



State Bar of South Dakota
JULY 2023
NEWSLETTER



Heather Lammers Bogard
126th President of the State Bar of South Dakota



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Statewide Swearing-In Ceremony

September 29, 2023

3:00PM CST

Save the Date!

CAPITOL ROTUNDA
PIERRE, SOUTH DAKOTA

*The State Bar of South Dakota Young Lawyers
Section requests the honor of your presence
at the State Wide Swearing-In Ceremony for
the new South Dakota attorneys.*

Reception to follow at the Missouri Avenue Event Center

State Bar of South Dakota

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PRESIDENT'S CORNER



Heather Lammers Bogard

I have big shoes to fill following Lisa Marso's tenure as our State Bar President. Lisa accomplished a great deal for all of us, including securing Paul Cremer as our Executive Director. Paul is an esteemed classmate of mine and has already impressed us with his leadership and interpersonal skills.

The June 2023 Bar Convention and Annual Meeting was, as always, a great success. Separate from this article in our newsletter is a summary of the lawyers elected in leadership roles, as well as a list of the various awards that were presented. Please thank those who are willing to serve the Bar and congratulate the winners of the awards. We truly have an outstanding Bar, and I'm honored to represent you all.

Although difficult to predict the issues that State Bar leadership and Commissioners may face this year, my overall goal is to promote civility in our Bar. My decision is a culmination of various experiences, old and new. Practicing law with civility has been in the back of my mind since I started practicing in 1997. I like to think I practice in such a manner subconsciously, and I think it can become a muscle memory for all of us. Fortunately, I would say this is already true for most South Dakota lawyers. However, when I heard a well-known and respected divorce lawyer say recently that he would not have become a lawyer had he known the overarching lack of civility between not just the litigants, but also their lawyers, the issue came to the forefront of my mind.

I recently went through a very difficult time losing my Dad, and multiple lawyers on the other side of a construction case were unbelievably accommodating in

rescheduling depositions that were set several months earlier. I rethought whether civility needed to be a primary focus during my term, given their graciousness. Alas, shortly thereafter, an out-of-state lawyer acted in a manner toward me that could be described as uncivil at best. These distinct experiences reinforce my decision to promote civility in our profession.

Also timely to my decision is our State Bar's recent survey that included questions about civility in our practices. The overwhelming majority of respondents believed that lack of civility in the legal profession negatively affects the administration of justice and that bar associations or law firms have a responsibility to promote civility. Interestingly, only slightly more than half of South Dakota-licensed lawyers believed there was a lack of civility in our profession. More attorneys than not said they were never trained on how to maintain civility.

Attending various conferences as President-Elect, I found that many states are facing the same concern with respect to civility. The problem is, what can be done? Those who need a refresher course in acting with civility are not likely to attend a CLE on civility. This led me to the basics. Justice Sandra Day O'Connor commented, "unfortunately, civility is hard to codify or legislate[.]" but we have tried.

Our oath that we took when being sworn into the South Dakota State Bar provides, in part, "I will abstain from all offensive personality[.]" In Federal District Court, we swore, in part, "I will conduct myself uprightly[.]" D.S.D. Civ. LR 83.2(D); D.S.D. Crim. LR 44.1(D).

SDCL 16-18-13 states that it is the “duty of an attorney and counselor at law to maintain the respect due to the courts of justice and judicial officers.” SDCL 16-18-14 states that the duty of an attorney is to “abstain from all offensive personalities[.]” SDCL 15-6-30(d) addresses terminating a deposition when the same is “being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party[.]”

In addition to abiding by our oaths and South Dakota law, Bar and community involvement promotes civility in our profession. Engaging with others of a different age, race, sex, ethnicity, and experience may perhaps assist one with understanding and appreciating the background and experiences of our opposing counsel. From the comments set forth in the Bar survey, women, minorities, and young lawyers indicated more than others that they had experienced incivility in our profession. As a reminder to appreciate our differences,

my President’s Corner will have a theme of addressing issues our lawyers may be facing.

In the meantime, with complete confidence, I can tell you that I, along with President-Elect Julie Dvorak, Executive Director Paul Cremer, and the rest of our amazing Bar staff, will fulfill our duties with civility. If you have any suggestions or ideas for promoting civility within our Bar, my “door is always open.”

I’ll close with three quotes: As stated by President John F. Kennedy, “Civility is not a sign of weakness.” From Justice Anthony Kennedy, “Civility is the mark of an accomplished and superb professional, but it is even more than this. It is an end in itself. Civility has deep roots in the idea of respect for the individual.” Finally, the balance of Justice O’Connor’s quote, “you know [civility] when you see it. It’s possible to disagree without being disagreeable.”

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STATE BAR OF SOUTH DAKOTA
Young Lawyers Section

Kelsey Blair
YLS President



Hello! I'm excited to introduce myself to those who may not know me. I was born and raised in Rapid City, SD. In high school, I participated in the Pennington County Teen Court Program, and that's when I decided I wanted to be a lawyer. I earned my Bachelor's degree from Chadron State College in Chadron, NE, before graduating from the University of South Dakota Knudson School of Law in 2016. Following law school, I was a law clerk for the 6th Circuit in Pierre, SD. Since my clerkship, I've been working as a prosecutor in Rapid City, where I live with my husband, Steve.

I am honored to have the opportunity to serve as this year's Young Lawyer's Section President. I have served on the YLS Board since 2019. In that time, I have been fortunate to have worked alongside an impressive array of past presidents: Nate Chicoine, Carrie Srstka, Ole Oleson, and Anthony Sutton. Each has laid the groundwork that this year's board will benefit from, and build upon, as we continue our mission of serving the Young Lawyers of our Bar.

I particularly want to thank Anthony Sutton. He led the charge in developing the first strategic plan for the YLS. In that process, we, as a board, identified the following core values of the YLS:

Dedication to Public Service: We provide an invaluable resource to our state and local communities through initiating and completing outreach and education in alignment with our State Bar strategic plan.

Promoting Leadership: We seize opportunities to

innovate, collaborate, and advocate with the utmost professionalism for the future of our profession.

An Inclusive Profession: We connect our legal community through relevant programming that fosters meaningful relationships and brings energy to the profession.

Member Focus & Support: We support our members through accessible mentorship, education, and communication.

The Board will keep these values at the forefront of all the work we embark on this year.

I look forward to working with all of you over the coming year!

Below is the list of our 2023-2024 YLS Board Members

- President – Kelsey Blair (Rapid City)
- President-Elect – Chelsea Wenzel (Pierre)
- Secretary/Treasurer – Tony Teesdale (Brookings)
- 1st Circuit – Derrick Johnson (Springfield)
- 2nd Circuit – Brooke Schmidt (Sioux Falls)
- 3rd Circuit – Stacia Jackson (Brookings)
- 4th Circuit – Spencer Prosen (Spearfish)
- 5th Circuit – Rebecca Ronayne (Aberdeen)
- 6th Circuit – Rachelle Norberg (Burke)
- 7th Circuit – Lora Waeckerle (Rapid City)
- At-Large – Mae Pochop (Sioux Falls)

CONGRATULATIONS TO

Eric Schlimgen

*2023 Young Lawyer
of the Year*

THANK YOU

TO EVERYONE THAT
PARTICIPATED IN THE YOUNG LAWYERS SECTION
SPEED NETWORKING EVENT
AT THE STATE BAR CONVENTION!

Fellows of the South Dakota Bar Foundation

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Fred & Luella Cozad

Life Fellow - \$25,000 plus

Frank L. Farrar

Gregory A. Yates

Diamond Fellows - \$10,000 plus

Thomas C. Barnett, Jr.

Robert E. Hayes

Scott N. Heidepriem

David L. Knudson

Kimberley A. Mortenson

Platinum Fellows - \$10,000

Hon. Richard H. Battey

Melissa Nicholson Breit

Chet Groseclose

Hon. John B. Jones

Jerome B. Lammers

Scott C. Moses

Charles L. Riter

William Spiry

Hon. Jack R. Von Wald

Gold Fellows - \$5,000

Renee H. Christensen

Richard A. Cutler

William F. Day, Jr.

P. Daniel Donohue

Dana J. Frohling

David J. King

Richard L. Kolker

Robert A. Martin

Timothy J. Rensch

Silver Fellows - \$1,000 (per year)

Jeremiah J. Davis

Hon. Bobbi J. Rank

Timothy J. Rensch

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Richard D. Casey

Hon. Michael Day

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Carleton R. "Tex" Hoy

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Lisa Hansen Marso

Bob Morris

Thomas J. Nicholson

Gary J. Pashby

Stephanie E. Pochop

Reed A. Rasmussen

Pamela R. Reiter

Robert C. Riter, Jr.

Eric C. Schulte

Jeffrey T. Sveen

Charles M. Thompson

Richard L. Travis

Thomas J. Welk

Terry G. Westergaard

Fellows - \$500 (per year)

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Hon. John L. Brown

Mary Jane Cleary

Paul L. Cremer

Andrew L. Fergel

Tom E. Geu

Craig A. Kennedy

Denise Langley

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Laura Clark Rowe

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Thomas Eugene Simmons

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Raising the Bar: Our Profession. Our Responsibility.

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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 aging, substance abuse and mental health issues.

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- 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.

Mail payment to:
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Pierre, SD 57501

Or you can email this form to:

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

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

Raising the Bar

Our Profession. Our Responsibility.

DEAN'S LIST : NEWS FROM THE LAW SCHOOL



Thank you for the opportunity to provide an update about the Law School. Opportunity is a great way to start because the last year was filled with opportunities and challenges at the Law School. I am proud to report that faculty, staff, and students met both with aplomb; I have come to expect nothing less within this remarkable community of excellence, service, and leadership.

Any discussion of the challenges the Law School faced in the past year must begin with the death of Professor Tom Horton. A man of boundless energy and profound passion, Professor Horton was integral to building a love and understanding of civil procedure, antitrust, trial, and discovery practice for many law students. His unexpected passing necessitated simultaneously grieving the loss of a beloved colleague and mentor while taking care of the very practical aspects of grading exams and teaching classes. Students continued their business hard work in class, faculty stepped in to grade exams, and adjunct faculty fulfilled his teaching assignments. Thank you to Mike McKnight and Alex Hagen, who covered the last three weeks of Civil Procedure in the fall, to James Moore and Sander Morehead, who ably shared the Spring semester Civil Procedure class, and to Eric Schulte for teaching Discovery Practice. The Law School could not have met this challenge without everyone taking the opportunity to put what was needed above what was easy. It was a daily example that we are a **community** of excellence, service, and leadership and that the first word matters as much as the other three.

As always, the greatest opportunity of the past year was shaping students to be the next generation of lawyer leaders for South Dakota and beyond. The Law School community is justly proud of our exceptional students.

They met many academic, competitive, and professional challenges this year. For example, the South Dakota Law Review took opportunities to host a symposium on legal issues in cyberlaw and agriculture and to devote a special issue to essays by many of the lawyers involved in the attorney general impeachment proceedings. Our trial, moot court, and ADR competition teams were recognized for exceptional advocacy in competitions across the nation.

In August, the Class of 2025 arrived on campus. In the face of ongoing declines in law school applications nationwide, the Class of 2025 had 80 members. They came from almost half the states in the Union, with just over half coming from states other than South Dakota. They continued a trend of increased credentials, with their LSAT's improved at every quartile over our standard just a few years ago. Over the course of this year, they settled into law school life and began forming their identity as a class. We're excited to see what they do in the coming years.

In May, the Class of 2023 graduated. While in law school, they excelled in class, in extracurricular activities, and in their internships. You recognized their excellence and hired most of the Class of 2023--four of every five students in the class had permanent employment at graduation. We have closed in on nine of every ten since then, with the bar exam yet to come in July. I am exceptionally proud of the resilience of the Class of 2023, who came onto campus amid COVID protocols, endured the loss of a beloved professor in their 3L year, and overcame personal and professional adversity of many stripes in between. They are a resourceful and resilient lot. We look forward to all they do next.

An ongoing challenge is aligning our instruction with the needs of our students and the expectation of employers. To meet that challenge, faculty took the opportunity this year for the first comprehensive reassessment of our grading policy in many years. Starting this academic year, we will have a maximum class average for almost all classes. As described more fully in my June bar column, this expands and refines our existing grade policies to check grade inflation and achieve more consistency across classes and instructors. This was difficult work, and I appreciate the efforts of faculty for a thoughtful and productive discussion and implementation of this project.

In the coming year, we are taking up the opportunity to reassess our curriculum. We recognize the need to expand our practical skills classes such as transactional drafting, pretrial litigation, negotiation, and other settings where legal doctrine gets put to work. This will help us produce students more prepared for practice and for the revised testing methodology of the NextGen Bar Exam beginning in 2026. While our broad strokes are clear, fleshing out the details and getting the right faculty in place to execute it takes time and care. This year we are taking the opportunity to invest that time and care to build a curriculum that meets the many needs of our students who put their degrees to work in so many settings. Thank you to so many lawyers for informing that discussion with your perspective from practice of what makes a well-prepared law school graduate.

I also appreciate how many of you take the opportunity to follow my updates on Instagram and Facebook about our ongoing challenge to update Law School facilities. We have a great building, but it was built in 1981 and needs a comprehensive update. In past summers, we have modernized the commons, the bathrooms, and our classrooms. This summer, we are updating the lower level of the library—the beloved and hated “dungeon,” as it’s been referred to by many generations of 1Ls. We have pulled out all the carrels, getting rid of a big swath of outdated orange furniture. We have stored all the books from that portion of the library to go back onto collapsible shelves that reduce the footprint by more than fifty percent. With that new space, we will be able to increase our total carrel count to almost 150, improve visibility, and install new carpet, paint, and lights, as well as expand and update bathrooms. We are also updating the breezeway area with new carpet, better lighting,

and booth seating that will be more comfortable and functional for students. I am nervous every day that this project will be done in time for orientation on August 1st, so I appreciate all the encouraging comments on social media about the progress. It is a great reminder that this is an important opportunity to make our home better. I hope many of you take an opportunity to come home and check out the renovations soon.

Two ongoing challenges that I have continued to discuss are the decline in law school applicants nationwide and the impending demographic cliff projected to depress college matriculations for a decade. This year was the third consecutive year of a national decline in law school applications. While we have defied that trend and drawn **more** qualified applicants, we really began to feel the effects of heightened competition for fewer applicants this year. We saw larger schools make aggressive scholarship offers to students that they traditionally ignored. When larger schools like Minnesota, Iowa, or Wisconsin face declining enrollments, they take a few more students in every LSAT and grade-point band. Simultaneously, we saw lesser schools offering full tuition scholarships in an effort to survive. In many instances, these have been schools we do not compete with in any meaningful measure who are now essentially buying our typical students. This is obviously a challenge, but we are ready to meet it. We have a clearly defined identity as a small, connected community of excellence, service, and leadership. More than three quarters of students who visit campus matriculate, so they see that value. Along with an excellent education, we remain financially competitive with low tuition and your continued investment in our expanding scholarship pool. We continue to need and appreciate your help on that front.

The impending demographic cliff presents a challenge that we can only meet together. As a generation of lawyers exits the profession, declining college enrollment will make replacing them more challenging. The bar, the courts, and the law school must work together to address this. None of us can solve this problem alone. For our profession, there is no challenge so great right now as taking the opportunity to recruit our successor. This goes beyond simply hiring a new associate or finding someone to buy our practice. It means reaching students from our respective home areas in high school and earlier to consider legal careers. The State Bar Strategic Planning Committee has identified this

as a key strategic priority; each of us must find ways to put real muscle into this effort in coming years. For the alumni of other law schools, this effort will require more than USD graduates. We need to retain talented South Dakota students wherever they go to law school and persuade new South Dakotans what a great place this is to build their careers. As the state's law school, we are ready to work on this challenge with all of you.

Challenge and opportunity face all of us at South Dakota's law school and within South Dakota's legal profession. Whether the challenges I've discussed above, the advent of artificial intelligence, our ongoing need to find ways to pull citizens together when so many forces seem to drive them apart, or the many challenges that we have not yet foreseen, we face times in which saying "we've always done it that way" will not do it. We have an opportunity and necessity to apply the creativity and commitment that sets lawyers apart to meet our collective challenges. So it has always been in our United States. In our most difficult times, lawyers have

been among our most reliable source of solutions. From framing the Constitution, to reshaping it to provide real equality following the Civil War, to holding human rights atrocities to legal account in Nuremberg, to continuing to seek the balance of citizen rights and responsibilities necessary to pursue a **more** perfect union, lawyers have been there. At the Law School, we take the opportunity every day to try and shape lawyer leaders committed to excellence, service, and leadership. In your practices, you have the opportunity every day to contribute to the ongoing health of our profession and the rule of law.

To steal a line from Coach Herb Brooks to the 1980 Olympic Hockey team before they pulled off the Miracle on Ice, "great moments are born from great opportunity." This is our challenge, our opportunity, our moment—we have only to step forward and meet it together.

Thank you.

SAVE THE DATE

FALL OCI DATES:

- | | |
|------------|----------------------------------|
| Aug 23-25 | Round I |
| Sept 22 | Stay in South Dakota Career Fair |
| Sept 28-29 | Round II |
| Nov 2-3 | Round III |

SPRING OCI DATES:

- | | |
|-------------|--------------------------------------|
| Jan 17 | Black Hills Virtual Networking Event |
| Feb 8-9 | Round I |
| March 21-22 | Round II |

Please register for the first round of OCIs via this [LINK](#) by August 1, 2023.





Thank you to the following attorney volunteers for participating in the Access to Justice or SD Free Legal Answers programs between April 2022 and April 2023! YOU are our 2023 LEGAL SUPERHEROES!

A2J VOLUNTEERS:

- Aaron Davis
- Aaron Pilcher
- Alex Halbach
- Amanda Engel
- Amy Bartling Jacobsen
- Amy Janssen
- Ashley Brost
- Austin Schaefer
- Beau Barrett
- Bill Garry
- Brian Utzman
- Cassie Wendt
- Cesar Juarez
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- Stephanie Pochop
- Stephen Wesolick
- Terri Williams
- Thomas Blake
- Thomas Frankman
- Tim Cummings
- Tim Hogan
- Timothy Dougherty
- Tom Keller
- Tom Sannes
- Tyler Haigh
- Tyler Sobczak
- Wendy McGowan

Access
To
Justice

SD FREE LEGAL ANSWERS VOLUNTEERS:

- Alex Halbach
- Alison Ramsdell
- Beth Baloun
- Bob Morris
- Brandy Rhead
- Denise Langley
- Dylan Miller
- Elizabeth Overmoe
- James Taylor
- Joseph Hogue
- Kyle Krause
- Linda Lea Viken
- Marwin Smith
- Nicole Phillips
- Steve Huff
- Thomas Simmons

ARE YOU INTERESTED IN BECOMING A LEGAL SUPERHERO AND MEMBER OF THE A2J JUSTICE SQUAD?
PLEASE SEND A MESSAGE TO DENISE LANGLEY AT: ACCESS.TO.JUSTICE@SDBAR.NET

ANNOUNCEMENTS

Nelson & Ericsson Law Office, Prof. LLC
is pleased to announce that

John M. Nelson

has been made partner effective July 1, 2023.

Additionally, the firm will be changing its name
from Ericsson Law Office, Prof. LLC to

*Nelson & Ericsson Law
Office, Prof. LLC*
effective July 1, 2023.

John M. Nelson
R. L. Ericsson
Abby J. Oftedal

Nelson & Ericsson Law Office, Prof. LLC
100 N. Egan Avenue
Madison, SD 57042

Telephone: (605) 256-4597
Facsimile: (605) 256-2424

Goosmann Law Firm, PLC
is pleased to announce that

Nancy Vollertsen

has joined the firm as an attorney.

Goosmann Law Firm, PLC
2101 W 69th St., Ste 200
Sioux Falls, SD 57108

Telephone: (605) 371-2000

www.GoosmannLaw.com

Save the Date!

2023 SOUTH DAKOTA LAND & LENDING CONFERENCE



DENNY SANFORD
PREMIER CENTER

AUGUST

30
2023

SIoux FALLS

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July Law
for Lunch

The Civil Legal Needs of South Dakota Citizens

Join legal services leaders from East River Legal Services, Access to Justice, Dakota Plains Legals Services and South Dakota Civil Legal Needs Assessment lead evaluator Sharon Chontos as they discuss the results of a statewide legal needs assessment and what those findings mean for the South Dakota legal community.



Tuesday | July 18, 2023
12:30 pm - 1:30 pm (CDT)

2023 FALL FORUM

MAKE PLANS TO JOIN US
IN SIOUX FALLS OR ONLINE

REGISTRATION OPENS
IN JULY!

SAVE THE DATE

sdtrustassociation.org

OCT
5 & 6
2023

SOUTH DAKOTA
TRUST ASSOCIATION




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50 Year Vets Awards



*Aaron Pilcher
President's Pro Bono
Award Winner*



*Lisa Marso, Callie Russell,
& Heather Lammers Bogard*

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Bench/Bar Social



Night at the Levitt



*Rural Attorney
Recruitment Program
10th Year Anniversary*

*2023
Annual
Convention*

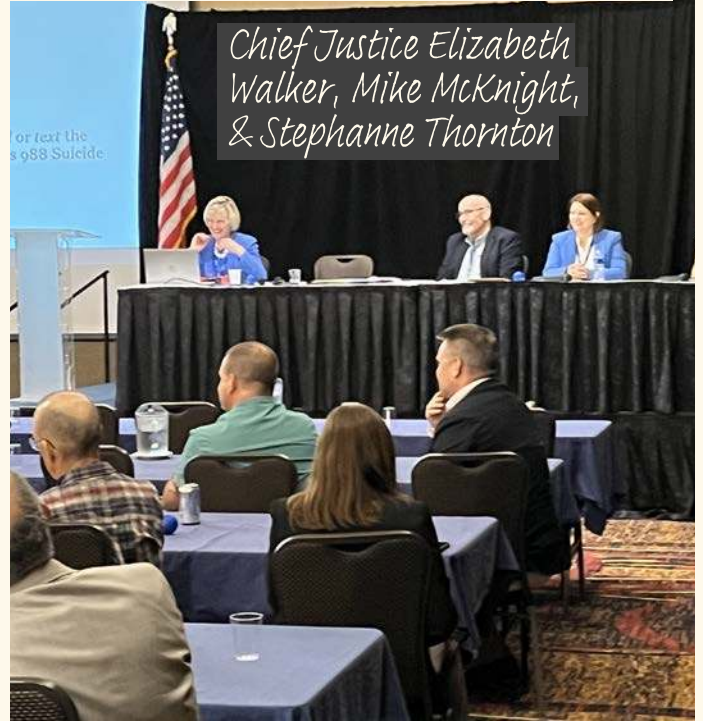
Becky Porter & Chris Newbold



Kylee, Tracie, and Nicole



Chief Justice Elizabeth Walker, Mike McKnight, & Stephanie Thornton



50 Year Veterans



Past President Lunch

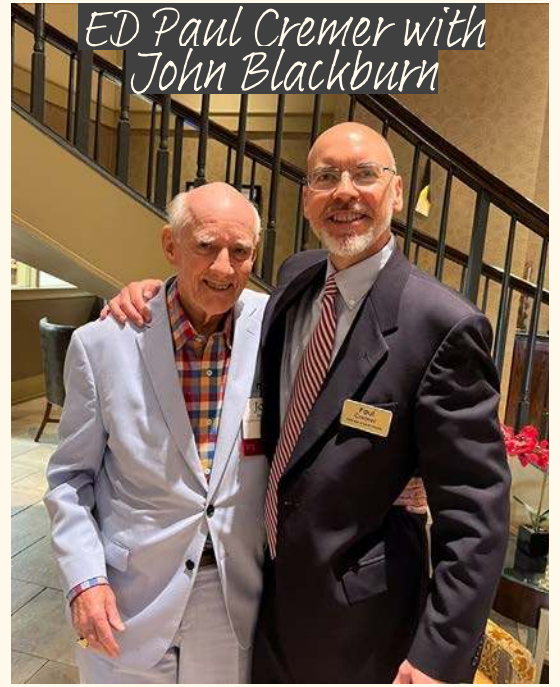


*Standing: Dick Travis, Thomas Nicholson, David Gienapp, Steve Huff, Charles Thompson, Lisa Marso, Dick Casey, Charles Kornmann, Tom Frieberg, Bob Morris, Robert Riter, Jr., Tom Welk, Pamela Reiter, Reed Rasmussen, Jeffrey Sveen, & Eric Schulte.
Seated: Robert Frieberg, Robert Hayes, Carleton (Tex) Hoy, Gary Pashby, Stephanie Pochop, & John Blackburn.*

Bob Morris handing out his business card to the unpaid help!



ED Paul Cremer with John Blackburn



Betsy Doyle, Women in Law Attorney of the Year



Installation of President Heather Lammers Bogard



Jonathan Leddige, Diversity & Inclusion Award Winner



President Heather Lammers Bogard and family



Mike McGill, President's Pro Bono Award winner





Pozner packed the house



Pozner CLE

June 2023 State Bar Annual Meeting-That's a Wrap

A HUGE thank you to the State Bar staff, the CLE committee and presenters, and other committee and section chairs for all your work to make the annual meeting such a success. What a wonderful time to connect and learn how to care more for each other! Congratulations to our new President Elect Julie Dvorak, and new Commissioners Kimberly Kinney, Gerald McCabe, Steve Blair, and Amber Mulder.

Congratulations to the award winners:

- Thomas J. Welk – McKusick Award
- Michael J. McGill and Aaron Pilcher – President's Pro Bono Award
- Roxie Erickson – Public Sector Attorney of the Year
- Shanell Niewendorp – Public Sector Rising Star
- Khriztyn Krininger – Bill Day Award
- Pamela Reiter – Young Lawyer Mentor Coin
- Eric Schlimgen – Young Lawyer of the Year
- Betsy Doyle – Women in Law Attorney of the Year
- Jonathan Leddige – Diversity and Inclusion Award
- Stephanie Pochop – Trial Lawyer of the Year
- Greg Eiesland – SDTLA Lifetime Achievement Award
- Judge Cheryle Gering - Fred. J. Nichol Award for Outstanding Jurist



Celebrating Excellence: Thomas J. Welk is Honored with the 2023 McKusick Award, and Uses the Opportunity to Share Insight Gained in a Career Well-Lived

At the June 21, 2023, State Bar Annual Meeting, Attorney Thomas J. Welk received the McKusick Award. The award is named after Marshall M. McKusick, who was a professor at the USD School of Law. It is presented annually to an attorney who demonstrates exceptional professionalism, integrity, and service to the legal community. This distinguished honor recognizes individuals who have made significant contributions to the legal field, inspiring their peers, and embodying the principles of justice.

In accepting the award, Welk celebrated our State Bar, noting it provides a unique opportunity to younger lawyers, and where they are only limited by their own efforts. Welk stated that members are not limited by where they grew up, where they were educated, or their grades. He praised the State Bar as a Bar that is unsurpassed because it provides a unique opportunity to know the attorneys and judges, to help each other, and to be in leadership positions. Tom also shared some words of wisdom on what remains important:

- Treat others like you would want to be treated.
- Be honest in all dealings with your clients, other lawyers, and the Court.
- Remember your conduct is guided by the Professional Rules of Conduct. We are a profession, unlike other for-profit businesses.
- Never be afraid to ask for help - whether legal, mental, or physical issues. Other lawyers are willing to help.

Thank you, Tom, for sharing yourself with the State Bar and young lawyers over all these years, and for making a difference! We congratulate you on your award.

#1

JULY 2023

PUBLIC SECTOR HIGHLIGHTS

For those unable to attend the Bar Convention in Sioux Falls, there is a lot to be excited about!

- **Pennington County State's Attorney Roxie Erickson was named the Public Sector Attorney of the Year!**
- USD Law Student Shanell Nieuwendorp was presented the Public Sector Rising Star Award.
- Public Sector Attorneys Steven Blair, Jerry McCabe, and Amber Mulder were elected Bar Commissioners.
- Elections were held for the Public Sector Board.
- The next Public Servant Spotlight will be on summer hiatus until August/September – stay tuned...!

APPRECIATION

A special thanks needs to go to those who shared their time and experiences with us this past year through our Public Servant Spotlights: Sarah Sharpe Theophilus, Mayor Paul TenHaken*, Stacy Kooistra*, USD Professor Matthew Fairholm*, Stephanie Herseth Sandlin*, Justice Mark Salter*, U.S. Magistrate Judge Veronica Duffy*, Curt Everson*, Jason Tupman*, Mark Vargo*, Alexis Tracy*, Judge Larry Long*, Dennis Daugaard*, Andy Fergel, Paul Cremer, Marty Jackley, Roger Baron, Justin Goetz, and Alecia Fuller. Our goal with these meetings is to increase communication, reinforce foundational legal skills, and increase comradery within the Bar. We have enjoyed providing this content to the Bar and look forward to providing more in the future!

*denotes Epic Leadership Conference participant.

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Active! Engaged! Leaders!

Public Sector Attorney of the Year



[To read Judge Pfeifle's nominating petition](#)
[Click Here](#)

In addition to Judge Pfeifle (pictured with Public Sector Attorney of the Year Roxie Erickson) submitting a nominating petition, Pennington County State's Attorney Lara Roetzel had the following to share about Roxie:

"Roxie Erickson is an integral part of the Pennington County State's Attorney's Office. She has a brilliant mind and a heart of gold.

Roxie's commitment to the practice of Abuse and Neglect law is unparalleled. She is a leader and a mentor to lawyers, DSS case workers and supervisors, and law enforcement across the state in a complex area of law that breaks your heart and fills you with hope - often in the same day.

On a personal note, my sister has adopted two daughters and a son out of DSS foster care after termination of parental rights cases. I have experienced firsthand the way lives are changed forever by the good work of Roxie Erickson. No one is more deserving of this award."

Congratulations Roxie Erickson!!

We are proud to announce the formation of Halbach | Szwarc.
The newest full service law firm in South Dakota.



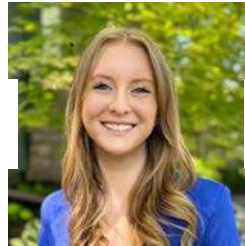
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12 JUL
Identifying and Addressing Employee Turnover

July 12, 2023
1:30 pm EDT - 2:30 pm EDT
[Register for this Webinar](#)



20 JUL
Better Well-Being Through Better Perspective

July 20, 2023
12:00 am EDT - 12:45 pm EDT
[Register for this Webinar](#)

Meet the University of South Dakota Knudson School of Law's 2023 Public Interest Network Fellows

This year, thanks to your support, the University of South Dakota Knudson School of Law Public Interest Network (PIN) annual fundraising auction raised an unprecedented \$20,000. PIN is a student-led organization dedicated to supporting USD Knudson School of Law students who volunteer their time working unpaid, summer internships with public interest organizations (such as government agencies, nonprofits, Native American legal services, and public defender offices). With the amount raised this year, PIN awarded five fellowships to USD Knudson School of Law students to help cover the cost-of-living expenses as they complete their public interest summer internships.



2023 PIN Fellows (left to right): Peter Amponsah (East River Legal Services); Cameron Morgan (U.S. Attorney's Office); Tracy Eich (District Attorney's Office for Colorado's Fourth Judicial Circuit); Hannah Hyatt (Montana State Office of the Public Defender); & Peyton Garbers (U.S. Attorney's Office).

PIN's auction was made possible by its indefatigable student leaders (pictured below).



PIN student leaders (left to right): James McCormick, Cameron Morgan, Vincent Tarallo, Veronica Knutson, Khriztyn Krininger, and Diane Haiar (not picture – Mia Hockel)



Second-year law student Trevor Case once again served as the highly entertaining auctioneer at the event.

PIN is also grateful to those who supported the auction in the following ways: donating money, items, and experiences; volunteering time and resources; and/or attending the auction. We could not support these students' public interest service without you. Please see our list of sponsors and donors below and stay tuned for more information about PIN's 2024 fundraising activities.



HOW TO SECURE YOUR SMARTPHONE

Mark Bassingthwaite, Esq.

Smartphones can be a significant cybersecurity risk, in part because many owners take a lackadaisical view when it comes to properly securing them and attackers know it. Couple this with the reality that smartphones are network connected devices that store all kinds of data, to include passwords, personal and financial information, location data, documents, photos, and client confidences and the reason smartphones are such an attractive target becomes self-evident. Now, add into the mix that there is no work from home or personally owned device exception to the rules of professional conduct and your obligations as a lawyer become clear. Every smartphone anyone is using for firm business must be properly secured. There can be no exceptions.

What type of threats do we need to be concerned about?

The following are the most common concerns:

Phishing attacks that use social engineering tactics in order to trick someone into doing something that enables a successful attack - The attack vectors vary. It could be anything from placing a malicious link in an email or text message, leaving a concerning voicemail, sending numerous multifactor authentication (MFA) prompts at 1 in the morning hoping the target will eventually accept one, and the list goes on. Should someone click on the malicious link, return the wrong call, or approve that annoying MFA request, it's game over. Making matters worse, the victim will often not even be aware that their actions enabled a successful hack.

The downloading of a malicious app - Malicious apps may be available for free or for a price and can even be hidden inside well-known useful free apps. Malicious apps typically exploit software vulnerabilities on the smartphone that can allow a hacker to access device data.

Connection threats - A smartphone's ability to connect to a network via GPS, Bluetooth, Wi-Fi, or cell service can be exploited by hackers in multiple ways. A few examples include users being tricked into logging into fake sites, unwittingly connecting to rogue networks or access points, or unintentionally allowing access to their geolocation data.

Device theft - Smartphones are small, easy to steal devices that contain a treasure trove of valuable information.

What steps should we be taking to address the problem?

While there are additional things that can be done, such as regular user training on how to spot a phishing, smishing, or vishing attack, if your firm is able to accomplish all of the following, you're going to be off to a great start.

Secure all smartphones - Set pins and passwords and make them as strong as possible. For device passwords, this means all passwords should be comprised of a combination of numbers and letters that is at least 8 to 10 characters in length. The longer the better, and the

use of a unique passphrase is fine. Avoid using facial recognition or fingerprint scanning as biometric based security is less secure. **Enable the auto lock feature** and set it to lock if the phone is idle for no more than 5 minutes. A setting of 1 minute would be even better. Also **enable the find my phone feature**. This feature will help you locate a lost or stolen phone and will also help you remotely delete your phone's data should that ever prove necessary. **Enable an auto factory reset** after 10 to 15 incorrect attempts to unlock the phone. This will delete most data, to include downloaded apps should someone try to gain access to a phone's data. And finally, **make sure that the encryption function is turned on** as one additional step to protect the data stored on each device. Note that on some smartphones data encryption is built in.

Keep all phone operating systems and apps up to date – Enable auto update and accept those updates whenever they are made available. Users may need to manually check for app updates, which should be done at least monthly.

Install a robust security app on all smartphones - Examples include Bitdefender, Norton, Trend Micro, and VIPRE. Avoid using free versions of security apps as free versions will not provide the same level of protection. If the security app comes with a VPN, turn that on. If it doesn't, then also install a VPN app on all phones. While any data stored on a smartphone is encrypted if encryption is enabled, data traveling to or from a smartphone isn't. The use of a VPN addresses that concern. Here again, avoid the use of free VPNs if you want to have your data stream be as secure as possible. Examples of trusted VPN providers include CyberGhost, NordVPN and ProtonVPN.

Disable Wi-Fi auto connect and Bluetooth auto pairing. In addition, it's a good idea to turn off Wi-Fi

and Bluetooth when they are not in use. In short, you don't want to leave potential entry points open and unmonitored.

Institute a firmwide policy that prohibits the downloading of any apps from untrusted sources. Stick to using apps available from your devices' official app store, for example the Google Play Store and the Apple App Store. Many apps from untrusted sources contain malware that can steal data and install viruses just for starters. In addition, train users to be cautious about accepting all requested app permissions. Permission should only be granted to phone features that the app needs to function properly. For example, why would a flashlight app need access to a phone's camera, location data, and the contact list? Don't grant these kinds of permissions to any app that doesn't need them.

Finally, **never donate, recycle, resell, or otherwise replace a smartphone without erasing all the data, signing out of and then deleting all downloaded apps, and resetting the phone to factory defaults.** Letting go of a smartphone without properly deleting all data is just asking for trouble.



Authored by: Mark Bassingthwaighte, ALPS Risk Manager

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

You Asked, We Answered.

State Bar of South Dakota Association Healthcare Plan Now Available

As part of our ongoing commitment to our members, the State Bar of South Dakota has partnered with Avera Health Plans to provide affordable healthcare benefits to South Dakota Bar members and their employees. In 2019, State Bar leadership advocated for an Association Group Healthcare Plan and our members noted in a 2022 survey that a healthcare option would be a worthwhile member benefit. At its May 2022 meeting, the Bar Commission passed a motion to proceed with implementation of an Association Healthcare Plan and we are pleased to announce its availability beginning February 1, 2023.

The following agents or agencies that are authorized to sell the State Bar Association Health Plan in **Eastern South Dakota**.

Office Location	Agency	Contact
Mitchell & Yankton Area	Dice Financial	Jacquelyn Johnson
Aberdeen Area	Mark Mehloff	Mark Mehloff
Sio ux Falls Area	Midwest Employee Benefits	Dawn Knutson
Sio ux Falls & Brookings Area	McGreavy & Associates	John Lawler
Pierre, Mitchell & Sio ux Falls Area	Fisher Rounds & Associates,	Josh Gilkerson
Watertown Area:	Freimark & Associates	Todd Freimark

Black Hills Insurance Agency & Carver Insurance will handle **Western South Dakota**.

Office Location	Agency	Contact
West River	Black Hills Insurance Agency & Carver Insurance	Dan Maguire, Everett Strong & Lisa Knutson

Questions on Eligibility, Rates, and Services?

Please contact the agency listed above based on your office location within the state for questions related to the Association Healthcare Plan.

Our agency can help with the Bar Association Avera Health plan that is now offered to members!

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S A V E
T H E
D A T E

2024 Annual Convention

*June 12 - 14, 2024
Ramkota Hotel & Convention Center
Pierre, South Dakota*

Estate Planning Nuggets and Planning Tips Fall 2023

Chair,
Joe Dylla

Presented by Martin M. Shenkman

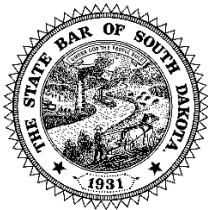
This presentation will be a potpourri of practical planning tips and ideas for practitioners that will include discussion of some recent developments and how they might be addressed in practice. The presentation will include discussions regarding the following:

- Tax reimbursement clauses – suggestions on safer use.
- SLATs: practical and often overlooked planning, funding and structuring and administration of SLATs to enhance the access clients have and increasing the likelihood of the IRS and creditors respecting the plan including an approach that might obviate a reciprocal trust challenge.
- Mass affluent clients (\$2-\$10M) can benefit from SLATs too! How to apply what is often viewed as only an estate tax reduction technique to lower wealth clients.
- Powers of attorney – an often ignored but vital planning document deserves more attention from special needs planning to 2026 tax planning and more.
- Revocable Trusts – how to tailor them to be more robust later life protective tools to deflect elder abuse, identity theft and more for your aging clients.
- Planning lessons and themes from the Smaldino, Levine and Sorenson cases: adherence to formalities, overlooked reporting and other issues, how to better structure note sale and other transactions and more.
- Kalilkow case.
- Trust decanting – tax and other practical considerations.
- Grantor trust burn – what to do when the client tires of paying income taxes on trust income. It is about a lot more than just trying to turn off grantor trust status.
- How practitioners can practice more defensively given the growing malpractice risks in the estate planning area including recommendations based on an analysis of recent cases. Tips on language to include in engagement letters and billing.
- Recent valuation cases and what they mean to practitioners: Nelson v. Commissioner, CCA 202152018, Daniel R. Baty v. Comm'r, Dematteo v. Comm'r.

September 8 2023
The Country Club of Sioux Falls



**Brought to you by The First National Bank of
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Bruce Ellison, Rapid City

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Michael Bornitz, Sioux Falls

John Burke, Rapid City

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Cody Miller, Madison

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Rachelle Norberg, Burke
Zach Pahlke, Winner
Shane Penfield, Lemmon
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Last Update: 6/30/2023

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In Memoriam



Robert Joseph Burns
September 3, 1946 -
May 27, 2023

Robert Burns, beloved husband, father, grandfather, brother, and friend, died at the age of 76 on May 27, 2023 in Quilcene, Washington

where he was celebrating Memorial Day weekend with family. Known to his family as "The Fun Master," Bob was a trial lawyer by trade, an excellent conversationalist, a wise and thoughtful advisor, a curious citizen of the world, an encourager extraordinaire, a stylish dresser, a lover of music and live concerts, a big-hearted optimist, and a man who exemplified the art of living well. He delighted in his large network of friends and family and because of them, often declared "I am the richest man in the world."

Robert Joseph Burns was born on September 3, 1946 in Sioux City, IA. Bob was the first born of five children to Robert and LaVerne Burns and the family moved to Yankton and then Sioux Falls following his father's coaching career. He graduated from O'Gorman High School in 1964 and attended the University of South Dakota, where he served as the Rush Chairman for the Delta Tau Delta Fraternity. He earned his bachelor's degree and then his Juris Doctor in 1973.

He was a member of the South Dakota Bar Association for 50 years and in 1992 was voted "Trial Lawyer of the Year" by his peers. He generously volunteered with Lawyers Concerned for Lawyers. Bob served in the South Dakota State Legislature and was always committed to making the world a better place.

On June 7, 1968 Bob married Susan Carmen Markley and they raised four children together during their 43 years of marriage. Active and social in Sioux Falls and St. Mary's Church, Bob was easy to like and highly respected. A member of Rotary West in Sioux Falls for decades, he and Susan hosted many Rotary International exchange students. He was so proud when his children

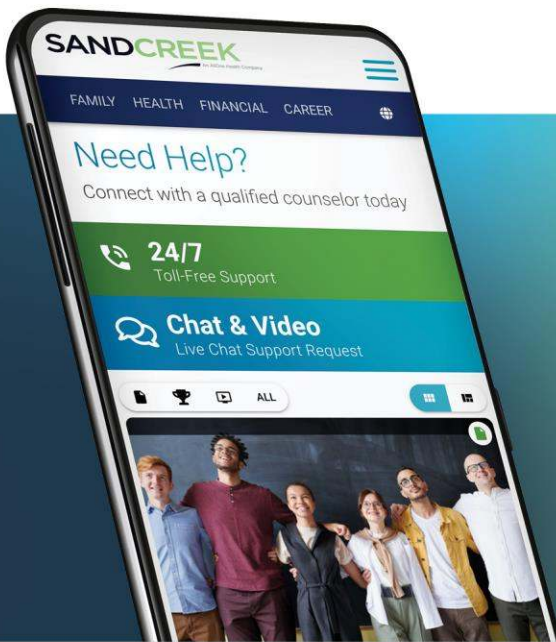
each went on their own Rotary exchange year and he enjoyed visiting Patrick in Australia, Sarah in Turkey, Mary Ellen in Denmark, and Matthew in Belgium. He served on the Bob Burns Dakota Bowl Committee for many years and enjoyed football games, tailgating, and cheering for the O'Gorman Knights. Bob was a founding member of the Monsignor Doyle Book Club running now for 30+ years. He especially loved spending time at Lake Okoboji, his happy place, enjoying sunset cruises and pulling kids on water skis behind his boat named "Afternoon Recess".

Bob met Laurie McDowell in 2012 and they spent 10 years creating happy memories together in Minneapolis and Tulsa, OK.

In 2022, he moved to Seattle to be closer to family and there, in a delightful twist of fate, he met and fell in love with Karen Sprague. Despite the declining health of his lungs, Bob always had a joke to share with friends, questions to ask his grandchildren, a team to cheer, and a positive attitude. He chose to focus on the people and the experiences that brought him happiness.

Grateful to have shared his life are Susan Markley Burns, Laurie McDowell, and Karen Sprague; four children, Patrick Robert Burns (Paula Peterson) of Minneapolis, MN, Sarah Elizabeth Burns (Christian Amott) of Seattle, WA, Mary Ellen Brewick (Andrew Brewick) of Moscow, ID, and Matthew Charles Burns (Rebecca Thom) of Taos, NM; nine grandchildren, Liam Richard Burns, Fiona Mary Burns, Finnian Robert Burns, Xavier Rhys Amott, Georgia Elizabeth Amott, Mabel Markley Brewick, Evelyn Rees Brewick, Anouk Diana Burns, and Ode Arcadia Burns; brothers James Burns, Steven Burns, and sister Kathleen Burns. Robert was preceded in death by his parents Robert Geering Burns and Alice LaVerne (Drabek) Burns, brother John Burns, and infant son Brian Markley Burns.

Memorials can be directed to Rotary International <https://my.rotary.org/en/donate> or The Banquet in Sioux Falls <https://thebanquetsf.org/wish-list>.



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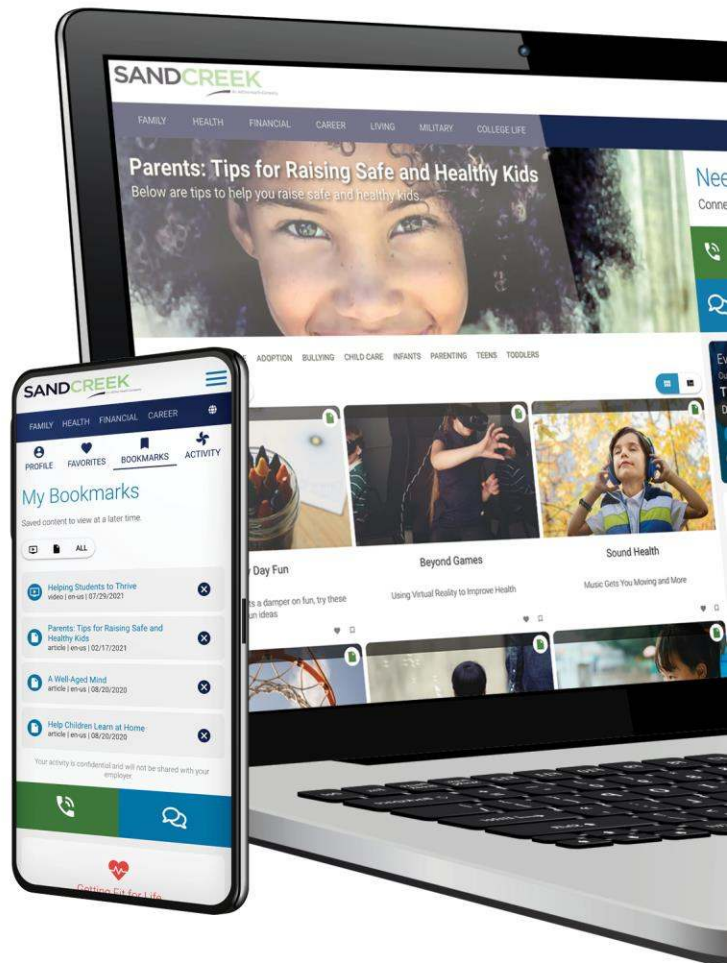
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PUBLIC NOTICE

REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE

The current appointment of Magistrate Judge Andrew Robertson is due to expire on November 18, 2023. Magistrate Judge Andrew Robertson serves in the Second Judicial Circuit.

The duties of a magistrate judge include conducting preliminary hearings in all criminal cases, acting as committing magistrate for all purposes and conducting misdemeanor trials. Magistrate judges may also perform marriages, receive depositions, decide temporary protection orders and hear civil cases within their jurisdictional limit.

Pursuant to UJS policy members of the bar and the public are invited to comment as to whether Magistrate Judge Andrew Robertson should be reappointed to another four-year term. Written comments should be directed to:

Chief Justice Steven R. Jensen
Supreme Court
500 East Capitol
Pierre, SD 57501

Comments must be received by August 20, 2023.

Career Center

STATE BAR OF SOUTH DAKOTA CLASSIFIEDS

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



Attorney- Brookings

Ribstein & Hogan Law Firm has an immediate opening for an associate position. We are looking for candidates with experience levels ranging from newly licensed lawyers to those with several years of experience. Only candidates seeking a long-term employment opportunity will be considered. Primary work will be a general practice including criminal, family law, and civil litigation. This position also requires research, brief writing, trial preparation, and litigation. Excellent academic credentials and writing skills are required.

Confidential inquiries, including resume and cover letter should be directed to Rick A. Ribstein or Tim Hogan, Ribstein & Hogan Law Firm, 621 6th St., Brookings, SD 57006 or by email rickribstein@sdakotalaw.com or timhogan@sdakotalaw.com. We offer competitive salary and benefit package.

Family Law Attorney- Sioux Falls or Rapid City

Lynn, Jackson, Shultz & Lebrun, P.C., is a progressive and diverse full-service law firm with three offices in South Dakota, serving clients locally, regionally, and nationally. We are seeking to add an attorney to our family law practice group in either our Sioux Falls or Rapid City offices. The Firm's family law group assists with all aspects of divorce, custody, and child support across the State.

The ideal candidate for this position would have at least three years of relevant experience and must be a problem solver and detail-oriented. Candidates for this position must possess excellent written and

verbal communication skills and must be licensed in South Dakota or willing to sit for the next South Dakota bar exam. Lynn Jackson offers a competitive salary, as well as an excellent benefit package, and our attorneys are provided with the latest in technology and continuing education to assist in their practice area. All applications will be confidential and should be directed to Lisa O'Connor, 909 Saint Joseph Street, Rapid City, SD 57701 or loconnor@lynnjackson.com.

Attorney- Sioux Falls & Rapid City

Lynn, Jackson, Shultz & Lebrun, P.C., is a progressive and diverse full-service law firm with three offices in South Dakota, serving clients locally, regionally, and nationally. We are seeking to add attorneys to our litigation and transactional law groups in both our Sioux Falls and Rapid City offices. Our Firm's litigation group is involved with insurance defense, personal injury, commercial, construction, and trust litigation, as well as family law, including divorce and custody issues. The Firm's transactional group assists with all aspects of business, real estate, and financial needs for some of the area's leading financial institutions, as well as local non-profit organizations, farmers, ranchers, and other individuals.

The ideal candidate for this position would have at least three years of relevant experience and must be a problem solver and detail-oriented. Candidates for this position must possess excellent written and verbal communication skills and must be licensed in South Dakota or willing to sit for the next South Dakota bar exam. Lynn Jackson offers a competitive salary, as well as an excellent benefit package, and our

attorneys are provided with the latest in technology and continuing education to assist in their practice area. All applications will be confidential and should be directed to Lisa O'Connor, 909 Saint Joseph Street, Rapid City, SD 57701 or loconnor@lynnjackson.com.

Associate Attorney– Rapid City

Rensch Law Office, a well-established criminal defense and personal injury law firm in Rapid City, SD, is looking to fill a full-time Associate Attorney position. Courtroom experience preferred, but willing to work with the right candidate. Must have a South Dakota law license. Willing to work with a recent graduate who is studying for the bar exam.

Salary ranges from 70-85k depending on experience.

Benefits include:

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retirement

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mileage reimbursement

Confidential inquiries, including cover letter and resume, should be sent to contact@renschlaw.com.

Litigation Attorney– Rapid City

Gunderson, Palmer, Nelson & Ashmore, LLP, an AV-Rated, 20+-lawyer firm located in Rapid City and Pierre, South Dakota, is looking for a litigation associate attorney at the Rapid City location. The ideal candidate will have a minimum three years of litigation experience. Must be a member of South Dakota State Bar or have to ability to become member. Must possess a strong business sense and strategic decision-making skills.

The firm offers a comprehensive benefits plan, competitive salary structure and the opportunity for professional development. You can learn more about our firm by visiting our website at gpna.com or our Facebook page at [Facebook.com/GPNALawfirm/](https://www.facebook.com/GPNALawfirm/).

All inquiries will be kept confidential. Please send your cover letter, resume, curriculum vitae and references to our firm's Legal Administrator, Kate Ackerson at kackerson@gpna.com or by coming into our office at 506 6th Street, Rapid City, SD 57701.

Deputy State's Attorney– Deadwood

JOB TITLE: DEPUTY STATE'S ATTORNEY
OFFICE/DEPARTMENT: STATE'S ATTORNEY'S OFFICE

CONTACT PERSON: SHELLY BAUMANN
sbaumann@lawrence.sd.us

CLOSING DATE: TO BE DETERMINED

STARTING PAY: DEPENDING ON EXPERIENCE

RESUMES TO BE SUBMITTED TO:

LAWRENCE COUNTY STATE'S ATTORNEYS
OFFICE

90 Sherman Street

Deadwood, South Dakota 57732

FAX: 605-578-1468

PHONE: 605-578-1707

GENERAL DESCRIPTION OF WORK TO BE PERFORMED: CRIMINAL PROSECUTION

EXPERIENCE EDUCATION: Graduation from a college of law and attainment of a Juris Doctorate degree.

LAWRENCE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

Assistant US Attorney– Sioux Falls

ASSISTANT UNITED STATES ATTORNEY: District of South Dakota

Sioux Falls, SD – Criminal Division

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

This full vacancy announcement and other attorney

vacancy announcements can be found at:
<https://www.justice.gov/legal-careers>.

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

Required qualifications: Applicants must possess a J.D. degree, be an active member of the bar (any U.S. jurisdiction) and have at least one year of post-JD legal or other relevant experience. Be a U.S. citizen or National. In addition, applicant must also be a member, or be eligible to become a member, of the federal district court bar. If the successful candidate is not a member of the South Dakota Bar, he or she must become a member of the South Dakota Bar within twelve months.

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

Salary:
Assistant United States Attorneys pay is administratively determined based, in part, on the number of years of professional experience. The range of starting pay including a 16.50% locality payment is \$69,107 to \$180,756.

Provide cover letter, resume, writing sample (not to exceed 20 pages), and list of three professional references with contact information. All documents should be submitted electronically in one continuous .pdf attachment and include the announcement number (23-SD-CRIM-004) in the subject line of your email. Email address for application package:
USASD.applications@usdoj.gov.

Applications must be received by 5 p.m. CST, Friday, June 30, 2023

Prosecutor– Agency Village

Prosecutor: Sisseton-Wahpeton Oyate, of the Lake Traverse Indian Reservation is seeking a licensed attorney to serve as a full-time Prosecutor.

Location: The Prosecutor office is located at the Sisseton-Wahpeton Oyate Tribal Headquarters in Agency Village, South Dakota.

Qualifications/Responsibilities: Applicants must have a Juris Doctorate Degree from an ABA accredited Law School and be licensed to practice in state and federal courts of South Dakota. Must possess at least one year of experience working as a prosecutor, preferably experience working for a tribal government. Must possess working knowledge of laws, rules, and procedures relative to prosecution. The Prosecutor is responsible for the prosecution of all crimes that occur within the jurisdiction of the Lake Traverse Reservation.

Closing Date: Open until filled.

Application Information: Please submit a letter of interest, resume, and application to the Angel DeCoteau, Human Resources Department, P.O. Box 509, Agency Village, SD 57262, (605) 698-8238, angeldecoteau@swo-nsn.gov

Assistant US Attorney– Sioux Falls

ASSISTANT UNITED STATES ATTORNEY: District of South Dakota
Sioux Falls, SD – e-Litigation

The United States Attorney's Office (USAO) for the District of South Dakota is seeking a highly qualified and experienced e-litigation attorney to fill a full-time position as an Assistant United States Attorney (AUSA) in the Sioux Falls office. This is not a trial AUSA position; it does not involve case handling or litigation. The selected candidate's primary duty will be to develop and coordinate the USAO's e-litigation practice by advising and consulting with civil and criminal case teams, management, and others, such as the Court, opposing counsel, law enforcement, and client agencies, on substantive e-litigation and discovery issues. The e-litigation AUSA will be responsible for developing the office's e-litigation policies and protocols, including procedures for intake, processing, review, production, and management of electronic discovery; coordinating

litigation support work; and providing training and support on litigation technology software tools and applications.

This full vacancy announcement and other attorney vacancy announcements can be found at:

<https://www.justice.gov/legal-careers>.

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

Required qualifications: Applicants must possess a J.D. degree, be an active member of the bar (any U.S. jurisdiction) and have at least one year of post-JD legal or other relevant experience. Be a U.S. citizen or National. In addition, applicant must also be a member, or be eligible to become a member, of the federal district court bar. If the successful candidate is not a member of the South Dakota Bar, he or she must become a member of the South Dakota Bar within twelve months.

Preferred Qualifications: Experience with complex civil or criminal litigation and with using litigation technology applications to acquire, organize, analyze, and present electronic discovery and evidence is strongly preferred. Successful candidates should have a strong academic background, possess superior oral and written communication skills, possess strong interpersonal and organizational skills, and have demonstrated the capacity to work effectively with a team, manage multiple projects simultaneously, and function with minimal guidance in a highly demanding work environment. Successful candidates should also possess the knowledge and ability to use computers and computer applications in performing day-to-day work requirements. In particular, successful candidates will possess a firm understanding of theories and limits of criminal and civil discovery, and have experience in:

- Developing eDiscovery strategies;
- Implementing legal hold processes;
- Conducting custodian interviews and follow-ups;
- Using document review tools and databases;
- Creating, producing, and analyzing privilege logs;
- Coordinating and tracking discovery disclosures;
- Drafting discovery reports outlining actions taken;

- Reviewing and providing recommendations on legal technology tools; and
- Assisting in the preparation and presentation of electronic evidence in trial, depositions, and other hearings.

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

Salary: Assistant United States Attorneys pay is administratively determined based, in part, on the number of years of professional experience. The range of starting pay including a 16.50% locality payment is \$69,107 to \$180,756.

Provide cover letter, resume, writing sample (not to exceed 20 pages), and list of three professional references with contact information. All documents should be submitted electronically in one continuous .pdf attachment and include the announcement number (23-SD-ELIT-001) in the subject line of your email. Email address for application package: USASD.applications@usdoj.gov.

Applications must be received by 5 p.m. CST, Monday, July 10th, 2023

Attorney- Remote/Hybrid - Health Law

MorganTheeler LLP seeks an attorney to join its Health/Employment Law Practice Group. The ideal candidate would have experience in physician employment arrangements, provider licensure, anti-kickback laws, and self-referral laws. Additional experience with corporate and transactional matters for health care providers is preferred. The candidate should have a demonstrated interest and/or experience in practicing health law and the ability to communicate effectively with physicians.

Hybrid (remote and in office) work environment. Base salary plus performance bonus. Benefits and compensation vary based on FTE status (less than 1.0 FTE available upon request). Please submit applications to kclaussen@morgantheeler.com. No calls please.

Deputy State's Attorney- Hughes County

DEPUTY STATE'S ATTORNEY POSITION, HUGHES COUNTY: Full-time permanent position now open for a Deputy State's Attorney in the Hughes County Office of the State's Attorney in Pierre, South Dakota.

The Hughes County State's Attorney's Office is looking for a criminal attorney to handle lower-level felony and juvenile cases, present those cases for legal proceedings, perform legal research, and prepare, draft and file legal documents and correspondence. Additional responsibilities include but are not limited to: covering other felony and misdemeanor hearings when required, advising local law enforcement agencies, dealing with juvenile justice issues, providing information to victims and witnesses and helping to fulfill the statutory responsibilities of the office.

Applicants must be able to: manage a large case volume and respond quickly and effectively to changing circumstances; speak and write effectively; establish and maintain effective working relationships with coworkers, other agencies, and the public; maintain professional appearance and demeanor.

Minimum Qualifications: Applicants must possess a J.D. and be an active member in good standing of the State Bar of South Dakota or be admitted within one year of hiring.

Preferred Qualifications: Three or more years' experience in criminal law is highly preferred but willing to train the right applicant.

Hughes County offers a comprehensive benefits package for employees including health and dental insurance, participation in the SD Retirement System, and paid time off. Salary range is \$71,029. To \$86,491 and is determined in part based on years of professional experience.

Please send a resume and cover letter to Casey Jo Deibert, Hughes County State's Attorney, 104 E. Capitol, Pierre, SD 57501. Resumes and cover letters will also be accepted via email at casey.deibert@co.hughes.sd.us.

Posting to remain open until the position is filled. All inquiries are confidential. Hughes County is an Equal Opportunity Employer.

Attorney - Sioux Falls

Category: Full-time Attorney Wanted

Location: Sioux Falls

Title/Headline: Help Others Plan for the Future

Feeling stuck in a rut? Looking for a change? Ready to take your career to the next level? Woods, Fuller, Shultz & Smith P.C. is looking for a full-time attorney interested in helping individuals, families, and businesses preserve their wealth, minimize taxes, and plan for the future. We are seeking someone for our Sioux Falls office who excels at relationship building and problem solving. In this position, you will have the opportunity to form rewarding, lifelong bonds with clients who will trust you to listen, understand concerns, and develop a plan to address their needs and accomplish their goals. Prior estate planning experience is great, but not required. If you have 2-5 years of client or project management, we can teach you the ins and outs of estate planning. If this sounds like you, we invite you to learn more.

The Estate Planning and Trust Law practice group at Woods Fuller has a long history of guiding clients through estate, gift, and tax planning, as well as trust and estate administration. Woods Fuller is a full-service law firm established in 1887. We have offices in Sioux Falls, SD, Sioux Center and Sheldon, Iowa, and Worthington, Minnesota. We proudly offer legal services rooted in the integrity and dedication that launched the firm 135 years ago.

Interested in learning more? Please direct questions or send resumes to Stephanie.Keizer@WoodsFuller.com.

Division of Banking - Trust Examiner - Sioux Falls or Pierre

Job ID: 23485

Salary: \$52,500 annually

Closing Date: Open Until Filled

This is a full-time, 40 hours weekly, position with the South Dakota Division of Banking, part of the Department of Labor & Regulation. For more information on the Division of Banking, please visit <https://dlr.sd.gov/banking>. The Division of Banking regulates the state's banking, trust, and financial services industries to assure that our citizens have confidence in our state's financial markets and services. We are seeking an inquisitive individual with analytical and

communication skills to join our team of professional Financial Institution Examiners in either Pierre or Sioux Falls.

Examiners at the Division of Banking enjoy:

- Training – Effective on-the-job training is combined with annual off-site training at locations such as Hilton Head, SC; Arlington, VA; and Boston, MA; among others.
- Pay Advancements – Salary increases are offered for successful work performance and completion of formal trainings.
- Positive working environments – Enjoy having your own office while still working as part of a knowledgeable and supportive team.
- Personal growth – Develop comprehensive knowledge of the financial industry while developing leadership and communication skills.
- Advancement – Successful examiners will receive numerous certifications with internal promotional opportunities available.

As part of a team, you will:

- determine the financial condition of state-chartered trust institutions;
- evaluate adequacy of trust institutions' internal control procedures;
- determine compliance with State and Federal statutes related to banking, trust, licensing, and consumer protection;
- evaluate investment portfolios and decision-making to determine suitability;
- review and evaluate the oversight and governance structure of trust institutions;
- make recommendations on findings;
- investigate consumer complaints related to supervised trust institutions.

The ideal candidate will have:

- A bachelor's degree in trust, banking, finance, accounting, or a related field with an advanced degree preferred. Professional experience that leads to mastery of the following knowledge and abilities will be considered.
- Knowledge of accounting and auditing principles and procedures; the organization of banks and trust companies; financial and fiduciary work environments; fiduciary principles; trust-related statutes and regulations; and Microsoft Office products and management information systems.

- Skill to communicate concisely and effectively with co-workers, financial institution personnel, and examiners from other agencies; gather, interpret, report, and use financial information; understand and interpret federal and state trust regulations; effectively manage time and prioritize tasks.

Additional Requirements: To be considered, attach your resume, letter of interest, writing sample & post-secondary transcripts

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

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

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

The State of South Dakota offers employer paid health insurance plus ten paid holidays, generous vacation and sick leave accrual, dental, vision, and other insurance options, and retirement benefits. You can view our benefits information at <https://bhr.sd.gov/job-seekers/work-for-state-government/>. This position is a member of Class A retirement under SDRS.

Must apply online: <https://sodakprod-lm01.cloud.infor.com:1443/lmg/hr/xmlhttp/shorturl.do?key=MJ2>

You must apply online, emailed resumes or submissions will not be accepted.

Litigation Supervisor - Pierre

Location: Pierre, SD

Employment Type: Permanent Employee

Agency: Social Services Post Date: 03/31/2023

Salary: 82,000.00-101,000.00 US

Description

Job ID: 22578

Agency: Department of Social Services - Division of Legal Services

Salary: \$82,000 - \$101,000, depending on experience

Pay Grade: L3

Closing Date: Open Until Filled

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

The Division of Legal Services within the South Dakota Department of Social Services is seeking to hire a highly motivated and experienced attorney to serve as a Litigation Supervisor. The duties of the Litigation Supervisor would include representing the Department on a wide variety of legal issues including abuse and neglect of children, child support, childcare, behavioral health, Medicaid, and Medicaid recovery as well as assisting with the supervision of other attorneys within the division. The Litigation Supervisor represents the Department throughout the state in litigation before the Supreme Court, Circuit Court, and the Office of Administrative Hearings.

Our Culture: Family-focused. Person-centered.

At our organization, it is the belief that every South Dakota family has the right to be safe and secure. We believe in respecting individuals and cultural differences by treating people with dignity, fairness, and respect.

Our department: Build Strong Families, South Dakota's Foundation and Our Future.

The Department of Social Services aims to strengthen and support individuals and families, connecting them with resources to foster independent and healthy lives.

Our Team: Dependable. Committed. Compassionate.

As a member of the Department of Social Services, you will be part of a team of professionals who are dependable, committed, and compassionate. We believe collaborative communication, teamwork, partnerships, and trust are foundational to the delivery of essential family services.

Who we want:

An attorney interested in a range of legal subjects relating to administrative rulemaking, professional licensing, open meetings and open records, child abuse and neglect, child welfare agency licensing, Medicaid, and other state/federal assistance programs, child support enforcement, and behavioral health services.

- A highly motivated attorney with a passion for serving the public and who displays a high level of effort and commitment towards completing assignments and goals.

- A dependable and organized individual who effectively plans and organizes work activities.

- A person who is dedicated and who will represent the Department of Social Service with integrity and enthusiasm.

- An individual who works cooperatively with others and promotes a friendly work climate in order to achieve shared goals.

What you will do:

This position will be responsible for representing the Department of Social Services in litigation, including administrative hearings as well as the circuit court. Duties will include planning and executing litigation, preparing witnesses; preparing motions, briefs, and exhibits; and arguing cases. Duties will likely also include conducting research and rendering advice in support of all DSS divisions as specific questions and issues arise, and additional responsibilities as assigned.

This is a supervisory position, meaning the successful applicant will be expected to take a leadership role within the Division of Legal Services and the Department. Leadership in this context will include participation in strategic planning and other agency wide initiatives; assisting with the management of other staff members; serving as a liaison to share information across interdepartmental and interdisciplinary teams and workgroups; and effectively communicating regarding various philosophies, communication styles, and goals of the Division and Department.

Education/Licenses:

The applicant must be a graduate of an accredited law school; be a member of the South Dakota State Bar or willing and qualified to become a member of the South Dakota State Bar and qualify for appointment as a Special Assistant Attorney General. Admission and/or experience with tribal courts would be a plus.

The Ideal Candidate will have:

Experience with litigation and with the management of other staff is strongly desired for this position. In

addition, the candidate should:

- display high standards of ethical conduct;
 - communicate effectively and efficiently;
 - understand litigation practice and strategies;
 - exercise sound judgment when making decisions and take prompt, decisive action;
 - analyze information, issues, situations, practices, and precedents to arrive at a logical interpretation;
 - work independently while accepting guidance and soliciting input;
 - actively seek, collect, and evaluate information to learn more about issues or events.
- successfully plan and organize work activities, adjust to multiple demands, and prioritize tasks to complete assignments and meet schedules and deadlines.

Equally important will be a strong work ethic and the comprehension of critical thinking and problem-solving techniques. If you believe in strengthening and supporting strong families and investing in South Dakota's future, you may have found the dream job you've been waiting for!

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

This position is exempt from the Civil Service Act.

NCRC: If you possess a National Career Readiness Certificate, please submit the certificate with your application. For more information on how to acquire a National Career Readiness Certificate contact the South Dakota Department of Labor and Regulation Job Service Office. A certificate is not necessary to be considered.

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

The State of South Dakota offers employer-paid health insurance plus eleven paid holidays, generous vacation and sick leave accrual, dental, vision, and other insurance options, and retirement benefits. You can view our benefits information at <https://bhr.sd.gov/job-seekers/work-for-state-government/>. This position

is a member of Class A retirement under SDRS.

Must apply online: <https://sodakprod-lm01.cloud.infor.com:1443/lmghr/xmlhttp/shorturl.do?key=LS2>

You must apply online, emailed resumes or submissions will not be accepted.

South Dakota Bureau of Human Resources Telephone: 605.773.3148 Email: careers@state.sd.us <http://bhr.sd.gov/workforus>

"An Equal Opportunity Employer"

Deputy/Senior Deputy Public Defender – Minnehaha County

SALARY: \$3,325.60 - \$3,761.60 Biweekly | OPENING DATE: 06/28/2023 | CLOSING DATE: Continuous
Why Join Our Team

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

Please attach a cover letter to the online application.

The hiring range is \$3,325.60 - \$3,761.60/biweekly with full earning potential up to \$4,581.60/biweekly.

This posting will remain open until filled. Review of applications begins on July 12, 2023.

How You Will Make an Impact

- Advocate on behalf of individuals charged with felonies and misdemeanors through all phases of litigation to include pre-trial, trial, and litigating all aspects of the case through disposition.
- Coordinate efforts with a support team of paralegals and other staff to ensure the responsible handling of a demanding caseload through disposition of the case.

- Maintain client communications by telephone, office appointments, and institutional visits. Keep client apprised of investigations, negotiations, and court rulings.
- Appear at regularly scheduled court dockets and appearances related to an assigned caseload.
- Conduct legal research and draft motions and pleadings.
- Interview witnesses.
- Review legal documents, police reports, transcripts, and related correspondence.
- Attend professional development training both within and outside the office.

What You Need to Succeed in this Role

- Graduation from a college of law and attainment of a Juris Doctorate degree from an accredited law school. Admission by the Supreme Court of South Dakota to practice law in the State of South Dakota or be licensed to practice law in any other state and able to take the next bar examination offered in South Dakota. This opportunity is also open to recent law school graduates who are eligible to sit for the next available South Dakota bar examination. Comparable combination of education and experience may be considered.
- Possession of a valid driver's license and must maintain a safe driving record with Minnehaha County.
- Must successfully complete pre-employment background process.
- Working knowledge of civil and criminal law, court procedures, and the principles and practices of legal research.
- Ability to work with a diverse population and be attentive to the needs of the clientele.
- Working knowledge of the principles, methods, materials, and practices utilized in legal research.
- Working knowledge of general law and established precedents.
- Ability to speak and write effectively in the preparation and presentation of legal matters.
- Ability to maintain effective working relationships with co-workers, clients, other agencies, and the public.
- Ability to maintain professional appearance and demeanor.
- Consideration for appointment as a Senior Deputy Public Defender requires a minimum of two years of relevant work experience.

Other Applicable Experience

- Demonstrates a commitment to working with the indigent accused and to providing social advocacy to the clientele served by the Public Defender's Office.

EEO Statement

Minnehaha County is an Equal Opportunity Employer and does not discriminate on the basis of race, color, religion or creed, national origin or ancestry, citizenship, sex or gender including pregnancy, sexual orientation and gender identity, marital status, age, disability, veteran's status, genetic information, or any other legally protected status. Arrangements for accommodations required by disabilities can be made by contacting Human Resources at (605) 367-4337.

Staff Attorney – Fort Thompson

Are you passionate about racial justice and holistic legal advocacy? Join our team, and make a long-term impact!

DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Staff Attorney position in our Fort Thompson, South Dakota, office. The Fort Thompson office serves the counties of Brule, Buffalo, Hyde and Lyman, along with the Lower Brule and Crow Creek Reservations.

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: Starting at \$60,000 plus 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: Thomas S. Mortland, Executive Director, Dakota Plains Legal Services,

PO Box 727, Mission, SD 57555, (605) 856-4444, tmortland@dpls.org.

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

Staff Attorney – Mission

Are you passionate about racial justice and holistic legal advocacy? Join our team, and make a long-term impact!

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 counties Gregory, Jones, Mellette, Todd and Tripp, along with the Rosebud Reservation.

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 an emphasis on family law. Additionally, the applicant should expect to make regular appearances in state and tribal court. Applicants must demonstrate an interest in poverty law and working with Native American and low income clients.

SALARY: Starting at \$60,000 plus, 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: Thomas S. Mortland, Executive Director, Dakota Plains Legal Services, PO Box 727, Mission, SD 57555, (605) 856-4444, tmortland@dpls.org.

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

Staff Attorney – Ft. Yates, ND

Are you passionate about racial justice and holistic legal advocacy? Join our team, and make a long-term impact!

DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Staff Attorney position in our Ft. Yates, North Dakota office. The Ft. Yates office serves Campbell, Corson and Walworth counties in South Dakota and the Standing Rock Indian Reservation.

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: Starting at \$60,000 plus, 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: Thomas S. Mortland, Executive Director, Dakota Plains Legal Services, PO Box 727, Mission, SD 57555, (605) 856-4444, tmortland@dpls.org.

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

Staff Attorney – Eagle Butte

Are you passionate about racial justice and holistic legal advocacy? Join our team, and make a long-term impact!

DAKOTA PLAINS LEGAL SERVICES (DPLS), a non-profit legal services program, has an opening for a Staff Attorney position in our Eagle Butte, South Dakota office. The Eagle Butte office serves the counties of Dewey, Haakon, Potter and Ziebach, along with the

Cheyenne River Indian Reservation.

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 an emphasis on family law. Additionally, the applicant should expect to make regular appearances in state and tribal court. Applicants must demonstrate an interest in poverty law and working with Native American and low income clients.

SALARY: Starting at \$60,000 plus, depending on experience. DPLS has an excellent fringe benefits package 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: Thomas S. Mortland, Executive Director, Dakota Plains Legal Services, PO Box 727, Mission, SD 57555, (605) 856-4444, tmortland@dpls.org.

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

Deputy Sherriff -Lincoln County

SALARY: \$27.53 - \$30.38 Hourly

LOCATION: 104 N. Main St. Canton, SD

JOB TYPE: Full-Time

JOB NUMBER: 23-17

DEPARTMENT: Sheriff

OPENING DATE: 06/27/2023

CLOSING DATE: 7/11/2023 12:00 AM Central

General Information

Applicants must be certified with the State of South Dakota to be considered.

The 2023 hiring range is \$27.53/hr - \$30.38/hr with a full earning potential up to \$37.02/hr.

The Lincoln County Sheriff's Office invites applications for a Deputy Sheriff position. This individual will provide law enforcement services to maintain law and order throughout Lincoln County. Responsibilities include investigating illegal or suspicious activities and completing and maintaining accurate records and reports.

Lincoln County Sheriff's Office Offers:

- State-of-the-art equipment
- Ongoing training opportunities
- Family-like culture
- 10-hour shifts with rotating weekends off
- Take home vehicle for those that live in Lincoln County (living in the county is not required)
- Strong community support

In addition to a lucrative benefits package, Lincoln County Certified Law Enforcement Officers also receive:

- \$.75/hour night shift differential
- \$.75/hour weekend differential
- \$.50/hour for those selected by the Sheriff to be a Field

Training Officer

- \$1.00/hour for those selected by the Sheriff to be a Detective/Civil Deputy
- Overtime available
- Employee Assistance Program – 5 free sessions available for employees and their immediate family members

\$7,500 Hiring Bonus Available!

To be Eligible for the Hiring Bonus:

- Must successfully complete the recruitment process and pre-employment background requirements.
- Must be a current Certified Law Enforcement Officer in the State of South Dakota by the position deadline or another state AND successfully complete and pass the reciprocity exam within one year of employment.
- Must be in good standing with the South Dakota Law Enforcement Officers Standards and Training Commission and/or the state in which the incumbent received law enforcement certification.
- Selected and eligible individuals who are currently South Dakota certified will receive \$4,000 at time of hire, \$2,000 after the first year of employment and \$1,500 after the second year of employment.

- Selected and eligible individuals that successfully complete the reciprocity exam will receive \$4,000 at time of passing, \$2,000 after the first year from date of passing and \$1,500 after the second year from date of passing.
- Must maintain satisfactory performance.

If incumbent leaves before completing two years of employment, then the individual will be responsible for repaying the hiring bonus in its entirety. Bonuses are taxable - all regular payroll taxes will be withheld.

Certified applicants will be given preference in the selection process and will not need to take a written examination but will need to attach their law enforcement certification to the application. Upon the position closing, those that meet the qualifications will be contacted to schedule an interview.

If there is not a certified applicant that meets the Sheriff's criteria and qualifications, then un-certified applicants that meet the minimum qualifications of the position will be considered and will be contacted to schedule a written examination.



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.

UPCOMING

EVENTS

July 13-14, 2023 | Bar Commission Meeting | Deadwood

July 18, 2023 | Law for Lunch - The Civil Legal Needs of SD Citizens

August 15, 2023 | Law for Lunch | Introducing the Updated Administrative Appeals Court

September 8, 2023 | Estate Planning CLE | Sioux Falls Ramkota

September 21-22, 2023 | Rural Lawyer Symposium | USD Knudson School of Law, Vermillion

September 29, 2023 | Nuts & Bolts CLE | Missouri Avenue Event Center

September 29, 2023 | Statewide Swearing-In Ceremony | Capitol Rotunda

September 29, 2023 | Reception to follow Swearing-In Ceremony | Missouri Avenue Event Center

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