

STATE OF SOUTH DAKOTA
COMMISSION ON EQUAL ACCESS TO OUR COURTS
July 8, 2025, at 10:00 AM (CST)
Via Zoom

ATTENDANCE:

Commissioners: Chairman Tom Welk, Michelle Glodt, Hon. Margo Northrup, Margo Tschetter Julius, Greg Sattizahn, John Holter, (Hon. Julia Dvorak not present)

Directors Present: Denise Langley (A2J), Lea Wroblewski (ERLS), William Sulik and Lori Stanford (DPLS)

Also Present: Makenzie Huber with South Dakota Searchlight.

CALL TO ORDER:

Chairman Tom Welk called the meeting to order at 10:00 am. Roll call was taken and a quorum was determined to be present. A welcome was given to new member John Holter. Judge Julie Dvorak has been appointed as a new member by the Governor but not present today.

NEW BUSINESS

Greg reported that the Commission is now fully staffed, following a period during which two seats remained vacant. Chairman Tom Welk, Margo Julius, and Michelle Glodt have been reappointed to serve another three-year term. Additionally, the Governor has appointed Judge Julia Dvorak and John Holter, both to three-year terms. This marks the first time in over a year that the Commission has had a full slate of members.

Greg informed the Commission that the CEAC currently does not have formal bylaws outlining the process for selecting new officers or defining terms of service. He noted this may warrant further discussion, although the current officers are presently willing to continue serving. Chairman Tom Welk acknowledged the need to establish a documented, straightforward procedure for officer selection and terms of service.

Member Comments:

Margo Julius expressed her support for a written procedure to be voted on and formally adopted by the board. She emphasized that the process need not be overly rigid but should outline terms, renewal procedures, and a defined voting timeline. She suggested terms slightly shorter than three years might be appropriate, noting that annual elections may not be necessary.

Judge Northrup agreed that having a clear procedure makes sense and recommended aligning officer terms with the existing three-year commissioner terms.

Michelle Glodt supported the idea of formalizing the process, stating that she became Secretary by default upon her appointment. She is comfortable with whatever process the Commission decides.

Greg agreed with the group's consensus and indicated it makes sense for him to draft a document outlining officer selection and terms. He suggested aligning officer terms with the standard three-year term, with the option for reappointment. Greg will prepare a draft for review at the next meeting. The Commission may either formally adopt the policy at that time or consider adoption via email if necessary.

John Holter agreed with the need for a written policy to clearly document how leadership is elected.

Chairman Welk stated that Michelle Glodt will continue serving as Secretary and he will continue as Chair until the process is formalized. No formal motion was made. He noted that most members appear to have three-year terms and emphasized the importance of establishing a succession plan to prevent the risk of all officers' terms ending simultaneously. He recommended further discussion on this topic.

Chairman Welk made a formal motion to authorize Greg to proceed to draft for consideration the election of officers and succession plan. Michelle Glodt seconded the motion.

HEARING NO FURTHER COMMENTS, THE MOTION WAS APPROVED BY VOICE VOTE AND PASSES UNANIMOUSLY.

Commission Funding Status:

Greg provided an overview of the CEAC's funding structure, which is supported by a combination of general funds and fee-based surcharges.

- General Funds:
Each fiscal year, beginning July 1, CEAC receives \$300,000 in general funds appropriated by the legislature. Prior to receiving this appropriation, the Commission operated without general fund support.
- Surcharge Revenue:
Additional funding is generated through statutory surcharges:
A \$50 fee is collected whenever a petition or motion is filed to modify child custody, visitation, or spousal support.
A \$25 fee is assessed when an answer is filed in civil cases.
These surcharges typically generate between \$7,000 and \$8,000 per month.
- Budget and Spending Authority:
The legislature has authorized CEAC to spend up to \$500,000 per fiscal year. Spending typically approaches this limit.
At the beginning of the fiscal year, the \$300,000 in general funds is used first.
In the previous year, CEAC carried a balance of \$45,000.
As of today, the Commission has approximately \$345,000 on hand, which is expected to continue building toward the \$500,000 mark for potential grant awards.

- **Current Grant Funding:**
The grant allocation for the current year is \$250,000, funded entirely from the general fund appropriation.

Discussion of Potential Legislation – Eviction Case Answer Fee:

Lea Wroblewski inquired whether the Commission could discuss potential legislation to eliminate the \$25 answer fee in eviction cases. Greg agreed to the discussion and provided a brief summary of the legislative process within the Unified Judicial System (UJS). Greg explained that within the UJS, anyone may propose potential legislation. Such proposals, if approved, may be brought forward by the Chief Justice as part of the UJS’s legislative package—potentially for the 2026 session. In recent years, internal discussions within the UJS have addressed concerns about how the answer fee is applied specifically in eviction cases.

When a tenant receives an eviction summons, they are required to submit an answer, which incurs a \$25 filing fee to the Clerk of Courts office. Often this answer is submitted informally as a letter to the landlord and attached to the summons. Clerks face inconsistency in processing these documents. Some counties treat the letter as an exhibit and do not charge the fee, while others do assess the fee. The statutory 5-day deadline to file answer is short, and many tenants are unable to request or receive a waiver in time. Financial hardship is a common issue, as many tenants cannot afford the \$25 fee, yet must respond quickly to avoid default judgments. Greg emphasized that these issues have created significant practical difficulties and merit legislative review.

Greg explained that there have been ongoing discussions about amending the statute to waive the answer fee in eviction cases. The most recent proposal is to introduce legislation that would exempt such cases from the \$25 fee. While this change would result in approximately \$5,000 less in annual revenue for the Commission, internal discussions have indicated that the change could simplify the process. As part of the due diligence process, the proposed legislation is expected to be presented to the judges in October, and it will be up to them to decide whether to advance it as a bill. Greg requested input from the Commission on this potential change.

Judge Northrup expressed concern that waiving the answer fee for eviction cases could set a precedent that might lead to the waiver of other fees in the future.

Lea Wroblewski responded that the most pressing issue is the short five-day timeframe tenants have to respond. Their team often tries to assist tenants in requesting fee waivers before the case is reviewed by the court.

Chairman Welk asked whether it might be more effective to extend the timeframe for requesting a waiver rather than eliminating the \$25 fee altogether.

Lea acknowledged that extending the deadline could help, but noted that landlords would likely oppose any such change. She suggested that an automatic fee waiver for individuals receiving public assistance could be a viable solution. She also pointed out that the current fee waiver application is a barrier in itself—it is three pages long, written at a high literacy level, and

includes questions that many applicants, such as whether they have annuities, may not understand.

Chairman Welk recommended that Greg return to the Commission after the October meeting with the judges, bringing any feedback so that the matter can be discussed again during the December meeting. Greg agreed and noted that he simply wanted to ensure the Commission was informed of the ongoing process.

Update on Previous Grant Awards:

A2J: Denise Langley had applied for and received \$155,000 funding from the State Bar and the State Bar Foundation. As a result of those grants, and the Commission's prior funding, she is not requesting any grant award at this time. At the next board meeting they'll review A2J's budget planning over the next year.

From the funding requested for training, Denise has completed one training session. She also has tentative training scheduled regarding pro bono, nonprofit management in October and will use those funds for that.

ERLS: Lea Wroblewski requested \$125,000 in funding to support current operating expenses. She explained that their organization is anticipating increased demand for housing assistance, particularly as the large Emergency Rental Assistance (ERA) funding administered through South Dakota Housing is set to expire in September. Applications for the South Dakota Cares program are now available for low-income individuals, and Lea expects a rise in requests for housing-related support during this period.

East River Legal Services (ERLS) has applied for additional grants through South Dakota Housing and has also submitted applications for services under the Grants for Veterans program. That funding assists in providing legal representation to veterans who are experiencing homelessness. Additionally, ERLS has received a Victims of Crime Act (VOCA) award for fiscal year 2026, as well as funding from the Sioux Empire United Way, which will help meet required matching funds. ERLS continues to actively seek new funding sources to sustain and expand their services.

Lea reported that ERLS has increased staffing at their Aberdeen office, which now includes five staff members, including two law clerks serving during the summer. The Street Outreach team has experienced notable success working in collaboration with Midwest Street Medicine and partnering with local shelters in Yankton, Aberdeen, Sioux Falls, and surrounding communities to address housing needs.

Another issue Lea brought forward was a request for \$1,000 to implement changes to the shared law services website used by three organizations. The website uses filters to route applications based on poverty level and whether the applicant is Native American. Lea noted that these filters have led to confusion and inconsistencies in service delivery. Although she has discussed the purpose and design of the website with the other organizations involved, no agreement has been reached on modifying the filters. Sharon Chantos has agreed to make the necessary changes to

the site at a rate of \$80 per hour. The South Dakota legal aid website is currently maintained by ERLS.

Lea is encouraged with the addition of William Sulik. She added she has worked with him for years, and he understands civil legal aid. She thinks communication has improved. She also added Lori Stanford is wonderful with communication.

Chairman Welk mentioned the attachment includes ERLS filed an application to expand their service territory to include the Native American population West River and asked Lea to give more background on that.

Lea stated that the ERLS Board had an extensive discussion about service gaps for low-income individuals on tribal lands, expressing concern that these communities are not receiving adequate legal assistance. ERLS participates in two statewide hotlines available to Native Americans and regularly receives requests for help with protection orders, divorces, and housing issues. Despite frequent inquiries from tenants on the western side of the state, ERLS has been unable to refer cases to Dakota Plains Legal Services (DPLS) for the past three years.

ERLS currently utilizes funding through the Native American Homeless Coalition to assist unhoused individuals, while DPLS does not. Lea emphasized that this funding is especially needed for Native populations in western South Dakota, where demand is greatest. Based on this need and their capacity, ERLS decided to apply for both hotline grants, proposing to fill the service gaps. Lea affirmed that ERLS has the necessary expertise and partners to expand services effectively.

The ERLS Board approved the grant application, which was submitted to the Legal Services Corporation a few weeks ago. Program site visits are scheduled for August at both DPLS and ERLS. During those visits, they plan to meet with CEAC, local partners, judges, and the Bar to explore how best to serve low-income individuals. The grant pertains to 2026 funding, though Lea noted that the timeline for a decision is currently unknown.

Greg stated the LSC plan to come out to do their visits and the capability assessment the last week of August. Then they will make a recommendation that goes to an LSC panel and make a recommendation to the president. He anticipates they'll have a decision in early December. The next step will be changes to the current application process.

Margo Julius asked whether the grants ERLS applied for were limited to housing or intended for general funding. Lea clarified that the grants are not restricted to housing and are guided by priorities set by the ERLS Board. Planned services include family law, evictions, bankruptcy, and assistance with Social Security benefits. She added that ERLS does not intend to overlap with DPLS in areas such as criminal or juvenile court appointments.

Lea also raised the idea of eventually consolidating legal services into one statewide organization. Drawing from her experience in Nebraska, where three programs successfully merged into one, she noted benefits such as administrative efficiency, reduced audit costs, and the potential for expansion and improved service delivery.

Michelle Glodt referred back to the website mediation and asked if the amount asked for would include creating and updating the referral sheet, or just discussing the filters? Lea replied it could be both. The referral sheet needs help to use the same definitions. Michelle Glodt asked if the increase of \$1,000 would cover all of that. Lea believes it would cover the resolution.

DPLS: William Sulik provided a brief overview of his background prior to his arrival in Rapid City. He shared that he began his career as an intern in Oklahoma and went on to work with the Legal Services Corporation (LSC) until his retirement in 2023. After being retired for two years, he intended to return to legal aid as a volunteer attorney but was instead asked to serve as the interim executive director for Dakota Plains Legal Services (DPLS). Mr. Sulik noted that he has prior experience working with Native American programs and expressed his commitment to the work, acknowledging both the criticism and the need for improvements. He stated that he does not object to the proposed mediation.

Lori Stanford gave an update as acting interim director for DPLS and mentioned her prior experience as a lawyer in private practice. She did a lot of court-appointed work and was previously on the Indigent Defense Task Force. She added she has always been passionate about this work.

Dakota Plains is requesting \$125,000, which represents half of the total grant award. Details of the request are outlined in the attached documents. Lori acknowledged DPLS's current challenges, particularly with their intake process, and noted that part of the funding would be used to hire a centralized intake specialist to improve efficiency and consistency.

Additionally, \$13,000 is allocated for personnel costs related to the Justice Bus, which has traveled this summer to several communities including Winner, Gregory, Timber Lake, Fort Pierre, Pierre, Dupree, and Gettysburg. The bus is based in Pierre. The next scheduled event is in Eagle Butte on July 17, with a few more planned later in the month. Lori noted that staffing for the Justice Bus has been a challenge, especially for weekend events and those requiring overnight stays.

Lori noted that the remaining funds will support the general operations of the program. She acknowledged that DPLS received notice of ERLS initiating competition for the Legal Services Corporation (LSC) grant and stated that DPLS is preparing for the upcoming capability assessment. Emphasizing a client-focused approach, she expressed hope that the programs can move beyond past barriers and work collaboratively. Lori stated that DPLS is entering a new chapter, committed to making improvements and optimistic about the future.

Chairman Welk emphasized the Justice Bus's importance to both the Commission and the Legislature and requested more details on services provided. Lori noted the bus's recent travels and reported nine service applications. Michelle Glodt reminded the group that the Commission had requested data tracking, including contact numbers, follow-up services, and types of legal issues. Chairman Welk also noted that the Commission had previously awarded to DPLS money to operate the Bus through December 2025 but that the \$13,000 currently requested by DPLS is for overtime personnel and lodging for the Bus to attend events.

Lori Stanford said she was unaware that specific information would be needed for the meeting but will follow up with the requested details. Chairman Welk noted that Greg reports annually to the Legislature to justify CEAC funding based on client services, and highlighted that \$20,000 has been allocated for the Justice Bus, with \$13,000 spent on personnel. Margo Julius asked whether the nine applications received have been accepted and if services are being provided; Lori said she was unsure but would find out. Michelle Glodt requested information on future Justice Bus locations, and Lori mentioned upcoming events at wacipis in Rosebud, Crow Creek, and Lower Brule in August.

Greg inquired about the change and level of appointments pending the decision by the LSC about the future of grant funding. Lori answered they will have further conversations with the board as to what things will look like moving forward. The LSC funding is 73% of their funding/budget.

Chairman Welk inquired into the hiring of an intake specialist. Lori explained they have an administrative assistant in Mission is the point of contact and he disperses the apps to the appropriate office, depending on the venue. From there the individual offices have screening and acceptance meetings depending on applications. Dakota Plains would like to advertise for the intake position, where everything would come to this person.

William Sulik stated that adding this position would be a step forward, addressing concerns about inconsistent policy application and case acceptance. The role would help standardize intake, referrals, and client placement, reducing delays in service delivery.

Michelle Glodt asked about the status of the Pine Ridge office. Lori reported that the office relocated at the end of June to a new site in Pine Ridge, not far from the previous location, now housed in a newer trailer. The office is staffed by one attorney, a paralegal, and a legal secretary, and the team is enthusiastic about the new space.

Lori noted that previous leadership had not informed her about the data requirements for the Justice Bus. Michelle Glodt emphasized the need to track key metrics: number of applications, contacts made, services accepted, and case outcomes, and stated this should be a regular update at future meetings. Chairman Welk added that the data should be consistent and asked if metrics would be available on the website. Denise Langley responded that while LSC tracks case codes and services, it may not specifically identify Justice Bus cases. Chairman Welk reiterated that all relevant information must be collected for legislative reporting.

Margo Julius suggested promoting the Justice Bus more actively on social media and community platforms, including Facebook, to increase visibility and usage. Michelle Glodt added that Rosebud's tribal communications page is a well-trafficked resource and would be an effective outreach channel.

GRANT AWARDS:

Chairman Welk proposed the following grant awards:

ERLS \$125,000 and \$2,000 for mediation. The \$2,000 for the mediation was more than what was requested, but wanted adequate money to resolve all the issues, but all money is not required to be spent but would avoid returning to the Commission over a small amount of money.

**to DPLS: award \$67,000, \$54,000 for the intake specialist and \$13,000 for the bus, but withhold any additional money from the \$125,000 at this time because of the uncertainties with leadership at DPLS.
A2J receives no award.**

Chairman Welk added if DPLS needs additional money between now and December, do not hesitate to contact CEAC by email.

**THE MOTION WAS SECONDED BY MICHELLE GLODT.
HEARING NO FURTHER COMMENTS, A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR; NONE OPPOSED.
MOTION APPROVED AND CARRIED AND THE MONEY WILL BE DISTRIBUTED.**

NEXT MEETING DATE:

The next meeting date was scheduled for December 9, 2025, at 10:00 am. Greg stated we will have \$150,000 left as of today's number, which will increase by December to \$200,000 to \$225,000 money available for disbursement.

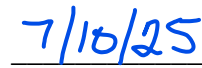
Chairman Welk thanked everyone for their services and patience at today's meeting.

AFTER HEARING NO FURTHER DISCUSSION, A MOTION WAS MADE BY MICHELLE GLODT TO ADJOURN; SECONDED BY GREG SATTIZAHN ALL IN FAVOR.

THE MEETING ADJOURNED AT 11:30 AM.



MICHELLE GLODT, Secretary



DATE: