



South Dakota's Newest Supreme Court Justice

A welcome is extended to our newest Supreme Court Justice. Justice Severson served as Presiding Judge in the Second Circuit from 2002-2009, and as Circuit Court Judge from 1993-2009.

He has a B.S. and J.D. from the University of South Dakota, and was with Fingerson and Severson from 1983-1992. He was a Huron City Attorney from 1977-1992, a Deputy State's Attorney in 1975, and was with Benson, We-

hde, Martin and Severson, from 1976-1982.



Justice Severson served with the S.D. National Guard from 1967-1973. He is a member of the American Bar As-

sociation, the S.D. Bar Association, and was with the Minnesota Bar Association, Law School Foundation, from 1987-1989.

He has been a member of the S.D. Trial Lawyers Association, and served on the S.D. Board of Water and Natural Resources from 1986-1992. He was a Municipal Attorneys Association

President in 1985, and was President of the S.D. Judges Association from 2001-2002.

Reminder: This newsletter is not for general distribution. It is for UJS employees only.

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Articles, information and feedback are welcome. Articles and information will be printed as space allows. Please email your information to Gloria Guericke.

Chief Justice's Memo

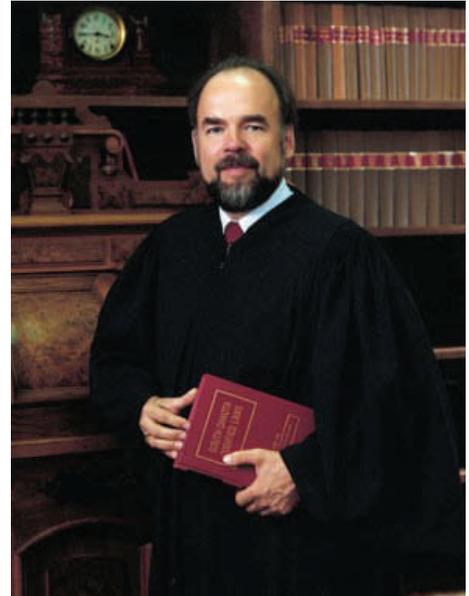
Spring is a time of transitions.

We looked forward to the arrival of our new Supreme Court Justice, Justice Glen Severson. However, he certainly was no stranger to the UJS family as he had been active as a Circuit Judge in the Second Judicial Circuit for many decades.

We also look forward to the arrival of three new Circuit Judges. Judge Caldwell has replaced Justice Severson on the Circuit bench and the Legislature authorized my re-

quest for a new Circuit Judge in the Second Judicial Circuit and another for the Seventh Judicial Circuit. These additional two judgeships will go a long way to overcoming an increasing court docket in these two circuits.

We also continue with what has proven to be successful. To those of you who contribute your work efforts to the UJS, I say "thank you."



Hanson County Groundbreaking Ceremony



Tom Bell, Chairman of the Hanson County Commissioners

On Tuesday May 12, 2009, the Groundbreaking Ceremony for the new Hanson County Courthouse in Alexandria was held. Chairman of the Hanson County Commissioners Tom Bell spoke, giving a brief history of the 3 previous Hanson County court-

houses and thanking everyone involved for getting them to this point.

Construction was scheduled to begin May 18th, with a tentative completion date of July 2010.

All Hanson County offices will remain in their temporary locations until then. The Clerk of Courts of-

office is now located at 440 Main Street in Alexandria.



Circuit Administrator Kim Allison, Hanson County Clerk of Court Ramona Schroeder, and other department heads with the ceremonial shovels.

Second Circuit's Courthouse Expansions

Most of the dust has settled and the construction hardhats are back on the shelf in the 2nd Circuit (Lincoln and Minnehaha Counties), where two courthouse construction projects were both completed on time and within budget. The circuit now has a total of 20 courtrooms at three locations (the 20th is a hearing room at the Juvenile Detention Facility in south Sioux Falls).

Beginning in 2007, Lincoln County approved \$8.5 million for a major new county government complex, followed by renovation of the entire 1899 courthouse for use by the Courts only. During the renovation, court was conducted in the county commissioners' chambers, a meeting room in the County Extension Building, and in the basement of Home Federal Bank across the street. We filled a construction dumpster with "stuff" from the courthouse attic alone, and may the dead pigeons and bats rest in peace. The Court is now "back home" with three courtrooms, two judge's chambers, two

jury deliberation rooms, four attorney/client conference rooms, new offices for Court Services and the Clerk's office, a jury assembly room that seats around 50, ample storage space in the basement, and importantly, public bathrooms on every floor.

The new, public law library is still under construction and



The expanded Lincoln County Government Complex, 2008, Canton, South Dakota; the remodeled courthouse is the taller, lighter colored portion in the foreground.



The skeleton of the two new floors of the Minnehaha County Courthouse, Sioux Falls, South Dakota, Fall 2007, taken from the cab of the tower crane, 120 feet above the ground.

there are still some courtroom electronics yet to be installed, but otherwise, the remodeled facility is just about complete. The final electronics installation will include a CourtSmart system that records court in Lincoln County from a control room in Sioux Falls – a first in South Dakota.

Also beginning in late 2007, Minnehaha County appropriated \$11.5 million for a 40,000 square foot expansion of the courthouse in Sioux Falls by adding two floors to the existing courthouse. The expanded courthouse now includes a total of 16 courtrooms on 6 floors, a large meeting/multipurpose room that seats 45, a computer
(cont'd. on page 6)

Bernie Lungren's Retirement Party

Circuit Administrator Bernie Lungren retired after more than 20 years with the Unified Judicial System.

A retirement party was held on February 21, 2009, at the Spearfish Canyon Country Club.



State Court Administrator Patricia Duggan presents Bernie with an Executive Proclamation.

The party was well attended despite the winter snowstorm that came through earlier in the day. Bernie was surrounded by family and friends as well as co-workers in the Fourth Circuit and from across the state.

The local attorneys also attended to wish Bernie well in her retirement.

Bernie began her retirement with a bang by taking a long-awaited trip to Hawaii with her family. She returned home in time for another blizzard!



Presiding Judge Warren Johnson recognizes Bernie's many achievements and thanks her for her years of service in the Fourth Judicial Circuit.



Court Reporter Committee's First-year Accomplishments

The Court Reporter Committee is pleased to announce that during their first year they accomplished the following:

- 1) Developed and participated in recruiting trips to 3 regional court reporting schools.
- 2) Developed new policy (adopted by Presiding Judges) for additional national training.
- 3) Updated freelance contracts with increased rates to stay competitive.
- 4) Began work to improve communication between reporters and UJS administration.
- 5) Assisted (individual members of committee) in development of SD court reporting school.
- 6) Developing/Presenting materials on courtroom/court reporter etiquette to USD Law School.
- 7) Improved (Human Resources initiative) court reporter position announcement and its distribution.

A failure is a man who has blundered, but is not able to cash in on the experience.

Elbert Hubbard

Judge Marshall Sworn-in with Seventh Circuit

Presiding Judge Jeff W. Davis is pleased to announce the appointment of Attorney Mark F. Marshall as a magistrate judge of the Seventh Judicial Circuit Court, filling the seat vacated by Judge William



New Magistrate Judge Mark F. Marshall (left) pictured with retired Magistrate Judge Severns (right).

L. Severns, who recently retired.

Mark Marshall has practiced law in Rapid City and Sioux Falls since 1981. He previously served as a U.S. magistrate judge for the United States District Court and as a partner in the law firm of Davenport, Evans, Hurwitz & Smith in Sioux Falls. Marshall graduated with degrees from the University of South Dakota and University of South Dakota School of Law.

Judge Mark Marshall will join fellow Magistrate Judges



Presiding Judge Davis (left) administers oath to Magistrate Judge Mark F. Marshall (right).

Scott Bogue and Shawn Pahlke.

The Seventh Judicial Circuit includes Pennington, Custer, Fall River and Shannon counties.

Judy Weber Retires After 30 Years with 1st Circuit

Judy was an official court reporter with the UJS for 30 years and worked with several judges, most recently Judge Tim Bjorkman. Before that she worked with Judge Ron Miller until his retirement, and before that Judge Boyd McMurchie.

Judy had been stationed in Chamberlain, Plankinton, and Salem.

At her January 9 retirement party, Judge Miller gave a brief speech and then Judy was presented her retirement plaque by Judge Bjorkman, and a gift of Black Hills Gold from her co-workers, presented by Law Clerk Tony Venhuisen.



Judge Bjorkman presents Judy with a retirement plaque.

Second Circuit's Courthouse Expansions, cont'd.

training center that seats 18, a jury assembly room with a large-screen projection system for 125, additional judges' chambers and court reporter offices, and expanded office space for the Clerk's office and Court Services. The addition also includes a new, dedicated-use prisoner transport elevator directly from the jail for greatly enhanced security – no more sharing one staff elevator with a chain gang on their way to court. The court staff still gets lost on some of the floors and a little finishing work still remains, but we now have the space to accommodate Sioux Falls' rapid growth for years to come. The building is so tall now that we have to have a red flashing light on the roof pursuant to FAA airplane safety requirements – one of the many things you learn about building specs in a big construction project.

The judges and court staff in both counties were in-



The expanded Minnehaha County Courthouse, Sioux Falls, South Dakota, Spring 2009

credibly patient and flexible, even through the dynamite blasts in the parking lot, dead bats, fire alarms, repeated



"High Tech, High Capacity, Multi-Litigant Courtroom 5B," Minnehaha County Courthouse, Sioux Falls, South Dakota, Spring 2009.

office moves, phone transfers, incessant drilling and noise, shaking and vibrating offices, and ice-cold elevator shafts. Then-Presidenting Judge Severson and Circuit Administrator Karl Thoennes wish to pass on their deep thanks to the judges, staff, attorneys, the public, and the Lincoln and Minnehaha county commissioners for all their work, time, and dedication on these outstanding facilities.



*The art of
being wise
is knowing what
to overlook.*

William James

Drug Court Program Celebrates Another Graduation

The Northern Hills Drug Court held its fourth graduation ceremony celebrating its fifth graduate on Tuesday, April 7, 2009. The graduation was originally scheduled for March 31, but was postponed due to a blizzard.

The graduate is a Butte County probationer and a father of six. He supported his family as a heavy equipment



Judge Michelle Percy addresses the graduate (not shown) while Mr. Vander Heidi and Michael Pisciotto, the Drug Court Coordinator, look on.

operator and also by running the family farm during his time in drug court.

As he neared his graduation, he was asked to speak to drug and alcohol clients at an inpatient treatment center in Belle Fourche, the same facility where he had previously attended treatment. The graduate did such a good job that he has been asked to return to speak to the clients on a regular basis.



Judge Bastian visits with Bernie Lungren (former Circuit Court Administrator, now retired) and Derrick Nedved, CSO Supervisor after the graduation.



Keynote Speaker Tim Vander Heide, Butte County State's Attorney, addresses the crowd.

Case Management System (CMS) Update

The first vendor evaluation in the process to select a new case management system for UJS has been completed! It was a good learning experience for all involved and we are anxious to move on to the next phase.

As background, after re-

ceiving 15 Letters of Intent from prospective bidders, UJS received nine bid proposals in response to the RFP that was issued in January. All nine proposals were screened according to pre-defined qualification criteria. Five proposals passed the initial screening and were se-

lected for evaluation. Two of those proposals were further found to be deficient, in terms of their ability to meet either our technical or business requirements. The first evaluation was completed by SCAO staff. The Evaluation

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Two Graduate From the Institute for Court Management

Two of South Dakota's court professionals became Certified Court Executives and Fellows of the Institute for Court Management (ICM) on Friday, May 15, having successfully completed ICM's flagship Court Executive Development Program. These individuals include:

- Nancy J. Allard, Director of Trial Court Services, State Court Administrator's Office, and
- Beth R. Urban, Human Resources Manager, State Court Administrator's Office.

These two women and 20 other court professionals from across the United States took part in gradua-

tion ceremonies conducted at the Supreme Court in Washington, D.C. Chief Justice of the United States John G. Roberts, Jr. welcomed and addressed the graduates.

The Court Executive Development Program is the only program of its kind in the United States. This professional certification program was established more than 30 years ago, in part, by Chief Justice of the United States Warren E. Burger in his call for improving the management of state court administration. The intensive four-phase educational program better prepares court professionals for management and leadership positions. Since the first class of CEDP graduates in 1970,



Nancy Allard, Director of Trial Court Services, and Beth Urban, Human Resources Manager

more than 1,100 court professionals in 48 states, the District of Columbia, Guam and 12 foreign countries have become Fellows.



CMS Update, (cont'd.)

process was divided into three sections (1) Company Qualifications (2) Bid Proposal Evaluation and (3) Cost Proposals. Cost proposals were not opened until the first two sections were evaluated and scored.

Vendors selected from the first evaluation will now move on to the next step in the selection process, which is on-site demonstrations to a CMS Evaluation team. This team

consists of Supreme Court Justices, Judges, Circuit Administrators, Clerks of Court, Court Services, and SCAO staff. The second round of evaluations is scheduled for the first two weeks in June and the CMS Evaluation team will make recommendations to the Supreme Court. We will keep everyone updated as we progress toward the selection of a vendor for our new case management system.

***“Nearly all men
can stand
adversity, but if
you want to
test a man’s
character, give
him power.”***

Abraham Lincoln