

## 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><b>Abused and Neglected Children</b></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"> <li>• Remove a child from a parent</li> <li>• Place a child in foster care</li> <li>• Reunite a child and parent or terminate parental rights</li> <li>• Allow adoption of a child</li> </ul> <p>There is no greater responsibility of the judiciary than determining the best interest of a South Dakota child. In FY2021, South Dakota’s courts presided over 537 Juvenile Abuse and Neglect cases.</p>	<p><b>Victims Seeking Protection</b></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 FY2021, South Dakota judges processed:</p> <ul style="list-style-type: none"> <li>• 3,853 petitions for protection orders which included:             <ul style="list-style-type: none"> <li>○ 2,216 domestic actions</li> <li>○ 1,637 stalking actions</li> </ul> </li> </ul> <p>Clerk of Court offices then notify local law enforcement officials and the Department of Public Safety of every order.</p>
<p><b>Troubled Youth</b></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"> <li>• Ensure community safety</li> <li>• Hold young people accountable for their actions, including paying restitution to victims</li> <li>• Influence behavioral changes</li> <li>• Provide resources to assist families</li> </ul> <p>During FY2021, CSOs worked with 367 youth to address their conduct without formal delinquency or CHINS petitions being filed. They also supervised 1,039 youth on formal probation and supervised another 66 juveniles via case service monitoring. In totality, the court handled:</p> <ul style="list-style-type: none"> <li>• 3,911 juvenile delinquency and CHINS cases</li> </ul>	<p><b>Families in Turmoil</b></p> <p>The problems of families in crisis demand a significant amount of court time and resources. In FY2021, South Dakota’s courts handled:</p> <ul style="list-style-type: none"> <li>• 3,950 divorce cases</li> <li>• 4,862 child support modification and foreign child support cases</li> <li>• 5,303 mental health and drug and alcohol commitment cases</li> <li>• 1,630 adoption, guardianship, trust and termination of parental rights cases.</li> </ul> <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><b>Civil Justice</b></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 FY2021, our courts handled:</p> <ul style="list-style-type: none"> <li>• 25,692 small claims cases</li> <li>• 12,099 contract cases, liability and malpractice cases, employment issues, law and equity matters, and tort claims</li> <li>• 2,843 probate cases</li> <li>• 178 judicial review of agency action cases and expungement filings</li> </ul> <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><b>Criminal Justice</b></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 FY2021, our courts heard:</p> <ul style="list-style-type: none"> <li>• 13,380 felony and extradited cases</li> <li>• 19,118 aggravated or serious misdemeanor cases, of which 47.4% (9,059) were 1<sup>st</sup> and 2<sup>nd</sup> offense (Class 1 Misdemeanor) DUI cases</li> <li>• 27,487 contested Class 2 misdemeanor cases.</li> <li>• 69,901 non-contested Class 2 misdemeanor matters were processed by clerks of court</li> </ul> <p>In addition, court services officers formally supervised 9,380 cases in felony matters, 340 cases on misdemeanor matters, plus informally supervised another 208 cases via case service monitoring.</p>
<p><b>Collection of Money</b></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 FY2021, clerks of court receipted (along with other amounts) the following:</p> <ul style="list-style-type: none"> <li>• \$2,964,232 for victims of crime</li> <li>• \$8,304,492 for school districts</li> <li>• \$77,970 for local domestic abuse programs</li> <li>• \$246,903 for advocates and attorneys for abused and neglected children</li> <li>• \$2,071,433 for court appointed attorneys, public defenders, and other legal aid</li> <li>• \$431,649 for municipal general funds</li> <li>• \$3,656,966 for county general funds</li> <li>• \$269,583 for other state funds</li> <li>• \$6,654,278 for court automation</li> <li>• \$3,374,338 for law enforcement officer and judicial education and training</li> </ul>	<p><b>Case History Information and Other Services</b></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 FY2021, there were 247,954 record search requests, 5,089 search warrants and 25,692 small claims filings processed.</p> <p>In addition, the circuit clerks of court handled:</p> <ul style="list-style-type: none"> <li>• 378 passport applications</li> <li>• 347 weddings</li> </ul> <p>The Clerk of the Supreme Court processed:</p> <ul style="list-style-type: none"> <li>• 242 appeals</li> <li>• 36 intermediate appeals</li> <li>• 34 original proceedings</li> <li>• 1,200 orders, writs, and judgments</li> </ul> <p>The Board of Bar Examiners processed 136 applications from those seeking admission to practice law in South Dakota.</p>