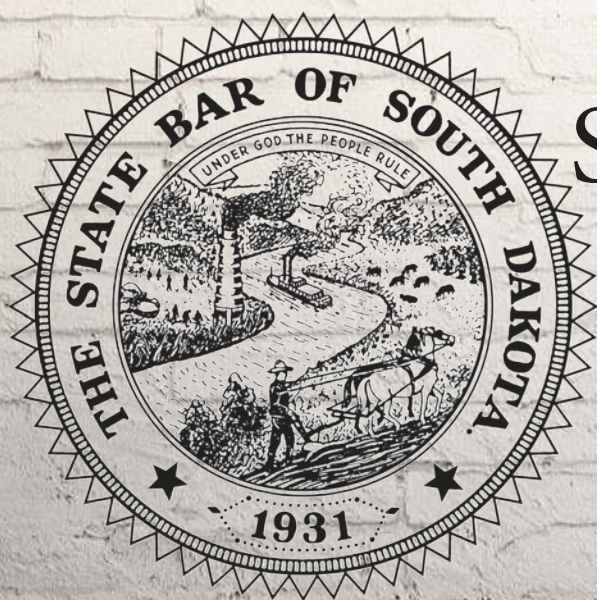


ATTENTION!

WE ARE GOING DIGITAL!

Starting December 2017, all NEWSLETTERS will be available on the State Bar of South Dakota's homepage. Members will receive an email with a direct link; no login required with clickable links and full color!



State Bar of
South Dakota

Newsletter November 2017

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www.statebarofsouthdakota.com

November 2017 - Issue 11

PRESIDENT'S CORNER - *Pamela Reiter*



One of the most popular CLE's that the State Bar hosts is the Early Bird, which is a legal potpourri-type of CLE. This President's Page will be of a similar type because I have several unrelated but equally important projects and decisions to report.

Newsletter – Electronic Delivery Only

Your Bar Commissioners met on Friday, October 27, to debate whether the State Bar Newsletter should continue to be printed six times per year or whether we should move to an entirely electronic newsletter. After announcing in my September article that this issue would be considered by the commissioners, several members contacted commissioners with their opinions, which were shared with the full Commission during the debate. The unanimous vote was to deliver

the Newsletter only electronically. This will eliminate approximately \$45,000 each year in printing and postage costs. The primary member suggestion to facilitate this transition was to provide a direct link or pdf to the Newsletter, which would allow for easier access than logging in to the members only portion of the website to view the Newsletter. Unfortunately, the directly emailing a pdf is not a viable option. The next best alternative is to publish the Newsletter on the public portion of the website, enabling us to send an email with a direct link to the Newsletter to avoid the issue of logging into the members only site.

This option was selected by the Bar Commission. Certain information, however, will be redacted from the Newsletter that will not be made public, including bar members' contact information, budgetary information, and minutes of Bar Commission meetings. This information will continue to be available to all members on the members only site. And so this is the final Newsletter that will be printed and mailed to members. Beginning with the December 2017 Newsletter, the State Bar office will send all members an email with a direct link to the electronic Newsletter on the public website. To ensure that your current email is on file, please contact Tracie Bradford at the State Bar Office at tracie.bradford@sdbar.net. As we move through this transition, please feel

free to contact me, any of your Bar Commissioners, or anyone at the State Bar Office with any concerns or issues that you encounter in accessing the Newsletter.

CLE Materials – Electronic Delivery Only

For similar reasons, the Bar Commission also voted to eliminate the printing costs for CLE materials beginning in 2018. The average annual printing expenses for CLE materials for the last several years is \$40,000. Members will receive a link in advance of the CLE's to access the materials, allowing them to be downloaded or printed as desired.

Website

Options for improving the State Bar's website were explored during the Bar Commission meeting in October. We opted to continue exploring options and gather more information over the next few months before making any decisions. If you are interested in assisting with this project, please contact me.

New Lawyer Referral System

A third important decision made by the Bar Commission on October 27 was to adopt a new lawyer referral system. New software is available to us at no cost due to its development through a grant. Membership in the referral program will be

voluntary, meaning that you will not automatically be listed in the system but must opt-in to receive referrals. The State Bar will incur administrative costs that will be offset by the annual fee of \$50 for all participating members. Members currently pay an annual fee of \$30 to participate in the limited referral system that presently exists. Please stay tuned for more detailed information in the coming months.

Legal Services Update

I am pleased to report that the three legal services organizations in South Dakota, namely East River Legal Services, Dakota Plains Legal Services and Access to Justice (the State Bar's legal services program also referred to as A2J), worked together to submit and were awarded two joint grants to focus on assisting victims of violence, Veterans, and the elderly and disabled populations. These three providers are also working together on new case management software that will allow for unified intake of new clients. Another exciting example of unprecedented cooperation is the launch of a new

statewide legal services website to allow South Dakotans to obtain easier access to much needed legal services from the state's three providers on one website.

A2J was reorganized last year and is a resounding success. Since January 2017, our members have provided over 900 pro bono hours, with a value of nearly \$160,000 to the citizens of South Dakota! If you have not recently referred citizens in need to A2J or sought to fulfill your annual obligation to provide pro bono service through A2J, please consider doing so and contact Denise Langley at access.to.justice@sdbar.net.

Recruitment of Native American students

Several members are engaged in efforts to recruit Native American students to consider law as a career. These efforts include mock trials for elementary and high school students and presentations to college students about the legal profession and law school. The State Bar Indian Law Committee, the Young

Lawyers Section and Jim Leach are coordinating these recruitment efforts. If you are interested in assisting with these efforts, please contact Seth Pearman, Tamara Nash or Jim Leach.

Practice Tip: I shared this tip with the new admittees during the Statewide Swearing-in Ceremony at the Capitol on October 27. You will likely not know in advance when your credibility will be crucial to a situation. Thus, build your credibility with other bar members and the Court through each interaction, including each email, letter, phone call or in person discussion you have with counsel and the Court. Although our clients may not like each other or have even stronger adverse feelings against each other, that does not give us a license to be rude or disrespectful to opposing counsel. Civility among the members of the South Dakota bar sets us apart from others and I hope that will continue for all future generations of lawyers.

Pamela Reiter

605-338-4304

pamela@janklowabdallah.com



INTER-ALIA

by Tom Barnett

Wow! The times they are a changing. The cover and President Reiter's President's page advise you that this issue is the last printed and mailed newsletter. Of course, our members can simply hit "print" on their computers and have the printed newsletter. Same with CLE materials. Recognizing, however, that this is a major change, I thought that I would offer you context. Almost every association has gone digital. Some because of demographics (the young do everything on line) but most because of the expense of printing and mailing. Let's do a quick analysis of costs.

Firstly, the State Bar of South Dakota has the fewest number of employees of any state bar in the country. I was going to say the "smallest" staff, but that connotes "shortest" although that may also be true. For older members, we know that every eight

or nine years, there is a dues increase to reflect increased costs. We are past due for that increase. However, as stewards of your dues money, your staff and Bar Commissioners have been examining every avenue to hold off a dues increase. The decision a year ago to print the newsletter every other month was designed to buy us time. The decision last week to "go all digital" is consistent with those efforts.

Secondly, our annual dues are about average with those of state bars across the country. However, virtually all those states charge for CLE and with mandatory CLE in most jurisdictions, the actual cost for a member of a state bar is around \$1000 per year and higher. Since CLE is included in your SD annual dues, you have a substantial savings.

Thirdly, we are in a period of transition. It is true having served as your Secretary-Treasurer and Executive Director for three decades, the compensation of my successor will be less than mine. However, in-take for disciplinary

complaints will be transferred to the Disciplinary Board Counsel, thereby removing discipline from the state bar office but at an increase in cost. Additionally, it is likely that my successor will not have had the extensive lobbying experience and thus, there will be additional costs to train my successor (and that won't be me doing the training... when I retire next summer, I will be retired). The end result will be that my retirement will cause an increase in expense. Additionally, for training purposes, there must be some "overlap" between my retirement and the installation of my successor. Therefore, at least for several months, you will be paying for my salary and also that of my successor and disciplinary board counsel. That reality impacts the current fiscal year, thus, the decision to take these cost-saving efforts now rather than later. There is no "later." It is now. Hopefully these efforts will permit your Bar Commissioners to delay a dues increase to a date down the road.



SAVE THE DATE

***FOR THE
2017 TAX UPDATE***

***DECEMBER 8TH
RAMKOTA, SIOUX FALLS***



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 South Dakota Advocacy. 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.



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YOUNG LAWYERS SECTION

by: Abbey Howard, YLS President



One of the missions of the YLS is to promote professional well-being and work-life balance. Stay with me. I know this is a topic that, although important, sometimes doesn't feel tantamount to focus on during the busy days that we all have. That is precisely the reason why all attorneys, especially young lawyers, need to have a clear idea of that concept at the onset of their practice. It is all too easy to get bogged down in your daily practice and external commitments, and one can quickly forget about self-care and continuing to thrive personally and professionally.

Already in my few short years of practice I have seen good attorneys falling asleep in the courtroom, miss court appearances unexpectedly, struggle with health issues onset due to stress, and unfortunately, struggle with substance abuse issues. I have yet to find an attorney who has mastered the concept of work-life balance, but perhaps the bigger message is reminding ourselves to take a step back every so often and examine our own personal balance.

When I first started practicing, I heard a lot of, "Back in my day, new

lawyers didn't complain so much." And, "I had to do all that work on my own, now, young lawyers get too much help." I don't subscribe to such a mindset. In my own law office, I have made it clear to my staff that if they have family functions or personal events or appointments that they need to attend, I want them to do so, as long as their workload is covered and deadlines are met. If I know a staff member is struggling or burnt out, I encourage them to take a "mental health day". If they have a legal question, I try to help them. If I can't, we find another attorney who can. In return, when they are working, they are happier, healthier, and feeling more-fulfilled, giving me a better work product than they would have otherwise.

This may not work in every office, but I challenge each of you to think about how the work-life balance looks in your office. Have you set the boundaries yourself to define what that looks like for you personally? Are you encouraging the lawyers around you to do the same? I personally believe that Young Lawyers today want to work hard and do a good job for their bosses and their clients, but they also want a family and a life. And somehow, I don't think that all veteran attorneys want something so different. I recently had a conversation with a local defense attorney while we were working to get a trial date scheduled. He had a family event scheduled during one of the weeks that worked well for me and he told me he had not put his family first long enough in his career, and he was not willing

to sacrifice yet another family event for work. Easily enough, we found another set of dates that worked. Folks, it is a constant struggle trying to find that balance, but it is worth working towards.

I asked my very dear friend, colleague, and YLS Third Circuit Representative, Brittany Kjerstad McKnight, to share her thoughts on being a Young Lawyers in South Dakota. Brittany has a unique perspective as she also married a fellow young lawyer, Ryan McKnight, and they are navigating the waters of this profession together. They served in the Project Rural Practice Program before coming to Brookings, and have a keen insight on trying to balance it all. It has been an honor for me to get to know Brittany and work with her, and she is truly an asset to the State Bar with her service on the YLS Board. Thanks Brittany, for sharing your story.



I grew up with an agriculturally based family in rural Western South Dakota, about fifteen miles northeast of the town Wall. Upon

graduating high school, I enrolled in college at South Dakota State University where I obtained my Bachelor of Arts degree in English in 2011. In 2012, I began law school at the University Of South Dakota School of Law, where on the first day of classes I met my to-be husband, Ryan McKnight.

After we graduated law school, passed the bar exam, and married, Ryan and I decided to participate in Project Rural Practice also known as the Rural Attorney Recruitment Program. We opened our own law firm called Kjerstad McKnight Law in the small town of Philip. There we practiced a variety of different types of law. I primarily focused on my role as the part-time States Attorney

for Haakon County and also worked in the areas of family law, contract law, criminal defense, and municipal law. After spending about a year in Philip, Ryan was offered a position at SDSU in Brookings as an instructor with the Economics Department. Ryan accepted the position and we moved to Brookings. A short time later, I accepted a position with the Brookings County States Attorney's Office as a Deputy States Attorney. In that capacity, I handle all juvenile matters, abuse and neglect cases, involuntary mental health committals, and assist with the civil caseload for the County.

Passing the South Dakota Bar Exam was one of the greatest achievements of my life. I consider

it an honor that I have the privilege to practice law in the State of South Dakota. I feel that the harder you work to accomplish a goal, the more rewarding and satisfying the results are. I try to keep that in mind when I feel bogged down by the day-to-day stresses of being a young lawyer. My favorite aspect of being a young lawyer is having the ability to use my education and knowledge to have a positive impact on the lives of others as well as on society in general. Working as an attorney in the public sector has its own set of challenges, but I am proud of the work we do. I love being a young lawyer in South Dakota, and I am so grateful to have the opportunity to be a part of the YLS Board.

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2017 ABA Young Lawyers Fall Conference Report from Tamara Nash, Elizabeth Overmoe & Kara Frankman

The 2017 ABA YLD Fall Conference was held in Denver, Colorado from October 5-7, 2017. It brought together thousands of attorneys from all practice areas, settings, and parts of the country. Our conference also included a few international guests.

Tamara P. Nash

Tamara serves within the Division as the Vice Director of the ABA YLD Diversity Committee and District Representative for North Dakota and South Dakota. During this meeting, Tamara attended a variety of programming, including CLEs, all governance and public service programming. Conference highlights for Tamara include:

- **Lessons from Harvey and Irma: How to Effectively Implement DLS when a Disaster Strikes (Non-CLE)** – Tamara was asked and agreed to moderate this very insightful panel on what resources are available to attorneys if they

wish to assist those impacted by natural disasters. The panel discussed their own experiences in coordinating disaster legal services and what that looks like for them. They also offered advice on what to do, and what not to do, as a volunteer when disaster strikes.

- **Closing Session (Non-CLE)** – Mark Bolton, Senior Deputy Legal Counsel to Colorado Governor John Hickenlooper, discussed professional development, his motivation to shift into politics, and the advice he has for those interested in transitioning into public interest work.



Elizabeth Overmoe

Elizabeth completed her service with the Division this conference as a member of the Leadership Advisory Board. During this meeting, Elizabeth attended a number of events, including some of the same programs Tamara mentioned above. Additional conference highlights for Elizabeth included:

- **Put a Plug in the Jug: Ethical and Criminal Consequences of Alcohol Abuse in the Legal Profession (Ethics CLE)** – Panelists discussed how alcohol abuse can implicate our ethical and professional responsibilities, lead to criminal and civil consequences, and arise from common practice-setting and social pressures. Program attendees had the opportunity to see their blood alcohol content with testing equipment available on site.
- **Executive Coaching One on One Executive Coaching with Debra Forman** – Elizabeth took full advantage of meeting with Executive Coach, Debra Forman. Debra and Elizabeth spent over an hour discussing professional and personal goals and next steps to achieving them. The ABA YLD sponsored Debra's participation at the conference and Elizabeth was grateful for the opportunity to meet with her.



Kara Frankman

Kara was a first-time attendee to the ABA YLD conference and is grateful to the SD YLS for providing her with the opportunity to attend. Conference highlights for Kara included:

- **Diversity and the Bench: Perspectives the Colorado District Court, Court of Appeals and Supreme Court** – Justice Will Hood moderated a panel of diverse judges from each level of the Colorado judicial branch – District Court Judge Lance Timbreza, Court of Appeals Judge Terry Fox and Supreme Court Justice Monica Marquez on the importance of diversity on the bench and in the courtroom, promoting diversity in the profession, and encouraging diversity in the judicial system, as well as personal perspectives and experiences of the panelist.
- **Community Alliances: Advancing LGBTQ Rights (CLE)** – The most effective civil rights work employs strategies advancing the interests found at our community intersections. The role of community allies in advancing LGBTQ rights is critical, but not often highlighted. This panel discussed how we can facilitate alliances in expanding our civil rights movements.

Conference Events/Networking Opportunities

Elizabeth, Kara and Tamara had an opportunity to attend networking events and socials throughout the conference as well and participated in the Affiliate Showcase which allowed us to present on the programming we do back in South Dakota. Thanks to the SD Young Lawyers Section and State Bar of South Dakota for your continued support as we learn and grow through our involvement in the ABA YLD. If you are a young lawyer and have interest in becoming involved in the ABA Young Lawyers Division or the State Bar Young Lawyers Section, please feel free to reach out to any of us at any time.



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.



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*All discussions and services are kept
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*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.*

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.

November 2017

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

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Mediating the Employment Dispute

Michael S. McKight

Thirty plus years of handling employment disputes of one form or another has led me to reach several conclusions concerning these disputes and how to best resolve them. While mediation is more of an art than a science and no one thing will guarantee success at a mediation, there are a few things to consider that will increase the chances of a successful mediation of an employment claim.

First, mediation should be attempted after sufficient information has been exchanged for both parties to have an understanding of the strengths and weaknesses of their case, but still early enough for both sides to save costs. Without an exchange of information providing a basis for the claims, defenses to those claims and an idea regarding the damages at issue, the mediation will be less effective as the parties will spend the mediation attempting to understand the other side's position. That said, it is seldom necessary for depositions and document production prior to mediation. One of the best ways to ensure that both sides understand each other is to simply

require the parties to exchange the factual portion of the mediation submission to the mediator as well as the opposing party.

Second, selection of a mediator can be very important in the employment case. This means taking into consideration the personality of the mediator as it relates to the personality of the parties, as well as considering the mediator's substantive experience in handling employment disputes. The parties should seek a mediator with a personality that will assist settlement – not impede it. Given the sensitive nature of most employment disputes, hiring a mediator that understands the volatile nature is invaluable.

Third, from the employer's standpoint, consider bringing someone the employee liked or respected while employed with the employer to the mediation. And, for heaven's sake, do everyone a favor and do not bring the alleged harasser to the mediation.

Fourth, parties often wonder whether having a joint opening

session is a good idea. While much has been written in the mediation world about this topic, from my experience, opening sessions are a great opportunity for both sides to provide information they feel is important about the claim so that each has a better understanding of the issues. Do not cover up the bad facts and weaknesses of your case. Instead, disclose them early on and create credibility with the mediator and the other side.

Finally, have some rational explanation for your offers and counter offers. Be flexible and willing to listen and do not react emotionally if possible. Never forget that it is the mediator's job to help both sides to reach a reasonable resolution and doing so takes time. Be patient and creative. While money is always a motivating factor, many employment disputes end up resolving because of non-monetary terms. As I learned in my EEOC training, many employment cases end up resolving with an apology being as important as any other term.



ANNOUNCEMENTS

Boyce Law Firm, L.L.P.
is pleased to announce that

Jennifer W. Grove

has joined the firm as an associate attorney.

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2017 John R. Justice Student Loan Repayment Program

Applications are being accepted until December 31st, 2017. All applications must be received or postmarked on or before this day.

Full time state prosecutors and public defenders as well as federal public defenders may qualify for John R. Justice funds. Elected officials and federal prosecutors are not eligible. Be sure to submit a copy of a recent statement for the loan you would like the award to be applied to. You may access the application form and service agreement options at the following website:

<http://atg.sd.gov/OurOffice/JohnJusticeProgram.aspx>

For more information, you may call the Office of Attorney General at (605) 773-3215.

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

Kalen K. Biord

has joined the firm as an associate attorney.

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Please join us in celebrating East River Legal Services' 40th Anniversary. The event will be held this Giving Tuesday, November 28, 2017, and is a great way to kick off the holiday season. A VIP Reception including dinner and whiskey tasting will be held at the ERLS' offices from 4 pm until 5 pm followed by a reception at Icon Lounge from 5 pm until 7 pm. You can attend either or both! This is a chance to see our newly remodeled offices and hear about our exciting new developments coming soon.

Not to mention a chance to celebrate with friends, family and colleagues.

Ticket information is available on our Facebook event page or on Eventbrite.com. Just click either link for more information. You can also email RSVP@erlservices.com for tickets or if you have any questions. We hope to see you, but If you are unable to attend, please consider making a gift in your absence.

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

Caribou Coffee Club

****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.**

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Mark Bassinghwaighe, Esq.
Risk Manager, ALPS

Over the years, I have witnessed a few vigorous debates where the point of contention was whether the practice of law is a business or a profession and, let me tell you, this can be an emotionally charged topic. Things get really exciting if in one of these debates you have those who really do find the notion of equating the practice of law in any way, shape or form with the running of a business as an extremely offensive position up against those who are in it solely for the money. I remember one particularly heated debate where one of the money folks actually stated that he viewed the very existence of our rules of professional conduct as a personal affront. Wow. That got everyone's attention. As for me, I tend to take the middle ground. After all, if a lawyer fails to find financial success in his or her practice, the privilege of being able to practice in this honored profession will not be long lived.

In the past, I would often walk away from these debates simply shaking my head because I failed to see their true value. Today however, and to my great surprise, I'm starting to believe lawyers should not only have this debate but we should elevate it and take it center stage. Why? Because tremendous change is afoot. Non-attorneys are moving into various service sectors that have traditionally been the exclusive purview of lawyers, legal services are being commoditized at an ever-increasing rate, and artificial intelligence has arrived on scene. This is not meant to be a siren call. It

is what it is. Change in and of itself is neither good nor bad; but here's my concern. Those who embrace the business side of the debate are running rickshaw over those who view law as an honored profession simply due to their success in driving such change. In light of the pace of this change, I feel a need to ask this question. Is there a cost to all this, and if so, is the cost worth it?

As you reflect upon the costs involved, allow me to share a few thoughts. Nonlawyers who deliver services in the legal services sector are not subject to the regulations licensed attorneys are. From a societal perspective, is this a positive or negative? Of course, how can the rapid commoditization of legal services not have an impact on how the general public views lawyers and their role in society today? And finally, as I think about the long-term ramifications of computers replacing the human element in the practice of law, my head starts to hurt. Can computers even be programmed to interact as a professional? Heck if I know, and I suspect few will care.

Look, I get it. Change is a constant and there really are some incredibly successful legal service business models that are meeting very real and legitimate legal needs. Honestly, I applaud many of the entrepreneurs who have proved to be so adept in doing so. In my humble opinion, however, I fear our profession may be losing its identity in the process and I'm not convinced we shouldn't be worried about that particular cost.

I suspect there will never be a great debate within our profession about the value of professionalism in the practice of law, but there sure should be. A comment I have heard in every corner of the US during all my years traveling for ALPS, and from more longtime lawyers than I can remember, is some variation of "I'm so thankful to be at this point in my career. If I was just starting out, I don't think I could do it because the practice just isn't fulfilling anymore." Every one of these individuals was expressing regret. Regret that something has been lost. I am positing that what has been lost might be our sense of professionalism.

As I see it, society no longer seems to view lawyers as practitioners of an honored profession. Why? Is it because the debate has been lost before it even got started? Is it because so few seem willing to take up the cause? It's not for me to say. What I can say, however, is this. Whether we like it or not, each of us has a role to play in how the changes to our profession will continue to evolve because even a passive, do nothing response has a consequence. So, while a great debate may never occur, there is no reason why each of us can't have our own personal debate. I have come to believe in its value. Perhaps if enough of us do, we will find a way to preserve the integrity and reputation of the legal profession together. Is it worth it? You tell me.

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Q3 BUSINESS & ECONOMIC DATA ANALYSIS SUMMARY

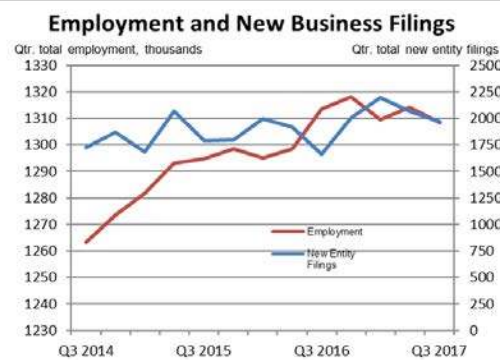
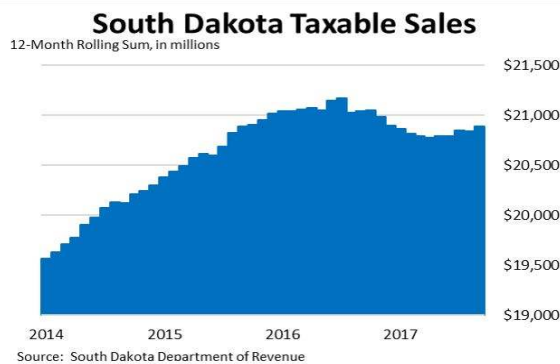
**SOUTH DAKOTA
SECRETARY OF STATE
SHANTEL KREBS**

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Third Quarter 2017

Secretary's Minute: At the end of the third quarter, we pushed another Business Services system update that included a brand new Doing Business As (DBA) Name Registration system and a new online process for business entity Reinstatements. These new systems allow for a greater customer experience, including reminder emails for DBA names when expiration is pending (every 5 years) and the ability for entities that are reinstating to file their delinquent annual reports and all late fees online prior to submitting the final reinstatement paperwork. Please visit our upgraded business registration system at: www.sdsos.gov to see the additional changes.



Third Quarter 2017 Economic Highlights

- SD's unemployment rate is 3.3% at the end of the 2nd quarter.
- Continuing jobless claims decreased by 27.9%.
- Entities in good standing at the end of Q3 was 75,415.
- Total new entity filings-12 mo. trailing increased in Q3.
- Trademark filings increased in Q3.
- Many national economic indicators improved in Q3.

SOUTH DAKOTA	Current Period	3 Months Prior	Percent Change over Prior Period	Annual Percent Change	5 Year CAGR*
Wealth					
Personal Income (millions of dollars)	41,897	41,971	-0.2%	1.1%	2.0%
Total Sales, 12 mo. trailing (millions of dollars)	66,202	66,850	-1.0%	-2.8%	-0.1%
Taxable Sales, 12 mo. trailing (millions of dollars)	20,887	20,818	0.3%	-0.8%	2.5%
Business Outlays					
Average Weekly Wage per Employee	819	828	-1.1%	6.2%	3.1%
Retail Gasoline Price (dollars per gallon)	2.47	2.27	8.8%	10.3%	-8.5%
Economic Overview					
Employment	436,800	437,100	-0.1%	0.8%	1.1%
Unemployment Rate	3.3%	3.0%	10.0%	13.8%	-5.2%
Initial Jobless Claims	185	167	10.8%	29.4%	-6.9%
Continuing Jobless Claims	910	1,262	-27.9%	-16.6%	-11.0%
Building Permits, Number of Units, 12 mo. trailing	4,902	5,051	-2.9%	-5.8%	6.2%
Valuation (thousands of dollars), 12 mo. trailing	795,598	807,008	-1.4%	-0.6%	8.1%
FHFA Purchase-Only Home Price Index	279	277	0.7%	5.3%	4.7%
Total Business Bankruptcy Filings	13	7	85.7%	30.0%	-6.3%
Chapter 7	8	3	166.7%	60.0%	-9.3%
Chapter 11	-	1	-100.0%	-	-
Chapter 13	4	2	100.0%	0.0%	0.0%

Sources: Bureau of Economic Analysis, Quarterly Personal Income (SA) (Q2/17); South Dakota Department of Revenue (NSA) (9/17); South Dakota Department of Labor and Regulation (SA) (Q1/17); US Energy Information Administration, Weekly Retail Gasoline and Diesel Prices, Midwest (9/25/17); Bureau of Labor Statistics, CES (SA) (8/17); US Department of Labor, Employment and Training Administration (NSA) (9/30/17); Census Bureau, New Privately Owned Housing Units Authorized (NSA) (8/17); FHFA Purchase-Only Home Price Index (SA) (Q2/17); Administrative Office of the US Courts (Q2/17). *Compound Annual Growth Rate.

For full report, please visit <https://sdsos.gov/general-information/publications/default.aspx>



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- Clair Gerry*
- Amber Hardy**
- Melinda Folkens
- Stan Anker*
- Katie Thompson

*Denotes 2nd case acceptance in 2017

**Accepted multiple cases since January 2017

Are you interested in volunteering with Access to Justice? Send a message to Denise Langley at: access.to.justice@sdbar.net



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To register your firm, please visit
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and click on Access to Justice

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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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 – Lifetime, Including Pledges & Testamentary Gifts

Sustaining Life Fellow: \$50,000 plus – Lifetime, Including Pledges & Testamentary Gifts - Fred & Luella Cozad

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Diamond Fellows: \$10,000 plus – Lifetime, Including Pledge & Testamentary Gifts - Robert E. Hayes

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In Memory Of..

Homer M. Kandaras, 88, Rapid City, died Monday, September 25, 2017, at Bella Vista Healthcare Center. A memorial service will be held at 2:00pm on Friday, September 29, 2017, at Kirk Funeral Home.

Homer was born on August 23, 1929, in Aberdeen to William D. and Hallie L. (Ferguson) Kandaras. He moved to Rapid City in 1945. After graduating high school he attended one year at the National School of Business. He went on to join the Army and served from 1954 to 1956, and upon his return, he studied history, pre-law, and law courses at the University of South Dakota and graduated with a Juris Doctorate degree.

Homer was elected to the South Dakota Legislature in 1970, and served from 1971 to 1976. He was an assistant minority leader for the first two years, and an assistant majority leader for the second two years. He was also a majority leader of the South Dakota Senate for two years. He served as Chairman of the South Dakota Judiciary Committee and on a number of other committees in Rapid City, including the Mayor's Human Relations Committee, Chairman of the Committee of Rapid Progress (through the Jaycees), a committee appointed by the mayor to work with city legislation for home day care (appointed by the city schools), and the City Commission to give advice and to keep the schools from raising property taxes (appointed by the School Board).

He was a lifetime member of the Elks Lodge, Pi Sigma Alpha, the South Dakota Bar Association, past member of the Federal Bar Association, and was admitted to practice at the Supreme Court of South Dakota of the 8th Circuit Appellate Court.

Politics was Homer's main goal in life. He was always interested in photography and enjoyed coaching little league, Pony League and Harney All Stars (Pony League), coached girls softball and women's and men's softball. He also enjoyed shooting pool in several leagues, and has bowled in a league from high school up to 2006.

He is survived by his wife, Connie; daughter, Lesley (Jon Hunter) Kandaras; son, Michael Kandaras; step-daughter, Gwenythe Christensen; step-son, Gregory Ahrendt; sister, Marie (Richard) Wiggin; and sister-in-law, Geraldine Kandaras.

Homer is preceded in death by his parents; son, Brian Kandaras; and brother, William Kandaras. A memorial has been established for the benefit of the SDSU Law Program.

NORTHERN PLAINS WEATHER SERVICES



Dr. Matthew Bunkers, a certified consulting meteorologist (CCM) and forensic meteorologist, can provide reports, depositions, and testimony in the areas of weather and forecasting, severe summer and winter storms, applied climatology and meteorology, and statistics. Matt currently works for the Rapid City, SD, National

Weather Service, but he is allowed to provide CCM services separate from his full-time job. More information is provided at <http://npweather.com>, and you can contact Matt at nrnplnsweather@gmail.com or 605.390.7243.

Job Postings and Classified Advertisements

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

ATTORNEYS

Litigation Attorney: Lynn, Jackson, Shultz & Lebrun, P.C. is seeking to hire a litigation attorney with 4+ years of litigation experience to work in our Rapid City office. An ideal candidate will have strong written and oral communication skills and courtroom experience. Confidential inquiries, including resume, cover letter and academic transcript, should be sent to Jeffery Collins, Lynn, Jackson, Shultz & Lebrun, P.C., 909 St. Joseph Street, Suite 800, Rapid City, SD 57701 or jcollins@lynnjackson.com.

ASSOCIATE GENERAL COUNSEL: Rapid City, SD
This position will provide direct support for the company's gas and electric utilities and corporate services functions. This position will provide a full range of legal counsel and services company wide, ensuring compliance with laws, rules and regulations, and contractual arrangements, and otherwise support the corporation's utility regulatory and business development activities.
Depending on experience, preference may be given to individuals who have earned an MBA degree, or who have specialized accounting or finance experience. To learn more about Black Hills Corporation, view a complete job description, and apply for this position, copy/paste <http://adtrk.tw/gsaif> into your internet browser. <http://careers.blackhillscorp.com>.

BUSINESS ATTORNEY: Swier Law Firm, Prof. LLC is seeking a Business Attorney in Rapid City with a minimum 2 years of experience. Candidates must possess outstanding oral and written skill and a desire to excel. Attracting and retaining top talent is the key to Swier Law Firm's success. Our compensation structure rewards contributions to our clients and reflects the competitiveness of the legal market. This is an opportunity for a top candidate to become part of a growing law firm with a state, regional, and national client base. Please send a resume and cover letter to Executive Director Sara Travis at sara@swierlaw.com. All inquiries will remain confidential.

Staff Attorney: Disability Rights South Dakota (DRSD) d/b/a South Dakota Advocacy Services seeks a full-time staff attorney for our Rapid City, SD office. This position will provide legal representation to clients of DRSD and perform oversight of programs within DRSD in accordance with granting agencies. Candidates must hold a Juris Doctor degree with admission to the state bar. One to three years applicable law and litigation experience preferred. Must be able to practice law in South Dakota and federal district court which may occur within six months of hiring date. Experience working with grants and grant management preferred along with a working knowledge of non-profit office environment is preferred.

Ability to travel to potential trainings, meetings, service providers, and legal proceedings is required. Must have the ability to work outside the normal business hours as applicable.

Interested applicants need to send a letter of interest (max two pages), resume (max five pages), writing sample (max ten pages), and two professional references to:

Disability Rights South Dakota
attn. Sandy Hook
221 S. Central Ave., Ste. 38
Pierre, SD 57501

or email to: sandy.hook@drsdlaw.org

Application deadline: open until filled.

Salary: DOE

Candidates are subject to a background check

Staff Attorney: The South Dakota Division of Insurance within the Department of Labor and Regulation is inviting applicants for a Staff Attorney position located at the Division's office in Pierre, SD. This position provides legal support directly to the Division of Insurance. Duties include providing legal opinions and advice to department staff, drafting legislation and administrative rules, ensuring the department is compliant with federal and state

statutes and administrative rules, participating in administrative and court hearings, providing assistance in drafting contracts, and other duties as assigned.

Agency: Department of Labor and Regulation,
Division of Insurance

Salary: \$61,387 - \$70,490, depending on experience

Requisition #: 8648

Graduation from an accredited school of law and membership in the South Dakota State Bar is required.

Applicants who are willing and qualified to become members will be considered. Travel may be required.

This position is salaried and exempt from the Career Service Act. Please submit a resume and writing sample when filling out the electronic application at <http://bhr.sd.gov/workforus>. Please view the position posting at <http://bhr.sd.gov/workforus> or contact any South Dakota Department of Labor and Regulation Local Office.

Estate Planning Attorney: Cutler Law Firm, LLP, based in Sioux Falls, South Dakota has an immediate opening for the following position:

ESTATE PLANNING ATTORNEY

Experienced Estate Planning Attorney with at least 3 years of experience. Compensation will be commensurate with experience.

Confidential inquiries, including resume' and cover letter detailing experience should be directed to Jean Brockmueller, Cutler Law Firm, LLP, PO Box 1400, Sioux Falls, SD 57101-1400 or to JeanB@cutlerlawfirm.com. For more information about Cutler Law Firm, please visit www.cutlerlawfirm.com.

RST Courts Chief Public Defender: The position is a full time, five (5) days a week, and it pays up to \$37.50 an hour.

Must have supervisory skills and experience. Must have basic knowledge of civil and criminal law, methods, and practices of pleadings. Working knowledge of court procedures. Working knowledge of principles, methods, materials, and practices utilized in legal research. Ability to speak, and write effectively in the preparation and presentation of legal matters. Must have knowledge, and experience using computers, word processing, and electronic legal research.

Please contact RST at (605) 747-2278 or by email, louis.moran@rstjustice.org.

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.

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.

Managing Attorney: Pine Ridge, SD

DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Managing Attorney position in our Pine Ridge, South Dakota, branch office. The Pine Ridge office serves the Pine Ridge Indian Reservation in South Dakota and Oglala Lakota, Jackson and Bennett 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).

Open until filled.

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, dppls1@gwtc.net

Native Americans, Women and Minorities are encouraged to apply. Dakota Plains Legal Services is an Equal Opportunity Employer

Deputy State's Attorney: Full-Time

Salary: Annual - 53,828.64 - \$65,082.96, depending on experience. Benefits included.

The Codington County State's Attorney's Office is inviting applicants for the position of Deputy State's Attorney. The position will be responsible for the prosecution of all adult misdemeanor cases occurring in Codington County, South Dakota. Duties include charging determinations, bond arguments, preliminary and grand jury hearings, drafting and arguing motions, court/jury trials, witness preparation, and briefing the court on relevant case law. Additional duties include assisting in the prosecution of adult felony cases, abuse and neglect cases, juvenile cases, and representation in the Codington County Drug Court and the Veteran's Treatment Court, when necessary.

Applicants must possess a Juris Doctorate degree from an accredited law school and be licensed to practice in South Dakota or willing and qualified 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.

Please submit resume to : Rebecca Morlock Reeves, Codington County State's Attorney, 14 1st Ave. SE, Watertown, SD 57201

Opening and Closing dates: 10/10/17-11/13/17

Deputy State's Attorney: Brookings County, SD

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 of civil and 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 \$64,119.00.

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.

To apply: Interested applicants should submit a cover letter, resume, law school transcript and writing sample to: Abigail Howard, Brookings County States Attorney, 520 3rd St., Suite 330, Brookings, SD 57006 or electronically at ahoward@brookingscountysd.gov. Deadline for applications is 10/27/17. Brookings County is an Equal Opportunity Employer.

Deputy State's Attorney:

Open Until Filled Starting Wage: \$4,740 Monthly
Please submit a Meade County application to:
Human Resources / 1300 Sherman Street Suite 212
Sturgis, SD 57785

Under the direct supervision of the State's Attorney, is responsible for performing detailed legal work as required in the areas of Adult and Juvenile crimes.

Review, authorize and prosecute violations of felony and misdemeanor criminal laws of the State of South Dakota (and County ordinances) committed inside the County. Authorize and prosecute felony adult & misdemeanor juvenile delinquency offenses, Prosecute cases in regards to violence against women, Represent the County in criminal matters as well as juvenile delinquencies, and parental neglect proceedings, Process mental commitment cases, Process juvenile delinquency proceedings, Process cases of abused or neglected children, Prosecute state statute violations, Assist the State's Attorney in advising the County Commission and other County officials in legal matters, Serve as the State's Attorney in the absence of the State's Attorney, Attend training sessions and meetings as required, Perform additional duties as required, performing all duties in a manner consistent with safe practices and policies.

Associate Attorney: Richardson, Wyly, Wise, Sauck & Hieb, LLP, Aberdeen, SD is seeking to hire an associate attorney with 1-3 years of experience. An ideal candidate will possess strong oral and written skills as well as courtroom experience. Confidential inquiries, including resume, cover letter, and academic transcript, should be sent to Stacy M. Johnson, Richardson, Wyly, Wise, Sauck and Hieb, LLP, P.O. Box 1030, Aberdeen, SD 57402-1030 or sjohnson@rwwsh.com.

Associate attorney: Vandenack Weaver LLC, Omaha, Nebraska is seeking an associate attorney with 0-2 years' experience to work primarily in the commercial litigation department, with possible cross-over into transactional work. Qualified candidates must have strong academic credentials, excellent legal writing, research, and communication skills, and a willingness to work in a fast-paced, high volume environment. Consideration will be given to work-related experience. Salary and bonus structure are competitive and based on performance. Benefits include PTO, 401K, health insurance, health savings account, long-term disability, dental/vision insurance, annual CLE budget, paid bar dues and professional memberships, mentorship, and administrative support. This is an ideal opportunity for top candidates to become part of a growing law firm. Nebraska bar license required. Please send a resume and cover letter to Office Administrator, Kim Volk at info@vwattys.com. All inquiries will remain confidential.

Veterans Assistance Staff Attorney: East River Legal Services is seeking to hire a full-time staff attorney for its new Veterans' Assistance Clinic. The Veterans' Assistance Staff Attorney will provide general civil legal advice, assistance and/or representation to Veterans in western South Dakota.

Minimum Qualifications

J.D. degree, licensed to practice law in South Dakota or be eligible for admission by motion. Two or more years of applicable experience. Experience in or knowledge of Veterans legal issues. Experience in a general civil practice, including but not limited to practice experience in one or more of the following areas of practice: Family Law, Housing, Consumer law, Contracts, Probate, and Veterans Benefits. Veteran and/or bilingual candidates Strongly Preferred. East River Legal Services is an Equal Opportunity Employer.

Salary: Dependent on experience plus benefits

To apply: Please send a cover letter, resume, with references, to:

Brent Thompson

Executive Director

East River Legal Services

335 North Main Avenue, Suite #200

Sioux Falls, SD 57104

Submission deadline: Friday, November 10th, 2017

Senior Associate: The Rapid City law firm of Gunderson, Palmer, Nelson & Ashmore, LLP is currently seeking a Senior Associate to join the firm. Gunderson, Palmer, Nelson & Ashmore, LLP, is adding a Senior Associate attorney to our litigation team. Ideal candidate enhances our wide range of legal expertise and must have the tenacity to assume immediate practice responsibilities, including handling a significant caseload touching on many different types of litigation, and regular appearances in court. All inquiries will be kept confidential.

Requirements

6 + 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

Working knowledge of methods and practices of pleadings, court procedures and rules of evidence in both state and federal court

Civil trial experience in state and federal court

Self-starter with a keen desire to grow the litigation practice in terms of quality, scope, and size rather than purely managing what exists
Strong verbal and written communication skills with strong attention to detail
Outgoing, interactive, collaborative personality
Experience in insurance billing a plus, but not required
Compensation:
Salary and Benefits will be competitive and commensurate with qualifications.
Please send resumes and references to jsmiley@gpna.com

Associate Attorney: Richardson, Wyly, Wise, Sauck & Hieb, LLP, Aberdeen, SD is seeking to hire an associate attorney with 1-3 years of experience. An ideal candidate will possess strong oral and written skills as well as courtroom experience. Confidential inquiries, including resume, cover letter, and academic transcript, should be sent to Stacy M. Johnson, Richardson, Wyly, Wise, Sauck and Hieb, LLP, P.O. Box 1030, Aberdeen, SD 57402-1030 or sjohnson@rwwsh.com.

Program Administrator

The Program Administrator reports to and receives general direction from the Executive Director. The Program Administrator duties include accounting, budgetary, auditing functions, and is responsible for grant financial and compliance management for assigned program grants and/or contracts.
Required Qualifications: Bachelor's Degree in Accounting, Fiscal Management or Business Administration, Experience in non-profit, private or government organization performing similar duties; Ability to maintain financial stability and internal fiscal controls to assure compliance with established standards, policies and procedures; Experience with computerized accounting, payroll, data systems, word processing, excel, bookkeeping, and spreadsheets; Ability to plan, organize and coordinate functions of fiscal staff, Knowledge of audit preparation; Excellent written, oral and interpersonal communication skills; Ability to train, supervise, evaluate and provide leadership to staff; Ability to maintain strict confidentiality of records and information; Ability and means to travel as needed, proof of liability and property insurance on vehicle used is required.
To apply:

Please send a cover letter, resume, with references, to:
Brent Thompson
Executive Director
East River Legal Services
335 North Main Avenue, Suite #200
Sioux Falls, SD 57104
Submission deadline: Friday, November 10th, 2017

Compliance Manager

Compliance Manager: Black Hills Surgical Hospital, LLP, (BHSH) a 26-bed specialty hospital in Rapid City, South Dakota, has an opening for the role of Compliance Manager. This important role includes the duties of Privacy Officer, and Risk Manager. Qualified individuals ideally will possess either five (5) years of experience in the fields of health care compliance, including HIPPA compliance, and/or five (5) years of experience in facility risk management, all preferably at a hospital or other health care facility. Qualified applicants will also include holders of a Juris Doctor degree, with preference given to attorneys with a minimum of five (5) years of experience, ideally involving health law, business and commercial transactional work, including contract and lease preparation, employment law, and/or other areas of federal or state regulatory law.

This position offers the opportunity to qualified individuals for further advancement in the organization including, based on exceptional performance, assumption in the future of the role of Chief Compliance Officer for BHSH, and other executive level positions within the hospital. The Compliance Manager will work closely with all levels of hospital management including CEO, General Counsel, Chief Operating Officer, Chief Financial Officer and Chief Nursing Officer.

Although past experience in health care compliance, privacy and/or risk management is preferred, BHSH will consider candidates who lack this experience but who are strongly motivated to rapidly learn those fields, including the requirement of achievement of Certified in Healthcare Compliance (CHC) certification from the American Health Care Compliance Association.

Qualified applicants should contact Director of Human Resources at BHSH, Jon Michaels at: jon.michaels@bhsh.com, or, 605-381-3621.

Proposed Section 2704 Regulation Withdrawn!



Ericka Heiser,
MBA, CVA, Senior Manager
ericka@ktllp.com

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

Meet the KTLLP Business Valuation Team

Certified Business Appraisals

If you recall, just more than one year ago the Treasury Department resurrected Proposed Section 2704 Regulation which disallowed discounting on closely-held businesses owned by families for estate and gift tax purposes. This Proposed Regulation would have been devastating to all family-owned business but especially to farm and ranch operations given the high value of agricultural ground with relatively low cash flows.

The October 3, 2017 Treasury report helps to alleviate the stress by entirely withdrawing the Proposed Regulation citing, "the Proposed Regulation's approach to the problem of artificial valuation discounts is unworkable." It further noted that the Treasury Department and IRS could not determine an entity interest should be valued as if restrictions did not exist.

Visit KTLLP.com to read an example of how this regulation, if made law, would have affected minority owners of farming and ranching operations.

Do you or your clients have Business Valuation questions or needs? Please contact us!

*Friends
for Life*



Ketel Thorstenson, LLP

Certified Public Accountants/Business & Personal Consultants

810 Quincy Street | Rapid City | 605-716-8997  609 Mount Rushmore Road | Custer | 605-673-3220

123 East Jackson Boulevard, Suite 2 | Spearfish | 605-642-7676

ktllp.com

State Bar of South Dakota
222 E. Capitol Avenue, Ste. 3
Pierre, SD 57501

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November 2017

CLE- December Tax Update.....December 8.....Ramkota Hotel, Sioux Falls
Bar Commission Meeting.....January 5.....Red Rossa, Pierre
Disciplinary Board.....January 4-5.....Red Rossa, Pierre
Disciplinary Board.....April 5-6.....ClubHouse, Sioux Falls
ABA Day.....April 9-12.....Washington D.C
Bar Commission Meeting.....April 12.....ClubHouse, Sioux Falls
Juvenile Law CLE.....April 13am.....Ramkota, Sioux Falls
Alternative Dispute Resolution.....April 13pm.....Ramkota, Sioux Falls
2018 Jackrabbit Bar Conference.....May 31 - June 2, 2017.....Medora, ND
2018 Annual Meeting.....June 20-22.....Ramkota, Sioux Falls

