

State Bar of *South Dakota*

Newsletter

May 2018

*Notice of Annual Meeting
of*

The State Bar of South Dakota

NOTICE IS HEREBY GIVEN that the Annual Meeting of The State Bar of South Dakota will be held at the Ramkota Hotel in Sioux Falls, South Dakota, on June 22, 2018, commencing at the hour of 9 o'clock a.m.

This notice is given pursuant to Section 24 of the Bylaws of The State Bar to all Active and Inactive members thereof.

Dated at Pierre, South Dakota, this 30th day of April, 2018.

Thomas C. Barnett, Jr.

Secretary-Treasurer

The State Bar of South Dakota

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PRESIDENT'S CORNER - *Pamela Reiter*



Our members volunteer a tremendous number of hours to our State Bar and the public. Thank you to all of you who have previously volunteered and currently volunteer your time and talents to improve the legal profession in South Dakota for our members, the judiciary and the public. I want to extend a special thank you to all of the Bar Commissioners for their dedication and hard work this year. They contributed a significant amount of time to budget issues, hiring our new Executive Director, deciding whether to deliver the Newsletter and CLE materials only in electronic format, governance issues including an entire rewrite of the State Bar's Bylaws, examining a new Lawyer Referral Service, evaluating LawPay (see the advertisement in this month's Newsletter), a new credit card processing system for payment of dues and other fees, as well as the typical work the Commission performs during the legislative session.

We learned from the recent member survey that a significant number of additional members would be willing to volunteer their time to the State Bar if they were asked to do so. Given that the survey is anonymous, however, we cannot identify those members to extend a personal invitation to participate. Thus, if you are one of those members,

or you would otherwise be willing to volunteer your time to advance the legal profession in South Dakota, please contact me or our Strategic Plan Coordinator Elizabeth Overmoe at elizabeth.overmoe@sdbar.net. We will help you find an opportunity to give back to your profession that fits your interests and schedule.

A variety of projects, committees and community service events are available for you to choose from to match your available time and interests. You may choose to start with a specific project. Examples include Ask a Lawyer (May 1-3, 2018); the Young Lawyer's Project Destination, or Veteran's Clinics; recruitment of potential law students by the Indian Law Committee projects; Access to Justice's Free Legal Answers or pro bono cases; and my Past State Bar President's Project.

If you are able to contribute time throughout the year, consider serving on a substantive law committee, such as Business Law, Criminal Law, Family Law, In-House Counsel, Labor/Employment, or Negligence and Tort Law. Or a committee focused on member services, including the Continuing Legal Education, Pattern Jury Instructions, Lawyer Referral, Ethics or Website Committees. Our State Bar has 37 committees in addition to the Young Lawyers Section, the Real Property, Probate and Trust Law Section and the Public Sector Section. Descriptions of each of the Bar's committees may be found [here](#) or on our website under the "Directory" tab, "Committees," and "committee information."

If you would like to serve on a Committee, please submit a Committee Preference Form to your President Elect Reed Rasmussen [here](#) or by clicking on the "GET INVOLVED - Committee Preference Request" on the website [here](#). The deadline to submit your preference form is June 29, 2018.

Opportunities to participate in the governance of your State Bar are available by serving on the Bar Commission or in Bar leadership. During the 2018 Annual Convention, four At-large Bar Commissioner positions are available for any member residing in the following judicial circuits: First, Third, Fourth, Fifth and Sixth. You may obtain a Nominating Petition [here](#) or on the website under the "Directory" tab, and "Your Bar Commissioners" page (scroll down to the bottom of the

page for the hyperlinks to the Nominating Petitions). Candidates for At-large positions need 15 signatures from other Active members. If you are interested in Bar leadership, please contact me, President-Elect Reed Rasmussen or our Executive Director.

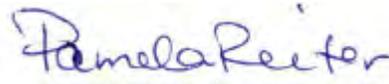
Members under age 36 and in their first ten years in practice are automatically members of the Young Lawyers Section “YLS.” The YLS performs a significant number of community service projects and membership projects, including the Hagemann-Morris Mentorship program. The YLS organizes circuit-wide mixers, which all members are encouraged to attend for an opportunity to network and socialize with your fellow lawyers. If you are interested in leadership, YLS Board of Director positions are open for the Second, Fourth, Fifth, Sixth and one At-Large position at the 2018 Annual Convention. Contact YLS President Abigail Howard at Abigail.Howard@ujs.state.sd.us if you are interested in serving on the YLS Board beginning in June 2018.

In addition to the above, I found serving on the Disciplinary Board to be one of the most rewarding experiences of my career. Disciplinary Board members contribute on average 100 hours per year protecting the public and helping our members. Thus, it is one of most time-consuming volunteer opportunities. But it is crucial to our profession and the public. The President of the State Bar appoints members to the Disciplinary Board, who serve five-year terms. I want to express my personal gratitude to all of the past and current members of the Disciplinary Board.

Opportunities to assist members struggling with mental health disorders and substance use disorders are available through membership in the State Bar’s Lawyer’s Assistance Committee, chaired by Past President Stephanie Pochop, and the independent organization

Lawyers Concerned for Lawyers. More information on these volunteer opportunities is available [here](#) or by visiting our website under the “Health and Wellness” tab.

Regardless of your interest or available time, you can positively impact your life, your fellow lawyers’ lives, our profession and the public by giving your time and talents to one or more volunteer opportunities available through your Bar. I look forward to serving with you for many years to come!



pamela@janklowabdallah.com

605-338-4304

NOTE: You will need to log-in to the website in order to view most of the information associated with the links in my President’s Page. If you do not remember your username or password, you can indicate such on the login page by clicking “Username and/or Password Help” and receive an email to assist you.

Practice Tip: Volunteering your time to the State Bar or other legal organizations such as East River Legal Services, Dakota Plains Legal Services or Lawyers Concerned for Lawyers often leads to the development of referral opportunities that you may never otherwise develop. Moreover, you will very likely develop personal friendships and mentorship relationships, both as the mentor and the mentee, that may never materialize without this connection and networking.



YOUNG LAWYERS SECTION

by: Abbey Howard, YLS President



from the bench that I wish I had known when I first started out.

Young Lawyer Practice Pointers:

1. In court, err on the side of being overly respectful and professional. You can always tone it down later if appropriate, but you can never get back that first appearance in court, especially in front of a new judge.
2. Use your resources. Whether it means asking an associate or partner a dumb question to avoid screwing up in court, calling up an old classmate in a jurisdiction you don't normally practice in to get a lay of the land, or working with Courthouse staff to prep your courtroom prior to a trial, these are things that may make us feel inexperienced, but they always help to make us look well prepared.
3. Don't assume the judge knows your case. Each court appearance is your chance to make the record for your case, and that often means making sure the judge is fully aware of all legally and factually relevant information. Just because you know something about your case, does not mean the judge does.
4. Your credibility is everything. Be honest and forthright in everything that you do. Once you have lost your credibility with opposing counsel or the Court, it is nearly impossible to get it back.
5. Know your judge. Some judges may be particular about how they like things handled in their courtroom. Once you understand the desired protocols and procedures, it will make both of your lives much easier.

The Young Lawyers Section is gearing up for the exciting events at the 2018 State Bar Annual Meeting in June. The YLS makes it a priority to assist any law students that are interested in attending the Annual Meeting or young lawyers attending for the first time to feel welcome and included. This year, we will again be featuring our First-Time Attendees Reception at 12pm on Wednesday, June 20. Law students or young lawyers who have never been to the Annual Meeting are welcome at this reception where YLS Board Members will provide guidance and resources that may be helpful during the Annual Meeting. We will also be continuing on with our Project Connect program where YLS Board Members will be paired up with first-time attendees so they may have a familiar face to approach with any questions. We will again be pairing up with the South Dakota Trial Lawyers Association and South Dakota Defense Lawyers Association to host the annual Legalpalooza event. Please join us prior to the Banquet on Wednesday evening for this special event. At Legalpalooza, we will recognize the Young Lawyer of the Year which always proves to make for an exciting evening!

It does not seem like that long ago when I first attended an Annual Meeting with my fellow law students as a summer intern. Since that time, I have gone through many transitions including law student, to associate attorney, to States Attorney, to Judge. Having gone through these transitions while still being a Young Lawyer, I wanted to share a few practice pointers with my fellow Young Lawyers in terms of tips

This month, I have asked the 2017-2018 Law Student Representative of the YLS, Outgoing Student Bar President Morgan Nelson, to tell us a little about herself and her thoughts on being connected with the State Bar. Morgan has been an integral part of the YLS and it is always beneficial for our Board to stay connected to the Law School through this role. Thanks, Morgan, for sharing your story.



Although I was born in northeast Nebraska, I'm happy to have been adopted by South Dakota. My parents, Bob and Mary Jo Nelson live in Norfolk with our two dachshunds, Chopper and Henry. My parents have always been my best teachers. After watching my mom earn her

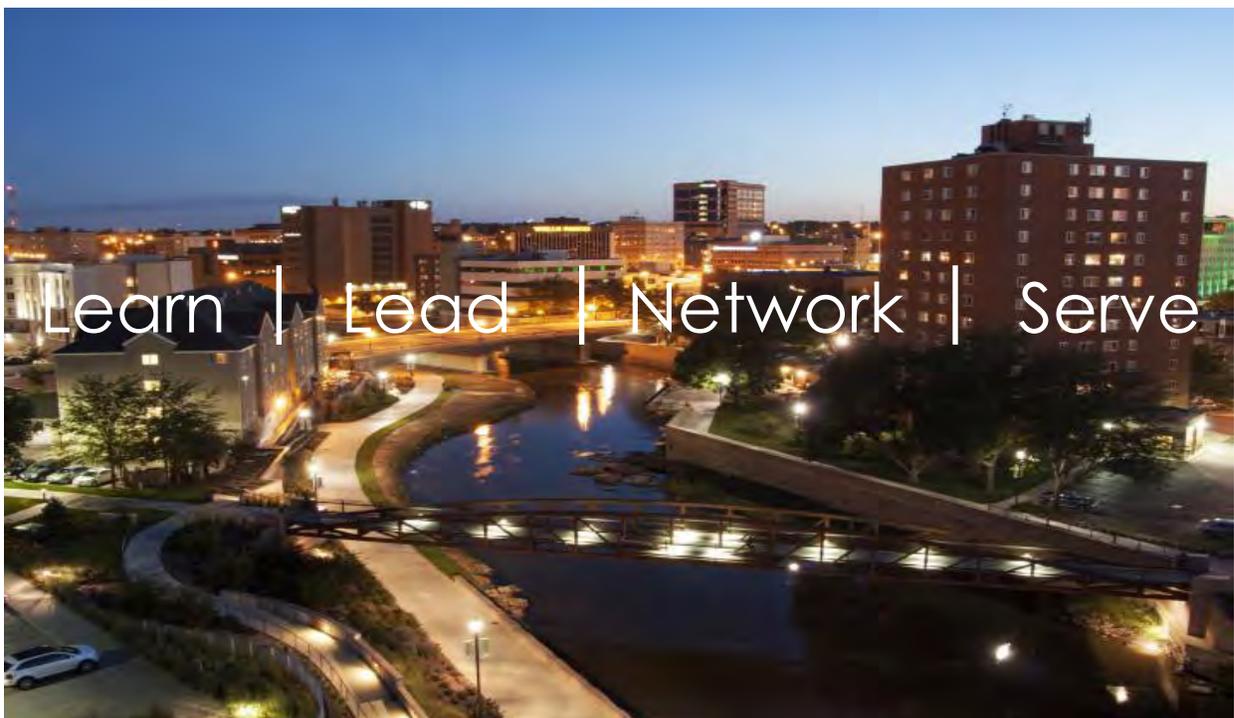
Master's in Nursing from UNMC's first online program (using dialup), I continue to have very few excuses not to operate within the circumstances that be, no matter what those circumstances are. My dad works as a career firefighter/paramedic for the City of Norfolk and keeps honeybees.

No amount of education could impart the lessons of a middle child with siblings like mine. I wouldn't be telling a fair story if I didn't acknowledge the practice I got debating and negotiating in chores or as the regular underdog in whatever game we were playing. My older sister Melissa Alexander is a Physician's Assistant

and lives in Sioux Falls with her husband Kyle and their two boys. My brother Landon works for Archer Daniels Midland and lives with his wife Ashley in Lincoln.

In high school, I took a considerable amount of science and math classes to prepare for medical school. Once I got started in student government (prompted by losing our lunch trays, of all things) I found my passion for governance and policy. My major changed from Biology to Justice Studies, I pursued leadership as student body president and student trustee, and the rest is (mostly) history. Before going to law school, I knew I needed more of a background in policy and governance, which led me to the Bush School of Government and Public Service at Texas A&M. I learned from public servants in the classroom, in the Texas Senate, and both on and off the Hill in D.C.

Collaboration within the legal community provides significant returns in the lives of students at USD Law. Just recently, President Reiter, Ms. Tamara Nash, and Mr. Cesar Juarez graciously lent their time and shared their experience and advice with our first-generation law students. Without the South Dakota Young Lawyers and so many fantastic individuals who have helped my classmates and I along the way, the law school experience and entering the profession would be much more daunting. Thank you for your past and continued support of law students!



Fellows of the South Dakota Bar Foundation

Many South Dakota lawyers have risen to the challenge of making the SD Bar Foundation a favorite charity. Such generosity deserves public acknowledgement. Therefore, the Bar Foundation Board of Directors has created a “Fellows” program to not only make such acknowledgement, but also to provide an opportunity for more of our members to participate and determine their personal level of professional philanthropy. Participation can be on an annual basis or by pledge with payments over a period of time. All contributions made to the “Fellows” program will be deposited in the Foundation’s endowment account managed by the SD Community Foundation – famous for low management fees and excellent investment returns. Donations to the endowment are tax deductible and a perpetual gift to our profession and the educational and charities the Foundation supports.

Raising the Bar: Our Profession. Our Responsibility.

LIFE PATRON FELLOW: \$100,000 plus – <i>Cumulative, including Pledges & Testamentary Gifts</i>		
SUSTAINING LIFE FELLOW: \$50,000 plus – <i>Cumulative, including Pledges & Testamentary Gifts</i>		
<u>Fred & Luella Cozad</u>		
LIFE FELLOW: \$25,000 plus – <i>Cumulative, including Pledges & Testamentary Gifts</i>		
<u>Frank L. Farrar</u>		
DIAMOND FELLOWS: \$10,000 plus – <i>Cumulative, including Pledge & Testamentary Gifts</i>		
<u>Thomas C. Barnett, Jr.</u>	<u>Robert E. Hayes</u>	
PLATINUM FELLOWS: \$10,000 – <i>Cumulative, including Pledge & Testamentary Gifts</i>		
<u>Hon. Richard H. Battey</u>	<u>Charles L. Riter</u>	<u>Hon. Jack R. Von Wald</u>
<u>Hon. John B. Jones</u>	<u>William Spiry</u>	
\$10,000 PRESIDENTIAL FELLOWS		
<u>John P. Blackburn</u>	<u>Robert E. Hayes</u>	<u>Reed A. Rasmussen</u>
<u>Richard D. Casey</u>	<u>Patrick G. Goetzinger</u>	<u>Pamela R. Reiter</u>
<u>Hon. Michael Day</u>	<u>Terry L. Hofer</u>	<u>Robert C. Riter, Jr.</u>
<u>Robert B. Frieberg</u>	<u>Hon. Charles B. Kornmann</u>	<u>Eric C. Schulte</u>
<u>Thomas H. Frieberg</u>	<u>Bob Morris</u>	<u>Jeffrey T. Sveen</u>
<u>David A. Gerdes</u>	<u>Thomas J. Nicholson</u>	<u>Charles M. Thompson</u>
<u>Hon. David R. Gienapp</u>	<u>Gary J. Pashby</u>	<u>Richard L. Travis</u>
<u>G. Verne Goodsell</u>	<u>Stephanie E. Pochop</u>	<u>Thomas J. Welk</u>
GOLD FELLOWS: \$5,000 – <i>Cumulative, including Pledge</i>		
<u>Richard A. Cutler</u>	<u>P. Daniel Donohue</u>	<u>Richard L. Kolker</u>
<u>William F. Day, Jr.</u>	<u>Dana J. Frohling</u>	<u>Scott C. Moses</u>
SILVER FELLOWS: \$1,000 per year		
<u>Scott C. Moses</u> In Memory of William Janklow	<u>Herb C. Sundall</u> (renewed 17-18)	<u>Kimberly A. Mortenson</u> (renewed 17-18)
<u>Timothy J. Rensch</u> (renewed 17-18)	<u>Brandon M. Taliaferro</u> (renewed 17-18)	<u>Gregory A. Yates</u> (renewed 17-18)
FELLOWS: \$500 PER YEAR		
<u>Hon. John Bastian</u> (renewed 17-18)	<u>Richard Kolker</u> (17-18)	<u>Mrg Simon</u> (renewed 17-18)
<u>Hon. John L. Brown</u> (renewed 17-18)	<u>Hon. Judith Meierhenry</u> (renewed 17-18)	<u>Thomas E. Simmons</u> (renewed 17-18)
<u>Mary Jane Cleary</u> (renewed 17-18)	<u>Hon. Bobbi Rank</u> (17-18)	<u>Jason Robert-Feil Sutton</u> (17-18)
<u>Craig A. Kennedy</u> (renewed 17-18)	<u>Robert C. Riter</u> (renewed 17-18)	

YOU ARE INVITED TO JOIN!

Fellows of the South Dakota Bar Foundation

Foundation funds go to very important projects, including: Legal Services Programs in SD, Rural Lawyer Recruitment, SD Public Broadcasting of Legislative Sessions, SD Guardianship Program, Teen Court, Ask-A-Lawyer and Educational videos on ageing, substance abuse and mental health issues.

Full Name _____

Address _____

City _____ State _____ Zip Code _____

I would like to contribute:

in Lump Sum Annually Semi-Annually Quarterly Monthly

- Life Patron Fellow – \$100,000 or more, cumulative.
- Sustaining Life Fellow – \$50,000 or more, cumulative.
- Life Fellow – \$25,000 or more, cumulative.
- Diamond Fellow – over \$10,000, cumulative.
- Platinum Fellow – \$10,000, cumulative.
- Gold Fellow – \$5,000, cumulative.
- Silver Fellow – \$1,000 per year.
- Fellow – \$500 per year.

In Memoriam

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

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

I am paying ___ by check, ___ by credit/debit card.

Credit/Debit Card Payments:

Name on Card (if different than above) _____

Address Tied to Card (if different than above):

Card Number: _____

Expiration Date: _____

*Alternatively, you can call The State Bar (605-224-7554) to setup your payment(s).

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

LAWYERS CONCERNED FOR LAWYERS LAWYERS ASSISTANCE COMMITTEE

Your Bar Leadership has been concerned that members needing help with chemical dependency or mental health issues may be reluctant to call State Bar Headquarters to inquire where to seek help. Phone calls seeking help for themselves or a loved one or a partner have always and will continue to be kept strictly confidential. That said, Bar Leadership has determined that a referral agency independent of the State Bar staff may reduce any reluctance to call. Thus, beginning July 1st, we have entered into a contract with Disability Rights South Dakota. Both LCL and LAC committees have provided names and contact information for referrals. You will be provided with the names and phone numbers and proceed to call whomever you select from the appropriate list.

Disability Rights South Dakota: 605-224-8294 or
toll free 800-658-4782

Phone calls to Disability Rights of SD are kept strictly confidential.

Caribou Coffee Club

A group of Sioux Falls and Rapid City area attorneys are holding informal peer-led meetings of lawyers who have faced or are dealing with depression, anxiety and/or similar issues.

Attendance is limited to lawyers.

The groups generally meet twice a month and have confidentiality policies.

For more information or to receive blind copies of group announcements, send an email to:
cariboucoffeeclub@gmail.com



**The Caribou Coffee Club is not affiliated with The State Bar of South Dakota, the Second Circuit Bar Association, or the Pennington County Bar Association.



YOU are NOT Alone

To: All Members of
The State Bar of South Dakota
From: Tom Barnett

We all have problems. And, most often, we manage to solve them ourselves, but sometimes we can't handle them alone. Recognizing that attorneys can develop personal problems that may jeopardize their health, family structure or employment, the State Bar of South Dakota provides members with the Sand Creek Member Assistance Program.

Sand Creek is a confidential telephonic counseling service that can help members solve personal and work related problems before they grow into serious and costly crises.

Employee Assistance Services (EAP) are provided by a staff of professional counselors, clinical psychologists, and social workers skilled at helping you identify and hand handle problems such as marital and family issues, chemical dependency, mental and emotional disorders and educational or career problems.

Free confidential telephonic services provided to you by Sand Creek include: problem assessment, action planning, and follow up along with 24-hour crisis telephone services. To access these services - see the box to your right.

The Sand Creek website, www.sandcreekeap.com, is a useful resource designed to help make your life easier. On the website you will find: Child care and elder care referrals; hundreds of articles on important mental and emotional health issues; work-related resources to help manage stress, cope with job changes or deal with a difficult boss; wellness resources including a comprehensive exercise, nutrition and healthy living portal that has hundreds of articles, recipes and tips for healthy living.

Confidentiality is the bedrock of a Member Assistance Program. All discussions and services are kept strictly confidential. The State Bar of South Dakota will not know that you are using the services. We encourage you to use this valuable benefit.

Sand Creek is a HIPPA compliant service.



Go to www.sandcreekeap.com
Click the Work Life Wellness Login Link
Our Company ID is sbsd1
Or call 800-632-7643
Monday-Friday, 7:30am-5pm CT

Immediate, Confidential Support
24 hours a day/7 days a week:
888-243-5744

All discussions and services are kept strictly confidential.

The State Bar of South Dakota will not know you are using the service. These services are FREE. You are encouraged to use this valuable benefit.

ANNOUNCEMENTS

Rawlings, Ellwanger, Mohrhauser, Nelson & Roe,
LLP is pleased to announce that

Kathleen Roe

has join the firm as a partner.

522 Fourth Street, Suite 300
Sioux City, Iowa 51101

Telephone: 712-277-2373
Facsimile: 712-277-3304

kroe@rawlings-law.com

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

Joshua A. Clark

has joined the firm as an associate attorney.

206 West 14th Street
P.O. Box 1030
Sioux Falls, SD 57101-1030
Telephone: (605) 357-1246
Facsimile: (605) 335-3639

www.dehs.com
jclark@dehs.com

Riter, Rogers, Wattier and Northrup, LLP
is pleased to announce that

Kody R. Kyriss

has joined the firm as an Associate.

Riter, Rogers, Wattier and Northrup, LLP
319 S Coteau
Pierre, SD 57501
Telephone: (605) 224-5825
Facsimile: (605) 224-7102

www.riterlaw.com

Clayborne, Loos & Sabers, LLP
is pleased to announce that

Travis B. Jones

has joined the law firm effective January 1, 2018.

2834 Jackson Boulevard, Ste. 201
P.O. Box 9129
Rapid City, South Dakota 57709-9129

Telephone: (605) 721-1517
Facsimile: (605) 721-1518

Awards for Half Century of Service



The practice of issuing awards to those members of the State Bar who have reached the fifty-year milestone since admission to practice law in the State of South Dakota, inaugurated in 1968, is being continued in 2018. The ceremony has become one of the highlights of our Annual Meeting.

The following State Bar members are eligible to receive the award at the annual meeting in June:

50 years - Robert Arneson, Brookings; John P. Blackburn, Yankton; George H. Danforth, Huron; A. Peter Fuller, Lead; David A. Gerdes, Pierre; John M. Grossenburg, Hill City; Gene Paul Kean, Sioux Falls; Patrick H. Lacey, San Diego, CA; Eugene L. Martin; Rapid City; Robert A. Michaels, Wayzata, MN; Murray Ogborn, Denver, CO; James W. Olson, Rapid City; Rollyn H. Samp, Sioux Falls; Kermit A. Sande, Reston, VA; William J. Srstka, Sioux Falls; Dale R. Zimmerman, Centennial, CO; Dean A. Zimmerman, Houston, TX

There may be others who should be included in this list. It will be most helpful if you will scrutinize the foregoing list, and if omissions or corrections occur to you, please notify Tom Barnett at State Bar Headquarters.



*1968 USD Law School Grads
Class Reunion:*

We will meet Thursday, June 21st, 2018 beginning at 5 p.m. at the Ballroom West, Sioux Falls Country Club (formerly Westward Ho. C. Club), 3400 West 22nd St. Sioux Falls, S. D.

**Please note: registration for all
Annual Meeting Activities**

including:

CLEs

Wednesday Banquet

Thursday Family Night

**Women In Law Brunch can be
found by logging in to**

www.statebarofsouthdakota.com

**and choosing the Events Tab at
the top.**



Students from South Dakota Law School will join law students from the University of Denver May 21 through May 24 to provide free wills and related documents to tribal members. We are seeking volunteer attorneys licensed in South Dakota to help with the project.

The law students are given extensive training on the application of A.I.P.R.A. (the American Indian Probate Reform Act), and will be assisted by volunteer attorneys from Colorado. During the last four years University of Denver law students have accepted invitations to take the Tribal Wills Project to Indian Reservations in Colorado, New Mexico, Arizona, Utah, and Montana.

Now the Yankton Sioux Tribe has graciously offered to host the project in South Dakota. Likely locations for the will writing clinics are the communities of Marty, Lake Andes, and possibly Wagner.

If you would be interested in volunteering to assist, or would like further information on the Tribal Wills Project, please contact Prof. Lucy Marsh, Director of the Tribal Wills Project, University of Denver Sturm College of Law.
E-mail: lmash@law.du.edu

There will be a RED MASS prayed at Cathedral of St. Joseph (521 N. Duluth Ave, Sioux Falls) beginning at 5:30 p.m. on Thursday, June 21, 2018. In accord with the Church's Tradition of the Red Mass, those men and women who serve in government and legal professions while seeking to assure justice and stability through our political and legal systems will be held in prayer as we implore the Holy Spirit to offer them guidance in their work.

In addition to during the SD State Bar Convention, this Mass will be held on the vigil of the Feast of St. Thomas More, the Patron Saint of Attorneys and Statesmen. It will be celebrated by His Excellency, the Most Reverend Paul J. Swain, Bishop of Sioux Falls who is himself an attorney. This Red Mass will be held in association with the Diocese's recognition of the USCCB-endorsed "Religious Freedom Week."

The Red Mass is not sponsored by the State Bar of South Dakota. All members of the legal profession are invited and encouraged to attend.



Women In Law

BRUNCH & PANEL DISCUSSION
STATE BAR ANNUAL MEETING
RAMKOTA HOTEL, SIOUX FALLS
JUNE 20TH, 2018 @ 10:00AM*

Distinguished panelists will provide their thoughts on charting a path to the bench, how to prepare for a career as a judge, building your reputation and a network, career/life balance, ethical considerations, and benefits and trade offs of a judicial career. Attendees will obtain insightful advice and tips to prepare for the road to the bench. Other event highlights include the announcement of the 2018 USD Women in Law Award and recognition of Governor Dugaard for his judicial appointments. Lieutenant Governor Matt Michaels will be in attendance on Governor Dugaard's behalf.

Panelists:

Judge Karen Schreier
Justice Judith Meierhenry
Justice Janine Kern
Judge Bobbi Rank
Judge Camela Theeler
Judge Cheryle Gering
Judge Carmen Means

Moderator:

Pamela Reiter, State Bar President

*Please note the day and time change from our traditional WIL social. All members of the bar are welcome. Indicate on your Annual Meeting registration you plan to attend.

A tropical beach scene with palm trees, a hammock, and a lifeguard stand. The background is a clear blue sky and ocean. The text is overlaid on the image.

FAMILY NIGHT

BEACH PARTY

CELEBRATE

TOM BARNETT IS HEADING OFF INTO THE SUNSET

RETIREE

HELP US WISH HIM WELL

STYLE

Beach Attire Encouraged!

ALL CONVENTION ATTENDEES ARE WELCOME!

Thursday June, 21 | 5:30-10pm | Poolside, Ramkota Hotel

The State Bar of South Dakota

Contract Lobbyist

Request for Proposals

The State Bar of South Dakota (SBSD) is now accepting proposals for a contract lobbyist.

SBSD is seeking to employ a contract lobbyist(s) to work with SBSB staff and sections and other stakeholders to propose, monitor bills considered by the South Dakota Legislature. The SBSB is soliciting RFPs for comprehensive legislative services that will support achieving this important goal.

Prospects for this position must meet the following criteria:

- active member(s) in good standing of the State Bar of South Dakota;
- be qualified to register as a lobbyist with the State of South Dakota;
- work as a full-time lobbyist during the 2019 legislative session;
- express a willingness to disclose other clients and potential conflicts between those clients and the SBSB;
- willingness to attend meetings of the SBSB Board of Bar Commissioners, as requested;
- excellent oral and written communication skills;
- ability to coordinate with SBSB substantive law sections to assist in the development of a legislative agenda and subject matter testimony;
- knowledge of the political decision-making process, as well as legislative and regulatory processes;
- ability to distill complex issues into concise talking points, and succinctly convey positions of the SBSB;
- ability to track legislation during the session, provide timely and periodic reports to SBSB leaders and appropriate sponsoring entities;
- participate in the preparation of informational updates for the SBSB members, including weekly summaries of legislative activity, and prepare reports following the legislative session of all matters of interest to SBSB; and
- possess knowledge of state reporting requirements and provide the SBSB with copies of all reports required to be filed with the office of the Secretary of State.

Proposals must include, but are not limited to, the following information:

1. Description of firm lobbying experience.
2. Representative client list.
3. Potential conflicts of current clients with the SBSD.
4. Description of any firm member(s) who would represent the SBSD.
5. Designation of lead lobbyist(s).
6. Vision and action plan on how lobbying would be conducted on behalf of SBSD and coordination of activities with the SBSD executive director.
7. Commitment to attend meetings of the SBSD, as requested.
8. Commitment to provide weekly reports to the SBSD, with timing and content to be agreed upon prior to start of the legislative session.
9. Proposed fee to be paid by the SBSD.
10. Any anticipated expenses in connection with lobbying.
11. Any other information the candidate would like the SBSD to consider.

All proposals are due in the offices of the SBSD on July 16, 2018. Please send one hard copy and an electronic version.

Please submit one hard copy of your proposal no later than July 16, 2018, to:

Andrew Fergel
Executive Director
The State Bar of South Dakota
222 East Capitol Avenue
Pierre, SD 57501

And submit an electronic version no later than July 16, 2018, to:

Andrew Fergel at andrew.fergel@sdbar.net.



HERO

a person who is admired
or idealized for courage,
outstanding achievements,
or noble qualities

******2018 Annual Meeting******
June 20-22, 2018
Ramkota Hotel, Sioux Falls
Book Your Rooms Now!



THE JUSTICE SQUAD

Thank you to the following attorneys for accepting a pro bono or modest means case from Access to Justice, Inc., this month! You are now a member of the the A2J Justice Squad – an elite group of South Dakota lawyers who accept the responsibility to defend justice, uphold their oath and provide legal representation to those who need it.

OUR LEGAL SUPERHEROES

- BETH ROESLER
- DAVID KING
- JENNIFER ENGLISH *
- JEREMIAH DAVIS
- STUART HUGHES
- WANETTE LENLING
- MICHAEL TOBIN
- RICHARD ERICSSON
- ABBY OFTEDAL
- SHARLA SVENNES
- JOSH ZELLMER
- SAMUEL J. NELSON
- MARGO NORTHRUP
- KODY KYRISS
- STACY KOOISTRA
- KATIE JOHNSON

**Accepted TWO cases*

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ATTORNEYS - 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 inviolate 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.

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ANNUAL EDUCATIONAL SEMINAR

Friday, May 4, 2018

National American University
5301 Mount Rushmore Road
Rapid City, South Dakota
And via live webinar

8:00 a.m.	Registration	
8:30 a.m.	Cole Willnerd U.S. Marshal's Office	<i>The Role of the U.S. Marshal's Office</i>
9:30 a.m.	Break	
9:45 a.m.	Greg Wick, Pennington Title Co.	<i>e-Recording at the Register of Deeds</i>
10:45 a.m.	Break	
11:00 a.m.	John Murphy, Murphy Law Office	<i>Criminal Law</i>
Noon	Lunch (provided)	<i>Michael Trump of NAU will give a brief presentation on Mentorships</i>
1:00 p.m.	George Grassby Whiting, Hagg, Hagg, Dorsey & Hagg	<i>Family Law</i>
2:00 p.m.	Break	
2:15 p.m.	Eric Kelderman U.S. Attorney's Office	<i>Ethics</i>
3:15 p.m.	Break	<i>50/50 Drawing</i>
3:30 p.m.	N. Drew Skjoldal Lynn, Jackson, Shultz & Lebrun	<i>The Tax Bill and Estate Planning</i>

All day/member of BHLPA	_____	\$65	Morning session and lunch	_____	\$40
All day/nonmember	_____	\$80	Afternoon session and lunch	_____	\$40
All day/NAU student	_____	\$20 (cost of lunch)			
Webinar*/member of BHLPA	_____	\$45			
Webinar*/nonmember	_____	\$60			
Webinar*/NAU student	_____	Free			

*** The seminar is also available as a live webinar that will be broadcast synchronously, and active participation is possible through this format. Please contact us as soon as possible if you're interested so we can make the arrangements.**

Name/Certification _____
Firm _____
Address _____
Telephone (work and emergency) _____
E-mail address _____

A \$20 fee will be retained for any cancellations made after April 27, 2018

Make checks payable to **BHLPA** and return by **April 20, 2018** to:

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An Overview of Common Legal Issues regarding US Immigration Law.

The State Bar Immigration Committee invites you to learn a basic understanding of U.S. immigration law concepts. Understanding these concepts will enable you to represent your noncitizen clients more effectively. South Dakota attorneys will likely represent noncitizen clients in federal or South Dakota legal matters at some point in their careers. Those matters can directly influence the noncitizen's immigration interests, including current statuses and future options. Possessing a basic understanding of immigration law enables the nonimmigration attorney to better serve the noncitizen client.

The noncitizen client is any person who is not a United States Citizen. The noncitizen client may be a trustor residing outside of the United States but authorizes the creation of a South Dakota trust. The noncitizen client might be a lawful permanent resident, (LPR or green cardholder), of the United States who, for whatever reasons, has not yet taken the necessary steps to become a naturalized United States citizen. The noncitizen maybe the "nonimmigrant" who lawfully resides in South Dakota and in some situations may be able to work lawfully in the United States.

Different areas of law that affect immigration status will be published in upcoming newsletters. The committee's goal is to bring a general awareness of some of the more common non-immigration legal issues that are problematic for the client's status or future status options. For specific situations, the committee welcomes questions.

As an introduction, the first topic we will cover is a brief explanation of different types of immigration status ranging from undocumented to pending, (naturalized), citizen. Generally, all statuses can be initially broken into two categories, immigrant and nonimmigrant. A client will not always have documentation to prove their status. This is quite common. Certain statuses or in-between situations may not have any physical proof available.

Undocumented

Individuals that do not have status may have entered without status or may have legally entered with status that has since expired or been revoked.

DACA

Young people that were previously undocumented and have met very specific criteria may have obtained DACA status. DACA is valid for 2 years at a time and is simply a deferral to deportation that allows the individual work authorization. Currently, no new DACA applications are being accepted, however current DACA holders are allowed to apply for renewal while litigation over the program's termination continues.

Non-Immigrant Temporary Visas

These visa holders could include vacationers, students, and some temporary workers.

Trafficking or other Crime Victim or Witness

T and U visa holders may have been undocumented but have met certain requirements, such as providing assistance to federal, state, or local authorities which investigate the criminal activity which caused harm to the victim.

VAWA Self-Petitioner and Special Immigrant Juvenile

Abused spouses and abused or abandoned children may obtain legal status by proving the abuse/neglect. For juveniles, this requires a predicate state court order.

Lawful Permanent Resident, (LPR)

Also known as a green card holder, LPR status allows one to live and work permanently in the U.S. LPRs may have started out as another status, however not all statuses are eligible to become LPRs. LPR status is required prior to becoming a naturalized citizen. LPRs can be deported. Mistakes and certain crimes are some of the ways an LPR can be put into deportation proceedings.

Refugee/Asylee

Both refugees and asylees must prove a well-founded fear of persecution. Refugees must be out of their country of origin and apply for refugee status in the second country. In the second country, they are screened extensively before they are allowed into the U.S. Asylees enter the U.S. and present themselves to the U.S. government and request asylum.

Family-Sponsored Visas

Immediate relatives of U.S. citizens and lawful permanent residents may be eligible for visas that lead to permanent resident status. These visas can involve very long wait times, (10+ years), for relatives other than spouses and unmarried children under 21 years old. There is no process to petition for grandparents, aunts, uncles, etc.

Naturalized Citizen

Adults that have been admitted for lawful permanent residence, (a green card holder), for a required period of time and who are able to demonstrate “good moral character” may qualify to become a naturalized citizen. The process is not complete, and the person is not a citizen, until they have taken the oath of citizenship. The U.S. does not deport U.S. citizens, however there is a de-naturalization process for individuals that the U.S. believes procured naturalization improperly or through misrepresentation. The U.S. citizen may relinquish the status of citizenship.

Upcoming topics include:

1. Firearms Offenses, Hunting Violations
2. Affidavits of Support
3. International Adoption, Hauge Convention
4. Child Abuse/involuntary termination of parental rights
5. Child Support
6. Protection Orders
7. Divorce
8. Criminal Offenses

Determine Value!



Meet the KTLLP Business Valuation Team

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A QUESTION OF VALUE: Missing Something??

If you are still trying to determine the value of your business using the “back of the napkin” style, make sure you aren’t missing a step. Within the various methodologies are necessary steps to ensure an appropriate value is calculated. For example, with employing the capitalization of earnings approach it is imperative to account for average annual equipment replacement costs. If this step is missed, the calculated value might not just be overstated, it could be flat out wrong. Why take the chance of missing something?

*Contact the KTLLP Certified
Valuation Services Team for help
with your calculations.*

Ericka Heiser,
MBA, CVA, Director
ericka@ktllp.com

Paul Thorstenson,
CPA/ABV, CVA, Partner
paul@ktllp.com

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A SPECIAL THANKS TO THE 2018 USD SCHOOL OF LAW LEGAL PRACTICE DRAFTING COURSE FACULTY

USD School of Law, along with Dean Thomas Geu, Dean Tiffany Graham, Advisor Thomas Welk, Professor Ramon Ortiz, Adjunct Coordinator Marilyn Trefz, and Project Rural Practice Attorneys extend a special thanks to the 2018 Legal Practice Course Presenters for sharing their time, knowledge and expertise to train and mentor young lawyers and law students. Presenters shared practice overviews, sample fact patterns with responsive documents, drafting assignments and individual student feedback.

Law Practice Management, Chad Nelson
Real Estate Transactions, Eric Hanson
Criminal Prosecution, Alexis Tracy
Business Entity Sale, Jennifer Larsen
Criminal Defense, Rachel Rasmussen
Estate Administration - Bobbi Thury

Family Law, Scott Kading
Alternative Dispute Resolution, Michael McKnight
Business Entity Formation, John Archer
Civil Pre-trial Practice, Eric Schulte
Estate Planning, Jayna Voss
Administrative Law, Thomas Welk

Legal Opinion Letters & In House Counsel
Judges' Panel

Mrg Simon, Kristina Schaefer, Matthew Tobin
Presiding Judge Cheryle Gering
Presiding Judge Larry Long
Retired Judge Kathleen Trandahl

Your efforts and service are appreciated by the 37 3Ls who took this course.

Here is what a few of this year's students had to say...

"Taking Law Practice Drafting was by far one of the greatest experiences during my time at USD Law. Having the opportunity to draft legal documents that were then reviewed by renowned South Dakota lawyers was truly incredible. I am humbled by the lawyers who took the time to provide substantial insight and knowledge that will help us as we begin our legal career. I only hope I too can provide back to students one day what the SD State Bar and attorneys have provided to me."
~ Alayna Holmstrom (Ackerman)

"The South Dakota Law Drafting Course has substantially helped me prepare for the practice of law in our state. This course has provided me with the knowledge, and the tools, to succeed in drafting documents that are not taught elsewhere within a standard legal education. I am convinced that students who take this course will be ahead of their peers entering the legal profession because these skills will not have to be taught to us by our employers."
~Branden Nethken

"The Law Practice Drafting Class has been one of the most beneficial classes I have taken. This class has given me the opportunity to finally put my knowledge of the law to use and get a taste of what the "real-world" will be like. The weekly lecturers and assignments have also made me feel more confident in my abilities when I start my job this Fall."
~Laura Hodson

"The Law Drafting course provided a great opportunity to put the theory we learn during law school to practice. The course also helped provide exposure to many areas of law. I now have a better idea of what areas interest me. I'm grateful to the attorneys who took time out of their busy schedules to provide us with instruction and materials to refer to as we begin our careers!"
~Brigid Hoffman

"Enrolling in the South Dakota Drafting course has been the smartest decision I've made in law school. As a recent addition to the Rural Attorney Recruitment Program, the course has provided me with not only the confidence to provide legal services to my hometown community after graduation in May, but it has fostered the growth of my network of specialized attorneys throughout the state when I face a challenge I can't solve on my own. Thank you to all of the past and future presenters for the Law Practice Drafting course, I hope to one day repay the favor you've all given me." ~Rachelle Norberg

NORTHERN PLAINS WEATHER SERVICES

Dr. Matthew Bunkers of Northern Plains Weather Services is a certified consulting meteorologist (CCM) and forensic meteorologist with over 25 years of weather analysis and forecasting experience. He can provide reports, depositions, and testimony in the areas of weather and forecasting, severe summer and winter storms, flooding, applied climatology and meteorology, agriculture meteorology, and statistics. More information is provided at <http://npweather.com>, and you can contact Matt at nrnplnsweather@gmail.com or 605.390.7243.

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WEDNESDAY, June 20

5:15 pm

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YOUNG LAWYERS BOARD
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Trial Academy Registration

Sponsored by the State Bar of South Dakota, National Institute for Trial Advocacy, and the USD School of Law

July 9 to 13, 2018 (Vermillion, SD)

Name: _____ Date: _____

Address: _____

Phone: _____

Email: _____

Please register me for the Trial Academy. I enclose a deposit of \$500 (made payable to SD CLE, Inc.) toward the tuition cost of \$1500. I acknowledge that the deposit, should I be accepted and subsequently am not able to attend, is non-refundable unless a replacement is found. If I am not accepted, I understand that my deposit will be returned to me. I understand that no interest will be payable on returned deposit. I further understand that I will be responsible for motel and meal costs. If I am accepted, I will tender the balance of \$1000 no later than June 25, 2018.

I acknowledge that there may be more applicants than available student slots and that the Trial Academy is primarily intended for lawyers with limited trial experience who desire to further develop his or her trial skills. The following professional information relative to my professional experience will be used by the admissions committee solely to determine whether I will be accepted for the Trial Academy and the information will be used for no other purpose nor shared with any other entity. In the event that there are more applicants than available space, I recognize that the admissions committee will accept the earlier application with deposit for similarly situated applicants.

Size of law firm _____ Years of practice _____

of civil jury trials (estimated): _____ #of criminal jury trials (estimated): _____

Brief description of your current law practice:

Mail this registration form, together with a check in the sum of \$500, payable to SD CLE, Inc.

To:

State Bar of South Dakota

222 E. Capitol Ave.

Pierre, SD 57501

Trial Academy Scholarship Application

The undersigned does hereby apply for a scholarship to the State Bar/NITA/USD School of Law Trial Academy to be held **July 9 to 13, 2018** in Vermillion, SD. I recognize that this scholarship, if awarded, covers the \$1500 tuition and reasonable meal and motel expenses. I further recognize that the scholarship for which I am applying is intended for a sole practitioner or a member of a small law firm. For the sole purpose of assisting the screening committee, I have answered the following professional demographic information:

Name: _____

Address: _____

Phone: _____

Email: _____

Years as a Lawyer: _____ Size of firm: _____

of civil jury trials (estimated): _____ # of criminal jury trials (estimated): _____

Brief description of my career as a lawyer: _____

Attached is my letter setting forth the reasons I should be awarded this scholarship. I understand that this application and attached letter will be kept confidential and will be used solely by the committee to award the scholarship.

Signed: _____

Dated: _____

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The Young Lawyers Section Board of Directors will be proposing the following amendment to their bylaws during their report at the Annual Meeting on June 22, 2018:

Article V; Sub-Point B:

Functions: The Board of Directors shall have the general management and control of the affairs of the Section, subject to the statutes of the State of South Dakota, bylaws, rules, regulations, policies and procedures of The State Bar of South Dakota and this Section, and Board of Bar Commissioners of The State Bar of South Dakota. The Board of Directors shall implement and maintain a mentorship program to integrate newly admitted members of the State Bar of South Dakota into the legal profession. The Board of Directors shall assist and cooperate with the officers and committees of The State Bar of South Dakota and may recommend to the President thereof members of the Section to serve upon the various committees of The State Bar of South Dakota.”

The inclusion of this sentence will institutionalize the current practice of the SD YLS as being the entity within the State Bar of South Dakota responsible for the Hagemann-Morris Young Lawyer Mentorship Coin Program. Any questions or concerns regarding this amendment can be directed to your SD YLS representatives. Current bylaws can be found on the State Bar of South Dakota Young Lawyers Section community page in the file library.



June 20-22, 2018
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REPRESENTING CLIENTS IN CRIMINAL PROCEEDINGS WITH A MENTAL ILLNESS

REQUIRED TRAINING FOR COURT
APPOINTED ATTORNEYS*

*Greg Sattizahn and Alecia Fuller
Co-Chairs*

**June 21, 2018
1:00-4:00pm**

Ramkota Hotel
Sioux Falls, SD

- 12:30-1:00 Registration – Free to Active State Bar Members, Others; \$100
- 1:00-1:05 **Introduction and Overview**
Improving Criminal Justice Responses for Persons with Mental Illness
Greg Sattizahn; State Court Administrator, Unified Judicial System, Pierre, South Dakota
- 1:05-2:00 **Representing a Client with Mental Illness in a Criminal Proceeding**
Overview, Tips and Best Practices
Betsey Harris, Rapid City, South Dakota
- 2:00-3:15 **Forensic Evaluations**
What a Defense Attorney Should Know
Dr. Stephen Manlove, MD, Manlove Psychiatric Group, Rapid City, South Dakota
- 3:15-3:30 Break
- 3:30-4:00 **Client Interaction Panel**
T.B.D.
- 4:00-4:15 **Competency Restoration**
An Inside View into the Restoration Process at the Human Services Center
TBD

*Completion of this CLE satisfies the requirement of SDCL 23A-40-21 allowing an attorney to receive court-appointments in criminal proceedings after July 1, 2018

Register online at: www.statebarofsouthdakota.com

2018 YOUNG LAWYER OF THE YEAR

Members of the State Bar of South Dakota are invited to submit nominations for the 2018 South Dakota Young Lawyer of the Year. This award will be presented at the Annual Meeting in June. Please consider nominating a South Dakota Young Lawyer for this prestigious award. In order to be considered, the nominee must be a member of the State Bar of South Dakota in good standing, and must not have reached the age of 36 years by June 20, 2018, or been admitted to practice in South Dakota or any other state for more than 10 years. Lawyers are only eligible to receive the award one time and lawyers serving on the Young Lawyers Board are not eligible for consideration. Nominees should exemplify the following characteristics:

1. Professional excellence;
2. Dedication to serving the legal profession and the Bar;
3. Service to their community; and
4. A reputation that advances legal ethics and professional responsibility

Nominating attorneys should submit a brief letter in support of their nominee to Young Lawyer President-Elect Tamara Nash at Tamara.Nash@state.sd.us no later than Friday, April 27, 2018. The letter should detail how the nominee meets the above-referenced characteristics.



Present:

Legal Potpourri

adj. & n. (le•gal & pot•pour•ri)

1. A smorgasbord of or relating to law;
2. A miscellaneous collection of, relating to, or having the characteristics of the profession of law.

Meghann Joyce and Jennifer Williams
Co-Chairs

June 20, 2018
1:00-4:15 pm

Ramkota Hotel
Sioux Falls, SD

1:00-2:00pm

Recent Changes to Attorney Conduct and Attorney Discipline Rules

Neil Fulton; Federal Public Defender's Office, Pierre, South Dakota

What is the Ethics Committee and what can it do for you?

Tim Gebhart; Sioux Falls, South Dakota

Michael McKnight, Boyce Law Firm, Sioux Falls, South Dakota

What is the State Bar doing to address mental health concerns for attorneys and their clients?

2:05-2:30pm

Meet the New South Dakota State Bar Executive Director

Andrew Fergel; State Bar Executive Director, Pierre, South Dakota

Pamela Reiter; Current President of the State Bar of South Dakota

2:30-2:45pm

Break

2:45-3:45pm

How to Get Involved with Legal Services

Brendan Johnson; Robins Kaplan, L.L.P., Sioux Falls, South Dakota

How mandatory pro bono works for Robins Kaplan

Denise Langley; Access to Justice, Pierre South Dakota

Brent Thompson; East River Legal Services, Sioux Falls, South Dakota

John Buchy; Dakota Plains Legal Services, Rapid City, South Dakota

Legal services and how you can get involved

3:45-4:15pm

Introduction to the South Dakota Lawyer Referral Service & Update on the Funding Campaign for the Law School

Pamela Reiter; Johnson, Janklow, Abdallah & Reiter, L.L.P.,

Sioux Falls, South Dakota

In Memory Of...

Jacqueline Marousek

Jacqueline Marousek, age 89 of Spearfish, died Monday, April 9, 2018 in Ridgefield, WA.

The funeral service will be held 10 am Saturday, April 21st at the First Baptist Church in Belle Fourche. Visitation will be held 5 to 7pm Friday April 20th at Leverington Funeral Home of the Northern Hills in Belle Fourche. Interment will take place in Pine Slope Cemetery.

Jacqueline Jaquith Marousek was born October 6, 1928 in Wakonda, SD to Norman and Monona Bottolfson Jaquith. She attended school in Vermillion, South Dakota. She graduated from law school in 1953, and practiced law with her father in what was thought to be the first father-daughter law partnership in SD. She was a third generation member of the SD bar. Jackie was married in 1951, and was the mother of five children. Her daughter, Linda is a 4th generation member of the South Dakota Bar and also served as a city attorney. Son Steve is an electrical engineer. Son Gary was a teacher and now does recycling. Son Charles is a retired business owner. Daughter Genevieve is a public library public relations and marketing director.

Jackie lived in Belle Fourche for many years before retiring to Spearfish in 2005. She was a stay-at-home mother for 20 years. During those stay-at-home years she was actively involved in Belle Fourche community affairs. She was a Girl Scout troop treasurer, Cub Scout den mother, Sunday school teacher at the First Baptist Church, held numerous P.E.O. offices, was membership chairman and president of the Community Concert Board of Directors, PTA president, Belle Fourche School Board member, and a Director of the Associated School Boards of South Dakota.

Several months into Jackie's term on the school board, the Belle Fourche School Board's attorney, a law school classmate of Jackie's, invited her to become an associate of his law firm, as an associate for a number of years. Jackie later went into private practice. During her legal career, Jackie was Belle Fourche City Attorney for almost 14 years and held various offices in legal professional organizations, the most recent being vice-president of the Butte County Bar. She was also state-wide president of the South Dakota Municipal Attorneys Organization and in 1984, she received the state Women In Law Award.

Jackie was known by all as a woman of great determination and unfailing good manners – both of which she executed with quiet power. She was a fierce and focused advocate for what she believed in – her community, the causes of her clients, and the well-being of her family. Even with all of her other accomplishments, she said she would like to be remembered as a good mother. She was. She will be missed.

Jacqueline is survived by her sons, Steven F. (Michele) Marousek of Atlanta GA, Gary Joseph Marousek of Spearfish, Charles Owen Marousek of Jackson, WY; daughters, Linda Anne (Gail) Marousek of Ridgefield WA, Genevieve Valerie (Gary) Schlekeway of Gillette WY; seven grandchildren: Chelsey Panchot, Graham and Miles Marousek, and Keifer, Caleb, Camden, and Emelyn (who is named after Jackie) Schlekeway.; and sister, Dorothy Gross of Tacoma WA.

The State Bar of South Dakota and
The Committee on Continuing Legal Education Present:

Early Bird

Stanton Anker – Chair

June 21, 2018
6:30 – 7:30 am

Ramkota Hotel, Sioux Falls

6:00 – 6:30 am Registration – Free to Active State Bar Members, Others; \$100

6:30 am **Lawyer Referral Online Platform**

Pamela Reiter, State Bar President - Johnson, Janklow, Abdallah & Reiter, Sioux Falls

6:40 am **Ag Law Update**

Amanda Gaikowski – Estate Planning Solutions, Sioux Falls and Brian Donahoe – Donahoe Law Firm, Sioux Falls

6:50 am **Family Law – Tax Reform and Alimony**

Linda Lea Viken – Viken & Riggins, Rapid City

7:00 am **Breach Notification Law**

Walter Prescott – Goosmann Law Firm, Sioux Falls

7:10 am **Legislative Update**

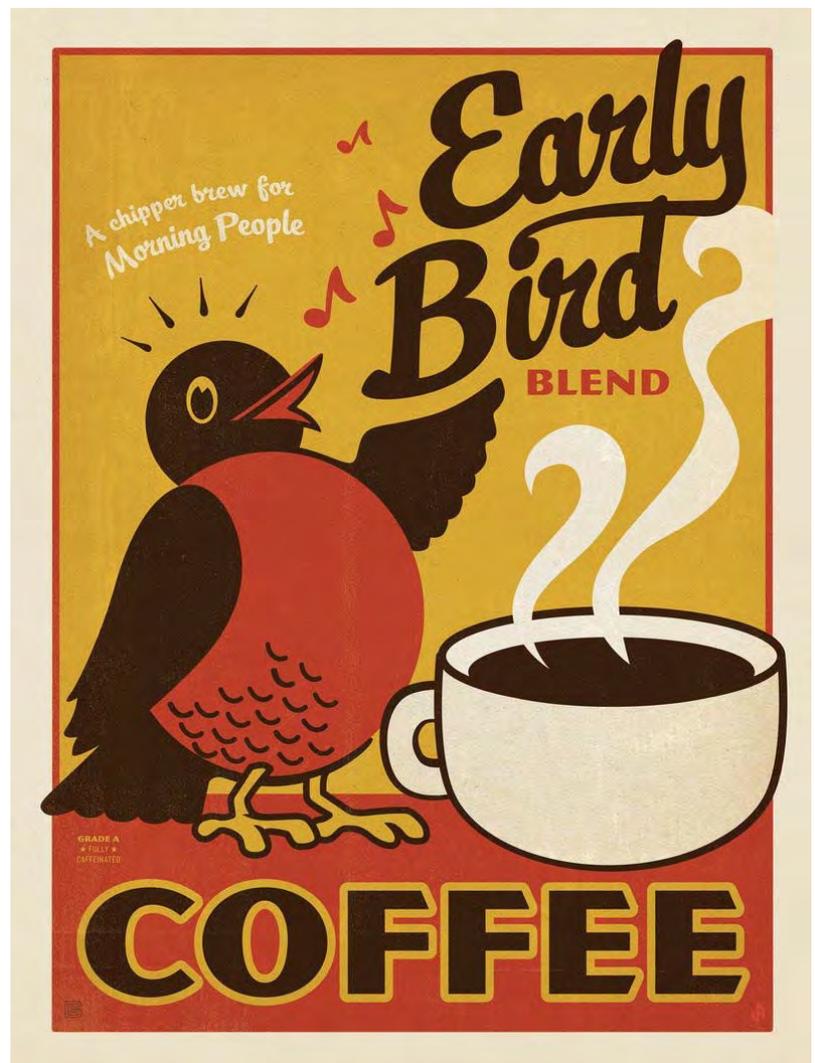
Timothy Johns – Johns & Kosel, Deadwood

7:20 am **Supreme Court Update**

Meghann Joyce –
Goosmann Law Firm, Sioux Falls

Register online at:

www.statebarofsouthdakota.com

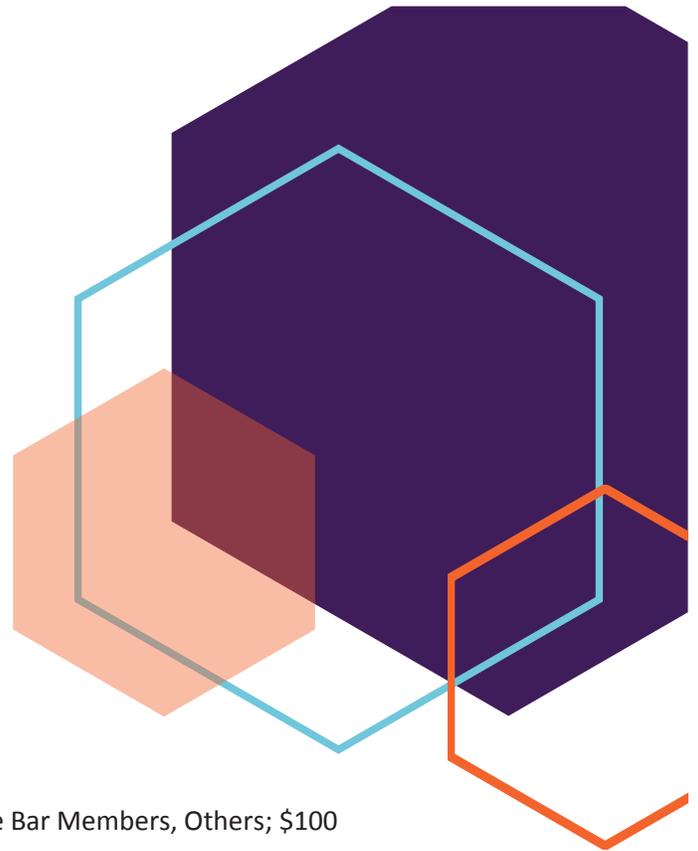


The State Bar of South Dakota
and
The Committee on Continuing Legal Education
Present:

BUSINESS LAW CLE

*Chair – Sarah Richardson Larson
Davenport, Evans, Hurwitz & Smith, L.L.P.; Sioux Falls, SD*

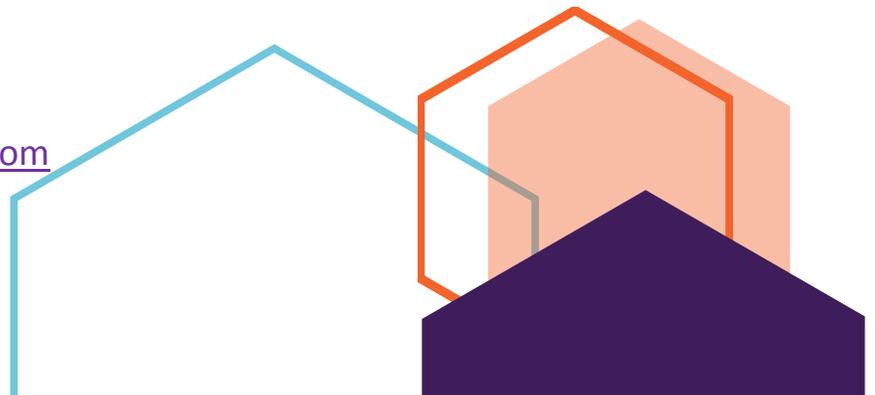
**June 21, 2018
Ramkota Hotel
Sioux Falls, SD
8:15 – 11:45 a.m.**



- 7:00 – 8:15 a.m. **Registration** – Free to Active State Bar Members, Others; \$100
- 8:15 – 9:00 a.m. **You and Your Client: The Rules of Engagement and Disengagement**
– Sheila S. Woodward – Marlow, Woodward & Huff, Prof. LLC;
Yankton, SD
- 9:00 – 9:45 a.m. **What Title Companies Want Attorneys to Know**
– Eric Hanson – Dakota Homestead Title Insurance Company;
Sioux Falls, SD
- 9:45 – 10:00 a.m. Break
- 10:00 – 10:45 a.m. **The SOS on the POA: Don't Get Bit by the Wolf in Sheep's Clothing –**
Bobbi L. Thury – Legacy Law Firm, P.C.;
Sioux Falls, SD
- 10:45 – 11:45 a.m. **2017 Tax Act Update**
– James M. Jarding, Jr. – Eide Bailly, LLP;
Sioux Falls, SD

Register online at:

www.statebarofsouthdakota.com



ALPS/USD FOUNDATION GOLF TOURNAMENT

The golf tournament will be held on Thursday, June 21, 2018 at the Elmwood Golf Course in Sioux Falls. The format is a four-person scramble. The golfers will be handicapped by tee placement as has been done in the past. Participants need not have established handicap and all are welcome to play. This tournament is open to all members (which includes the judiciary), spouses/companions, children of members, court reporters and law students. This tournament is a charitable fundraiser for the Law School. Winners receive shirts and bragging rights.

Entry is \$125.00 per person (\$500.00 for the team). This entry fee includes (per team) green fees, golf cart, range balls, two mulligans (per person), and entry into a skins game. **The tournament will have two shotgun starts—8:30 am and 2:00 pm.** Teams may select which time they tee off. Participants who are not attending Thursday morning meetings are urged to reserve the 8:30 am start time. Checks should be made payable to the ALPS/USD Foundation Golf Tournament. Please submit your tournament registration form and entry fee by June 7, 2018. After June 8, late entries will be accepted on an “as available” basis. Mulligans and a skins game will be offered onsite. This tournament is once again made possible by the generous donation of \$1,000 from ALPS.

Enclosed, please find a check totaling the sum of \$500, made payable to the ALPS/USD Foundation Golf Tournament. Members of our team are:

1. _____ 2. _____

3. _____ 4. _____

We would like to tee off at 8:30 am _____ 2 pm _____ .

**Mail this form with payment to:
State Bar of South Dakota
222 E Capitol Ave. #3
Pierre, SD 57501**



GET INVOLVED

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Your
Form

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COMMITTEE
PREFERENCE
REQUESTS

DUE

JUNE 29

STRESS and DEPRESSION HELP

Contact information for the regional mental health centers in South Dakota is located at www.statebarofsouthdakota.com ("For SDBAR Members" Under the Health & Wellness tab, click on the Stress/Depression/Addiction link. We have reached an understanding with all these centers and all will honor our agreement. If you are stressed out or you believe that you may be suffering from depression, the State Bar encourages you to seek a professional evaluation. If you don't have insurance or otherwise lack the financial resources, the State Bar project, funded by ALPS and the SD Bar Foundation, will cover the evaluation and several follow-up counseling sessions if indicated. You need only schedule the appointment and show them your 2017 active membership card. This is a confidential project. Counseling records are not, repeat, are not made available to the State Bar. We just pay the bill for those who can't afford it, up to the limit of \$500 per lawyer.

If you have a law partner or lawyer friend that you believe may be suffering from stress and depression, visit with them. Encourage this lawyer to consider having an evaluation. Depression caught at the early stages prior to becoming chronic is much, much easier to address. In just a few counseling sessions, you/your friend can learn techniques to deal with the stress more effectively in our lives, whether personal or professional.



SOLACE PROGRAM

If you are aware of anyone within in the South Dakota Legal Community (lawyers, law office personnel, judges, courthouse employees, or law students) who have suffered a sudden and/or catastrophic loss due to an unexpected event, illness, or injury, the South Dakota SOLACE Program may be able to assist. Please contact solace@sdbar.net if you, or someone you know, could benefit from this program.

We have a statewide (and beyond) network of generous South Dakota attorneys willing to get involved and help. We do not solicit cash but can assist with contributions of clothing, housing, transportation, medical community contacts, and a myriad of other possible solutions through the thousands of contacts available through the State Bar of South Dakota and its membership.

May 2018

Official Publication of the State Bar of South Dakota

If you wish to advertise in our publication or post job opportunities, please contact:
Tracie at tracie.bradford@sdbar.net.

The deadline for submissions in the newsletter is the 26th of each month, excluding December and February when it is the 23rd of the month. If the deadline falls on a weekend, the deadline is the Friday prior.

Address Changes:

email tracie.bradford@sdbar.net or log in to your profile at www.statebarofsouthdakota.com

Board of Bar Commissioners:

President – Pamela R. Reiter, Sioux Falls

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Executive Director & Secretary/Treasurer –
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Sign up for a LawPay account through the State Bar of South Dakota before **May 31 and they will waive your monthly fee for three months.**

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The State Bar of South Dakota
and
The Continuing Legal Education
Committee
present:

General Litigation

Program Chairs:

Jason R. Sutton
William D. Sims

June 21, 2018
8:00 – 12:00pm

Ramkota Hotel, Sioux Falls

- 7:30 – 8:00 am Registration – Free to Active State Bar Members, Others; \$100
- 8:00 to 8:50 a.m. “What I Learned as Judge That I Wished I Knew as a Lawyer”
Speakers: Justice Janine Kern, Judge Susan Sabers,
Judge Craig Pfeifle, and Judge Bruce Anderson
- 9:00 to 10:00 a.m. “Finding and Solving Lien and Subrogation Issues in Personal
Injury Cases”
Speakers: Lee Schoenbeck and Karen Armstrong
“Medicare Set Asides”
Speaker: Linda Wolden
- 10:00 to 11:20 a.m. “Conversation Matters”
Speaker: Mary Verstraete, Co-Founder of the Center for Coaching
Excellence and a Professional Certified Coach with the International
Coach Federation
- 11:30 to 12:00 p.m. “The Unused Discovery Tools in Your Toolbox”
Speaker: Jason Sutton

Register online at: www.statebarofsouthdakota.com

The State Bar of South Dakota, The Committee on Continuing Legal Education, and ALPS

Present:

ALPS/ETHICS

Robert W. Minto, Jr. – Chair

June 20, 2018
1:00 – 5:00 pm

Ramkota Hotel
Sioux Falls

11:00 am – 1:00 pm Registration – Free to Active State Bar Members, Others; \$100

Robert W. Minto, Jr., has served as President and CEO and Director of ALPS Corporation since 1987 and as of May 2013 serves as Executive Board Chair and Director. Mr. Minto also serves as President and CEO of Lawyers Reinsurance Company (Vermont). Mr. Minto received his B.A. degree in Business Administration from the University of Washington in 1969 and his J.D. from the University of Montana School of Law in 1973. He served as an Associate (1973-1977), a Principal (1978-1991) and Of Counsel (1991-2000) with the law firm of Worden Thane & Haines in Missoula, Montana. Mr. Minto has been a member of the State Bar of Montana and the American Bar Association since 1973. He serves on the State Bar of Montana Lawyers Fund for Client Protection; the State Bar of Montana Law Practice Management Committee; and the Montana Justice Foundation. He also serves on the Board of Governors of Property Casualty Insurers Association of America (PCI).

Register online at www.statebarofsouthdakota.com

Job Postings and Classified Advertisements

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

ATTORNEYS

Managing Attorney: Fort Thompson, SD
DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Managing Attorney position in our Fort Thompson, South Dakota, branch office. The Fort Thompson office serves the Crow Creek and Lower Brule Indian Reservations in South Dakota and Brule, Buffalo, Hughes, Hyde, Lyman, Stanley and Sully counties in South Dakota.

Applicants must have a JD degree and be licensed to practice, or by reciprocity be able to obtain a license to practice, in South Dakota, or be qualified to take the next South Dakota Bar Exam; must be a bright, motivated, self-starter; must have the tenacity to assume immediate practice responsibilities, including handling a significant caseload touching on many different areas of law with regular appearances in court; must demonstrate an interest in poverty law and working with Native American and low income clients. Applicant must have at least one year's experience in the practice of poverty law or Indian law, with trial and appellate experience in state and federal courts or two years' experience in the general practice of law. If Applicant does not possess this experience we would consider Applicant for a staff attorney position until qualified to be a Managing Attorney.

Competitive, depending on experience. DPLS has an excellent fringe benefits package including generous leave benefits and employee insurance coverage (medical, dental, life, disability).

Opened until filled.

Litigation Attorney: Madison, SD
Jencks & Jencks, P.C. is seeking a litigation attorney. No experience is required but at least two years of practice is preferred. Strong writing, discovery management and motion practice is required. Some trial experience is preferred. South Dakota bar admission will be required. Some travel will

be required in North Dakota and Minnesota, and sometimes to other states. Salary will be commensurate with experience and a bonus structure will be made available. All inquiries and applications will be handled confidentially. Send resume and cover letter to Carrie Wieman, Jencks & Jencks, P.C., P.O. Box 442, Madison, SD 57042 or carriewieman@jenckslaw.com

Deputy State's Attorney: Brookings County, South Dakota

The Brookings County State's Attorney's Office has an immediate opening for a Deputy State's Attorney to perform routine professional legal work in the prosecution criminal crimes, juvenile crimes, and juvenile abuse and neglect cases in Brookings County. Responsibilities of the Deputy State's Attorney vary and may include reviewing offenses and evidence to make determination on charges and prosecuting violations of state law; reviewing requests for petitions and determining appropriate course of action; making recommendations for child custody and parental rights; and attending legal proceedings. Annualized compensation for appointment as a Deputy State's Attorney will be \$65,068.00.

Examples of duties include: Prepare and manage a caseload of predominantly low-level felonies, juvenile violation cases, abuse and neglect cases, and magistrate court cases. Assist law enforcement with involuntary mental health committals. Assist with civil representations of the County. Present cases for legal proceedings. Perform legal research. Prepare, draft, and file legal documents and correspondence. Review offenses, police reports, and evidence to make determination on charges. Prepare, send, and track subpoenas for witnesses and records. Prepare and interview witnesses for legal proceedings. Stay informed on changes in relevant law and statutes and proposed legislation and policy pertaining to criminal law, juvenile delinquency, and juvenile abuse and neglect. Communicate, correspond, and collaborate

with parties involved in cases including victims, parents, school personnel, attorneys, court personnel, and law enforcement regarding procedures and actions for those cases. Respond to inquiries from the public. Make recommendations for custody, parental rights, sentences, and restitution for juvenile and magistrate files. Represent the State's Attorney's Office at public, private, and inter-governmental programs and events. Train and educate volunteers, law enforcement, and social workers on their roles and duties on legal issues and the court process duties. Answer, handle, or direct phone calls and walk-in traffic from clients and the general public regarding legal concerns and questions. Minimum Qualifications: Graduation from a college of law. Attainment of a Juris Doctorate degree from an accredited law school. Admission by the Supreme Court of South Dakota to practice law in the state of South Dakota; or be licensed to practice law in any other state and able to take the next available South Dakota bar examination; or be a recent or imminent law school graduate, eligible to sit for the next available South Dakota bar examination. Comparable combination of education and experience may be considered. Must successfully complete pre-employment background process. Working knowledge of civil and criminal law and methods and practices of pleadings; court procedures and rules of evidence; principles, methods, materials and practices utilized in legal research; and general law and established precedents. Ability to prosecute cases. Ability to speak and write effectively in the preparation and presentation of legal matters. Ability to establish and maintain effective working relationships with coworkers, other agencies and the public. Ability to maintain professional appearance and demeanor. Preferred Qualifications: Strong oral argument skills.

To apply: Interested applicants should submit a cover letter, resume, law school transcript and writing sample to: Teree Nesvold, Brookings County States Attorney, 520 3rd St., Suite 330, Brookings, SD 57006 or electronically at tnesvold@brookingscountysd.gov. Deadline for applications is 3/15/18. Brookings County is an Equal Opportunity Employer.

Deputy State's Attorney: Union County
SALARY[MK1]: \$4,250 - \$4,583.00 Monthly Opening
Date: 3/12/18 Closing Date: OPEN UNTIL FILLED
GENERAL INFORMATION: The Union County

State's Attorney's Office seeks applicants for the position of Deputy State's Attorney to perform professional legal work on behalf of Union County and county departments in civil and criminal court, and administrative proceedings. The Union County State's Attorney's Office has a high case volume for each attorney position. Responsibilities shall include providing legal advice and representation to county officials and staff, working with law enforcement, as well as members of the community in the preparation of criminal cases, legal research and writing, motion preparation, litigating cases in court, and assisting with drafting, filing and presenting proposed legislation. EXAMPLES OF DUTIES INCLUDE: Prosecute violations of state law including felony, misdemeanor, juvenile violations, and juvenile abuse and neglect cases. Review police reports and evidence to make determination on charges and prepare subpoenas for witnesses. Make recommendations for child placement and supervision terms in juvenile cases. Perform legal research, prepare and file legal documents and correspondence. Draft proposed legislations and appear before legislative committees. Prepare press releases and communicate with the media. Give direction to support staff, provide educational instruction to interns, externs, volunteers, law enforcement, and social workers. Other duties as assigned.

MINIMUM QUALIFICATIONS: Law degree from an ABA-accredited school of law, and admission by the Supreme Court of South Dakota to practice law in the state of South Dakota. Successful applicant must have working knowledge of civil and criminal law, methods of and practices of pleadings; court procedures and rules of evidence; principles, methods, materials and practices utilized in legal research; general law and established precedent; and the ability to prosecute cases. Must have strong oral and written communication skills, especially in the area of preparation and presentation of legal matters; ability to work with minimal direction, as well as the ability to work as part of a team; and the ability to organize and prioritize. Applicant must maintain a professional appearance and demeanor at work and in court. A successful applicant must maintain professionalism in all forms of communication towards this office as well as with other attorneys, officials, other professionals, and the public.

PREFERRED QUALIFICATIONS: Strong oral argument skills, experience in complex criminal issues,

jury trial experience, and experience with complex civil/government litigation issues.

UNION COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

APPLICATION PROCEDURE: Submit resume, cover letter addressing required qualifications, complete contact information for at least 3 professional references, and provide a writing sample not to exceed 5 pages relating to a criminal or governmental issue (i.e. Resistance to a Defense's Motion to Suppress; Motion to Suppress (with supporting authorities); Miranda Issues; Consent Issues; Planning and Zoning Issues; and Governmental Taking Issues, just to name a few).

Application materials must be received by the closing date. Applications may be submitted to: Email: Jerry.Miller@UnionCountySD.org Subject line:

APPLICATION
OR

Mailed: Union County State's Attorney
209 East Main Street ~ Suite 140
Elk Point, SD 57025
Re: APPLICATION

Associate Attorney: Huron, SD

Churchill, Manolis, Freeman, Kludt, Shelton & Burns LLP in Huron, South Dakota is seeking an Associate Attorney. The attorney in this position will focus on the general practice of law including school law, real estate, criminal defense, personal injury and domestic relations. Interested applicants should send a cover letter and resume to Jeff Burns, P.O. Box 176, Huron, South Dakota 57350, or jeff@churchillmanolis.com. All applications will be kept confidential. Open until filled.

Associate Attorney: Sioux City, IA

The law firm of Moore, Heffernan, Moeller, Johnson & Meis, LLP, in Sioux City, Iowa is seeking to hire an associate with 0-5 years' experience. Interest in business transactions, estate planning, real estate, or litigation would be a plus. Preferred candidates should possess excellent oral and written skills. The Moore Heffernan Law Firm supports work-life balance, mentorship, and the professional development and community involvement of its attorneys. Benefits include PTO, 401K, health insurance, flex plan, CLE, bar dues and professional memberships. Please send

a cover letter, resume and writing sample to Office Manager, Moore, Heffernan, Moeller, Johnson & Meis, LLP, P.O. Box 3207, Sioux City, Iowa 51102-3207 or email: kpetrie@MooreHeffernanLaw.com

Litigation Staff Attorney: Avera in Sioux Falls

The Staff Attorney-Litigation, is responsible for providing any and all legal services for collection of primarily out-of-state patient accounts on behalf of Accounts Management, Inc. ("AMI"); responsible for assisting with AMI claims and county poor relief claims of Avera Health hospitals in the state of South Dakota, time permitting and as requested by the Avera Patient Accounts Attorney, to the extent that such proceedings or actions necessitate the involvement of legal counsel; and serves as an additional legal resource to the Director and Litigation/Collection Manager of AMI with respect to the collection of such patient accounts.

REQUIRED EDUCATION and/or EXPERIENCE:
Juris Doctor required; BS or BA in Business preferred.
REQUIRED CERTIFICATION, LICENSURE, and/or REGISTRATIONS:

- Attorney duly licensed to practice in the state of South Dakota.
- Current Iowa License to practice law in good standing, or minimum 5 years of law practice (litigation emphasis) with the ability to obtain Iowa Licensure within 6 months of employment.
- Ability to obtain additional law licensure within other states as deemed necessary by AMI (Nebraska and/or Minnesota).
- This position requires a valid driver's license, and that the employee is insurable by the Avera Health automobile liability insurance carrier.
- Responsible for maintaining CLE requirements in all states in which licensed to practice.

Deputy State's Attorney: Clay County, South Dakota
Salary: \$54,946 - \$60,441 annually DOE, plus state retirement, health insurance and partial dependent care

Closing Date: Open until filled

General Information:

The Clay County State's Attorney's Office invites applications for a full-time Deputy State's Attorney to perform professional legal services on behalf of the State of South Dakota, Clay County and county

departments in criminal and civil court, as well as administrative proceedings. This position serves under the general direction of the Clay County State's Attorney. Duties vary but include in the prosecution of criminal cases, juvenile crimes, and juvenile abuse and neglect cases.

Examples of duties include:

- Prepare and manage a caseload of predominantly misdemeanor cases, low-level felonies, juvenile violation cases, and juvenile abuse and neglect cases. Present cases for legal proceedings. Perform legal research. Prepare, draft, and file legal documents and correspondence.
- Review offenses, police reports, and evidence to make determination on charges. Prepare, send, and track subpoenas for witnesses and records. Prepare and interview witnesses for legal proceedings. Appear regularly in court. Select jurors.
- Communicate, correspond, and collaborate with parties involved in cases including victims, parents, school personnel, attorneys, court personnel, and law enforcement regarding procedures and actions for those cases. Respond to inquiries from the public.
- Make recommendations for custody, parental rights, sentences, and restitution for juvenile and magistrate files.
- Stay informed on changes in relevant law and statutes and proposed legislation and policy pertaining to criminal law, juvenile delinquency, and juvenile abuse and neglect.
- Represent the State's Attorney's Office at public, private, and inter-governmental programs and events as directed by the State's Attorney.
- Seek, locate and procure grant funding by completing applications and any necessary reporting associated with said grants.
- Answer, handle, or direct phone calls and walk-in traffic from the public regarding matters addressed by the office.
- Performs other job-related duties as required by the State's Attorney.

Minimum Qualifications: Graduation from a college of law. Attainment of a Juris Doctorate degree from an accredited law school. Admission by the Supreme Court of South Dakota to practice law in the state of South Dakota; or be licensed to practice law in any other state and able to take the next available South Dakota bar examination; or be a recent or imminent law school graduate, eligible to sit for the next available South Dakota bar examination. Working knowledge

of civil and criminal law and methods and practices of pleadings; court procedures and rules of evidence; principles, methods, materials and practices utilized in legal research; and general law and established precedents. Ability to prosecute cases. Ability to speak and write effectively in the preparation and presentation of legal matters. Ability to establish and maintain effective working relationships with coworkers, other agencies and the public. Ability to maintain professional appearance and demeanor. Must successfully complete pre-employment background process.

Preferred Qualifications: Strong written and oral argument skills.

To apply: Applicants should submit a cover letter, resume, writing sample (not to exceed five pages), and references to: Alexis Tracy, Clay County State's Attorney, 211 W. Main Suite 204, Vermillion, SD 57069; or Alexis.Tracy@claycountysd.org. Clay County is an Equal Opportunity Employer.

Associate Attorney: Sioux Falls, SD

BOYCE LAW FIRM, LLP, in Sioux Falls, South Dakota has an opening in its TRUSTS & ESTATES practice area for an associate position with 0-3 years of experience. Ideal candidates will have strong academic credentials, superior communication skills, a willingness to learn and be highly self-motivated. Work experience outside the practice of law preferred. Boyce Law Firm LLP is a top-rated, multi-specialty law firm. Compensation will be commensurate with education and experience. Benefits include generous 401K, health insurance, annual CLE tuition, professional dues and memberships and numerous incidentals. Confidential inquiries, including resume, cover letter and law school transcript should be directed to Jennifer Bunkers, Boyce Law Firm, LLP, PO Box 5015, Sioux Falls, SD 57117-5015 or to jebunkers@boycelaw.com. For more information about Boyce Law Firm, please

Staff Attorney: Mission, South Dakota

DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Staff Attorney position in our Mission, South Dakota, office. The Mission office serves the Rosebud Sioux Indian Reservation and Gregory, Jones, Mellette, Todd and Tripp counties in South Dakota.

QUALIFICATIONS/RESPONSIBILITIES: Applicants

must have a JD degree and be licensed to practice, or by reciprocity be able to obtain a license to practice, in South Dakota, or be qualified to take the next South Dakota Bar Exam; must be a bright, motivated, self-starter; must have the tenacity to assume immediate practice responsibilities, including handling a significant caseload touching on many different areas of law with regular appearances in court; and must demonstrate an interest in poverty law and working with Native American and low income clients.

SALARY: Competitive, depending on experience.

DPLS has excellent fringe benefits, including generous leave benefits and employee insurance coverage (medical, dental, life, disability).

CLOSING DATE: Open until filled.

APPLICATION INFORMATION: Please submit a letter of interest and resume to: John J. Buchy, Executive Director, Dakota Plains Legal Services, PO Box 727, Mission, SD 57555, (605) 856-4444, dpls1@gwtc.net. Native Americans, Women and Minorities are encouraged to apply. Dakota Plains Legal Services is an Equal Opportunity Employer.

Appellate Position: Pierre, SD

OFFICE OF ATTORNEY GENERAL

APPELLATE POSITION

DETAILS: The Office of Attorney General seeks an attorney for an appellate position in the Pierre office. An appellate attorney is responsible for representing the state in criminal and civil appeals and for providing legal advice to many state agencies, boards and commissions. Assistant Attorneys General are required to maintain high moral character; have strong legal advocacy skills; have effective research and writing capabilities; and be able to communicate with clients and the courts.

OFFICE LOCATION: This position will be stationed in Pierre.

STARTING SALARY: Entry level salary is \$ 63,259.09 annually or greater, depending upon experience and funding availability. The State of South Dakota has an excellent benefit package including retirement, employee insurance coverage and paid leave.

QUALIFICATIONS: Applicants must have a JD degree and be licensed to practice law in South Dakota; must be a motivated self-starter and be prepared to assume immediate appellate responsibilities.

APPLICATION PROCESS AND DEADLINE DATE:

Interested persons should send a resume containing

three references, a writing sample and a letter describing their qualifications by June 15, 2018, to the following:

MARTY JACKLEY, OFFICE OF ATTORNEY GENERAL, 1302 E. HIGHWAY 14, SUITE 1, PIERRE, SOUTH DAKOTA 57501.

Senior Associate: Sioux Falls, SD

The Sioux Falls law firm of May & Johnson, P.C. is currently seeking a Senior Associate to join our litigation team. The candidate should have the experience to immediately handle files, conduct discovery, and appear in court. All inquiries will be kept confidential.

Requirements:

3+ years of experience in a comparable position and/or relevant practice; JD from an ABA accredited law school; In good standing with South Dakota State Bar Association; Civil trial experience in state and federal court; Motivated to build a litigation practice in Sioux Falls.

Salary and benefits will be competitive with the market and the candidate's skills.

Please send resumes and references to marndt@mayjohnson.com.

Associate Attorney: Rapid City, SD

A PLC Moore-Faust Law Group in Rapid City, South Dakota is seeking an Associate Attorney. The attorney in this position will focus on the litigation work for our plaintiff's personal injury practice, along with other duties. Interested applicants should send a cover letter and resume to Dean Faust, PO Box 2471, Rapid City, South Dakota 57709, or faust@moorefaust.com. All applications will be kept confidential. Open until filled.

City Attorney : City of Spearfish, SD

Responsibilities: The City Attorney (full-time) will act as chief legal officer to the Mayor, City Council, City Administrator, and City staff to provide them with legal advice and guidance in all areas, legal and otherwise, pertaining to all aspects of City government, ordinances, resolutions, contracts, agreements, policy directives, and day to day City operations.

Requirements and preferred experience: Graduation

from an accredited school of law with Juris Doctor Degree required. Four (4) years' experience of a responsible nature in the practice of law with considerable experience involving municipalities, trying court and jury cases, preparing and reviewing contracts, pleadings, and laws or ordinances preferred; or any such combination of education/experience as may be acceptable to the hiring authority. Admission to practice law in federal courts and in South Dakota state courts required. Strong negotiation skills and tact preferred. Possession of a valid driver's license and clean driving history required. Residency required within a distance from the City of Spearfish adequate to meet a thirty (30) minute response time requirement.

How to Apply: Interested persons must submit City application, cover letter, resume and salary requirements to the Human Resource Office, 625 Fifth Street, Spearfish, SD 57783; p 605-642-1354; f 605-642-1329; e jodi.friedel@cityofspearfish.com
Minimum Salary: \$93,496.00 (Exempt position) Equal Opportunity Employer. Position open until filled. To view entire position description please visit the City's web page at www.cityofspearfish.com Individuals with disabilities who need reasonable accommodations to complete the job application process are encouraged to apply and should contact the Human Resource Director to commence the accommodation interactive process.

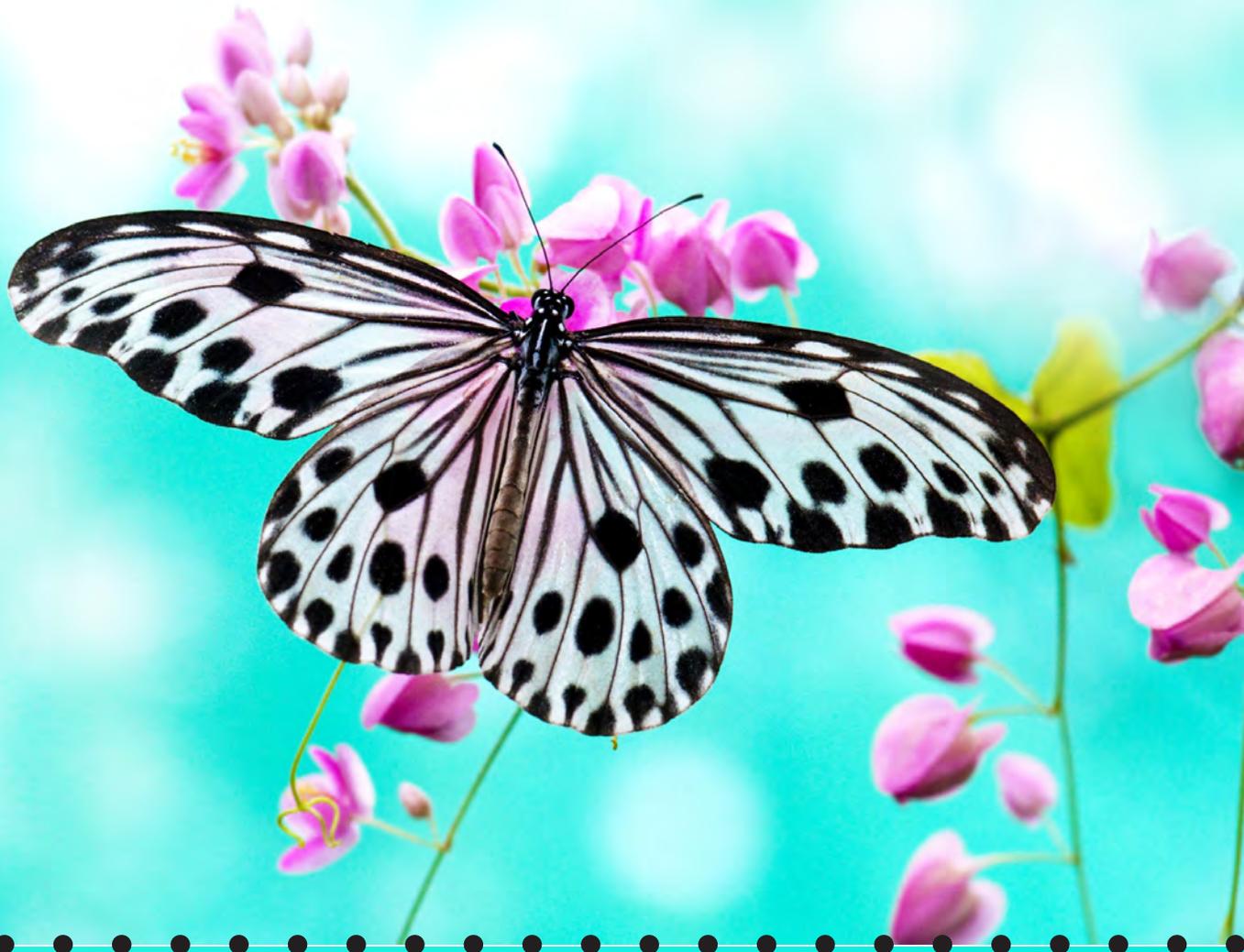
PARALEGAL

Paralegal: Sioux Falls, SD

BOYCE LAW FIRM, LLP, in Sioux Falls, South Dakota has an opening for a full-time paralegal to assist with its litigation practice with emphasis in working in medical malpractice and health law area. Candidates should possess strong organizational, multitasking, and computer skills and be able to maintain a heavy workload. Excellent grammar, spelling, punctuation, and attention to detail are also required.

The firm offers a competitive compensation. Benefits include generous 401K, profit sharing, health insurance, life insurance, professional dues, memberships and paid attendance and expenses for continuing legal education. Confidential inquiries, including resume, cover letter should be directed to Michele Benson, Boyce Law Firm, LLP, PO Box 5015, Sioux Falls, SD 57117-5015 or to mlbenson@boycelaw.com. For more information about Boyce Law Firm, please visit www.boycelaw.com.





May 2018

Ask - A - Lawyer.....	May 1-3.....	Rapid City & Sioux Falls
2018 Jackrabbit Bar Conference.....	May 31 - June 2, 2018.....	Medora, ND
Disciplinary Board.....	June 18-20.....	ClubHouse, Sioux Falls
2018 Annual Meeting.....	June 20-22.....	Ramkota, Sioux Falls
Bar Commissioners Retreat.....	July 12-13.....	Red Rossa, Pierre
Disciplinary Board.....	September 13-14.....	Rapid City
Estate Planning CLE am.....	September 28.....	Ramkota, Sioux Falls
TBA pm.....	September 28.....	Ramkota, Sioux Falls
SD YLS Swearing-In Ceremony.....	October 19.....	Pierre
Juvenile Law CLE.....	December 7.....	Ramkota, Rapid City