

STATE OF SOUTH DAKOTA
COMMISSION ON EQUAL ACCESS TO OUR COURTS

April 22, 2025, at 10:00 AM (CST)
Via Zoom

ATTENDANCE:

Commissioners: Chairman Tom Welk, Michelle Glodt, Hon. Margo Northrup, Margo Tschetter Julius, Greg Sattizahn

Directors Present: Tom Mortland (DPLS), Denise Langley (A2J), Lea Wroblewski (ERLS)

Others Present: Lori Grode (UJS, recording secretary)

CALL TO ORDER:

Chairman Tom Welk called the meeting to order at 10:00. Roll call was taken and a quorum was determined to be present. There are currently two Commissioner vacancies awaiting Governor appointment.

NEW BUSINESS

Commission Funding Status Update: Greg Sattizahn reported there were no new changes or concerns by the Legislature to impact the finding for the Equal Access Commission.

Greg stated the Commission has \$300,000 in the general fund, which is refreshed every July 1st. In addition, \$200,000 in authority and that represents our ability to award out the dollars collected through the surcharge, which equals a yearly amount of \$500,000. \$110,000 is up for the grant today which leaves 40,000 in the fund.

Status of Current Operations and Previous Grant Awards Update:

A2J – Denise Langley: A2J had been allocated \$20,000 at the last meeting to be used for general support to attend training and used for technology upgrades. With the \$20,000 she used \$2,406 to attend a 2025 pro bono Institute Conference. A2J purchased a new laptop and monitor for \$4,015. Denise also has plans to use that finding to attend training in October. There will be approximately \$10,000 left to support training opportunities for the next calendar year.

Denise expressed concern regarding their funding sources from the State Bar of South Dakota and Bar Foundation. The State Bar has had to add additional staff. Traditionally, the State Bar contributes \$70,000 to A2J and \$80,000 from the Bar Foundation. A2J is requesting the same this year but has upped the request to the Foundation from \$80,000 to \$85,000. Denise will not know the outcome of that request until July when the Foundation meets. That would total \$155,000 for A2J program support for next year.

Chairman Welk asked for an update on the Spanish guardianship training program. Denise explained that one of the requirements for becoming a guardian is completing a training video available on the State Bar's website. Currently, the video is offered in both English and Spanish. While she did not have the number of program participants on hand, Denise stated she would follow up with the State Bar staff to obtain that information.

ERLS – Lea Wroblewski: Lea reported they are fully staffed and continue to see an increase in applications. They processed 920 applications in the first quarter of 2025. They are seeing an increase in housing cases. They have two outreach paralegals working on housing and supervised by an attorney. They have five attorneys in Sioux Falls. Lea is concerned that SD Cares rental assistance ends in the Fall of 2025. Their housing funding through a state ERA grant is set to end in Sept. 2025 and they are looking for funding sources to replace that.

ERLS continues to hold form clinics twice a month to assist pro se individuals with completing legal forms. There remains a shortage of bankruptcy attorneys available to serve low-income individuals, particularly those residing in shelters. In response, ERLS launched a bankruptcy clinic in January, funded by a grant from the American Bankruptcy Institute. The clinic is supervised by a licensed attorney and supported by USD law students. While Lea did not have specific data on the number of bankruptcy cases handled to date, she noted that five clients are scheduled for this Saturday's clinic. Tom Mortland added that WRLS typically handles two to three bankruptcy cases per month.

Lea reported they just hired an outreach support worker to assist their Aberdeen office, as it keeps growing. They have hired two summer law clerks in Aberdeen for the summer, and they will rent office space in a United Way workshop. Lea added this is a difficult time for nonprofits. Legal Services Corporation is not a federal agency, but is a nonprofit created by Congress. ERLS did see an increase of \$79,485 in the LSC field grant because of the growing population in Sioux Falls. Other grants include Legal Services for Veterans grant. ERLS continues to apply for VOCA funding. They also received funding through the state to assist victims of crime, approved by the legislature.

July 2024 Funds for ERLS Clarification Request: Last year, ERLS requested technology funding with the intention of upgrading to cloud-based software. However, after evaluation by their QuickBooks sales, finance, and tech teams, the decision was made to postpone the update. During the audit process, it was noted that the award received in July 2024 was designated specifically for software expenses. Lea is now requesting the Commission's approval to reallocate the remaining funds—estimated between \$5,000 and \$10,000—for general operating purposes instead.

Additional ERLS update: Lea reported that ERLS hosts the SD Law Help website and partners with DPLS and A2J for support services. Last year, the Commission funded a full website revamp, including monthly hosting, maintenance, and updates. In previous years, DPLS and A2J directly contracted with ERLS and reimbursed them for maintenance costs. Lea met with Tom and Denise to review actual expenses and determined that the annual cost to maintain the site is approximately \$10,000. She is now requesting the Commission's approval for upfront funding to cover these ongoing hosting and support costs. With the funding of the \$10,000 to ERLS expenses of \$8,000 to \$10,000 will be reduced for A2J and DPLS as they each had been contributing these amounts to maintain the website.

DPLS - Tom Mortland: Tom reported that DPLS recently completed its audits. This week, the organization is conducting its biennial all-staff training, which will be followed by a board meeting. Additionally, DPLS has been notified by LSC that an office compliance review will take place at the end of July. The last review occurred a decade ago. This upcoming review will focus on evaluating the program's policies and case files.

Tom Mortland reported they are not fully staffed and short one attorney. Mr. Mortland received a resume today for the Eagle Butte office. DPLS just hired retired judge, Gordon Swanson, who will start

this week in Rapid City with civil work. They also hired former tribal judge, Lorie Miner, for their Ft. Thompson office.

Mr. Mortland reported their funding has been cut \$79,000, having spent significant LSC funds from last year for office improvements and more staff. At present, they have the least amount of money in reserves since he's been director. Mr. Mortland also added, if they lose the LSC funding, they will cease to exist as a program. LSC funding is available through the current year.

Mr. Mortland reported the new bus has been funded through the end of the calendar year. Jana Miner is scheduled to start taking the bus out the first week of May to Winner and then to many locations every week throughout the summer, hopefully 3 days a week. They will run it as long as they can depending on weather through October.

Michelle Glodt inquired about the bus being at the capitol during last session. Tom Mortland replied his staff did have the new bus parked at the capitol for viewing. The State Bar helped with coordinating the debut of the bus by serving breakfast. Michelle then asked if DPLS would happen to lose their funding, what happens to the bus? Chairman Welk answered that as a nonprofit, you have to distribute assets to another nonprofit, charitable to charitable. It's a board decision from a legal standpoint with that requirement.

Chairman Welk addressed the difference in grant award requests—\$51,000 for ERLS and \$34,000 for DPLS—and asked whether both organizations were comfortable with the disparity. Mr. Mortland responded that they had discussed the funding and he had proposed a lower amount for DPLS, recognizing that ERLS had incurred a loss due to reduced VOCA funding. DPLS intends to allocate the \$34,000 to its general operating account to support organizational operations. Similarly, ERLS will apply its funding toward general operating expenses and is actively seeking additional funding sources. Both organizations have submitted financial documents, and ERLS will provide upcoming audit results to the Commission. Mr. Mortland also committed to sharing DPLS's budget with the Commission after its approval this Saturday.

Mr. Mortland noted that DPLS is currently facing a challenge with securing a new location for its Pine Ridge office. Although a move of the Pine Ridge office to Kyle was approved by the DPLS board, LSC did not approve the relocation. As a result, the search has continued. They may have identified an alternative trailer in Pine Ridge that, while more expensive, would offer improved facilities.

Chairman Welk asked for a motion to approve ERLS's request that the funds awarded to ERLS on 7/29/2024 for the purpose of purchasing accounting software may be released to ERLS' general revenue without restrictions. The total amount is \$9,614. **The Motion was made by Judge Northrup; seconded by Margo Julius. Hearing no further comments, the motion was approved by voice vote and passed unanimously.**

A second motion was made by Michelle Glodt to grant the outstanding awards of \$51,000 to ERLS, \$34,000 to DPLS and \$15,000 to A2J. The motion was seconded by Greg Sattizahn. Hearing no further comments, the motion was approved by voice vote and passed unanimously.

NEXT MEETING DATE: Chairman Welk thanked everyone for the work they do and then discussed the next possible meeting date to be held after July 1st when there will be 350 to \$400,000 in the bank

account for disbursing. The Commission agreed on July 8 at 10 AM CDT for the next meeting to be held by Zoom.

Update on Commissioner Terms: Greg discussed the Commission is presently awaiting two vacancy appointments. He recently reviewed everyone's terms. Michelle Glodt's term expires June 2025 and is a Governor appointee. Chairman Welk and Margo Julius expire the end of June 2025 and are appointed by the State Bar. Chief Justice Jensen has two appointments: Greg's term expires the end of 2026, and Judge Northrup expires March of 2027. Greg said he has been visiting with the Governor's office the last several months about reappointments and they may be reaching out to commissioners to renew.

ADJOURNMENT: After hearing no further discussion, a motion was made by Margo Julius to adjourn; seconded by Greg Sattizahn. All in favor.

The meeting adjourned at 11:00 AM.

(The following day, Denise Langley, Coordinator for Access to Justice, provided this information:)

As a follow-up to our CEAC meeting yesterday, I was able to access the guardianship/ conservatorship training video user access data and would like to report that the Spanish version of the video has had 112 views since it was first posted in September. The English version of the video which was posted several years ago has had over 4000 views.



Michelle Glodt, Secretary, CEAC



Date