

S.Dakota Supreme Court Visits USD

BY SARAH WETZEL
For the Plain Talk

Students at the University of South Dakota and the Vermillion community had a valuable educational and political experience this week as the South Dakota Supreme Court held a session at USD's own law school.

"Every other year now they go somewhere else in the state and it rotates around," said Dean Thomas Geu of the law school. "They used to go here and somewhere else once a year but budgets are tight so they decided they need to alternate years. They always go out once a year so the public has a chance to see them away from Pierre."

According to Geu, it is a great chance for the public to see first-hand how they function.

"It's so that people can see the process of how the court works and the questioning so that they can understand the appellate process and the judiciary," he said. "Even though Pierre is in the middle of the state, it's a long way from some of the corners so if from time to time they can go to a different corner of the state it makes it easier for folks to have access."

The courtroom at the USD law school is a frequent stop for the Supreme Court in their rounds of the state.

"It's a wonderful learning opportunity and I think it really shows the cooperation and legal education that exists between the South Dakota Judiciary and the law school," Geu said. "It's more convenient and it's a larger crowd in any event. So it



SARAH WETZEL/FOR THE PLAIN TALK
Students in an overflow room watch the proceedings of the South Dakota Supreme Court which held a session at the USD law school this week.

also manifests in the relationship in the relationship we have with the bar. That's not necessarily common in other states, even states that only have one law school like ours."

It is an opportunity that many do end up taking advantage of according to Geu.

"It is usually pretty well attended and of course we have overflow rooms," he said. "Those who can't get into the courtroom either because they missed the ten minute entry period or because they can only catch bits and pieces because of what they're doing the rest of the morning, they have an opportunity to watch in the overflow rooms through the video. So I daresay that all students get to catch some arguments inside the courtroom and are certainly aware of a lot of others.

And some professors want to use these particular cases and the oral arguments as assignments to study. Kind of a live-body surgery as opposed to the autopsies that we usually get, looking at the stuff that happened before. It really is a marvelous educational experience for students."

It's not only students that benefit, but anyone that has an interest.

"Certainly it's open to the public and we do have a few general community members," Geu said. "We have a few other students from around campus, we have faculty particularly when the case is in their area of expertise and we do have sometimes high school classes that will come in and it's a real good experience for them."

Even those not trained in the process can gather valuable lessons from watching the proceedings according to Geu, primarily the knowledge that South Dakota is in good hands.

"What I would think that the baseline information that comes out of watching an argument whether or not you understand the legal jargon is that the judges are engaged and interested and ask questions and they ask questions from all perspectives to all parties and very rarely does policy play any part in arguments," he said. "They are truly usually legal arguments that look at specific statutes and how they apply to very specific situations. I think that community members would be comforted in watching with what care the judiciary and the lawyers take the process and how well the lawyers prepare."

Associate Dean of the law school Tif-

fany Graham agrees.

"One of the best values is the transparency involved here," she said. "It's very easy to think of Supreme Court proceedings in particular as occurring in some kind of a black box. While certainly the public isn't invited in the room when the justices are engaged in conferences and when they're trying to decide amongst themselves what the decision is going to be, by putting the briefs online and providing summaries that are available once they walk in the door, and by putting the oral arguments online as well, this is the court communicating to the public saying 'We don't have anything to hide. We are part of the democratic framework that exists in this state. We are not going to hide the ball from you when it comes to how we make decisions.' I think that by allowing the public to not just read everything they have available online but come in and literally watch them and making that available by moving where they hold these arguments on a regular basis, that is a way the court says to citizens of South Dakota, 'Come and see us. You're welcome. We serve you.'"

The cases argued this time around gave visitors a wide variety of law to experience from municipality law to criminal law to contract law.

To read the oral arguments set for October 5-7, the accompanying briefs, and the audio clips from the arguments, visit http://ujs.sd.gov/Supreme_Court/currentterm.aspx.

Ganschow

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"This doesn't surprise me at all, but it is all overwhelming," she said. "There are so many communities involved. Our daughter teaches kindergarten in Gayville-Volin, and the staff and the student body are involved with the benefit. They have helped us with yard work and things around the farm. Now that it is combine day, this is nothing that we wouldn't do for anybody else."

Doug has lived in the Wakonda area since he was only a year old. He went to school and graduated from the community.

"He doesn't have an enemy," Pam said. "This is very humbling for him, too. We have done it for others; it is just paying it forward. It gives us comfort, piece of mind and comfort financially that we are going to get the crops in and have the money to pay bills this year."

In addition to the crews who showed up Tuesday, Pam said the University of South Dakota community has also supported them.

Doug has worked at USD for 25 years, finishing as construction supervisor this past month and Pam is an accountant in the medical school.

"They have been awesome," she said. "They have a program where, when you run out of your annual leave and your sick pay, people can donate their leave to you. Because of this



SHAUNA MARLETTE/FOR THE PLAIN TALK
Friends unload corn from the field into a semi-truck to take the Ganschow harvest to the elevator.

program, I do not have to take work off without pay. I am able to do that because others have anonymously donated hours to me so I can still be here to take care of Doug."

Larson said it is hard for her dad not to be out in the fields with his friends, but he is grateful for all they are doing.

While Tuesday was harvest day, Peterson was quick to say that the support for the Ganschow's doesn't end here.

A benefit for the Ganschow's will be held this Saturday, Oct. 10 at the Wakonda Legion Hall.

"This is just what we do in Wakonda," he said. "To me, that benefit is more work than what we are doing here right now, there are a lot of man

hours, or woman hours I should say, that are going into that."

Larson said that her mom has done many benefits for others in the community, but had hoped she would not ever be on the receiving end of it.

"In the end all we can do is say thank you," she said.

A free will donation supper will start at 4:30 p.m. A silent auction starts at 4:30 p.m. and a live auction at 7 p.m.

Cash donations can be made out to the "Doug Ganschow Benefit" at First Premier Bank, PO Box 326, Wakonda, S.D., 57073.

For more information or to donate an item to the auction, contact: Donna Henriksen 661-3987, Pat Girard 267-2421 or Darby Ganschow at 661-2739.

Oktoberfest

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good excuse for a party."

The community has been more than happy to cooperate according to Bellis.

"At this one we've got coming up this weekend, it's at the WH Over Museum," he said. "They provided the grounds because they would like to promote that and let the public know who they are and where they are. So we're calling it the 'Oktoberfest Overfest.'"

Even the music will be local, though German as well.

"We've already got a local band," Bellis said. "It's called Die Kliene Blask Band which is German for 'The Little Brass Band.'"

There will be no shortage of food or drink either according to Bellis.

"Hy-Vee is going to be cooking up brats and providing meals," he said. "Heck's Barbeque is going to show up. We have the Schell's Brewery from New Ulm Minnesota who creates a specific Oktoberfest beer. They're going to be the principal sponsor, they'll bring their beer and be setting up the beer garden."

The festival will be family-friendly as well according to Bellis.

"We'll have all of that happening and the vendors coming in and doing things that are more kid-oriented," he said. "There will be pumpkins for sale that you can do pumpkin painting. The German Club from the high school will show up and I'm told they will show up in traditional Bavarian costume. They may give us a sample of some German dance and some history off to the side. They'll be selling pretzels. They're also going to create these gingerbread cookie hearts that hang on a string around your neck. They'll write a nice thing on it, whatever you want on the cookie. It will be in German to give it that flair. It's really just a great

excuse to have a party."

According to Bellis, many Oktoberfests are held in September for a better guarantee of weather cooperation.

The Oktoberfest this weekend will happen no matter what according to Bellis, though he remains optimistic.

"This year is going to be kind of a learning curve for us," he said. "Certainly we'll have a lot of mistakes somewhere along the way but we plan on it being very successful and fun so next year it will be even bigger and better and we'll just keep making improvements."

German or not, everyone is welcome according to Bellis.

"You don't have to have a connection one way or the other," he said. "It's just a really good excuse to have a party and everybody comes out. It's kind of like St. Patrick's. On St. Patrick's Day everybody's Irish. On Oktoberfest everybody's German."

Even so, Vermillion has strong heritage ties to German and other Scandinavian countries.

"It's something that I'm kind of surprised we haven't had before but it's time we go ahead and create our own and start having visitors see what we've got," Bellis said. "I don't know if you knew that Vermillion has a sister city in Germany called Ratingen. It's another small community much like ours. We have a long history of being sister cities with Ratingen. If you went into our city hall you'll see there are large posters of the historic Ratingen village displayed in the lobby. North University used to be called Ratingen Strasse and the Platz downtown gets its name from our German connections because Platz means 'the place.' We have a whole lot of German ancestry right in our community that we don't even think about."

For more information on the Oktoberfest contact the VCDC at (605) 624-5571 or the W.H. Over Museum at (605) 659-6151.

Assaults

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said. "With that said we do experience sexual assaults throughout the year fairly regularly. As to if they are related, I don't know. But it is something we are going to follow up on."

"Based on our assessment of the events and the activities surrounding them, we feel that the community is at no more risk today than it was a week ago," he added.

Passick stated that it is important to continue to provide services to the victims after the report in cases like this. As for if they are in any more danger because they reported the assaults he could not comment.

University of South Dakota officials said they are very concerned about the two incidents and felt it was in the best interest of students to let them know what was going on, which was why they issued an alert to all students on Wednesday.

"Our first priority is the safety of our students and people in our campus community," said USD President James W. Abbott. "We don't want to panic people, but at the same time we have a responsibility to make people aware of a possible safety concern."

Tena Haraldson, director of Marketing Communications and University Relations at USD said when campus police found out about the incidents on Wednesday campus officials began the deliberation on issuing the alert.

"We kind of looked at the factors of whether it was a safety concern that the students needed to be aware of and when president Abbott

made that decision the alert was issued," she said. "It is an automatic system that the board of regents has and it goes to whatever devices people have registered with us as their contact devices. It may have in some cases even gone to some parents, because if students have given their parent's number that might be in there, too."

Haraldson said even though the assaults have occurred, she still believes that students are incredibly safe on USD's campus.

"We have one of the safest campuses in the United States for a state run university," she said. "But we don't want that the lull people into thinking these situations never happen. You have to exercise good judgement. I hope students learn from this that there safety is partly their responsibility, as well. Drugs and alcohol often can impair judgement and lead to situations that you are not in and that we have to watch out for each other. Friends have to watch out for their friends and step in if they see a situation developing. Those are all things that we try to encourage our students to do. We realize that every situation is different, but we hope that this will just make them more alert."

Currently, all board of regent operated schools in South Dakota are in the process of implementing a new Title 9 program on safety, Haraldson said.

"We have a program that the board of regents is implementing where everyone is taking classes learning about Title 9 and about safety," she said. "We will have a consultant coming to campus sometime this school year to look at our policies and procedures to help us meet all the federal requirements, as far as that

goes. We are taking steps. We hear about this elsewhere and we don't want to hear about it in Vermillion. Unfortunately, this time we did."

Haraldson added she believes the two victims coming forward was very important.

"If these women hadn't come forward and this hadn't been reported we wouldn't have been able to alert the rest of campus and would not be able to teach people to be safer," she said. "We can use this to show people that they can call campus police. If they are afraid to do that we have community assistants in every residence hall. We have a counseling center on campus where people can go. They can always call the dean of student's office and she will personally offer assistance to the students to who have fears or concerns. She does that on almost a daily basis for different reasons. Just about everywhere you look here on campus there is someone who can help."

USD officials and campus police will be assisting the Vermillion Police in any way possible, Haraldson said.

Passick added that he did not believe the assaults were tied to homecoming.

"We have nothing to suggest that homecoming week had anything to do with this," he said. "We encourage some baseline precautions. It is the same precautions that we give day in and day out. This is a good reminder to take steps to stay safe yourself. No matter how safe a community is these types of events occur everywhere. It is a good idea to take the safety precautions seriously. ... The bottom line is just to remain alert remain alert to anything that makes your gut feel not quite right. Avoid dark areas, use the buddy system and check up on each other. We hope to inspire trust in the justice system. If something does happen to you, something that is not right, we are here as a resource to provide the services we can."



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