



State Bar of South Dakota



MEMBERSHIP DIRECTORY

*Updates are due by
March 11, 2022 to be included
in the next Membership
Directory.*

ANNUAL MEETING & CONVENTION

*Save the date!
Ramkota Hotel & Convention Center
Rapid City, South Dakota
June 22 - 24, 2022*

UPCOMING EVENTS

*All upcoming CLE's and events
can be found on our website
and on the back page of the
newsletter.*

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THE SUBJECT OF YOUR EMAIL SHOULD BE
“DIRECTORY UPDATES”

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State Bar of South Dakota

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PRESIDENT'S CORNER

William C. Garry

The 2022 Annual Meeting will be held in Rapid City on June 22 – 24, 2022. The Bar will conduct Bar Commissioner elections at the business meeting on Friday, June 24. We will be electing five new Commissioners from Circuits 1, 2, 3, 6 and 7. Those positions are currently held by Marilyn Trefz (1st Circuit), Renee Christensen (2nd Circuit), Matt Roby (3rd Circuit), Brent Kempema (6th Circuit) and Kirsten Aasen (7th Circuit). This presents an opportunity for members in those Circuits to get involved and learn how the Bar Commission governs and manages the business and affairs of the State Bar. I would encourage anyone who is interested in being a Bar Commissioner to reach out to a current or past Commissioner to learn more about the position. I am confident that serving the Bar as a Commissioner will be a rewarding experience and one you will not regret.

Article VII of the State Bar bylaws explains the powers, composition, qualifications and election process of Commissioners. It is printed here for your easy reference. Please note the rules and timing governing submission of a nominating petition for Judicial Circuit Commissioner.

ARTICLE VII - BAR COMMISSION

7.1. Governing Powers. A Board of Bar Commissioners elected by the Members will govern and manage the business and affairs of the State Bar (“Bar Commission” or “Board”). The Board has all the power and authority necessary or appropriate for the administration of State Bar affairs consistent with Supreme Court rule, South Dakota Law, and these Bylaws. The Board may adopt rules, regulations, policies, and directives necessary for efficient State Bar operation. The Bar Commission will perform the acts necessary to locate and hire the Executive Director and determine the Executive Director’s salary and benefits.

7.2. Composition. The Bar Commission is composed of one Active Member from each of South Dakota’s judicial circuits and six at-large Active Members (“Commissioner” individually or “Commissioners” collectively). The Bar Commission also includes the State Bar President and President Elect.

7.3. Commissioner Qualifications. A Commissioner candidate must be an Active Member at the time of election and reside in the judicial circuit that the candidate is seeking to represent. No two at-large Commissioners may reside within the same judicial circuit.

7.4. Commissioner Nomination. To qualify as a Commissioner candidate, the Member must meet the election qualifications specified in Paragraph 7.3 above and either:

- a. **Petition.** Complete a nominating petition containing signatures of at least:
 - i. **Judicial Circuit Commissioner.** Five Active Members residing in the same judicial circuit the candidate is seeking to represent.
 - ii. **At-Large Commissioner.** Fifteen Active Members.Candidates must file completed nominating petitions with the Executive Director at least 10 days before the Annual Meeting.
- b. **Floor.** Be orally nominated by an Active member from the floor at the Business Meeting, provided the nominee's name and position sought was submitted to the Executive Director or other State Bar employee at least 40 hours before the beginning of the Business Meeting. After the submission deadline and until the beginning of the Business Meeting, the Executive Director will immediately and conspicuously post the names and Commissioner position sought for each candidate eligible for floor nomination.

7.5. **Commissioner Election.** The State Bar will conduct Commissioner elections at the Business Meeting according to the Election Cycle. The Executive Director will prepare, or cause to be prepared, ballots in the form determined by the Bar Commission. Only Active Members may vote in Commissioner elections. Any Commissioner candidate receiving a majority of the votes properly cast will be elected. If no Commissioner candidate receives a majority of the votes, the Commissioner candidate receiving the fewest votes will be eliminated from consideration as a Commissioner. The Members will then vote on the remaining candidates. Any Commissioner candidate receiving a majority of the votes properly cast will be elected. If no Commissioner candidate receives a majority of the votes, the Commissioner candidate receiving the fewest votes will be eliminated from consideration as a Commissioner. Voting and candidate elimination will continue in this manner until a candidate receives a majority of the votes. Tie votes will be determined by lot.

7.6. **Commissioner Election Cycle.** Active Members will elect Commissioners to represent each judicial circuit and the at-large positions according to the following election cycle:

- a. **Circuits 1, 2, 3, 6, and 7.** 2019, 2022, 2025, and every third year thereafter.
- b. **Circuits 4 and 5 and two At Large.** 2020, 2023, 2026, and every third year thereafter.
- c. **Four At Large.** 2021, 2024, 2027, and every third year thereafter.

7.7. **Commissioner Term.** Upon election, Commissioners will hold office for a three-year term beginning at the close of the Annual Meeting in the year of election. No Commissioner may hold office for successive terms. A Commissioner appointed to the Board according to Paragraph 7.19 below may be elected to serve one full term in the appropriate circuit or at-large circuit after the expiration of the appointed term. Upon expiration of the Commissioner's term, or if the Commissioner leaves the Board for any reason, that Member is not eligible for Board appointment or election for one year. After an absence of at least one year, the Member is eligible for Board appointment or Board election provided the Member meets the Board criteria.

7.8. **Regular Meetings.** The Bar Commission will meet immediately after the adjournment of the Annual Meeting and transact any business that may properly come before the Bar Commission. Additionally, the Board will hold at least four regular meetings throughout the year according to a schedule and at locations determined by the Board ("Regular Meetings").



State Bar of South Dakota
YOUNG LAWYER SECTION



Ole Olesen
YLS President

A longtime friend of mine committed suicide in February. Last month, I wrote to you about S.A.D., but this month I want to write to you about suicide.

By this point in your life, it is fairly likely that suicide has touched your life in one way or another. My friend and I had grown in different directions a very long time ago, but many years ago we were the best of friends. The young person that I knew was intelligent, inquisitive, and hard working. But his adult life led him on a path of drug abuse, prison, and, more recently, rehabilitation. In the past year or so, he had started reconnecting with his family and making amends for some of the pain he had caused over the years.

It is easy to look at another's life path and distinguish it from our own. It is easy to think my friend's life path is so different from the one you are on that you cannot relate. However, I wrote a little bit about him to highlight a very scary reality. Lawyers are 3.6 times more likely to suffer from depression than non-lawyers. Lawyers generally rank in the top 5 or so in lists of suicide by profession. It's easy to look at my friend's life and think that does not apply to me, but the reality is that you and I are statistically more likely to commit suicide.

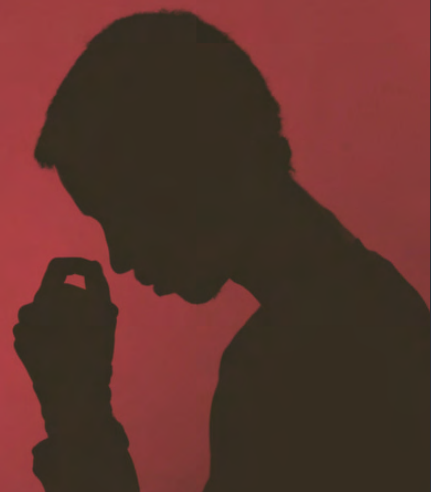
Depression, anxiety, suicide, mental illness. Is there a part of you that feels uneasy reading those words? Saying those words? If so, why? These words still carry a stigma with many of us. My challenge to you is to say them, reflect on them, and realize that over a third of

Americans are experiencing symptoms of some sort of mental illness. Mental illness is not a 'them' problem; rather, it is an 'us' problem. If we are to combat mental illness we must bring it out of the shadows and be able to have open, honest conversations about it.

Reach out to a friend and ask them how they are doing. Reach out to a colleague and talk to them about their practice. If you feel like you or a colleague may need help, reach out to Lawyers Concerned for Lawyers. We are all in this together and too often some of us forget that we are not alone.

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to play.**

**Every individual
makes a
difference."**

-Jane Goodall

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Fellows of the South Dakota Bar Foundation

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

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Raising the Bar: Our Profession. Our Responsibility.



DEAN'S LIST : NEWS FROM THE LAW SCHOOL



Alternative pathways to bar licensure are an important topic of conversation right now. I thought that some background might be useful for those not actively engaged on it. I would welcome a conversation with anyone who wants to know more or share their thoughts. For that discussion, “alternative pathways” means routes to bar admission that do not rely entirely on the current bar exam structure, but instead utilize a variety of other approaches to identify minimum professional competence prior to granting admission.

The current bar exam is a validated measurement of core legal knowledge necessary to be competent in practice. It is not perfect, no process of admission can be; I think that we can and should continue to look for ways to improve the bar exam and the assessment of competence to practice. So does the National Conference of Bar Examiners. Following a multi-year study, NCBE is radically transforming the bar exam to eliminate the multiple-choice MBE and implement a more skill focused exam. This restructured exam is currently being drafted and psychometrically validated. This “Next Gen” bar exam will be available in July of 2026 for those states that adopt it. The potential for a better test does not make the current test invalid as some argue, however. Likewise, the existence of a valid exam does not preclude considering alternative pathways to bar admission.

Three states currently have or are implementing alternative pathway programs. None of them uses “diploma privilege” in the sense that everyone who graduates from law school is admitted to the bar without other conditions. Wisconsin has the most open

program, granting licensure to graduates of Wisconsin law schools that follow a curriculum prescribed by court rule. New Hampshire has a limited enrollment program for admission without the traditional bar exam. It requires completion of a prescribed curriculum and assessment of capstone projects by the New Hampshire bar examiners. Oregon has conceptually approved a two-track system. One track mirrors New Hampshire's; the other grants admission after completion of a prescribed curriculum and completion of 1000 to 1500 hours of supervised practice.

Although I support exploring alternative pathway programs, I believe that there must be balance between protection of the public and access to the profession. I also believe that striking that balance will require coordination between the Court, the Bar Examiners, the Bar, and the Law School. Each of these states have implemented their alternative pathways based on coordinated input from those quarters.

The South Dakota Legislature recently rejected HB 1073 which proposed pure “diploma privilege.” That bill had no input from the Court, the State Bar, or the Law School; it also had none of the public protections that the alternative pathway programs described above do. I opposed HB 1073 along with many others. I was asked in that discussion why graduation from law school does not guarantee competence. The answer is that many of our graduates want to go into business, banking, trust work, or other settings outside traditional practice. Each year, several students elect joint degree programs where they substitute MBA or other classes for traditional bar topics. We strive to build our curriculum around core

knowledge and skills, but given that we have students pursuing these alternate paths, we cannot build our curriculum to perfectly align with the assessments of competence that the courts and bar examiners rightly expect. We do some of the same things as licensure examinations, but not all the same things.

I think that an alternative pathway to bar admission in South Dakota therefore requires more than a degree from the Law School. I think it requires coordination on curriculum. I think it requires some form of professional competence assessment by the Court and the Bar Examiners. Developing an alternative pathway would therefore require open and thoughtful conversation and coordination among many of us interested in how we approve new lawyers. There are good reasons to have those conversations.

First, a thoughtfully constructed alternative pathway program can facilitate public service. Requiring some period of public service could provide an alternative path to admission for some while providing more lawyers in areas needing legal services. As the Law School successfully recruits more students from outside South Dakota, it may also provide an avenue to convince more of them to begin their careers in South Dakota. Without some conditions tying admission to public service, just granting more admissions to the bar may not get more lawyers to underserved geographic or practice areas. Second, an alternative pathway modeled on New Hampshire or Oregon can strike a good balance of public protection and accelerated entry into the profession. That path may not be for all applicants, but it may provide a good alternative for some. Defining the goals and contributions of the Court, Bar, and Law School to such a project is necessary to determine if it is feasible and sustainable.

So far, conversations about alternative pathways in South Dakota have been limited. Those conversations are expanding, however. I sincerely hope that those conversations continue. Significant change like this takes quiet and patient work to lay a sustainable groundwork. I think it is an important conversation for us to have as a profession and welcome your questions and input. Our conversation must be guided by a recognition that a law license is a privilege, not a right. It must balance competing interests. I think it also must fit within the context of how South Dakota will respond to the impending Next Gen bar exam and whether South

Dakota should adopt the Uniform Bar Exam status. Law School students often support the UBE because it offers greater portability for their degree. Each of these topics is important and interrelated; I hope to help facilitate a conversation about them with many of you in days to come.

I hope this provides a little insight about alternative pathways to bar admission. If you have questions, suggestions, or concerns please do take me up on the offer to discuss the issue. I know it can trigger some strong feelings, but I know that passionate and open consideration of important issues like this produces positive change.

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And much thanks to:
Steve Huff
Denise Langley
Brandy Rhead

**For their help on
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Nathan Chilcoine
Robert Konrad
Michael McGill
George Nelson
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*a person who is
admired or idealized
for courage,
outstanding
achievements, or
noble qualities*

ANNOUNCEMENTS

We are proud to announce the formation
and contact information for

Langner Law Firm, Prof. LLC

Langner Law Firm, Prof. L.L.C.
300 N. Dakota Ave., Suite 301
Sioux Falls, S.D., 57104

Telephone: (605) 370-4971

Gabriel V. Langner
GabeLangnerLaw@gmail.com

Shari B. Langner
Shari.Langner@gmail.com

Austin, Strait, Benson & Thole LLP
is pleased to announce their name has changed to

Austin, Strait, Benson, Thole & Koehn LLP

Austin, Strait, Benson Thole & Koehn LLP
25 First Avenue Southwest
Watertown, SD 57201

Telephone: (605) 886-5823
Facsimile: (605) 653-1303

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Austin, Strait, Benson & Thole LLP
is pleased to announce that

Mitchell L. Koehn has been made partner.

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Jeremy Lund

has been made partner effective January 1, 2022.

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If interested, please call either
Mitch Johnson (605) 381-6464 or
Brad Gordon (605) 716-3040.

**JOIN US.
March 4 & 5, 2022**

Dear South Dakota Bar Member:

The University of South Dakota Knudson School of Law Veterans Legal Education Group is holding drop-in legal clinics for veterans on the east side of the state. On March 4, 2022, VLEG will be in Sioux Falls, SD at the Military Heritage Alliance building (1600 West Russell Street, Sioux Falls, SD 57104). The time of the clinic will be from 9:00AM to 4:00PM. We hope to reach nearly 50 veterans on this day.

On March 5, 2022, VLEG will be in Brookings, SD at the VFW (520 Main Ave, Brookings, SD 57006). The time of the clinic will be from 9:00AM to 4:00PM. We hope to reach nearly 30 veterans on this day.

Law students will be in attendance and will assist in completing intakes with the veterans prior to the veterans sitting down with an attorney.

**WE ARE CURRENTLY IN NEED OF VOLUNTEER
ATTORNEYS FOR BOTH LEGAL CLINICS.**

If you would like to volunteer or have questions about the clinics, please reach out to Tye Dybedahl at Tye.Dybedahl@coyotes.usd.edu.

We continue to appreciate all of the support from the State Bar of South Dakota Veterans Committee, Young Lawyers Section, and our volunteer attorneys. This project would not be possible without you.

**Sincerely,
Tye Dybedahl
President, Veterans Legal Education Group**

volunteer

USD KNUDSON SCHOOL OF LAW VETERANS LEGAL EDUCATION GROUP

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03.17.2022

12:00 PM - 1:00PM CST

**REGISTER
HERE**

SOUTH DAKOTA DEPOSITION ACADEMY

TO ALL MEMBERS OF THE STATE BAR OF SOUTH DAKOTA

The popular Deposition Academy returns in 2022 for members of the South Dakota Bar. The third Deposition Academy is being held on Wednesday, July 13 through Friday, July 15 at the University of South Dakota Knudson School of Law.

Mastery of the skills needed to gather information, gain admissions, and test theories is essential to a successful trial practice. The Deposition Academy is designed to provide the tools any lawyer needs to confirm facts they know, validate facts they think they know, and learn facts they need to prove their case.

The Deposition Academy is a learning by experience course. Participants in the program will hear about techniques used in taking and defending depositions, see demonstrations by experienced trial lawyers, and then actually practice those skills in a simulated deposition setting. During each workshop, participants will perform and practice skills essential to effective deposition taking or defending and then receive suggestions from experienced members of the faculty that will allow them to enhance their skills. Each workshop adds skills so that by the conclusion of the Academy participants will have built new techniques, enhanced existing skills, and gained confidence.

During the program you will learn a technique that allows you to wring every last bit of information from a witness. You will master techniques developed by The National Institute for Trial Advocacy that include “The Funnel Technique” and “Getting a List.” We will also spend time practicing techniques to defend your client’s interests in a deposition and how to prepare a witness for their deposition.

New to the 2022 version of the Deposition Academy is information and ideas on the process of creating an outline for deposing a witness. There are subtle differences and important additions counsel should consider when the process moves online. This includes additional questions asked during the commitment stage and how exhibits will be distributed and used.

The process of building a top-notch team of instructors is currently underway. The State Bar Trial Academy Committee is working to select a team of women and men who are the best and brightest of the South Dakota Trial Bar. The team will include lawyers who represent plaintiffs and defendants and practice in both large and small firms. The University of South Dakota Knudson School of Law is again providing both space and logistical support for the Academy. The partnership of the Bar Association, the law school, and the South Dakota Chapter of ABOTA, ensures a high-quality course that is open to all.

DEPOSITION ACADEMY REGISTRATION
JULY 13 – 15, 2022
USD KNUDSON SCHOOL OF LAW, VERMILLION, SD

**SPONSORED BY THE STATE BAR OF SOUTH DAKOTA, THE SOUTH DAKOTA CHAPTER OF ABOTA
AND THE UNIVERSITY OF SOUTH DAKOTA KNUDSON SCHOOL OF LAW**

Name: _____

Firm or Organization: _____

Address: _____

Phone: _____

Email: _____

Date: _____

Please register me for the 2022 Deposition Academy. I enclose a deposit of \$500 (made payable to SD CLE, Inc.) towards the full tuition of \$1,000. I acknowledge that the deposit, should I be accepted and subsequently am not able to attend, is non-refundable, unless a replacement is found. If I am not accepted, I understand that my deposit will be returned to me. I understand that no interest will be payable on returned deposit. I further understand that I will be responsible for any costs associated with travel, lodging, and meals. If I am accepted, I will pay the balance of \$500 no later than July 1, 2022.

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

Size of firm or organization: _____

Years admitted to practice: _____

Number of depositions taken: _____

Number of depositions defended: _____

Brief description of your current practice: _____

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

**State Bar of South Dakota
111 W Capitol Avenue #1
Pierre, SD 57501**



Young Lawyers Section 2022 Bootcamp Agenda

Friday, April 1, 2022

Sioux Falls Location: Lumber Exchange Building, 101 S. Reid Street

Rapid City Location: Pennington County EOC Room, 130 Kansas City Street, #130A, Rapid City, SD 57701

Agenda

- 9:00-9:15: Registration
- 9:15-9:20: Welcome
- 9:20-10:05: Administrative Hearings 101: What to Expect and How to Prepare
- 10:05-10:50: Criminal Law 101: Pre-trial Motions and Considerations
- 10:50-11:00: #Fit2PracticeSD
- 11:00-11:10: Break
- 11:10-11:55: Crucial Conversations 101: How to Speak to Clients, Opposing Counsel, and Co-Workers when the Stakes are High

Lunch

- 12:00-12:55: Judges Panel

- 12:45-12:55: Registration
- 12:55-1:00: Welcome
- 1:00-1:40: Estate Planning 101
- 1:40-2:30: Employment Law 101: An Overview of the Americans with Disabilities Act and Leave Laws
- 2:30-2:40: #Fit2PracticeSD
- 2:40-2:45: Break
- 2:45-3:10: Pro Se Litigants: Considerations when Dealing with a Pro Se Litigant
- 3:10-4:20: Professional Responsibility Attorney Panel: Pitfalls for New Attorneys and Advice

Circuit Mixer to Follow CLE – All Attorneys are Invited!

Sioux Falls: R Wine Bar, 322 E 8th Street

Rapid City: TBD

***Attendance via Zoom is an option

Sioux Falls RSVP to Brooke Schmidt, bschmidt@dehs.com

Rapid City RSVP to Arman Zeljkovic, Arman.Zeljkovic@pennco.org

PUBLIC SERVANT SPOTLIGHT

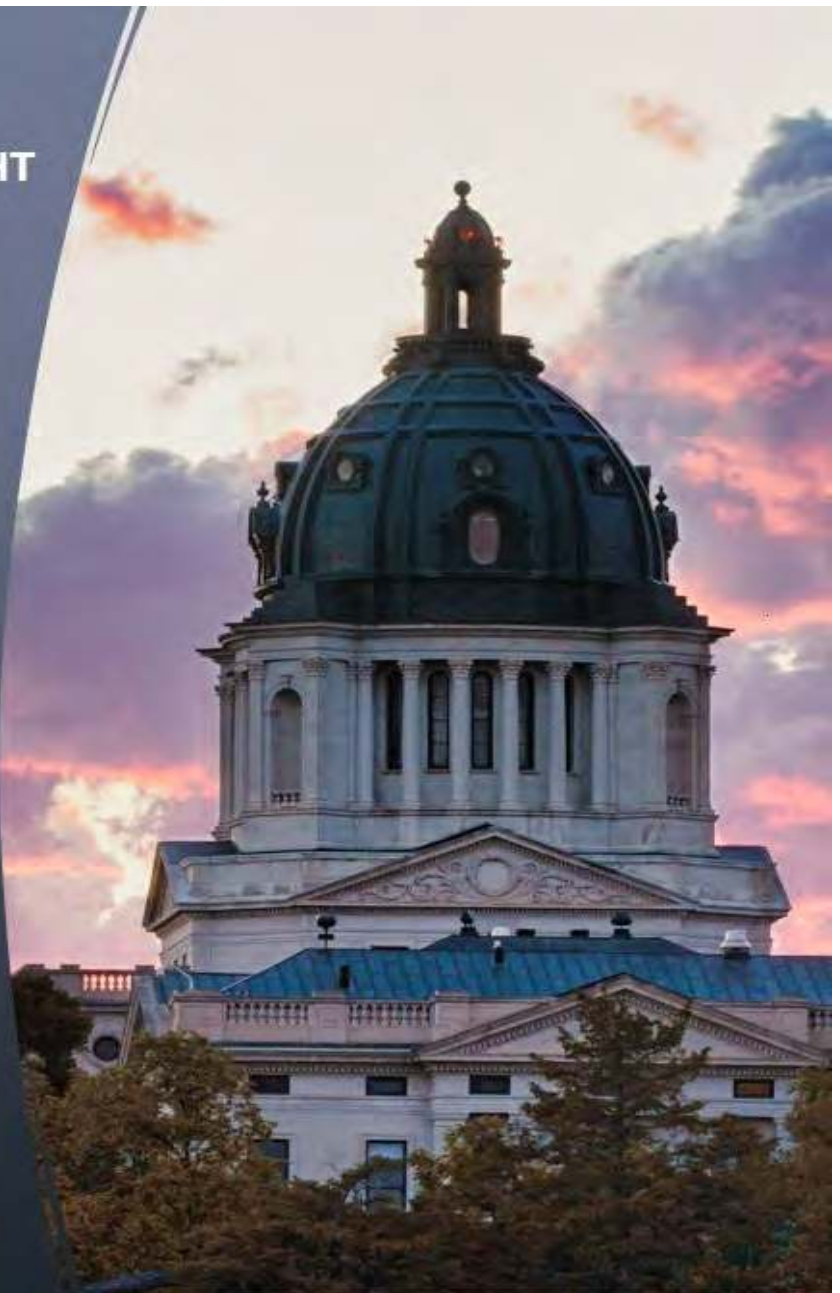
featuring

Bob Riter

The Public Sector Section and the Administrative Law Committee invite you to join us on March 24th at 2:00 p.m., CT, via Zoom:

<https://us02web.zoom.us/j/88587093397?pwd=WUxzT0p3dzg5eWxzK2dKNctUSDgrUT09>

Bob Riter has agreed to visit with us and share his wealth of legal knowledge and experience. This presentation will focus on effective advocacy and maintaining balance in your legal practice.



COURT IMPROVED PROGRAM TRAINING

Future CIP training sessions:

Use the linked session titles below to register.

WED MAR 30 – CONVERSATION WITH A FOSTER FAMILY

WED APR 27 – BEST PRACTICES ON ABUSE/NEGLECT CASES IN CONJUNCTION WITH STATE BAR

Court Improvement Program sessions sponsored by UJS and CPCM



PURPOSE

The Public Sector Attorney of the Year Award recognizes the public servants of the State Bar of South Dakota who have had a distinct impact on the law, governmental entities, or the legal profession in South Dakota in the past year.

ELIGIBILITY

An individual must be a member in good standing of the State Bar of South Dakota.

NOMINATIONS

Nominations and any supporting materials (i.e., letters) should be submitted to Public Sector President Tracey Dollison Decker no later than April 29, 2022. At a minimum, each nomination should include a brief synopsis of the impact made by the nominee on the law, governmental entities, or the legal profession in South Dakota during the past year. The criteria for this award are intentionally broad. The attorney's credentials aren't the focus here; we're most interested in what they did in the past year to leave a mark. Materials received on behalf of a nominee will be reviewed by a subcommittee of the Public Sector Section and an award recipient will be chosen.

The award recipient will be announced at the June 2022 Bar Convention and in the State Bar Newsletter.



State Bar of South Dakota

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Dear State Bar of South Dakota Members:

As President-Elect, it is my privilege to fill vacancies on State Bar Standing and Special Committees for the 2022-2023 Association year. To assist our Appointments Committee with this important process, please complete the following survey to indicate your desire to ***join or retain*** your appointment to our State Bar Committees.

This survey also provides you the opportunity to join Sections of the Bar. State Bar Sections are self-governing and do not require presidential appointment but indicating your desire to join the Sections through this survey provides us with the information we need in order to add you to the Section's community on the State Bar website and notify Section leadership of your affiliation with the Section.

Requests for appointment should be made electronically, beginning on **March 1, 2022** at:

<https://www.surveymonkey.com/r/WCXLW7N>

Requests must be received by **April 15, 2022** for consideration. In addition to your request, we hope that you will encourage any other interested members to fill out the electronic application.

Thank you in advance for your assistance. Although there are a limited number of vacancies to fill, I will give each application thorough consideration. If you would like to discuss this process or application process, please feel free to contact Elizabeth Overmoe at (605) 929-5980, or elizabeth.overmoe@sdbar.net.

The Appointments Committee and I look forward to hearing from you and thank you for your assistance in this important process for our State Bar.

Sincerely,

Lisa K. Marso
President-Elect
State Bar of South Dakota



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Are Nonverbal Messages Worth Worrying About?

Mark Bassingthwaite, Esq



The number of times I've observed or heard about a problematic nonverbal interaction with a client, and to which the involved lawyer or staff member was completely oblivious, probably wouldn't surprise anyone. After all, who hasn't walked away from an occasional conversation knowing they haven't been heard, been treated in an unexpected negative way from time to time, or occasionally felt uncomfortable upon entering a room. It happens, and when it does an impression about the interaction is formed. That's a potential problem, particularly if the problematic interaction occurred with a potential new client, current client, or even a referral source. This leads me to ask if nonverbal messages are something worth worrying about. As I see it, you bet they are.

Perhaps a few examples are in order to demonstrate why. I remember visiting a lawyer whose staff literally took dozens of phone messages during our 90-minute meeting, many of which were repeat calls. His clients were calling in five or more times an hour hoping to get through. Staff shared this was commonplace because this lawyer would only get around to returning a call when doing so could no longer be avoided. In short, over time clients would start to figure out that the only way they could get their lawyer to respond was to be the one who became the biggest annoyance on any given day.

Another memorable situation occurred while I and a potential new client were sitting in the reception area of a small firm located in a rural community. The

subject lawyer had been practicing at this firm for years and thus had a number of long-term attorney/client relationships within the community. As a result, the lawyer had developed a certain camaraderie and casual way of interacting with these folks. While we were waiting, one of this lawyer's long-term clients walked into reception hoping to have a quick question answered. The lawyer happened to see the client enter and immediately walked right up to the client. After a warm "Hello!" and pat on the back he began discussing the established client's legal matter right in the middle of the reception area. The lawyer did this because he knew the established client wouldn't be concerned about discussing the issue in this public space. What was missed, however, was the extreme discomfort the potential new client was feeling by being allowed to overhear a discussion of someone else's legal issue.

A firm visit I will never forget involved experiencing the décor, and I use this term loosely, of a law firm that might be best described as old dusty attic storage. Signs, boxes, files, books, old furniture, you name it were strewn about throughout the firm. A walk down the hall to the conference room was like navigating an obstacle course. Clients were treated to this delightful experience every time they met with one of the firm's lawyers as this was the norm. From all appearances nothing had been cleaned or picked up in years.

In contrast, I once entered a firm's reception area where clients were present and found the space to be welcoming and well maintained. What wasn't was the

receptionist. This young woman was slovenly dressed, had her feet on the counter in front of her, and was reading a paperback while chewing away on a wad of gum. I kid you not. I was forced to announce myself in order to be noticed and it was abundantly clear that she was bothered about having to put the book down and do her job. The clients who had arrived ahead of me had received a similar welcome. Their polite smiles and head shaking as I took a seat made that perfectly clear.

Of course, these examples are but a few. Poorly written email, an outright dismissal of a client's thoughts or ideas, allowing for multiple interruptions during a client meeting, bills that provide limited to no information, and regularly allowing people to wait in reception for long periods of time are additional examples of nonverbal messages lawyers sometimes send that can all too easily result in a problematic interaction.

Here's the point I'm trying to make. It's worth taking a little time now and again to think about the nonverbal messages you are sending during your day-to-day interactions. Hopefully, more than a few will be positive messages, but if no thought is ever given to the messages that are being sent, some nonverbal messages may actually be saying something you never intended to say.

Think about it. When a client needs to be the one who screams the loudest in order to have a call returned the message is clear. Clients, as individuals, are not important. Unkempt office space and cluttered desks makes some naturally ask "If these lawyers can't keep their workplace organized, how in the world can they stay on top of my legal matter?" Lawyers who take shortcuts with their email by writing informally and not taking the time to proofread fail to appreciate that certain recipients may respond to the poorly written email by thinking "Wow, this guy isn't the sharpest tool in the shed." Other clients who happen to overhear another client's name or a discussion about someone

else's matter can't help but wonder what other clients might be hearing about them. In fact, my own initial response to the slovenly dressed receptionist was to conclude that her employer couldn't afford to hire anyone who would be competent as a receptionist or simply didn't care enough to spend the money.

Perhaps all of this is of little concern if every legal matter taken on resolves quickly, cheaply, and with the best possible outcome for every single client. Of course, that's the rub because we all know how often that happens. From a client's perspective, when things don't go quite as planned the mind's going to start to ask what's going on. It's not much of a stretch for some clients to conclude that a disheveled office, challenges in being acknowledged or affirmed, and/or experiencing unprofessional communication and behaviors as saying something about their lawyer's competency. I'm not saying they'll always literally think their lawyer is incompetent; it's more that they'll conclude their lawyer doesn't really care. If it helps, look at it as halfhearted lawyering. In the end, whatever the problem might end up being, it's going to be your fault and the entirety of their experience will simply confirm it.

Yes. It does take extra effort to keep offices clean, to enforce a rule concerning appropriate dress, to continue emphasizing the importance of confidentiality, and to insist upon courteous, civil, and professional behavior from everyone in the office at all times. Nevertheless, I strongly want to suggest that such efforts are worth it. What we're really talking about here is professionalism. A professional presentation, or lack thereof, does make an implied statement about your competence. Don't minimize the significance of the nonverbal messages being given to clients. As much as some might wish otherwise, nonverbal messages speak volumes and clients will often respond accordingly.



Authored by: Mark Bassingthwaighe, Risk Manager

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

In Memoriam



Cynthia C. Kirkeby
May 8, 1948 -
February 13, 2022

Cynthia Jo Carlsen Kirkeby died peacefully at home on February 13, 2022, while in the care of her son, Daniel, and her dear friend, Nancy Losacker. She kept her clear mind and her care for justice and her friends right up to her last gesture, showing in death the same gentle tenacity with which she had lived.

The second of three children born to Ernest and Bonnie (Brammer) Carlsen, Cindy was born in Vermillion, South Dakota, on May 8, 1948, and spent most of her childhood in Sioux Falls. She attended Washington High School, where she made many good friends and graduated in 1966. A group of five friends—Cindy, Susan, Mary, Ann, and Rosemary—remained close and gathered every two years for a reunion somewhere in the world. Cindy returned to Vermillion to attend the University of South Dakota where she majored in psychology and graduated Phi Beta Kappa in 1970. After college, she spent a year in Boston working with a psychology researcher at Harvard, discovering that mouse research was not for her.

Cindy returned to Vermillion and decided to go back to school for her Juris Doctorate and became an attorney. Her legal practice was divided into two parts. She did considerable legal work for her friends, frequently in exchange for artwork or other bartered trade. Also, she did a great deal of real estate law while working for her father who owned Land Title Guaranty Company in Sioux Falls. In her 40s, Cindy teamed up with her sister, Nancy Carlsen, to author the South Dakota Land Title Guide, the authoritative guide to property and land title law in the state. Throughout her life, Cindy frequently wrote spontaneous verse poetry in response to various events.

Cindy married Steven Kirkeby in 1972. Following her romantic dreams, the couple moved to an old house in the country, near Spink, where they lived for several years. They had two sons, Nathaniel and Daniel.

In the early 1980s, after separating from Steve, Cindy purchased a home in Vermillion. Cindy moved into a house on Prospect Street, thereafter, known as Prospect House, with her sister, Nancy Carlsen, and her friend, Nancy Losacker. The three women raised Daniel at Prospect House for six years in a sort of commune filled with joy and friends. Prospect House became a center of the community, hosting an annual New Year's Extravaganza, serving as a B&B for innumerable friends on their way through town, and as a second home for Molly Vagle, Jennifer Sky Alsgaard, and Li Hill. In 1991, Cindy purchased her second home on Willow Street in Vermillion where she resided for the rest of her life. In the early 2000s, she secured a little place on the Missouri, near Toad Island, which she shared with Nancy and Nancy, Terry Hill, Norma and Jerry Wilson, Harry and Grace Freeman, Tim Schreiner, and Ruth Hamill. The river place brought some of her favorite people together in her favorite place and was a source of persistent joy in her life.

During college, Cindy joined the counterculture that was blooming in Vermillion at the time – the beginning of a community that would become a center of her world, along with her family. She cultivated her home and garden and community as an extension of herself, delighting in the people and things she loved, and always seeking what she believed was best. She was a stalwart defender of the environment and worked always for justice to apply equally for the powerless as for the powerful. She was a deep believer in democratic government, and an active participant in local government. People opposing her were often surprised to discover that her extraordinary gentleness shrouded steely principles. Among so many causes, she was instrumental in the effort to prevent nuclear waste dumping in the Black Hills, to preserve the unchanneled section of the Missouri that passes by Vermillion, and to prevent the construction outside Vermillion of America's first new oil refinery in decades. Cindy was a founding member of the Living River Group and was dearly loved helping to organize the River Day celebration in Vermillion, where school children were encouraged to consider and explore the rivers that run through their backyard.

Cindy was a devoted friend to many in the community. She was a person who could be trusted with secrets and who would give the advice you knew would help but didn't really want to hear. She was honest and open,

never gossiped, and almost always observed the golden rule. She interpreted the words and actions of others in their best possible light. Cindy loved Vermillion with the whole of her being and always believed it was the best place in the world.

On Thanksgiving Day, 2008, after years of serious illness from smoking and an undiagnosed genetic condition, Cindy received a double-lung transplant at the Mayo Clinic. She was soon able to return to a full life and accepted the last 13 years of her life with the graciousness of someone who understood that these years were a gift. Because of her lung transplant, Cindy was able to travel to Portugal to attend her son's wedding to her "Daughter in Love," Renata. She was able to help raise her three grandchildren, Miro, Thales, and Arete. Twice, Miro spent a summer month alone with her, and









they developed a deep relationship. In Cindy's memory, please sign up today to be an organ donor.

Cindy was predeceased by her parents, Ernest and Bonnie Carlsen, by her sister, Nancy Carlsen, and by her son, Nathaniel, who died in infancy. She is survived by her son, Daniel Kirkeby, his wife, Renata Batista de Brito, and by her grandchildren, Miro, Thales, and Arete Kirkeby. She is survived by her brother, Chris Carlsen (Sandra), and Chris's two sons, Jensen (Amy) and Luke. She will be dearly missed by her family and friends.

A celebration of her life is planned for May 8th, 2022. Kober Funeral Home of Vermillion has been entrusted with the service. Condolences may be posted online to www.koberfuneralhome.com.

Our confidential resource and referrals are available at no cost to you. Services with referral sources are optional and fees may exist.

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Finding Time for Self-Care

by Mrg Simon

We've all heard the mantra of the importance of self-care: reduced stress, better focus, more intentionality, and all around better mental health. Great objectives. But real life – especially for lawyers – has many personal and professional demands to juggle – parenting, caring for elders, school activities, relationships, deadlines, depositions, discovery, client meetings, negotiations ... the list goes on. Time is a limited commodity and fitting in one more thing is something we lawyers avoid just to maintain our own sanity. How could I possibly find more time in my day when I'm stretched to the limit?

A major barrier to self-care is time and most have a hard time justifying doing something that seems self-indulgent. If you're having trouble finding time to be compassionate to yourself, it's time to listen up. Acknowledge that all the demands on your life – both work and personal – put your health at risk, run you down. You need to make time to take care of yourself.

How do you make time for one more thing? Try the four R's both at home and at work to find more time in your schedule:

1. Reduce – Do you really need to be the one to do that task? Or could you do it less frequently? Household paperwork every day or once a week? It's a big time-saver to figure out what your minimum standards are (for example) to maintain a clean house. Give it a try!
2. Remove – Can you eliminate items from your To Do list? Think of all the things you've given up during the pandemic. Many don't need to be in your routine ever again. Maybe you can eliminate a weekly trip to Target and go just once a month. That is found time!
3. Reassign – Are you really the only person in the house or office who can do this task? Spread around responsibilities and mentor new routines with younger lawyers or paralegals in your office.

4. Reschedule – Can you put off doing something until next week or next month? When someone asks you for a favor, simply ask them to respect your schedule, and calendar it when it works for you. I find that by waiting, the issue often resolves itself. No need to take up time in your schedule immediately if later will do, whether it's work or home responsibilities.

The 4 Rs help focus on the importance of everything you do at home and at work, and will eliminate the unimportant so you can make time to address your own self-care. Self-care doesn't have to take up an hour out of every day, it can be 15 minutes a day or a couple hours every month. If you could benefit from greater focus, fewer distractions, and less stress in your life, add self-care to your life. Whether it's daily meditation, an exercise routine, or organizing your office for productivity, there's a self-care practice to give yourself more compassion and relaxation. And investing time and effort in yourself will make you a more effective person and lawyer.

Mrg Simon is a South Dakota lawyer and Certified KonMari Consultant.

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ATTORNEYS - OATH OF ATTORNEY

I do solemnly swear, or affirm, that:

I will support the Constitution of the United States and the Constitution of the State of South Dakota;

I will maintain the respect due to courts of justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land;

I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law;

I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with a client's business except from that client or with the client's knowledge or approval;

I will abstain from all offensive personality, and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged;

I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any person's cause for lucre or malice.

SMALL BUSINESS REORGANIZATION ACT
Chapter 11, Subchapter V
(11 U.S.C. §1181-§1195)
Laura L. Kulm Ask – Debtor/Creditor Committee

On February 19, 2020, the Small Business Reorganization Act became effective allowing small business debtors to reorganize without going through the extensive chapter 11 process. The Act was aimed at simplifying the process for filing chapter 11 bankruptcies thereby making the process more cost effective for small business debtors.

To be eligible for a small business subchapter V filing, a debtor must meet the following requirements:

1. be a person or entity,
2. be engaged in commercial or business activities (other than a person or entity whose primary activity is the business of owning single asset real estate),
3. have total noncontingent, liquidated debt less than \$2,725,625.00 (presently set at \$7.5 million under the CARES Act but this will sunset on March 27, 2022, unless extended),
4. fifty percent or more of the debt must arise from commercial or business activities and not be owed to insiders or affiliates, and
5. debtor cannot be publicly traded, part of an affiliated debtor with debt greater than \$2,725,625.00, or an affiliate of an issuer as defined in the 1934 Securities Act.

If the debtor qualifies based upon the requirements stated above, he or she must elect a subchapter V by checking a box on the voluntary petition in order to file under this subchapter.

There are some major benefits to filing a subchapter V versus a traditional chapter 11. In a subchapter V, (1) there is no creditor committee (unless the Court orders for cause), (2) there is no disclosure statement required, (3) there is no absolute priority rule, (4) only the debtor may file a plan, (5) there is no exclusivity period on filing or obtaining acceptance of a plan, (6) a corporate debtor may get a discharge, and (7) a debtor does not pay quarterly fees to a trustee (but does pay fees to the standing trustee appointed in the case which usually occurs upon confirmation). An individual debtor may also cramdown a mortgage on their principal residence if the loan proceeds were used primarily in connection with the debtor's small business.

However, there are also aspects of a subchapter V that are less favorable than a traditional chapter 11. The main one being stricter timelines that the debtor needs to comply with and those that debtor's counsel needs to be aware of from the start. On the date of filing the voluntary petition in bankruptcy, the debtor must file small business case documents which consists of tax

returns, balance sheet, statement of operations, and cash flow statement. The United States trustee conducts an initial debtor interview (“IDI”) ten (10) days after the filing and holds the 341 meeting 21 days after filing. The debtor needs to file with the court, and serve on the trustee and parties in interest, a report that details the efforts debtor has undertaken and will undertake to attain a consensual plan within 46 days after filing. Within sixty (60) days after filing the petition the court will hold a status conference, and the debtor must file the plan within 90 days after filing bankruptcy. Therefore, it is a quicker paced bankruptcy with a number of early deadlines to comply with. However, once a plan is timely filed, the statutes do not prevent debtor from filing a modified plan(s).

Since this is a new subchapter of bankruptcy, it is evident that there will be new case law regarding its interpretation and implementation. The United States Bankruptcy Court, District of South Dakota, decided one important issue in relation to subchapter V bankruptcies – a start to defining “engaged in commercial or business activity.” As stated above, in order to qualify, a debtor need only be “engaged in commercial or business activity,” and not necessarily be functional or operational on the date of filing. Any business activity, even nominal, may still qualify. For instance, negotiating a lease for office space in a portion of the debtor’s business premises on the date of filing qualifies the debtor as being engaged in commercial or business activities. *U Stop Pump & Wash, LLC*, Bankr. No. 20-40448 (Bankr. D.S.D. February 11, 2021). Other courts have found the following examples may qualify as being engaged in commercial or business activities: maintaining active bank accounts; owning and handling accounts receivable; analyzing counterclaims in a lawsuit; managing remaining assets; winding down its business; and taking reasonable steps to value its assets and pay its creditors. Overall, the definition of “engaged in commercial or business activity” is growing and not yet fully determined.

Chapter 11, subchapter V bankruptcies have impacted the filings here in South Dakota. Since the effective date of this subchapter, there have been approximately seven (7) subchapter V bankruptcies filed in South Dakota, of which five (5) have been confirmed to date and the remaining two (2) are still pending. If the debt threshold increase is extended under the CARES Act or if it is permanently increased, then it is evident that there will be more of these cases filed – which appears to be beneficial for all parties involved.

YOU ARE INVITED TO JOIN!

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

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In Memoriam

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Career Center

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Associate Attorney – Aberdeen

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Chief Judge – Rosebud Sioux Tribe

The Rosebud Sioux Tribe's current Chief Judge, the Honorable Sherman J. Marshall, will be retiring on 6/1/22 which will create a vacancy in that position. We are seeking applicants interested in serving in this capacity to begin employment on 6/2/22 or as soon thereafter as possible. A summary of the duties, responsibilities and qualifications for the position are as follows:

DUTIES and RESPONSIBILITIES: The RST Chief Judge shall be responsible for the administration of all divisions of the Rosebud Sioux Tribal Court, including the Juvenile Court, which shall be administered by the juvenile Court Judge, under the supervision of the RST Chief Judge. The RST Chief Judge shall supervise all RST Associate Judges, Magistrate Judges, RST Civil Court Advocates, RST Court Services Officer, the RST Administrative Director, and Clerk of Courts. The RST Chief Judge will have final approval for the appointments of "Special" Prosecutors, Public Defenders, and Judges.

QUALIFICATIONS:

- Must have a Juris Doctorate Degree from an accredited Law School.
- Notwithstanding any other provisions in this Code to the contrary, no person is eligible to hold the position of Chief Judge of the Rosebud Sioux Tribe unless such person is an Attorney at Law and admitted to practice in the United States District Courts for the District for the District of South Dakota.
- Must be a member of, and in good standing with the American Bar Association, and not have any cases against him or her.
- Must be of high moral character and integrity.
- Must never ever been convicted of a felony for which he or she has not received a pardon.
- Must be not less than thirty (30) years of age.
- Must demonstrate competence in criminal and civil advocacy.
- This position is one where contact with the public is of great confidence.
- Must be physically capable of carrying out the duties as required.
- All RST Court Judges shall be selected by the RST Judiciary Committee, and recommended to the RST Council for approval. Appointments will be on probationary status for a period of one (1) year. During which time such appointments can be terminated by written notice from the RST Judiciary, or the RST Council. Following the successful one (1) year of probation status, the RST Chief Judge shall be appointed for a term of not less than four (4) years.

Please contact Cheryl Rogers, Director of Administration, at 605-747-2278 or email [Cheryl.rogers@rstjustice.org](mailto:rogers@rstjustice.org) for further information.

PUBLIC NOTICE
APPOINTMENT OF U.S. BANKRUPTCY JUDGE

The United States Court of Appeals for the Eighth Circuit seeks applications from highly qualified candidates for a fourteen-year appointment as United States Bankruptcy Judge for the District of South Dakota. The position is headquartered in Sioux Falls, South Dakota. The vacancy will occur upon the retirement of United States Bankruptcy Judge Charles L. Nail, Jr., effective January 16, 2023.

The basic jurisdiction of a United States Bankruptcy Judge is specified in Titles 11 and 28, United States Code, and amendments thereto. To be qualified for appointment, an applicant must:

- (1) Be a member in good standing of the bar of the highest court of at least one state, the District of Columbia, or the commonwealth of Puerto Rico, and a member in good standing of any other bar of which the applicant is a member;
- (2) Have been engaged in the active practice of law for a period of at least five years (some substitutes authorized);
- (3) Possess, and have a reputation for, integrity and good character; possess, and have demonstrated, a commitment to equal justice under the law; possess, and have demonstrated, outstanding legal ability and competence; be of sound mental and physical health sufficient to perform the essential duties of the office; and indicate by demeanor, character, and personality that the applicant would exhibit judicial temperament if appointed; and
- (4) Not be related by blood or marriage to a judge of the Eighth Circuit Court of Appeals, to a member of the Eighth Circuit Judicial Council, or to a judge of the district court to be served, within the degrees specified in 28 U.S.C. § 458, at the time of the initial appointment.

A Merit Selection Panel will review all applications and recommend to the United States Court of Appeals for the Eighth Circuit, in confidence, persons considered to be best qualified. Appointment is subject to a background investigation, and applicants may be required to submit additional disclosures in the course of the selection process. The current annual salary is \$205,528. Applicants shall be considered without regard to race, color, age (over 40), gender, religion, national origin, disability, or sexual orientation.

Application forms may be obtained on line from the Clerk of the U.S. District Court for South Dakota at <http://www.sdd.uscourts.gov/>, the U.S. Bankruptcy Court for South Dakota <http://www.sdb.uscourts.gov/>, and the Circuit Executive's Office in St. Louis, Missouri by e-mail at CE8employment@ca8.uscourts.gov or by phone 314-244-2600. Persons selected must comply with the financial disclosure requirements pursuant to the Ethics in Government Act of 1978, Pub. L. No. 95-521, 92 Stat. 1824 (1978) (codified as amended at 5 U.S.C. app. §§ 101-111). Applications should be submitted only by the applicant personally and should indicate the applicant's willingness to serve if selected. Applications should be submitted to Ms. Millie B. Adams, Circuit Executive, 111 South 10th Street, Suite 26.325, St. Louis, Missouri 63102-1116, and must be received by **not later than 4:00 pm (Central Time) Monday, March 21, 2022.**

Trust Officer – Sioux Falls

Due to growth, South Dakota Trust Company has a great opportunity for an experienced Trust Officer in the Sioux Falls Office.

About the position:

The Trust Officer position requires a legal degree, accounting degree, and/or have a minimum of five years of related or similar experience. Actual trust account administrative experience is also required. This position is responsible for the day to day administration of a wide variety of complex personal trust accounts and will work closely with the account advisors, family office managers as well as the individual clients. An understanding of estate planning, taxes and fiduciary law is preferred, as well as foreign trust experience.

The ideal candidate must be a self-starter, who can work independently at a high-level, and must be able to take initiative to ensure deadlines are met. Strong writing and verbal communication skills, time management, scheduling, organization and office skills, along with contributing to a team effort, are also necessary. Ability to multi-task is critical.

What we offer:

A competitive salary, our benefits package includes health, dental, and life insurance, retirement plan with company match, short term and long term disability, 11 paid holidays and generous paid vacation and sick time.

South Dakota Trust Company is an Equal Opportunity Employer.

For more information and to apply, visit <https://www.sdtrustco.com/careers/>.

Deputy/Senior Deputy Public Defender - Sioux Falls

GENERAL INFORMATION:

Interested in becoming part of an experienced litigation team that has a high capacity for trials and offers an expansive opportunity for courtroom practice? The Minnehaha County Public Defender's Office is seeking a compassionate Deputy Public Defender/Senior Deputy Public Defender with excellent advocacy skills who is committed to ensuring justice, humanity, and equality to indigent clients appearing in the criminal

and juvenile justice system. Our attorneys have multiple jury trials each year and daily courtroom appearances. Apply now to be considered for an opportunity with access to a vast document library to help you in your criminal defense career and to be surrounded by skilled criminal defense attorneys.

The Minnehaha County Public Defender's Office is a County department responsible for providing legal services to indigent persons in criminal and civil matters in which the law requires the appointment of counsel for any person who cannot afford to retain counsel. The office provides representation in criminal, delinquency, child welfare, mental health, as well as appeals and post-conviction cases related to those matters. We are dedicated to providing advocacy, community-oriented defense, and protecting fundamental constitutional and human rights. The Minnehaha County Public Defender's Office enjoys a reputation for ensuring that attorneys are provided support and skills training in their areas of expertise which includes memberships to the South Dakota and National Association of Criminal Defense Lawyers (SDACDL and NACDL) and National Association for Public Defense (NAPD), registration expenses for CLE's, and State Bar of South Dakota annual dues.

Please attach a cover letter to the online application.

The hiring range is \$2,960.00 - \$3,348.00/biweekly with full earning potential up to \$4,077.60/biweekly.

This posting will remain open until filled. Review of applications begins on Friday, February 25, 2022.

SALARY: \$2,960.00 - \$3,348.00 Biweekly

CLOSING DATE: Continuous

All applications must be submitted by 5:00 p.m. on the date the position closes.

EXAMPLES OF DUTIES INCLUDE:

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

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

MINIMUM QUALIFICATIONS:

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

PREFERRED QUALIFICATIONS:

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

Minnehaha County is an Equal Opportunity Employer and does not discriminate on the basis of race, color, creed, religion, national origin, citizenship, ancestry, gender, gender identity, sexual orientation, marital

status, pregnancy, age, disability, veteran's status, genetic information, or any other protected group in accordance with state and federal law. Arrangements for accommodations required by disabilities can be made by contacting Human Resources at (605) 367-4337.

APPLICATIONS MAY BE FILED ONLINE AT:
<http://jobs.minnehahacounty.org>

OUR OFFICE IS LOCATED AT:

415 N Dakota Avenue
Sioux Falls, SD 57104
605-367-4337
jobs@minnehahacounty.org

Job #22-18
DEPUTY/SENIOR DEPUTY PUBLIC DEFENDER
MB

Associate Attorney – Sturgis

Strain Morman Law Firm offers a complete general practice opportunity, and is seeking candidates for an associate staff attorney. The firm handles all types of civil and criminal matters, and covers many areas of non-litigation civil practice.

Qualifications:

Applicants must be licensed to practice law in South Dakota. The ideal candidate will possess excellent organizational, writing, and research skills, and be willing to work in most general practice areas with an emphasis on contracts, estate planning and trust, and probate areas. Opportunities for civil and criminal litigation are also available.

Salary: Competitive, depending on experience.

To Apply:

Interested applicants should send their cover letter, resume, and references to:
Strain Morman Law Firm
C/o Michael Strain
1134 Main Street
Sturgis, SD 57785

Or Email to:

mike@mormanlaw.com (All applications will be kept confidential)

ASSISTANT FEDERAL DEFENDER (APPELLATE/RESEARCH & WRITING) - Rapid City

The Federal Public Defender for the Districts of South Dakota and North Dakota is accepting applications for an Assistant Federal Defender in our Rapid City, South Dakota branch office. Our office provides high-quality representation to people charged with federal crimes who cannot afford to hire an attorney. We operate under the authority of the Criminal Justice Act, 18 U.S.C. § 3006A.

Position Description: The applicant primarily will be responsible for preparing briefs, motions, and petitions for rehearing or certiorari in the United States Court of Appeals for the Eighth Circuit and Supreme Court of the United States. The applicant will present oral arguments in the United States Court of Appeals and may handle post-conviction matters in the district court subject to the needs of the office. Additionally, this position provides research and writing assistance to other Assistant Defenders representing clients at the district court level. Attorneys in our office may not engage in the private practice of law.

Qualifications: Required: (1) graduation from an accredited law school; (2) admission to practice in good standing before the highest court of a state or the District of Columbia; (3) admission to practice to the state bar of South Dakota Bar within a year of beginning employment; and (4) US citizenship or work authorization.

Above all applicants should have a commitment to the representation of indigent accused. The job requires exceptional research and writing ability and a demonstrated ability to work collaboratively with other attorneys and to communicate effectively and collegially with clients, colleagues, and court and agency personnel.

Salary and Benefits: The salary range is commensurate with experience within a range of \$70,821-166,173. The position is full-time with federal benefits, including health and life insurance, retirement, and the Thrift Savings Plan. Salary is paid bi-weekly and only by direct deposit. A final offer of employment is subject to funding and a background check.

How to Apply: Apply by emailing a letter of interest, resume, three references, and a recent writing sample

in a single pdf document to SDX_JOBS@fd.org. Applications must be received by March 14, 2022.

The Federal Public Defender for the Districts of South Dakota and North Dakota is an Equal Opportunity Employer. Women and minorities encouraged to apply.
Email: SDX_JOBS@fd.org

Vacancy Announcement: February 14, 2022

Financial Institution Examiner – Sioux Falls or Pierre

Job ID: 18248

Agency: Department of Labor & Regulation - Division of Banking

Salary: \$47,500 annually

Pay Grade: GZ-H

Closing Date: Open Until Filled

This is a Full-Time 40 Hours Weekly position with the Department of Labor & Regulation. For more information on the Department of Labor & Regulation, please visit <http://dlr.sd.gov>. This position is exempt from the Civil Service Act.

The South Dakota Division of Banking regulates the state's banking, trust, and financial services industries to assure that our citizens have confidence in our state's financial markets and services. We are seeking an inquisitive individual with analytical and communication skills to join our team of professional Financial Institution Examiners in either Pierre or Sioux Falls.

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

As part of a team, you will: determine the financial condition of state-chartered banks, trust companies,

and licensed financial institutions; evaluate adequacy of financial institutions' internal control procedures; determine compliance with State and Federal statutes related to banking, trust, licensing, and consumer protection; evaluate loan and investment portfolios to determine quality and suitability; make recommendations on findings; investigate consumer complaints related to supervised financial institutions.

Bachelor's Degree required. The ideal candidate will have a bachelor's degree in banking, finance, accounting, or a related field with an advanced degree preferred. Professional experience that leads to mastery of the following knowledge and abilities will be considered.

Knowledge of accounting and auditing principles and procedures; the organization of banks and other financial institutions; banking work environments; fiduciary principles; • consumer protection statutes and regulations; Microsoft Office products and management information systems.

Skill to communicate concisely and effectively with co-workers, financial institution staff and officials, and examiners from other agencies; gather, interpret, report, and use financial information; understand and interpret federal and state banking regulations.

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

VETERANS' PREFERENCE ELIGIBLE

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

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

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

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

Deputy State's Attorney - Yankton

Department: Yankton County State's Attorney

Reports to: Yankton County State's Attorney

FLSA Status: Exempt

Grade: 13

Probationary Period: 180 days

Position Description

•The Deputy State's Attorney performs routine legal work in the prosecution of civil and criminal crimes, juvenile crimes, and juvenile abuse and neglect cases in Yankton County as well as representing the State in mental illness proceedings.

Key Responsibilities (may not include all of the functions performed)

- Reviewing offenses and evidence to make determination on charges and prosecuting violations of state law.
- Reviewing requests for subpoenas, petitions and other legal documents.
- Advising county offices and commissions on legal issues.
- Attending legal proceedings.

Supervisory Responsibilities

- Supervise support staff and interns.
- Represent the State's Attorney Office at public, private, and inter-governmental programs and events.
- Train and educate volunteers, law enforcement, and social workers on their roles and duties on legal issues and the court process duties.

Qualifications

Required Knowledge, Skills and Abilities

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

Education

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

Experience

- 0-1 year

Other Requirements

- Ability to draft and use computer programs

Interested applicants can send a cover letter and resume to Rob Klimisch at rob@co.yankton.sd.us or Yankton County State's Attorney 410 Walnut #100 Yankton, SD 57078.

Child Support Referee - 5th Judicial Circuit

Position Description: This position is that of an independent contractor with the Unified Judicial System as a child support referee. The qualifications and duties of the referees are generally described in South Dakota Codified Law including SDCL 25-7A-6 and 25-7A-22. Candidates for appointment as child support referees are recommended to the Supreme Court for appointment by the State Court Administrator. The referee will primarily serve the 5th Judicial Circuit; however, cases could sometimes be assigned from other circuits state-wide. After approval by the Supreme Court, a contract will be entered between the referee and the UJS. Currently, the flat-fee compensation for work as a child support referee is \$275 per case, as long as the contract requirements are met. The referee must provide their own equipment, schedule their own hearings and draft the necessary documents. Space may be provided, if necessary, in the local Courthouse.

All candidates for the child support referee position should possess the following criteria:

- Be a licensed attorney in the State of South Dakota & is a member in good standing of the State Bar Association;
- Be familiar with family law and the child support referee process;
- Be organized in scheduling hearings and managing

the associated paperwork;

- Able to efficiently manage time & priorities;
- Facilitate and maintain good working relationships with a wide variety of sources including the public, clerks, Judges, and DSS;
- Able to remain neutral and objective while assisting the public with the child support referee process;
- Able to manage stress and work with difficult people;
- Communicate effectively via telephone and e-mail;
- Be detail oriented;
- Able to meet strict deadlines;
- Able to maintain a professional demeanor at all times;
- Able to comply with the requirements of UJS.

A letter of interest as well as a complete resume may be submitted to the following address:

Greg Sattizahn
State Court Administrators Office
500 E. Capitol Avenue
Pierre, SD 57501
Greg.Sattizahn@ujs.state.sd.us

The candidate recommended for approval to the Supreme Court will be subject to a background check.

Law Clerks for 2023-2024

The South Dakota Supreme Court and seven Circuit Courts are recruiting for 2023-2024 Law Clerk applicants. If you are aware of any law students either in-state or out-of-state that may be interested in a one-year law clerk opening, please have them view the law clerk announcements on line at <https://ujs.sd.gov/Careers/WorkForUs.aspx>. There are currently law clerk openings in various locations such as Pierre, Sioux Falls, Mitchell, Yankton, Aberdeen, Brookings, Deadwood or Rapid City. The deadline to apply for the clerkships is July 8, 2022. This is a great opportunity to work for the South Dakota Supreme Court or South Dakota Circuit Courts. If you have any questions, please contact the Unified Judicial System Human Resources office at 605-773-4867.

Staff Attorney - Pierre

Division of Insurance, Department of Labor and Regulation

Job ID: 18306

Location: Pierre

Salary: \$67,943 to 75,502 DOE

Closing Date: Open Until Filled

This position is exempt from the Civil Service Act. This is a full-time position with the Division of Insurance, part of the Department of Labor and Regulation. For more information on the Division of Insurance, please visit <https://dlr.sd.gov/insurance>.

Why the Division of Insurance?

At the Division of Insurance, our mission is to protect the public by providing assistance, fair regulation, and promoting a health, competitive market and we do so in team focused work environment. The team works hard together to protect the citizens of South Dakota when navigating the insurance and securities markets. Insurance companies, bail bondspersons, investment advisors, complex business transactions, federal/state conflicts, healthcare, auto claims... these are a few of the broad subject areas our team handles on a daily basis. Our collaborative efforts drive professional customer service and contribute to a favorable regulatory climate for business. These fields are evolving rapidly as technology reshapes our world. Along the way you'll gain valuable experiences like:

- prosecution of insurance and securities violations.
- legal review of multimillion and multibillion dollar insurance company mergers and acquisitions.
- consumer complaint support to directly assist claim recovery for citizens.
- professional growth through new challenges and valuable trainings.
- collaboration with other states and national companies, including multistate examinations.
- balance and flexibility for your personal life.

What you will do:

- represent the Division before the Office of Hearing Examiners and state and federal courts.
- prosecute investigation files, prep witnesses, perform discovery, prepare briefs, etc.
- provide legal services and support to all areas of the Division.
- assist in drafting administrative rules and proposed legislation.

- provide legal and policy advice to management and staff in a positive mentoring environment.
- collaborate with other State agencies and departments.

Who we want:

- an attorney interested in practicing within a broad range of legal subjects within the vast fields of insurance and securities law.
- a highly motivated attorney with a passion for service and desire to make a difference.
- a dedicated civil servant who will represent the Division with strong leadership skills and legal advice on a wide range of highly visible and sensitive issues.

What you need:

- graduate from an accredited law school and member of the South Dakota Bar Association.
- experience in government practice or in-house legal department is preferred.
- experience in an administrative law setting as well as state and federal court is a plus.
- excellent communication skills and legal drafting are required.
- ability to analyze complex technical issues, facts, and precedent to provide sound advice.
- ability to develop and maintain strong relationships with diverse groups.
- equally as important will be a strong work ethic and interpersonal skills, discretion, confidentiality, and a positive approach.

If you enjoy a fast-paced career in a continually evolving field with a great team by your side, apply. You must apply online at <https://sodakprod-lm01.cloud.infor.com:1443/lmg/hr/xmlhttp/shorturl.do?key=GS8>. Required documents: resume, cover letter, and writing sample. A license to practice law in the South Dakota is desired. Knowledge of insurance and securities law is a plus.

VETERANS' PREFERENCE ELIGIBLE

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

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

Executive Director - Sioux Falls

East River Legal Services (ERLS) in Sioux Falls, SD seeks a dynamic and experienced leader with a passion for providing excellent and effective civil legal aid to low-income citizens. ERLS serves a thirty-three (33) county area in eastern South Dakota including Aberdeen, Watertown, Mitchell and Yankton. A present service priority is emergency housing cases west of the Missouri River. We provide a full array of free civil legal services, focusing on domestic relations and housing, in an effort to address critical civil legal needs related to our clients' safety, stability, and health. For more information please visit our website: <https://erlservices.org/>

The Executive Director will bring leadership, passion, vision, and significant legal and administrative experience to implement innovative strategies to meet changing legal needs of our clients and to expand funding sources. The Executive Director oversees a staff of twenty-two (22) and a program budget of over \$2 million. They are responsible for program operations, development, grant management, strategic planning, and administration of the program's activities in furtherance of its mission. The Executive Director is appointed by, and reports to, the ERLS Board of Directors.

Job Duties:

- Top-level administration of ERLS and management of operations, staff and facility.
- Serves as the liaison to the ERLS Board of Directors, keeps the Board apprised of all aspects of the organization's work, and develops the knowledge needed for effective stewardship of ERLS.
- Serves as the public face of ERLS in all media and settings, and provides leadership in local, state, and national civil legal aid forums. They will also participate in administrative and private forums, and additionally engage with the local courts, community leaders, and the private bar.
- Increases and diversifies financial support through private fundraising initiatives. Raises funds to support the work of the agency in concert with development

management staff. Cultivates private donors, engages corporate sponsors, and pursues new grants.

- Envisions success for the agency, developing policies and protocols to support program services that advance the mission of the agency.
- Conducts oversight of the Legal Services Corporation (LSC) grant, ensuring that all reporting requirements are met, and the agency conforms its practices and services to the regulations set forth by Congress.
- Leads and promotes collaboration with other civil legal services providers and human services organizations throughout the state and region. Thinks creatively about gaps in civil legal services and works with our talented staff to close those gaps.
- Oversees the creation and amendment of budgets as needed, with consideration of cost containment where appropriate.
- Assures fiscal integrity of the program.
- Works with the Board and the Audit and Finance Committee to conduct financial planning and to implement financial strategies.
- Mentors and builds other leaders within the organization; actively promotes supervisorial training, improved communication, and the development of skills to address personnel and resource allocation issues.
- Deploys technological innovations that enable staff to work effectively and enable the public to access legal services.
- Commands the respect of members of the bar, the judiciary, and others in positions of authority or influence in the community.

Requirements:

1. A demonstrable commitment to and understanding of the critical legal needs of low-income individuals.
2. A J.D. and be admitted to the South Dakota bar or the ability to obtain admission within one year.
3. A minimum of five (5) years of experience in the practice of law.
4. Five (5) years of management experience involving staff supervision, financial oversight and reporting, budget development, and compliance with grant and contract requirements.
5. Three years, or equivalent experience, with fiscal oversight of a program, law firm, company, or government entity.
6. Computer skills, including legal management systems like Legal Server.
7. Familiarity with Legal Services Corporation

regulations is preferable.

8. Enthusiasm for and investment in culturally diverse environments.

9. Proven ability to work collaboratively with the community, funders, partner organizations, volunteers, Board Members, and other stakeholders.

10. Demonstrated success in resource development, including private fundraising and grant writing.

11. Prior experience working with a Board of Directors in a non-profit or legal services environment, or equivalent experience, is preferable.

12. Demonstrated commitment to public service, embracing the skills of a servant leader, modeling the attributes necessary to inspire and lead staff and management team.

13. Demonstrates impeccable character and engenders respect in the community, bringing good relationship skills to ERLS.

To Apply:

Applications will be accepted until the position is filled.

To receive full consideration, however, candidates are urged to submit their applications by Monday, February 14, 2022, at 5:00 p.m. CST. Interested candidates should submit a cover letter expressing, in detail, why they are interested in the position, as well as what they believe they can contribute to the future of the program and its client community. The letter should be accompanied by a current resume and the names and contact information of three professional references. All applicants will be required to allow access to any available state bar association information. Please address applications to ERLSED@woodsfuller.com.

East River Legal Services is an Equal Opportunity Employer. Persons of color, veterans, persons with disabilities, and persons from other traditionally underrepresented communities are strongly encouraged to apply.

Corporate Counsel - Sioux Falls

At SAB Biotherapeutics (NASDAQ: SABS), we're using the sophistication of science and genius of nature to change the landscape of human health. SAB Biotherapeutics is a clinical-stage biopharmaceutical company dedicated to advancing a new class of immunotherapies through advanced genetic engineering and antibody science. The Corporate Counsel will work across multiple cross-functional

teams providing legal consultation and direction on contracts, clinical trial agreements, intellectual property, real estate, insurance, corporate governance, and other in-house legal requirements. The Corporate Counsel will work with both internal and external stakeholders to drive the evolution and development of SAB Biotherapeutics' legal needs.

Responsibilities include, but are not limited to:

- Draft, review, negotiate, and manage the execution of a broad array of contracts, including confidentiality agreements, agreements with suppliers and other vendors, services agreements, consulting agreements, lease agreements, collaboration agreements, clinical and other study agreements, and other contracts.
- Collaborate with internal business units and cross-functional teams to identify, address, and communicate risks and to understand relevant business objectives.
- Assist in the development and implementation of policies and procedures regarding contracts and related matters.
- Assist in development and maintenance of intellectual property portfolio.
- Develop and maintain standard contract forms and templates.
- Perform and facilitate transaction due diligence and legal research.
- Design and deliver compliance programs and training to employees.
- Assist with SEC reporting and regulations and other corporate governance requirements as requested.
- Oversee outside counsel as necessary.
- Assist in oversight of Contracts Manager and Paralegal functions.

Supervisory Responsibilities: This position may require supervision of other employees.

Qualifications:

- Must have law firm experience or a combination of law firm and in-house corporate legal experience.
- Must have desire to learn and become proficient in the legal and regulatory environment applicable to a life sciences company.
- Must be highly organized, detail oriented, and able to manage a high level of data for accuracy.
- Must have experience in contract management systems and processes.
- Must have strong oral and written communication skills.
- Must be able to take initiative, be accountable,

demonstrate good judgment, collaborate, and be a pragmatic problem solver.

- Proven ability to manage and deliver on cross-functional projects.
- Must be proficient in Microsoft Office software (Word, Excel, PowerPoint, and Outlook) and Adobe Acrobat.

Education, Experience and Certifications:

- J.D. from accredited U.S. law school; licensed to practice law in South Dakota.
- 3+ years of relevant legal experience in law firm setting or combination of law firm and in-house corporate setting.

To Apply:

Please visit the SAB Biotherapeutics job feed on indeed.com.

Paralegal - Sioux Falls

At SAB Biotherapeutics (NASDAQ: SABS), we're using the sophistication of science and genius of nature to change the landscape of human health. SAB Biotherapeutics is a clinical-stage biopharmaceutical company dedicated to advancing a new class of immunotherapies through advanced genetic engineering and antibody science. The Paralegal is responsible for supporting all legal activities at SAB Biotherapeutics, working under the direction and supervision of in-house counsel.

Responsibilities include, but are not limited to:

- Assist legal team as necessary with the review and drafting of contracts, legal forms, and memos.
- Review and draft various contracts and non-material agreements, including amendments and non-disclosure agreements under the supervision of in-house counsel.
- Act as liaison between internal business partners, in-house counsel, and outside counsel.
- Support the legal team and provide exceptional legal services to internal business units by responding to routine matters and questions in a timely manner.
- Monitor and track contracts, intellectual property filing deadlines, and maintain schedule of ongoing legal activities.
- Schedule and participate in video and teleconferences.
- Prepare vendor notice letters.
- Review and analyze contract files.
- Conduct legal research.
- Provide administrative support and prepare legal correspondence or other documents as needed.

Qualifications:

- Must be highly organized, detail oriented, and able to manage a high level of data for accuracy.
- Must have experience in law firm or in-house legal department setting.
- Must have strong oral and written communication skills.
- Must be able to take initiative, be accountable, demonstrate good judgment, collaborate, and be a pragmatic problem solver.
- Proven ability to manage and deliver on cross-functional projects.
- Must be proficient in Microsoft Office software (Word, Excel, PowerPoint, and Outlook) and Adobe Acrobat.

Education, Experience and Certifications:

- Bachelor's degree, paralegal certification, or equivalent and related experience.
- 3+ years of related experience in law firm or in-house legal department.

To Apply:

Please visit the SAB Biotherapeutics job feed on indeed.com.

Contracts Manager - Sioux Falls

At SAB Biotherapeutics (NASDAQ: SABS), we're using the sophistication of science and genius of nature to change the landscape of human health. SAB Biotherapeutics is a clinical-stage biopharmaceutical company dedicated to advancing a new class of immunotherapies through advanced genetic engineering and antibody science. The Contracts Manager is responsible for supporting all aspects of contracting activities at SAB Biotherapeutics. This position will also draft, review, negotiate, and finalize standard contracts and contract amendments in consultation with members of the legal team.

Responsibilities include, but are not limited to:

- Serve as point of contact for internal and external contract process/status questions.
- Support all aspects of contracting activities at SAB Biotherapeutics.
- Serve as contracts administrator for the company's system of record.
- Provide support cross-functionality and within the Legal Department.
- Develop and maintain department training materials for business continuity and end user support.

- Utilize and assist in maintaining and updating company contract templates.
 - Work in collaboration with cross-functional teams and external contract vendors to ensure timely contract renewals.
 - Identify contract process issues, propose solutions, and implement process improvements.
 - Support IP, supply chain, real estate, compliance, and employment law functions on project tasks from time to time.
 - In consultation with members of the Legal Department, draft, review, negotiate, and finalize contracts and amendments as requested.
- Supervisory Responsibilities: This position may require supervision of other employees.

Qualifications:

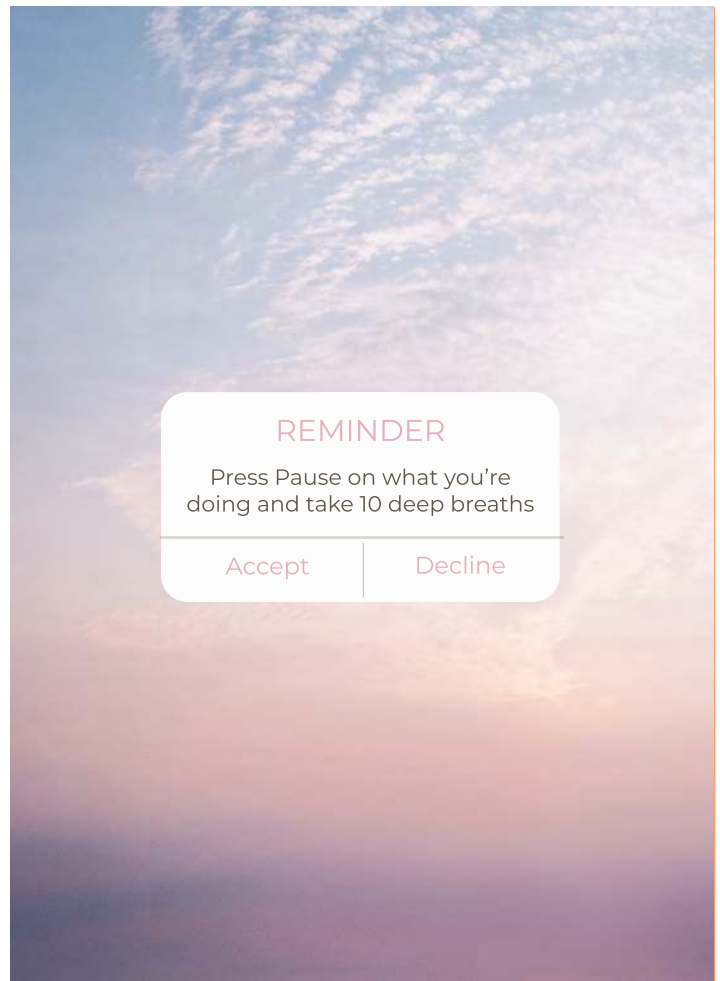
- Must be highly organized, detail oriented, and able to manage a high level of data for accuracy.
- Must have experience in contract management systems and processes.
- Must have strong oral and written communication skills.
- Must be able to take initiative, be accountable, demonstrate good judgment, collaborate, and be a pragmatic problem solver
- Proven ability to manage and deliver on cross-functional projects
- Must be proficient in Microsoft Office software (Word, Excel, PowerPoint, and Outlook) and Adobe Acrobat.

Education, Experience and Certifications:

- Bachelor's degree or equivalent and related experience.
- 3+ years of related experience in contract administration.

To Apply:

Please visit the SAB Biotherapeutics job feed on [indeed.com](https://www.indeed.com).



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UPCOMING EVENTS

March 16 | Bar Commission Meeting | Teleconference

March 17 | Law for Lunch - Online Cyber Risks | Zoom

March 24, 2pm | Public Servant Spotlight Featuring Bob Riter | Zoom

April 1 | YLS Bootcamp | Lumber Exchange Building, Sioux Falls

April 1 | YLS Bootcamp | Pennington County EOC Room, Rapid City

April 22 | Bar Commission Meeting | Deadwood

April 28, 2 pm | Public Servant Spotlight Featuring Judge Nail | Zoom

May 6 | Criminal Law AM & Family Law PM CLE's | Ramkota, Rapid City

May 18 | Bar Commission Meeting | Teleconference

June 2 - 4 | Jackrabbit Bar | SpringHill Suites, Deadwood

June 22 - 24 | Annual Meeting & Convention | Ramkota, Rapid City