

# South Dakota Commission on Indigent Legal Services

May 19, 2025

## Members Present

- Betsy Doyle
- Joe Kippley
- Dean Neil Fulton
- Rep. David Kull
- Heather Lammers Bogard
- Dick Travis
- Judge Larry Long

## Guests

- Chris Miles

## **Call to Order**

Dean Fulton opened the meeting at 10am and established a quorum.

## **Approval of Minutes of Prior Meeting**

**Motion:** A motion to approve the minutes was moved by Mr. Travis and seconded by Judge Long. The motion carried.

## **Report on Staffing and Operations**

Mr. Miles reported continued progress in building operational capacity. Recent outreach efforts, including participation in the judicial conference and a recent CLE presentation, have helped increase awareness of the office's role and fostered valuable engagement with stakeholders. Mr. Miles has plans to schedule meetings with each presiding judge in the near future.

Staffing has advanced with the hiring of a paralegal and two attorneys, with onboarding scheduled for July. The office is actively handling cases and preparing for full statewide intake beginning July 1. Implementation of a case management system and plans to move into dedicated office space in June are expected to further streamline operations.

While staffing remains concentrated in Sioux Falls due to applicant location, efforts to expand geographic reach are ongoing.

## **Contracts with Conflict Counsel**

Mr. Miles is reaching out to colleagues in other states to learn how they handle appellate cases where conflicts of interest prevent the primary office from providing representation. He noted that this is occurring most often in A&N cases. When unable to represent all clients, the office is exploring options to contract with outside counsel and is considering what a potential agreement with an attorney in Pierre might look like, likely using a flat-rate or fixed contract model.

It was suggested that coordination with local public advocates' offices may be an option. Mr. Miles shared that he has had initial discussions and is continuing to evaluate the best approach moving

forward. He welcomed any recommendations for attorneys who may be interested in assisting with appellate work.

#### **Update on Rules Promulgation**

Mr. Miles shared that rule drafting is underway and being organized into the appropriate format. Progress is expected to move more quickly as staffing is finalized. The rules will serve as a key framework for the office's operations, and an intern will begin assisting with this work.

Dean Fulton noted that beginning to take cases now will be helpful in shaping the development of the rules and aligns well with the overall timeline. Mr. Miles also mentioned that a master list is being assembled of attorneys taking cases statewide to better understand the broader landscape.

#### **Other Business**

There was no other business.

#### **Public Comment**

There was no public comment.

#### **Adjourn**

**Motion:** Mr. Kippley made the motion to adjourn, and it was seconded by Mr. Travis. The motion carried.

The meeting adjourned at 10:30am.