

**STATE OF SOUTH DAKOTA**  
**COMMISSION ON EQUAL ACCESS TO OUR COURTS**

July 26, 2019, 10 am (CST)  
Room 132, State Capitol Building  
Pierre, South Dakota

**ATTENDANCE:**

Commissioners: Tom Welk, Greg Sattizahn, Sally Christenson, Michelle Glodt.

Commissioners Not Present: Hon. Joni Clark, Tom Fritz (exiting member), Lynn Hammerstrom, and new member, Margo Tschetter Julius.

Invited Guests: Andy Fergel (State Bar); Tom Mortland, Dalene Bettelyoun, (DPLS); Brent Thompson and Kim Poitra, (ERLS); Denise Langley, (A2J)

**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. Margo Tschetter Julius accepted the new Commission appointment but was unavailable for today's meeting.

**NEW BUSINESS:**

Tom Welk thanked the legal services organization directors for their time and dedication. The purpose of the meeting was for everyone to meet each other face to face and to distribute the remaining money.

**INTRODUCTIONS:**

**Access to Justice:**

Denise Langley is the co-coordinator of Access to Justice located here in Pierre, essentially funded by the State Bar and serves clients throughout the state. Attorneys volunteer from all around the state on a pro bono basis.

A2J also has begun a Modest Means program for clients that do not qualify for the A2J program. A2J also utilizes Judicare, a federal funding program, for a few cases per year.

Clients who have priority are veterans, elderly, disabled, victims of domestic violence, and human trafficking. Income guidelines are:

- Individuals living at 125% below the federal poverty guidelines.
- Survivors of domestic violence, sexual assault, human trafficking or stalking living at or below 150% of the guidelines, and
- Individuals with disabilities, the elderly and veterans who lie at or below 200% of the federal poverty guidelines.

Denise Langley mentioned the last two years they have not asked the commission for funding, but at this meeting they are requesting \$20,000.

**Dakota Plains Legal Services:**

Tom Mortland, director of Dakota Plains Legal Services, started as interim director October 2018 and became director in April 2019. Their organization covers Western South Dakota with offices in Crow Creek, Ft. Thompson; Pine Ridge, Oglala; Cheyenne River in Eagle Butte; Standing Rock, Fort Yates, ND; Sisseton-Wahpeton and Rapid City. Their administrative office is located in Mission, SD. They also have covered Flandreau in ERLS's territory when ERLS did not have the funding. Last June they opened an office in Sioux Falls that handles Native American clients only.

Tom stated the biggest challenge for their organization is the size of the 50,000 square miles they serve, trying to find attorneys in the rural areas, and finding and keeping personnel hired. The online application system, Legal Server, has helped tremendously.

Dalene Bettelyoun is the administrator for Dakota Plains Legal Services. She began in 2006 as a legal secretary in the Rapid City office and four years ago moved to the administrator position. She has been with DPLS for thirteen years.

**East River Legal Services:**

Brent Thompson, executive director of East River Legal Services offices in Sioux Falls. ERLS covers the eastern 33 counties of South Dakota, approximately 40,000 square miles of coverage, with 30,000 persons below the federal poverty level. Brent also said the most difficult challenge for ERLS is finding staff. One main goal is to streamline their systems and rely more on technology for the client intake applications, with also more helpful information online.

ERLS also utilizes Modest Means and Judicare federal funding programs.

Kim Poitra was also present for ERLS as the director of finance administration. She handles all bookkeeping and grants. She began in March 2018 with a prior history in healthcare and banking.

ERLS continues to apply for and use every grant they can. All federal grants require a 25% match in nonfederal dollars which makes it difficult for small programs. ERLS continues to advertise and ask for donations. Lately the private side donations have been very successful.

**Commission Background:**

Michelle Glodt stated she lives in Pierre and is the Governor appointee to the Commission. She has a background in teaching and administration and now does consulting.

Sally Christenson lives in Pierre, a retired teacher, also appointed by the Governor and has served on many state committees.

Greg Sattizahn is the State Court Administrator with the Unified Judicial System, appointed by the Chief Justice, and has been on the commission since 2009. Greg is an attorney.

Tom Welk, also an attorney, grew up in Winner. Tom serves as the Chairman of the Commission, and has also been on the commission since formation in 2009.

**Distribution of Grant Awards:**

Chairman Welk stated the main reason for the meeting today is to disburse the remaining money received from General Appropriations. At the last meeting the remaining \$50,000 had not been received as of that time.

The role of the Commission to distribute the money is taken very seriously and the Commission makes a serious effort to read all applications and audit reports and note all deficiencies by the organizations. The Chairman mentioned the supplemental responses by the organizations was appreciated and the duty of everyone is to make sure people in need are served. Monies are distributed as quickly as possible and are not kept as a surplus balance.

Greg Sattizahn reported that the \$50,000 from the General Appropriations became available July 1<sup>st</sup>, plus fees collected, the total amount in Commission funding now totals \$72,255.09.

Chairman Welk proposed the Commission distributes \$70,000 today by giving \$25,000 to ERLS, \$25,000 to DPLS and \$20,000 to Access to Justice.

WITH NO FURTHER QUESTIONS, MOTION WAS MADE BY MICHELLE GLODT TO DISTRIBUTE THE MONIES AS MENTIONED. SECONDED BY SALLY CHRISTENSON.

Voice vote: All in favor; none opposed. Motion carried.

Discussion followed concerning the nature of the funding process. Andy Fergel said from a political standpoint, if the organizations want to receive additional money in the future, the legislature will look at the number and the priority of clients served.

**Next Meeting:**

Chairman Welk suggested the Commission meet next mid-December 2019. At the December meeting the Commission will consider:

1. Year-round application for 2020, consistent with the statute and with reports for how they will serve their clients in the future.
2. Discussion will be held on possible quarterly reports from the organizations.
3. Demonstration on the client intake software.

**December 16, 2019**, was agreed upon for the next Commission meeting to be here in Pierre, same Room 132, possibly meeting by telephone or ITV. Applications must be submitted by

December 6<sup>th</sup>, to be sent electronically to Greg Sattizahn for distribution to the other commissioners.

**OLD BUSINESS:**

CEAC Grant Award History – no further discussion.

MOTION WAS MADE BY SALLY CHRISTENSON TO APPROVE GRANT AWARD DOCUMENT, SECONDED BY MICHELLE GLODT.

Voice vote: All in favor; none opposed. Motion carried.

Michelle Glodt made a further motion to adjourn, seconded by Sally Christenson.

Meeting adjourned at 11:25 am.

Minutes approved by the commission via electronic communication on July 29, 2019.



Michelle Glodt  
Secretary, CEAC

7/29/19  
Date