2023 South Dakota Legislature

House Bill 1064

ENROLLED

AN ACT

ENTITLED An Act to require the Unified Judicial System to assemble a task force to address the provision of legal services to indigent parties within the South Dakota court system and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. The Unified Judicial System shall assemble a task force consisting of the following thirteen members to examine the delivery of legal services to indigent parties in the South Dakota court system.

Section 2. The task force shall be composed of four members appointed by the chief justice of the Supreme Court, three county representatives appointed by the Association of County Commissioners, two members in good standing of the South Dakota Bar Association with experience in criminal, juvenile, and child abuse and neglect cases appointed by the president of the State Bar Association, two legislators, one appointed by the speaker of the House of Representatives and one appointed by the president pro tempore of the Senate, and a state's attorney and a member of the attorney general's office appointed by the attorney general.

Section 3. The task force examination must include the following:

(1) Identifying how legal services are delivered in South Dakota to indigent parties in criminal, juvenile, and child abuse and neglect proceedings statewide;
(2) Recommending ways to improve the delivery of legal services to indigent parties;
(3) Recommending methods to provide services for conflict cases where local public defenders may be unable to take cases;
(4) Addressing how to ensure competent representation is provided to indigent parties; and
(5) Identifying potential funding options to ensure delivery of legal services for indigent parties.

Section 4. The Unified Judicial System shall present findings of the task force to the Governor and to the Legislature no later than November 15, 2023.

Section 5. All expenses incurred in carrying out the work of the task force shall be paid out of funds appropriated or otherwise provided to the Unified Judicial System.

Section 6. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to require the Unified Judicial System to assemble a task force to address the provision of legal services to indigent parties within the South Dakota court system and to declare an emergency.

I certify that the attached Act originated in the:

House as Bill No. 1064

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1064
File No. _____
Chapter No. _____

Received at this Executive Office
this _____ day of _____,

2023 at _____M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 2023

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 2023
at _____ o'clock __M.

_____
Secretary of State

By _____
Asst. Secretary of State