

Supreme Court

STATE OF SOUTH DAKOTA

Steven R. Jensen
CHIEF JUSTICE

September 11, 2024

The Honorable Jean Hunhoff, Co-Chair
Joint Committee on Appropriations
2511 Mulligan Dr.
Yankton, SD 57078

The Honorable Mike Derby, Co-Chair
Joint Committee on Appropriations
3912 Park Drive
Rapid City, SD 57702

Dear Senator Hunhoff and Representative Derby

RE: Unified Judicial System Fiscal Year 2026 Budget Request

Pursuant to Article V, Section 11 of the South Dakota Constitution, I am submitting the UJS Consolidated Budget Request as approved by the Supreme Court for Fiscal Year 2026. A summary of the major items requested is attached. The Court's recommendation for all funds for FY2026 is \$83,675,347 which represents an increase of \$3,088,899 or 3.8% over the FY2025 budget. More specifically, the budget request represents the following:

General Fund: increase of \$1,564,774 or a 2.4% increase; and
Other Funds: increase of \$1,524,125, or a 10.7% increase.

Overview of Request

FTEs. The Supreme Court is requesting 6.0 FTEs which includes 1.0 Circuit Court Staff Attorney, 1.0 Circuit Court Judicial Assistant, 2.0 Deputy Court Clerks, 1.0 Court Services Officer and 1.0 Court Services Secretary.

1.0 FTE – Circuit Staff Attorney – 3rd Circuit

The Circuit Staff Attorney position reflects a priority of the UJS to provide adequate administrative legal support for the judges in the 3rd Judicial Circuit. That circuit currently has only a single law clerk to provide legal support to six circuit judges and two magistrate judges. That setup is different than other comparably sized circuits which have multiple law clerks or a combination of law clerk and staff attorney positions to support the judges. This position would provide legal research, analysis, and advice to the circuit judges in the 3rd circuit on matters arising before them regarding procedural issues, including motions and

writs; draft briefs and legal memoranda, review legal documents and draft jury instructions. The staff attorney will also review pro se submissions to determine appropriate procedures when documents are procedurally inappropriate or unclear as to the grounds for relief. Presently, the judges do much of this work and it is not the best use of valuable judicial time and resources.

1.0 FTE - Circuit Court Judicial Assistant - 1st Circuit - Mitchell or Yankton

The Circuit Court Judicial Assistant position is being requested to fill a long-standing need for judicial support staff in the First Circuit. The amount of time judges need for administrative/secretarial functions has been exacerbated by increasing numbers of pro se litigants, sovereign citizens, post litigation filings, and correspondence from inmates. The purpose of the new position is to provide all administrative support necessary to assist the judges and allow them more time to focus on their cases. This position would serve the judges chambered in Mitchell or Yankton directly and assist the other circuit judges remotely as needed.

2.0 FTE Deputy Court Clerk - 7th Circuit - Pennington

The requested increase is for two Deputy Court Clerk positions in Pennington County. A Deputy Clerk assists with cases filed with the court clerk's office including criminal, civil, traffic, and other cases from initial filing to final disposition by developing and maintaining case files, assisting with scheduling, and assigning hearings, assisting in courtroom proceedings, and implementing procedures for monetary dispositions.

1.0 FTE Court Services Officer - 2nd Circuit - Minnehaha

The request is for an additional Court Services officer to handle a juvenile caseload at the new Juvenile Justice Center (JJC) in Sioux Falls. The number of juveniles on probation supervision in the 2nd circuit has more than doubled since 2020. In addition to this increase in supervision numbers, the juvenile CSO's are also supervising and finding placements for more juveniles who need the highest levels of psychiatric care and are then returned to our community under supervision. This new position, as well as the existing CSO's that handle juvenile caseloads, will be moving to the new JJC building once construction is complete.

1.0 FTE Court Services Secretary - 2nd Circuit - Minnehaha

The request is for an additional Court Services Secretary to assist with reception and secretarial support since all juvenile court services will be moved to the new Juvenile Justice Center (JJC) after construction is complete and the current staffing levels needed for adult probation do not support moving out an existing position. A court services secretary provides secretarial support for court services staff by managing an office; greeting and assisting those who come to the office; answering and redirecting telephone calls and e-mail messages; maintaining pertinent records, files, and documentation; collecting data and reports; preparing documentation; attending judicial proceedings and preparing and distributing paper work appropriately; entering data into Unified Judicial System (UJS) computer systems; and providing caseload support as needed to facilitate office operation and staff's efficiency.

Problem Solving Courts. The Supreme Court recommends increased funding for Drug and DUI Court Treatment due to a projected increase in the number of clients served and to transition away from a flat fee contract with our substance abuse and mental health providers to billing a collateral rate for the time they spend at the table working with our problem-solving court teams. We are also recommending funding to right-size our defense counsel

budget due to an increase in the number of clients served and the increased hourly rate for court-appointed attorneys.

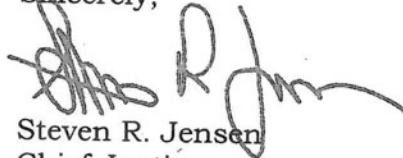
One-Stop Office Lease Space. We are requesting an increase to lease office space in the new One-Stop Building in Sioux Falls. Currently Supreme Court Staff in the Sioux Falls area are being housed in the Minnehaha County Courthouse. However, due to increases in new staff in the 2nd circuit in recent years, the circuit is running out of office space in the courthouse. Our plan to address the space issues in the courthouse will involve moving Supreme Court staff out of the courthouse and into the new One-Stop Building.

Provider Inflation. A 2.4% rate increase for the providers is currently being requested, upon advice from the Bureau of Finance & Management.

IT Expenses: We are requesting an increase in other fund expenditure authority due to increases in BIT and Microsoft fees and for Tyler support and maintenance for a new Supervision software solution.

We look forward to maintaining the positive working relationship that has developed between our branches of state government and to continuing our respective cooperative efforts. We are available to meet with you or any of your staff to discuss this request.

Sincerely,



Steven R. Jensen
Chief Justice

cc: Greg Sattizahn, State Court Administrator
Aaron Olson, UJS Director of Budget and Finance
Jim Terwilliger, Commissioner of Bureau of Finance and Management
Jeff Mehlhaff, Chief Fiscal and Program Analyst, Legislative Research Council

UNITED JUDICIAL SYSTEM
FY 2026 Major Items Requested (Base)

ON-GOING MAJOR ITEMS REQUESTED:		FTE	General Funds	Federal Funds	Other Funds	Total Funds	Comments
1	Positions - Salary and Benefits						
	a. Circuit Court Judicial Assistant	1.0	69,039			69,039	Circuit Court Judicial Assistant - Yankton or Davison
	b. Court Services Officer	1.0	83,182			83,182	Court Services Officer - Minnehaha
	c. Court Services Secretary	1.0	58,554			58,554	Court Services Secretary - Minnehaha
	d. Circuit Court Staff Attorney	1.0	106,702			106,702	Circuit Court Staff Attorney - 3rd Circuit
	e. Deputy Court Clerk I	2.0	123,638			123,638	Deputy Court Clerk I - Pennington
2	Travel for new FTE's		3,792			3,792	Travel expenses for new FTEs
3	Problem Solving Courts		884,157			884,157	Increases for treatment, medical consultant and defense counsel
4	Provider Inflation (2.4%)		82,320			82,320	Provider Inflation Increase of 2.4%
5	One-Stop Lease in Sioux Falls		153,390			153,390	One-Stop Lease in Sioux Falls
6	Judicial Training				35,000	35,000	Increase for Judicial Training - LEOTF
7	IT Operating Expenses				1,489,125	1,489,125	Increase for BIT and Microsoft fees, Tyler support & maintenance
TOTAL REQUESTED INCREASE/(DECREASE)		6.0	1,564,774	0	1,524,125	3,088,899	
TOTAL FY 2025 BUDGET		617.7	65,935,197	345,095	14,306,156	80,586,448	
TOTAL REQUESTED FY 2026 BUDGET		623.7	67,499,971	345,095	15,830,281	83,675,347	