

State Bar of South Dakota

# Newsletter

December 2023



[www.statebarofsouthdakota.com](http://www.statebarofsouthdakota.com)



# FINALLY, LEGAL MALPRACTICE INSURANCE MADE EASY.

“ Renewal process was quick and easy. ”

— Jay R. Gellhaus, Gellhaus & Gellhaus, P.C., Aberdeen, SD

Proud to be endorsed by the State Bar of South Dakota!  
Apply now and get back to what matters most.



[www.alpsinsurance.com/sdlawyer](http://www.alpsinsurance.com/sdlawyer)



# Happy Holidays

FROM ALL OF US AT THE  
STATE BAR OFFICE!

*Our Office Will Be*

## CLOSED

*December 25 & 26, 2023*

## NORTHERN PLAINS WEATHER SERVICES, LLC

**Matthew J. Bunkers, Ph.D. | 605.390.7243**

- **Certified Consulting Meteorologist (CCM)**  
*Have a case where weather may be a factor?*  
<https://npweather.com/forms/CCM-article.pdf>
- 30+ years of weather/forecasting experience
- Consulting, reports, depositions, & testimony
- **Specialties:** forensic meteorology, slip and falls, heavy rain and flooding, high winds, fog, severe storms, hail, tornadoes, winter weather, heavy snow, icing, fire weather, weather-related accidents, agriculture weather, lightning verification, radar, and satellite



<https://npweather.com> | [nrnplnsweather@gmail.com](mailto:nrnplnsweather@gmail.com)

# State Bar of South Dakota

December 2023 *Newsletter* Issue 12

- 4 President's Corner  
Heather Lammers Bogard
  - 6 Young Lawyers News  
Kelsey Blair
  - 10 Dean's List: News From the Law School  
Neil Fulton
  - 32 How I Took Advantage of the Winter Blues and Found Wellness & You Can Too  
ALPS Risk Manager Mark Bassingthwaigte
- 
- 8 Fellows of the South Dakota Bar Foundation
  - 12 A2J Superheroes
  - 14 General Announcements
  - 17 State Bar Strategic Plan Coordinator Job Announcement
  - 18 Application for Pro Bono Emeritus Status
  - 19 Public Sector Highlights
  - 20 Supreme Court News
  - 23 Sexual Harassment Prevention Training
  - 24 Are You in Compliance?
  - 26 Certificate of Compliance
  - 31 2023 John R. Justice Student Loan Repayment Program
  - 35 Public Notice: Reappointment of Incumbent Magistrate Judge
  - 38 Memoriam
  - 44 Career Center
  - 53 Upcoming Events

## PRESIDENT'S CORNER



Heather Lammers Bogard

For many of us, December is filled with holiday festivities. December is also a time to celebrate Universal Human Rights Month when we can reaffirm our commitment to preserving and promoting the fundamental rights and freedoms that belong to every human being.

Universal Human Rights Month recognizes the Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948. The Declaration established a global framework for the protection of human rights, providing a foundation for justice, equality, and peace worldwide. It continues to serve as a beacon of hope, guiding us in our ongoing efforts to build a just and inclusive society.

As lawyers, we have the responsibility to safeguard and advance the principles set forth in the Universal Declaration of Human Rights. Our knowledge, skills, and ethical obligations place us at the forefront of defending the rights and freedoms of all individuals, regardless of their background, beliefs, or circumstances. To that end, I want to recognize the following lawyers, Bar Committees, and their chairs for their work to promote justice and equality within our State:

- Access to Justice, Inc., Coordinator Denise Langley
- Dakota Plains Legal Services, Executive Director Tom Mortland
- East River Legal Services, Executive Director Lea Wroblewski
- Ask A Lawyer, Chairs Chris Christiansen and Reece Almond

- Federal Public Defenders in Rapid City, Pierre, and Sioux Falls\*
- State Public Defenders
- Prosecutors protecting victims and utilizing discretion to ensure justice
- Diversity and Inclusion Bar Committee, Tamara Nash, Chair
- Indian Law Bar Committee, Tim Billion and Josey Blare, Co-Chairs
- Legal Services Bar Committee, Sarah Baron Houy, Chair
- Immigration Law Bar Committee, Kari Scofield, Chair
- Works Clinic, Chair Marilyn Trefz, and others at USD Knudson School of Law who coordinate assistance to those unable to afford legal assistance
- Voices for Justice, Chair Taneeza Islam
- SD Network, staff attorney Tracey Dollison Decker
- Disability Rights SD, Executive Director Cole Uecker and Legal Director John Hamilton
- All the lawyers accepting cases from Access to Justice, Inc. (published in the Oct. newsletter)

\*Special appreciation is personally noted for Jana Miner and her extensive service to the Federal Public Defenders office. I wish her well in her retirement.

As always, I apologize if I missed anyone. All these lawyers advocate for equal access to justice, no matter a person's socioeconomic status, race, gender, sexual orientation, or any other characteristic. They are commended.



I encourage you to renew your commitment this month to promote the universal values of dignity, freedom, and equality. Embrace diversity. Donate time to advocate for equality. Consider community outreach and pro bono work. Do whatever you deem appropriate to promote a culture of respect, understanding, and compassion.

Happy holidays to you  
and your families!



**DeRouchey Agricultural & Legal Consulting, LLC**

Roger DeRouchey  
700 Broad Street Alexandria, SD 57311  
605-770-8080  
Rderouchey.agconsulting@triotel.net

- 34 years Farm Business Instructor at Mitchell Tech
- 4 years of Ag Lending
- 9 years Research, Deposition, Testifying
- Expert witness on agricultural issues

[www.deroucheyagriculturallegalconsulting.com](http://www.deroucheyagriculturallegalconsulting.com)

CHECK IT OUT

**LISTEN  
LIVE**

**SD.NET**

App users can listen  
to Statehouse  
Legislative coverage

Funded in part by the South Dakota Bar Foundation



STATE BAR OF SOUTH DAKOTA  
*Young Lawyers Section*

*Kelsey Blair*  
YLS President



As we begin the holiday season, it's a time for reflection, gratitude, and celebration. In the spirit of thankfulness, I want to take a moment to reflect back on the Nuts & Bolts CLE and the Statewide Swearing-In Ceremony held at the end of September. I missed these thank-yous in the November newsletter.

Starting with the Nuts & Bolts CLE, we had fantastic presentations on a variety of topics throughout the morning. Thank you to those who gave of their time, traveled to Pierre, and presented to new and experienced attorneys alike: Lea Wroblewski, Herb Sundall, Amy Jo Janssen, Shane Penfield, John Burke, Lara Roetzel, Eric Witcher, and Seventh Circuit Presiding Judge Craig Pfeifle.

The Statewide Swearing-In Ceremony followed, with over a dozen new attorneys being sworn in to the South Dakota Bar in front of a rotunda full of friends, family, and colleagues. State Bar President Heather Lammers Bogard welcomed our newest Bar members. And Justice Myren gave a powerful and thoughtful speech – complete with Star Trek references – before administering the Oath of Attorney to our new admittees. It is no small feat to pull off this event every year. The Supreme Court Clerk's Office is instrumental in helping the Young Lawyer Section put on the event, and we are so grateful for their continued help and support. Buildings and Grounds, at the Capitol, transforms the Rotunda and provides all our needed audio support. Thank you to everyone who helped us mark this wonderful celebration.

Looking ahead, in the midst of the holiday parties that will come, I want to highlight one happening on December 14 at the Deadwood VFW. The Young Lawyer Section is joining with the Fourth Circuit Bar for a joint mixer from 4:30-5:30 p.m. YLS will be providing heavy hors d'oeuvres. All are welcome!

Gratitude is a powerful force that can transform our outlook on life, our relationships, and our overall well-being. Whether it's a simple "thank you" to a colleague, expressing appreciation to a friend, or acknowledging the hard work and sacrifices of our family members, gratitude has the power to uplift and inspire. I encourage you all to take some time to reflect on all you're grateful for this season. As my husband and I are ready to welcome our first child in January, I know I have so much to be thankful for. Wishing you all a happy holiday season!



# OATH OF ATTORNEY



**I DO SOLEMNLY SWEAR, OR AFFIRM, THAT:**

**I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES AND THE  
CONSTITUTION OF THE STATE OF SOUTH DAKOTA;**

**I WILL MAINTAIN THE RESPECT DUE TO COURTS OF JUSTICE AND  
JUDICIAL OFFICERS;**

**I WILL NOT COUNSEL OR MAINTAIN ANY SUIT OR PROCEEDING WHICH  
SHALL APPEAR TO ME TO BE UNJUST, NOR ANY DEFENSE EXCEPT  
SUCH AS I BELIEVE TO BE HONESTLY DEBATABLE UNDER THE LAW OF  
THE LAND;**

**I WILL EMPLOY FOR THE PURPOSE OF MAINTAINING THE CAUSES  
CONFIDED TO ME SUCH MEANS ONLY AS ARE CONSISTENT WITH  
TRUTH AND HONOR, AND WILL NEVER SEEK TO MISLEAD THE JUDGE  
OR JURY BY ANY ARTIFICE OR FALSE STATEMENT OF FACT OR LAW;**

**I WILL MAINTAIN THE CONFIDENCE AND PRESERVE INVIOLEATE THE  
SECRETS OF MY CLIENT, AND WILL ACCEPT NO COMPENSATION IN  
CONNECTION WITH A CLIENT'S BUSINESS EXCEPT FROM THAT CLIENT  
OR WITH THE CLIENT'S KNOWLEDGE OR APPROVAL;**

**I WILL ABSTAIN FROM ALL OFFENSIVE PERSONALITY, AND ADVANCE  
NO FACT PREJUDICIAL TO THE HONOR OR REPUTATION OF A PARTY  
OR WITNESS, UNLESS REQUIRED BY THE JUSTICE OF THE CAUSE WITH  
WHICH I AM CHARGED;**

**I WILL NEVER REJECT, FROM ANY CONSIDERATION PERSONAL TO  
MYSELF, THE CAUSE OF THE DEFENSELESS OR OPPRESSED, OR DELAY  
ANY PERSON'S CAUSE FOR LUCRE OR MALICE.**



# Fellows of the South Dakota Bar Foundation

## *Sustaining Life Fellow - \$50,000 plus*

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

David L. Knudson

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)*

Neil Fulton

Hon. Bobbi J. Rank

Timothy J. Rensch

## *Presidential Fellows - \$10,000*

John P. Blackburn

Richard D. Casey

Hon. Michael Day

Robert B. Frieberg

Thomas H. Frieberg

William C. Garry

David A. Gerdes

Hon. David R. Gienapp

Patrick G. Goetzinger

G. Verne Goodsell

Robert E. Hayes

Terry L. Hofer

Carleton R. "Tex" Hoy

Steven K. Huff

Hon. Charles B. Kornmann

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)*

Hon. John Bastian

Hon. John L. Brown

Mary Jane Cleary

Paul L. Cremer

Andrew L. Fergel

Tom E. Geu

Craig A. Kennedy

Denise Langley

Hon. Judith K. Meierhenry

Hon. Robert A. Miller

Robert C. Riter, Jr.

Jason R.F. Sutton

Sarah L. Thorne

*Raising the Bar: Our Profession. Our Responsibility.*



# YOU ARE INVITED TO JOIN!

## Fellows of the South Dakota Bar Foundation

---

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

Full Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

I would like to contribute:

in Lump Sum    Annually    Semi-Annually    Quarterly    Monthly

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

In Memoriam

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

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

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

Or you can email this form to:

[tracie.bradford@sdbar.net](mailto: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.



UNIVERSITY OF  
**SOUTH DAKOTA**  
KNUDSON SCHOOL OF LAW



## DEAN'S LIST: NEWS FROM THE LAW SCHOOL



**Neil Fulton**  
Dean, School of Law

The work of two task forces will require our collective deliberation, conversation, and action in the coming year. I have been fortunate to participate in the work of both, and hope that you take the time to learn more and provide input on the important issues these task forces have addressed.

First is the Indigent Legal Services Task Force. The South Dakota Legislature created this group at the Chief Justice's request during the last legislative session. Its purpose was to assess the current delivery of indigent criminal defense services in South Dakota and provide recommendations about how to provide those services more effectively and efficiently. It conducted listening sessions across South Dakota over the summer; surveyed lawyers, judges, and county officials; evaluated the indigent defense systems in other states; and held public meetings to deliberate on the information gathered and consider proposals for change. Information about the Task Force can be found here:

<https://ujs.sd.gov/Resources/IndigentLegalServices.aspx>

The Indigent Legal Services Task Force produced a report that describes current circumstances in South Dakota, compares South Dakota's approach to other jurisdictions, and makes three policy recommendations. First, it recommends the creation of a statewide indigent defense services commission and public defender office, which will provide representation in selected cases statewide and offer training and support for appointed attorneys across South Dakota. The commission will

select the state defender and provide oversight of indigent defense across South Dakota. Second, the Task Force recommends assessing new ways to fund indigent defense services but does not recommend a specific approach. Instead, the report catalogs suggestions gathered through the listening sessions and Task Force discussion. Third, the Task Force recommends a study of indigent defense services in seven South Dakota counties and their mechanisms to deliver indigent legal services. While the appeal process is consistent, the Task Force heard about significant local differences and issues at the trial court level. More information is necessary to determine the best path forward to provide more effective and efficient indigent defense in the trial courts.

A bill implementing the Task Force recommendations will be considered by the South Dakota Legislature in the upcoming Session. It is an important topic that merits input from Bar members. It is also the beginning of a conversation that will likely continue over several years, given the difficult challenges presented. I hope that you can take the time to read the Task Force report and proposed legislation; your input to legislators and Task Force members about this work is important.

A second task force has been evaluating bar admissions. As South Dakota faces the approaching introduction of the NextGen Bar Exam, other jurisdictions are reconsidering their means of admission, and the ongoing shortage of lawyers in public service and rural practice, this was a timely effort. A unanimous conclusion of



the task force was that any path to bar admission must prioritize public protection through the identification of minimum competence to practice. Being a lawyer is a privilege, not a right. The traditional bar examination will certainly remain one path to gaining that privilege, but the task force did conclude that, in certain limited circumstances, there are alternative ways to identify minimum competence while advancing other goals like providing an incentive for public service or rural practice.

The task force gathered extensive information to inform the discussion. It conducted surveys and interviews of Bar members and other stakeholders. It evaluated data about bar admissions in South Dakota and across the country, admission and placement data from the Law School, and reports from other jurisdictions that have evaluated alternatives such as supervised practice or development of a portfolio of work while in law school. The task force heard an in-depth presentation from New Hampshire about the Daniel Webster Scholars program. That competitive admission program has been successful cooperation between New Hampshire's Supreme Court, law school, and bar has been in place for more than a decade. Its participants complete classes that incorporate practical skills and simulations. They are admitted to the bar immediately after graduation if their portfolios of work are approved by both the law school and bar examiners.

The task force broke into three working groups to consider this information in more defined settings. Those groups evaluated what constitutes minimum competence to practice, the pathway to and through law school, and South Dakota's current bar admissions process. Each group had several meetings and made recommendations to the full task force. As will be laid out in its forthcoming report, the task force achieved consensus that a limited pilot program tied to public service is an appropriate path forward.

The recommended pilot would allow up to ten students to be placed in a public sector office, most likely a state's attorney or public defender office, during their final year of law school. Selected written and oral work during their placement would be assessed by the bar examiners for minimum competence. The law school would assess their work for academic credit as it currently does with other externships. Participants who are approved by both the bar examiners and law school would be eligible

for bar admission immediately after graduation, subject to a review of their character and fitness. Additionally, participants must commit to at least two years of work in a broader list of public service placements or rural practice.

This recommendation is appealing in many ways. Additional practice experience in law school can make participants in this program some of our best prepared lawyers. A nudge toward public service can draw more students into crucial jobs for South Dakota. A rigorous assessment of the work of these participants to identify minimum competence allows the bar examiners to draw on the successful and similar approach that New Hampshire has had in place for a decade. A pilot limited in both scope and time creates a relatively low cost and low risk way to assess the impact of this innovation.

There will be many questions yet to consider and resolve on the path to implementation. Please take the time to read the task force report when it is released and provide input to me or to any task force member. As we balance all the considerations that surround bar admission, it is important to hear from as many voices as possible.

I want to end this last column of the year with a note of gratitude. The pace and pressure of work for lawyers is undeniably real. Hopefully, so is the joy in what you do. Lawyers solve the problems that others cannot solve for themselves, and we do so in every aspect of human activity. It is a wonderful vocation filled with wonderful humans. I am profoundly grateful for the chance to work with all of you, the next generation of lawyer leaders in our classes, and for all the professional and personal blessings I have received. As the year draws to a close, I hope that each of you finds time to take stock of your own blessings and feels gratitude for this wonderful work that we do.



UNIVERSITY OF  
SOUTH DAKOTA  
KNUDSON SCHOOL OF LAW



JUSTICE  
SQUAD

THANK YOU TO THE FOLLOWING ATTORNEYS THAT ACCEPTED A PRO BONO OR REDUCED RATE CASE IN JUNE OR JULY FROM ACCESS TO JUSTICE, INC.! YOU ARE NOW A MEMBER OF THE A2J JUSTICE SQUAD - AN ELITE GROUP OF SOUTH DAKOTA LAWYERS WHO ACCEPT THE RESPONSIBILITY TO DEFEND JUSTICE, UPHOLD THEIR OATH AND PROVIDE LEGAL REPRESENTATION TO THOSE WHO NEED IT.

**ATTENTION SOUTH DAKOTA ATTORNEYS:  
How to sign up as an attorney volunteer  
through the [sd.freelegalanswers.org](http://sd.freelegalanswers.org) website**



1. Click on the ATTORNEY REGISTRATION tab.
2. Answer the questions to register and create your account.
3. Once the SDFLA administrator has approved your registration, you may log on to the website and choose the questions you would like to answer.

**JAMES BILLION  
CODY MILLER  
JIM MYERS  
JOSH ZELLMER**

**Special Thanks to:**

**ADAM ALTMAN  
STEVE HUFF  
DENISE LANGLEY  
MARWIN SMITH  
JAMES TAYLOR**  
**For Your Help on SDFLA!**

**VOLUNTEER**

**ARE YOU INTERESTED IN BECOMING A LEGAL SUPERHERO  
AND MEMBER OF THE A2J JUSTICE SQUAD?**

**PLEASE SEND A MESSAGE TO [ACCESS.TO.JUSICE@SDBAR.NET](mailto:ACCESS.TO.JUSICE@SDBAR.NET)**



# Cyber Security Risks & Updates

December 19, 2023  
12:30 PM - 1:30 PM CST  
Zoom



Special guest Tom Frieberg, Disciplinary Board Counsel, will join this webinar for a quick primer on trust accounting updates!

## JANUARY LAW FOR LUNCH

REGISTER  
HERE

NEW NOTIFICATION

### TAX UPDATE

January 16, 2024  
12:30 PM - 1:30 PM CST  
zoom

1

# ANNOUNCEMENTS

Olson Law Firm, PLLC  
is pleased to announce that

*KyLee Manthei*  
has joined the firm.

Olson Law Firm, PLLC  
519 W. 10th Street  
Sioux Falls, SD 57104

Telephone: (605) 271-1422  
Facsimile: (605) 271-2518

[kylee@jolsonlawfirm.com](mailto:kylee@jolsonlawfirm.com)

[www.jolsonlawfirm.com](http://www.jolsonlawfirm.com)

Christensen Law Office, PC  
is pleased to announce that

*Michael J. Christensen*  
has joined the firm as an associate attorney.

Christensen Law Office, PC  
P.O. Box 2315  
431 N. Phillips Ave., Suite 300  
Sioux Falls, SD 57101-2315

Telephone: (605) 335-1778  
Facsimile: (605) 335-0811

[Michael@siouxfallslaw.com](mailto:Michael@siouxfallslaw.com)

Effective January 1, 2024

*Schaffer Law Office, Prof. LLC*  
*Michael J. Schaffer*  
*Paul H. Linde*

Will be moving to:

5032 S. Bur Oak Place, Suite 120  
Sioux Falls, SD 57108

## Experienced Attorney

with 48 years of legal practice and an AV rating, currently in a semi-retired status, is actively seeking a part-time position. Available for opportunities in Spearfish, Sturgis, or Deadwood/Lead regions.

Steve Christensen  
(605) 490-1668



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

*Brian K. Kirby*

&

*Joshua R. Brown*

joined the firm as partners in 2023.

Boyce Law Firm, L.L.P.  
300 S. Main Avenue  
P.O. Box 5015  
Sioux Falls, SD 57117-5015

Telephone: (605) 336-2424

[bkkirby@boycelaw.com](mailto:bkkirby@boycelaw.com)  
[jrbrown@boycelaw.com](mailto:jrbrown@boycelaw.com)

[www.boycelaw.com](http://www.boycelaw.com)

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

*Zachary T. Schmidt*

&

*Joshua J. Baumgart*

joined the firm as associate attorneys in 2023.

Boyce Law Firm, L.L.P.  
300 S. Main Avenue  
P.O. Box 5015  
Sioux Falls, SD 57117-5015

Telephone: (605) 336-2424

[ztschmidt@boycelaw.com](mailto:ztschmidt@boycelaw.com)  
[jjbaumgart@boycelaw.com](mailto:jjbaumgart@boycelaw.com)

[www.boycelaw.com](http://www.boycelaw.com)

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*

Please join us in saluting and  
thanking State Bar  
Strategic Plan Coordinator

*Elizabeth Overmoe*

for her Service to the State Bar!

Beth will be leaving the State Bar effective December 15,  
2023, to pursue another opportunity.

Beth has provided exemplary guidance and counsel to our  
State Bar, and we have benefited greatly from her  
dedication and eight years of service.

We will certainly miss Beth and we wish her all the best in  
her new endeavors!

**Thank you, Beth, and congratulations on  
your new opportunity!**

**Sincerely,**

*Strategic Planning Committee  
State Bar President Heather Lammers Bogard  
State Bar President Elect Julie Dvorak  
State Bar Commissioners  
State Bar Staff*

## Job Announcement

### State Bar Strategic Plan Coordinator

(currently held by Elizabeth Overmoe)

The State Bar is seeking applicants for the Strategic Plan Coordinator position. Interested persons should submit a resume, cover letter, and the names of two references to Nicole Ogan at the State Bar via email ([Nicole.ogan@sdbar.net](mailto:Nicole.ogan@sdbar.net)) on or before December 15, 2023.

The State Bar is seeking someone who is resourceful, disciplined, enthusiastic, self-motivated, enterprising, and adaptable. Please take advantage of this opportunity to work with your fellow Bar members! Please contact Nicole if you have any questions.

#### Duties:

- Manage implementation of and ongoing changes to the State Bar Strategic Plan by serving as the liaison with the Strategic Planning Committee, and through work with Bar staff, Bar Commissioners, member volunteers, and other stakeholders to ensure the plan's success.
- Assist in development of goals and activities of committees, sections, task forces, and related groups as it relates to the State Bar Strategic Plan.
- Assist with State Bar lobbying activities.
- Handle other State Bar-related duties as assigned.

#### Preferred Qualifications:

- Licensed South Dakota lawyer in good standing, or ability to become licensed in South Dakota.
- At least two years of experience in law or related field.
- Willing to travel within South Dakota and to out-of-state conferences.
- Knowledge of State Bar-related committees and sections.
- Thorough knowledge of strategic planning processes and ability to conduct effective meetings.
- Grant writing skills or ability to acquire grant writing skills.
- Knowledge of or ability to learn community engagement standards and survey standards.
- Excellent communication skills.
- Ability to work independently.
- Knowledge of or ability to learn Microsoft Office, online community management software (such as GrowthZone) and presentation programs (such as Zoom).

#### Salary:

- Based on experience and qualifications.
- Range of \$85,000 - \$105,000.
- Vehicle or travel reimbursement.
- Competitive benefits, including insurance, leave, and retirement plan.



# Application for Pro Bono Emeritus Status

I, \_\_\_\_\_, an active member of the State Bar of South Dakota, do hereby apply for Pro Bono Emeritus Status, for the year 2024.

I understand that if approved, rather than pay regular dues for the year 2024, I will only be required to tender the sum of \$125 (same as inactive dues) but I will be entitled to all the rights and privileges of an active member of the State Bar.

Further, I recognize that this status means that I will be requested from time to time to take a referral from East River Legal Services, Dakota Plains Legal Services, or Access to Justice, and I am willing to accept at least one referral in the year 2024.

Finally, I acknowledge that pursuant to the Pro Bono Emeritus Status, I have retired from the active practice of law and I cannot accept private clients, cases for friends or relatives (even if no fee is charged) and that my practice is limited to such referral cases as I accept from the Legal Services Programs, Access to Justice or a non-profit specifically approved by the State Bar. In the event that I decide to accept cases other than those referred to me and which I accept, that I will tender regular active dues and withdraw from the Pro Bono Emeritus Status Program.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Signature\_\_\_\_\_

Printed Name\_\_\_\_\_

Address\_\_\_\_\_

City, State, Zip Code\_\_\_\_\_

Phone\_\_\_\_\_ Email\_\_\_\_\_

**HIGHLIGHTS****DECEMBER 2023**2023-2024 OfficersJohn Richter  
*President*Nolan Welker  
*Vice President*Kinsley Groote  
*Secretary/Treasurer*Megan Borchert  
*Board*Carla Cushman  
*Board*Lisa Marso  
*Board*Dave Pfeifle  
*Board***Thank You! Thank You! Thank You!**

The Public Sector Board would like to thank everyone for their continued support as we navigate our path forward! In addition to our phenomenal guests so far this year (**Alison Ramsdell, Paige Petersen, Will Mortenson, and Tony Venhuizen**), moderators (**Morgan Erickson, 3L Shanell Nieuwendorp, and 3L Taylor Bushelle**), and those who have been able to join us at our Public Servant Spotlights, we would like to thank a public sector attorney who has been working with us to strengthen our relationship with the USD Knudson School of Law and its students – **Director of Career Services Teramie Hill**. Although Teramie is not officially on the Board, her insights and engagement have allowed us to push forward on a variety of projects that benefit not only the Bar, but our future colleagues at the law school!! If your Section or Committee is looking for a meaningful way to engage law students, we cannot say enough about Teramie's efforts and would strongly encourage you to reach out to her!!

***Thank you and Happy Holidays from the Public Sector Section!***

***Active! Engaged! Leaders!***

# Supreme Court News

South Dakota Supreme Court Chief Justice Steven R. Jensen will serve on a study committee that will examine the state of legal education and bar admission processes in the United States along with the decline in attorneys dedicating their careers to public interest and public sector practice. Please see the press release, below, for full details.

## Molly Justice

Director of Communications & Marketing  
(757) 259-1564

## **National judicial leaders launch task force on legal education and admissions**

**Williamsburg, Va., Nov. 27, 2023** – National judicial leaders from the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) today announced the formation of an 18-month study committee that will examine the state of legal education and bar admission processes in the United States along with the decline in attorneys dedicating their careers to public interest and public sector practice.

The Committee on Legal Education and Admissions Reform (CLEAR) will make recommendations to state supreme courts for practical reforms that will enhance legal education and diversify bar admission processes where appropriate.

The 12-member CLEAR committee includes nine state supreme court chief justices and three state court administrators. The committee will be chaired by Chief Justice Gordon J. MacDonald of New Hampshire. Chief Justice C. Shannon Bacon of New Mexico will serve as vice chair. A full roster of members is below.

"The American justice system stands at a critical juncture. Our profession is falling short in meeting the public's needs. There are vast legal 'deserts' where too many litigants are forced to confront an unfamiliar legal system without a lawyer. Legal service organizations dedicated to the public interest are unable to recruit and retain qualified attorneys. And, many new lawyers are not 'practice ready' upon admission to the bar," said Chief Justice Gordon J. MacDonald of New Hampshire. "These issues contribute to a growing access-to-justice gap and undermine public confidence in our legal system. They must be addressed immediately."

CLEAR will review the current state of legal education from admissions to law school to admission to the bar, and will focus on three discrete areas:

- First, whether law schools are preparing students to be "practice-ready" upon graduation;



- Second, identifying what is necessary to assess minimum competence to practice law, and identifying alternate approaches to meet such competence;
- Third, factors behind the decline of public-service lawyering.

CLEAR will work collaboratively, in consultation with critical stakeholders from legal education, bar admissions, courts, and the practicing bar from across the country. CLEAR will also look to other professions for best practices in training and licensing.

The National Center for State Courts (NCSC), AccessLex Institute and Thomson Reuters Institute are providing financial and logistical support to CLEAR.

A final report is anticipated by June of 2025.

The 12 members of the CLEAR committee are:

Chief Justice Gordon J. MacDonald, New Hampshire, Chair  
 Chief Justice C. Shannon Bacon, New Mexico, Vice Chair  
 Elisa Butler, State Court Administrator, Wyoming  
 David K. Byers, State Court Administrator, Arizona  
 Chief Justice Matthew B. Durrant, Utah  
 Chief Justice Megan Flynn, Oregon  
 Robert W. Horner, State Court Administrator, Ohio  
 Chief Justice Steven R. Jensen, South Dakota  
 Chief Justice Tom Parker, Alabama  
 Chief Justice Loretta H. Rush, Indiana  
 Chief Justice Collins J. Seitz, Delaware  
 Chief Justice Valerie Stanfill, Maine



## PLEASE NOTE:

The State Bar is providing expanded wellness member benefits through our EAP provider, Sand Creek.

These benefits are available to ALL State Bar members and their household family members, and to USD Law students and their household family members.

Please take advantage of these expanded wellness benefits.



ARE YOU IN COMPLIANCE?

If you have not completed the mandatory Sexual Harassment Prevention training, the deadline for completion is February 1, 2024. You can access the online training on the Member Hub or by clicking the link below. Once you have viewed the training video, confirm your participation to ensure compliance with SDCL 16-18-1.1.

**16-18-1.1.** Sexual harassment prevention training for attorneys. Each active member of the State Bar of South Dakota shall complete sexual harassment prevention training offered or approved by the State Bar of South Dakota within two years following admission to the practice of law or within two years after the enactment of this rule, and once every three years thereafter. Failure to complete such required training will result in the member being placed on inactive status and may be grounds for disciplinary action.

---

## MANDATORY Sexual Harassment Prevention Training

[CLICK HERE](#)

# SEXUAL HARASSMENT PREVENTION TRAINING

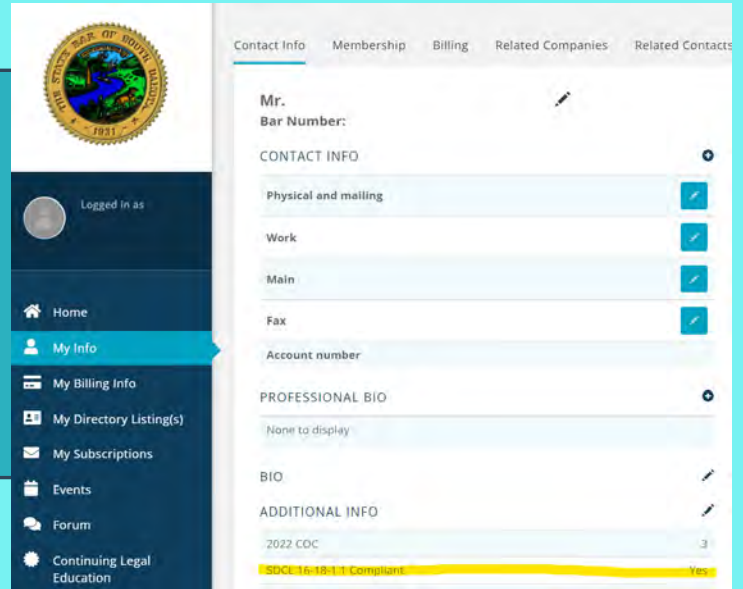
SDCL 16-18-1.1

## How do I know if I did it? If I didn't do it, how do I complete?

### AREN'T SURE IF YOU COMPLETED TRAINING?

Login to the Member Hub and click the "My Info" link. If the SDCL 16-18-1.1 Compliant line says "Yes" you are in compliance! If the line is blank, please go to the next step. If you completed the training and the status is not correct, email [nicole.ogan@sdbar.net](mailto:nicole.ogan@sdbar.net).

\*Haven't logged into your State Bar account? Contact [info@sdbar.net](mailto:info@sdbar.net), or [kylee.alfrey@sdbar.net](mailto:kylee.alfrey@sdbar.net) and request the login instructions email. You'll then be sent a link to set up your username and password.



**16-18-1.1**

Sexual harassment prevention training for attorneys.

### COMPLETE THE TRAINING - IT IS REQUIRED!

Login to the Member Hub and click the large green 16-18-1.1 button in the middle of the page, or scroll down on the left-hand navigation and click the "Member Compliance" link. Watch the video.

### CONFIRM PARTICIPATION

You MUST complete the participation form and swear and attest to your attendance for compliance to be recorded. Click the "Confirm Participation" button to the right of the video, complete the form, and submit. If you do not receive a confirmation thank you page, the submission DID NOT go through. You should also receive a confirmation email.

16-18-1.1 Sexual harassment prevention training for attorneys

16-18-1.1 Sexual harassment prevention training for attorneys. Each active member of the State Bar of South Dakota shall complete sexual harassment prevention training offered or approved by the State Bar of South Dakota within two years following admission to the practice of law or within two years after the enactment of this rule, and once every three years thereafter. Failure to complete such required training will result in the member being placed on inactive status and may be grounds for disciplinary action.

Fields marked with an \* are required.

Last Name \*  
testy

First Name \*  
testor

Date \*  
10/24/2023

Email Address \*

SDCL 16-18-1.1 Compliant \*

By checking the above box, I swear and attest, as a member of the State Bar of South Dakota, that I did in fact complete the sexual harassment prevention training for attorneys by listening to and viewing the "Bystander Involvement" training video in its entirety and that I understand a false attestation may be considered professional misconduct.



# Are you in compliance! ?

SUPREME COURT RULES REQUIRE: MEMBERSHIP DUES,  
CERTIFICATE OF COMPLIANCE, SEXUAL HARASSMENT PREVENTION TRAINING

ALL MEMBERS: Complete by February 1, 2024

## SEXUAL HARASSMENT PREVENTION TRAINING



Complete training and report compliance by February 1, 2024.

### **SDCL 16-18-1.1**

Each active member of the State Bar of South Dakota shall complete sexual harassment prevention training offered or approved by the State Bar of South Dakota within two years following admission to the practice of law or within two years after the enactment of this rule, and once every three years thereafter. Failure to complete such required training will result in the member being placed on inactive status and may be grounds for disciplinary action.

[View SDCL 16-18](#) | [Login to View Training and Confirm Attendance](#)

ALL MEMBERS: Interest on Lawyers Trust Accounts (IOLTA)

## RULE 1.15 SAFEKEEPING PROPERTY



This rule applies to all members who hold client funds.

### **SOUTH DAKOTA RULES OF PROFESSIONAL CONDUCT 1.15**

Exemptions: Nonresident attorneys licensed to practice in South Dakota who comply with applicable IOLTA requirements in the state wherein they maintain their office are exempt from paragraph (3). Attorneys who have applied for and are granted an exemption through the Supreme Court each year. Paragraph (7).

[View SDCL 16-18](#) | [Download IOLTA Forms & Documents](#)

**ALL MEMBERS:** Due January 1, 2024

# CERTIFICATE OF COMPLIANCE



Report on compliance for the previous year in its entirety.

## **SDCL 16-18-20.2**

The provisions of this rule apply to all members of the State Bar of South Dakota concerning trust funds received or disbursed by them in the course of their professional practice of law within the State of South Dakota for the reporting year (2023).

In addition, all lawyers are required to disclose the absence of professional liability insurance as required pursuant to Rule 1.4(c) and must sign the additional verification and certification of disclosure as reflected at the end of the Certificate of Compliance and Insurance Disclosure form.

[View SDCL 16-18](#) | [View Rules of Professional Conduct](#) | [View Specific Exceptions](#)

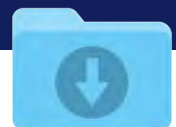
**DID YOU  
KNOW**

you can send in your certificate of compliance electronically?



Email your completed form to:

[kylee.alfrey@sdbar.net](mailto:kylee.alfrey@sdbar.net)



Certificate of Compliance form

# CERTIFICATE OF COMPLIANCE

## INSTRUCTIONS

The certificate of compliance for the year 2023 must be submitted to the State Bar of South Dakota by **January 31, 2024**.

IMPORTANT INFORMATION concerning compliance with trust accounting records and procedures, including the reporting form, appear immediately following this notice. All attorneys who were **ACTIVE members of the State Bar of South Dakota in 2023 must file the compliance form** with the State Bar no later than January 31, 2024. **This rule includes retired lawyers, lawyers engaged in teaching, banking, insurance, full-time government employees, etc.** This reporting requirement does NOT include those who were inactive lawyers in 2023, nor does it include Judges (Federal or Unified Judicial System) who are full time and did not have private clients. Thank you.

Paul Cremer  
Secretary-Treasurer

## TRUST ACCOUNT COMPLIANCE FORM INSTRUCTIONS

Immediately following these instructions, a model form has been reproduced. The form may be modified to accommodate multiple signatures where a number of or all partners in a law firm utilize a single trust account. Please type the name of the sole practitioner or, if using a common firm trust account, the names of all lawyers utilizing the trust account. For the balance of the form, fill in the blanks, check the spaces, or leave blank or mark n/a where appropriate.

1 - check (a), (b), or (c) if applicable

2 - self explanatory (usually appropriate for inactive or retired members)

3 - self explanatory (usually exclusive or full-time corporate, legal aid, or public sector lawyer. Please identify the employer.)

3(a)- self explanatory (usually appropriate for part-time Bankruptcy trustees)

4 - self explanatory (usually appropriate for the employee or associate of a law firm who does not have trust account writing authority.) At this point, inactive, retired, full-time corporate, legal aid, or public sector lawyers, and associates without trust account check writing authority may sign the form and stop.

All others should have trust accounts and must provide the following information:

5 - state the name, address, and account number of trust account financial institution.

6 - the blanks should be completed with the most recent monthly trust account reconciliation.

Keep in mind monthly reconciliations are required. For example, if this form were completed on 12-15-23, you would insert the closing date of the most recent bank statement (i.e. 11-30-23).

6(a)-(h), and 7 - type or print yes or no in space provided. If you can answer "yes" to each of these questions, you are in compliance with SDCL 16-18-20.2. If you must answer any of these in the negative, you need to make changes in your trust accounting system. A negative answer will result in further inquiry.

8 - This question merely requires you to confirm that a monthly reconciliation was performed and if there were errors/inconsistencies in the reconciliation, to explain the same. It is not too late to perform monthly reconciliations through the date of completion of this form and monthly reconciliations must be performed prospectively.

Occasionally, trust accounts have an odd amount, such as \$4.54, which has been in the account for years and the client has disappeared. The compliance report should so note the amount and reason (lawyer unable to disperse the sum of \$4.54 belonging to a client because the client is not able to be located).

Thereafter, if the amount remains constant (\$4.54 as in this example), no further explanation is necessary in subsequent compliance forms.

The rule does not require, nor do we want the amounts held in trust, the identities of clients, or any other confidential information. If all partners in a law firm use a common trust account, one form may be submitted provided all partners sign the form. Please type your name under your signature. This will avoid phone calls or letters trying to ascertain who signed the forms.

All lawyers must submit the compliance form no later than January 31, 2024. **Please submit compliance forms after reviewing your December bank statements.** If you have questions, please give us a call. Thank you.

*\*This completed form can be emailed to [kylee.alfrey@sdbar.net](mailto:kylee.alfrey@sdbar.net).*



**2023 CERTIFICATE OF COMPLIANCE**

TO: The Secretary-Treasurer, **The State Bar of South Dakota, 111 West Capitol Avenue, Suite 1, Pierre, SD 57501**

Dear Sir: I/we (Please list all persons signing the form here) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

member(s) of the State Bar of South Dakota certify that during the 12-month period preceding the date of this report:  
**(Check the following items where applicable and/or fill in the blanks.)**

1. I (we) have engaged in the private practice of law in South Dakota as:  
\_\_\_\_ (a) a sole practitioner;  
\_\_\_\_ (b) a partner or shareholder of a firm practicing under the name of \_\_\_\_\_;  
\_\_\_\_ (c) an associate of a sole practitioner or of a firm, as the case may be, practicing under the name of \_\_\_\_\_  
and I maintain separate books, records, and accounts showing all legal business performed by me.

\_\_\_\_ 2. I have not engaged in the practice of law in South Dakota, and I have neither handled nor been responsible for either clients' trust funds or clients' trust property in South Dakota.

\_\_\_\_ 3. I have practiced law in South Dakota exclusively as an employee of (designate name of government agency, corporation, or other non-member of the Bar) \_\_\_\_\_  
and I do not handle or become responsible for money or property in a lawyer-client relationship, other than money or property received in the course of official duties and disposed of in accordance with regulations and practices of (designate name of government agency).

\_\_\_\_ a. I have served as a trustee in one or more cases under Title 11 of the United States Code, and I am accountable for all funds I handled in connection therewith to the Office of the United States Trustee, which office is statutorily charged with the responsibility for reviewing and supervising my trust operations; therefore, my handling of such funds is not separately accounted for herein in connection with my private practice of law, and I further certify that I am in compliance with all such accounting requirements of said Office.

\_\_\_\_ 4. I have engaged in the practice of law in South Dakota as an employee or as an associate of a sole practitioner or of a firm, as the case may be, practicing under the name of \_\_\_\_\_  
and to the best of my knowledge all legal business performed by me is shown in the books, records and accounts of such sole practitioner or firm.

**(Only lawyers checking categories 2, 3, 3a, or 4 may sign below. See instructions.)**

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Full Name (Print or Type)

\_\_\_\_\_  
Business Address

\_\_\_\_\_  
City, State, Zip

Date \_\_\_\_\_, 2024

**Please state the total number of hours of pro bono service, as defined by the South Dakota Rules of Professional Conduct 6.1, that you (or the whole firm) provided in 2023. Enter 0 if none. Total Hours:\_\_\_\_\_.**

**Rule 6.1. Voluntary Pro Bono Public Service**

A lawyer should render public interest legal service.

A lawyer may discharge this responsibility by: (a) providing professional services at no fee or a reduced fee to persons of limited means or to public service or charitable groups or organizations; or (b) by service without compensation in public interest activities that improve the law, the legal system or the legal profession; or (c) by financial support for organizations that provide legal services to persons of limited means.

**(Attorneys checking categories 1a, 1b, or 1c must answer the following questions. See instructions.)**

5. My (our) trust account(s) or the trust account(s) of the firm or association of which I am a partner or shareholder is (are) at the (name and address of banking institution) \_\_\_\_\_

\_\_\_\_\_ (and bears the following name(s) and number(s))  
\_\_\_\_\_  
\_\_\_\_\_

6. During the fiscal period ended December 31, 2023, to the best of my (our) knowledge I (we), or the firm of which I am a member, as the case may be, maintained books, records and accounts to record all money and trust property received and disbursed in connection with my/our practice, and as a minimum I/we maintained:

- a. A separate bank account or accounts located in South Dakota, in the name of the lawyer or law firm and clearly labeled and designated a "trust account." \_\_\_\_\_ (Yes or No) *(An out of state member may strike "South Dakota" and insert the state where his/her trust account is located.)*
- b. Original or duplicate deposit slips and, in the case of currency or coin, an additional cash receipts book, clearly identifying the date and source of all trust funds received, and specific identification of the client or matter for whom the funds were received. \_\_\_\_\_ (Yes or No)
- c. Original canceled checks or copies of both sides of the original checks produced through truncation or check imaging or the equivalent, for all trust disbursements. \_\_\_\_\_ (Yes or No)
- d. Other documentary support for all disbursements and transfers from the trust account. \_\_\_\_\_ (Yes or No)
- e. A separate trust account receipts and disbursements journal, including columns for receipts, disbursements, and the account balance, disclosing the client, check number, and reason for which the funds were received, disbursed or transferred. \_\_\_\_\_ (Yes or No)
- f. A separate file or ledger, with an individual card or page for each client and matter, showing all individual receipts, disbursements and any unexpended balance. \_\_\_\_\_ (Yes or No)
- g. All bank statements for all trust accounts. \_\_\_\_\_ (Yes or No)
- h. Complete records of all funds, securities and other properties of a client coming into my/our possession, and rendered appropriate accounts to my/our clients regarding them. \_\_\_\_\_ (Yes or No)

7. During the same fiscal period identified in section 6 above, I, or the firm of which I am a member, complied with the required trust accounting procedures, and as a minimum I/we prepared monthly trust comparisons, including bank reconciliations and an annual detailed listing identifying the balance of the unexpended trust money held for each client or matter. \_\_\_\_\_ (Yes or No)

8. In connection with section 7 above, I or the firm of which I am a member, have completed the following procedures during the fiscal period herein: compared each month the total of trust liabilities and the total of each trust bank reconciliation, and there were (check one of the following)

- \_\_\_\_\_ no differences between the totals, excepting those determined to be the result of bank error;
- \_\_\_\_\_ differences. (Give full particulars below, identifying the months in which there were differences, the amounts involved, and the reason for each item contributing to a difference. Attach additional pages if necessary.)

9. a. \_\_\_\_\_ The undersigned lawyer(s) do not have professional liability insurance; ***(If you checked box 9(A), you must attach a representative copy of the letterhead you used to disclose the lack of insurance to your clients.)*** or

b. \_\_\_\_\_ The undersigned lawyer(s) have professional liability insurance, the name of the insurance carrier, policy number and limits are as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. If you are a solo practitioner, have you made arrangements with another lawyer to secure your files and trust account and protect your clients in the event of your death or disability? Yes \_\_\_\_\_ No \_\_\_\_\_  
*(This is not currently a requirement, but very much encouraged. Please check out the state bar website for checklists and forms for solo practitioners planning for unexpected death or disability.)*

I am a member of the State Bar of South Dakota filing this report, and to the best of my knowledge and belief the facts as reported herein are accurate, and I certify that I have at all material times been in compliance with Rule 1.15 of the Rules of Professional Conduct entitled Safekeeping Property and SDCL 16-18-20.1 and 16-18-20.2.

(All partners, shareholders, or associates checking categories 1a, 1b, or 1c must sign here. Attach additional signature pages if necessary.)

(Signatures)

(Printed Name)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

\_\_\_\_\_, 2024  
Date

*Additional signature and attachment is needed if responding lawyer checked box 9(A) : The undersigned lawyer(s) not having insurance, do hereby certify that pursuant to Rule 1.4(c), I have advised my clients of the lack of professional liability insurance during the reporting period and I have attached hereto a copy of my law office letterhead disclosing the lack of insurance, in the required format, pursuant to Rule 7.5 of the Rules of Professional Responsibility.*

All Responding Lawyer Signatures:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

\_\_\_\_\_, 2024  
Date



# Court



# Improvement Program

# Training



## TRAUMA-INFORMED COURT SYSTEM

The Center for the Prevention of Child Maltreatment and the South Dakota Unified Judicial System are hosting monthly trainings on best practices and unique approaches to working with children and families for attorneys, judges, and other multidisciplinary professionals.

These trainings are supported by the [UJS Court Improvement Program](#) which assesses and improves handling of court proceedings related to child abuse and neglect in South Dakota.

## LEARNING MORE CAN KEEP KIDS SAFE

Trainings are held the last Wednesday of the month, with some variation based on holidays and other events, from 12-1 CST via Zoom.

## UPCOMING TRAININGS

- [Wed Oct 25: Understanding Psychosexual Assessments of Juvenile Offenders](#)
- [Thur Nov 30: Understanding Psychosexual Assessments of Adult Offenders](#)
- [Wed Dec 27: Child & Family Services Review & Data-Driven Processes](#)
- [Wed Jan 31: Family First Prevention Act Update](#)

For more information or to suggest future training topics, email [cpcm@usd.edu](mailto:cpcm@usd.edu) or visit [www.sdcpcm.com/ciptraining](http://www.sdcpcm.com/ciptraining)

# 2023 John R. Justice Student Loan Repayment Program

The John R. Justice (JRJ) Grant Program provides student loan repayment assistance for local, state and federal public defenders and local and state prosecutors who commit to extended service in those roles. All Applications and a Service Agreement along with a recent loan statement must be received or postmarked on or before **January 31, 2024**. A recent monthly statement from the borrowing agency is preferred over the generic "Loan Details" print out option as the monthly statement contains the pertinent information needed.

[2023 John R. Justice Grant Program Application](#)  
[2023 John R. Justice Grant Service Agreements](#)

Eligibility: For the purposes of the JRJ Program, the following beneficiaries shall be considered eligible:

**Prosecutor:** full-time employee of a state or unit of local government (including tribal government) who is continually licensed to practice law and prosecutes criminal or juvenile delinquency cases at the state or local government level (including supervision, education, or training of other persons prosecuting such cases); prosecutors who are employees of the federal government are not eligible. Elected state's attorneys are not eligible.

**Public defender:** an attorney who is continually licensed to practice law and is a full-time employee of a state or unit of local government (including tribal government) who provides legal representation to indigent persons in criminal or juvenile delinquency cases, including supervision, education, or training of other persons providing such representation.

**A full-time employee of a nonprofit organization** operating under a contract with a state or unit of local government who devotes substantially all of the employee's full-time employment to provide legal representation to indigent persons in criminal or juvenile delinquency cases including supervision, education, or training of other personnel providing such representations.

**A full-time federal defender attorney in a defender organization** pursuant to subsection (g) of section 3006A of Title 18, United States Code, that provides legal representation to indigent persons in criminal or juvenile delinquency cases.

Application and a service agreement with original signatures must be submitted to the address below by January 31, 2024. A recent loan STATEMENT must be included that provides the following: (1) account number; (2) your name on the account; and (3) bank payment mailing address.

Lynell Erickson  
Office of Attorney General  
1302 E Hwy 14 Suite 1  
Pierre SD 57501



# How I Took Advantage of the Winter Blues and Found Wellness - And How You Can Too

Mark Bassingthwaighte, Esq.

Being an attorney is hard enough; but for some, it's even harder during the winter months. In part this is due to the reduced daylight, colder temps, and the stress that the holiday season can bring. So, let me be the first to acknowledge that for me it was always harder to eat right, keep up with my exercise regimen, and get enough sunshine during the winter months while living in Montana.

Truth be told, that reality was one of several reasons why my wife and I decided to move to Florida two years ago. Of course, simply moving to a warmer climate in and of itself didn't magically make the winter months any easier. All it did was give me an opportunity to make some changes. With this in mind, I'd like to share a few tips and ideas as to how you too can create an opportunity for change if you happen to be one who struggles with the winter blues. This winter, things can be different.

Years ago, one of my responses to the darkness of winter was to take on a low mood that brought about a drop in my energy level. Over time I learned that the absence of sunlight was part of the reason this would happen. If your experience with winter is similar, recognize the situation for what it is and do what I did. I addressed the problem by investing in light therapy lamps that mimicked natural sunlight, started to take short breaks during my workday to get outside to take in a little sun, and made sure my workspace was near a window in order to maximize my exposure to natural light.

I finally started to understand how hard winters can really be when the COVID lockdowns became part of our day-to-day lives due to the degree the lockdowns further exacerbated the "keeping up with my exercise regimen" problem. That's when I finally said to myself, enough is enough. I decided to stop making excuses. I started cycling and have never looked back, in part because I discovered this allowed me to create a quiet space that was just for me. Yes, winter eventually arrived in Montana which meant my outdoor cycling was off the table for a few months. However, in anticipation of winter's arrival, my supportive wife surprised me with the gift of an awesome indoor bike which I continue to regularly use to this day, even here in the South.

If you find yourself making similar excuses regarding exercise, work to change that bad habit. The more active you become, the easier it will be to beat the winter blues. For me it started with cycling. Since then, I have added in tennis. What could it be for you? I know that making this change can be hard. Realize that it doesn't need to be an all or nothing proposition, however. Just start. You might turn one of those short outside breaks I mentioned above into longer and longer walks or team up with one of your support systems and do something together. For example, take dancing lessons with your spouse or go to the gym once a week with a friend. Remember Newton's first law of motion. A body at rest tends to stay at rest, and a body in motion tends to stay in motion, unless acted on by a net external force. I've come to learn that even small external forces can bring



about significant change. You too can choose to be your body's external force!

Now, it's time for a confession. I don't think I'll ever understand the mindfulness movement. Perhaps it's because I apparently lack the cognitive skill of being able to create and sustain a state of meta-awareness on the contents of my own mind in the present moment without conceptual reification; and man is that a mouth full! Regardless, I do firmly believe in the importance of mindful eating. Trust me, I know what mindless eating is like and what it can do to one's body. Comfort food is called comfort food for a reason, and it is so easy to embrace all that goodness, particularly when one is under stress or feeling down – a common response to the cold months of winter, the stress of the holiday season, the pressure of the end of the year workloads, etc., etc.

Fortunately, a number of years ago I came across a book called "Wheat Belly." Suffice it to say, that title described me to a T! Here again, I finally was able to realize that I needed to make a change and for whatever reason reading that book created my opportunity. Now, don't get me wrong, I didn't wake up the next morning forever more swearing off everything that had gluten in it. I simply decided to start to be mindful (think intentional) about my eating going forward. Protein became more of a go to choice and portions became more reasonable. I slowly learned to replace bad carbs with good carbs and bad fats with good fats. Yes, I still enjoy the comfort foods now and again. I just don't graze anymore, because I finally woke up to the reality that my body isn't a garbage can. All this happened because I was open to finding my opportunity and I have felt better ever since. If unhealthy mindless eating happens to be a struggle for you as well, particularly doing the season of winter blues, be open to finding your opportunity. It's out there. All you need to do is look for it.

I could continue to share stories, stories that underscore the importance of social connections, getting a good night's rest, setting personal boundaries, nurturing support systems, and again, the list goes on; but my hope is these few have been enough to hit the mark. The point I am really trying to make is this. Each of us is on our own journey, a journey that will have all kinds of unique twists and turns. During my own journey, one of the things I learned was the importance of recognizing and taking advantage of the opportunities each twist and turn represented. The challenge was in daring to take advantage of the change opportunities life set before me. That was the hard part.

Now, hear me clearly. I'm not saying that I did all the work alone, never needing any help. I can assure you at times I most certainly did. What I am saying is that every decision to change had to start with me. I had to decide to take that first small step each and every time. What I found was that once I started to move, keeping the momentum up wasn't as hard as I thought it would be. Was the path of change always smooth and problem free? Nope. I have and will continue to stumble from time to time. All I can say is that's life. When it happens, I see it for what it is, and just keep moving forward.

I wanted to share all of this in the context of dealing with the winter blues, because, for me, getting through the winter months was hard at times. My stories are all winter stories that through unexpected twists and turns led me to a healthier state of wellness. In short, winter became my opportunity. If you are one who struggles with the winter blues, I truly believe it can be yours as well. Here's to a great winter!



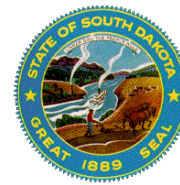
Authored by: Mark Bassingthwaighte, ALPS Risk Manager

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.





# State of South Dakota Unified Judicial System



## Office of the State Court Administrator

Telephone: (605) 773-3474  
FAX: (605) 773-8437

500 East Capitol Avenue  
Pierre, SD 57501-5070

November 15, 2023

Mr. Paul Cremer  
State Bar of South Dakota  
111 W. Capitol Avenue, #1  
Pierre, South Dakota 57501

### RE: **2024 Court-Appointed Attorney Fees and Mileage**

Dear Mr. Cremer:

Please publish the following announcement in the December 2023 issue of the State Bar Newsletter:

**“Court-appointed attorney fees for 2024 will be \$115 per hour pursuant to UJS policy which provides that these fees increase in an amount equal to any cost of living increase approved for state employees by the Legislature. Mileage for court-appointed attorneys will be paid at the rate of \$1.00 per mile.”**

If you have any additional questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Sattizahn".

Greg Sattizahn  
State Court Administrator

***Our Mission:** Justice for All  
**Our Vision:** We are stewards of an open, effective, and accessible court system, worthy of the Public's trust and confidence.*

## **PUBLIC NOTICE**

### **REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE**

The current appointment of Magistrate Judge Eric Johnson is due to expire on March 28, 2024. Magistrate Judge Eric Johnson 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 Eric Johnson 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 December 29, 2023.**

## The 2024-2026 Non-Capital Diversity Fellowship Program application period is open!

The application period will close on December 11, 2023.

Non-Capital Fellows will be selected by April 2024 and begin September 2024.

Learn more and apply at: [diversityfellowship.fd.org](https://diversityfellowship.fd.org)

### About the Diversity Fellowship Program

The Fellowship Program will seek to enhance the quality of representation provided under the Criminal Justice Act (CJA) by creating a pipeline of diverse attorneys qualified to join Federal Defender Organizations or CJA panels.

Diversity among CJA counsel supports the cultural competency necessary to meet the needs of a diverse clientele and can lead to better case outcomes by fostering greater trust on the part of CJA clients.

The Non-Capital Fellowship Program will place 12 fellows in Federal Defender host offices across the country for two years, during which fellows will gain federal criminal defense training and experience to allow them to represent clients in non-capital CJA cases. Fellows will matriculate as a class. Each class will have a number of opportunities for joint training, mentorship, and other group activities. Fellows will receive a salary and benefits. The salary range for non-capital fellows will be the Judiciary Salary Plan (JSP) 11/1, 12/1, or 13/1, depending on experience, which is comparable to the federal General Schedule (GS) pay scale. The salary will also reflect locality adjustments.



Thurgood Marshall Federal Judiciary Building, Washington, DC



### About Federal Defender Organizations

Skilled collaboration, strategic litigation, compassionate representation, and unique approaches to the issues affecting our clients are among the values we aim to foster in federal defenders and CJA panel attorneys. Because no single

person can do this work alone, you will work with experienced lawyers, mitigation specialists, paralegals, investigators, and administrative support staff.

About Defender Services:

<https://www.uscourts.gov/services-forms/defender-services>

Hear from assistant federal defenders about their work:

<https://youtu.be/TL5mP4RvU0A>

### Applicants

The Diversity Fellowship Program is open to 3L and 4L students graduating this school year (2023-2024) and recent law school graduates. A successful Fellow must be a talented advocate and legal writer, possess research skills, be team oriented, and be committed to public defense or related public interest law work.

Diversifying the federal defense bar

Enhancing the quality of federal public defense representation

12 non-capital fellowship placements for 2-year terms

Partnering with Federal Defender host offices across the U. S.

Training a new generation of federal defenders

JSP 11/1 – 13/1 salary range, commensurate with experience

For information, please contact:

Dawn Scott, Program Manager  
Diversity Fellowship Program  
Defender Services Office  
Administrative Office of the  
U. S. Courts

202-502-3349

[Dawn\\_Scott@ao.uscourts.gov](mailto:Dawn_Scott@ao.uscourts.gov)

# Attorney Health & Wellness Resources

It's okay to ask for help



A CONFIDENTIAL  
**LAWYERS CONCERNED FOR LAWYERS**

INDEPENDENT RESOURCE  
(605) 391-5191

[rebecca.porter@sdlawyersconcerned.org](mailto:rebecca.porter@sdlawyersconcerned.org)

## FREE & CONFIDENTIAL

- *SD Bar Members & household family members*
- *USD Law Students & their household family members*

**SANDCREEK** EAP™

An AllOne Health Company

1 - 888 - 243 - 5744

AVAILABLE 24/7



# *In Memoriam*



J.I. Milton Schwartz II  
June 17, 1938 -  
November 11, 2023

J.I. Milton Schwartz II died at the age of 85 on November 11, 2023. J.I. Milton Schwartz II was born on June 17, 1938, at Sioux City, IA - the first and only child of Elizabeth C. (Brooks) & J.I.M. Schwartz. The family spent the first 12 years of Milt's life in Iowa and California. In 1950, the family moved to Huron, SD, where Milt graduated from Huron High School in 1957. His future bride graduated within the same class.

Milt attended the SD School of Mines, but transferred to the University of South Dakota, where he graduated with a B.A. degree in history in 1961. He and D. Judy Wilkerson were married in Huron on September 9th, 1961. They spent the first two years of their marriage as Milt served as an officer in the U.S. Army.

After active duty, Milt attended the Law School at the University of South Dakota and graduated with a J.D. degree in 1966. He also attended George Washington University Law School, Washington, D.C. for graduate studies in law.

Following private practice in Rapid City, SD, Milt joined the South Dakota Legislative Research Council at Pierre, served as executive vice president of the SD Bankers Association for 17 years, director of purchasing for the State of SD and the deputy-in-charge for the Clerk of the Bankruptcy Court for SD. He retired in 2004.

Milt & Judy are and remain, the proud parents of two sons, John of Sioux Falls, SD and Steven of Denver, CO; two delightful daughters-in-law Karen (John) & Melissa (Steven). Grandchildren - it goes without saying, "the very best" - Jack, Samantha, Benjamin and Emily (in the order of their births). Milt was preceded in death by his parents, wife and and brother in law, Milt Bohlen.

A private family service and interment will be held at the Graceland Cemetery in Sioux City, IA.



Dana Hanna  
December 20, 1950 -  
November 11, 2023

Dana LaRue Hanna passed away on November 11th, 2023, in Rapid City, South Dakota at the age of 72, after a recent illness. Dana was born on December 20th, 1950, in York, Nebraska to Leslie Dale Hanna and Donabelle (Garner) Hanna. He graduated from York High School in 1969, Colorado University in 1974, and from the University Of Nebraska College Of Law in 1977.

Dana leaves a legacy through the cases he championed, the lives he touched, and the principles of justice he upheld. During his law career, he acted as the Custer County State's Attorney, was a public defender in New York City for 15 years, as well as serving many of the Sioux Tribes in South Dakota. In 2007, he opened his private practice in Rapid City and worked on many high-profile State and Federal cases.

Dana leaves behind the love of his life, Iris Dillon, daughters Aleesia and Alayna of Rapid City, SD, brothers David B. (Lucie), Douglas D. (Linda), of Lincoln, NE, Derk D. (Gina) of Platte City, MO, and Ron Skaden (Barbara) of York, NE, and his Hunka son Kody Horned Antelope.

Dana's Celebration of Life is planned for early April 2024, details to follow.

Memorials to go to "The Innocence Project", 40 Worth St., Suite 701, New York, NY, 10013, which will continue Dana's desire to champion the underdog, the underserved, and the forgotten.



Danny Lee Kelley  
January 2, 1952 -  
September 24, 2023

I was born, I blinked, and I was dead. I'm off to see the great CREMATOR. Finally, I will be smoking

hot like I always envisioned in life.

Danny Lee Kelley was born Jan 2, 1952, in Brush, Colorado. He was beaten out by some baby girl who was the first New Year's baby by just a few hours. (and got lots of presents). Next time, I will order a C section.

Dan's mother Geraldine (Meyers) Kelley and Dan's father Herbert John Kelley were disappointed, but not in the sixth child born to a family of twelve. Living in poverty was a disappointment. Dan didn't realize he was in poverty until he applied to college. His parents made sure of that with love and affection.

He graduated valedictorian, or did he, of his Otis High School class in Otis, Colorado in 1970 in a class of 19. (three smarter students moved away right before graduation).

Dan attended and passed his commercial flying test at Metropolitan State College in Denver Colorado.

Dan then transferred to the University of Northern Colorado (a teacher's college) where the ratio of girls to boys was 7 to1. He received degrees in math and science. But, most importantly he met the love of his life there, Nancy Carol Warne. They were married on September 27, 1974.

They moved to Green River, Wyoming where he taught math and science at the high school. Dan was also an EMT and worked out of the hospital in Rock Springs, Wyoming, before attending law school at the University of Wyoming in Laramie, Wyoming. He graduated from law school (after agreeing to give up his conscience) in May of 1978.

With some help, he was able to escape across the border of Wyoming to South Dakota where he practiced law in Custer, South Dakota. He was Custer city attorney for

10 years under the mistaken belief that he couldn't be indicted as a sitting city attorney.

Two children were born to Nancy and Dan in Custer. Ashlee Spring and Britney Nicole. Both Dan claims as his own.

In 1989 he was hired by United Airlines and became an instructor pilot on the Boeing 727 and went on to serve as captain on the Boeing 737 and Airbus accumulating some 25,000 hours over his career. Dan flew in Canada, Mexico, Europe, and other countries while still maintaining his law practice. He survived many layovers.

The best that happened to him after meeting the love of his life and the birth of his two children, was the birth of his 3 grandchildren: Logan, Abbey and Cash who he spent many, many hours with.

Dan loved to record country western songs. But, most importantly in his freshman year in high school, Danny was in FFA and was the top chicken judge in the state of Colorado. He correctly identified the layers and non-layers out of 50 chickens in 1967.

Dan spoke 7 different languages and was a double agent in 3 different countries. Oops, that's the next life.

Dan died after a life of excessive happiness and travel. He died on September 24, 2023 and is survived by: Nancy, Ashlee (Mark) and Britney (Justin), and his 3 grandchildren Logan, Abbey and Cash; his sisters, Violet Shaver, Rose (Richard) McFarland, and Kathleen and his brothers, Patrick (Patty) Kelley, Edward (Marilyn) Kelley, Robert (Sue) Kelley, David (Rosemary) Kelley, Jimmy (Janine) Kelley all of Colorado and Joseph (Jennie) Kelley of Indiana.

There will be no service. Dan's final journey will be to the Custer Ranch in the beautiful Black Hills of South Dakota where his ashes will be placed. Donations can be made to Juvenile Diabetes Research Foundation. <https://www.jdrf.org/>





# Introducing Your Member Portal

Browse benefits. Request services. Enjoy 24/7/365 access.

Your Assistance Program offers a wide range of benefits to help improve mental health, reduce stress and make life easier—all easily accessible through your member portal.

#### Request a Mental Health Session

Request counseling by submitting an online form or live chat. Choose from in-person or virtual counseling options to meet your needs.

#### Request Referrals & Resources

Submit a request for family care and lifestyle support including childcare and eldercare referrals, legal and financial consultation, personal assistant referrals and medical advocacy consultation.

#### Explore Thousands of Self-Care Articles & Resources

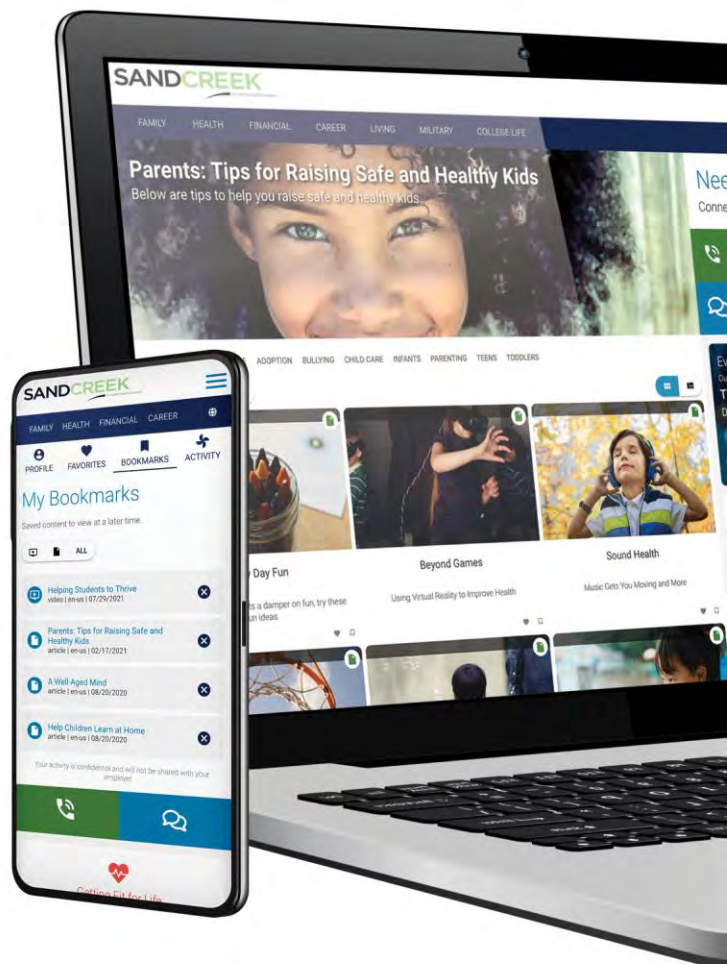
Health and lifestyle assessments, interactive checklists, soft skills courses, podcasts, resource locators, exclusive discounts, and expansive articles on whole health and well-being.

#### Visit Your Online Financial Center

Featuring worksheets, calculators, and a wide range of financial resources and tools to help reach personal goals and build financial wellness.

## Getting Started Is Easy

1. Visit [www.sandcreekeap.com](http://www.sandcreekeap.com) and click on "Log In to the Member Portal"
2. Register to create a new account using your company code: SDHELP
3. A confirmation email will be sent to complete the process



Contact Sand Creek EAP  
**Call: 888-243-5744**  
 Visit: [www.sandcreekeap.com](http://www.sandcreekeap.com)  
 Code: SDHELP

# Life comes with challenges. Your Assistance Program is here to help.

Your Assistance Program can help you reduce stress, improve mental health, and make life easier by connecting you to the right information, resources, and referrals.

All services are free, confidential, and available to you and your family members. This includes access to short-term counseling and the wide range of services listed below:

## Mental Health Sessions

Manage stress, anxiety, and depression, resolve conflict, improve relationships, and address any personal issues. Choose from in-person sessions, video counseling, or telephonic counseling.

## Life Coaching

Reach personal and professional goals, manage life transitions, overcome obstacles, strengthen relationships, and build balance.

## Financial Consultation

Build financial wellness related to budgeting, buying a home, paying off debt, managing taxes, preventing identity theft, and saving for retirement or tuition.

## Legal Consultation

Get help with personal legal matters including estate planning, wills, real estate, bankruptcy, divorce, custody, and more.

## Work-Life Resources and Referrals

Obtain information and referrals when seeking childcare, adoption, special needs support, eldercare, housing, transportation, education, and pet care.

## Personal Assistant

Save time with referrals for travel and entertainment, seeking professional services, cleaning services, home food delivery, and managing everyday tasks.

## Medical Advocacy

Get help navigating insurance, obtaining doctor referrals, securing medical equipment, and planning for transitional care and discharge.

## Member Portal

Access your benefits 24/7/365 through your member portal with online requests and chat options. Explore thousands of self-help tools and resources including articles, assessments, podcasts, and resource locators.



Contact Sand Creek EAP  
Call: 888-243-5744  
Visit: [www.sandcreekeap.com](http://www.sandcreekeap.com)  
Code: SDHELP

**SANDCREEK** EAP™  
An AllOne Health Company



# 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 Mehlhoff	Mark Mehlhoff
Sioux Falls Area	Midwest Employee Benefits	Dawn Knutson
Sioux Falls & Brookings Area	McGreevy & Associates	John Lawler
Pierre, Mitchell & Sioux 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.

# Rosebud Sioux Tribal Court

ROSEBUD SIOUX INDIAN RESERVATION  
P.O. BOX 129  
ROSEBUD, SOUTH DAKOTA 57570

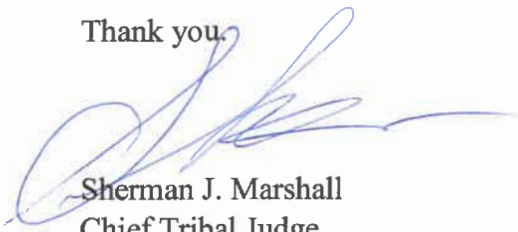
TO MEMBERS OF THE STATE BAR OF SOUTH DAKOTA

Re: Request for Assistance

The Rosebud Sioux Tribal Court is in need of attorneys to appoint as Special Public Defenders to help in cases in which our Public Defenders have conflicts in our adult criminal court and in our juvenile court. Our court allows attorneys to appear either in person or via zoom and we currently pay \$100 per hour with travel being paid at \$1.00 per mile which covers the attorney's travel time and use of their vehicle. Invoices are paid monthly. A Tribal Business License is required.

Thank you. Should you be interested in taking some of our conflict cases, please contact Cheryl Rogers, Director of Administration, at (605) 747-2278 or by email at [cheryl.rogers@rstjustice.org](mailto:cheryl.rogers@rstjustice.org). Cheryl will also be able to answer any questions you may have or provide further information

Thank you.



Sherman J. Marshall  
Chief Tribal Judge

cbr/file

## UPCOMING LIVE WEBINARS

*Free to all Bar Members and  
their household family members!*

Discover a whole new approach to well-being.



### Resilient Relationships

December 12, 2023  
12:00 pm EST - 12:45 pm EST  
[Register for this Webinar](#)



### Personal Fitness for Life

December 13, 2023  
1:30 pm EST - 2:30 pm EST  
[Register for this Webinar](#)



### Stress Reduction Toolkit 2.0

January 10, 2024  
1:30 pm EST - 2:30 pm EST  
[Register for this Webinar](#)

# Career Center

STATE BAR OF SOUTH DAKOTA CLASSIFIEDS

Email your employment announcement to [tracie.bradford@sdbar.net](mailto: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](http://www.statebarofsouthdakota.com)



## Associate Attorney – Sioux Falls

Cutler Law Firm, LLP is seeking an associate attorney to join its Business Section. Practicing attorneys, law clerks and students are encouraged to apply.

Business Associate Attorneys have the opportunity to work alongside partners and other associates on a broad range of business transaction, contract and real estate matters. Our clients include large and small companies in manufacturing, telecommunications, logistics, financial services, real estate development, and others.

Qualified candidates will have:

- Strong oral and written communication skills
- Capable of high-level analytical and critical thinking and problem solving
- Top academic credentials
- Excellent interpersonal skills and the ability to work well as part of a team
- J.D. from an ABA-Accredited Law School or in the final year of study and on track to graduate
- Practicing attorneys must have a license and be in good standing to practice in South Dakota or intentions to obtain a license in South Dakota.

Cutler Law Firm, LLP offers competitive salary and a full benefit package. Interested applicants are asked to send a cover letter, resume and references to:

Cutler Law Firm, LLP

Attn: Shawn Noem, Business Manager

140 N Phillips Ave, Fourth Floor

Sioux Falls, SD 57104

Or email to: [shawnn@cutlerlawfirm.com](mailto:shawnn@cutlerlawfirm.com)

## Attorney – Rapid City

The law firm of Thomas Braun Bernard & Burke, LLP in Rapid City is seeking a lateral attorney with at least 4 years' private practice experience in the areas of estate planning and/or business transactional work. The ideal candidate will possess strong communications skills, be attentive to detail, and be self-motivated. Compensation will be commensurate with education and experience. Benefits include 401(k), health insurance, professional dues and memberships, CLE tuition, and various other incidentals. Confidential inquiries, including a cover letter and resume should be mailed to John W. Burke, Thomas Braun Bernard & Burke, LLP, 4200 Beach Drive – Suite 1, Rapid City, SD 57702, or e-mailed to [jburke@tb3law.com](mailto:jburke@tb3law.com).

## Paralegal – Sioux Falls

Lockwood & Zahrbock Kool Law Office is seeking a paralegal to join our family and criminal law practice. Interested candidates please send your resume to [tressa@lockwoodlaw.com](mailto:tressa@lockwoodlaw.com) or [rhonda@lockwoodlaw.com](mailto:rhonda@lockwoodlaw.com)

## Litigation Legal Assistant/Paralegal – Yankton

Marlow, Woodward & Huff, Prof. LLC is seeking a legal assistant/paralegal.

Duties include:

- Case file management.
- Communications with clients, witnesses, experts and others.
- Drafting legal correspondence.

- Drafting standard pleadings.
- Performing electronic filings in state, federal and appellate courts.
- Assisting with responding to interrogatories and production of documents.
- Managing deadlines and scheduling.
- Ordering medical records/bills.
- Assisting with trial preparations and trials.

Benefits:

- Salary depending on experience, plus bonuses.
- SEP Plan.
- Paid time off.

Education:

- Bachelor's or Paralegal Certification/Degree (preferred) but not required.

Please send cover letter, resume and references to [deb@mwhlawyers.com](mailto:deb@mwhlawyers.com)

### **Prosecuting Attorney – Lower Brule**

ESSENTIAL FUNCTIONS:

Represent the Tribe in prosecution of adults committing criminal acts within tribal jurisdiction, including fish and wildlife offenses.

Represent the Tribe in prosecution of juveniles committing delinquent acts or status offenses within tribal jurisdiction.

Represent the Tribe in juvenile proceedings of child abuse/neglect/dependency occurring within tribal jurisdiction and ICWA proceedings transferred to Tribal Court.

Oversight of juvenile diversion program.

Attend court hearings, including drug court.

Evaluates evidence, interviews witnesses, prepare legal pleadings including subpoenas, search warrants, arrest warrants, and juvenile pick-up and detain orders. Work closely with the police department

Draft written complaints, motions, proposed orders, legal briefs, jury instructions, sentencing recommendations, and other legal documents as appropriate.

Conduct all necessary case preparation before Tribal

Court hearings and trials.

Assist in developing and improving the Tribe's criminal justice system, including code development.

Ability to communicate effectively, both orally and in writing.

Ability to multitask, prioritize assignments and remain organized.

Argue and present cases as appropriate in Tribal Court and appeals therefrom.

Other duties as assigned.

KNOWLEDGE, EXPERIENCE, SKILLS, AND ABILITIES REQUIRED BY POSITION:

Have Juris Doctor degree from an accredited law school and be a member in good standing of the South Dakota State Bar Association.

Experience and competence in criminal advocacy, criminal jury trial experience preferred.

Experience and competence handling juvenile and child protection cases.

Knowledge of federal Indian law; criminal law and procedure; juvenile law and procedure; and healing to wellness court or alternative courts process and procedures.

Respect for the culture and traditions of the Lower Brule Sioux Tribe.

Computer skills, including knowledge of Word, Excel and Access programs.

SALARY: Negotiable, depending on experience

CLOSING DATE: Open until filled

Applications shall be in writing, to include a professional resume, legal qualifications and any other submissions at the option of the applicant. Native American preference applies. Applications may be obtained from the LBST Personnel Office, Lower Brule, South Dakota (605-473-5561) or contact Chief Judge Lorrie Miner at Lower Brule Tribal Court (605-730-1130).



## Staff Attorney – Pierre

Job ID: 25357

Location: Pierre

Salary: \$82,684.80 - \$86,819.04 depending on experience; \$2,000 new hire incentive

Closing Date: Open Until Filled

**Position Purpose:** This position provides extensive legal research, analysis, and advice to the Supreme Court on matters arising before them in regard to various procedural and substantive contexts, including appeals, motions, original proceedings, proceedings for special relief, and certain administrative matters.

**Duties may include:**

- screening appeals for jurisdictional error to ensure timeliness of appeals and that the Supreme Court has jurisdiction over appeals;
- reviewing pro se submissions to determine appropriate procedures when documents are procedurally inappropriate or unclear as to grounds or authority for relief;
- providing assistance to the Chief Justice, Justices, Circuit Judges, and Court Clerks by providing legal research and analysis regarding legal matters;
- reviewing petitions to the Supreme Court for certificates of probable cause in habeas corpus actions and recommending their grant or denial to the Court;
- drafting research memoranda and court opinions in death penalty cases, per curiam cases, pro se cases, and abuse and neglect cases to ensure application of pertinent legal authorities and standards to cases involved;
- drafting research memoranda and court opinions in expedited appeals and in original and special proceedings on issues which may affect the state as a whole or in disputes drawing particular public opinion;
- assisting in preparations for the bar examination and
  - proctoring;
  - performing other work as assigned.

**Minimum Qualifications:** Graduation from an accredited law school and membership in the State Bar of South Dakota (or successful completion of the first South Dakota bar examination following employment with the Supreme Court). Experience is not necessary but is highly preferred.

Successful completion of a criminal background investigation is required for employment.

**Knowledge, Skills, and Abilities:**

**Knowledge of:**

- the law and South Dakota law;
- functions of the Court;
- court and judicial systems;
- appellate rules of practice and procedure.

**Skill in:**

- use of the law library and other legal research resources and software;
- use of computer resources;
- legal writing, editing, and proofreading.

**Ability to:**

- interpret and apply legal principles to appellate jurisdictional and substantive legal issues;
- conduct necessary legal research;
- review facts and legal issues in appellate cases each month and recommend the necessity of oral argument or disposition through written briefs and record;
- identify related or common legal issues in a set of cases;
- formulate and draft legal memoranda in a clear, concise, and coherent manner;
- present and communicate complex topics effectively in oral consultations with supervisory and decision-making authorities;
- analyze rule proposals and draft amendments and rules.

### **About the South Dakota Unified Judicial System**

The Mission of the South Dakota Unified Judicial System is to provide Justice for All.

Our employees are our most valuable resource and crucial to accomplishing our mission. We seek talented and motivated individuals to be the face of the court system and help ensure that the Court and all the people that come before it receives the highest level of service. Our dedicated staff work to enhance community safety and ensure victim's rights while treating all individuals with dignity and respect.

The Unified Judicial System offers a comprehensive benefits package consisting of 10-12 paid holidays every year, extensive sick and vacation leave, paid

family leave, military training leave, health, and flexible benefits, regular working hours, continuing education opportunities, retirement benefits, a great working environment, and more.

For more information on the Unified Judicial System, please visit <http://ujls.sd.gov>.

Unified Judicial System  
500 East Capitol Avenue  
Pierre, SD 57501-5070  
Phone: 605.773.4884

"An Equal Opportunity Employer"

### **In-House Counsel – Sioux Falls**

First Bank & Trust is looking to fill an In-house Counsel position in Sioux Falls, South Dakota. The In-house Counsel will support First Bank & Trust on legal matters and related issues important in meeting the objectives of the organization and its affiliates. This person should have a bachelor's degree and a Juris Doctorate plus four years of experience or the equivalent. Additionally, a background in banking and/or financial compliance or legal work is desired. Strong written and verbal communication skills are required along with analytical and problem-solving skills. This person must be able to work independently and as a team member in an environment requiring constant multi-tasking and reprioritization. Excellent legal research and analysis skills required. Microsoft Office application proficiency preferred. For more information about this position and to apply online, please visit our website at [www.bankeasy.com/careers](http://www.bankeasy.com/careers).

Closing date: 12/31/2023

### **Associate Attorney – Yankton**

Kennedy, Pier, Loftus & Reynolds, LLP, a general practice law firm with offices in Yankton, SD and Hartington, NE, is seeking an associate attorney. Strong academic background and communication skills required. Base compensation plus profit sharing and benefit plan. All inquiries will be kept in strict confidence.

Please send cover letter, transcript, resume and references to 322 Walnut Street, Yankton, SD 57078 or email to [lbovero@yanktonlawyers.com](mailto:lbovero@yanktonlawyers.com).

### **CJA Case Budgeting Attorney – St. Louis, Missouri**

Salary Range: (CL-31) \$111,952 - \$181,982 per annum in St. Louis, MO, for a full-time position of 80 hours per pay period.

Opening Date: 7/18/2023

Closing Date: Extended until position is filled.

Position Overview:

The Circuit Executive of the Eighth Circuit is seeking applicants for a Criminal Justice Act (CJA) Case Budgeting Attorney. The position will be either full-time or half-time. The position will be headquartered in St. Louis, Missouri, or at another courthouse within the Eighth Circuit. The CJA Case Budgeting Attorney is supervised by the Circuit Executive of the Eighth Circuit.

Position Duties and Responsibilities:

- Work with circuit judges, district judges, magistrate judges, federal defender staff, district court staff, CJA panel attorneys, and Administrative Office staff to develop budgets in complex, "mega," multi-defendant, and death penalty cases, including federal direct death prosecutions and capital habeas corpus. Conduct reviews of budgeted cases and assist in modification when required.
- Assist judges with oversight of expenditures in capital cases, including review of pre- and post-authorization cost estimates and monitoring expenditures. Review funding orders and make recommendations to judges as to the reasonableness of the request and whether requested rates are consistent with CJA guidelines.
- In conjunction with counsel and the assigned judge, oversee the preparation of a budget for each phase of capital cases, capital habeas cases, and mega-cases addressing attorney time, paralegal time, experts, investigation, discovery organization, and other costs.
- Develop and participate in training programs to educate the courts and CJA panel attorneys on best practices, federal defense work, case budgeting principles, means of cost-containment, and CJA procedures. Conduct

case management conferences in complex criminal cases and multi-defendant criminal appeals.

- Review vouchers submitted by attorneys, experts, and other service providers for reasonableness, accuracy, and compliance with guidelines. Consult with judges about issues or proposed reductions. Meet with CJA panel attorneys to resolve disputes on vouchers.
- Develop, disseminate, and promote materials, best practices, and policies to assist in CJA case-budgeting specifically, cost containment, and effective management generally, in all CJA panel attorney representations. Provide guidance, consult with courts, and panel attorneys regarding questions, problems, and issues.
- Monitor the application of the CJA plans of the district and appeals courts and develop circuit-wide guidance to ensure the effective use of resources and the establishment of a culture of cost containment, fiscal responsibility, and accountability consistent with high quality representation and the best practices of the legal profession.
- Maintain and analyze a central database of budgets and expenditures to monitor compliance with budgets, provide a means of comparing budgets and expenditures, and furnish information as requested.
- Perform other duties as assigned.

#### Qualification Requirements:

Applicants must possess (1) a Juris Doctor degree (or equivalent) from an accredited law school; (2) membership in good standing in the bar of a state; (3) a minimum of five years' experience consisting of criminal defense or habeas representation, including extensive experience and knowledge of billing practices and staff management; (4) a thorough understanding of the Criminal Justice Act, criminal law and procedure, and criminal litigation and habeas corpus strategies and processes; and (5) a strong commitment to high-quality CJA representation and the right to counsel.

Qualified applicants must also possess excellent academic credentials; outstanding written and oral communication skills; the ability to analyze fees and budgets and to write clear and concise reports; the ability to work amicably and professionally with judges, attorneys, and court executives; the willingness and

skill to develop training programs for CJA counsel, and the ability to develop creative and practical solutions to case management and budgeting issues.

#### Benefits:

Benefits include paid federal holidays, paid vacation and sick leave, participation in the Federal Employees Retirement System (FERS), and Thrift Savings Plan (401k). Benefits also include optional participation in the Federal Employees Health Benefits Program (FEHB), Federal Employees Group Life Insurance Program (FEGLI), Flexible Benefits Program, and Dental and Vision Insurance. Limited telework options are available.

#### Application:

Interested applicants may apply by submitting (1) a completed application for judicial branch employment, form AO-78 (<http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO078.pdf>) (2) a detailed resume, and (3) a cover letter electronically at <https://ca852383.hire.trakstar.com/jobs/fk0x4ym>

Only those interviewed will be notified of the selection outcome. The court reserves the right to modify the conditions of this job announcement or to withdraw the announcement without written notice to applicants. Travel expenses for interviews cannot be reimbursed.

Please note that this position is covered by the Fair Chance Act and requires that applicants provide criminal history information prior to receiving any conditional offer of employment. All information provided by applicants is subject to verification and background investigation. Applicants are advised that false statements or omission of information on any application materials may be grounds for non-selection, withdrawal of an offer of employment or dismissal after being employed.

Pursuant to the Immigration and Reform Act of 1986, selection is contingent upon providing proof of being legally eligible to work in and for the United States. Employees are required to use Electronic Fund Transfer (EFT) for payroll deposit.

The United States Courts are EQUAL OPPORTUNITY EMPLOYERS and committed to equity and inclusion in its hiring practices.

## Law Clerk – Marshall, Minnesota

Step outside the metropolitan area and experience an out-state judicial clerkship being exposed to a multi-faceted caseload, observe many different types of court proceedings and understanding of the litigation process. Law Clerks also benefit from a close mentorship working directly with the District Court Judge performing legal research, drafting legal documents, correspondence, memoranda and other writings as requested.

A District Court Law Clerk position offers the opportunity to work within the Minnesota Judicial Branch at the Trial Court Level, and gain insight into judicial and court processes, with a court perspective on the administration of justice. The primary work location will be the Lyon County Government Center located at 607 West Main, Marshall, MN.

This position will remain opened until filled. Applications will be reviewed on a regular basis with interviews scheduled throughout the duration of this posting.

The successful candidate will be articulate, self-motivated, and an excellent writer. Excellent research and analytical skills are required. Must have the ability to communicate effectively, verbally and in writing.

### Example of Duties

(Any one position may not include all the duties listed, nor do the examples cover all the duties which may be performed.) The following are examples of major job duties expected for this position to perform.

- Reviews, studies, researches, and annotates laws, court decisions, documents, opinions, briefs, and related legal authorities.
- Prepares briefs, legal memoranda, and statement of issues involved, including appropriate suggestions or recommendations to the justice or judge.
- Compiles references on laws and decisions necessary for legal determinations.
- Confers with justice, judge or court official concerning legal questions, construction of documents and granting of orders.
- Attends court sessions to hear oral arguments and records necessary case information; maintain records attendant to court proceedings.
- May perform courtroom duties including calling the calendar; swearing in jury panels and

witness; taking court minutes; and assisting in various court proceedings such as arraignments, motions, hearings, pre-trial conferences and trials.

### Typical Qualifications

Any combination of education, training, and work experience which indicates possession of the knowledge, skills, and abilities listed below will be considered. An example of an acceptable qualification is:

### Minimum Qualifications:

- Juris Doctorate (JD) from an accredited law school.

### Knowledge, Skills and Abilities:

- Knowledge of general law, state law, established precedent, and sources of legal reference.
- Knowledge of court practices and procedures.
- Knowledge of legal terminology and concepts.
- Ability to communicate clearly and concisely, both orally and in writing, with a diverse group of people.
- Ability to research complex legal problems or questions and apply legal principles.
- Ability to represent the court in a respectful manner.
- Ability to establish and maintain effective working relationships with others.
- Proficient in Microsoft Word/Windows operating system and legal research software

### Supplemental Information

We celebrate and are committed to the principles of diversity and inclusion, and actively seek and encourage applications from persons with diverse backgrounds and characteristics. We are intentional and mindful about the organizational culture we are building, seeking broad-minded individuals with robust capabilities who value supporting one another's growth.

Excellent State of Minnesota Benefit package with low premiums. For benefit information visit: <http://mn.gov/mmb/segip/index.jsp>. The Minnesota Judicial Branch is also an eligible employer for the Public Service Loan Forgiveness Program.

All employment offers are contingent upon satisfactory results of a criminal background check.



TO APPLY: apply at <http://www.mncourts.gov/>. In addition to completing the online application, all applications MUST include a law school transcript, a brief writing sample, cover letter and resume.

Please contact Human Resources at 5thDistrictHR@courts.state.mn.us with questions regarding this position.

It is the policy of the Minnesota Judicial Branch that all decisions regarding employment are made without discrimination on the basis of disability. Please let us know if you need a reasonable accommodation for a disability to participate in the employee selection process by contacting Human Resources, 5thDistrictHR@courts.state.mn.us.

*The Minnesota Judicial Branch is an Equal Opportunity Employer. It is the policy of the Minnesota Judicial Branch that all decisions regarding recruitment, hiring, promotions, and other terms and conditions of employment be made without discrimination the grounds of race, color, creed, religion, national origin, gender, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age. We value and encourage applicants from diverse backgrounds.*

### **Associate Attorney – Gillette, Wyoming**

Employer: Just Criminal Law, P.C.

Location: Gillette, WY

Job Type: Full-Time

Salary: \$85,000-\$100,000 base salary (also, a generous bonus schedule).

Just Criminal Law, P.C. is seeking an Associate Attorney. The office is located in downtown Gillette, Wyoming; however, the firm represents clients across the State of Wyoming and in Western South Dakota. Our office is located within walking distance to both the county and city courthouses in a new brick office building that compliments the historical downtown of Gillette, Wyoming.

Hybrid work environment available contingent on court appearances.

Campbell County, Wyoming

Located between the Black Hills and Big Horn

Mountains, lies a unique and vibrant community with a population of just under 50,000 people.

Local and regional access to the outdoors, including amazing hunting, fishing, hiking, camping, skiing, horseback riding, boating, snowmobiling, motorcycling, and ATV/UTV riding.

Amenities to include a regional airport and hospital, local college, movie theater, multiple golf courses, shopping, restaurants, brewery, numerous parks, sports complex facilities, including indoor hockey rink and state of the art softball facility, indoor and outdoor water parks, a trampoline park, and gymnastic/dance studios. Nationally recognized library and recreation center, as well as access to community and national events through the CAM-PLEX, AVA Art Center, and Rockpile Museum.

A school district committed to excellence that serves twenty-four (24) schools and around eight thousand seven hundred fifty (8,750) students. Campbell County School District #1 is able to offer a low student to teacher ratio average of 18:1, and provides students with access to an aquatic center, planetarium, and science center-adventurarium.

There are many recreational sports programs for youth including baseball, football, basketball, hockey, dance, cheerleading, gymnastics, rodeo, swimming, and martial arts.

Gillette is home to NA3HL hockey team (Gillette Wild), College D2 Pronghorn Basketball, and the National High School Rodeo Finals.

#### Job Description

- Associate attorneys represent clients in court daily as well as perform legal services including legal research, drafting motions, orders, judgments, status updates, and overseeing and analyzing discovery, conduct motion hearings and jury trials.

#### Education & Experience

- Law degree and Wyoming law license. (Generally: Wyoming allows admission of attorneys with 5 years of experience from UBE jurisdictions or jurisdictions that have reciprocity with Wyoming.)

- Wyoming Frequently asked admission questions: <https://www.wyomingbar.org/wp-content/uploads/Motion-FAQs-1.pdf>
- Firm practices criminal defense. Applicant's compensation is commensurate with motion and jury trial experience.

Benefits: 401K, health insurance through Blue Cross Blue Shield of Wyoming, paid time off, professional dues and memberships.

Required experience: At least 5 years of courtroom experience.

Materials Requested:

- Cover Letter, Resume, Three (3) Professional References (from attorneys or prior employers).
- Applications will be held in confidence.
- Point of Contact:
- Please send application packets to [lisa@justcriminallaw.com](mailto:lisa@justcriminallaw.com).

## Senior Supervising Attorney – Gillette, Wyoming

Employer: Just Criminal Law, P.C.

Location: Gillette, WY

Job Type: Full-Time

Salary: \$115,000-\$145,000 base salary (also, a generous bonus schedule).

Just Criminal Law, P.C. is seeking an Associate Attorney. The office is located in downtown Gillette, Wyoming; however, the firm represents clients across the State of Wyoming and in Western South Dakota. Our office is located within walking distance to both the county and city courthouses in a new brick office building that compliments the historical downtown of Gillette, Wyoming.

Hybrid work environment available contingent on court appearances.

Campbell County, Wyoming

Located between the Black Hills and Big Horn Mountains, lies a unique and vibrant community with a population of just under 50,000 people.

Local and regional access to the outdoors, including amazing hunting, fishing, hiking, camping, skiing,

horseback riding, boating, snowmobiling, motorcycling, and ATV/UTV riding.

Amenities to include a regional airport and hospital, local college, movie theater, multiple golf courses, shopping, restaurants, brewery, numerous parks, sports complex facilities, including indoor hockey rink and state of the art softball facility, indoor and outdoor water parks, a trampoline park, and gymnastic/dance studios. Nationally recognized library and recreation center, as well as access to community and national events through the CAM-PLEX, AVA Art Center, and Rockpile Museum.

A school district committed to excellence that serves twenty-four (24) schools and around eight thousand seven hundred fifty (8,750) students. Campbell County School District #1 is able to offer a low student to teacher ratio average of 18:1, and provides students with access to an aquatic center, planetarium, and science center-adventurarium.

There are many recreational sports programs for youth including baseball, football, basketball, hockey, dance, cheerleading, gymnastics, rodeo, swimming, and martial arts.

Gillette is home to NA3HL hockey team (Gillette Wild), College D2 Pronghorn Basketball, and the National High School Rodeo Finals.

Job Description

- Senior Supervising Attorney will represent clients in court daily; as well as perform legal services including legal research, drafting motions, orders, judgments, status updates, conducting motion hearings and jury trials. Additional job responsibilities include supervision and continued training of the legal team, which may include associate attorneys, paralegals, as well as a criminal investigator. Legal supervisory responsibilities include, but are not limited to, overseeing and assisting other attorneys in analyzing discovery, preparing for motion hearings and jury trials, negotiating plea deals and advising clients.

Education & Experience

- Law degree and Wyoming law license. (Generally: Wyoming allows admission of

attorneys with 5 years of experience from UBE jurisdictions or jurisdictions that have reciprocity with Wyoming.)

- Wyoming Frequently asked admission questions: <https://www.wyomingbar.org/wp-content/uploads/Motion-FAQs-1.pdf>
- Firm practices criminal defense. Applicant should have a strong background in motion work and must be able to document being lead attorney in at least 15 jury trials taken to verdict.

Benefits: 401K, health insurance through Blue Cross Blue Shield of Wyoming, professional dues paid, paid time off.

Required experience: At least 10 years practicing criminal law (prosecution and/or defense work). Prior supervisory experience is preferred. Pay is commensurate with motion, trial and supervisory experience.

Materials Requested:

- Cover Letter, Resume, Three (3) Professional References (from attorneys or prior employers).
- All applications will be held in confidence.
- Point of Contact:
- Please send application packets to [lisa@justcriminallaw.com](mailto:lisa@justcriminallaw.com).

**HIRING?**

*Find out how you can post  
your open positions here!*

Email: [tracie.bradford@sdbar.net](mailto:tracie.bradford@sdbar.net)

## 5 Tips for Starting a Gratitude Journal

1. Find the best time of day that works for you whether that's first thing in the morning or before going to bed.
2. Choose the right medium: a note book, your phone, or aloud in the mirror.
3. Start simple: choose one thing you are grateful for today.
4. Start small: any and all things can go in your journal from a good morning text to free doughnuts at work.
5. Explain why these things make you grateful and thankful.



**UPCOMING EVENTS**

**DECEMBER 19, 2023**

**DECEMBER LAW FOR LUNCH - CYBERSECURITY**

Zoom

**JANUARY 3, 2024**

**BAR COMMISSION MEETING**

Zoom

**JANUARY 4 - 5, 2024**

**DISCIPLINARY BOARD MEETING**

Pierre

**JANUARY 16, 2024**

**JANUARY LAW FOR LUNCH - TAX UPDATE**

Zoom

**FEBRUARY 20, 2024**

**FEBRUARY LAW FOR LUNCH - ORGANIZATION**

Zoom

**MARCH 19, 2024**

**MARCH LAW FOR LUNCH - INDIAN LAW**

Zoom



# LAWPAY<sup>®</sup>

AN AFFINIPAY SOLUTION



State Bar of South Dakota

Member  
Benefit  
Provider

“I love LawPay! I’m not sure why I waited so long to get it set up.

– Law Firm in Ohio

Trusted by 50,000 law firms, LawPay is a simple, secure solution that allows you to easily accept credit and eCheck payments online, in person, or through your favorite practice management tools.



22% increase in cash flow with online payments



Vetted and approved by all 50 state bars, 70+ local and specialty bars, the ABA, and the ALA



62% of bills sent online are paid in 24 hours



**PAYMENT  
RECEIVED**



YOUR FIRM LOGO HERE

---

**Trust Payment  
IOLTA Deposit**

New Case Reference

\*\*\*\* \* 9995      \*\*\*

**TOTAL: \$1,500.00**

**VISA**

eCheck     **DISCOVER**   POWERED BY **LAWPAY**

**PAY ATTORNEY**

Get started at  
[lawpay.com/sbsd](http://lawpay.com/sbsd)  
**866-730-4140**

Data based on an average of firm accounts receivables increases using online billing solutions.

LawPay is a registered agent of Synovus Bank, Columbus, GA., and Fifth Third Bank, N.A., Cincinnati, OH.