

Court Improvement Program Committee Meeting

April 14, 2010

10:00 am – 2:00 pm (CT)

Cedar Shores Resort

Oacoma, SD

- **Welcome New Committee Member & Introductions:** Judge Davis called the meeting to order at 10:05 am. Those attending: Judge Davis, David Valandra, Judge Myren, Tony Benning, Carol Pitts, Amy Benda, Sharon Kallemeyn, Marty Graves, Roxie Erickson, LuAnn Van Hunnik, Virgena Wieseler, Vicki Burger and Sara Kelly. Absent was Becky Morlock-Reeves.
Judge Davis welcomed Marty Graves as a new member of the committee. Marty is a Lieutenant with the Pennington County Sheriff's Department.
- 1. **Review and Approval of November Meeting Minutes:** Committee members reviewed the November meeting minutes, no changes or errors were noted. Sharon Kallemeyn motioned to approve, Carol Pitts second the motion, motion carried.
- 2. **Review of CIP Budget:** Committee members reviewed the budgets for the basic, training and data grants. There was great discussion and brainstorming on various ways to expend the funds. The basic grant is primarily used for CASA program support and a small portion is used for the CIP Coordinator's salary and travel. The data grant is going to be applied to the new Case Management System abuse and neglect segment, along with a small portion going to the CIP Coordinator's salary and travel. Sara Kelly stated she is looking at supporting the CASA programs purchase of new data tracking system once National CASA has implemented the new system. The training grant funded the new attorney training video, will fund the printing of the professional reference guides, the state's QEW training, a portion of the CIP Coordinator's salary and travel, along with other trainings that come available. Virgena presented a training opportunity "Family Group Decision Making" and gave an overview of the training and how it is used in child protection cases to either prevent removal and placement and/or expedite permanency for children in out-of-home placement. Judge Davis and Roxie Erickson commented on the positive outcomes of the program. Sara Kelly will present the travel request to the Chief Justice.

Carol Pitts requested an overview of the project activities and estimated cost of the grants. Sara Kelly will create a spreadsheet and distribute it to the committee.

- 3. Update on New Attorney Training Video:** The video is available on the UJS website, under the “Legal Community” tab as well as at ujsatv.sd.gov. To date, 94 attorneys have certified and more continue to certify weekly. It was recommended that a follow up letter be sent out to remind attorneys to certify. Sara Kelly stated she will follow up with a letter. Sara Kelly stated she will attend the State Bar Convention June 16 to promote the video, have DVD’s available and hand out the professional guidelines. Tony Benning recommended asking the State Bar Association if attorneys could have the opportunity to watch the video and certify at the convention. Sara Kelly will contact Kelly Krell at the State Bar Association.
- 4. Update on Professional Reference Guides:** Sara Kelly reported the guideline for “Attorneys Representing Children in Child Abuse and Neglect Cases” will be disbursed at the State Bar Convention and posted on the UJS website. The committee worked on the State’s Attorney guideline; Sara Kelly will make the changes and email a draft to the committee. Marty Graves will review the law enforcement guideline and the committee can review it at the next CIP meeting.
- 5. Disaster Plan for A&N Cases:** Sara Kelly presented an email and letter from the U.S. Administration for Children and Families regarding a court disaster plan specific to dependency cases. The letter asks the CIP to create a disaster plan focusing on files, location of displaced children, parents, foster parents, and how cases will be handled and prioritized. Sara stated she is hoping to come back from the state CIP meetings in July with more information and some examples of what other states have done. Sara also stated she reviewed the Continuation of Operations Plan (COOP) for the State Court Administrator’s Office and the Circuits and found each plan has basic plans in place, but nothing specific to abuse and neglect cases. Judge Davis stated once the plan is developed it could be added to each of the circuits COOP books. Judge Myren said Judge Jensen was in charge of the Disaster Planning Committee and recommended contacting him before anything is added to the plans. Sara Kelly said she would follow up with Gloria Guericke (SCAO) to confirm Judge Jensen is still chair of the committee. Roxie Erickson stated that USD Psychology Dept. may have protocol already for this and they could be a resource. Marty Graves stated another resource could be the state Office of Emergency Management.

6. **Update on Communication with Department of Education:** (Virgena) Virgena has not been able to make contact with the DOE. She will continue to try and report at the next meeting.
7. **Update on QEW Training:** (Virgena & Dave) Dave Valandra reported the Yankton Sioux Tribe sponsored a Qualified Expert Witness training in Rapid City on December 1 & 2 2009. All of the Sioux tribes were represented except Lower Brule, ICWA representatives attended, and two tribal community members. The training consisted of instruction and mock courtroom proceedings. Dave stressed the importance of the participants knowing and understanding each tribe's culture and child rearing practices. Dave stated each ICWA director is suppose to get a Tribal Resolution from the tribal leaders. Dave said he would like to present the list of QEW to the Chief Justice once all of the Tribal Resolutions are completed and then sending the list to all State's Attorney's Offices. Judge Myren commented the list is needed and suggested not waiting for the Tribal Resolutions and to contact the Chief Justice. Judge Davis stated he would help facilitate the presentation.

Virgena stated Joe Ashley created a QEW for the state and Virgena hopes to have it approved in May.

8. **Tribal/State Court Relations:** (Judge Davis) The committee discussed/brainstormed ideas on how to improve the relations between state and tribal court to ensure children removed from their parents/guardian are safe and returned when appropriate.
9. **Discuss updating the SD Guidelines for Judicial Process in Child Abuse and Neglect Cases (AKA "the Green Book"):** Sara Kelly stated the Green Book is in need of updates. Judge Myren asked if this is project for a legal intern. Sara said she will check with Greg Sattizahn (SCAO) and ask if an intern can help. Sara asked the committee if the layout is still acceptable and does it need to be revised. Roxie Erickson commented the layout is good and doesn't need to change. Virgena stated the section on permanency does need improvements. Sara commented if the legal interns cannot take on this project the CIP Training grant could pay for an attorney contract.
10. **SD CASA Commission Meeting:** (May 4, 2010) Sara Kelly asked the committee members who will be attending the meeting to hear the CASA presentations. Sara will send the grant information to those confirming attendance. Judge Davis, Sharon Kallemeyn confirmed and Becky Morlock-Reeves (confirmed via email). Virgena Wieseler stated she would let Sara know if she can attend.

11. Schedule Meeting for CIP application review: The committee agreed to review the CIP CASA grant application at the next CIP meeting. Judge Myren recommended Sara Kelly present recommendations to the CIP Committee to begin the award process. Sara Kelly stated she will send a packet of information to the committee with grant award recommendations, grant applications, and the meeting minutes from the SD CASA Commission a few weeks prior to the July 28th meeting.

12. Next Meeting: July 28, 2010 10:00 – 3:00 CT Chamberlain/Oacoma