

STATE OF SOUTH DAKOTA
COMMISSION ON EQUAL ACCESS TO OUR COURTS
February 28, 2022, 10 am (CST)
Phone Conference

ATTENDANCE:

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

Commissioners not present: Sarah Wachal

Others Present: Tom Mortland and Annmarie Michaels (DPLS), Kim Poitra (ERLA), Andrew Fergel and Denise Langley (A2J)

CALL TO ORDER:

Commission Chairman Tom Welk welcomed everyone present and called the meeting to order at 10:00 am. Roll call was taken and a quorum was determined to be present.

NEW BUSINESS:

Chairman Welk asked for an update from the ERLS concerning Brent Thompson's replacement. Annmarie Michaels replied they have not filled replaced the position yet but they do have three interviews scheduled for Friday. In the meantime Brent continues to act as a consultant.

● **Commission Funding Status Update:** Greg reported in December the Commission made a distribution of \$100,000; \$50,000 which came from EAC funds collected as surcharge, and another \$50,000 from the general appropriations fund.

As of today there is a balance in the fund of \$276,271. \$250,000 of that total is a one-time appropriation provided last year by the Legislature. That money carries over until it is spent. \$26,271 was collected in surcharges. On July 1, 2022, another \$50,000 will be collected from the general appropriations.

Greg discussed Senate Bill 155. This is a bill regarding an appropriation to supplement VOCA funds and is administered by the Department of Public Safety. This fund was established to assist victims of domestic abuse, sexual assault and children in A&N situations. The three organizations have accessed those dollars in the past. At this time the bill has passed the Senate and has yet to be heard in the House. Andy stated he is also tracking this bill and thinks there has been good support for the bill.

Kim Poitra mentioned ERLS has received the VOCA grant since 2018 and the current grant, which ends in June, was cut in half from the prior year. The current application process opens March 1st and needs to be completed by March 31st. ERLS will request a million dollars, but with the cut in VOCA, they are hoping to maintain receiving around \$600,000.

● **Legal Needs Assessment Update and Next Steps:** Denise Langley reported the three programs have chosen SAGE Consultants to do the legal needs assessment. The budget is \$83,865. Denise reported also that Sage is a South Dakota company led by Sharon Chontos, who is familiar with both ERLS and DPLS. Her company has previously completed a strategic plan for ERLS in 2016 and is in the process of completing a plan for DPLS. Sharon is already familiar with LSC requirements. Sharon and her team are ready to start working immediately.

Chairman Welk asked for a brief recap of the process the organizations went through in choosing the Sage Company. Denise mentioned they released RSP's Nov. 2nd and letters of intent were due by December 1, 2021. They received three letters of intent in which only Sage supplied a final proposal by the deadline. The Notice of Award was released on Feb. 15th, 2022. Chairman Welk inquired if travel costs are included in the \$84,000. Denise answered the \$84,000 is all-inclusive and does include travel expenses.

Chairman Welk added the minutes from the December 2021 CEAC meeting reflect the three entities agreed the most efficient method of funding would be to have Dakota Plains be the custodian of the money and handle the disbursements. Kim, from ERLS, affirmed their choice was also Sage and they concur with how the funding will be managed. Kim is familiar with Sharon and liked working with her. Tom Mortland stated Sharon is currently doing a strategic plan for DPLS, which is in the initial development stages. Tom says he likes Sharon and is comfortable with their choice of Sage and agrees with the cost.

Chairman Welk inquired whether the Commission had any questions concerning the selection of Sage to complete the needs assessment. Lynn Hammerstrom commented \$84,000 is a large amount and inquired what the three entities expect to receive for that amount. Kim replied the last needs assessment was done 15 years or more ago and the assessment will give them updated information to operate in the future. Kim added none of the organizations have the staff to do this type of analysis. Chairman Welk added the assessment is done periodically for LSC and the legislature funding purposes. Welk commented when asking for funding, it's helpful to know what is needed as there are continual changes in diversity, people, technology and legal needs.

Michelle Glodt added in prior discussions of grant applications that the organizations have applied for, they typically ask for a current needs assessment as part of the funding process.

Lynn further asked if the three groups keep track of their needs throughout the year. Denise answered that all three groups use the program called Legal Server which will track all data such as the type of legal cases, the age of the person applying, whether they are accepted, where the aid is used in the state and the court cases filed. All that information is tracked in the Legal Server program.

Tom Mortland added the needs assessment will give them updated information as to what needs are out there. Tom mentioned they handle a lot of cases on the reservations so

there is a misunderstanding that you need to be Native American to be eligible. This assessment will find out where there is a need for services so more people can be served.

HEARING NO FURTHER COMMENTS, THE MOTION WAS MADE BY LYNN HAMMERSTROM TO APPROPRIATE \$84,000 TO DAKOTA PLAINS TO BE PAID TO SAGE CONSULTANTS FOR THE NEEDS ASSESSMENT. THE MOTION WAS SECONDED BY MARGO JULIUS.

ALL WERE IN FAVOR BY UNANIMOUS VOICE VOTE; NONE OPPOSED. MOTION CARRIED.

● **Next Meeting Date:** Chairman Welk discussed once the document is available and distributed for review, what should the next step by the Commission be and inquired whether the Commissioners would want a presentation by Sage. Denise stated Sage will complete the document by September 15th, 2022, and will give a presentation at that time and suggested the CEAC could be invited to the same presentation.

Chairman Welk stated he would prefer to first review the report and then meet with the Commission to discuss it. Greg stated the Commission generally meets in June and January to discuss the funding needs of the organizations. Greg stated there will be an additional \$50,000 added to the fund in mid-July to put the total at \$191,000.

MARGO NORTHRUP MADE A MOTION TO SCHEDULE THE NEXT MEETING AT 10 AM ON JULY 22, 2022, VIA CONFERENCE CALL, FOR DISTRIBUTION OF THE FUNDS TO THE ORGANIZATIONS. THE MOTION WAS SECONDED BY MICHELLE GLODT.

MOTION WAS APPROVED BY UNANIMOUS VOICE VOTE. MOTION CARRIED.

Adjournment: The meeting adjourned at 10:43 am.

*** The Minutes were approved by the Commission via electronic communication on March 1, 2022.



Michelle Glodt
Secretary, CEAC



Date