

**STATE OF SOUTH DAKOTA**  
**COMMISSION ON EQUAL ACCESS TO OUR COURTS**  
**December 9, 2025, at 10:00 AM (CST)**  
**Via Zoom**

**ATTENDANCE:**

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

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

Also Present: Toni Alvin and David Bonebrake (Legal Services Corp), Lori Stanford and Kate Korthour (DPLS), Alisa Bousa (UJS), Makenzie Huber (Searchlight)

**CALL TO ORDER:**

Chairman Tom Welk called the meeting to order at 10:07 am. Roll call was taken and a quorum was determined to be present. A welcome was given to all the guests.

**NEW BUSINESS:**

**LSC Funding Update – Toni Alvin and David Bonebrake**

Toni and David provided an update on LSC funding and the pending grant application for legal services organizations. Toni reviewed the statutory framework governing grant decisions under the LSC Act, which requires ensuring high-quality assistance through the Capability Assessment (CAD).

- **Regulatory framework:** 45 C.F.R. § 1634 governs the competitive grant process, applications, procedures, and evaluation factors.
- **CAD process:**
  - Conducted in person, on-site at both programs.
  - Includes interviews with staff, leadership, and partners; case file reviews; and involvement from the Office of Program Performance (OPP) and the Fiscal Wing of Compliance and Enforcement.
  - An outside review panel participates.
  - Findings are presented to LSC President Ron Flagg, who makes the final decision.
- **Evaluation Criteria:**
  - Performance in four areas: program quality, program governance, fiscal management, and compliance/proper use of grant funds.
  - Capacity to serve the requested service area.
  - Experience, ability to meet client needs, cost effectiveness, organizational stability, and client relationships.

The LSC review process involves reviewing applications, conducting visits, assessing criteria, and receiving multi-department evaluations before making a recommendation. The LSC President ultimately decides which program best serves each area.

The current LSC awards include two grants (ND1 and SD4) with Dakota Plains Legal Services. These are the basic field grant and the Native American services grant. William Sulik reported the services for Native Americans grant was \$1,470,733 and the basic field grant is \$576,919. These amounts align with prior years. Full federal appropriation is not yet in place; with funding expected to remain essentially level.

Toni Alvin explained that after extensive review, LSC determined DPLS is best positioned to continue serving client needs based on its established relationships, leadership changes, and capacity. She clarified the decision is not a negative reflection on East River Legal Services (ERLS), which remains a well-run program.

David noted DPLS will receive special grant conditions addressing areas where improvement remains necessary. Toni outlined three special conditions:

1. Continued progress transitioning from decentralized to centralized intake.
2. Board governance matters.
3. Leadership involvement in completing the nationwide search for a permanent Executive Director.

#### **Additional Discussion**

- **Board governance:** No special condition imposed; progress observed.
- **Timeline for permanent ED search:**
  - No deadline imposed.
  - DPLS has one year of funding and must report quarterly.

#### **Compliance Review**

- This review occurred because the grants were competitive this cycle.
- Typically, LSC provides three-year funding with streamlined annual renewals.
- Due to East River applying and past performance concerns with DPLS, DPLS received a one-year award requiring full reapplication next year.

#### **Program Quality Review**

- Conducted in 2022 through a week-long visit.
- Initiated as part of routine risk-assessment (every 5–10 years).
- Resulted in Tier 1 recommendations for improvement.
- Sulik noted that DPLS was originally scheduled for a full compliance review, but due to the competition, the review became a CAD. He inquired about the next full compliance review—tentatively planned for **2026**, though travel reductions may affect scheduling.

Chairman Welk thanked Toni and David for their guidance and emphasized the Commission's reliance on LSC expertise.

#### **(Judge Dvorak Joined the Meeting)**

#### **Updates on Previous Grant Awards**

##### **East River Legal Services (Lea Wroblewski)**

- Still requesting assistance with general operating expenses.

- Significant financial changes occurred after statewide Emergency Rental Assistance ended in September.
- Three pending grants expected by year-end; no 2026 budget until funding confirmed.
- Housing-related needs continue rising.
- Sioux Falls currently lacks rental assistance resources; ERLS remains the only provider.

**Funding updates:**

- Awarded Sioux Empire United Way funds (domestic violence services).
- State VOCA supplement eliminated for 2025 (limited to non-legal victim services).
- Many clients have housing concerns connected to domestic violence.

Chairman Welk asked how general operating revenues align with statutory service priorities. Ms. Wroblewski explained long-standing grant language has been updated to align more directly with statute. Priority civil areas: family law, housing, income protection/benefits. All qualifying applicants receive information/advice within one business day. Higher-level service for domestic violence survivors and veterans. ERLS classifies each case in Legal Server and can report demographics. Metrics reflect level of service, not necessarily case volume.

**A2J Program (Denise Langley)**

- Not requesting funds from the \$250,000 allocation.
- CEAC-funded part-time position expected to be funded for approximately two more years, depending on hours worked.
- CEAC grant restricted solely to that position.

**Dakota Plains (William Sulik) – Organizational Update**

Mr. Sulik summarized DPLS’s financial situation and operations:

**Budget**

- DPLS historically had a large fund balance, but most was spent before his arrival.
- Cost-cutting measures underway.
- Savings achieved through training cost reductions and contract renegotiation (~\$30,000 savings).

**Justice Bus (“Judy”)**

- First full year of operation:
  - 13 active locations, 13 events.
  - 135 attendees; 16 applications taken, 9 submitted; 68 cards distributed.
  - Participated in a Sioux Falls parade, distributing 200 brochures.
- Community awareness still low; more outreach needed.
- Staffing challenges remain.
- LSC Rural Court Program grant approved, may support summer outreach.
- Bus costs for FY25: \$33,390 (attorney wages, payroll, rent, travel, IT, depreciation).
- CEAC grant provided \$13,000; remaining costs covered by other DP funds.

**Centralized Intake**

- Progress limited by loss of certain grants.
- William Sulik remains available to continue work temporarily.

## Collaboration

- William praised Lea’s analytical support and emphasized cooperation between DPLS and ERLS to better serve the state.

## Grant Award Discussion

### Requests

- **A2J:** No request.
- **DPLS:** \$192,000 (includes prior withheld funds).
- **ERLS:** \$125,000 requested for each.

## Commission Deliberation & Motions

### 1. Initial Motion:

- Julius moved to award **\$154,000 to DPLS** and **\$96,000 to ERLS** based on July minutes and withheld DPLS funds.
- Second by Holter.

### 2. Amendment (Chairman Welk):

- Increase ERLS to **\$100,000**.
- Amendment passed unanimously.

### 3. Clarification (Michelle Glodt):

- Confirmed funds are general operating expenses; however, expectation is that DPLS prioritize Justice Bus funding.

### 4. Final Amendment:

- Add explicit requirement that DPLS prioritize the Justice Bus.
- Second by Judge Dvorak; passed unanimously.

## Final Grant Awards

- **DPLS: \$154,000**, with Justice Bus as the first funding priority.
- **ERLS: \$100,000**.
- Unanimous approval.

Greg will forward minutes to the auditor; funds expected by year-end (approximately two-week processing time).

## Legislation: UJS Proposal to Remove Answer Fee in Eviction Cases

Greg presented the draft bill and background:

- Currently there is a \$25 answer fee in civil cases that creates issues in eviction proceedings given the short 5-day response window and financial strain on tenants.
- Clerks also struggle when landlords submit tenant communications as “answers.”
- Estimated revenue loss: **~\$5,000/year** to the Legal Services Fund.
- Judges’ Association supports the proposal.
- Legal service organizations were consulted and expressed no concerns.

**Motion:** Glodt moved to support the legislation; Julius seconded.

**Vote:** Passed unanimously.

### Proposed Commission Charter

Greg presented a draft Commission Charter outlining:

- Purpose and statutory authority.
- Appointment information and term lengths.
- Creation of Chair and Secretary roles with renewable two-year terms.
- Meeting schedule consistent with current practice.
- Updated member list and term expirations.

**Motion:** Dvorak moved to approve; Holter seconded.

**Vote:** Passed unanimously.

Election of officers deferred to the next meeting.

### Next Meeting

- **Proposed date: Tuesday, April 14 at 10:00 AM CDT**
- Greg will send a calendar invitation.
- Chairman Welk thanked everyone for their time and services, with well wishes for the Holidays.

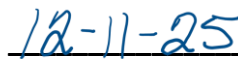
### Adjournment

Hearing no further discussion, a motion was made by Margo Julius to adjourn; seconded by Greg Sattizahn. All in Favor.

The meeting adjourned at **11:30 AM**.



Michelle Glodt, Secretary



Date

Postscript:

*ERLS contacted the Commission seeking to carry unexpended balances from prior Commission awards forward into 2026 and continue to use them exclusively for the same intended purposes. That request was approved by the Commission.*