

STATE OF SOUTH DAKOTA
COMMISSION ON EQUAL ACCESS TO OUR COURTS

December 16, 2019, 10 am (CST)
"Go To Meeting"
Room 132, State Capitol Building
Pierre, South Dakota

ATTENDANCE:

Commissioners: Tom Welk (Chairman), Greg Sattizahn, Sally Christenson, Michelle Glodt, Margo Tschetter Julius, Lori Grode (recording secretary)

Commissioners Not Present: Hon. Joni Clark and Lynn Hammerstrom

Also Present: Mark Henderson, Rebecca Wiersma and Brent Thompson with ERLS; Tom Mortland and Dalene Bettelyoun with DPLS; Andy Fergel and Denise Langley with the SD State Bar; and Bob Mercer

CALL TO ORDER:

Commission Chairman Tom Welk called the meeting to order at 10:02 am. Roll call was taken, and a quorum was determined to be present.

NEW BUSINESS:

Chairman Tom Welk welcomed newest board member Margo Julius to the Commission. Margo stated she is very happy to join this commission. She has been a practicing attorney for 27 years and is currently working at Julius & Simpson in Rapid City doing primarily worker's compensation and personal injury cases, almost 100% claimant or plaintiff work. She grew up in Belle Fourche, SD.

Chairman Welk stated the main item on the agenda today is the distribution of grant awards to the three organizations, ERLS, DPLS and A2J. Greg stated the total amount to be distributed today is \$44,797.67.

The first item for discussion was having the three organizations submit their applications once a year instead of submissions each meeting. The commission will continue to have two meetings a year in June and December to distribute monies before the beginning of the fiscal year and beginning the new calendar year.

Mark stated the audit process for ERLS is completed by the end of April and then receive their report the first part of April. Tom said DPLS follows the same timeline. Denise Langley stated the A2J report is completed by the end of January each year.

MOTION WAS MADE by Sally Christenson that the three organizations submit their application for the June meeting and supplement their financials for the December meeting.

SECONDED BY Michelle Glodt.

VOICE VOTE: All in favor, none opposed. MOTION CARRIED.

Quarterly Reports: Discussed organizations submitting quarterly reports with financial information rather than attached to their annual application. Tom asked for 45 days at the end of the quarter to submit report.

MOTION WAS MADE by Michelle Glodt to require quarterly financial reports within 45 days after end of quarter.

SECONDED by Greg Sattizahn.

VOICE VOTE: All in favor, none opposed. MOTION CARRIED.

Demonstration on the Client Intake Software, Legal Server: Brent Thompson and Becca Wiersma demonstrated the client intake software tool that went live March 2018 for people to apply online for legal services. They have had 21,000 new visitors access the website. They plan on applying for additional grants through the Legal Services Corporation to develop the site further. The latest addition to the site is you can now access the software in Spanish. Brent stated it has proved to be an invaluable tool, saving the organizations approximately 76% office staff time interviewing potential clients. The commission also viewed a video on the custody issue in family law cases which is posted with other short videos on the website.

Becca added Legal Server is a protected private and secure site for client information. She demonstrated how to go through the application process online. Once the form is filled out, the application determines and sorts the needs and where the person should be referred.

Denise Langley mentioned that with A2J they don't automatically refer clients to the software intake. They have intake workers that process the information, which the group then determines which program to refer the client to. A2J follows the following income guidelines:

- Individuals living at 125% below the federal poverty guidelines
- Survivors of domestic violence, sexual assault, human trafficking or stalking living at or below 15% of the guidelines
- Individuals with disabilities, the elderly and veterans who lie at or below 200% of the federal poverty guidelines.

Denise does transfer clients through the Legal Server program. Modest Means is one new program a client may be referred to. The lawyers who volunteer for Modest Means will bill at a reduced rate of \$95.00 per hour, with a cap of \$650 for the retainer.

Chairman Welk asked if the Legal Server software is sufficient for making wills and powers of attorney. Brent answered this service is not available at this time, but they are continually

working on adding to the software program and looking at what other states have created and building on those ideas.

Andy Fergel said the A2J has a link on the State Bar website with another link to access the Fergel: State Bar website has link for A2J with direct link to the Legal Server tool. Greg said the link is also on the UJS website under Self Help tab and will request it be put on the state website as well. Brent offered to put the link anywhere helpful to promote the site. It was also suggested the software tool be shown to the legislature this next session.

Becca and Brent added the software will quickly prepare reports showing statistics and demographics broken down by regions, county, race, disabilities, client types, attorneys, and timelines on how quickly a case will move through the system. It will track all sorts of data that used to take days to prepare these reports. It can be set up to prepare annual reports and spreadsheets. Chairman Welk asked if the statistical reports could be furnished with the updated quarterly financials that will be submitted, and all organizations said that they would be willing to submit such statistics with the quarterly financials.

Chairman Welk inquired whether the Governor's budget included as a general appropriation the \$50,000 in general fund money appropriated to the commission last year. Greg stated that the \$50,000 sum is included in the UJS budget.

Distribution of Grant Awards: As Greg mentioned, there is \$44,797 in the fund to distribute to the three organizations. A2J had requested \$2,500 go to them, with the remaining amount split equally with DPLS and ERLS of the \$38,000 originally intended to be distributed at this meeting. Greg suggested keeping close to \$1,000 in the account for meeting expenses and distributing \$44,000. A2J, Denise Langley, stated a little more than the \$2,500 would be useful for training purposes.

Hearing no further discussion, it was suggested \$20,250 would go to ERLS and DPLS, with \$3,500 going to A2J.

MOTION WAS MADE by Michelle Glodt to approve the Grant award.

SECONDED by Margo Julius.

VOICE VOTE: All in favor; none opposed. MOTION CARRIED.

Tom Mortland thanked the Commission for the grant money award and said it is greatly appreciated.

MOTION WAS MADE by Sally Christenson, seconded by Greg Sattizahn, to adjourn the meeting. MOTION was made by unanimous voice vote.

Meeting adjourned at 11:00 am.

Minutes approved by the Commission via electronic communication on 12-17-19.

Michelle Glodt

Michelle Glodt
Secretary, CEAC

Dec. 17, 2019

Date