

# NATIONALLY RECOGNIZED LEGAL SOLUTIONS SOUTH DAKOTA LEGAL NOTES

NOV/DEC 2018



## VETERANS DAY

**VETERANS DAY IS ONCE AGAIN UPON US.  
THIS HOLIDAY HONORS MILITARY VETERANS  
WHO HAVE SERVED IN THE ARMED FORCES.**

It is observed on the 11<sup>th</sup> day of the 11<sup>th</sup> month each year to mark the anniversary of the end of World War I.

*THANK YOU TO ALL WHO HAVE SERVED OUR NATION'S MILITARY!*



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**FREE GAME TICKETS**

Nominate any Active-duty, Reserve, or Retired military member at [SwierLaw.com/Veteran](http://SwierLaw.com/Veteran)



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HAPPY  
HOLIDAYS  
\* and a very \*  
JOYFUL  
NEW YEAR

Wishing you and your  
loved ones a Happy  
Thanksgiving and a  
Merry Christmas.

# WHAT'S IN A NUMBER?

Sara Travis, Executive Director

No, I am not talking about an age...I'm actually talking about next year - 2019. And although you are reading this article in our November-December 2018 newsletter, I am writing this in October and already thinking ahead to the new year which means I am reflecting on this year 2018. We set big goals this year - some we hit, others we are close to hitting. The purpose for each of our goals is this: *how do we help more people with their legal needs?*

At the beginning of 2018, we had three current, relevant videos. Today, we have over 40 videos on our website, YouTube channel and social media platforms, with more videos planned this year and in 2019. Why does that matter? *Because the free videos provide an opportunity for us to start a conversation with you and provide you with relevant legal information.* Our videos feature our attorneys providing valuable information to our past, current, and future clients.

At the beginning of 2018, we had about 4,000 "likes" on our Facebook page. Today, we have almost 6,000 and climbing. We have a social media following on Twitter, LinkedIn, Google My Business, and Instagram. Many folks have asked us why this matters - why would we work so hard to build friends, followers, and "likes," on this social media nonsense? Again, the answer is: *the social media outlets provide an opportunity for us to start a conversation with you and provide you with practical legal information.*

Others have asked why we have so many offices or so many practice areas. The answer is simple: our attorneys specialize in the area of the law he or she finds interesting. Our attorneys choose one or two areas and become experts at that area. This means *when we give you legal information, you are receiving expert legal information.*

## WE STRIVE TO PROVIDE EXCEPTIONAL LEGAL ASSISTANCE WITH EXCELLENT CLIENT SERVICE.

On a personal level, individually each of us have goals - and just like you, we accomplished only some of the goals. Some of us lost a few pounds by eating healthier and exercising more this year. Some of us went on vacations to warm sunny spots or traveled thousands of miles to spend some time at "home." Some of us have set professional goals that we blew past mid-year and some of us have focused on building a better "me." Now is the time to start thinking about your goals for 2019...perhaps it is learning more about your job, eating healthier, reading more, or something HUGE like planning a wedding, building a new home, or diving in and making your hobby a full-time business. Regardless of your goals for 2019, we wish each of you luck, prosperity, and peace in the new year.

As always, we would love to hear your feedback and any ideas you have to help us reach more people. Feel free to reach out to me at [Sara@SwierLaw.com](mailto:Sara@SwierLaw.com) or give me a call at 605.275.5669.



## HOMEMADE MARSHMALLOWS

From Sara Travis' kitchen

My kids love to eat marshmallows all year long but they cannot get enough of this homemade version. Once made, they use small cookie cutters to create fun shapes. Last year, we put some on skewers, dipped them in chocolate and covered them with sprinkles (I mean COVERED - I am fairly certain they used every container of sprinkles sold in the Sioux Falls area!)

Note: If the kids and sprinkles are involved, this is not a tidy project! I did not get a good picture because I was trying to keep the sprinkles in check so the picture is a lovely stock photo of what your marshmallows could look like - it does not resemble the mess that were the "Travis Homemade Marshmallows" (but they were fun and delish)!

### INGREDIENTS:

- 1 cup cold water
- 3 packets unflavored powdered gelatin
- 1/3 cup light corn syrup
- 2-1/4 cup sugar
- 1/8 tsp salt
- 1/2 tsp peppermint extract
- 1/2 cup powdered sugar
- 1/4 cup corn starch

# HAVE YOU SUFFERED A CROP LOSS?



Scott  
Swier

Agricultural crop insurance provides coverage for most Acts of God, diseases, and other causes of damages. It is an important risk management tool that the United States Department of Agriculture encourages farmers and producers to use. Most of the time, farmers maintain a positive and productive relationship with their crop insurance company. However, once in a while, the insurance company may not view a loss the same way as

the producer. In these instances, here are 5 tips that every farmer should remember to ensure their crop loss is given fair consideration.

## **TIP #1 - CONTACT YOUR INSURANCE COMPANY AS SOON AS POSSIBLE**

It is absolutely vital that producers contact their insurance company as soon as possible so the company is made aware of the date of your loss. Failure to do so in a timely manner may jeopardize your claim. Plus, contacting the insurance company in a timely manner puts the onus on them to move your claim forward and eliminates the risk of other variables being introduced to your field which may allow for “excuses” not to pay on a claim.

## **TIP #2 - DOCUMENT ALL COMMUNICATIONS**

From your initial contact to the time when you receive an insurance check, farmers should always attempt to document their communications. It's easy to forget

what was discussed (or promised) if all communications are verbal. Emails, text messages, or letters ensure clear, concrete communications with no “misremembering”.

## **TIP #3 - DOCUMENT THE LOSS QUICKLY**

Once you've been made aware of a potential crop loss, it's important to document the size, scope and potential reason for the loss with as many materials as possible. Photos, drone videos, and crop samples can all be helpful in showing your insurance company the extent of the loss you suffered.

## **TIP #4 - THINK ABOUT INVOLVING A NEUTRAL THIRD PARTY**

It may sometimes be helpful to have a neutral third party come out to observe your loss. The notes, photos, measurements and other observations of a local agronomist or other crop professional can be invaluable when attempting to avoid a “my word against yours” situation concerning how the crops looked at the time of damage.

## **TIP #5 - HARVEST YOUR DAMAGED FIELDS WITH CARE**

While it takes extra time and effort, it's important to use extra care when harvesting fields involving a potential crop insurance dispute. Resetting yield monitors when harvesting the affected portion of a field, or harvesting and weighing the affected portion separately, are good ways to show the true loss suffered in a field, rather than generalized estimates which may be difficult to “prove” to an insurance company or a court.

## **DIRECTIONS:**

1. Prepare 9x13 pan with nonstick cooking spray.
2. Place 1/2 cup of cold water in the bowl of a large stand mixer. Start whisking the water gently with a small whisk or fork, and while you're whisking, gently sprinkle the powdered gelatin on top. Go slowly and stir well so the gelatin is absorbed evenly and there are no clumps. Set the mixing bowl aside while you prepare the sugar syrup.
3. Combine the remaining 1/2 cup of water, corn syrup, granulated sugar, and salt in a medium saucepan. Place over medium heat, and stir while the sugar dissolves. While it heats, stir frequently and brush down the sides of the pan with a wet pastry brush to prevent sugar crystals from forming. Once the mixture comes to a boil, insert a candy thermometer and stop stirring. Cook the sugar syrup to 245° F (118° C).
4. Once at 245°, remove the pan from the heat and take out the thermometer. Place the mixing bowl with the gelatin mixture in the mixer and start beating it on slow speed with the whisk attachment. While the mixer runs, slowly stream in the hot sugar syrup. Aim to get the syrup to fall between the sides of the bowl and the

- whisk blades, so it doesn't splatter all over up the sides of the bowl. Once all of the syrup is added, gradually increase the speed to medium-high and whip for 5-7 minutes, until the marshmallow is very shiny and thick, and when you stop the mixer and lift the whisk up, it falls from the whisk in a very slow, thick ribbon.
5. Add the salt and peppermint extract, and mix briefly to combine. Scrape the marshmallow into the prepared pan and smooth it into an even layer. Let it set and firm up at room temperature for at least 6 hours, or overnight.
6. Sift the powdered sugar with the corn starch. Sprinkle the sugar/starch mixture on top of the marshmallow, and all over your work surface. Flip the marshmallow out of the pan, and sprinkle more sugar on top. Spray a fun cookie cutter with nonstick spray, and cut shapes out of the marshmallow. Periodically stop and spray the cutter again if the marshmallow starts sticking.
7. Toss the marshmallows in the sugar mixture to keep them from sticking together. Store marshmallows in an airtight container at room temperature for up to a week.



**Scott Swier**

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*Have You Suffered A Crop Loss?  
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*Business Spotlight: My Mechanic*

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BUSINESS SPOTLIGHT:  
**MY MECHANIC**

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