

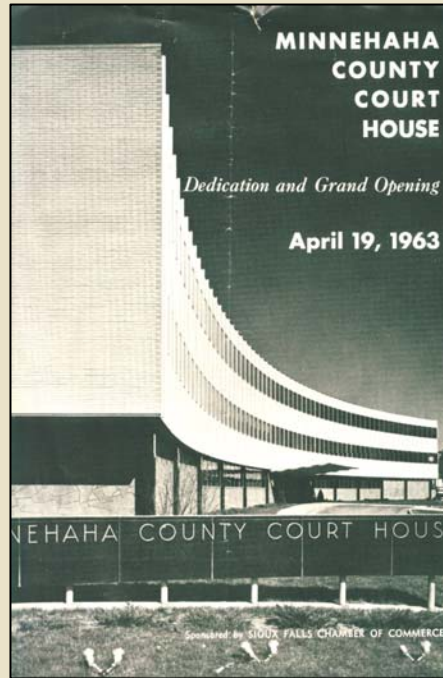
Minnehaha County Courthouse

*Keeping Up with
Community Growth*

1890's



1963

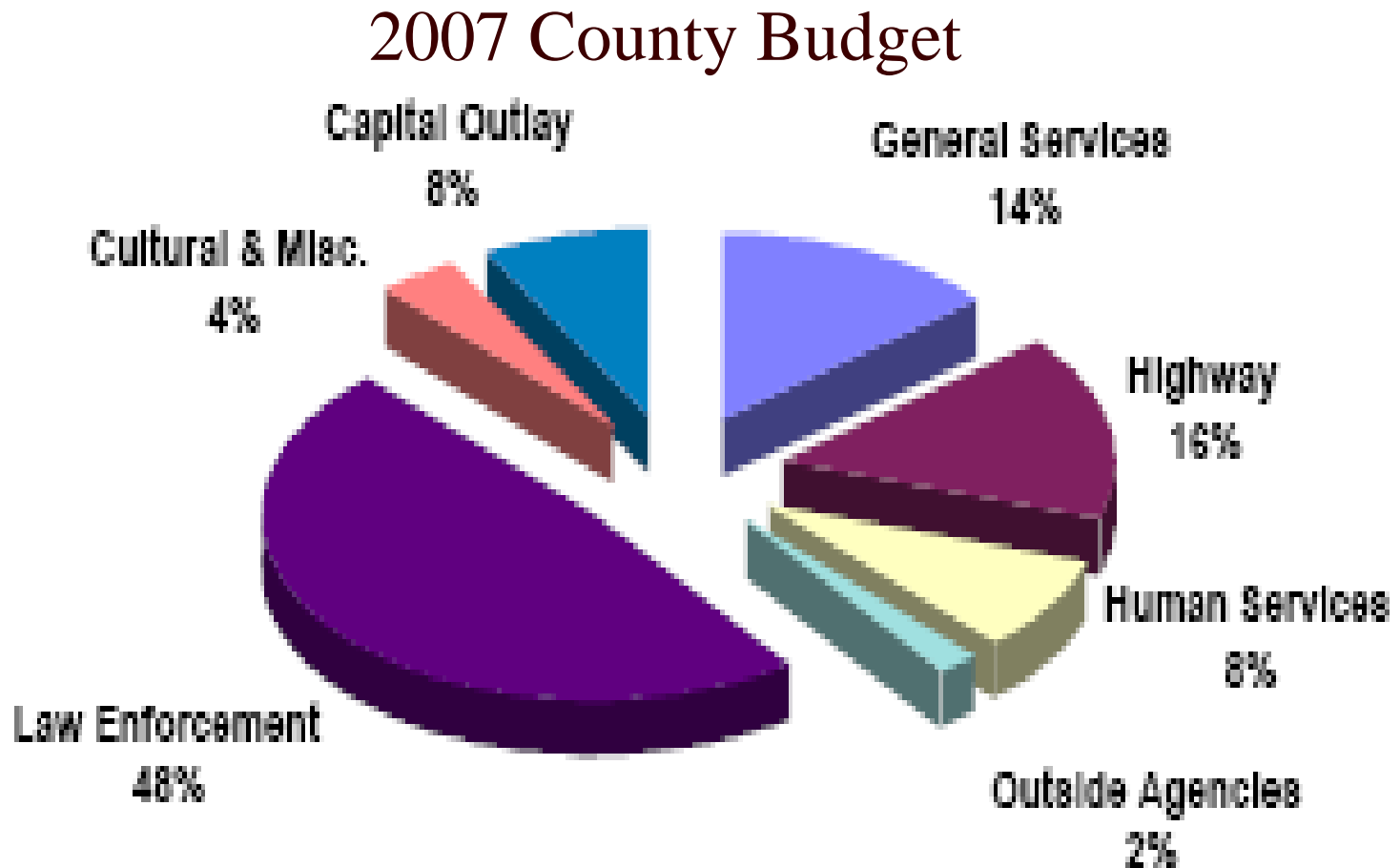


1996



2
0
0
7

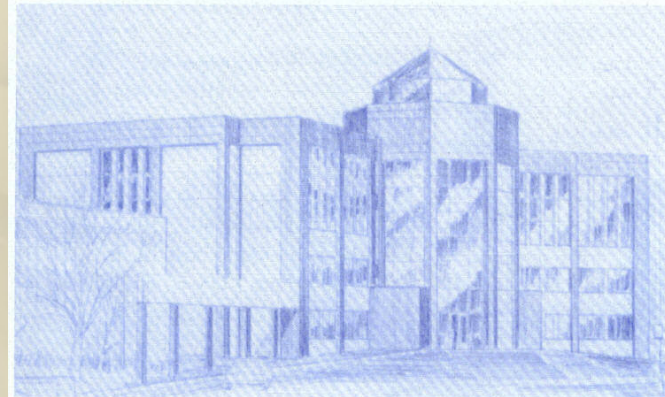
Minnehaha County Commission Highest Priority: Public Safety



In 1996 when the current courthouse was opened...

- About 69 full-time-equivalent employees.
- 8 judges and magistrate judges.
- About 57,543 cases per year, all types.
- About 123,000 population.

BUILDING DEDICATION CEREMONY



MINNEHAHA COUNTY COURTHOUSE

Sioux Falls, South Dakota

August 16, 1996
9:00 A.M.

Now in 2007...

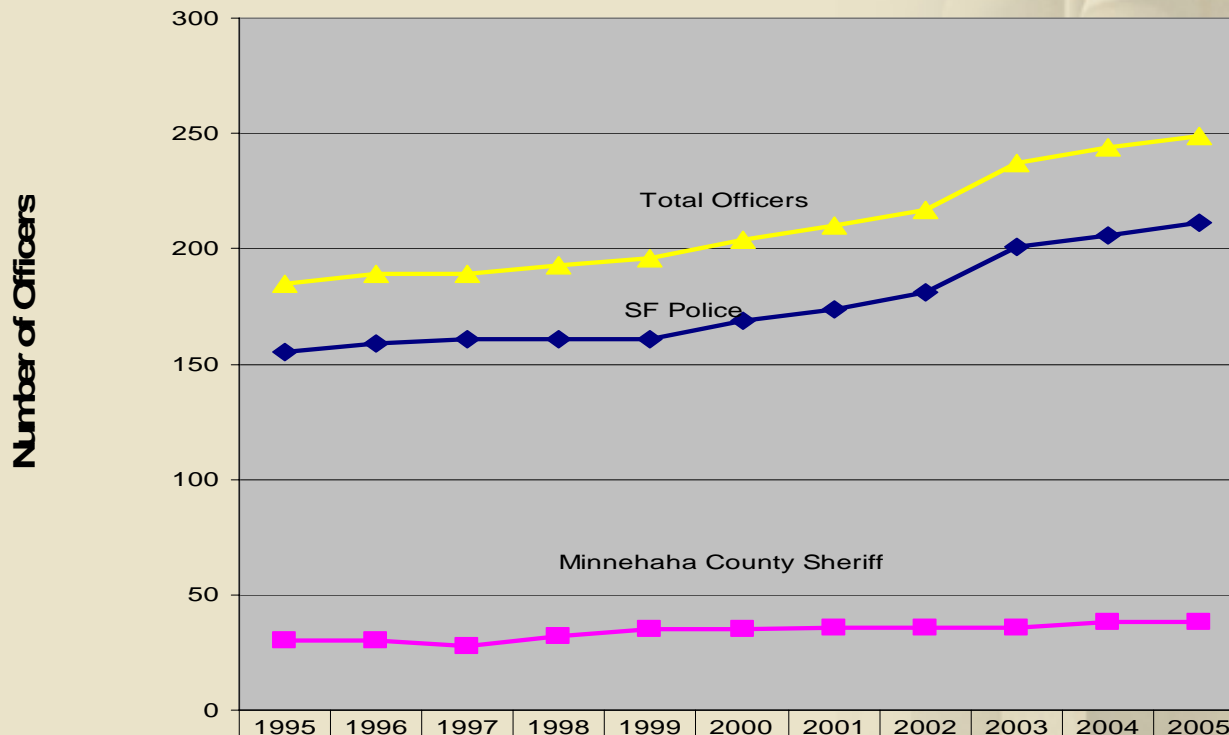
- About 101 full-time-equivalent employees in 2007. (Up 46% since 1996)
- 13 judges and magistrate judges in the circuit by 2007. (Up 62% since 1996)
- About 74,000 cases per year, all types, FY2006 (up about 30% since 1996)
- Population about 165,000 (up 34% since 1996)

Criminal caseloads trend with law enforcement.

How has law enforcement grown since the courthouse was built?

Sioux Falls Police & Minnehaha County Sheriff, 1995-2005

Growth in Number of Officers, 1995-2005: 35%

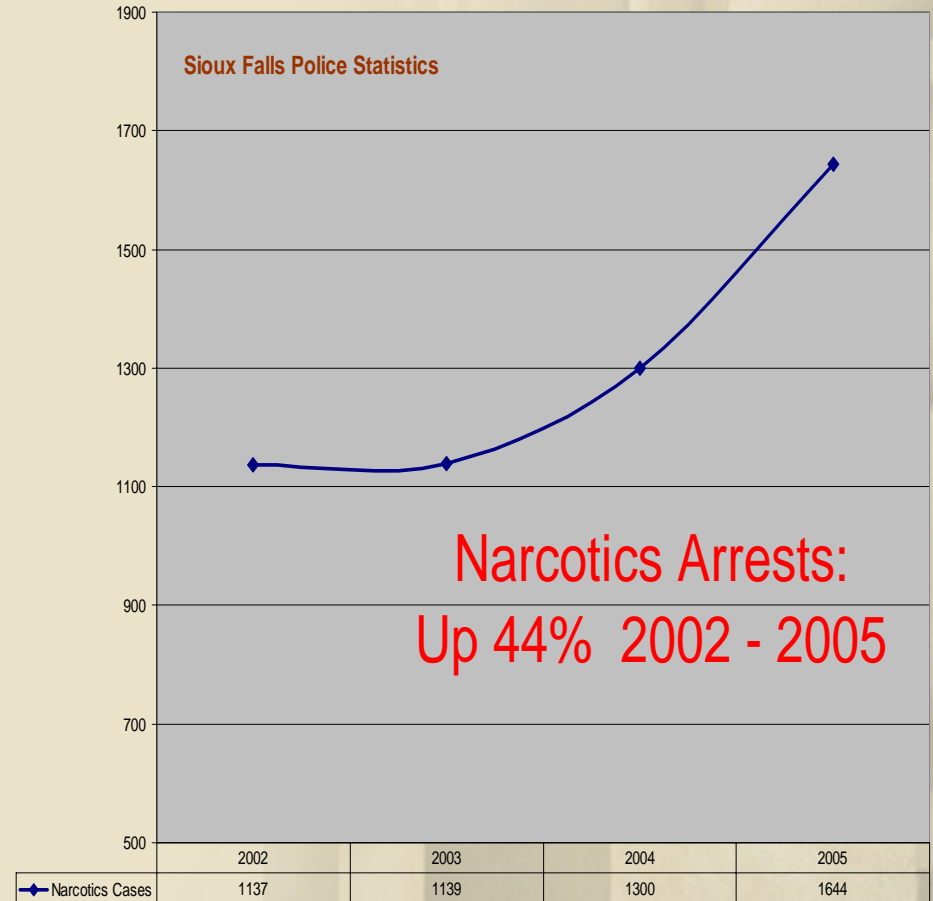
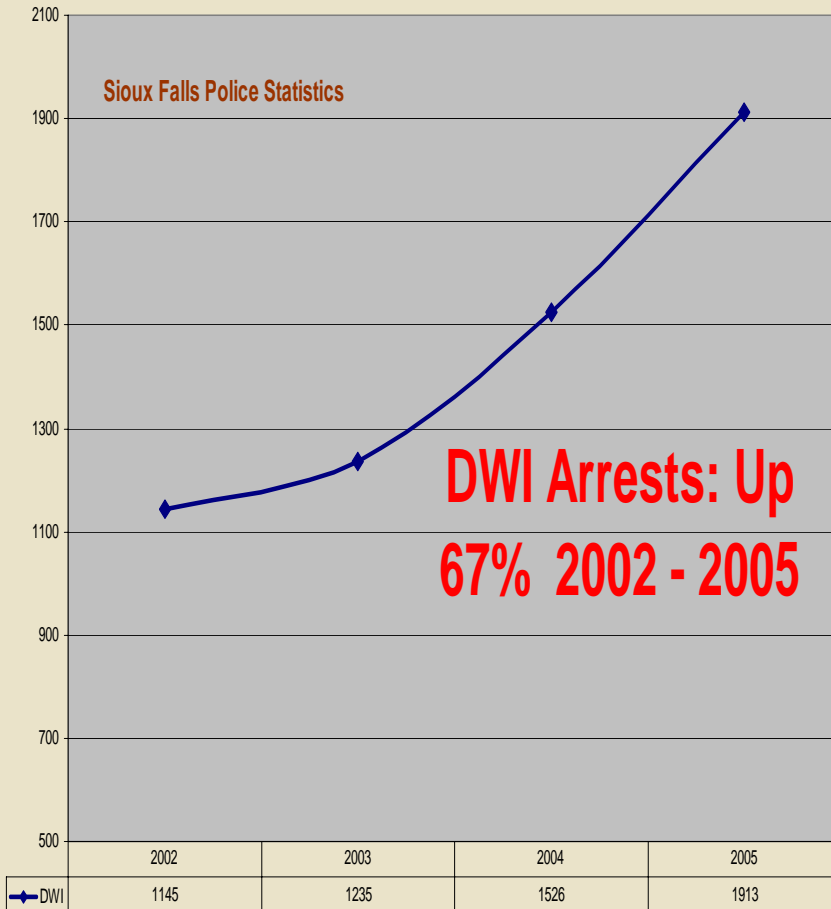


Notes: Chart only includes sworn law enforcement officers for Sioux Falls Police and Minnehaha County Sheriff; does not include local township police, administrative staff, jail staff, dispatchers, courthouse security officers, or other support staff not directly involved in law enforcement.

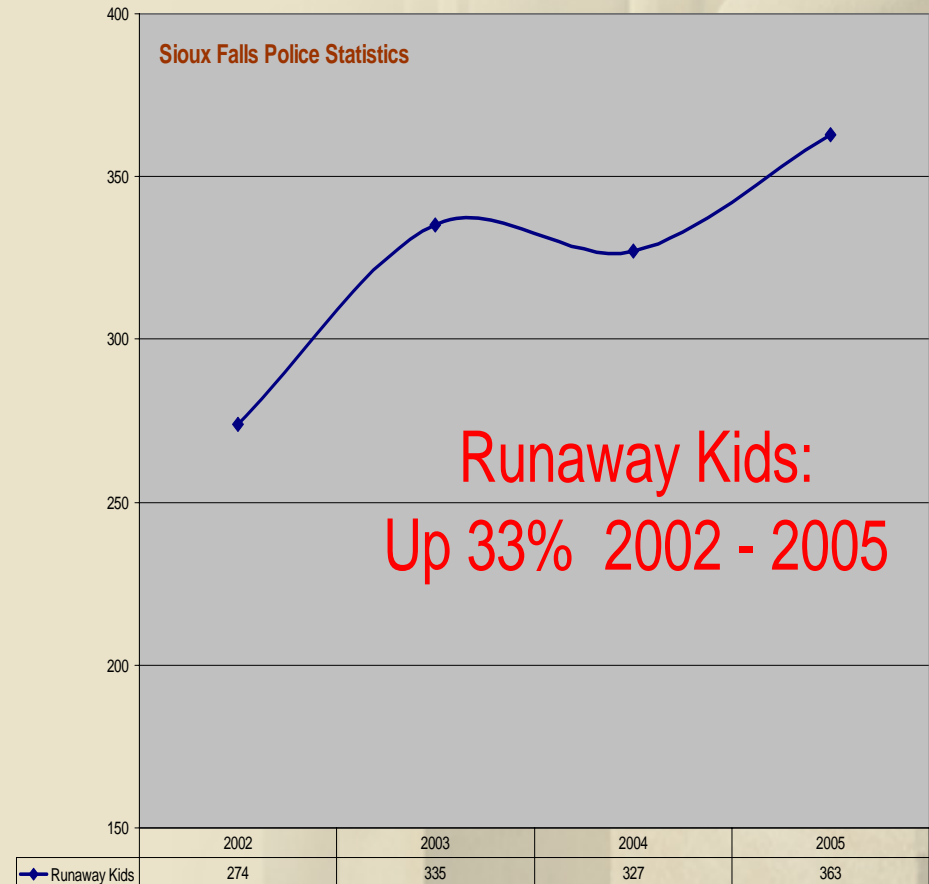
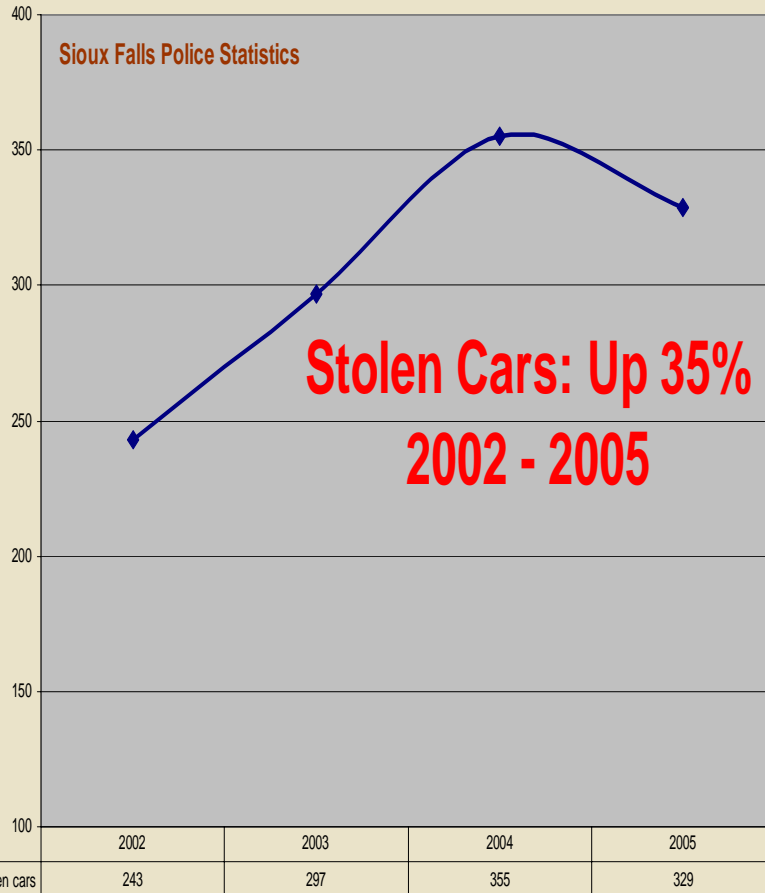
Data Source: Police Chief Barthel's Office, November 2005, Sheriff's Office, June 2006.

—◆— SF Police	155	159	161	161	161	169	174	181	201	206	211
—■— Minnehaha County Sheriff	30	30	28	32	35	35	36	36	36	38	38
—▲— Total SFPD & MC Sheriff	185	189	189	193	196	204	210	217	237	244	249

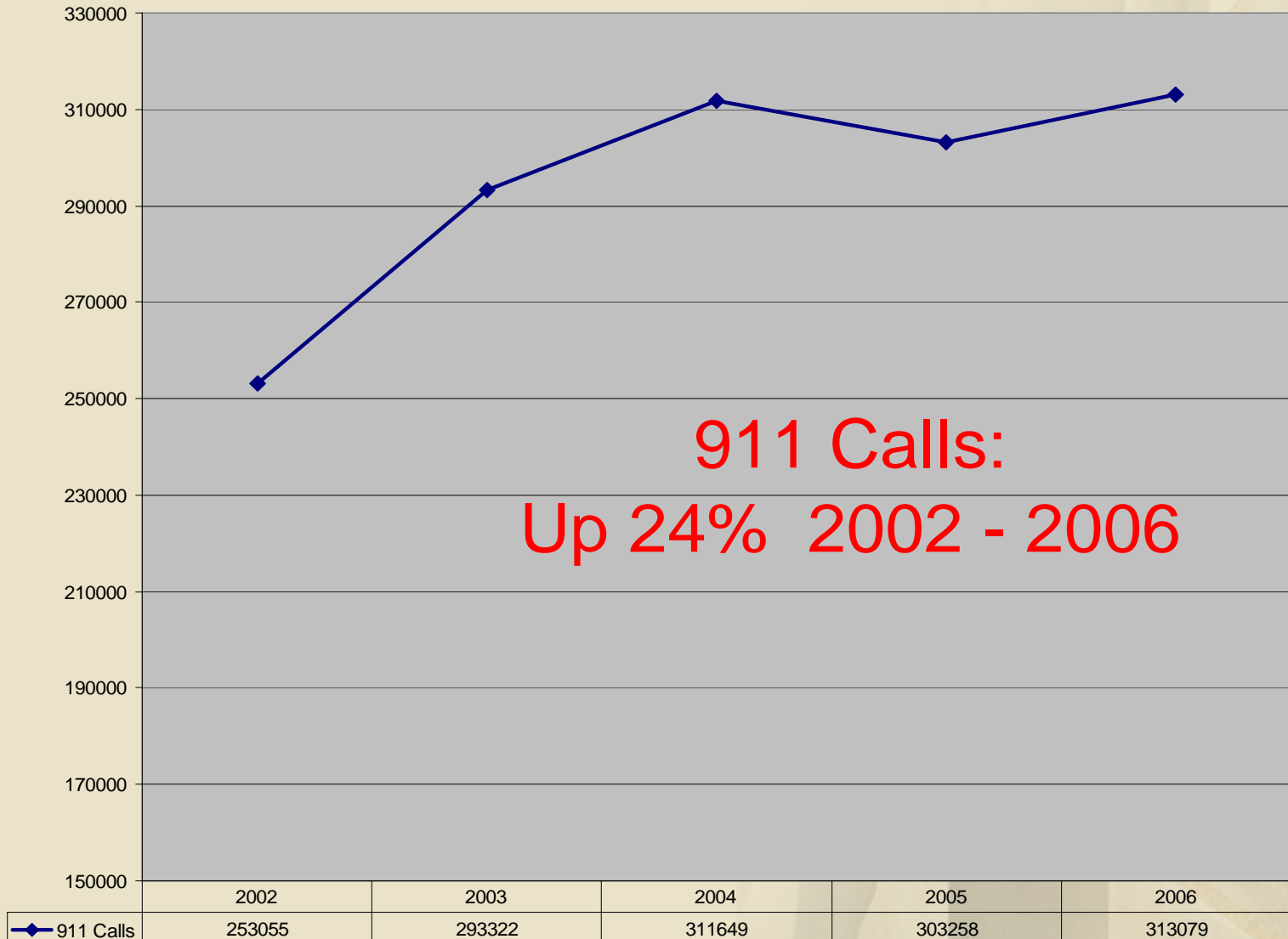
Public Safety/Police Trends



Public Safety/Police Trends



Public Safety/Police Trends

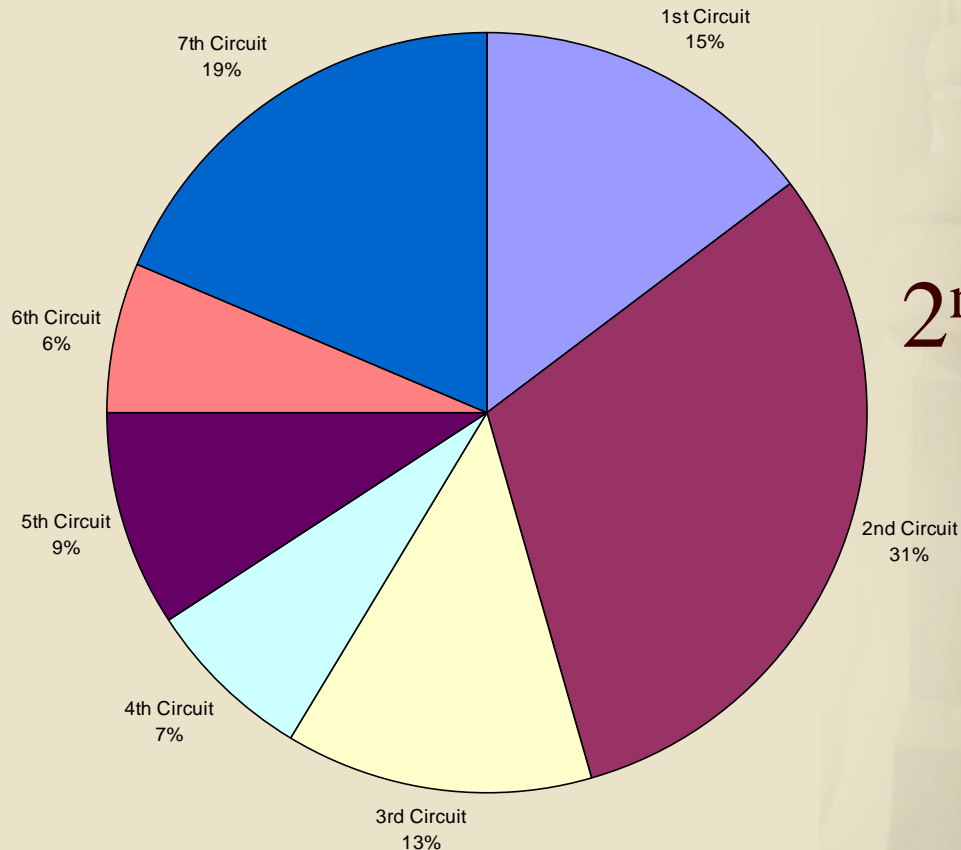


Now in 2007...

- The 2nd Circuit handles about 1/3 of the entire state's caseload:

Statewide Court Caseload Distribution by Circuit, FY2006

Data Source: FY2006 UJS Annual Report



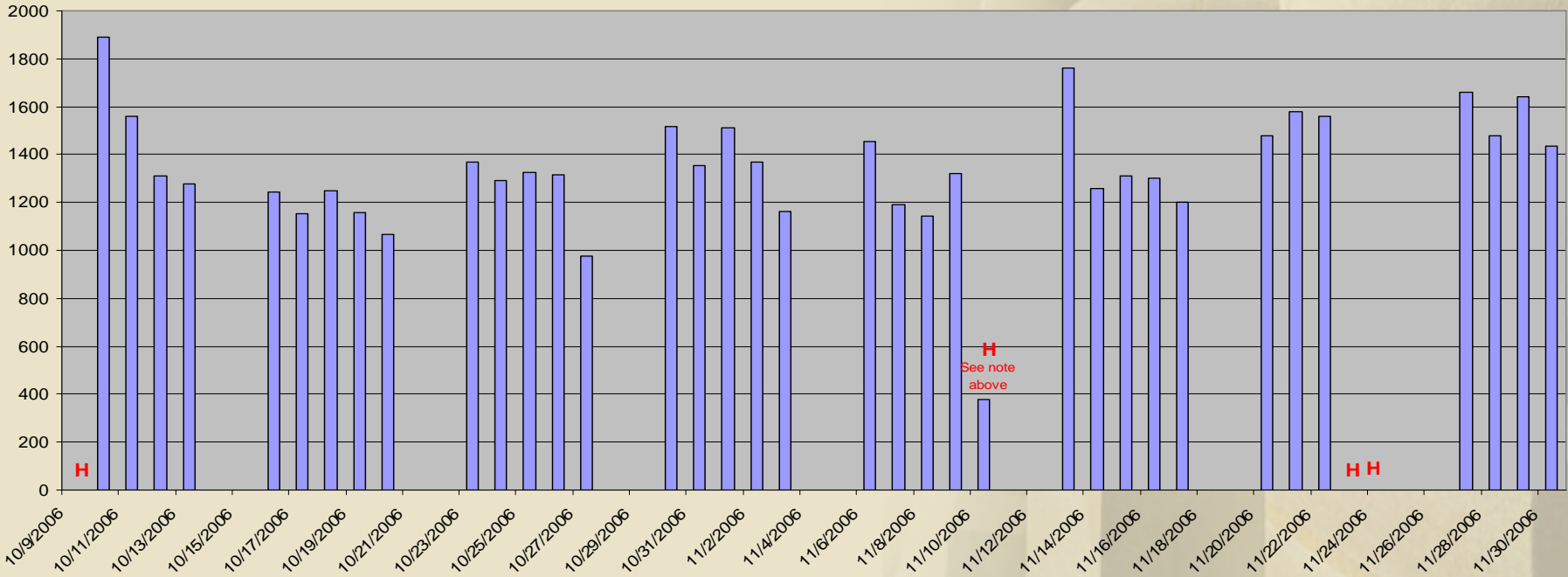
2nd Circuit, 30%

Now in 2007...

- 1,368 people pass through the courthouse doors on an average day, 350,000 per year -- the equivalent of about half the population of the state.

Courthouse Traffic - Minnehaha County Courthouse Front Doors, Oct-Nov 2006

35 working days. Average traffic count: 1,368 per working day. Total visitors: 48,259. Highest day: 1,892, Oct 10. Lowest day: 977 Oct 27. Door counter installed/zeroed on October 9 (a holiday). Holidays: Oct 9, Nov 23, Nov 24. November 10 was also a holiday (Veteran's Day), but a murder trial continued that day, front doors remained open, and 379 people passed through; that day is not included in the calculations for average daily traffic count. Does not include daily entry through all other courthouse doors.

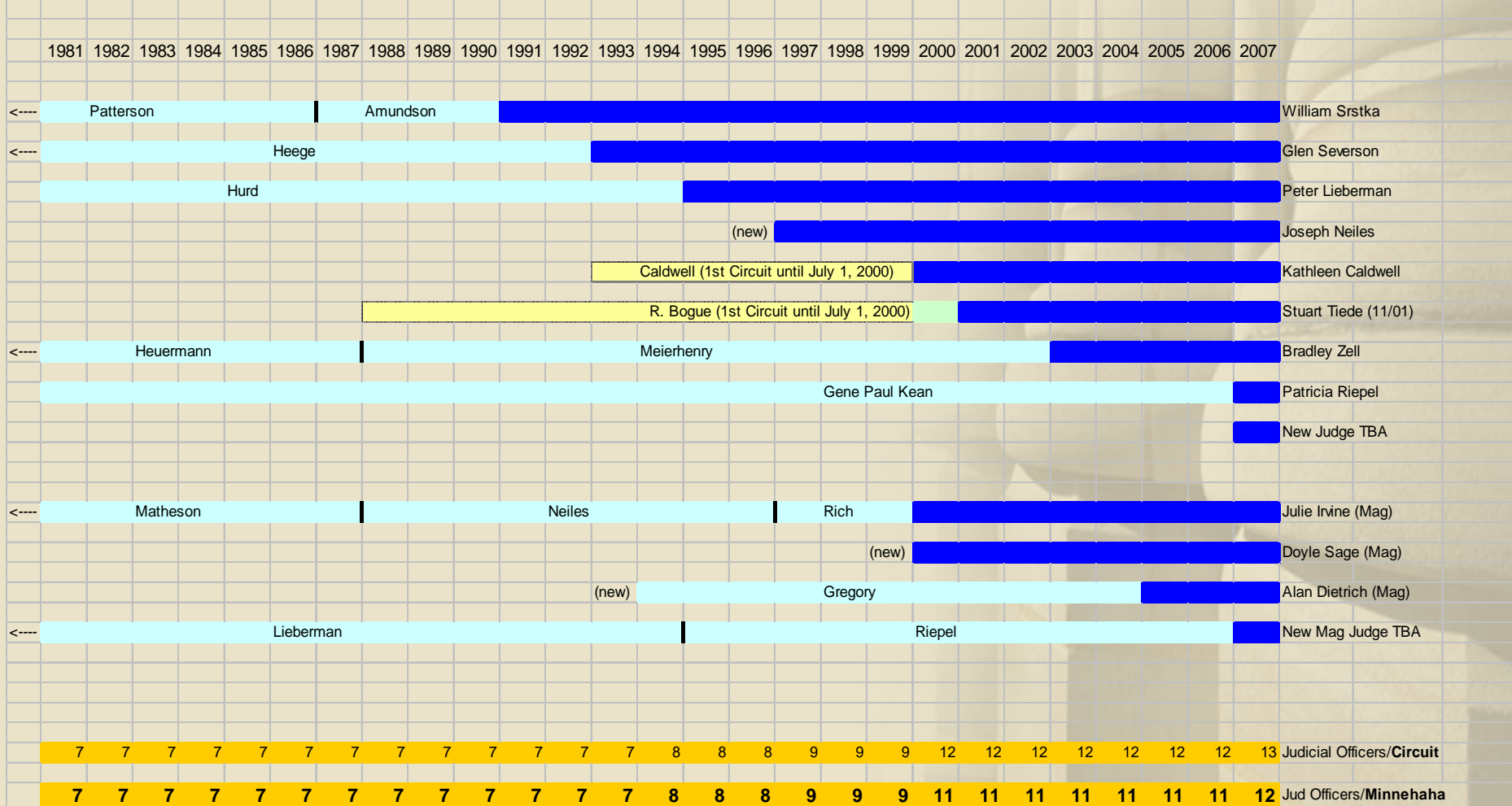


	9-Oct	10-Oct	11-Oct	12-Oct	13-Oct	16-Oct	17-Oct	18-Oct	19-Oct	20-Oct	23-Oct	24-Oct	25-Oct	26-Oct	27-Oct	30-Oct	31-Oct	1-Nov	2-Nov	3-Nov	6-Nov	7-Nov	8-Nov	9-Nov	10-Nov	13-Nov	14-Nov	15-Nov	16-Nov	17-Nov	20-Nov	21-Nov	22-Nov	27-Nov	28-Nov	29-Nov	30-Nov
Visitors	0	1892	1560	1312	1277	1243	1153	1249	1158	1067	1368	1293	1323	1318	977	1516	1354	1510	1369	1165	1453	1190	1314	1319	379	1763	1258	1313	1301	1201	1479	1580	1559	1662	1479	1640	1435

Now in 2007...

Long term growth in judgeships – from 7 to 13:

Second Circuit Judgeships & Magistrate Judgeships, 1981 to 2007



Currently judges and magistrates judges are rotated to Lincoln County to the approximate level of one full-time-equivalent judge assigned to Lincoln County.

Now in 2007...

- The processing volume in the building has grown dramatically since 1996
- File shelving now totals *half a mile* (2,400 linear feet)
- The court now processes nearly one million new pieces of paper per year and sent 360 boxes of old files to storage (2006)

Courtrooms in 2007?

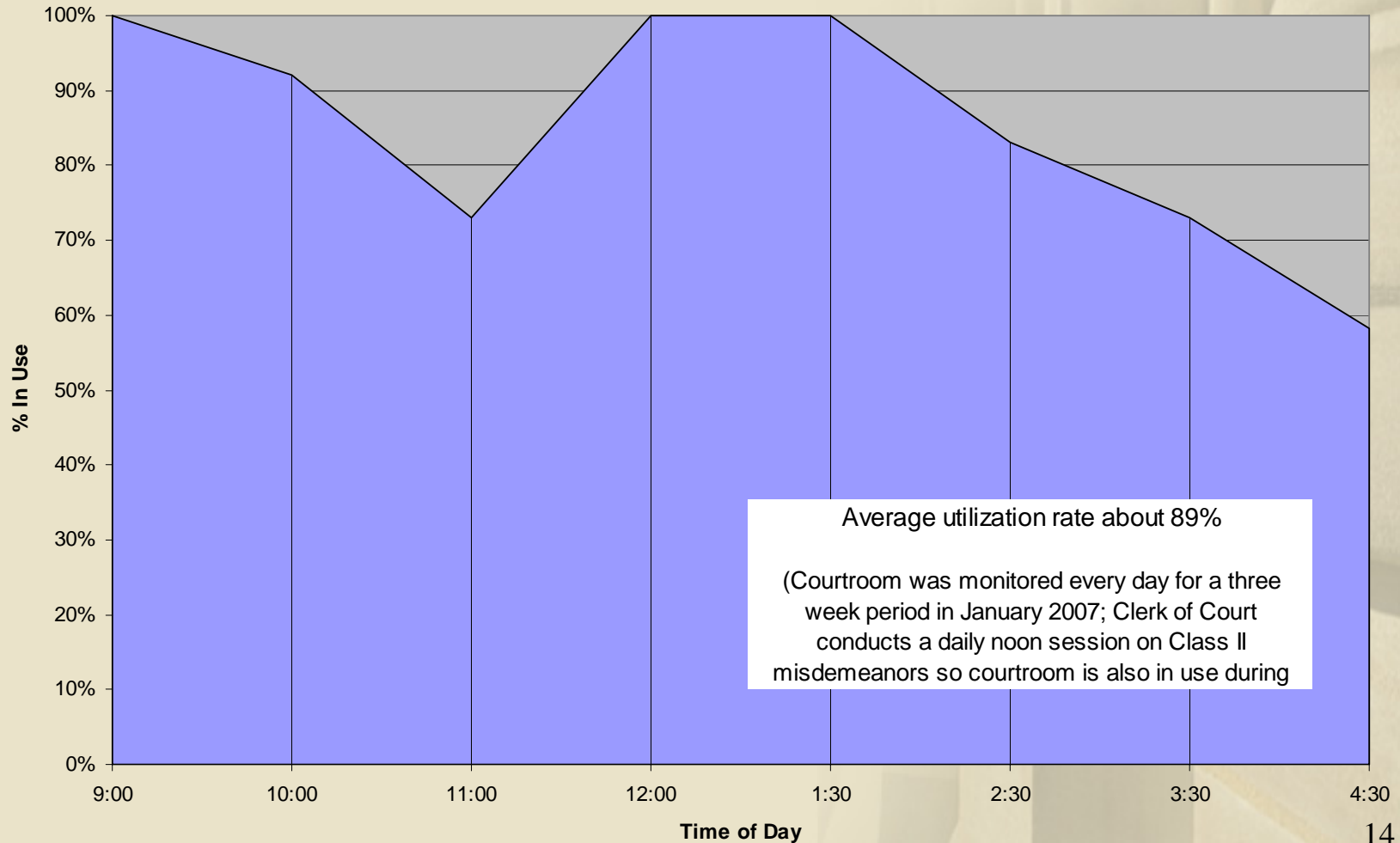
13 judges and magistrate judges in the Circuit, but only 10 courtrooms in the Minnehaha County Courthouse.

Like the airlines, we
“overbook”
courtrooms and hope
cases resolve before
the hearings.



How much are the courtrooms actually used? Here's a sample...

Sample Utilization Rate - Courtroom 1A, Minnehaha County Courthouse, 2007



But courtrooms are still empty sometime.
Can't we “overbook” even more?

In 2006 we scheduled an average of 130 hearings
per week per courtroom.

If we did set even more, at some point we would have
to turn people away because we lost the overbooking
gamble. Is there an acceptable level of...

*“Sorry, your courtroom is busy,
come back another day?”*

What about a less expensive separate location?

Depending on case types, it would require
additional shifts of:

- Judge
- Prosecutor
- Probation officers
- Courthouse security staff
- Prisoner transport officers
- Maintenance staff
- Court Clerk
- Defense attorney
- Bailiffs

\$\$\$

- *And confusion -- members of the public, private attorneys, witnesses, police officers, jurors, sheriff's deputies required to appear at multiple locations?*



How about nights or weekends for something like small claims?

- Small claims cases make up only about 6% of total filings, and use about 3% of available courtroom time.
- From 2005 to 2006, courtroom use grew about 10% in one year.
- In other words, if we moved every small claims case to nights starting tomorrow, the freed-up courtroom time would be consumed by growth in 3-4 months.

Maybe we just have too many employees and judges?

- Minnehaha County: 2,030 cases per clerk;
Statewide average: 1,317 cases per clerk
- Minnehaha County: 6,344 cases per judge;
Statewide average: 2,656 cases per judge
- Minnehaha County: Judge need according to the statewide formula: 16.21; judges available: 12, soon to be 13

I'm not involved in any court cases.
How does courthouse crowding affect me?
For example, jury duty:

- We now summon about 8,800 citizens for jury duty each year (2007)
- The jury assembly room seats about 80 people.
- If three trials are scheduled to begin at the same time, jurors spill into the lobby, fill the lobby benches, and sit on the floor.



Why now?

- In the mid-90's when the courthouse was built, the U.S. Census projected 156,000 people in Minnehaha County by 2015.
- The U.S. Census now estimates 165,000 people in 2006, and nearly 200,000 by 2015. *The City of Sioux Falls Planning Department now estimates 227,000 by 2015.*
- Interest rates for financing are still at historic lows.
- Criminal filing have increased, but cases must still go to trial within 180 days according to state law or be dismissed.



So How Much?

- About **\$11.5 Million** according to latest estimates
- Tax effect: no more than **\$9** per year on a \$100,000 home (could be lower depending on timing and debt structure.)
- As tax base increases, cost to individual taxpayer could be even lower.



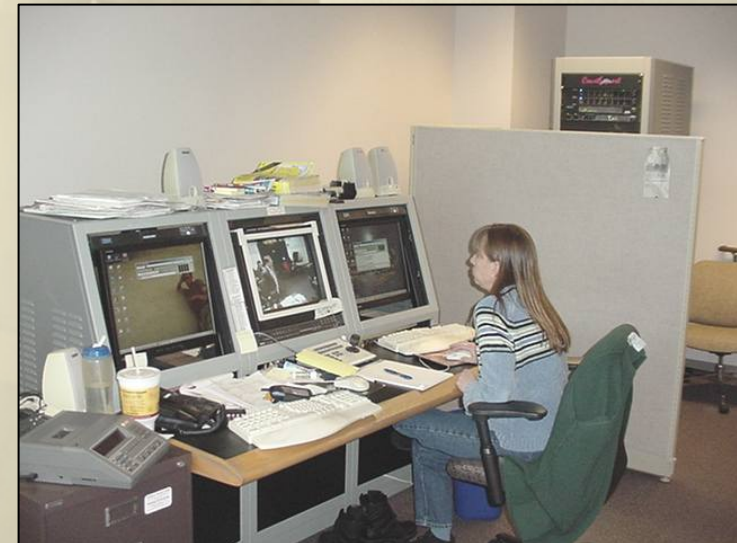
Proposed Project Structure

- “Construction Manager at Risk” – County hires construction manager who guarantees a maximum cost.
- County hires financial advisor to handle financing, bonds, etc.
- Competitive bids taken to ensure the best (lowest) interest rates on the bonds.

What would the public get for the money?

Current plans:

- Six additional courtrooms and five judges chambers to solve the current crunch and accommodate future growth
- Includes a high-tech, high capacity, multi-litigant courtroom that seats 115
- Includes a secure felony in-custody courtroom



What would the public get for the money? Current plans:

- An expanded jury assembly room for 112 jurors
- 4 to 5 additional jury deliberation rooms



Basic Public Services

must grow to meet the demands of a
growing community



Rapid Growth =
More Court Cases =
A Need for Court
Facilities

Conclusion
&
Thanks for
watching this
presentation.



Additional Reference Slides
Follow if Needed

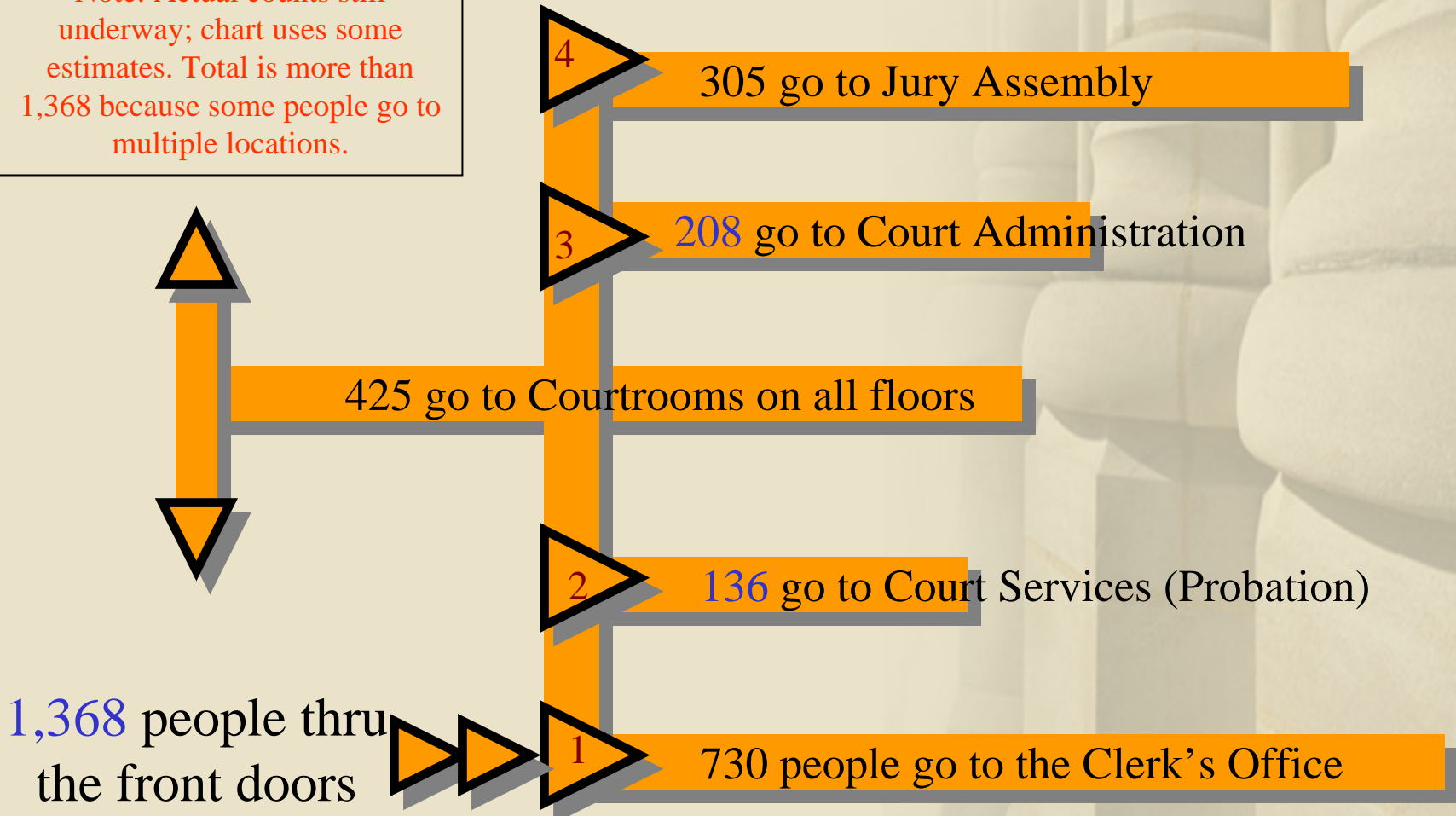
What's the “right” number of courtrooms anyway?

- Minnehaha County: 15,000 residents per courtroom
- Pennington County: 13,000 residents per courtroom
- Kenosha County, WI: 12,000 residents per courtroom (13 total courtrooms, same population as Minnehaha)
- Wyandotte County, KS: 10,400 residents per courtroom (15 courtrooms, same population as Minnehaha)
- South Dakota statewide average, county residents per courtroom: 7,600

Why remodel any existing space?

To move the highest volume activity closest to the front doors. Here's the traffic pattern now:

Note: Actual counts still underway; chart uses some estimates. Total is more than 1,368 because some people go to multiple locations.



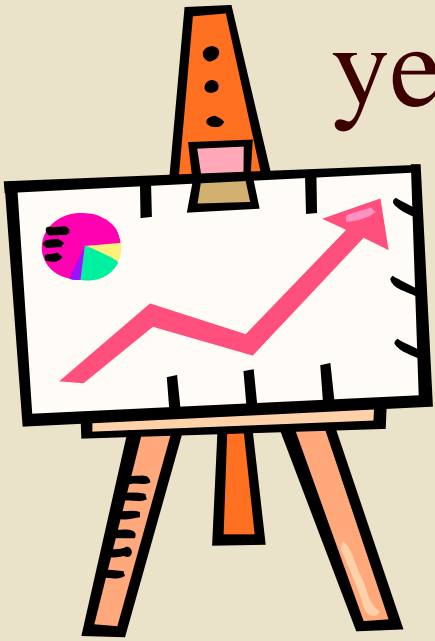
What would the public get for the money? Current plans, space for:



- 6 more attorney/client meeting rooms
- 12 more clerk's staff
- 12 more Court Services (probation) officers
- 5 more court reporters
- 2 more law clerks
- 2 one more computer rooms
- Additional rooms for trial exhibits and equipment

So where are we going?

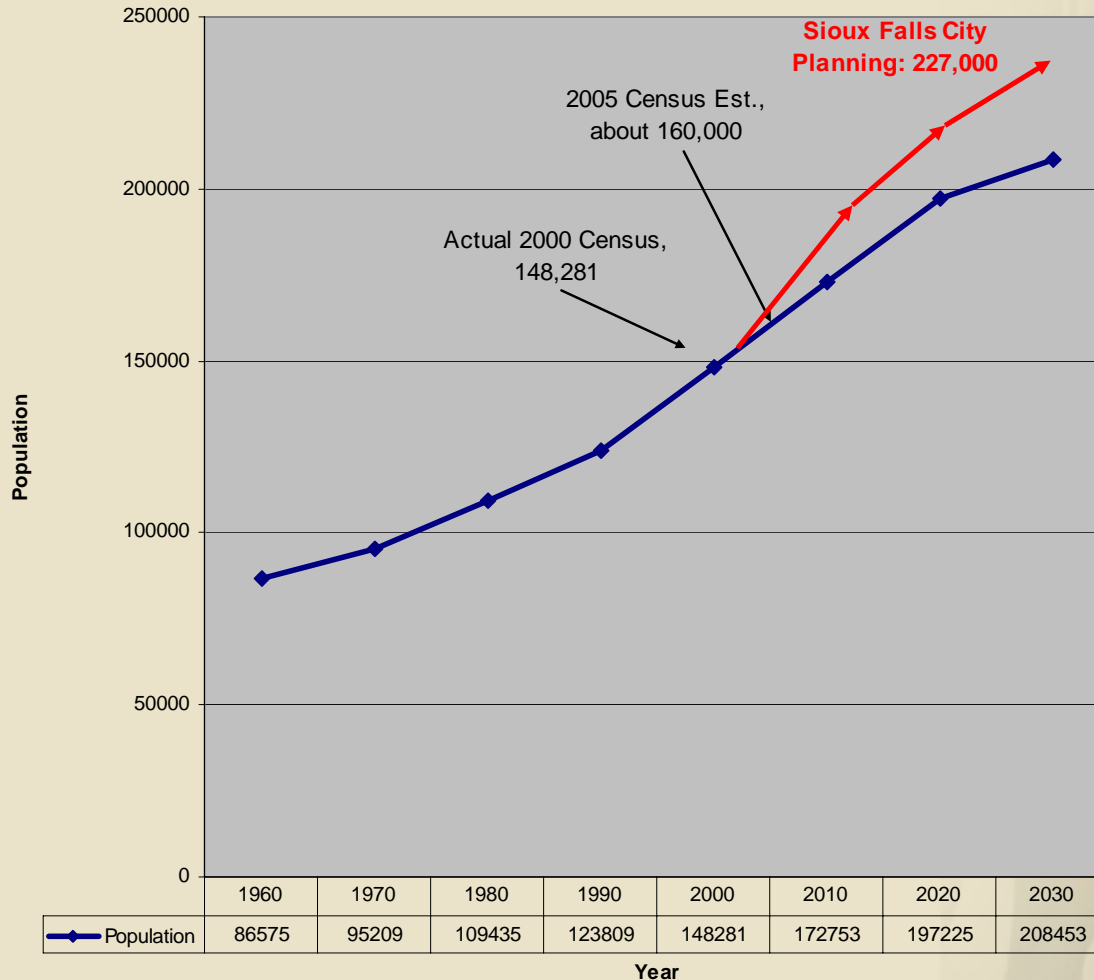
Assuming Minnehaha County continues to grow at about the same rate as it has for the last 20 years, then 20 years from now...



In 2026, we'll be serving over well over 200,000 people

Minnehaha County Population

Data: U.S. Census, updated with estimates released March 2006



Notes:

Population projection based on U.S. Census data updated March 2006. Census projections have actually underestimated growth since the 1990 census.

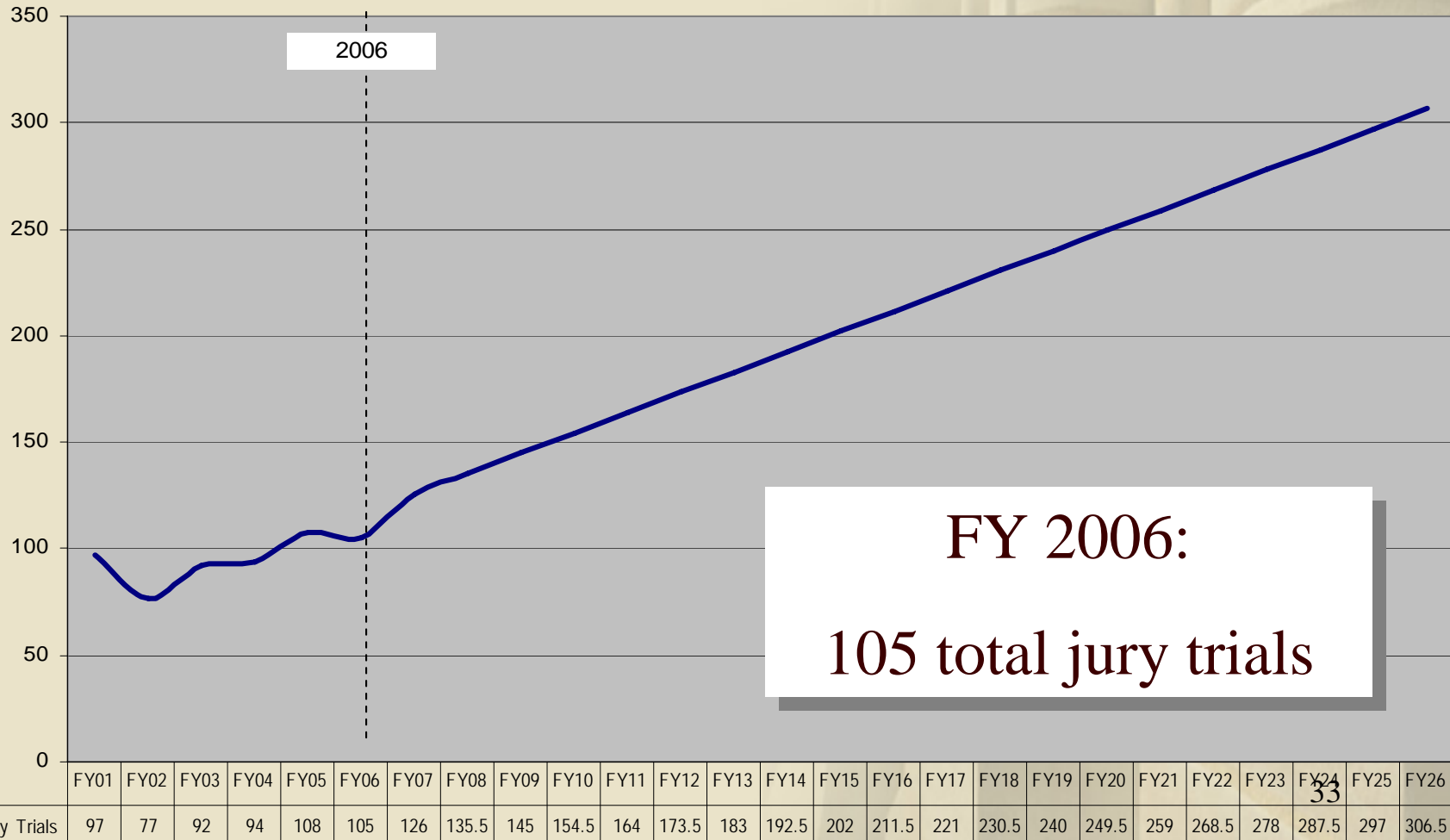
In contrast, population projections by the Planning Department for the City of Sioux Falls are significantly higher. The City's projections for Minnehaha County issued June 2005 are:

1990	123,809
2000	148,281
2004	160,500
2005	165,500
2010	184,000
2015	203,000
2020	214,000
2025	227,000

In 2026, we'll handle about 300 jury trials per year

Minnehaha County Jury Trials

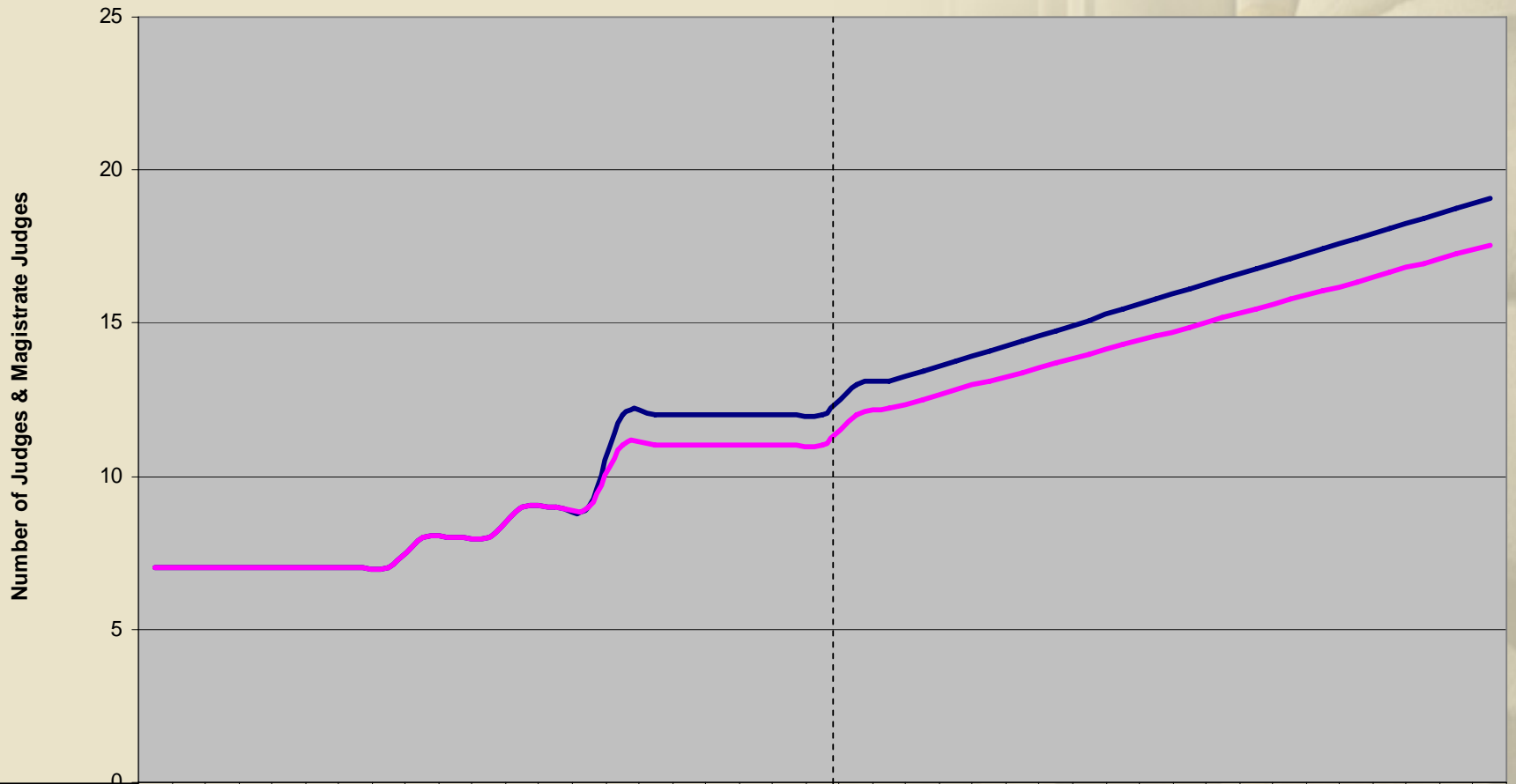
Civil & Criminal. Source Data: UJS Annual Reports through 2006, simple linear projection for 2005-2026



**FY 2006:
105 total jury trials**

In 2026, we'll have about 18 judges

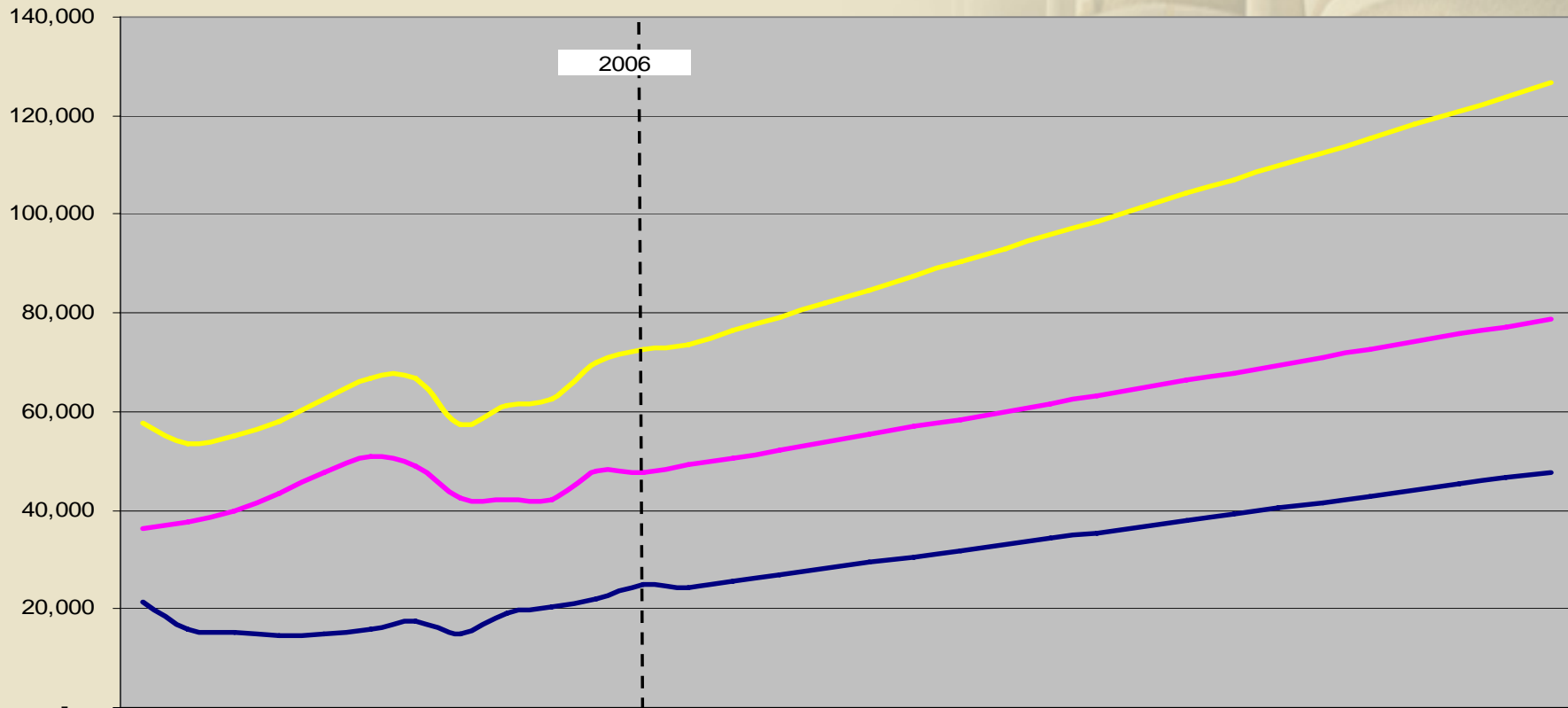
Number of Judges, Minnehaha County & Second Judicial Circuit,
Twenty Years Past, Twenty Years Projected, 1986 to 2026



Year	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
2nd Circuit	7	7	7	7	7	7	7	7	8	8	8	9	9	9	12	12	12	12	12	12	12	13	13.1	13.4	13.8	14.1	14.4	14.8	15.1	15.4	15.8	16.1	16.4	16.8	17.1	17.4	17.8	18.1	18.4	18.8	19.1
Minnehaha County	7	7	7	7	7	7	7	7	8	8	8	9	9	9	11	11	11	11	11	11	11	12	12.2	12.5	12.8	13.1	13.4	13.7	14.0	14.3	14.6	14.9	15.2	15.5	15.8	16.1	16.4	16.7	17.0	17.2	17.5

In 2026, we'll handle about 126,000 cases per year

Case Trends & Projections, 1995 to 2026;
data table below shows thousands of cases per year



Fiscal Year	'95	'96	'97	'98	'99	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Minnehaha Civil	21,3	15,7	15,3	14,7	14,8	15,7	17,5	14,7	19,2	20,4	22,1	24,9	24,4	25,6	26,8	28,1	29,3	30,5	31,7	33,0	34,2	35,4	36,7	37,9	39,1	40,3	41,6	42,8	44,0	45,3	46,5	47,7
Minnehaha Criminal	36,2	37,6	39,7	43,3	47,7	50,9	49,0	42,6	42,0	42,0	47,8	47,5	49,1	50,6	52,2	53,8	55,3	56,9	58,4	60,0	61,6	63,1	64,7	66,3	67,8	69,4	70,9	72,5	74,0	75,6	77,2	78,8
Minnehaha Total	57,5	53,4	55,1	58,0	62,5	66,7	66,6	57,3	61,2	62,5	69,9	72,5	73,5	76,3	79,1	81,9	84,6	87,4	90,2	93,0	95,8	98,6	101,	104,	107,	109,	112,	115,	118,	120,	123,	126,

What about Lincoln County's new courthouse?



- About \$8.5 million budgeted for the project
- About \$1 million for the courthouse remodel portion, three courtrooms
- Now under construction in January 2007; court space to be completed late 2008/early 2009.



Can't we use some of Lincoln County's new courthouse? We do share some things, but...

- About 90% of the Circuit's work is here in Minnehaha County, not Canton.
- It's not reasonable to expect Lincoln County citizens to fund court facilities for Minnehaha County, and vice versa.
- We can't reasonably expect Minnehaha residents to drive to Canton for their court business.
- According to statute, juries must be drawn from the county where the case is filed.

Lincoln County, 2007





Minnehaha County Courthouse Expansion

*What are we doing to
inform the public?*

Public Information Plan

2007

Public Information Plan:

- Offer appearances at service club luncheons/Chamber of Commerce
- Updated presentation at County Commissioners Meeting February 6, 2007
- Distribute CD of this updated slideshow to all local media and any other interested
- Prepare brochure or booklets for the public

Public Information Plan:

- Evening or weekend public information sessions in March and April in Sioux Falls and elsewhere
- Requested meeting w/Argus Leader Editorial Board
- Possible Channel 16 video/broadcast slideshow
- Argus feature story Feb 20, 2007