interest.’”).

¹² Cf. S.D.C.L. § 22-16-37 (aiding or abetting with suicide (or attempted suicide) as a class 6 felony).

¹³ See, e.g., Ariz. Ethics Op. 91-18 (authorizing a lawyer to reveal a client’s suicidal intent in order to “allow[] the attorney to respond humanely to what well may be his client’s cry for help”). The South Dakota Ethics Committee (correctly) characterized this sort of rationale as one which is “outside of the Rules.” S.D. Ethics Op. 2023-7. The Restatement Third – which omits the “crime” element (*supra* note 6) – would allow an attorney to report a contemplated suicide: “Serious bodily harm ... includes life-threatening illness and injuries and the consequences of events such as imprisonment for a substantial period and child sexual abuse. It also includes a client’s threat of suicide.” R3D LAW GOVERNING LAWYERS § 66 illus. 3.

¹⁴ Compare Tex. Disciplinary Rules of Professional Conduct 1.5(e) (providing that a “lawyer *shall* reveal confidential information” to prevent a client from committing a criminal or fraudulent act “likely to result in death or substantial bodily harm”) (emphasis supplied). Six other states are in accord with Texas on this point.

¹⁵ See, e.g., *People v. Belge* (N.Y. Cnty. Ct. 1975) (dismissing an indictment against an attorney for failing to report an unattended death and location of the remains when the information came to the attorney via a privileged communication from his client (who had murdered the decedent in question)). In *Belge*, a lawyer’s client told the lawyer where to find the body of a victim hidden in the woods. Disclosure in the *Belge* circumstances might be permissible under S.D. Rule of Professional Conduct 1.6(b)(5) (compliance with “other law”) although an attorney’s duty of loyalty to the client ought to countermand a permissive disclosure when it could result in the client being criminally charged. See also Model Rule of Professional Conduct 1.6 cmt. [12] (explaining that “[o]ther law may require that a lawyer disclose information about a client [but w]hether such a law supersedes Rule 1.6 is a question of law beyond the scope of these Rules.”).

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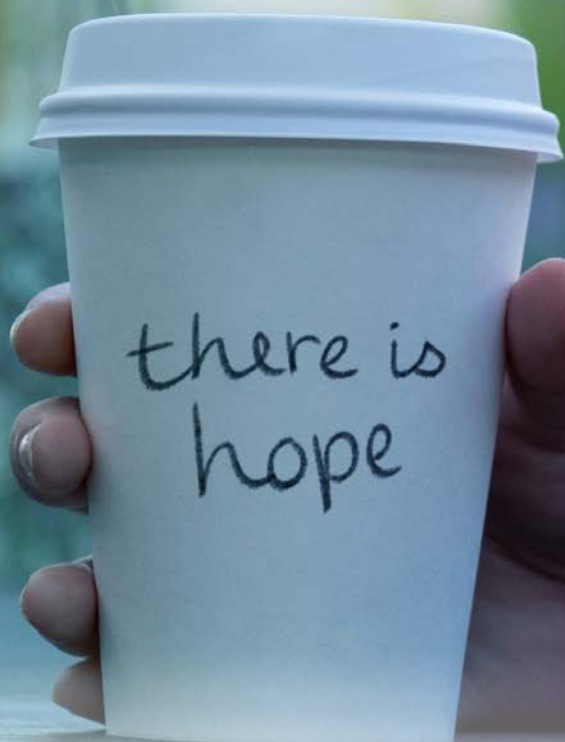
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Don't Be a Law Firm Red Flag: 14 Ways to Make a Good Impression

By: Mark Bassingthwaighe, Risk Manager



Like you, I've been a consumer for years. And the older I get, the more I recognize how quickly first impressions shape my decisions. If I walk into a store and get hit with an aggressive sales pitch, I leave. If a website is outdated or clunky, I click away. If a grocery store looks cluttered or unkept, I head for the exit.

These reactions aren't unique to me. They're human. And if we can agree that first impressions matter in everyone's daily lives, there is value in asking an important question which is: How are prospective clients experiencing your firm in those first few moments that matter most? This is important because it's going to be much easier to establish an effective and trusting attorney-client relationship if a potential new client's first impression is a positive one.

What I've Seen in the Field

Over the years with ALPS, I've visited more than a thousand law firms. While most were professional, welcoming, and well-run there were more than a few that simply weren't. For example, I've been asked to wait in unkempt reception areas that looked like they hadn't been cleaned in years. I've sat in conference rooms cluttered with broken furniture, old files, and half-empty coffee cups. I've waited 30–60 minutes past my appointment time without explanation, and once or twice, I was completely forgotten about. I've been greeted coldly, treated as an inconvenience, or ignored entirely.

Of course, none of these experiences made me think, "I bet these lawyers are a cut above the rest." Nope, it was quite the opposite. My initial response was to begin to question the business and even legal acumen of the attorneys who practiced in these firms. Certainly, my initial opinions were open to being changed, but it was going to be an uphill climb.

Where First Impressions Actually Begin

First impressions aren't made after you finally sit down

with a prospective client. They're made long before that, often at the very first point of contact. It's often when they first call your office, visit your website, hear your voicemail greeting, walk through your front door, or sit in your reception area. Every touchpoint communicates something about your professionalism, your priorities, and your competence. So, let's talk about how to make those touchpoints work for you.

14 Tips for Good First Impressions:

1. Train Staff to Greet Visitors Immediately

A warm greeting within the first minute sets the tone. Even a simple "Hello, I'll be right with you" acknowledges their presence and reduces anxiety.

2. Review your voicemail greeting

For many prospective clients, this is the first thing they hear after hours. It should sound polished, up-to-date, and genuinely professional. Even better, consider using an answering service and give them a script so you know exactly what's being said. Professionalism and responsiveness go hand in hand, and you want to do everything you can to avoid missed calls, so they don't turn into missed business.

3. Send Reminder Calls, Texts, or Emails

It signals respect and reduces no-shows. Let prospective clients know you're looking forward to meeting them.

4. Protect Confidentiality in Public Areas

Reception and conference rooms should never be a place where confidential conversations can be overheard. If voices carry within your space, invest in soundproofing or reposition staff. Empower employees to close office doors when necessary.

5. Keep Screens and Client Information Out of View

Reception desks should never be a place where client names, documents, or computer screens can be seen by wandering eyes.

6. Monitor Your Waiting Area

If someone looks bored or frustrated within ten minutes, something's off. Make the space comfortable, tidy, and designed for your clientele to include making available practice-related reading materials that are current and appropriate items for children to enjoy if called for. Don't be cheap. Placing items like outdated magazines with home address labels still on them send the wrong message. Also consider making water and coffee available. Small gestures such as these can reduce anxiety and help build goodwill.

7. Sit in Your Own Reception Area

Do this for 5–10 minutes (or have someone you know and trust do it). Experience what your clients and prospective clients experience. Ask yourself:

- Does this space feel warm and welcoming?
- Do others waiting in reception appear to be relaxed and comfortable?
- Does it communicate that you care?
- Does it communicate that you are successful?
- Correct the problem if any of the answers are no.

8. Keep the Space Clean and Organized

A messy reception area communicates one message: “We don't care.” When this is the case, prospective clients can easily start to question if you'll have enough time for their matter. After all, if you don't have enough time to pick up the place, it's an easy assumption to make.

9. Dress the Part

Appearance influences perception. Casual Fridays are fine, sloppy is not. I once walked into a firm where the receptionist was chewing gum with her feet on the desk, reading a romance novel. My immediate thought: “If this is acceptable here, what else is acceptable?” In my mind a halfhearted effort doesn't cut it, particularly in the running of a law practice.

10. Protect Client Materials at All Times

Never leave files, mail, or identifying information where visitors can see them. Confidentiality breaches often happen in the simplest ways.

11. Keep Wait Times Under Ten Minutes

Prospective clients may wait for a good lawyer but not as long as they're likely to wait for a doctor who is helping someone with a medical emergency. When an unavoidable delay happens, communicate quickly and offer options.

12. Protect Confidentiality When Answering Phones

Receptionists should be able to notify attorneys without revealing client names or details. “Your two o'clock is here” works. “John Smith is here about his divorce” does not.

13. Separate Visitor Areas from Work Areas

Prospective clients shouldn't be evaluating your staff's workload or overhearing case discussions. A tasteful partition or wall is worth the investment.

14. Maintain a Modern, Mobile-Friendly Website

Your website will often be the first touchpoint where first impressions are formed. If it's outdated, broken on mobile, or rarely updated, clients will assume your practice is the same. At a minimum, make sure your contact path is effortless. Phone number, location, hours, and scheduling options should be instantly visible.

The Bottom Line

First impressions aren't cosmetic; they're consequential. They influence whether prospective clients trust you, choose you, and ultimately remain with you. A steady, intentional approach to how your firm presents itself, both online and in person, helps the right clients find you, understand you, and feel confident placing their matter in your hands.



Authored by: Mark Bassingthwaighe, ALPS Risk Manager

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

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.

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.**

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>



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

ALLONE[®]
HEALTH

SIoux FALLS ESTATE PLANNING COUNCIL

Joint Meeting with the SD State Bar

PLEASE JOIN US ON FRIDAY, SEPTEMBER
18TH FOR THIS JOINT BREAKFAST EVENT
WITH THE STATE BAR OF SOUTH DAKOTA.

CLICK [HERE](#) FOR MORE INFORMATION
AND TO REGISTER.



ESTATE *Planning*



DATE:

Friday, September 18, 2026



TIME:

8:30 AM - 12:00 PM



ADDRESS :

Minnehaha Country Club



SPEAKER:

Steven Siegel, JD, LLM

Please note that breakfast will be
served beginning at 8:15 am.

More

UPCOMING LIVE WEBINARS

From AllOne Health

Discover a whole new approach to well-being.

Free to all Bar Members!



1 SEP

Give A Damn Leadership™:
Six Principles for Leading
With Care, Trust, and
Accountability

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



9 SEP

Maximizing Priorities to
Maximize Your Day

September 9, 2026
1:30 pm EDT - 2:30 pm EDT
[Register for this Webinar](#)



17 SEP

When Gambling Crosses the
Line

September 17, 2026
12:00 pm EDT - 12:45 pm EDT
[Register for this Webinar](#)

ALLONE[®]
HEALTH

Pennington County Announces Appointment of New Public Defender

RAPID CITY, SD — Pennington County has appointed Joanna Lawler to lead its Law Office of the Public Defender.

Lawler replaces Eric Whitcher, who served as the director of the office for thirteen years before retiring in June. Lawler has worked as an attorney at the office since 2013 and as Assistant Director since 2019.

Originally from Minneapolis, Lawler graduated with honors from Northwestern University Pritzker School of Law in Chicago, Illinois. A clerkship with a federal judge brought her to South Dakota, after which she began her career as a public defender.

Throughout her tenure, Lawler has distinguished herself as a statewide leader in public interest law. Her commitment to youth advocacy helped shape the office's approach to representing young people, culminating in her leadership during the creation of the office's Center for Youth and Family Defense, which specializes in delinquency and child welfare cases. Her leadership in this area extends across the state and nation, including service on the South Dakota Juvenile Justice Safety Improvement Act Oversight Council as well as regional and national advisory boards for the Gault Center.

Lawler's professional accomplishments have been recognized by her peers. In 2017, she was selected as the Pennington County Bar Association's Outstanding Young Lawyer of the Year. In 2020, she was named South Dakota Young Lawyer of the Year by the South Dakota Bar Association.

"It's been an honor and a privilege to work alongside my colleagues over the years and to represent the citizens of Pennington County," Lawler said. "Eric Whitcher left big shoes to fill, and I will work to uphold the culture and reputation of this office for professionalism and excellence."

Local attorney John Murphy, chair of the Public Defender Advisory Board, said Lawler's experience and leadership made her a natural choice to lead the office.

"Joanna's demonstrated professionalism deep legal expertise, and exceptional leadership made her the obvious choice to succeed Eric," Murphy said. "Her experience, commitment to public service and leadership within the legal community will serve the office and the people of Pennington County well."

In addition to her legal career, Lawler has been active in the local arts community, volunteering with several local theater companies. She is a founding director of Catalyst Theater Company and currently chairs the South Dakota Arts Council.

Career Center

STATE BAR OF SOUTH DAKOTA CLASSIFIEDS

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



Deputy/Senior Deputy Public Defender

Salary- \$3,780.00 - \$4,376.00 Biweekly

Location- 415 N. Dakota Ave Sioux Falls, SD

Job Type- Full Time

Job Number- 26-54

Department- Public Defender

Division- Public Defender

Opening Date- 07/07/2026

Why Join Our Team

The Minnehaha County Public Defender's Office is looking for a dedicated Deputy/Senior Deputy Public Defender with excellent advocacy skills who is committed to ensuring justice to indigent clients appearing in the criminal and juvenile justice system. We are currently seeking an applicant who is interested in becoming part of an experienced litigation team that has a high capacity for trials and offers an expansive opportunity for courtroom practice. Apply now to be considered for this opportunity to grow your criminal defense practice, access our expansive document library, and surround yourself with skilled criminal defense attorneys.

A comprehensive benefits package includes paid holidays; health, dental, vision, and life insurance; generous PTO program; extended sick leave program; inclusion in the South Dakota Retirement System (SDRS); and a deferred compensation plan!

*****Please attach a cover letter to the online application.*****

This posting will remain open until filled. Review of applications begins on July 21st, 2026.

The hiring range is \$3,780.00 to \$4,376.00/biweekly.

How You Will Make an Impact

- Advocate on behalf of individuals charged with felonies and misdemeanors through all phases of litigation to

include pre-trial, trial, and litigating all aspects of the case through disposition.

- Coordinate efforts with a support team of paralegals and other staff to ensure the responsible handling of a demanding caseload through disposition of the case.
- Maintain client communications by telephone, office appointments, and institutional visits. Keep client apprised of investigations, negotiations, and court rulings.
- Appear at regularly scheduled court dockets and appearances related to an assigned caseload.
- Conduct legal research and draft motions and pleadings.
- Interview witnesses and review legal documents, police reports, transcripts, and related correspondence.
- Attend professional development training both within and outside the office.

What You Need to Succeed in this Role

Graduation from a college of law and attainment of a Juris Doctorate degree from an accredited law school. Admission by the Supreme Court of South Dakota to practice law in the State of South Dakota; be licensed to practice law in any other state and able to take the next bar examination offered in South Dakota; or be a recent law school graduate, eligible to sit for the next available South Dakota bar examination. Comparable combination of education and experience may be considered. Possession of a valid driver's license and must maintain a safe driving record with Minnehaha County. Must successfully complete pre-employment background process.

Working knowledge of civil and criminal law, court procedures, and the principles and practices of legal research. Ability to work with a diverse population and be attentive to the needs of the clientele. Working knowledge of principles, methods, materials, and practices utilized in legal research. Working knowledge of general law and established precedents. Effective verbal and written communication in the preparation and presentation of legal matters in hearings, courts of law, and meetings with others. Ability to work

independently within general policy guidelines and legal parameters. Knowledge of and skill in using technology and related software systems. Ability to build and maintain positive, collaborative relationships with colleagues, other agencies, clients, and the public. Present a professional appearance and communicate with others in a respectful and approachable way.

Consideration for appointment as a Senior Deputy Public Defender requires a minimum of two years of relevant work experience.

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.

For more information visit <https://www.governmentjobs.com/careers/minnehaha/jobs/5401389/deputy-senior-deputy-public-defender?pagetype=jobOpportunitiesJobs>.

Associate Attorney - Family & Business Immigration

Location: Sioux Falls, South Dakota

Position: Full-Time

About Eekhoff Law

Eekhoff Law is a growing immigration law firm based in Sioux Falls, South Dakota, representing individuals, families, employers, and organizations across the United States. Our practice combines compassionate advocacy for families with sophisticated business immigration solutions for employers facing workforce challenges.

We are committed to providing exceptional legal representation with integrity, professionalism, and respect. As our firm continues to grow, we are investing in attorneys who are eager to develop expertise across the full spectrum of immigration law—from family-based petitions and humanitarian relief to employment-based visas, PERM labor certifications, removal defense, and federal litigation.

If you are looking for a career where you can make a meaningful difference in clients' lives while building a broad and rewarding immigration practice, we invite you to join our team.

Position Summary

The Associate Attorney provides direct legal representation in both family-based and employment-based immigration matters. The attorney manages an active caseload from consultation through resolution, develops legal strategies, prepares petitions and applications, conducts legal research, and represents clients before USCIS, EOIR, and other government agencies as appropriate. The Associate Attorney collaborates with attorneys, paralegals, administrative staff, interpreters, and interns to provide exceptional client service while maintaining the highest ethical and professional standards.

Primary Responsibilities

Conduct legal consultations and evaluate immigration options for individuals and employers. Develop case strategies and maintain regular communication with clients. Prepare clients for USCIS interviews, consular interviews, and immigration court hearings. Represent clients before USCIS, EOIR, and other administrative agencies as appropriate. Manage employment-based immigration matters, including H-1B, H-2A, H-2B, L-1, O-1, R-1, TN, PERM, I-140, Adjustment of Status, EB-1, and National Interest Waivers. Prepare and manage family-based immigration matters, including family petitions, adjustment of status, consular processing, naturalization, waivers, humanitarian applications, and removal of conditions. Advise employers regarding I-9 compliance, E-Verify, immigration compliance programs, and workforce planning. Draft petitions, applications, briefs, motions, affidavits, RFEs, and NOID responses. Conduct legal research and remain current on immigration law and policy developments. Manage deadlines and maintain accurate case records. Supervise and mentor paralegals, legal assistants, interns, and support staff. Collaborate with the legal team to develop effective case strategies and improve firm processes.

Qualifications

J.D. from an accredited law school.

Licensed in at least one U.S. jurisdiction with the ability to become licensed in South Dakota.

0–3 years of legal experience or a demonstrated commitment to practicing immigration law.

Excellent legal writing, research, analytical, organizational, and communication skills.

Ability to work independently and collaboratively.

Spanish language proficiency is preferred but not required.

Travel

Occasional travel for Immigration Court, USCIS interviews, South Dakota state courts, client meetings, and community events, including Fort Snelling Immigration Court and the Omaha USCIS Field Office.

Benefits

Competitive salary commensurate with experience
Health insurance
Paid holidays and paid time off
SIMPLE IRA retirement plan
Disability insurance
AILA membership
South Dakota Bar dues
Professional malpractice insurance
Continuing legal education and professional development opportunities

Why Join Eekhoff Law?

At Eekhoff Law, we believe exceptional legal representation begins with investing in our people. We foster a collaborative workplace where attorneys are encouraged to grow professionally, contribute meaningful ideas, and develop expertise in both family and business immigration.

As Eekhoff Law continues to expand its family and business immigration practice throughout the Midwest, this position offers significant opportunities for professional growth, increasing responsibility, and long-term leadership within the firm.

How to Apply

Please submit a cover letter, resume, salary requirements, and three professional references to:

Casey Eekhoff
Managing Attorney
casey@eekhofflaw.com

Associate Attorney - Family Law

Company: Halbach|Szwarc
Law Firm Location: Hybrid Position based in Sioux City, IA
Position Type: Full-time

About Halbach|Szwarc Law Firm: Halbach|Szwarc Law Firm is a full-service law firm with offices in Sioux Falls, SD, and Sioux City, IA. We are committed to delivering responsive, high-quality legal services across a wide range of practice areas. Our culture is built on collaboration, trust, and professionalism, and every member of our team plays an essential role in supporting our clients and each other.

Position Overview

We are seeking a dedicated and compassionate attorney to join our family law team. The ideal candidate will have 3+ years of experience handling family law matters, including divorce, custody, child support, adoption, and related issues. This role offers an opportunity to work closely with clients during significant life transitions, advocating for their best

interests with professionalism and empathy.

Applicants **must be licensed in Iowa** and able to obtain licensure in South Dakota and Nebraska. Candidates with an existing client base are encouraged to apply, though a willingness to develop business and build client relationships is equally important.

Responsibilities

- **Client Representation:** Represent clients in family law cases, including divorce, custody, child support, adoption, and guardianships.
- **Negotiation & Litigation:** Draft pleadings, negotiate settlements, and advocate for clients in court hearings and trials.
- **Mediation & Alternative Dispute Resolution:** Assist clients in mediation and collaborative law proceedings when appropriate.
- **Legal Counseling:** Provide clear and compassionate legal advice to clients navigating complex family law matters.
- **Business Development:** Engage in efforts to develop new client relationships and contribute to the firm's growth.
- **Remote Collaboration:** Work remotely and collaboratively using modern technology to engage meaningfully with clients and team members.
- **Stay Informed:** Stay updated on changes in family law, child welfare regulations, and court procedures.

Qualifications

- Juris Doctor (JD) degree from an accredited law school.
- 3+ years of experience practicing family law.
- Strong litigation, negotiation, and client advocacy skills.
- Ability to manage a caseload independently while maintaining responsiveness to clients.
- Excellent legal research and writing skills.
- Willingness to engage in business development and foster long-term client relationships.
- Attitude, Energy, and Effort:
- Approach client matters and internal responsibilities with professionalism, sound judgment, and the steadiness expected of a senior practitioner.
- Bring pride, precision, and strategic thought to your work, recognizing the impact a senior litigator has on case outcomes, client trust, and the firm's broader reputation.
- Maintain focused, reliable energy in fast-moving matters; anticipate next steps, identify risks early, and drive progress without the need for oversight.
- Demonstrate respect for colleagues and clients through clear communication, thoughtful coordination, and consistent, high-quality work product.
- Engage in feedback and continuous improvement with maturity and accountability, modeling a solutions-oriented approach for others on the team.

- Uphold confidentiality, discretion, and professionalism in all interactions, especially when navigating complex, sensitive, or high-stakes matters.

Benefits:

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

How to Apply: If you are a motivated, detail-oriented, and client-focused professional with a commitment to excellence, we invite you to apply for the Paralegal position at Halbach|Szwarc Law Firm. Please submit your resume and a cover letter outlining your relevant experience to **Miranda Basye** at mirandab@halbachlawfirm.com and **Alex Halbach** at alexh@halbachlawfirm.com.

Family Law Paralegal

Company: Halbach|Szwarc

Location: Hybrid-Remote Position based in Sioux Falls, SD or Sioux City, IA

Position Type: Full-time

About Halbach|Szwarc Law Firm: Halbach|Szwarc Law Firm is a full-service law firm with offices in Sioux Falls, SD, and Sioux City, IA. We are committed to delivering responsive, high-quality legal services across a wide range of practice areas. Our culture is built on collaboration, trust, and professionalism, and every member of our team plays an essential role in supporting our clients and each other.

Position Overview: We are seeking an experienced and highly capable Family Law Paralegal to serve as a key operational and support partner to our family law attorneys. This role blends substantive legal drafting, client communication, case management, discovery coordination, trial preparation, and high-level matter organization. The ideal candidate will operate with a high degree of independence, organization, and technical skill, helping move family law matters forward while delivering a high-quality client experience.

Responsibilities:

Client Service & Matter Coordination

- Assist with client intakes including conflict checks, information gathering, scheduling, and matter setup.
- Serve as a primary point of contact for family law clients regarding scheduling, document requests, and next steps.
- Maintain proactive communication with clients to gather outstanding information, coordinate follow-up, and help ensure matters move forward.
- Coordinate attorney meetings, mediations, hearings, depositions, and other case-related appointments.

Family Law Drafting & Document Preparation

Prepare initial drafts and revisions of family law documents under attorney supervision, including:

- Summons and Petitions
- Answers and Counterclaims
- Motions and Notices
- Affidavits
- Financial declarations and disclosures
- Parenting plans
- Settlement agreements and stipulations
- Proposed orders and judgments
- Correspondence
- Review family law documents for accuracy, consistency, formatting, dates, supporting documentation, and filing requirements.
- Prepare hearing notebooks, exhibit binders, and filing packets.

Discovery & Financial Documentation

- Assist with drafting discovery requests and responses under attorney supervision.
- Coordinate collection and organization of financial records, tax returns, business records, bank statements, and other supporting documentation.
- Organize discovery materials, document productions, and financial exhibits.
- Monitor discovery deadlines and assist in preparing materials for hearings, settlement conferences, and trial.

Case Management & Litigation Support

- Assist with preparation for hearings, mediations, trials, and other court proceedings.
- Coordinate service of process, subpoenas, and court filings.
- Prepare exhibit notebooks, witness materials, and organized case files for attorney review.
- Monitor court deadlines and assist in maintaining progress on active family law matters.

Matter Organization & Workflow Coordination

- Maintain highly organized digital matter files within Clio with consistent naming, document organization, and matter progression.

- Monitor deadlines, internal action items, and matter status to proactively keep cases moving forward.
- Prepare organized working files, summaries, and materials for attorney meetings and client conferences.
- Anticipate attorney needs and assist in prioritizing workflow across active matters.

Administrative Support

- Assist with engagement letters, fee agreements, closing correspondence, and matter completion workflows.
- Coordinate with courts, mediators, guardians ad litem, custody evaluators, financial professionals, and other third parties as needed.
- Assist with updates to templates, checklists, systems, and workflows to support continued growth and efficiency within the family law practice.
- Support educational seminars, client resources, and other family law initiatives.

Qualifications:

- Associate's or Bachelor's degree, or a Paralegal Certificate from an ABA-approved program.
- 4+ years of paralegal experience, family law or civil litigation experience preferred.
- Strong drafting, proofreading, and document management skills.
- Experience supporting attorneys with scheduling, organization, and workflow coordination.
- Excellent written and verbal communication and client-service skills.
- Ability to manage multiple deadlines and operate effectively in a hybrid environment while maintaining professionalism and accuracy.
- Proficiency in Microsoft Office; experience with Clio or similar tools preferred.
- Ability to work independently while collaborating effectively with multiple attorneys, associates, and staff.

Attitude, Energy, and Effort:

- Approach all responsibilities with professionalism and sound judgment, recognizing the importance of supporting multiple attorneys.
- Bring pride and precision to every task, knowing that accuracy and organization directly influence client experience and attorney efficiency.
- Maintain steady and reliable energy in fast-paced workflows, anticipate needs, and follow through without repeated reminders.
- Demonstrate respect for colleagues, clients, and the attorney team through timely communication, thoughtful coordination, and consistent high-quality work.
- Stay open to feedback and commit to continuous improvement, responding with maturity, accountability,

and a solutions-focused mindset.

- Uphold confidentiality, discretion, and professionalism in all interactions, especially when handling sensitive information or competing priorities.

Benefits:

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

How to Apply: If you are a motivated, detail-oriented, and client-focused professional with a commitment to excellence, we invite you to apply for the Family Law Paralegal position at Halbach|Szwarc Law Firm. Please submit your resume and a cover letter outlining your relevant experience to **Miranda Basye** at mirandab@halbachlawfirm.com and **Alex Halbach** at alexh@halbachlawfirm.com.

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

Staff Attorney - East River Legal Services

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

Duties and Responsibilities:

1. Conduct and oversee client interviews, investigation, field investigations, and fact gathering;
2. Provide high-quality legal representation or advice to clients on housing, family law, protection orders, and other related matters in state court and administrative proceedings;
3. Handle a full range of litigation activities including drafting pleadings, conducting depositions, completing discovery, negotiations, motions practice, and representation of ERLS clients at trial;

4. Stay well-informed of the applicable laws and case laws as they develop and change to ensure that East River Legal Services is applying new laws properly;
5. Keep accurate records of case activities and provide the necessary information to meet reporting requirements;
6. Participate in meetings as part of East River Legal Services and the Legal Team;
7. Comply with all regulations, grant requirements, and internal operating and personnel policies;
8. Provide education and outreach to members of the community, service providers, and community organizations;
9. Work in collaboration with community organizations that provide rental assistance, domestic violence support, and other services available to assist our clients;
10. Perform other duties, which may be assigned from time to time by the Executive Director.

Knowledge, Skills, & Abilities:

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

Classification:

Classified as an exempt employee

Salary:

Starting at \$71,500, depending on experience

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

ERLS' Sioux Falls office is open Monday-Friday from 8am-

5pm. We close from 12:00pm-1:00pm for lunch.

To Apply:

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

Melissa Frericks
 Director of Operations
 East River Legal Services
 335 North Main Avenue, Suite 200
 Sioux Falls, SD 57104
Melissa@erlservices.org

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 Federal Defender (Appellate)

The Federal Public Defender for the Districts of South Dakota and North Dakota is seeking an Appellate Assistant Federal Public Defender. The successful candidate may choose to office in any of our branch locations: **Bismarck, Fargo, Pierre, Rapid City, or Sioux Falls**. Our office provides high-quality, client-centered representation to individuals charged with federal crimes who cannot afford retained counsel, pursuant to the Criminal Justice Act.

Why Our Office

We are a collegial, mission-driven office committed to excellent federal defense practice. Our attorneys engage in thoughtful, rigorous advocacy supported by experienced investigators, paralegals, and administrative staff. We value collaboration, mentorship, creativity, and sound judgment. Although this is an appellate-focused role, you will be part of a team-oriented environment that emphasizes respect, integrity, and mutual support – for our clients and one another.

Position Description

The appellate attorney primarily prepares briefs, motions, and petitions for rehearing or certiorari in the United States Court of Appeals for the Eighth Circuit and the Supreme Court of the United States. The position includes presenting oral arguments in the Eighth Circuit and may involve post-conviction work in the district court subject to office needs. Additionally, the appellate attorney provides research and writing support to trial attorneys in district courts. Attorneys in this office may not engage in the private practice of law.

Required Qualifications

1. Graduation from an accredited law school.

2. Admission in good standing to practice before the highest court of a state or the District of Columbia.
3. Willingness to obtain bar admission in South Dakota and/or North Dakota within one year of starting employment.
4. United States citizenship or authorization to work in the United States.

We seek applicants with exceptional research and writing skills, a demonstrated commitment to indigent defense, and the ability to work collaboratively with attorneys, clients, court personnel, and agency staff. Creativity, sound judgment, and strong communication skills are highly valued.

Salary and Benefits

Salary is commensurate with experience and ranges from **\$76,748 - \$180,078**. This is a full-time position with comprehensive federal benefits, including health and life insurance, retirement, and participation in the Thrift Savings Plan. Salary is paid bi-weekly via direct deposit. Final offers are contingent upon funding availability and completion of a background investigation.

How to Apply

E-mail a single **PDF** containing a letter of interest, résumé, three references, and a recent writing sample to SDX_JOBS@fd.org with the subject line, “**Assistant Federal Defender (Appellate) – Position Announcement 26-11**”.

Applications will be reviewed on a rolling basis until the position is filled. More than one position may be filled from this announcement.

The Federal Public Defender for the Districts of South Dakota and North Dakota is an Equal Opportunity Employer. Women and minorities encouraged to apply.

Position Announcement #26-11

Estate Planning Attorney

At Estate Planning Solutions Law Firm, Prof. LLC, we're looking for an ambitious attorney who wants more than a job—we're looking for someone who wants to become a trusted advisor, a leader, and ultimately a partner in a thriving boutique estate planning practice.

If you're early in your legal career and have a passion for estate planning, tax strategy, business planning, and helping families protect what matters most, we'd love to meet you.

Who We Are

At Estate Planning Solutions Law Firm, Prof. LLC, our legal team has substantial experience planning for families,

business owners, farmers, and high-net-worth individuals. We develop and implement customized estate plans designed to facilitate the transfer of wealth, preserve family harmony, and minimize our clients' overall tax burden.

We are known not only for our sophisticated legal counsel, but also for the responsive, empathetic, and approachable service we provide. Our clients appreciate that we make complex legal and financial concepts understandable while guiding them through life's most important decisions with compassion and confidence.

Just as we invest in our clients, we believe in investing in our team. At Estate Planning Solutions, you'll find inspirational leadership, comprehensive on-the-job training, flexible scheduling options, competitive compensation, an excellent benefits package, and a collaborative, supportive culture where people genuinely enjoy working together. We believe exceptional client service begins with exceptional employees, and we're committed to helping our team members grow professionally and personally.

The Opportunity

This is a remarkable opportunity for an attorney with 1–4 years of experience who is interested in building a long-term career in estate planning. You'll work closely with experienced attorneys, receive hands-on mentoring, and develop advanced planning skills while serving individuals, families, business owners, and agricultural clients.

Attorneys who consistently meet established performance and revenue goals can expect to be considered for partnership within 3–5 years.

What You'll Do

- Meet with individuals, families, business owners, and farmers to design customized estate plans.
- Draft wills, trusts, powers of attorney, business succession plans, and related estate planning documents.
- Collaborate with senior attorneys on advanced estate, tax, and business planning strategies.
- Build trusted relationships with clients and professional referral partners.
- Develop and cultivate your own book of business by building relationships with clients and professional referral partners. This role offers substantial long-term earning potential and a clear path to partnership as you grow your practice.

Qualifications

- J.D. from an accredited law school.
- Licensed (or eligible for admission) to practice law in South Dakota, Iowa, and Minnesota.
- 1–4 years of legal experience (estate planning experience

is preferred but not required).

- Educational background or professional experience in accounting, taxation, finance, business, or a related field strongly preferred.
- Excellent analytical, drafting, communication, and interpersonal skills.
- Strong attention to detail and outstanding organizational abilities.
- A collaborative mindset and commitment to delivering exceptional client service.
- A desire to build a long-term career with the goal of becoming a partner.

Join Our Team

If you're looking for a place where you'll be challenged, mentored, valued, and given the opportunity to build a rewarding long-term career, we'd love to hear from you.

Please submit your resume and a brief cover letter describing your interest in estate planning and why Estate Planning Solutions Law Firm would be a great fit for your career goals to jobs@epslawfirm.com. We can't wait to hear from you!

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 assist in the prosecution of criminal and juvenile matters. This would primarily include juvenile delinquency actions, CHINS petitions, abuse and neglect actions, and some misdemeanor and felony cases. Responsibilities would include presenting cases for legal proceedings, performing legal research, and preparing, drafting and filing legal documents and correspondence. Additional responsibilities include but are not limited to: 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 \$78,518.54 to \$102,177.40 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 Public Defender, Brown County

Opening date: 09/01/2026

Wage: \$3,110.75 to \$3,884.91, bi-weekly, DOE

Closing date: Open until filled

The Brown County Public Defender's Office is looking for a Deputy Public Defender. We are considering newly admitted attorneys, attorneys with 20 or more years of experience and everyone in between. (Admission to practice law with the State Bar of South Dakota or ability to obtain admission is required.) This office handles felony and misdemeanor criminal cases; abused and neglected child(ren) cases, juvenile delinquency cases, mental health and involuntary alcohol committal cases.

Do not let lack of experience in criminal law deter you from applying. We are dedicated to providing training opportunities both internal and external that will include handling these types of cases. We offer on-the-job training that includes proper etiquette in court, negotiation tactics, conducting jury trials, drafting motions, meeting with clients, filing appeals, plus more. You will learn valuable skills at no cost to you that will benefit you for your entire career! With that being said, we hope that is with Brown County.

The Brown County Public Defender's Office promotes a team-focused environment where we strive to create a fun and inviting atmosphere while dealing with a difficult but important job, the only one mentioned in the Constitution. (Please see the Sixth Amendment.) We work hard to create a healthy work/life balance by monitoring caseloads and using technology to help streamline case management. Our goal is for you to be at your best while feeling confident in handling your own cases with minimal micro-managing, as

we support you each step of the way! The Public Defender's Office also values your opinion, and we encourage you to provide alternative solutions to current practices which help keep us on the path of continued improvement.

We offer competitive starting salaries based on experience and qualifications, ranging from \$80,800 to 101,000 per year for 2026, and negotiable, depending on experience. We provide employer paid premiums on employee health, dental, and life insurance, while offering cost options for employee dependent plans and supplemental insurance. We are part of the South Dakota State Retirement system which offers a 6% employee match for eligible employees. In addition, we provide a generous paid time off and extended sick leave package, while observing 13 paid holidays throughout the year.

Excited by what you've read? Don't wait- apply now and join our team!

JOB SUMMARY

This position is responsible for the representation of individuals who cannot afford legal representation in criminal cases, abuse and neglect cases, juvenile cases, mental health and involuntary committal cases where the new Brown County Public Defender's Office has been appointed to represent them. Candidates for this position may be designated "Senior Deputy Public Defender", depending upon education and experience.

MAJOR DUTIES

- Zealous representation of clients in criminal, abuse and neglect, juvenile, mental health and involuntary committal proceedings. Representation of clients in criminal and juvenile cases happens at all phases of the criminal justice system including initial appearances, arraignments, motions hearings and trials.
- Coordinates with and assists the Chief Public Defender and other staff members in providing information to the Courts, Court Administration, Clerk of Courts, County Auditor and County Commission as requested.

EDUCATION/AND OR EXPERIENCE REQUIRED

- Professional degree (Juris Doctor) Graduation from a college of law and attainment of JD or LLB.
- 0-10 years of experience.
- Admitted or eligible to be admitted to the South Dakota Bar Association.

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 oral and written communication.

SUPERVISORY CONTROLS

The Chief Public Defender assigns work according to 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 law, 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 fast pace of the working environment contributes to the complexity of the position.

CONTACTS

- Contacts are typically with co-workers, legal assistants, 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 people; 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, or stooping. The employee occasionally lifts light objects.
- The work is typically performed in an office or courtroom.

SUPERVISORY AND MANAGEMENT RESPONSIBILITY

This position may supervise assigned personnel.

APPLY BY

Submit Brown County application or resume to:

Brown County
Human Resources
25 Market St
Aberdeen, SD 57401

Fax: 605-725-2355

Email: Humanresources@browncounty.sd.gov

Email: Allison.Tunheim@browncounty.sd.gov

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



STATE BAR OF SOUTH DAKOTA UPCOMING EVENTS

18

SEP, 2026

SEPTEMBER 2026 BANKRUPTCY CLE

9:00 AM - 4:15 PM HILTON GARDEN INN SIOUX
FALLS DOWNTOWN

25

SEP, 2026

2026 NUTS & BOLTS CLE

9:00 AM - 2:00 PM DRIFTERS, FT. PIERRE,
SOUTH DAKOTA

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

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