

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 South Dakotans.

<p>Abused and Neglected Children</p> <p>Our courts play a life-altering role in the lives of abused and neglected children. They decide whether to:</p> <ul style="list-style-type: none"> • 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 <p>There is no greater responsibility of the judiciary than determining the best interest of a South Dakota child. In FY14, South Dakota’s courts presided over 600 Juvenile Dependency cases.</p>	<p>Victims Seeking Protection</p> <p>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 FY14, South Dakota judges processed:</p> <ul style="list-style-type: none"> • 3,995 petitions for protective orders which included: <ul style="list-style-type: none"> ○ 2,279 domestic actions ○ 1,716 stalking actions <p>Clerks of court then notify local law enforcement officials and the Department of Public Safety of each and every order.</p>
<p>Troubled Youth</p> <p>South Dakota’s court services officers, staff, and judges continuously work with thousands of troubled youth and their families to:</p> <ul style="list-style-type: none"> • Ensure community safety • Hold young people accountable for their actions, including paying restitution to victims • Influence behavioral changes • Provide resources to assist families <p>During FY14, CSOs worked with 479 youth to address their conduct without formal delinquency or CHINS petitions being filed. They also supervised 4,117 youth on formal probation and supervised another 424 juveniles via case service monitoring. In totality, the court handled:</p> <ul style="list-style-type: none"> • 6,791 juvenile delinquency and CHINS cases 	<p>Families in Turmoil</p> <p>The problems of families in crisis demand a significant amount of court time and resources. In FY14, South Dakota’s courts handled:</p> <ul style="list-style-type: none"> • 4,646 divorce, annulment and separation cases and 7,561 child support modifications and foreign child support cases • 4,297 mental health or drug and alcohol commitment cases • 960 adoptions, guardianships or trust cases <p>To assist these families, the UJS provides self-represented litigants with UJS approved forms, which include divorce and parenting time enforcement.</p>

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 FY14, our courts handled:

- 25,852 small claims cases
- 13,062 contract cases, liability and malpractice cases, employment issues, law and equity matters, and tort claims
- 2,439 probate cases
- 202 judicial review of agency action cases and expungement filings

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 FY14, our courts heard:

- 9,413 felony or extradited cases
- 20,518 aggravated or serious misdemeanor cases, of which 40.2% (8,241) were 1st and 2nd offense (Class 1 Misdemeanor) DUI cases
- 25,241 contested minor misdemeanor cases.
- 79,972 uncontested minor misdemeanor matters were processed by clerks of court

In addition, court services officers formally supervised 6,893 adults in felony matters, and 1,551 adults on misdemeanor cases, plus informally supervised another 1,941 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 FY14, clerks of court receipted (along with other amounts) the following:

- \$3,707,731 for victims of crime
- \$9,298,052 for school districts
- \$77,799 for local domestic abuse programs
- \$295,346 for advocates and attorneys for abused and neglected children
- \$2,633,660 for court appointed attorneys, public defenders, and other legal aid
- \$414,248 for municipal general funds
- \$2,276,242 for county general funds
- \$278,953 for other state funds
- \$7,174,970 for court automation
- \$3,051,910 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 FY14, the clerks responded to 189,172 requests for records.

In addition, the circuit clerks of court handled:

- 829 passport applications
- 765 weddings

The Clerk of the Supreme Court processed:

- 279 appeals
- 38 intermediate appeals
- 28 original proceedings
- 1,180 orders, writs, and judgments

The Board of Bar Examiners processed 125 applications from those seeking admission to practice law here.