

SOUTH DAKOTA  
**LEGAL NOTES**

SEPTEMBER 2016 | [INFO@SWIERLAW.COM](mailto:INFO@SWIERLAW.COM) | [WWW.SWIERLAW.COM](http://WWW.SWIERLAW.COM)

## Swier Law Firm Featured in 2016 KSFY *Pigskin Preview*

Swier Law Firm is prominently featured in KSFY's 2016 *Pigskin Preview Magazine* and *Pigskin Preview* television show.

For the past 18 years, KSFY's *Pigskin Preview* has given football fans the insider information on our area's high school football teams. The cover page always features some of the area's top seniors. Two current NFL players, Lions offensive linemen Riley Reiff of Parkston and Vikings linebacker Chad Greenway of Stickney-Mount Vernon, were former cover boys.

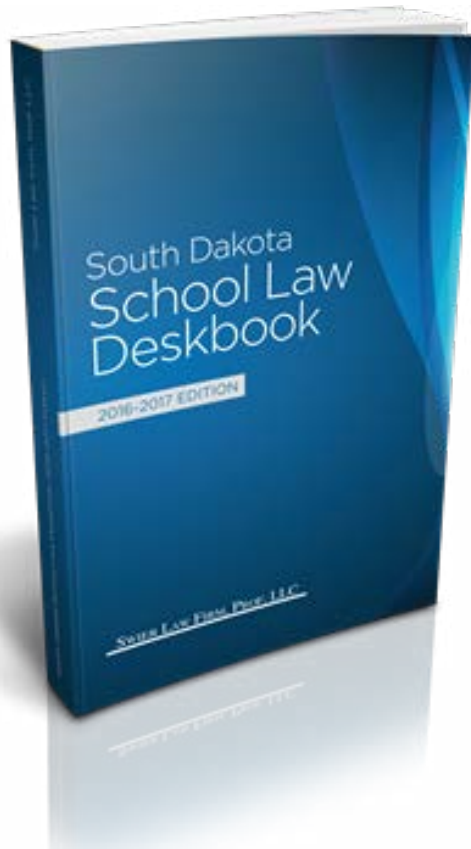
Each year the *Pigskin Preview* has gotten bigger, in both size and coverage area, and this year's edition

is the best yet. "Since our first issue in 1999, we strive to provide the best coverage of high school football in the region," KSFY Sports Director Erik Thorstenson said. "This year we continue that commitment and add West River and Southeast Wyoming. The goal of this publication has always been to recognize the efforts and accomplishments of student-athletes at the high school level."

"Swier Law Firm is proud to be a featured sponsor of KSFY's 2016 *Pigskin Preview*," said Swier Law Firm's Managing Member, Scott Swier. "Our sponsorship reflects the support of the communities we serve."



Swier Law Firm's *Pigskin Preview* video can be seen at  
<https://www.facebook.com/Swier-Law-Firm-Prof-LLC-304070979712588/>



## Swier Law Firm Announces New Book Release: *The South Dakota School Law Deskbook*

Swier Law Firm is pleased to announce the publication of its new book - *The South Dakota School Law Deskbook*.

Authored by Scott Swier, *The South Dakota School Law Deskbook* is the essential resource for every school administrator, school board member, and teacher. This comprehensive book provides practical explanations of complex school law concepts in an easy-to-follow question and answer format. *The Deskbook* contains all of the recent changes in school law, including those made by the 2016 South Dakota Legislature that took effect on July 1.

For more information about *The South Dakota School Law Deskbook*, please go to <http://www.swierlaw.com/reports/south-dakota-school-law-deskbook.cfm>



## **Q:** South Dakota Agricultural Law - What is a General Partnership?

**A:** Today, farms are more complex than ever, and as they continue to grow, many farmers are considering their options for organizing the farm into a structure that best fits their farm's needs. Choosing to organize a business using a different type of entity can be a difficult decision, as each type of entity has its advantages and disadvantages while individual farmers also have a wide variety of goals and objectives that are most important to them and their particular operation.

A "General Partnership" is created when two or more individuals conduct and hold themselves out as a business. Once a partnership is established, partners to the business share equally in the profits, as well as losses and liabilities. Generally, each partner is liable for the other partner's business decisions and liabilities related to the business. For example, if one partner incurs a large debt within the scope of the business, the other partners could also be responsible. While a "General Partnership" can be useful in bringing farmers with mutual interests together, it also presents a potential financial and liability risk.



## Reducing Legal Liability of Your South Dakota Small Business

When an entrepreneur is creating or implementing a business plan, one of the most overlooked costs is the business's legal risk and liability. It seems rather pessimistic to have a line item in your budget for lawsuits. Business litigation is rather common, but it is not inevitable, especially if you plan ahead. Here is how the attorneys at Swier Law Firm can help:

### **Limiting Liability**

You can begin limiting your liability by forming a business entity that limits personal liability, such as a corporation or a limited liability company. These entities can separate your company's liability (and assets) from yours, ensuring that your personal finances are not drained in the event of a major lawsuit. If your business has been operating as a sole proprietorship or partnership, you should consider switching to an entity that will limit your liability.

In addition, you should make sure that your business is properly insured. Often this means obtaining general liability insurance, workers' compensation plans, or commercial property insurance, among others.

### **Your Employees**

Employees who you once thought were loyal to a fault can turn into an opposing party during litigation if you are not careful. Avoiding employee lawsuits not only starts with good people, but also with having a great corporate culture. Make sure to have written policies and procedures; don't discriminate or harass your employees; and hire and fire people in the right way. Minimizing employer/employee conflict is key to a healthy relationship, and Swier Law Firm can help you create the proper policies and procedures to start off your business on the right foot.

For advice on setting up your small business to limit legal liability, please contact Swier Law Firm's Business & Corporate Law Practice Group.



# Swier Law Firm Hosts School Leaders at Canaries Baseball Game

On August 4, Swier Law Firm sponsored "A Night at the Ballpark" in conjunction with the ASBSD/SASD Joint Convention.

The event was held at Sioux Falls Stadium for the Sioux Falls Canaries v. Texas Air Hogs baseball game.

Thank you to all of those who attended the game!

Read more at <https://www.facebook.com/Swier-Law-Firm-Prof-LLC-304070979712588/>



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