



South Dakota Defense Lawyers Association Newsletter



President's Message

DOUGLAS ABRAHAM

As I write this message, I want to strongly encourage the members of this organization to consider engaging and participating on one of the South Dakota Defense Lawyers Association's committees. Please feel free to reach out to me or one of the Executive Committee members about participation in a committee. Currently, there are seven association committees. The SDDLA Board of Directors certainly encourage participation on any committee that you feel comfortable engaging in. Notably, those committees are the Publication Committee, Membership Committee, Law School Committee, Young Lawyers Committee, Women in Law Committee, Diversity Equity and Inclusion Committee, and Awards Committee. To insure the continued success of this organization, we do need member engagement and an important aspect of engagement is participation on the existing committees.

In light of the aforementioned, I do want to highlight the excellent work completed by our Law School Committee members led by Tyler Haigh. Each year the Law School Committee schedules various activities at the law school and coordinates speakers and social events for opportunities to engage with law students. The Law School Committee also partners with the State Bar Project Role Practice Committee to host a supreme court reception in Vermillion each year.

Inside this issue:

PRESIDENT'S MESSAGE
PAGE 1-2

SAVE THE DATE FOR THE ANNUAL SEMINAR
PAGE 2

LEGISLATIVE UPDATE
PAGE 3

MEET THE NEW EXECUTIVE TEAM
PAGE 4

MESSAGE FROM DRI STATE REPRESENTATIVE TRACYE SHERRILL
PAGE 5

Last, I would encourage you to take advantage of what I see as one of the largest benefits of this organization. We do have a list of services/service for members of the South Dakota Defense Lawyers Association to seek out prior testimony of witnesses and experts, seek experts' referrals, and distribute information to other members of the Association. You can do that by copying a member of the Executive Committee which is myself, Zach Peterson, and Nathan Chicoine, and member of our Executive Director Team, Jasper Diegel or Katie Sieverding with Lancaster Management. We will insure that the submissions are distributed to the organization membership quickly and any confidential submissions are routed directly to you. If you would like the requests to be posted confidentially, we can also accommodate that as well. Thank you for your continued support and membership in our Association.

Save the date

Annual Seminar

November 2-3

The Lodge at Deadwood

More information and registration details coming soon!

Legislative Update

DOUGLAS ABRAHAM

The South Dakota legislative session wound up with its veto day on March 27, 2023. There were a number of interesting bills that had the potential to impact our profession. This article is not meant to be an all-encompassing legislative review but will highlight a few of those pieces of legislation.

First, I want to start with the most publicized bill of the session impacting our profession in HB1193. HB1193 was the update to the Uniform Commercial Code. HB1193 did not see much for opposition as it made its way through the House of Representatives, but a few members of the more far-right portion of the House caucus sought to upend the legislation in the Senate. Fortunately, a couple of attorney Senators insured that the bill passed the Senate. Senators Schoenbeck and Wheeler were instrumental in insuring that the UCC bill passed the Senate. Unfortunately, the bill was eventually vetoed by the Governor under claims that it was rushed and would create issues for cryptocurrency. Interestingly enough, I think a fair reading of the update to the UCC actually provides the means for utilizing cryptocurrency as a security that does not currently exist today. Additionally, the UCC update was a product of the Uniform Laws Commission whose history in promulgating legislation has come at a snail's pace than anything most bystanders would view as rushed. But, nonetheless, the bill was vetoed, and the veto was not overridden. I expect to see more on the UCC next session.

There were some additional bills that sought to impact some basic ways that we do business on a daily basis. HB1040 sought to reduce the statute of limitations for general negligence claims to one year from its current three. The bill was withdrawn by the sponsor after it did not find much support within the insurance industry and from opposition from another of our attorney colleagues, Mike Stevens, in the House. There was also legislation to increase mandatory minimums for auto liability coverage. It was poorly drafted and only would have increased mandatory minimums for self-insureds under our existing financial responsibility provisions.

A work comp bill targeting nurse case managers was quickly killed by the insurance lobby. There has also been an uptick in anti-esg legislation. HB1207 would have banned utilizing a number of factors in insurance underwriting and by financial institutions. It would have created a situation where underwriting was extremely limited and banking and financial services industries would have been hobbled by an inability to effectively risk rate loans. Luckily HB1207 was killed in its first committee hearing. If you have any questions concerning any of the legislation listed in this update, I would certainly be happy to discuss further with you on a one on one basis or you could also reach out to the other lobbyist members of our Board of Directors, Justin Smith and Cody Kyriss.

Meet the New Executive Team

JASPER DIEGEL & KATIE SIEVERDING

Jasper Diegel and Katie Sieverding own Lancaster Management Group (LMG), an association and advocacy management firm based in Pierre. They have been in business since 2018.

Jasper is a graduate of the University of South Dakota with a degree in Public Relations and Advertising. Prior to LMG, she worked at the South Dakota Chamber of Commerce and Industry for nine years. Jasper and her husband, Trevor, have two daughters, Rhea and Bryn. They love golfing, camping, fishing, playing games and traveling as a family. Jasper also teaches dance part time. Jasper brings years of experience of association management, where she gained exposure in membership sales, large scale event planning, lobbying, program management, budgeting and accounting.

Katie Sieverding is a graduate of South Dakota State University with a bachelors in Biochemistry and has her Masters of Forensic Toxicology from the University of Florida. Prior to LMG, Katie worked in Government Relations for the South Dakota Retailers Association and was a Forensic Chemist for the South Dakota Department of Health. Katie and her husband, Justin, enjoy fishing, boating and golfing. Katie has experience in lobbying and other government relations efforts, coordinating fundraiser and membership events, budgeting and accounting and website design and maintenance.

Don't hesitate to contact them with any questions at:

jasper@lancastermanagementgroup.com

katie@lancastermanagementgroup.com

Jasper & Katie are both excited to be working with SDDLA!



JASPER DIEGEL



KATIE SIEVERDING

Message from DRI State Representative

TRACYE SHERRILL

To all of you reading the SDDLA Newsletter, I hope you and your practice are doing well. I serve as DRI's State Rep for South Dakota. I am reaching out to encourage you to consider joining DRI. DRI is the leading organization of civil defense attorneys and in-house counsel. One of the best reasons to stay engaged is the connections made through in-person seminars. DRI has returned to in-person programming, including the 2023 Annual Meeting which takes place in San Antonio. They also have a full slate of programming all throughout the year!

Belonging to DRI has been one of the best investments I have made both professionally – and personally. If you are a current member of SDDLA or are considering membership, I would encourage you to also consider joining DRI during our Free Membership program (the details are below). You can join online, or by calling DRI Customer Service at 312.795.1101, or simply by contacting me at 605.336.2565.

DRI is pleased to announce that we will once again be offering SDDLA Free Membership offer, in 2023. The program will run from June 15, 2023, through September 30, 2023.

With this program, SDDLA members can join DRI for the first time at no cost for the first year. The program will apply to former DRI members who haven't had a DRI membership within the last 5 years. DRI would love to have 100% of SDDLA members choose to participate in this program as it's a win for both organizations.

WHY DRI? DRI is the largest association of civil defense attorneys and in-house counsel, connecting members regionally and nationally. DRI enhances the skills and promote the success of the civil defense bar through innovative programming, a vibrant membership community, and advocacy on behalf of the legal profession. DRI is focused on business development and networking opportunities for more than 16,000 like-minded practitioners and industry representatives. DRI members come from diverse backgrounds and practice areas, working in firms of all sizes as both in-house counsel and claims professionals.

For more than 50 years, DRI has been the recognized leader in providing the contacts, tools, resources, and education needed to be successful in an ever-changing and competitive legal environment. The benefits of DRI membership are countless and evolving.

