SOUTH DAKOTA JUDICIAL SYSTEM

UJS Strategic Plan

Created: October 2009

Key UJS Philosophical Values

Fairness & Impartiality
We will interpret and apply the rule of law in a manner that is unbiased and that provides equal protection to all who seek our services.

Respect
We will encourage respect for the law, the administration of justice, and the people we interact and work with each day. We will promote and exemplify high standards of cooperation and courtesy to those within and outside the UJS.

Competence
We will continue to develop our technical and academic knowledge. We will strive for a standard of excellence in all we do through accurate, timely, reliable, consistent, and efficient performance.

Judicial Independence
We will uphold the principle that our courts should not be subject to improper influence from the other branches of government, or from private or partisan interests.

Integrity
We will conduct business in accordance with the highest ethical and legal standards. We will strive to maintain a reputation of honesty, reliability, and trustworthiness in all our activities.

Service
We will provide equal access to the judicial process to anyone who needs our services. We will offer assistance, act with sincerity in our activities, and encourage cooperative efforts to achieve our mission.

PAAC is the Supreme Court's Planning and Administrative Advisory Council. PAAC conducted a survey of UJS employees, judges and justices, and the South Dakota Bar Association. After the results were analyzed, PAAC recommended the Strategic Plan to the Supreme Court. It exists to provide leadership to the Supreme Court, Circuit Courts, and the State Court Administrator's Office on best practices and consistent business policies that affect internal court operations, resources, and priorities; to advise them on long-term statewide planning for the UJS; and to recommend system-wide responses to changing expectations of the judicial environment, such as future trends, technological developments, economic and societal patterns, and shifting demographics. PAAC will work in concert with the Supreme Court's Technology Council and the Presiding Judges' Council to offer recommendations that will allow the UJS to anticipate and address those areas in a clear, active, and well-coordinated manner.

Six Focus Areas of UJS

To make our vision a reality, we will achieve results in the following areas:

1. **Technology.** We will seek to acquire modern resources that will provide technical options, solutions, and resolutions for UJS offices, other justice system agencies, and the public. This includes a new case management system, networking capabilities, e-filing and electronic document management.

2. **Staffing Recruitment and Retention.** Our most valuable asset is our employees. We will evaluate our existing compensation and classification system to ensure equitable treatment of our employees, fair wages, and satisfactory working conditions. We will continue to provide personal and professional development opportunities to all judges and staff.

3. **Budget & Resource Management.** The UJS will provide open and accountable administration of all resources available to it. We will explore alternative and additional funding options. We will evaluate current business practices to determine where efficiencies can be gained, without sacrificing effectiveness.

4. **Small and Rural Courts Issues.** We will assess the need for improved physical access to court facilities; uniformity and availability of services; workload distribution options; and the impact of serving rural areas of our state.

5. **Access to Justice.** We will form partnerships with diverse individuals, organizations, and communities; identify resources; demystify the courts; and develop user-friendly instructional pamphlets and forms to assist our customers in using the court system.

6. **Public Trust & Confidence.** It is our responsibility to ensure that the public has confidence in our work and trust that we are operating efficiently, effectively, and without bias or prejudice. We will be leaders in the effort to educate the citizens we serve about the judicial process.

* * * * * * * *

Each year, we will move forward in these Six Focus Areas by:

- Reviewing our strategies against the changing environment and against our mission, vision, goals, and values, and adjusting as needed;
- Evaluating the prior year's programs and performance;
- Making budget and resource allocation decisions within the context of the strategic plan; and
- Conducting operational reviews of administrative practices, procedures, rules, and organizational structures to identify changes that improve the quality of service, control costs, streamline procedures, and to promote access to justice.

2011-2012 Major UJS Accomplishments

Technology

- Conversion and continued development of Odyssey system including EDMS and E-filing
  - 6 pilot counties converted November 2011
  - 18 counties converted May 2012
  - 2 counties converted October 2012
- Added content to the UJS website for self-represented litigants
- Internal social media guidelines and updated email and internet policy

Staffing Recruitment & Retention

- Orientation for 3 circuit judges and 2 magistrate judges
- Promotion of 1 deputy clerk of court to clerk of court and 1 deputy chief court services officer to chief court services officer
- Court Reporter and I/T programmer recruitment fairs
- Professional & Leadership Development Programs:
  - Highly Developed Judge (New Judge Orientation Program)
  - Deputy Clerks (18 participants)
  - Court Management Program (partnership program with North Dakota)
  - Leadership Institute – Phase 1 (4 participants)
  - Book Chat (1 book completed)
  - Real Colors Deputy Clerk Training (12 participants)
- Study of the UJS Classification and Compensation system

Budget & Resource Management

- Collections pilot
- Internal travel regulations updated (including hotel rates)

Small & Rural Courts Issues

- Shift work to rural counties from high volume courts
- Work with the State Bar on its Project Rural Practice

Access to Justice

- Maintaining three Drug/DUI courts in South Dakota, added one in 2012 and will add one additional specialty court in 2013
- Cameras in Courtroom Rule adopted and implemented in Circuit Courts around the state
- Implemented interpreter training, guidelines and signage
- Criminal Justice Initiative workgroup established

Public Trust & Confidence

- Training and development of court interpreters, ethics, drug courts and evidence based practices, juvenile justice conference, and leadership conferences
- Supreme Court redistricting legislation approved

On-going/Pending Matters Include:

- Odyssey development and pilot plans including e-filing development
- Expansion of collections pilot
- Improvements to the provision of interpreter services in the courts

Justice in the Balance: Courts WORK for South Dakotans

There is much more to the work of the courts than the occasional high-profile case that attracts public attention. The bulk of our work involves everyday problems that affect ordinary South Dakotans.

Abused and Neglected Children

Our courts play a life-altering role in the lives of abused and neglected children. They decide whether to:

- Remove a child from a parent
- Place a child in foster care
- Reunite a child and parent or terminate parental rights
- Allow adoption of a child

There is no greater responsibility of the judiciary than determining the best interest of a South Dakota child. In FY12, South Dakota's courts presided over 858 Juvenile Dependency cases.

Victims Seeking Protection

By issuing no-contact and protective orders, South Dakota's courts help shield victims of violence, abuse, and harassment from further harm. The vast majority of these are handled by parties representing themselves (without help from lawyers). In FY12, South Dakota judges processed:

- 4,649 petitions for protective orders
  Including:
  - 2,589 domestic actions
  - 2,060 stalking actions

Clerks of Court then notify local law enforcement officials and the Department of Public Safety of each and every order.

Troubled Youth

South Dakota's court services officers, staff, and judges continuously work with thousands of troubled youth and their families to:

- Ensure community safety
- Hold young people accountable for their actions, including paying restitution to victims
- Influence behavioral changes
- Provide resources to assist families

During FY12, CSOs worked with 693 youth to address their conduct without formal delinquency or CHINS petitions being filed. They also supervised 4,562 youth on formal probation and supervised another 659 juveniles via case service monitoring. The court handled:

- 7,265 juvenile delinquency and CHINS cases

Families in Turmoil

The problems of families in crisis demand a significant amount of court time and resources. In FY12, South Dakota's courts handled:

- 4,153 divorce, annulment and separation cases and 6,058 child support modifications or foreign child support cases
- 3,918 mental health or drug and alcohol commitment cases
- 1,392 adoptions, guardianships, or trust cases

In addition, the clerks of court issued 1,790 receipts for $255,691 in child support, plus $254,501 in alimony payments.

To assist these families, the UJS also provides divorce packets and child support visitation enforcement packets for the self-represented.

Civil Justice

South Dakotans from every walk of life, whether in their private or business relationships, rely on the courts to resolve their civil legal problems. Providing a forum for the effective resolution of these disputes is an essential part of the mission of the courts. In FY12, our courts handled:

- 28,594 small claims cases
- 16,523 contract cases, liability and malpractice cases, employment issues, law and equity matters, and tort claims
- 2,700 probate cases
- 369 judicial review of agency action cases

Civil cases can take anywhere from months to years before they are resolved, depending on a variety of factors. As a result, the courts experience an overlap in civil cases from year to year.

The clerks of court offices are responsible for case processing and ensuring a sufficient pool of jurors are available for any trials.

Criminal Justice

Criminal cases dominate court time and resources. South Dakota's judges and court staff spend more time on criminal cases than on any other type of case. During FY12, our courts heard:

- 7,669 felony or extradited cases including 1,686 3rd- and subsequent offense DUI cases
- 22,845 aggravated or serious misdemeanor cases, of which 44.7% (10,214) were 1st and 2nd offense DUI cases
- 26,988 contested minor misdemeanor cases.
- 106,335 uncontested minor misdemeanor matters were processed by clerks of court

In addition, court services officers formally supervised 5,307 adults in felony matters, and 1,769 adults on misdemeanor cases, plus informally supervised another 2,502 adults via case service monitoring.

Collection of Money

While the court system does not generate revenue for its own sustainability, it is responsible for taking in and distributing fines, fees, penalties, and costs that are owing to victims, cities, counties, school districts, and the state. In FY12, clerks of court receipted (along with other amounts) the following:

- $3,918,369 for victims of crime
- $9,869,893 for school districts
- $73,437 for local domestic abuse programs
- $321,382 for advocates and attorneys for abused and neglected children
- $2,756,063 for court appointed attorneys, public defenders, and other legal aid
- $598,613 for municipal general funds
- $2,664,887 for county general funds
- $383,146 for other state funds
- $6,483,682 for court automation
- $3,320,978 for law enforcement officer and judicial education and training

Case History Information and Other Services

South Dakota's employers, landlords, media, and general public rely on our clerks of court for accurate information about criminal defendants, sentencing histories, and money owed on judgments. In FY12, the clerks responded to 147,225 requests for records and substantiated 12,685 demographic records with duplicate or incomplete information.

In addition, the circuit clerks of court handled:

- 843 passport applications
- 707 weddings

The clerk of the Supreme Court processed:

- 266 appeals
- 22 intermediate appeals
- 10 original proceedings
- 1,190 orders, writs, and judgments

The Board of Bar Examiners processed 132 applications from those seeking admission to practice law here.