



South Dakota Paralegal Association, Inc.

Founded in 1989

SDParalegals.com

2025

MEMBERSHIP APPLICATION

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Name: _____ Credential: _____

(if any, ie. CP, ACP, PP, PLS)

Employer: _____

(or educational institution if applying for student membership)

Office Address: _____

City, State, ZIP: _____

Office Phone: _____

Home Address: _____

City, State, ZIP: _____

Home/Cell Phone: _____

Email: _____

Preferred Mailing Address: ☐ Employer ☐ Home

Member Q&A Email ListServ: ☐ Opt-In ☐ Opt-Out

Definitions of a Legal Assistant / Paralegal

<u>STATE BAR OF SOUTH DAKOTA</u> Source: SDCL 16-18-34	<u>AMERICAN BAR ASSOCIATION (ABA)</u> Source: ABA Model Guidelines for Utilization of Paralegal Services (definition as amended in 1997)
Legal assistants (also known as paralegals) are a distinguishable group of persons who assist licensed attorneys in the delivery of legal services. Through formal education, training, and experience, legal assistants have knowledge and expertise regarding the legal system, substantive and procedural law, the ethical considerations of the legal profession, and the Rules of Professional Conduct as stated in chapter 16-18, which qualify them to do work of a legal nature under the employment and direct supervision of a licensed attorney. This rule shall apply to all unlicensed persons employed by a licensed attorney who are represented to the public or clients as possessing training or education which qualifies them to assist in the handling of legal matters or document preparation for the client.	A legal assistant or paralegal is a person qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, governmental agency or other entity who performs specifically delegated substantive legal work for which a lawyer is responsible.



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Minimum Qualifications

Source: [SDCL 16-18-34.1](#)

Any person employed by a licensed attorney as a legal assistant must meet the minimum qualifications of:

- (1) Successful completion of the Certified Legal Assistant (CLA) examination of the National Association of Legal Assistants, Inc.; or
- (2) Graduation from an ABA approved program of study for legal assistants; or
- (3) Graduation from a course of study for legal assistants which is institutionally accredited but not ABA approved, and which requires not less than the equivalent of sixty semester hours of classroom study; or
- (4) Graduation from a course of study for legal assistants, other than those set forth in (2) and (3) above, plus not less than six months of in-house training as a legal assistant; or
- (5) A baccalaureate degree in any field, plus not less than six months in-house training as a legal assistant; or
- (6) A minimum of three years of law-related experience under the supervision of a licensed attorney, including at least six months of in-house training as a legal assistant; or
- (7) Two years of in-house training as a legal assistant.

Provided, further, that any legal assistant hereunder shall have a high school diploma or general equivalency diploma (GED).

For purposes of these standards, "in-house training as a legal assistant" means legal education of the employee by a licensed attorney concerning legal assistant duties and these guidelines. In addition to review and analysis of assignments, the legal assistant should receive a reasonable amount of instruction directly related to the duties and obligations of the legal assistant and the Rules of Professional Conduct as stated in this chapter.

Certain individuals disqualified

Source: [SDCL 16-18-34.4](#)

The following persons shall not serve as a legal assistant in the State of South Dakota except upon application to and approval of the Supreme Court:

- (1) Any person convicted of a felony;
- (2) Any person disbarred or suspended from the practice of law in any jurisdiction;
- (3) Any person placed on medical inactive status under § 16-19-48 or 16-19-92;
- (4) Any person placed on temporary suspension from the practice of law under § 16-19-35.1.



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Application by disqualified persons--Requirements--Hearing--Burden of proof

Source: [SDCL 16-18-34.5](#)

The application by a person disqualified under § [16-18-34.4](#) must establish the applicant's good moral character, competency, education, training, or experience in the legal system, substantive and procedural law, and the Rules of Professional Conduct, and the ability to comply with the ethical considerations of § [16-18-34.3](#).

The applicant shall have the burden of demonstrating by clear and convincing evidence that the applicant has the moral and ethical qualifications, competency and learning in law required to act as a legal assistant in this state and that acting as a legal assistant within the state will not be detrimental to the integrity and standing of the bar or the administration of justice, or subversive of the public interest.

The Supreme Court may act upon the application or, where no recommendations have been made under § [16-18-34.7](#), refer the application to the Disciplinary Board if the applicant was an attorney or to a circuit judge for testimony, findings, and recommendations. The cost of such hearing will be paid as provided by § [16-19-70.1](#).

The Supreme Court may deny the application if it finds approval would be detrimental to the integrity and standing of the bar or the administration of justice or subversive of the public interest. If the applicant has met the burden of proof, the Supreme Court may grant the application and impose such restrictions or conditions upon the employment and supervision of legal assistants as the court deems appropriate for the protection of the public.

Revocation of order for disqualified persons--Hearing--Burden of proof

Source: [SDCL 16-18-34.6](#)

The order granting approval for a disqualified person to act as a legal assistant may be revoked by the Supreme Court upon violation of the conditions set by the court, violation of the requirements of §§ [16-18-34](#) to [16-18-34.5](#), inclusive, or the termination of employment with the supervising attorney without an approved replacement supervising attorney. The Supreme Court may act to revoke the order upon its own motion, or upon a complaint, may refer the complaint to the Disciplinary Board or a circuit judge for testimony, findings, and recommendations. The cost of such hearing will be paid as provided by § [16-19-70.1](#).



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MEMBERSHIP CLASSIFICATIONS

1. Active Member.

An individual who meets at least one of the following requirements, has a high school diploma or general equivalency diploma, has not been convicted of a felony, has not been disbarred or suspended from the practice of law, or has not been placed on temporary suspension from the practice of law is eligible for active membership:

- a. Successful completion of the Certified Legal Assistant (CLA or CP) examination from NALA, Inc.; and/or
- b. Graduation from an ABA approved program of study for legal assistants; and/or
- c. Graduation from a course of study for legal assistants which is institutionally accredited, but not ABA approved, and which requires not less than the equivalent of 60 semester hours of classroom study; and/or
- d. Graduation from a course of study for legal assistants other than those set forth in (b) and (c) above, plus not less than 6 months in-house training as a legal assistant, whose attorney-employer attests that such person is qualified as a legal assistant; and/or
- e. A baccalaureate degree in any field, plus not less than 6 months of in-house training as a legal assistant, whose attorney-employer attests that such person is qualified as a legal assistant; and/or
- f. Minimum of 3 years law-related experience under the supervision of an attorney, including at least 6 months of in-house training as a legal assistant, whose attorney-employer attests that such person is qualified as a legal assistant; and/or
- g. A minimum of 2 years of in-house training as a legal assistant, whose attorney-employer attests that such person is qualified as a legal assistant.

This is the only membership classification which carries voting privileges. Active members may serve as association officers, directors, or committee chairpersons.

2. Associate Member.

An individual who endorses the legal assistant concept or is involved in the promotion of legal assistant profession and who meets the following qualifications:

- a. Membership in the State Bar of South Dakota; or
- b. Member of the legal assistant education field; or
- c. Member of the law office management field; or
- d. Any individual who has qualified in the past for active membership but is not currently working in the legal field.



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3. **Student Member.**

Open to any individual who meets and submits the following criteria:

- a. A student who is enrolled at any university, college, junior college, or other educational institution in a course of study as a legal assistant/paralegal and who has completed one-half of the required curriculum required for graduation from that program; and
- b. Submits:
 - (1) An attestation from the director of the program that the individual is a student in good standing;
 - (2) Proof of enrollment at their respective educational institution; and
 - (3) Verification of the courses completed.

Student members are required to reapply for membership each year. If a student member is eligible for active membership, he/she may not reapply for student membership.

4. **Sustaining Member.**

Law firms, corporations, organizations, legal assistant program representatives and other entities who endorse the legal assistant concept or are involved in the promotion of the legal assistant profession and who contribute dues as set by the Executive Committee.

DUES STRUCTURE

In addition to the \$10 application fee, dues are pro-rated quarterly as follows:

	1 st Quarter 100%	2 nd Quarter 75%	3 rd Quarter 50%	4 th Quarter 25%
Active	\$75.00	\$56.25	\$37.50	\$18.75
Associate	\$45.00	33.75	22.50	11.25
Student	\$30.00	22.50	15.00	7.50
Sustaining	\$75.00	\$56.25	\$37.50	\$18.75



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APPLICANT'S ATTESTATION

1. I hereby apply for the following type of membership in the South Dakota Paralegal Association, Inc.:
 - ☐ Active, under subpart(s): *(check all categories under which you qualify)*
 - ☐ a (attach of copy of your current CLA or CP certificate)
 - ☐ b (attach a copy of your graduation certificate)
 - ☐ c (attach a copy of your diploma or certificate)
 - ☐ d (attach a copy of your graduation verification and complete attorney/employer attestation below)
 - ☐ e (attach a copy of your diploma and complete attorney/employer attestation below)
 - ☐ f (complete attorney/employer attestation below)
 - ☐ g (complete attorney/employer attestation below)
 - ☐ Associate, under subpart(s): ☐ a ☐ b ☐ c ☐ d
 - ☐ Student (attach proof of enrollment, verification of courses and percentage of program credits completed, and complete Program Director Attestation and Registrar Attestation below)
 - ☐ Sustaining
2. I am submitting dues in the amount of \$ _____ plus the \$10.00 application fee via:
 - ☐ Check (enclosed)
 - ☐ Website (date of transaction: _____)
3. I understand that my application is subject to approval by the South Dakota Paralegal Association, Inc. and attest that:
 - a. I have read the definitions of a legal assistant as set forth above, and if I am applying for membership as an active member, I am a practicing legal assistant under the definitions;
 - b. I qualify for the membership under said definitions;
 - c. I have never been convicted of a felony;
 - d. I have never been disbarred or suspended from the practice of law in any jurisdiction;
 - e. I have not been placed on temporary suspension from the practice of law;
 - f. All information I have included in this application is true and complete;
 - g. I give my consent to SDPA to investigate my application and contact my present or former supervising attorney(s) and/or school(s) for verification or clarification of my qualifications for membership; and
 - h. I have read and agree to be bound by:
 - Bylaws of the South Dakota Paralegal Association, Inc. (available [here](#))
 - NALA Code of Ethics and Professional Responsibility (available [here](#))
 - NALA Model Standards and Guidelines for Utilization of Paralegals (available [here](#))
 - ABA Model Guidelines for the Utilization of Paralegal Services (available [here](#))

Date: _____

(Signature of Applicant)



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ATTORNEY/EMPLOYER ATTESTATION

This section must be completed for applicants applying for Active membership under (d), (e), (f), or (g).

I, _____ hereby attest that:
(Name of Attorney/Employer)

- a. I have read the definitions of a legal assistant set forth above, and this applicant is a practicing legal assistant under said definitions;
- b. This applicant has been employed by me for at least the requisite period of time and meets the qualifications for membership in the South Dakota Paralegal Association, Inc., as listed under subparts ☐ d; ☐ e; ☐ f; and/or ☐ g;
- c. This applicant performs substantial, in contrast to nominal or occasional, legal assistant services for me in my work as an attorney and I supervise the applicant's assistance; and
- d. I recommend this applicant for membership in SPDA.

Date: _____
(Signature of Attorney/Employer)

PROGRAM DIRECTOR ATTESTATION

This section (plus the registrar attestation on the following page)
must be completed for applicants applying for Student membership.

I, _____ hereby attest that:
(Name of Program Director)

- a. I have read the qualifications for student membership and believe this applicant meets the qualifications for student membership in the South Dakota Paralegal Association, Inc.;
- b. The attached documentation represents proof of this applicant's enrollment in the legal assistant/paralegal program at the following named institution; and
- c. This applicant is a student in good standing in said legal assistant/paralegal program.

Name of Institution: _____

Date: _____
(Signature of Program Director)



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REGISTRAR ATTESTATION

This section (plus the program director attestation on the previous page)
must be completed for applicants applying for Student membership.

I, _____ hereby attest that:
(Name of Registrar)

- a. I have read the qualifications for student membership and believe the applicant meets the qualifications for student membership in the South Dakota Paralegal Association, Inc.;
- b. This applicant has completed at least half (½) of the requirements for graduation from the legal assistant/paralegal program; and
- c. The attached verification of courses completed by applicant satisfy one-half (1/2) of the requirements for graduation from said legal assistant/paralegal program.

Name of Institution: _____

Date: _____
(Signature of Registrar)

APPLICATION BACKGROUND

This section must be completed by all applicants.
(Indicate n/a where applicable, ie., student applicants)

1. Years of legal experience: _____
2. Years as legal assistant/paralegal: _____
3. Years in current position: _____
4. Education: _____

For formal education, include name and address of school, date of graduation, and attach proof of graduation or training for present position (i.e., copy of diploma or certificate and transcript or comparable school verification of courses completed for active member qualification section (c) or student member qualification section)

5. NALA member: ____ Yes ____ No
6. If CP (f/k/a CLAS), date certified: _____
If ACP, date certified/specialty: _____
If PP, PLS (NALS), date certified: _____
Any other (ie. eDex, CEDS), date certified: _____
7. Check the most appropriate description of your employer:
____ Law department, nonprofit organization
____ Judicial agency, court
____ Corporate/agency law department
____ Private law office consisting of ____ attorneys
____ legal assistants/paralegals ____ non-lawyer or legal assistant/assistant personnel



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8. Fields of law in which your work is concentrated. Please check every area in which you have worked:

☐ Administrative/Management	☐ Contract	☐ Oil, Gas, Mineral
☐ Administrative	☐ Corporations/Partnerships	☐ Personal Injury
☐ Admiralty/Maritime	☐ Criminal Law	☐ Products Liability
☐ Antitrust	☐ Employee Benefits	☐ Real Estate
☐ Banking/Finance	☐ Estate Planning	☐ Securities
☐ Bankruptcy	☐ Family Law	☐ Taxation
☐ Business Law	☐ Insurance	☐ Probate
☐ Civil Litigation	☐ Labor/Employment	☐ Trusts
☐ Collections	☐ Medical Malpractice	☐ Workers Comp
☐ Commercial Law	☐ Municipal Law	Other _____

9. Of the fields you checked above, in which three is your current work most concentrated in, and what are your major duties:

10. Serving on a SDPA committee is not mandatory but it is the best way to meet other SDPA members who share your same interests and continue the success and growth of the organization. Please indicate the committees in which you have an interest.

☐ Audit	☐ Education	☐ Newsletter
☐ Membership	☐ Public Relations	
☐ Nominations/Elections	☐ Website	
☐ Job Bank	☐ Professional Development	
☐ Other _____	☐ CLE Luncheons	

11. List any other local or national legal assistant/paralegal organizations of which you are a member, including any professional associations related to your work:

12. Why did you decide to join SDPA?

13. Are you joining SDPA at the direction of your employer? If not, does your employer otherwise support your membership, such as paying for the application fee, dues, seminar attendance, etc.?



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Thank you for your interest in becoming a member of SDPA. Please return the completed application and verification attachments for qualification to Jessi Stucke, ACP, CEDS, at JessiStucke@outlook.com. If you are paying by check, please mail to Richardson, Wyly, Wise, Sauck & Hieb, Attn: Jessi Stucke, 1 Court Street, Aberdeen, SD 57401.

OFFICE USE ONLY:

Date Received: _____ Amount \$ _____ Date Approved: _____

Authorized Signature: _____