

# UNIFIED JUDICIAL SYSTEM

## 27 UNIFIED JUDICIAL SYSTEM

**MISSION:**

To provide timely and equitable administration of justice.

LEGAL CITATION: Article V, State Constitution, SDCL 1967 16-1 to 16-8.

	ACTUAL FY 2009	ACTUAL FY 2010	BUDGETED FY 2011	REQUESTED FY 2012	GOVERNOR'S RECOMMENDED FY 2012	RECOMMENDED INC/(DEC) FY 2012
<b>FUNDING SOURCE:</b>						
General Funds	\$ 34,523,037	\$ 35,231,870	\$ 35,281,213	\$ 35,281,213	\$ 35,281,213	\$ 0
Federal Funds	220,532	382,212	393,539	393,539	393,539	0
Other Funds	4,341,214	4,278,473	9,328,633	9,328,633	9,328,633	0
<b>Total</b>	<b>\$ 39,084,783</b>	<b>\$ 39,892,555</b>	<b>\$ 45,003,385</b>	<b>\$ 45,003,385</b>	<b>\$ 45,003,385</b>	<b>\$ 0</b>
<b>EXPENDITURE DETAIL:</b>						
Personal Services	\$ 30,389,102	\$ 30,795,539	\$ 31,932,849	\$ 31,932,849	\$ 31,932,849	\$ 0
Operating Expenses	8,695,681	9,097,016	13,070,536	13,070,536	13,070,536	0
<b>Total</b>	<b>\$ 39,084,783</b>	<b>\$ 39,892,555</b>	<b>\$ 45,003,385</b>	<b>\$ 45,003,385</b>	<b>\$ 45,003,385</b>	<b>\$ 0</b>
<b>Staffing Level FTE:</b>	<b>510.9</b>	<b>520.1</b>	<b>527.4</b>	<b>527.4</b>	<b>527.4</b>	<b>0.0</b>

# UNIFIED JUDICIAL SYSTEM

270 State Bar Association - Info

	ACTUAL FY 2009	ACTUAL FY 2010	BUDGETED FY 2011	REQUESTED FY 2012	GOVERNOR'S RECOMMENDED FY 2012	RECOMMENDED INC/(DEC) FY 2012
<b>FUNDING SOURCE:</b>						
General Funds	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Funds	0	0	0	0	0	0
Other Funds	0	0	533,322	533,322	533,322	0
<b>Total</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 533,322</b>	<b>\$ 533,322</b>	<b>\$ 533,322</b>	<b>\$ 0</b>
<b>EXPENDITURE DETAIL:</b>						
Personal Services	\$ 0	\$ 0	198,633	198,633	198,633	\$ 0
Operating Expenses	0	0	334,689	334,689	334,689	0
<b>Total</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 533,322</b>	<b>\$ 533,322</b>	<b>\$ 533,322</b>	<b>\$ 0</b>
Staffing Level FTE:	0.0	0.0	3.0	3.0	3.0	0.0

# UNIFIED JUDICIAL SYSTEM

## 271 Unified Judicial System

### MISSION:

The South Dakota Unified Judicial System's purpose on a day-to-day basis is to provide timely and equitable administration of justice. However, our mission statement as adopted by the Supreme Court in October 2009 is "Justice for All".

Legal Citation: Article V, State Constitution.

	ACTUAL FY 2009	ACTUAL FY 2010	BUDGETED FY 2011	REQUESTED FY 2012	GOVERNOR'S RECOMMENDED FY 2012	RECOMMENDED INC/(DEC) FY 2012
<b>FUNDING SOURCE:</b>						
General Funds	\$ 34,523,037	\$ 35,231,870	\$ 35,281,213	\$ 35,281,213	\$ 35,281,213	\$ 0
Federal Funds	220,532	382,212	393,539	393,539	393,539	0
Other Funds	4,341,214	4,278,473	8,795,311	8,795,311	8,795,311	0
<b>Total</b>	<b>\$ 39,084,783</b>	<b>\$ 39,892,555</b>	<b>\$ 44,470,063</b>	<b>\$ 44,470,063</b>	<b>\$ 44,470,063</b>	<b>\$ 0</b>
<b>EXPENDITURE DETAIL:</b>						
Personal Services	\$ 30,389,102	\$ 30,795,539	\$ 31,734,216	\$ 31,734,216	\$ 31,734,216	\$ 0
Operating Expenses	8,695,681	9,097,016	12,735,847	12,735,847	12,735,847	0
<b>Total</b>	<b>\$ 39,084,783</b>	<b>\$ 39,892,555</b>	<b>\$ 44,470,063</b>	<b>\$ 44,470,063</b>	<b>\$ 44,470,063</b>	<b>\$ 0</b>
<b>Staffing Level FTE:</b>	<b>510.9</b>	<b>520.1</b>	<b>524.4</b>	<b>524.4</b>	<b>524.4</b>	<b>0.0</b>

	ACTUAL FY 2009	ACTUAL FY 2010	ESTIMATED FY 2011	ESTIMATED FY 2012
<b>REVENUES</b>				
General Fund Revenues:				
Supreme Court Filing Fees	8,350	7,750	8,000	8,000
Attorney Admission Certificate Fees	1,000	1,130	1,000	1,000
Marriage Fees	16,800	17,090	17,000	17,000
Passport Fees	34,475	27,550	30,000	30,000
NSF Charges	10,735	10,130	11,000	11,000
35% of Municipal Fines	412,441	359,678	375,000	375,000
Miscellaneous Income	1,583	2,156	2,000	2,000
Court Automation Fund Revenues:				
Court Automation Surcharge	2,156,419	2,396,889	3,880,046	3,880,046
Search Fees	1,868,758	1,728,197	1,625,819	1,625,819
Judgment Searches	140,188	141,973	140,000	140,000
Interest Earned (3012)	92,979	105,873	80,000	75,000
Fax Fees	25,547	14,606	20,000	20,000
Nonresident Attorney	18,300	17,400	17,000	17,000
Information Request	10,503	12,231	5,000	5,000
Victims Compensation 3% Admin.	9,836	9,395	10,000	10,000
Supreme Court Automation Fee	4,175	4,500	4,500	4,500
Miscellaneous Income	7,816	14,486	100	100
Ct Appt Special Advocates Fund incl. Interest	458,499	238,568	251,000	251,000
Board of Bar Examiners Fund incl. Interest	49,545	45,078	47,700	47,700
Drug Screening Fund incl. Interest	24,696	22,321	22,300	22,300
<b>Total</b>	<b>5,352,645</b>	<b>5,177,001</b>	<b>6,547,465</b>	<b>6,542,465</b>

### PERFORMANCE INDICATORS

#### SUPREME COURT:

Filings:				
Appeals	310	301	304	304
Intermediate Appeals	20	25	31	31
Original Proceedings	25	17	22	22
Notices of Review	16	4	10	10
Certificates of Probable Cause	20	14	19	19
Reinstatements	0	1	0	0
Rehearings Granted	0	1	0	0
Dispositions:				
Appeals/Original Proceedings	130/141	112/128	117/133	122/135
Orders of Dismissal/Dispositional Remands	95	83	85	85
Denial of Intermediate Appeals	27	17	22	22

	ACTUAL FY 2009	ACTUAL FY 2010	ESTIMATED FY 2011	ESTIMATED FY 2012
<b>PERFORMANCE INDICATORS</b>				
Original Proceedings (by Order)	41	31	32	34
Dispositive Remand	0	0	0	0
Summary Dispositions	92	116	102	102
Pending Cases:				
Submitted and Pending	27	20	30	30
Ready for Submission	38	49	45	45
Not Ready for Calendar	74	89	91	91
Other (in Suspense)	3	4	5	6
Total Pending Cases at end of fiscal year	142	162	162	162
Administrative:				
Hearings on Rules and Related Matters	3	3	3	3
Internal Procedure Rules Adopted or	3	0	1	1
Supreme Court Rules Adopted or Amended	12	6	10	10
Administrative Conferences	25	22	22	22
Judicial:				
Orders, Writs and Judgments Entered	1,095	1,090	1,090	1,090
Bar Admissions	97	110	110	110
Bar Admissions pursuant to SDCL 16-18-2	10	6	10	10
Oral Arguments (Actions/Submissions)	57/63	52/61	57/63	57/63
Cases Submitted on Briefs	140/150	148/155	154/168	154/168
Case Conference Days	27	30	28	28
Legal Research:				
Appeals Screened	392	405	405	405
Cases Briefs Were Received In	213	210	210	210
Per Curiams Assigned	43	49	49	49
Circuit Judge Opinions Issued	6	14	12	12
Law Library:				
Volumes Updated	1,000	500	1,000	1,000
Volumes Removed	200	600	400	400
Bar Admissions:				
Applications Processed	125	148	148	148
Bar Inquiries Answered	1,300	1,300	1,300	1,300
JUDICIAL QUALIFICATION COMMISSION:				
Complaints/Inquiries Received:				
Oral Complaints / Inquiries	5	5	7	4
Formal Written Complaints Received	27	27	26	23
Complaints Disposed of	32	20	25	22
Types of Cases:				
Prisoner Complaints (Includes Habeas	4	6	6	4
Divorce/Child Custody/Child Support Issues	11	3	7	6
Protection Order Cases	0	1	0	0
Civil Trial Issues (Includes Decisions)	6	5	4	4
Criminal Trial Issues (Includes Sentencing)	2	3	3	3
Personal Conduct	0	1	1	1
Small Claims	3	3	3	3
Guardianship/Conservatorship	0	0	1	0
Unknown	1	0	0	0
Nature of Claims in Complaints:				
Inappropriate Conduct/Abuse of Position	2	4	3	2
On Bench Abuse of Authority	0	1	1	0
Lack of Demeanor/Decorum	4	1	4	3
Bias/Appearance of Bias	5	10	7	6
Unhappy with Result	16	6	12	10
Commission Dispositions:				
Dismissal due to:				
Insufficient Evidence to Proceed	5	7	7	6
Lack of Jurisdiction	2	10	7	6
Resigned Due to JQC Investigation	0	0	0	0
Unsubstantiated	6	0	5	4
No Violation Found	16	0	7	6
Private Reprimand	3	3	2	2
Deferred Disciplinary Agreement	0	0	0	0
Public Censure	0	0	0	0
Recommendation for Suspension	0	0	0	0
Recommendation for Removal	0	0	0	0
JQC Applicants:				
Judicial Vacancies	4	2	2	6
Applicants Interviewed	40	20	25	72
Investigation of Applicants	41	27	25	72
COURT ADMINISTRATOR'S OFFICE:				
Human Resources:				
Vacancies Filled	74	58	60	70

	ACTUAL FY 2009	ACTUAL FY 2010	ESTIMATED FY 2011	ESTIMATED FY 2012
<b>PERFORMANCE INDICATORS</b>				
Promotions	19	16	20	20
Transfers	7	6	11	11
Terminations (voluntary and involuntary)	66	49	50	64
Retirements	15	13	15	15
Position Announcements	65	63	69	69
Position Applications Received	2,076	2,485	2,808	3,173
<b>Budget and Finance:</b>				
Direct and Noncash Vouchers Processed	9,018	8,557	8,887	8,887
Requisitions Processed	302	257	310	310
Cash Receipts Processed	124	143	143	143
Journal Vouchers Processed	66	75	65	65
<b>Court Information &amp; Publications:</b>				
UJS Website Hits	N/A	11,211,904	11,500,000	12,200,000
Grant Applications Processed	16	16	16	16
Sentencing History Requests	123	140	142	146
Civil Money Judgment Subscriptions	93	91	92	95
Brochures/Publications Printed	19	24	26	26
<b>TRAINING:</b>				
UJS Education Programs Offered	14	14	20	20
UJS Education Program Attendees	483	618	768	918
UJS Computer Trainings Offered	17	14	20	22
UJS Computer Training Attendees	89	51	80	100
On-line Video Programs Developed	0	1	1	1
Benchbooks/Procedure Manuals Maintained	11	11	13	13
Education Scholarships Received	15	23	30	35
Non-UJS Sponsored Education Program	N/A	58	69	84
Non-UJS Sponsored Computer Program	N/A	19	50	65
<b>CIRCUIT COURTS OPERATION:</b>				
<b>Criminal Dispositions:</b>				
<b>Felony Offenses:</b>				
Jury Trials	107	103	100	98
Guilty Pleas	2,247	2,383	2,351	2,305
Dismissals	707	868	834	830
Preliminary Hearings	418	382	348	326
<b>Class One Misdemeanor:</b>				
Jury Trials	89	71	67	63
Guilty Pleas	12,237	11,220	10,831	10,217
Dismissals	2,972	2,925	2,845	2,745
Preliminary Hearings	1,580	1,159	1,115	1,083
<b>Class Two Misdemeanor/Petty Offenses/Mun.</b>				
Jury Trials	2	0	0	0
Guilty Pleas	116,645	109,084	106,236	103,058
Dismissals	15,301	14,992	14,901	14,627
Preliminary Hearings	206	142	134	122
<b>Civil Dispositions:</b>				
Total Civil Jury Trials	68	77	75	78
Total Civil Dismissals	9,115	10,465	11,585	13,350
Total Civil Other Terminations	32,235	37,052	41,432	46,469
Small Claims Judgments	22,570	23,802	25,138	25,652
Small Claims Dismissals	8,828	9,567	9,832	9,855
<b>CLERKS OF COURT OPERATIONS:</b>				
<b>Criminal Caseload Filings:</b>				
Felony Offenses	5,745	6,126	5,963	6,045
Class 1 Misdemeanor	21,896	20,141	19,270	18,348
Class 2 Misdemeanor/Petty	134,617	124,965	121,208	116,968
<b>Civil Caseload Filings:</b>				
Domestic Relations	16,662	16,002	16,587	16,928
Civil Case	18,556	17,009	18,389	19,631
Administrative Appeals	400	422	454	504
Circuit Court Appeals to Supreme Court	309	293	280	279
Probate	2,380	2,399	2,402	2,384
Miscellaneous*	7,199	5,452	5,500	5,652
Juvenile	10,527	9,966	9,899	9,719
Small Claims	32,274	33,567	33,908	34,093
Child Support Receipts	4,209	3,176	2,459	1,898
Record & Money Judgment Searches	123,581	120,978	117,961	111,316
<b>COURT SERVICES OPERATIONS:</b>				
<b>Juvenile Services:</b>				
Pre-hearing Social Case Studies	673	652	669	678
90-Day Diversion Services	840	719	669	627
Placed on Probation	2,832	2,915	2,972	3,031
Active Probation Cases at End of FY	1,903	1,995	2,033	2,089

	ACTUAL FY 2009	ACTUAL FY 2010	ESTIMATED FY 2011	ESTIMATED FY 2012
<b>PERFORMANCE INDICATORS</b>				
Restitution Collected	\$299,184	\$278,268	\$282,925	\$284,428
Case Services Monitoring:				
Placed in Program	602	561	628	661
Active Cases at End of FY	364	336	386	412
Interstate Compact Cases - In	22	17	15	15
Interstate Compact Cases - Out	28	41	55	80
Intensive Probation:				
Placed in Program During FY	188	216	221	233
Transferred In	0	2	2	2
Transferred Out	0	9	9	9
Successful Completed Program	91	92	90	89
Failed Program and Sent to DOC	94	82	81	82
Failed Program (Other)	5	14	16	17
Active Cases at End of Fiscal Year	113	134	141	151
Adult Service, Misdemeanor:				
PSI Reports	287	264	308	382
Placed on Probation	638	815	1,074	1,387
On Probation at End of FY	718	1,094	1,421	1,795
Restitution Collected	\$1,445,333	\$1,386,646	\$1,505,552	\$1,662,898
Adult Service, Felony:				
PSI Reports	2,483	2,354	2,241	2,145
Placed on Probation	1,686	1,466	1,417	1,390
On Probation at End of FY	3,684	3,557	3,587	3,594
Restitution Collected	\$1,693,688	\$1,721,661	\$1,613,221	\$1,494,034
Adult Service, Drug Court:				
Drug Court Participants	19	18	18	18
Drug Court Sessions	50	52	52	52
Case Services Monitoring Program:				
Placed in Program	1,519	1,193	1,177	1,139
Active Cases at End of FY	1,307	1,470	1,554	1,683
Adult Interstate Compact Case Load (Felony)				
Total Placed on Probation - In & Out	368	350	377	411
On Probation at End of FY	822	785	860	950
<b>COMMUNITY-BASED SERVICES:</b>				
<b>Juvenile Home Based Services:</b>				
# of Clients	322	316	319	322
Mental Health Center Units	16,821	15,831	15,989	16,149
MHC Frontier Time Units	5,523	4,511	4,556	4,602
<b>Juvenile Community Based Services:</b>				
# of Clients	138	227	229	232
Cognitive Behavioral Group Therapy Units	2,045	1,060	1,071	1,081
Day Reporting Treatment Units	3,011	2,852	2,881	2,909
Psych/Mental Health-Asmt/Eval Units	31	135	136	138
Psych/Mental Health-Individual Counseling	334	648	654	661
Psych/Mental Health-Group Counseling	67	477	482	487
Chemical Dependency-Asmt/Eval Units	101	213	215	217
Chemical Dependency-Individual	105	283	286	289
Chemical Dependency-Group Counseling	1,812	1,077	1,088	1,099
Psychiatric-Asmt/Eval (Psychiatrist) Units	10	33	33	34
Psychiatric-Asmt/Eval (CNP or PA) Units	10	52	53	53
<b>Adult Community Based Services:</b>				
# of Clients	802	904	913	922
Cognitive Behavioral Group Therapy Units	19,339	25,049	25,299	25,552
Psych/Mental Health-Asmt/Eval Units	893	779	787	795
Psych/Mental Health-Individual Counseling	1,970	2,706	2,733	2,760
Psych/Mental Health-Group Counseling	2,408	2,868	2,897	2,926
Chemical Dependency-Asmt/Eval Units	391	461	466	470
Chemical Dependency-Individual	916	762	770	777
Chemical Dependency-Group Counseling	12,559	8,968	9,058	9,148
Gambling Addiction-Asmt/Eval Units	9	9	9	9
Gambling Addiction-Individual Counseling	60	11	11	11
Gambling Addiction-Group Counseling Units	182	251	254	256
Psychiatric-Asmt/Eval (Psychiatrist) Units	57	34	34	35
Psychiatric-Asmt/Eval (CNP or PA) Units	22	82	83	84
Recovery Support Services (Halfway House)	0	0	0	0
<b>INFORMATION &amp; TECHNOLOGY:</b>				
Work Orders Processed	7,578	9,165	10,082	11,594
UJS Systems Maintained	N/A	38	38	38
UJS Workstations Supported	812	843	851	860
UJS Servers	45	51	60	65
UJS ITV Installations Supported	29	38	45	46
ITV Installation - Jails/County/Non-UJS	14	15	17	18

	<b>ACTUAL FY 2009</b>	<b>ACTUAL FY 2010</b>	<b>ESTIMATED FY 2011</b>	<b>ESTIMATED FY 2012</b>
<b>PERFORMANCE INDICATORS</b>				
Non-UJS Users Supported	N/A	829	829	829
FTR Devices Installed	17	18	19	20
CourtSmart Courtrooms	10	12	12	13
Data Access Agreements Managed	53	57	57	57

\* Miscellaneous filings include guardianships/trusts, adoptions, and mental illness/drug alcohol committals.