

State Bar of South Dakota

October 2026 Newsletter





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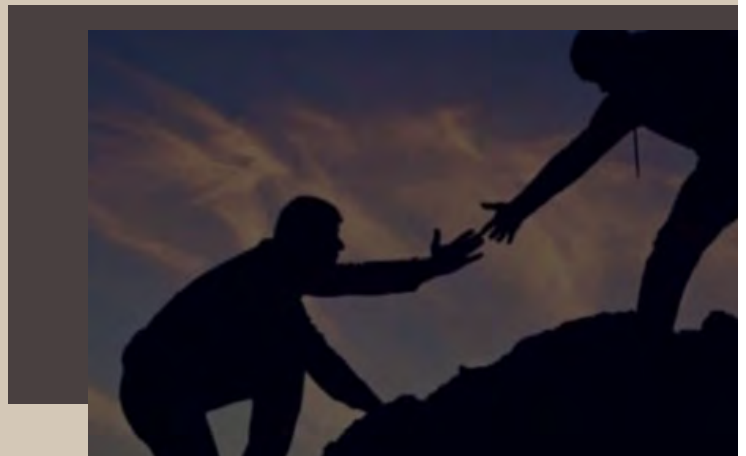


ATTORNEY HEALTH & WELLNESS SOUTH DAKOTA LAWYERS ASSISTANCE

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

October 2026

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President's CORNER

John W. Burke

Just over a week ago, I had the privilege of being one of the speakers at the Statewide Swearing-In Ceremony at the Capitol in Pierre. The other speakers were the Chief Justice of the South Dakota Supreme Court, Steven R. Jensen, and the President of the Young Lawyers Section, Lora A. Waeckerle. It was a pleasure to watch a number of South Dakota's newest attorneys each raise their right hand and repeat after Chief Justice Jensen each line of the same Oath of Attorney that all of us have taken. Having the event take place in the beautiful rotunda of our State's Capitol made it especially memorable. In my opinion, one of the neatest things about attending important events in our profession—whether it be a swearing-in ceremony, the investiture of a justice or judge, or an oral argument before the South Dakota Supreme Court—is that it frequently renews one's inspiration for the practice of law.

I began my remarks at the ceremony by noting that in ancient Greece, individuals were traditionally required to present their own cases in court. Folks were not well suited to represent themselves, so they sought the help of an "orator" to plead their case. Because orators were not allowed to charge a fee for their service, the person would refer to the orator as their "friend." The notion of an attorney as we view one came into existence around 41 A.D. in Rome, under the Emperor Claudius. By then, "advocates" could be hired, could charge a limited fee, and were regulated. I shared this history at the ceremony to emphasize that the Oath these new attorneys were about to take is a commitment to something that is greater than any one of us, and that they should be proud because they were becoming part

of a group that goes back to the time of ancient Greece and Rome.

While driving back to Rapid City that day, I reflected on the thirty years that have passed since I took the Oath of Attorney. As we all know, the years pass by too quickly—way too quickly. That led me to recall a card I had received a few weeks earlier in the mail.

The card contained a handwritten message that started out: "To: The President of the SD Bar Assn." After a few kind words, the message concluded with: "We're proud we knew you 'when.'" While I received a number of congratulatory messages after I became President, this one struck me a little more than most—because it was from Walter "Bud" and Christine "Christy" Schirber.

When I was growing up, the Dewey County Bank had two branches—one in Isabel and one in Timber Lake. The Dewey County Bank was the only bank in Isabel. At that time, Christy was the President of the Dewey County Bank. That fact, by itself, carries some significance since, as you might expect, there were not many female bank Presidents back then. And, since it was the 1980s, Christy had the additional challenges presented by the crisis in the farming industry—interest rates were rising, while commodity prices and land values were dropping. Those were tough years.

I am not certain how it came to be—because I do not recall submitting an application or formally interviewing for the job—but when I was around fifteen years old, Christy hired me to clean the Dewey County Bank in

Isabel. She gave me a key to the bank. The confidence and trust that Christy placed in me, particularly by giving me a key to the bank at that age, meant a lot to me—it still does.

After graduating from high school and heading off to college, I had very little contact with Christy. She and Bud moved from Isabel, and she became a National Account Specialist with CoBank. However, unbeknownst to me, she was apparently keeping an eye on me. Over the years, when I reached a milestone, such as graduating from college or law school, or joining Schoenbeck Law as an associate (when she wrote in October of 1997: “You were always my favorite entrepreneur. Best of luck in your career.”), I would unexpectedly receive a card in the mail from Christy that contained a congratulatory note. I still have all of the cards that she sent to me.

But it is not just Christy and Bud that have encouraged me. I also have cards and handwritten notes that I have received from others over the years, particularly members of the Bar. Attorneys sent me notes when I became an associate, when a South Dakota Supreme Court decision was issued that was favorable to me, and after other events—even President’s Corner message over the past few months. To this day, I can identify many of the attorneys that took the time to send me a note.

This most recent card from Christy reminded me of the importance of sending a short note or message when someone has an achievement or reaches some type of milestone. While I frequently send such notes, I will admit that I could do better. A short note acknowledges the person’s effort and accomplishment and—just as important—that the effort was noticed. At the same time, just a few words may perhaps motivate that person to continue to keep up the hard work. If the recipient is a new attorney, that note will likely make him or her feel welcome and part of the group and, just perhaps, do a small part toward increasing civility in the practice. So, the next time someone you know does something notable, send that person a note.

Now, here is where I take it “old-school.” The next time you are considering sending a note, step it up a notch and send a card or note with a *handwritten* message instead of a text or e-mail. In no way am I chastising texts or e-mails sent with some type of fancy graphics—apparently referred to as the “Celebration effect”—but a handwritten message will convey so much more. A handwritten message requires effort; you took the time to write out a message, address the envelope, put a postage stamp on it, and drop it in the mail. That effort tells the recipient that you are important to them. And, it goes without saying that a handwritten message is far more personal. Your handwriting is unique and conveys a genuineness. Amid the daily barrage of texts and e-mails, a handwritten message carries a personal touch that stands out and which will be remembered. Finally, depending on the message, the card or note may end up being a keepsake that is held onto by the recipient—like the card that Christy sent to me nearly thirty years ago. In the end, the fact that the message is handwritten will, by itself, independently reinforce its significance.

I am confident that each of you has received many congratulatory notes and messages over the years. And, many of you likely received handwritten letters from your grandparents and parents. I suspect that, like me, you always appreciate receiving a handwritten note or letter and can still identify many of the folks that sent you a note. Take a moment and give thought to how much you appreciated that message—and then give thought to sending a handwritten message to someone you know when the opportunity comes. Whether it is a student graduating from law school, a recent law school graduate getting sworn in, an attorney winning (or losing) a trial or an appeal, or an attorney winning some type of award or reaching some other milestone, never underestimate the profound and lasting impact that a short congratulatory note can have on the recipient.

Be like Christy and Bud. Send a handwritten note.



Lora Waeckerle

President



It's officially fall! The YLS Board closed out summer with the annual Nuts and Bolts CLE and State-wide Swearing In Ceremony in Pierre on September 25, 2026.

Nuts and Bolts CLE

The CLE participants learned about several helpful topics, starting with Appellate Advocacy with Justice DeVaney, followed by Administrative Proceedings with Frank Marnell. Over lunch, Becky Porter with Lawyers Concerned for Lawyers and Denise Langley with the Access to Justice Program also presented regarding the goals and services of their respective programs. The afternoon started strong with Ernest Thompson discussing civility in the profession and advocating for yourself. The CLE ended with a memorable tour of the South Dakota Supreme Court apartments with Justice Myren.

The Young Lawyer's Board would like to extend a huge thank you to the State Bar Office for their assistance with facilitating another successful CLE and to Reiter Law Firm for donating funds to assist us in the event.

State-wide Swearing In Ceremony

After the Nuts and Bolts CLE, the fun continued with the State-wide Swearing In Ceremony, where eleven new attorneys were sworn in to the State Bar of South Dakota. The new admittees and their families enjoyed remarks from myself, State Bar President John Burke, and Chief Justice Steven Jensen welcoming them to the

practice. The YLS Board facilitated pictures for the new admittees with the Chief Justice free of charge, so the new lawyers would have a memento of their special day. The event ended with a Sixth Circuit mixer at Drifters.



Other Upcoming Events:

- **October 6, 2026:** Starting at 5:00 p.m., there will be a reception for the South Dakota Supreme Court at Valient Vinyards in Vermillion to welcome the Supreme Court during their traveling term of court at USD Knudson School of Law.
- **October 21, 2026:** Starting at 5:00 p.m., the YLS will be having its Fourth Circuit mixer at the Clubhouse in Spearfish. All ages and experience levels are

welcome!

- **November 9, 2026:** At 10:00 a.m., the South Dakota Supreme Court will be holding a rules hearing regarding the proposal to merge the Fourth and Seventh circuits.

As a reminder, your circuit representatives are as follows:

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



OCTOBER
BREAST
CANCER
AWARENESS MONTH



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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.

JASON SUTTON
LORA WAECKERLE
ELIZABETH OVERMOE
JEREMY LUND
SARAH MALSON
KATIE JOHNSON

**Special
Thanks to:**

RENEE STELLAGHER
JAMES TAYLOR
MARWIN SMITH
STEVE HUFF
JOSEPH HOGUE
KYLE KRAUSE
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Raising the Bar: Our Profession. Our Responsibility.



UNIVERSITY OF
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DEAN'S LIST: NEWS FROM THE LAW SCHOOL



Neil Fulton
Dean, School of Law

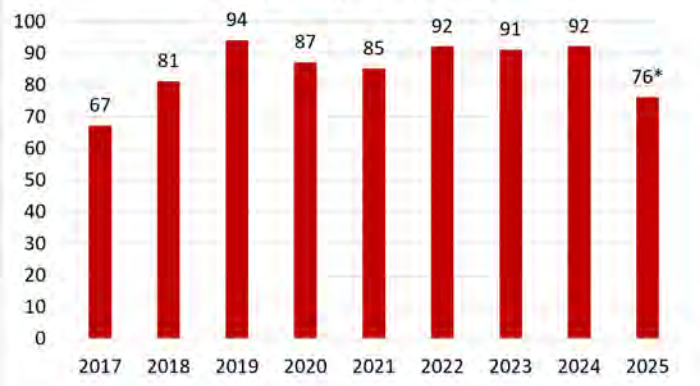
September and October are consistently the months in which results from the July administration of the bar exam begin to roll in. Accordingly, it is consistently timely to devote my October column to bar examination results. Along with those numbers, I want to discuss the ongoing evolution of bar assessment nationwide.

I can start with some numbers. Our bar admission rate for the Class of 2026 is currently 80%. That includes South Dakota bar takers, those who successfully completed the Public Service Pathway program, and most surrounding states. We are waiting for another fifteen or so students from jurisdictions across the country.

First-time passage remains very important. We want graduates to obtain admission in their first attempt so they can go to work and avoid the cost and stress of repeat examinations. Additionally, US News has increased the weight given to first time bar passage in their rankings. Although the rankings have real problems, they get attention and accordingly we give real attention to first-time bar admission for that and so many reasons.

I continue to remind folks of the importance of ultimate bar passage, however. UBP is the percentage of graduates who seek and obtain admission within two years of graduation. This is a more comprehensive and realistic presentation of bar admission success. As the attached chart demonstrates, our UBP rates remain strong.

USD Ultimate Bar Pass Rate



In addition to the year-to-year work with students in preparation for bar admission, there is currently a lot of ongoing work dedicated to evolution of bar admission. It is important to give some attention to this ongoing work.

First, the NextGen Bar Exam is here. For those who may not recall, NextGen was the product of a multi-year study and development process that sought to align the bar examination with input from judges, practitioners, legal educators, and others. It reduces the focus on memorization and multiple-choice questions and increases the use of practice exercises that more resemble what lawyers do in practice. You can read in more depth about NextGen here: <https://www.ncbex.org/exams/nextgen>. Six states implemented NextGen for the July 2026 bar exam. While that administration

was mostly successful, a couple of jurisdictions had very significant technology glitches. NextGen requires computer-based administration, so this was obviously not good. NCBE is working with all stakeholders to learn from these problems and avoid their recurrence.

South Dakota and most surrounding jurisdictions will implement NextGen in July 2027. So, while almost all the students in the Law School now will take the NextGen bar, there remains a lot to learn from those jurisdictions that have preceded us. It is obviously imperative to iron out the test administration details to avoid the technological issues that occurred in July. The Supreme Court needs to set a cut score for NextGen. That will involve the review of concordance data developed by NCBE to assist jurisdictions in knowing what NextGen scores align with legacy bar exam scores since the exams use different scales. South Dakota will also have the benefit of evaluating changes in pass rates in those jurisdictions that have already implemented NextGen. Despite considerable effort to ensure consistency between the examinations, any change holds the potential to move the needle up or down unintentionally. The pace of implementation work will only pick up as we move into 2027.

At the law school, NextGen is already having impact in the classroom. We continue to evaluate and evolve our bar preparation class and our assessment and instruction across the board. The goal is not to “teach to the test,” but to align instruction and assessment to effectively prepare the next generation of lawyers. Failing to think

about the alignment of law school preparation and bar assessment would create a detrimental gap for students and the profession. Accordingly, we will continue to think about how to provide the best and most valuable education for students that we can.

Work on the Public Service Pathway program is continuing. After having nine students successfully participate in the inaugural cohort, seven students are participating this year. We have expanded the offices in which they are placed. Working with the Board of Bar Examiners we are broadening the scope of work product assessed to better identify minimum competence. We are looking at expansion of placements to rural practice locations in hopes of encouraging more students to explore those opportunities. Several other jurisdictions are evaluating South Dakota’s experience to consider implementing similar pathways. While I continue to recognize that PSP is not the path for all law school graduates, I continue to believe that it provides an important investment in practical preparation for some students and a fair, reliable, if different mechanism to assess minimum competence.

Licensure assessment remains one of the most important things that we do as a profession. As you can see, bar exam results remain just one component of that work, important as they are. I continue to appreciate the thoughtful engagement of so many on this important issue. Please reach out at any time if you have questions or ideas about bar admission in South Dakota and beyond.

USD Knudson School of Law

On-Campus Events

FALL 2026:
OCI Round 1: Aug. 26th-28th
OCI Round 2: Oct. 1st-2nd
Career Fair: Nov. 3rd

SPRING 2027:
OCI : Feb. 4th-5th
Speed-Interviewing Event : March 5th



SCAN HERE TO REGISTER



11

Email Teramie.Hill@usd.edu for more information.



Gunderson, Palmer, Nelson & Ashmore, LLP
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PUBLIC NOTICE

REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current appointment of Magistrate Judge Todd Hyronimus is due to expire on February 25, 2027. Magistrate Judge Hyronimus 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 Todd Hyronimus 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 November 27, 2026.

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.

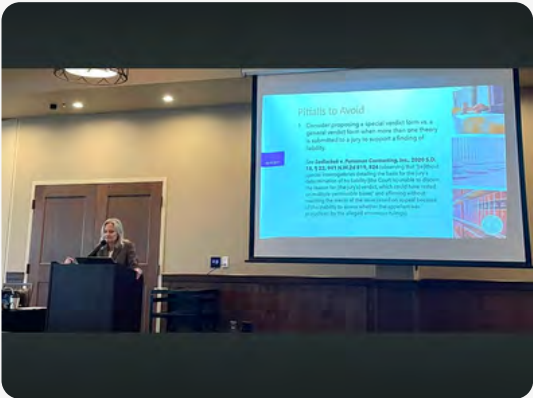
Recent Events

Rural Attorney Conference



Nuts & Bolts CLE

Special thanks to our speakers for sharing their time, knowledge, and expertise with us!



Swearing-In Ceremony & Reception





UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF SOUTH DAKOTA

NOTICE OF POSITION VACANCY NO. 26-02

Position: Clerk of Court
Classification: JSP 16 (Salary Range \$173,513 - \$225,569)
Location: Sioux Falls, South Dakota
Opening Date: September 18, 2026
Closing Date: October 19, 2026
Projected Start Date: March 1, 2027

Overview

The United States Bankruptcy Court for the District of South Dakota is seeking a senior level executive with experience as an administrator of a diverse and innovative organization to serve as the Bankruptcy Court's Clerk of Court. Exceptional communication and interpersonal skills along with a proven record of leadership and accomplishment are required, preferably in a federal court or law-related environment. The Clerk of Court works in collaboration with and reports directly to the Chief Bankruptcy Judge. This position is in Sioux Falls, South Dakota.

The Position

The Clerk of Court is an executive level manager who is appointed by the Chief Bankruptcy Judge and has overall management authority and responsibility for the non-judicial components of the court. The Clerk occupies the highest non-judicial position in the court and works closely with the Chief Judge in assuring the administrative and operational needs of the court are effectively and efficiently met. This position requires an individual who possesses the leadership, management, communication skills and technical expertise necessary to anticipate and resolve complex administrative, budget, and operational challenges quickly and efficiently.

The Clerk supervises a staff of seven (7) clerk's office employees, oversees the offices in Pierre and Sioux Falls, provides operational support to the Chief Bankruptcy Judge, and consults with and makes recommendations to the Chief Judge relating to court policies and procedures. The Clerk is the official custodian of the records and dockets of the court and is accountable for all fees, costs, and other funds collected by the court. As the certifying officer for the court, the Clerk is responsible for the efficient use of the court's human, fiscal, and physical resources, and manages the administrative, budget, and operational activities of the court. The Clerk serves as the court's liaison to and works cooperatively with federal and local government agencies, bar groups, media representatives, and the public. The Clerk serves at the pleasure of the Chief Judge and is responsible for performing the statutory duties of the Office of the Clerk pursuant to 28 U.S.C. §156(e) and (f).

The Clerk of Court performs duties which include, but are not limited to:

- Working closely with the Chief Bankruptcy Judge regarding court administration and policy;
- Creating a vision of excellence through strategic planning in an environment of limited resources;
- Creating and maintaining a culture that values human resources and the contributions necessary to maintain a good customer service-based organization;
- Directing the processing of bankruptcy cases and adversary proceedings;
- Promoting and maintaining the integrity of official court records in the custody of the Clerk;
- Directing and overseeing the court's property, procurement, and financial management programs, and ensuring proper oversight in the development, revision, and maintenance of internal control procedures;
- Providing executive level support for development and implementation of information technology projects and oversight of space and facilities matters;
- Performing personnel related duties including, but not limited to, hiring or recommending the selection of individuals for hiring, performance management, and personnel actions;
- Preparing and managing the court's annual budget;
- Directing the reporting and accounting of all monies received and processed through the office, including adapting and installing new or improved methods, systems, and procedures for assuring the accuracy of accounts and for facilitating the receipt, deposit, and disbursement of monies processed;
- Establishing and adjusting long range schedules, priorities, and deadlines for completion of work assignments, and coordinating project design and implementation;
- Analyzing and making recommendations on statutes, local rules, and procedures affecting the operation of the court;
- Directing development and administration of comprehensive emergency preparedness plans;
- Establishing proactive relationships with the bar, other court units, Administrative Office committees, and governmental agencies to facilitate and improve the delivery of court services;
- Coordinating and preparing statistical studies and reports as required by the court, the circuit, the Administrative Office, and the Judicial Conference of the United States;
- Serving as the court's public information officer; and
- Performing special duties as directed.

Qualifications

- Must be a U.S. citizen or eligible lawful permanent resident seeking citizenship.
- A bachelor's degree is required; education with an emphasis in government, judicial, public, or business administration or a related field; a post-graduate degree in these areas is preferred.
- Experience in the federal judiciary and/or experience in bankruptcy litigation is preferred; operational knowledge of the courts, office automation (including automated case management systems), and a working knowledge of the Federal Rules of Bankruptcy Procedure and adversary proceeding case flow is also preferred.
- Candidates must have a minimum of 10 years of progressively responsible administrative experience (e.g., financial management, space and facilities management, human resources management, oversight of information technology, and long and short-range planning) in public service, law, or business which provides a thorough understanding of the organizational, procedural, and human aspects of managing an organization. At least three (3) of the 10 years' experience must have been in a position of substantial management responsibility.

- Solid organizational, problem solving, and conflict resolution, as well as outstanding oral and written communication skills, are required. The successful candidate should be a leader and motivator who is able to clearly describe his or her leadership style, vision, and values.
- A performance history that clearly reflects skills and demonstrable experience in managing a large detailed annual budget.

Benefits

- 11 Paid Federal Holidays
- Paid Annual Leave
- Paid Sick Leave
- Federal Employee Health Benefits
- Dental and Vision Insurance
- Group Life Insurance
- Accidental Death Benefit
- Long-term Disability
- Long-term Care Insurance
- Flexible Spending Program
- Employee Assistance Program
- Direct Deposit
- Parking Privileges
- Federal Retirement Program
- Thrift Savings Plan (employer matching, similar to a 401K)

Selection Process

The most qualified applicants will be invited to one or more personal interviews. Those selected for interviews will be required to travel to the designated location at their own expense. The court is not authorized to reimburse candidates for travel or relocation expenses.

Prior to appointment, the selectee considered for this position is required to undergo an FBI background check and investigation. The selectee may then be appointed provisionally, and retention will depend upon a favorable suitability determination of the background investigation. As a condition of employment, an updated background check and reinvestigation is required every five (5) years.

Application Procedure

To be assured consideration for this position, qualified applicants must submit the following:

- Completed AO 78 Application for Judicial Branch Federal Employment (available at: <https://www.uscourts.gov/forms-rules/forms/application-judicial-branch-federal-employment>)
- Cover letter outlining qualifications, relevant experience, management style, and philosophy
- Resume
- Contact information for three (3) professional references knowledgeable of employment history (including legal and technical knowledge), character, and integrity

Documents must be sent in PDF format to: sdb_jobs@sdb.uscourts.gov.

The court reserves the right to modify the conditions of this job announcement, to withdraw the announcement, or to fill the position sooner than the closing date without prior notice. Incomplete applications, as well as those not submitted electronically, will not be considered. Only those applicants selected for interviews will be contacted.

The United States Bankruptcy Court is an Equal Opportunity Employer.

SOUTH DAKOTA BAR FOUNDATION
Minutes of June 24, 2026, Meeting
Sioux Falls Convention Center and via Teams

South Dakota Bar Foundation President Bill Garry called the meeting of the Board to order at 8:00 AM CDT. Board members present were President Garry, Vice President Lisa Marso, and Directors Heather Lammers Bogard (via Teams), Sarah Sharp Theophilus, Tom Frieberg, Pat Goetzinger, Pamela Reiter, Stephanie Judson, Siri Buller, and Anthony Sutton.

Also present for all or part of the meeting were State Bar Access to Justice Coordinator Denise Langley, Strategic Plan Coordinator Carrie Sanderson, Lawyers Assistance Program Director Becky Porter, Interim Executive Director Paul Bachand, South Dakota Community Foundation Affiliate Fund Coordinator Phil Adam (via Teams), and State Bar members Bob Hayes and Paul Cremer.

Director Judson made a motion to approve the draft minutes of the June 19, 2025, Bar Foundation meeting, with suggested minor changes. Director Reiter seconded the motion to approve the minutes with the suggested changes. Motion carried.

Vice President Marso made a motion to approve the draft minutes of a Special Meeting of the Bar Foundation Board that was held on June 2, 2026, to consider proposed amendments to the Bar Foundation bylaws regarding the election of Directors. The bylaws had provided in part that “The board of directors shall consist of not less than five members, each of whom shall be one of the five immediate past presidents of The State Bar of South Dakota.”

The proposed amendments to the bylaws provide in part that “The Board of Directors shall consist of not less than five members. At its annual meeting, the Board of Directors shall elect a member of the State Bar to replace any Director whose term has expired, with consideration being given to electing the immediate past State Bar President.”

Director Frieberg seconded the motion. Discussion was provided that such change promotes inclusion of individuals who have passion and skills related to Foundation missions and recognition that prior service as a State Bar President does not automatically support inclusion on the Board given leadership, skills and interest background of the prior State Bar President. Motion carried.

The Board memorialized the following votes that were previously conducted via email:

On October 4, 2025, Vice President Lisa Marso made a motion via email to nominate Siri Buller to serve on the Bar Foundation Board, and Director Heather Lammers Bogard seconded the motion. Email voting ended on October 7, 2025, and the motion carried (9-0).

On December 3, 2025, Vice President Marso made a motion via email to approve a grant request of \$400 to fund a Thomas Jefferson impersonator for a Joint Legislative Session at the South Dakota Legislature on January 17, 2026, in Pierre. Director Sharp Theophilus seconded the motion. Voting ensued via email, and voting ended on December 5, 2025. Motion carried (10-0).

On January 5, 2026, Director Frieberg made a motion via email to approve a grant request of \$2,000 to South Dakota Lawyers Concerned for Lawyers to obtain assistance for the purpose of incorporating as a nonprofit entity. Director Sharp Theophilus seconded the motion. Voting ensued via email, and voting ended on January 8, 2026. Motion carried (10-0).

On April 15, 2026, Vice President Lisa Marso made a motion via email to approve entering into a Memorandum of Agreement (MOA) with the South Dakota Community Foundation for the provision of administrative support services to the South Dakota Bar Foundation at an annual cost of \$7,500. Director Anthony Sutton seconded the motion. Voting ensued via email, and voting ended on April 20, 2026. Motion carried (10-0). Director Stephanie Judson abstained from participating.

On April 27, 2026, Vice President Lisa Marso made a motion via email to approve an additional \$4,500 request from the Rural Internship Incentive Program (RIIP) to support 2026 scholarships. Director Frieberg seconded the motion. Voting ensued via email, and the motion carried.

The Board then discussed the financial report. Cremer provided information about the Insured Cash Sweep feature of a bank account that allows the Foundation to earn higher rates of return on account funds. The Bar Foundation continues to benefit from donations and IOLTA funds.

Vice President Marso made a motion to approve the annual contract under which the State Bar provides administrative services to the Bar Foundation for one dollar. Marso noted that the dates in the contract would be updated. Director Sutton seconded the motion. Motion carried.

Phil Adam of the South Dakota Community Foundation provided information about administrative assistance that SDCF will provide to the Bar Foundation. Director Judson noted that SDCF is providing similar services to other affiliate partners.

Denise Langley provided information regarding Access to Justice (A2J). In 2025, South Dakota attorney volunteers handled 124 cases and provided over \$150,000 worth of legal assistance to Access to Justice clients. The majority of the 2025 cases involved A2J priority clients which include veterans, senior citizens, individuals with a disability, and victims of domestic violence, sexual assault, stalking and human trafficking.

Langley is also the website administrator for the South Dakota Free Legal Answers website, which is a joint project between the State Bar of South Dakota and the ABA. In 2025, South Dakota attorney volunteers answered over 300 civil legal questions on the website.

Langley is also involved with various committees and commissions as part of her role as the Coordinator of the Access to Justice legal aid program. In 2025, Langley continued her role as Vice Chair of the Commission on Access to the Courts and she also continued to participate as a member of the State Bar's Family Law Committee and State Bar's Legal Services Committee.

A2J funding for the next fiscal year includes an \$87,000 grant request to the Bar Foundation, and \$70,000 from the State Bar. Prior funding grants from the Commission on Equal Access to the Courts continue to support general operational expenses and the A2J part-time position held by Betty Morford, who has provided much needed administrative support and assistance.

Langley thanked the South Dakota Bar Foundation, the State Bar of South Dakota, and the CEAC for their continued support, and she noted that A2J would not exist without these grants.

The Directors thanked Langley and A2J for their work.

Director Goetzinger discussed rural practice initiatives. Carrie Srstka of UJS has done a good job handling the program. There are ten active rural attorney contracts with an additional two or three under consideration in the next year.

The Rural Internship Incentive Program (RIIP) works in conjunction with the USD Knudson School of Law, Project Rural Practice, and the Bar Foundation to enhance rural practice initiatives. RIIP is providing funding to assist eight summer rural practice internships.

Goetzinger also discussed rural practice incentive payments and eligibility requirements.

Goetzinger also discussed the Project Rural Practice Hub, and grant funds received from the South Dakota Community Foundation and the US Department of Justice. Destination Dakota Legal Careers (DDLC) will administer those funds.

Goetzinger discussed funds provided by the Fred and Luella Cozad Fund for rural practice initiatives. Goetzinger thanked the Cozad family.

Director Reiter provided information about DDLC, which was formed to assist recruiting efforts involving the justice system. Carrie Sanderson has provided assistance to DDLC, including the creation of a website and coordination with other organizations. Sanderson thanked the Bar Foundation, SDCF, and DOJ for providing grant funding.

Becky Porter provided an update regarding the Lawyers Assistance Program (LAP). She noted that Lawyers Concerned for Lawyers has obtained nonprofit status, which will assist with future grant opportunities. Porter thanked Rachel Taylor of the Bangs McCullen law firm for assisting.

The Directors thanked Porter for her continued work.

The Directors discussed grant requests. Director Judson made a motion to approve the grant requests as presented below. Director Buller seconded the motion. Motion carried.

Access to Justice	\$87,000
Ask-A-Lawyer	\$23,000
Rural Internship Incentive Program (RIIP)	\$22,500
Destination Dakota Legal Careers	\$65,000
SDPB - Statehouse Coverage	\$23,000
South Dakota Teen Court	\$10,000
USD Law WORKS Project	\$ 8,000
SD News Watch Lost in Court Training	\$ 4,000
Fastcase	\$15,000
USD Law PIN	\$14,000
Total Requests	\$271,500

Director Reiter noted her involvement with Destination Dakota Legal Careers and recused herself from voting on the DDLC grant request.

Cremer presented a potential policy under which the Bar Foundation President and Vice President would have discretion to act upon ad hoc grant requests of \$1000 or less made during the year. The goal of the policy is to save Bar Foundation time regarding nominal ad hoc requests.

Vice President Marso made a motion to adopt the following policy: The President and Vice President have discretion to approve grants of \$1000 or less by providing notice to the entire Bar Foundation Board, including details of the grant request, and the recommendation of the President and Vice President to approve or deny the request. The Directors have at least two business days to request consideration or action by the entire Board. If no Director makes a request for further consideration or action, then the President and Vice President may take action. The total amount of such expenditures may not exceed \$10,000 per fiscal year. Director Reiter seconded the motion. Discussion occurred that there are occasional requests made during the year for which full Board approval may not be necessary and occasionally full Board voting cannot be quickly done. Motion carried.

President Garry discussed a claim for payment made against the law school, the Bar Foundation, and others arising out of a divorce case. It appears that the Bar Foundation has no exposure, and President Garry discussed the case for informational purposes only.

Director Sutton noted the bylaws regarding service as a Bar Foundation Director arising out of previous service as President of the Young Lawyers Section. The Board should consider the duration of the term (a 1 year or a 3 year term).

Director Reiter made a motion to nominate Vice President Marso to serve as President and Director Heather Lammers Bogard to serve as Vice President. Director Judson seconded the motion. Motion carried. The Directors thanked President Garry for his five years of service on the Bar Foundation.

Vice President Marso noted a vacancy on the Bar Foundation Board due to the expiration of President Garry's five-year term.

Marso also noted the amendments to the Bar Foundation bylaws that were enacted by the Bar Foundation at the special meeting on June 2, 2026. Marso made a motion to nominate Paul Cremer to serve on the Bar Foundation Board. Marso noted that Cremer did not seek out the position. Director Reiter seconded the motion. Marso asked Cremer if he would be willing to serve, and he agreed to serve if selected. Marso said that Cremer had demonstrated his commitment to the State Bar through his excellent service as State Bar Executive Director. Director Heather Lammers Bogard stated that Cremer did a tremendous job as State Bar Executive Director and that Cremer's service on the Bar Foundation would help preserve the Board's strong sense of unity and cohesion.

Motion carried. Cremer thanked the Bar Foundation for their trust and support.

The Directors discussed upcoming topics, including strategic planning and donor contribution levels.

President Garry adjourned the meeting at 9:15 AM CDT.

Respectfully submitted,

Lisa Marso
President



Automate the tasks that eat into your day

Clio helps you take on more cases without added complexity.

Book a demo



Review draft events

Scheduling

Six events were extracted from
Litigation_Schedule_MacLeod_v_Tremblay.pdf

[Review events](#)

Review and approve invoice

Billing

An invoice for \$5,000 is ready for your approval.

[Review invoice](#)

Draft client update

Communication

Keep your clients informed about what progress has been made on their case and what to expect next.

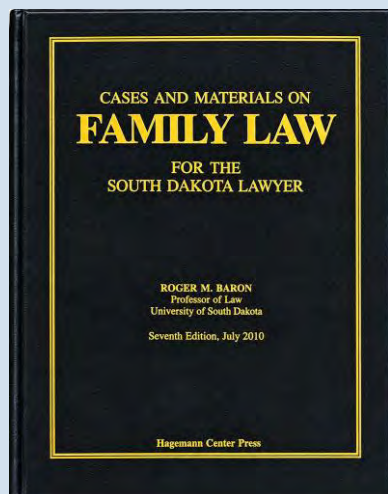
[Draft communication](#)



A NEW ONLINE RESOURCE FOR SOUTH DAKOTA FAMILY LAW

Cases and Materials on Family Law for the South Dakota Lawyer

Roger M. Baron • Seventh Edition • July 2010



A complete digital version of my Cases and Materials on Family Law for the South Dakota Lawyer, Seventh Edition, published in July 2010 by Hagemann Center Press, is now available online.

Visit SouthDakotaFamilyLawBook.com to read the book, search its contents, and browse the original Table of Contents and Index.

Three easy ways to use the site

1. Read the Book. From the home page, click READ THE BOOK. You can select a chapter or use the “Jump to a chapter” menu.
2. Search the Book. Click SEARCH THE BOOK and enter a word or phrase—such as divorce, custody, alimony, PKPA, UCCJEA, paternity, or child support. The results identify the printed page and provide an excerpt. Click VIEW PRINTED PAGE to go directly to that page.
3. Browse the original Table of Contents. Click THE BOOK, then VIEW THE ORIGINAL TABLE OF CONTENTS to see how the book was organized in 2010.

Important: Historical Edition

The website preserves the Seventh Edition as it existed when published in 2010. It has not been updated to incorporate subsequent changes in South Dakota law. The site is intended as a historical research resource; current legal research should rely on current authorities.

FIND THE WEBSITE AT:

SouthDakotaFamilyLawBook.com

YOU ARE INVITED TO JOIN

Fellows of the South Dakota Bar Foundation

Your gift supports Legal Services Programs, Destination Dakota Legal Careers, Rural Lawyer Recruitment, SD Public Broadcasting of Legislative Sessions, the SD Guardianship Program, Teen Court, Ask-A-Lawyer, and educational videos on aging, substance abuse, mental health, and other causes that advance the legal profession in South Dakota.

YOUR INFORMATION

Full Name _____

Address _____

City _____ State _____ Zip _____

CHOOSE YOUR FELLOWSHIP LEVEL

Fellowship is earned through your one-time or your cumulative giving over the years, including annual contributions. Choose the level that fits how you'd like to give.

Lifetime Giving Fellow Levels

	Level	Total Giving
☐	Life Patron Fellow	\$100,000 or more
☐	Sustaining Life Fellow	\$50,000 – \$99,999
☐	Diamond Life Fellow	\$25,000 – \$49,999
☐	Platinum Life Fellow	\$10,000 – \$24,999
☐	Gold Fellow	\$5,000 – \$9,999

Current Year Giving Fellow Levels

☐ Fellow Gift of at least \$500 this year

Presidential Fellows

☐ Presidential Fellow \$10,000 commitment from Bar Presidents

HOW WOULD YOU LIKE TO GIVE?

☐ Lump Sum ☐ Annually ☐ Semi-Annually ☐ Quarterly ☐ Monthly

Today I am sending \$_____ to begin my gift.

In Memoriam

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

SEND YOUR GIFT

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

Email to: tracie.bradford@sdbar.net or call 605-224-7554 to set up a payment.

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

Raising the Bar
Our Profession. Our Responsibility.

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

In the Matter of the	)	ORDER OF SUSPENSION
Discipline of	)	
DONALD TINKLEPAUGH,	)	#31455
as an Attorney at Law.	)	

On July 23, 2026, the Disciplinary Board of the State Bar of South Dakota, pursuant to the provisions of SDCL 16-19-67, served and filed its findings of fact, conclusions of law, recommendation, and formal accusation against Respondent, Donald Tinklepaugh. Respondent served and filed a response to the findings of fact, conclusions of law, recommendation, and formal accusation having no objection thereto on August 25, 2026. The Board's findings of fact, conclusions of law, recommendation, and formal accusation are herein attached and incorporated in this order.

The Court having thoroughly considered the Board's findings of fact, conclusions of law, recommendation, formal accusation and Respondent's response accepting the recommendations of the Board, it is now

ORDERED that:

1. Donald Tinklepaugh receive a one-year suspension for his misconduct and that the suspension be retroactive to his date of temporary suspension of May 18, 2026.
2. Tinklepaugh be required to demonstrate by clear and convincing evidence that he has the moral qualifications, competency, and learning in law required for admission to practice law in this state and that his resumption of the practice of law within the state will not be detrimental to the integrity and standing of the bar, the administration of justice, or subversive of the public interest prior to any reinstatement of his licensure.

#31455, Order of Suspension

3. The Board also relied upon the following mitigation factors:

- (a) absence of prior disciplinary record;
- (b) absence of dishonest or selfish motive;
- (c) personal or emotional problems;
- (d) full and free disclosure to disciplinary board or cooperative attitude toward proceedings;
- (e) imposition of other penalties or sanctions; and
- (f) remorse;

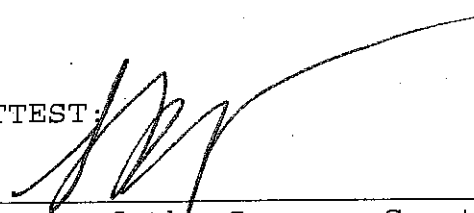
of the American Bar Association Annotated Standards for Imposing Lawyer Sanctions in reaching its recommendation.

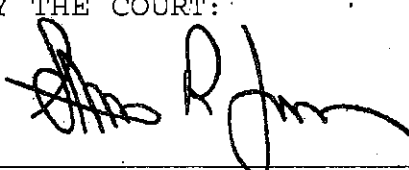
IT IS FURTHER ORDERED that pursuant to SDCL 16-19-70.2 and 16-19-70.3 Donald Tinklepaugh, shall on or before November 23, 2026, pay to the State Bar of South Dakota \$5,354.82 as reimbursement of its itemized costs and expenses for these proceedings. Proof of said payment shall be filed with the Clerk of this Court on or before December 23, 2026.

DATED at Pierre, South Dakota this 28th day of September, 2026.

BY THE COURT:

ATTEST:

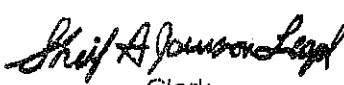

Clerk of the Supreme Court
(SEAL)


Steven R. Jensen, Chief Justice

PARTICIPATING: Chief Justice Steven R. Jensen and Justices Mark E. Salter, Patricia J. DeVaney, Scott P. Myren and Robert Gusinsky.

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

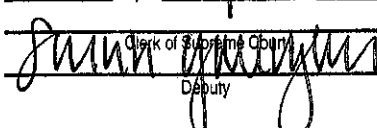
SEP 28 2026


Clerk

STATE OF SOUTH DAKOTA
In the Supreme Court

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

28 day of Sept, 2026.


Deputy

- 2 -

JUL 23 2026

Shirley A. Johnson-Leg
Clerk

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

★ ★ ★ ★

In the matter of Discipline of	)	
DONALD E. TINKLEPAUGH, as an	)	FINDINGS OF FACT, CONCLUSIONS
Attorney at Law	)	OF LAW, RECOMMENDATION &
	)	FORMAL ACCUSATION

An investigation was completed by the Disciplinary Board of the State Bar of South Dakota, hereinafter "Board", against Donald E. Tinklepaugh, attorney at law, hereinafter "Tinklepaugh", following his self-report of apparent violations of the Rules of Professional Conduct. On April 28, 2026, the Board filed a Petition for Temporary Suspension and on May 18, 2026, an Order of Temporary Suspension was entered by the South Dakota Supreme Court.

An investigation was conducted by the Board. Pursuant to Notice of Hearing, the matter was heard by the Board on June 22, 2026, at Sioux Falls, South Dakota. The Board was represented by its counsel, Thomas H. Frieberg, of Frieberg, Nelson & Ask, LLP, Beresford, South Dakota. Tinklepaugh was present without representation.

Pursuant to SDCL § 16-19-67 the Board submits the following Findings of Fact, Conclusions of Law, Recommendation and Formal Accusation.

FINDINGS OF FACT

1. Tinklepaugh is a graduate of the Knudson School of Law at the University of South Dakota where he earned both his Juris Doctor degree and a Masters in Public Administration.

FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATION & FORMAL ACCUSATION

2. Upon graduation, Tinklepaugh was admitted to practice in the State of South Dakota in October 2004 while he was also attending State University of New York in Buffalo, New York working on his LLM in Taxation which he earned in May 2005.
3. After earning his LLM, Tinklepaugh began his career working as an Assistant U.S. Attorney in Pierre, South Dakota.
4. In March 2007, Tinklepaugh accepted a position as a Special Assistant U.S. Attorney in the South Dakota Attorney General's office.
5. From early 2011 until April 2012, Tinklepaugh worked for the South Dakota Attorney General's office, primarily doing appellate work.
6. In April 2012, Tinklepaugh accepted employment with the Social Security Administration (SSA) as an attorney advisor to Administrative Law Judges in South Dakota and North Dakota.
7. In June 2023, Tinklepaugh accepted a promotion as a group manager where he supervised 12 or 13 people in the Sioux Falls and Fargo hearing offices.
8. Personally, Tinklepaugh was involved in a relationship that resulted in Tinklepaugh adopting a child, AT.
9. Tinklepaugh and AT's mother eventually terminated the relationship and a tumultuous custody dispute followed.
10. At a June 2023 custody hearing, Tinklepaugh and his counsel made allegations of alienation by AT's mother.
11. AT's mother was driving a van owned and insured by Tinklepaugh at the time of the June 2023 show cause hearing.
12. Following the June 2023 hearing, Tinklepaugh was wanting to produce evidence of on-going alienation by AT's mother.

FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATION & FORMAL ACCUSATION

13. After the show cause hearing, AT's mother continued to drive a van owned and insured by Tinklepaugh.
14. Tinklepaugh had a spare key to the van and in an attempt to prove AT's mother was actively alienating the children from Tinklepaugh, Tinklepaugh placed a passive listening device in the van.
15. The listening device was eventually removed by Tinklepaugh in December 2023, when the van was returned to his possession.
16. Tinklepaugh did not seek the advice of legal counsel prior to installing the passive listening device.
17. With his own review of the eavesdropping law, Tinklepaugh concluded that since he still owned the van, AT's mother did not have a reasonable expectation of privacy in the van, the device may not be illegal.
18. When Tinklepaugh told his criminal attorney about the recordings which had been obtained prior to the rape charges being brought, he realized that it was possible that he had obtained the recordings illegally.
19. During his disputes with AT's mother, Tinklepaugh was essentially cut out of AT's life and contact between AT and Tinklepaugh was minimal.
20. AT had some struggles in school and with juvenile delinquency.
21. AT ran away from home and was found in Minnesota.
22. At the request of AT's mother, Tinklepaugh was asked to drive AT home from Minnesota which he did.
23. While attempting to work on issues with AT and her sister, Tinklepaugh and the children got into some heated arguments resulting in Tinklepaugh being further alienated from the children.

FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATION & FORMAL ACCUSATION

24. Approximately six weeks following Tinklepaugh's efforts to assist with AT's problems, Tinklepaugh was contacted by Sioux Falls police investigators requesting a meeting to address allegations of abuse.
25. On the advice of counsel, Tinklepaugh did not meet with law enforcement.
26. The allegations of abuse ultimately led to Tinklepaugh being indicted on October 4, 2024, on 21 counts of 1st degree rape in Minnehaha County. (See Court file 49CRI24-007240).
27. Tinklepaugh retained the services of Jason Adams as a defense lawyer for the pending criminal charges.
28. As a result of the indictment, Tinklepaugh was required to resign his position with SSA which he did on October 6, 2024.
29. Upon resigning from SSA, Tinklepaugh ceased practicing law and has not practiced law since October 6, 2024.
30. A jury trial on the rape charges commenced on January 20, 2026.
31. During the trial, an issue arose regarding Tinklepaugh's intentions to use recordings from the passive recording device he had placed in the van AT's mother was driving.
32. Because of the inconsistent statements made by AT, the State and Tinklepaugh reached a plea agreement whereby the 21 counts of rape were dismissed and Tinklepaugh pled guilty to a Class 5 felony for Unlawful Interception of Telephone Communication and a Class 1 misdemeanor for contributing to the abuse, neglect, or delinquency of a minor. (See Court file 49CRI26-001412).
33. Tinklepaugh pled guilty to the revised charges on March 13, 2026, and was sentenced by the Honorable Eric Johnson on March 20, 2026.

FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATION & FORMAL ACCUSATION

34. Tinklepaugh was sentenced to 5 years in the state penitentiary with the time suspended. Tinklepaugh was ordered to spend 180 days in county jail with 89 days suspended and credit for 91 days served.
35. As part of the plea agreement, Tinklepaugh agreed to wait at least 20 months before requesting that the Court grant him a suspended imposition of sentence.
36. Shortly after his sentencing, the South Dakota Supreme Court handed down a decision in *State v. Pickner*, 26 SD 29, which, absent a legislative change, will not allow Tinklepaugh to request that his sentence be modified to include a suspended imposition of sentence to keep the felony from being on his record.
37. Tinklepaugh was also placed on probation for a period of 3 years.
38. Tinklepaugh self-reported his conviction of a felony to the State Bar Disciplinary Board on March 23, 2026.
39. Tinklepaugh is currently employed in outbound shipping for a medical supply company in Sioux Falls.
40. Tinklepaugh currently resides with his brother's family in Alcester, South Dakota. His brother was killed in an automobile accident on October 19, 2025.
41. Tinklepaugh was cooperative with the Board throughout the proceedings.
42. Tinklepaugh has no disciplinary history.
43. Tinklepaugh was sincere and honest in his hearing before the Board.
44. Tinklepaugh was respectful of the Board and its process and is willing to accept whatever discipline is recommended for him.

FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATION & FORMAL ACCUSATION

45. Tinklepaugh has been told he may be re-hired by the SSA if the felony conviction is removed from his record.
46. The Board believes that Tinklepaugh was a victim of alienation by AT's mother and the rape charges that could not be proven as result of the inconsistent statements provided by AT.
47. Tinklepaugh's felony conviction was not related to the practice of law or his professional life but was the result of a poor decision in his personal life.
48. A lawyer with a felony conviction reflects poorly on the legal profession as a whole and impugns the image and integrity of the State Bar and the legal system.

Based upon the foregoing Findings of Fact, the Board hereby makes the following:

CONCLUSIONS OF LAW

1. Tinklepaugh is subject to discipline due to his conviction of a Class 5 felony as set forth in SDCL 16-19-33.
2. Tinklepaugh violated the preamble to the South Dakota Rules of Professional Conduct by engaging in conduct which did not conform to the requirements of the law, in his personal affairs.
3. Tinklepaugh's conduct violates Rule 8.4(b) of the South Dakota Rules of Professional Conduct by committing a criminal act that reflects adversely on his honesty, trustworthiness and fitness as a lawyer.
4. Tinklepaugh violated Rule 8.4(c) of the South Dakota Rules of Professional Conduct by engaging in dishonest behavior related to his illegal placement of a passive listening device in a van used by AT's mother.
5. Tinklepaugh violated Rule 8.4(d) of the South Dakota Rules of Professional Conduct by engaging in conduct that was prejudicial to the administration of justice.

FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATION & FORMAL ACCUSATION

Based upon the above Findings of Fact and Conclusions of Law, the Board hereby recommends that the Supreme Court discipline as follows:

RECOMMENDATION

1. That Tinklepaugh receive a one-year suspension for his misconduct and that the suspension be retroactive to his date of temporary suspension on May 18, 2026.
2. That Tinklepaugh be required to demonstrate by clear and convincing evidence that he has the moral qualifications, competency, and learning in law required for admission to practice law in this state and that his resumption of the practice of law within the state will not be detrimental to the integrity and standing of the bar, the administration of justice, or subversive of the public interest prior to any reinstatement of his licensure.
3. That Tinklepaugh reimburse the State Bar of South Dakota for its expenses in investigating and prosecuting this matter as permitted under SDCL 16-19-70.2.
4. The Board also relied upon the following mitigating factors:
 - (a) absence of a prior disciplinary record;
 - (b) absence of a dishonest or selfish motive;
 - (c) personal or emotional problems;
 - (e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings;
 - (k) imposition of other penalties or sanctions; and
 - (l) remorse;

of the American Bar Association Annotated Standards for Imposing Lawyer Sanctions in reaching its recommendation.

FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATION & FORMAL ACCUSATION

The Board relied upon the precedent of *In re Discipline of Simpson*, 467 NW2d 921 (1991), in reaching its recommendation for discipline and *In re Discipline of Janklow*, 2006 SD 3, 709 NW2d 28.

Dated this 23rd day of July, 2026.

STATE BAR OF SOUTH DAKOTA
DISCIPLINARY BOARD
Amy R. Bartling Jacobsen, Chair

By: Thomas H. Frieberg
Thomas H. Frieberg, Counsel

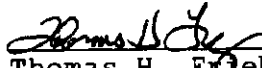
CERTIFICATE OF SERVICE

The undersigned certifies that the Findings of Fact, Conclusions of Law, Recommendation and Formal Accusation was served on the 23rd day of July, 2026, by sending a copy thereof, by email and by certified mail, return receipt requested, to the following addresses:

Personal & Confidential

Mr. Donald E. Tinklepaugh
Attorney at Law
608 Dakota St.
PO Box 672
Alcester, SD 57001
Email: detinklepaugh@yahoo.com

Dated this 23rd day of July, 2026.



Thomas H. Frieberg

IN THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

In the Matter of the	)	JUDGMENT OF DISBARMENT
Discipline of	)	
DYLAN A. WILDE,	)	#31657
as an Attorney at Law.	)	
	)	

The Disciplinary Board of the State Bar of South Dakota served and filed the attached petition for temporary suspension pending final hearing on September 21, 2026.

On September 25, 2026, the Board filed with the Court the attached resignation executed by respondent Dylan A. Wilde in which he states that he does not desire to contest the petition or defend against the complaints and is consenting to disbarment pursuant to the provisions of SDCL 16-19-65. Now, therefore, in compliance with the provisions of SDCL 16-19-66, it is

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

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

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

#31657, Judgment of Disbarment

SEP 28 2026

Shirley A. Jameson-Fergel
Clerk

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

IT IS FURTHER ORDERED that the judgment of disbarment be forwarded to all Courts and State Bar Associations where Respondent is authorized to practice and the American Bar Association.

IT IS FURTHER ORDERED that when the Court receives and files the Disciplinary Board's statement of itemized costs and expenses for these proceedings allowed pursuant to SDCL 16-19-70.2 and 16-19-70.3 a supplemental order for said costs and expenses will be entered.

DATED at Pierre, South Dakota this 28th day of September 2026.

BY THE COURT:

Steven R. Jensen
Steven R. Jensen, Chief Justice

ATTEST: *[Signature]*
Clerk of the Supreme Court
(SEAL)

(Justice Robert Gusinsky disqualified.)

STATE OF SOUTH DAKOTA
In the Supreme Court

I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this 28 day of Sept, 2026.

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

PARTICIPATING: Chief Justice Steven R. Jensen and Justices Mark E. Salter, Patricia J. DeVaney and Scott P. Myren.

SEP 21 2026

Shirley A. Johnson-Leged
Clerk

IN THE SUPREME COURT OF
THE STATE OF SOUTH DAKOTA

* * * * *

IN THE MATTER OF THE DISCIPLINE
OF DYLAN A. WILDE AS AN
ATTORNEY AT LAW

PETITION FOR TEMPORARY
SUSPENSION (SDCL 16-19-35.1)

CASE NO. _____

* * * * *

Comes now the Disciplinary Board of the State Bar of South Dakota ("Board"), by and through its Chairperson, Amy R. Bartling Jacobsen, pursuant to SDCL 16-19-35.1, and hereby petitions the Court for an Order immediately and temporarily suspending Dylan A. Wilde ("Wilde") from the practice of law. This Petition is based upon the following:

1. On or around April 16, 2026, a complaint was filed with the Board with respect to Wilde. The complaint dealt with Wilde's lack of communication, billing issues and inappropriate and unprofessional questions and/or comments to his client ("Client #1"). A copy of the complaint is attached hereto as Exhibit A but due to the personal and sensitive nature of the contents of the complaint, the Board requests that all exhibits referenced in this Petition and all filings supporting this Petition which are submitted herein or any response from Wilde be filed under seal so as to protect the identity and privacy of the complaining clients.
2. Wilde was notified of the complaint on April 29, 2026, with instructions to respond to Board within ten (10) days which he did on May 14, 2026.
3. Wilde's requests of the client included request for photos of mesh leggings and tattoos under the guise that they were necessary to ensure that nothing would be brought up in court related to Client #1's appearance and its affect on her child. Wilde

inserted comments about Client #1 looking good in the mesh leggings and other comments of a flirtatious nature which were unneeded for proper representation.

4. Wilde also was inquiring about Client #1 driving her significant other to/from jail for work and was advised that Client #1 could not do so since she was female and the inmate was male. Wilde asked Client #1 about conjugal visits to which Client #1 replied to keep it professional. Wilde's response was "uhm, OK" without an apology.
5. A letter dated April 24, 2026 was received by the Board in June which contained a complaint from another of Wilde's clients ("Client #2") alleging Wilde had engaged in inappropriate and unprofessional communications with her. The Board requested that Client #2 provide additional documentation to support the allegations in her letter and later received 67 pages of screenshots of text messages between Wilde and Client #2. A copy of the complaint and text messages are attached hereto as Exhibit B.
6. Wilde responded to both complaints and acknowledged that the messages between Client #2 and Wilde were explicit and contained strong sexual innuendo.
7. The messaging between Wilde and Client #2 occurred on a Sunday evening before a scheduled Monday morning hearing related to child custody issues for which Wilde was representing Client #2.
8. The messaging between Wilde and Client #2 continued the morning of the scheduled hearing where Wilde continually detracted from legal advice and pursued Wilde's hopes of having sex with Client #2.
9. Client #2's hearing was cancelled.
10. Client #2 went to the courthouse in hopes of getting to appear before the Court but ultimately was directed by Wilde to return to his office.
11. Client #2 returned to Wilde's office.
12. While in Wilde's office, Client #2 alleges that Wilde sexually assaulted her by reaching up her skirt while

she showing him text messages from her ex-husband related to the subject of the canceled hearing.

13. A letter from Judge Scott Roetzel dated September 3, 2026, was sent to the Board and law enforcement which indicated that one of Wilde's clients ("Client #3") was fearful of Wilde and feared retaliation. The letter had been delivered to Judge Roetzel on the day that Client #3 appeared in court with Wilde.
14. The Board contacted Client #3, who was embarrassed and hesitant to provide additional information because of its explicit nature. Before the Board's September 18, 2026 hearing with Wilde, Client #3 had not submitted details of her concerns, but reported that her employer's legal counsel believed Wilde's conduct was unethical and constituted coercion and blackmail.
15. On September 18, 2026, the Board conducted a hearing on the complaints of Clients #1 & #2.
16. Client #2 testified at the hearing and asserted that Wilde reached up her skirt and touched and possibly penetrated her genitalia in his office on the day in which her scheduled hearing was canceled.
17. Wilde appeared at the hearing and testified that he did not touch Client #2.
18. The Board found Client #2's testimony regarding an inappropriate touching by Wilde to be more credible than Wilde's testimony.
19. Wilde acknowledged that his texting with Client #2 was a violation of the Rules of Professional Conduct.
20. Wilde also testified that he had not engaged in inappropriate communications/interactions with any other client, witness, potential witness or any person with whom he would be involved through his law practice.
21. The Board kept the record open regarding Wilde's hearing which allows it to continue with its investigation into his conduct.

IN THE MATTER OF THE DISCIPLINE OF DYLAN A. WILDE
PETITION FOR ORDER OF TEMPORARY SUSPENSION

22. Following Wilde's hearing, Client #3 forwarded a formal complaint letter with supporting screenshots of s text messages between herself and Wilde. Client #3's complaint alleges more of the same conduct including requests for photos, sexual acts etc. A copy of Client #3's complaint and accompanying texts is attached hereto as Exhibit C.
23. Client #3 felt she had no choice but to cheat on her significant other with Wilde as she was relying on him to assist her with her custody issues and could not afford to retain another attorney.
24. Wilde is a solo practitioner who practices in Spearfish, South Dakota and practices primarily in the areas of family law and civil litigation.
25. Wilde has been divorced twice and was recently arrested and charged with various crimes although the charges were subsequently dismissed.
26. Wilde has a history of complaints which the Board has investigated, including a 2022 caution related to requesting and receiving nude photos from a person with whom he had a prior relationship. Wilde was attempting to renew his relations with the female at a time when she was vulnerable and Wilde was contemplating representation of her brother. Wilde received a caution from the Board since there was no attorney/client relationship.
27. Wilde is unable to control his sexual urges and uses his position of trust to prey upon vulnerable clients who rely on him to advocate for them at a time of great need.
28. Wilde is licensed to practice in South Dakota, Wyoming, and North Dakota.

Wilde's conduct poses an extreme danger to the public and Wilde's clients. Further, Wilde's conduct remains under investigation and will result in a Board recommendation of suspension or disbarment at its conclusion which makes an immediate temporary suspension proper under the circumstances.

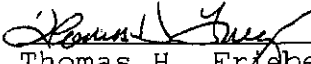
WHEREFORE, the Disciplinary Board respectfully requests that the Supreme Court enter an order immediately suspending

IN THE MATTER OF THE DISCIPLINE OF DYLAN A. WILDE
PETITION FOR ORDER OF TEMPORARY SUSPENSION

Dylan A. Wilde's license to practice law pending the completion of the Board's investigation and formal proceedings or issue such order as the Supreme Court deems appropriate.

Dated this 21st day of September, 2026.

DISCIPLINARY BOARD OF THE
STATE BAR OF SOUTH DAKOTA
Amy R. Bartling Jacobsen, Chairperson

By: 
Thomas H. Frieberg
Board Counsel

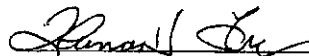
CERTIFICATE OF SERVICE

The undersigned hereby certifies that he mailed a true and correct copy of the foregoing Petition for Temporary Suspension by email and first class mail to the following:

Personal & Confidential

Mr. Michael Wheeler
Attorney at Law
516 5th Street,
Rapid City, SD 57701
mvw@demjen.com

postage prepaid thereon by emailing to Mr. Wheeler and depositing the same in the U.S. Mail, all on this 21st day of September, 2026.


Thomas H. Frieberg
Counsel and Board Secretary
Disciplinary Board
The State Bar of South Dakota

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

SEP 25 2026

Shirley A. Johnson-Land
Clerk

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

* * * *

In the matter of the Discipline)
of DYLAN A. WILDE, as an)
Attorney at Law)

AFFIDAVIT OF RESIGNATION

#31657

STATE OF SOUTH DAKOTA)
:SS
COUNTY OF Lawrence)

I, Dylan A. Wilde, being duly sworn on oath, depose and state that I maintain a business address at 210 W. Grant Street, Spearfish, South Dakota, 57783, and that my residential address is 1221 W. Jackson Blvd Spearfish South Dakota, 57783 I hereby tender my resignation from membership in the State Bar of South Dakota and request and consent to my removal from the roster of those admitted to practice before the courts of this state and from membership in the State Bar.

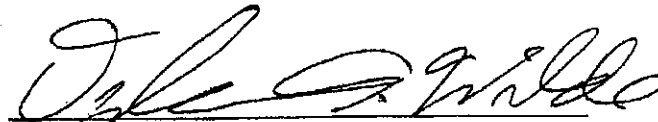
I am aware that there is pending against me three formal complaints concerning alleged misconduct and/or that complaints, allegations or instances of alleged misconduct by me are under investigation by the State Bar Disciplinary Board and that such complaints, allegations and/or instances include: alleged misconduct in violation of the Rules of Professional Conduct,

Page 1 of 3

Rule 1.3, Rule 1.4, Rule 1.8, Rule 8.4 (a) and (d), and SDCL § 16-19-33. The complaints allege, among other things, that I have engaged in explicit messaging with clients seeking sexual gratification, pursued sexual relations with clients, and sexually assaulted one client, all at times when the clients were actively being represented by me.

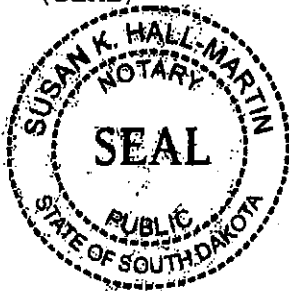
I do not desire to contest or defend against the above-described complaints, allegations or instances of alleged misconduct. I am aware of the rules of the Supreme Court and of the bylaws and rules of procedure of the State Bar of South Dakota with respect to admission, discipline, resignation, and reinstatement of members of the State Bar, including SDCL § 16-19-80. I understand that I shall not be permitted to practice law or act as a legal assistant within the State of South Dakota except as provided by §§ 16-18-34.4 to 16-18-34.7, inclusive. I understand that any future application by me for reinstatement will be treated as an application by one who has been disbarred for misconduct, and that, on such application, I shall not be entitled to a reconsideration or reexamination of the facts, complaints, allegations or instances of alleged misconduct upon which this resignation is predicated. I am aware that the Supreme Court may impose judgment for costs pursuant to SDCL § 16-19-70.1.

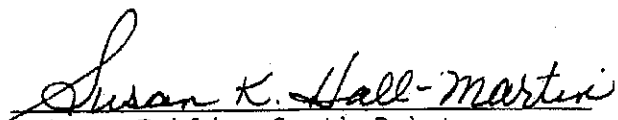
Dated at Spearfish, South Dakota, this 25th day of
September, 2026.

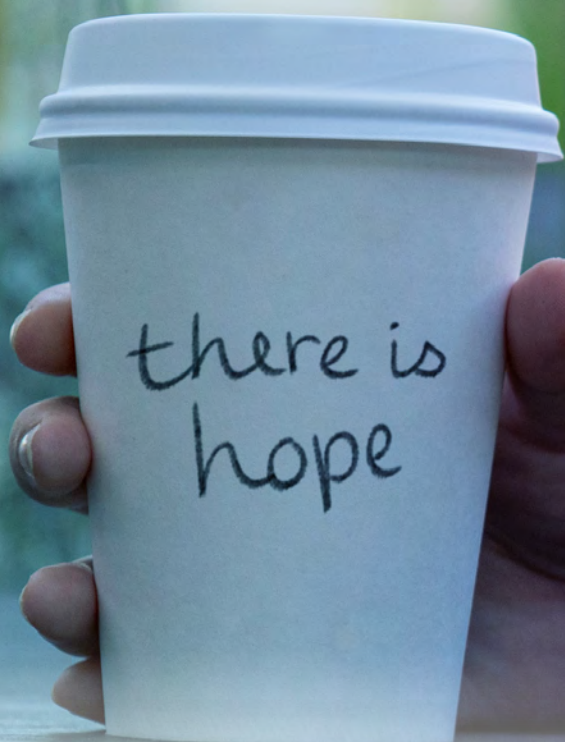

Dylan A. Wilde

Subscribed and sworn to before me this 25th day of
September, 2026.

(SEAL)




Notary Public, South Dakota
My commission expires: 1-30-21



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helplinecenter.org/9-8-8



THE SUPREME COURT
OF THE
STATE OF SOUTH DAKOTA

* * * *

IN THE MATTER OF THE PROPOSED	)	NOTICE OF RULES HEARING
RULE TO MODIFY THE CIRCUIT	)	
COURT BOUNDARIES	)	NO. 159
	)	
	)	

A petition to modify an existing section of the South Dakota Codified Laws having been filed with the Court, and the Court having determined that the proposed modification should be noticed for hearing, now therefore,

NOTICE IS HEREBY GIVEN THAT ON November 9, 2026, at
10:00 A.M., C.T., at the Courtroom of the Supreme Court in the Capitol Building,
Pierre, South Dakota, the Court will consider the following:

A proposed rule to modify the circuit court boundaries.

Section 1. That §16-5-1.2 be amended as follows:

There ~~are shall be seven~~ six judicial circuits ~~consisting which shall be numbered~~
~~and consist of the following counties as follows:~~

- (1) First Circuit: Aurora, Bon Homme, Brule, Buffalo, Charles Mix, Clay, Davison, Douglas, Hanson, Hutchinson, McCook, Turner, Union, and Yankton Counties;
- (2) Second Circuit: Lincoln and Minnehaha Counties;
- (3) Third Circuit: Beadle, Brookings, Clark, Codington, Deuel, Grant, Hamlin, Hand, Jerauld, Kingsbury, Lake, Miner, Moody, and Sanborn Counties;
- (4) Fourth Circuit: Butte, Corson, Custer, Dewey, Fall River, Harding, Lawrence, Meade, Oglala Lakota, Pennington, Perkins, and Ziebach Counties;
- (5) Fifth Circuit: Brown, Campbell, Day, Edmunds, Faulk, Marshall, McPherson, Roberts, Spink, and Walworth Counties; and
- (6) Sixth Circuit: Bennett, Gregory, Haakon, Hughes, Hyde, Jackson, Jones, Lyman, Mellette, Potter, Stanley, Sully, Todd, and Tripp Counties; ~~and~~
- (7) ~~Seventh Circuit: Custer, Fall River, Oglala Lakota, and Pennington Counties.~~

Section 2. That § 16-6-1 be amended as follows:

The number of circuit judges of each of the judicial circuits established by § 16-5-1.2 is as follows:

- (1) First Circuit: Six circuit judges;
- (2) Second Circuit: Fourteen circuit judges;
- (3) Third Circuit: Six circuit judges;
- (4) Fourth Circuit: ~~Four~~ Twelve circuit judges;
- (5) Fifth Circuit: Four circuit judges; and
- (6) Sixth Circuit: Four circuit judges; ;
- (7) ~~Seventh Circuit: Eight circuit judges.~~

Section 3. That § 16-12B-1.1 be amended as follows:

The number of magistrate judges in the judicial circuits established by § 16-5-1.2 is fixed as follows:

- (1) First Circuit: Two full-time magistrate judges;
- (2) Second Circuit: Five full-time magistrate judges;
- (3) Third Circuit: Two full-time magistrate judges;
- (4) Fourth Circuit: ~~Two~~ Six full-time magistrate judges;
- (5) Fifth Circuit: One full-time magistrate judge; and
- (6) Sixth Circuit: One full-time magistrate judge; ; ~~and~~
- (7) ~~Seventh Circuit: Four full-time magistrate judges.~~

Explanation for Proposal

The proposal by the State Court Administrator's Office would combine the current Fourth and Seventh Circuits into a newly constituted Fourth Circuit. The proposal is not based on any other state or federal law.

The proposed effective date of this rule is January 1, 2027.

I. Background and Rationale

Currently, the UJS is divided into seven judicial circuits as the administrative organization of the circuit courts. The Fourth Judicial Circuit consists of Butte, Corson, Dewey, Harding, Lawrence, Meade, Perkins and Ziebach counties. The Seventh Judicial Circuit consists of Custer, Fall River, Oglala Lakota and Pennington counties. The proposed rule merges the counties into a new Fourth Judicial Circuit and reduces the numbers of judicial circuits from seven to six statewide. If adopted, the proposed revisions to the composition of the circuits would be the first since 1999.

Under the proposed rule all the current circuit and magistrate judges would be assigned to the new Fourth Judicial Circuit. After the merger, the location of the

current judicial positions will remain the same and each judge will retain their current office location.

The proposal is designed to strengthen the Unified Judicial System’s ability to manage increasing caseloads, shifting population trends, and the evolving administrative needs of both rural and urban communities. It aims to position the courts for long-term stability and responsiveness. To that end, the proposal:

- Establishes a single administrative structure for managing circuit operations across the new twelve-county circuit, including clerk of courts offices and probation services.
- Creates efficiency and money savings by allowing the UJS to immediately re-purpose three needed positions within our court system that would otherwise require a legislative budget request of more than \$300,000.
- By creating more standardization of court processes within our system, it is anticipated that there will be additional long-term opportunities to avoid future costs by re-distributing work from busier locations to less busy locations.
- Provides greater flexibility and expanded resources to assign judges where they are most needed across the new circuit.
- Allows work to be distributed more efficiently across a large and diverse geographic area.
- Responds proactively to population changes and movement within the affected counties.
- Allows the UJS to repurpose a duplicative administrative position to create a Chief Clerk of Courts position to streamline clerk operations and support workload distribution across the circuit.

While current operations function well, the demographic, geographic, and caseload trends within western South Dakota are shifting. The proposal is intended to anticipate future needs, not react after strain is already felt. Proactive restructuring helps avoid future disruptions and preserves long-term service quality.

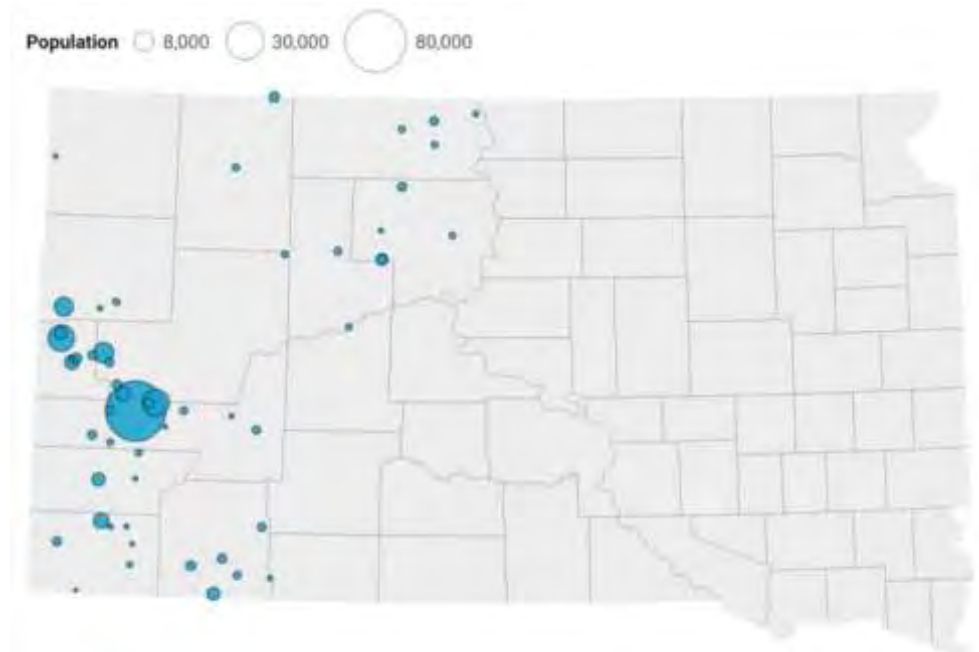
Key considerations identified for circuit boundaries:

- Changing demographics and population patterns
- Court caseload and trial activity
- Connected communities and trade areas
- Use and distribution of judges, clerks, court services staff, and other positions

II. Population Distribution, Legal Services, and Filings

A. Population Distribution

Population in western South Dakota is concentrated primarily in the Rapid City area and extends through the northern Black Hills, with smaller population centers dispersed throughout the surrounding rural communities.

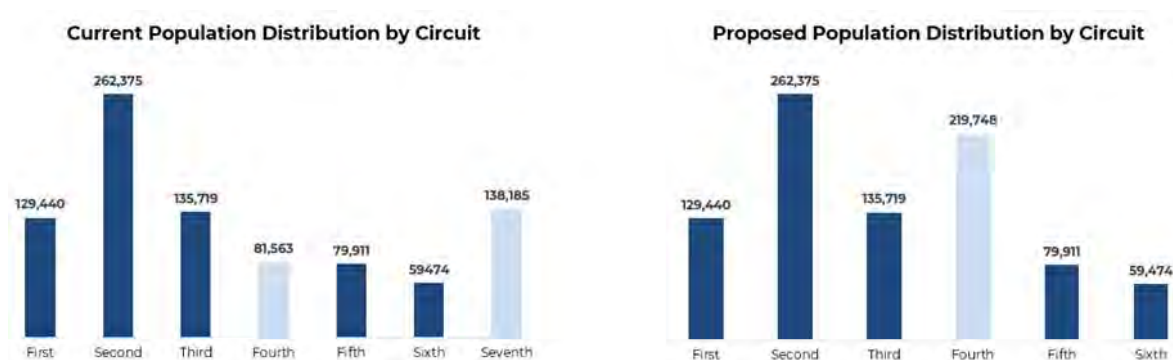


2020 Census block data show that approximately 96 percent of Meade County's population is concentrated south of the 44.60° N latitude line, shown in orange.



Circle size represents the population of each Census block.

The Fourth and Seventh Circuits currently serve populations of 81,563 and 138,185, respectively. Under the proposed consolidation, the combined Fourth Circuit would serve 219,748 people. While this would make it one of the state's larger circuits by population, it would remain smaller than the Second Circuit, which serves 262,375 people.



B. Legal Services

Judicial Officers

The Fourth and the Seventh Circuits constitute the entirety of western South Dakota. Judge locations are primarily in and around the Black Hills and Rapid City area, with additional judicial resources available in the more rural part of the Fourth Circuit.

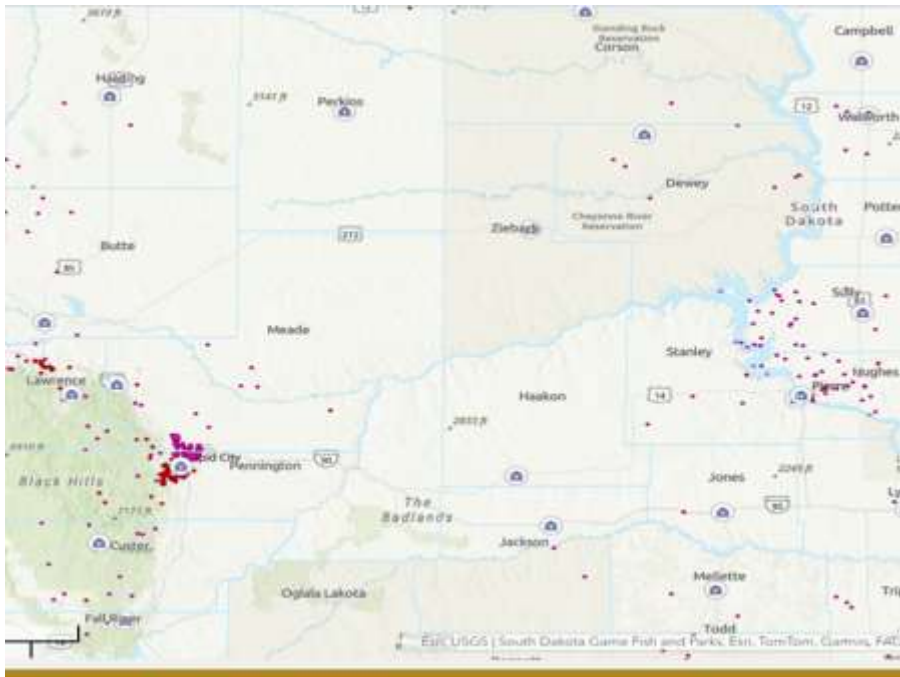


Each circuit judge is represented by the image of a gavel. Magistrate judges are represented by stars.

Active Attorneys

Active attorneys are clustered in and around Rapid City and the northern Black Hills, with substantially fewer attorneys dispersed throughout the more rural portions of the

Fourth and Seventh Judicial Circuits. As shown below, each dot represents one active attorney.



Each dot represents one active attorney.

C. Filings

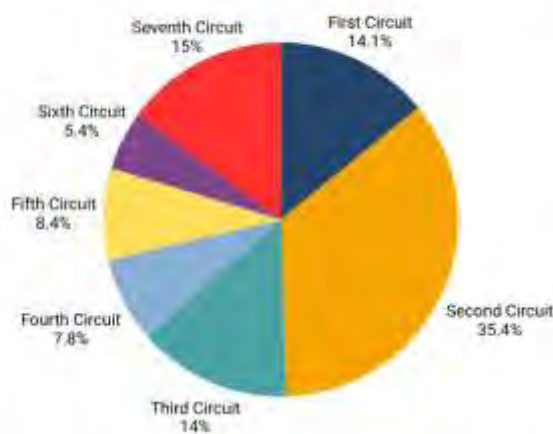
Current Filings by County

County filing data reflects a similar distribution of court activity, with a greater number of filings occurring in communities with the greater populations. Last year, Pennington County accounted for 26,943 filings, followed by Meade County with 6,620, Lawrence County with 5,440, and Butte County with 2,231 filings.



Current Filings by Circuit

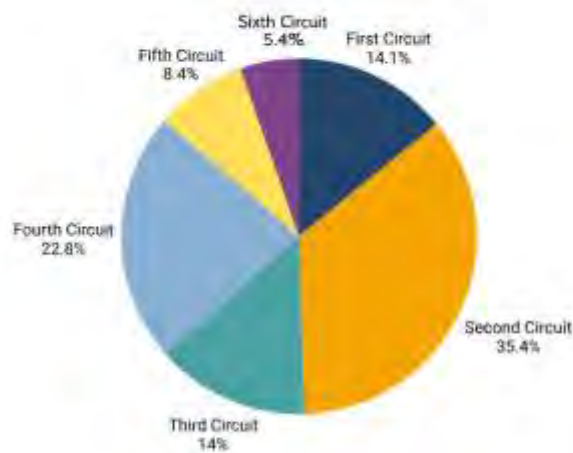
The Fourth Circuit currently accounts for 15,549 filings, or 7.8 percent of statewide filings, while the Seventh Circuit accounts for 29,715 filings, or 15 percent.



	Civil	Criminal	Total
First Circuit	8,096	19,917	28,013
Second Circuit	22,551	47,808	70,359
Third Circuit	8,575	19,190	27,765
Fourth Circuit	4,364	11,185	15,549
Fifth Circuit	4,339	12,291	16,630
Sixth Circuit	2,593	8,054	10,647
Seventh Circuit	8,683	21,032	29,715
Totals	59,201	139,477	198,678

Proposed Merger Filings by Circuit

Under the proposed consolidation, the combined Fourth Circuit would account for 45,264 filings, or 22.8 percent of statewide filings. Although this would make the Fourth Circuit the second-largest circuit by filing volume, its total filings would remain substantially below the Second Circuit, which accounts for 70,359 filings, or 35.4 percent of the statewide total.



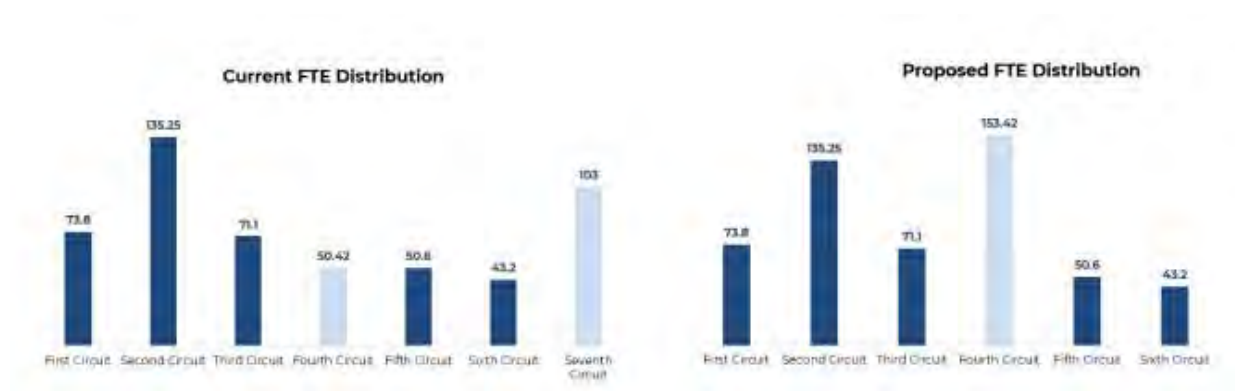
	Civil	Criminal	Total
First Circuit	8,096	19,917	28,013
Second Circuit	22,551	47,808	70,359
Third Circuit	8,575	19,190	27,765
Proposed Fourth Circuit	13,047	32,217	45,264
Fifth Circuit	4,339	12,291	16,630
Sixth Circuit	2,593	8,054	10,647

The new Fourth Judicial Circuit would become South Dakota’s largest by geography; however, it will only be the second largest by filings and population. With that size comes the opportunity to modernize and streamline operations while preserving local accessibility and judicial presence.

III. Judicial Workload and Resource Distribution

A. FTE Distribution

The Fourth and Seventh Circuits currently have 50.42 and 103 FTE, respectively. Under the proposed consolidation, the combined Fourth Circuit would have 153.42 FTE, making it the largest circuit by FTE allocation, followed by the Second Circuit with 135.25 FTE.



B. Judge Distribution

The Fourth and Seventh Circuits currently have a combined 12 circuit judges and six magistrate judges. The proposed consolidation would not change the number of judges, but would place them within a single circuit, representing 29 percent of the state's judges. This distribution would be comparable to the Second Circuit, which has 14 circuit judges and five magistrate judges and represents 30 percent of the state's judges.

Current Distribution				Proposal			
	Circuit Judges	Magistrate Judges	Percent of Judges		Circuit Judges	Magistrate Judges	Percent of Judges
First Circuit	6	2	13%	First Circuit	6	2	13%
Second Circuit	14	5	30%	Second Circuit	14	5	30%
Third Circuit	6	2	13%	Third Circuit	6	2	13%
Fourth Circuit	4	2	10%	Fourth Circuit	12	6	29%
Fifth Circuit	4	1	8%	Fifth Circuit	4	1	8%
Sixth Circuit	4	1	8%	Sixth Circuit	4	1	8%
Seventh Circuit	8	4	19%	Totals	46	17	63
Totals	46	17	63				

C. Clerks FTE Distribution

Clerk staffing needs vary across counties within both circuits. Pennington County has the largest staffing deficit at 3.0 FTE, while several smaller counties show available capacity. Consolidation would provide greater opportunities to share clerk resources and redistribute work across the combined circuit in response to these differences.

County	FTE Allocated	FTE Surplus/Deficit
Butte (Fourth Circuit)	2.3	-.25
Corson (Fourth Circuit)	.62	+.08
Dewey (Fourth Circuit)	.58	+.29
Harding (Fourth Circuit)	.87	+.64
Lawrence (Fourth Circuit)	6.0	-.60
Meade (Fourth Circuit)	5.83	-.67
Perkins (Fourth Circuit)	.88	+.36
Ziebach (Fourth Circuit)	.50	+.34
Custer (Seventh Circuit)	2.0	+.58
Fall River/Oglala Lakota (Seventh Circuit)	3.0	+1.09
Pennington (Seventh Circuit)	27.0	-3.0

D. Probation Officer FTE Distribution

The Fourth Circuit is allocated 11.0 probation FTE and has a workload surplus of 2.73 FTE. The Seventh Circuit is allocated 27.0 probation FTE and has a workload surplus of 6.18 FTE.

Circuit	FY25 Allocated FTE	FY25 FTE Surplus/Deficit
Fourth Circuit	11.0 FTE	+2.73
Seventh Circuit	27.0 FTE	+6.18

IV. Case Activity and Supervision

A. Trials

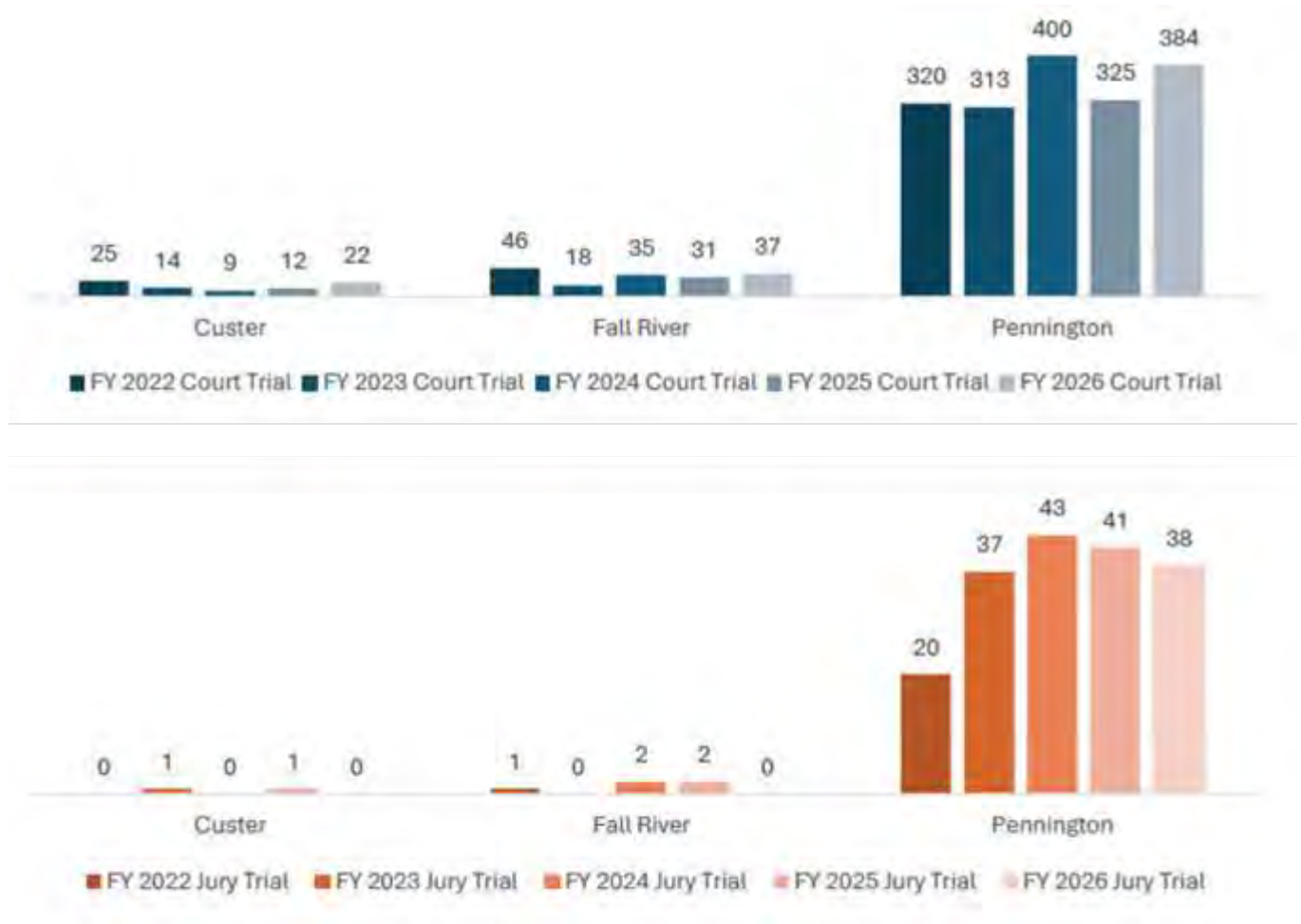
Fourth Circuit Trials

Trial activity in the Fourth Circuit is centered primarily in Lawrence and Meade counties, which consistently account for the largest number of court and jury trials. Butte County also has regular trial activity, while the remaining counties generally have substantially fewer trials. Across the five fiscal years shown, Lawrence County had the highest level of both court and jury trial activity.



Seventh Circuit Trials

Trial activity in the Seventh Circuit is driven largely by Pennington County, which consistently accounts for most of both court and jury trials. Custer and Fall River counties have comparatively lower levels of trial activity across the five fiscal years shown.



B. Supervision

On June 1, 2026, the Fourth Circuit supervised 474 adults on probation. Lawrence County accounts for the largest share, with 199 individuals under supervision, followed by Meade County with 147 and Butte County with 96.

Fourth Circuit	Adults Currently Being Supervised
Butte County	96
Corson County	11
Dewey County	11
Harding County	1
Lawrence County	199
Meade County	147
Perkins County	5
Ziebach County	4
Fourth Circuit Total	474

During that same time the Seventh Circuit supervised 1,040 adults on probation, with the substantial majority located in Pennington County. Pennington County accounts for 996 individuals under supervision, compared with 16 in Custer County and 4 in Oglala Lakota County.

Seventh Circuit	Adults Currently Being Supervised
Custer County	16
Fall River County	24
Oglala Lakota County	4
Pennington County	996
Seventh Circuit Total	1,040

**55 cases with probation supervision in both Fourth Circuit and Seventh Circuit active in last fiscal year.*

V. Effects of the Proposed Merger

A. Operations and Services Unchanged by Merger

Public Access

The proposal does not reduce public access or local services. It does not close clerks of court offices, reduce hours, eliminate judges' travel to counties, or relocate judges from their current duty stations.

This is not a precursor to reduced services or a way to replace in-person hearings with remote ones. There is no plan to reduce services, close offices, or limit in-person proceedings. Remote technology remains optional and supplemental, not a replacement for local access. The proposal supports maintaining regular judicial travel, not limiting it.

Rural Court Services

Rural identity and community relationships are central to the circuit's success and will remain so. The proposal does not alter the location or presence of judges, clerks, or staff, nor does it reduce local engagement. Streamlining administrative functions enhances support to rural counties rather than diminishing their character or autonomy. The merger provides opportunities to keep existing clerk's offices open in the most rural counties by shifting work rather than closing offices and relocating employees to busier counties.

Judicial Elections

While there may be concerns that a merger will distort judicial elections because Pennington County has more attorneys and a larger population, judicial elections will continue to be nonpartisan and governed by the same legal framework in place today. While circuit populations differ, every judicial candidate faces election every eight years. Circuit court judges facing judicial election must convince the voters of the counties and circuit they are the most qualified candidate. Many other circuits also have concentrated population centers that must be accounted for by judicial candidates.

Resource Allocation

The proposed merger is designed to prevent resources from being drawn away from smaller counties. First, smaller counties will retain the same level of judicial presence and services they have now. Second, a single administrative structure and flexible workload assignments ensure resources are distributed based on need across the entire circuit or redistributed to ensure smaller counties are able to maintain current staffing levels by bringing the work to them. Judges and staff will continue to work from their current duty locations, and regular travel schedules will remain in place. Nothing in the proposal changes those expectations. Any administrative adjustments are intended to support staff, not increase travel demands.

B. Immediate Administrative Changes

The most immediate changes would be to the administrative structure of the two circuits. The merged circuit would operate under one presiding judge, one circuit administrator, one chief court services officer, and one deputy chief court services officer. The presiding judge would be in Rapid City.

C. Long-Term Benefits

Over the longer term, the merger would allow resources currently divided between the Fourth and Seventh Circuits to be used more flexibly. Clerk work-sharing could be developed to redistribute work from larger counties to smaller counties with available capacity under the direction of the Chief Clerk of Courts. Probation resources could likewise be used more broadly to respond to the needs of a transient population, and

Notice of Rules Hearing No. 159 – November 9, 2026

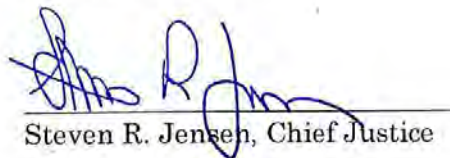
judicial resources could be used more efficiently by having the judges of the current Fourth and Seventh Circuits within a single circuit.

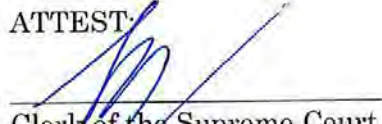
Any person interested may appear at the hearing and be heard, provided that all objections or proposed amendments shall be reduced to writing and filed with the Clerk of the Supreme Court no later than October 26, 2026. Subsequent to the hearing, the Court may reject or adopt the proposed amendments of any rule germane to the subject thereof.

Notice of this hearing shall be made to the members of the State Bar by electronic mail notification, by posting notice at the Unified Judicial System's website at <https://ujis.sd.gov/supreme-court/rules-hearings/> or the State Bar of South Dakota's website <https://www.statebarofsouthdakota.com>.

DATED at Pierre, South Dakota this 2nd day of October, 2026.

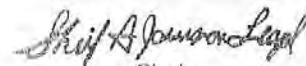
BY THE COURT:


Steven R. Jensen, Chief Justice

ATTEST:

Clerk of the Supreme Court
(SEAL)

SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

OCT -2 2026


Clerk

A Decision to Hire a Contract Attorney Should Never Be Just About the Money

By: Mark Bassingthwaighe, Risk Manager



Solo and small firm lawyers hire contract attorneys for all kinds of reasons: smoothing out workflow spikes, adding subject matter expertise, covering hearings, or simply trying to control overhead. There's nothing wrong with any of that. In fact, when done thoughtfully, contract attorney relationships can be a smart, client centered way to deliver excellent legal services without overextending your firm.

But here's the trap: when the decision is driven only by cost savings, it's too easy to overlook the risk management implications that come along for the ride. And those implications can be significant. Conflicts of interest, accountability for work product, client disclosure, confidentiality, and malpractice insurance coverage all deserve deliberate attention before you bring anyone on board.

This isn't about discouraging the use of contract attorneys. It's about helping you use them safely, ethically, and in a way that strengthens, rather than jeopardizes, your practice.

Insurance Coverage: Don't Assume They're Covered

- One common misconception is the belief that contract attorneys are automatically covered under the firm's malpractice policy. Sometimes they are. Sometimes they aren't. And the difference matters.
- Carriers vary widely in how they treat contract attorneys:
- Some treat them the same as employed attorneys once you notify the carrier and pay any additional premium.
- Others draw a hard line and will not extend coverage at all.
- Still others will cover them only if they meet specific criteria (exclusive relationship, no outside clients, long term engagement, etc.).

From the carrier's perspective, contract attorneys often represent an unknown risk:

- They may work for multiple firms.
- They may have their own clients.
- They may come and go frequently.
- Their training, supervision, and work habits may be inconsistent.

If your carrier won't extend coverage, the contract attorney may need their own policy. Just be aware that if they'll be appearing in court, taking depositions, or having direct client contact, that policy may not provide any coverage for the work they do on behalf of clients of your firm. Of course, having them purchase their own policy may not be necessary if there will never be any client contact and your firm will be reviewing and accepting accountability for the contract attorney's entire work product.

Here's the bottom line. Before you hire anyone, call your carrier. Explain the relationship, the scope of work, and the level of access the attorney will have so that the situation can be fully understood, documented, and appropriately underwritten by the carrier if they are willing.

Client Disclosure: It's Their Matter, Not Yours

Ethically, you must disclose the involvement of contract attorneys in most circumstances. But even beyond the rules, there's a deeper principle at play: respect for the attorney client relationship.

Clients deserve to know:

- Who is working on their matter,
- Why this person is involved,
- What skills they bring,
- How confidentiality will be protected, and
- Whether the arrangement affects cost.

Most clients are perfectly comfortable with contract attorney involvement once they understand the "why" and the "how." What they don't appreciate is surprise. A simple, transparent conversation up front builds trust and avoids awkwardness later.

Sample Engagement Letter Disclosure Paragraph

Here's a client friendly sample paragraph that might prove useful.

Use of Contract Attorneys:

To ensure that your matter receives the appropriate level of attention and expertise, our firm may engage the services of outside contract attorneys for specific tasks such as research, drafting, or court appearances. These attorneys work under our supervision and are bound by the same

duties of confidentiality and professional responsibility that apply to all members of the firm. We will review all work performed by contract attorneys, and you will not be billed for their services at a higher rate than you would be billed for comparable work performed within the firm.

Accountability and Supervision: You Own the Work Product

Under agency principles, your firm is responsible for the work performed by contract attorneys acting within the scope of their engagement. **Even if you classify them as independent contractors and the contract attorney carries their own malpractice coverage, you may still face:**

- A negligent supervision claim,
- A negligent hiring claim, or
- A vicarious liability claim.

Given this, appropriate risk management practices require that you:

- Establish clear expectations about scope and deadlines,
- Conduct regular check-ins,
- Thoroughly review their work product,
- Obtain a signed confidentiality agreement
- Train staff not to discuss unrelated matters in front of contract attorneys, and
- That you ask about prior claims, disciplinary history, and relevant experience.

Stated another way, if you wouldn't hire them as an associate, don't hire them as a contract attorney.

The Imputed Conflicts Problem

Conflicts analysis can become significantly more complicated when contract attorneys work with multiple firms or have access to multiple client files, which means the degree of integration matters enormously.

Lower-Risk Scenario

- Conflicts are less likely to be imputed to your firm in situations where the contract attorney:
- Works remotely,
- Has no access to your firm's files and systems, and
- Handles a single, isolated project

Higher-Risk Scenario

Conflicts are far more likely to be imputed to your firm when the contract attorney:

- Works inside your office,
- Has broad access to your files or systems,
- Works on multiple matters,
- Has direct client contact, and
- Works simultaneously for other firms

Practical steps to reduce conflict risk:

- Limit access to only the files necessary for the assignment
- Use isolated workspaces or a remote only arrangement
- Restrict access to your case management system
- Document the scope of the relationship
- Ask about the attorney's other clients and engagements
- Re-run conflicts checks if the relationship expands

Confidentiality and Data Security: Don't Forget the Digital Side

- Even if the contract attorney never sets foot in your office, they may still have access to:
- Cloud-based files
- Email threads
- Client documents
- Drafts and internal notes

Make sure you address:

- Secure file-sharing methods
- Prohibitions on using personal devices without safeguards
- Password and multifactor authentication requirements
- Data retention and deletion expectations
- Confidentiality obligations that survive the engagement
- Understand that a breach caused by a contract attorney is still a breach of your network.

In Conclusion:

The decision to use contract attorneys can be an appropriate decision that brings real value to your firm and the clients you serve. Just don't rush into this for the expense savings alone because there can be unintended consequences that in the end could prove costlier than if you had never hired the contract attorneys in the first place.

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.*

In Memoriam



Rollyn Habeger Samp
September 20, 1943 –
September 1, 2026

Rollyn Habeger Samp, 82, of Sioux Falls, a South Dakota original whose life was built on family, faith in Christ, friendship, and the state he never stopped serving, passed into eternal rest on Tuesday, September 1, 2026, under the compassionate care of Dow Rummel Village Hospice in Sioux Falls, surrounded by family, after a short illness with cancer.

Rolly loved his wife, Karen, first, for whom his entire world revolved around. He loved his family. He loved the church. He loved his friends and his work. He also loved South Dakota with a loyalty that was not just sentimental, but also practical: he spent a lifetime fixing what was broken in it, writing what it needed, speaking for those who had no voice, and telling the truth when it wasn't popular. Clients called him when they were in trouble. Neighbors called him when a law needed changing. Young people called him when they needed a roof and a second chance. He always answered the call.

Rolly was born September 20, 1943, in Chester, South Dakota, the nearest hospital to Wentworth, where his mother lived and his grandparents farmed, the son of Elden Burmester Samp and Ardyce Habeger Samp. His first years unfolded while his father served in the Pacific in World War II with a fleet band that played for troops. When his father came home at Christmas 1945, the family made a life in the small towns of eastern South Dakota. His mother wrote for the Argus Leader and kept a food column that ran in newspapers across the Upper Midwest. His father directed high school bands, including in Flandreau, the town Rolly always named as home. Flandreau formed him: a prairie town, a tribal nation next door, and a sense that a person was supposed to be useful.

He carried that expectation to Augustana College, where he met a young lady named Karen who he decided he'd marry the moment he met her. Augie is where he earned a degree in political science and communications, debated on a national champion college team, and received the Sen. Francis Case Leadership Award and the Sen.

Robert Taft Award. He earned his Juris Doctor from the University of South Dakota School of Law in 1968 and was admitted to the South Dakota bar that same year. Fifty-eight years later, his peers still gave him the highest independent mark a lawyer can receive, the Martindale-Hubbell AV Preeminent rating. The rating measured skill and ethics. People who knew him measured something simpler. He was a true north of integrity in the public interest.

In June of 1964, in Bismarck, North Dakota, Rolly married that young lady he fell in love with, Karen Ann Moore. That same year the Argus Leader named them Newlywed Couple of the Year. They were dedicated to each other for 62 years. Together they raised seven children: Michael, Matthew, Rondina, John, Rebecca, Elizabeth and Susan, and he had a special bond with each of them. Together, Rolly and Karen also opened their home as foster parents to more than 70 young people over 18 years. They treated each person who entered 2609 as family. To this day, people who grew up in that house still call them Mom and Dad.

Faith was life. Rolly and Karen belonged to St. Mark's Lutheran Church in Sioux Falls, where he served on the building committee for the church's iconic pyramid sanctuary. He served as vice president and president of Hope Lutheran Church and as a delegate to the Dakota Crossroads Conference and the South Dakota ELCA State Convention. He sat on the Augustana College Fellows Cabinet. He founded the Fellowship of Christian Estate Planners and wrote *Final Tithe: A Christian Approach to Estate Planning*, a book that treated money as a matter of stewardship rather than mere accumulation. He liked to tell clients they could "run an estate from the grave." It was a joke with a sermon inside it: take care of the people you love and do it on purpose.

When people really needed a lawyer, they often called Rolly Samp. He fought for families, farmers, and small-business owners, taking cases other lawyers wouldn't touch. He masterminded and negotiated the release of a baby held hostage by Pablo Escobar's Medellín cartel. He served as co-counsel for a young woman wrongly accused of drug trafficking and helped win a verdict of innocence before Mexico's Suprema Corte de Justicia de la Nación, the nation's highest court. He represented entities in more than \$8 billion in Wall Street financing and, over a career, served more than 5,000 families and 1,000 businesses. He was an old-fashioned lawyer who listened hard, thought harder, and did not confuse cleverness with character.

South Dakota law bears his handwriting in many ways. He's credited with authoring the state's economic development tax incentive, its original homeschool legislation, amendments to state administrative procedure, Rural Ambulance District laws, and local-option tax legislation. He helped organize the citizen effort that authorized and funded a four-year medical school for the state; you know that today as the University of South Dakota Medical School. In 1976, he worked to authorize funding for students at private colleges. He helped pass the state's parochial and Christian school tuition law. In 1977, he was among the leaders who ended a 40-year ban on championship high school football playoffs. Later he served on the Governor's Task Force on trust reform and co-authored a 1999 University of South Dakota Law Review article, "The Negligent Situs of Trusts." The trust-law work that followed helped make South Dakota, in the judgment of Forbes, Fortune, The New York Times, The Wall Street Journal, and a long list of financial institutions, one of the best places in the country to keep your money. He did not do that work to make the state fashionable. He did it because he believed the law should protect people who built something and wanted it to last.

Government was never a spectator sport for him. As a young man, he spent six years heading the South Dakota field staff of U.S. Rep. Ben Reifel, the first Plains Native American elected to Congress. At 25, he was chief of staff to Governor Frank Farrar. His political consulting firm handled more than 770 campaigns and won 92 percent. He was South Dakota's longest-serving Republican precinct committeeman, elected continuously since 1964. Governor William Janklow honored him with an Outstanding Citizen Award and had the back of the medal engraved: "You made me look good a lot of days." Rolly liked the line because it was honest. He was not interested in looking good. He wanted to get the work done.

That same instinct shaped his work with Native nations. He served eight years as chief tribal judge for the Flandreau Santee Sioux Tribe and belonged to the Northern Plains Tribal Judges Association. He helped defeat a referendum that would have mandated state jurisdiction over Indian reservations and helped organize the United Sioux Tribes. In 1986, the United Sioux Tribes gave him their highest honor, a blessed peace pipe, in thanks for decades of service. The honor sat alongside the quieter work: showing up for families who needed him and treating tribal sovereignty as law and people with dignity.

He had a gift for standing in rooms that did not look like a prairie law office. For 19 years he was risk manager for NFL Super Bowls. He held the same post for Ford's 100th anniversary celebration and for several NCAA Final Four tournaments. He produced "South Dakota Remembers," the World War II golden-anniversary celebration at the State Fair in 1995 and later produced the 2001 unveiling of the state's World War II Memorial on Capitol Lake. He served as secretary and director of the USS South Dakota Battleship Memorial and spent years helping preserve the legacy of the most decorated battleship of the Second World War.

For more than 25 years, he was president of SFEA, a nonprofit housing organization that served thousands of disadvantaged families, special-needs adults, and seniors in South Dakota, Iowa, and Nebraska. In 1985, he founded South Dakotans to Save Our Lakes and served as the group's president from 1987 to 1991. He sat more than 40 years as a director of the Lake Madison Development Association and was volunteer editor of The Lake News, which he liked to call the world's largest lake newspaper, for 38 years. He served as president of the Dakota Chapter of the Cystic Fibrosis Foundation and helped found cystic fibrosis clinics in the state. He coached youth basketball for 18 years and spent many years as a Cub Scout leader. In 1989, he received the Friend of 4-H Award and 4-H Humanitarian of the Year. In 1991, the South Dakota Hall of Fame presented him with a special achievement award. At the request of Mayor Mike Huether he served on the advisory committee that built the Midco Aquatic Center. He also served on the Minnehaha County Bicentennial Committee, the Siouxland Libraries board, the Minnehaha County Ambulance Study Committee, and as a delegate to the South Dakota Futures Convention.

He wrote the way he talked: in sentences meant to be used. He authored and coordinated The Governors of South Dakota. For over two decades, his weekly newspaper column, "What's the Law?," reached some 400,000 readers. His books include The Murdo Massacre and If You Like the '50s, You'll Love These Stories. He wrote for Communicating for Agriculture, Farm Forum, and Conservation Digest, and he was a special consultant to Dan Rather and CBS News for the 1987 television special "Farm Crisis." During the farm crisis, he helped save over 1,500 family farms.

In 2023, Dakota State University awarded him an honorary Doctor of Public Service. Friends of the university have said the school itself would not exist

today without the breakfast conversation in which Rolly persuaded Governor Janklow not to close it and then helped point it toward a future in technology. He received the degree and said he had spent his life with words but could not find one for how he felt. That was as close as he came to being speechless.

People who sat across from him remember the rest. He offered sage advice to clients and anyone else who asked, without asking for a thing. He had a quick wit that could cut a pompous argument down to size and then, moments later, put a worried person at ease. He lived a life of serving others in way big and small but never seeking credit.

He is survived by the love of his life, his dedicated wife of 62 years, Karen Ann (Moore) Samp; and by their seven adult children and their families: Michael (Julie) and their children Jacob (Madison), Margaret, and Peter; Matthew (Matheus); Rondina Fire and her daughter Christine Egert, John Fire and his daughter Laramie, Rebecca (Dr. Kevin) Vande Berg; Elizabeth (Joseph) Antonio and their daughter Scarlett; Susan (Young) Chau and their children Eric, Alison, April, and Annie.

He is also survived by his sister, Cynthia (Duane) Boesch;

his nephews Anthony (Jennifer) and Daniel (Katie) and his niece April; his cousins Nancy (William) Lustfield, and their son Travis; Bruce (Pawn) Marek, Greg (Monica), and Gail (Jeff) Spars; his brother-in-law James Patrick (Sam) Moore, nieces Jennifer (Shane) Randolph, Christine (Michael) Layman and their many children and grandchildren; and by many other cousins, relatives, and members of his extended family, whom he cared for deeply and who often sought his counsel and advice.

He was preceded in death by his father, Elden Burmester Samp; his mother, Ardyce Habeger Samp; his brother, Timothy Elden Samp; his grandparents Jacob and Rosella Habeger and Albert and Veda Samp; and his great-aunts LaVonne Habeger (Ralph) Hass and Eileen Habeger (Dr. Jerry) Marek.

Rolly Samp was a Flandreau boy who became a Sioux Falls lawyer, a churchman, a foster father, a writer, a judge, a political mechanic, a lake editor, and a keeper of other people's emergencies. He remained, to the end, a South Dakota original. The state is a better place because of Rolly. The people who loved him are better off today because he belonged to them.

More

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Boosting Financial Confidence

October 15, 2026
12:00 pm EDT – 12:45 pm EDT
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HEALTH

BOARD OF BAR COMMISSIONERS
Amended Minutes, October 23, 2025
Military Heritage Alliance, Sioux Falls, and via Teams

President John Richter called the meeting to order at 8:34 AM on October 23, 2025. Present for all or part of the meeting were President Richter, President Elect Mark Haigh, and Commissioners Justin Johnson, Emily Maurice, Anthony Teesdale, Kim Kinney, Jerry McCabe, Ellie Bailey, Matthew Naasz, Teramie Hill, Amber Mulder, Sarah Covington, Stacy Johnson, Kristen Edwards, and Steve Blair. Also present were Executive Director/Secretary-Treasurer Paul Cremer, Director of Operations Tracie Bradford, Lawyers Assistance Program Director Becky Porter, Bar Services Coordinator Alyssa Blasius, Communications/Membership Coordinator Tailynn Bradford, Administrative Assistant Brooklyn Drewes, and Parliamentarian Tom Welk.

President's Welcome: President Richter discussed the success of the mixer held on October 22 and efforts to be inclusive and encourage involvement.

Board Conflict Disclosure: No conflicts were noted.

Approve minutes of September 18, 2025, Meeting: Commissioner Covington moved to approve the minutes of the September 18, 2025, Bar Commission meeting. Commissioner Teesdale seconded the motion. Motion carried.

Cashroom Member Benefit: The Commission considered a proposal from Cashroom to provide a discount to members as part of a member benefits program. President Elect Haigh made a motion to reject the proposal. Commissioner Teramie Hill seconded the motion. Motion carried.

Fastcase Update: Bar staff worked with the South Dakota Bar Foundation and the Bar Commission to provide Fastcase legal research resources to State Bar members as a free member benefit. Legal research resources previously available on DakotaDisc are now available on Fastcase on the State Bar website. Bar staff is continuing to work with Fastcase and related entities vLex and Clio to raise awareness that State Bar members and USD Law students now have access to this free legal research platform.

Old/New Business: President Richter discussed the status of the Bar Commission conflict of interest form and the Public Sector bylaw change with staff. Bar staff will continue to work on both projects.

Strategic Planning Committee Discussion: Dick Casey and Jennifer Williams provided a summary report of the May 30, 2025, Strategic Planning Committee (SPC) retreat. SPC proposed and the Bar Commission adopted a new strategic plan in 2024. SPC recommends that the State Bar prioritize Goal 2, Strategy 3 (support well-being) and make well-being efforts more sustainable. These efforts generally include addressing the culture of well-being, identifying and addressing barriers, and messaging.

The Strategic Plan Committee made the following recommendations and described the next steps as follows:

That the State Bar provide immediate support for the current LAP Director, including staff assistance, volunteer engagement, and succession planning.

That the State Bar initiate a campaign to normalize help-seeking behaviors immediately, emphasizing consistent messaging and resource updates on the Bar's website. Immediate actions include updating the Bar's website, conducting qualitative research on member needs, and integrating wellness into attorney competency frameworks.

That the SPC establish a Well-Being Working Group to explore a sustainable structure for wellness programming for the State Bar and report recommendations to the Strategic Plan Committee for further action. We anticipate that following that further discussion, the SPC will bring a report and recommendations to the Bar Commission. This group has been established, and work has already begun. Volunteers for this Working Group are: Alison Ramsdell, Franci Foral, Stacy Johnson, and Sam Kerr. Bar Staff, Stephanie Pochop, and Becky Porter will serve as resources for this working group.

Longer term efforts may include forming a Lawyers Assistance Program (LAP) board to oversee well-being services and developing a succession plan for current LAP leadership. Commissioners provided additional thoughts.

Casey and Williams thanked Strategic Plan Coordinator Carrie Sanderson for facilitating the May retreat. Casey, Williams, the Bar Commission, and Bar staff recognized and thanked Becky Porter for her tireless and compassionate work as our LAP Director. Porter thanked members and State Bar staff for their support. The Bar Commission thanked Casey, Williams, and SPC for their work.

Commissioner Teesdale made a motion to approve the SPC recommendations. Commissioner Justin Johnson seconded the motion. Motion carried.

MCLE Update: UJS and the State Bar are finalizing committee appointments for the MCLE rules drafting committee.

Personnel Discussion: Commissioner Bailey made a motion to go into executive session to discuss personnel matters. Commissioner Teesdale seconded the motion. Motion carried. The Commission entered Executive Session at 10:03 AM. Present for all or part of the executive session were President Richter, President Elect Mark Haigh, and Commissioners Justin Johnson, Emily Maurice, Anthony Teesdale, Kimberly Kinney, Jerry McCabe, Ellie Bailey, Matthew Naasz, Teramie Hill, Amber Mulder, Sarah Covington, Stacy Johnson, Kristen Edwards, and Steve Blair.

The Commission adjourned Executive Session at 11:21 AM.

CLE Committee Discussion: The Commission deferred discussion on this agenda item.

YLS Section Report: Young Lawyers Section President Mae Pochop provided the following report of YLS activities.

- Provided lunches for bar exam candidates.
- Held Second Circuit mixer at Remedy Brewing following the Bankruptcy CLE in Sioux Falls on September 6, which was well attended.
- Organized the Nuts-and-Bolts CLE, swearing-in ceremony, and mixer, which included 22 new admittees who attended the swearing-in ceremony on September 26 in Pierre.
- Held First Circuit mixer in Vermillion, after the Supreme Court session at the law school on October 7, which included a reception honoring Justice Kern. Co-sponsors included Project Rural Practice and SD Defense Lawyer's Association, and turnout was good.
- Law for Lunch webinar discussing how to get involved with State Bar activities is scheduled for November 18.
- Scheduled to deliver snacks to law school students in late November before finals.
- Scheduled to assist with more mixers, and YLS Boot Camp in Deadwood, in the spring.
- Scheduled to assist with social and networking events at the annual convention.
- The YLS Initiative this year is creating legacy documents for future YLS members.
- YLS is continuing to work on the Mentorship program.

The Commission thanked Pochop and YLS for their continued work.

Contract Management: Commissioner Justin Johnson made a motion to go into executive session to discuss contract management. Commissioner Teesdale seconded the motion. Motion carried. The Commission entered Executive Session at 11:49 AM. Present for all or part of the executive session were President Richter, President Elect Mark Haigh, and Commissioners Justin Johnson, Emily Maurice, Anthony Teesdale, Kimberly Kinney, Jerry McCabe, Ellie Bailey, Matthew Naasz, Teramie Hill, Amber Mulder, Sarah Covington, Stacy Johnson, Kristen Edwards, and Steve Blair.

The Commission adjourned Executive Session at 2:03 PM.

Bar Convention Program: Commissioner Teesdale made a motion to discontinue printing paper programs and transition to an online or digital app program. Commissioner Justin Johnson seconded the motion.

President Elect Haigh and some Commissioners expressed opposition and further discussion occurred. Commissioner Justin Johnson made a substitute motion to keep the printed Bar Convention program. Commissioner Bailey seconded the motion. The Commission voted by roll call as follows:

Aye (8) - President Elect Haigh, Commissioners Justin Johnson, Emily Maurice, Ellie Bailey, Matt Naasz, Amber Mulder, Sarah Covington, Stacy Johnson

Nay (5) - President Richter, Tony Teesdale, Jerry McCabe, Kristen Edwards, Steven Blair
Motion carried.

Bar Office Security Discussion: The Commission discussed Bar office security.

Commissioner Input/Ideas/Concerns: No discussion noted.

Executive Director Financial Report: The Commission briefly discussed the monthly financial statements and the new format for the statements prepared by Anderson Nill, the State Bar bookkeeper.

Upcoming Meetings: November 18 and December 16 via Teams.

Adjourn: President Elect Haigh moved to adjourn the meeting. Commissioner Teesdale seconded the motion. Motion carried. President John Richter adjourned the meeting at 2:25 PM CDT.

Respectfully submitted,
Paul Cremer
Executive Director/Secretary-Treasurer

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



Litigation Associate

Goodsell + Oviatt Law Firm is seeking a Litigation Associate to join their team in Rapid City, SD. This position is open to both lateral candidates and new associates. The primary focus will be on personal injury, workers' compensation, and insurance law, as well as aspects of business law and commercial matters.

Key responsibilities include conducting legal research, writing briefs, preparing for trials, and managing complex litigation in both state and federal courts in South Dakota and North Dakota.

Candidates should have strong academic credentials and exceptional oral and written communication skills. The firm offers a competitive salary, a comprehensive benefits package, and opportunities for professional development and growth.

Confidential inquiries, including a résumé and cover letter detailing your experience, should be sent to:

Nathan Oviatt, Partner
or Lori Miklos, Business Manager
Goodsell + Oviatt Law Firm
PO Box 9249
Rapid City, SD 57709
or email at Nate@goodselloviatt.com or Lori@goodselloviatt.com

Office of the Attorney General Appellate Division

Job ID: 37387

Agency: Office of the Attorney General

Location: Pierre, SD

Salary: \$85,000 - \$115,000 Annual Salary, depending on qualifications

Pay Grade: L1 - L2

Closing Date: Open Until Filled

This is a full-time position with the Office of the Attorney General. For more information on the Office of the Attorney General, please visit <http://atg.sd.gov>.

The Office of Attorney General has an immediate opening for an Assistant Attorney General (AAG) in our Appellate Division. This position presents an unmatched opportunity to brief and argue cases before the South Dakota Supreme Court, United States District Court, and Eighth Circuit Court of Appeals. The attorney chosen for this spot will represent the state in criminal appeals, habeas cases, and as a prosecutor for various state licensing boards. The position's primary duties include researching for and writing appellate briefs and orally arguing cases. AAGs in South Dakota have diverse opportunities attorneys cannot find elsewhere in the state, without the stress of billable hours, and with the benefit of a collaborative, friendly work environment.

MENTORSHIP AND PROFESSIONAL DEVELOPMENT

The office is committed to developing top-notch attorneys. The attorney in this position will receive hands-on experience, direct mentoring from senior attorneys, occasions to work on diverse and evolving caseloads, paid training opportunities, and exposure to complex legal and evidentiary issues.

OFFICE LOCATION

The Appellate Division is headquartered in Pierre—the “best place to live” in South Dakota according to USA Today in 2018. Pierre is a safe, tight-knit community with over 350 acres of parks, serene landscapes, highly rated restaurants, water and dog parks, friendly people, and an affordable cost of living. A highly experienced applicant may have the possibility to work from a branch office location.

STARTING SALARY

Salary for this position ranges from \$85,000 to \$115,000

annually, depending on experience. On top of a set salary, the State of South Dakota has an exceptional benefit package including retirement, health insurance, paid leave, and paid training opportunities. More information on our benefits package can be found at: <http://bhr.sd.gov>.

QUALIFICATIONS

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

APPLICATION PROCESS

Applicants should submit a cover letter, resume containing three references, and a writing sample.

Submit application materials to Sarah L. Thorne, Appellate Division Chief, Sarah.Thorne@state.sd.us or online at <http://bhr.sd.gov/workforus>

This position is exempt from the Civil Service Act.
This position is eligible for Veterans' Preference per ARSD 55:10:02:08.

Successful applicant(s) will be required to undergo a background investigation. An arrest/conviction record will not necessarily bar employment.

Successful applicant(s) will undergo an abuse and neglect screening. Offers of employment are conditional upon successful completion of a drug screening.

The State of South Dakota does not sponsor work visas for new or existing employees. All persons hired will be required to verify identity and eligibility to work in the United States and complete an Employment Eligibility Verification, Form I-9. The State of South Dakota as an employer will be using E-Verify to complete employment eligibility verification upon hire.

The State of South Dakota offers \$0 premium employee health insurance option plus eleven paid holidays, generous vacation and sick leave accrual, dental, vision, and other insurance options, and retirement benefits. You can view our benefits information here. This position is a member of Class A retirement under SDRS.

South Dakota Bureau of Human Resources and
Administration
Telephone: 605.773.3148 Email: careers@state.sd.us
<http://bhr.sd.gov/workforus>
"An Equal Opportunity Employer"

Lincoln County Public Defender

Salary Range:
\$163,574.80 To \$176,106.23 Annually

POSITION SUMMARY

The Lincoln County Public Defender serves as the chief attorney and administrative head of the Lincoln County Public Defender Office and is responsible for the development, leadership, management, and professional operation of the office. The Public Defender provides and oversees high-quality legal representation to indigent persons entitled to court-appointed representation under South Dakota law and exercises independent professional judgment in carrying out the constitutional and professional responsibilities of the office.

The Public Defender is responsible for establishing and administering the office, supervising attorneys and staff, managing caseloads and resources, and working collaboratively with County officials and other justice-system participants while maintaining the professional independence necessary to provide effective representation to clients.

Minimum Qualifications

- Juris Doctor degree from an accredited law school.
- Admission to practice law before the Supreme Court of South Dakota and active membership in good standing at the time of appointment.
- Significant criminal-law and litigation experience, including meaningful criminal-defense experience, sufficient to demonstrate competency to counsel and defend persons charged with crimes as required by SDCL 7-16A-5.
- Demonstrated courtroom and trial experience.
- Demonstrated leadership, judgment, communication, and organizational abilities necessary to administer a professional legal office.

Preferred Qualifications

- Substantial criminal-defense experience, including representation of indigent defendants.
- Significant jury-trial experience, including complex or serious felony matters.
- Supervisory, management, or leadership experience within a law office, governmental legal office, public defender organization, or comparable professional setting.
- Experience managing professional personnel, budgets, case-management systems, or organizational policies.
- Familiarity with South Dakota courts and criminal practice.
- Demonstrated commitment to high-quality indigent

defense and the professional independence of defense counsel.

Knowledge, Skills, and Abilities

Thorough knowledge of criminal law, criminal procedure, constitutional law, evidence, trial practice, and professional responsibility. Strong advocacy, legal research, writing, negotiation, leadership, management, and communication skills. Ability to supervise and develop attorneys and staff; manage competing administrative and litigation responsibilities; evaluate workloads and allocate resources; work effectively with clients, County officials, courts, and other justice-system participants; and exercise sound, independent professional judgment. High standards of integrity, professionalism, confidentiality, and public service.

Essential Functions

Leadership and Administration

- Serve as chief attorney and administrative head of the Public Defender Office and establish its organizational structure, policies, procedures, professional standards, and strategic direction.
- Develop and administer systems for case assignment, workload management, supervision, conflicts of interest, timely and effective client communication, records, confidentiality, technology, and other operational matters.
- Establish practices promoting effective representation, manageable attorney workloads, professional development, accountability, and efficient use of public resources.
- Evaluate the effectiveness, caseload, staffing, and resource needs of the office and recommend appropriate changes.

Personnel and Supervision

- Assess personnel needs and make staffing recommendations consistent with SDCL 7-16A-6.
- Recruit and recommend for employment, as authorized by law, chief deputy and deputy public defenders, legal support personnel, investigators, and other employees necessary for operation of the office.
- Direct, supervise, mentor, and evaluate office personnel; serve as a professional and legal resource to attorneys and staff; and establish appropriate expectations for performance, client communication, case preparation, courtroom advocacy, professionalism, and ethical compliance.
- Provide or arrange appropriate training and professional development and address personnel and performance matters consistent with applicable law and County personnel policies.

Legal Representation and Case Management

- Provide professional legal representation to indigent

persons entitled to representation by the Public Defender Office, including criminal, abuse and neglect, juvenile, mental-health commitment, and other matters within the statutory responsibilities of the office.

- Personally maintain an appropriate caseload consistent with the Public Defender's administrative, supervisory, and leadership responsibilities.
- Represent clients at all appropriate stages of proceedings, including investigation, motions, negotiations, trials, sentencing, appeals, and post-judgment proceedings.
- Perform investigations, legal research, writing, negotiation, trial preparation, courtroom advocacy, and other professional services necessary to provide effective representation.
- Establish and supervise systems for case assignment, case management, and identification of conflicts requiring substitute counsel.

Budget and Resource Management

- Develop and recommend the annual operating budget and administer the office within appropriated resources.
- Identify and communicate staffing, facilities, technology, investigative, expert, training, and other resource needs necessary for effective operation of the office.
- Work with appropriate County officials concerning financial and administrative matters and promote responsible stewardship of public resources consistent with the office's obligation to provide effective representation.

Professional Independence and Ethics

- Exercise independent professional judgment consistent with the South Dakota Rules of Professional Conduct, constitutional requirements, statutes, court rules, and applicable professional standards.
- Maintain client confidences and privileged information and ensure that administrative relationships with County government or other agencies do not interfere with the professional independence or ethical responsibilities of the office.
- Establish an office culture emphasizing professionalism, effective advocacy, integrity, accountability, respectful treatment of clients, and compliance with professional obligations.

Courts, County Government, and Community Relations

- Maintain professional working relationships and appropriate coordination with the judiciary, State's Attorney's Office, court administration, Court Services, law enforcement, corrections, treatment providers, County officials, private attorneys, and other justice-system participants, consistent with the professional independence and responsibilities of defense counsel.
- Represent the Public Defender Office in appropriate

governmental, professional, and community settings and provide appropriate information concerning office administration and operations to the Advisory Committee and County Commission while protecting confidential and privileged information.

- Monitor developments in criminal law, indigent-defense standards, legislation, court rules, and professional practices and participate in appropriate training, professional organizations, community education, and recruitment activities.

Records and Reporting

- Maintain records and provide reports required by SDCL Chapter 7-16A, including reports concerning disposed cases and the annual report to the Public Defender Advisory Committee.
- Develop appropriate statistical and management information concerning caseloads, workloads, case types, dispositions, staffing, and expenditures for administration and evaluation of the office.

Apply via this link https://workforcenow.adp.com/mascsr/default/mdf/recruitment/recruitment.html?cid=37b9d787-de1a-4973-8873-242e418184c1&ccId=19000101_000001&jobId=593715&lang=en_US

Or by visiting www.lincolncountysd.gov - Employment

Attorney III, SD Department of Health

Job ID: 37603

Agency: Department of Health

Location: Pierre, Rapid City or Sioux Falls, SD

Salary: \$105,111.65-\$123,660.76 Annual Salary, depending on qualifications

Pay Grade: L3

Closing Date: 10/20/2026

This is a Full-Time position with the Department of Health. For more information on the Department of Health, please visit <https://doh.sd.gov/>.

The South Dakota Department of Health works to prevent illness and injury; promote healthy places to live, work, and play; support informed health decisions; prepare for and respond to public health threats; and enhance the quality and accessibility of healthcare across the state. Our services impact every South Dakotan.

We value our employees as our greatest resource and are committed to fostering a culture of excellence. We trust our team members to be innovative, challenge existing processes, and make sound decisions. We seek a diverse

and skilled workforce embodying leadership, accountability, communication, integrity, and teamwork. Public health is a dynamic and expanding field offering many career paths—imagine yourself contributing to a healthier and safer South Dakota.

Position Summary

This position offers a unique opportunity to represent the South Dakota Department of Health and serve as lead litigation counsel across the agency. Litigation work includes providing legal support for the Medical Cannabis Program and contributing legal and regulatory expertise to a continually developing area of law. Additional litigation responsibilities include prosecuting regulatory violations under the jurisdiction of the department involving nursing homes, hospitals, assisted living facilities, restaurants, lodging establishments, and campgrounds.

Key Responsibilities

- provide legal opinions and advice to program and department staff;
- serve as lead counsel in civil litigation matters involving the department;
- represent the department before the Office of Hearing Examiners and in trial and appellate courts;
- draft legislation and administrative rules;
- draft pleadings, motions, briefs, and appellate filings;
- participate in lobbying activities as needed;
- conduct discovery, take and defend depositions, and manage case strategy from inception through resolution;
- handle evidentiary hearings, trials, and oral arguments;
- draft program policies and procedures;
- assist with Request for Proposals processes;
- ensure compliance with federal and state statutes and administrative rules;
- participate in administrative and court hearings related to regulatory actions involving patient registration and medical cannabis establishments;
- assist in drafting contracts and joint powers agreements;
- collaborate with other state agencies;
- provide guidance on administrative rules, rule promulgation, and legislative matters;
- other duties as assigned.

Licenses and Certifications:

- Juris doctorate from an accredited law school.
- Licensed to practice law in South Dakota or ability to promptly obtain licensure.
- Membership in the South Dakota Bar or eligibility to sit for the exam.

The Ideal Candidate Will Have:

- Eight or more years of litigation experience.

Knowledge of:

- criminal and civil practices and procedures;
- evidence and constitutional law, including current state and national trends;
- state administrative practices and procedures;
- legal research techniques and technology tools;
- basic computer operations and applications;
- state and federal statutes related to healthcare and medical cannabis programs.

Abilities:

- communicate clearly and concisely;
- prepare clear and concise documentation, reports, and correspondence;
- analyze facts, evidence, and precedents to form logical interpretations;
- work effectively with program staff, private attorneys, and court officials;
- work independently while following instructions and accepting guidance;
- interact tactfully and professionally with others;
- manage a large caseload efficiently;
- uphold high levels of professionalism, integrity, and sound judgment.

Additional Requirements: To be considered, please attach your resume.

This position is exempt from the Civil Service Act.

Successful applicant(s) will be required to undergo a background investigation. An arrest/conviction record will not necessarily bar employment.

The State of South Dakota does not sponsor work visas for new or existing employees. All persons hired will be required to verify identity and eligibility to work in the United States and complete an Employment Eligibility Verification, Form I-9. The State of South Dakota as an employer will be using E-Verify to complete employment eligibility verification upon hire.

The State of South Dakota offers \$0 premium employee health insurance option plus eleven paid holidays, generous vacation and sick leave accrual, dental, vision, and other insurance options, and retirement benefits. You can view our benefits information here. This position is a member of Class A retirement under SDRS.

Must apply online: <https://gen-stateofsouthdako-trn.inforcloudsuite.com/hcm/xmlhttp/shorturl.do?key=4YB>
You must apply online, emailed resumes or submissions will not be accepted.

South Dakota Bureau of Human Resources and Administration

Telephone: 605.773.3148 Email: careers@state.sd.us

<http://bhr.sd.gov/workforus>

“An Equal Opportunity Employer”

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 matters. This would primarily include working in magistrate court, prosecuting class 1 and class 2 misdemeanors. 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 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.

No experience required. Definitely willing to train the right candidate.

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.

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, 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.

Associate Attorney - Civil Litigation and Family Law

Myers Billion, LLP | Sioux Falls, South Dakota | Full-Time

About the Opportunity

Myers Billion, LLP seeks an Associate Attorney to join its civil litigation and family law practice in downtown Sioux Falls. Since 1914, the firm has served individuals and businesses throughout South Dakota with practical, client-focused legal counsel. This position will primarily handle general civil litigation matters (torts, negligence, contract disputes, business litigation, etc.) and family law matters,

including divorce, custody, child support, and alimony, with opportunities to work on business litigation and select criminal law matters.

Key Responsibilities

- Independently manage civil litigation and family law matters from initial evaluation through trial, with partner support and guidance as needed.
- Advise clients regarding legal options, case strategy, and court procedures.
- Conduct legal research, investigate factual issues, and analyze financial records.
- Draft pleadings, motions, discovery requests and responses, stipulations, agreements, proposed orders, and notices required under the South Dakota Rules of Civil Procedure.
- Review and manage discovery in compliance with applicable deadlines and procedural rules.
- Coordinate with expert witnesses when appropriate to support litigation strategy.
- Prepare for and participate in mediations, hearings, and trials.
- Develop and execute negotiation strategies in collaboration with clients.
- Communicate professionally with clients, courts, opposing counsel, experts, and colleagues.
- Maintain organized files, accurate time records, and compliance with ethical and professional standards.

Required Qualifications

- Juris Doctor degree from an accredited law school.
- Active South Dakota law license, or eligibility for prompt

admission, in good standing.

- 2-5 years of civil litigation, family law, or related legal experience.
- Strong research, writing, advocacy, analytical, organizational, and client-service skills.

Preferred Qualifications

- Experience handling depositions, mediations, hearings, or trial preparation.
- Familiarity with business disputes, divorce, custody, support, or protection order matters.
- Experience practicing in South Dakota state or federal courts.
- Ability to effectively counsel clients in sensitive or high-conflict situations.

Compensation and Benefits

Salary and compensation is competitive and dependent upon experience and qualifications. Benefits include medical, dental, vision, disability insurance, and IRA participation. This position is based in downtown Sioux Falls and may require occasional travel throughout South Dakota.

How to Apply

Submit a résumé and cover letter to twickersham@myersbillion.com. Applications will be reviewed on a rolling basis until the position is filled.

Myers Billion, LLP provides equal employment opportunities to all applicants and employees without regard to any status protected by law. Reasonable accommodation is available upon request.

Serving Justice. Strengthening Democracy.

Save the Date for the 2026 National Celebration of Pro Bono: October 25-31, 2026. This year's theme Serving Justice. Strengthening Democracy. recognizes the essential role pro bono attorneys play in ensuring that legal problems do not prevent people from participating fully in civic life. Every act of pro bono service helps individuals protect their rights, secure stability, and engage more fully in their communities, reinforcing the foundation of our democracy.



Why Celebrate Pro Bono?

Pro bono work is a professional responsibility and an individual ethical commitment of each lawyer. The Committee launched the National Celebration of Pro Bono in 2009 because of the increasing need for pro bono services during harsh economic times and the unprecedented response of attorneys to meet this demand. Every October since 2009, legal organizations across America participate in the National Celebration of Pro Bono to draw attention to the need for pro bono participation, and to thank those who give their time year round.

**SERVE THE PUBLIC. DEFEND JUSTICE.
BUILD YOUR FEDERAL CAREER.**

U.S. DEPARTMENT OF JUSTICE

ASSISTANT UNITED STATES ATTORNEY



The Department of Justice is seeking Assistant United States Attorneys to help enforce federal criminal and civil laws, uphold the rule of law, and protect the public.

WHAT YOU'LL DO



Prosecute federal criminal cases and litigate civil matters on behalf of the United States.



Represent the United States in court proceedings, hearings, trials, and negotiations.



Conduct legal research, prepare motions and briefs, and advise law enforcement partners.

WHAT WE OFFER

- ★ Competitive Salary:
\$76,748-\$197,100 per year
- ★ Full-time Permanent Appointment
- ★ Health, Dental & Vision Insurance
- ★ Paid Time Off and Federal Holidays
- ★ Retirement Benefits (FERS)
- ★ Meaningful Public Service
- ★ Special-Sensitive Position

J.D. degree and active member of the bar required



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DEPARTMENT OF JUSTICE

U.S. Attorney's Office, District of South Dakota
Sioux Falls (headquarters), Rapid City and Pierre



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justice.gov/careers

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



FOR UPCOMING

EVENTS

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