

SOUTH DAKOTA OFFICE OF INDIGENT LEGAL SERVICES

South Dakota Commission on Indigent Legal Services Meeting

Wednesday, July 29, 2026, 10:00 a.m.

Members Present

- Betsy Hogden
- Judge Bobbi Rank
- Heather Lammers-Bogard
- Joe Kippely
- Judge Larry Long
- Senator Jim Mehlhaff
- Dean Neil Fulton

Excused

- Rep. David Kull
- Dick Travis

Guests

- Chris Miles

Call to Order:

Dean Fulton called the meeting to order at 10:01 a.m. and established a quorum.

Approval of Minutes of Prior Meeting

A motion to approve the minutes was made by Judge Long. Seconded by Judge Rank. Motion carried.

Case Handling and Status Update

Mr. Miles provided an update on current caseload. Mr. Miles reported 22 new appointments in June and 12 appointments in July. Of the current cases, 22 cases are in briefing. Currently appointed to 99 clients with 117 cases pending. Two cases are set for oral argument on August 26 and 27.

A discussion was held on conflict notices and appellate caseload standards.

Commissioner Kippely voiced concerns on costs for DOC crimes, juvenile detention, and transcript costs. DOC reimbursement processes were explained and the importance of planning for future structural shifts.

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A discussion was held on trial-level services. It may model the AG Criminal Division. Possible phased expansion for appellate office could include DOC and/or general crimes.

No additional questions were raised.

Rules Promulgation

Discussion was held concerning eligibility, panels and compensation. Eligibility was broadened, a training panel added and exceptional circumstances panel was added. Rural judicial discretion was emphasized.

A discussion was held concerning travel time & mileage compensation. The current standard of \$1/mile is inadequate. North Dakota's model for travel compensation was reviewed. The commission shall be empowered to set rates and threshold/limitations.

Expert Services Payment. Counties pay experts under current structure. Rural counties may use self-insurance pool (first \$25k; 90% thereafter). Rules memorialize existing practice.

A motion to approve the promulgation of rules was made by Ms. Bogard. Seconded by Ms. Hogden. Motion carried. The public will have an opportunity to comment on the proposed rules.

Other Business

Website development is underway.

Public Comment

Dean Fulton opened the floor for public comment. No public comments were offered.

Adjourn

Motion to adjourn made by Mr. Kippley. Seconded by Judge Rank. Motion carried.

The meeting adjourned at 10:58 AM.