



Fourth Circuit's Drug Court Celebrates Third Anniversary

September 4 was the third anniversary of the inception of Drug Court. To recognize the success of this program, an Executive Proclamation was co-signed by Chief Justice Gilbertson and Governor Rounds. The Proclamation reads as follows:

*Executive
Proclamation
State of South
Dakota
Office of the
Governor*

Whereas, Drug Courts benefit individuals by intensively working with them to overcome their addiction so they can continue working in the community and providing for their families; and,

Whereas, Drug Court has strict rules, which are understood up front, by the participating individuals that any missteps will land them in jail and they lose their opportunity to participate in the

program; and

Whereas, The Drug Court program effectively utilizes taxpayer money by helping individuals overcome their addiction and reintegrate back
(cont'd. on pg. 10)



The Drug Court Team left to right: Meade County Sheriff Ron Merwin, Drug Court Assistant Mari Denker, Sturgis Defense Attorney Bruce Hubbard, Drug Court Judge Michelle Palmer-Percy (holding the Executive Proclamation), Drug Court Coordinator Chris Pankratz, Director of Northern Hills Alcohol & Drug Services Mary Wood-Fossen, and Meade County States Attorney Jesse Sondreal

Inside this issue:

CMS Update. Awards: Judge Rusch and Judge Gienapp	2, 3
New and Retiring Employees	2,4,5,9,10
Divorce Capital in S.D.	6
Confidential Information stored on hard drives	7
Juror Orientation Video. Problem-Solving Courts Symposium	8, 9
STOP DUI Program. UJS Employee Training	10, 11
Human Resources Corner	12

Welcome to the eighth issue of the UJS Newsletter!

Articles, information and feedback are welcome. Articles and information will be printed as space allows. Please email your information to Gloria Guericke.

Case Management System (CMS) Update

The first of four project phases in our quest for a new case management system has been completed! The four project phases are Fit Analysis/Planning, Development, Odyssey Implementation, and e-Filing.

The first phase was completed with a Fit Analysis report to the CMS Steering Committee on June 24, 2010. The report contained recommendations regarding modifications to Odyssey to accommodate UJS business needs. The committee approved the report and a final Planning report was prepared for State Court Administrator, Pat Duggan. The Planning report included a statement of work, project budget estimates for the remainder of the project, implementation

proposals, and a project plan for the remaining three phases of the project. The report also includes the training plan for the Pilot in Brookings, Codington, Lake, Hamlin, Clark, and Deuel counties. The Go-Live date for the Pilot is July 11, 2011.

The second phase (Development) of the Odyssey project began in July. The Development phase is scheduled through the Pilot and includes configuration, development design and programming, external agency interfaces, integration with legacy demographics and civil judgments, conversion, security, auditing, reporting, forms, testing, training, and the go-live in the pilot counties.

North Dakota is also implementing the Odyssey case management system and be-

gan their pilot in Fargo in October, 2009. A UJS delegation made a site visit to Fargo to review how North Dakota's pilot project is going. The trip was very informative and the team made good contacts and came back with relevant information.

UJS IT staff also traveled to Bismarck to visit with North Dakota technical staff regarding their experiences with the Odyssey implementation.

A four-week Odyssey Configuration workshop was held July 26 - August 20.

A four-day Integration workshop for UJS technical staff was held the week of August 23.

We're beginning development work to accommodate the business rule changes approved at the June 24 CMS Steering Committee meeting. The first components that will be completed are the criminal sentencing, the civil judgments, and the probation supervision level and transfer functions.

We completed our first round of meetings with our external agency data sharing partners. Those agencies are Secretary of State, Public Safety, the Attorney General's office, and Game, Fish, & Parks.

An Odyssey forms workshop (*cont'd on page 12*)

Retirement Celebration Held for Circuit Administrator Angie Goetz

A retirement celebration was held for Angie Goetz, Circuit Administrator in the Fifth Judicial Circuit, on Friday, October 1. The reception was held at the Ramkota Hotel in Aberdeen from 5:30 to 7:30 p.m. C.T.

Best wishes to Angie in her retirement and a "thank you" for her dedication during her 33 years with the Unified Judicial System.



Angie Goetz, Circuit Administrator

Rusch Recipient of USD Law School's Volunteer Service Award

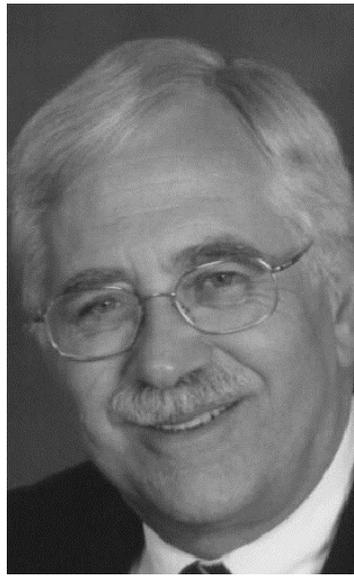
VERMILLION, S.D. -- The University of South Dakota School of Law's Student Bar Association selected the Honorable Arthur L. Rusch as the student group's inaugural recipient of the 2010 Volunteer Service Award.

The Volunteer Service Award recognizes an individual who has provided time and expertise to student organizations at the School of Law, including speaking engagements for courses and campus events, serving as judges for competitions, and assisting with pro bono opportunities.

Rusch, who has practiced law in Vermillion for more

than two decades, received his B.S. in business administration from USD in 1968 and a juris doctor from the USD School of Law in 1971. In 1994, he was appointed Presiding Judge of the First Judicial Circuit, which includes 14 southeast South Dakota counties

USD School of Law student Elizabeth Overmoe, 2009-2010 SBA President, announced Rusch as the award's first recipient during the Law School's



Judge Art Rusch

annual Barristers' Ball in Sioux Falls, S.D., last March. However, Rusch was unable to attend due to a prior commitment and he was presented with the award recently in Vermillion. Rusch was also publicly recognized at the annual meeting of the South Dakota State Bar Association in Rapid City last month.

Source: University of South Dakota's website: <http://www.usd.edu/press/news/news.cfm?nid=1994>

Judge Gienapp Receives Trial Lawyers' Jurist Award



Judge David Gienapp with the Trial Lawyers' Jurist Award.

Third Circuit Court Judge David R. Gienapp was presented with the annual Fred J. Nichol Award for Outstanding Jurist by the

South Dakota Trial Lawyers Association during the Association's annual meeting in Rapid City on June 17, 2010.

The award is given to an outstanding trial or appellate judge who possesses unwavering personal integrity and maintains an exemplary standard of conduct that enhances the image of the judiciary and reinforces public confidence in the justice system. The judge receiving the award must also show respect and courtesy to the parties, witnesses, jurors, court personnel and attorneys who appear in the Judge's

Courtroom and consistently make decisions that are well reasoned and uphold the integrity and independence of the office. The South Dakota Trial Lawyers Association created this award in honor of the late Judge Fred J. Nichol.

Judge Gienapp has been a Circuit Court Judge since 2002 when he left private practice with the law firm of Arneson, Issenhuth & Gienapp. He graduated from USD in 1964 and the University of Wyoming School of Law in 1967. He was a law clerk for the South Dakota Supreme Court, a South Dakota Assistant Attorney (*cont'd. on pg. 4*)

New Judge in Seventh Judicial Circuit

Gregory attorney Wally Eklund was appointed as a 7th Circuit Court judge at the Pennington County Courthouse on Friday afternoon, June 18, 2010.

He was appointed by the governor to fill a vacant judgeship in a circuit that includes Custer, Fall River, Pennington and Shannon counties.



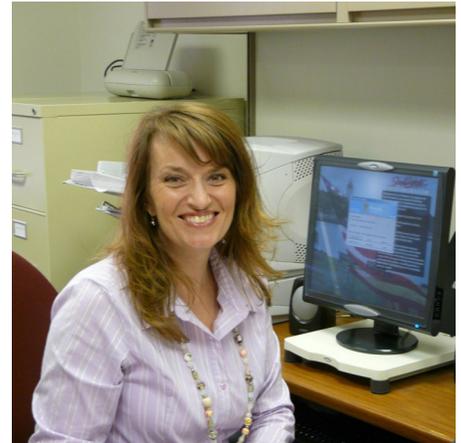
Circuit Judge Wally Eklund

Eklund has been in private practice since earning his law degree in 1971. He's also served as Gregory County state's attorney and as attorney for the city of Gregory and the Greg-

ory School District.

Photo and story from Rapid City Journal. Kristina Barker, photographer.

New Legal Research Secretary



Angel Wedin, Legal Research Secretary

Angel Wedin is the new legal research secretary who provides support for the Supreme Court's staff attorneys, the Board of Bar Examiners, and the Supreme Court law library.

Angel is a native of Grand Junction, Colorado. She and her husband, Jim, have three sons, Spencer, age 9, Ryan, age 6, and Gavin, 16 months. Angel is active in the Pierre community and serves on the boards of the Oahe Hockey Association, the AAUW preschool, and the YMCA. She enjoys reading, cooking, and spending time watching her husband and sons play hockey.



Judge Gienapp Award Recipient,

cont'd. from page 3.

General, and Assistant U.S. Attorney for South Dakota until he entered private practice in 1976.

Judge Gienapp served as President of the State Bar of South Dakota (1994-95) and the South Dakota Trial Lawyers Association (1981-82). He is a member of the American Bar Association (Delegate, 1996 - present), American Board of Trial Advocates (Advocate), American College of Trial Lawyers (Fellow), American Board of Criminal Lawyers (Fellow), International

Academy of Trial Lawyers (Fellow), International Society of Barristers (Fellow), and the American Bar Foundation (Fellow). He is a frequent lecturer and speaker at numerous state and national legal events.

Judge Gienapp received the SDTLA Trial Lawyer of the Year award in 1998.

The Nichol award is given annually in June during the SDTLA annual meeting.

Information from S.D. Trial Lawyers Association press release. Contact: Sara Hartford.

New Clerk of Court in Second Circuit

After a very careful selection process, the Second Circuit is pleased to announce that Angelia (Angie) Gries has been chosen as the new Clerk of Court for Minnehaha County.

Angie has past experience in the 2nd Circuit. She originally worked in the Clerk's office in 1997 and worked through a number of different case areas including small claims and civil. In 2001 she moved to Court Administration where she



Angie Gries, new Clerk of Court for Minnehaha County.

handled criminal calendars, lead back-up for jury trials, and a list of other things.

She left in 2007 to accept an administrative/sales department position for KELO TV. Her resume also includes business management and staff training in other positions prior to her work with UJS.

Angie returns with some very high recommendations from judges, attorneys, and others who have worked with her in the past.

Donna Fredrickson Retires after 26 Years of Service to the Unified Judicial System

A reception was held on Tuesday, July 20th, at the Spink County Courthouse in Redfield, honoring Court Clerk Magistrate Donna Fredrickson for her 26 years of ser-

vice to the Unified Judicial System. Donna retired on Friday, August 6.

Thank you, Donna, and best wishes on your retirement.



Donna Fredrickson poses with Presiding Judge Von Wald at her retirement reception.

Please welcome Jill McClanahan



Jill McClanahan

Jill McClanahan started work in the State Court Administrator's Office as a Court Operations Specialist. Prior to that, she worked in the Hughes County Clerk of Courts Office.

Welcome, Jill!



Divorce Capital in South Dakota

Sioux Falls held the dubious distinction of being the divorce capital of the nation around the turn of the century. The information in this article is from various newspaper articles from 1891 to 1912.

Economic Benefits

A February 25, 1908 article in the Logansport Reporter, Logansport, Indiana, reported some of the economic benefits obtained from those residing in South Dakota while establishing residency for their divorce. "...In the annual report of the bureau of

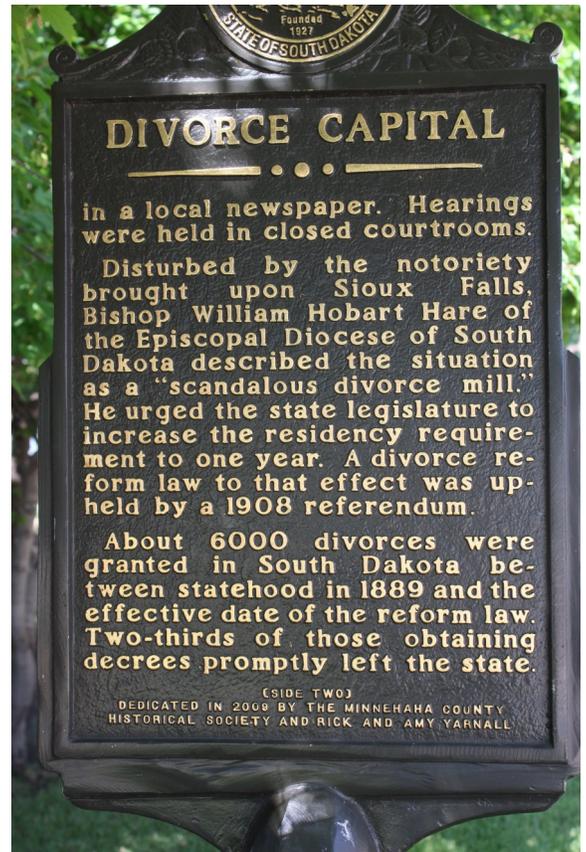
vital statistics is made plain the reason why South Dakota doesn't want to give up the divorce business. The bureau's report shows that in 1907 652 divorces were granted in that state of which 320 were non-residents, and it was a dull year in the divorce market, too.

The average spent by divorcees within their six months residence in South Dakota is not less than \$200 a

month and probably much more, ...the

state last year took in \$480,000 as inducement for granting the 320 divorces to non residents.

While 1907 was decidedly bearish in the divorce trade owing to the agitation in the state for its abolishment, if the income for the last year is tak-

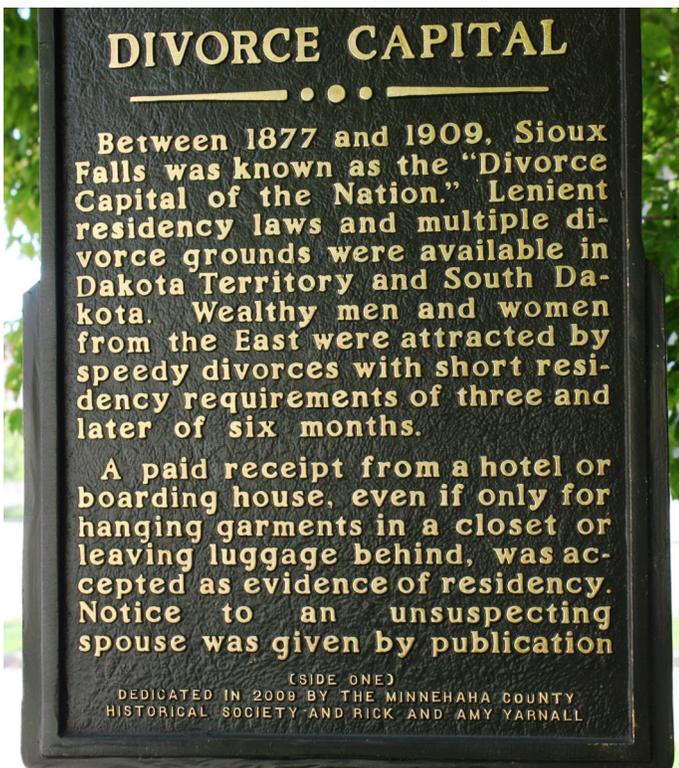


The side two continuation of the divorce marker sign in Sioux Falls.

en as an average, South Dakota has realized \$5,000,000 from her divorce mill in the last decade...

Merchants send special orders for high grade goods in anticipation of the divorce patronage, hotels fit up whole suites of rooms in the best of trappings to make the sojourn pleasant, while it is a regular business to furnish houses and rent them to unhappy wives for \$75 to \$100 a month.

Lawyers profit to the extent of \$12,000 a year from the outside business. Physicians



The front side of the marker in Sioux Falls noting when Sioux Falls was a popular location for speedy divorces.

Divorce Capital in South Dakota, (cont'd.)

find opportunity to charge fancy fees and dentists and dog fanciers count upon this trade in this yearly estimate...”

Controversality of South Dakota Divorces

Not all states or countries recognized South Dakota divorces. The July 29, 1892 issue of the LeMars Semiweekly Sentinel from LeMars, IA contained the following article: “By the recent decision of an English judge at Manchester, England, Dakota divorces are declared null and void when British subjects are involved. The case under consideration was that of Butters vs Butters. Dr. Butters of

England, obtained a Sioux Falls divorce from his wife and returning to England married again. Mrs. Butters, No. 1, then sued him for a divorce on charges of bigamy and adultery. The divorce was granted on these grounds, the Dakota divorce being set aside. Some people with loose ideas of matrimony will need to stay in Dakota to get the full benefit of Dakota laws.”

Other States Join in on Offering Speedy Divorces

By 1896, the popularity of obtaining a divorce in Sioux Falls started to wane. An article in the November 19, 1896

issue of the Daily Iowa Capital, Des Moines, IA, stated: “Once the Sioux Falls divorce colony occupied prominence, and ladies of title, wives of prominent men, and the daughter-in-law of one of our greatest statesmen as well as bankers, lawyers, lecturers and actors rushed thither. But now Sioux Falls is dead and the divorce haven is in the newer fields of North Dakota and Oklahoma...”

A special thank you to Linda Hamberger and Suzanne Folk for providing the photos and newspaper articles.

Addressing Confidential Information Saved on Copier Hard Drives

In April of 2010, CBS News exposed the potential risk of sensitive information being viewed though inappropriate eyes by recreating pages scanned or faxed from a copier. They used software “forensic tools” to analyze harddrives and retrieve images that had been stored or copied onto it. The same approach can be used on any harddrive – the ones in your desktop computer, notebook, tablet or server. How is this possible? When a file is deleted, it doesn’t really go away – that area on the hard drive is simply marked as “free space” and available for the

next file that is saved. Until a new file overwrites that area, the deleted data resides there in a binary code pattern of 0’s and 1’s.

In the time honored tradition of spycraft where “one hand spits on the other”, if someone creates software to retrieve data, someone else will write an application to wipe the harddrive by overwriting every sector of the disk and making all data vanish. Both products also have additional uses. The former can restore family photos from crashed systems while the latter can be integrated with a virus to ruin your day.

The possibility of information exposure is addressed via several methods by the UJS IT office. No devices are surplused before the harddrive is removed. IT has always handled desktop computers, notebooks, tablets or servers in this manner. The copier and printer situation has been addressed by updating policies to include Help Desk work orders directing a Network Services technician to determine if that model has an internal harddrive and, if so, to schedule the removal. (cont'd. on page 8)

Juror Orientation Video

The South Dakota Unified Judicial System has contracted with EPIC Multimedia out of Sioux Falls to produce a new UJS Juror Orientation video.

The final product should be available in December 2010.



*Impatience
never
commanded
success.*

*Edwin H.
Chapman*

Confidential Information (cont'd. from page 7)

Please contact the Helpdesk prior to surplusing any copiers and allow sufficient time in the event a site visit is necessary.

What happens to the harddrives after we remove them? If the drive size, age and reliability make it reusable, the low-level format and wipe-drive process take place. The majority of harddrives, such as those from systems in the yearly upgrade cycle, are not candidates for recovery. Because the wipe-drive process is time demanding, IT looked at alternative approaches that are more efficient while maintaining the necessary security standard. A successful test-run with the Sioux Falls company Dakota Data Shred (DDS) has offered a possible long-term solution. DDS is a HIPPA-compliant shredding service that picks up and transports harddrives in a provided

locked container. At the Sioux Falls facility a two-inch hole is punched through each drive, removing any ability to retrieve data. At a second facility the drives are shredded into recyclable material.

Data security will continue as a growing concern in many areas - paper copy, pass-

words, application access, and any type of media - securing what we need and safely disposing of the rest. It's not as scary as nuclear waste - unless it happens to affect you.



IT Snippets

IT Terminology:

SAN is a **Storage Attached Network**. Or, in general terms, think of it as an incredibly large harddrive created by connecting lots of smaller harddrives together.

Help Desk Hint:

The Search button on the UJS website will quickly return results against all text and documents, but not images. The Search option can be configured to produce results based on all or any of the search words.

South Dakota Problem-Solving Courts Symposium

Chief Justice David Gilbertson hosted the UJS "South Dakota Problem-Solving Courts Symposium" on August 18, 2010, in Huron, South Dakota. The Symposium was attended by stakeholders from existing problem-solving court programs in South Dakota and stakeholders from other identified areas of the state showing possible need and feasibility for development of a problem-solving court in their area. Stake-

holders included court personnel, state attorneys, defense attorneys, law enforcement personnel, and treatment provider representatives. Also in attendance were state legislators and representatives from Executive Branch agencies. Carolyn Hardin, Director of the National Drug Court Institute in Washington, D.C. was the keynote presenter at the Symposium.

The Symposium provided an opportunity to showcase the current problem-solving courts in South Dakota and provide education and discussion for future collaborative planning purposes for problem-solving courts in South Dakota.



Judge Patricia Riepel and other attendees studying information provided at the Problem-Solving Courts Symposium.

Court Reporter Continuing Education



Training for Court Reporters was held at the Pierre Ramkota on September 23 and 24. Reporters spent 3.5 hours reviewing the nuance of proper punctuation with Margie Wakeman-Wells from Los Angeles, CA.



Retirement Celebration Held for Lynn Sudbeck

A retirement celebration was held for Lynn Sudbeck on Wednesday, September 8. The reception was held in the Capitol Café in Pierre from 2:00 p.m. to 4:00 p.m. CT.

Lynn started work with the UJS in August 1994, and held a number of positions and

contributed to the Unified Judicial System in many ways over the years.

Beth Urban and Lisa Mammenga, pose with Lynn on her final day in the Human Resources office.

Best wishes to Lynn on her retirement!



Sixth Circuit's STOP DUI Program

The Central South Dakota STOP DUI Program, located in Hughes and Stanley Counties, is pleased to announce that two participants have graduated from the program.

Presiding Circuit Judge Lori Wilbur oversees the program.

The two graduates each expressed sincere gratitude for the chance to change their

lives for the better by learning a sober and productive lifestyle. Judge Wilbur and all at the STOP DUI Program would also like to thank Chief Justice Gilbertson, Pat Duggan, Nancy Allard, Greg Sattizahn, Karn Barth, and everyone else for their support for this program and for their hard work in putting on the drug court symposium

and allowing the STOP DUI Team to participate.

*Never lose a chance
of saying a kind word.*

William Thackeray

Employee Updates in Sixth Circuit

The Sixth Circuit would like to welcome new employees Dan Bakke and Kirk Byrd, who started as court services officers in September. They replace Dan Petersen and Ryan Dailey.

The Sixth said goodbye to deputy clerks Darla Livermont, Sara Epperson, Stacie Gran, and Jill McClanahan. Darla and Jill took positions with the State Court Administrator's office, so at least their

talents stayed with UJS. Cari Bachand, Brandi Burton, Andrea Fleagle, and Russchelle Quiver have been hired as deputy clerks.



Drug Court Anniversary (cont'd. from page 1)

into the work force rather than spending time in a jail cell; and,

Whereas, Graduates of the Drug Court program have successfully overcome their addiction and are now productive and contributing members of their community; and,

Whereas, The 2007 South Dakota Legislature understood the benefits of this program and approved HB 1271, which was signed into law; and,

Whereas, The success of South Dakota's first Drug Court has been evident since its inception, and it is appropriate to recognize the individuals who have contributed to a program that has enriched our state and improved the overall quality of life for the participants and their families:

Now, Therefore, We, M. Michael Rounds, Governor of the State of South Dakota, and David Gilbertson, Chief Justice of the Supreme Court

of South Dakota, do hereby proclaim September 4, 2010, as DRUG COURT DAY in South Dakota.

**Congratulations
to Fourth Circuit's
Drug Court on
their third
anniversary!**

Continuing Education Sessions for UJS Employees



Chamberlain because of their central location in the State.

The Deputy Clerks, Clerks, Support Staff and Court Services Officers were also provided opportunities to network and visit with their counterparts.



State Court Administrator Patricia Duggan provides a State Court Administrator's Office update to Deputy Clerks.

A number of training sessions for Unified Judicial System employees were held over the past several months.

These sessions were held in either Pierre or



Budget and Finance Director Janet Borchard provides guidance to Support Staff on how to complete vouchers.

Judicial Branch Educator Karn Barth introduces the next presenter at the Support Staff training held in Chamberlain.

Clerks and Court Services Officers finished one day of their training with a Walk-Sprint Challenge.

The more you say, the less people remember.

Francois Fenelon



After their education sessions, both the Clerks and the Court Services Officers were challenged to a Walk-Sprint at LaFromboise Island in Pierre.

Human Resources Corner

NEW Intranet Section! In July, Employee Wellness Resources were added to the UJS Intranet. To view, sign onto the UJS Intranet, then on the left you will notice Employee Wellness Resources. This section is intended to provide employees general information and resource links to information regarding stress management, child and elder care, chemical dependency, mental health, financial services, real estate services, identity theft, domestic violence, and career development. If you need assistance signing onto the Intranet, please contact the UJS Help desk at (605) 773-8000. If you have any recommendations for this section, please contact the Human Resource's office (605) 773-4867. We are excited about this new Intranet section and believe that employees will find the information useful.

In August, Lisa Mammenga, from the Human Resource's office, developed and started presenting a refresher training for the Timekeeping System (TKS). Lisa has presented the TKS training to Circuit Administrators, Deputy Clerks, Chief Court Services Officers, State Court Administrator Office Senior Staff, and will continue presenting to reach the supervisors and employees of the UJS. The training is a refresher on how to complete timesheets and demonstrate various types of reports that are

available to employees and supervisors. This presentation and other Timekeeping System information has been added to the Intranet under the Human Resources section entitled "SD Timekeeping System". In addition, a link to the SD Employee/Manager Self Service (SEA) has been added. This link allows you to view pay stub information and make changes to payroll information such as direct deposit, tax withholding, and address changes.

Odyssey Update, (cont'd. from page 2)

hop was held the week of September 20, and another workshop is scheduled in January.

Electronic Document Management Surveys were sent to Circuit Administrators the week of September 13. We are researching what UJS document management needs are and plan to have a final report to State Court Administrator Patricia Duggan by the first part of January. Site visits are scheduled in a few circuit locations the weeks of October 18 and November

Odyssey Update, (cont'd.)

8, to review document management processes.

Much more is in the works and we'll keep everyone updated in future editions of the UJS Newsletter!

When one door
of happiness
closes,
another opens,
but often
we look so long
at the closed
door that we do
not see the one
that has been
opened for us.

Helen Keller