

DAKOTA PLAINS LEGAL SERVICES

PROGRAM PRIORITIES

Effective 01-01-2022, the DPLS Board of Directors adopted the following program priorities:

Indian Law

Family Law

- high priority should be placed upon domestic abuse cases, divorce / custody/ visitation cases, abuse and neglect cases, ICWA cases, adoption cases, and guardianship cases
- in court representation of obligees in state court child support cases should only be undertaken in special circumstances after review and approval by a managing attorney
- assistance in general name change cases should be limited to general advice and possible referral and assistance in name change cases involving difficulty obtaining drivers licenses should be limited to counsel and advice and help in preparing pro se pleadings
- juvenile court cases
- court appointments for criminal, juvenile and abuse and neglect cases under the Pennington County Contract for Indigent Representation

Criminal Defense

- LSC regulations (45 CFR Secs. 1613.3 and 1613.4), only permit representation in a criminal proceeding in state or federal court pursuant to court appointment and when required by professional responsibility in a case in which DPLS is already representing the client. This restriction does not apply in tribal court
- State court criminal appointments where the maximum charge is no greater than a Class 3 Felony unless authorization is otherwise given by the Executive Director.
- This priority does not include appointment of DPLS attorneys as a temporary state's attorney or prosecutor

Health

Housing

Income Maintenance

- this priority includes social security, SSI, food stamp and other welfare cases

Education

Economic Development Assistance and Incorporation

Consumer/Finance

- except bankruptcy cases, which can be referred to the Private Attorney Involvement Program and the rest should be referred to the private bar

Individual Rights and other Civil Rights Matters

Wills/Estates

- this priority includes drafting of simple wills, durable powers of attorney for health care, financial powers of attorney and probate cases in tribal and state court

Employment Law

- limited to representation in tribal employment grievance hearings and in unemployment insurance cases.

The priority categories, with the exception of the Economic Development Assistance category, are correlated with the LSC's Legal Problem Code Guide. As such, each priority should be interpreted to include the subcategories listed under each major category. This is in keeping with DPLS' philosophy that the priority guidelines should be liberally interpreted in order to continue DPLS' tradition of providing the broad range of legal services needed to adequately address our service area population's diverse legal needs.

Reviewed: 12/11/21