

STATE OF SOUTH DAKOTA

COMMISSION ON EQUAL ACCESS TO OUR COURTS

December 9, 2022 @ 10:00 am (CST)
Room 132 State Capitol Building and Via Zoom

ATTENDANCE:

Commissioners: Chairman Tom Welk, Greg Sattizahn, Margo Tschetter Julius, Hon. Margo Northrup, Lynn Hammerstrom, Sarah Wachal and Michelle Glodt

Directors Present: Tom Mortland and Michelle Lovejoy, DPLS; Denise Langley and Andrew Fergel, A2J; Lea Wroblewski and Annmarie Michaels, ERLS

Others Present: Marya Tellinghuisen, Lisa Marso, Rory King, Elizabeth Overmoe, Erika Olson, Nancy Glickman and Sharon Chontos

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.

NEW BUSINESS:

Commission Funding Status Update – Greg Sattizahn

Greg reported the continual funding sources for CEAC come from two sources, the legislative appropriation each year in the amount of \$50,000 and also fees that arise from domestic relations cases. The CEAC are the fiduciaries to distribute the funds. There was also a one-time \$200,000 deposit into the fund by the Legislature for the legal needs assessment.

Today's current balance of the funds to disburse is a little over \$168,000. The sum of \$83,000 has been distributed for the legal needs study. \$100,000 has been distributed to the three organizations during the current fiscal year, which leaves another \$150,000 yet to be distributed between today's meeting and by the end of June 2023.

LSC Program Quality Visits to South Dakota – Nancy Glickman

Nancy Glickman stated she is the Program Counsel for Legal Services Corporation and Office of Program Performance, the largest funder of legal aid in the United States. LSC receives money from Congress, which they then pass on to grantees. Nancy is the liaison for the three South Dakota organizations.

Nancy reported as liaison she covers the legal needs assessment, leadership, organization boards, technology, management and delivery of legal aid in the state. She also reviews documents such as grant applications and does monthly check-ins and is always available to the programs to provide assistance. Nancy mentioned there are 132 LSE grantees so she can only do visits periodically with sometimes five to eight years between visits.

Last year she visited ERLS and DPLS this year. As part of the review she reviewed their internal documents, program policies, case closure data, staffing, salaries, and weighting samples. Nancy also conducts online surveys of staff and does interviews of the board, management, judges, community partners and stakeholders. After the review and interviews, a Draft Report is shared with the programs for comments. Ultimately, a final report is distributed and shared on the public website. The final report contains findings under each heading of LSE performance criteria and recommendations if necessary moving forward. The programs then are required to report on their implementation of the recommendations 12, 18 and 24 months after the visit. Nancy provided the computer link to the final ERLS report which is available for public review.

Nancy gave a favorable report on the ERLS program. Lea Wroblewski mentioned she started at ERLS May 2022. They had a substantial change in leadership and transfer of information and resources not readily available. The LSC report gave her a good understanding of the organization and a to-do list, which Lea relies on to rebuild the ERLS program. Lea also mentioned they now have a signed contract with the Woltman Group for financial planning and grant management advice.

Lynn Hammerstrom suggested it may be beneficial to hire one firm to coordinate the financial planning for all three organizations and share the costs. Tom Mortland replied that DPLS hired Michelle Lovejoy as their accountant. Denise Langley stated the audits for A2J are handled through the State Bar.

Chairman Welk inquired of Nancy when the Final Report for DPLS would be available. Nancy answered she expects the final report will be finished March 2023. She stated she will send the link to Greg when it is completed.

LEGAL NEEDS ASSESSMENT UPDATE – Sharon Chontos

Tom Mortland introduced Sharon. Sharon commented the assessment is about 80-85% completed. Sharon shared her preliminary findings through a PowerPoint and to show the process of how the report was prepared. One of the first things she did was put together an advisory council consisting of partners from the three organizations, board members, Greg

Sattizahn, networks of LLS, and other people who influence the clients that the organizations serve.

Sharon has completed 16 community interviews so far. The report will be divided by community and area. Sharon stated she has 5 more communities to visit. She will then visit with each organization separately to get their further recommendations for the report. The advisory council will need to review the report and then the Final Report will be completed by the end of January.

Sharon added in her presentation that part of the report will be the attorney workforce finding of the lack of attorneys in rural areas and the lack of pro bono attorneys across the state. This will be an appendix to the main report for attorney recruitment.

Chairman Welk inquired if the report will be available to share with the legislature this next session. He suggested Sharon try to expedite the report and share it as a preliminary draft report. Sharon replied she does have enough data now to begin writing an executive summary that would meet the needs of the commission for distribution to the South Dakota Legislature. She will endeavor to complete the draft report to be available for public as soon as possible.

REVIEW OF GRANT SUBMISSIONS:

Greg reported the Commission has \$75,000 to distribute. Applications were made by the three organizations to divide the money as follows:

\$30,000 to ERLS, \$30,000 to DPLS and \$15,000 to A2J.

Chairman Welk asked for a motion to distribute the grants as requested.

A MOTION WAS MADE BY LYNN HAMMERSTROM TO DISTRIBUTE THE MONIES \$30,000 TO ERLS, \$30,000 TO DPLS AND \$15,000 TO A2J. THE MOTION WAS SECONDED BY MARGO NORTHRUP.

HEARING NO FURTHER COMMENTS, THE ROLL CALL VOTE WAS ALL IN FAVOR; NONE OPPOSED. MOTION APPROVED AND CARRIED. THE MONEY WILL BE DISTRIBUTED.

NEXT MEETING DATE:

Chairman Welk inquired if the next meeting should be held next June. It was decided the State Bar Convention on June 21-23, 2023, would be too busy of a time to hold the meeting.

Chairman Welk voiced the meeting needs to be early enough in June to get the checks out before the end of the fiscal year. It was suggested to hold the meeting on June 9th at 10 am

MOTION WAS MADE BY GREG SATTIZAHN TO SCHEDULE THE NEXT CEAC MEETING ON JUNE 9, 10 AM; SECONDED BY MARGO JULIUS.

VOICE VOTE: ALL IN FAVOR; NONE OPPOSED. MOTION CARRIED.

Chairman Welk thanked the special guest presenters for today's meeting and stated he looks forward to the Final Report from DPLS and the preliminary draft report that will be coming from Sharon Chontos.

A MOTION WAS MADE BY MARGO NORTHRUP TO ADJOURN THE MEETING; SECONDED BY MARGO JULIUS.

VOICE VOTE: ALL IN FAVOR; NONE OPPOSED.

MEETING WAS ADJOURNED AT 11:26 AM.



Michelle Glodt, Secretary, CEAC



Date: