

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 FY2020, South Dakota’s courts presided over 608 Juvenile Abuse and Neglect 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 majority of these are handled by parties representing themselves (without help from lawyers). In FY2020, South Dakota judges processed:</p> <ul style="list-style-type: none"> • 4,030 petitions for protection orders which included: <ul style="list-style-type: none"> ○ 2,312 domestic actions ○ 1,718 stalking actions <p>Clerk of Court offices then notify local law enforcement officials and the Department of Public Safety of 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 FY2020, CSOs worked with 409 youth to address their conduct without formal delinquency or CHINS petitions being filed. They also supervised 1,296 youth on formal probation and supervised another 99 juveniles via case service monitoring. In totality, the court handled:</p> <ul style="list-style-type: none"> • 5,721 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 FY2020, South Dakota’s courts handled:</p> <ul style="list-style-type: none"> • 4,028 divorce cases • 5,488 child support modification and foreign child support cases • 4,844 mental health and drug and alcohol commitment cases • 1,307 adoption, guardianship and trust cases <p>To assist these families, the UJS provides self-represented litigants with UJS approved forms, which include divorce and parenting time implementation and enforcement forms.</p>

Justice in the Balance: Courts Work for South Dakotans (Cont.)

<p>Civil Justice</p> <p>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 FY2020, our courts handled:</p> <ul style="list-style-type: none"> • 25,976 small claims cases • 13,085 contract cases, liability and malpractice cases, employment issues, law and equity matters, and tort claims • 2,524 probate cases • 218 judicial review of agency action cases and expungement filings <p>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.</p> <p>The clerks of court offices are responsible for case processing and ensuring a sufficient pool of jurors are available for any trials.</p>	<p>Criminal Justice</p> <p>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 FY2020, our courts heard:</p> <ul style="list-style-type: none"> • 13,476 felony and extradited cases • 19,725 aggravated or serious misdemeanor cases, of which 45.2% (8,906) were 1st and 2nd offense (Class 1 Misdemeanor) DUI cases • 26,925 contested Class 2 misdemeanor cases. • 65,839 uncontested Class 2 misdemeanor matters were processed by clerks of court <p>In addition, court services officers formally supervised 9,583 cases in felony matters, and 348 cases on misdemeanor cases, plus informally supervised another 198 cases via case service monitoring.</p>
<p>Collection of Money</p> <p>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 owed to victims, cities, counties, school districts, and the state. In FY2020, clerks of court receipted (along with other amounts) the following:</p> <ul style="list-style-type: none"> • \$3,277,260 for victims of crime • \$7,798,857 for school districts • \$74,126 for local domestic abuse programs • \$246,617 for advocates and attorneys for abused and neglected children • \$2,179,600 for court appointed attorneys, public defenders, and other legal aid • \$411,873 for municipal general funds • \$3,719,044 for county general funds • \$262,582 for other state funds • \$6,295,013 for court automation • \$2,548,375 for law enforcement officer and judicial education and training 	<p>Case History Information and Other Services</p> <p>South Dakota’s employers, landlords, media, and the public rely on our clerks of court for accurate information about criminal defendants, sentencing histories, and money owed on judgments. In FY2020, there were 217,708 record search requests, 4,668 search warrants and 25,581 small claims filings processed.</p> <p>In addition, the circuit clerks of court handled:</p> <ul style="list-style-type: none"> • 540 passport applications • 365 weddings <p>The Clerk of the Supreme Court processed:</p> <ul style="list-style-type: none"> • 244 appeals • 24 intermediate appeals • 31 original proceedings • 1,180 orders, writs, and judgments <p>The Board of Bar Examiners processed 122 applications from those seeking admission to practice law in South Dakota.</p>